

Board of Trustees Agenda Item**Board Meeting Date:** July 12, 2010**Title of Item:**

Accept a List of General Contractors as Prequalified to Bid on the Foothill College Measure C Project #110-Renovation 6200, 6300, & 6500

Background and Analysis:

On March 1, 2010, the Board of Trustees authorized the implementation of a procedure that prequalifies General Contractors to bid on the Foothill College Measure C Project #110-Renovation 6200, 6300, & 6500.

On May 7 and May 14, 2010, Purchasing Services advertised the Request for Prequalification, RFQ 1246, in the San Jose Post Record and on Bidnet. Thirteen (13) contractors submitted completed questionnaires to the District by the May 12, 2010 due date. The questionnaires were evaluated based upon the following key evaluation factors: license information, litigation history, construction experience, safety history, bonding capacity, insurance capacity, and financial capacity. Public Contract Code Section 20101(a) mandates that the questionnaire responses of prospective bidders and their financial statements shall not be deemed public records and shall not be open to public inspection.

Purchasing Services staff and the Foothill College Measure C Bond Projects Director evaluated the thirteen responses and determined that four (4) General Contractors (see list below) do not meet the minimum requirements of the prequalification questionnaire. Therefore, Purchasing Services notified them (see attached letters) that it would recommend that the District's Board of Trustees should not prequalify them to bid on this Measure C Project.

SUMMARY OF RESULTS	
CONTRACTOR	PREQUALIFIED
Albay Construction Company	Yes
Beals Martin and Associates, Inc	No
Big-D Construction	Yes
Calstate Construction, Inc.	Yes
John Plane Construction, Inc.	No
Lyncon Construction	Yes
McCrary Construction Company	Yes
Midstate Construction	Yes
Rodan Builders	No
Roek Construction	Yes
Swenson & Associates	Yes
West Coast Contractors, Inc.	No
Zolman Construction	Yes

The Board can choose to either:

1. Accept the list of nine (9) General Contractors who met all of the prequalification requirements as the only prime contractors who are "prequalified" to bid on the Foothill College Measure C Project #110-Renovation 6200, 6300, & 6500, OR
2. Cancel the prequalification procedure for this project.

Recommendation: (specify if information only)

Accept the list of nine (9) General Contractors who met all of the prequalification requirements as the only General Contractors who are "prequalified" to participate in the Foothill College Measure C Project #110-Renovation 6200, 6300, & 6500.

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

12345 El Monte Road
Los Altos Hills, CA 94022-4599
Foothill College

FOOTHILL-DE ANZA
Community College District

June 29, 2010

VIA: FACSIMILE AND MAIL

Beals Martin and Associates, Inc.
ATTN: Dwight A. Ortmann
2596 Bay Rd
Redwood City, CA 94063

RE: GENERAL CONTRACTORS PREQUALIFICATION DOCUMENTS FOR FOOTHILL
COLLEGE-MEASURE C PROJECT #110-Renovation Projects 6201, 6300, & 6500

Dear Mr. Ortmann,

The District is in receipt of your response to our advertisement for the Prequalification of General Contractors for Project #110-Renovation Projects 6201, 6300, & 6500 at Foothill College. In Section 4, Safety Record & Program, it was stipulated that a current Experience Modification Factor (EMF) above 1.0 would result in disqualification from further participation in this prequalification. You responded that your company's EMF is 1.12, and this was verified by Beals Martin and Associates, Inc.'s insurance company.

Therefore, it is the decision of the District's prequalification evaluation team that your company did not meet the District's minimum requirements for prequalification.

If your company can refute the basis upon which this decision has been formed, you may submit an appeal to the District. The appeal shall state the basis of the appeal and must request a hearing. The appeal must be submitted in writing within 3 working days of receipt of this notice or by 10:00 a.m. Friday, July 2, 2010.

If the District's decision is not reversed through the appeal process, or if no such appeal is requested, I shall recommend to our Board of Trustees that Beals Martin and Associates, Inc. should not be prequalified to bid on this Measure C project at Foothill College.

The results of the Prequalification evaluation along with a recommendation will be presented to the Board of Trustees at a future date. The decision of the District's Board of Trustees will be final and not subject to appeal.

Sincerely,

Ms. Carmen Redmond, C. P. M.
Director of Purchasing Services
Foothill-De Anza Community College District



FOOTHILL-DE ANZA
Community College District

12345 El Monte Road
Los Altos Hills, CA 94022-4599
Foothill College

June 21, 2010

VIA: FACSIMILE AND MAIL

John Plane Construction, Inc.
ATTN: John Plane
100 North Hill Dr, Ste 12
Brisbane, CA 94005

**RE: GENERAL CONTRACTORS PREQUALIFICATION DOCUMENTS FOR FOOTHILL
COLLEGE-MEASURE C PROJECT #110-Renovation Projects 6201, 6300, & 6500**

Dear Mr. Plane,

The District is in receipt of your response to our advertisement for the Prequalification of General Contractors for Project #110-Renovation Projects 6201, 6300, & 6500 at Foothill College. In Section 4 Safety Record & Program it was stipulated that a current Experience Modification Factor (EMF) above 1.0 would result in disqualification from further participation in this prequalification. You responded that your company's EMF is 1.17, which was verified by John Plane's insurance company.

