



**Prequalification Documents**  
for  
**General Contractors**



**CAPITOLA BRANCH LIBRARY**

2005 WHARF ROAD, CAPITOLA, CA 95010

March 2018



**ADVERTISEMENT FOR GENERAL CONTRACTOR PREQUALIFICATION**



**CITY OF CAPITOLA  
NOTICE OF PUBLIC WORKS PROJECT  
ADVERTISEMENT FOR  
GENERAL CONTRACTOR PREQUALIFICATION**

The Department of Public Works for the City of Capitola seeks qualified general contractors to work collaboratively with city representatives and design consultant team to provide general construction contracting for the construction of a new branch library.

Subject to conditions prescribed by the City of Capitola, responses to the prequalification documents for a general contractor are sought for the following project:

**CAPITOLA BRANCH LIBRARY  
Capitola, CA**

**PREQUALIFICATION OF PROSPECTIVE BIDDERS**

The City has determined that general contractors who submit bids on this project must be prequalified. Prequalified contractors will be required to have the following California contractor's license:

**GENERAL BUILDING CONTRACTOR, B**

**GENERAL DESCRIPTION OF WORK**

The proposed new library will be a 11,700 square-foot single story building positioned in the south-east corner of the 47,536 square-foot parcel, located at 2005 Wharf Road, in Capitola, CA.

The scope of work includes, but is not limited to, the construction of a new ground-up wood-frame, Type V-B, non-rated, single-story library, including: reading rooms, group study areas, stack shelving areas, meeting rooms, multi-purpose room, and staff offices. Work includes all relevant scopes of work; site work, weather-tight exterior assemblies, roofing, metal-stud framing and interior gypsum board, related electrical, plumbing, HVAC, and fire protection systems, utilities-infrastructure, and interior and exterior architectural finishes.

The library was designed by Noll & Tam Architects and Planners, of Berkeley, California.

The 60% complete construction documents are available for information only and can be viewed at: <http://files.boccardconstruction.com/CapitolaLibrary.60.CD>.

The construction is anticipated to begin in mid-June 2018, and complete by Fall 2019

The current estimated construction cost for the project is \$9.65 million.

The Prequalification Documents, can be obtained from the City's website at <http://www.cityofcapitola.org/rfps>, or at the Public Works office at 420 Capitola Avenue, Capitola CA 95010, or by calling (831) 475-7300.

Steven E. Jesberg  
Public Works Director

*Prospective contractors shall note that this project has NOT received final approval, and the City reserves the right to stop the project and reject any, and all, prequalification packages and/or proposed bid amounts.*

## PREQUALIFICATION SCHEDULE

After **Thursday, March 1, 2018**, a single set of prequalification documents can be obtained at city hall or from the city's website (<http://www.cityofcapitola.org/rfps>):

City of Capitola  
City Hall  
420 Capitola Avenue  
Capitola, CA 95010  
831-479-7300

On **Tuesday, April 3, 2018** before 3:00 PM, completed prequalification documents will be received at:

City of Capitola  
City Hall  
420 Capitola Avenue  
Capitola, CA 95010  
831-479-7300

No prequalification documents will be accepted after 3:00 PM. However, the City reserves the right to request, receive, and evaluate supplemental information after the above time and date at its sole determination.

## BIDDING SCHEDULE

Following is the anticipated proposal schedule:

1. Prequalified General Contractors/Bidders announced: **Friday, April 6, 2018**
2. Bidding Documents available to the prequalified bidders: **Monday, April 30, 2018**
3. **Mandatory Pre-Bid Meeting** for Prequalified General Contractors/Bidders: **Tuesday May 15, 2018**
4. Bids received and opened: **Friday, June 1, 2018**

The exact dates, times, and location will be set forth in an Announcement to Prequalified Bidders.

The City reserves the right to reject any or all responses to Prequalification Questionnaires and any or all bids and to waive non-material irregularities in any response or proposal received.

Bid Security in the amount of 10% of the anticipated contract value will be required to accompany each bid. The surety issuing the bid shall be, on the bid deadline, an admitted surety insurer (as defined in the California Code of Civil Procedure Section 995.120).

All insurance policies required to be obtained by Contractor shall be subject to approval by City for form and substance.

All information submitted for prequalification evaluation will be considered official information acquired in confidence, and the City will maintain its confidentiality to the extent permitted by law.

Every effort will be made to ensure that all persons have equal access to contracts and other business opportunities with the City within the limits imposed by law or policy. Each Bidder may be required to show evidence of its equal employment opportunity policy. The successful Bidder and its subcontractors will be required to follow the nondiscrimination requirements set forth in the Bidding Documents and to pay prevailing wage at the location of the work.

The work described in the contract is a public work subject to section 1771 of the California Labor Code.

City of Capitola  
Capitola, CA  
March 2018

## PREQUALIFICATION PROCESS

Bids will be accepted only from prequalified General Contractors that are notified in writing by the City of Capitola.

### **Prequalification Documents**

Prequalification documents consisting of these instructions will be available to prospective General Contractors on the city website (<http://www.cityofcapitola.org/rfps>), or in person beginning **Thursday, March 1, 2018**.

