NOTICE TO GENERAL CONTRACTORS

AND

MECHANICAL, ELECTRICAL, PLUMBING, FIRE PROTECTION AND UNDERGROUND PIPELINE SUBCONTRACTORS

A, B, C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43, and C-46

PREQUALIFICATION FOR THE ROSELAND SCHOOL DISTRICT ROSELAND ELEMENTARY TK/K AND SITEWORK LEASE LEASEBACK PROJECT

OCTOBER 17, 2024

INCLUDES:

PART A. INSTRUCTIONS & APPEALS PROCESS
PART B. PRE-QUALIFICATION QUESTIONNAIRE
PART C. SCORING INFORMATION

Roseland School District
1691 Burbank Ave
Santa Rosa, CA 95407

TABLE OF CONTENTS

PART A. NOTICE

PART B. INSTRUCTIONS AND APPEAL PROCESS

PART C. PRE-QUALIFICATION QUESTIONNAIRE

PART D. SCORING INFORMATION

PART E. SMALL BUSINESS DECLARATION

NOTICE REGARDING PREQUALIFICATION
FOR ROSELAND ELEMENTARY TK/K AND SITEWORK
LEASE LEASEBACK PROJECT
ROSELAND SCHOOL DISTRICT

Notice is hereby given by Roseland School District ("District") that General Contractors planning to submit a proposal for the District's ROSELAND ELEMENTARY TK/K AND SITEWORK Lease Leaseback Project ("Project") will be required to prequalify pursuant to Public Contract Code § 20111.6 prior to submitting a proposal. Mechanical, Electrical and Plumbing ("MEP") Subcontractors are strongly encouraged to prequalify pursuant to this notice and will be required to prequalify for the Project; however, MEP Subcontractors will have another opportunity for prequalification prior to subcontractor selection for the Project. Prequalification application packages are available at the District's Business Office located at: 1691 Burbank Ave, Santa Rosa, CA or an electronic copy can be obtained by contacting Bryan Valdez at bvaldez@counterpointcs.com. Prequalification application packets must be completed and returned to the District's Business Office no later than 2:00 p.m., October 28, 2024. **General Contractors will be notified of their prequalification status no later than October 31, 2024. Prequalified General Contractors must submit their lease leaseback proposal for this Project no later than 2:00 p.m. on November 14, 2024.**

INSTRUCTIONS AND APPEALS PROCESS

I. BACKGROUND AND OVERVIEW

The Roseland School District ("District") is prequalifying General Contractors and Mechanical, Electrical, Plumbing subcontractors pursuant to Public Contract Code § 20111.6 ("MEP Subcontractors") and holding one of the following licenses: **C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43, and C-46** to prequalify for the following lease-leaseback project: Roseland Elementary TK/K And Sitework Project ("Project").

The District has determined that, pursuant to Education Code section 17406, it will be mandatory that all General Contractors and MEP Subcontractors who intend to submit a lease leaseback proposal on the Project provide all information and materials requested in this Prequalification Application and be prequalified by the District prior to submitting a proposal. Any MEP Subcontractors, as defined by Public Contract Code § 20111.6, required for the Project must be prequalified pursuant to these prequalification forms and requirements, and all General Contractors must use prequalified MEP Subcontractors. MEP Subcontractors will have another opportunity for prequalification prior to subcontractor selection for the Project.

II. PROJECT DESCRIPTION

This Project is estimated to cost approximately $11,500,000.

III. PREQUALIFICATION PROCESS

The following process will govern the conduct of General Contractor and MEP Subcontractors prequalification for the Project. A General Contractor and MEP Subcontractors who submit prequalification responses thereby consent to and will comply with the procedures outlined below and as set forth in greater detail in this document.

A. Submittal Applicants are encouraged to submit prequalification packages as soon as possible, so that they may be notified of prequalification status well in advance of the lease leaseback proposal deadline. Prequalification responses for this Project shall be received by the District **no later than 2:00 p.m., October 28, 2024.** All prospective licensed General Contractors and MEP Subcontractors who wish to pre-qualify for the Project shall submit a complete Prequalification Questionnaire and Certification ("Prequalification Questionnaire") in a sealed envelope to:

Roseland School District
Attn: Raul Guerrero
Address:1691 Burbank Ave, Santa Rosa, CA and Electronic to Bryan Valdez bvaldez@counterpointcs.com & Tenaya Dale tdale@counterpointcs.com

