

Board of Trustees Agenda Item

Board Meeting Date: March 1, 2010

Title of Item: Recommendation to Authorize a Prequalification Procedure for Measure C Project #110,
Renovation of Language Arts General Classrooms (6201, 6300, 6500)

Background and Analysis:

Public Contract Code section 20101 allows community college districts to require licensed contractors to “prequalify” for the right to bid on public works projects. The purpose of prequalification is to ensure that all prospective bidders have the appropriate construction experience and financial capacity to perform the work. The laws require that community college districts: (1) use a standardized questionnaire and financial statement, (2) adopt and apply a uniform system of rating bidders based on objective criteria, and (3) establish a process that allows prospective bidders to dispute their proposed prequalification rating prior to the closing time for receipt of bids.

The Foothill College Construction Management team has concluded that prime contractors should be prequalified to ensure the financial stability of the contractors and to promote safety, quality, timeliness, and cost effectiveness in the construction of the project.

A draft of the prequalification document is attached. The Purchasing Department will report the prequalification results to the Board of Trustees at a future meeting. At that time, the Board of Trustees can choose to either:

1. Accept the list of General Contractors who met all of the prequalification requirements as the only contractors who are “prequalified” to bid as prime contractors on the listed projects, OR
2. Cancel the prequalification procedure for General Contractors for the listed projects.

This prequalification of contractors shall be valid for one year if accepted by the Board of Trustees.

Because the renovation work in project #110 is very similar to the work that was performed in the combined Project #104/108/112, Modernization of Administration Building and General Classrooms for Foothill College buildings 1900/5500/6400, it is anticipated that the same contractors who participated in the prequalification for project #104/108/112 will participate in the prequalification process for project #110. Therefore, staff recommends that the Board of Trustees authorize a modified project #110 prequalification process for those contractors who were already prequalified for project #104/108/112. The modified process would allow those contractors to prequalify for project #110 provided that they submit updated financial documents and that those documents meet the financial criteria set forth in the project #110 prequalification document. The contractors that would be allowed to follow this modified process were prequalified for project #104/108/112 by the Board of Trustees on November 2, 2009 and they are as follows:

Prequalified Contractors from project #104/108/112
Albay Construction Company
Alten Construction, Inc.
Angotti & Reilly, Inc.
Barry Swenson Builder
BCCI Construction Company
Beals Martin, Inc.
BRCO Constructors, Inc.
CRW Industries, Inc.
Gonsalves & Stronk Construction Company, Inc.
John Plane Construction, Inc.
Pencon, Inc.
Ralph Larsen & Son, Inc.
Roek Construction
Swinerton Builders
West Coast Contractors, Inc.
Zolman Construction and Development, Inc.

Recommendation:

Purchasing Services Director, Carmen Redmond, recommends that the Board of Trustees (1) authorize a prequalification procedure for Measure C project #110, Renovation of Language Arts General Classrooms (6201, 6300, 6500) in accordance with Public Contract Code, Section 20101, and (2) authorize a modified prequalification process for those contractors who were already prequalified for project #104/108/112.

Submitted by:	Carmen Redmond, Director of Purchasing Services
Additional contact names:	Charles Allen, Art Heinrich, Dawn Allshouse
Is backup provided?	Yes



**RFQ Document #1246
GENERAL CONTRACTORS**

**PRE-QUALIFICATION DOCUMENTS
FOR FOOTHILL COLLEGE - MEASURE C
RENOVATION PROJECTS 6201, 6300, 6500**

General Contractor, License Classification B, are eligible to apply for pre-qualification consideration for Measure C projects anticipated to be bid in the Summer of 2010 following acceptance of prequalification. General Contractors pre-qualified for the Renovation Projects 1900, 5500, and 6400 must only provide most recent financials to satisfy current Financial requirements. Only pre-qualified General Contractors will be allowed to participate as prime contractors. A legal advertisement entitled “NOTICE TO PRE-QUALIFIED GENERAL CONTRACTORS ” will be issued at the time of bid.

