

# ORANGE UNIFIED SCHOOL DISTRICT



## PREQUALIFICATION PACKAGE FOR PRIME / GENERAL CONTRACTORS ALL DISTRICT PROJECTS

### DOCUMENTS INCLUDED IN THIS PACKAGE:

1. Prequalification Instructions for Prime/General Contractors for ALL District Projects
2. Prime/General Contractor Prequalification Questionnaire and Certification for ALL District Projects
3. DISTRICT USE FORM – Prime/General Contractor Prequalification Evaluation Procedure & Rating System – *Informational Only*

### **MAIL OR DELIVER TO (no e-mail delivery):**

Orange Unified School District  
Facilities and Planning Department  
726 West Collins Avenue  
Orange, CA 92867  
ATTN: Ms. Jana Mills,  
Purchasing and Contracts Manager (Measure S Program)

### **FOR QUESTIONS:**

Ms. Jana Mills  
Program Purchasing and Contracts Manager (Measure S Program)  
Phone: 714.627.4500  
E-Mail: [jmills@orangeusd.org](mailto:jmills@orangeusd.org)

ARC is the authorized District distributor of this Prequalification Package for District Projects



# ORANGE UNIFIED SCHOOL DISTRICT

## PREQUALIFICATION INSTRUCTIONS FOR PRIME/GENERAL CONTRACTORS FOR ALL DISTRICT PROJECTS

### Request For Prequalification Of Prime/General Contractors (Public Contract Code 20111.6)

This Prequalification Package consists of three (3) parts:

1. Prequalification Instructions for Prime/General Contractors for District Projects
2. Prime/General Contractor Prequalification Questionnaire and Certification for District Projects
3. DISTRICT USE FORM – Prime/General Contractor Prequalification Evaluation Procedure & Rating System – *Informational Only*

Each prospective Prime/General Contractor must fully complete the Orange Unified School District's ("District") Prime/General Contractor Prequalification Questionnaire to establish its qualifications to perform construction work as the Prime/General Contractor for District projects using funds received pursuant to the Leroy F. Greene School Facilities Act of 1998 or any funds received, including funds reimbursed, from any future state school bond for a public project that involves a projected expenditure of one million dollars (\$1,000,000) or more.

The Prime/General Contractor's prequalification status and public works rating will remain current for twelve (12) months from the District's notice of qualification pursuant to the District's requirements. The Prime/General Contractor will receive advance notice from the District of upcoming projects for which it has been deemed prequalified to bid, and may choose to bid any or all of the projects for which it is prequalified.

Answers to questions contained in the attached Prime/General Contractor's Prequalification Questionnaire are required, including submittal of a Financial Statement as stipulated in the Prime/General Contractor Prequalification Questionnaire. These documents will be the basis of rating a Prime/General Contractor in respect to the size and scope of contracts upon which each Prime/General Contractor is qualified to bid.

The Prime/General Contractor Prequalification Questionnaire outlines criteria for disqualification. Additionally, the Prime/General Contractor shall be disqualified from prequalification for financial statements reflecting a negative financial working capital or net worth.

The Questionnaire responses and financial statements are not public records and are not open to public inspection. All information provided will be kept confidential to the extent permitted by law. The District reserves the right to reject any and all Prequalification Questionnaires and to waive any irregularities in the information contained therein.

Each Questionnaire must be signed under penalty of perjury by an individual who has the legal authority to bind the contractor on whose behalf that person is signing. If any information provided by a Prime/General Contractor becomes inaccurate, the contractor must immediately notify the awarding body and provide updated accurate information in writing and under penalty of perjury.

Only one copy of the prequalification is required to be submitted. A new and current submittal shall be required each year. Additionally, the District may, at any time, specifically request a new statement, in

which case, the Prime/General Contractor must comply within thirty (30) days, or the rating on file may, at the discretion of the District, be considered expired. A Prime/General Contractor may also file new statements at more frequent intervals if there is substantial change in the Prime/General Contractor's financial status, and a new rating based on the latest statement will be issued. All requirements and items stipulated in the Prequalification Questionnaire must be provided or the qualification submittal will not be accepted.

The District reserves the right to:

- Request that Prime/General Contractor(s) update prequalification forms;
- Certify a Prime/General Contractor only up to a specific contract size or dollar amount based on the size of Contractor's previous projects;
- Revoke, rescind, and/or reuse the prequalification status of a Prime/General Contractor;
- Use some or all of the information provided in this form for evaluation purposes.
- Check other sources

### **SUBMISSION OF COMPLETED STATEMENTS**

Mail or deliver completed Prime/General Contractor's Prequalification Questionnaire along with the following requirements as identified in the District's Prequalification Package:

- **Prime/General Contractor** must submit a reviewed or audited financial statement with accompanying notes and supplemental information for the past one (1) full fiscal year, for projects with a District estimated value under \$10 million.
- **Prime/General Contractor** must submit **audited financial statements** with accompanying notes and supplemental information for the past one (1) full fiscal year, for projects with a **District estimated value of \$10 million or more.**
- Letter of Bondability stating single and aggregate bonding capacity
- Certificate of Insurance issued to Orange Unified School District
- Letter of Credit (optional)

