



ALHAMBRA

UNIFIED SCHOOL DISTRICT

PREQUALIFICATION

FOR

BID NO.: 1209-18/19 E-RATE CAT 2 EQUIPMENT

Issue Date: **December 10, 2018**

Submit Prequalification by: **10:00 a.m. on December 21st, 2018**
Purchasing Department – Mission Building
1515 West Mission Road, Alhambra, CA 91803
Note: Ensure Prequalification envelope gets time-stamped

Contact: Elizabeth Roman
Purchasing Manager
626.943.6570
roman_elizabeth@ausd.us

ALHAMBRA UNIFIED SCHOOL DISTRICT

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

BIDDER'S PREQUALIFICATION APPLICATION

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

TO: PROSPECTIVE BIDDERS

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 contractors 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.

PROJECT – BID NO.: 1209 – 18/19 E-Rate CAT 2 Equipment

Alhambra Unified School District (AUSD) is looking to replace all existing Uninterruptible Power Supplies (UPS) and Wireless Access Points (WAP or AP) at eighteen (18) school locations.

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 December 10, 2018. 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 December 21, 2018, at which time no further applications will be accepted.** The District reserves the right to re-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 this Project 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 bidders submit a completed Bidder'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.

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 bidder'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 this Project. **Any false statement will result in the prospective bidder's immediate disqualification from bidding on this Project.**

The prospective bidder 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.

To bid on this Project, the prospective bidder must submit a completed Bidder's Prequalification Application ("Application") for approval on or before 10:00 a.m. on December 21, 2018. Time is per the District's designated time clock. Applications submitted after this date and time will not be accepted. If approved, a determination that a bidder is pre-qualified shall be good for a period of twelve months, unless other information becomes known to the District. The District reserves all rights and remedies to revoke a determination of pre-qualification.

1. Prequalification of Bidders.

The District requires from prospective bidders complete answers to all the questions contained in this Application including a complete statement of the prospective bidder's financial ability and experience in performing public works. These documents will be the basis of rating bidders to determine whether a bidder is qualified to bid on this Project. The District reserves the right to revoke prequalification status based on later acquired information. In such an event, the bidder will be notified, and a hearing held by the District on any such revocation of prequalification status. The bidder is under a continuing obligation to the District to immediately report

to the District in writing any significant changes to the bidder's status or financial condition.

2. Contents of Application.

Application consists of the following:

- Bidder's General Information
- Statement of Experience
- Insurance Information
- Safety Information
- Bonding/Surety Information (including Letter of Bondability)
- Supplier/Subcontractor Information
- Certificate of Accountant for an Audit of a Financial Statement
- Financial Statement
- Prequalification Rating Questionnaire

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 – Pre-Qualification Information – Bid No. 1209-18/19”***

4. Certificate of Accountant

The Certificate of an Accountant certified by the State of California will be required in all cases. The form of *Certificate of Accountant* is attached. A reviewed financial statement by an accredited accountant will be acceptable if a Certificate is not submitted.

Accountant shall provide a letter attached to the *Certificate of an Accountant* stating Bidder's current working capital and net worth.

A Letter of Credit shall not be included in determining the working capital (current assets) of the prospective bidder for the purposes of prequalification with the District.

The Certificate of Accountant shall not be made by any individual who is in the regular employ of the individual, partnership, or corporation submitting the financial statement, nor by any individual with more than a ten percent

(10%) financial interest therein.

5. Letter of Bondability

The prospective bidder must attach a **notarized letter** from an admitted surety insurer authorized to issue bonds in the State of California, which states the prospective bidder's current available bonding capacity. The surety must be an admitted surety in the State of California and have an "A -" or better rating by A.M. Best, Moody's, or Standard and Poor's.

6. Insurance

The prospective bidder must provide at least \$2,000,000 in Comprehensive General Liability Insurance. The prospective bidder's insurance company must be authorized to do business in the State of California. The insurance company must have an "A" or better rating by A.M. Best, Moody's, or Standard and Poor's. Builder's Risk insurance for each project.

