



C o u n t y o f S a n L u i s O b i s p o

General Services Agency

Janette D. Pell, General Services Agency Director

Helen McCann, Department Administrator

REQUEST FOR QUALIFICATIONS PS- #1012 LOS OSOS WASTEWATER TREATMENT FACILITY

December 17, 2008

The County of San Luis Obispo is currently soliciting qualifications for design-build services for the construction of a wastewater treatment facility.

Each set of Pre-Qualification Documents shall specify each and every item as set forth in the attached specifications. Any and all exceptions must be clearly stated in the Pre-Qualification Documents. Failure to set forth any item in the specifications without taking exception may be grounds for rejection. The County of San Luis Obispo reserves the right to reject all Pre-Qualification Documents and to waive any informality.

If your firm is interested and qualified, please submit ten (10) copies of your Pre-Qualification Documents by 3:00 p.m. on February 10, 2009 to:

County of San Luis Obispo
Debbie Belt, GSA - Purchasing
1087 Santa Rosa Street
San Luis Obispo, CA 93408

If you have any questions about the pre-qualification process, please contact me. For technical questions and information contact John Waddell, Project Engineer at (805) 781-5252.

DEBBIE BELT
Buyer – GSA - Purchasing
dbelt@co.slo.ca.us

PRE-QUALIFICATION DOCUMENTS SUBMITTAL AND SELECTION

1. All Pre-Qualification Documents, consisting of ten (10) copies must be received by mail, recognized carrier, or hand delivered no later than 3:00 p.m. on February 10, 2009. Late Pre-Qualification Documents will not be considered.
2. All correspondence should be directed to:

San Luis Obispo County
General Services Agency
1087 Santa Rosa Street
San Luis Obispo, CA 93408
ATTENTION: DEBBIE BELT
Telephone: (805) 781-5903
3. Costs of preparation of Pre-Qualification Documents will be borne by the respondent.
4. It is preferred that all Pre-Qualification Documents be submitted on recycled paper, printed on two sides.
5. Selection of qualified respondents will be by the approved County procedure in the attached specifications.
6. This request does not constitute an offer of employment or to contract for services.
7. The County reserves the option to reject any or all Pre-Qualification Documents, wholly or in part, received by reason of this request.
8. The County reserves the option to retain all Pre-Qualification Documents, whether selected or rejected.
9. The County reserves the right to pre-qualify the firm who presents qualifications which in the judgment of the County, best accomplishes the desired results, and shall not include a consideration of a professional service fee.
10. Selection will be made on the basis of the Pre-Qualification Documents as submitted. The Selection Committee may deem it necessary to interview applicants. The County retains the right to interview applicants as part of the selection process.
11. The proceedings of the Selection Committee are confidential. Members of the Selection Committee are not to be contacted by the respondents.

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The following Appendices are to be included on an enclosed CD ROM only:

Appendix C: Draft Environmental Impact Report (November, 2008)

Appendix D: Flows and Loads Technical Memorandum (November, 2008)

Appendix E: State Revolving Fund Guidelines (September, 2008)

Appendix F: Assessment Engineer's Report (December, 2007)

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Section 1. Notification of Pre-Qualification Requirements

1. NOTIFICATION OF PRE-QUALIFICATION REQUIREMENTS

The County of San Luis Obispo ("County") is requesting competitive proposals for design-build services to construct a new Wastewater Treatment Facility ("Project") in the community of Los Osos, California. The County's competitive selection process will proceed in two steps.

Step 1 is the pre-qualification phase of the Design-Build Entity (D/B Entity).

Step 2 is the technical proposal from the D/B Entity. Only those D/B Entities that are successfully qualified in Step 1 will be allowed to participate in Step 2.

1.1. Introduction

Founded in 1850, the County of San Luis Obispo is one of California's original counties, encompassing 2.1 million acres, it is the 17th largest. The adjoining counties include Kern, and Kings on its inland borders, Monterey County on its northern coastal boundary, and Santa Barbara County on its southern coastal boundary. The coastline of the County is approximately 100 miles.

The community of Los Osos is situated about mid-way on the coastline, at the southern end of Morro Bay and adjacent to the Morro Bay National Estuary and State Marine Reserve. The population of the community is approximately 15,000, surrounded by Morro Bay, the Pacific Ocean, Montaña de Oro State Park, open space preserves, and prime agricultural lands.

Current wastewater disposal is predominantly accomplished through the use of septic systems with septic pits, leachfields and similar methods. A wastewater prohibition zone was created by the Central Coast Regional Water Quality Control Board in 1983, which essentially mandates the discontinuance of septic system discharges for most of the community and necessitates the development of a community wastewater system to collect, treat, and dispose/reuse the wastewater.

The development of a community wastewater project for Los Osos has included numerous controversies and delays. The locally led public agency, the Los Osos Community Services District (LOCSD), awarded construction contracts in 2005, but members of its Board of Directors were shortly thereafter replaced in a recall election, the new Board majority suspended those contracts, and which were later cancelled. As a result of claims, litigation, and insufficient capital, the LOCSD filed for bankruptcy and continues to be in those proceedings at the time this RFQ was issued.

Meanwhile, on September 20, 2006 Governor Arnold Schwarzenegger signed Assembly Bill 2701 (Blakeslee) which had been unanimously approved by the California State legislature on a combined vote of 111-0 (Senate vote was 78 to 0; Assembly vote

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was 33-0). AB 2701 removed the authority of implementing a community wastewater project from the LOCSD and vested that authority in the County of San Luis Obispo.

Among its key provisions, AB 2701 established a requirement that the County hold "Prop 218" assessment proceedings to determine whether property owners would authorize local assessments pursuant to what is commonly referred to as the "Right to Vote on Taxes Act" and which is incorporated into the California State Constitution. In October 2007, the Prop 218 ballot proceeding concluded with 80% of property owner ballots in favor of assessments, which have since been established as liens on properties in an amount that varies by property but is equivalent to \$24,941 per single family dwelling unit. Consequently, Project funding has been secured.

In 2008, the County's project efforts have focused on preparing the project Environmental Impact Report (EIR) with analysis of several co-equal alternatives. Project alternatives were originally prepared in 2007 by Carollo Engineers in the "Rough Screening" and "Fine Screening" reports. The Carollo reports were also used as a basis for the cost estimates incorporated into the Prop 218 assessment proceedings. Mid-point of construction for estimating cost escalation is June, 2011.

The EIR is evaluating several project alternatives on a co-equal basis so that project determinations can be made after release of the Draft EIR and based, in part, on the costs presented in the design-build proposals submitted in response to this procurement process.

This RFQ is related to the procurement of design-build services for the wastewater treatment processes. Three wastewater treatment processes have been selected as the most viable and cost-effective for the Project and evaluated in the Draft EIR. The processes include Partially Mixed Facultative Ponds, an Oxidation Ditch or the proprietary Biolac System. Solids processing facilities would also be required to process the biosolids for hauling to an offsite facility for recycling or disposal.

Additionally, the County plans to procure design and construction services for the Project collection system, treated effluent disposal/reuse facilities, and raw and treated wastewater conveyance systems under separate contracts. These facilities, as well as operation and maintenance services, are not included in the scope of services for the D/B Entity as part of this procurement.

1.2. General Description Of The Project

The project entails the design and construction of a complete wastewater treatment facility and appurtenances on an approximately 40 acre site of previously undeveloped agricultural land. The treatment facility will be designed for an approximate build-out flow of 1.2 MGD, with initial flows expected to be 0.8 MGD. Flows and loads will originate almost entirely from residential uses. The following treatment processes are being evaluated in the EIR and, subject to the final EIR determinations, are expected to

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be developed in the design build proposals: oxidation ditch, a BIOLAC system, or partially mixed facultative ponds. The expected effluent waste concentrations are listed in Section 3-9, and include a total nitrogen limit of 0.7 mg/L.

The estimated construction budget is approximately **\$25 million**.

The detailed technical requirements for the Project are being developed and will be presented in the RFP. The presentation of the technical requirements in this RFQ is for general understanding only and is not necessarily indicative of the RFP requirements.

The County has retained Carollo Engineers as the owner's representative to assist in evaluation of the Pre-Qualification Documents and development of the preliminary engineering designs and specifications for the Request for Proposals. The County's construction manager is to be determined.

The County has developed a procurement strategy that includes the following steps. Further details of the procurement process, including anticipated dates and deadlines are provided in Section 2 and Section 3 of this RFQ.

- RFQ issuance
- Addenda to the RFQ issuance (if necessary)
- Pre-Qualification Document submission by D/B Entities
- County short-list pre-qualified D/B Entities
- RFP issuance to pre-qualified D/B Entities
- Addenda to the RFP issuance (if necessary)
- Proprietary meetings with D/B Entities to review proposal concepts
- Clarification addenda to the RFP issuance (if necessary)
- Technical and Price Proposal submission by D/B Entities
- Proposal evaluation based on "best value"
- Formal approval of selected Proposer by County

Pursuant to Labor Code Section 1720 and following, as applicable, this Project is defined as a public work for purposes of the prevailing wage law.

1.3. Minimum Bonding Requirements

The minimum bonding capacity will equal the construction budget. Prospective D/B Entities that cannot provide evidence of the capacity for bonding at that amount will not be considered qualified even though they may be qualified otherwise.

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1.4. Notice Of Pre-Qualification Requirements

Notice is hereby given that the County has determined that all respondents and proposers for the Project to be undertaken by the County must be pre-qualified prior to submitting a design-build proposal on the Project. It is mandatory that all D/B Entities who intend to submit a proposal, fully complete the Pre-Qualification Documents, provide all materials requested herein, and be approved by the County to be on the short-list of qualified D/B Entities eligible to respond to the RFP.

The County intends to establish a procedure to pre-qualify D/B Entities pursuant to California Public Contract Code Section 20133(d)(3). D/B Entities will be required to meet minimum qualifications and will be evaluated and ranked for the purpose of developing a short-list of the highest qualified D/B Entities to be eligible to respond to the RFP. All respondents to the RFP must comply with the requirements of this RFQ and must be on the short-list of qualified D/B Entities.

For the purpose of this RFQ, the Pre-Qualification Documents include;

- Answers to questions contained in the Pre-Qualification Questionnaire
- Statement of Qualifications (SOQ) prepared according to the instructions in Section 4
- Financial information, including current bonding and insurance capacity, notarized statement from surety, and the most recent reviewed or audited financial statements, with accompanying notes and supplemental information
- Resumes of key personnel
- Reference project information
- Certification forms

The County will use these documents as the basis of rating D/B Entities in respect to the size and scope of contracts upon which each D/B Entity is qualified to submit proposals.

The County reserves the right to check other sources available. The County's decision will be based on objective evaluation criteria defined in Appendices A and B.

While it is the intent of the Pre-Qualification Documents and supporting information required therewith to assist the County in determining the D/B Entity responsibility prior to submittal of a proposal, neither the fact of pre-qualification, nor any pre-qualification rating, will preclude the County from a post-qualification consideration and determination of whether a D/B Entity has the quality, fitness, capacity and experience to satisfactorily perform the proposed work, and has demonstrated the requisite trustworthiness.

A D/B Entity may be found not qualified for proposing on this Project until the D/B Entity meets the County's requirements. In addition, a D/B Entity may be found not qualified for either: (1) Omission of requested information or (2) Falsification of information.

1.5. Important Provisions Of The Public Contract Code Related To Pre-Qualification

The California Legislature has enacted a law that authorizes certain public agencies, including San Luis Obispo County, to utilize the design-build process. Public Contract Code Section 20133 allows the design-build method of procurement for wastewater projects in excess of \$2.5 million. Within the context of this law, section 20133(d)(3)(A) states that 'the county shall establish a procedure to pre-qualify design-build entities using a standard questionnaire developed by the County.'

Additionally, Public Contract Code Section 20101 requires every public agency that creates a prequalification procedure to:

1. Use a standardized questionnaire and financial statement in a form specified by the public entity;
2. Adopt and apply a uniform system of rating respondents on objective criteria, on the basis of the completed questionnaire and financial statements; and
3. Create an appeals procedure, by which a D/B Entity that is denied prequalification may seek a reversal of that determination.

1.6. Public Record

The Pre-Qualification Documents (questionnaire answers, SOQ, and financial statements) submitted by D/B Entities are not public records and are not open to public inspection, per Public Contract Code Section 20101(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, or investigation of substantial allegations, or in an appeal hearing. State law requires that the names of D/B Entities applying for pre-qualification status shall be public records subject to disclosure; the Contact Information page of the questionnaire will be used for that purpose.

1.7. County Of San Luis Obispo Rights

The County reserves the right to supplement, amend, or otherwise modify this RFQ and to waive minor irregularities and omissions in the information contained in the pre-qualification application submitted, to make all final determinations, and to determine at any time that the pre-qualification procedures will not be applied to a specific future public works project.

The County reserves the right to not award a contract as a result of this procurement process or to terminate the procurement process by written notice to the D/B Entities for any reason whatsoever.

The County reserves the right to change or alter the schedule of events associated with this procurement process upon notice to the D/B Entities. The County reserves the right to modify or amend the scope of services, including the addition of other facilities, such as the collection system, under a single D/B contract, or the addition of operation and maintenance services. By submitting pre-qualification documents, the D/B Entity agrees to be bound by any modification made by the County.

The County may refuse to grant pre-qualification where the requested information and materials are not provided, or not provided by the date specified above. There is no appeal from a refusal for an incomplete or late application, but re-application for a later project is permitted. The closing time for submittals will not be changed in order to accommodate supplementation of incomplete submissions, or late submissions.

The County reserves the right to investigate the D/B Entities qualifications provided in the Pre-Qualification Documents by interviewing references or researching public information.

The County reserves the right to rate the qualifications of D/B Entities, based on objective criteria, and develop a short-list of the highest qualified D/B Entities which will be allowed to submit proposals on the project, and to exclude from the short-list those D/B Entities which meet the minimum qualification requirements, but are not rated among the highest qualified D/B Entities.

The County reserves the right to adjust, increase, limit, suspend or rescind the prequalification rating based on subsequently learned information. D/B Entities whose rating changes sufficient to disqualify them will be notified, and given an opportunity for a hearing consistent with the hearing procedures described for appealing a pre-qualification rating.

The County may require D/B Entities that will be using Sub-Contractors who are not members of the D/B Entity for this Project, to submit: (1) The qualification of certain Sub-Contractors as specified in the pre-qualification documents, and (2) Post-proposal qualification review. Such requirements, if enacted, will follow acceptance of the proposal, but before an award is made.

All pre-qualification documents shall become the property of the County and will not be returned to D/B Entities except submittals that are not received by the submission due date, which shall be rejected and returned unopened to those D/B Entities. The documents shall remain confidential, in accordance with Section 1.6, "Public Record."

Neither the County, its staff, representatives, consultants or agents will be liable for any claims or damages resulting from the solicitation, collection, review, or evaluation of documents or submittals related to this RFQ.

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Section 1. Notification of Pre-Qualification Requirements

1.8. Appeal Process

Where the scoring of a timely and completed Pre-Qualification Document results in a rating below that necessary for the short-list of qualified D/B Entities, an appeal can be made. An appeal is begun by the D/B Entity delivering notice to the County of its appeal of the decision with respect to its pre-qualification rating, no later than ten business days after the notification of non-qualification. Without a timely appeal, the D/B Entity waives any and all rights to challenge the decision of the County, whether by administrative process, judicial process or any other legal process or proceeding.

If the D/B Entity gives the required notice of appeal and requests a hearing, the hearing shall be conducted no later than 10 business days after County's receipt of the notice of appeal. The hearing shall be an informal process conducted by a panel to whom the Board of Supervisors of the County has delegated responsibility to hear such appeals (the "Appeals Panel"). The D/B Entity will be given the opportunity to present information and present reasons in opposition to the rating. Within one day after the conclusion of the hearing, the Appeals Panel will render its decision. It is the intention of the County that the release of the RFP to the qualified D/B Entities will not be delayed or postponed to allow for completion of an appeal process.

2. INSTRUCTIONS AND OVERVIEW OF PRE-QUALIFICATION PROCESS

2.1. RFQ and Qualifications Submittal

This RFQ is the first step in the procurement process for the selection of a D/B Entity to design and construct a wastewater treatment facility for the community of Los Osos. In order to be eligible to submit a Proposal in response to the forthcoming RFP, the necessary Pre-Qualification Documents must be submitted to the County in response to this RFQ and the D/B Entity must be pre-qualified. Only those persons or firms who have obtained an official copy of this RFQ from the County will receive official addenda (if necessary) to this RFQ.

Submission of responsive Pre-Qualification Documents is required for the D/B Entity to affirmatively declare their intention to participate in the RFP and Proposal process. Qualifications submittals shall comply with the instructions in this RFQ. Only those D/B Entities that have been pre-qualified **and** selected for the short-list of D/B Entities shall be eligible to submit Proposals in response to the RFP.

By signing and submitting Pre-Qualification Documents, the D/B Entity certifies that no principal (which includes shareholders, partners, officers, directors, or executives) is presently debarred, proposed for debarment or declared ineligible to bid or participate in any federal, state or local government agency projects.

2.2. Submission Requirements, Date, And Delivery

A Certification of the Pre-Qualification Documents must be signed under penalty of perjury in the manner designated on the certification page, by an individual who has the legal authority to bind the D/B Entity on whose behalf that person is signing. The Certification form is in Appendix A, Section A-4.

A D/B Entity may submit modified Pre-Qualification Documents to replace all or any portion of previously submitted documents up to the submittal date. Only the latest version of the Pre-Qualification Documents will be considered.

If any information provided by a D/B Entity becomes inaccurate, the D/B Entity must immediately notify the County and provide updated accurate information in writing, under penalty of perjury.

The due date for the submission of the fully completed Pre-Qualification Documents is 3:00 PM on (Tuesday, February 10, 2009).

A complete submission will be comprised of an electronic copy, in PDF format, on a compact disc and 10 fully completed, signed, printed hard copies with required attachments.

**LOS OSOS WASTEWATER PROJECT TREATMENT FACILITY
Section 2. Instructions and Overview of Pre-Qualification Process**

The Pre-Qualification Document (CD and hard copy) must be submitted in a sealed envelope or box and marked "CONFIDENTIAL – LOWWP RFQ - TF", to County Clerk's Office, County of San Luis Obispo, 1055 Monterey Street, Suite D120, San Luis Obispo, CA 93408.

All Pre-Qualification Documents submitted after the submittal deadline will not be accepted and will be rejected and returned to the D/B Entity unopened. The delivery of Pre-Qualification Documents to the County by the submittal deadline is solely the responsibility of the D/B Entity.

Respondent may withdraw submitted Pre-Qualification Documents prior to the submission due date by delivering a written withdrawal request to the address above. Such withdrawal will not prejudice the County against the D/B Entity in regards to future opportunities to work with the County.

2.3. Pre-Submittal Meeting And Site Visit

D/B Entities are encouraged to attend a pre-submittal meeting and site visit. However, both the meeting and site visit are optional. The purpose of the meeting is for the County to provide D/B Entities with a Project update and for the D/B Entities to ask questions about the Project and this RFQ. Only written responses by the County in the form of an addendum to this RFQ, to requests for information made by D/B Entities, shall be binding on the County.

