

ALHAMBRA UNIFIED SCHOOL DISTRICT
1515 WEST MISSION ROAD
ALHAMBRA, CA 91803
(626) 943-6570

**BID #1221 – 19/20 – SUBCONTRACTOR’S PREQUALIFICATION
PACKAGE**

Construction Projects of \$1,000,000.00 or more

TO: PROSPECTIVE SUBCONTRACTORS

INTRODUCTION

Alhambra Unified School District (“District”) intends to solicit bids for the construction of a public works project having a single-project construction value of not less than One Million Dollars (\$1,000,000.00) and not more than Three Million Dollars (\$3,000,000.00). The District intends to solicit bids for the Project from a pool of Subcontractors who have been pre-qualified by the District pursuant to the District’s Pre-Qualification Program established for this Project. The District reserves the right to extend the solicitation date based on project readiness. The Pre-Qualification Program is set forth below.

**Bid #1221 – 19/20 PA, CAMERA, & IT UPGRADES AT BRIGHTWOOD ES,
MONTEREY HIGHLANDS ES, REPETTO ES, AND YNEZ ES**

Alhambra Unified School District (AUSD) is looking to upgrade the site-wide Public Address, Clocks, Video Surveillance Systems, and IT infrastructure at the Brightwood, Monterey Highlands, Repetto, and Ynez Elementary Schools. Engineer’s estimate is \$1,400,000 for all four sites and Construction Schedule is estimated at one-hundred eighty (180) calendar days. Subcontractor is expected to perform scope at multiple sites simultaneously to accommodate the Construction Schedule. Typical work hours Monday – Friday will be from 3:00 pm to 11:00 pm.

THE PRE-QUALIFICATION PROGRAM

Submission of Applications for the Pre-Qualification Program - Deadlines

This Pre-Qualification Program will start upon the District advertising for Applications from the general public. **Advertising is anticipated to begin September 2, 2019. Applications will be accepted by the District as soon as the Pre-Qualification Program is advertised. Applications for the Prequalification Program will continue to be accepted by the District up until 10:00 a.m. on September 13, 2019, at which time no further applications will be accepted.** The District reserves the right to re-

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open the application process as a whole should the District determine, in its sole discretion, that an adequate number of applications have not been received.

Pre-Qualification Program Requirements

As a condition of bidding on the Projects and in accordance with the provisions of California Public Contract Code § 20111.5 and Alhambra Unified School District Administrative Regulation 3311 (d) the Board of Education has delegated to District Staff the authority to establish and administer a pre-qualification program. The District requires that prospective Subcontractors submit a completed Subcontractor's Prequalification Application on the attached forms as part of the District's Prequalification Program ("Program"). An application that is not on the required forms will not be considered or reviewed.

These documents will be the basis of rating Subcontractors with respect to the size and scope of projects upon which each Subcontractor is qualified to bid. All questions must be answered. If a question is not applicable, then indicate a response of "N/A" in the space provided. "You" or "Yours" as used herein refers to the prospective Subcontractor's firm and any of its owners, officers and/or principals, including the Responsible Managing Officer/Responsible Managing Employee (RMO/RME).

If additional sheets are required for any of the responses, please attach additional sheets of paper signed by the owner, officer and/or principal (including RMO/RME). Failure to provide any information requested will result in a reduced rating or disqualification from bidding on the Projects. **Any false statement will result in the prospective Subcontractor's immediate disqualification from bidding on the Projects.**

The prospective Subcontractor shall have a duly authorized owner, officer or principal complete the questionnaire and the financial statement who shall verify the truth of the information provided.

1. Prequalification of Subcontractors.

The District requires from prospective Subcontractors' complete answers to all the questions contained in this Application including a complete statement of the prospective Subcontractor's financial ability and experience in performing public works. These documents will be the basis of rating Subcontractors to determine whether a bidder is qualified to bid on the Projects.

2. Contents of Application.

Application consists of the following:

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- Subcontractor’s General Information
- Part I. Essential Requirements for Qualification
- Part II. Organization, History, Organizational Performance, Compliance with Civil and Criminal Laws
- Part III. Project References
- Part IV. Financial Information
- Certification
- Exhibit “A”
- Scorable Questions and Scoring Instructions
- Appeal Process

3. Submission of Completed Application.

Submit the Application to:

**ALHAMBRA UNIFIED SCHOOL DISTRICT
C/O: Elizabeth Roman, Director of Purchasing
1515 W. Mission Road, Room 124
Alhambra, CA 91803**

Please mark the envelope ***“Confidential – Subcontractor Pre-Qualification Information – Bid No. 1221-19/20”***

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SUBCONTRACTOR’S GENERAL INFORMATION

Firm Name: _____ Check One: Corporation
(as it appears on license) Partnership
 Sole Prop.

