

**PERRIS UNION HIGH SCHOOL DISTRICT**  
**CONTRACTOR PREQUALIFICATION PACKAGE**

**FOR**

**PREQUALIFICATION OF PRIME GENERAL CONTRACTORS  
AND MECHANICAL, ELECTRICAL AND PLUMBING SUBCONTRACTORS  
PURSUANT TO PUBLIC CONTRACT CODE SECTION 20111.6**

**FOR THE PERRIS HIGH SCHOOL  
Phase 2B/Agricultural Facility Phase II**

Prequalification Submittal Deadline  
2:00 p.m. on February 16, 2016

Location for Delivery of Prequalification Submittals  
Perris Union High School District  
Facilities Office  
Attention: Prequalification Submittal  
155 East 4<sup>th</sup> Street  
Perris, CA 92570

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**PREQUALIFICATION OF PRIME GENERAL CONTRACTORS  
AND MECHANICAL, ELECTRICAL AND PLUMBING SUBCONTRACTORS  
PURSUANT TO PUBLIC CONTRACT CODE SECTION 20111.6**

**PART 1: OVERVIEW OF PUBLIC CONTRACT CODE SECTION 20111.6 REQUIREMENTS**

Assembly Bill ("AB") 1565, signed by Governor Brown on September 30, 2012, added Section 20111.6 to the Public Contract Code ("Section 20111.6"). Section 20111.6 makes it mandatory, on and after January 1, 2014, for school districts having an average daily attendance of 2,500 or more to prequalify certain "prospective bidders" for certain of that school district's public projects. Section 20111.6 applies to public projects that: (i) are projected to cost \$1 million or more; and (ii) are funded, in whole or in part, using funds provided through either the Leroy F. Greene School Facilities Act of 1998 ("SFP Funds") or any future bonds issued by the State of California.

The "prospective bidders" that must be prequalified pursuant to Section 20111.6 include prime general contractors and (notwithstanding that they will not submit bids directly to the school district) all mechanical, electrical and plumbing ("MEP") subcontractors holding contractor's licenses in any of the following specialty categories:

C-4 (boiler, hot water, and steam fitting);  
C-7 (low-voltage systems);  
C-10 (electrical);  
C-16 (fire protection);  
C-20 (HVAC);  
C-34 (pipeline);  
C-36 (plumbing);  
C-38 (refrigeration);  
C-42 (sanitation systems);  
C-43 (sheet metal); and  
C-46 (solar).

**PART 2: DESCRIPTION OF THE PROJECT**

The Perris High School Phase 2B/Agricultural Facility Phase II Project ("Project") is described in detail in the bid documents, which includes, among other documents, the plans and specifications for the Project.

**PART 3: APPLICABILITY OF REQUIREMENTS TO THE PROJECT**

The District has determined that the Project is subject to the mandatory prequalification requirements of Section 20111.6. Therefore, each prime general contractor (either A or B license) that desires to submit a bid for any of the work on the Project must first be prequalified by the District. Likewise, any MEP subcontractor having any of the contractor's licenses described in Part 1 herein that desires to be listed on any bid for any of the work on the Project must first be prequalified by the District.

**IF A BIDDER IS SUBJECT TO PREQUALIFICATION PURSUANT TO SECTION 20111.6, AND SUCH BIDDER HAS NOT BEEN PREQUALIFIED IN ACCORDANCE WITH THE REQUIREMENTS HEREIN, THE DISTRICT WILL REJECT EACH BID SUBMITTED BY THAT BIDDER.**

**IF A BIDDER FOR ANY WORK ON THE PROJECT LISTS IN ITS BID A MEP SUBCONTRACTOR THAT IS SUBJECT TO PREQUALIFICATION PURSUANT TO SECTION 20111.6, AND SUCH MEP SUBCONTRACTOR HAS NOT BEEN PREQUALIFIED IN ACCORDANCE WITH THE REQUIREMENTS HEREIN, THE DISTRICT, IF IT AWARDS A CONTRACT TO THE BIDDER, WILL REQUIRE SUBSTITUTION OF THAT MEP SUBCONTRACTOR AT NO ADDITIONAL COST TO THE DISTRICT.**

#### **PART 4: APPLICABILITY TO PRIME GENERAL CONTRACTORS AND MEP SUBCONTRACTORS**

The requirements of this Contractor Prequalification Package apply to each prime general contractor (A or B license) that intends to submit a bid to the District for some or all of the work on the Project, and the District will accept and process Prequalification Submittals from all such general contractors.

In addition, the District believes, but does not guarantee, that portions of the work on the Project could be subcontracted to MEP subcontractors having specialty contractor's licenses as listed in section 1 of this document.

However, each prospective bidder shall be responsible for determining the portions of the work covered by its bid that will be performed by subcontractors. Therefore, the District will accept and process Prequalification Submittals from MEP subcontractors holding any of the specialty licenses described in Part 1 herein.

Unless prohibited by the bid documents for the Project and to the extent permitted by law, two or more contractors acting together may submit a single "joint venture" or similar bid for some or all of the work on the Project; however, each general contractor and MEP subcontractor included in such group of contractors must be separately prequalified pursuant to the requirements of this Contractor Prequalification Package.

Note that prequalification is not in lieu of and does not supersede any express prerequisites set forth in the bid documents for contractors performing work on the Project, including, without limitation, any required certification or license in connection with any specified material or product, type of material or product, or process.

#### **PART 5: REQUIREMENTS FOR PREQUALIFICATION SUBMITTAL**

Each general contractor and MEP subcontractor that desires to contract for performance of some or all of the work on the Project must submit to the District a Prequalification Submittal that includes: (i) the prequalification Questionnaire included in this Contractor Prequalification Package ("Questionnaire"), which must be fully completed and executed by a duly-authorized officer or other representative of the contractor; and (ii) all supporting documentation to be provided as specified in the Questionnaire.

Contractors must submit a Prequalification Submittal specifically for this Project and may not rely on any prior submittal to the District, regardless of whether a contractor previously was prequalified for another public project undertaken by the District.

A Prequalification Submittal must include the Questionnaire included in this package, without modification. If a contractor submits a modified or alternate form of questionnaire, the District will reject that contractor's Prequalification Submittal.

In order for a contractor's Prequalification Submittal to be considered by the District, the contractor must answer all questions in the Questionnaire and must provide all information and documentation that the Questionnaire requires be specified in, attached to, or submitted with the Prequalification Submittal. Contractors must submit the completed and executed Questionnaire, with supporting information, as a single submittal, and the District will reject any Prequalification Submittal that is not fully complete when received by the District.

A contractor must submit to the District one original and two photocopies of the contractor's Prequalification Submittal, which, including all supporting information, must be on 8 ½ by 11 inch paper.

The Prequalification Submittal (including copies) must be in a sealed envelope, with the following clearly and legibly marked on the outside of the envelope: (i) the words "Attention: Prequalification Submittal"; (ii) the Project name; (iii) the contractor's name; and (iv) the contractor's address.

Each Prequalification Submittal received by the District shall, upon receipt, become the District's property, and the District shall have no obligation whatsoever to return a contractor's Prequalification Submittal or any copies thereof. Subject to maintaining the confidentiality of the information set forth in a contractor's Prequalification Submittal (other than the information set forth in Section I of the Questionnaire), the District, without notice to or recourse by the contractor, may destroy or otherwise dispose of the Prequalification Submittal as the District deems appropriate.

