AMADOR COUNTY BOARD OF SUPERVISORS

COUNTY ADMINISTRATION CENTER BOARD OF SUPERVISORS CHAMBERS 810 Court Street Jackson, CA 95642

Please Note: All Board of Supervisors meetings are tape-recorded. Anyone who wishes to address the Board must speak from the podium and should print their name on the Board Meeting Speaker list, which is located on the podium. The Clerk will collect the list at the end of the meeting. Public hearing items will commence no sooner than the times listed on the agenda. Closed Session agenda items may be heard before or after scheduled public hearings, dependent upon progression of the agenda.

TO PARTICIPATE VIA ZOOM USE THE FOLLOWING NUMBER:

+1-669-900-6833 (alternate phone numbers listed on amadorgov.org)

Access Code: 758 573 6084#

YOU MAY ALSO VIEW AND PARTICIPATE IN THE MEETING USING THIS LINK:

https://zoom.us/j/7585736084

The Chairman will call the meeting to order and after Board input, will invite the public to comment via phone/online to receive public comment.

SPECIAL MEETING AGENDA

DATE: Tuesday, March 21, 2023

TIME: 9:30 AM

LOCATION: COUNTY ADMINISTRATION CENTER

BOARD OF SUPERVISORS CHAMBERS

810 Court Street Jackson, CA 95642

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

PUBLIC MATTERS NOT ON THE AGENDA: Discussion items only, no action to be taken. Any person may address the Board at this time upon any subject within the jurisdiction of the Amador County Board of Supervisors; however, any matter that requires action may be referred to staff and/or Committee for a report and recommendation for possible action at a subsequent Board meeting. Please note - there is a three (3) minute limit per topic.

APPROVAL OF AGENDA: Approval of agenda for this date; any and all off-agenda items must be approved by the Board (pursuant to Government Code section 54954.2

1. REGULAR AGENDA:

1.a. General Services Administration: Jail Expansion Pre-Qualification of Bidders Suggested Action: Approve the Prequalification Resolution.

Jail Expansion Progress Report & Resolution for Pre-Qualication & Funding Assurance Memo 3.14.23.pdf

Amador SB 863 Jail Prequalification Package 3.17.23.pdf Draft Board Resolution for Pre-qualification 3.17.23.pdf 23-07 Jail Expansion Prequalification AD 3.17..23.pdf

ADJOURNMENT: UNTIL TUESDAY, MARCH 28, 2023 AT 9:00 A.M. (CLOSED SESSION

BEGINS AT 8:30 A.M.) In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact the Clerk of the Board staff, at (209) 223-6470 or (209) 257-0619 (fax). Requests must be made as early as possible and at least one-full business day before the start of the meeting. Assisted hearing devices are available in the Board Chambers for public use during all public meetings. Pursuant to Government Code 54957.5, all materials relating to an agenda item for an open session of a regular meeting of the Board of Supervisors which are provided to a majority or all of the members of the Board by Board members, staff or the public within 72 hours of but prior to the meeting will be available for public and the relation of the Clerk of the Board of Supervisors, 810 Constituted, Lackson, California 95642, Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m., except for County holidays. Materials distributed to a majority or all of the members of the Board at the meeting will be available for public inspection at the public inspection at the public inspection of the public inspection does not include materials that are exempt from public disclosure under Government Code sections 6253.5, 6254, 6254.3, 6254.1, 6254.15, 6254.16, or 6254.22.

(AGENDA) (March 21, 2023)

Board of Supervisors Agenda Item Report

Submitting Department: General Services Administration Meeting Date: March 21, 2023

SUBJECT

General Services Administration: Jail Expansion Pre-Qualification of Bidders

Recommendation:

Approve the Prequalification Resolution.

4/5 vote required:

No

Distribution Instructions:

Jon Hopkins - GSA, Tacy Rouen - Auditor, File

ATTACHMENTS

- Jail Expansion Progress Report & Resolution for Pre-Qualication & Funding Assurance Memo 3.14.23.pdf
- Amador SB 863 Jail Prequalification Package 3.17.23.pdf
- Draft Board Resolution for Pre-qualification 3.17.23.pdf
- 23-07 Jail Expansion Prequalification AD 3.17..23.pdf

GENERAL SERVICES ADMINISTRATION

MAIL: 12200-B Airport Road, Jackson, CA 95642 LOCATION: 12200-B Airport Road, Martell, CA

PHONE: (209) 223-6759 FAX: (209) 223-0749 E-MAIL: jhopkins@amadorgov.org



MEMORANDUM

TO: Board of Supervisors

FROM: Jon Hopkins, GSA Director

DATE: March 17, 2023

RE: Jail Expansion Pre-Qualification of Bidders

Background: Staff has been preparing Bid Documents for the Jail Expansion Project. Through this process Vanir, Nacht & Lewis and the State Board of Community Corrections (BSCC) have encouraged the County to prequalify contractors for this work. In order to proceed with prequalifying contractors the attached prequalification procedures, questionnaire and resolution must be approved.

The State Department of Finance has yet to provide us with our Ground Lease documents. However, following a phone call on March 14, 2023 with BSCC the County is 2nd in place and anticipated to receive those documents shortly; hence, time is of the essence to move through the prequalifying process.

Subject or Key Issues: Approval of Prequalification Resolution.

Analysis: Prequalifying contractors comes with some risks and conversely not prequalifying also has risks. I have listed some of the pros and cons below specific to Jail construction.

- 1. The State, our Architect and Construction Manger all agree that the County should prequalify.
- 2. Contractors that default on jail construction are those who do not have the financial capacity or experience.
- 3. Jail construction projects require a unique set of skills and experience due to the security systems and hardware required. The risk in hiring an inexperienced contractor jeopardizes quality, project schedule and dramatically increase disputes.
- 4. Good experienced contractors at this level are reluctant to bid work that does not prequalify because they know this opens the door to unqualified bidders that will likely under bid the work due to their inexperience. So this can reduce your pool of qualified bidders.
- 5. Prequalifying vets out problems contractors have had on other jobs, like disputes, claims, change orders, stop notices, insurance and bond issues, litigations, credit, track record of payments, etc.
- 6. Prequalifying also creates a smaller bidding pool and may remove a contractor that may have been a good contractor.

Alternatives: N/A Fiscal or Staffing Impacts: Estimated at \$100,000.00

4/5ths vote: N/A **Recommendation(s):** Approve the Prequalification Resolution.

Attachments: 1. Exhibit A – Contractor Prequalification Packet

2. Resolution

3. Notice to Bidders (Legal Ad)

c: Chuck Iley, CAO

file

Exhibit A

AMADOR COUNTY



CONTRACTOR PREQUALIFICATION PACKET

FOR

AMADOR COUNTY SB863 JAIL EXPANSION PROJECT

ITB-23-07

Deadline for Submittal: Thursday May 11, 2023 1:30 p.m.

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NOTICE TO BIDDERS CONTRACTOR PREQUALIFICATION FOR AMADOR COUNTY SB863 JAIL EXPANSION PROJECT

Notice is hereby given that Amador County ("COUNTY") has determined that all Prime Contractors bidding on the Amador County SB863 Jail Expansion Project, to be undertaken by the COUNTY <u>must</u> be prequalified prior to submitting a bid on the project. No bid will be accepted from a Contractor that has failed to comply with these requirements of this NOTICE TO BIDDERS.

Prequalification Applications must be received as directed in the instructions below no later than May 11, 2023 until 1:30 PM.

Bidders are required to register on the Public Purchase website at: http://www.publicpurchase.com/amadorco,ca to acquire the Contractor Prequalification Packet for the Amador County SB863 Jail Expansion Project, ("Prequalification Package"). Once a Bidder has registered, all other inquiries and information regarding the Prequalification Package may be accessed using the Public Purchase website home page at: www.publicpurchase.com.