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NOTICE TO GENERAL CONTRACTORS FOR PRE-QUALIFICATION

PROJECT NOTICE

The Foothill De Anza Community College District (hereinafter called District), intends to request bids during the one year duration of this pre-qualification listing. Pre-qualification for General Contractors is required for the following projects:

CAMPUS	PROJECT NAME	APPROX. BID DATE	TYPE	CONST. ESTIMATE
Foothill College	Project 110: Language Arts General Classrooms (6201, 6300 and 6500)	Summer/Fall 2010	Renovation	\$2.5 Million

The above bid dates and construction estimates are approximate. Exact dates, times, and location will be set forth in a NOTICE TO PRE-QUALIFIED GENERAL CONTRATORS for the listed project/s.

Pre-qualification requirements are noted below. Pre-qualified bidders will be required to have the following California Contractor's license classification: **B - GENERAL CONTRACTORS.**

Contractors must agree to sign and be bound by the terms and conditions of the Project Stabilization Agreement agreed to by the Foothill-DeAnza Community College District and the Santa Clara & San Benito Counties Building & Construction Trades Council in order to pre-qualify for the listed project/s.

GENERAL DESCRIPTION OF WORK

Foothill College is modernizing two buildings on campus 6300 and 6500 and converting an office space, 6201, into a classroom. The scope of work includes: Interior Partitions, Exterior Wall Additions, Interior and Exterior Finishes, Patching Exterior Finishes, Door and Hardware Replacement, Concrete Slab on Grade Addition, ADA Upgrades, and Upgrades to Mechanical, Plumbing, Electrical, Fire Alarm, and Telecommunications systems. The work shall be awarded within Summer/Fall of 2010 and to be completed before the Summer of 2011.

PRE-QUALIFICATION PROCESS

The District has determined that bidders, B Licensed General Contractors, who submit bids for the projects listed above, must be pre-qualified. Only bidders who have been pre-qualified will be allowed to further participate as prime contractors for these projects. The District reserves the right to remove the pre-qualification requirement at any time.

Pre-qualification documents consisting of this NOTICE TO GENERAL CONTRACTORS FOR PRE-QUALIFICATION together with the PRE-QUALIFICATION QUESTIONNAIRE, will be available to intending bidders beginning at **10 AM on March 12, 2010** at the office of Purchasing Services, Foothill De Anza Community College District, 12345 El Monte Rd., Building D170, Los Altos Hills, CA 94022, (650) 949-6193 phone, (650) 948-5194 fax.

Any questions or requests for clarifications to the Pre-qualification Documents must be submitted in writing to the Purchasing Department, ATTN: **Dawn Allshouse**, by fax to (650) 948-5194 or at the above address by close of business, **12 PM, March 24, 2010**. Questions received after the above-noted deadline may be answered at the discretion of the District. Addenda will be faxed or sent by messenger service by **March 31, 2010** to all who are known by the issuing office to have received a complete set of Pre-qualification Documents and who have provided a FAX number or a street address for receipt of Addenda.

Prospective bidders shall submit three (3) sets of the completed pre-qualification questionnaire and required attachments **in a sealed envelope identified as “PRE-QUALIFICATION QUESTIONNAIRE – Measure C Project #110”** with the Bidder's name and address to the office of Purchasing Services, 12345 El Monte Rd., Los Altos Hills, CA 94022 by **4:00 PM April 7, 2010**.

No pre-qualification questionnaire will be accepted after **4:00 PM April 7, 2009**. However, the District reserves, at its sole discretion, the right to request, to receive, and to evaluate supplemental information after the above time and date.

Bidders will be notified by letter whether or not they met all of the pre-qualification requirements for the category of projects indicated.

