

**REQUEST FOR QUALIFICATIONS  
TO PROVIDE DESIGN-BUILD SERVICES  
FOR MANUFACTURED MODULAR BUILDINGS**

**FOR**

**OAKLAND UNIFIED SCHOOL DISTRICT  
COLISEUM COLLEGE PREPARATORY ACADEMY  
CCPA SITE EXPANSION PROJECT  
OUSD PROJECT NO. 21113**

**STATEMENTS OF QUALIFICATIONS  
TO BE RECEIVED AT THE OFFICE OF:**

**OAKLAND UNIFIED SCHOOL DISTRICT  
FACILITIES PLANNING & MANAGEMENT DEPARTMENT  
955 HIGH STREET  
OAKLAND, CA 94601  
ATTN: KENYA CHATMAN**

**NO LATER THAN:**

**MAY 22, 2024, 2:00 P.M.**

# **REQUEST FOR QUALIFICATIONS TO PROVIDE DESIGN-BUILD SERVICES FOR MANUFACTURED MODULAR BUILDINGS**

**RECEIPT OF STATEMENTS OF QUALIFICATIONS.** Sealed hard copy Statements of Qualifications and one electronic copy on a flash drive will be received at the office of the:

FACILITIES PLANNING & MANAGEMENT DEPARTMENT  
955 HIGH STREET  
OAKLAND, CA 94601  
SOQ ATTN TO: KENYA CHATMAN  
(SOQ PACKET DELIVERY ATTN TO: JUANITA HUNTER)  
**no later than MAY 22, 2024 @ 2:00 P.M.**

## **BASIC SCOPE AND NEEDS OF THE CONTRACT:**

Pursuant to Education Code sections 17250.10 et seq., the Oakland Unified School District seeks a design-build entity to produce final designs for, and construct, the classroom building at the Coliseum College Preparatory Academy (“CCPA”) campus, at 3190 66th Avenue, Oakland, California 94621 (the “Project”). The Contract will be constructed on the southwest portion of the campus, as set forth in the attached Exhibit A. The scope of the Contract will be a two-story modular classroom building comprised of 14 standard classrooms and 2 laboratory classrooms (see *Exhibit A*). Procurement of the Project’s design-build entity will be issued by the District under a separate RFQ. As set forth herein, the design-build entity for the modular building will be responsible for the design and coordination of their final design with the Project design-build entity in order to obtain final Division of the State Architect (“DSA”) approval. No construction work shall be performed until the design-build entity receives written approval of the plans, as to the safety of design and construction, from the DSA.

## **PROJECT DESCRIPTION:**

Coliseum College Preparatory Academy (“CCPA”) is situated on an existing campus of which was formerly known as Havenscourt Middle School, located at 3190 66th Avenue in Oakland, California. Presently, the campus comprises of six permanent buildings: Building “M” (a 2-story administration and classroom building); Buildings “A”, “B” and “C” (three one-story classroom buildings); Building “G” (a one-story gymnasium); Building “D” (a two-story cafeteria and classroom building); and eight classroom portables.

With a projected increase in the number of students to be served by the school, the campus necessitates additional classrooms. The District has retained the services of an architectural firm to produce bridging documents. In line with the programmatic requirements, the proposed project involves a new two-story modular building which would house fourteen standard classrooms and two laboratory classrooms, a gymnasium, and a reconfiguration of the existing parking lot. The overall project scope would include but not be limited to demolition of the current gymnasium and the eight classroom portables, infrastructure improvements, construction

of a new two-story tower with restrooms, stairway, corridor and a two-stop elevator, and the addition of outdoor features such as landscaping, seating, and activity areas.

Project Delivery will utilize an Alternative Design-Build Entity process for the overall project and a Standard Design-Build Entity process for the modular building manufacturer. The Project as a whole will require integrating the documents produced by two DBE entities into a single DSA submittal package.

### **ACADEMIC PROGRAM:**

The proposed space program for CCPA is driven by the school leadership’s vision for the academic program. The core of this vision is an excellence in A-G core requirements with additional college and career readiness Pathways and wraparound services that serve the whole student. The target enrollment for the school is 960 students, which is above the District’s threshold for a financially sustainable community school. OUSD High Schools of this size are intended to provide spaces for are delineated in the bridging document

### **MEASURE Y DESIGN-BUILD PROJECT:**

The Measure Y-funded project is being delivered via Alternative Design-Build and Standard Design-Build methods.