Therefore, it is the decision of the District's prequalification evaluation team that your company did not meet the District's minimum requirements for prequalification.

If your company can refute the basis upon which this decision has been formed, you may submit an appeal to the District. The appeal shall state the basis of the appeal and must request a hearing. The appeal must be submitted in writing by certified mail within 3 working days of receipt of this notice, or by 9:00 a.m. Thursday, June 24, 2010.

If the District's decision is not reversed through the appeal process, or if no such appeal is requested, I shall recommend to our Board of Trustees that John Plane Construction, Inc. should not be prequalified to bid on this Measure C project at Foothill College.

The results of the Prequalification evaluation along with a recommendation will be presented to the Board of Trustees at a future date. The decision of the District's Board of Trustees will be final and not subject to appeal.

Sincerely,

Ms. Carmen Redmond, C. P. M.
Director of Purchasing Services
Foothill-De Anza Community College District

FOOTHILL-DE ANZA
Community College District

12345 El Monte Road
Los Altos Hills, CA 94022-4599
Foothill College

June 22, 2010

VIA: FACSIMILE AND MAIL

Rodan Builders, Inc.
ATTN: Dan Oliver
859 Cowan Rd
Burlingame, CA 94010

RE: GENERAL CONTRACTORS PREQUALIFICATION DOCUMENTS FOR FOOTHILL
COLLEGE-MEASURE C PROJECT #110-Renovation Projects 6201, 6300, & 6500

Dear Mr. Oliver,

The District is in receipt of your response to our advertisement for the Prequalification of General Contractors for Project #110-Renovation Projects 6201, 6300, & 6500 at Foothill College. In Section 4, Safety Record & Program, it was stipulated that a current Experience Modification Factor (EMF) above 1.0 would result in disqualification from further participation in this prequalification. You responded that your company's EMF is 1.43, and this was verified by Rodan Builders insurance company.

In addition, Section 7, Financial Statement and Information, required the submission of reviewed or audited financial statements for the most recent three (3) fiscal years, i.e. 2009, 2008, & 2007. The prequalification documents that were sent to the District included only the financial statements for fiscal year 2009. The financial statements for fiscal years 2008 and 2007 were not included.

Therefore, it is the decision of the District's prequalification evaluation team that your company did not meet the District's minimum requirements for prequalification.

If your company can refute the basis upon which this decision has been formed, you may submit an appeal to the District. The appeal shall state the basis of the appeal and must request a hearing. The appeal must be submitted in writing within 3 working days of receipt of this notice or by 10:00 a.m. Friday, June 25, 2010.

If the District's decision is not reversed through the appeal process, or if no such appeal is requested, I shall recommend to our Board of Trustees that Rodan Builders, Inc. should not be prequalified to bid on this Measure C project at Foothill College.

The results of the Prequalification evaluation along with a recommendation will be presented to the Board of Trustees at a future date. The decision of the District's Board of Trustees will be final and not subject to appeal.

Sincerely,

Ms. Carmen Redmond, C. P. M.
Director of Purchasing Services
Foothill-De Anza Community College District

FOOTHILL-DE ANZA
Community College District

12345 El Monte Road
Los Altos Hills, CA 94022-4599
Foothill College

June 22, 2010

VIA: FACSIMILE AND MAIL

West Coast Contractors, Inc.
ATTN: Mark Dietlin
2320 Courage Dr., Ste 111
Fairfield, CA 94533

RE: GENERAL CONTRACTORS PREQUALIFICATION DOCUMENTS FOR FOOTHILL
COLLEGE-MEASURE C PROJECT #110-Renovation Projects 6201, 6300, & 6500

Dear Mr. Dietlin,

The District is in receipt of your response to our advertisement for the Prequalification of General Contractors for Project #110-Renovation Projects 6201, 6300, & 6500 at Foothill College. In Section 4, Safety Record & Program, it was stipulated that a current Experience Modification Factor (EMF) above 1.0 would result in disqualification from further participation in this prequalification. You responded that your company's EMF is 1.02, and this was verified by West Coast Contractors's insurance company.

Therefore, it is the decision of the District's prequalification evaluation team that your company did not meet the District's minimum requirements for prequalification.

If your company can refute the basis upon which this decision has been formed, you may submit an appeal to the District. The appeal shall state the basis of the appeal and must request a hearing. The appeal must be submitted in writing within 3 working days of receipt of this notice or by 10:00 a.m. Friday, June 25, 2010.

If the District's decision is not reversed through the appeal process, or if no such appeal is requested, I shall recommend to our Board of Trustees that West Coast Contractors, Inc. should not be prequalified to bid on this Measure C project at Foothill College.

The results of the Prequalification evaluation along with a recommendation will be presented to the Board of Trustees at a future date. The decision of the District's Board of Trustees will be final and not subject to appeal.

Sincerely,

Ms. Carmen Redmond, C. P. M.
Director of Purchasing Services
Foothill-De Anza Community College District

FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT

Material & Purchasing Services <http://purchasing.fhda.edu/> Ph 650-949-6193 Fax 650-948-5194