EVALUATION FACTORS FOR PRE-QUALIFICATION

Pre-qualification of prospective bidders will be determined by the application of a pre-established rating system to the following information to be submitted by prospective bidders. Prospective bidders who meet the minimum requirements for pre-qualification and who receive a point score above a pre-determined level of 70% of the total points available on the pre-established rating system will be considered “responsible” and successfully pre-qualified. These pre-qualified bidders will be allowed to submit bids to the District for these projects. Point accumulation will be based upon the following:

1. Submission and completion of information required by the Pre-qualification Questionnaire and a properly signed Pre-qualification Declaration.
2. Information provided in the License and Business Information section, including possession of a valid California Contractor's License/Classification – Class B as of the date and time of the Pre-qualification Questionnaire submittal.
3. Construction Experience as described under Item 3 of the Pre-qualification Questionnaire.
4. Construction execution and reference checks.
5. Evaluation of Safety Program, OSHA Citations, Incidence Rate, Worker's Compensation Experience Modification Factor (EMF).
6. Bonding rate. Bonding capacity and using 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”.
7. Insurance companies listed by Best, **must have a rating of A- or better and a classification of VII or better for General Liability, Auto Liability, Excess Liability and Builders Risk.**
8. The completion of (A) the Declaration of Financial Condition and all financial requirements, or, when applicable, (B) the completion of the Declaration of Qualified Small Business Administration Entity and the Disclosure of Financial Condition for Small Business Administration Entities.

SEE THE PRE-QUALIFICATION QUESTIONNAIRE OF THIS PRE-QUALIFICATION DOCUMENT FOR DETAILS AND REQUIREMENTS WITHIN EACH CATEGORY NAMED ABOVE. It is advisable that each prospective bidder consider their responses to the questions as addressed in “bold” within the NOTES of each category before completing the application.

Minimum requirements have been established solely for the purpose of determining, in a timely manner, bidders who are deemed qualified for successful and timely performance of the type of work required. Any prospective bidder found not to be pre-qualified as a result of the bidder's answers to this Pre-qualification Questionnaire will receive a written response from the District explaining its decision. If the bidder can refute the basis upon which the decision was made, the bidder may appeal the decision. The appeal shall state the basis of the appeal and must be submitted in writing within 3 working days of receipt of notification and must request a hearing or a written response from the Director of Purchasing and Material Services, Ms. Carmen Redmond. The decision of the District is final and not appealable within the State of California.

The District reserves the right to reject any or all responses to pre-qualification questionnaires and any or all bids and to waive non-material irregularities in any response or bid received. If the District deems that there is

not a sufficient pool of General Contractors for competitive bidding, the District reserves the right to withdraw the pre-qualification requirements for any or all projects. The District reserves the right to disqualify applicants and prequalified contractors at any time if responses to the Questionnaire are discovered to be untruthful or misleading.

All information submitted for pre-qualification evaluation will be considered official information acquired in confidence and the District will maintain its confidentiality to the extent permitted by law.

BID PROCEDURES

When the Bidding Documents for the projects become available, lump sum bids submitted directly to the District will be received **ONLY** from General Contractors who have been pre-qualified, unless the pre-qualification requirement has been withdrawn. Only bidders who have been pre-qualified shall be invited to participate in a competitive bid for this project.

Pre-qualified General Contractors will be issued a complete set of bidding documents upon request to the District. Lump sum bid proposals from pre-qualified General Contractors will be evaluated based on the lowest responsible bid.

PRE-QUALIFICATION SCHEDULE

March 12, 2010 Pre-qualification documents available to Bidders

March 24, 2010 Receipt by District of any Bidder's requests for clarification

March 31, 2010 Issuance of Addenda, if needed

April 7, 2010 Submittal of completed Pre-qualification Questionnaire & all attachments, by 4:00 PM

May 7, 2010 Bidders will be notified by letter whether or not they are pre-qualified.

ALL DATES ARE SUBJECT TO CHANGE AT THE SOLE DISCRETION OF THE DISTRICT.