1. Shah Kawasaki Architects, the District’s architect, worked with the school community to develop the Bridging Documents with Schematic Designs consisting of building system concepts, project phasing, and design criteria documents.
2. The Bridging Documents will be issued to the prequalified DBEs during the RFP phase.
3. The Bridging Documents are intended to serve as the basis of a Request for Qualifications/Request for Proposals process that the District will use to select a Design-Build Entity (DBE). Following the selection, the DBE will provide full design services including, but not limited to, Schematic Design verification, production of Construction Documents, and securing approval of the design by the Division of the State Architect.
4. While the overall project timing is contingent upon numerous factors, it is anticipated that construction could begin in 2025 and achieve substantial completion in 2026.
5. It will be necessary to phase the project such that no off-site relocation of students is required, as there are no facilities available locally to house them. Spaces currently in the existing buildings shall serve as interim housing for student activities during construction

### **RECOMMENDED PROJECT PHASING:**

To ensure an efficient and systematic construction process, it is recommended that the DBE prioritize the following phases:

**Phase 1:** Construction Laydown Area and Classroom Building & Gymnasium Building – In this phase, the focus should be on constructing the laydown area to provide a designated space for

material storage and equipment. Simultaneously, construction of the Classroom Building and Gymnasium Building should commence to establish the core facilities of the project.

**Phase 2:** Demolition of Existing Gymnasium & Portable Classrooms, and Construction Laydown Area – Once Phase 1 is completed, the existing Gymnasium and 8 Portable Classrooms can be demolished to make way for further development. Additionally, the construction laydown area that served its purpose in Phase 1 can be safely demolished to free up space for future outdoor improvements.

**Phase 3:** Outdoor Improvements – With demolition and construction laydown area completed, Phase 3 can focus on outdoor improvements. This may include landscaping, parking lot construction, and other enhancements to the project’s exterior.

Work from different phases can be pursued concurrently, depending on the project’s specific requirements and available resources.

### **ONGOING COMMUNITY ENGAGEMENT:**

The Bridging Documents will reflect the basis of design from stakeholder engagements. It is the District’s intent that the DBE shall continue the engagements with the parties referenced below throughout the project’s life cycle from design through construction.

**Activity 1:** Additional public community meetings

**Activity 2:** Formation of focus groups for engagement on specific space types

**Activity 3:** Outreach to CCPA feeder schools

**Activity 4:** Partner with students and local artists to produce murals or other public art on campus.

### **DISTRICT DESIGN AND MATERIAL STANDARDS:**

Project reference documents (including but not limited to Schematic Design) and District Design and Material Standards can be found at the following link:

[https://drive.google.com/drive/folders/1Wc-hZf8lQykn-8ammQbZC\\_8ZRvlwBTpZ](https://drive.google.com/drive/folders/1Wc-hZf8lQykn-8ammQbZC_8ZRvlwBTpZ)

Access will be granted upon request.

**CONSTRUCTION BUDGET OF THE PROJECT:** The Board of Education approved construction budget is \$44M for the entire Project. The estimated construction cost for the modular classroom building only is \$28M.

## **DESIGN-BUILD ENTITY PREQUALIFICATION:**

From the design-build entities that submit statements of qualifications, the District will determine which entities shall be prequalified, or short-listed, for this Contract. **Only design-build entities that are prequalified or short-listed pursuant to Education Code section 17250.25 will be allowed to submit bids or proposals.**

A design-build entity will not be eligible to be prequalified or short-listed if the entity, or any consultant or contractor to the entity, participated in the preparation of this Request for Qualifications or the Request for Bids or Proposals (including the District's requirements for the design [the "Design Requirements" or "Bridging Documents"]) for the Contract.

Any statement of qualifications submitted for this Contract must use the template attached to this Request for Qualifications as Exhibit B, and must be certified under penalty of perjury by the design-build entity and its general partners or joint venture members.

