



Pre-qualification of General Contractors

La Habra Heights City Hall Renovation

1245 Hacienda Road
La Habra Heights, CA 90631



City of La Habra Heights

1245 N. Hacienda Road
La Habra Heights, CA 90631
(562)694-6302
www.lhhcity.org

Request for Qualifications: Prequalification of General contractors for the La Habra Heights City Hall Renovation

Date

March 28, 2013

To

General Contracting Firms

From

City of La Habra Heights
Department of Public Works

Send proposals To:

Grace Andres, Deputy City Clerk
1245 Hacienda Road
La Habra Heights, CA 90631

*Indicate RFQ for General contractors for
La Habra Heights City Hall Renovation*

**RESPONSES MUST BE RECEIVED
NO LATER THAN 5:00 P.M. ON MAY
20, 2013.**

Schedule of Events

No	Events	Dates (Calif. Time)
1	Mandatory Job Walk –Meet at 1245 Hacienda Road, La Habra Heights, CA 90631.	4/30/2013 – 10:00 a.m.
2	Deadline for submission of proposer’s Requests for Clarifications re: the RFQ and non-binding email of Intent to Respond.	5/6/2013
3	Clarifications, Modifications and/or Answers to Questions posted on the “City Hall Renovation” webpage at www.lhhcity.org .	5/9/2013
4	Proposal Due Date and Time	5/20/2013 – 5:00 p.m.
5	Posting of Short Listed proposers on “City Hall Info” website	5/29/2013
6	Interviews of Short Listed proposers at City Hall	6/3/2013 (tentative)
7	Posting of Prequalified List on City Hall info: www.lhhcity.org	6/15/2013 (estimated)

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Related Document

Exhibit A: Application for Pre-Qualification of General contractors

1.0 Introduction

This Request for Qualifications (RFQ) is the means for prospective general contractors to submit their qualifications for the services described in this document. The RFQ and all associated documents and addenda are available in electronic form at www.lhhcity.org on the [“City Hall Renovation” webpage](#).

2.0 Purpose of this RFQ

The City seeks to prequalify a pool of general contractors from which to solicit bids for the renovation of City Hall. Firms selected for prequalification will be given the opportunity to submit bids as described in Article 3. In responding to this RFQ, all proposers are required to adhere to all requirements provided herein. All proposers must hold a type B general contractor’s license from the State of California.

3.0 Project Description

The project consists of the renovation of two adjacent buildings into a single 6,500 square foot facility which will be connected to a third building by the enclosure of a breezeway. The facility is a 1950’s post and beam structure originally built as an elementary school. The building’s structure is heavy timber, post and beam with infill wood stud walls and glazing. There are elements that contain asbestos (e.g., ceiling tile, floor tile, insulation, wallboard), some lead-based paint (LBP) and other materials that do not meet current codes and that are to be abated under the general contractor’s scope of work. Interior finishes include painted gypsum board, carpeting, paneling and tile. Exterior finishes include roofing, stucco, and wood. Complete new electrical, mechanical and plumbing systems shall be installed. Some systems, such as A/V, security, CCTV, and telephone/data may be installed by another contractor.

As an added alternative the project may include site work consisting of tree removal, grading, landscaping and striping for parking.

The City has assigned David Nichols, Public Works Manager as Project Manager to assist in schedule evaluation, document management, issue tracking, meeting facilitation, and other tasks. Ewing Architects, Inc. will oversee adherence to the plans and specifications throughout the construction phase.

It is the intention of the City to open bidding to the general contractors selected in this solicitation in with a Notice to Proceed to the selected contractor in August 2013. The architect’s preliminary estimate of

construction costs is between \$1.4 million and \$1.6 million subject to change. The project may include additive and/or deductive alternates. Site plan, floor plan and elevations can be found on the [City Hall Renovation webpage](http://www.lhhcity.org) at www.lhhcity.org.

4.0 Responding to this Request for Qualifications

The City has developed a schedule showing the key events in this solicitation process. The RFQ and schedule are subject to change, and the City does not send notifications of changes to this RFQ or the schedule to prospective proposers and is not responsible for failure of any respondent to receive notification of any change in a timely manner. Respondents are advised to visit the [City Hall Renovation website](http://www.lhhcity.org) frequently to check for changes and updates to the RFQ, including the Schedule. Prospective respondents must take the following actions according to the specified timelines in order to participate in this process.