**RFQ Document #1246
GENERAL CONTRACTORS**

**PRE-QUALIFICATION DOCUMENTS
FOR FOOTHILL COLLEGE - MEASURE C
RENOVATION PROJECTS 6201, 6300, 6500**

Submittal Deadline: 4:00 PM April 7, 2010

FOOTHILL-DEANZA COMMUNITY COLLEGE DISTRICT

1. PRE-QUALIFICATION DECLARATION

NOTE: Where necessary, copy the forms in this package. Use only these forms.

SUBMITTED BY:

(Firm Name)

(Contact Person)

(Address)

(City, State, Zip Code)

(Telephone Number)

(Fax Number)

Each prospective bidder must have a California Contractor's General Engineering License B for the listed work, which is current, active and in good standing with the California Contractor's State License Board, on the date and time of the Pre-qualification Questionnaire submittal is due and must submit this Pre-qualification Questionnaire with all portions completed, including required attachments.

Each prospective bidder must answer all of the following questions and provide all requested information, where applicable.¹ Any prospective bidder failing to do so may be deemed to be not responsive and not responsible with respect to this pre-qualification at the sole discretion of the District.

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

It is critical that the prospective bidder fill out all information required accurately, completely, truthfully and to the best of their knowledge. Ambiguous or incomplete information may lead to an unfavorable rating and subsequent status as not pre-qualified. Non-pre-qualification criteria have been clearly identified.

NOTE: If the below is signed by other than the sole proprietor, a general partner or corporate officer, attach original notarized Power of Attorney or Corporate Resolution.

Failure to return a properly completed Declaration will result in the Contractor being determined to be not pre-qualified.

¹ This page is considered a public record; all other pages of this questionnaire and supplemental materials are not public record and shall not be open to public inspection.

I, _____, hereby declare that I am the
(Printed Name)
_____ of _____
(Title) (Name of Firm)

submitting this Pre-qualification Questionnaire; that I am duly authorized to sign this Pre-qualification Questionnaire on behalf of the above named firm; and that all information set forth in this Pre-qualification 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 of the Pre-qualification information submitted with this form is true and correct and that this declaration was executed in _____ County, California, on _____.
(Date)

(Signature)

[END OF SECTION]

2. CONSTRUCTION EXPERIENCE

NOTE: If any question listed below in this Section of the Statement of Bidder's Qualifications (entitled "Construction Experience") is not answered by marking "Yes" in response to that question, the Pre Qualification for the General Contractors may be deemed by the District to be non-responsive and rejected on that basis.

- A. Attach to the completed Pre-qualification Questionnaire, completed PROJECT DATA SHEETS, meeting the below requirements for each project. Provide all of the information requested in the Project Data Sheet. Optional project drawings, photographs or schedules or related information may be attached, limited to an 8-1/2 x 11" format.

Submit three (3) public works projects constructed by the applicant in the role of a B Licensed General Contractor (each of which were awarded as a Public Works Contract and complied with applicable California Public Contract Code bidding requirements for "public entities²," with at least two (2) of those that had DSA oversight or the direct oversight of a Public Agency's inspection services). The three (3) projects should be similar to the General Description of Work listed on Page 2 (Interior Partitions, Exterior Wall Additions, Interior and Exterior Finishes, Patching Exterior Finishes, Door and Hardware Replacement, Concrete Slab on Grade Addition, ADA Upgrades, and Upgrades to Mechanical, Plumbing, Electrical, Fire Alarm, and Telecommunications systems):

- i. For which, each project submitted must **have been completed in the last three (3) years**. (One of the three projects submitted may be currently under construction.)
- ii. For which, each project submitted must have an original contract award amount of at **least \$2.5 million**.
- iii. Bidder must list current contact information including names and telephone numbers of applicable contacts for each project. If the District is unable, after reasonable efforts, to confirm the past project information submitted by bidder, said project may not be accepted as a qualifying project.
- iv. The District will confirm the information provided on the required Project Data Sheets with the listed Owner for verification of all information and perform reference checks to rate the performance of the contractor. Points will also be given based upon reference checks with the Owner for the projects submitted. It should be noted that the established point rating system heavily favors prospective bidders with construction experience similar to the proposed project. Points will be allocated to submitted projects based on the prospective bidder's demonstrated ability to complete projects within quality, fiscal and timetable parameters.