Prequalification materials will only be accepted in accordance with the requirements of the law. The District reserves the right to request, receive, and evaluate supplemental information after the above time and date at its sole discretion. **General Contractors will be notified of their prequalification status no later than October 31, 2024. Prequalified General Contractors must submit their lease leaseback proposal for this Project no later than 2:00 p.m. on November 14, 2024.**

B. Form Applicants shall complete the Prequalification Questionnaire and timely submit all documents as indicated in the Prequalification Questionnaire. No other prequalification documents previously completed by the Applicant will meet these requirements. All information requested in the Prequalification Questionnaire must be provided in order to be considered "responsive" to the requirements of prequalification. If a question is not applicable, then indicate a response of "N/A." "You" or "Yours" as used herein refers to the prospective bidders' firm and any of its owners, officers, principals and qualifying individuals. If two or more business entities submit a proposal on this Project as a joint venture, or expect to submit a proposal as part of a joint venture, each entity within the joint venture must be separately qualified to be selected.

The Prequalification Questionnaire shall be submitted as one package – it shall not be submitted "piecemeal." Applicants shall submit one (1) completed Prequalification Questionnaire with required attachments in "hard copy" format (i.e., 8-1/2"x11" paper) in a sealed envelope. Any questions regarding this package should be directed to Bryan Valdez at bvaldez@counterpointcs.com & cc'd to Tenaya Dale at tdale@counterpointcs.com Submission of an incomplete and/or unclear Prequalification Questionnaire may result in a determination that the Applicant is non-responsive and/or not qualified.

C. Financial Statement In addition to completing the Questionnaire, each Applicant must submit its most current reviewed or audited year-end financial statement, which must have been prepared by a certified public accountant within twelve (12) months of each Applicant's submission of the Prequalification Questionnaire. Each Applicant must also provide its most current financial statement, which must have been prepared within three (3) months of each Applicant's submission of the Prequalification Questionnaire. Applicants are exempt from providing the financial statements if they qualify as a small business pursuant to Government Code 14837 and the lease leaseback proposal is not more than 25% of the qualifying amount provided in Government Code 14837. Exempt Applicants will be required to complete the Small Business Declaration, enclosed in Part E. Finally, each Applicant must submit 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 the Applicant's current bonding capacity.

Reviewed or audited financial statements submitted with the Prequalification Questionnaire shall not be prepared by any individual who is in the regular employ of the firm submitting the statement, nor by any individual or entity who has more than a ten percent (10%) financial interest in the firm's business. If the individual or entity that prepared a reviewed or audited financial statement submitted with the Prequalification Questionnaire has any financial interest in the firm's business, the firm shall notify the District of such financial interest in a separate signed statement accompanying the Prequalification Questionnaire.

D. District's Review Applicants that have submitted a Prequalification Questionnaire shall receive written notification of their prequalification status. The Applicant will receive a rating of "Prequalified" or "Not Prequalified." All information provided will be kept confidential to the extent permitted by law, although the contents may be disclosed to third parties for the purposes of verification, investigation of substantial allegations, and in the process of an appeal hearing. State law requires that the names of General Contractors/MEP Subcontractors applying for prequalification status shall be public records subject to disclosure, and the first page of the Prequalification Questionnaire will be used for that purpose. The District reserves the right to reject any Prequalification Questionnaire or to waive irregularities in any Prequalification Questionnaire received, to make all final determinations, and to determine at any time that the prequalification procedures will not be applied to a future public works project.

E. Addenda **Any addenda issued will be posted at the District Office by 2:00 p.m. on November 11.** The receipt of all addenda must be acknowledged on the Prequalification Questionnaire. The District

reserves the right to waive minor irregularities and omissions in the information contained in the Prequalification Questionnaire submitted and to make all final determinations.

F. Non-responsiveness A Prequalification Questionnaire may be deemed nonresponsive if:

1. The Prequalification Questionnaire is not submitted on time.

2. Applicant does not provide all requested information.

3. The Prequalification Questionnaire is not signed under penalty of perjury by individuals who have the authority to bind the Applicant on whose behalf they are signing.

4. Information contained in the Prequalification Questionnaire is not updated under penalty of perjury when it is no longer accurate.