4.1 Optional: Submit Questions Prior to the Job Walk:

If your organization wishes to submit questions that will be answered at the Job Walk, please submit your written questions via email as described below. Pay particular attention to correct identification and citation of areas of the RFQ about which you raise questions. Questions at this stage should address the particulars of the RFQ process and general questions about the overall nature of the project. Respondents are requested to withhold highly specific questions regarding the project until after the Job Walk. Note: Your firm name will appear when the answers to the questions you have submitted are posted to the City website. Posting of answers to this initial set of questions to the City website will be made after the Job Walk.

All questions must be sent as attachments to an e-mail sent to the following e-mail address: jchamberlin@lhhcity.org and must include the following in the e-mail subject line: **“GC Prequalification (City Hall Renovation): RFQ Questions + (the name of your organization)”**.

4.2 Mandatory Job Walk: April 30, 2013 at 10:00 a.m. Meet at 1245 Hacienda Road, La Habra Heights, CA, 90631.

Members of the project team will provide an overview of the project. Questions about the RFQ process and the project in general will be answered. Although questions will be responded to verbally, the official and binding response will be the written response posted to the website.

4.3 Optional: Submit Requests for Clarifications re: the RFQ and e-mail Intent to Respond:

If your organization wishes to submit questions prior to submission of qualifications, please use the form and process as described in Section 4.1 above. Answers to questions will be posted to the City Hall project website on the page/link of this RFQ.

Email Indicating Interest: General contractors who intend to respond to this solicitation are requested to send an email to jchamberlin@lhhcity.org with the project name in the subject line. This is not mandatory but is strongly encouraged, to assist the City in managing the RFQ process. Please include the name, address, telephone, fax number, and e-mail address of the contractor (firm) and contact person.

4.4 Preparing and Packaging Your Submittal:

Submittals should provide straightforward, concise information that satisfies the requirements noted in this RFQ. Expensive binding, color displays, and the like are discouraged. Emphasis should be placed on brevity, conformity to instructions, selection criteria of this RFQ, and completeness and clarity of content. Organizing responses into the tab order suggested below will not only help each proposer achieve the proper emphasis, but will also facilitate review and evaluation. Attachments, except as noted, will not be accepted.

Each Statement of Qualifications (SOQ) should clearly and accurately demonstrate specialized knowledge and experience required for consideration. In a sealed envelope (clearly marked “Response to RFQ – firm name) and project name, submit the following: Six (6) copies in paper form of the SOQ, which consists of a Cover Letter, completed Application for Pre-Qualification of General Contractors, and project approach.

Tab 1. Cover Letter

Provide a cover letter that references this RFQ and confirms that all elements of the RFQ have been read and understood and that the proposer takes no exception to the materials provided. The cover letter shall be one page maximum and signed by an individual authorized to bind the proposer contractually. Include in the letter:

- The exact legal name, address, telephone and fax numbers, and federal tax identification number of the organization proposing to do business with the City (or social security number if the organization is a sole proprietorship),
- The name, telephone, fax, address, and e-mail address of one business person who is the organization’s designated representative,
- The name, telephone, fax, address, and e-mail address of the contracts management or legal person who will liaison with the City in contractual matters.

Tab 2. Application for Prequalification of General contractors (Exhibit A):

Complete Application form in full, per specific instructions included therein.

Section 1 – General Instructions and Information

Section 2 – Application for Pre-Qualification

Section 2: Parts I through VI. Contractors shall provide specific responses to the selection criteria, numbered and titled as listed in this section, including information experience, expertise of the key personnel, capacity to deliver high construction services for this project, and any other relevant selection criteria information not provided elsewhere in the application form.

Section 2:	Part I	Organization Information and Affidavit
	Part II	Essential Requirements for Qualification
	Part III	Organization, History, Organizational Performance, Compliance with Civil and Criminal Laws
	Part IV	Organization’s Statement of Experience and Recent Construction Projects Completed

Part V	Organization's Surety and Bonding Requirements, and Insurance Requirements
Part VI	Attachments Required

Any questions regarding this solicitation document shall be directed in writing to Jordan Chamberlin. Potential respondents are to refrain from contacting other City personnel.

Ms. Jordan Chamberlin
 Contract Manager – City Hall Renovation
 1245 Hacienda Road
 La Habra Heights, CA 90631
jchamberlin@lhhcity.org
 (562) 694 6302 x228

5.0 Project Information and Project Plan, Legal Terms and Conditions

Additional information about this project can be found on the City Hall Renovation section of the city's website.