#### **PART 6: MODIFICATION OF PREQUALIFICATION SUBMITTAL**

At any time prior to the Prequalification Submittal Deadline, a contractor may modify a Prequalification Submittal that it has already submitted to the District by concurrently: (i) giving written notice that it is thereby superseding the Prequalification Submittal that it previously submitted; and (ii) submitting to the District the modified, fully complete Prequalification Submittal. Such notice and modified Prequalification Submittal must be delivered to the Location for Submitting Bids specified in the Notice Inviting Bids and must be received by the District prior to the Prequalification Submittal Deadline.

Upon timely receipt of such notice and modified Prequalification Submittal from a contractor, the District will supersede the contractor's prior Prequalification Submittal with the contractor's modified Prequalification Submittal. A modified Prequalification Submittal must satisfy all requirements of this Contractor Prequalification Package, including, without limitation, those set forth in Part 5 herein.

The District will reject any modified Prequalification Submittal that is not received by the District prior to the Prequalification Submittal Deadline and/or that does not satisfy all requirements of this Contractor Prequalification Package. In the event the District rejects a contractor's modified Prequalification Submittal, the District will review and process the Prequalification Submittal originally submitted by the contractor, if that Prequalification Submittal satisfies all requirements of this Contractor Prequalification Package; provided, however, that such contractor may withdraw its original Prequalification Submittal as provided in Part 7 herein.

#### **PART 7: WITHDRAWAL OF PREQUALIFICATION SUBMITTAL**

A contractor, at any time, may withdraw a Prequalification Submittal that it has submitted to the District, by giving written notice of withdrawal. Such notice must be delivered to the District representative identified in Part 17 herein. Upon receipt of a contractor's withdrawal notice, whichever

of the following is applicable shall govern the District's response and disposition of the contractor's Prequalification Submittal:

- (i) If a contractor's withdrawal notice is received by the District prior to review of the Prequalification Submittal, the District will not review that Prequalification Submittal;
- (ii) If a contractor's withdrawal notice is received by the District after the District has commenced review of the Prequalification Submittal, the District will stop its review of the Prequalification Submittal; or
- (iii) If a contractor's withdrawal notice is received by the District after it has completed its review of the Prequalification Submittal, the contractor, if prequalified by the District, may elect, as applicable, not to submit a bid for any work on the Project or not to submit any sub-bids to bidders on the Project.

A contractor that submits a written notice to thereby withdraw its Prequalification Submittal shall have no rights whatsoever to appeal any decision or lack of decision by the District in regard to the contractor's prequalification status, pursuant to Part 14 herein or otherwise.

#### **PART 8: ADDENDA TO THIS CONTRACTOR PREQUALIFICATION PACKAGE**

The District reserves the right, at any time prior to the Prequalification Submittal Deadline specified in the Notice Inviting Bids, to issue any one or more addenda to this Contractor Prequalification Package. Any such addendum may be, but need not be, included within an addendum or other modification of the bid documents for the Project.

Each contractor shall be responsible for checking the District's website to determine if the District has issued any one or more addenda to this Contractor Prequalification Package. If a contractor has any question as to how to obtain such information from the District's website, the contractor may contact the District representative identified in Part 17 herein. Each contractor must acknowledge in its Questionnaire that it has received or obtained a copy of each addendum to this Contractor Prequalification Package.

If the District issues an addendum to this Contractor Prequalification Package less than 72 hours prior to the Prequalification Submittal Deadline, the addendum will specify an extension of time for submission of Prequalification Submittals, which shall be not less than 72 hours from the date and time the District issued such addendum. In appropriate cases, the District will also provide for an extension of time for submission of bids for the Project.

#### **PART 9: TIMELINESS OF PREQUALIFICATION SUBMITTAL**

**Subject to any extensions of time in accordance with Part 8 herein, Prequalification Submittals must be received by the District at the Location for Submitting Bids specified in the Notice Inviting Bids and prior to the Prequalification Submittal Deadline specified in the Notice Inviting Bids.**

Each contractor is responsible for ensuring that its Prequalification Submittal is timely received by the District, and the District shall in no way be responsible for any failure of any Prequalification Submittal to be timely received by the District, including, without limitation, because of late delivery by a delivery service, back-up of traffic on any street or in any parking lot, or back-up or line at any District public

counter or reception desk. Such wall, computer or other clock or device in or at the Location for Submitting Bids as designated by the District shall be conclusively determinative as to the specific time the Prequalification Submittal Deadline occurs, regardless of any variation from any other clock or device.

#### **PART 10: RESPONSIVENESS OF PREQUALIFICATION SUBMITTAL**

The District shall reject each Prequalification Submittal that it receives after the Prequalification Submittal Deadline as non-responsive to the requirements of this Contractor Prequalification Package. The District will not substantively review any such untimely Prequalification Submittals.

The District will review each timely-received Prequalification Submittal to determine whether it is complete and otherwise responsive to the requirements of this Contractor Prequalification Package. The District shall reject a Prequalification Submittal as being non-responsive to the requirements of this Contractor Prequalification Package in any of the following situations: (i) the contractor modified the Questionnaire or submitted a questionnaire other than the form included in this Contractor Prequalification Package; (ii) the contractor fails to respond, or to fully respond, to all of the questions and other requirements of the Questionnaire, or otherwise fails to provide with its Prequalification Submittal all information required to be specified in, attached to, or submitted with its Prequalification Submittal; (iii) the Questionnaire is not certified and signed subject to penalty for perjury by a person with the authority to bind the contractor; or (iv) the Prequalification Submittal otherwise fails to satisfy all requirements of this Contractor Prequalification Package.

Notwithstanding the foregoing, the District reserves the right to waive any irregularity in any timely-received Prequalification Submittal that, in the District's opinion, does not constitute a material variation from the requirements of this Contractor Prequalification Package.

If the District determines that a contractor's Prequalification Submittal is non-responsive, the District will provide notice to the contractor specifying in reasonable detail the basis or bases for such determination ("Notice of Non-Responsiveness"). The District will send such Notice of Non-Responsiveness: (i) electronically to the e-mail address specified by the contractor in Section II of its Questionnaire; and (ii) by U.S. Mail to the street address specified by the contractor in Section II of its Questionnaire.

#### **PART 11: DETERMINATION OF CONTRACTOR PREQUALIFICATION STATUS**

With respect to each Prequalification Submittal that the District, in accordance with Part 10 herein, determines is responsive to the requirements of this Contractor Prequalification Package, the District will apply specific criteria to the information specified by the contractor in its Questionnaire, in order to determine if the contractor will be rated as "prequalified." Such criteria are described in the Questionnaire.

Any contractor that does not meet all of the essential requirements for prequalification specified in Section III of the Questionnaire shall be disqualified (i.e., not prequalified), regardless of whether the contractor satisfied any or all other criteria for prequalification.

With respect to each Section (or group of Sections) of the Questionnaire that are to be numerically scored, any contractor that does not score the required minimum number of points for such Section (or

group of Sections) shall be disqualified (i.e., not prequalified), regardless of whether the contractor satisfied any or all other criteria for prequalification.

Question 1 of Section XIII of the Questionnaire applies to any contractor seeking to be prequalified as a general contractor, and Question 2 of Section XIII applies to any contractor seeking to be prequalified as a MEP subcontractor. Therefore, either Question 1 or Question 2 of Section XIII of the Questionnaire will be scored, not both.

The minimum number of points for each numerically-scored Section (or group of Sections) of the Questionnaire are set forth in the following table.