This will be the only opportunity for D/B Entities to meet with the County prior to the pre-qualification documents submittal date.

The pre-submittal meeting and site visit will be conducted on Friday, January 16, 2009. The meeting will begin at 10:00 a.m. at the San Luis Obispo City-County Library, 995 Palm Street, San Luis Obispo, CA, and will be followed by a site visit.

2.4. Addenda To RFQ

During the period provided for preparation of Pre-Qualification Documents, the County may issue addenda clarifying this RFQ. Such addenda will be numbered consecutively and distributed to all D/B Entities that registered to receive the RFQ. It is recommended that prior to submitting the Pre-Qualification Documents, D/B Entities contact the Project Manager for the County and verify the number and subject of the addenda that have been issued. The D/B Entity shall be responsible for obtaining all addenda prior to submitting Pre-Qualification Documents. Submittal of Pre-Qualification Documents shall constitute certification that the D/B Entity has received and reviewed all addenda. Additionally, the Pre-Qualification Questionnaire (Appendix A) requires that the D/B Entity acknowledge all addenda by providing a list of addenda received.

2.5. Communications Protocol

All questions concerning this procurement process must be directed in writing to the County at:

U.S. Mail: San Luis Obispo County Public Works Department
Attn: RFI for Los Osos D/B RFQ xxx
County Government Center, Room 207
San Luis Obispo, CA 93408
805-781-5252

Email: jwaddell@co.slo.ca.us
Subject:: RFI for LOWWP Design-Build RFQ - TF

All communications to the County must be submitted in writing and are subject to distribution to all Respondents. Communications sent via electronic mail may be printed and made available to all Respondents.

Any contact with a member of County staff, County Board members, other County consultants, or other key Project personnel by a Respondent concerning any matter relating to this procurement may result in a Respondent's disqualification from eligibility for the procurement.

2.6. Expenses of the Design-Build Entities

The County accepts no liability for the costs and expenses incurred by the D/B Entities in responding to this RFQ, the future RFP, subsequent negotiations, and all other activities associated with this procurement process except for the honorarium described herein. D/B Entities shall prepare the required submittals at their own expense and with the understanding that the County shall not provide reimbursement for the associated costs and expenses.

The County does intend to provide an honorarium, or stipend, to those D/B Entities which submit responsive design-build proposals to the RFP, but are not awarded the Project contract. The honorarium amount is to be determined. Only those D/B Entities which are selected for the short-list of D/B Entities and allowed to submit Proposals in response to the RFP shall be eligible to receive an honorarium.

2.7. Evaluation of Pre-Qualifications Documents and Design-Build Proposals

2.7.1. RFQ and Pre-Qualification Documents

This RFQ is the first step in the procurement process for the Project. In order for a D/B Entity to be eligible to submit a proposal in response to the forthcoming RFP, the D/B Entity must submit a response to this RFQ and must be pre-qualified and short-listed by the County in accordance with the procedures set forth herein.

An Evaluation Committee, consisting of County staff and consultants, will evaluate the responses to this RFQ contained in the Pre-Qualification Documents. The Evaluation Committee, at its sole discretion, shall have the right to seek written clarifications from any of the D/B Entities in order to fully understand the nature of the submittals and evaluate the D/B Entities. Except as discussed in Section 1.7 "Appeals Process," the County and its Evaluation Committee shall have the sole and final authority to evaluate the Pre-Qualification Documents submitted, to determine the pre-qualification rating of each D/B Entity, and to establish a short-list of qualified D/B Entities.

The County anticipates designating a short-list of the three highest qualified D/B Entities which will be eligible to receive the RFP document and continue in the selection process. However, the County reserves the right to designate more, or less, than three D/B Entities on the short-list. The ranking of D/B Entities for the purpose of pre-qualification and establishing a short-list will not carry forward into the review of proposals submitted in response to the RFP.

2.7.2. RFP and Design-Build Proposals

The County will issue the RFP to the short-list of qualified D/B Entities eligible to submit proposals as the second step of the procurement process.

Proposals submitted in response to the RFP will be evaluated and D/B Entities ranked by "best value" as defined in Public Contract Code 20133. The RFP will set forth the evaluation criteria and weighting factors for all criteria in accordance with Public Contract Code 20133. The evaluation criteria will include, but is not limited to, price, technical design, construction expertise, life cycle costs, skilled labor force availability, and safety record.

2.8. Definition Of What Comprises A Design-Build Entity

A Design-Build Entity is defined by Public Contract Code Section 20133 [c] [3] as: "Design-Build Entity" means a partnership, corporation, or other legal entity that is able to provide appropriately licensed contracting, architectural, and engineering services as needed pursuant to a design-build contract."

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Although that definition allows wide latitude in the composition of the D/B Entity, San Luis Obispo County requires the D/B Entity to identify and list certain core member organizations that will comprise the entity. Those core organizations must individually complete the appropriate scored question portion of the prequalification questionnaire and obtain a passing score to be considered qualified. The core members that must be listed in the D/B Entity are:

- General Contractor
- Engineer of Record
- Structural Engineer
- Mechanical Engineer
- Electrical Engineer
- Mechanical Subcontractor
- Electrical Subcontractor

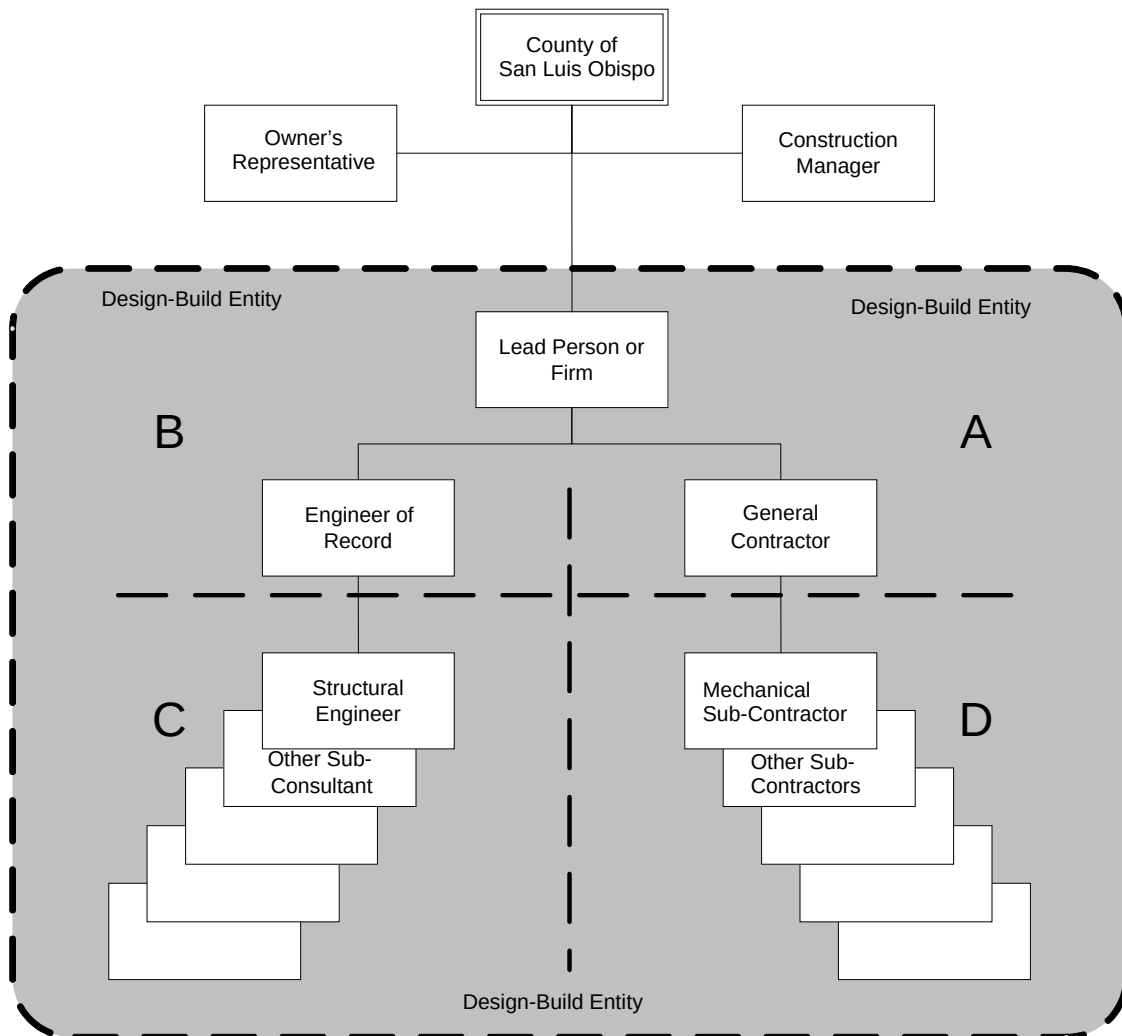
Those core members of the D/B Entity identified in response to this Pre-Qualification Document must be selected on qualifications alone, but the services of other subcontractors or sub-consultants who are not identified as core members must be procured by a public bid process (Section 20133 [f]), subsequent to selection of the D/B Entity.

If the D/B Entity is led by a single corporation or organization with the capability of performing several core design and construction services (ie. an integrated design-build company with licensed engineering staff and general contractor qualifications), then that organization must successfully qualify for each listed discipline.

If the D/B Entity chooses to use a core member organization with the capability of performing both design and construction services (ie. a subcontractor with a licensed engineer and design staff), then that member must successfully qualify as both the subconsultant and subcontractor for the listed discipline.

The following diagram illustrates the various members of a D/B Entity that may be included and that if included as members of the D/B Entity must complete the appropriate portions of the Pre-Qualification Questionnaire in Appendix A. The Pre-Qualification Questionnaire includes portions that must be completed for the D/B Entity as a whole, the General Contractor Member, the Engineer of Record Member, each listed Sub-Contractor Member, and each listed Sub-Consultant Member.

The County has established a local vendor preference for this project. The D/B Entity may receive up to a 5% preference in the evaluation of the Pre-Qualification Documents for the utilization of local contractors or design professionals as members of the D/B Entity. Specific requirements for the determination of "local" vendors and the evaluation and ranking criteria are found in Appendix B.



2.9. Determining The Minimum Qualifications And Ranking Of The Design-Build Entity

The D/B Entity must meet the minimum qualifications established in Appendix A to be considered pre-qualified. Those D/B Entities which meet the minimum qualifications will be evaluated and ranked according to the criteria in Appendix B to determine a short-list of the highest qualified D/B Entities which are eligible to respond to the RFP. The successful D/B Entities are those which meet the minimum qualifications and are the highest ranked. The County expects to short-list approximately three (3) D/B Entities for responding to the RFP. The three levels of evaluation are:

2.9.1. Essential Qualifications

This level is comprised of the minimum basic requirements that the D/B Entity must possess. The questions will be answered by the Evaluation Committee based on

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information provided by the D/B Entity and its Members in the Pre-Qualification Questionnaire and the SOQ. Each question and the pre-assigned score value is listed in Section A-5.1 of Appendix A. All questions must be answered correctly so that the aggregate score for all questions in this level is equal to 100% of the possible score. If the D/B Entity passes this level, they may then proceed to the next level.

2.9.2. Scored Qualifications

This level is comprised of the minimum qualifications and experiences that the D/B Entity should possess. The basis for evaluation is information provided by the D/B Entity in the Pre-Qualification Questionnaire and the SOQ. Each question and the pre-assigned score value is listed in Section A-5.2 of Appendix A. The questions will be answered by the Evaluation Committee and the aggregate score for all questions in this level must be equal to or greater than 80% of the possible maximum score. If the D/B Entity passes this level, consideration of their qualifications will proceed to the next level.

2.9.3. Evaluation and Ranking of Qualified Design-Build Entities

Each D/B Entity which meets the minimum qualifications established in the scoring criteria in Appendix A will be evaluated and ranked according to the criteria and weighting in Appendix B, which are the following:

- Pre-Qualification Questionnaire Score (Appendix A) 15%
- Utilization of Local Contractors and Consultants 5%
- Technical Approach and Team Expertise 30%
- Understanding of Process, Goals, and Objectives 20%
- Design and Construction Experience 30%

The basis for evaluation and ranking is information provided by the D/B Entity in the Pre-Qualification Questionnaire and the SOQ, interviews by the Evaluation Committee with the owners of previous projects that the D/B Entity and its Members have been involved in, and interviews by the Evaluation Committee with each D/B Entity.

The Evaluation Committee will short-list the three highest ranked D/B Entities as those eligible to receive and respond to the RFP. Scores and rankings of D/B Entities in response to this RFQ will not be carried forward to the RFP process.

2.10. Review And Notification Process

The completed Pre-Qualification Documents must be submitted by the deadline specified above. Once received, the review and notification process will be as follows:

- a) The Pre-Qualification Documents will be date and time stamped upon receipt.
- b) It will be reviewed for completeness by County staff within 5 working days from the deadline date. The D/B Entity will be notified as to completeness. If the Pre-Qualification Documents are complete, it will proceed to be reviewed.
- c) The completed Pre-Qualification Documents will be reviewed by County staff within twenty working days from the deadline date.
- d) The D/B Entity will be notified of their qualification rating by certified mail within twenty-five days from the deadline date.

If the D/B Entity meets the minimum qualifications for this Project **and** is included on the short-list of qualified D/B Entities they will be eligible for responding to the RFP and will be notified of the opportunity when the RFP documents are issued.

If the D/B Entity does not meet the minimum qualifications for this project or is not included on the short-list of qualified D/B Entities, they may initiate an appeal process as defined previously in Section 1.8.

3. PROJECT SPECIFIC INFORMATION

3.1. Los Osos Community Background

The town of Los Osos is located on the shore of the Morro Bay estuary adjacent to a number of State Parks and nature preserves and enjoys exceptional scenic beauty. The unincorporated community is centrally located in San Luis Obispo County and encompasses 3,000 acres with 15,000 residents. Almost the entire community relies on septic systems for wastewater disposal and has been under a State mandate to cease septic tank discharges since 1983 when the Central Coast Regional Water Quality Control Board (RWB) determined that contamination in excess of State standards had occurred in the groundwater basin (upper aquifer) at least partially due to the use of septic systems throughout the community. The RWB also, with the support of the State Water Resources Control Board, approved a discharge moratorium for a portion of the Los Osos area known as the RWB Prohibition Zone. By prohibiting discharge from additional individual and community sewage disposal systems, the moratorium effectively halted new construction or major expansions of existing development until the County could provide a solution to the water pollution problem. The proposed project will address this contamination by constructing a wastewater collection and treatment system for the community with resultant abandonment of the existing on-site septic systems as required by the RWB.

Since these actions by the State and Regional Water Boards, there have been many attempts to rectify the situation through construction and operation of a wastewater project. In the late 1980's, in response to the RWB, the County developed a wastewater collection and treatment project and prepared an EIR (1987). After preparing a Supplemental EIR (1988), the County embarked on the detailed design process. In the mid 1990's, the project was modified to relocate the proposed wastewater treatment facility out of a rural area northeast of the community (the "Turri Road site") to a site within the partially developed area in middle of the community of Los Osos. This site change necessitated preparation of a second supplemental EIR (1997).

In 1998, the community voted to establish a community services district with wastewater authority. The Los Osos Community Services District (LOCSO) developed a wastewater collection and treatment project with the treatment facilities located in the west-central portion of the community (previously known as the Tri-W site, and referred to as the Mid-Town site in this document). The LOCSO prepared an EIR for the project and certified the EIR on March 1, 2001. After receipt of a Coastal Development Permit (CDP), project construction started in 2005. In the fall of 2005, voters recalled a majority of the LOCSO board members in a special election and the new board immediately suspended construction on the wastewater project. In August 2006, the LOCSO rescinded certification of the 2001 EIR Findings and filed for federal bankruptcy protection due to default on project contracts and State loans.

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In response to the recall and suspension of construction, State Assemblyman Sam Blakeslee attempted to broker a settlement between the LOCSD and the State Water Board. After the parties failed to agree, Blakeslee sponsored special legislation, Assembly Bill (AB) 2701, to authorize transfer of wastewater authority from the LOCSD to the County and to proceed with implementation of a project to build a wastewater collection and treatment system for the Los Osos community. The bill was passed and signed into law by Governor Arnold Schwarzenegger on September 20, 2006, and became effective January 1, 2007. Based on key policies and project strategies established by the Board of Supervisors in June 2006, the County has embarked on a process to develop a community wastewater collection and treatment system in Los Osos. That process included numerous actions; detailed engineering of various options and sites for wastewater treatment and processes; creation of a community Technical Advisory Committee (representing financial, engineering, and environmental areas of expertise and experience); an inter-disciplinary team of County staff; and a team of consultants familiar with conditions in Los Osos (versed in engineering, hydro-geology, and environmental expertise). The process produced a Rough Screening Report and a Fine Screening Report that identified various options for collection and treatment technologies, sites for treatment plants and other options that may be pursued by the County.

The documents focused on identifying a set of viable project alternatives that were the basis for cost estimates to be used in later stages of the project development, including a Proposition 218 vote required by AB 2701. The County anticipates funding the project primarily from bond funds paid by a property assessment on the properties that would receive benefit of the wastewater improvements (the focus is on the properties in the designated Prohibition Zone). AB 2701 mandated adherence with the provisions of Proposition 218 whereby a majority of the property owners must approve property assessment. The Proposition 218 vote was held in October 2007 and property owners authorized Project funding with 80% of the returned ballots in favor. The typical assessment per single family home is almost \$25,000. Consequently, approximately \$127 million in Project funding has been secured.

The County's Public Works Department has been given the responsibility for the management and development of the Project. The Public Works Department provides operation and maintenance services and capital project development to the unincorporated areas of the county, with an annual operating budget of \$78 million. The Department has 200 staff members with expertise in operations and maintenance, engineering design, capital projects management, construction management, and environmental compliance. The Department is responsible for over 1,300 miles of roads and highways, approximately 20 community water and sewer systems, regional water treatment and distribution systems, water supply reservoirs, and flood control systems.

Major capital construction projects that have recently been completed by the Public Works Department include the \$30 million Lopez Water Treatment Plant Upgrade and

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the \$40 million Lopez Dam Seismic Retrofit. Projects currently in construction include the \$5.5 million Cambria Flood Control Project and the \$200 million Nacimiento Water Project.

The technical engineering evaluation has been conducted through a series of screening reports and technical memoranda which considered engineering feasibility, as well as, capital and annual operations costs. The environmental evaluation has been conducted under the California Environmental Quality Act (CEQA), with a co-equal environmental analysis presented in the recently released Draft Environmental Impact Report (EIR).

The analysis has resulted in a range of viable Project technologies, which are the subject of this design-build procurement process. Proposers are encouraged to review the available reference documents to further understand the unique issues associated with each option discussed in the Project Description.