5. Any information provided by the Applicant is misleading or inaccurate in any material manner (e.g., financial resources are overstated; previous violations of law are not accurately reported). Even after an Applicant has been determined to be qualified, the District reserves the right to revoke that determination at any subsequent time, to terminate any contract awarded, and to cease making payments if it determines that any information provided by the Applicant was incomplete, misleading, inaccurate or false in any manner.

IV. QUALIFICATION CRITERIA

ESSENTIAL CRITERIA

As detailed herein, each potential Applicant must provide specific information that will be reviewed and scaled by the District. Certain qualifications are essential. Any potential Applicant who cannot satisfy all Part 1 "Essential Criteria", regardless of the ranking or ability to meet other criteria, will not be prequalified.

The Prequalification Questionnaire also contains questions for which a numerical score will be given for specific answer(s). An Applicant must receive a minimum score of 115 points, regardless of its ability to meet other criteria, or the Applicant will not prequalify for the Project.

V. APPEAL PROCEDURE

Pursuant to Public Contract Code § 20101(d) an Applicant who has timely submitted a completed application form, may appeal the District's prequalification decision by giving notice to the District no later than five (5) business days after receipt of notice of its qualification status. There is no appeal from a finding that the Applicant failed to submit the required information. Notice shall be sent to the District's address listed above. The appeal shall contain all evidence supporting the Applicant's challenge to the District's decision. The District will consider the Applicant's evidence and will make a final determination.

Unless an Applicant files a timely appeal, the Applicant waives any and all rights to challenge the qualification decision of the District, whether by administrative process, judicial process or any other legal process or proceeding. The District reserves the right to resolve appeals before or after the opening of proposals or award of any contract.

If the Applicant gives the required notice of appeal and requests a hearing, the hearing shall be conducted so that it is concluded no later than five (5) business days after the District's receipt of its Notice of Appeal. The hearing so provided shall be an informal process conducted by a panel to whom the Board of Trustees of the District has delegated responsibility to hear such appeals ("Appeals Panel"). At or prior to the hearing, the Applicant will be advised of the basis for the District's prequalification determination. The Applicant will be given the opportunity to present information and present reasons in opposition to the prequalification determination. At the conclusion of the hearing or no later than one (1) day after completion of the hearing, the Appeals Panel will render its decision. The date for submission and opening of bids for a specific project will not be delayed or postponed to allow for completion of an appeal process.

QUESTIONNAIRE

CONTACT INFORMATION

Firm Name: _____ Check One:
(as it appears on CSLB license)

- ☐ Corporation
- ☐ Partnership
- ☐ Sole Prop.
- ☐ LLC
- ☐ Joint Venture

Contact Person/Title: _____
(List Owner(s) if Firm is a Sole Proprietorship or Partnership)

Local Address: _____

Phone: _____ Fax: _____

Mobile:_____ Email: _____

List all California construction or other professional license numbers, classifications and expiration dates held by your firm:

License Number	Classification	Expiration Date

List your firm's DIR Public Works Contractor (PWCR) Registration Number(s):

PWCR Number	Entity Name	Expiration Date

If any of your firm's license(s) are held in the name of a corporation, limited liability company, or partnership, list below the names of the qualifying individual(s) listed on the CSLB records who meet(s) the experience and examination requirements for each license.

License Number	Qualifying Individual	Expiration Date

Acknowledge receipt of Addenda(s):

[Insert Addendums]

PART I.
ESSENTIAL REQUIREMENTS FOR QUALIFICATION

1. Does your firm possess a valid and current California Contractor's license or other professional license as required by law for the for the Project which it intends to submit a proposal?
☐ Yes ☐ No

2. If you are a general contractor, do you have a liability insurance policy with a policy limit of at least $2,000,000 per occurrence and $4,000,000 aggregate? If you are a mechanical, electrical or plumbing subcontractor, do you have a liability insurance policy with a policy limit of at least $1,000,000 per occurrence and $2,000,000 aggregate?
☐ Yes ☐ No

3. Does your firm meets the "skilled workforce" requirements set forth under Education Code section 17407.5?
☐ Yes ☐ No

4. Does your firm have current workers' compensation insurance policy as required by the Labor Code or is legally self-insured pursuant to Labor Code section 3700 et. seq.?
☐ Yes ☐ No ☐ Contractor is exempt from this requirement, because it has no employees

5. If you are a general contractor, has your firm <u>completed</u> at least two California public school K-12 construction projects, subject to DSA approval within the last three (3) years? If you are a mechanical, electrical or plumbing subcontractor, has your firm completed subcontractor work with at least <u>two</u> California public school K-12 construction projects, subject to DSA approval within the last three (3) years?
☐ Yes ☐ No

If "Yes" list on a separate sheet the names of the projects, their location, the owner, the project manager, the project superintendent, contact information, project amount, and the date each project was commenced and completed.