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Orange Unified School District  
Facilities and Planning Department  
726 West Collins Avenue  
Orange, CA 92867  
ATTN: Ms. Jana Mills,  
Purchasing and Contracts Manager (Measure S Program)

<p><b>Please Mark Envelope "Confidential"</b></p>
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### **FOR QUESTIONS:**

Ms. Jana Mills  
Purchasing and Contracts Manager (Measure S Program)  
Phone: 714.628.4500  
E-Mail: [jmills@orangeusd.org](mailto:jmills@orangeusd.org)

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## FINANCIAL INFORMATION FOR PRIME/GENERAL CONTRACTORS

### a. Audited and Reviewed Statement Requirements (Questionnaire Section E)

**Prime/General Contractor** must submit a reviewed or audited financial statement with accompanying notes and supplemental information for the past one (1) full fiscal year, for projects with a District estimated value under \$10 million.

**Prime/General Contractor** must submit audited financial statements with accompanying notes and supplemental information for the past one (1) full fiscal year, for projects with a **District estimated value of \$10 million or more.**

A compilation as a substitution for the financial statements outlined above is not acceptable.

A letter verifying availability of a line of credit may also be attached; however, it will be considered supplemental information only, and is not a substitute for the required financial statement.

**Reviewed or audited financial statement, (as appropriate), must be less than 12 months old.**

### b. Financial Capacity

Prospective Prime/General Contractors will be prequalified to bid on projects up to a maximum dollar amount based on the lesser of ten times working capital (current assets less current liabilities) or ten times net worth (total assets less liabilities) whichever is less.

A letter verifying availability of a line of credit may also be attached; however, it will be considered supplemental information only, and is not a substitute for the required financial statement.

Particular attention is called to the fact that the certified public accountant must express an unqualified opinion. Note: Statements with a "negative quick asset" amount may not be augmented.

Working capital and net worth are important factors in determining the bidding capacity of a Contractor; therefore, the accountant must furnish, by a supplementary schedule or as a part of the accountant's opinion, any information not specifically called for by the statement which might be taken into consideration.

In the event that the Contractor's job income and expenditures are accounted on a completed contract basis and the balance sheet includes an item reflecting the excess of costs to date over billing to date, or vice versa, the elements of "Accumulated Cost" and "Billings to Date" must be shown in support of the balance sheet item.

### c. Term of Financial Statements

A Prime/General Contractor's financial statement is valid until the date shown is more than one year old, as stated in the District's requirements for prequalification. The District reserves the right to reject statements in which the financial information is more than six months old. All applicable portions of the form should be completed with schedules attached if the space provided does not suffice.

## PUBLIC WORKS REQUIREMENTS

Prime/General Contractors must have successfully completed projects as outlined in the following value categories of prequalification interest for District projects:

- **For District projects with an estimated value of \$1 - 5 million:**

Prime/General Contractors must have successfully completed at least three (3) California K-12 public works projects in the State of California within the past five (5) years, with a minimum total contract price of one million dollars (\$1 million) or more.

- **For District projects with an estimated value of \$5 - 20 million:**

Prime/General Contractors must have successfully completed at least three (3) California K-12 public works projects in the State of California within the past five (5) years, with a minimum total contract price of five million dollars (\$5 million) or more.

- **For District projects with an estimated value of \$20 - \$35 million:**

Prime/General Contractors must have successfully completed at least three (3) California K-12 public works projects in the State of California within the past five (5) years, with a minimum total contract price of twenty million dollars (\$20 million) or more.

- **For District projects with an estimated value of \$35 - \$70 million:**

Prime/General Contractors must have successfully completed at least three (3) California K-12 public works projects in the State of California within the past five (5) years, with a minimum total contract price of thirty-five million dollars (\$35 million) or more.

The public works experience rating will be determined by averaging the two largest of these construction contracts and adding 33% for inflation and other growth factors.

For Example: Project 1 contract value of \$1,627,511 plus Project 2 contract value of \$1,437,026 equals an average contract value of \$1,532,269. This averaged value is then multiplied by 1.33 (allowing for inflation and other growth factors), which yields the sum of \$2,037,917. This figure is rounded to the nearest \$100,000 for a public works experience rating of \$2,000,000. This process only obtains the Public Works Experience Rating for average public works project experience and does not necessarily set the final rating.

## INSURANCE

A minimum of \$1,000,000 per occurrence and \$2,000,000 aggregate liability insurance for individual projects where the engineer's estimate is \$1,000,000 - \$5,000,000.\*

A minimum of \$2,000,000 per occurrence and \$4,000,000 aggregate liability insurance for individual projects where the engineer's estimate is \$5,000,000 or more. \*

*\* For individual projects with an engineer's estimate of \$5,000,000 or more, the District may require higher limits based on the size or complexity of project. Prime/General Contractors and MEP Subcontractors submitting Prequalification Packages for District projects understand and agree that regardless of an approved District prequalification rating, insurance requirements for a specific District project will be identified in the District's project documents at the time of bidding.*

- A Certificate of Insurance must be issued to Orange Unified School District which states levels and dates of coverage.