7. Prequalification Formula

Prospective bidders will be pre-qualified to bid on this project based on the lesser of five times working capital (current assets less current liabilities) or ten times net worth (total assets less liabilities).

8. Notification of Prequalification Results

Prospective bidders will be notified by email of their prequalification rating.

9. Confidentiality

The completed Application submitted by prospective bidders are not public records and are not open to public inspection (Public Contract Code Section 20111.5(a)). All information provided will be kept confidential to the extent permitted by law. However, the contents may be disclosed to third parties for purpose of verification, investigation of substantial allegations, or as part of an appeal hearing, if applicable.

10. Waiver of Irregularities.

The District reserves the right to waive minor irregularities and omissions in the information contained in the Application submitted, to make all final determinations, and to determine at any time that the prequalification procedures will not be applied to a specific public works project.

11. Late or Incomplete Applications

The District shall refuse to grant prequalification where the requested information and materials are not provided, not provided on the required forms, and/or not provided by the specified date and time. There is no appeal from a failure to submit a complete Application or the submission of a late Application, but re-application for other District projects under other pre-qualification programs is permitted. The closing time for bids will not be changed to accommodate supplementation of an incomplete submission of an Application, or the late submission of an Application.

12. Post-Bid Determination of Responsibility

While it is the intent of this Application to assist the District in determining a prospective bidder's responsibility before bid and to aid the District in selecting the lowest responsive, responsible bidder, neither the fact of prequalification nor any prequalification rating will preclude the District from a post-bid consideration and determination of whether a prospective bidder has the quality, fitness, capacity and experience to satisfactorily perform the proposed work, and/or has demonstrated the requisite trustworthiness.

13. Appeal of Prequalification Rating

Where a timely and completed Application results in a rating below that necessary to prequalify, an appeal can be made. An appeal is begun by the disqualified bidder delivering written notice to the District directed to the attention of the person identified, and sent to the address stated, in paragraph 3 above. The Notice must be sent by the bidder stating its appeal of the District's decision within forty-eight (48) hours of receipt (via facsimile) of notification that prospective bidder failed to meet the requirements of the Application. The written notice of appeal shall set forth in detail all grounds for the appeal, including without limitation all facts, supporting documentation, legal authorities and argument in support of the grounds for the appeal. Any matters not set forth in the written notice of appeal shall be deemed waived. All factual contentions must be supported by competent, admissible and credible evidence.

Unless the disqualified bidder submits a timely appeal, the disqualified bidder waives any and all rights to challenge the decision of the District, whether by administrative process, judicial process or any other legal process or proceeding.

If the disqualified bidder gives the required written notice of appeal and requests a hearing, the hearing shall be conducted so that it is concluded no later than two (2) days after the District's receipt of the written notice of

appeal. The hearing shall be an informal process conducted by a panel appointed by the District ("Appeals Panel"). Before the hearing, the disqualified bidder will be advised of the basis for the District's prequalification determination. The disqualified bidder will be given the opportunity to present information and reasons in opposition to the rating. Within one (1) business day after the conclusion of the hearing, the Appeals Panel will render its decision. It is the intention of the District that the date for the submission and opening of bids will not be delayed or postponed allowing for completion of an appeal process.

Any appeal not conforming with the foregoing shall be rejected by the District as invalid.

Where a bidder does not pre-qualify and/or is not successful on an appeal, the bidder can attempt to subsequently pre-qualify for another project or projects by resubmitting another application containing sufficient information under this Program.

BIDDER'S PREQUALIFICATION APPLICATION FORMS

ALHAMBRA UNIFIED SCHOOL DISTRICT

**Construction Projects
over
\$1,000,000.00**

PROSPECTIVE BIDDER'S GENERAL INFORMATION

1. Name of Prospective Bidder: _____
(Name as it Appears on Contractor's License)

2. Type of Firm (Check One):
 - Corporation
 - Partnership
 - Sole Proprietorship
 - Joint Venture
 - Other: (Specify) _____