All communication relative to the Prequalification Package and documents shall be directed to www.publicpurchase.com. No oral responses to any questions concerning the content of Prequalification Application information and documents will be given; all responses will be in the form of written addenda or response which will be posted to www.publicpurchase.com.

Bidders are responsible for monitoring this website for addendums to the Prequalification Package and answers to timely submitted questions.

The COUNTY makes no guarantees and assumes no responsibility for any errors that may exist in copies of the Prequalification Package retrieved from any other source.

Contractors shall possess a Class B license to bid as the Prime Contractor on the Project. It is mandatory that all Bidders who intend to submit a bid for the Project fully complete the Application for Prequalification, provide all materials requested therein, and be approved by COUNTY to be on the final prequalified bidders list.

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 submit separate applications with reference to the other entities in the Joint Venture section. Each entity must qualify separately under sections B, C and D before the Joint Venture may be considered to qualify with combined project experience, financial resources and bonding capacity. Bidders are encouraged to submit their completed Application for Prequalification as soon as possible as COUNTY shall have the discretion to notify potential Bidders of omissions of information to be remedied and notify Bidders of their pre-qualification status in advance of the bid advertisement for this project.

Answers to questions contained in the Prequalification Package, 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. COUNTY reserves the right to check other sources available. COUNTY's decision will be based on objective evaluation criteria as described in the prequalification package.

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

While it is the intent of the Prequalification Package and documents required therewith to assist COUNTY in determining bidder responsibility prior to bid and to aid COUNTY in selecting the lowest responsive bidder, neither COUNTY's notice of prequalification, nor any prequalification rating, will preclude COUNTY 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.

Pursuant to Public Contract Code section 20101, the Application for Prequalification (questionnaire answers, information and financial statements) submitted by Bidders are not public records and are not open to public inspection, although the names of Bidders 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. All information provided will be kept confidential to the extent permitted by law. However, contents may be disclosed to third parties for purpose of verification, investigation of substantial allegations, or as part of an appeal.

Each Application for Prequalification 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 Contractor on whose behalf that person is signing. If any information provided by a Bidder becomes inaccurate, the Bidder must immediately notify COUNTY and provide updated accurate information in writing, under penalty of perjury.

COUNTY reserves the right to waive minor irregularities and omissions in the information contained in any submitted Application for Prequalification, 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. Where qualifying financial information is not provided, COUNTY reserves the right to dismiss the application as incomplete without making a prequalification determination.

Bidders may submit their Application for Prequalification during regular working hours on any day COUNTY's offices are open.

Bidders may appeal the COUNTY determination of their prequalification according to instructions contained in this packet.

COUNTY shall have the right to refuse to grant pre-qualification due to:

- (1) Omission of requested information by the deadline; or
- (2) Falsification of information; or
- (3) Failure to provide updated materials or corrected information.

There is no appeal from a refusal for such causes. The closing time will not be changed in order to accommodate supplementation of incomplete submissions, or late submissions.

SCHEDULE

	Event	Dates
1	Solicitation for Prequalification of Bidders	March 31 & April 7, 2023
2	Deadline for Bidders seeking Prequalification to submit questions and requests for clarification regarding the Prequalification process and application packet. Please submit to www.publicpurchase.com .	May 4, 2023 by 1:30pm
3	Completed Prequalification application packets with all required attachments due to the COUNTY by 1:30 P.M.	May 11, 2023 by 1:30
4	Bidders notified of prequalification	May 22, 2023
5	Deadline to submit an Appeal	May 30, 2023
7	Conclusion of Appeals process	June 9, 2023
8	County decisions regarding Appeals	June 16, 2023
9	Estimated Advertise to Bid	June 23, & June 30, 2023
10	Estimated Notice to Proceed	September 18, 2023

If no appeals are submitted, estimated advertisement dates change to June 9 & 16, 2023 with and estimated Notice to Proceed given by September 5, 2023.

Note: The dates noted in the above schedule are subject to change at the County's discretion.

APPLICATION INSTRUCTIONS AND GENERAL INFORMATION

A. General Information

COUNTY is requiring Contractors interested in bidding on the Project to prequalify. Prequalification rating will be based on the Bidder's responses to the questionnaire, experience, reputation, and solvency. In addition to a written application and the required attachments, COUNTY will verify with references of the Bidder regarding recent project performance (based on project information provided in Section E), as well as rate comparable project experience. Both the written and reference verification portions of the application will contribute to the Bidder's final status rating. The COUNTY estimate for the Project is approximately \$16,500,000.

Prequalification Status will be valid through the bid opening date.

COUNTY reserves the right to check any and all sources to verify information contained in the submitted application. Submission of an application for prequalification constitutes the Bidder's authorization for COUNTY and its representatives to contact all sources and references for the purposes of verification of the information contained in the application, with the understanding that the information will be used in the determination of the Bidder's prequalification status rating. Omission of relevant information and/or providing false information can result in immediate disqualification. COUNTY reserves the right to determine whether a disqualified Bidder may prequalify for a future project.

B. Submitting the Application

Please complete all parts of the Application for Prequalification and return one (1) original plus five (5) copies with all attachments as required to COUNTY. The application packet(s) must be submitted under seal and addressed as noted below. Bidders may submit prequalification packages in person Monday-Friday (excluding holidays) from 9:00 am-4:45 pm. Package(s) must be labeled with the Bidders name, address and as follows:

(Bidders name and Address)
Contractor Prequalification Application
Project: AMADOR COUNTY SB863 JAIL EXPANSION PROJECT
CONFIDENTIAL - Time Sensitive Material

Prequalification Applications must be received by the County of Amador Purchasing Office; by U.S. Mail at 12200 B Airport Road, Jackson, CA 95642-9527; by U.P.S., Federal Express, or by other courier to 12200 B Airport Road, Martell, CA; 95654, by <u>1:30</u> <u>PM, May 11, 2023</u>. All sealed Prequalification Applications received will be recorded in the office of the Director of General Services Administration, located at the above Martell address. Prequalification Applications received late, will be rejected and returned unopened. Telegraph, Facsimile (FAX) and E-Mail proposals will not be considered.

All Applications for Prequalification will be date and time stamped when received. THIS SUBMISSION DEADLINE WILL BE STRICTLY ENFORCED.

C. Data Required

All portions of the Application for Prequalification, Parts A through G, must be completed. Additional information should be attached where space provided does not suffice. Failure to include the information called for may result in disqualification. It is essential that management, and construction experience of the Contractor be demonstrated, as such experience is considered in establishing prequalification status.

D. Current Financial Information

Bidder shall provide a complete financial statement indicating the organization's financial condition. Financial statements provided by the Bidder shall be the most recent year end audited or reviewed financial statements. The financial statements are to be submitted with all accompanying notes and supplemental information. Where qualifying financial information is not provided, the County reserves the right to dismiss the prequalification application as incomplete, rather than making a determination as approved or denied.

E. Questions

Bidders having questions regarding the prequalification process and/or the contents of the prequalification packet must submit questions in writing no later than the date as indicated in the Schedule. Questions received after the posted deadline will not be accepted nor answered. Only written inquiries are permitted. No oral responses to any questions concerning the content of Prequalification Application will be given; all responses will be in the form of written addenda or response which will be posted to www.publicpurchase.com.

COUNTY's representative will only respond to written inquiries posted to www.publicpurchase.com. This requirement is to ensure that the same information is communicated to all parties and that inconsistent, incomplete, or inaccurate information is not transmitted separately.