City of Capitola  
City Hall  
420 Capitola Avenue  
Capitola, CA 95010  
831-479-7300

Any questions or requests for clarification or interpretation of the Prequalification Documents must be received in writing before 5pm on **Monday, March 27, 2018**. Questions received after the above-noted deadline may be answered at the discretion of the City. Questions and requests may be emailed to the owner's project manager, David Tanza at [dtanza@bogardconstruction.com](mailto:dtanza@bogardconstruction.com).

Addenda containing responses to questions from prospective Contractors, and any other clarifications or changes, will be provided no later than the end of the business day on **Friday, March 30, 2018**. Addenda will be emailed or sent by messenger service to all who are known by the City to have received a complete set of Prequalification Documents and who have provided an email address or a street address for receipt of Addenda. Prospective General Contractors will return an email response/receipt to the City or sign a messenger service's proof of receipt verifying receipt of any addenda.

**Prospective General Contractors shall submit two (2) printed sets of the completed prequalification questionnaire, and required attachments, and one (1) electronic PDF copy on a CD containing the completed questionnaire, no later than 3:00 p.m. on Tuesday, April 3, 2018 in a sealed envelope identifying project name, prospective Contractor's name and addressed to the following:**

City of Capitola  
City Hall  
420 Capitola Avenue  
Capitola, CA 95010  
ATTN: Capitola Branch Library

No prequalification questionnaire will be accepted after **3:00 p.m. on Tuesday, April 3, 2018**. However, the City reserves the right, at its sole discretion, to request, to receive, and to evaluate supplemental information after the above time and date.

Prospective General Contractors will be notified in writing of the outcome of the prequalification process.

### **Evaluation Factors for Prequalification**

Prequalification of prospective General Contractors will be determined by the application of a pre-established rating system. Prospective General Contractors who meet the minimum requirements will be deemed prequalified and only those so prequalified will be eligible to submit a bid for this Project

The minimum requirements to achieve prequalification based on responses provided in the Prequalification Questionnaire are listed below. **Please review this information carefully.**

1. **License(s):** Possession of a valid California "B" Contractor's license classification in good standing at the date and time of the prequalification questionnaire submittal. License must not have been suspended or revoked within the previous 10 years and no complaints requiring a formal hearing shall have been filed with the Contractor's State License Board.
2. **Firm:** Operating under the same name for at least 10 years, and in California for at least (5) years.
3. **Office Location:** Location of a permanent office within the State California.
4. **Surety:** Demonstrate having sufficient bonding capacity by submitting a declaration from a surety company listed in the latest published State of California Department of Insurance list of Insurers Admitted to Transact Surety Insurance in this State.
5. **Insurance:** Insurance companies listed by Best, with a rating of A- or better with a financial classification of VIII or better or equivalent rating by Standard & Poor's or Moody's. Demonstrate having required insurance coverage limits by submitting a declaration from that insurance company (except Workman's Compensation).
6. **Construction Experience** (for Comparable Projects): Submission of the requested information for five (5) recently completed projects, with a construction cost of at least \$8 million at the bid date, designated as **Project 1, Project 2, Project 3, Project 4 and Project 5**, meeting the following criteria:
  - a. Prospective Contractor completed **Project 1, Project 2, Project 3, Project 4 and Project 5** in the role of General Contractor and/or CM at Risk Contractor, prepared and implemented a subcontractor pre-qualification process, developed bid packages, and held associated subcontracts.
  - b. **Project 1, Project 2, Project 3, Project 4 and Project 5** with **completion dates** between January 1, 2007 and June 1, 2017.
  - c. **At least three (3) of the five (5) projects** must have been completed in the State of California.
  - d. **At least three (3) of the five (5) projects** must have been new ground up construction consisting of wood-frame, Type V-B, non-rated construction, including all relevant scopes of work; site work, weather-tight exterior assemblies, roofing, metal-stud framing and interior gypsum board, related electrical, plumbing, HVAC, and fire protection systems, utilities-infrastructure, and interior and exterior architectural finishes.
  - e. **At least one (1) of the five (5) projects** must be a California public works project, preferably in a municipal settling.
  - f. **At least one (1) of the five (5) projects** must be in, or adjacent to, a coastal environment, residential housing, or similar environmentally sensitive habitat, similar to the project site.
7. **Staff Experience:** Professional capabilities and experience of the assigned project manager and full-time superintendent.

8. **Safety Program:** Have an acceptable safety record, safety program, worker's compensation experience, modification factor, and assignment of safety personnel.
9. **Quality Control/Quality Assurance Program (QC/QA):** Have an acceptable written QC/QA program.
10. **Business Construction Revenue:** Demonstrated financial capability to perform work required to complete this project. Prospective Contractor's annual business construction revenue of at least \$20 million for at least three (3) one of the last ten 10 consecutive calendar years. Submit a fully completed Contractor's Statement of Financial Condition.
11. **Liquidated Damages:** Firm has not been assessed liquidated damages in the last 10 years.
12. **Disciplinary Measures History:** Firm has never been subject of a disciplinary proceeding by a public agency at any time within the preceding 10 years, including decisions/findings/determinations which have been revoked, settled or are on appeal.
13. **False Claims History:** Firm has not been found in a final decision of a court to have submitted a false claim to a public agency within the last 10 years.
14. **Termination History:** Firm has not been terminated for cause, on any public works projects within the preceding 10 years, including decisions/findings/determinations which have been revoked, settled or are on appeal.
15. **Claims History:** Firm has not been determined to have submitted a false claim within the preceding 10 years, including decisions/findings/determinations which have been revoked, settled or are on appeal.