- B. Is your organization in good standing with the California Contractor's State License Board?

___ Yes ___ No

- C. Has the site superintendent **and** project manager that your organization will employ for this project previously completed, in that same capacity, at least three projects involving the modernization of Higher Education facilities?

___ Yes ___ No

² A "public entity" as defined in PCC 1100 means the state, county, city, city and county, district, public authority, public agency, municipal corporation, or any other political subdivision or public corporation in the state.

[END OF SECTION]

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3. LICENSE AND BUSINESS INFORMATION

NOTE: Failure to answer "Yes" to questions 3A, 3B and 3E will result in the Contractor being determined to be not pre-qualified. Failure to answer "Yes" to questions 3C through 3G may result in the firm being determined to be not pre-qualified. If a "No" response is provided, a justification acceptable to the District must be provided. Failure to answer "No" to questions 3H through 3J may result in the firm being determined to be not pre-qualified. If a "Yes" response is provided, a justification acceptable to the District must be provided. Upon written request, additional supporting documentation must be provided within 72 hours. All decisions of the District are final. The District reserves the right to confirm all information provided.

- A. Will your firm sign and be bound by the terms and conditions of the Project Stabilization Agreement agreed to by the Foothill-DeAnza College District and the Santa Clara & San Benito Counties Building & Construction Trades Council? (A copy of the Project Stabilization Agreement can be found at this web address for reference purposes:
http://www.measurec.fhda.edu/Portals/26/docs/FHDA_PSA_040808.pdf)

YES ☐ NO ☐

- B. Does your firm, including any partner if a Joint Venture, hold a State of California contractor's license classification: **B - GENERAL CONTRACTORS**, which is current, valid, and in good standing with the California Contractor's State License Board for the work you propose bidding?

YES ☐ NO ☐

If YES, provide the following information about your firm's contractor's licenses:

- (1) Name of license holder exactly as on file with the California Contractor's State License Board: _____

- (2) License Classification and Code: _____

- (3) License Number: _____

- (4) Date Issued: _____

- (5) Expiration Date: _____

Type of Ownership: ____ Corporation ____ Partnership ____ Sole Proprietor

- C. Can you truthfully state that your firm's contractor's license under your classification has never been suspended, revoked, or been subject to disciplinary actions by the California Contractor's State License Board within the last ten (10) years?

YES ☐ NO ☐

If the answer is no, please explain: _____

- D. Can you truthfully state that your firm has not had a complaint filed with the Contractor's State License Board against your company that required a formal hearing or inquiry within the last ten (10) years?

YES ☐ NO ☐

If the answer is no, please explain: _____

- E. Can you truthfully state that your firm, or any of your firms' owners, officers or partners associated with the firm, has not been disqualified or barred from business with a public agency within the last ten (10) years? The term "associated with" refers to another construction firm in which an owner, partner or officer of your firm held a similar position.

YES ☐ NO ☐

If the answer is no, please explain: _____

- F. Can you truthfully state that in the last ten (10) years your firm has not been denied an award of a public works contract based upon a finding by a public agency that your firm was not a responsible bidder?

YES ☐ NO ☐

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

- G. Can you confirm your firm or any officer or partner thereof, has not been terminated by an owner, owner's representative or contracting party, or otherwise failed to complete a contract?

YES ☐ NO ☐

If the answer is no, explain on a separate, signed and dated page. Identify the year of the event, the owner, the project, and the basis for the failure to complete the contract.

- H. At any time in the last ten (10) years have you or your firm been assessed or paid liquidated damages with either a public or private owner?

YES ☐ NO ☐

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

NOTE: The questions 3I and 3J refer only to disputes between your firm and the owner of a project, between your firm and a supplier, another contractor, or a subcontractor. You may omit reference to all disputes about amounts less than the values noted in each question.

