

REQUEST FOR PRE-QUALIFICATION OF BIDDERS COMMENCING WITH FORTHCOMING PUBLIC WORK BID

Notice is hereby given that Caruthers Unified School District (District) has determined that general contractors submitting bids on the Caruthers Education and Community Activity Center Project (Project) to be undertaken by the District must be pre-qualified prior to submitting a bid on the Project. It is mandatory that all general contractors, who intend to submit a bid, fully complete the pre-qualification questionnaire, provide all materials requested herein, and be approved by District to be on the final qualified bidders list. No bid will be accepted from a general contractor that has failed to comply with these requirements. If two or more business entities submit a bid as part of a joint venture, or expect to submit a bid as part of a joint venture, each entity within the joint venture must be separately qualified to bid. The last date to submit a fully completed questionnaire is January 23, 2025 at 4:00 pm. General contractors are encouraged to submit pre-qualification applications as soon as possible, so that they may be notified of omissions of information to be remedied or of their pre-qualification status well in advance of the bid advertisement for the Project.

Answers to questions contained in the attached questionnaire (Labor Commissioner's Model Pre-Qualification Questionnaire), information about current bonding capacity, notarized statement from surety, and the most recent reviewed or audited financial statements, with accompanying notes and supplemental information, are required. District will use these documents as the basis of rating general contractors in respect to the size and scope of contracts upon which each contractor is qualified to bid. District reserves the right to check other sources available. District's decision will be based on evaluation criteria within the scope of the Questionnaire and responses thereto.

District reserves the right to adjust, increase, limit, suspend or rescind the pre-qualification rating based on subsequently learned information. General contractors whose rating changes sufficient to disqualify them will be notified, and given an opportunity for a hearing consistent with the hearing process described below for appealing a pre-qualification rating.

While it is the intent of the pre-qualification questionnaire and documents required therewith to assist District in determining bidder responsibility prior to bid and to aid District in selecting the best value bidder, neither the fact of pre-qualification, nor any pre-qualification rating, will preclude District from a post-bid consideration and determination of whether a bidder has the quality, fitness, capacity and experience to satisfactorily perform the proposed work, and has demonstrated the requisite trustworthiness.

The pre-qualification applications should be delivered under seal and marked "CONFIDENTIAL"

to: Caruthers Unified School District
Attn: Debra Haney, Chief Business Official
2200 W. Tahoe Avenue
Caruthers, CA 93609

The pre-qualification applications (questionnaire answers and financial statements) submitted by general contractors are not public records and are not open to public inspection. All information provided will be kept confidential to the extent permitted by law. However, the contents may be disclosed to third parties for purpose of verification, or investigation of substantial allegations, or in the appeal hearing. State law requires that the names of general contractors applying for pre-qualification status shall be public records subject to disclosure, and the first page of the questionnaire will be used for that purpose.

Each questionnaire must be signed under penalty of perjury in the manner designated at the end of the form, by an individual who has the legal authority to bind the general contractor on whose behalf that person is signing. If any information provided by a general contractor becomes inaccurate, the general contractor must immediately notify District and provide updated accurate information in writing, under penalty of perjury.

District reserves the right to waive minor irregularities and omissions in the information contained in the pre-qualification application submitted, to make all final determinations, and to determine at any time that the pre-qualification procedures will not be applied to a specific future public works project.

General contractors may submit pre-qualification applications during regular working hours on any day that the offices of District are open. General contractors who submit a complete pre-qualification application will be notified of their qualification status no later than ten (10) business days after submission of the information.

District may refuse to grant pre-qualification where the requested information and materials are not provided, or not provided by January 23, 2025 at 4:00 pm. There is no appeal from a refusal for an incomplete or late application, but re-application for a later project is permitted. The closing time for bids will not be changed in order to accommodate supplementation of incomplete submissions, or late submissions.

Where a timely and completed application results in a rating below that necessary to pre-qualify, an appeal can be made. An appeal is begun by the general contractor delivering notice to District of its appeal of the decision with respect to its pre-qualification rating, no later than ten (10) business days prior to the closing time for the receipt of bids for the Project. Without a timely appeal, the general contractor waives any and all rights to challenge the decision of District, whether by administrative process, judicial process or any other legal process or proceeding.

If the general contractor gives the required notice of appeal and requests a hearing, the notice of appeal and specific reasons and grounds for the appeal shall be submitted to Debra Haney at the address above within the ten (10) business days described above. The hearing shall be conducted so that it is concluded no later than five business days after District's receipt of the notice of appeal, and no later than five business days prior to the last date for the receipt of bids on the Project unless extended by the District. The hearing shall be an informal process conducted by a panel to whom the governing body of District has delegated responsibility to hear such appeals (the "Appeals Panel"). At or prior to the hearing, the general contractor will be advised of the basis for District's pre-qualification determination. The general contractor will be given the opportunity to present information and present reasons in opposition to the rating. Within one day after the conclusion of the hearing, the Appeals Panel will render its decision. It is the intention of District that the date for the submission and opening of bids will not be delayed or postponed to allow for completion of an appeal process.

Note: A general contractor may be found not pre-qualified for bidding on a specific public works contract to be let by the District, including this Project, based on the responses to the Questionnaire, including any follow up clarification to the contractor's responses, by the District. In addition, a general contractor may be found not pre-qualified for either:

- (1) Omission of requested information; or
- (2) Falsification of information.