The following non-price-related factors will be considered by the District when evaluating qualifications: Technical design and construction expertise, acceptability of safety record, possession of valid design professional (i.e., California registered architect or engineer) and contractor licenses (including a Class "B" California contractor license).

A design-build entity shall not be prequalified or short-listed unless the entity provides an enforceable commitment to the District that **the design-build entity and its subcontractors at every tier will use a skilled and trained workforce** to perform all work on the Contract that falls within an apprenticeable occupation in the building and construction trades, pursuant to Education Code section 17250.25(c).

## **SKILLED AND TRAINED WORKFORCE REQUIREMENTS:**

The school district has entered into a Project Labor Agreement that will bind all contractors and subcontractors performing work on the Project, and the DBE must agree to be bound by that Project Labor Agreement.

Project Labor Agreement shall apply to labor performed at the project site and not for labor performed at the design-build entity's off-site manufacturing facility.

The full version of OUSD's 2021 Project Labor Agreement can be found at the following link: <https://www.ousd.org/facilities-planning-management-department/opportunities/local-hiring/2021-project-labor-agreement-pla>

Contractors whose scope of work are subject to SB 854 (Public Work Reform) shall register and renew annually with the California Department of Industrial Relations (DIR). DIR shall administer and enforce minimum requirements for contractors bidding and working on public works projects for compliance with prevailing wages, maintaining workers' compensation

coverages, holding applicable licenses, verifying no delinquent unpaid or penalty assessments to any employee or enforcement agency, and confirming no federal or state debarments.

For questions or assistance concerning the Project Labor Agreement, contact Maribel Alejandre, (510) 835-7603 X 21, Davillier-Sloan, Inc. 1630 12<sup>th</sup> Street, Oakland, California, 94607.

**LOCAL, SMALL LOCAL AND SMALL LOCAL RESIDENT BUSINESS ENTERPRISE PROGRAM:**

District Modification: Based on the availability analysis conducted for this manufacturing sector, the District has waived its mandatory Local Business Utilization Policy requirement for LBE/SLBE/SLRBE certifications.

**PROJECT ADMINISTRATION:** All questions relative to this Contract shall be directed to the following District representatives. No telephone calls will be accepted; submit email questions only:

Oakland Unified School District  
Facilities Planning & Management Department  
955 High Street  
Oakland, CA 94601  
Attn: Kenya Chatman, Executive Facilities Director  
Email: [kenya.chatman@ousd.org](mailto:kenya.chatman@ousd.org)  
Cc: Colland Jang, Facilities Procurement Manager  
Email: [colland.jang@ousd.org](mailto:colland.jang@ousd.org)

**EVALUATION OF PROPOSALS, AND SELECTION OF THE DESIGN-BUILD ENTITY:**

Best value will be the methodology used to evaluate the proposals and select the design-build entity that will receive award of the Contract. The procedures for the evaluation of the proposals for best value may include requests for additional information or revisions to proposals, discussions, interviews, and negotiations. More detail about the best value process will be included in the Request for Proposals.

The schedule for selection of the design-build entity will be as follows:

Dates for RFQ Phase:

Submission of pre-qualification documentation	March 27, 2024
District gives notice of its decision regarding prequalification	May 15, 2024

Pre-Qualification Forms and Documents can be found at the following link:  
<https://www.ousd.org/facilities-planning-management-department/opportunities/contract-opportunities/pre-qualified-contractors>

District issues Request for Qualifications (“RFQ”):	March 20, 2024
District conducts Virtual Pre-proposal Meeting and Site Visit*:	April 10, 2024
District’s LBU Consultant conducts “Matchmaking” Session*:	April 24, 2024
Deadline for Design-Build entities to submit Questions:	May 8, 2024
District to respond to Questions in an Addendum:	May 15, 2024
Submissions of State of Qualifications (“SOQ”) due:	May 22, 2024

\*Joint Meeting/Site Visit/Matchmaking Session for the Alternative DBE RFQ

Tentative Dates for RFP Phase:

District issues Request for Proposals (“RFP”) to prequalified DBEs:	May 31, 2024
Deadline for Design-Build entities to submit Questions:	June 12, 2024
District to respond to Questions in an Addendum:	June 19, 2024
Submissions of Proposals due:	June 26, 2024
District Staff selects DBE:	July 10, 2024
District Staff finalizes Contract:	August 1, 2024
District Board of Education awards the Contract:	August 14, 2024

The District reserves the right to amend this schedule for any reason.