3.2. County's Goals and Objectives

The primary purpose of the Project is to develop a community wastewater collection and treatment system which meets the requirements of the RWB to cease septic tank discharges. The development of a Project will alleviate groundwater contamination, primarily nitrates, due to contamination caused in part by the use of septic systems throughout the community. Another important issue related to the Project involves water resources impacts related to seawater intrusion which is contaminating the Los Osos groundwater basin. The Project can be an important first step to help solve these water resource problems by developing effluent discharge options, in cooperation with the community water purveyors, which afford opportunities to improve the local water resources.

The overall objectives of the Project are:

1. Develop a community wastewater project that will comply with the RWB Waste Discharge Requirements. Address the issues of water quality defined by the Waste Discharge Requirements (WDR) for discharge limits issued by the RWQCB. The anticipated WDR discharge limitations are summarized in Section 3.9.
2. Groundwater Quality. Alleviate groundwater contamination—primarily nitrates—that has occurred at least partially because of the use of septic systems throughout the community. Additionally, provide the greatest protections feasible for the ongoing quality of groundwater.
3. Environmental Impacts. Incorporate measures to minimize potential environmental impacts on the Los Osos community and surrounding areas. (Considerations include, but are not limited to, habitat conservation, endangered species and habitat, air and water quality, greenhouse gas emissions, wetlands and estuary preservation or enhancement, and agricultural land enhancements).

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4. Project Costs. Meet the project water quality requirements while minimizing life-cycle costs.
5. Regulatory Compliance. Comply with applicable local, state, and federal permits, land uses, and other requirements including the Local Coastal Plan, Environmentally Sensitive Habitat Areas (ESHA standards), State Marine Reserve, and archeological concerns.
6. Water Resources. Address water resource issues by mitigating the Project's impacts on water supply and saltwater intrusion. Furthermore, maintain the widest possible options for beneficial reuse of treated effluent with the goal of developing a sustainable water supply.

3.3. Project Description and Approach

The proposed Project is expected to include all the project components listed below:

1. Collection and Conveyance System
 - a. Wastewater collection system to collect the wastewater from the individual residences and buildings.
 - b. Raw wastewater conveyance system to transmit the collected wastewater to the wastewater treatment plant.
 - c. Treated effluent conveyance system to transmit the treated effluent from the treatment facility to the effluent disposal areas.
2. Wastewater Treatment Process
 - a. Wastewater treatment facility providing secondary treatment.
 - b. Solids processing facility and disposal system.
3. Effluent Disposal Facilities
 - a. Effluent storage pond.
 - b. Water conservation program.
 - c. Sub-surface leachfield effluent disposal facility.
 - d. Sprayfield effluent disposal facility.

This RFQ is related to the procurement of design-build services for the wastewater treatment processes. Three wastewater treatment processes have been selected as the most viable and cost-effective for the Project and evaluated in the Draft EIR. The processes include Partially Mixed Facultative Ponds, an Oxidation Ditch or the proprietary Biolac System. Solids processing facilities would also be required to process the biosolids for hauling to an offsite facility for recycling or disposal. Each of these treatment facilities is described below.

3.3.1. Partially Mixed Facultative Ponds

A partially mixed facultative pond system for the proposed Project would include the following components:

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- Headworks - to screen out inorganics and measure the plant inflow. Degritting is optional since the downstream equipment and ponds are less susceptible to damage than the oxidation ditch/Biolac system. A septage receiving station would also be included for the STEP/STEG collection system alternative.
- Pond System - to treat the wastewater to secondary treatment levels.
- Nitrogen removal - to remove sufficient nitrogen through nitrification and subsequent denitrification to meet the RWB Waste Discharge Requirements.
- Algae management - to remove and dispose of algae removed from the partially mixed facultative ponds by filtration or a dissolved air flotation system (DAFT).
- Odor control system - to control odors by maintaining an "aerobic cap" over the anaerobic layer in the facultative pond and by using an inorganic media system to trap and scrub foul air from within the buildings enclosing the headworks and any solids dewatering equipment.

Treatment involving partially mixed facultative ponds requires multiple support systems, both upstream and downstream of the principal process. Each process element requires area, energy input, and maintenance. The major components to be included in treatment systems involving partially mixed facultative ponds will be further developed in the RFP.

Partially mixed facultative ponds combine a biological process that oxidizes organic oxygen demanding material and a physical operation that allows settling of organic and inorganic solids. They often include proprietary designs such as the Nelson Air Diffusion System® (ADS) and Advanced Integrated Pond System® (AIPS). Mechanical aeration provides dissolved oxygen needed for aerobic organisms in the pond to convert and oxidize the organic material in the wastewater. It also provides the physical mixing necessary to distribute dissolved oxygen, suspend the organic material and bring the organisms into contact with the organic material. Mixing must not be so great as to prevent the settling of solids for both sedimentation and for facultative and anaerobic degradation.

Wastewater treatment using partially mixed facultative ponds relies on the large volume available in the ponds and the resulting extended detention times to treat organic wastes and reduce nitrogen levels. Pond systems are typically selected because they provide a low-energy means to reduce Biological Oxygen Demand (BOD) and Total Suspended Solids (TSS) in the treated effluent discharge. In addition, ponds provide effective in-plant flow equalization that permits operation of the facility at predictable flows, reducing the costs of operations. Furthermore, partially mixed facultative ponds require minimal effort to manage biosolids; the solids remain in the pond to be digested in the anaerobic layer at the bottom of the pond.

For a Project that includes the STEP/STEG collection system alternative, a septage receiving station would be added to the headworks to accept septage pumped from the 4,679 STEP/STEG tanks in the collection system. The facultative ponds would be sized and designed to handle the combined flow.

3.3.2. Oxidation Ditch/Biolac System

Oxidation ditch and Biolac wastewater treatment systems for the proposed Project would include the following components:

- Headworks - to screen out inorganics, de-grit, and measure the wastewater inflow. A septage receiving station would also be included for the STEP/STEG collection system alternative.
- Oxidation ditch/Biolac - to treat the wastewater to secondary treatment levels.
- Secondary Clarification - to settle out the suspended solids in the treated wastewater.
- Nitrogen removal - to add supplemental carbon to complete denitrification if a STEP/STEG collection system is selected. Nitrification/denitrification is expected to be completed within the oxidation ditch/Biolac if a gravity collection system is selected.
- Biosolids management - to process and dispose of sludge removed from the treated wastewater on an ongoing basis.
- Odor control system - to control odors by using an inorganic media system to trap and scrub foul air from within the buildings enclosing the headworks and the solids dewatering equipment.

Treatment involving oxidation ditches/Biolac requires multiple support systems, both upstream and downstream of the principal process. Each process element requires area, energy input, and maintenance. The major components to be included in treatment systems involving oxidation ditch/Biolac will be further developed in the RFP.

An oxidation ditch consists of a ring or oval shaped channel equipped with mechanical aeration and mixing devices that create the optimal conditions for treating the raw wastewater to secondary levels. Screened wastewater enters the oxidation ditch channel and combines with the return activated sludge (RAS). RAS is partially digested sludge that is collected downstream at the wastewater treatment plant and returned to the plant's headworks. Activated sludge provides the active biological organisms that can multiply and digest the raw wastewater. The combined raw and partially treated wastewater circulates around the oxidation ditch many times during the treatment process. This helps equalize the flow rates and wastewater concentrations between day and night and during wet weather. A steady stream of partially treated wastewater is diverted from the oxidation ditch to the downstream secondary clarifier.

The oxidation ditch tank configuration, aeration system, and mixing devices promote unidirectional channel flow, so that the energy used for aeration is sufficient to provide mixing in a system with a relatively long hydraulic retention time. The aeration/mixing method used creates a velocity from 0.25 to 0.30 meters per second in the channel, which is sufficient to keep the activated sludge in suspension. At these channel velocities, the mixed liquor completes a tank circulation in 5 to 15 minutes, and the magnitude of the channel flow is high enough to dilute the influent wastewater flow by a

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factor of 20 to 30 parts recirculating channel flow to 1 part influent raw wastewater flow. As a result, the process kinetics approaches that of a complete-mix reactor, but with plug flow along the channels. The long solids retention times (SRTs) and large tank volumes provide for nitrification. As the wastewater leaves the aeration zone, the dissolved oxygen (DO) concentration decreases and denitrification may occur. Brush-type or surface-type mechanical aerators are used for mixing and aeration. Secondary sedimentation tanks are used for most applications, and in some cases intrachannel clarifiers have been used to improve solids removal.

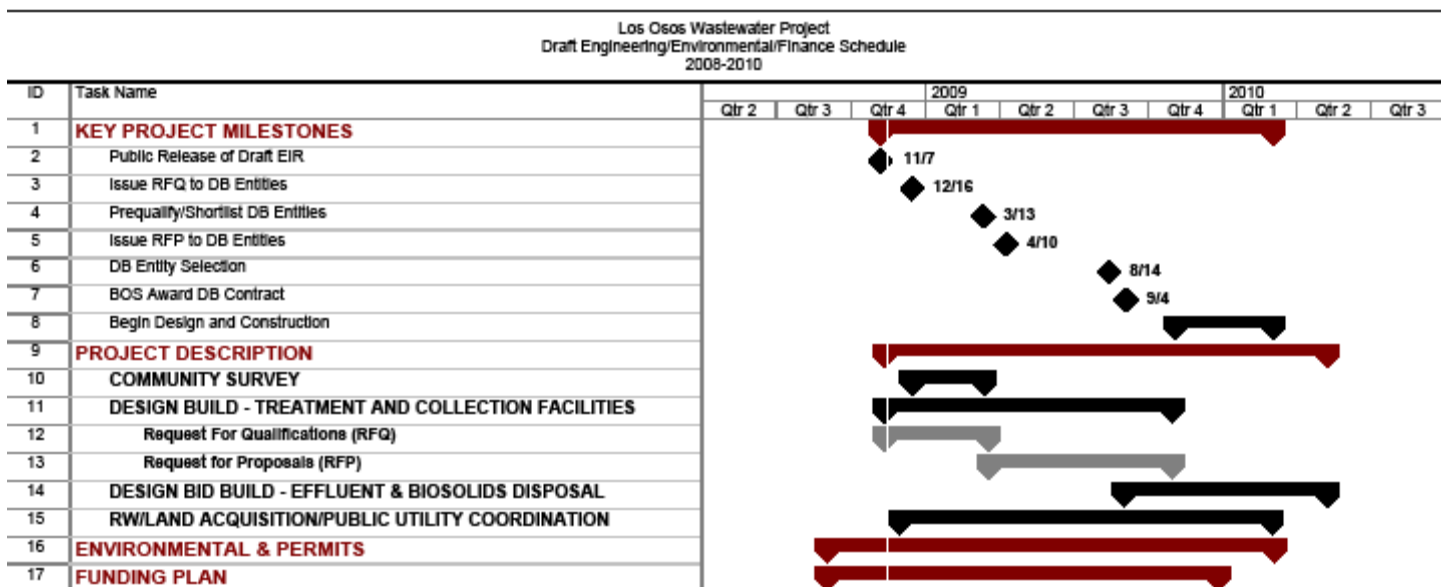
Biolac® Extended Aeration is a proprietary process that combines long solids retention times with submerged aeration in earthen basins. Fine bubble membrane diffusers are attached to floating aeration chains that are moved across the basin by the air released from the diffusers. Aeration basins are typically 2.4 to 4.6 meters deep. The process can be designed for nitrification since the SRT ranges from 40 to 70 days. A variation of the standard process, known as "wave oxidation modification," allows biological nitrification and denitrification to occur simultaneously by using timers to cycle the air flow rate to each aeration chain. Either an internal or external clarifier can be used to remove solids.

Although oxidation ditches and Biolac are different treatment processes, the two systems share similar area requirements and treatment process trains, involving similar upstream and downstream support process components. Oxidation ditches/Biolac systems are typically selected because they provide a mechanical process to reduce BOD by oxidation of organic wastes. Additionally, effective nitrogen removal is integral to the oxidation ditch/Biolac system rather than requiring a separate nitrification/denitrification system process to follow the primary treatment process. Biolac potentially offers a lower construction cost than oxidation ditches because the earthen basins require less concrete and less energy to operate since the fine-bubble aeration process has a higher efficiency. Energy requirements to operate an oxidation ditch/Biolac system are higher than the energy required for a partially mixed facultative pond system.

For a Project that includes the STEP/STEG collection system alternative, a septage receiving station would be added to the headworks to accept septage pumped from the 4,679 STEP/STEG tanks in the collection system. The facultative ponds would be sized and designed to handle the combined flow.

3.3.3. Solids Processing and Disposal

Solids Processing is not expected to be required with a partially mixed facultative pond treatment process. Accumulated solids are removed from the ponds typically every 15 to 20 years, with more effective pond systems exhibiting lower cleaning frequency. The removed solids would be processed in temporary mobile solids processing facilities. For oxidation ditches/Biolac systems solids are settled out in the secondary clarifier tanks on an ongoing basis and then pumped to the permanent solids handling facilities.



3.4.2. Design-Build Procurement Milestones

Milestone	Date
Issue Final RFQ	December 2008
SOQ Pre-submittal Meeting & Site Visit	January 2009
Deadline for Questions Regarding RFQ	January 2009
Issuance of RFQ Addenda (if necessary)	January 2009
Deadline for Submittal of SOQs	February 2009
Review and Evaluation of SOQs	February 2009
D/B Entity Interviews	March 2009
Short-List D/B Entities	March 2009
Issue Draft RFP to Short-List D/B Entities	March 2009
Feedback on Draft RFP from D/B Entities	April 2009
Issue Final RFP	April 2009
Final Contract Details	May 2009
Proprietary Proposers Meetings	May 2009
Deadline for Questions Regarding RFP	June 2009
Issuance of RFP Addenda, Including Final Contract Language	June 2009
Deadline for Submittal of Proposals	July 2009
Review and Evaluation of Proposals	July 2009
Selection of “Best Value” Proposal	August 2009
Contract Execution	September 2009
NTP for Design Phase	September 2009
NTP for Construction Phase (dependent on final permit issuance)	Early 2010
Facility Complete and Fully Operational	2012

3.5. Project Budget, Funding, and Ownership

The County's engineering consultant, Carollo Engineers, has developed preliminary project cost estimates for construction and other capital costs, as well as operations and maintenance (O&M) in the Fine Screening Report (August 2007). According to the Carollo Engineers estimates, the capital costs for the range of Project alternatives varies from \$144 to \$188 million; O&M costs range from \$1.6 to \$3.1 million. Cost estimates for the treatment facility portion of the Project are approximately \$25 million. It is expected that the design-build proposals submitted as part of this procurement process will further define the Project construction costs and lead to final determinations of specific collection and treatment technologies.

Funding for the Project is secured primarily from an Assessment District established by the County Board of Supervisors for properties that will receive benefits of wastewater services now and in the future. This assessment was approved in October, 2007, pursuant with Proposition 218, by a vote of the property owners subject to the assessments. The Assessment District relates to special benefits to parcels within the established Prohibition Zone. Benefits are calculated based on five project components (the Lateral Component, Collector Component, Trunk Component, Treatment/Disposal Component, and Common Component covering engineering, environmental analysis, legal, permitting and mitigation). Some parcels were excluded from consideration for various reasons.

The special benefit to each parcel was assessed by assigning Beneficial Units (BU) to each property for each of five components to the project. One Beneficial Unit is equivalent to one single-family residence. The apportionment was adjusted to consider special land uses and wastewater considerations such as multiple-dwelling properties (apartments), mobile home areas, schools, special properties (library, fire stations, community centers and the like) commercial properties, and open space. In general, the basic assessment fee for each BU is \$24,941.19.

The Board of Supervisors also addressed a policy related to undeveloped or underdeveloped parcels in the Assessment District. The policy recognized that engineering reports and associated cost estimates for the overall project are based on ultimate build-out of the Assessment District consistent with land use requirements and including both developed and undeveloped properties. The Board of Supervisors has approved additional work relating to undeveloped properties to develop a water management plan, in cooperation with the community water purveyors, and to develop a habitat conservation plan. Completion of both of these items was established by the California Coastal Commission as conditions to be met before new development can connect to the completed wastewater Project. It is anticipated that additional Project funds will be secured from undeveloped parcels as these conditions are addressed.

Project funding is primarily secured through property assessments. However, there are several specific funding sources available. The likely funding sources will be a

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combination of a State Revolving Fund (SRF) loan and the sale of municipal bonds. The principle and interests costs of these loans or bonds will be paid by the property owner assessments collected by the County or by monthly services charges related to the sewer utility service.

In order to qualify and receive approval for project funding with a SRF loan, the County and the D/B Entity will be required to comply with the SRF Guidelines. These guidelines include provisions related to this design-build procurement process, including procedures for review of design-build proposal by an independent Technical Review Panel and process oversight by the State Water Board. The SRF Guidelines are included in the Appendices.

While not definite at this time, it is also possible for the County to qualify for various state or federal grants or loan programs to assist with funding portions of the project.

The County will, at all times, own the Project and will operate and maintain the facility after completion of construction. During this period the County plans to contract out these services. After three years of operation, and upon approval from the Regional Water Board, ownership and operations of the facility may be turned over to the Los Osos Community Services District.

3.6. Project Team and Consultants

The project team consists of County Public Works Department staff, County legal and administrative staff, and consultants from several engineering and professional firms. The primary consultant roles related to this design-build procurement process are the criteria consultant, the environmental consultant, and the construction manager.

Carollo Engineers is the lead engineering consultant and will act as the criteria consultant to develop the preliminary design documents and performance criteria.

The environmental analysis and permitting is being conducted by Michael Brandman Associates (MBA). MBA has completed a public review draft EIR. The final environmental documents will be based, in part, on the winning proposal selected through this design-build process. MBA is expected to complete the environmental review and permitting process after the selection of the winning design-build proposal.

Construction management services are to be determined.

3.7. Environmental Review and Permitting

The environmental review process must comply with the California Environmental Quality Act (CEQA), applicable County of San Luis Obispo land use policies, and the regulatory authority of a number of local, State, and Federal agencies. These agencies may include, but are not limited to, the following:

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- San Luis Obispo County (Lead Agency)
- San Luis Obispo County Air Pollution Control District (APCD)
- San Luis Obispo County Department of Agriculture
- San Luis Obispo County Department of Planning and Building
- Los Osos Community Services District (LOCSD)
- California Coastal Commission (CCC)
- California Department of Conservation, Division of Land Resource Protection
- California Department of Fish and Game (CDFG)
- California Department of Water Resources (DWR) Division of Safety of Dams (DOSD)
- California Native American Heritage Commission
- California State Historic Preservation Office (SHPO)
- California State Water Resources Control Board (SWB).
 - o Division of Financial Assistance
 - o Cultural Resources Officer
- Central Coast Regional Water Quality Control Board (RWB)
- U.S. Army Corps of Engineers (USACE)
- U.S. Fish and Wildlife Service (USFWS)
- U.S. National Marine Fisheries Service (NMFS)

The County intends to maintain the primary responsibility for obtaining most State and Federal permits and approvals. The D/B Entity is expected to be responsible for obtaining local permits typically issued by the County, examples include, but are not limited to, encroachment, grading, and building permits.