Contact Person: _____

Address: _____

Phone: _____ Fax: _____

Mobile Phone: _____ Email: _____

If firm is a sole proprietor or partnership:

Owner(s) of Company _____

Subcontractor’s License Number(s):

By: _____ Date: _____
(Name of individual completing statement)

Years in business as a licensed Subcontractor: _____

Types of work performed: _____

Years in business under current firm name: _____

Years at the above address: _____

Receipt and acceptance of the following addenda is hereby acknowledged:

No. _____, Dated _____

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PART I. ESSENTIAL REQUIREMENTS FOR QUALIFICATION

Subcontractor will be immediately disqualified if the answer to any of questions 1 through 5 is “No.”

Subcontractor will be immediately disqualified if the answer to any of questions 6, 7, 8 or 9 is “yes.”¹ If the answer to question 8 is “yes,” and if debarment would be the sole reason for denial of pre-qualification, any pre-qualification issued will exclude the debarment period.

1. Subcontractor possesses a valid and current California Subcontractor’s license for the project or projects for which it intends to submit a bid.
 Yes No
2. Subcontractor has a liability insurance policy with a policy limit of at least \$2,000,000 per occurrence and \$4,000,000 aggregate.
 Yes No
3. Subcontractor has current workers’ compensation insurance policy as required by the Labor Code or is legally self-insured pursuant to Labor Code section 3700 et. seq.
 Yes No Subcontractor is exempt from this requirement, because it has no employees
4. Have you attached your latest copy of a reviewed or audited financial statement with accompanying notes and supplemental information for the past two (2) full fiscal years? Yes No

NOTE: A financial statement that is not either reviewed or audited is not acceptable. A letter verifying availability of a line of credit may also be attached; however, it will be considered as supplemental information only, and is not a substitute for the required financial statement.

5. Have you attached a notarized statement from an admitted surety insurer (approved by the California Department of Insurance) and authorized to issue bonds in the State of California, which states: (a) that your current bonding capacity is sufficient for this project for which you seek pre-qualification; (b) your current available bonding capacity?
 Yes No

NOTE: Notarized statement must be from the surety company, not an agent or broker.

6. Has your Subcontractor’s license been revoked at any time in the last five years?
 Yes No

¹ A Subcontractor disqualified solely because of a “Yes” answer given to question 6, 7, or 9 may appeal the disqualification and provide an explanation of the relevant circumstances during the appeal procedure.

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7. Has a surety firm completed a contract on your behalf, or paid for completion because your firm was default terminated by the project owner within the last five (5) years?
 Yes No

8. At the time of submitting this pre-qualification form, is your firm ineligible to bid on or be awarded a public works contract, or perform as a Subcontractor on a public works contract, pursuant to either Labor Code section 1777.1 or Labor Code section 1777.7?
 Yes No
 If the answer is "Yes," state the beginning and ending dates of the period of debarment:

9. At any time during the last five years, has your firm, or any of its owners or officers been convicted of a crime involving the awarding of a contract of a government construction project, or the bidding or performance of a government contract?
 Yes No

PART II. ORGANIZATION, HISTORY, ORGANIZATIONAL PERFORMANCE, COMPLIANCE WITH CIVIL AND CRIMINAL LAWS

A. Current Organization and Structure of the Business

For Firms That Are Corporations:

- 1a. Date incorporated: _____
- 1b. Under the laws of what state: _____
- 1c. Provide all the following information for each person who is either (a) an officer of the corporation (president, vice president, secretary, treasurer), or (b) the owner of at least ten percent of the corporation's stock.

Name	Position	Years with Co.	% Ownership	Social Security #

1d. Identify every construction firm that any person listed above has been associated with (as owner, general partner, limited partner or officer) at any time during the last five years.

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NOTE: For this question, “owner” and “partner” refer to ownership of ten percent or more of the business, or 10 percent or more of its stock, if the business is a corporation.

Person’s Name	Construction Firm	Dates of Person’s Participation with Firm

For Firms That Are Partnerships:

- 1a. Date of formation: _____
- 1b. Under the laws of what state: _____
- 1c. Provide all the following information for each partner who owns 10 percent or more of the firm.

Name	Position	Years with Co.	% Ownership	Social Security #

- 1d. Identify every construction company that any partner has been associated with (as owner, general partner, limited partner or officer) at any time during the last five years.