6.0 Submitting Your Qualifications

The City requires that the Application for Pre-Qualification be provided in written form, not later than the time and date indicated in the Schedule of Events on page 2 of the most current version of this RFQ, to the following address:

City of La Habra Heights
 Attn: **Ms. Grace Andres, Deputy City Clerk**
 1245 Hacienda Road
 La Habra Heights, CA 90631

Qualifications are not to be submitted via e-mail. They may be sent by US Mail service certified mail, or overnight delivery carrier, or may be delivered in person. The respondent assumes all risk of loss regarding any delivery method it chooses to use, and the City shall not be held responsible for any failure of any delivery service/method. The respondent is solely responsible for ensuring delivery no later than the date and time specified. The City will return unopened, any submittal received after the time specified in the most current RFQ Schedule.

7.0 Selection Process

It is the intention of the City to pre-qualify firms to provide bids for construction services for this project taking into consideration both the quality of the respondent, as demonstrated by their evidenced competence and experience, and the contractor's plan to accomplish the work of this project.

7.1 Evaluation Process

The evaluation team will first evaluate the Qualifications/Technical portion of the submittal to determine its responsiveness to the City's expressed needs, and score them as described:

7.1.1 Qualifications/Project Plan Evaluation Process:

The submittals will be analyzed and scored by members of an evaluation team which will be comprised of City staff, the architect, and members of the City Hall Renovation Committee. Each member of the evaluation team will assign a point score according to the following grading schedule. Points assigned by the individual team members will then be averaged to determine a Total Quality Points score for each respondent.

Demonstrated Experience of the Firm: 40 points

Provide experience of the firm in relation to the work to be performed, including demonstrated ability to meet project budgets and schedules, demonstrated effectiveness of the quality assurance program and procedures being utilized by the firm, and the nature and quality of recently completed work, particularly with post and beam construction.

Demonstrated Experience and Training of Project Personnel: 40 points

Demonstrate experience and training of the principals and key personnel to be assigned to the project, and continuity of firm's proposed staff with firm.

Project Plan: 20 points

The project plan shall demonstrate the proposer's approach to this project indicating a clear understanding of the purpose, service, scope, and objectives of this solicitation. Include approach to staffing the job, and strategy for sub-contracting.

TOTAL POSSIBLE QUALITY POINTS 100 points

7.1.2 Short List and Interviews

The final scores will be used to create a short list of firms to be interviewed. It is intended that the short list will include at least three firms. Firms not on the short list will not be eligible for further consideration for this project. The interviews will be evaluated on the same criteria as the SOQs. After interviews are conducted, each member will review his/her own Total Quality Points previously assigned to each firm on the short list and make adjustments if necessary, and the final scores will be re-calculated.

8.0 Administrative Rules Governing this RFQ Process

The City reserves the right to reject any and all proposals, in whole or in part, as well as the right to issue similar RFQs in the future. This RFQ is in no way an agreement, obligation, or contract and in no way is the City responsible for the cost of preparing the proposal. One copy of each submittal will be retained for official files and becomes a public record.

City policy is to follow the California Public Records Act (PRA). If a contractor's proposal contains material noted or marked as confidential and/or proprietary that, in the City's sole opinion, meets the disclosure exemption requirements of the PRA, then that information will not be disclosed pursuant to a request for public documents. If the City does not consider such material to be exempt from disclosure under the PRA, the material will be made available regardless of the notation or markings. If a contractor

is unsure if its confidential and/or proprietary material meets the disclosure exemption requirements of the PRA, then it should not include such information in its proposal.

A. General

1. This solicitation document, the evaluation of responses, and the award of any contract shall conform to current competitive bidding procedures as they relate to public works projects. A contractor's proposal is an irrevocable offer for 30 days following the deadline for its submission.
2. In addition to explaining the City's requirements, the solicitation document includes instructions which prescribe the format and content of proposals.

B. Errors in the solicitation document

If a contractor discovers any ambiguity, conflict, discrepancy, omission, or other error in this solicitation document, the contractor shall immediately provide the City with written notice of the problem and request that the solicitation document be clarified or modified. Without disclosing the source of the request, the City may modify the solicitation document prior to the date fixed for submission by issuing an addendum to all contractors to whom the solicitation document was sent.

C. Questions regarding the solicitation document

1. If a contractor's question relates to a proprietary aspect of its response and the question would expose proprietary information if disclosed to competitors, the contractor may submit the question in writing, conspicuously marking it as "CONFIDENTIAL." With the question, the contractor must submit a statement explaining why the question is sensitive. If the City concurs that the disclosure of the question or answer would expose proprietary information, the question will be answered, and both the question and answer will be kept in confidence. If the City does not concur regarding the proprietary nature of the question, the question will not be answered in this manner and the contractor will be notified.
2. If a contractor believes that one or more of the solicitation document's requirements is onerous or unfair, the contractor may submit a written request that the solicitation document be changed. The request must set forth the recommended change and contractor's reasons for proposing the change. Any such request must be submitted to the City by the date and time listed in this RFQ for "Deadline for Submission of Proposer's Requests for Clarifications, Modifications or Questions regarding the RFQ".