3. Business Address:
Street: _____
(P.O. Box unacceptable)

City, State, Zip: _____

4. Mailing Address: (If different)

Street: _____

City, State, Zip: _____

5. Phone Number: () _____ Fax Number: () _____

6. Contractor's License Number(s):

7. License Class:

8. License Expiration Date: _____

9. Firm's Tax ID Number: _____

10. Date Firm Formed: _____

11. Date and State of incorporation (if a corporation): _____

12. Firm's Officers – Partners – Proprietor – Owners – RMO/RME - Principals – Key Personnel:

Name	Position	Years with Firm	% of Ownership	Social Security Number

13. Is the firm or its owners, proprietors, partners, officers, RMO/RME or key personnel connected with other companies as subsidiary, parent, holding or affiliate?

YES _____ NO _____ (If yes, explain on separate signed page.)

14. Have any of the above – identified individuals held another California State Contractors license against which a complaint has been filed?

YES _____ NO _____ (If yes, explain on separate signed page.)

STATEMENT OF EXPERIENCE

1. In what type of construction project(s) does your firm specialize?

2. What construction work/trade categories does your firm propose to perform on the project(s) with your firms own labor forces?

3. Has there been any recent change (last four years) in your firm's owners, officers and/or principals (including the RMO/RME)? YES _____ NO _____ (If yes, explain on separate signed page.)

4. Has your firm's or any owner, officer and/or principal (including RMO/RME) contractor's license ever been suspended or revoked by the State of California Contractors State License Board?
 YES _____ NO _____ (If yes, explain on separate signed page.)

5. Have owners, officers and/or principals (including RMO/RME) of your firm ever had their contractor's license suspended or revoked by the State of California while doing business under any other company name?
 YES _____ NO _____ (If yes, explain on separate signed page.)

6. What was the largest total dollar amount of **E-rate** work completed in one year within the last seven (7) year period by your firm?

Dollar Amount	Number of Projects	Year	Dollar Amount of Largest Project
\$			\$

7. What is the largest total number of **E-rate** projects completed in one year by your firm?

Number of Projects	Year

8. What is the largest single total dollar value **E-rate** project completed in any year by your firm?

Dollar Amount	Year
\$	

9. List your firms annual gross income (**revenue / sales volume**) for last 3 years:

Dollar Amount	Year
\$	
\$	
\$	

STATEMENT OF EXPERIENCE (Continued)

10. What size projects (based on dollar value) do you believe your firm can undertake?
 Single project: \$ _____ Total work in progress: \$ _____

11. How many years' experience does your firm have in public school **E-rate** construction work?

- A) As a prime or general contractor? _____ years
- B) As a subcontractor? _____ years

12. List the five (5) largest contracts your firm **completed** in public school **E-rate** construction work in the past five (5) years:

Owner	Project	Value	Person To Contact	Phone No.	Type of Work	Year

13. List all projects awarded to your firm by a Public Institution, School or College District in the last five (5) years. Use additional pages if necessary.

Name Of Institution / School or College District	Contact	Project Title / Name of Project	Contract Price	Type of Work	Year

14. How many years' experience does your firm have in public works construction?

- A) As a prime or general contractor? _____ years
- B) As a subcontractor? _____ years

15. Has a claim or other demand ever been made against your firm's California Contractors License Bond? Yes _____ No _____ (If yes, explain on separate signed page.)

16. Has a complaint ever been filed against your firm's California Contractors License with the California Contractors State License Board? Yes _____ No _____ (If yes, explain on separate signed page.)

17. Has your firm ever been unable to obtain a bond or been denied a bond for a contract? Yes _____ No _____ (If yes, explain on separate signed page.)

18. Has your firm ever refused to sign a contract awarded to it? Yes _____ No _____ (If yes, explain on separate signed page.)