F. Appeal Rights

When a timely and completed application results in a rating below that necessary to prequalify, a Bidder may request a hearing to appeal. To initiate an appeal, the Bidder must put in writing a notice to COUNTY of a request for a hearing to appeal the decision with respect to its prequalification rating. The request for a hearing must be received in COUNTY's offices noted below within **five (5) business days** following the COUNTY's notification to the Bidder of its prequalification determination. If the Bidder chooses not to avail itself of this process, the proposed prequalification rating may be adopted without further proceedings. Address requests for appeal hearing to the address for applications above, and include the following:

Bidder Prequalification - Request for Appeal Hearing Project: Amador County SB863 Jail Project CONFIDENTIAL - Time Sensitive Material Without a timely appeal, the Bidder waives all rights to challenge the decision of COUNTY, whether by administrative process, judicial process, or any other legal process or proceeding.

If the Bidder gives the required notice of appeal and requests a hearing, the hearing shall be conducted so that it is concluded no later than ten (10) business days after COUNTY's receipt of the notice of appeal, and no later than ten (10) business days prior to the last date for the receipt of Bids on the project. The hearing shall be an informal process conducted by Appeals Panel (Panel) that COUNTY has delegated responsibility to hear such appeals. Upon request of the Bidder, the Bidder will be advised of the basis for COUNTY's prequalification determination in writing in conformance with Public Contract Code Section 20101(d)(1) and notified of any supporting evidence that has been received from others or adduced as a result of an investigation by the COUNTY. The Bidder will be given the opportunity to rebut any evidence used as a basis for disqualification and to present evidence to the public entity as to why the Bidder should be found qualified. Within five (5) business days after the conclusion of the hearing, the Appeals Panel will render its decision and send a copy of the decision to the Bidder, either personally, by registered mail, certified mail, or electronically (if requested in writing by the Bidder). The determination of the Appeals Panel shall be final. It is the intention of COUNTY that the date for the submission and opening of Prequalification Application will not be delayed or postponed allowing for completion of an appeal process.

PROJECT OVERVIEW

General Scope of Work:

- A. The COUNTY estimate for this project is approximately \$16,500,000. Bidder shall perform, and provide adequate and competent labor, management, supervision, permits, tools, equipment, scaffolding, utilities, installed and consumable materials, testing devices, warehousing and each and every item of expense necessary for the supply, fabrication, handling, hauling/transportation services, receiving and unloading, installation, construction, testing, evaluation, quality control, and schedules (Work) necessary for the Amador County SB863 Jail Expansion Project as specified.
- В. The Work includes, but is not limited to, the construction of Jail Expansion, located at 700 Court Street, Jackson, California. The proposed project consists of a new two-story jail facility with a partial basement. The new building is approximately 12,700 sq, ft. in area and will be Type I-A construction with Occupancy Group I-3 and will be fully sprinklered. The new jail facility will house cells, dayrooms, program treatment rooms, a dental room, exam rooms, offices, recreation yards, a control room, mechanical equipment rooms, and corridors. Also included in the scope of work will be associated site structures including a Mobile Command Structure and site retaining walls. The jail structure will be constructed of structural steel framing with metal decking at the roof levels and a poured-in-place structural concrete slab at the upper tier level. The ground floor level, over the partial basement area, will be constructed of structural steel framing supporting a composite concrete and metal deck slab. The remainder of the first-floor area will consist of a concrete slab-on-grade. The roof and elevated floors will be supported by concrete masonry bearing walls that will also act as the lateral force resisting system for the structure. Poured-inplace concrete retaining walls will be incorporated at the basement level at locations where the soil is to be retained. The foundation for the structure will consist of typical continuous spread footings. The exterior finish of the building will be split-faced masonry and EIFS over rigid insulation.
- C. Estimated Project Schedule:

Bidding and Contract Award: April 2023 – August 2023
 Construction: September 2023 – May 2025

EVALUATION CRITERIA

The Application for Prequalification contains the following Sections:

QUESTIONNAIRE

- Section A Company Information Not Confidential, available to the public
- Section B Current Organization and Structure Operational Capacity
- Section C Essential Criteria Questions Minimum Qualification
- Section D Prequalification Criteria Questions
 - History of Business
 - OSHA, and Labor Compliance Questions
 - Compliance with Civil and Criminal Laws
- Section E References from Recently Completed Construction Projects
- Section F Declaration & Signature Page

ATTACHMENTS

• Section G – List of Required Attachments

Each part must be completed in its entirety to be scored. Required Attachments are further outlined in the section indicated above. An application is complete only if these attachments are included in the submitted packet.

The COUNTY shall utilize a four step system based upon the Department of Industrial Relations model to evaluate submitted applications. In order to prequalify, the Bidder must meet the minimum standard for each step. The following summarizes the criteria that will be considered and evaluated.

STEP 1 - Minimum Qualifications Section C: Essential Criteria:

- a. "Yes" answers are required for Questions 1-6 regarding licensing, insurance and bonding capacity.
- b. "No" answers are required for questions 7-13 regarding major instances of violations of law or failure to perform.

The COUNTY may request additional information needed to verify responses and will disqualify applications including false information.

STEP 2 – Prequalification Criteria, Section D.

Applications are scored in Section D in order to rank the severity and frequency of more common instances of regulatory violations, poor performance and business difficulties. For questions 1 through 21 additional information provided for any questions where the answer is not "0" allows the County to rate the culpability of the Bidder and the frequency of occurrence for each question in order to calculate a score total for Section D.

Each question in which the response is not "0" are scored. The COUNTY may request additional information needed to verify responses and will disqualify applications including false information.

For all answers which are not "0". The COUNTY will review the additional documents to calculate a final score between 1 and 5 based on the culpability of the Bidder with a score of 1 assigned where the incident is clearly the result of a good-faith mistake and a score of 5 is assigned where the incident is clearly an overtly willful action for which the Bidder is culpable. This factor is added to the number of instances indicated in the response.

Certain questions in Section D are weighted two times as much as others because of the severity of the actions or level of a Bidder's control over those actions. The following questions are assigned twice the weight of the remaining questions: 1 through 3, 5 through 6, 8, 10 through 12, 15 through 18, and 20.

The COUNTY will use the scoring worksheet on page 15 to calculate the Bidder's overall weighted score for Section D. A Bidder <u>pre-qualifies</u> only if the overall score is 35 or less, and is <u>disqualified</u> if the overall score is greater than 35.

STEP 3 - Evaluation of Comparable Project Experience

In addition to the above criteria, the Bidder shall provide information for at <u>least Three (3)</u> <u>jail/correctional facility construction projects or a combination of correctional/medical projects in California each with a construction value of \$3,000,000 or greater that it has recently completed (within the last fifteen (15) years) or is currently in substantial completion, and of the three (3) aforementioned projects, two (2) of the facilities must be correctional.</u>

For Step 3, the Bidder must meet the minimum prior project experience noted above and have an average total score greater than or equal to 90 from project representative interviews defined below to pass pre-qualification.