D. Addenda

The City may modify the solicitation document prior to the date fixed for submittals by faxing an addendum to the contractors to whom the solicitation document was sent. If any contractor determines that an addendum unnecessarily restricts its ability to bid, it must notify the City no later than one day following the receipt of the addendum.

E. Withdrawal and resubmission/modification of Responses to the RFQ

A contractor may withdraw its response at any time prior to the deadline by notifying the City in writing. The notice must be signed by the contractor. The contractor may thereafter submit a new or modified response, provided that it is received at the City no later than the due date and time listed in this RFQ. Modifications offered in any other manner, oral or written, will not be considered. Responses cannot be changed or withdrawn after the due date and time listed in this RFQ.

F. Evaluation process

1. An evaluation team will review all responses to determine the extent to which they comply with solicitation document requirements.
2. If a submittal fails to meet a material solicitation document requirement, it may be rejected. A deviation is material to the extent that a response is not in substantial accord with solicitation document requirements. Material deviations cannot be waived.
3. Submittals that contain false or misleading statements may be rejected if in the City's opinion the information was intended to mislead the City regarding a requirement of the solicitation document.
4. During the evaluation process, the City may require a contractor's representative to answer questions. Failure of a contractor to demonstrate that the claims made in its response are in fact true may be sufficient cause for deeming a non-responsive.

G. Rejection of Submittals

1. The City may reject any or all submittals and may or may not waive an immaterial deviation or defect in a submittal. The City's waiver of an immaterial deviation or defect shall in no way modify the solicitation document or excuse a contractor from full compliance with solicitation document specifications.
2. The City reserves the right to accept or reject any or all of the items in the response and/or negotiate any or all items with individual contractors if it is deemed in the City's best interest. Moreover, the City reserves the right to make no selection.

H. Award of contract

The City reserves the right to determine the suitability of firms on the basis of meeting administrative requirements, technical requirements, its assessment of the quality of service and performance of items proposed, and cost.

I. Decision

Questions regarding the City's award of any business on the basis of responses to this document, or on any related matter, should be addressed to the individual listed in the Submitting your Response Section of this RFQ who will forward the matter to the appropriate contracting officer.

J. Execution of contracts

The contractor must be prepared to use the City standard public works contract rather than its own contract in the event of being selected to perform the work. The template can be viewed under the ["City Hall Renovation"](http://www.lhhcity.org) section on the website (www.lhhcity.org).

K. Protest procedure

1. General

Failure of a contractor to comply with the protest procedures set forth in this Section K, will render a protest inadequate and non-responsive, and will result in rejection of the protest.

2. Prior to Submission of a Response to this RFQ

An interested party who is an actual or prospective respondent with a direct economic interest in the procurement may file a protest based on alleged restrictive or defective specifications or other improprieties in the solicitation process that are apparent, or should have been reasonably discovered prior to the submission of a response.

3. After Award

A contractor submitting a response to this RFQ may protest the award based on allegations of improprieties occurring during the evaluation or award period if it meets all of the following conditions:

- a. The contractor believes it has been responsive to the solicitation document;
- b. The contractor believes that its response meets the administrative and technical requirements of the solicitation, proposes services of proven quality and performance; and,
- c. The contractor believes that the Evaluation Team has incorrectly selected another contractor submitting a proposal for an award.

Protests must be received no later than five (5) business days after the protesting party receives a Non-Award letter.

4. Form of Protest

A contractor who is qualified to protest should submit the protest to the individual listed in the Submission of Proposals section on the coversheet of this RFQ who will forward the matter to the City Manager.

- a. The protest must be in writing and sent by certified, or registered mail, or overnight delivery service (with proof of delivery), or delivered personally to the address noted above. If the protest is hand-delivered, a receipt must be requested.

- b. The protest shall include the name, address, telephone and facsimile numbers, and email address of the party protesting or their representative, and
 1. The title of the solicitation document under which the protest is submitted shall be included.
 2. A detailed description of the specific legal and factual grounds of protest and any supporting documentation shall be included.
 3. The specific ruling or relief requested must be stated.

The City, at its discretion, may make a decision regarding the protest without requesting further information or documents from the protestor. Therefore, the initial protest must include all grounds for the protest and all evidence available at the time the protest is submitted. If the protestor later raises new grounds or evidence that were not included in the initial protest but which could have been raised at that time, the City will not consider such new grounds or new evidence.