STATEMENT OF EXPERIENCE (Continued)

19. Has your firm ever failed to complete a construction contract? Yes _____ No _____ (If yes, explain on separate signed page.)
20. Has your firm ever failed to complete a punchlist? Yes _____ No _____ (If yes, explain on separate signed page.)
21. Has your firm ever been declared in breach or default of a construction contract?
Yes _____ No _____ (If yes, explain on separate signed page.)
22. Has your firm ever failed to complete a public works contract within the authorized time?
Yes _____ No _____ (If yes, explain on separate signed page.)
23. Has your firm ever been assessed liquidated damages under a construction contract with either a public or private owner? Yes _____ No _____ (If yes, explain on separate signed page.)
24. Has your firm ever been denied an award of a public works contract based upon a finding by a public agency that your firm was not a responsible bidder? Yes _____ No _____ (If yes, explain on separate signed page.)
25. Has any claim against your firm concerning your firm's work on a construction project ever been filed in court or been submitted to arbitration or mediation by either a public or private owner? Yes _____ No _____ If yes, on how many occasions? _____ (If yes, explain on separate signed page.)
26. Has your firm ever made any claim against a public or private owner concerning work or payment on a construction project and filed that claim in court or submitted the claim to arbitration or mediation? Yes _____ No _____ If yes, on how many occasions? _____ (If yes, explain on separate signed page.)
27. Has your firm or any owner, officer and/or principal (including RMO/RME) of your firm ever been found guilty of violating any federal, state or local law, rule or regulation regarding a construction contract? Yes _____ No _____ (If yes, explain on separate signed page.)
28. Has any surety made any payments on your firm's behalf to satisfy any claims made against a payment or performance bond issued on your firm's behalf in connection with a public or private construction project? Yes _____ No _____ If yes, on how many occasions? _____ (If yes, explain on separate signed page.)
29. Has any insurance carrier, for any form of insurance, refused to renew an insurance policy for your firm? Yes _____ No _____ If yes, on how many occasions? _____ (If yes, explain on separate signed page.)
30. 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, explain on separate signed page.)
31. Has there been any 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 California'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, explain on separate signed page.)

STATEMENT OF EXPERIENCE (Continued)

32. 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, on how many occasions? _____ (If yes, please explain on separate signed page.)

33. 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 firm for use on any public work project for which you are awarded a contract by the District.

- a. _____
- b. _____
- c. _____

34. 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).

(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.

35. 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 final decision(s).

36. Has your firm or any owner, officer and/or principal (including RMO/RME) of your firm ever been debarred by another public entity and/or agreed not to bid a public works project as part of a settlement agreement with a public entity? Yes _____ No _____ (If yes, explain on separate signed page.)

STATEMENT OF EXPERIENCE (Continued)

37. EXPERIENCE RECORD OF STAFF TO BE ASSIGNED TO PROJECT

Name	Position with Firm	Time With Firm	Type of Experience
<hr/>			
<hr/>			
<hr/>			
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If an explanation is required for any of the above answers, please provide comments with dates of occurrences on attached additional signed pages.

(SIGNATURE PAGE FOLLOWS)

The person submitting the foregoing Statement of Experience certifies that he or she has read the same and it is true to the best of his or her knowledge. The submitter hereby authorizes any person or entity, whether or not named in this Bidder's Prequalification Application, to supply the District with any information necessary to verify the contents of the Statement.

By signing the proper affidavit, the submitter certifies and declares under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

AFFIDAVIT OF AN INDIVIDUAL FOR A SOLE PROPRIETORSHIP

I, _____, am an individual Doing Business As _____
(Name Of Individual) (Name of Firm)

This _____ Day of _____, 2018
City of _____ County of _____
State of _____

Signature of Applicant _____

PARTNERSHIP AFFIDAVIT

I, _____, am a partner of _____
(Name Of Individual) (Name of Firm)

This _____ Day of _____, 2018
City of _____ County of _____
State of _____

Signature of Applicant _____

CORPORATION AFFIDAVIT

I, _____, am an officer of _____
(Name and Title of Corporation officer) (Full Corporate Name)

This _____ Day of _____, 2018
City of _____ County of _____
State of _____

Signature of Applicant _____

If a Corporation, answer this:
Capital paid in cash, \$ _____

If a Partnership, answer this:
Date of organization _____

When incorporated _____
In what state _____

State whether partnership is general,
limited or association: _____

President's name _____
Vice President's name _____
Secretary's name _____
Treasurer's name _____

Name and address of each partner:

Provide copy of certificate from Secretary of State indicating standing of Corporation.