RECENTLY COMPLETED CONSTRUCTION PROJECTS INTERVIEW QUESTIONS AND SCORING

The following questions will be used to interview randomly selected contacts from up to three

recent construction projects completed. The COUNTY will conduct the phone interviews. No action on the Bidder's part is necessary. These questions are included on the package given to the Bidder for information only. First the reference will be asked to give a brief description of the project describing the type of work and construction cost for the purpose of determining if the experience qualifies. Then the reference will be advised of the scoring criteria and asked the following questions:

1. Are there any outstanding stop notices, liens, or claims by the Bidder that are currently unresolved on contracts for which notices of completion were recorded more than 120 days ago? (1 point for each is deducted from overall score; maximum amount to be deducted is 5 points)

For the following questions (2 to 13) the scoring is as follows:

- 2. On a scale of 1-10, with 10 being the best, did the Bidder provide adequate personnel? (Max. 10 points)
- 3. On a scale of 1-10, with 10 being the best, did the Bidder provide adequate supervision? (Max. 10 points)
- 4. On a scale of 1-10, with 10 being the best, was there adequate equipment provided on the job? (Max. 10 points)
- 5. On a scale of 1-10, with 10 being the best, was the Bidder timely in providing reports and other paperwork, including change order paperwork and scheduling updates? (Max. 10 points)
- 6. On a scale of 1-10, with 10 being the best, did the Bidder adhere to the project schedule that your agency approved? (Max. 10 points)
- 7. Was the project completed on time? (10 points if the answer is "Yes"). Or, if the answer is "no," on a scale of 1-10, with 10 being the least, to what extent was the Bidder responsible for the delay in completion?
- 8. On a scale of 1-10, with 10 being the best, rate the Bidder on the timely submission of reasonable cost and time estimates to perform change order work. (Max. 10 points)
- 9. On a scale of 1-10, with 10 being the best, rate the Bidder on how well the Bidder performed the work after a change order was issued, and how well the Bidder integrated the change order work into the existing work. (Max. 10 points).
- 10. On a scale of 1-10, with 10 being the best, rate how has the Bidder been performing in the area of turning in Operation & Maintenance manuals, completing as-built drawings, providing required training, and taking care of warranty items? (Max. 10 points)

- 11. On a scale of 1-10, with 10 being the best, rate the Bidder on whether there were an unusually high number of claims, given the nature of the project, or unusual difficulty in resolving them. (Max. 10 points)
- 12. On a scale of 1-10, with 10 being the highest, rate the Bidder with respect to timely payments by the Bidder to either subcontractors or suppliers. (If the person being interviewed knows of no such difficulties, the score on this question should be"10.")
- 13. On a scale of 1-10, with 10 being the best, how would you rate the quality of the work overall? (Max. 10 points)

STEP 4 - Evaluation of Business Operations and Financial Information

The COUNTY will review submitted information included in Section B and the required attachments to verify the operational capacity of the organization with regard to bonding relationship and capacity; general liability and worker's compensation insurance history; labor compliance and safety infrastructure; local workforce utilization plan as well as the financial statements.

As a general rule, prospective bidders will be prequalified to bid on projects up to a maximum dollar amount based on the lesser of ten times working capital (current assets less current liabilities) or four times net worth (assets less liabilities) subject to adjustment upon consideration of experience, organizational stability and performance factors. Some factors may result in the disqualification of the Bidder. Working capital may be augmented by submission of a Letter of Bank Credit. Note: Statements with a "negative quick asset" amount may not be augmented. Prospective bidders are also required to show an average monthly cash balance for the last twelve months of not less than 10% of the construction cost.

STEP 2 - PREQUALIFICATION CRITERIA SCORING: SECTION D

Question Number	Factor #1 - Points	Factor #2 - Points	Multiplying Factor	Total Points
1	1 011113	1 011163	x2	1 011163
2			x2	
3			x2	
4			x1	
5			x2	
6			x2	
7			1	
8			x2	
9			x1	
10			x2	
11			x2	
12			x2	
13			x1	
14			x1	
15			x2	
16			x2	
17			x2	
18			x2	
19			x1	
20			x2	
21			x1	
Total			=	

Questions Type:

14 Red Flag Questions (x2)

7 Non-Red Flag Questions (x1)

Notes: The awarding body will review additional documents provided by the Bidder in response to the questions in Section D to calculate a final score using the two factors listed above. A score on a scale of 1 to 5 is assigned to each factor.

Factor #1: A score of 1 is assigned where the incident is clearly the result of a good-faith mistake, and a score of 5 is assigned where the incident is clearly an overtly willful action for which the Bidder is culpable.

Factor #2: A score of 1 is assigned where only a single incident exists, and a score of 5 is assigned where five or more incidents of that kind are reported.

A Bidder is PRE-QUALIFIED if the total score above is: 35 points or LESS.

A Bidder is DISQUALIFIED if the total score above is: GREATER THAN 35 points.

START OF APPLICATION ON NEXT PAGE

CONTRACTOR PRE-QUALIFICATION QUESTIONNAIRE

A. CONTRACTOR INFORMATION

A. CONTRACTORE	(All Questions Must Be Answered)	
Firm Name (as it appears	s on CSLB license):	
Firm Type (Select one)		
Corporation LLC	Partnership	int Venture
Contact Person/Title:	orietorship or Partnership)	
Local Address (P.O. Box Address 1:_ Address 2:_ City: Zip: Office Tele Contact Mox Fax Number		
dates held by your firm:	ection of other professional needse numbers, classific	ations and expiration
License Number	Classification	Expiration Date
	blic Works Contractor (PWCR) Registration Numb	
PWCR Number	Entity Name	Expiration Date
partnership, list below the meet(s) the experience are	nse(s) are held in the name of a corporation, limited e names of the qualifying individual(s) listed on the decamination requirements for each license.	
License Number	Qualifying Individual	Expiration Date

B. CURRENT ORGANIZATION AND STRUCTURE

Complete the section below for the ap	opropriate type of firm:		
For Firms That Are Corporations:			
•	nation for each person who is either (a) resident, secretary, treasurer), or (b) the tock:	·	
Name	Position	Years with Firm	% Ownership
owner, general partner, limit NOTE: For this question, "	rm that any person listed above has be ed partner or officer) at any time duri fowner" and "partner" refer to owner ten percent or more of its stock,	ng the last fi ership of ten	ve years. percent
Person's Name	Construction Firm	Pa	of Person's rticipation with Firm
For Firms That Are Limited Liab	ility Companies (LLC):		
1a. Date Article of Organization file	ed:		
1b. Under the laws of what state:			
1c. Provide all the following inform	nation 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 F	'irms T	hat Are	Partnerships:

la.	Date incorporated:	
	Under the laws of what state:	

1c. Provide all the following information for each partner who owns ten percent or more of the firm.

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 Sole Proprietorships: 1a. Date of commencement of business Identify every construction firm that the business owner has been associated with (as owner, 1b. 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. Date of Person's **Construction Firm** Person's Name Participation with Firm For Firms That Intend to Make a Bid as Part of a Joint Venture: Date of commencement of joint venture: 1a. Provide all the following information for each firm that is a member of the joint venture 1b. that expects to bid on the project Name of Construction Firm % Ownership Note: Explain on a separate sheet. Provide separate application(s) for each Corporation, LLC, Partnership, or Sole-Proprietorship that is a part of the Joint Venture, each referencing the other in this item. FOR ALL FIRMS: 2. 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

2. 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 explainbelow.)

Construction Firm	Description of Sharing Agreement	Location of Facilities

3.	State your firm's gross revenues for each of the last three fiscal years: Current year (\$): Previous year (\$): Year prior to previous year (\$)									
4.	4. How many years has your firm been in business in California as a contractor under your present business name and license number?									
5.	Bonding Capacity – Provide documentation from your surety identifying the following:									
	Name of Surety Ag Address:	Company/Surety:								
6.	and payment bond on any patime during the last three y	o pay a premium of more than one percent for project(s) over \$10 Million on which your fir ears, state the percentage that your firm was anation for a percentage rate higher than on	m worked at any srequired to pay.							
7.		e and full address) that have written bonds for notuding the dates on which they were issued								
	Name	Address	Date							
8.		tablished Safety Policy and Procedures Plan, review upon award?	<u>-</u>							
9.	workers' compensation ins years: Current year rate: _ Previous year rate:	e Modification Rate (EMR) (California surance) for each of the past three premium ous year rate:								
10.		tilize a third-party consultant to review labor subcontractors on a public works project?	Yes No							