These minimum requirements have been established solely for identifying, in a timely and fair manner, prospective Contractors that are qualified for successful performance of the type of work required by this project.

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**Submission of Required Forms:** Submission and completion of all information required by the prequalification questionnaire, including, but not limited to, the following:

- Surety Declaration (Notarized)
- Insurance Declaration (Notarized)
- Project Data Information for five (5) comparable projects
- Project Manager's Resume
- Full-Time Superintendent's Resume
- Resume and Certifications for safety program personnel
- EMR Verification
- Written Safety Program
- Written QC/QA Program
- Statement of Financial Condition
- Prequalification Declaration

Any prospective Contractors determined to be non-prequalified will receive notification in writing from the City. Any unsuccessful prospective Contractor may protest the City's decision. The protest shall be filed in writing with the City's Public Works Department not later than three (3) working days after the date of receipt of notification of non-prequalification and shall specify the reasons and facts upon which the protest is based. The written decision of the City will be final and is not appealable.

The City reserves the right to reject any or all responses to prequalification questionnaires and any or all bids and to waive non-material irregularities in any response or bid received.

All information submitted for prequalification evaluation will be considered official information acquired in confidence and the City will maintain its confidentiality to the extent permitted by law.

### **Evaluation Factors Prequalification**

By submittal of the prequalification questionnaire, the prospective Contractor commits to providing the staff named in that submittal to this project. At the time of actual bid, the prospective Contractor will be required to confirm the assignment of staff to the project. Any proposed personnel changes shall be submitted to the City for consideration. Failure to inform the City of personnel changes within the allotted time frame for questions may deem the Contractor to be not qualified at the City's discretion and cause immediate disqualification.

Only prospective Contractors which successfully achieve prequalification status will be considered fully prequalified for successful and timely performance of the work required by this project. When the Bidding and Construction Documents for this project become available, only prequalified prospective Contractors will be issued a complete set of documents.

### **Bid Security, Bonds, and Insurance**

A Bid Bond in an amount equal to 10% of the anticipated Contract value including all alternates shall accompany each bid. The Surety (or Sureties) issuing the Bid Bond, the Payment Bond and the Performance Bond shall be, on the Bid Deadline, listed in the latest published State of California, Department of Insurance, list of "Insurers Admitted to Transact Surety Insurance in this State". Performance and Payment Bonds in an amount to cover project will be required to be submitted prior to the start of the construction.

All insurance policies required to be obtained by CONTRACTOR shall be subject to approval by the City for form and substance. All such policies shall be issued by a company rated by Best as A- or better with a financial classification of VIII or better, or have equivalent ratings by Standard and Poor's or Moody's (except Workman's Compensation which requires a rating of B or better, and have a financial classification of VIII or better).



**PREQUALIFICATION QUESTIONNAIRE**  
**for**  
**CAPITOLA BRANCH LIBRARY**  
Capitola, CA

As used herein, the term "entity" means the prospective general contractor submitting this Prequalification Questionnaire regardless of whether the entity is an individual company, joint venture, or partnership. Please note that the term "contractor" may sometimes be used interchangeably with the term "entity."

Submitted by:

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Entity Name (If a Joint Venture, state name of JV Entity)

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Contact Name

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Address

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City, State, Zip Code

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Phone Number	Facsimile Number
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E-Mail

Each prospective Contractor must answer all the following questions and provide all requested information. Any prospective Contractor failing to answer the questions and provide all requested information will be deemed non-responsive and not prequalified with respect to this Prequalification. Contractors that affirmatively respond (i.e. answer YES) to all questions requiring a "yes" or "no", submit all required information and supporting data, AND are determined to have accurately responded to the questions will have achieved Prequalification status.

All Contractors that have submitted a Prequalification Questionnaire will be notified in writing of whether or not they have successfully achieved Prequalification status. Only those Contractors that successfully achieve Prequalification status will be determined to be prequalified and only those so prequalified will be eligible to submit a bid for this Project.

If the prospective Contractor is determined by the City not to be prequalified, the prospective Contractor may request a review by the City. Any such request must be received by the City within three (3) calendar days after receipt by the prospective Contractor of the determination. The decision resulting from such review is final and is not appealable. Any person or entity not satisfied with the outcome of the prequalification must file a writ challenging the outcome within ten (10) calendar days from the date of the City's written notice regarding prequalification determination. Any assertion that the outcome of the prequalification process was improper will not be grounds for a bid protest.

All information submitted for prequalification evaluation in response to sections 8 and 13 and marked as "confidential" will be considered official information acquired in confidence, and the City will maintain its confidentiality unless (1) the City determines that it is required to release the information to a third party pursuant to the requirements of the California Public Records Act or (2) the City is required by court order to release the information to a third party pursuant to the requirements of the California Public Records Act. If the City receives a request pursuant to the California Public Records Act and the City determines that it is required to disclose information marked "confidential" by the provisions of the California Public Records Act, the City will notify the entity of the pending disclosure at least 72 hours prior to such disclosure so that the entity may seek a restraining order in advance of such disclosure. The City shall err on the side of transparency and will generally treat information provided by the entity that is not marked "confidential" as subject to disclosure pursuant to the California Public Records Act. Likewise, any decision by the City that any

document is subject to disclosure pursuant to the California Public Records Act shall not prevent the City from making a subsequent determination that any document is not subject to disclosure pursuant to the California Public Records Act.