DATED: \_\_\_\_\_, 20\_\_

**OAKLAND UNIFIED  
SCHOOL DISTRICT**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ *[name]*  
\_\_\_\_\_ *[title]*

## **EXHIBIT A**

### **DESCRIPTION OF DESIGN-BUILD SCOPE**

Project reference documents (including but not limited to Schematic Design) and District Design and Material Standards can be found at the following link:

[https://drive.google.com/drive/folders/1Wc-hZf8lQykn-8ammQbZC\\_8ZRVlwBTpZ](https://drive.google.com/drive/folders/1Wc-hZf8lQykn-8ammQbZC_8ZRVlwBTpZ)

Access will be granted upon request.



**EXHIBIT B**

**STATEMENT OF QUALIFICATIONS**

# STATEMENT OF QUALIFICATIONS

## Important Instructions:

“You” or “your” refers to the proposing design-build entity.

For *every* question below, if you are a partnership or joint venture, you must provide *separate answers* for each of your partners or members. If a partner in a partnership or member of a joint venture believes that a question does not apply to it (e.g., a question about past liability for liquidated damages to an architect), the partner or member may explain why he/she believes that the question is not applicable to it. Questions of applicability will be determined by the District in its sole discretion.

### A. General Information

1. Your name as it appears on license:

\_\_\_\_\_

CIRCLE ONE: Corporation   Partnership   Sole Proprietorship   Joint Venture

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

Street Address (P.O. Box is not acceptable):

\_\_\_\_\_

Telephone: ( ) \_\_\_\_\_ Fax: \_\_\_\_\_

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

2. List all of your shareholders, partners, or members known at the time of this Statement of Qualifications who will perform work on the Project:

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

3. Attach to this Statement of Qualifications a copy of the organizational documents or agreement committing to form your design-build entity.

**B. History and Ownership of Firm**

1. How many years have you been in business in California under your present business name and license number? \_\_\_\_\_ years
2. Has there been any change in your ownership at any time during the last three years?

**NOTE: A corporation whose shares are publicly traded is not required to answer this question; please indicate “N/A – Publicly traded corporation.”**

Yes       No

If yes, please provide details on a separate signed page.

3. Are you a subsidiary, parent, holding company or affiliate of another firm?

**NOTE: Include information about other firms if one firm owns 50 percent or more of another.**

Yes       No

If yes, please provide details on a separate signed page.

4. Please provide the information appropriate to your form of entity.

a. For Firms That Are Corporations

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

Under the laws of what state: \_\_\_\_\_

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 of the corporation’s stock.

Name	Position	Years with Company	% Ownership

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

**NOTE: For this question, “owner” and “partner” refer to ownership of ten percent or more of the business, or 10 percent or more of its stock, if the business is a corporation.**

Person’s Name	Construction Firm	Dates of Person’s Participation with Firm

b. For Firms That Are Partnerships

Date of formation: \_\_\_\_\_

Under the laws of what state: \_\_\_\_\_

Provide all the following information for each partner who owns 10 percent or more of the firm.

Name	Position	Years with Company	% Ownership

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

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

Person’s Name	Construction Company	Dates of Person’s Participation with Company

c. For Firms That Are Sole Proprietorships

Date of commencement of business: \_\_\_\_\_

Social security number of company owner: \_\_\_\_\_

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

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

Person’s Name	Construction Company	Dates of Person’s Participation with Company

d. For Firms That Are a Joint Venture

Date of commencement of joint venture: \_\_\_\_\_

Provide all of the following information for **each** firm that is a member of the joint venture:

Name of firm	% Ownership of Joint Venture

On a separate sheet provide all other pertinent information required in Sections 8.4.a-c, above, for **each** corporation, partnership or sole-proprietorship that is a member of the joint venture.