NOTE: For this question, “owner” and “partner” refer to ownership of ten percent or more of the business, or ten percent or more of its stock, if the business is a corporation.

Person’s Name	Construction Company	Dates of Person’s Participation with Company

For Firms That Are Sole Proprietorships:

- 1a. Date of commencement of business. _____
- 1b. Social security number of company owner. _____
- 1c. Identify every construction firm that the business owner has been associated with (as owner, general partner, limited partner or officer) at any time during the last five years.

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NOTE: For this question, “owner” and “partner” refer to ownership of ten percent or more of the business, or ten percent or more of its stock, if the business is a corporation.

Person’s Name	Construction Company	Dates of Person’s Participation with Company

For Firms That Intend to Make a Bid as Part of a Joint Venture:

- 1a. Date of commencement of joint venture. _____
- 1b. Provide the following information for each firm that is a member of the joint venture that expects to bid on one or more projects:

Name of firm	% Ownership of Joint Venture

B. History of the Business and Organizational Performance

- 1. Has there been any change in ownership of the firm at any time during the last five years?
NOTE: A corporation whose shares are publicly traded is not required to answer this question.
 Yes No
 If “yes,” explain on a separate signed page.

- 2. Is the firm a subsidiary, parent, holding company or affiliate of another construction firm?
NOTE: Include information about other firms if one firm owns 10 percent or more of another, or if an owner, partner, or officer of your firm holds a similar position in another firm.
 Yes No
 If “yes,” explain on a separate signed page.

- 3. Are any corporate officers, partners or owners connected to any other construction firms?
NOTE: Include information about other firms if an owner, partner, or officer of your firm holds a similar position in another firm.

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Yes No

If “yes,” explain on a separate signed page.

- 4. Has any owner, partner, CSLB qualifier or corporate officer of the firm operated as a Subcontractor under any other name or license number (not listed above) in the last five years?

Yes No

If “yes,” explain on a separate signed page, including the name and license number of the other company.

- 5. State your firm’s gross revenues for each of the last three years:

- 6. How many years has your organization been in business in California as a Subcontractor under your present business name and license number? _ years

- 7. Is your firm currently the debtor in a bankruptcy case?

Yes No

If “yes,” please attach a copy of the bankruptcy petition, showing the case number, and the date on which the petition was filed.

- 8. Was your firm in bankruptcy at any time during the last five years? (This question refers only to a bankruptcy action that was not described in answer to question 7, above)

Yes No

If “yes,” please attach a copy of the bankruptcy petition, showing the case number and the date on which, the petition was filed, and a copy of the Bankruptcy Court’s discharge order, or of any other document that ended the case, if no discharge order was issued.

License and Registration

- 9. For all California construction licenses, list the name of the license holder exactly as on file with the CSLB, the license numbers, license classifications, and expiration dates of the California Subcontractor licenses held by your firm:

- 10. Provide your Public Works Subcontractor’s Registration Number as on file with the Department of Industrial Relations:

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11. If any of your firm’s license(s) are held in the name of a corporation or partnership, list below the names of the qualifying individual(s) listed on the CSLB records who meet(s) the experience and examination requirements for each license.
- _____
- _____
12. Has your firm changed names or license number in the past five years?
 Yes No
If “yes,” explain on a separate signed page, including the reason for the change.
13. Has any owner, partner or (for corporations:) officer of your firm operated a construction firm under any other name in the last five years?
 Yes No
If “yes,” explain on a separate signed page, including the reason for the change.
14. Has any CSLB license held by your firm or its Responsible Managing Employee (RME) or Responsible Managing Officer (RMO) been suspended within the last five years?
 Yes No
If “yes,” please explain on a separate signed sheet.

Disputes

15. At any time in the last five years has your firm been assessed and paid liquidated damages after completion of a project under a construction contract with either a public or private owner?
 Yes No
If yes, explain on a separate signed page, identifying all such projects by owner, owner’s address, the date of completion of the project, amount of liquidated damages assessed and all other information necessary to fully explain the assessment of liquidated damages.
16. In the last five years has your firm, or any firm with which any of your company’s owners, officers or partners was associated, been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason?
NOTE: “Associated with” refers to another construction firm in which an owner, partner or officer of your firm held a similar position, and which is listed in response to question 1c or 1d on this form.
 Yes No
If “yes,” explain on a separate signed page. State whether the firm involved was the firm applying for pre-qualification here or another firm. Identify by name of the

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company, the name of the person within your firm who was associated with that company, the year of the event, the owner of the project, the project and the basis for the action.