All other information submitted for Prequalification evaluation will be considered official information acquired in confidence, and the City will maintain its confidentiality to the extent permitted by law.

WHERE NECESSARY, COPY THE FORMS IN THIS PACKAGE. USE ONLY THESE FORMS.

**1. LICENSE(S)**

- A. Does the entity hold the following California contractor's license(s), which is (are) currently active, and in good standing with the California Contractor's State License Board?

License Classification: General Building Contractor  
License Code(s): "B"

YES  NO

*NOTE -The entity submitting this prequalification questionnaire must be the holder of the requisite license. If the entity submitting is a Joint Venture, the joint venture must hold the license or have applied for the license(s).*

- B. If yes, provide the following information about the entity's contractor's license:

1. Name of license holder exactly as on file with the California Contractor's State License Board: \_\_\_\_\_
2. License Classification(s): \_\_\_\_\_
3. License Code(s): \_\_\_\_\_
4. License Number(s): \_\_\_\_\_
5. Date(s) Issued: \_\_\_\_\_
6. Expiration Date(s): \_\_\_\_\_

- C. Can you truthfully state the entity's contractor's license has not been suspended or revoked by the California Contractor's State License Board within the last 10 years?

YES  NO

- D. **Firm:** Can you truthfully state the entity has been operating under the same name for at least 10 years, and in California for at least five (5) years?

YES  NO

- E. **Office Location:** Does the entity have a permanent office within the State California?

YES  NO

**2. SURETY**

Prospective Contractor shall obtain and submit the Surety Declaration in the form shown below, signed by an authorized representative of the surety proposed to be used for this project and notarized.

- A. Is the surety to be used for this project authorized by the Insurance Commissioner to transact business in the State of California as an admitted surety insurer (as defined in the California Code of Civil Procedure Section 995.120)?

YES  NO

- B. Is the entity able to obtain bonding for \$10 million?

YES  NO

C. Can the entity truthfully state that **no** surety has paid out any monies on claims on the performance bond issued by a surety for the benefit of the Owner arising out of the construction activities of the entity within the last 10 years?

YES  NO

D. Can the entity truthfully state that **no** surety has paid out any monies on claims on the payment bond issued by a surety for the benefit of the Owner arising out of the construction activities of the entity within the last 10 years?

YES  NO

E. Surety Declaration:

PROVIDE THIS DECLARATION TO YOUR SURETY(IES) FOR COMPLETION. DO NOT HAVE THIS SURETY SUBMIT THIS INFORMATION DIRECTLY TO THE CITY.

The undersigned declares under penalty of perjury that the bonding capacity indicated above is true and correct and that this declaration was executed in

\_\_\_\_\_ County State

on \_\_\_\_\_ Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name and Title – Printed or Typed

\_\_\_\_\_  
Representing (Surety Name)

\_\_\_\_\_  
Entity Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_ Phone Number Facsimile Number

\_\_\_\_\_  
E-Mail (Optional)

*(ATTACH NOTARIZATION of SURETY REPRESENTATIVE'S SIGNATURE)*

**3. INSURANCE**

Prospective Contractor shall obtain and submit the Insurance Declaration in the form shown below, signed by an authorized representative of its insurer and notarized. (If more than one insurer, submit a completed form for each insurer).

A. Is the entity able to obtain insurance in the following limits for this construction contract?

YES  NO

<u>Commercial Form General Liability Insurance* - Limits of Liability</u>	<u>Minimum Requirement</u>
Each Occurrence - Combined Single Limit for Bodily Injury and Property Damage	\$2 Million
Products - Completed Operations Aggregate	\$2 Million
Personal and Advertising Injury	\$1 Million
General Aggregate	\$5 Million

<u>Business Automobile Liability Insurance* - Limits of Liability</u>	<u>Minimum Requirement</u>
Each Accident - Combined Single Limit for Bodily Injury and Property Damage	\$5 Million

<u>Workers Compensation and Employer's Liability Insurance**</u>	<u>Minimum Requirement</u>
Workers Compensation:	(as required by Federal and State of California law)
Employer's Liability:	
Each Employee	\$1,000,000
Each Accident	\$1,000,000
Each Policy	\$1,000,000

\* This insurance must be (i) issued by companies with a Best rating of A- or better, and a financial classification of VIII or better (or an equivalent rating by Standard & Poor or Moody's) or (ii) guaranteed, under terms consented to by the City (such consent to not be unreasonably withheld), by companies with a Best rating of A- or better, and a financial classification of VIII or better (or an equivalent rating by Standard & Poor or Moody's). Further, the deductible, or retained limit, for each coverage shall not be more than \$100,000.

\*\* This insurance must be issued by companies (i) that have a Best rating of B+ or better, and a financial classification of VIII or better (or an equivalent rating by Standard & Poor or Moody's); or (ii) that are acceptable to the City.

B. Insurance Declaration:

PROVIDE THIS DECLARATION TO YOUR INSURANCE CARRIER FOR COMPLETION. DO NOT HAVE THE CARRIER SUBMIT THIS DECLARATION DIRECTLY TO THE CITY.