	Name	Ad	ldress		Phone
	Provide the name, add (approved by the Califor and/or employed appre	ornia Apprenticeship (Council) from whom	-	
_	Name	Ad	ldress		Phone
	(a) Identify the cranthe the past year;	ft or crafts in which yo	apprenticeship progra our firm provided app		nip training in
	the past year; (b) State the year in attach evidence approval(s); (c) For each craft, leading the past year;	ft or crafts in which you which each such appropriate of the most recent Callist the number apprendant completed apprent	our firm provided apporenticeship program alifornia Apprenticesh	orenticesh was appro nip Counc our firm a	oved and cil and the number
	the past year; (b) State the year in attach evidence approval(s); (c) For each craft, loft of individuals the	ft or crafts in which you which each such appropriate of the most recent Callist the number apprendant completed apprent	our firm provided apporenticeship program alifornia Apprenticesh	was appropriate our firm a	oved and cil and the number
	the past year; (b) State the year in attach evidence approval(s); (c) For each craft, lof individuals the last three year.	ft or crafts in which you which each such appropriate of the most recent Callist the number apprendat completed apprent ears.	our firm provided apportant prenticeship program alifornia Apprenticeshices employed by you iceships while emplo	was appropriate our firm a	oved and cil and the number our firm during
	the past year; (b) State the year in attach evidence approval(s); (c) For each craft, lof individuals the last three year.	ft or crafts in which you which each such appropriate of the most recent Callist the number apprend hat completed apprent ears. Year	pour firm provided apporenticeship program alifornia Apprenticeshitices employed by you iceships while emplo	was approint Councer firm a cour firm a courtices	oved and cil and the number our firm during No. Completed

	Trainc	Constituction firm	Participa	
	Name	Construction Firm	Dates	of
17.	connected to a construction fir years not listed in Section A or five years?	r officer of your firm operated or been m under any other name in the last five Section B above at any time in the past ame, construction firm name, and dates of	☐ Yes participatio	□ No on.)
16.	another construction firm? (If yes, explain on a separate s NOTE: Include information a	at, holding company or affiliate of sheet.) about other firms if one firm owns 50 pertner, or officer of your firm holds a sin		

C. <u>ESSENTIAL CRITERIA QUESTIONS – Minimum Qualifications</u>

1.	Does your firm possess a valid and current California Contractor's or other professional license as required by law for the project or projects for which it intends to submit a bid?	© Yes	O No
2.	Is your firm registered with DIR as a Public Works Contractor for the current fiscal year?	O Yes	O No
3.	Does your firm have a liability insurance policy with a policy limit of at least \$5,000,000 combined single limit?	© Yes	O No
4.	Does your firm have current workers' compensation insurance policy as required by the Labor Code or is your firm legally self-insured pursuant to Labor Code section 3700 et. seq.?	C Yes	O No
5.	Have you attached your firm's latest copy of reviewed or audited financial statements with accompanying notes and supplemental information?*	© Yes	O No
	NOTE: Financial statements that are not either reviewed or audited are not acceptable. A letter verifying availability of a line of credit may also be attached; however, it will be considered as supplemental information only, and is not a substitute for the required financial statements.		
6.	Have you attached a notarized statement from an admitted surety insurer (approved by the California Department of Insurance) 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 prequalification.	○ Yes	○ No
	NOTE: Notarized statement must be from the surety company, not an agent or broker.		
t	Questions below referring to "your firm" means the firm completing he application and any firm identified in Section A or Section B above.		
7.	Has your firm had your contractor's or other professional license been revoked at any time in the last five years?	O Yes	O No
8.	Has a surety firm completed a contract on behalf of your firm because your firm was in default and/or terminated by a project owner within the last five years?	O Yes	O No

9	. Is your firm, any of its officers, supervisors, managers ineligible to bid on or be awarded a public works contract, or perform as a subcontractor on a public works contract, pursuant to Labor Code section 1777.1, Labor Code section 1777.7, or any other federal, state, county, municipal or other local law providing for the debarment of the contractors from public works.	C Yes	O No
1	0. Has your firm, any of its officers, supervisors, managers, or any firm or individual identified above in Section A and/or B 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
1	1. Is your firm currently the debtor in abankruptcy case?	O Yes	O No
	(If yes, attach a copy of the bankruptcy petition showing the case number and date on which the petition was filed.)		
1	2. Has your firm, any of its officers, supervisors, managers ever been terminated from apublic works contract, including but not limited to termination based on any misconduct, such as failure to comply with contractual, statutory, or other legal obligations from any public construction project?	© Yes	O No
1	3. Does your firm, any of its officers, supervisors, managers currently have any delinquent liability to an employee, the state, or any awarding body for any assessment of back wages or related damages, interest, fines or penalties pursuant to any final judgement, order, or determination by any court or any federal, state, or local administrative agency, including a confirmed arbitration award?	© Yes	O No
quali more	blic Contract Code section 20101(e) exempts from this requirement a contractor who has fied as a small business pursuant to Government Code section 14837(d)(1), if the bid is "no e than 25 percent of the qualifying amount provided in section 14837(d)(1)." As of January 301, the qualifying amount is \$10 million, and 25 percent of that amount, therefore, is \$2.5 on.		
time	an additional notarized statement from the surety may be requested by the County at the of submission of a bid if this pre-qualification questionnaire is submitted more than 60 prior to submission of the bid		

D. PREQUALIFICATION CRITERIA QUESTIONS

Questions below referring to "your firm" means the firm completing the application and any firm identified in Section A or Section B above.

Prior History

- 1. How many times has your firm, or any of its officers, supervisors, or managers, declared bankruptcy at any time during the last five years?

 (This question refers only to a bankruptcy action that was not described in your answer to Question 11 in Section C. If yes, attach a copy of the bankruptcy Court's discharge order or any other document that concluded the case if no discharge order was issued.)
- 2. How many times has your firm, or any of its officers, supervisors, or managers, had an injunction, judgment, order, or lien entered against it for outstanding taxes assessed or fines, penalties and/or unpaid employee wages at any time in the last five years?
 (Explain on a separate sheet. Provide details, including the name of the government agency, caption, date, case or docket number, and disposition. Be sure to note any judgments or liens that have not been fully satisfied.)
- 3. How many times in the past five years, has your firm, or any of its officers, supervisors, or managers, been a party in any civil litigation or administrative proceeding alleging violation of any of the following: 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?

(Explain on a separate sheet. Provide details including the nature of the claims and defenses, caption, date, case or docket number, name of the court or agency before which the case is pending or which it was heard, and current status.)

4. How many times in the past five years, has your firm, or any of its officers, supervisors, or managers, been a party in any civil litigation or administrative proceeding alleging a violation by a subcontractor hired by your firm of any of the following: contract antitrust statues, racketeering statutes, safety and health regulations, environmental laws, laws banning workplace discrimination, laws governing wages, hour or labor standards, or laws involving fraud, theft, or any other act of dishonesty?

0 0 0 0 0

1

2

0 0 0 0 0 0

5+

	(Explain on a separate sheet. Provide details including the nature of the claims and defenses, caption, date, case or docket number, name of the court or agency before which the case is pending or which it was heard, and current status.)						
	was heard, and current states.)	0	1	2	3	4	5+
5.	How many times in the past five years, has your firm, or any of its officers, supervisors, or managers, paid any amount, fine or otherwise, regardless of characterization, to settle any of the allegations listed in Questions 3 and 4 above, whether with or without an admission of responsibility or liability?	0	0	0	0	0	0
	(Explain on a separate sheet. Provide details, including the caption, date, case or docket number, and name of the court or agency before which the case was brought.)						
6.	How many times has your firm, or any of its officers, supervisors, or managers, been debarred, suspended, disqualified, denied a classification rating or pre-qualification or otherwise been declared not responsible to or prevented from bidding or performing work on any public works contract or subcontract in the last five years?	0	1	2	3		5+
	(Explain on a separate sheet. State whether the firm involved was the firm applying for pre-qualification here or another firm. Identify by name of the company, name of the person within your firm who was associated with that company, date, owner of the project, project name and information, basis for the action, and case or docket number.)						
7	How many times in the last five years has your firm been assessed	0	1	2	3	4	5+
,.	and paid liquidated damages after completion of a project under a construction contract with either a public or private owner? (Explain on a separate sheet. Identify all such projects by owner, owner's address, date of completion of the project, amount of liquidated damages assessed and all other information necessary to fully explain the assessment of liquidated damages.)			0			
8.	How many times 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?			2			
	(Explain on a separate sheet. Identify the amount of each such claim, name and telephone number of the claimant, date of claim, grounds for claim, present status of claim, date of resolution of such claim if resolved, method by which claim was resolved if resolved, nature of resolution and amount, if any, at which claim was resolved.)						