Questionnaire Section(s)	Total Possible Points	Min. Required Points
V and VI, combined	40	30
VII and VIII, combined	60	50
IX	32	24
X	15	8
XI and XII, combined	53	35
XIII	20	14

## **PART 12: DETERMINATION OF MAXIMUM AUTHORIZED BID AMOUNT**

With respect to each contractor that the District, as described in Part 11 herein, determines is prequalified, the District will also determine the maximum amount of any bid that such contractor is eligible to submit in connection with the Project ("Maximum Authorized Bid Amount"). A contractor's Maximum Authorized Bid Amount will be based on the contractor's responses to Questions 3 and 4 of Section XIII of the Questionnaire. The District will determine the average of the contract amounts specified in response to Question 3 and the average of the contract amounts specified in response to Question 4. A contractor's Maximum Authorized Bid Amount shall be calculated by adding to the greater of such two averages the additive amount specified in the table below that is applicable to such average amount. Note, however, that a contractor that has an average contract amount equal to or greater than \$65,000,000 may submit bids for work on the Project in any amount.

Average Contract Amount ("ACA")	Maximum Authorized Bid Amount
< \$3,000,000	ACA + \$1,000,000
≥ \$3,000,000 but < \$5,000,000	ACA + \$1,500,000
≥ \$5,000,000 but < \$7,500,000	ACA + \$2,000,000
≥ \$7,500,000 but < \$12,000,000	ACA + \$3,000,000
≥ \$12,000,000 but < \$18,000,000	ACA + \$4,000,000
≥ \$18,000,000 but < \$25,000,000	ACA + \$5,000,000
≥ \$25,000,000 but < \$40,000,000	ACA + \$7,000,000
≥ \$40,000,000 but < \$65,000,000	ACA + \$10,000,000
≥ \$65,000,000	Unlimited



**IF A CONTRACTOR THAT MUST BE PREQUALIFIED PURSUANT TO THE REQUIREMENTS HEREIN SUBMITS A BID FOR WORK ON THE PROJECT DIRECTLY TO THE DISTRICT, AND THE AMOUNT OF THE BID EXCEEDS THE CONTRACTOR'S MAXIMUM AUTHORIZED BID AMOUNT, THEN THE DISTRICT WILL REJECT THAT BID.**

**IF A MEP SUBCONTRACTOR THAT MUST BE PREQUALIFIED PURSUANT TO THE REQUIREMENTS HEREIN SUBMITS A SUB-BID TO A BIDDER FOR WORK ON THE PROJECT, AND THE AMOUNT OF THE SUB-BID EXCEEDS THE MEP SUBCONTRACTOR'S MAXIMUM AUTHORIZED BID AMOUNT, THEN THE DISTRICT, IF IT AWARDS A CONTRACT TO SUCH BIDDER, WILL REQUIRE SUBSTITUTION OF THAT MEP SUBCONTRACTOR AT NO ADDITIONAL COST TO THE DISTRICT.**

Each contractor that submits a bid for work on the Project directly to the District shall be responsible for ensuring that the amount of the sub-bid from any such MEP subcontractor does not exceed that MEP subcontractor's Maximum Authorized Bid Amount. If the amount of a sub-bid of any such MEP subcontractor exceeds that MEP subcontractor's Maximum Authorized Bid Amount, and the District awards a contract to the bidder that listed such MEP subcontractor, then the bidder must, in accordance with applicable Public Contract Code procedures, substitute one or more other prequalified MEP subcontractors in place of the listed MEP subcontractor. In such event, if the bidder desires to substitute two or more MEP subcontractors in place of the listed MEP subcontractor, that initially-listed MEP subcontractor may be one of the substitute MEP subcontractors, if the amount of the new subcontract will not exceed the initially-listed MEP subcontractor's Maximum Authorized Bid Amount.

### **PART 13: NOTICE OF PREQUALIFICATION DETERMINATION**

Within five days following the Prequalification Submittal Deadline, the District will issue a written "Notice of Prequalification Determination" to each contractor from which the District received a Prequalification Submittal prior to the Prequalification Submittal Deadline.

The District will send a Notice of Prequalification Determination to a contractor: (i) electronically to the e-mail address specified by the contractor in Section II of its Questionnaire; and (ii) by U.S. Mail to the street address specified by the contractor in Section II of its Questionnaire.

A Notice of Prequalification Determination to a general contractor will serve as notice to the contractor regarding whether it is prequalified to submit bids for work on the Project. If a general contractor is prequalified to submit bids, the Notice of Prequalification Determination will also specify the Maximum Authorized Bid Amount for which the contractor has been prequalified.

A Notice of Prequalification Determination to a MEP subcontractor will serve as notice to the contractor regarding whether it is prequalified to provide sub-bids to prospective bidders for work on the Project. If a MEP subcontractor is prequalified to submit sub-bids, the Notice of Prequalification Determination will also specify the maximum amount of any sub-bid for which the subcontractor has been prequalified.

In the event a Notice of Prequalification Determination specifies that general contractor has been disqualified (i.e., not prequalified) to submit a bid for work on the Project, or that a MEP subcontractor has been disqualified from submitting sub-bids to any prospective bidder for work on the Project, the Notice of Prequalification Determination shall also specify the basis or bases for such determination.

## **PART 14: CONTRACTOR APPEALS**

**Untimely Submittals:** If the District rejects a contractor's Prequalification Submittal as non-responsive because the District did not receive the Prequalification Submittal prior to the Prequalification Submittal Deadline, the rejection shall be deemed final and the contractor shall have no right to appeal such rejection to the District.

**Withdrawn Submittals:** A contractor that submits a written notice, as provided in Part 7 herein, to thereby withdraw its Prequalification Submittal shall be deemed and construed to have waived any and all rights to challenge any determination (or lack of determination) by the District in regard to the contractor's Prequalification Submittal or its prequalification status, including, but not limited to, any administrative, judicial or other rights, and such contractor shall have no rights whatsoever to file any appeal with the District in regard to such matters.

**Timely but Non-Responsive Submittals:** If a contractor timely submitted a Prequalification Submittal to the District, but the District rejected the Prequalification Submittal as non-responsive to the requirements of this Contractor Prequalification Package, the contractor may appeal such rejection to the District. Each such appeal must be in writing and set forth in reasonable detail the basis or bases for appeal of the District's rejection of the contractor's Prequalification Submittal. A contractor's appeal shall be deemed to have merit only if the contractor can demonstrate that, as submitted, the Questionnaire was fully complete, the Prequalification Submittal included all supporting information that the Questionnaire required be included, and the Prequalification Submittal otherwise complied with all requirements herein. If, upon administrative review of a contractor's appeal, the District determines that the contractor's Prequalification Submittal was responsive, the District shall review the Prequalification Submittal to determine whether or not the contractor is prequalified to submit bids in connection with the Project and, thereafter, the District will issue a Notice of Prequalification Determination to the contractor as provided in Part 13 herein.

**Disqualification:** If a contractor duly submitted a Prequalification Submittal to the District, but, as specified in the Notice of Prequalification Determination, the contractor was disqualified (i.e., not prequalified) by the District, the contractor may appeal such determination by the District. A contractor's appeal shall be deemed to have merit only if the contractor can demonstrate that the District did not correctly apply the scoring criteria specified in the Questionnaire to the contractor's Prequalification Submittal as submitted. If, upon administrative review of a contractor's appeal, the District determines that the contractor should have been prequalified, the District will issue a revised Notice of Prequalification Determination to the contractor.