17. In the last five years has your firm been denied an award of a public works contract based on a finding by a public agency that your company was not a responsible bidder.

Yes No

If “yes,” explain on a separate signed page. Identify the year of the event, the owner, the project and the basis for the finding by the public agency.

* * * * *

NOTE: The following two questions refer only to disputes between your firm and the owner of a project. Do not include information about disputes between your firm and a supplier, another Subcontractor, or Contractor. Do not include information about “pass-through” disputes in which the actual dispute is between a sub-Subcontractor and a project owner. Also, you may omit reference to all disputes about amounts of less than \$50,000.

18. In the past five years has any claim **against** your firm concerning your firm’s work on a construction project been **filed in court or arbitration?**

Yes No

If “yes,” on separate signed sheets of paper identify the claim(s) by providing the project name, date of the claim, name of the claimant, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution).

19. In the past five years has your firm made any claim against a project owner concerning work on a project or payment for a contract and **filed that claim in court or arbitration?**

Yes No

If “yes,” on separate signed sheets of paper identify the claim by providing the project name, date of the claim, name of the entity (or entities) against whom the claim was filed, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim (pending, or if resolved, a brief description of the resolution).

20. At any time during the past five years, has any surety company made any payments on your firm’s behalf as a result of a default, to satisfy any claims made against a performance or payment bond issued on your firm’s behalf, in connection with a construction project, either public or private?

Yes No

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If “yes,” explain on a separate signed page the amount of each such claim, the name and telephone number of the claimant, the date of the claim, the grounds for the claim, the present status of the claim, the date of resolution of such claim if resolved, the method by which such was resolved if resolved, the nature of the resolution and the amount, if any, at which the claim was resolved.

- 21. In the last five years has any insurance carrier, for any form of insurance, refused to renew the insurance policy for your firm?

Yes No

If “yes,” explain on a separate signed page. Name the insurance carrier, the form of insurance and the year of the refusal.

Criminal Matters and Related Civil Suits

- 22. Has your firm or any of its owners, officers or partners ever been found liable in a civil suit or found guilty in a criminal action for making any false claim or material misrepresentation to any public agency or entity?

Yes No

If “yes,” explain on a separate signed page, including identifying who was involved, the name of the public agency, the date of the investigation and the grounds for the finding.

- 23. Has your firm or any of its owners, officers or partners ever been convicted of a crime involving any federal, state, or local law related to construction?

Yes No

If “yes,” explain on a separate signed page, including identifying who was involved, the name of the public agency, the date of the conviction and the grounds for the conviction.

- 24. Has your firm or any of its owners, officers or partners ever been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty?

Yes No

If “yes,” explain on a separate signed page, including identifying the person or persons convicted, the name of the public agency, the court (the county if a state court, the district or location of the federal court), the year, the criminal conduct/grounds for conviction, and the date of conviction.

Bonding

- 25. Bonding capacity: Provide documentation from your surety identifying the following:

Name of bonding company/surety: _____

Name of surety agent, address and telephone number:

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26. If your firm was required to pay a premium of more than one percent for a performance and payment bond on any project(s) on which your firm worked at any time during the last three years, state the percentage that your firm was required to pay. You may provide an explanation for a percentage rate higher than one percent, if you wish to do so.

27. List all other sureties (name and full address) that have written bonds for your firm during the last five years, including the dates during which each wrote the bonds:

28. During the last five years, has your firm ever been denied bond coverage by a surety company, or has there ever been a period of time when your firm had no surety bond in place during a public construction project when one was required?

Yes No

If yes, provide details on a separate signed sheet indicating the date when your firm was denied coverage and the name of the company or companies which denied coverage; and the period during which you had no surety bond in place.

C. Compliance with Occupational Safety and Health Laws and with Other Labor Legislation Safety

29. Has CAL OSHA cited and assessed penalties against your firm for any “serious,” “willful” or “repeat” violations of its safety or health regulations in the past five years?

Yes No

If “yes,” attach a separate signed page describing the citations, including information about the dates of the citations, the nature of the violation, the project on which the citation(s) was or were issued, the amount of penalty paid, if any. If the citation was appealed to the Occupational Safety and Health Appeals Board and a decision has been issued, state the case number and the date of the decision.

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30. Has the federal Occupational Safety and Health Administration cited and assessed penalties against your firm in the past five years?

NOTE: If you have filed an appeal of a citation and the Appeals Board has not yet ruled on your appeal, or if there is a court appeal pending, you need not include information about the citation.