6. Is your firm 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

7. Has your contractor's license been revoked or suspended at any time in the last five years, even if later reinstated retroactively?
☐ Yes ☐ No

8. Has a surety firm completed a contract on your behalf, or paid for completion because your firm was default terminated by the project owner within the last five years?
☐ Yes ☐ No

9. Is your firm, any of its officers, supervisors, managers, or any firm or individual identified herein ineligible to bid or be awarded a public works contract, or perform as a subcontractor on

a public works contract, pursuant to Labor Code section 1777.1 or Labor Code section 1777.7, or any other federal, state, county, municipal or other local law providing for the debarment of contractors from public works?

☐ Yes ☐ No

If the answer is "Yes," state the beginning and ending dates of the period of debarment:

_____

10. Has your firm, any of its officers, supervisors, managers, or any firm or individual identified herein been convicted of a crime involving the awarding of a contract of a government construction project, the bidding or performance of a government contract, antitrust statutes, racketeering statutes, safety and health regulations, environmental laws, laws banning workplace discrimination, laws governing wages, hours or labor standards, or laws involving fraud, theft, or any other act of dishonesty?

☐ Yes ☐ No

PART II.
ORGANIZATION, HISTORY, ORGANIZATIONAL PERFORMANCE, COMPLIANCE WITH CIVIL AND CRIMINAL LAWS

A. Current Organization and Structure of the Business

For Firms That Are Corporations:

1a. Date incorporated : _____

1b. Under the laws of what state: _____

1c. 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 per cent of the corporation's stock.

Name	Position	Years with Co.	% Ownership

1d. 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

For Firms That Are Limited Liability Companies (LLC):

1a. Date Article of Organization filed: _____

1b. Under the laws of what state: _____

1c. Provide all the following information for all members of the LLC:

Name	Position	Years with Firm	% Ownership

1d. 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 ten percent or more of its stock, if the business is a corporation.

Person's Name	Construction Firm	Date of Person's Participation with Firm

For Firms That Are Partnerships:

1a. Date of formation: _____
1b. Under the laws of what state: _____
1c. Provide all the following information for each partner who owns 10 percent or more of the firm.

Name	Position	Years with Co.	% Ownership	Social Security #

1d. 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 per cent or more of its stock, if the business is a corporation.

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

For Firms That Are Sole Proprietorships:

1a. Date of commencement of business: _____
1b. 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

For Firms That Intend to Make a Bid as Part of a Joint Venture:

1a. Date of commencement of joint venture. _____

1b. 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:

Name of firm	% Ownership of Joint Venture

Note: Explain on a separate sheet. Provide all other pertinent information required in the sections above, for each Corporation, LLC, Partnership, or Sole-Proprietorship that is a part of the Joint Venture

For All Applicants:

1. At any time during the past five years, has your firm shared office space, warehouse space, yard, plant or shop facilities, staff, equipment, telecommunications or other assets with any other construction firm? (If yes, identify and explain below.)

Construction Firm	Description of Sharing Agreement	Location of Facilities

2. State your firm's gross revenues for each of the last three fiscal years:

Current year ($): _ Previous year ($):

_____

Year prior to previous year ($): _____

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

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

_____

_____

_____

_____

5. List all other sureties (name and full address) that have written bonds for your firm during the last five years, including the dates on which they were issued:

Name	Address	Date

6. Does your firm regularly utilize a third party consultant to review labor compliance documents of subcontractors on a public works project? ☐ Yes ☐ No

7. Provide the name, address and telephone number of the apprenticeship program (approved by the California Apprenticeship Council) from whom you intend to request the dispatch of apprentices to employ on any public works project awarded by the District.

Name	Address	Phone

8. Has your firm changed names or license number in the past five years? ☐ Yes ☐ No
(If yes, explain on a separate sheet, including the reason for the change.)

9. Has there been any change in ownership of your firm at any time during the last five years? ☐ Yes ☐ No
(If yes, explain on a separate sheet.)
NOTE: A corporation whose shares are publicly traded is NOT required to answer this question.