This RFQ document is intended to provide only an overview of the anticipated permit responsibilities and is not binding on the County or D/B Entity. The RFP document will provide more detailed discussions of the required services.

3.8. Site Evaluation

3.8.1. Site Description

A number of potential treatment facility sites have been evaluated in the Draft EIR. These sites include the Cemetery, Giacomazzi, Branin, and Tonini parcels. Final site determinations have not been made and are subject to the completion of the environmental review process and certification of a final EIR. However, for the purposes of this design-build procurement process, the Tonini property is identified as a representative greenfield site for project planning. The Tonini property consists of an approximate 650-acre irregularly shaped parcel north of Los Osos Valley Road, immediately west and south of Turri Road. Approximately half of the site is too steeply sloped to use for a wastewater treatment facility. Access to the site is provided by Turri road, which fronts the property on the eastern and northern sides. Current uses include farm

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support residences, farm support buildings, grazing, forage crops and row crops (barley, oat, wheat, and irrigated row crops).

3.8.2. Geological Background

The lower, generally flat topography of the Tonini property is characterized primarily by alluvium, with queried deposits of dune sand and Paso Robles formation. The slopes along the western and northern portions of the site have been mapped as Franciscan mélange and metavolcanics. During a site visit on May 6, 2008, the presence of alluvial, surficial clayey soils on the generally flat portions of the site, and Franciscan units on the adjacent slopes were noted. The recent alluvial sediments are considered to have moderate to high potential for liquefaction if groundwater elevations are high. However, the presence of fine-grained cohesive materials within the soil profile suggests a lesser potential for liquefaction and seismic settlement than that typically associated with cohesionless soils. The majority of the Tonini property appears to have relatively shallow soil cover overlying Paso Robles Formation or Franciscan rocks. Due to the potential for liquefaction to occur, the proposed facilities at the treatment plant site may experience significant liquefaction impacts.

A geotechnical survey is currently in progress, but has not yet been completed. This survey will be preliminary in nature and D/B Entities would be responsible for further analysis that may be necessary for the design of treatment facility structures.

3.8.3. Biological Background

Development of the treatment plant site at the Tonini property could result in potential impacts to the California red-legged frog and its habitat during construction. All construction access and staging would be restricted to existing disturbed upland areas.

All permanent developments will be required to be sited and designed with adequate setbacks from California red-legged frog habitat and other sensitive resources. Developments to be proposed, including the appurtenance facilities, are anticipated to be located a minimum of 100 linear feet from portions of drainages that contain suitable and occupied habitat for this species.

3.8.4. Cultural and Archaeological Background

Archaeological research conducted in the Central California coastal region, including the current community of Los Osos, has identified a 10,000-year span of occupation by Native American people. The Native American groups inhabiting the Morro Bay region during the ethnographic, or contact, period were speakers of the Obispeño language of the Chumash language family. These people apparently shared a greater number of cultural traits with their Salinan neighbors to the north than with their Chumash language-group relatives of the Santa Barbara Channel region to the south. Obispeño Chumash hunter-gatherers made a variety of stone, bone, and shell tools and used

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vegetal materials such as tule balsa for canoes, and various grasses and thatch for construction of houses and sweat-lodges. Population densities for the Morro Bay area were apparently relatively low, with native settlements consisting of seasonal settlement shifts from temporary camps to more centralized hamlets or villages. During the Mission Period, Native Americans from 19 coastal villages within a 20-mile radius of Morro Bay were relocated to the more interior Mission San Luis Obispo established in 1772.

The early history of the community of Los Osos began in 1769-1772 with Spanish exploration of the region conducted by the Gaspar de Portola and Pedro Fages expeditions and culminating in the founding of Mission San Luis Obispo by Father Junipero Serra. During the preceding Mexican Period, large ranchos were granted to private individuals. In the 1910s and 1920s, the focus on dairy products shifted to raising beef cattle and planting a variety of crops such as sugar peas, oats, and hay. This transition resulted from state health and safety regulations that brought about strict sanitation standards and physical improvements that many local dairymen could not accommodate. Along with ranching and farming, Los Osos underwent a period of land speculation in the late 1880s which initially failed. This effort to develop and sell town-lots in the community was reinitiated in the 1920s by Walter Redfield, and with the continued efforts of Richard Otto, development of Los Osos continued into the 1960s.

The principal state regulations relating to preserving historic and archaeological properties are Public Resources Code Section 5020 et seq., California Environmental Quality Act (CEQA) Sections 21083.2 and 21084.1, and CEQA Guidelines Section 15064.5.

For CEQA purposes, "historical resources" include: a resource listed in, or determined eligible for listing in the California Register of Historical Resources; a resource included in a local register of historical resources adopted pursuant to a local ordinance or resolution, or included in a historical resource survey, meeting the requirements of California Public Resource Code Section 5024.1(g). Or, any resource that the lead agency deems to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California.

There are two known prehistoric archaeological sites on the Tonini property that the development of a treatment facility could potentially affect.

3.9. General Treatment Requirements

3.9.1. Available Influent Wastewater Quality Data

Wastewater management in the Los Osos community is mostly provided by individual septic systems, therefore there is no data that definitively quantifies the total daily flows or loading strength of the influent. The community is, however, almost entirely residential and is assumed to be typical of other small, residential communities in the

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region. The County's project team completed a technical memorandum titled "Flows and Loads" which estimates the expected influent wastewater quantity and quality. These are estimates only, and the County makes no guarantees as to actual influent flows and loads.

The "Flows and Loads" technical memorandum is included in the Appendices. The following estimates are presented in the document.

Estimated Influent Characteristic	Gravity Collection System Influent	STEP/STEG Collection System Filtered Influent
Avg. Daily Wet Weather Flow (mgd)	1.4	1.2
Peak Hour Wet Weather Flow (mgd)	2.5	1.7
Avg. BOD (mg/L)	340	120
Avg. Suspended Solids (mg/L)	390	40
Avg. Total Nitrogen (mg/L)	56	56

3.9.2. Waste Discharge Requirements

The County is currently developing the treatment facility performance criteria to be included in the RFP. The performance criteria will include the effluent discharge limits that are expected to be required by the Regional Water Board. However, it is not anticipated that the Regional Water Board will issue final Waste Discharge Requirements prior to the completion of the design-build procurement process.

Final decisions on the reuse and disposal facilities have not been made, but it is expected that multiple disposal methods and locations will be utilized. Two potential disposal options are sprayfield disposal on rural land east of the community and sub-surface percolation at a site that overlies the groundwater basin that supplies the community's drinking water.

Disposal of treated effluent at a site that overlies the groundwater basin is expected to have the most stringent discharge limits. Sprayfield disposal is expected to have less stringent requirements. However, if the Project utilizes multiple disposal options, the treatment facility must have the capability to meet the most stringent requirements for at least a portion of the treated effluent flow. The Regional Water Board has previously issued Waste Discharge Requirements for the sub-surface percolation site as part of the LOCSD's project. These requirements are expected to be similar for the current Project and included the following limits.

Effluent Limits			
Constituent	Units	Monthly (30-day) Average	Daily Maximum
Settleable Solids	ml/l	0.1	0.5
BOD, 5-day	mg/l	60	100
Suspended Solids	mg/l	60	100
Total Nitrogen (as N)	mg/l	7	10

Recycled Water Limits			
Constituent	Units	Monthly (30-day) Average	Daily Maximum
BOD, 5-day	mg/l	30	30
Suspended Solids	mg/l	90	90
Turbidity (24 hour mean value)	NTU	2	5
pH	Units	In range of 6.5 to 8.4	

These limits are intended to provide only an overview of potential discharge limits that may be required for the Project. The RFP document will provide more detailed discussions of the treatment requirements.

3.10. Available Reference Documents

Due to the extensive history of the Los Osos Wastewater Project, the list of current and past project documents is too lengthy to include in this RFQ. The full list of background documents can be found on the County's Project website at:

www.slocounty.ca.gov/PW/LOWWP/DOCS.htm

Note that some background documents may provide interesting or useful information, but may no longer be relevant to the specifics of current Project planning.

Reference documents which are especially pertinent to the current Project efforts include, but are not limited to, those listed below. These documents are incorporated into the Appendices to this RFQ and are provided in electronic format on the enclosed CD ROM.

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- Draft Environmental Impact Report (MBA, November, 2008)
- Final Flows and Loads Technical Memorandum (Carollo Engineers, November 2008)
- State Revolving Fund Guidelines (State Water Board, September, 2008)
- Assessment Engineer's Report (Wallace Group, December, 2007)
- Fine Screening Report (Carollo Engineers et al., August, 2007)
- Rough Screening Report (Carollo Engineers et al., March 2007)

The background documents listed on the Project website and in this RFQ are being provided to respondents solely for their informational purposes, and this list shall not be considered an appropriate or exhaustive list of all the information necessary for a respondent to meet the D/B Entity's obligations for the Project. These documents do not represent the optimal and specific Project features that will be included in the RFP and design-build contract documents.

The recommendations, conclusions, findings, analyses, results or views expressed in the background documents may not have been approved or endorsed by the County, and accordingly should not be construed as representing the policy of the County.

The County neither makes any representation or warranty with respect to, nor assumes any responsibility for the appropriateness, completeness or the accuracy of the background documents. Respondents are solely responsible for conducting their own independent research and due diligence for the preparation of SOQ's and the subsequent delivery of services under contract. No information derived from any part of the background documents, the RFQ, or from the County or any of its agents, employees, contractors, advisors or consultants, shall relieve the D/B Entity from any risk or from fulfilling all terms of the contract.

3.11. Introduction To Scope Of Services

The successful D/B Entity will be expected to provide the County with integrated design-build services to construct a wastewater treatment facility which meets the requirements to be established in the forthcoming RFP, in accordance with the contract documents. Further details of the scope of services will be developed in the RFP. The following services are indicative of those which are expected to be required.

- Preliminary Design
 - o Conceptual design proposal
 - o Precise facility siting
 - o Develop certain preliminary design details to assist County in developing permit applications
 - o Identify mitigation measures to comply with EIR and permit conditions

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- Design
 - o Design of treatment facility and appurtenances
 - o Design coordination with related interconnections and integrated uses with other current and planned County facilities
 - o Compliance with all contractually required design reviews and approvals
 - o Assist County with obtaining final regulatory permit approvals for facility construction
- Construction
 - o Construction of treatment facility and appurtenances
 - o Construction coordination with related interconnections and integrated uses with other current and planned County facilities
 - o Compliance with all County and industry construction standards
 - o Compliance with all Federal and State labor and wage requirements
 - o Compliance with all environmental mitigation requirements (CEQA, etc.)
 - o Completion of all required equipment and plant acceptance tests
 - o Assist County with obtaining final regulatory permit approvals for facility operation

The County plans to operate and maintain the facility after completion of construction. During this period the County plans to contract out these services. After three years of operation, and upon approval from the Regional Water Quality Control Board (RWQCB), operation and maintenance of the facility may be turned over to the Los Osos Community Services District.

Additionally, the County plans to procure design and construction services for the Project collection system, treated effluent disposal/reuse facilities, and raw and treated wastewater conveyance systems under separate contracts. These facilities, as well as operation and maintenance services, are not included in the scope of services for the D/B Entity as part of this procurement. However, the County reserves the right to modify or amend the scope of services, including the addition of other facilities, such as the collection system, under a single D/B contract, or the addition of operation and maintenance services.

D/B Entities that are interested in developing proposals for both the treatment facility and collection system components of the Project are encouraged to submit pre-qualification documents in response to each individual RFQ, both the treatment facility and collection system.

D/B Entities that are interested in developing a design-build proposal for multiple components of the Project, or design-build-operate proposals, are encouraged to provide more information in Section 4.10 "Comments on Project Concepts." Comments are optional and will not be considered in the evaluation and ranking of D/B Entities, but will be considered in the development of the RFP for this Project.

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This RFQ document is intended to provide only an overview of the anticipated scope of services. The RFP document will provide more detailed discussions of the required design and construction services.

3.12. Overall Risk Posture

The following table contains a preliminary risk matrix for the Project, which indicates which party the County currently envisions as possessing the “lead” responsibility of risk, but acknowledges that risk in general will be a shared responsibility between the County and the D/B Entity. This preliminary risk matrix is not intended to describe all anticipated risks for the Project. As current project development activities progress, the risk allocation will be expanded and revised as necessary to refine the County’s risk policy, and to ensure the most efficient allocation of risk between the parties in the agreement.

Risk	Lead Responsible Party (County or D/B Entity)	Comments
Obtain State and Federal Regulatory Permits	County	Includes permits from biological and cultural resources, water quality, public safety, and land use agencies.
Obtain right-of-way easements and real property	County	Includes areas identified for development in project description and RFP
Obtain local construction related permits	D/B Entity	Includes encroachment, building, and grading permits.
Comply with permit conditions and mitigations	D/B Entity	Conditions to be established in RFP and agreement
Material Cost Escalation	County	Establish cost indexes on volatile materials
Unforeseen sub-surface utilities in the right-of-way	County	Including County owned facility sites.
Unforeseen and unknown archeological resources encountered	County	County responsible for coordination and permits for cultural and historic resources.
Unforeseen and unsuitable soil conditions	County	County responsible for geotechnical studies to determine geological conditions.

3.13. Contract Principles

The County has not determined the specific form of the contract documents to be utilized for the Project agreement. The County has developed in-house contract documents and agreements and is also evaluating standard industry contract documents, including those published by the Design-Build Institute of America and the Engineering Joint Contract Document Committee.

The RFP will contain the preliminary contract principles that the County expects to reflect in the agreement. The following are summaries of certain principles that are expected to be included. These principles should not be considered as all inclusive or definitive as to the form or substance of the actual contract provisions. The County reserves the right to amend, modify or delete any of these principles in the contract to be issued with or as an addendum to the RFP.

- The County intends to maintain ownership of the site and facilities.
- The County intends to be responsible for obtaining most, or all, of the required State and Federal regulatory permits and approvals.
- The D/B Entity will be responsible for the final design of the facility and assume design risk.
- The D/B Entity will be responsible to design, construct, start-up, and acceptance test the facility by a date specified in the agreement.
- The County will select the D/B Entity based on a “best value” design-build proposal.
- The D/B Entity will be responsible to design, construct, start-up, and acceptance test the facility for the agreed design-build price.

4. STATEMENT OF QUALIFICATIONS

4.1. General Instructions

The Pre-Qualification Documents, including the Statement of Qualifications (SOQ), shall be submitted in accordance with the requirements of Section 2.2 above. Respondents are urged to be complete, but concise, in their responses. Sales brochures are not desired unless directly related to the SOQ and referenced in the text. No interpretation or clarification of the meaning of any part of this RFQ will be made orally by the County to any potential Respondent. Requests for interpretation or clarification by any Respondent must be made in writing as described in Section 2.5. Any and all such interpretations and clarifications will be made in the form of written addenda to this RFQ. Receipt of all addenda shall be acknowledged by Respondents. An acknowledgement form for receiving addenda will be provided as part of each addendum, if any, to this RFQ.

4.2. Information Requirements of Qualifications Submittal

The Statement of Qualifications must be separated into seven sections, plus attachments, separated by tabs as follows:

SOQ Main Document

1. Transmittal Letter
2. Table of Contents
3. Respondent Team Composition
4. Technical Approach and Qualifications
5. Relevant Project Experience
6. Financial Qualifications
7. Comments on Project Concepts

SOQ Attachments

- A. Resumés of key staff
- B. Financial statements and documentation
- C. Pre-qualification questionnaire (provided in Appendix A)
- D. Other supporting information

The format of the SOQ shall be as outlined above. Narrative pages are to be 8 1/2 inches by 11 inches, and shall be bound into the volume. A minimum of 12-point font size and single line spacing is required for text. The SOQ must be in English. A clear and concise presentation of information is encouraged. A page limit of 50 pages is set for the SOQ main document, not including the attachments. Audio-visual materials including audio tapes, video tapes and CD ROM presentations will not be accepted.

Additional information concerning the submittal requirements to this RFQ is set forth below.

4.3. Transmittal Letter

The SOQ must include a cover letter containing the name, title, address, telephone number, fax number, and e-mail address of the Respondent and the principal contact person. The cover letter shall also include a complete listing of all companies that form the Respondent's team.

4.4. Table of Contents

A table of contents shall be included in the SOQ, itemizing the contents of the Respondent's submission.

4.5. Respondent Team Composition

The SOQ shall indicate the type of firm or organization (corporation, partnership, joint venture, etc.) that will serve as the contracting party, and provide single-entity responsibility for the Project. A Project organization chart is required. Additionally, the SOQ shall identify the parties that will undertake the responsibilities for public relations, design, construction, startup, testing, and commissioning of the facility.

The proposed contractual relationships between the Respondent and all major partners and subcontractors (responsible for greater than 20-percent of the total project effort) relative to the various phases of the project (e.g., design, construction, and commissioning) shall be outlined in the SOQ. Suppliers of proprietary or specialty equipment which are expected to be significant to the design-build proposal should also be identified.

The history, ownership, organization, and background of the Respondent shall be provided. If the Respondent is a joint venture, the required information shall be submitted for each member of the joint venture firm. The Respondent shall describe the history of the relationships among the team members, including a description of past working relationships.

4.6. Technical Approach and Qualifications

Respondents shall describe their technical and organizational approach in relation to the Project process, goals, and objectives. Respondents shall demonstrate their ability

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to undertake the Project by providing evidence of their technical experience and qualifications related to the design and construction of projects comparable to the Project. Respondents shall describe their expected approach to developing a design-build proposal, in response to a forthcoming RFP, by providing a discussion of their level of effort anticipated to develop a proposal and the corresponding extent of preliminary design documents the Respondent expects to be developed by the County for inclusion in the RFP.

The County reserves the right to conduct an investigation of the Respondent's technical qualifications by contacting project references or others, or accessing public information. Additional information may be requested during the technical qualifications review. As a minimum, the Respondent shall provide the following information to demonstrate technical qualifications:

4.6.1. Design and Construction Experience

The Respondent shall provide its individual member and collective design and construction experience, including design-build for water and wastewater treatment facilities. Preference will be given to wastewater treatment plant experience of the type and scale contemplated for this Project.

4.6.2. Key Project Staff

The Respondent shall describe their organizational and managerial approach and provide the relevant qualifications of all key staff assigned to this Project. The Respondent shall provide the qualifications of all key Project staff, including, but not limited to: Program/Project Manager, on-site Project Manager, Design Manager, Engineer(s) for each major design segment, and Construction Manager(s). This submission shall include the information for all key Project staff of the contracting firm, its parent (if applicable), partner firms, and major subcontractors. For all key personnel, provide full resumes containing the relevant qualifications as an attachment to the SOQ.

Respondents must recognize that its key assigned employees, along with subcontractors and their key employees included in the SOQ, shall be used as a basis for determining pre-qualified Respondents for eligibility to submit responses to the RFP. Any changes to Respondent teams, including major subcontractors and key employees, must have prior approval by the County and generally will only be allowed for extenuating circumstances, such as corporate takeovers, buyouts, and other unforeseen changes. Respondents shall be evaluated based on the strength of "key project staff" as well as the depth of experienced staff resources available within the Respondent structure. Respondents may strengthen their teams prior to submission of their Proposals by adding additional experienced personnel and subcontractor members.