5. State your gross revenues for each of the last three fiscal years:

Current year: \_\_\_\_\_

Previous year: \_\_\_\_\_

Year prior to previous year: \_\_\_\_\_

6. State the number of projects you have completed in each of the last three fiscal years:

Current year: \_\_\_\_\_

Previous year: \_\_\_\_\_

Year prior to previous year: \_\_\_\_\_

7. Have you changed names or license numbers in the past five years?

Yes       No

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

**C. Bonds and Insurance**

1. Name of bonding company/surety that will provide all bonds, including payment and performance bonds, for you on the Project: \_\_\_\_\_

Name of surety agent, address and telephone number: \_\_\_\_\_

Please attach 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 bonding capacity.

2. List all other sureties (name and full address) that have written bonds for you during the last five years, including the dates during which each wrote the bonds:

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

3. For all insurance that will be provided for the Project (including CGL, auto, errors and omissions, and builder's risk), list the agent (including company name, address, telephone, and fax number) and insurance company that will provide the required insurance on this contract:

AGENT: \_\_\_\_\_

COMPANY NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_

PHONE: (\_\_\_\_) \_\_\_\_\_ FAX: (\_\_\_\_) \_\_\_\_\_

INSURANCE COMPANY: \_\_\_\_\_

**D. Financial Information**

1. Attach the most current audited year-end financial statement for you which must have been prepared by a certified public accountant within twelve (12) months of submission of this statement of qualifications. Also, please provide the most current financial statement for you which must have been prepared within three (3) months of submission of this statement of qualifications. These statements must ensure that you have the capacity to complete the Project.

2. Name of accounting firm and primary contact: \_\_\_\_\_

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

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

How many years has this accounting firm prepared financial statements for you?

3. Banking information:

Name of Bank: _____
Account Manager: _____
Address: _____
_____
Telephone: _____
Account No.: _____
Line of Credit: _____

Amount in Use: _____
How Secured: _____
Expiration Date: _____

(attach extra sheets for additional banks/accounts)



**E. Licenses**

1. List all California design professional and contractor licenses held by you, including license numbers, classifications, and expiration dates. If the license is held in the name of a corporation, partnership, or joint venture, also list the names of the qualifying individual(s) listed who meet(s) the experience and examination requirements for each license.

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2. List all California design professional and contractor licenses held by individuals or entities that you will be hiring as subconsultants or subcontractors for the Project, including license numbers, classifications, and expiration dates. If the license is held in the name of a corporation or partnership, also list the names of the qualifying individual(s) listed who meet(s) the experience and examination requirements for each license.

<u>Consultant</u>	<u>License #</u>	<u>Exp. Date</u>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>

3. Will you have every design professional, contractor, and license necessary to legally perform its duties and obligations for the Project, including design and construction?

Yes       No

If “no,” explain here or on a separate page.

4. Did you participate, or will you be retaining a consultant or contractor that participated, in the preparation of the Request for Qualifications or the Request for Bids or Proposals (including the bridging documents) for the Project?

Yes       No

**NOTE: If the answer is “yes,” then you will not be prequalified or short-listed for the Project.**

**F. Recent Projects Completed**

Please provide the information requested below about all of your current public works projects, public works projects completed in the last two years, and DSA-approved California K-12 public works projects completed in the last three years. Include all projects, whether using design-build, design-bid-build, lease-leaseback, or other delivery methods, and whether providing design or construction services. Names and references must be current and verifiable.

Use separate sheets of paper that contain all of the following information for each public works project:

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

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

Owner: \_\_\_\_\_

Owner Contact (name and current phone number): \_\_\_\_\_

Architect Engineering Firm: \_\_\_\_\_

Lead Architect or Engineer: \_\_\_\_\_

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

Contractor: \_\_\_\_\_

Contractor Contact (name and current phone number): \_\_\_\_\_

Construction Manager (name and current phone number): \_\_\_\_\_

Inspector of Record (name and current phone number): \_\_\_\_\_

Description of Project, Scope of Work Performed: \_\_\_\_\_

Total Value of Construction (including change orders): \_\_\_\_\_

Date Construction Commenced: \_\_\_\_\_

Original Contractual Completion Deadline: \_\_\_\_\_

Adjusted Completion Deadline Based on Time Extensions Granted by Owner: \_\_\_\_\_

Actual Date of Completion: \_\_\_\_\_

Architect or Engineer: \_\_\_\_\_

General Contractor's Project Manager (lead contact in office): \_\_\_\_\_

General Contractor's Superintendent (lead contact on project site): \_\_\_\_\_

**G. Apprenticeship Program Information**

1. Provide the name, address and telephone number of the apprenticeship program sponsor(s) (approved by the California Apprenticeship Council) from whom you intend to request the dispatch of apprentices to your company for the Project.