10. Is your firm a subsidiary, parent, holding company or affiliate of another construction firm? ☐ Yes ☐ No
(If yes, explain on a separate sheet.)
NOTE: Include information about other firms if one firm owns 50 percent or more of another, or if an owner, partner, or officer of your firm holds a similar position in another firm.

11. Has any owner, partner and/or officer of your firm operated or been connected to a construction firm under any other name in the last five years not listed above at any time in the past five years? ☐ Yes ☐ No

(If yes, provide the person's name, construction firm name, and dates of participation.)

Name	Construction Firm	Dates of Participation

12. Please attach your most current reviewed or audited year-end financial statement, which must have been prepared by a certified public accountant, within twelve (12) months of submission of this prequalification package. Also, please provide your most current financial statement, which must have been prepared within three (3) months of submission of this prequalification package.[1]

13. Name of accounting firm and primary contact: _____
_____

Address: _____

Telephone: _____

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

B. History of the Business and Organizational Performance

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

2. Is your firm currently the debtor in a bankruptcy 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.

3. Was your firm in bankruptcy or receivership at 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.

[1] Public Contract Code section 20101(e) exempts from this requirement as Applicant who has qualified as a small business pursuant to Government Code section 14837(d)(1), if the proposal is "no more than 25 percent of the qualifying amount provided in section 14837(d)(1)." An Applicant seeking to invoke this exemption shall submit the enclosed Small Business Declaration Form (Part E). As of January 1, 2019, the qualifying amount is the average annual gross receipts of $15 million, and 25% of that amount is $3.75 million.

4. Has any CSLB license held by your firm or its Responsible Managing Employee (RME) or Responsible Managing Officer (RMO) been suspended within the last five years?

☐ Yes ☐ No

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

5. Does your firm currently have a permanent administrative office in Sonoma County, California that has been in existence for at least two years (jobsite field offices shall not be included)?

☐ Yes ☐ No

6. If you are a general contractor, has your firm completed at least one public works projects in Sonoma County within the last two years? If you are a mechanical, electrical or plumbing subcontractor, has your firm completed subcontractor work for at least one public works project in Sonoma County within the last two years?

☐ Yes ☐ No

C. Disputes

1. At any time in the last five years has your firm been assessed liquidated damages after completion of a project 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 and all other information necessary to fully explain the assessment of liquidated damages.

2. In the last five years has your firm, or any firm with which any of your company's owners, officers or manager was associated, been debarred, suspended, disqualified, denied a classification rating or pre-qualification or otherwise been declared not responsible or prevented from bidding on, or performing work on any public works contract or subcontractor for any reason?

NOTE: "Associated with" 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 Part II (A) on this form.

☐ Yes ☐ No

If "yes," explain on a separate signed page. State whether the firm involved was the firm applying for pre-qualification 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 has your firm been denied an award of a public works contract based on a finding by a public agency that your company was not a responsible bidder?

☐ Yes ☐ No

If "yes," explain on a separate signed 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 your firm and the owner of a project. You need not include information about disputes between your firm 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 **against** your firm concerning your firm's work on a construction project been **filed in court or 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 of the claim, the court in which the case was filed and a brief description of the status of the claim (e.g. "pending" or, if resolved, a brief description of the resolution).

5. In the past five years has your firm made any claim 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 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. At any time during the past five years, has any surety company made any payments on your firm's behalf as a result of a default, to satisfy any claims made against a performance or payment bond issued on your firm's 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.

7. In the last five 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 page. Name the insurance carrier, the form of insurance and the year of the refusal.

8. In the last five years has your firm held a public works contract on which more than three stop payment notices were served against the firm?

☐ Yes ☐ No

If "Yes" explain on a separate signed page.

D. Criminal Matters and Related Civil Suits

1. Has your firm or any of its owners, officers, supervisors, or managers ever been found liable in a civil suit or convicted of a federal or state crime of fraud, theft, or involving any other act of dishonesty, such as making any false claim or material misrepresentations?

☐ Yes ☐ No

If "yes," explain on a separate signed page, including the identity of the person or persons convicted or found liable, court [the county, if a state court, the district or location if federal court], year, and conduct involved.

2. Has your firm or any of its owners, officers, supervisors, or managers ever been convicted of a crime involving any federal, state, or local law related to construction?

☐ 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 conviction and the grounds for the conviction.

3. Has your firm or any of its owners, officers or partners ever been convicted of a federal or state crime of fraud, theft, or any other 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.