Yes No

If “yes,” attach a separate signed page describing each citation.

31. Has the EPA or any Air Quality Management District or any Regional Water Quality Control Board cited and assessed penalties against either your firm or the owner of a project on which your firm was the Subcontractor, in the past five years?

Yes No

If “yes,” attach a separate signed page describing each citation.

32. How often do you require documented safety meetings to be held for construction employees and field supervisors during the course of a project?

33. List your firm’s Experience Modification Rate (EMR) (California workers’ compensation insurance) for each of the past three premium years:

NOTE: An Experience Modification Rate is issued to your firm annually by your workers’ compensation insurance carrier. Provide documentation attached to *Prequalification Response* substantiating the EMR’s.

Year	Modification Rate

If your EMR for any of these three years is or was 1.00 or higher you may, if you wish, attach a letter of explanation.

34. Within the last five years has there ever been a period when your firm had employees but was without workers’ compensation insurance or state-approved self-insurance?

Yes No

If “yes,” please explain the reason for the absence of workers’ compensation insurance on a separate signed page. If “No,” please provide a statement by your current workers’ compensation insurance carrier that verifies periods of workers’ compensation insurance coverage for the last five years. (If your firm has been in the construction business for less than five years, provide a statement by your workers’ compensation insurance carrier verifying continuous workers’

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compensation insurance coverage for the period that your firm has been in the construction business.)

Prevailing Wage and Apprenticeship Compliance Record

- 35. Has there been more than one occasion during the last five years in which your firm was required to pay either back wages or penalties for your own firm’s failure to comply with the **state’s** prevailing wage laws?

NOTE: This question refers only to your own firm’s violation of prevailing wage laws, not to violations of the prevailing wage laws by a Subcontractor.

Yes No

If “yes”, attach a separate signed page or pages, describing the nature of each violation, identifying the name of the project, the date of its completion, the public agency for which it was constructed; the number of employees who were initially underpaid and the amount of back wages and penalties that you were required to pay.

- 36. During the last five years, has there been more than one occasion in which your own firm has been penalized or required to pay back wages for failure to comply with the **federal** Davis-Bacon prevailing wage requirements?

Yes No

If “yes,” attach a separate signed page or pages describing the nature of the violation, identifying the name of the project, the date of its completion, the public agency for which it was constructed; the number of employees who were initially underpaid, the amount of back wages you were required to pay along with the amount of any penalty paid.

- 37. Provide the **name, address and telephone number** of the apprenticeship program (approved by the California Apprenticeship Council) from whom you intend to request the dispatch of apprentices to your company for use on any public work project for which you are awarded a contract by the Alhambra Unified School District.

- 38. If your firm operates its own State-approved apprenticeship program:
 - (a) Identify the craft or crafts in which your firm provided apprenticeship training in the past year.

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- (b) State the year in which each such apprenticeship program was approved and attach evidence of the most recent California Apprenticeship Council approval(s) of your apprenticeship program(s).

- (c) State the number of individuals who were employed by your firm as apprentices at any time during the past three years in each apprenticeship and the number of persons who, during the past three years, completed apprenticeships in each craft while employed by your firm.

39. At any time during the last five years, has your firm been found to have violated any provision of California apprenticeship laws or regulations, or the laws pertaining to use of apprentices on public works?
 Yes No
If “yes,” provide the date(s) of such findings and attach copies of the Department’s final decision(s).

Part III. PROJECT REFERENCES.

List at least six of your firm’s most recent California K-12 I.T. projects (both under construction and completed), with a total contract price of \$1 million or more, and three of your firms largest completed private project within the last three years, in which the Subcontractor under all firm names identified in Part II has participated on the form attached as Exhibit A. Please include all projects performed under all firm names identified in Part II. Use and attach additional signed sheets when needed to explain or clarify any response or to include more responses with all requested information.

Part IV. FINANCIAL INFORMATION.

Subcontractor must submit a reviewed or audited financial statement with accompanying notes and supplemental information for the past two (2) full fiscal years. A letter verifying availability of a line of credit may also be attached; however, it will be considered supplemental information only, and is not a substitute for the required financial statement.