INSURANCE INFORMATION

Does your firm currently maintain a minimum of **\$2,000,000.00** Combined Comprehensive Single Limit Liability Insurance? YES _____ NO _____ (If no, explain on separate signed page.) **(Please provide a Certificate of Insurance as verification.)**

Amount of Insurance \$ _____.

Insurance Company: _____

Street Address _____

City, State, Zip _____

Phone Number _____

Contact Person _____

How long have you been with this insurance company? _____
(if under seven years, please list prior insurance company(s) in the space below or on additional pages if needed.)

Insurance Company: _____

Street Address _____

City, State, Zip _____

Phone Number _____

Contact Person _____

How long were you with this insurance company? _____

Insurance Company: _____

Street Address _____

City, State, Zip _____

Phone Number _____

Contact Person _____

How long were you with this insurance company? _____

SAFETY INFORMATION

1. What was your company's OSHA Incident Rate (EMR) for the following years:

Year	Incident Rate
2018 (if available)	
2017	
2016	
2015	
2014	

2. 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? (Note: If you have filed an appeal of a citation and the Occupational Safety and Health Appeals Board has not yet ruled on your appeal, you need not include information about it.)
 YES_____NO_____NUMBER OF OCCASIONS_____(If yes, explain on separate signed page.)
3. 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 appropriate appeals Board has not yet ruled on your appeal, you need not include information about it.)
 YES_____NO_____NUMBER OF OCCASIONS_____(If yes, explain on separate signed page.)
4. 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 contractor in the past five years? (Note: If you have filed an appeal of a citation and the appropriate appeals Board has not yet ruled on your appeal, you need not include information about it.)
 YES_____NO_____NUMBER OF OCCASIONS_____(If yes, explain on separate signed paper.)
5. How often does your firm require documented safety meetings to be held for construction employees and field supervisors during the course of a project? _____/week

BONDING / SURETY INFORMATION

Provide a statement listing names of all surety companies, not agencies, utilized by prospective bidder since **January 1, 2008. State whether the surety has been required or requested to complete any part of this prospective bidder's work since **January 1, 2008**. Please provide an *unqualified certification of bondability for the projects from current surety company*.**

1. Information regarding present and prior sureties:

SURETY COMPANY	CONTACT PERSON	ADDRESS	PHONE NUMBER	LARGEST BOND	PERIOD COVERED

2. Since January 1, 2008, has your company, any owner, or affiliated company ever:

- a. Been unable to obtain a bond or been denied a bond for a contract?
Yes _____ No _____
- b. Breached or defaulted on a contract forcing a Surety to suffer a loss?
Yes _____ No _____
- c. Failed to complete a contract?
Yes _____ No _____

Please explain on a separate page(s), with dates of occurrences, any affirmative answer to the above questions:

- 3. For how many projects is your company currently bonded? _____
- 4. For what total aggregate contract value is your company currently bonded? _____
- 5. State whether any surety has been required or requested to complete any part of a construction project by your firm since January 1, 2008.
Yes _____ No _____

**CERTIFICATE OF ACCOUNTANT
FOR AN AUDIT OF A FINANCIAL STATEMENT**

STATE OF CALIFORNIA

We have examined the Financial Statement of _____ as of _____. Our examination was made in accordance with generally accepted auditing standards, and accordingly included such tests of the accounting records and such other auditing procedures that we considered necessary under the circumstances.

In our opinion, the accompanying financial statement included on pages _____ to _____, inclusive, sets forth fairly the financial condition of _____ as of _____, in conformity with generally accepted accounting principles.

(Print Name of Firm)

(Accountant's Signature)

(Telephone No.)

(License No.)

The above Certificate of Accountant shall not be made by any individual who is in the regular employ of the individual, partnership, corporation or firm submitting the financial statement, nor by any individual who is a member of the firm with more than a 10 percent (10%) financial interest.