:	How many times in the last five years has any insurance carrier, for any form of insurance, refused to renew an insurance policy for your firm? (Explain on a separate sheet. Name the insurance carrier, form of insurance, and year of refusal.)			2			
10.	How many times during the last five years, has your firm been denied bond coverage by a surety company, or has there been a period of time when your firm had no surety bond in place during a public works construction project when one was required? (Explain on a separate sheet. Indicate the date when your firm was denied coverage, name of the company or companies which denied coverage, and the time period during which you had no surety bond in place.)	0	1 O	2	3	4	5+ ©
Cr	iminal Matters and Civil Suits						
11.	How many times has your firm, or any of its officers, supervisors, or managers, ever been convicted of a crime involving any federal, state, or local law related to construction? (Explain on a separate sheet. Identify who was involved, name of the public agency, date of conviction, and grounds for conviction.)			2			
12.	How many times has your firm, or any of its officers, supervisors, or managers, ever been found liable in 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? (Explain on a separate sheet. Identify 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			
	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 involving amounts of less than \$50,000.						
13.	How many times in the last five years has any claim against your firm concerning your firm's work on a construction project been filed in court or arbitration? (Explain on a separate sheet. 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].)	0	1	2	3	4	5+

14.	How many times in the last five years has your firm made any claim against a project owner concerning work on a project or payment for a contract and filed that claim in court or arbitration? (Explain on a separate sheet. Identify the claim(s) 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 [e.g. "pending" or if resolved, a brief description of the resolution]).		2		5+
Occ	cupational Health and Safety Compliance				
15.	How many times in the last five years has CalOSHA cited and assessed penalties against your firm for any "serious," "willful" or "repeat" violation(s) of the federal Occupational Safety and Health Administration cited and assessed penalties against your firm for violation(s) of safety or health regulations?	0	2		
	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.				
16.	How many times in the last five years 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? (Explain on a separate sheet describing each citation.)	0	2		
	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.				
17.	How many times 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?	0	2		
	(Explain the reason for each absence of workers' compensation insurance on a separate sheet. If "None," please provide a statement by your current workers' compensation insurance carrier that verifies periods of workers' compensation insurance coverage for the last five years.				

Prevailing Wage and Apprenticeship Compliance

18.	How many times during the last five years, has your firm been required to pay back wages and/or penalties related to <u>state or federal</u> prevailing wage laws for work performed by <u>your firm</u> ? (Explain on a separate sheet. Describe the nature of each violation and identify the name of the project, date of its completion, public agency for which it was constructed, number of employees underpaid, and amount(s) of back wages and penalties your firm was required to pay.) NOTE: Question 18 refers only to the violation of prevailing wage laws by <u>your firm</u> , not to violations by a subcontractor.	0	1	2	3		5+
19.	How many times during the last five years, has your firm or any subcontractors 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 ?	0	1	2	3	4	5+
	(Explain on a separate sheet. Identify the subcontractor's business name and CSLB license number, describe the nature of each violation, and identify the name of the project, date of its completion, public agency for which it was constructed, number of employees underpaid, and amount(s) of back wages and penalties your firm was required to pay.)						
	NOTE: This question refers only to the violation of prevailing wage laws by subcontractors, not to violations by your firm.						
20.	How many times during the last five years, has your firm paid any penalties related to any provision of California apprenticeship laws or regulations, or the laws pertaining to use of apprentices on public works projects, including Labor Code sections 1777.5 and 1777.7?	0		2			5+ ©
	(Explain on a separate sheet. Provide the date(s) of such findings, case number(s), and attach copies of the Department's final decision(s).)						
21.	How many times during the last five years, has any subcontractor hired by your firm paid any penalties related to any provision of California apprenticeship laws or regulations, or the laws pertaining to use of apprentices on public works projects, including Labor Code sections 1777.5 and 1777.7?			2			5+ ©
	Explain on a separate sheet. Provide the date(s) of such findings, case reattach copies of the Department's final decision(s).)	umb	er(s)	, and			

NOTE: Omissions, misrepresentations and any failure to disclose associations with other firms or any prior history of alleged violations may lead to loss of your eligibility to register as a Public Works Contractor, disqualification of bids, and/or grounds for termination of a contract.

E. RECENTLY COMPLETED CONSTRUCTION PROJECTS

Provide information about the firm's six most recently completed public works projects and its three largest completed private projects 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: Only list projects your firm performed as the general contractor.

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):
Description of Project, Year Completed, DBB or DB, Scope of Work Performed:
Original Contract Price:
Total Value of Construction (including change orders):
Change Orders Cost & Percent of Contract
Stop Notices Cost & Percent of Contract
Original Scheduled Completion Date:
Time Extensions Granted (number of days):
Actual Date of Completion:

F. <u>DECLARATION & SIGNATURE</u>

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.

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 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, 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 hereby grant permission to the County 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 Pre-qualification 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)	(Mor	th/Year)	(City/State)	
Name of Contractor Representative	:			

Signature of Contractor Representative:

G. LIST OF REQUIRED ATTACHMENTS

The following required attachments are to be submitted as part of the Prequalification Application. These requirements have been previously specified as part of the application. This section is meant to further define what is required to be contained in the attachments and also to sum up the required documents that must be attached to the application.

Failure to provide all these attachments, unless specifically indicated as optional, will be cause for disqualification status for this project.

ATTACHMENT 1 – ORGANIZATION'S FINANCIAL STATEMENT

Financial Statement and Supplemental Information are required to be included as part of the Prequalification Application for General Contractors only. Information you must submit includes:

- A. Full set of your most recent year-end financial statements, accompanied by either an audit or review report by an independent Certified Public Accountant. The financial statement shall include all footnote disclosures and supplemental information. Compiled or internally prepared year-end financial statements will not be accepted. Statements which are older than nine (9) months must be supplemented by internal financial statements, which update the information to no less than three (3) months from the date of submission of the Prequalification Packet. This supplemental information does not need to be audited/reviewed but must be prepared in accordance with generally accepted accounting principles (GAAP), including all required information disclosures.
- B. Letter from a financial institution in support of available lines of credit orother facilities if you wish them to be considered in pre-qualification. Letter must be an original or a certified copy.

ATTACHMENT 2 - NOTARIZED STATEMENT FROM BONDING COMPANY

- A. Attach an original notarized statement from the bonding company your firm proposes to use indicating its commitment to provide a Bid Bond and a Performance and Payment Bond for the full amount of the contract for the Project named in this Pregualification Packet.
- B. Statement must also confirm the firm's current bonding capacity.

ATTACHMENT 3 – PLAN FOR UTILIZING LOCAL WORKERS AND COMPANIES

A. Contractor to prepare and attach a written plan outlining the efforts they anticipate implementing for outreach to obtain local workers, subcontractors, and material providers for this project.