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4.7. Relevant Project Experience and References

In addition to providing technical qualifications and experience, the Respondent shall provide up to ten directly relevant projects completed within the past ten years that the Respondent has been involved with as a designer, builder, and/or operator. A brief description of these selected projects shall be provided, including the history of operation, current status, and a description of the Respondent team's specific involvement in these projects. Although these projects may be located in the United States or abroad, emphasis shall be on experience in the United States. In the projects presented, the Respondent must demonstrate qualifications and experience consistent with the development and implementation of the Project. Respondents are required to complete the Reference Project Forms in the Pre-Qualification Questionnaire in Appendix A which provide detailed information about the relevant project experiences described in this section.

4.8. Financial Qualifications

The SOQ shall include the following subsections related to financial qualification:

- Project Guarantor
- Financial Information
- Security Requirements

Required information related to submittal of financial qualifications is set forth below.

4.8.1. Project Guarantor

Respondents are required to identify a Project Guarantor that shall irrevocably, absolutely, and unconditionally guarantee all of the Respondent's obligations under the Contract Agreement including, but not limited to, designing, constructing, acceptance testing, and warranty for the Project. The Guarantor shall be the Respondent, its parent D/B Entity, or a substantially capitalized affiliate of the Respondent or its parent D/B Entity. The Guarantor shall have sufficient financial capability to assure the County that it is capable of performing its obligations under a Guaranty Agreement for this Project (i.e., financial capability at least commensurate with the Project). The Respondent is required to complete the Pre-Qualification Questionnaire in Appendix A, which clearly identifies the Guarantor. This identification also includes a statement that the Guarantor shall fully guarantee all obligations of the Project.

Respondents shall demonstrate to the County that their Guarantor has the capability and legal commitment to guarantee the financial obligation of the Respondent for the Project. If a sole purpose subsidiary (e.g. joint venture) is created as the contracting party, the parent D/B Entity or one or more of the partner firms, shall be the Guarantor to guarantee performance of the subsidiary's obligations. A subsidiary with limited

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capitalization and without the full parent D/B Entity or partner guarantee shall not be allowed as the contracting party. If a subsidiary has been formed solely to respond to this RFQ, the reasons for this action shall be fully disclosed.

4.8.2 Financial Information

The Respondent shall provide full disclosure of its financial position and, if applicable, the financial position of the corporation guaranteeing the Respondent's obligations under a contract eventually executed. Financial information submitted as part of the SOQ shall include the following:

4.8.2.1. Financial Statements

The SOQ attachments must include copies of the most recent three (3) years of audited annual reports filed with the Securities and Exchange Commission (the SEC) on Form 10-K, and supporting documents, and all quarterly reports filed with the SEC on Form 10-Q since the last 10-K was filed. If 10-K or 10-Q reports reference other reports that describe the respondent's financial condition, copies of such reports shall be provided to the City as part of the SOQ.

If not required to make periodic filings with the SEC, Respondent shall submit the following in the SOQ attachments: (a) audited financial statements for the past three fiscal years, including income statements, balance sheets, and statements of changes in financial position; (b) copies of the latest quarterly financial reports for the prior three months; and (c) a statement regarding any material changes in the mode of conducting business, bankruptcy proceedings, and mergers or acquisitions for the past three years, as well as any disclosure of any potential mergers or acquisitions.

4.8.2.2. Direct and Indirect Fixed, or Contingent Obligations

Respondents must also provide detailed information concerning all direct and indirect fixed or contingent liabilities undertaken by the Respondent, its parents, affiliates, and subsidiaries in connection with other projects, whether by way of financial or performance commitments, open letters of credit, guarantees, or otherwise that may limit its financial exposure for this project.

4.8.2.3. Credit Ratings

If the Respondent or proposed Guarantor have short-term or long-term obligations rated by Moody's Investor's Service, Standard & Poor's Corporation, Fitch IBCA, or Duff & Phelps, such ratings shall be provided.

4.8.2.4. Litigation

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The Respondent shall disclose any outstanding litigation that could potentially impact its financial condition if judgment is brought against the Respondent.

4.8.2.5. Insurance

Respondents shall specify the limits of liability insurance, including workers compensation and professional errors and emissions insurance, that they normally provide for a project of this scope and size, including the amount of any deductibles or self-insured retentions. The Respondent shall provide evidence of coverage, or evidence of the ability to secure insurance coverage, at those limits.

4.8.2.6. Financial Information Requirements Relating to Responses Submitted by Consortia, Joint Ventures, or Partnerships

If the SOQ is being submitted by a consortium, a joint venture, or a partnership, the SOQ shall identify all parties and relationships. Each member of such consortium, joint venture, or partnership shall provide full disclosure information regarding their financial strength as specified in this section for individual respondents.

4.8.3. Security Requirements

Respondents are required to furnish evidence of their ability and intention to provide the Performance Bond, Payment Bond, and insurance coverage necessary for a project of this scope and size. The Pre-Qualification Questionnaire in Appendix A requires Respondent to affirm their ability to appropriate bonds and insurance, including notarized letters of commitment from sureties or banks.

4.9. Pre-Qualification Questionnaire

Respondents are required to complete and submit the Pre-Qualification Questionnaire which is included as Appendix A of this RFQ. The Pre-Qualification Questionnaire will be scored based on the scoring criteria provided in Appendix A and will be used to determine whether a D/B Entity meets the minimum qualifications necessary for pre-qualification. Only those D/B Entities which meet the minimum qualifications will be ranked for consideration on the short-list of D/B Entities which will receive the RFP.

Respondents must complete and submit the Pre-Qualification Questionnaire in Appendix A. An electronic version of the Pre-Qualification Questionnaire has been provided to Respondents on the CD-ROM included with this RFQ.

4.10. Comments on Project Concepts

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Respondents may, but are not required to, provide comments concerning the County's Project approach, Project schedule or other elements of the Project described in this RFQ.

Respondents who are considering the submittal of a Project proposal which contains alternatives to the fundamental assumptions in this RFQ in relation to treatment technology, facility location, permit compliance, Project financing (ie, private financing per Ca. Government Code Sec. 5956), or other Project element may provide a description of the approach in their comments.

Comments provided by Respondents will not be evaluated as part of the SOQ, but will provide the County with useful information that may be applied to the procurement process.

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A-1. Information About the Design Build Entity

APPENDIX A: PRE-QUALIFICATION QUESTIONNAIRE AND MINIMUM QUALIFICATIONS

A-1. Information About The Design-Build Entity (D/B Entity)

1. Type of Entity (check one):

☐ Partnership ☐ Limited Partnership ☐ Other Association

☐ Corporation ☐ Sole Proprietor

List all partners, general partners, or association members known at the time of submission who will participate in the design-build contract as member of the D/B Entity; including, but not limited to, mechanical subcontractors. If D/B Entity is a sole proprietor or partnership list the owners.

Member Firm(s)		
Discipline	Name	License

2. Primary Contact Information

D/B Entity Name: _____

Primary Contact: _____

Address: _____ Phone: _____

_____ Fax: _____

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A-1. Information About the Design Build Entity

8. Has the D/B Entity provided, in the form of a notarized letter of commitment from a surety or bank, evidence that establishes that the D/B Entity has the capacity to obtain all required payment and performance bonding, liability insurance, and errors and omissions insurance?

☐

Yes

☐

No

9. Provide information concerning any debarment, disqualification, or removal of the D/B Entity from a federal, state, or local government public works project.

Year:		Owner:		Project	
Basis:					

Year:		Owner:		Project	
Basis:					

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A-1. Information About the Design Build Entity

10. Provide information concerning any instance in which the D/B Entity, its owners, officers, or managing employees submitted a bid or design-build proposal on a public works project and were found to be nonresponsive, or were found by the awarding body not be a responsible bidder.

Year:		Owner		Project:	
Basis:					

Year:		Owner		Project:	
Basis:					

11. Provide information concerning any instance in which the D/B Entity, or its owners, officers, or managing employees, defaulted on a construction contract.

Year:		Owner:		Project	
Basis:					

Year:		Owner:		Project	
Basis:					

[illegible]

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A-2.1. Information About the General Contractor Member of the Design Build Entity

A-2. Information About Each Member of the Design-Build Entity

A-2.1. Information About The General Contractor Member Of The Design-Build Entity

1a. Name of company: _____

1b. Date of company formation or incorporation: _____

1c. State of formation or incorporation: _____

1d. How many persons does your organization currently employ: _____

1e. If your organization is a corporation, please complete the following table:
Provide information for each officer of the corporation or individual(s) with 20% or more of the corporate stock.

Position	Name	Years with Co.	% Ownership
President			
Vice President			
Secretary			
Treasurer			

1f. If your organization is a partnership, please complete the following table:

Provide information for each partner who owns 20% or more of the firm.

Position	Name	Years with Co.	% Ownership
President			
Vice President			
Secretary			
Treasurer			

1g. If your organization is a sole proprietorship, please complete the following table:

Provide information for each member of the proprietorship.

Owner	Years of Owner

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A-2.1. Information About the General Contractor Member of the Design Build Entity

- 1h.** If your organization is a joint venture, please complete the following table:

Provide information for each member of the joint venture.

Joint Venture Member #1

Name of Company	Name of Owner/Partner or President	Years with Co.	% Ownership of Joint Venture

Joint Venture Member #2

Name of Company	Name of Owner/Partner or President	Years with Co.	% Ownership of Joint Venture

Joint Venture Member #3

Name of Company	Name of Owner/Partner or President	Years with Co.	% Ownership of Joint Venture

li. For each person listed in table 1e, 1f, 1g, or 1h identify every construction company that the person has been employed with at any time during the last five years:

[illegible]

LOS OSOS WASTEWATER PROJECT TREATMENT FACILITY**A-2.1. Information About the General Contractor Member of the Design Build Entity**

- 1j.** Provide the name, title, and license number, credential, or registration (if applicable) of each individual who is proposed as key personnel of the General Contractor Member to be assigned to manage the design or construction of the Project. Identify, by reference project number of the projects listed in Appendix A Section A-3, previous experience in which the individual was assigned similar responsibilities. For each individual listed, attach resumés which demonstrate evidence that the proposed key personnel have sufficient experience and training to competently manage and complete the design and construction of Project described in this RFQ.

Name	Title or Position with Company	License Number, Credential, or Registration	Reference Project Experience

- 1k.** Provide information on the revocation or suspension of any license, credential, or registration of any owner, officer, partner, or other key personnel listed in Questions **1i** or **1j** above.

Year:		Name:	
Explanation:			

Year:		Name:	
Explanation:			

LOS OSOS WASTEWATER PROJECT TREATMENT FACILITY

A-2.1. Information About the General Contractor Member of the Design Build Entity

Year:		Name:	
Explanation:			

2. Has there been any change in ownership of the General Contractor Member at any time during the last three years?

NOTE: A corporation whose shares are publicly traded is not required to answer this question.

☐ Yes ☐ No

If "yes," explain:

3. Is the General Contractor Member a subsidiary, parent, holding company or affiliate of another construction firm?

NOTE: Include information about other firms if one firm owns 50 per cent or more of another, or if an owner, partner, or officer of your firm holds a similar position in another firm.

☐ Yes ☐ No

If "yes," explain:

4. Are any of the General Contract Member's corporate officers, partners or owners connected to any other construction companies?

NOTE: Include information about other firms if an owner, partner, or officer of your firm holds a similar position in another firm.

☐ Yes ☐ No

If "yes," explain:

LOS OSOS WASTEWATER PROJECT TREATMENT FACILITY

A-2.1. Information About the General Contractor Member of the Design Build Entity

5. State the General Contractor Member's gross revenues for each of the last three years:

2005: _____ 2006: _____ 2007: _____

6. List all California construction license numbers, classifications and expiration dates of the California contractor licenses held by the General Contractor Member:

Contractor License	Classification	Expiration Date

7. If any of the General Contractor Member's license(s) are held in the name of a corporation or partnership, list below the names of the qualifying individuals(s) listed on the CSLB records who meet(s) the experience and examination requirements for each license.

Contractor License Number	Name of Qualifying Individual

8. Has the General Contractor Member changed names or license number in the past five years?

☐ Yes ☐ No

If "yes," explain:

9. Has any owner, partner or (for corporations) officer of the General Contractor Member operated a construction company under any other name in the last five years.

☐ Yes ☐ No

If "yes," explain:

- 10.** In the last five years has any insurance carrier, for any form of insurance, refused to renew the insurance policy for the General Contractor Member?

☐ Yes ☐ No

If "yes," give name the insurance carrier, the form of insurance and the year of the refusal.

Year:		Carrier:		Form:	
Comments:					

Year:		Carrier:		Form:	
Comments:					

- 11.** Has the General Contractor Member been required to pay a premium of more than one per cent for a performance and payment bond on any project(s) on which the Contractor worked at any time during the last three years?

☐ Yes ☐ No

If "yes," state the percentage that your firm was required to pay. You may provide an explanation for a percentage rate higher than one per cent, if you wish to do so.

NOTE: Score based on highest single year

Year:		Rate:	
Explanation:			

Year:		Rate:	
Explanation:			

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

☐ Yes ☐ No

If yes, indicate the date when your firm was denied coverage and the name of the company or companies that denied coverage; and the period during which you had no surety bond in place.

Date:		Surety:		Duration Period:	
Explanation:					

Date:		Surety:		Duration Period:	
Explanation:					

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

Bonding Co./Surety:		Surety Agent:	
Agent Address:		Telephone #:	

LOS OSOS WASTEWATER PROJECT TREATMENT FACILITY**A-2.1. Information About the General Contractor Member of the Design Build Entity**

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

Date	Surety	Address

- 15.** Has any serious or willful violation of the California Occupational Safety and Health Act of 1973, contained in Part 1 (commencing with Section 6300) of Division 5 of the Labor Code, or the federal Occupational Safety and Health Act of 1970 (P.L. 91-596), settled against the General Contractor Member of the design-build entity?

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

☐ Yes ☐ No

If "yes," describe the citations, including information about the dates of the citations, the nature of the violation, the project on which the citation(s) was or were issued, the amount of penalty paid, if any. If the citation was appealed and a decision has been issued, state the case number and the date of the decision.

Description:		Date:		Nature:	
Project:		Amount :			

Description:		Date:		Nature:	
Project:		Amount :			

Description:		Date:		Nature:	
Project:		Amount :			

NOTE: The following questions (13a through 13f) refer to information concerning the General Contractor Member's workers' compensation experience history and worker safety program.

LOS OSOS WASTEWATER PROJECT TREATMENT FACILITY

A-2.1. Information About the General Contractor Member of the Design Build Entity

16a. Does the General Contractor Member have current workers' compensation insurance policies as required by the Labor Code or is legally self-insured pursuant to Labor Code section 3700 et. seq.

☐ Yes ☐ No

16b. Does the General Contractor Member require documented safety meetings to be held for construction employees and field supervisors during the course of a project?

☐ Yes ☐ No

If "yes," identify how often the meetings are required.

Weekly

☐

Bi-Weekly

☐

Monthly

☐

Less Frequent

☐

16c. Has the General Contractor Member been issued an Experience Modification Rate (EMR) (California workers' compensation insurance) for each of the past three premium years?

☐ Yes ☐ No

Provide EMR for each of the last three years. If your EMR for any of these three years is or was 1.00 or higher, provide explanation.

NOTE: Score based on highest EMR in any single Year

Year:		Rate:	
Explanation:			

Year:		Rate:	
Explanation:			

LOS OSOS WASTEWATER PROJECT TREATMENT FACILITY

A-2.1. Information About the General Contractor Member of the Design Build Entity

Year:		Rate:	
Explanation:			

16d. What is the General Contractor Member's average total recordable injury/illness rate and average lost work rate for the most recent three-year period?

Period:	
Average Injury/Illness Rate:	
Average Lost Work Rate:	

16e. Is the General Contractor Member party to an alternative dispute resolution system as provided for in Section 3201.5 of the Labor Code?

☐ Yes ☐ No

If "yes," explain:

16f. Within the last five years has there ever been a period when the General Contractor Member firm had employees but was without workers' compensation insurance or state-approved self-insurance?

☐ Yes ☐ No

If "yes," explain the reason for the absence of workers' compensation insurance.

Year:		Period:	
Explanation:			

Year:		Period:	
Explanation:			

LOS OSOS WASTEWATER PROJECT TREATMENT FACILITY

A-2.1. Information About the General Contractor Member of the Design Build Entity

17. Provide information concerning any debarment, disqualification, or removal of the General Contractor Member from a federal, state, or local government public works project.

Year:		Owner:		Project	
Basis:					

Year:		Owner:		Project	
Basis:					

18. Provide information concerning any instance in which the General Contractor Member, its owners, officers, or managing employees submitted a bid or design-build proposal on a public works project and were found to be nonresponsive, or were found by the awarding body not be a responsible bidder.

Year:		Owner		Project:	
Basis:					

Year:		Owner		Project:	
Basis:					

LOS OSOS WASTEWATER PROJECT TREATMENT FACILITY

A-2.1. Information About the General Contractor Member of the Design Build Entity

- 19.** Provide information concerning any instance in which the General Contractor Member, or its owners, officers, or managing employees, defaulted on a construction contract.

Year:		Owner:		Project	
Basis:					

Year:		Owner:		Project	
Basis:					

- 20.** Has the EPA or any Air Quality Management District or any Regional Water Quality Control Board cited and assessed penalties against the General Contractor Member or the owner of a project on which the General Contractor Member was the prime contractor or the D/B Entity, in the past five years?

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

☐ Yes ☐ No

If "yes," describe each citation.

Explanation:

Explanation:

LOS OSOS WASTEWATER PROJECT TREATMENT FACILITY**A-2.1. Information About the General Contractor Member of the Design Build Entity**

- 21.** Does the General Contractor Member intend to request the dispatch of apprentices from an apprenticeship program approved by the California Apprenticeship Council for use on this Project if you are awarded the contract?

☐ Yes ☐ No

If "yes," provide the name, address and telephone number of the apprenticeship program from whom you intend to request the dispatch of apprentices.

Program Name	Address	Phone

- 22.** Has the General Contractor Member operated its own State-approved apprenticeship program during the last three years?

☐ Yes ☐ No

If "yes," state the year in which each such apprenticeship program was approved, identify the craft or crafts in which your firm provided apprenticeship training, and 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.

Year:		Rate:	
Crafts:			

- 23.** Provide information concerning any violations of the Contractors' State License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code), excluding alleged violations of federal or state law, including the payment of wages, benefits, apprenticeship requirements, or personal income tax withholding, or of Federal Insurance Contributions Act (FICA; 26 U.S.C. Sec. 3101 et seq.) withholding requirements settled against the General Contractor Member of the design-build entity.