E. Bonding

1. 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 that: (a) your current bonding capacity is sufficient for the project for which you seek pre-qualification if you are seeking pre-qualification for single project; or valid for a year if you are seeking pre-qualification valid for a year; and (b) your current available bonding capacity.
NOTE: Notarized statement must be from the surety company, not an agent or broker.

2. Name of bonding company/surety: _____

   Name of surety agent, address and telephone number:

   _____

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

   _____

   _____

   _____

   _____

4. If your firm was required to pay a premium of more than one percent for a performance and payment bond on any project(s) on which your firm worked at any time during the last five years, state the percentage that your firm was 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.

   _____

5. During the last five 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 during a public construction project when one was required?

   ☐ Yes ☐ No

   If "Yes" provide details on a separate signed sheet indicating the date when your firm was 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.

F. Compliance with Occupational Safety and Health Laws and with Other Labor Legislation Safety

1. In the past five years, has CAL OSHA cited and assessed penalties against your firm for any "serious," "willful" or "repeat" violation(s) of safety or health regulations?

   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," attached a separate signed page describing the citations, including information about the dates of the citations, the nature of the violation, the project on which the citation(s) was or were issued, the amount of penalty paid, if any. If the citation was appealed to the Occupational Safety and Health Appeals Board and a decision has been issued, state the case number and the date of the decision.

2. Has the federal Occupational Safety and Health Administration cited and assessed penalties against your firm 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.

3. Has the EPA or any Air Quality Management District or any Regional Water Quality Control Board cited and assessed penalties against either your firm or the owner of a project on which your firm was the contractor/subcontractor, 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?

   _____

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

NOTE: An Experience Modification Rate is issued to your firm 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 your firm had employees but was without workers' compensation insurance or state-approved self-insurance?

☐ Yes ☐ No

If "yes," please explain the reason for the absence of workers' compensation insurance on a separate signed page. If "No," please provide a statement by your current workers' compensation insurance carrier that verifies periods of workers' compensation insurance coverage for the last five years. (If your firm has been in the construction business for less than five years, provide a statement by your workers' compensation insurance carrier verifying continuous workers' compensation insurance coverage for the period that your firm has been in the construction business.)

G. Prevailing Wage and Apprenticeship Compliance Record

1. Has there been any occasion during the last five years in which your firm was required to pay either back wages or penalties for your own firm's failure to comply with the **state or federal** prevailing wage laws for work performed by **your firm**?

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

☐ Yes ☐ No

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 your firm was required to pay.

2. During the last five years, has your own firm or any subcontractor hired by your firm been required to pay back wages and/or penalties related to **state or federal** prevailing wage laws for work performed by a **subcontractor**?

☐ Yes ☐ No

If "yes," attach a separate signed page or pages identifying the subcontractor's business name and CSLB license number, describe 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 that were required to be paid along with the amount of any penalty paid.

3. Provide the name, address and telephone number of the apprenticeship program (approved by the California Apprenticeship Council) from whom you have requested and/or employed apprentices in the past three years.

Name	Address	Phone

4. If your firm operates its own State-approved apprenticeship program:

(a) Identify the craft or crafts in which your firm 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);

(c) For each craft, list the number apprentices employed by your firm and the number of individuals that completed apprenticeships while employed by your firm during the last three years.

Craft	Year	No. Apprentices	No. Completed

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

NOTE: You may omit reference to any incident that occurred prior to January 1, 1998, if the violation was by a subcontractor and your firm, as general contractor on a project, had no knowledge of the subcontractor's violation at the time they occurred.

☐ Yes ☐ No

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

PART III.
RECENT CONSTRUCTION PROJECTS COMPLETED

1. Applicant shall provide information about all public works projects, subject to DSA approval, completed within the last three years. Names and references must be current and verifiable. Use separate sheets of paper that contain all of the following information:

   General Contractors: Provide a list of all projects which your firm performed as the general contractor.

   MEP Subcontractors: Provide a list of all projects which your firm performed as the general contractor or as a subcontractor. For subcontractor contracts, please provide the general contractor's name and contact information.