**Maximum Authorized Bid Amount:** A contractor that has been prequalified by the District may appeal the District's determination as to the Maximum Authorized Bid Amount assigned to the contractor, as specified in the Notice of Prequalification Determination sent by the District to such contractor. A contractor's appeal shall be deemed to have merit only if the contractor can demonstrate that the District did not correctly calculate the Maximum Authorized Bid Amount in accordance with Part 12 herein, based on the contractor's Prequalification Submittal as submitted. If, upon administrative review of a contractor's appeal, the District determines that the contractor should have been assigned a different Maximum Authorized Bid Amount, the District will issue a revised Notice of Prequalification Determination to the contractor.

**Deadline for Filing Appeals:** A contractor that is authorized by this Part 14 to file an appeal must file its appeal with the District **not later than 2:00 p.m. on the fourth calendar day** following the date the

District sends to the contractor via e-mail either the Notice of Non-Responsiveness or the Notice of Prequalification Determination, whichever is applicable ("Appeals Deadline"). For example, if the District sends a notice to a contractor via e-mail on a Monday, the Appeals Deadline will be 2:00 p.m. on the following Friday. If a contractor fails to file an appeal prior to the applicable Appeals Deadline, the contractor shall be deemed and construed to have waived any and all rights to challenge any determination by the District in regard to the contractor's Prequalification Submittal or its prequalification status, including, but not limited to, any administrative, judicial or other rights.

*Method of Filing Appeal:* Appeals may be filed with the District only by a contractor that timely submitted a Prequalification Submittal to the District and that is otherwise authorized to file an appeal by this Part 14. A contractor's appeal must: (i) be in writing on 8½ x 11 inch paper; (ii) specify in reasonable detail all bases and facts asserted by the contractor in support of its appeal; (iii) include all documentation upon which the contractor will rely in connection with the appeal; and (iv) must include signed certification by an authorized representative of the contractor in the following form "The undersigned hereby certifies, subject to penalty for perjury, that: (i) the undersigned is a duly-authorized representative of the contractor that has filed this appeal; and (ii) all assertions and facts set forth in this appeal by or on behalf of the contractor are true and correct." A contractor's appeal must be enclosed in a sealed envelope and must be addressed and delivered to the District contact person specified in Part 17 herein.

*Appeal Review and Hearing:* Each appeal received by the District prior to the applicable Appeals Deadline shall be administratively reviewed by a person or persons designated by the District. A contractor's appeal may request that the District conduct a hearing on the appeal, in which event, the District shall schedule such hearing at a time and on a date that takes into consideration the number of appeals received by the District, the deadline for submission of bids for work on the Project, District staff workload, and other relevant factors. Because of those factors, the District will not consider the convenience to the contractor when scheduling any appeal hearing. If a contractor or its authorized representative does not appear for its appeal hearing at the time and on the date scheduled by the District, the District shall rule on the contractor's appeal solely on the basis of the content of the contractor's written appeal. Appeal hearings will be informal and not subject to formal procedural requirements similar to those applicable to judicial hearings, although the District may impose a time limit on the hearing or any element thereof, and each person at the hearing must act in a professional manner. The purpose of a contractor's appeal hearing shall be to provide the contractor with a reasonable opportunity to present information and arguments in support of its appeal.

*District Decision on Appeal:* In rendering a decision on a contractor's appeal, the District will consider the contractor's written appeal, the information and arguments submitted by the contractor at its appeal hearing, if a hearing was conducted, and any other information the District may deem relevant to the appeal. The District will set forth its decision in regard to a contractor's appeal in a written notice to the contractor ("Notice of Decision on Appeal"), which, in appropriate cases, may include a revised Notice of Prequalification Determination. The District will send the Notice of Decision on Appeal to a contractor: (i) electronically to the e-mail address specified by the contractor in Section II of its Questionnaire; and (ii) by U.S. Mail to the street address specified by the contractor in Section II of its Questionnaire. The issuance of a Notice of Decision on Appeal by the District, after administrative review by the District of a contractor's appeal, shall be mandatory prerequisite to the filing or initiation of any Government Claims Act claim or judicial or other legal or equitable action relating to the contractor's Prequalification Submittal or its prequalification status.

## **PART 15: SUBSEQUENT REVIEW BY DISTRICT**

Notwithstanding that the District, as provided in this Contractor Prequalification Package or by other process, may have determined that a contractor is prequalified to submit bids for one or more public projects undertaken or to be undertaken by the District, the District may at any time: (i) request, receive, obtain, and evaluate information relating to whether the contractor is a “responsible” contractor; and (ii) undertake proceedings to determine whether the contractor is a “responsible” contractor for purposes of bidding on or performing work in connection with any District public project(s).

In addition, in the event the District reasonably determines that any information set forth in a contractor’s Prequalification Submittal is false, misleading or inaccurate in any material respect, the District shall have the right to: (i) revoke the contractor’s prequalification status; (ii) terminate for cause any contract that it has with the contractor (in which event the false, misleading or inaccurate information shall be conclusively deemed a sufficient cause for termination); (iii) require that any direct contractor to the District using the contractor as a subcontractor substitute a different subcontractor in place of the contractor (in which event the false, misleading or inaccurate information shall be conclusively deemed a sufficient cause for substitution); and/or (iv) recover all costs, losses, damages incurred by the District as a result of such misleading or inaccurate information or in connection with any of the foregoing actions by the District.

## **PART 16: CERTAIN INFORMATION NOT A PUBLIC RECORD**

The information set forth in Section I of the Questionnaire submitted by a contractor shall be public information and may be disseminated by the District, whether upon request or on its own volition. However, all other information set forth in a contractor’s Prequalification Submittal, including, but not limited to, any financial statement or CPA letter, shall not be public information and shall not be open to public inspection, unless made subject to such inspection by law or order of a governmental entity with competent jurisdiction. However, the District may disclose the information in any Prequalification Submittal to third parties for the purpose of verification and/or investigation, including, without limitation, for purposes of any appeal hearing.

## **PART 17: CONTACTING THE DISTRICT**

Questions regarding this Contractor Prequalification Package must be set forth in writing and sent via e-mail to Hector Gonzalez, the District’s Director of Facilities, at [hector.gonzalez@puhsd.org](mailto:hector.gonzalez@puhsd.org). The e-mail subject line of each such question should be specified as “Question Regarding Contractor Prequalification Package.” No person other than Mr. Gonzalez is authorized to receive questions relating to this Contractor Prequalification Package, and the District shall have no obligation to respond to questions sent to any person or entity other than Mr. Gonzalez. In its discretion, the District may deem non-responsive the Prequalification Submittal of any contractor that, in connection with this Contractor Prequalification Package, contacts any District representative other than Mr. Gonzalez, including, without limitation, any member of the District’s Board of Trustees.

Questions regarding this Contractor Prequalification Package must be received by the District no later than 72 hours prior to the Prequalification Submittal Deadline (“Deadline for Questions”). The District, in its discretion, may determine not to respond to any question submitted after the Deadline for Questions. If the District determines to respond to a question submitted after the Deadline for

Questions, the District may extend the deadline for submittal of Prequalification Submittals so that all contractors will have the benefit of responses to questions submitted after the Deadline for Questions.

The District, in its discretion, may or may not respond to any question that it receives in regard to this Contractor Prequalification Package, and the District may determine to respond only to questions that raise issues generally of importance to all contractors or to the prequalification process. If the District does not respond to a question, the Contractor Prequalification Package will be interpreted on the basis of its “plain language” meaning and the lack of response to any question submitted in accordance with this Part 17 shall not be a basis for any challenge or appeal by any contractor. If the District chooses to respond to a question submitted in accordance with this Part 17, the District’s response will be in the form of an addendum to this Contractor Prequalification Package issued in accordance with Part 8 herein. In no event shall the District be responsible or liable for any failure of any contractor to receive or obtain any such addendum.