## **BONDABILITY**

The bonding surety is required to be an admitted surety in the State of California and on the United States Treasury's Listing of Approved Sureties <https://www.fiscal.treasury.gov/fsreports/ref/suretyBnd/c570.htm>.

The surety may be contacted to confirm willingness to bond to a particular limit for single and aggregate bonding capacity. It is required that the contractor include a notarized letter of bondability from the surety indicating its support levels.

The Contractor's single bonding capacity must be, at a minimum, the District's estimated value for an individual project.

In the event that the contractor is unable to obtain a letter of bondability stating single and aggregate bonding capacity in the time prescribed by the District, the Contractor may be suspended from the qualified contractors' list and not be allowed to bid on District projects until proof of bondability is provided.

## **CERTIFICATION**

In the Prequalification Questionnaire, an authorized agent of the Prime/General Contractor executes and certifies under penalty of perjury under the laws of the State of California that its Prequalification Questionnaire and all attachments submitted to the District for review are true and correct.

## **NOTIFICATION OF PREQUALIFICATION RESULT**

Complete Prequalification Packages are accepted anytime, incomplete packages will be returned without review. Depending on the volume of Prequalification Packages received by the District for pending projects, the review process will be completed as expeditiously as possible, and within the requirements of California Public Contract Code. Contractors will receive written notification from the District on the evaluation results of the Contractor's Prequalification Package.

Bids received from contractors who have not completed the prequalification process will be deemed non-responsive.

## **PROCEDURE FOR APPEAL OF PREQUALIFICATION RESULTS**

If the Contractor decides to appeal the District's qualification decision, it shall follow this procedure:

- a. Contractor shall submit within three (3) working days from notification, a written request to the District asking for an explanation of any aspect of the District's determination.
- b. Within three (3) working days from receipt of the District's written response to the Contractor's request, Contractor may submit, in writing, a request for reconsideration by the District's staff. Contractor may submit with the request any information that it believes supports a finding that District's determination should be changed.

If the Contractor chooses not to avail itself of this process, the proposed prequalification rating may be adopted by the District without further proceedings.

**END OF DOCUMENT**

**PREQUALIFICATION QUESTIONNAIRE AND CERTIFICATION  
FOR  
PRIME/GENERAL CONTRACTORS**

**ALL DISTRICT PROJECTS**

**(Begins on Next Page)**



# ORANGE UNIFIED SCHOOL DISTRICT

## PREQUALIFICATION QUESTIONNAIRE AND CERTIFICATION FOR PRIME/GENERAL CONTRACTORS FOR ALL DISTRICT PROJECTS

**> > > IMPORTANT! < < <**  
**THIS QUESTIONNAIRE IS FOR PROSPECTIVE**  
**PRIME/GENERAL CONTRACTORS ONLY**

Pursuant to Public Contract Code section 20111.6, each prospective contractor shall submit the following information to establish its qualifications to perform construction work as the prime or general contractor on Orange Unified School District ("District") projects using funds received pursuant to the Leroy F. Greene School Facilities Act of 1998 or any funds received, including funds reimbursed, from any future state school bond for a public project that involves a projected expenditure of one million dollars (\$1,000,000) or more.

### A. CONTRACTOR'S INFORMATION

Firm name: \_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

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

Fax: \_\_\_\_\_

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

Mobile Telephone: \_\_\_\_\_

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

By: \_\_\_\_\_ Date: \_\_\_\_\_

(Name of individual completing statement)

Years in business as a licensed contractor: \_\_\_\_\_

Years' experience with school district, university, and/or community college  
district projects: \_\_\_\_\_

Types of work performed with own forces: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Years in business under current firm name: \_\_\_\_\_

Years at the above address: \_\_\_\_\_

**B. CURRENT ORGANIZATION AND STRUCTURE OF THE BUSINESS**

1. For Firms that Are Corporations:

- a. Date incorporated: \_\_\_\_\_
- b. Under the laws of what state: \_\_\_\_\_
- c. Provide all the following information for each person who is either (a) an officer of the corporation (president, vice president, secretary, treasurer), or (b) the owner of at least ten percent (10%) of the corporation's stock.

NAME	POSITION	YEARS WITH Co.	% OWNERSHIP

2. For Firms that Are Partnerships:

- a. Date of formation: \_\_\_\_\_
- b. Under the laws of what state: \_\_\_\_\_
- c. Provide all the following information for each partner who owns ten percent (10%) or more of the firm.