The undersigned declares under penalty of perjury that below named insurer is currently willing to provide the insurance listed above and that this declaration was executed in

_____	
County	State
on _____	_____
Date	
_____	
Signature	
_____	
Name and Title – Printed or Typed	
_____	
Representing (Insurer Name)	
_____	
Entity Name	
_____	
Address	
_____	
City, State, Zip Code	
_____	
Phone Number	Facsimile Number
_____	
E-Mail (Optional)	

*(ATTACH NOTARIZATION of INSURER REPRESENTATIVE'S SIGNATURE)*

**4. CONSTRUCTION EXPERIENCE** (for COMPARABLE PROJECTS)

Has the entity successfully **completed** at least five (5) comparable projects between January 1, 2007 and June 1, 2017 all of which were constructed in the United States of America and three (3) of which were constructed in the State of California, acting as a general contractor during the construction phase of the project?

YES  NO

- A. Subject to the above qualifications, a “comparable project” is defined as having ALL the following:
1. A construction cost at the bid date of at least **\$8 million**, and
  2. Delivery method(s): Lump Sum, Design Build or CM @ Risk
  3. Constructed by the entity submitting this Prequalification Questionnaire. (Projects completed by present employees of the contractor for former employers are **not acceptable**).
  4. Submission of the requested information for five (5) recently completed projects designated as **Project 1, Project 2, Project 3, Project 4 and Project 5**, meeting the following criteria:
    - a. Prospective Contractor completed **Project 1, Project 2, Project 3, Project 4 and Project 5** in the role of General Contractor and/or CM at Risk Contractor, prepared and implemented a subcontractor pre-qualification process, and held associated subcontracts.
    - b. **Project 1, Project 2, Project 3, Project 4 and Project 5** with **completion dates** between January 1, 2007 and December 31, 2017.
    - c. **At least three (3) of the five (5) projects** must have been completed in the State of California.
    - d. **At least three (3) of the five (5) projects** must have been new ground up construction consisting of wood-frame, Type V-B, non-rated construction, including all relevant scopes of work; site work, weather-tight exterior assemblies, roofing, metal-stud framing and interior gypsum board, related electrical, plumbing, HVAC, and fire protection systems, utilities-infrastructure, and interior and exterior architectural finishes.
    - e. **At least one (1) of the five (5) projects** must be a California public works project, preferably in a municipal setting.
    - f. **At least one (1) of the five (5) projects** must be in, or adjacent to, a coastal environment, residential housing, or similar environmentally sensitive habitat, similar to the project site.

- B. An entity wishing to use a predecessor business to satisfy prequalification requirements must demonstrate with written information submitted with this Prequalification Questionnaire that it is substantially the same organization (in terms of who is managing Contractor) as the predecessor business. An entity may meet the requirement of the preceding sentence by demonstrating that the same person is the qualifying individual (under California Contractor's License Law) for:
1. Contractor's license of Contractor which shall be the same type as license required for the Contract; and
  2. Contractor's license of predecessor business which shall also be the same type as the license required for the Contract.

*COMPLETE AND SUBMIT THE FOLLOWING PROJECT DATA SHEET FOR EACH COMPARABLE PROJECT. THIS WILL SERVE AS EVIDENCE OF THE ENTITY'S EXPERIENCE. SUBMIT NOT MORE OR LESS THAN THE NUMBER PROJECT DATA SHEETS CORRESPONDING TO THE REQUIRED NUMBER OF COMPARABLE PROJECTS LISTED ABOVE.*



**PROJECT DATA INFORMATION**

*Prepare a separate document for each project submitted.*

1. Project Name: \_\_\_\_\_

2. Project Location  
(including full address,  
if any): \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

3. Project Description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Size (gross sq. ft.): \_\_\_\_\_

5. Construction Type: \_\_\_\_\_ LEED Rating (if applicable): \_\_\_\_\_

6. Cost at Bid: \$ \_\_\_\_\_ Date: \_\_\_\_\_  
Cost at Completion: \$ \_\_\_\_\_ Date: \_\_\_\_\_

7. Describe the sources and/or causes of the difference, if any, in the costs noted in Question 6, with reference to the following categories:

Document Clarification: \$ \_\_\_\_\_  
Unforeseen Conditions: \$ \_\_\_\_\_  
Owner Generated Scope: \$ \_\_\_\_\_  
Regulatory Agency: \$ \_\_\_\_\_  
Other: \$ \_\_\_\_\_

Explain Other: \_\_\_\_\_  
\_\_\_\_\_

8. Was construction of the project begun and completed within the last 10 years?

YES  NO

9. Contract Time at Bid (Number of calendar days): \_\_\_\_\_

Formally adjusted Contract Time  
(Number of calendar days. If not adjusted, state "Not Applicable."): \_\_\_\_\_

Actual Elapsed Time between issuance of the Notice to Proceed and the date of completion (Number of calendar days): \_\_\_\_\_

If completion time did not occur within the Contract Time (at bid date) or within the formally Adjusted Contract Time, then explain the reason, or reasons, for the delay:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10. Were there liquidated damages or actual damages for delay assessed on this project?

YES  NO

11. Did your entity act as a General Contractor or CM@Risk during the entire project?

YES  NO

12. Did your entity provide construction management services prior to construction?

YES  NO

13. Did your entity self-perform any of the work?

YES  NO

If so, which trade(s)?

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14. Type of construction information:

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15. Was this project characterized by the item(s) listed in Question 4., A., 4., Page 7?