   Project Name: _____

   Location: _____

   Owner: _____

   Owner Contact (name and current phone number):

   _____

   _____

   Architect or Engineer:_____

   Architect or Engineer 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 Scheduled Completion Date: _____

Time Extensions Granted (number of days): _____

Actual Date of Completion: _____

General Contractor's Project Manager, if applicable: _____

General Contractor's Superintendent, if applicable: _____

CERTIFICATION

Prequalification Questionnaires submitted by corporations must be signed with the legal name of the corporation, followed by the name of the state of incorporation and by the signature and designation of the chairman of the board, president or any vice president, and then followed by a second signature by 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 of each person signing 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.

Prequalification Questionnaires submitted by partnerships 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, followed by the signature and designation of the person signing. The name of the person signing 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 Prequalification Questionnaire has read the same and the matters stated therein are true to the best of his or her own personal knowledge. This information is provided for the purpose of qualifying to bid on the Project(s), and any individual, company or other agency named herein is hereby authorized to supply the awarding body with any information necessary to verify the prospective bidder's statements. By signing below, the submitter and the named contractor/subcontractor hereby grant permission to the Roseland School 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 bidding on the Project. The submitter whose signature appears below represents and warrants that he or she has authority to bind the named contractor.

I,_____(Name), the undersigned, am the _____ (Title), with the authority to act for and on behalf of _____ (Contractor Entity Name), declare under penalty of perjury under the laws of the State of California that the foregoing information provided in this Prequalification Questionnaire is true, full, and correct.

I understand that making a false statement may result in disqualification from bidding on any public works project, registering as a Public Works Contractor with the Department of Industrial Relations, and may be grounds for termination of a public works contract.

Executed on this:_____day of_____at_____.
(Date) (Month / Year) (City / State)

Name of Contractor Representative: _____

Signature of Contractor Representative: _____

SCORING INFORMATION

The Scores Needed for Prequalification

To prequalify, a General Contractor/MEP Subcontractor must have a passing score within each of the following two parts. The specific requirements for the scoring of each section are set forth at the beginning of the section.

Part I: Essential Requirements for Qualifications requires that applicants provide Yes or No answers.

Part II: Organization, History, Organizational Performance, Compliance with Civil and Criminal Laws consists of seven subparts which are assigned points to each of the possible answers to the questions, for a combined score. A total minimum score of 115 is required for prequalification.

PART I: Essential Requirements for Qualification

Applicant must answer "Yes" to questions 1 through 6 below. Any "No" (or blank) answers shall result in a rating of "Not Prequalified."

		Yes	No
1.	Valid and current contractor's license		
2.	Liability Insurance with Appropriate Limits General Contractor: $2,000,000 & $4,000,000 MEP Subcontractor: $1,000,000 & $2,000,000		
3.	Meets "skilled workforce" requirements		
4.	Valid worker's compensation insurance policy		
5.	At least 2 DSA-approved CA public school K-12 projects w/in 3 years		
6.	Currently registered with DIR		

Applicant must answer No to questions 7 through 10 below. Any Yes (or blank) answers shall result in a rating of "Not Prequalified".

7.	Applicant's License Revocation or Suspension within last 5 Years		
8.	Surety completed a project due to applicant's default		
9.	Applicant ineligible to bid due to Labor Code violations		
10.	Convicted of a crime involving construction laws		

Part II: Organization, History, Organizational Performance, Compliance with Civil and Criminal Laws

Section A. Current Organization and Structure of the Business

Information provided in this section must be complete and to the District's satisfaction. Failure to provide all requested information shall result in a "Not Prequalified" rating.

Section B. History of the Business and Organizational Performance

		Possible Scores	Score
1.	Years in business under same name/license	6 years or more = 5 5 years = 4 4 years = 3 3 years or less = 2	
2.	Debtor in a bankruptcy case	No =5 Yes =0	
3.	Bankruptcy last 5 years	No = 5 Yes = 0	
4.	Suspended license last 5 years	No = 5 Yes = 0	
5.	Local Admin Office	Yes = 5 No = 0	

6.	Local Projects	Yes = 5 No = 0	

(Maximum Possible Score 30)

II.B Total Score _____

Section C. Disputes

		Possible Scores	Score
1.	Liquidated Damages in last 5 years	No = 5 1 or 2 times = 3 2 times or more = 0	
2.	Debarred, Disqualified, removed or prevented from bidding in last 5 years	No = 5 Yes = 0	
3.	Denied bid on grounds of non-responsibility	No = 5 Yes = 0	
4.	Claim against firm in court or arbitration	No =5 1-2 instances = 3 More than 2 = 0	
5.	Made claim against owner in court or arbitration	No = 5 1 instance = 3 More than 2 = 0	
6.	Surety payments on Applicant's behalf	No = 5 1 instance = 3 More than 1 = subtract 5	
7.	Insurance carrier refused to renew insurance policy	No = 5 Yes = 0	
8.	Project with more than 3 stop payment notices in the last 5 years	No = 5 Yes = 0	