- I. In the past ten (10) years has any claim **against** your firm concerning your firms work on a construction project been **mediated, arbitrated or filed in court?**

YES ☐ NO ☐

If yes, on separate signed and dated 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 status of the claim (pending, or if resolved, a brief description of the resolution). (Each of the partners of Joint-Venture proposals shall complete this Section). Also, provide the information in the format described in item 2J below.

- J. In the past ten (10) years has your firm made any claim against a project owner concerning work on a project or payment for a contract and has been resolved **through mediation, arbitration, or in which the claim was filed in court?**

YES ☐ NO ☐

If yes, on separate signed and dated sheets of paper identify **all** claim(s) by providing the project name, date of the claim, name of the claimant, a brief description of the nature of the status of the claim (pending, or if resolved, a brief description of the resolution). (Each of the partners of Joint-Venture proposals shall complete this Section). Also, provide the information in the format described in item 2J below

- K. In the format provided, **using one page per claim**, identify all claims by providing the project name, date of the claim, name of the entity (or entities) who filed the claim, 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 (Each of the partners of Joint Venture proposals shall complete this Section). Copy as necessary.

CASE INFORMATION (indicated defendant and plaintiff information and disputed dollar amount)	PROJECT INFORMATION Project Name, Address, Owners Contact, Telephone #, etc.	BREIF DESCRIPTION of the type of claim	METHOD OF RESOLUTION <ul style="list-style-type: none">• Mediation• Arbitration• Court System	RESOLUTION STATUS AND SETTLEMENT

[END OF SECTION

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4. **SAFETY RECORD & PROGRAM**

NOTE: A copy of the current written company safety program should be included as an attachment. Failure to provide a current written company safety program will result in the Contractor being determined to be not pre-qualified.

- A. Does your firm have a written safety program that meets CAL/OSHA requirements and California Labor Code Section 3201.5 or 6401.7? Please provide a copy of the current written safety program.

YES ☐ NO ☐

- B. Has your firm been cited by CAL/OSHA in the past ten (10) years? YES ☐ NO ☐

If yes, explain?

- C. List all serious and willful violations of Division 5, Part 1, Chapter 1 of the California Labor Code (commencing with Labor Code Section 6300) during the past ten (10) year period. Attach additional pages as necessary. If no violations, note "NONE" on Line 1 below.

1. _____
Violation

_____ **Project Name**

2. _____
Violation

_____ **Project Name**

- D. Is your firm's current Worker's Compensation Experience Modification Factor (EMF) less than 1.0?

YES ☐ NO ☐

- E. What is the Contractor's current Experience Modification Factor? _____

- F. What is the Contractor's current Incidence Rate? _____

- G. What is the Contractor's previous year Incidence Rate? _____

[END OF SECTION]

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5. **SURETY** (Surety companies used shall be listed in the latest published State of California Department of Insurance list of insurers admitted to transact surety insurance in California)

NOTE: Failure to respond “Yes” to 5A will result in the contractor to be determined to be not pre-qualified.

- A. Is your firm able to obtain total bonding capacity up to and including these projects' values?

YES ☐ NO ☐

- B. What is your firm's bonding rate for a project of at least \$3.5 million?

- C. What is your firm's bonding capacity?

- D. Is it true that the Surety (past or present) has not paid out any monies for the construction activities of the firm within the last ten years?

YES ☐ NO ☐

- D. How long has your firm been with this Surety? _____ Years

- E. Provide the name, address, and telephone number of the Surety (not the Bonding/Broker agent) proposed to be used on this construction contract:

Company Name: _____

Address _____

City/State/Zip Code: _____

Phone Number: _____

- F. List the AM Best rating of the current Surety listed above. _____

[END OF SECTION]

6. INSURANCE

NOTE: Failure of the Contractor to demonstrate the ability to obtain necessary limits of insurance will result in the Contractor being determined to be not pre-qualified (6A).