**CONTRACTOR QUESTIONNAIRE  
FOR  
PREQUALIFICATION OF PRIME GENERAL CONTRACTORS  
AND MECHANICAL, ELECTRICAL AND PLUMBING SUBCONTRACTORS  
PURSUANT TO PUBLIC CONTRACT CODE SECTION 20111.6**

**SECTION I: CONTRACTOR INFORMATION (PUBLIC)**

***Name of Contractor Seeking Prequalification:***

*(Name entered below must be exactly as it appears on contractor license issued by the CSLB.)*

\_\_\_\_\_

***Seeking Prequalification As:***

*(Specify also the CSLB license classification for which you are seeking prequalification. Note: A contractor that submits a bid directly to the District may not also submit sub-bids to other prime bidders.)*

- ☐ General Contractor -- License Classification(s): \_\_\_\_\_
- ☐ Mechanical Subcontractor -- License Classification(s): \_\_\_\_\_
- ☐ Electrical Subcontractor -- License Classification(s): \_\_\_\_\_
- ☐ Plumbing Subcontractor -- License Classification(s): \_\_\_\_\_

***Scoring: This Section I will not be scored, but must be completed in order for the Contractor to be considered responsive.***

**SECTION II: CONTRACTOR INFORMATION (NON-PUBLIC)**

***Type of Entity:*** *(Check only one box below. Each member of a joint venture must separately prequalify.)*

- ☐ Corporation
- ☐ Partnership
- ☐ Limited Liability Company
- ☐ Sole Proprietorship

***Contact Person:*** \_\_\_\_\_

***Address:*** \_\_\_\_\_

***Telephone Number:*** \_\_\_\_\_

***Facsimile Number:*** \_\_\_\_\_

***E-Mail Address:*** \_\_\_\_\_

***Scoring: This Section II will not be scored, but must be completed in order for the Contractor to be considered responsive.***

### **SECTION III: ESSENTIAL REQUIREMENTS FOR PREQUALIFICATION**

1. Does the Contractor possess a valid and current California Contractor's license for the project or portion thereof for which it intends to submit a bid or sub-bid?  
☐ Yes      ☐ No
2. Does the Contractor have in effect a policy of general liability insurance, written on an occurrence basis, with a policy limit of at least \$1,000,000 per occurrence and \$2,000,000 aggregate?  
☐ Yes      ☐ No
3. Does the Contractor have in effect such workers' compensation insurance as required by the Labor Code or is the Contractor legally self-insured pursuant to Labor Code section 3700 *et seq.*?  
☐ Yes      ☐ No      ☐ Contractor is exempt, because it has no employees
4. Has the Contractor attached to this Questionnaire a copy of the financial statement or letter from its certified public accountant, as specified in Section IX of this Questionnaire, for the Contractor's most-recent fiscal year?  
☐ Yes      ☐ No
5. Has the Contractor attached to this Questionnaire a notarized statement from a surety insurer, as specified in Question 1 of Section X of this Questionnaire?  
☐ Yes      ☐ No

***Scoring: The Contractor will be disqualified if the answer to any of the foregoing questions 1 through 5, inclusive, is "No."***

6. At any time during the last five years, have any of the Contractor's California contractor licenses been revoked?  
☐ Yes      ☐ No
7. At any time during the last five years, has a surety insurer completed, or paid for completion of, construction work on behalf of the Contractor, because the Contractor defaulted or was terminated by the project owner, and neither the Contractor nor the surety successfully challenged the default or termination in a court of law?  
☐ Yes      ☐ No
8. At the time it submits this Questionnaire to the District, is the Contractor 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, or pursuant to any other federal, California or local law?  
☐ Yes      ☐ No
9. At any time during the last five years, has the Contractor or any of its owners or officers been convicted of a crime associated with or arising from the bidding for, award of, or performance of any contract for a government construction project, which conviction has not been overturned on appeal?  
☐ Yes      ☐ No

10. At the time it submits this Questionnaire to the District, is the Contractor the debtor in a bankruptcy case, whether voluntary or involuntary?
- ☐ Yes      ☐ No

**Scoring: The Contractor will be disqualified if the answer to any of the foregoing questions 6 through 10, inclusive, is "Yes."**

#### **SECTION IV: CURRENT ORGANIZATION AND STRUCTURE**

***Complete the following ONLY if the Contractor is a corporation:***

1. Specify the date the Contractor was incorporated: \_\_\_\_\_
2. Specify the state in which Contractor was incorporated: \_\_\_\_\_
3. Specify in Table IV-A, below: (i) the name of each person who is either (a) a president, vice president, secretary, treasurer or other officer of the corporation or (b) an owner of ten percent or more of the corporation's stock; (ii) the position(s) or title(s) held by such person; (iii) the amount of time (in years and months) such person has been associated with the Contractor; (iv) the percentage ownership such person has of the corporate stock; and (v) such person's social security number.
4. Specify in Table IV-B, below: (i) the name of each person identified pursuant to Item 3, above, who, at any time during the last five years, was an officer of, or owner of ten percent or more of, any other construction firm; (ii) the position(s) or title(s) held by such person; (iii) the name of each such other construction firm; and (iv) the date such person started at the other firm and, if applicable, the date such person's association with the other firm ended.

***Complete the following ONLY if the Contractor is a Partnership:***

1. Specify the date the partnership was formed: \_\_\_\_\_
2. Specify the state pursuant to the laws of which the partnership was formed: \_\_\_\_\_
3. Specify in Table IV-A, below: (i) the name of each person who owns ten percent or more of the firm; (ii) the position(s) or title(s) held by such person; (iii) the amount of time (in years and months) such person has been associated with the Contractor; (iv) the percentage ownership such person has of the firm; and (v) such person's social security number.
4. Specify in Table IV-B, below: (i) the name of each person identified pursuant to Item 3, above, who, at any time during the last five years, was an officer of, or owner of ten percent or more of, any other construction firm; (ii) the position(s) or title(s) held by such person; (iii) the name of each such other construction firm; and (iv) the date such person started at the other firm and, if applicable, the date such person's association with the other firm ended.



**Complete the following *ONLY* if the Contractor is a Limited Liability Company (“LLC”):**

1. Specify the date the LLC was formed: \_\_\_\_\_
2. Specify the state pursuant to the laws of which the LLC was formed: \_\_\_\_\_
3. Specify in Table IV-A, below: (i) the name of each (a) member and managing member of the LLC and (b) each person who owns ten percent or more of the firm; (ii) the position(s) or title(s) held by such member and person; (iii) the amount of time (in years and months) such member or person has been associated with the Contractor; (iv) the percentage ownership such member or person has of the firm; and (v) each such person’s social security number.
4. Specify in Table IV-B, below: (i) the name of each member or person identified pursuant to Item 3, above, who, at any time during the last five years, was an officer of, owner of ten percent or more of, or member of, any other construction firm; (ii) the position(s) or title(s) held by such member and person; (iii) the name of each such other construction firm; and (iv) the date such person or member was first associated with the other firm and, if applicable, the date such person’s or member’s association with the other firm ended.