NAME	POSITION	YEARS WITH Co.	% OWNERSHIP

3. For Firms that Are Sole Proprietorships:

- a. Date of commencement of business: \_\_\_\_\_

4. For Firms that Intend to Bid as a Joint Venture:

- a. Date of commencement of joint venture: \_\_\_\_\_
- b. Provide all of the following information for each firm that is a member of the joint venture that expects to bid on one or more projects. Attach all additional references and/or information on separate signed sheets.

NAME OF FIRM	% OF OWNERSHIP OF JOINT VENTURE

5. Associated Firms

For any of the above business structures, identify every construction firm that any person listed above has been associated with (as owner, general partner, limited partner or officer) at any time during the past five (5) years.

PERSON'S NAME	NAME OF CONSTRUCTION FIRM & LICENSE NO.	DATES OF PERSON'S PARTICIPATION WITH FIRM

Attach all additional references and/or information on separate signed sheets.

**C. HISTORY OF THE BUSINESS AND ORGANIZATIONAL PERFORMANCE**

1. Has there been any change in ownership of the firm at any time during the past three years? NOTE: A corporation whose shares are publicly traded is not required to answer this question.

- Yes       No

If "yes," explain on a separate signed sheet.

2. Is the firm a subsidiary, parent, holding company, or affiliate of another construction firm? NOTE: Include information about other firms if one firm owns ten percent (10%) or more of another, or if an owner, partner, or officer of your firm holds a similar position in another firm.

- Yes       No

If "yes," explain on a separate signed sheet. Include name of the related company and percent ownership.

3. Are any corporate officers, partners or owners connected to any other construction firms? NOTE: Include information about other firms if an owner, partner, or officer of your firm holds a similar position in another firm.

- Yes       No

If "yes," explain on a separate signed sheet.

4. Has any owner, partner, CSLB qualifier or corporate officer of the firm operated as a contractor under any other name or license number (not listed above) in the last five (5) years?

- Yes       No

If "yes," explain on a separate signed sheet, including the name and license number of the other company.

5. State your firm's gross revenues for each of the past three (3) years:

YEAR	GROSS REVENUE
	\$
	\$
	\$

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

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7. Is your firm currently the debtor in a bankruptcy case or was in bankruptcy at any time during the last five (5) years?

- Yes       No

If "yes," please attach a copy of the bankruptcy petition and a copy of the Bankruptcy Court's discharge or any other document that ended the case, if any.

### LICENSES/REGISTRATION

8. Please provide the following licensing information:
- a. Name of license holder exactly as on file with the California State License Board: \_\_\_\_\_  
\_\_\_\_\_
  - b. License classification(s): \_\_\_\_\_
  - c. License No.: \_\_\_\_\_
  - d. Expiration Date: \_\_\_\_\_
  - e. Public Works Contractor's Registration No. as on file with Department of Industrial Relations: \_\_\_\_\_
9. Has any CSLB license held by your firm or its Responsible Managing Employee or Responsible Managing Officer been suspended or revoked within the last five (5) years?
- Yes       No
- If "yes," explain on a separate signed sheet.
10. Has your firm changed names or license number in the past five (5) years?
- Yes       No
- If "yes," explain on a separate signed sheet, including the reason for the change.

### DISPUTES

11. At any time in the last five (5) years, has your firm been assessed liquidated damages under a construction contract with any public or private owner?
- Yes       No
- If "yes," explain on a separate signed sheet, identifying projects by owner, owner's address, and date of completion.
12. At any time in the last five (5) years, has your firm, or any owners, officers or partners, been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any public works project?
- Yes       No

If "yes," explain on a separate signed sheet, including the name of the person who was associated with that company, the year of the event, owner, owner's address and basis for the action.

13. At any time in the last five (5) years, has a public agency found your company was not a responsible bidder?

Yes       No

If "yes," explain on a separate signed sheet, including the year of the event, owner, owner's address and basis for the finding.

14. In the past five (5) years, has any claim exceeding \$50,000 against your firm or by your firm against an owner been filed in court or arbitration concerning your firm's work or payment on a construction project?

Yes       No

If "yes," explain on a separate signed sheet, including the project name, court or arbitration case name and number, and a brief description of the status of the claim.

## INSURANCE

15. Does Contractor have the following liability insurance policy limits?

- a. A minimum of \$1,000,000 per occurrence and \$2,000,000 aggregate liability insurance for individual projects where the engineer's estimate is \$1,000,000 - \$5,000,000.

Yes       No

If "No," provide on a separate signed sheet what limits are available to the Contractor.

- b. A minimum of \$2,000,000 per occurrence and \$4,000,000 aggregate liability insurance for individual projects where the engineer's estimate is \$5,000,000 or more. \*

Yes       No       No, BUT attainable \*

If "No," provide on a separate signed sheet what limits are available to the Contractor.