5. Determination of Protest Submitted Prior to Submission of Response

Upon receipt of a timely and proper protest based on allegedly restrictive or defective specifications or other improprieties in the solicitation process that are apparent, or should have been reasonably discovered prior to the submission of a proposal, the City will provide a written determination to the protestor prior to the proposal due date. The City may extend the proposal due date to allow for a reasonable time to review the protest.

6. Determination of Protest Submitted After Submission of Proposal

Upon receipt of a timely and proper protest, the City will investigate and provide a written response to the contractor within a reasonable time. If the City requires additional time to review the protest and is not able to provide a response within twelve (12) business days, the City will notify the contractor. The City, at its sole discretion, may elect to withhold the contract award until the protest is resolved or denied or proceed with the award and implementation of the agreement.

7. Decision is Final

The City's decision shall be considered the final action.

End of RFQ Form

EXHIBIT A

APPLICATION FOR PRE-QUALIFICATION OF GENERAL CONTRACTORS LA HABRA HEIGHTS CITY HALL RENOVATION

CONTENTS OF PRE-QUALIFICATION PACKAGE

1. General Instructions and Information

2. Application for Pre-Qualification

- Part I – Organization Information and Affidavit
- Part II – Essential Requirements for Qualification
- Part III – Organization, History, Organizational Performance, Compliance with Civil and Criminal Laws
- Part IV – Organization’s Statement of Experience and Recent Construction Projects Completed
- Part V – Organization’s Surety and Bonding Requirements, and Insurance Requirements
- Part VI – Attachments Required

1. GENERAL INSTRUCTIONS AND INFORMATION

A. GENERAL INFORMATION

A current California contractor's "**B**" license is required to bid the project.

Prequalification shall remain valid until the contract for construction is awarded or until responding firms are notified in writing in the unexpected event that no construction contract is awarded. It is mandatory that all Contractors who intend to submit proposals fully complete the pre-qualification questionnaire, provide all materials requested, and be approved by the City to be on the final qualified General Contractors list. No bid will be accepted from a Contractor that has failed to comply with these requirements. If two or more business entities submit a bid as part of a Joint Venture each entity within the Joint Venture must be separately qualified to bid.

NOTES:

1. Each partner of joint venture proposals must individually meet the conditions of General Contractor's Evaluation Form. A joint venture will be disqualified if a partner's contractor's license has been suspended, put on probation or revoked at any time in the last five (5) years.
2. Limited Liability Corporations (LLC) will be required to comply with a Guaranty of Obligations.

Answers to questions contained in the attached questionnaire, information about current bonding capacity, notarized statement from surety and any accompanying notes and supplemental information are required. The City will use these documents as the basis of rating Contractors in respect to the size and scope of contracts upon which each Contractor is qualified. The City reserves the right to check other sources available. The City's decision will be based on objective evaluation criteria.

The City reserves the right to adjust, increase, limit, suspend or rescind the pre-qualification rating based on subsequently learned information. Contractors whose rating changes sufficiently to disqualify them will be notified, and given an opportunity for a hearing consistent with the hearing procedures described below for appealing a pre-qualification rating.

While it is the intent of the City to use the pre-qualification questionnaire to select a list of General Contractors, neither the fact of pre-qualification, nor any pre-qualification rating, will preclude the City from considering and/or determining whether a General Contractor has the quality, fitness, capacity and experience to satisfactorily perform the proposed work, and has demonstrated the requisite trustworthiness to be awarded a contract pursuant to California Public Contract Code.

B. Data Required

All portions of Application for Prequalification Parts I through V should be completed, with additional information attached if the space provided does not suffice. Failure to include the information called for may result in disqualification. It is essential that construction experience of the general contractor be demonstrated, as such experience is considered in establishing prequalification.

NOTE: The pre-qualification packages (questionnaire answers and verification of bonding capacity) submitted by Contractors are not public records and are not open to public inspection. 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 the appeal hearing. To the extent that state law requires, the names of contractors applying for pre-qualification status will be public record subject to disclosure, and the first page of the questionnaire will be used for that purpose.

Each questionnaire must be signed under penalty of perjury in the manner designated at the end of the form, by an individual who has the legal authority to bind the Contractor on whose behalf that person is signing. If any information provided by a Contractor becomes inaccurate, the Contractor must immediately notify the City and provide updated accurate information in writing, under penalty of perjury. The City reserves the right 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.