ATTACH PROSPECTIVE BIDDER'S MOST RECENT FINANCIAL STATEMENT AND LETTER FROM ACCOUNTANT SPECIFYING BIDDERS CURRENT WORKING CAPITAL AND NET WORTH.

PROSPECTIVE BIDDER ACKNOWLEDGEMENT

Prospective bidder hereby certifies under penalty of perjury under the laws of the State of California that all of the information provided to the District is true and correct.

Date : _____

Signature of Authorized Representative: _____

Print Name/Title : _____

PRE-QUALIFICATION RATING QUESTIONNAIRE
(To be completed by the District)

The Contractor DOES NOT fill out PARTS I-IV. The following Pre-Qualification Rating Questionnaire is filled out ONLY by the District. The Rating Questionnaire is included in the Application materials for information purposes only so that all applicants are aware of the standard rating system the District has developed and will use to evaluate all applications.

TOTAL POINTS: _____

CONFIDENTIAL PRIVILEGED INFORMATION

In order to prequalify to bid on this Project, a prospective bidder must meet the minimum criteria for each of the following four (4) categories as set forth herein:

- Part I: Essential Requirements;**
- Part II: Financial Capacity;**
- Part III: Performance/Experience; and**
- Part IV: Safety.**

PART I. ESSENTIAL REQUIREMENTS

Prospective bidder is disqualified if the answer to any of questions 1 through 6 in this section is "No."

1. Prospective bidder possesses a valid and current California Contractor's license for the Project(s).
_____ Yes _____ No
2. Prospective bidder has a liability insurance policy with a policy limit of at least \$2,000,000 per occurrence and \$4,000,000 aggregate or has attached a letter from their insurer that such policy limits will be secured in the event that the Bidder is awarded the project for which it submits a bid.
_____ Yes _____ No
3. Prospective bidder has a 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 _____ Prospective bidder is exempt from this requirement, because it has no employees.
4. Prospective bidder has attached its latest copy of an audited or reviewed financial statement with accompanying notes and supplemental information or has completed the attached form of Financial Statement?
_____ Yes _____ No
5. Prospective bidder has attached a letter from an admitted surety insurer (approved by the California Department of Insurance, NOT by its agent or broker) authorized to issue bonds in the State of California, which states its current available bonding capacity?
_____ Yes _____ No
6. Prospective bidder has an Experience Modification Rate (EMR) (California workers' compensation insurance) average for the past three premium years of 1.00 or less?
_____ Yes _____ No

Current Year:

Previous Year:
Year prior to previous year:

PART II. FINANCIAL CAPACITY

Pre-qualification will be based on the lesser of five times working capital (current assets less current liabilities) or five times net worth (total assets less liabilities).

A Letter of Credit shall not be included in determining the working capital (current assets) of the prospective bidder for the purposes of prequalification with the District.

PART III. PERFORMANCE/EXPERIENCE

Prospective bidder must receive a minimum of **75** points out of a possible **100** points in this section, or is disqualified.

1. How many years experience in public works construction has your firm had? _____ years

5 to 10 years - 10 points
2 to 5 years - 5 points
0 to 2 years - 0 points

2. Has a claim or other demand ever been made against your firm's California Contractors License Bond? _____Yes _____No

No - 5 points
Yes - 0 points

3. Has a complaint ever been filed against your firm's California Contractors License with the California Contractors State License Board? _____Yes _____No

No - 5 points
Yes - 0 points

4. Has your firm ever been unable to obtain a bond or been denied a bond for a contract?
_____Yes _____No

If yes, list each occasion and explain on separate signed pages.