**\* For individual projects with an engineer's estimate of \$5,000,000 or more, the District may require higher limits based on the size or complexity of project. Prime/General Contractors submitting Prequalification Packages for District projects understand and agree that regardless of an approved District prequalification rating, insurance requirements for a specific District project will be identified in the District's project documents at the time of bidding.**

16. Does Contractor have current workers' compensation insurance policy as required by the California Labor Code or is legally self-insured pursuant to California Labor Code section 3700 *et seq.*?

Yes       No

17. In the last five (5) years, has any insurance carrier, for any form of insurance, refused to renew the insurance policy for your firm?

Yes       No

If "yes," explain on a separate signed sheet, including the name of the insurance carrier, form of insurance and year of the refusal.

### **CRIMINAL MATTERS AND RELATED CIVIL SUITS**

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

Yes       No

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

19. Has your firm or any of its owners, partners or officers ever been convicted of a crime involving any federal, state, or local law related to construction or fraud, theft, or any other action of dishonesty?

Yes       No

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

### **SAFETY**

20. Within the past five (5) years, has the California or federal OSHA cited and assessed against your firm, or any associated firm, for "serious," "willful" or "repeat" violations of its safety or health regulations?

Yes       No

If "yes," explain on a separate signed sheet, identifying the citation(s), nature of the violation(s), project, and amount of penalty paid, if any.

21. Within the past five (5) years, has the EPA or any Air Quality Management District or any Regional Water Quality Control Board cited and assessed penalties against your firm or the owner of the project on which your firm was the Contractor?

Yes       No

If "yes," explain on a separate signed sheet, describing the citation(s).

22. State the Contractor's Workers' Compensation Experience Modification Rate for the past three (3) premium years:

YEAR	MODIFICATION RATE

If your EMR is 1.00 or higher, you may attach a letter of explanation.

23. Within the past five (5) years, has there ever been a period when your firm and/or any associated firm had employees but was without workers' compensation insurance or state-approved self-insurance?

Yes       No

If yes, explain on separate sheet, including the date(s) and reason(s) for the absence of workers' compensation insurance.

**PREVAILING WAGE AND APPRENTICESHIP COMPLIANCE**

24. In the past five (5) years, has there been more than one occasion in which your firm was required to pay either back wages or penalties for your firm's failure to comply with California prevailing wage laws or federal Davis-Bacon prevailing wage requirements?

Yes       No

If "yes," explain on a separate signed sheet, describing the nature of the violation(s), project, owner, and amount paid, if any.

25. At any time during the past five (5) years, has your firm been found to have violated any provision of California apprenticeship laws or regulations, or laws pertaining to use of apprentices on public works projects?

Yes       No

If "yes," explain on a separate signed sheet, including date(s) of such findings and attaching the DAS' final decision(s).

**BONDING**

26. **Have you attached a notarized statement from an admitted surety insurer (approved by the California Department of Insurance and authorized to issue bonds in the State of California), which states your current single and aggregate bonding capacity?**

Yes       No

27. Provide the name, address and telephone number of the surety agent:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

28. List all sureties that have written bonds for your firm currently and during the last five (5) years:

NAME	ADDRESS	DATES OF BONDS

29. In the last 5 years, has any surety paid on your firm's behalf as a result of a default to satisfy any claims made against a payment or performance bond issued on your firm's behalf?

Yes       No

If "yes," explain on a separate signed sheet, including the amount of each claim, name and telephone number of claimant, date of and grounds for the claim, and present status.

30. If your firm was required to pay a premium of more than one percent (1%) for a performance and payment bond on any project on which your firm worked in the last three (3) years, state the percentage that your firm was required to pay: \_\_\_\_\_.

You may explain on a separate sheet, why you were required to pay a premium of more than one percent (1%).

31. In the last five (5) years, has your firm ever been denied bond coverage by a surety company, or has there ever been a period of time when your firm had no surety bond in place when one was required?

Yes       No

If "yes," explain on a separate signed sheet, including the name of the surety company and the period during which your firm had no bond in place.

**D. PROJECT REFERENCES**

Prime/General Contractors must have successfully completed projects as outlined in the following value categories of prequalification interest, in which the Contractor under all firm names identified in Section B has participated on the form attached as **EXHIBIT A**. Please include all projects performed under all firm names identified in Section B.

Use and attach additional sheets with signature to list all projects, and also as needed to explain or clarify any response or to include more responses with all requested information.

- **For District projects with an estimated value of \$1 - 5 million:**

Prime/General Contractors must have successfully completed at least three (3) California K-12 public works projects in the State of California within the past five



(5) years, with a minimum total contract price of one million dollars (\$1 million) or more.

- **For District projects with an estimated value of \$5 - 20 million:**

Prime/General Contractors must have successfully completed at least three (3) California K-12 public works projects in the State of California within the past five (5) years, with a minimum total contract price of five million dollars (\$5 million) or more.

- **For District projects with an estimated value of \$20 - \$35 million:**

Prime/General Contractors must have successfully completed at least three (3) California K-12 public works projects in the State of California within the past five (5) years, with a minimum total contract price of twenty million dollars (\$20 million) or more.