PART I. ORGANIZATION INFORMATION and AFFIDAVIT

The following documents, Prequalification Application, Parts I through V, are to be filed with the City by the Organization requesting Prequalification, for the aforementioned Project:

Firm Name: _____

Contact Person(s): _____

Address: _____

Phone: _____ Fax: _____ Email: _____

Contractor's License Number(s): _____

If firm is a sole proprietor or partnership:

Owner(s) of Company _____

AFFIDAVIT

I, the undersigned, certify and declare that I have read all the foregoing answers to this prequalification questionnaire 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.

Dated: _____

Signature

Printed name and Title

PART II. ESSENTIAL REQUIREMENTS FOR QUALIFICATION

Contractor will be disqualified if the answer to any of questions 1 through 5 is “no.”

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

1. Contractor possesses a valid and current California Contractor's "B" license
☐ Yes ☐ No
2. Contractor maintains commercial general liability insurance with a policy limit of at least \$2,000,000 per occurrence and \$2,000,000 general aggregate.
☐ Yes ☐ No
3. Contractor has current workers' compensation insurance policy as required by the Labor Code or is legally self-insured pursuant to Labor Code section 3700 et. seq.
☐ Yes ☐ No ☐ Contractor is exempt because it has no employees
4. Contractor maintains business automobile liability insurance with a policy limit of at least \$2,000,000.
☐ Yes ☐ No
5. Contractor can provide builders risk or installation insurance when required by the City.
☐ Yes ☐ No
6. Contractor has attached a statement from an admitted surety broker (approved by the California Department of Insurance) and who authorized to issue bonds in the State of California, which states: (a) that your current bonding capacity is a minimum of \$2,500,000 for the project for which you seek pre-qualification if you are seeking pre-qualification for the project.
☐ Yes ☐ No
7. Has your contractor's license been revoked at any time in the last five years?
☐ Yes ☐ No
8. Has a surety firm completed a contract on your behalf, or paid for completion because your firm was default terminated by the project owner within the last five (5) years?
☐ Yes ☐ No
9. Has your firm or any of its owners or officers been convicted of a crime involving the awarding of a contract of a government construction project, or the bidding or performance of a government contract?
☐ Yes ☐ No

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

A. Current Organization and Structure of the Business

For Firms That Are Corporations:

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

Person's Name	Position	Years with Co.	% Ownership

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

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

Person's Name	Construction Firm	Dates of Participation with Firm

For Firms That Are Partnerships:

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

Person's Name	Position	Years with Co.	% Ownership

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

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

Person's Name	Construction Company	Dates of Participation with Company

For Firms That Are Sole Proprietorships:

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

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

Person's Name	Construction Company	Dates of Participation with Company

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

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

Name of firm	% Ownership

B. History of the Business and Organizational Performance

2. Has there been any change in ownership of the firm 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 on a separate signed page)

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

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

☐ Yes ☐ No (If "yes," explain on a separate signed page).

4. Are any corporate officers, partners or owners connected to any other construction firms?

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

☐ Yes ☐ No (If "yes," explain on a separate signed page).

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

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

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

☐ Yes ☐ No

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

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

☐ Yes ☐ No

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

Licenses

9. List all California construction license numbers, classifications and expiration dates of the California contractor licenses held by your firm:

10. If any of your firm's license(s) are held in the name of a corporation or partnership, list below the names of the qualifying individual(s) listed on the Contractors State Licensing Board (CLSB) records who meet(s) the experience and examination requirements for each license.

11. Has your firm changed names or license number in the past five years?

☐ Yes ☐ No

(If "yes," explain on a separate signed page, including the reason for the change).

12. Has any owner, partner or (for corporations) officer of your firm operated a construction firm under any other name in the last five years?
☐ Yes ☐ No (If "yes," explain on separate signed page, including the reason for the change)
13. Has any CSLB license held by your firm or its Responsible Managing Employee (RME) or Responsible Managing Officer (RMO) been suspended within the last five years?
☐ Yes ☐ No (If "yes," please explain on a separate signed sheet).

Disputes

14. At any time in the last five years has your firm been assessed and paid liquidated damages after completion of a project under a construction contract with either a public or private owner?
☐ Yes ☐ No

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

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

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

☐ Yes ☐ No

If "yes," explain on a separate signed page. State whether the firm involved was the firm applying for pre-qualification here or another firm. Identify by name of the company, the name of the person within your firm who was associated with that company, the year of the event, the owner of the project, the project and the basis for the action.

16. In the last five years has your firm been denied an award of a public works contract based on a finding by a public agency that your company was not a responsible bidder?
☐ Yes ☐ No

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

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

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

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

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

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

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

20. In the last five years has any insurance carrier refused to renew your insurance policy?
☐ Yes ☐ No

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

Criminal Matters and Related Civil Suits

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

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

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

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

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

If "yes," identify on a separate signed page the person or persons convicted, the court (the county if a state court, the district or location of the federal court), the year and the criminal conduct.