A. Is your firm able to obtain the following insurance in the limits stated?

YES ☐ NO ☐

Comprehensive or Commercial Form General Liability Limits of Liability:

	<u>Minimum Requirements</u>
1. Bodily Injury & Property Damage-Each Occurrence - Combined Single Limit	1,000,000/Occurrence \$ 2,000,000/Aggregate
2. Products - Completed Operations Aggregate	\$ 1,000,000
3. Personal and Advertising Injury	\$ 1,000,000
4. General Aggregate-Not Applicable to Comprehensive Form	\$ 1,000,000
5. Business Automobile Liability Insurance	
Limits of Liability:	
Each Accident - Combined Single Limit for Bodily Injury and Property Damage	\$ 1,000,000
6. Builders Risk	\$ Contract Amount

B. Provide the following information on your Insurance Company/carrier(s) (not the Broker/Agent):

For General Liability/Auto Liability/Excess Liability (minimum A-, VII rating):

Company Name _____

Indicate AM Best Rating: _____

Indicate AM Best Financial Classification: _____

For Worker's Compensation & Employers' Liability:

Company Name _____

Indicate AM Best Rating: _____

Indicate AM Best Financial Classification: _____

For Builders Risk (minimum A-, VII rating):

Company Name _____

Indicate AM Best Rating: _____

Indicate AM Best Financial Classification: _____

[END OF SECTION]

7. FINANCIAL STATEMENT AND INFORMATION

NOTE: Failure of the Contractor to demonstrate their Current Ratio to be one (1) or more, and, average business revenue to be at least \$10 million annually for the past three (3) years, will result in the Contractor being determined to be not pre-qualified. Failure to submit a recent Reviewed or Audited Report of Financial Statements for the past (3) years or the Declaration of Qualified Small Business Administration Entity (when applicable) will result in the Contractor being determined to be not pre-qualified.

- A. Can you truthfully state that your firm has had business construction gross receipts* with a three (3) year average of at least: (excluding any and all legal awards)

\$7 million annually YES ☐ NO ☐

*Business construction gross receipts shall be defined as payments to prospective firm from Owners and/or Contractors for construction services rendered.

- B. Complete and submit one (1) complete copy of the Contractors most recent **Reviewed or Audited Report of Financial Statement** for the past three (3) years, *including the attached Declaration of Financial Condition*. When applicable, there are different requirements for Qualified Small Business Administration Entities. See instructions next page.

(NOTE: If Bidder is a Joint Venture, a statement must be filed for each Joint Venture member.)

- C. Based on the Contractor's most recently audited or reviewed financial statement(s) submitted, provide summary financial information (ratio formula and ratio) as indicated in the table below.

Financial Ratio	Ratio Formula	Contractor's Ratio	Points Received
Current Ratio	$\frac{\text{Current Assets}}{\text{Current Liabilities}}$	Less than 1 1 to 1.5 over 1.5	Not Pre-Qualified Points Accumulated Points Accumulated
Profitability	$\frac{\text{Net Income}}{\text{Net Sales}}$	Less than 1 1.0 to 1.5 Over 1.5	Not Pre- Qualified Points Accumulated Points Accumulated
Liquidity Ratio	$\frac{\text{Current Assets} - (\text{Inventories} + \text{Prepaid})}{\text{Current Liabilities}}$	Less than 1 1.0 to 1.5 Over 1.5	Not Pre-Qualified Points Accumulated Points Accumulated

FINANCIAL STATEMENT AND INFORMATION

(INSTRUCTIONS FOR COMPLETING THESE REQUIREMENTS)