**TABLE IV-A**

<b>Name</b>	<b>Position(s)/Title(s)</b>	<b>Time with Firm</b>	<b>% Ownership</b>	<b>Social Security #</b>

**TABLE IV-B**

<b>Name of Person</b>	<b>Position(s)/Title(s)</b>	<b>Name of Other Construction Firm</b>	<b>Start/End Dates</b>

**Complete the following ONLY if the Contractor is a Sole Proprietorship:**

1. Date Contractor commenced business: \_\_\_\_\_
2. Owner's social security number: \_\_\_\_\_
3. If, at any time during the last five years, the owner has been an officer of, or an owner of ten percent or more of, any other construction firm, then, for each such construction firm, specify in Table IV-C, below: (i) the position(s) or title(s) held by the owner in such other construction firm; (ii) the name of such other construction firm; and (iii) the date the owner started at the other firm and, if applicable, the date the owner's association with the other firm ended.

**TABLE IV-C**

Position(s)/Title(s)	Name of Other Construction Firm	Start/End Dates

**Complete the following ONLY if Contractor is part of a Joint Venture that intends to bid on the Project:**

1. Specify the date the joint venture was formed: \_\_\_\_\_
2. Specify in the space below the name of the firm, if any, that is the joint venture's dominant or primary managing entity: *(Name entered must be exactly as it appears on the contractor license issued by the CSLB to such entity.)*  
\_\_\_\_\_
3. For each firm that is a member or part of the joint venture, specify, in Table IV-D, below: (i) the name of such firm; and (ii) the percentage of ownership such firm has of the joint venture.

**TABLE IV-D**

Name of Firm	Percentage Ownership

**Scoring: This Section IV will not be scored, but must be fully completed, as applicable, for the Contractor to be considered responsive.**

## **SECTION V: HISTORY AND ORGANIZATIONAL PERFORMANCE**

1. At any time during the last three years, has there been any change in the Contractor's ownership (other than, if the Contractor is a corporation, sale of publicly-traded shares of the corporation)?

☐ Yes ☐ No

**Scoring: "Yes" = zero points; "No" = 5 points**

2. Do any officers, partners or owners of the Contractor hold similar positions in any other construction firms?

☐ Yes ☐ No

**Scoring: "Yes" = zero points; "No" = 5 points**

3. Is the Contractor a subsidiary, parent, holding company, or affiliate of another construction firm (i.e., a firm that owns fifty percent or more of another firm, or a firm as to which an officer, partner, or owner of the Contractor also holds a similar position in the firm)?

☐ Yes ☐ No

**Scoring: "Yes" = zero points; "No" = 5 points**

4. How many years has the Contractor been in business in California, with its present business name and license number, as a: *(complete all for which the Contractor is seeking to be prequalified; round months up or down based on the number of days in the particular month being rounded, e.g., 14 days in a month with 30 days would be rounded down)*

- (i) General Contractor : \_\_\_\_ years and \_\_\_\_ months;
- (ii) Mechanical Subcontractor: \_\_\_\_ years and \_\_\_\_ months;
- (iii) Electrical Subcontractor: \_\_\_\_ years and \_\_\_\_ months; and/or
- (iv) Plumbing Subcontractor: \_\_\_\_ years and \_\_\_\_ months.

**Scoring:  $\geq 5$  years = 5 points;  $\geq 3$  years = 2 points;  $< 3$  years = zero points**

5. At any time during the last five years, was the Contractor a debtor in any bankruptcy case (whether voluntary or involuntary) or did the Contractor assign any or all of its assets for the benefit of any creditor(s)?

☐ Yes ☐ No

**Scoring: "Yes" = zero points; "No" = 5 points**

**SECTION VI: CONTRACTOR LICENSE(S)**

1. For each California contractor license held by the Contractor, specify in Table VI-A, below: (i) the license number; (ii) the license classification; and (iii) the license expiration date.

**TABLE VI-A**

License Number	Classification	Expiration Date

**Scoring: This paragraph will not be scored, but Contractor must specify all licenses that it holds in order for the Contractor to be considered responsive.**

2. For each California contractor license held by the Contractor in the name of a corporation or partnership, specify in Table VI-B, below: (i) the license number; and (ii) the name of each qualifying individual listed on the CSLB records who meets the experience and examination requirements for such license.

**TABLE VI-B**

License Number	Qualifying Individual

**Scoring: This paragraph will not be scored, but must be fully completed in order for the Contractor to be considered responsive.**

3. At any time during the last five years, has the Contractor changed its name or license number?  
☐ Yes      ☐ No

**Scoring: "Yes" = zero points; "No" = 5 points**

4. At any time during the last five years, has any owner, partner or officer of the Contractor operated a construction company under any other name?  
☐ Yes      ☐ No

**Scoring: "Yes" = zero points; "No" = 5 points**

5. At any time during the last five years, has any California contractor license held by the Contractor or its Responsible Managing Employee (RME) or Responsible Managing Officer (RMO) been suspended?
- ☐ Yes ☐ No

**Scoring: "Yes" = zero points; "No" = 5 points**

## **SECTION VII: CONSTRUCTION AND BID DISPUTES**

1. At any time in the last five years, has the Contractor been assessed liquidated damages pursuant to a construction contract with either a public or private owner, and such assessment WAS NOT overturned on appeal?
- ☐ Yes ☐ No

**Scoring: "Yes" = zero points; "No" = 5 points**

2. At any time during the last five years, has the Contractor, any construction firm associated with the Contractor (as specified in either Table IV-B or Table IV-C), or any of the owners, officers or partners of either the Contractor or any such construction firm, been debarred, disqualified, removed from, or otherwise prevented from bidding on or completing, any public works contract, and such action WAS NOT overturned on appeal?
- ☐ Yes ☐ No

**Scoring: "Yes" = zero points; "No" = 5 points**

3. At any time during the last five years, has the Contractor been denied an award of a public works contract based on a determination by a public agency that the Contractor was not a responsible bidder, and such determination WAS NOT overturned on appeal?
- ☐ Yes ☐ No

**Scoring: "Yes" = zero points; "No" = 5 points**

*(Questions 4 and 5 in this Section VII apply only to: (i) disputes between the Contractor and project owners; and (ii) if the Contractor is a subcontractor, disputes between the Contractor and general contractors. The Contractor need not include information about: (i) disputes between the Contractor and any of its suppliers or subcontractors; or (ii) "pass-through" disputes in which the actual dispute is between a project owner and a subcontractor to the Contractor.)*

4. At any time during the last five years, has any claim arising from the Contractor's work on a construction project been filed against the Contractor in a court of law or with an arbitrator, and the Contractor DID NOT prevail on substantially all aspects of such claim?
- ☐ Yes ☐ No

**Scoring: "Yes" = zero points; "No" = 5 points**

5. At any time during the last five years, did the Contractor file any claim against a project owner or general contractor, in a court of law or with an arbitrator, that arose from the Contractor's work on a project or payment due or allegedly due to the Contractor for such work, and the Contractor DID NOT prevail on substantially all aspects of such claim?

☐ Yes ☐ No

**Scoring: "Yes" = zero points; "No" = 5 points**

6. At any time during the last five years, has any surety company made any payments on the Contractor's behalf as a result of any default, or to satisfy any claims made against a performance or payment bond issued on the Contractor's behalf, in connection with a construction project?

☐ Yes ☐ No

**Scoring: "Yes" = zero points; "No" = 5 points**

7. At any time during the last five years, has any insurance carrier refused to renew an insurance policy (for any form of insurance) held by the Contractor?

☐ Yes ☐ No

**Scoring: "Yes" = zero points; "No" = 5 points**

8. At any time during the last five years, did any other party protest a bid that the Contractor submitted to a public agency, which resulted in either a rejection of the Contractor's bid or rejection of all bids by the public agency?