YES  NO

16. Where there any warranty call-backs for water intrusion?

YES  NO

If so, please describe:

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17. Business name of entity which constructed this project:

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18. Project Owner's Name: \_\_\_\_\_

19. Project Owner's Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

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

E-mail: \_\_\_\_\_

Owner's Representative:  
(if applicable) \_\_\_\_\_

Contact: \_\_\_\_\_

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

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

E-mail: \_\_\_\_\_

20. Design Professionals

Architect  
or Engineer of Record: \_\_\_\_\_

Contact: \_\_\_\_\_

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

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

E-mail: \_\_\_\_\_

Structural Engineer: \_\_\_\_\_

Contact: \_\_\_\_\_

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

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

E-mail: \_\_\_\_\_

Mechanical Engineer: \_\_\_\_\_

Contact: \_\_\_\_\_

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

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

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

E-mail: \_\_\_\_\_

Electrical Engineer: \_\_\_\_\_  
Contact: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
E-mail: \_\_\_\_\_

Civil Engineer: \_\_\_\_\_  
Contact: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
E-mail: \_\_\_\_\_

Landscape Architect: \_\_\_\_\_  
Contact: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
E-mail: \_\_\_\_\_

Other 1: \_\_\_\_\_  
Contact: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
E-mail: \_\_\_\_\_

Other 2: \_\_\_\_\_  
Contact: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_  
E-mail: \_\_\_\_\_

*(Attach additional pages with other pertinent project information as necessary)*

**5. STAFF EXPERIENCE**

Have the Project Manager, and Full-Time Project Superintendent successfully *completed* at least three (3) comparable projects, as defined in Item 4, (A), Construction Experience?

YES  NO

**A. PROJECT MANAGER:**

1. The name of the Project Manager to be committed to this project and continuously retained throughout this project is:

\_\_\_\_\_  
(Attach resume)

2. Present position/job function within entity: \_\_\_\_\_

3. The Project Manager named above was assigned to the following comparable projects:

<u>Project Name:</u>	<u>Construction Cost (at Completion):</u>
a. _____	\$ _____
b. _____	\$ _____
c. _____	\$ _____

4. The Project Manager named above worked on the following projects for which Project Data Sheets are submitted: (Note: If the above designated individual did not work in this capacity on at least one (1) comparable projects for which project data sheets were submitted, provide a project data sheet for one (1) of the projects listed in 3., above).

a. \_\_\_\_\_  
b. \_\_\_\_\_

**B. FULL-TIME PROJECT SUPERINTENDENT:**

*It is understood it may be difficult for the entity to provide the name of the proposed superintendent at this time. Therefore, it is allowable to provide information for three (3) superintendents, one of which will be committed to the project.*

1. The name of the Full-Time Superintendent to be committed to this project and continuously retained throughout this project is

\_\_\_\_\_  
(Attach resume)

2. Present position/job function within entity: \_\_\_\_\_

3. The Project Full-Time Project Superintendent named above was assigned to the following comparable projects:

<u>Project Name:</u>	<u>Construction Cost (at Completion):</u>
a. _____	\$ _____
b. _____	\$ _____
c. _____	\$ _____

4. The Project Superintendent named above worked on the following projects for which Project Data Sheets are submitted: (Note: If the above designated individual did not work in this capacity on at least one (1) comparable projects for which project data sheets were submitted, provide a project data sheet for one (1) of the projects listed in 3., above).
- a. \_\_\_\_\_
- b. \_\_\_\_\_

Alternate Full-Time Superintendent #2 (complete if necessary)

1. The name of the Full-Time Superintendent to be committed to this project and continuously retained throughout this project is

\_\_\_\_\_  
(Attach resume)

2. Present position/job function within entity: \_\_\_\_\_

3. The Project Full-Time Project Superintendent named above was assigned to the following comparable projects:

<u>Project Name:</u>	<u>Construction Cost (at Completion):</u>
a. _____	\$ _____
b. _____	\$ _____
c. _____	\$ _____

4. The Project Superintendent named above worked on the following projects for which Project Data Sheets are submitted: (Note: If the above designated individual did not work in this capacity on at least one (1) comparable projects for which project data sheets were submitted, provide a project data sheet for one (1) of the projects listed in 3., above).
- a. \_\_\_\_\_
- b. \_\_\_\_\_

Alternate Full-Time Superintendent #3 (complete if necessary)

1. The name of the Full-Time Superintendent to be committed to this project and continuously retained throughout this project is

\_\_\_\_\_  
(Attach resume)

2. Present position/job function within entity: \_\_\_\_\_

3. The Project Full-Time Project Superintendent named above was assigned to the following comparable projects:

<u>Project Name:</u>	<u>Construction Cost (at Completion):</u>
a. _____	\$ _____
b. _____	\$ _____
c. _____	\$ _____

4. The Project Superintendent named above worked on the following projects for which Project Data Sheets are submitted: (Note: If the above designated individual did not work in this capacity on at least one (1) comparable projects for which project data sheets were submitted, provide a project data sheet for one (1) of the projects listed in 3., above).

- a. \_\_\_\_\_  
b. \_\_\_\_\_

**6. SAFETY PROGRAM**

- A. Does the entity have a written Injury and Illness Prevention Program (IIPP) that complies with Title 8 of the California Code of Regulations?

YES  NO

- B. Does the entity have a written safety program that meets CAL/OSHA requirements?

YES  NO

If YES, submit a copy of your written safety program with this submission.