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CERTIFICATION

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct:

Date: _____

Proper Name of Subcontractor: _____

Signature by an officer of the Subcontractor: _____

Print Name: _____

Title: _____

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EXHIBIT A

1. Project Name/Identification:

- a. Project Name: _____
- b. Project address/location: _____

- c. Owner (name of district reference and tel. #): _____

- d. Architect (name and tel. #): _____

- e. Construction Manager (name and tel. #): _____

- f. Scope of Work: _____

- g. Original completion date: _____
- h. Actual date of completion: _____
- i. Time extensions granted: _____
- j. Initial contract value: _____
- k. Final contract value: _____

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____ Name: _____

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SCORABLE QUESTIONS AND SCORING INSTRUCTIONS

The scorable questions arise in two different areas:

- (I) History of the business and organizational performance;
- (II) Compliance with occupational safety and health laws, workers' compensation and other labor legislation; and

Note: Not all questions in the questionnaire are scorable; some questions simply ask for information about the Subcontractor firm's structure, officers and history. This document includes only those questions that are "scorable."

The Scores Needed for Prequalification

To prequalify, a Subcontractor would be required to have a passing grade within each of the two categories referred to above.

To pass Section I, History of the business and organizational performance, the District requires a minimum score of **61** on this portion of the questionnaire (of a maximum score of 76 on this portion of the questionnaire).

To pass Section II, Compliance with occupational safety and health laws, workers' compensation and other labor legislation, the District requires a minimum score of **44** on this portion of the questionnaire (of a maximum score of 53 points on this portion of the questionnaire).

Questions about History of the Business and Organizational Performance

(16 questions)

1. How many years has your organization been in business in California as a Subcontractor under your present business name and license number? ____ years

3 years or more = 2 points

4 years = 3 points

5 years = 4 points

6 years or more = 5 points

2. Is your firm currently the debtor in a bankruptcy case?
 Yes No

No = 3 points Yes = 0 points

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3. Was your firm in bankruptcy any time during the last five years? (This question refers only to a bankruptcy action that was not described in answer to previous question).

Yes No

No = 3 points Yes = 0 points

4. Has any CSLB license held by your firm or its Responsible Managing Employee (RME) or Responsible Managing Officer (RMO) been suspended within the last five years?

Yes No

No = 5 points Yes = 0 points

5. At any time in the last five years, has your firm been assessed and paid liquidated damages after completion of a project, under a construction contract with either a public or private owner?

Yes No

No projects with liquidated damages of more than \$50,000, or one project with liquidated damages = 5 points.

Two projects with liquidated damages of more than \$50,000 = 3 points

Any other answer: no points

6. In the last five years has your firm, or any firm with which any of your company's owners, officers or partners was associated, been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason?

NOTE: "Associated with" refers to another construction firm in which an owner, partner or officer of your firm held a similar position, and which is listed in response to question 1c or 1d on this form.

Yes No

No = 5 points Yes = 0 points

7. In the last five years, has your firm been denied an award of a public works contract based on a finding by a public agency that your company was not a responsible bidder?

Yes No

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No = 5 points Yes = 0 points

NOTE: The following two questions refer only to disputes between your firm and the owner of a project. You need not include information about disputes between your firm and a supplier, another Subcontractor, or Subcontractor. You need not include information about “pass-through” disputes in which the actual dispute is between a sub-Subcontractor and a project owner. Also, you may omit reference to all disputes about amounts of less than \$50,000.

8. In the past five years, has any claim **against** your firm concerning your firm’s work on a construction project, been **filed in court or arbitration?**
 Yes No

If the firm’s average gross revenue for the last three years was less than \$5 million, scoring is as follows:

5 points for either “No” or “Yes” indicating 1 such instance.
3 points for “Yes” indicating 2 such instances.
0 points for “Yes” if more than 2 such instances.

If your firm’s average gross revenue for the last three years was more than \$5 million, scoring is as follows:

5 points for either “No” or “Yes” indicating 1, 2, or 3 such instances.
3 points for “Yes” indicating either 4 or 5 such instances.
0 points for “Yes” if more than 5 such instances.

9. In the past five years, has your firm made any claim against a project owner concerning work on a project or payment for a contract, and **filed that claim in court or arbitration?**
 Yes No

If your firm’s average gross revenues for the last three years were less than \$5 million scoring is as follows:

5 points for either “No” or “Yes” indicating 1 such instance.
3 points for “Yes” indicating 2 such instances.
0 points for “Yes” if more than 2 such instances.

If your firm’s average gross revenues for the last three years were more than \$5 million, scoring is as follows:

5 points for either “No” or “Yes” indicating 1, 2, or 3 such instances.