☐ Yes ☐ No

**Scoring: "Yes" = zero points; "No" = 5 points**

9. At any time during the last five years, did the Contractor protest a bid that any other party submitted to a public agency, which DID NOT result in either a rejection of the other party's bid or rejection of all bids by the public agency?

☐ Yes ☐ No

**Scoring: "Yes" = zero points; "No" = 5 points**

#### **SECTION VIII: CRIMINAL AND CIVIL ACTIONS**

1. Has the Contractor or any of its owners, officers or partners ever been found liable in a civil suit or guilty in a criminal action for making any false claim or material misrepresentation to any public agency, and such finding WAS NOT overturned on appeal?

☐ Yes ☐ No

**Scoring: "Yes" = zero points; "No" = 5 points**

2. Has the Contractor or any of its owners, officers or partners ever been convicted of a crime involving any federal, state, or local law in any manner related to construction, and such conviction WAS NOT overturned on appeal?
- ☐ Yes      ☐ No

**Scoring: "Yes" = zero points; "No" = 5 points**

3. Has the Contractor 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, and such conviction WAS NOT overturned on appeal?
- ☐ Yes      ☐ No

**Scoring: "Yes" = zero points; "No" = 5 points**

## **SECTION IX: FINANCIAL CAPACITY**

*(The Contractor must comply with either Question 1 or Question 2, below, but the Contractor may comply with both. If the Contractor complies only with Question 1, the District will determine the ratios described below based on information in the Contractor's financial statement. For purposes of the Working Capital ratio, the "Estimated Project Cost" for general contractors is assumed to be \$5 million and the estimated project cost for MEP subcontractors is assumed to be \$1 million.)*

1. Attach to this Questionnaire a copy of the Contractor's reviewed or audited financial statement for the Contractor's most-recent completed fiscal year, with accompanying notes and supplemental information. *(A financial statement that is not either reviewed or audited is not acceptable. A letter verifying availability of a line of credit is not a substitute for the required financial statement.)*
2. Attach to this Questionnaire a letter on the letterhead of an independent certified public accountant that specifies the financial ratios described in Table IX-A, below, for the Contractor's most-recent completed fiscal year. The letter must be certified to be free of knowingly false, fictitious and fraudulent information and signed by a partner in the CPA firm and by the Contractor's chief financial officer, president or chief executive officer.

**TABLE IX-A**

<b>Ratio</b>	<b>Formula</b>	<b>Desired Ratio</b>
Current	Current Assets divided by Current Liabilities	> 1.15
Net Worth	Total Assets minus Total Liabilities	≥ 0.0
Working Capital	Current Assets minus Current Liabilities, divided by Estimated Project Cost	≥ 10%
Leverage	Total Liabilities divided by Equity	≤ 2.5

**Scoring:**

**Current Ratio:** > 1.15 = 8 points; ≤ 1.15 and > 1.0 = 4 points; < 1.0 = zero points

**Net Worth:** ≥ 0.0 = 8 points; < 0.0 = zero points

**Working Capital:** ≥ 10% = 8 points; ≥ 7.5% = 4 points; any other answer = zero points

**Leverage:** ≤ 2.5 = 8 points; > 2.5 and ≤ 3.25 = 4 points; any other answer = zero points

## **SECTION X: BONDING CAPACITY**

1. Attach to this Questionnaire a notarized statement from the surety insurer that would issue payment and performance bonds on behalf of the Contractor, if the District were to award a contract for work on the Project to the Contractor. Such surety insurer must be an “admitted” surety insurer, i.e., authorized by the California Department of Insurance to conduct business and issue bonds in California. The notarized statement must be from such admitted surety insurer itself, not from a broker, agent or other representative of the surety insurer. The statement must specify: (i) the name of the surety insurer; (ii) the name, address and telephone number of the surety insurer’s local representative or agent; and (iii) the Contractor’s per-project and aggregate bonding capacity at the time the Contractor submits this Questionnaire to the District.

**Scoring: This paragraph will not be scored, but a notarized statement meeting the foregoing requirements must be attached to this Questionnaire in order for the Contractor to be considered responsive.**

2. At any time during the last five years, was the Contractor required to pay a premium of more than one percent for a performance and payment bond for a construction project?
- ☐ Yes      ☐ No

**Scoring: “Yes” = zero points; “No” = 5 points**

3. If, at any time during the last five years, any surety insurer (in addition to the surety that provided the notarized statement pursuant to Question 1 of this Section X) issued any payment or performance bond on behalf of the Contractor, list in Table X-A, below: (i) the name of each such surety insurer; (ii) such surety’s address; (iii) the date the surety issued the bond.

**TABLE X-A**

<b>Surety Name</b>	<b>Address</b>	<b>Date Bond Issued</b>

**Scoring: No Surety Listed = 5 points; 1 Surety Listed = 3 points; any other answer = zero points**

4. At any time during the last five years, has a surety insurer refused to issue a bond on behalf of the Contractor, or has there ever been a period of time when the Contractor had no surety bond in place during a public construction project when one was required?
- ☐ Yes      ☐ No

**Scoring: “Yes” = zero points; “No” = 5 points**



## **SECTION XI: HEALTH AND SAFETY**

1. At any time during the last five years, has the California Occupational Safety and Health Administration ("Cal-OSHA") cited the Contractor for any "serious," "willful" or "repeat" violations of safety or health laws or regulations, and such citation WAS NOT withdrawn or overturned on appeal?

☐ Yes ☐ No

**Scoring: "Yes" = zero points; "No" = 5 points**

2. At any time during the last five years, has the federal Occupational Safety and Health Administration ("Fed-OSHA") cited the Contractor for violations of safety or health laws or regulations, and such citation WAS NOT withdrawn or overturned on appeal?

☐ Yes ☐ No

**Scoring: "Yes" = zero points; "No" = 5 points**

3. At any time during the last five years, has a federal or state Environmental Protection Agency, Air Quality Management District, or Regional Water Quality Control Board cited the Contractor (or cited the owner of a project for which the Contractor was responsible for environmental compliance) for violation of any environmental law or regulation, and such citation WAS NOT withdrawn or overturned on appeal?

☐ Yes ☐ No

**Scoring: "Yes" = zero points; "No" = 5 points**

4. Specify the frequency during the course of a construction project (*e.g., daily, once every two days, weekly, once every two weeks, monthly or other*) that the Contractor requires documented safety meetings to be held for construction employees and field supervisors:

\_\_\_\_\_

**Scoring:  $\geq$  daily = 5 points;  $<$  daily to  $\geq$  weekly = 3 points;  $<$  weekly = zero points**

5. Specify the frequency during the course of a construction project (*e.g., daily, once every two days, weekly, once every two weeks, monthly or other*) that the Contractor requires a safety manager or officer to conduct inspections of the project and work site:

\_\_\_\_\_

**Scoring:  $\geq$  daily = 5 points;  $<$  daily to  $\geq$  weekly = 3 points;  $<$  weekly = zero points**

6. In the appropriate spaces below, specify the Contractor's Experience Modification Rate (EMR) (California workers' compensation insurance), as determined by the Contractor's workers' compensation insurance carrier, for each of the past three premium years.

Current year: \_\_\_\_\_

Last year: \_\_\_\_\_

Year prior to last year: \_\_\_\_\_

**Scoring (3-year average):  $\leq 0.90 = 8$  points;  $> 0.90$  to  $\leq 1.25 = 6$  points;  
 $> 1.25$  to  $\leq 1.5 = 4$  points;  $> 1.5 =$  zero points**

7. At any time during the last five years, was there ever a period when the Contractor had employees, but was without workers' compensation insurance or state-approved self-insurance?