- **For District projects with an estimated value of \$35 - \$70 million:**

Prime/General Contractors must have successfully completed at least three (3) California K-12 public works projects in the State of California within the past five (5) years, with a minimum total contract price of thirty-five million dollars (\$35 million) or more.

## **E. FINANCIAL INFORMATION**

**Prime/General Contractor** must submit a reviewed or audited financial statement with accompanying notes and supplemental information for the past one (1) full fiscal year, for projects with a District estimated value under \$10 million.

**Prime/General Contractor** must submit audited financial statements with accompanying notes and supplemental information for the past one (1) full fiscal year, for projects with a **District estimated value of \$10 million or more.**

A compilation as a substitution for the financial statements outlined above is not acceptable.

A letter verifying availability of a line of credit may also be attached; however, it will be considered supplemental information only, and is not a substitute for the required financial statement.

## **CERTIFICATION**

I certify under penalty of perjury under the laws of the State of California that the foregoing and all attachments are true and correct:

Date: \_\_\_\_\_

Proper Name of Contractor: \_\_\_\_\_

Signature by an officer of the Contractor: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

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**Exhibit A on Next Page**

**EXHIBIT A**

As stated in Section D – Project References: List your firm’s completed California K-12 projects in the categories as outlined in Section D – Project References, in which the Contractor under all firm names identified in Section B has participated. Please include all projects performed under all firm names identified in Section B.

**Use and attach additional sheets with signature to list all projects, and also as needed to explain or clarify any response or to include more responses with all requested information.**

Project Name/Identification:

- a. Project Name: \_\_\_\_\_
- b. Project address/location: \_\_\_\_\_
- c. Owner (name of district reference and tel. no.): \_\_\_\_\_  
\_\_\_\_\_
- d. Architect (name and tel. no.): \_\_\_\_\_  
\_\_\_\_\_
- e. Construction Manager (name and tel. no.): \_\_\_\_\_  
\_\_\_\_\_
- f. Scope of Work: \_\_\_\_\_  
\_\_\_\_\_
- g. Original completion date: \_\_\_\_\_
- h. Actual date of completion: \_\_\_\_\_
- i. Time extensions granted: \_\_\_\_\_
- j. Initial contract value: \_\_\_\_\_
- k. Final contract value: \_\_\_\_\_

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

> > > DISTRICT USE – INFORMATIONAL ONLY < < <

**DISTRICT EVALUATION PROCEDURE & RATING SYSTEM  
FOR  
PRIME/GENERAL CONTRACTORS**

**ALL DISTRICT PROJECTS**

**(Begins on Next Page)**

# ORANGE UNIFIED SCHOOL DISTRICT

## PROSPECTIVE PRIME/GENERAL CONTRACTOR FOR ALL DISTRICT PROJECTS

### DISTRICT USE – PREQUALIFICATION EVALUATION PROCEDURE & RATING SYSTEM

Name of Contractor: \_\_\_\_\_

- 1. Confirm Prequalification Statement Submitted is Responsive** – if the answer to any of the questions is “no,” then the Prequalification Package is nonresponsive. (See Section III.E of Prequalification Information)

A. Completeness

Did the Contractor provide all requested information in its submitted Prequalification Statement?

Yes                      No

B. Signed Under Penalty of Perjury

Is the Prequalification Questionnaire signed under penalty of perjury by individuals who have the authority to bind the Contractor on whose behalf they are signing?

Yes                      No

- 2. Incomplete, Misleading or Inaccurate Information** – if the answer to any of the questions is “yes,” then reject the Contractor.

A. Is the information provided by the Contractor is misleading or inaccurate in any material manner?

Yes                      No

B. Is any of the information contained in the Prequalification Package, including updates, if any, misleading or inaccurate? (If Contractor provided updates to correct/clarify information, then Prequalification Package can still be considered accurate.)

Yes                      No

- 3. Confirm Essential Criteria**

a. K-12 School Projects (See Section D. of Questionnaire)

Has the Contractor contracted for and completed construction involving a minimum of three (3) California K-12 public school projects, each with a contract value of at least \$5 million within the past five (5) years?

Yes                      No

(If no, then Contractor is not qualified)

b. License (See Section C.9. of Questionnaire)

Has the Contractor held all Contractor's license(s) necessary to perform its work for at least five (5) years and have those license(s) not been suspended or revoked?

Yes                      No

(If no, then Contractor is not qualified)

c. Registration (See Section C.8. of Questionnaire)

Is the Contractor currently registered as a Public Works Contractor with the Department of Industrial Relations?

Yes                      No

(If no, then Contractor is not qualified)

d. Disqualification (See Section C.12. and C.13. of Questionnaire)

Has the Contractor ever been disqualified, debarred, forbidden, or found non-responsible or otherwise prohibited, from performing work and/or bidding on work for any school district or other public agency within the State of California in the past five (5) years?