Bonding

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

Name of bonding company/surety: _____

Name of surety agent, address and telephone number: _____

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

☐ Yes ☐ No

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

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

26. Has the California Occupational Safety and Health Administration (CAL OSHA) cited and assessed penalties against your firm for any "serious," "willful" or "repeat" violations of its safety or health regulations in the past five years?

NOTE: If you have filed an appeal of a citation, and the Occupational Safety and Health Appeals Board has not yet ruled on your appeal, you need not include information about it.

☐ Yes ☐ No

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

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

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

☐ Yes ☐ No

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

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

☐ Yes ☐ No

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

Prevailing Wage Compliance Record

29. Has there been an occasion during the last five years in which your firm was required to pay either back wages or penalties for your own firm's failure to comply with the **state's** prevailing wage laws?

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

☐ Yes ☐ No

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

PART IV. ORGANIZATION'S STATEMENT OF EXPERIENCE RELATED TO RECENT CONSTRUCTION PROJECTS COMPLETED

Name of Organization (Name must correspond exactly with Contractor's License)

Provide information on projects completed or currently in progress that demonstrate your organization's experience with projects of similar scope, size and complexity. Please label responses consistent to the categories listed below and include project name, location, construction value, and owner contact information.

1. Relevant Projects

Submit at least five (5) examples of your organization's relevant projects with construction values of approximately \$2,000,000 completed within the last ten (10) years. Relevant projects include any of the following:

- a. Post and beam buildings or wood structures requiring "craft skills"
- b. Projects requiring remediation of hazardous materials such as asbestos and lead paint
- c. Projects involving aggressive construction schedules
- d. Civic projects
- e. Projects of similar size and construction method

List each project by name, location, year of completion, and owner's name, owner's project manager's name and current contact information including phone number. Describe the construction type, project schedule, and the construction value of the work performed. Photos and other graphic materials would be helpful to delineate each project. A Sample Format is included following this listing of categories.

2. Project Management Expertise

Indicate how your organization has managed, directed or participated in projects of similar scope. Indicate your organization's management structure, lines of authority and hierarchy. Provide information on how schedules, costs, and quality are maintained throughout a project. Indicate how communications between the various stakeholders (owner, project design consultants, tenants and inspectors) and the general contractor are managed to ensure all project requirements are addressed and met. This should include both on-site personnel and home office staff.

3. Quality Control

Describe your organization's philosophy for producing quality buildings and your approach to quality control. Provide information on how you minimize warranty callbacks and typical response time for warranty callbacks. Describe how coordination has been achieved and communicated to subcontractors and other tradespersons on projects of similar size, scope and complexity.

4. Key Personnel

Provide key personnel's qualifications, experience, length of employment with company, and training to competently manage this project. Key personnel shall include principal(s), or officer(s) having overall project responsibility, as well as on-site project manager(s), superintendent(s), project controls engineer(s), schedule manager(s), and all others involved in the management of the project. Provide an overview of how your organization intends to structure on-site management operations and interface with the home office, owner, specialty subcontractors and City representatives during the construction of the project.

SAMPLE FORMAT

Example Project Description and Information

Names and references must be current and verifiable. Use separate sheets that contain all of the following information:

Project Name: _____

Location: _____

Owner: _____

Owner Contact: _____

Architect or Engineer: _____

Architect or Engineer Contact (name and current phone number):

Construction Manager (name and current phone number):

Description of Project, Scope of Work Performed:

Total Value of Construction (including change orders): _____

Original Scheduled Completion Date: _____

Actual Date of Completion: _____

NOTE: Include information to address all the previously listed categories; security systems, project management, quality control, key personnel and safety program.

PART V. ORGANIZATION'S BONDING AND INSURANCE REQUIREMENTS

Name of Organization _____ (Name must correspond exactly with Contractor's License)

Surety and Bonding Requirements

- A. Attach a statement from the bonding company your firm proposes to use indicating their commitment to provide a Performance and Payment Bond for the full amount of the contract.
- B. List the names of the Bonding firms utilized by your organization in the last five (5) years, for projects over \$1,000,000.00

Name of Bonding Company No. 1 _____

Address: _____

Contact Name: _____ Telephone: _____ Fax: _____

Project Name: _____

Amount Bonded: _____ % Completed _____

Project Name: _____

Amount Bonded: _____ % Completed _____

Project Name: _____

Amount Bonded: _____ % Completed _____

Name of Bonding Company No. 2 _____

Address: _____

Contact Name: _____ Telephone: _____ Fax: _____

Project Name: _____

Amount Bonded: _____ % Completed _____

Project Name: _____

Amount Bonded: _____ % Completed _____

Project Name: _____

Amount Bonded: _____ % Completed _____

Amount Bonded: _____ % Completed _____

PART V. ORGANIZATION'S BONDING AND INSURANCE REQUIREMENTS

Name of Organization (Name must correspond exactly with Contractor's License)

Insurance Requirements

Each policy of insurance carried by the successful bidder for this project shall be issued by an insurance company licensed to do business in the State of California with a rating of "A" or better and a financial size category of "V" or better according to the latest edition of "Bests".