☐ Yes

☐ No

**Scoring: "Yes" = zero points; "No" = 5 points**

## **SECTION XII: PREVAILING WAGES AND APPRENTICESHIP**

1. At any time during the last five years, was the Contractor required to pay either back wages and/or penalties because the Contractor failed to comply with federal or state prevailing-wage laws? *(This question pertains only to violations of prevailing wage laws by the Contractor, not by any subcontractor to the Contractor.)*

☐ Yes

☐ No

**Scoring: "Yes" = zero points; "No" = 5 points**

2. Specify below the name, address and telephone number of the apprenticeship program (approved by the California Apprenticeship Council) from which the Contractor (if the District awards a contract to the Contractor for work on the Project) will, if applicable, request the dispatch of apprentices for use on the Project:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Tel: \_\_\_\_\_

**Scoring: This paragraph will not be scored, but must be fully completed in order for the Contractor to be considered responsive.**

3. Does the Contractor operate its own State-approved apprenticeship program?

☐ Yes

☐ No

**Scoring: "Yes" = 5 points; "No" = zero points**

4. At any time during the last five years, has the Contractor 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

**Scoring: "Yes" = zero points; "No" = 5 points**

### **SECTION XIII: PUBLIC PROJECT EXPERIENCE**

**Answer the following question only if Contractor seeks to be prequalified as a general contractor.**

1. Specify the number of public projects that the Contractor completed during the last five years, in each case acting as a general contractor under direct contract with a California public school district, and for which projects approval by the California Department of General Services, Division of State Architect ("DSA") was required: \_\_\_\_\_

**Scoring: 1 point for each project, up to a maximum of 10 total points**

**Answer the following question only if Contractor seeks to be prequalified as a mechanical, electrical or plumbing subcontractor.**

2. Specify the number of public projects that the Contractor completed during the last five years, in each case acting as a subcontractor to a prime contractor that directly contracted with a California public school district, and for which projects approval by the California Department of General Services, Division of State Architect ("DSA") was required: \_\_\_\_\_

**Scoring: 1 point for each project, up to a maximum of 10 total points**

3. Specify the final contract amounts (i.e., as adjusted by any change-orders, amendments, et cetera) of the ten **most recent** public-works construction contracts completed by the Contractor (i.e., its own contracts) during the last five years, for which approval by the California Department of General Services, Division of State Architect ("DSA") was required: *(If the Contractor has completed less than ten such contracts in the last five years, specify contract amounts for all of such contracts)*

Contract No. 1: \$ _____	Contract No. 6: \$ _____
Contract No. 2: \$ _____	Contract No. 7: \$ _____
Contract No. 3: \$ _____	Contract No. 8: \$ _____
Contract No. 4: \$ _____	Contract No. 9: \$ _____
Contract No. 5: \$ _____	Contract No. 10: \$ _____

**Scoring: 1 point for each contract listed, up to a maximum of 10 total points. Assuming the Contractor otherwise satisfies all requirements for prequalification, the foregoing contract amounts will be used to determine the maximum amount of contracts for which the Contractor will be eligible to submit bids, as described in Part 12 of the Contractor Prequalification Package.**

4. Specify the final contract amounts (i.e., as adjusted by any change-orders, amendments, *et cetera*) of the ten **largest** public-works construction contracts (i.e., highest contract amounts) completed by the Contractor (i.e., its own contracts) during the last five years, for which approval by the California Department of General Services, Division of State Architect (“DSA”) was required: *(If the Contractor has completed less than ten such contracts in the last five years, specify contract amounts for all of such contracts)*

Contract No. 1: \$ _____	Contract No. 6: \$ _____
Contract No. 2: \$ _____	Contract No. 7: \$ _____
Contract No. 3: \$ _____	Contract No. 8: \$ _____
Contract No. 4: \$ _____	Contract No. 9: \$ _____
Contract No. 5: \$ _____	Contract No. 10: \$ _____

**Scoring: 1 point for each contract listed, up to a maximum of 10 total points. Assuming the Contractor otherwise satisfies all requirements for prequalification, the foregoing contract amounts will be used to determine the maximum amount of contracts for which the Contractor will be eligible to submit bids, as described in Part 12 of the Contractor Prequalification Package.**

5. For each of the contracts specified in Question 3, above, the Contractor must fully complete and attach to this Questionnaire a photocopy of the Project Information Sheet on the following page.

**Scoring: This paragraph will not be scored, but a fully-completed Project Information Sheet for each contract specified in Question 3 of this Section XIII must be attached to this Questionnaire in order for the Contractor to be considered responsive.**

**PROJECT INFORMATION SHEET**  
(Make copies of blank sheet as needed)

Contract No. (as designated in Question 3 of Section XIII of the Questionnaire): \_\_\_\_\_

Contract Date: \_\_\_\_\_

Final Contract Amount (as adjusted): \_\_\_\_\_

Project Name: \_\_\_\_\_

Project Address: \_\_\_\_\_

School District ( Project Owner): \_\_\_\_\_

School District Contact Name: \_\_\_\_\_

School District Contact Telephone Number: \_\_\_\_\_

Design Professional (i.e., Architect or Engineer): \_\_\_\_\_

Design Professional Contact Name: \_\_\_\_\_

Design Professional Telephone Number: \_\_\_\_\_

Construction Manager (insert "N/A" if none): \_\_\_\_\_

Construction Manager Contact Name: \_\_\_\_\_

Construction Manager Telephone Number: \_\_\_\_\_

General Contractor (if Contractor acted as a Subcontractor): \_\_\_\_\_

General Contractor Contact Name: \_\_\_\_\_

General Contractor Telephone Number: \_\_\_\_\_

General Description of Project and Contractor's Scope of Work: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Originally-Scheduled Completion Date: \_\_\_\_\_

Contract Time Extensions (number of days): \_\_\_\_\_

Actual Completion Date: \_\_\_\_\_

#### **SECTION XIV: ADDENDA**

Each Contractor shall be responsible for checking the District's website, prior to the Prequalification Submittal Deadline, to determine if the District has issued any one or more addenda to the Contractor Prequalification Package. If the District has issued any one or more addenda to the Contractor Prequalification Package, the Contractor must acknowledge that it has obtained a copy of each such addendum by entering its "addendum number" in Table XIV-A, below.

TABLE XIV-A	
Addendum No.	

***Scoring: This Section XIV will not be scored, but, if applicable, it must be completed in order for the Contractor to be considered responsive.***

#### **SECTION XV: CERTIFICATION**

The undersigned hereby certifies to the District, subject to penalty for perjury pursuant to the laws of the State of California, that: (i) the undersigned is a representative of the Contractor and has been duly authorized by the Contractor to submit to the District the Prequalification Submittal of which this certification is a part; (ii) on behalf of the Contractor, I have diligently reviewed and have knowledge of all the responses set forth in this Questionnaire; (iii) on behalf of the Contractor, I have diligently reviewed and have knowledge of all the information attached to and/or submitted with this Questionnaire; and (iv) based on my personal knowledge, the responses set forth in and attached to and/or submitted with this Questionnaire on behalf of the Contractor are true and correct; except as to those matters stated on information and belief, and as to those matters I believe them to be true and correct.

Representative Signature: \_\_\_\_\_

Representative Name: \_\_\_\_\_

Representative Title: \_\_\_\_\_

Date Signed: \_\_\_\_\_

City/State Where Signed: \_\_\_\_\_

***Scoring: This Section XV will not be scored, but it must be fully completed in order for the Contractor to be considered responsive.***