PREQUALIFICATION OF PROSPECTIVE BIDDERS LINE OF CREDIT LETTER (Optional)

Amador County General Services 12200-B Airport Road Jackson, California 95642 Subject: Unqualified Line of Credit Letter Date: Reference is made to the prequalification of_ under Section 20101 of the Public Contract Code to perform a contract with the Amador County ("County"). We certify that the above contractor has been extended an unqualified line of credit not to exceed \$_____ and that such credit will not be withdrawn or reduced without notice to the County. It is understood that this unqualified Line of Credit Letter is to be used by the County solely for determining the financial resources of the said contractor during the term of his/her prequalification with the County. (Name of Bank) (Address) (City) (Telephone) (Original Signature Required)

PLEASE NOTE: The above form may be completed by your bank to augment your working capital. If they prefer, your bank may issue a Line of Credit Letter on their own letterhead, provided the Line of Credit Letter contains substantially the same provisions, is addressed to COUNTY, and bears an original signature.

(Please type or print name and title)

END OF APPLICATION ON PREVIOUS

APPENDIX

- 1) Recent Construction Projects Interview Questions and Scoring
- 2) Sources for Verification of Information Given by Contractors
- 3) COUNTY's Insurance Requirements

SOURCES FOR VERIFICATION OF INFORMATION PROVIDED BY CONTRACTORS

The information provided to COUNTY by Contractors seeking prequalification is provided under oath, with the understanding that the intentional providing of false information is, in itself, grounds for disqualification. The following information is provided for reference by COUNTY staff and/or consultants as a reference for reviewing the answers provided when deemed appropriate by COUNTY staff.

Information about a Contractor's License(S)

Names and addresses of licensed contractors, information about the type of license(s) issued and the dates when licenses were issued (and certain other information), are available from the Contractors' State Licensing Board (CSLB), 9821 Business Park Drive, Sacramento, CA 95827. Telephone number 800-321-2752. The CSLB web site for public information is: www.CSLB.ca.gov.

Information about Workers' Compensation Insurance

Every workers' compensation insurance carrier issues to each of its insured businesses a Certificate of Insurance. The contractor should be willing to provide a copy upon request.

Each contractor's Experience Modification Rate for the year should be stated in a letter to the contractor from the contractor's workers' compensation insurance carrier.

Some large companies are legally self-insured for workers' compensation, with the consent and authorization of the Department of Industrial Relations. The names of companies that are legally self-insured are available from the Department's Office of Self-Insurance Plans, Workers' Compensation, 2265 Watt Avenue, Suite 1, Sacramento, CA 95825; (916) 483-3392.

The names of each business's current and recent workers' compensation insurance carriers are available from the Workers' Compensation Insurance Reporting Bureau (WCIRB). WCIRB is not a public agency but it provides information to the public. It will provide the names of the current and recent workers' compensation insurance carriers of every employer in California, in response to a written request, for a fee of \$8 for every year for which you seek information.

Information about Whether Surety Insurance Carriers are "Admitted" to do Business in California

The California Department of Insurance will verify whether an insurance carrier is "admitted" to issue insurance policies within the State. The Department has a "Hot-Line" number – 800- 927- 4357, and a web-site from which the information is available: www.insurance.ca.gov

Information on Disqualification from Bidding on Public Contracts

Information on the identities of contractors that have been disqualified from bidding on public works contracts is available from the California Labor Commissioner, Division of Labor Standards Enforcement, 455 Golden Gate Avenue, San Francisco, telephone (415) 703-4810.

Information Available from the Secretary of State about Corporations

The California Secretary of State has certain current and historical information about all corporations that operate in California: dates of incorporation, articles of incorporation, the name of the original incorporators, the names of the corporate officers (who are not necessarily the corporate stockholders) and an agent for service of process for the corporation. This information is available from the Secretary of State upon written request. (Secretary of State, Business Programs Division, 1500 Eleventh Street, Sacramento, CA 95814. Telephone (916) 653-2121 or 653-1239). The Secretary of State does not ordinarily have a listing of the names of initial stockholders or current stockholders, and that information is generally not available in any public record.

Information Available from County Clerks about Partnerships and Sole Proprietorships

Every business, including a partnership, that operates under a "fictitious name" (for example, "Ajax Sheet Metal Contractors" or "Smith Brothers Electrical Contractors") is required to file with the County Clerk in the county in which its home office is located a "Fictitious Business Name" statement. This statement will indicate the owner of the business, if the business is a sole proprietorship, and the names of partners, if the business is a partnership. The information is available to the public from the County Clerk upon request. A written request may be necessary.

Information about Bankruptcy Proceedings

Bankruptcy petitions, which include the names of the person or business that is seeking protection from the Bankruptcy Court, are available for public inspection at the office of the Clerk of each Bankruptcy Court (which are federal courts). In California, Bankruptcy Courts are located in Sacramento, Modesto, Fresno, San Francisco, Oakland, San Jose, Los Angeles, Santa Ana, Riverside, and San Diego. Most documents filed in court in bankruptcy proceedings are available for public inspection, at the Bankruptcy Court clerk's office. Some information on bankruptcy filings may also be available from commercial enterprises that collect and sell information from public records). In addition, some information about bankruptcy cases filed August 1990 and later is available on-line through the "PACER" (Public Access to Court Electronic Records) system. To obtain information from PACER, you must register with the system, and pay a fee for the materials obtained. Call 1-800-676-6856 or you may register online at http://pacer.psc.uscourts.gov/.

Information about Civil Suits and Arbitration Cases

Each court keeps records of every civil suit filed in that court, and of the judgments that are issued after trials. However, the exact terms of pre-trial settlements are generally not recorded in court files. Documents related to disputes submitted to arbitration are generally not available for public inspection. Public agencies, however, are required to disclose the terms of such settlements, when documents are requested under the California Public Records Act.

Information about Criminal Convictions

Criminal convictions are a matter of public record. Each courthouse (in both the federal and state court systems) has an index of its own criminal records. In addition, a few data collection businesses have collected criminal conviction information from public records throughout the state, and the collected information about particular individuals or businesses is available for sale from these private businesses.

Information about Federal Court Civil and Criminal Cases Information about federal criminal cases (filed August 1991 and later) and civil cases (filed August 1990 and later) is available on-line through the "PACER" (Public Access to Court Electronic Records) system. To obtain information from PACER, you must register with the system, and pay a fee for the materials obtained. Call 1-800-676-6856) or you may register online at http://pacer.psc.uscourts.gov/.

Information about Citations Issued for Violation of Industrial Safety and Health Laws Information about citations issued by both the federal Occupational Safety and Health Administration and the California Division of Occupational Safety and Health (Cal OSHA) are available on a web-site maintained by federal OSHA, http://www.osha.gov. At that web site, click on "Library." On the Library page, click on "Statistics and Inspection Data." Next, click on "Establishment Search." When the next screen appears, enter the name of the contractor about whom you seek information in the "Establishment" window. In the "Process" window, enter the number 999999. Click on California in the "State" window. In the "Inspection Date" window, enter "1990." Then click the submit button.

Information about Prevailing Wage Law Violations

Information about recent prevailing wage law violations is available from the Division of Labor Standards Enforcement, at 2424 Arden Way, Suite 360, Sacramento, CA 95825. A model letter asking for such information is enclosed.

Citations from Either Air Quality or Water Quality Board for Violations of Regulations Information about citations issued by the California Air Resources Board is available from that agency under the Public Records Act. Their address is 2020 L Street, Sacramento, CA 95814, or Post Office Box 2815, Sacramento, CA 95812. In addition, Regional Air Quality Management Districts and Regional Water Quality Control Boards throughout the state may issue citations for violation of air quality or water quality standards. Consult the appropriate board in your area for information about how to gather appropriate information.

Information about State-Approved Apprenticeship Plans and Violations of State Apprenticeship Laws

Information about violations of state apprenticeship laws can be obtained from the Division of Apprenticeship Standards, 455 Golden Gate Avenue, 8th Floor, Post Office Box 420603, San Francisco, CA 94142.