- A. Attach a statement from the Worker's Compensation carrier specifying organization's current Experience Modification rating for Worker's Compensation in the State of California.
- B. List the names of the insurance firms utilized by your organization in the last five (5) years, for projects over \$1,000,000.00

Name of Insurance Company No. 1 _____

Address: _____

Contact Name: _____ Telephone: _____ Fax: _____

Rating: _____

Name of Insurance Company No. 2 _____

Address: _____

Contact Name: _____ Telephone: _____ Fax: _____

Rating: _____

Name of Insurance Company No. 3 _____

Address: _____

Contact Name: _____ Telephone: _____ Fax: _____

Rating: _____

Name of Insurance Company No. 4 _____

Address: _____

Contact Name: _____ Telephone: _____ Fax: _____

Rating: _____

PART VI. ATTACHMENTS REQUIRED

Name of Organization (Name must correspond exactly with Contractor's License)

The following documents, Attachments 1 through 7, are to be provided to the City by the Organization requesting Prequalification, for the aforementioned project.

Provide all of the attachments listed below

- 📎 **Attachment 1** – General Statement of Bank Credit
- 📎 **Attachment 2** –Statement from Bonding Company
- 📎 **Attachment 3** – Statement from Worker's Compensation Insurance Carrier
- 📎 **Attachment 4** – Current Copy of Organization's California Contractor's License(s)
- 📎 **Attachment 5** – Certification declaring that the applying Organization has not has a surety company finish work on any project within the last five (5) years.
- 📎 **Attachment 6** – Certification declaring that the applying Organization, in the last five (5) years has not been found by a judge, arbitrator, jury, or a nolo contendere plea to have submitted a false or fraudulent claim to a public agency
- 📎 **Attachment 7** – Certification declaring that the applying Organization has not been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of violations of law or a safety regulation.

Attachment 1 – General Statement of Bank Credit

Exchange this page for a General Statement of Bank Credit.

Attachment 2 – Statement from the Bonding Company

Exchange this page for a statement from the bonding company that your organization proposes to use, indicating their commitment to provide Performance and Payment bonds for the full amount of the contract.

Attachment 3 – Statement from the Worker’s Compensation Carrier

Exchange this page for a statement from the Worker’s Compensation carrier that your organization proposes to use, specifying Contractor’s current Experience Modification Rating for Workers’ Compensation for the State of California.

Attachment 4 – Current Copy Organization’s California Contractor’s License(s)

Exchange this page for a current copy of your organization’s California Contractor’s License(s).

**Attachment 5 – Certification Declaring Applying Organization Has Not Had Surety
Finish Work on any Project within last Five Years**

Exchange this page for a certification declaring that the applying organization has not had a surety company finish work on any project within the last five (5) years.

Sample Declaration

I, _____, authorized agent of _____
(Name of Organization)

hereby certify, under penalty of perjury under the laws of the State of California, that the organization has not has surety company finish work on any project within the last five (5) years.

Signed: _____

Dated: _____

Attachment 6 – False or Fraudulent Claim

Exchange this page for a certification declaring that the applying organization in the last five (5) years has not been found by a judge, arbitrator, jury, or nolo contendere plea to have submitted a false or fraudulent claim to a public agency.

Sample Declaration

I, _____, authorized agent of _____
(Name of Organization)

hereby certify, under penalty of perjury under the laws of the State of California, that the foregoing is true and correct. In the last five (5) years that the organization, any affiliate, parent or subsidiary company has not been found by a judge, arbitrator, jury, or nolo contendere plea to have submitted a false or fraudulent claim to a public agency.

Signed: _____

Dated: _____

Attachment 7 – Disqualification or Removal

Exchange this page for a certification declaring that the applying organization has not been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of violations of law or a safety regulation.

Sample Declaration

I, _____, authorized agent of _____
(Name of Organization)

hereby certify, under penalty of perjury under the laws of the State of California, that the organization has not been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state or local government project because of violations of law or a safety regulation.

Signed: _____

Dated: _____