- C. Will the entity have personnel permanently assigned and dedicated to Safety on this project?

YES  NO

<u>Name, Title</u>	<u>Specific Duties</u>
_____	_____
_____	_____
_____	_____

Attach resumes (include certification and lists any safety related training received)

D. Is the entity's Experience Modification Rate (EMR) less than 1.0 for each of the past five (5) premium years?

YES  NO

Year: _____	EMR: _____
Year: _____	EMR: _____
Year: _____	EMR: _____
Year: _____	EMR: _____
Year: _____	EMR: _____

*(Attach verification of EMR from State of California or from insurance company)*

If EMR is greater than 1.0, please explain below.

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E. The entity HAS NOT had any Cal-OSHA fines in the Serious, Repeat or Willful categories within the past 10 years?

YES  NO

**7. QUALITY CONTROL/QUALITY ASSURANCE PROGRAM (QC/QA)**

A. Does the entity have a written quality control/quality assurance program?

YES  NO

If YES, submit a copy of your QC/QA program with this submission.

B. Will the entity have personnel permanently assigned and dedicated to QC/QA on this project?

YES  NO

Name, Title

Specific Duties

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**8. BUSINESS CONSTRUCTION REVENUE**

For the purposes of this Prequalification Questionnaire, "business construction revenue" shall be defined as payments to entity for construction services.

Can you truthfully state that the entity has had annual business construction revenue of at least \$20 million for at least three (3) of the last ten (10) consecutive calendar years?

YES  NO

Submit a fully completed Contractor's Statement of Financial Condition.

**Financial Data Summary**

*(Of Entity submitting prequalification questionnaire; not parent company or subsidiary of entity.)*

**A. Current Assets**

A.1 Current assets, previous fiscal year: \$ \_\_\_\_\_

A.2 Current assets, most recent quarter, this fiscal year: \$ \_\_\_\_\_

A.3 Current assets, next most recent quarter, this fiscal year: \$ \_\_\_\_\_

**B. Current Liabilities**

B.1 Current liabilities, previous fiscal year: \$ \_\_\_\_\_

B.2 Current liabilities, most recent quarter, this fiscal year: \$ \_\_\_\_\_

B.3 Current liabilities, next most recent quarter, this fiscal year: \$ \_\_\_\_\_

**C. Total Debt**

C.1 Total debt, previous fiscal year: \$ \_\_\_\_\_

C.2 Total debt, most recent quarter, this fiscal year: \$ \_\_\_\_\_

C.3 Total debt, next most recent quarter, this fiscal year: \$ \_\_\_\_\_

**D. Total Net Worth**

D.1 Total net worth, previous fiscal year: \$ \_\_\_\_\_

D.2 Total net worth, most recent quarter, this fiscal year: \$ \_\_\_\_\_

D.3 Total net worth, next most recent quarter, this fiscal year: \$ \_\_\_\_\_

**9. LIQUIDATED DAMAGES**

Can you truthfully state that in the last 10 years, the entity (nor any member of the entity if a joint venture or partnership) HAS NOT been assessed liquidated damages on a construction contract with either a public or private owner?

YES  NO

**10. DISCIPLINARY MEASURES HISTORY**

Can you truthfully state that the entity (nor any member of the entity if a joint venture or partnership) has not been disqualified or otherwise barred from doing business with a public agency (e.g., federal, state, county, city, University of California System, California State University System, California State Community College District, California K-12 school district) within the last 10 years?

YES  NO

**11. FALSE CLAIMS HISTORY**

Can you truthfully state that the entity (nor any member of the entity if a joint venture or partnership) has not been found in a final decision of a court to have submitted a false claim to a public agency (e.g., federal, state, county, city, University of California System, California State University System, California State Community College District, California K-12 school district) within the last 10 years?

YES  NO

**12. TERMINATION**

Can you truthfully state that the entity (nor any member of the entity if a joint venture or partnership) under present company ownership HAS NOT been terminated for cause by an Owner after construction commenced?

YES  NO

### 13. CLAIMS HISTORY

Each prospective Contractor will be evaluated to determine if the prospective Contractor and/or persons or entities associated with prospective Contractor have a history of having claims without merit asserted by or on their behalf in litigation or arbitration and/or of having had meritorious design or construction claims asserted against them in litigation or arbitration.

To be evaluated, each prospective Contractor must complete the Claims History portion of this questionnaire. Based on the information provided, each prospective Contractor will be assigned a Claims History score.

One (1) point will be deducted from five (5) total available points for each qualifying lawsuit or arbitration, commenced within five (5) calendar years preceding the deadline for submission of the prequalification questionnaire, in which prospective Contractor and/or persons or entities associated with prospective Contractor, had design or construction claims **asserted by or on their behalf**, that were resolved by trial court judgment, arbitration award or settlement calling for receipt of less than 50% of the total amount of claims asserted in the lawsuit or arbitration.

Additionally, one (1) point will be deducted from five (5) total available points for each qualifying lawsuit or arbitration, commenced within five (5) calendar years preceding the deadline for submission of the prequalification questionnaire, in which prospective Contractor and/or persons or entities associated with prospective Contractor, had design or construction claims **asserted against them**, that were resolved by trial court judgment, arbitration award or settlement calling for receipt of more than 50% of the total amount of claims asserted in the lawsuit or arbitration.