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

2. If you operate your own State-approved apprenticeship program:

- (a) Identify the craft or crafts in which you provided apprenticeship training in the past year.
- (b) State the year in which each such apprenticeship program was approved, and attach evidence of the most recent California Apprenticeship Council approval(s) of your apprenticeship program(s).
- (c) State the number of individuals who were employed by you as apprentices at any time during the past three years in each apprenticeship and the number of persons who, during the past three years, completed apprenticeships in each craft while employed by you.

**H. Design Qualifications**

1. Do you possess a valid and current California architectural or engineering license for the Project?

**Yes**       **No**

State the license number(s): \_\_\_\_\_

2. For what design specialties will you be hiring subconsultants?

3. Identify and describe all projects in the last 5 years that you have designed which are similar to the Project (other than those listed in response to Section F, above).

4. Identify the proposed key personnel that will perform the design services necessary for the Project.

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

5. For each person identified in response to the previous question, list evidence that he/she (a) has completed, or has demonstrated the experience, competency, capability, and capacity to complete, projects of similar size, scope, and complexity as the Project; and (b) has sufficient experience and training to competently manage and complete the construction of the Project.

6. Has your license, or any credential or registration, ever been revoked or suspended at any time in the last five years, even if later reinstated retroactively?

**Yes**       **No**

**I. Construction Qualifications**

1. Do you possess a valid and current Class \_\_\_\_\_ California contractor’s license, which is required for the Project?

**Yes**       **No**

If yes, identify the holder of the license and the license number.

2. For what construction specialties will you be hiring subcontractors?

3. Identify and describe all projects in the last 5 years that you have constructed which are similar to the Project (other than those listed in response to Section F, above).

4. Identify the proposed key personnel that will perform the construction services necessary for the Project.

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5. For each person identified in response to the previous question, list evidence that he/she (a) has completed, or has demonstrated the experience, competency, capability, and capacity to complete, projects of similar size, scope, and complexity as the Project; and (b) has sufficient experience and training to competently manage and complete the construction of the Project.

6. Do you have a liability insurance policy with a policy limit of at least \$3,000,000 per occurrence and \$5,000,000 aggregate?

**Yes**       **No**

7. Do you have current workers’ compensation insurance policy as required by the Labor Code or are you legally self-insured pursuant to Labor Code section 3700 et seq.?

**Yes**       **No**

Contractor is exempt from this requirement, because it has no employees.

8. Have you completed at least two California public school K-12 construction projects, subject to DSA approval?

**Yes**       **No**

9. Are you currently registered with the Department of Industrial Relations and qualified to submit a bid or proposal and to otherwise perform work on a public project pursuant to Section 1725.5 of the Labor Code?

**Yes**       **No**

10. Has your contractor's license, or any credential or registration, ever been revoked or suspended at any time in the last five years, even if later reinstated retroactively?

**Yes**       **No**

11. At the time of submitting this form, are you ineligible to bid on or be awarded a public works contract, or perform as a subcontractor on a public works contract, pursuant to either Labor Code section 1777.1 or Labor Code section 1777.7?

**Yes**       **No**

If yes, state the beginning and ending dates of your ineligibility to bid on or be awarded a public works contract, or perform as a subcontractor on a public works contract:

12. Are you currently the debtor in a bankruptcy or receivership case?

**Yes**       **No**

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

13. Has a surety firm completed a contract on your behalf, or paid for completion of a contract because you were terminated by the project owner within the last five (5) years?

**Yes**       **No**

14. Have you, or any of your owners, officers, partners, or members, 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 page, including identifying who was involved, the name of the public agency, the date of the investigation and the grounds for the finding.

15. Have you, or any of your owners, officers, partners, or members ever been convicted of a crime involving any federal, state, or local law related to design or construction?