1. Firms **Declaration of Financial Condition (Exhibit A)** shall be fully completed and signed in the spaces provided.
2. The **Reviewed or Audited Report of Financial Statement** is used to give the District a financial record of the firm. *Full financial statements of the bidder shall be submitted for the last three (3) fiscal years.* Public Contract Code section 20101(e) exempts from this requirement a contractor (firm) who has qualified as a small business pursuant to Government Code section 14837(d), if the bid is “no more than 25 percent of the qualifying amount provided in section 14837(d)(1).” The qualifying amount is \$10 million, and 25 percent of that amount is \$2.5 million.³
3. If the firm is a Joint Venture, a Statement must be filed for each party of the Joint Venture. A full history of experience as this Joint Venture must be provided along with a proposed division of responsibilities and defined operations plan for this project.
4. Number of copies required to be submitted: One.
5. All information provided will be kept confidential to the extent permitted by law.

END OF INSTRUCTIONS

[END OF SECTION]

³ If a Qualified Small Business Administration Entity, complete Exhibit C and Exhibit D, *in lieu of submitting 2 years of Independent Auditors Report of Financial Statement, Exhibit A and/or Exhibit B.*

EXHIBIT A

DECLARATION OF FINANCIAL CONDITION

To be submitted with the pre-qualification application and the **Reviewed or Audited Report of Financial Statements**.

(For Individual, Partnership, or Corporation)

Name (Name of Individual, Partner, or Officer)

If an individual, doing business as _____

Declares: That I am _____ (capacity) of the _____ (entity) submitting the Statement of Financial Condition; that I have read the Statement of Financial Condition and am familiar with the accounting records from which it was prepared; and that the Statement of Financial Condition is a true and accurate statement of _____ (my or the) financial condition of _____ (the partnership or firm) as of its date.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was subscribed at:

_____, _____
City County

State of _____ on _____
Date

(Individual, Partner or Officer must sign here)

For Partnership only:

The foregoing declaration is hereby affirmed

(Remaining Partners of firm sign here)

Draft

PUBLIC WORKS PROJECT DATA SHEET

Project # _____ Bidder's Company Name: _____

1. Project Name: _____
2. Project Location: _____
3. Owner's Name: _____
Address: _____
Phone/Fax: _____
Contact: _____
4. Architect/Engineer: _____
Phone: _____
Contact: _____
5. Name of Firm's/Contractor's Project Manager: _____
Number of years with the firm? _____
6. Name of Firm's/Contractor's Superintendent: _____
Number of years with the firm? _____
7. Was original contract entered into by a Joint Venture? YES ☐ NO ☐
8. Was project a renovation of existing structure? YES ☐ NO ☐
9. Was Project completed on time, including contractually-approved time extensions? YES ☐ NO ☐
A. Start Date: _____
B. Original Completion date: _____
C. Approved extended completion date: _____
D. Actual Completion date: _____
10. Were Critical Path Method (CPM) schedule updates were provided to the Owner on this project?
YES ☐ NO ☐ How Many? _____
11. Was Project completed for original contract amount? YES ☐ NO ☐
A. Contract Award Amount \$ _____
B. Cost at Completion \$ _____
C. Cost of Approved Change Orders \$ _____
D. Amount of Disputed Change Order Requests \$ _____
12. Was project performed as a Public Works Project? YES ☐ NO ☐
13. Was involvement with the Division of State Architects (DSA) required for this project? YES ☐ NO ☐
14. Were inspection services performed by a local Public Agency's inspection services? YES ☐ NO ☐
If yes, provide agency's name and current contact information. _____
15. Were Liquidated Damages for delay assessed against this project? YES ☐ NO ☐
If "yes", please state total amount assessed \$ _____ per diem rate \$ _____
Please state total amount paid \$ _____
16. Did project have any Prevailing Wage Rate violations? YES ☐ NO ☐

17. Were ANY safety violations cited by any public agency on this project? YES ☐ NO ☐

18. Provide any other pertinent project information:

This image shows a blank sheet of white paper with horizontal ruling lines. A large, faint, light gray watermark reading "Scanned with CamScanner" is oriented diagonally across the page. The watermark is positioned from the bottom left towards the top right. There are no other markings or text on the page.

Copy as necessary for additional projects