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**3 points for “Yes” indicating either 4 or 5 such instances.
0 points for “Yes” if more than 5 such instances.**

10. At any time during the past five years, has any surety company made any payments on your firm’s behalf as a result of a default, to satisfy any claims made against a performance or payment bond issued on your firm’s behalf in connection with a construction project, either public or private?
 Yes No

**5 points for either “No” or “Yes” indicating 1 such claim.
3 points for “Yes” indicating no more than 2 such claims
Subtract five points for “Yes” if more than 2 such claims**

11. In the last five years, has any insurance carrier, for any form of insurance, refused to renew the insurance policy for your firm?
 Yes No

**5 points for either “No” or “Yes” indicating 1 such instance.
3 points for “Yes” indicating 2 such instances.
0 points for “Yes” or if more than 2 such instances.**

12. Has your firm, or any of its owners, officers, or partners ever been found liable in a civil suit, or found guilty in a criminal action, for making any false claim or material misrepresentation to any public agency or entity?
 Yes No

No = 5 points Yes = subtract 5 points

13. Has your firm, or any of its owners, officers or partners ever been convicted of a crime involving any federal, state, or local law related to construction?
 Yes No

No = 5 points Yes = subtract 5 points

14. Has your firm or any of its owners, officers or partners ever been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty?
 Yes No

No = 5 points Yes = subtract 5 points

15. If your firm was required to pay a premium of more than one percent for a performance and payment bond on any project(s) on which your firm worked at any time during the last three years, state the percentage that your firm was

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required to pay. You may provide an explanation for a percentage rate higher than one percent, if you wish to do so.

_____ %

5 points if the rate is no more than one percent
3 points if the rate was no higher than 1.10 percent.
0 points for any other answer.

16. During the last five years, has your firm ever been denied bond credit by a surety company, or has there ever been a period of time when your firm had no surety bond in place during a public construction project when one was required?
- Yes No

No = 5 points Yes = 0 points

Questions about compliance with safety, workers compensation, prevailing wage and apprenticeship laws.

(11 questions)

1. Has CAL OSHA cited and assessed penalties against your firm for any “serious,” “willful” or “repeat” violations of its safety or health regulations in the past five years?
- Yes No

If the firm’s average gross revenues for the last three years was less than \$5 million, scoring is as follows:

5 points for either “No” or “Yes” indicating 1 such instance.
3 points for “Yes” indicating 2 such instances.
0 points for “Yes” if more than 2 such instances.

If the firm’s average gross revenues for the last three years was more than \$5 million, scoring is as follows:

5 points for either “No” or “Yes” indicating 1, 2, or 3 such instances.
3 points for “Yes” indicating either 4 or 5 such instances.
0 points for “Yes” if more than 5 such instances.

2. Has the federal Occupational Safety and Health Administration cited and assessed penalties against your firm in the past five years?
- Yes No
- If yes, attach a separate signed page describing each citation.

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If the firm’s average gross revenues for the last three years was less than \$5 million, scoring is as follows:

- 5 points for either “No” or “Yes” indicating 1 such instance.**
- 3 points for “Yes” indicating 2 such instances.**
- 0 points for “Yes” or if more than 2 such instances.**

If the firm’s average gross revenues for the last three years was more than \$5 million, scoring is as follows:

- 5 points for either “No” or “Yes” indicating 1, 2, or 3 such instances.**
- 3 points for “Yes” indicating either 4 or 5 such instances.**
- 0 points for “Yes” if more than 5 such instances.**

3. Has the EPA or any Air Quality Management District or any Regional Water Quality Control Board cited and assessed penalties against either your firm or the owner of a project on which your firm was the Subcontractor, in the past five years?
- Yes No

If the firm’s average gross revenues for the last three years were less than \$5 million, scoring is as follows:

- 5 points for either “No” or “Yes” indicating 1 such instance.**
- 3 points for “Yes” indicating 2 such instances.**
- 0 points for “Yes” or if more than 2 such instances.**

If the firm’s average gross revenues for the last three years were more than \$5 million, scoring is as follows:

- 5 points for either “No” or “Yes” indicating 1, 2, or 3 such instances.**
- 3 points for “Yes” indicating either 4 or 5 such instances.**
- 0 points for “Yes” if more than 5 such instances.**

4. How often do you require documented safety meetings to be held for construction employees and field supervisors during the course of a project?
- 3 points for an answer of once each week or more often.**
0 points for any other answer
5. List your firm’s Experience Modification Rate (EMR) (California workers’ compensation insurance) for each of the past three premium years:

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NOTE: An Experience Modification Rate is issued to your firm annually by your workers’ compensation insurance carrier.