Yes       No

16. Have you or any of your owners, officers, partners, or members ever been convicted of a federal or state crime of fraud, theft, or any act of dishonesty?

Yes       No

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

**J. Financial History & Licensing**

1. Were you in bankruptcy or receivership any time during the last five years?

Yes       No

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

2. Has any license held by you, or held by its Responsible Managing Employee (RME) or Responsible Managing Officer (RMO), been suspended within the last five years?

Yes       No

**K. Disputes**

1. At any time in the last five years, have liquidated damages been assessed or levied against you under a construction contract with either a public or private owner?

Yes       No

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

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

**NOTE: "Associated" refers to another construction firm in which an owner, partner or officer of your firm held a similar position, and which is listed in response to question 4 on Part I of this form.**

Yes       No

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

3. In the last five years, have you been denied an award of a public works contract based on a finding by a public agency that you were not a responsible bidder?

Yes       No

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

**NOTE: The following two questions refer only to disputes between you and the owner of a project. You need not include information about disputes between you and a supplier, another contractor, or subcontractor. You need not include information about "pass-through" disputes in which the actual dispute is between a sub-contractor and a project owner. Also, you may omit reference to all disputes about amounts of less than \$50,000.**

4. In the past five years, has any claim by a project owner (including a complaint) against you concerning your design or construction work on a project been filed in court or been the subject of arbitration?

Yes       No

If yes, on separate signed sheets of paper identify the claim(s) by providing the project name, date of the claim, name of the claimant, a brief description of the nature and amount of the claim (including a breakdown of the major elements 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).



5. In the past five years, have you filed any claim (including a complaint) in court or arbitration against a project owner concerning work on a project or payment for a contract?

Yes       No

If yes, on separate signed sheets of paper identify the claim by providing the project name, date of the claim, name of the entity (or entities) against whom the claim was filed, a brief description of the nature and amount of the claim (including a breakdown of the major elements 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).

6. Have you had a contract for a public work of improvement in the last five years that was terminated for cause by a public entity, or terminated in whole or in part with or without your consent? **Note: You need not answer “yes” if the public entity terminated the contract for convenience.**

Yes       No

If the answer is “Yes,” for each such contract attach a separate sheet identifying the owner, your bonding company, the original contract value, the value of the work terminated and a brief explanation of the circumstances leading to the termination.

7. At any time during the past five years, has any surety company made any payments on your behalf to satisfy any claims made against a performance or payment bond issued on your behalf, in connection with a construction project, either public or private?

Yes       No

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

8. In the last three years have you held a public works contract on which more than three (3) stop payment notices were served against your firm.

Yes       No

If “yes,” explain on a separate signed page.

9. In the last 3 years have you had any Stop Payment Notice result in a claim against your Payment Bond?

Yes       No

If “yes,” explain on a separate signed page.

**L. Insurance and Bonding**

1. In the last five years, has any insurance carrier, for any form of insurance, refused to renew the insurance policy for you?

Yes       No

If yes, how many instances? \_\_\_\_\_

2. If you were required to pay a premium of more than one percent for a performance and payment bond on any project(s) on which you worked at any time during the last five years, state the percentage that you were required to pay, identify the project, identify the owner, and identify the dates of the project. You may provide an explanation for a percentage rate higher than one percent, if you wish to do so.

\_\_\_\_\_ %

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

Yes       No

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

**M. Compliance with Law, Worker’s Compensation, and Safety Record**

1. Has CAL OSHA cited and assessed penalties against you for any “serious,” “willful” or “repeat” violations of its safety or health regulations in the past five years?

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

Yes       No

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

2. Has the federal Occupational Safety and Health Administration cited and assessed penalties against you in the past five years?

**Note: If you have filed an appeal of a citation and the appropriate appeals Board has not yet ruled on your appeal, you need not include information about it.**

Yes       No

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

3. Has the EPA or any Air Quality Management District or any Regional Water Quality Control Board cited and assessed penalties against either you or the owner of a project on which you were the contractor, in the past five years?

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

Yes       No

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

4. How often do you require documented safety meetings to be held for construction employees and field supervisors during the course of a project?