Any prospective Contractor with a score of six (6) or less points will presumptively be considered not prequalified because the prospective Contractor and/or persons or entities associated with prospective Contractor have been a party to four (4) or more lawsuits or arbitrations in which they either asserted, or had asserted on their behalf, un-meritorious design or construction claims or they had meritorious design or construction claims asserted against them.

The presumption may be rebutted if the City determines, after investigating any explanation offered in providing the Claims History, that the prospective Contractor and/or persons or entities associated with prospective Contractor have not been a party to 3 or more lawsuits or arbitrations in which they either asserted, or had asserted on their behalf, un-meritorious design or construction claims or they had meritorious design or construction claims asserted against them.

If the presumption is not rebutted, the prospective Contractor will be deemed to have an unacceptable Claims History, and will not be pre-qualified for the Project that is the subject of this prequalification process.

As used herein:

“Lawsuit” means any lawsuit commenced within five (5) calendar years preceding the deadline for submission of the prequalification questionnaire.

“Arbitration” means any binding arbitration commenced within five (5) calendar years preceding the deadline for submission of the prequalification questionnaire.

“Claim” means a claim (excluding claims solely for the enforcement of stop notices) arising from design and/or construction work and includes, without limitation, claims for extra compensation and damages (including delay, disruption and acceleration damages, but excluding claims for personal injury or death), and claims for defective design or construction work.

“Pass-Through Claim” has the meaning commonly ascribed to it in the construction industry and includes (i) any claim that was or is asserted by a person or entity, in whole or in part, against an

Owner on behalf of a different person or entity; and (ii) any claim that was or is asserted by an Owner against a person or entity, and that was subsequently reasserted, in whole or in part, against a different person or entity.

“Entity” means all entities and individuals who are intended to work as a part of, for, or under the prospective Contractor on the Project that is the subject of this prequalification process and includes, without limitation, such entities or individuals who are prime contractors, and if a joint venture, all members of the joint venture.

Whenever a person or entity is referred to, the reference includes the person or entity and all partners, affiliates, subsidiaries, heirs, executors, administrators, assigns, predecessors and successors in interest of or to the person or entity. For instance, a reference to a contractor includes the prospective Contractor and all partners, affiliates, subsidiaries, heirs, executors, administrators, assigns, insurers, predecessor businesses and successor businesses of the Contractor.

A. Can entity truthfully state that the entity has **not** been non-prequalified, in part or in whole, within the past five (5) years, for failure to provide requested information regarding past litigation or arbitration history?

YES  NO

1. Lawsuits and Arbitrations **by** Entity: Can entity truthfully state that, within the past five (5) years, the entity has **not** been a party to any lawsuits or arbitrations, where the total amount of Claims (including Pass-Through Claims) asserted **by or on behalf of** the entity exceeded \$50,000?

YES  NO

If no, how many? \_\_\_\_\_

For each such claim, complete a copy of Claim Data Sheet and attach it to the entity's prequalification questionnaire.

2. Lawsuits and Arbitrations **Against** Entity: Can entity truthfully state that, within the past Five (5) years, the entity has **not** been a party to any lawsuits or arbitrations where the total amount of Claims (including Pass-Through Claims, and claims for indemnity or contribution) **against** the entity exceeded \$50,000?

YES  NO

If no, how many? \_\_\_\_\_

For each such claim, complete a copy of Claim Data Sheet and attach it to the entity's prequalification questionnaire.

**CLAIM DATA SHEET**

A separate data sheet must be prepared for each Lawsuit or Arbitration as required above. If the claims were made against the entity and were resolved for more than 50% of the highest amount sought, state why the claims should not be considered meritorious design or construction claims asserted against prospective Contractor and/or persons or entities associated with prospective contractor:

*(Make additional copies of this CLAIM DATA SHEET as needed)*

Case Name and Number including Name and Location of Court or Arbitration Service:

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Date Arbitration or Litigation Commenced: \_\_\_\_\_

Project or Contract Number: \_\_\_\_\_

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

Project or Contract Number: \_\_\_\_\_

Project Location: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Owner's Name: \_\_\_\_\_

Contact Person and Title: \_\_\_\_\_

Owner's Telephone Number: \_\_\_\_\_

Description of Claim(s):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Highest Amount Sought for All Claims: \$ \_\_\_\_\_  
Amount in Figures

Amount Recovered \$ \_\_\_\_\_  
Amount in Figures

Date of Claim Resolution: \_\_\_\_\_

Method of Resolution (check one):

- Judgment       Arbitration Award       Settlement  
 Other – Describe: \_\_\_\_\_

**This sheet is intentionally blank.**

**PREQUALIFICATION DECLARATION**

I, \_\_\_\_\_  
(Printed Name)

hereby declare that I am the \_\_\_\_\_  
(Title)

of \_\_\_\_\_  
(Name of Entity)

am submitting this Prequalification Questionnaire; that I am duly authorized to sign this Prequalification Questionnaire on behalf of the above-named entity; and that all information set forth in this Prequalification Questionnaire and all attachments hereto are, to the best of my knowledge, true, accurate and complete as of its submission date.

The undersigned declares under penalty of perjury that ALL the prequalification information submitted with this form is true and correct and that this was executed in

\_\_\_\_\_ County State

on \_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name and Title – Printed or Typed

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_ Phone Number Facsimile Number

\_\_\_\_\_  
E-Mail (optional)

**This sheet is intentionally blank.**