Year:		Violation:	
Explanation:			

LOS OSOS WASTEWATER PROJECT TREATMENT FACILITY

A-2.1. Information About the General Contractor Member of the Design Build Entity

Year:		Violation:	
Explanation:			

- 24.** At the time of submitting this pre-qualification form, is the General Contractor Member ineligible to bid on or be awarded a public works contract, or perform as a sub-contractor on a public works contract, pursuant to either Labor Code section 1777.1 or Labor Code section 1777.7?

☐ Yes ☐ No

If "yes," explain:

- 25.** At any time during the last five years, has the General Contractor Member, or any of its owners or officers, been convicted of a crime involving the awarding of a contract of a government construction project, or the bidding or performance of a government contract?

☐ Yes ☐ No

If "yes," explain:

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

☐ Yes ☐ No

If "yes," explain:

- 27.** Has the General Contractor or any of its owners, officers or partners ever been convicted of a crime involving any federal, state, or local law related to construction?

☐ Yes ☐ No

If "yes," explain:

LOS OSOS WASTEWATER PROJECT TREATMENT FACILITY

A-2.1. Information About the General Contractor Member of the Design Build Entity

28. Has the General 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?

☐ Yes ☐ No

If "yes," explain:

29. Provide information concerning any bankruptcy or receivership of the General Contractor Member of the design-build entity, including information concerning any work completed by a surety.

Year:		Period:	
Explanation:			

NOTE: The following question refers only to disputes between the Contractor and the owner of a project. You need not include information about disputes between the Contractor and a supplier, another contractor, or sub-contractor. You need not include information about "pass-through" disputes in which the actual dispute is between a sub-contractor and a project owner.

30. Provide information concerning all adverse claims, disputes, or lawsuits which have been filed in court or arbitration or have been settled between the owner of a public works project and the General Contractor Member of the design-build entity during the last five years, in which the claim, settlement, or judgment exceeds fifty thousand dollars (\$50,000). Information shall also be provided concerning any work completed by a surety during this period.

Project:		Date:	
Owner:		Court:	
Nature:			
Description:			

LOS OSOS WASTEWATER PROJECT TREATMENT FACILITY

A-2.1. Information About the General Contractor Member of the Design Build Entity

Project:		Date:	
Owner:		Court:	
Nature:			
Description:			

31. At any time in the last five years has the General Contractor Member been assessed and paid liquidated damages of more than \$50,000 after completion of a project under a construction contract with either a public or private owner?

☐ Yes ☐ No

If yes, identify all such projects by owner, owner's address, completion date of the project, amount of liquidated damages assessed and all other information necessary to fully explain the assessment of liquidated damages.

Owner:		Address	
Completed		Amount	
Other:			

Owner:		Address	
Completed		Amount	
Other:			

LOS OSOS WASTEWATER PROJECT TREATMENT FACILITY

A-2.2. Information About the Engineer of Record Member of the Design Build Entity

A-2.2. Information About The Engineer Of Record Member Of The Design-Build Entity

1a. Name of company: _____

1b. Date of company formation or incorporation: _____

1c. State of formation or incorporation: _____

1d. How many persons does your organization currently employ: _____

1e. If your organization is a corporation, please complete the following table:
Provide information for each officer of the corporation or individual(s) with 20% or more of the corporate stock.

Position	Name	Years with Co.	% Ownership
President			
Vice President			
Secretary			
Treasurer			

1f. If your organization is a partnership, please complete the following table:
Provide information for each partner who owns 20% or more of the firm.

Position	Name	Years with Co.	% Ownership
President			
Vice President			
Secretary			
Treasurer			

1g. If your organization is a sole proprietorship, please complete the following table:
Provide information for each member of the proprietorship.

Owner	Years of Owner

LOS OSOS WASTEWATER PROJECT TREATMENT FACILITY

A-2.2. Information About the Engineer of Record Member of the Design Build Entity

1h. If your organization is a joint venture, please complete the following table:

Provide information for each member of the joint venture.

Joint Venture Member #1

Name of Company	Name of Owner/Partner or President	Years with Co.	% Ownership of Joint Venture

Joint Venture Member #2

Name of Company	Name of Owner/Partner or President	Years with Co.	% Ownership of Joint Venture

Joint Venture Member #3

Name of Company	Name of Owner/Partner or President	Years with Co.	% Ownership of Joint Venture

[illegible]

LOS OSOS WASTEWATER PROJECT TREATMENT FACILITY**A-2.2. Information About the Engineer of Record Member of the Design Build Entity**

- 1j.** Provide the name, title, and license number, credential, or registration (if applicable) of each individual who is proposed as key personnel of the Engineer Member to be assigned to manage the design or construction of the Project. Identify, by reference project number of the projects listed in Appendix A Section A-3, previous experience in which the individual was assigned similar responsibilities. For each individual listed, attach resumés which demonstrate evidence that the proposed key personnel have sufficient experience and training to competently manage and complete the design and construction of Project described in this RFQ.

Name	Title or Position with Company	License Number, Credential, or Registration	Reference Project Experience

- 1k.** Provide information on the revocation or suspension of any license, credential, or registration of any owner, officer, partner, or other key personnel listed in Questions **1i** or **1j** above.

Year:		Name:	
Explanation:			

Year:		Name:	
Explanation:			

Year:		Name:	
Explanation:			

LOS OSOS WASTEWATER PROJECT TREATMENT FACILITY

A-2.2. Information About the Engineer of Record Member of the Design Build Entity

2. Has there been any change in ownership of the Engineer member at any time during the last three years?

NOTE: A corporation whose shares are publicly traded is not required to answer this question.

☐ Yes ☐ No

If "yes," explain:

3. Is the Engineer member a subsidiary, parent, holding company or affiliate of another engineering firm?

NOTE: Include information about other firms if one firm owns 50 per cent or more of another, or if an owner, partner, or officer of your firm holds a similar position in another firm.

☐ Yes ☐ No

If "yes," explain:

4. Are any of the Engineer member's corporate officers, partners or owners connected to any other engineering firms?

NOTE: Include information about other firms if an owner, partner, or officer of your firm holds a similar position in another firm.

☐ Yes ☐ No

If "yes," explain:

5. Has the Engineer member firm changed names or license number in the past five years?

☐ Yes ☐ No

If "yes," explain:

LOS OSOS WASTEWATER PROJECT TREATMENT FACILITY

A-2.2. Information About the Engineer of Record Member of the Design Build Entity

6. Has any owner, partner or (for corporations) officer of the Engineer member operated an engineering firm under any other name in the last five years?

☐ Yes ☐ No

If "yes," explain:

7. In the last five years has any insurance carrier, for any form of insurance, refused to renew the insurance policy for the Engineer?

☐ Yes ☐ No

If "yes," give name the insurance carrier, the form of insurance and the year of the refusal.

Carrier:		Ins. Form:		Refusal Year:	
Carrier:		Ins. Form:		Refusal Year:	
Carrier:		Ins. Form:		Refusal Year:	
Carrier:		Ins. Form:		Refusal Year:	

8. Has any serious or willful violation of the California Occupational Safety and Health Act of 1973, contained in Part 1 (commencing with Section 6300) of Division 5 of the Labor Code, or the federal Occupational Safety and Health Act of 1970 (P.L. 91-596), settled against the Engineer Member of the design-build entity?

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

☐ Yes ☐ No

If "yes," describe the citations, including information about the dates of the citations, the nature of the violation, the project on which the citation(s) was or were issued, the amount of penalty paid, if any. If the citation was appealed and a decision has been issued, state the case number and the date of the decision.

Description:		Date:		Nature:	
Project:		Amount :			

Description:		Date:		Nature:	
Project:		Amount :			

Description:		Date:		Nature:	
Project:		Amount :			

NOTE: The following questions (13a through 13d) refer to information concerning the Engineer Member's workers' compensation experience history and worker safety program.

9a. Does the Engineer Member have current workers' compensation insurance policies as required by the Labor Code or is legally self-insured pursuant to Labor Code section 3700 et. seq.

☐ Yes ☐ No

9b. Within the last five years has there ever been a period when the Engineer Member firm had employees but was without workers' compensation insurance or state-approved self-insurance?

☐ Yes ☐ No

If "yes," explain the reason for the absence of workers' compensation insurance.

Year:		Period:	
Explanation:			

Year:		Period:	
Explanation:			

LOS OSOS WASTEWATER PROJECT TREATMENT FACILITY

A-2.2. Information About the Engineer of Record Member of the Design Build Entity

10. Provide information concerning any debarment, disqualification, or removal of the Engineer Member from a federal, state, or local government public works project.

Year:		Owner:		Project	
Basis:					

Year:		Owner:		Project	
Basis:					

11. Provide information concerning any instance in which the Engineer Member, its owners, officers, or managing employees submitted a bid or design-build proposal on a public works project and were found to be nonresponsive, or were found by the awarding body not be a responsible bidder.

Year:		Owner		Project:	
Basis:					

Year:		Owner		Project:	
Basis:					

LOS OSOS WASTEWATER PROJECT TREATMENT FACILITY

A-2.2. Information About the Engineer of Record Member of the Design Build Entity

12. Provide information concerning any instance in which the Engineer Member, or its owners, officers, or managing employees, defaulted on a construction contract, professional services contract, or design-build contract.

Year:		Owner:		Project	
Basis:					

Year:		Owner:		Project	
Basis:					

13. Provide information concerning any bankruptcy or receivership of the Engineer Member of the design-build entity, including information concerning any work completed by a surety.

Year:		Period:	
Explanation:			

NOTE: The following question refers only to disputes between the Engineer and the owner of a project. You need not include information about disputes between the Contractor and a supplier, another consultant, contractor, or sub-contractor. You need not include information about “pass-through” disputes in which the actual dispute is between another company and a project owner.

LOS OSOS WASTEWATER PROJECT TREATMENT FACILITY

A-2.2. Information About the Engineer of Record Member of the Design Build Entity

14. Provide information concerning all adverse claims, disputes, or lawsuits which have been filed in court or arbitration or have been settled between the owner of a public works project and the Engineer Member of the design-build entity during the last five years, in which the claim, settlement, or judgment exceeds fifty thousand dollars (\$50,000). Information shall also be provided concerning any work completed by a surety during this period.

Project:		Date:	
Owner:		Court:	
Nature:			
Description:			

Project:		Date:	
Owner:		Court:	
Nature:			
Description:			

15. At any time during the last five years, has the Engineer Member, or any of its owners or officers, been convicted of a crime involving the awarding of a contract of a government construction project, or performance of a government contract?

☐ Yes ☐ No

If "yes," explain:

LOS OSOS WASTEWATER PROJECT TREATMENT FACILITY

A-2.2. Information About the Engineer of Record Member of the Design Build Entity

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

☐

Yes

☐

No

If "yes," explain:

17. Has the Engineer or any of its owners, officers or partners ever been convicted of a crime involving any federal, state, or local law related to construction?

☐

Yes

☐

No

If "yes," explain:

18. Has the Engineer or any of its owners, officers or partners ever been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty?

☐

Yes

☐

No

If "yes," explain:

NOTE: Complete the following questions in Section A-2.3 for each Sub-Contractor Member of the Design-Build Entity listed in Section A-1 above.

1e. Complete the following table. Identify the type of company organization (eg. corporation, partnership, sole proprietor, etc.) and provide information for each officer, partner, or individual(s) with 20% or more ownership.

[illegible][illegible]

[illegible]

1g. Provide the name, title, and license number, credential, or registration (if applicable) of each individual who is proposed as key personnel of the Sub-Contractor Member to be assigned to manage the design or construction of the Project. Identify, by reference project number of the projects listed in Appendix A Section A-3, previous experience in which the individual was assigned similar responsibilities. For each individual listed, attach resumés which demonstrate evidence that the proposed key personnel have sufficient experience and training to competently manage and complete the design and construction of Project described in this RFQ.

[illegible]

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LOS OSOS WASTEWATER PROJECT TREATMENT FACILITY
A-2.3. Information About the Sub-Contractor Member of the Design Build Entity

- 1h. Provide information on the revocation or suspension of any license, credential, or registration of any owner, officer, partner, or other key personnel listed in Questions 1f or 1g above.

Year:		Name:	
Explanation:			

Year:		Name:	
Explanation:			

Year:		Name:	
Explanation:			

2. Has there been any change in ownership of the Sub-Contractor Member at any time during the last three years?

NOTE: A corporation whose shares are publicly traded is not required to answer this question.

☐ Yes ☐ No

If "yes," explain:

3. Is the Sub-Contractor Member a subsidiary, parent, holding company or affiliate of another construction firm?

NOTE: Include information about other firms if one firm owns 50 per cent or more of another, or if an owner, partner, or officer of your firm holds a similar position in another firm.

☐ Yes ☐ No

If "yes," explain:

LOS OSOS WASTEWATER PROJECT TREATMENT FACILITY

A-2.3. Information About the Sub-Contractor Member of the Design Build Entity

4. Are any of the Sub-Contractor Member's corporate officers, partners or owners connected to any other construction companies?

NOTE: Include information about other firms if an owner, partner, or officer of your firm holds a similar position in another firm.

☐ Yes ☐ No

If "yes," explain:

5. State the Sub-Contractor Member's gross revenues for each of the last three years:

2005: _____ **2006:** _____ **2007:** _____

6. List all California construction license numbers, classifications and expiration dates of the California contractor licenses held by the Sub-Contractor Member:

Contractor License	Classification	Expiration Date

7. If any of the Sub-Contractor Member's license(s) are held in the name of a corporation or partnership, list below the names of the qualifying individuals(s) listed on the CSLB records who meet(s) the experience and examination requirements for each license.

Contractor License Number	Name of Qualifying Individual

8. Has the Sub-Contractor Member changed names or license number in the past five years?

☐ Yes ☐ No

If "yes," explain:

9. Has any owner, partner or (for corporations) officer of the Sub-Contractor Member operated a construction company under any other name in the last five years.

☐ Yes ☐ No

If "yes," explain:

10. In the last five years has any insurance carrier, for any form of insurance, refused to renew the insurance policy for the Sub-Contractor Member?

☐ Yes ☐ No

If "yes," give name the insurance carrier, the form of insurance and the year of the refusal.

Year:		Carrier:		Form:	
Comments:					

Year:		Carrier:		Form:	
Comments:					

11. Has the Sub-Contractor Member been required to pay a premium of more than one per cent for a performance and payment bond on any project(s) on which the Contractor worked at any time during the last three years?

☐ Yes ☐ No

If "yes," state the percentage that your firm was required to pay. You may provide an explanation for a percentage rate higher than one per cent, if you wish to do so.

NOTE: Score based on highest single year

Year:		Rate:	
Explanation:			

Year:		Rate:	
Explanation:			

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

☐ Yes ☐ No

If yes, indicate the date when your firm was denied coverage and the name of the company or companies that denied coverage; and the period during which you had no surety bond in place.

Date:		Surety:		Duration Period:	
Explanation:					

Date:		Surety:		Duration Period:	
Explanation:					

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

Bonding Co./Surety:		Surety Agent:	
Agent Address:		Telephone #:	

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

Date	Surety	Address

15. Has any serious or willful violation of the California Occupational Safety and Health Act of 1973, contained in Part 1 (commencing with Section 6300) of Division 5 of the Labor Code, or the federal Occupational Safety and Health Act of 1970 (P.L. 91-596), settled against the Sub-Contractor Member of the design-build entity?

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

☐ Yes ☐ No

If "yes," describe the citations, including information about the dates of the citations, the nature of the violation, the project on which the citation(s) was or were issued, the amount of penalty paid, if any. If the citation was appealed and a decision has been issued, state the case number and the date of the decision.

Description:		Date:		Nature:	
Project:		Amount :			

Description:		Date:		Nature:	
Project:		Amount :			

Description:		Date:		Nature:	
Project:		Amount :			

NOTE: The following questions (13a through 13d) refer to information concerning the Sub-Contractor Member's workers' compensation experience history and worker safety program.

16a. Does the Sub-Contractor Member have current workers' compensation insurance policies as required by the Labor Code or is legally self-insured pursuant to Labor Code section 3700 et. seq.

☐ Yes ☐ No

16b. Does the Sub-Contractor Member require documented safety meetings to be held for construction employees and field supervisors during the course of a project?

☐ Yes ☐ No

If "yes," identify how often the meetings are required.

Weekly

☐

Bi-Weekly

☐

Monthly

☐

Less Frequent

☐

16c. Has the Sub-Contractor Member been issued an Experience Modification Rate (EMR) (California workers' compensation insurance) for each of the past three premium years?

☐ Yes ☐ No

Provide EMR for each of the last three years. If your EMR for any of these three years is or was 1.00 or higher, provide explanation.

NOTE: Score based on highest EMR in any single Year

Year:		Rate:	
Explanation:			

Year:		Rate:	
Explanation:			

Year:		Rate:	
Explanation:			

16d. Within the last five years has there ever been a period when the Sub-Contractor Member firm had employees but was without workers' compensation insurance or state-approved self-insurance?

☐ Yes ☐ No

If "yes," explain the reason for the absence of workers' compensation insurance.

Year:		Period:	
Explanation:			

Year:		Period:	
Explanation:			

17. Provide information concerning any debarment, disqualification, or removal of the Sub-Contractor Member from a federal, state, or local government public works project.

Year:		Owner:		Project	
Basis:					

Year:		Owner:		Project	
Basis:					

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A-2.3. Information About the Sub-Contractor Member of the Design Build Entity

- 18.** Provide information concerning any instance in which the Sub-Contractor Member, its owners, officers, or managing employees submitted a bid or design-build proposal on a public works project and were found to be nonresponsive, or were found by the awarding body not be a responsible bidder.

Year:		Owner		Project:	
Basis:					

Year:		Owner		Project:	
Basis:					

- 19.** Provide information concerning any instance in which the Sub-Contractor Member, or its owners, officers, or managing employees, defaulted on a construction contract.

Year:		Owner:		Project	
Basis:					

Year:		Owner:		Project	
Basis:					

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A-2.3. Information About the Sub-Contractor Member of the Design Build Entity

- 20.** Has the EPA or any Air Quality Management District or any Regional Water Quality Control Board cited and assessed penalties against the Sub-Contractor Member or the owner of a project on which the Sub-Contractor Member was the prime contractor or the D/B Entity, in the past five years?

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

☐ Yes ☐ No

If "yes," describe each citation.

Explanation:

Explanation:

- 21.** Does the Sub-Contractor Member intend to request the dispatch of apprentices from an apprenticeship program approved by the California Apprenticeship Council for use on this Project if you are awarded the contract?

☐ Yes ☐ No

If "yes," provide the name, address and telephone number of the apprenticeship program from whom you intend to request the dispatch of apprentices.

Program Name	Address	Phone

- 22.** Has the Sub-Contractor Member operated its own State-approved apprenticeship program during the last three years?

☐ Yes ☐ No

If "yes," state the year in which each such apprenticeship program was approved, identify the craft or crafts in which your firm provided apprenticeship training, and 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

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A-2.3. Information About the Sub-Contractor Member of the Design Build Entity

persons who, during the past three years, completed apprenticeships in each craft while employed by your firm.