\_\_\_\_\_

Describe your worker safety program: \_\_\_\_\_

5. List your Experience Modification Rate (EMR) (California workers' compensation insurance) for each of the past three premium years:

**NOTE: An Experience Modification Rate is issued to you annually by your workers' compensation insurance carrier.**

Current year: \_\_\_\_\_

Previous year: \_\_\_\_\_

Year prior to previous year: \_\_\_\_\_

If your EMR for any of these three years is or was 1.00 or higher, you may, if you wish, attach a letter of explanation.

6. Within the last five years, has there ever been a period when you had employees but were without workers' compensation insurance or state-approved self-insurance?

Yes       No

7. State your average total recordable injury or illness rate and average lost work rate for the most recent three-year period: \_\_\_\_\_

**N. Prevailing Wage and Apprenticeship Compliance Record**

1. Has there been any occasion during the last five years on which you were required to pay either back wages or penalties for your failure to comply with the **state's** prevailing wage laws?

Yes       No

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

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

2. During the last five years, has there been any occasion on which you have been penalized or required to pay back wages for failure to comply with the **federal** Davis-Bacon prevailing wage requirements?

Yes       No

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

3. Other than as already described in response to any question above, have any other labor or environmental charges or penalties been assessed or levied against, or paid by, you or the owner of a project on which you were the contractor in the past five years?

Yes       No

4. At any time during the last five years, have you been found to have violated any provision of California apprenticeship laws or regulations, or the laws pertaining to use of apprentices on public works?

**Yes**       **No**

If “yes,” provide the date(s) of such findings, and attach copies of the Department’s final decision(s).

If yes, attach a separate signed page or pages describing the nature of the violation, identifying the name of the project, the date of its completion, and the public agency for which it was constructed.

5. Will you agree to an enforceable commitment in the design-build contract that you and all of your subconsultants and subcontractors at every tier will use a skilled and trained workforce to perform all work on the Project that falls within an apprenticeable occupation in the building and construction trades, as required by Education Code section 17250.25(c)?

**Yes**       **No**

## **CERTIFICATION**

Statements of Qualifications submitted by a corporation must be signed by (1) the chairman of the board, president or any vice president, and then (2) the secretary, assistant secretary, the chief financial officer or assistant treasurer. All persons signing must be authorized to bind the corporation in the matter. The name and title of each person signing and the legal name of the corporation (including the state of incorporation) shall also be typed or printed below the signature. Satisfactory evidence of the authority of each officer signing on behalf of a corporation shall be furnished with this certification.

Statements of Qualifications submitted by a partnership must furnish the full name of all partners and must be signed in the partnership name by a general partner with authority to bind the partnership in such matters. The name and title of the person signing and the name of the partnership shall also be typed or printed below the signature.

Statements of Qualifications submitted by a joint venture must furnish the full name of all members of the joint venture and must be signed by a representative of each member who has authority to bind the member in such matters. The name and title of the person signing and the name of the member shall also be typed or printed below the signature.

### **Each person signing below makes the following representations under penalty of perjury:**

The submitter of the foregoing answers to the questionnaire has read the same and the matters stated therein are true of his or her own personal knowledge. This information is provided for the purpose of qualifying to submit a bid or proposal for the Contract, and any individual, company or other agency named herein is hereby authorized to supply the District with any information necessary to verify the prospective bidder's or proposer's statements. By signing below, the submitter and the design-build entity hereby grant permission to the District to contact any or all of the above listed persons or entities to confirm facts or otherwise investigate the above facts and issues.

The submitter understands that any statement which is proven to be false shall be grounds for immediate disqualification from proposing on the Contract. The submitter whose signature appears below represents and warrants that he or she has authority to bind the named contractor.

I, the undersigned, certify and declare that I have read all the foregoing answers and information in this Statements of Qualifications and know their contents. The matters stated in the Statements of Qualifications are true of my own knowledge and belief, except as to those matters

stated on information and belief, and as to those matters I believe them to be true. I declare under penalty of perjury under the laws of the State of California, that the foregoing is correct.

Evidence of authority to bind corporation is attached.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Title

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Entity Name

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Entity Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

(Add additional signature pages as necessary to comply with the directions above.)