Yes                      No

(If yes, then Contractor is not qualified)

e. Default (See Section C.29. of Questionnaire)

Has a surety firm completed a contract on Contractor's behalf, or paid for completion because Contractor was in default and/or terminated by school district or other public agency within the State of California within the past five (5) years?

Yes                      No

(If yes, then Contractor is not qualified)

f. Bankruptcy (See Section C.7. of Questionnaire)

Has Contractor declared bankruptcy or been placed in receivership within the past five (5) years?

Yes                      No

(If yes, then Contractor is not qualified)

g. Insurance (See Section C.15. of Questionnaire)

Does Contractor have a minimum of \$1,000,000 per occurrence and \$2,000,000 aggregate liability insurance for individual projects where the engineer's estimate is \$1,000,000 - \$5,000,000?

Yes                      No

(If no, see attachment if they are capable of attaining the above limits. If not, then Contractor is not qualified)

A minimum of \$2,000,000 per occurrence and \$4,000,000 aggregate liability insurance for individual projects where the engineer's estimate is \$5,000,000 or more. \*

Yes                      No                      No, BUT attainable \*

(If no, see attachment if they are capable of attaining the above limits. If not, then Contractor is not qualified to bid on projects where the engineer's estimate is \$5,000,000 or more)

h. Workers Compensation (See Section C.16. of Questionnaire)

Does Contractor have current workers' compensation insurance policy as required by the California Labor Code or is legally self-insured pursuant to California Labor Code section 3700 *et seq.*?

Yes                      No

(If no, then Contractor is not qualified)

i. Bonding Capacity (See Sections C.26. through C. 31. of Questionnaire)

Does Contractor demonstrate that it can provide a 10% bid bond, and a separate 100% payment bond and 100% performance bond, each issued by a surety admitted and authorized to transact business as a surety in California?

Yes                      No

(If no, then Contractor is not qualified)

District Use Only:	
Verified by: _____	Date: _____
By speaking with: _____	
How long has the contractor been a client: _____	
Bonding Capacity: Single: _____	Aggregate: _____

j. Criminal Matters and Related Civil Suits (See Section C.18. and C.19. of Questionnaire)

Has the Contractor, or any of its owners or officers, shall not have been convicted of a crime involving the bidding, award or performance of a contract of a government construction project or fraud, theft, or any other action of dishonesty within the past five (5) years?

Yes                      No

(If yes, then Contractor is not qualified)





# ORANGE UNIFIED SCHOOL DISTRICT

## PROSPECTIVE PRIME/GENERAL CONTRACTOR FOR ALL DISTRICT PROJECTS

### DISTRICT USE – PREQUALIFICATION EVALUATION REFERENCE FORM

(To Be Utilized By District To Evaluate References)

The District should fill out the information in Section I and then telephone the contact person. The District should then ask the questions in Section II, ensuring that it obtains the information as to whether the Contractor's performance in that area was unsatisfactory, below average, average or above average. The District should then complete section III with that information and enter the average of the Total Numerical Rating of all the Evaluation Reference Forms for that Contractor at the corresponding place on the Evaluation Worksheet.

#### Section I - General Project Information

Name of Contractor:	Total Contract Costs:
	Contract Start/End Dates:
Project Title:	Actual Completion Date:
Scope of Work:	
Name of Public Agency/School District:	Telephone Number of Contact Person:
Name of Contact Person:	Date and Time of Interview of Contact Person:
Architect Firm:	Principal Architect in Charge of Project:

## Section II – Telephone Interview Questions

### 1. Planning and Coordination of Work

Did the Contractor pursue and develop a thorough understanding of the scope of work? Did the Contractor proactively anticipate and coordinate agencies and jurisdictions, and utilities shutdown schedules and mechanics? Was the Contractor able to plan and execute complex critical path tasks for successful completion? **Please rate the Contractor with respect to quality of work as either unsatisfactory, below average, average, or above average.**

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### 2. Quality of Work

Were there quality-related problems on the project? Were these problems attributable to the Contractor? Was the Contractor cooperative in trying to resolve problems? If not, provide specific examples. **Please rate the Contractor with respect to quality of work as either unsatisfactory, below average, average, or above average.**

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### 3. Performance and Accountability

a. Scheduling - Rate the Contractor's performance with regard to adhering to project schedules. Did the Contractor meet the project schedule? If not, was the delay attributable to the Contractor? **Please rate the Contractor with respect to scheduling as either unsatisfactory, below average, average, or above average.**

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- b. Contractor (Project) Management - Rate the Contractor's ability to manage and coordinate its own subcontractors (if no subcontractors, rate the Contractor's overall project management). Was the Contractor able to effectively resolve problems? If not, provide specific examples. **Please rate the Contractor with respect to project management as either unsatisfactory, below average, average, or above average.**

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- c. Change Orders - Rate the Contractor's performance with regard to change orders and extras. Did the Contractor unreasonably claim change orders or extras? Were the Contractor's prices on change orders and extras reasonable? If not, provide specific examples. **Please rate the Contractor with respect to change orders as either unsatisfactory, below average, average, or above average.**