Year	Modification Rate

If your EMR for any of these three years is or was 1.00 or higher, you may, if you wish, attach a letter of explanation. **REMINDER: Provide documentation attached to *Prequalification Response* substantiating the EMR’s.**

NOTE: An Experience Modification Rate is issued to your firm annually by your workers’ compensation insurance carrier.

- 5 points for three-year average EMR of .95 or less**
- 3 points for three-year average of EMR of more than .95 but no more than 1.00**
- 0 points for any other EMR**

6. Within the last five years, has there ever been a period when your firm had employees but was without workers’ compensation insurance or state-approved self-insurance?
 Yes No

5 points for either “No” or “Yes” indicating 1 such instance.
0 points for any other answer.

7. Has there been more than one occasion during the last five years on which your firm was required to pay either back wages or penalties for your own firm’s failure to comply with the **state’s** prevailing wage laws?
 Yes No

NOTE: This question refers only to your own firm’s violation of prevailing wage laws, not to violations of the prevailing wage laws by a Subcontractor.

If your firm’s average gross revenues for the last three years were less than \$5 million, scoring is as follows:

- 5 points for either “No,” or “Yes” indicating either 1 or 2 such instance.**
- 3 points for “Yes” indicating 3 such instances.**
- 0 points for “Yes” and more than 3 such instances.**

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If your firm's average gross revenues for the last three years were more than \$5 million, scoring is as follows:

**5 points for either "No" or "Yes" indicating no more than 4 such instances.
3 points for "Yes" indicating either 5 or 6 such instances.
0 points for "Yes" and more than 6 such instances.**

8. During the last five years, has there been more than one occasion on which your own firm has been penalized or required to pay back wages for failure to comply with the **federal** Davis-Bacon prevailing wage requirements?
 Yes No

If your firm's average gross revenues for the last three years were less than \$5 million, scoring is as follows:

**5 points for either "No," or "Yes" indicating either 1 or 2 such instance.
3 points for "Yes" indicating 3 such instances.
0 points for "Yes" and more than 3 such instances.**

If your firm's average gross revenues for the last three years was more than \$5 million, scoring is as follows:

**5 points for either "No" or "Yes" indicating no more than 4 such instances.
3 points for "Yes" indicating either 5 or 6 such instances.
0 points for "Yes" and more than 6 such instances.**

9. Provide the **name, address and telephone number** of the apprenticeship program sponsor(s) (approved by the California Division of Apprenticeship Standards) that will provide apprentices to your company for use on any public work project for which you are awarded a contract by the Alhambra Unified School District.

**5 points if at least one approved apprenticeship program is listed.
0 points for any other answer.**

10. If your firm operates its own State-approved apprenticeship program:
- (a) Identify the craft or crafts in which your firm provided apprenticeship training in the past year.
 - (b) State the year in which each such apprenticeship program was approved and attach evidence of the most recent California Apprenticeship Council approval(s) of your apprenticeship program(s).

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- (c) State the number of individuals who were employed by your firm as apprentices at any time during the past three years in each apprenticeship and the number of persons who, during the past three years, completed apprenticeships in each craft while employed by your firm.

5 points if one or more persons completed an approved apprenticeship while employed by your firm.

0 points if no persons completed an approved apprenticeship while employer by your firm.

- 11. At any time during the last five years, has your firm been found to have violated any provision of California apprenticeship laws or regulations, or the laws pertaining to use of apprentices on public works?

Yes No.

If yes, provide the date(s) of such findings, and attach copies of the Department’s final decision(s).

If your firm’s average gross revenues for the last three years was less than \$5 million, scoring is as follows:

5 points for either “No,” or “Yes” indicating either 1 or 2 such instance.

3 points for “Yes” indicating 3 such instances.

0 points for “Yes” and more than 3 such instances.

If your firm’s average gross revenues for the last three years was more than \$5 million, scoring is as follows:

5 points for either “No” or “Yes” indicating no more than 4 such instances.

3 points for “Yes” indicating either 5 or 6 such instances.

0 points for “Yes” and more than 6 such instances.

Appeal Process

If the Subcontractor decides to appeal the District’s qualification decision, it shall follow this procedure:

- a. Subcontractor shall submit within three (3) working days from notification, a written request to the District asking for an explanation of any aspect of the District’s determination.
- b. Within three (3) working days from receipt of the District’s written response to the Subcontractor’s request, Subcontractor may submit, in writing, a request

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for reconsideration by the District’s staff. Subcontractor may submit with the request any information that it believes supports a finding that District’s determination should be changed.

If the Subcontractor chooses not to avail itself of this process, the proposed prequalification rating may be adopted by the District without further proceedings.