No - 5 points
Yes - 0 points

5. Has your firm ever refused to sign a contract awarded to it? _____Yes _____No

No - 5 points
Yes - 0 points

6. Has your firm ever failed to complete a construction contract? _____Yes _____No

No - 5 points
Yes - 0 points

7. Has your firm ever been declared in breach or default of a construction contract?
 _____ Yes _____ No
No - 5 points
Yes - 0 points
8. Has your firm ever failed to complete a public works contract within the authorized time?
 _____ Yes _____ No
No - 5 points
Yes - 0 points
9. Has your firm ever been assessed for liquidated damages under a construction contract with either a public or private owner? _____ Yes _____ No
No - 5 points
Yes - 0 points
10. Has your firm ever been denied an award of a public works contract based upon a finding by a public agency that your firm was not a responsible bidder? _____ Yes _____ No
No - 5 points
Yes - 0 points
11. Has any claim against your firm concerning your firm's work on a construction project ever been filed in court or submitted to arbitration or mediation by either a public or private owner?
 Yes _____ No _____. If yes, on how many occasions? _____
No occasions - 10 points
1 or 2 occasions - 5 points
More than 2 occasions - 0 points
12. Has your firm ever made any claim against a public or private owner concerning work or payment on a construction project and filed that claim in court or submitted the claim to arbitration or mediation? _____ Yes _____ No. If yes, on how many occasions?

No occasions - 10 points
1 or 2 occasions - 5 points
More than 2 occasions - 0 points
13. Has your firm or any owner, officer or principal (including RMO/RME) of your firm ever been found guilty of violating any federal, state or local law, rule or regulation regarding a construction contract? _____ Yes _____ No
No - 5 points
Yes - 0 points
14. Has any surety made any payments on your firm's behalf to satisfy any claims made against a payment or performance bond issued on your firm's behalf in connection with a public or private construction project?
 _____ Yes _____ No. If yes, on how many occasions? _____
No occasions - 10 points
1 occasion - 5 points
More than 1 occasion - 0 points

15. Has any insurance carrier, for any form of insurance, refused to renew an insurance policy for your firm? _____ Yes _____ No. If yes, on how many occasions? _____

No occasions - 10 points

1 occasion - 5 points

More than 1 occasion - 0 points

PART IV. SAFETY

Prospective bidder must receive a minimum of **38** points out of a possible **48** points in this section, or is disqualified.

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 Number of occasions: _____

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

1 or less occasion - 5 points

2 occasions - 3 points

More than 2 occasions - 0 points

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

3 or less occasions - 5 points

4 or more occasions - 3 points

More than 5 occasions - 0 points

2. Has the federal Occupational Safety and Health Administration cited and assessed penalties against your firm in the past five years?
 _____ Yes _____ No Number of occasions: _____

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

1 or less occasion - 5 points

2 occasions - 3 points

More than 2 occasions - 0 points

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

3 or less occasions - 5 points

4 or more occasions - 3 points

More than 5 occasions - 0 points

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 prospective bidder in the past five years?
 _____ Yes _____ No Number of occasions: _____

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

1 or less occasion - 5 points
2 occasions - 3 points
More than 2 occasions - 0 points

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

3 or less occasions - 5 points
4 or more occasions - 3 points
More than 5 occasions - 0 points

4. How often does your firm require documented safety meetings to be held for construction employees and field supervisors during the course of a project? _____/week

Once a week or more often - 3 points
Any other answer - 0 points

5. 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
Number of occasions:_____

1 or less occasion - 5 points
More than 1 occasion - 0 points

6. 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 California's prevailing wage laws?
____Yes ____No Number of occasions:_____

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

2 or less occasions - 5 points
3 occasions - 3 points
More than 3 occasions - 0 points

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

4 or less occasions - 5 points
5 or 6 occasions - 3 points
More than 6 occasions - 0 points

7. 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 Number of occasions:_____

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

2 or less occasions - 5 points
3 occasions - 3 points
More than 3 occasions - 0 points

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

as follows:

- 4 or less occasions - 5 points
- 5 or 6 occasions - 3 points
- More than 6 occasions - 0 points

8. 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 District.

- If at least one approved apprenticeship program is listed - 5 points
- Any other answer - 0 points

9. 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).

(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.

If one or more persons completed an approved apprenticeship while employed by your firm - 5 points

If no persons completed an approved apprenticeship while employer by your firm - 0 points

10. 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 Number of occasions: _____

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

- 2 or less occasions - 5 points
- 3 occasions - 3 points

More than 3 occasions - 0 points

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

4 or less occasions - 5 points

5 or 6 occasions - 3 points

More than 6 occasions - 0 points