Year:		Rate:	
Crafts:			

- 23.** Provide information concerning any violations of the Contractors' State License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code), excluding alleged violations of federal or state law, including the payment of wages, benefits, apprenticeship requirements, or personal income tax withholding, or of Federal Insurance Contributions Act (FICA; 26 U.S.C. Sec. 3101 et seq.) withholding requirements settled against the Sub-Contractor Member of the design-build entity.

Year:		Violation:	
Explanation:			

Year:		Violation:	
Explanation:			

- 24.** At the time of submitting this pre-qualification form, is the Sub-Contractor Member ineligible to bid on or be awarded a public works contract, or perform as a sub-contractor on a public works contract, pursuant to either Labor Code section 1777.1 or Labor Code section 1777.7?

☐

Yes

☐

No

If "yes," explain:

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A-2.3. Information About the Sub-Contractor Member of the Design Build Entity

- 25.** At any time during the last five years, has the Sub-Contractor Member, or any of its owners or officers, been convicted of a crime involving the awarding of a contract of a government construction project, or the bidding or performance of a government contract?

☐

Yes

☐

No

If "yes," explain:

- 26.** Has the Sub-Contractor Member or any of its owners, officers or partners ever been found liable in a civil suit or found guilty in a criminal action for making any false claim or material misrepresentation to any public agency or entity?

☐

Yes

☐

No

If "yes," explain:

- 27.** Has the Sub-Contractor Member or any of its owners, officers or partners ever been convicted of a crime involving any federal, state, or local law related to construction?

☐

Yes

☐

No

If "yes," explain:

- 28.** Has the Sub-Contractor Member or any of its owners, officers or partners ever been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty?

☐

Yes

☐

No

If "yes," explain:

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A-2.3. Information About the Sub-Contractor Member of the Design Build Entity

29. Provide information concerning any bankruptcy or receivership of the Sub-Contractor Member of the design-build entity, including information concerning any work completed by a surety.

Year:		Period:	
Explanation:			

NOTE: The following question refers only to disputes between the Sub-Contractor and the owner of a project. You need not include information about disputes between the Contractor and a supplier, another contractor, or sub-contractor. You need not include information about “pass-through” disputes in which the actual dispute is between another contractor or sub-contractor and a project owner.

30. Provide information concerning all adverse claims, disputes, or lawsuits which have been filed in court or arbitration or have been settled between the owner of a public works project and the Sub-Contractor Member of the design-build entity during the last five years, in which the claim, settlement, or judgment exceeds fifty thousand dollars (\$50,000). Information shall also be provided concerning any work completed by a surety during this period.

Project:		Date:	
Owner:		Court:	
Nature:			
Description:			

Project:		Date:	
-----------------	--	--------------	--

Owner:		Court:	
Nature:			
Description:			

31. At any time in the last five years has the General Contractor Member been assessed and paid liquidated damages of more than \$50,000 after completion of a project under a construction contract with either a public or private owner?

☐ Yes ☐ No

If yes, identify all such projects by owner, owner's address, completion date of the project, amount of liquidated damages assessed and all other information necessary to fully explain the assessment of liquidated damages.

Owner:		Address	
Completed		Amount	
Other:			

Owner:		Address	
Completed		Amount	
Other:			

NOTE: Complete the following questions in Section A-2.4 for each Engineering or Professional Sub-Consultant Member of the Design-Build Entity listed in Section A-1 above.

1e. Complete the following table. Identify the type of company organization (eg. corporation, partnership, sole proprietor, etc.) and provide information for each officer, partner, or individual(s) with 20% or more ownership.

[illegible]

1f. For each person listed above in table 1e identify every construction company or engineering firm that the person has been employed with at any time during the last five years:

[illegible]

[illegible]

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A-2.4. Information About the Sub-Consultant Member of the Design Build Entity

- 1h.** Provide information on the revocation or suspension of any license, credential, or registration of any owner, officer, partner, or other key personnel listed in Questions **1f** or **1g** above.

Year:		Name:	
Explanation:			

Year:		Name:	
Explanation:			

Year:		Name:	
Explanation:			

- 2.** Has there been any change in ownership of the Sub-Consultant Member at any time during the last three years?

NOTE: A corporation whose shares are publicly traded is not required to answer this question.

☐ Yes ☐ No

If "yes," explain:

- 3.** Is the Sub-Consultant Member a subsidiary, parent, holding company or affiliate of another engineering firm?

NOTE: Include information about other firms if one firm owns 50 per cent or more of another, or if an owner, partner, or officer of your firm holds a similar position in another firm.

☐ Yes ☐ No

If "yes," explain:

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A-2.4. Information About the Sub-Consultant Member of the Design Build Entity

4. Are any of the Sub-Consultant Member's corporate officers, partners or owners connected to any other engineering firms?

NOTE: Include information about other firms if an owner, partner, or officer of your firm holds a similar position in another firm.

☐ Yes ☐ No

If "yes," explain:

5. Has the Sub-Consultant Member firm changed names or license number in the past five years?

☐ Yes ☐ No

If "yes," explain:

6. Has any owner, partner or (for corporations) officer of the Sub-Consultant Member operated an engineering firm under any other name in the last five years?

☐ Yes ☐ No

If "yes," explain:

7. In the last five years has any insurance carrier, for any form of insurance, refused to renew the insurance policy for the Sub-Consultant Member?

☐ Yes ☐ No

If "yes," give name the insurance carrier, the form of insurance and the year of the refusal.

Carrier:		Ins. Form:		Refusal Year:	
Carrier:		Ins. Form:		Refusal Year:	
Carrier:		Ins. Form:		Refusal Year:	

LOS OSOS WASTEWATER PROJECT TREATMENT FACILITY**A-2.4. Information About the Sub-Consultant Member of the Design Build Entity**

8. Has any serious or willful violation of the California Occupational Safety and Health Act of 1973, contained in Part 1 (commencing with Section 6300) of Division 5 of the Labor Code, or the federal Occupational Safety and Health Act of 1970 (P.L. 91-596), settled against the Sub-Consultant Member of the design-build entity?

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

☐ Yes ☐ No

If "yes," describe the citations, including information about the dates of the citations, the nature of the violation, the project on which the citation(s) was or were issued, the amount of penalty paid, if any. If the citation was appealed and a decision has been issued, state the case number and the date of the decision.

Description:		Date:		Nature:	
Project:		Amount:			

Description:		Date:		Nature:	
Project:		Amount:			

Description:		Date:		Nature:	
Project:		Amount:			

NOTE: The following questions (9a through 9b) refer to information concerning the Sub-Consultant Member's workers' compensation experience history and worker safety program.

- 9a. Does the Sub-Consultant Member have current workers' compensation insurance policies as required by the Labor Code or is legally self-insured pursuant to Labor Code section 3700 et. seq.

☐ Yes ☐ No

- 9b. Within the last five years has there ever been a period when the Sub-Consultant Member firm had employees but was without workers' compensation insurance or state-approved self-insurance?

☐ Yes ☐ No

If "yes," explain the reason for the absence of workers' compensation insurance.

Year:		Period:	
Explanation:			

Year:		Period:	
Explanation:			

10. Provide information concerning any debarment, disqualification, or removal of the Sub-Consultant Member from a federal, state, or local government public works project.

Year:		Owner:		Project	
Basis:					

Year:		Owner:		Project	
Basis:					

- 11.** Provide information concerning any instance in which the Sub-Consultant Member, its owners, officers, or managing employees submitted a bid or design-build proposal on a public works project and were found to be nonresponsive, or were found by the awarding body not to be a responsible bidder.

Year:		Owner		Project:	
Basis:					

Year:		Owner		Project:	
Basis:					

- 12.** Provide information concerning any instance in which the Sub-Consultant Member, or its owners, officers, or managing employees, defaulted on a construction contract, professional services contract, or design-build contract.

Year:		Owner:		Project	
Basis:					

Year:		Owner:		Project	
Basis:					

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A-2.4. Information About the Sub-Consultant Member of the Design Build Entity

13. Provide information concerning any bankruptcy or receivership of the Sub-Consultant Member of the design-build entity, including information concerning any work completed by a surety.

Year:		Period:	
Explanation:			

NOTE: The following question refers only to disputes between the Sub-Consultant and the owner of a project. You need not include information about disputes between the Sub-Consultant and a supplier, another consultant, contractor, or sub-contractor. You need not include information about “pass-through” disputes in which the actual dispute is between another company and a project owner.

14. Provide information concerning all adverse claims, disputes, or lawsuits which have been filed in court or arbitration or have been settled between the owner of a public works project and the Sub-Consultant Member of the design-build entity during the last five years, in which the claim, settlement, or judgment exceeds fifty thousand dollars (\$50,000). Information shall also be provided concerning any work completed by a surety during this period.

Project:		Date:	
Owner:		Court:	
Nature:			
Description:			

Project:		Date:	
Owner:		Court:	

Nature:
Description:

15. At any time during the last five years, has the Sub-Consultant Member, or any of its owners or officers, been convicted of a crime involving the awarding of a contract of a government construction project, or performance of a government contract?

☐ Yes ☐ No

If "yes," explain:

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

☐ Yes ☐ No

If "yes," explain:

17. Has the Sub-Consultant Member or any of its owners, officers or partners ever been convicted of a crime involving any federal, state, or local law related to construction?

☐ Yes ☐ No

If "yes," explain:

18. Has the Sub-Consultant Member or any of its owners, officers or partners ever been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty?

☐ Yes ☐ No

If "yes," explain:

A-3. Reference Projects

D/B Entity shall provide information about its and its members, six most recently completed public works projects and the General Contractor Member's three largest completed D/B projects within the last five years. The D/B projects may be public or private and located anywhere in the United States. Names and references must be **current** and **verifiable**.

Project Number ____:

Project Name: _____
Responsible Member: _____
Location: _____
Owner: _____
Owner Contact Name: _____
Owner Contact Name: _____
Owner Contact Phone: _____
Architect or Engineer: _____
Architect or Engineer Contact Name: _____
Architect or Engineer Phone: _____
Construction Manager Name: _____
Construction Manager Phone: _____
Description of Project, Scope of Work Performed: _____

Total Value of Construction (including change orders): _____
Original Scheduled Completion Date: _____
Time Extensions Granted (number of days): _____
Actual Date of Completion: _____

A-4. Certification

Each member of the D/B Entity listed in Section A-1, Question 1, shall provide certification to the truth and accuracy of the information provided in Appendix A regarding the individual member of the D/B Entity. The Certification must be signed by the officer, partner, owner, or other principal of the firm who is responsible for providing their company's information in Appendix A.

Certification

I, the undersigned, on behalf of the Design-Build Entity, certify and declare that I have read all the foregoing answers to this Pre-Qualification Document and know their contents. The matters stated in the Questionnaire answers are true of my own knowledge and belief, except as to those matters stated on information and belief, and as to those matters I believe them to be true. I declare under penalty of perjury under the laws of the State of California, that the foregoing is correct.

(Name of Company)

(Printed name)

(Signature)

(Dated)

A.5. Minimum Qualifications and Scoring Criteria

The Minimum Qualifications of the Design-Build Entity and each of its Members are determined by: 1) confirming the correct answers to the Essential Qualifications and 2) adding the point value of all of the answers to the Scored Qualifications. The tables in this section give the scoring criteria for the Essential Qualifications and Scored Qualifications parts. These tables are not to be completed by the D/B Entity, but are for reference only. The County Evaluation Committee will utilize these tables for determining the qualifications of each D/B Entity.

The Scoring Worksheets list each Minimum Qualification and the Scoring Criteria. The requirements and questions are abbreviated to capture the essence of the item. The abbreviation does not change the actual requirement or question as written in Section A-1: Information About the Design-Build Entity or Section A-2: Information About Each Member of the Design-Build Entity.

A-5.1. Essential Qualifications

1A-5.1.1 Essential Qualifications for the Design-Build Entity

Question #	Requirement / Question	Yes	No	Score
1	Is D/B Entity Guarantor's financial statement attached? <i>Yes = 0; No = 1</i>			
2	Has the D/B Entity submitted a notarized surety statement to verify the capacity to obtain all required bonding and insurance? <i>Yes = 0; No = 1</i>			
3	Is the D/B Entity a legal entity, or, if not, has it provided a partnership agreement? <i>Yes = 0; No = 1</i>			
4	Has the D/B Entity been debarred, disqualified, or removed from a public project in the last 5 years? <i>Yes = 1; No = 0</i>			
5	Has the D/B Entity defaulted on a construction project in the last 5 years? <i>Yes = 1; No = 0</i>			
6	Has the D/B Entity submitted at least 6 total reference projects for the D/B Entity or its primary members? <i>Yes = 0; No = 1</i>			

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A-5.1. Essential Qualifications

7	Have all of the D/B Entity's members signed a Certification (Appendix A, Section A-4)? Yes = 0; No = 1			
8	Has the D/B Entity acknowledged all addenda to this RFQ? Yes = 0; No = 1			
9	Have all members of the D/B Entity met the Minimum Qualifications? Yes = 0; No = 1			
Total Score for Essential Qualifications (Disqualified if score is greater than "0")				

1A-5.1.2. Essential Qualifications for the General Contractor Member of the Design-Build Entity

Question #	Requirement / Question	Yes	No	Score
1	Does General Contractor have current California contractor's license? Yes = 0; No = 1			
2	Does General Contractor have liability insurance? Yes = 0; No = 1			
3	Does General Contractor have workers' compensation insurance? Yes = 0; No = 1			
4	Does General Contractor intend to use a California Apprenticeship Council program? Yes = 0; No = 1			
5	Does General Contractor have an acceptable safety record as defined in Section 20133(d)(4)(B)(v) of the Public Contract Code? Yes = 0; No = 1			
6	Has General Contractor license been revoked in the last five years? Yes = 1; No = 0			
7	Has General Contractor defaulted on a construction project in the last 5 years? Yes = 1; No = 0			
8	Is General Contractor ineligible to bid on public works projects? Yes = 1; No = 0			

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A-5.1. Essential Qualifications

9	Has General Contractor been debarred, disqualified, or removed from a public project in the last 5 years? Yes = 1; No = 0			
Total Score for Essential Qualifications (Disqualified if score is greater than "0")				

1A-5.1.3. Essential Qualifications for the Engineer of Record Member of the Design-Build Entity

Question #	Requirement / Question	Yes	No	Score
1	Does Engineer have current California license? Yes = 0; No = 1			
2	Does Engineer have professional liability insurance? Yes = 0; No = 1			
3	Does Engineer have workers' compensation insurance? Yes = 0; No = 1			
4	Has Engineer license been revoked in last five years? Yes = 1; No = 0			
5	Has Engineer defaulted on a construction project or contract in the last 5 years? Yes = 1; No = 0			
6	Has Engineer been debarred, disqualified, or removed from a public project in the last 5 years? Yes = 1; No = 0			
Total Score for Essential Qualifications (Disqualified if score is greater than "0")				

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A-5.1. Essential Qualifications

1A-5.1.4. Essential Qualifications for each Sub-Contractor Member of the Design-Build Entity (Note: Each Sub-Contractor Member will be scored for Essential Qualifications according to the following criteria.)

Question #	Requirement / Question	Yes	No	Score
1	Does Sub-Contractor have current California contractor's license? Yes = 0; No = 1			
2	Does Sub-Contractor have liability insurance? Yes = 0; No = 1			
3	Does Sub-Contractor have workers' compensation insurance? Yes = 0; No = 1			
4	Does Sub-Contractor have an acceptable safety record as defined in Section 20133(d)(4)(B)(v) of the Public Contract Code? Yes = 0; No = 1			
5	Has Sub-Contractor license been revoked in the last five years? Yes = 1; No = 0			
6	Has Sub-Contractor defaulted on a construction project in the last 5 years? Yes = 1; No = 0			
7	Is Sub-Contractor ineligible to bid on public works projects? Yes = 1; No = 0			
8	Has Sub-Contractor been debarred, disqualified, or removed from a public project in the last 5 years? Yes = 1; No = 0			
Total Score for Essential Qualifications (Disqualified if score is greater than "0")				

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A-5.1. Essential Qualifications

1A-5.1.5. Essential Qualifications for each Sub-Consultant Member of the Design-Build Entity (Note: Each Sub-Consultant Member will be scored for Essential Qualifications according to the following criteria.)

Question #	Requirement / Question	Yes	No	Score
1	Does Sub-Consultant have current California license? Yes = 0; No = 1			
2	Does Sub-Consultant have professional liability insurance? Yes = 0; No = 1			
3	Does Sub-Consultant have workers' compensation insurance? Yes = 0; No = 1			
4	Has Sub-Consultant license been revoked in last five years? Yes = 1; No = 0			
5	Has Sub-Consultant defaulted on a construction project or contract in the last 5 years? Yes = 1; No = 0			
6	Has Sub-Consultant been debarred, disqualified, or removed from a public project in the last 5 years? Yes = 1; No = 0			
Total Score for Essential Qualifications (Disqualified if score is greater than "0")				

A-5.2. Scored Qualifications for Each Member of the Design-Build Entity

2A-5.2.1. Scored Qualifications for the General Contractor Member of the Design-Build Entity

Question #	Requirement / Question	Yes	No	Instance/ Total	Score
1	How many years General Contractor been in business in California? <i>3 yrs or less = 2 pts; 4 yrs = 3 pts; 5 yrs = 4 pts; 6 yrs + = 5 pts</i>				
2	Is General Contractor currently in a bankruptcy? <i>Yes = 0 pts; No = 3 pts</i>				
3	Has General Contractor been in bankruptcy during the last five years? <i>Yes = 0 pts; No = 3 pts</i>				
4	How many projects has General Contractor paid liquidated damages of \$50,000 in last five years? <i>0 to 1 projects = 5 pts; 2 projects = 3 pts; more than 2 = 0 pts.</i>				
5	Has General Contractor been prevented from bidding on public works projects in last five years? <i>Yes = subtract 5 pts; No = 5 pts</i>				
6	Has General Contractor been denied award of a public works projects in last five years? <i>Yes = 0 pts; No = 5 pts</i>				
7	Has a claim over \$50,000 been files against General Contractor in last five years? <i>5 pts for 0 or 1 instance; 3 pts for 2 instances; 0 pts for more than 2 instances.</i>				
8	Has General Contractor filed a claim of more than \$50,000 against owner in last five years? <i>5 pts for 0 or 1 instance; 3 pts for 2 instances; 0 pts for more than 2 instances</i>				
9	Has any insurance carrier refused to renew General Contractor policy? <i>5 pts for 0 or 1 instance; 3 pts for 2 instances; 0 pts for more than 2</i>				
10	Has General Contractor paid more than 1% for a performance & payment bond? <i>5 pts for up to 1%; 3 pts for no higher than 1.10%; 0 pts for any other answer</i>				

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A-5.2. Scored Qualifications

11	Has a surety ever denied General Contractor bond coverage in last five years? <i>Yes =0; No =5</i>				
12	Has CAL OSHA cited General Contractor for serious, willful or repeated safety violations in last five years? <i>5 pts for 0 or 1 instance; 3 pts for 2 instances; 0 pts for any other answer</i>				
13	Has federal OSHA cited General Contractor in last five years? <i>5 pts for 0 or 1 instance; 3 pts for 2 instances; 0 pts for any other answer</i>				
14	Has EPA, AQMD or RWQCB assessed penalties against General Contractor? <i>5 pts for 0 to 1 instance; 3 pts for 2 instances; 0 pts for any other answer</i>				
15	Does General Contractor require weekly safety meetings? <i>Yes, weekly =3; any other answer=0</i>				
16	What is the highest EMR issued to the General Contractor in last three years? <i>5 pts for .95 or less; 3 pts if between .96 and 1.00; 0 pts for any other answer</i>				
17	Has General Contractor been without workmen's compensation insurance in last five years? <i>5 pts for 0 to 1 instance; 0 pts for any other answer</i>				
18	Has General Contractor failed to comply with state prevailing wage laws? <i>5 pts for 0 to 2 instance; 3 pts for 3 instances; 0 pts for any other answer</i>				
19	Has General Contractor failed to comply with federal prevailing wage laws? <i>5 pts for 0 to 2 instance; 3 pts for 3 instances; 0 pts for any other answer</i>				
20	Has General Contractor operated own state approved apprenticeship program? <i>5 pts if 1 or more persons; 0 pts if no persons</i>				
21	Has General Contractor violated California apprentice laws? <i>5 pts for 0 to 2 instance; 3 pts for 3 instances; 0 pts for any other answer</i>				

22	Has General Contractor been convicted of a crime related to public contract laws? <i>5 pts for 0 instance; 3 pts for 1 instance; 0 pts for any other answer</i>				
23	Has General Contractor been found guilty of a crime against a public agency? <i>5 pts for 0 instance; 3 pts for 1 instance; 0 pts for any other answer</i>				
24	Has General Contractor been convicted of a crime related to construction laws? <i>5 pts for 0 instance; 3 pts for 1 instance; 0 pts for any other answer</i>				
25	Has General Contractor been convicted of a crime related to fraud, theft, or dishonesty? <i>5 pts for 0 instance; 3 pts for 1 instance; 0 pts for any other answer</i>				
Total for Scored Contractor Questions Minimum Qualifying Score is 95 (119 possible max.).					