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- d. Working Relationships - Rate the Contractor's working relationships with other parties (i.e. owner, designer, prime contractors, other subcontractors, etc.). Did the Contractor relate to other parties in a professional manner? If not, provide specific examples. **Please rate the Contractor with respect to working relationships as either unsatisfactory, below average, average, or above average.**

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- e. Paperwork Processing - Rate the Contractor's performance in completing and submitting required project paperwork (i.e. submittals, drawings, requisitions, payrolls, etc.). Did the Contractor submit the required paperwork promptly and in proper form? If not, provide specific examples. **Please rate the Contractor with respect to paperwork processing as either unsatisfactory, below average, average, or above average.**

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**[RATING SHEET ON FOLLOWING PAGE]**

**Section III - Numerical Rating**

If the contact person rates the Contractor unsatisfactory in any area, please attempt to provide written comments in Section II to explain the rating(s) assigned.

Contractor's Name: \_\_\_\_\_

	Unsatisfactory	Below Average	Average	Above Average	RATING
<b>1. Planning and Coordination of Work</b>	-5	0	7	15	
<b>2. Quality of Work</b>	-5	0	1	5	
<b>3. Performance and Accountability</b>					
a. Scheduling	0	1	2	4	
b. Supervision; Subcontractor and Project Management	0	1	3	5	
d. Change Orders	0	1	2	4	
e. Working Relationship	0	0	1	2	
f. Paperwork Processing	0	0	1	2	
g. Litigation	0	1	2	3	
<i>Maximum Possible: 40</i>					
<b>Total:</b>					

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# ORANGE UNIFIED SCHOOL DISTRICT

## PROSPECTIVE PRIME/GENERAL CONTRACTOR FOR ALL DISTRICT PROJECTS

### PRIME/GENERAL CONTRACTOR PREQUALIFICATION EVALUATION WORKSHEET FOR DISTRICT USE

Name of Contractor: \_\_\_\_\_

**1. Essential Criteria**

If any one of the essential criteria is not met, there is no need to complete the remainder of the evaluation if this is the case.

**2. References**

\_\_\_\_\_ Points

Use the attached Evaluation Reference Form for each reference contacted for each Contractor. Insert the average of all the scores from all references for Contractor.

Average Numeric Rating from Evaluation Reference Forms	=	40 Points
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**3. Years in Business Under Current License** (See Section C.6. of Questionnaire)

10 or more years	=	15 Points
5 to 9 years	=	10 Points
2 to 4 years	=	5 Points
Less than 2 years	=	0 Points

\_\_\_\_\_ Points

**4. Size of Completed Projects** (See Section D. of Questionnaire)

Choose the one with the highest point value that Contractor meets.

3 Completed Projects larger than \$10 million	=	10 Points
5 Completed Projects larger than \$5 million	=	8 Points
3 Completed Projects larger than \$5 million	=	6 Points
5 Completed Projects larger than \$1 million	=	4 Points
3 Completed Projects larger than \$1 million	=	2 Points

\_\_\_\_\_ Points

**District Use Only:**

Two projects used for rating development: Highest: \_\_\_\_\_ 2<sup>nd</sup> Highest: \_\_\_\_\_  
 Average combined total: \_\_\_\_\_ x 1.33 = \$ \_\_\_\_\_  
 Average public works project experience value: \$ \_\_\_\_\_ (Above total rounded to nearest \$100,000)

**5. Liquidated Damages Per Project** (See Section C.12. of Questionnaire)

0 Incidents	=	10 Points
1 to 3 Incidents	=	5 Points
4 or more Incidents	=	0 Points

\_\_\_\_\_ Points

6. **Non-Compliance with Applicable Laws** (See Sections C.13, 19, 20, 21, 22, 24, 25 and 26 of Questionnaire)

0 Projects	=	10 Points
1 to 5 Projects	=	5 Points
6 or more Projects	=	0 Points

\_\_\_\_\_ Points

7. **Workers Compensation Modifier** (See Section C.23. of Questionnaire)

Less than or equal to 0.85	=	10 Points
More than 0.85 and less than 1.0	=	5 Points
More than 1.0	=	0 Points

\_\_\_\_\_ Points

8. **Financial Strength – Working Capital-** excluding entire line of credit (See Section E. of Questionnaire)

25% or more than \$5 million	=	10 Points
10% or more than \$2 million	=	5 Points
Less than \$2 million	=	0 Points

\_\_\_\_\_ Points

9. **Financial Strength – Net Worth** (See Section E. of Questionnaire)

More than \$5 million	=	10 Points
Equal to \$2 million	=	5 Points
Less than \$2 million	=	0 Points

\_\_\_\_\_ Points

<b>Maximum Points:</b>	<b>= 115</b>
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**TOTAL POINTS**

Average public works project experience value: \$ \_\_\_\_\_ (Above total rounded to nearest \$100,000)

**[END OF DOCUMENT]**