(Maximum Possible Score 40)

II.C Total Score _____

Section D. Criminal Matters and Related Civil Suits

		Possible Scores	Score
1.	Liable or convicted of crime or civil suit involving false claim	No = 5 Yes = subtract 5	
2.	Convicted of crime involving construction law	No = 5 Yes = subtract 5	
3.	Convicted of a crime involving fraud, dishonesty, etc.	No = 5 Yes = subtract 5	

(Maximum Possible Score 15)

II.D Total Score _____

Section E. Bonding

**Questions 1-3: Information provided in these questions must be complete to the District's satisfaction. Failure to provide all requested information shall result in a "Not Prequalified" rating.

		Possible Scores	Score
4.	Required to pay a premium	No = 5 1-1.25% premium = 4 1.25-1.5% premium = 3 More than 1.5% = 0	
5.	Denied coverage by surety	No = 5 Yes = 0	

(Maximum Possible Score 10)

II.E Total Score _____

Section F. Compliance with OSHA and Other Labor Legislation Safety

		Possible Scores	Score
1.	CAL OSHA violations last 5 years	No = 5 1 instance = 4 2 instances = 3 3+ instances = 0	
2.	Federal OSHA citations last 5 years	No = 5 1 instance = 4 2 instances = 3 3+ instances = 0	
3.	EPA, Air Quality or RWQCB citations last 5 years	No = 5 1 instance = 4 2 instances = 3 3+ instances = 0	
4.	Safety meetings	Weekly = 5 Monthly = 3 Quarterly = 1 None = 0	
5.	Experience Modification Rate	EMR .95 or less = 5 .95 – 1 = 3 Other = 0	
6.	Workers' comp lapse in last five years	No = 5 Yes =0	

(Maximum Possible Score 30)

II.F Total Score _____

Section G. Prevailing Wage and Apprenticeship Compliance Record

**Questions 3 & 4: Information provided in these questions must be complete to the District's satisfaction. Failure to provide all requested information shall result in a "Not Prequalified" rating.

		Possible Scores	Score
1.	Firm required to pay back wages under State or Federal prevailing wage law	No = 5 1 instance = 4 2 instances = 3 3+ instances = 0	
2.	Subcontractor required to pay back wages under State or Federal prevailing wage law	No = 5 1 instance = 4 2 instances = 3 3+ instances = 0	

5.	Apprentice violations	None = 5 1 instance = 4 2 instances = 3 3+ instances = 0	

(Maximum Possible Score 15)

II.G Total Score _____

II.A Total Score _____
II.B Total Score _____
II.C Total Score _____
II.D Total Score _____
II.E Total Score _____
II.F Total Score _____
II.G Total Score _____

Grand Total _____
(Maximum Possible Grand Total = 140)

If Grand Total for Part III is 115 or greater, and Applicant met the requirements of Part I, then Applicant is **prequalified**.

If Grand Total for Part III is less than 115 and/or Applicant did not meet the requirements of Part I, then Applicant is **not prequalified**.

PART E

SMALL BUSINESS DECLARATION

I, _____, state as follows:

1. I am authorized to make this declaration as the Small Business applicant for prequalification, or as an authorized representative of _____; and

2. I have personal knowledge of the matters set forth herein and if called upon as a witness could and would testify competently thereto.

3. I warrant that _____ qualifies as a "small business" pursuant to California Government Code section 14837(d) which states that:

   "Small business" means an independently owned and operated business that is not dominant in its field of operation, the principal office of which is located in California, the officers of which are domiciled in California, and which, together with affiliates, has 100 or fewer employees, and average annual gross receipts of fifteen million dollars ($15,000,000) or less over the previous three years, or is a manufacturer, as defined in subdivision (c), with 100 or fewer employees.

4. I understand and acknowledge that pursuant to Public Contract Code 20101(e), if _____ qualifies as "small business" it will not be required to submit a financial statement.

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

Executed this _____ day of _____, _____ at _____[City], California.

Signature: _____

Print Name: _____

Title: _____