2A-5.2.2. Scored Qualifications for the Engineer or Record Member of the Design-Build Entity

Question #	Requirement / Question	Yes	No	Instance	Score
1	How many years has Engineer been in business in California? <i>3 yrs or less = 2 pts; 4 yrs = 3 pts; 5 yrs = 4 pts; 6 yrs + = 5 pts</i>				
2	Is Engineer a debtor in a bankruptcy case? <i>Yes =0; No =3</i>				
3	Was Engineer in bankruptcy in last five years? <i>Yes =0; No =3</i>				
4	Has CAL OSHA cited Engineer for serious, willful or repeated safety violations in last five years? <i>5 pts for 0 or 1 instance; 3 pts for 2 instances; 0 pts for any other answer</i>				
5	Has federal OSHA cited Engineer in last five years? <i>5 pts for 0 or 1 instance; 3 pts for 2 instances; 0 pts for any other answer</i>				

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A-5.2. Scored Qualifications

6	Has a claim in excess of \$50,000 been filed against Engineer? <i>5 pts for 0 to 2 instance; 3 pts for 3 instances; 0 pts for any other answer.</i>				
7	Has Engineer filed a claim in excess of \$50,000 against any owner? <i>5 pts for 0 or 1 instance; 3 pts for 2 instances; 0 pts for any other answer.</i>				
8	Has any insurance carrier refused to renew a policy for the Engineer? <i>5 pts for 0 to 2 instance; 3 pts for 3 instances; 0 pts for any other answer</i>				
9	Has Engineer been convicted of a crime related to public contract laws? <i>5 pts for 0 instance; 3 pts for 1 instance; 0 pts for any other answer</i>				
10	Has Engineer been found guilty of a crime against a public agency? <i>5 pts for 0 instance; 3 pts for 1 instance; 0 pts for any other answer</i>				
11	Has Engineer been convicted of a crime related to construction laws? <i>5 pts for 0 instance; 3 pts for 1 instance; 0 pts for any other answer</i>				
12	Has Engineer been convicted of a crime related to fraud, theft, or dishonesty? <i>5 pts for 0 instance; 3 pts for 1 instance; 0 pts for any other answer</i>				
Total for Scored Engineer of Record Questions. Minimum Qualifying Score is 45 (56 possible max.).					

2A-5.2.3.Scored Qualifications for the Sub-Contractor Member of the Design-Build Entity

Question #	Requirement / Question	Yes	No	Instance/ Total	Score
1	How many years Sub-Contractor been in business in California? <i>3 yrs or less = 2 pts; 4 yrs = 3 pts; 5 yrs = 4 pts; 6 yrs + = 5 pts</i>				
2	Is Sub-Contractor currently in a bankruptcy? <i>Yes = 0 pts; No = 3 pts</i>				

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A-5.2. Scored Qualifications

3	Has Sub-Contractor been in bankruptcy during the last five years? <i>Yes = 0 pts; No = 3 pts</i>				
4	How many projects has Sub-Contractor paid liquidated damages of \$50,000 in last five years? <i>0 to 1 projects = 5 pts; 2 projects =3 pts; more than 2 = 0 pts.</i>				
5	Has Sub-Contractor been prevented from bidding on public works projects in last five years? <i>Yes =subtract 5 pts; No =5 pts</i>				
6	Has Sub-Contractor been denied award of a public works projects in last five years? <i>Yes = 0 pts; No = 5 pts</i>				
7	Has Sub-Contractor been party to a claim of more than \$50,000 with an owner in last five years? <i>5 pts for 0 or 1 instance; 3 pts for 2 instances; 0 pts for more than 2 instances</i>				
8	Has any insurance carrier refused to renew Sub-Contractor policy? <i>5 pts for 0 or 1 instance; 3 pts for 2 instances; 0 pts for more than 2</i>				
9	Has CAL or federal OSHA cited Sub-Contractor for serious, willful or repeated safety violations in last five years? <i>5 pts for 0 or 1 instance; 3 pts for 2 instances; 0 pts for any other answer</i>				
10	Does Sub-Contractor require weekly safety meetings? <i>Yes, weekly =3; any other answer=0</i>				
11	What is highest EMR issued to Sub-Contractor in the last three years? <i>5 pts for .95 or less; 3 pts if between .96 and 1.00; 0 pts for any other answer</i>				
12	Has Sub-Contractor been without workmen's compensation insurance in last five years? <i>5 pts for 0 to 1 instance; 0 pts for any other answer</i>				
13	Has Sub-Contractor failed to comply with state prevailing wage laws? <i>5 pts for 0 to 2 instance; 3 pts for 3 instances; 0 pts for any other answer</i>				

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A-5.2. Scored Qualifications

14	Has Sub-Contractor failed to comply with federal prevailing wage laws? <i>5 pts for 0 to 2 instance; 3 pts for 3 instances; 0 pts for any other answer</i>				
15	Has Sub-Contractor violated California apprentice laws? <i>5 pts for 0 to 2 instance; 3 pts for 3 instances; 0 pts for any other answer</i>				
16	Has Sub-Contractor been convicted of a crime related to public contract laws? <i>5 pts for 0 instance; 3 pts for 1 instance; 0 pts for any other answer</i>				
17	Has Sub-Contractor been found guilty of a crime against a public agency? <i>5 pts for 0 instance; 3 pts for 1 instance; 0 pts for any other answer</i>				
18	Has Sub-Contractor been convicted of a crime related to construction laws? <i>5 pts for 0 instance; 3 pts for 1 instance; 0 pts for any other answer</i>				
19	Has Sub-Contractor been convicted of a crime related to fraud, theft, or dishonesty? <i>5 pts for 0 instance; 3 pts for 1 instance; 0 pts for any other answer</i>				
Total for Scored Contractor Questions Minimum Qualifying Score is 71 (89 possible max.).					

2A-5.2.4. Scored Qualifications for the Sub-Consultant Member of the Design-Build Entity

Question #	Requirement / Question	Yes	No	Instance	Score
1	How many years has Sub-Consultant been in business in California? <i>3 yrs or less = 2 pts; 4 yrs = 3 pts; 5 yrs = 4 pts; 6 yrs + = 5 pts</i>				
2	Is Sub-Consultant a debtor in a bankruptcy case? <i>Yes =0; No =3</i>				
3	Was Sub-Consultant in bankruptcy in last five years? <i>Yes =0; No =3</i>				

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A-5.2. Scored Qualifications

4	Has CAL or federal OSHA cited Sub-Consultant for serious, willful or repeated safety violations in last five years? <i>5 pts for 0 or 1 instance; 3 pts for 2 instances; 0 pts for any other answer</i>				
5	Has Sub-Consultant been party to a claim of more than \$50,000 with an owner in last five years? <i>5 pts for 0 or 1 instance; 3 pts for 2 instances; 0 pts for any other answer.</i>				
6	Has any insurance carrier refused to renew a policy for the Sub-Consultant? <i>5 pts for 0 to 2 instance; 3 pts for 3 instances; 0 pts for any other answer</i>				
7	Has Sub-Consultant been convicted of a crime related to public contract laws? <i>5 pts for 0 instance; 3 pts for 1 instance; 0 pts for any other answer</i>				
8	Has Sub-Consultant been found guilty of a crime against a public agency? <i>5 pts for 0 instance; 3 pts for 1 instance; 0 pts for any other answer</i>				
9	Has Sub-Consultant been convicted of a crime related to construction laws? <i>5 pts for 0 instance; 3 pts for 1 instance; 0 pts for any other answer</i>				
10	Has Sub-Consultant been convicted of a crime related to fraud, theft, or dishonesty? <i>5 pts for 0 instance; 3 pts for 1 instance; 0 pts for any other answer</i>				
Total for Scored Engineer of Record Questions. Minimum Qualifying Score is 37 (46 possible max.).					

A-5.3. Scoring Summary of Minimum Qualifications

Essential Qualifications	Section Score
Essential Qualifications for the Design/Build Entity	
Essential Qualifications for the General Contractor Member of the Design/Build Entity	
Essential Qualifications for the Engineer of Record Member of the Design/Build Entity	
Essential Qualifications for each Sub-Contractor Member of the Design/Build Entity	
Sub-Contractor Name: _____	
Sub-Contractor Name: _____	
Sub-Contractor Name: _____	
Sub-Contractor Name: _____	
Sub-Contractor Name: _____	
Essential Qualifications for each Sub-Consultant Member of the Design/Build Entity	
Sub-Consultant Name: _____	
Sub-Consultant Name: _____	
Sub-Consultant Name: _____	
Sub-Consultant Name: _____	
Sub-Consultant Name: _____	

Disqualified? (Disqualified if score is greater than 0) ☐ Yes ☐ No

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A-5.3. Scoring Summary

Scored Qualifications	Section Score
A. Scored Qualifications for the General Contractor Member of the Design/Build Entity (Minimum qualifying score is 95 points)	
B. Scored Qualifications for the Engineer of Record Member of the Design/Build Entity (Minimum qualifying score is 45 points)	
C. Scored Qualifications Average for all Sub-Contractor Members of the Design/Build Entity (Minimum qualifying score is 71 points)	
Sub-Contractor Name: _____ (Minimum qualifying score is 71 points)	
Sub-Contractor Name: _____ (Minimum qualifying score is 71 points)	
Sub-Contractor Name: _____ (Minimum qualifying score is 71 points)	
Sub-Contractor Name: _____ (Minimum qualifying score is 71 points)	
Sub-Contractor Name: _____ (Minimum qualifying score is 71 points)	
D. Scored Qualifications Average for all Sub-Consultant Members of the Design/Build Entity (Minimum qualifying score is 37 points)	
Sub-Consultant Name: _____ (Minimum qualifying score is 37 points)	
Sub-Consultant Name: _____ (Minimum qualifying score is 37 points)	
Sub-Consultant Name: _____ (Minimum qualifying score is 37 points)	
Sub-Consultant Name: _____ (Minimum qualifying score is 37 points)	
Sub-Consultant Name: _____ (Minimum qualifying score is 37 points)	
Total Score for the Design/Build Entity (A+B+C+D)	

Does Design-Build Entity Meet Minimum Qualifications? ☐ Yes ☐ No
 (Each member of the Design-Build Entity must meet the minimum qualifying score.)

APPENDIX B: EVALUATION AND RANKING OF QUALIFIED DESIGN-BUILD ENTITIES

B-1. Introduction

Those Design-Build (D/B) Entities which meet the minimum qualifications established in Appendix A will be evaluated and ranked based on the information provided in the Pre-Qualification Questionnaire (see Appendix A) and the Statement of Qualifications (SOQ). An Evaluation Committee, consisting of County staff and consultants, will evaluate the D/B Entities according to the criteria defined in this Appendix B. The Evaluation Committee, at its sole discretion, shall have the right to seek written clarifications from any of the D/B Entities in order to fully understand the nature of the submittals for evaluation. Except as discussed in Section 1.7 "Appeals Process," of this RFQ, the County and its Evaluation Committee shall have the sole and final authority to evaluate the pre-qualification documents submitted, to determine the minimum qualifications of each D/B Entity, and to establish a short-list of D/B Entities qualified to receive and respond to the Request for Proposals (RFP).

The County anticipates designating a pre-qualified short-list of the three highest qualified D/B Entities to receive the RFP document and continue in the selection process. However, the County reserves the right to designate more, or less, than three D/B Entities on the short-list. The evaluation and ranking of D/B Entities for the purpose of pre-qualification and establishing a short-list will not carry forward into the review of proposals submitted in response to the RFP.

B-2. Evaluation and Ranking Criteria

The evaluation and ranking D/B Entities will be based on the following criteria and weighting. The specific qualifications or capabilities to be evaluated are described below.

Evaluation and Ranking Criteria	Ranking Weight
Pre-Qualification Questionnaire Score (Appendix A)	15%
Utilization of Local Contractors and Consultants	5%
Technical Approach and Team Expertise	30%
Understanding of Process, Goals, and Objectives	20%
Design and Construction Experience	30%

B-2.1. Pre-Qualification Questionnaire Score (Appendix A)

The total score received by the D/B Entity for the Scored Qualifications in Appendix A will be carried forward to Appendix B. The total score will be weighted to account for 15% of the D/B Entities evaluation and ranking.

B-2.2. Utilization of Local Contractors and Consultants

The County has established a local vendor preference for this project. Consideration of the use of local contractors as the General Contractor Member or Sub-Contractor Members and local consultants as the Engineer of Record Member or Sub-Consultant Members will be weighted to account for 5% of the D/B Entities evaluation and ranking.

A "local" vendor is a contractor or consultant who 1) conducts business in an office with a physical location within the County of San Luis Obispo; 2) holds a valid business license issued by the County or a city within the County; 3) has conducted business in such a manner for not less than six (6) months prior to the approval of this RFQ on December 9, 2008. The burden of proof will lie with the D/B Entity relative to verification of "local" vendor preference.

Preference for local vendors will be determined on a ten (10) point scale. Two (2) points will be given for each qualified General Contractor or Sub-Contractor Member and one (1) point will be given for each Engineer of Record or Sub-Consultant Member listed in the Pre-Qualification Questionnaire (see Appendix A) who will participate in the design-build contract as member of the D/B Entity. A maximum of ten (10) points will be awarded.

B-2.3. Technical Approach and Team Expertise

The overall technical qualifications of the D/B Entity will be evaluated with consideration of the individual expertise of key personnel proposed for the project. The evaluation will include, but is not limited to, the following.

- Organizational structure of D/B Entity and key members
- Construction management plan related to schedule, budget, and quality control
- Management structure of D/B Entity and key members
- Qualifications of key personnel proposed
- Design approach or philosophy
- Resources available to the D/B Entity and the project
- Financial qualifications and strength of D/B Entity and key members
- Demonstrated ingenuity or innovation in past design and construction which increased project quality or reduced life-cycle costs
- Design and construction experience or expertise with principles, techniques, and materials which enhance the environmental quality of a project throughout its life-cycle

- Demonstrated knowledge of, or successful experience, with California's water quality related regulatory agencies such as the State and Regional Water Boards and the Department of Public Health
- Awards or special recognition for excellence and achievement in design and construction industry
- Advanced certifications or licenses beyond the minimum requirements

The evaluation of Technical Approach and Team Expertise will be weighted according to the following general criteria.

Technical Approach and Team Expertise	Ranking Weight
Qualifications and resources of the D/B Entity	25%
Expertise and qualifications of key personnel	25%
Technical, Organizational, and Managerial Approach of the D/B Entity	50%

B-2.4. Understanding of Process, Goals, and Objectives

The Project Specific Information provided in Section 3 of this RFQ details the extensive history of this project, outlines the County's goals and objectives, and summarizes the process for completing the necessary permitting, funding, and design-build contract procurement in order to begin design and construction. The D/B Entity will be evaluated on its understanding of these issues as they relate to project procurement and delivery. The evaluation will include, but is not limited to, the following key elements of the project process, goals, and objectives.

- Environmental Impact Report process and mitigations
- California Coastal Development Permit process
- State Revolving Fund loan requirements
- Prevailing Wage and Labor Compliance requirements
- Community relations
- Design-build procurement process

The evaluation of the Understanding of Process, Goals, and Objectives will not be weighted according to any general or specific criteria.

B-2.5. Design and Construction Experience

Previous design and construction experience on projects of similar size and scope, as well as, similar projects which utilized design-build contracting will be considered in the overall evaluation and ranking. The previous experience of the D/B Entity Members, and the experience of their key personnel assigned to this project, will be evaluated. The evaluation will include, but is not limited to, the following.

- Design and construction experience and past performance on similar projects
 - o Ability to meet schedule and budget on design-build contracts
 - o Design-build contracting experience on projects of similar scope and budget
 - o Design and construction of water and wastewater treatment facilities of similar size and budget
 - o Design of wastewater treatment facilities of the same treatment technology
 - o Design of wastewater treatment facilities with advanced treatment requirements (examples: CA Title 22 unrestricted reuse, low nutrient limits)
 - o Project experience related to projects owned and contracted by public agencies in California
- Interviews with the owners of reference projects provided in Appendix A. The County and the Evaluation Committee reserve the right to also interview owners of other projects which members of the D/B Entity were involved in, but were not provided as reference projects in Appendix A.

The evaluation of Design and Construction Experience will be weighted according to the following general criteria.

Design and Construction Experience	Ranking Weight
D/B Entity's experience on similar projects	25%
Key personnel's experience on similar projects	25%
Interviews with owners of previous projects	50%

B-3. Interviews with Design-Build Entities

The Evaluation Committee may conduct interviews with each D/B Entity that meets the minimum qualifications. The interview evaluation will follow the same criteria and weighting as that established in Section B-2, "Evaluation and Ranking Criteria" above, and the interview results will be considered in combination with the evaluation of the Pre-Qualification Questionnaire and the SOQ.

The Evaluation Committee reserves the right to waive the interviews if, in the opinion of the Evaluation Committee, the interviews are not necessary for establishing a short-list of D/B Entities.

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