COUNTY'S INSURANCE REQUIREMENTS

The Contractor shall procure and maintain, for the duration of the Contract and for the period of twelve months after final acceptance of Contractor's work by the Amador County Board of Supervisors, insurance coverage as specified in the terms below. The language below will be incorporated into the contract between COUNTY and any contractor that is ultimately awarded a contract.

Maintenance of proper insurance coverages as described herein is a material element of this Contract. Failure to maintain or renew coverage or to provide evidence of renewal may be treated by COUNTY as a material breach of this Contract. The Contractor acknowledges that the insurance coverage and policy limits set forth in this Contract constitute the minimum amount of coverage required. Any insurance proceeds available to COUNTY in excess of the limits and coverage required in this Contract and which is applicable to a given loss, will be available to COUNTY.

CONTRACTOR shall obtain and maintain in full force and effect throughout the term of this Agreement, and thereafter as to matters occurring during the term of this Agreement, the following insurance coverage:

- 1. Within **ten (10) business days** of award of the Bid to Contractor, Contractor shall furnish to County satisfactory proof that Contractor has taken out for the entire period covered by the proposed Contract the following insurance with an insurance carrier satisfactory to County:
 - a. Commercial General Liability (CGL): Insurance Services Office (ISO) Form CG 0001 covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal & advertising injury with limits no less than \$5,000,000 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location (ISO CG 25 03 or 25 04) or the general aggregate limit shall be twice the required occurrence limit.
 - **b.** Automobile Liability: Insurance Services Office Form CA 0001 covering Code 1 (any auto), with limits no less than \$2,000,000 per accident for bodily injury and property damage.
 - **c.** Workers' Compensation insurance as required by the State of California, with Statutory Limits, and Employers' Liability insurance with a limit of no less than \$1,000,000 per accident for bodily injury or disease.
 - **d. Builder's Risk** (Course of Construction) insurance utilizing an "All Risk" (Special Perils) coverage form, with limits equal to the completed value of the project and no coinsurance penalty provisions.
 - e. Professional Liability (if Design/Build), with limits no less than \$2,000,000 per occurrence or claim, and \$2,000,000 policy aggregate.

If contractor maintains broader coverage and/or higher limits than the minimums shown above, the County requires and shall be entitled to the broader coverage and/or the higher limits maintained by the contractor. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the County.

Self-Insured Retentions

Self-insured retentions must be declared to and approved by the County. The County may require the Contractor to purchase coverage with a lower retention or provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention. The policy language shall provide, or be endorsed to provide, that the self-insured retention may be satisfied by either the named insured or the County. The CGL and any policies, including Excess liability policies, may not be subject to a self-insured retention (SIR) or deductible that exceeds \$25,000 unless approved in writing by the County. Any and all deductibles and SIRs shall be the sole responsibility of Contractor or subcontractor who procured such insurance and shall not apply to the Indemnified Additional Insured Parties. The County may deduct from any amounts otherwise due Contractor to fund the SIR/deductible. Policies shall NOT contain any self-insured retention (SIR) provision that limits the satisfaction of the SIR to the Named Insured. The policy must also provide that Defense costs, including the Allocated Loss Adjustment Expenses, will satisfy the SIR or deductible. The County reserves the right to obtain a copy of any policies and endorsements for verification.

Other Insurance Provisions

The insurance policies are to contain, or be endorsed to contain, the following provisions:

- 1. The County of Amador, its officers, officials, employees, and volunteers are to be covered as additional insureds on the CGL policy with respect to liability arising out of work or operations performed by or on behalf of the Contractor including materials, parts, or equipment furnished in connection with such work or operations and automobiles owned, leased, hired, or borrowed by or on behalf of the Contractor. General liability coverage can be provided in the form of an endorsement to the Contractor's insurance (at least as broad as ISO Form CG 20 10, CG 11 85 or both CG 20 10, CG 20 26, CG 20 33, or CG 20 38; and CG 20 37 forms if later revisions used).
- 2. For any claims related to this project, the **Contractor's insurance coverage shall be primary and non-contributory** insurance coverage at least as broad as ISO CG 20 01 04 13 as respects the County of Amador, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the County of Amador, its officers, officials, employees, or volunteers shall be excess of the Contractor's insurance and shall not contribute with it. This requirement shall also apply to any Excess or Umbrella liability policies.
- 3. Each insurance policy required by this clause shall provide that coverage shall not be canceled, except with notice to the County.

Builder's Risk (Course of Construction) Insurance

Contractor may submit evidence of Builder's Risk insurance in the form of Course of Construction coverage. Such coverage shall **name the County of Amador as a loss payee** as their interest may appear.

Claims Made Policies

If any coverage required is written on a claims-made coverage form:

- 1. The retroactive date must be shown, and this date must be before the execution date of the contract or the beginning of contract work.
- 2. Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after completion of contract work.
- 3. If coverage is cancelled or non-renewed, and not replaced with another claims-made policy form with a retroactive date prior to the contract effective, or start of work date, the Contractor must purchase extended reporting period coverage for a minimum of five (5) years after completion of contract work.
- 4. A copy of the claims reporting requirements must be submitted to the County for review.

Umbrella or Excess Policies

The Contractor may use Umbrella or Excess Policies to provide the liability limits as required in this agreement. This form of insurance will be acceptable provided that all of the Primary and Umbrella or Excess Policies shall provide all of the insurance coverages herein required, including, but not limited to, primary and non-contributory, additional insured, Self-Insured Retentions (SIRs), indemnity, and defense requirements. The Umbrella or Excess policies shall be provided on a true "following form" or broader coverage basis, with coverage at least as broad as provided on the underlying Commercial General Liability insurance. No insurance policies maintained by the Additional Insureds, whether primary or excess, and which also apply to a loss covered hereunder, shall be called upon to contribute to a loss until the Contractor's primary and excess liability policies are exhausted.

Acceptability of Insurers

Insurance is to be placed with insurers authorized to conduct business in the state with a current A.M. Best rating of no less than A: VII, unless otherwise acceptable to the County.

Waiver of Subrogation

Contractor hereby agrees to waive rights of subrogation which any insurer of Contractor may acquire from Contractor by virtue of the payment of any loss. Contractor agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation. The Workers' Compensation policy shall be endorsed with a waiver of subrogation in favor of the County of Amador for all work performed by the Contractor, its employees, agents and subcontractors.

Verification of Coverage

Contractor shall furnish the County with original certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause and a copy of the Declarations and Endorsements Pages of the CGL and any Excess

policies listing all policy endorsements. All certificates and endorsements and copies of the Declarations & Endorsements pages are to be received and approved by the County before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the Contractor's obligation to provide them. The County of Amador reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these requirements, at any time. The County of Amador reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.

Subcontractors

Contractor shall require and verify that all subcontractors maintain insurance meeting all requirements stated herein, and Contractor shall ensure that County of Amador is an additional insured on insurance required from subcontractors. For CGL coverage, subcontractors shall provide coverage with a form at least as broad as CG 20 38 04 13.

Duration of Coverage

CGL & Excess liability policies for any construction related work, including, but not limited to, maintenance, service, or repair work, shall continue coverage for a minimum of 5 years for Completed Operations liability coverage. Such Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after completion of the contract of work.

Special Risks or Circumstances

The County of Amador reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other circumstances.

BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF AMADOR, STATE OF CALIFORNIA

IN THE MATTER OF:

RESOLUTION TO ADOPT AND APPLY PRE-)	RESOLUTION NO. 23-XXX
QUALIFICATION PROCESS FOR BIDDERS ON)	
THE AMADOR COUNTY JAIL EXPANSION PROJECT)	

RESOLUTION OF THE AMADOR COUNTY BOARD OF SUPERVISORS TO ADOPT A PREQUALIFICATION SYSTEM FOR BIDDERS ON THE SB 863 JAIL EXPANSION PROJECT

WHEREAS, Public Contract Code section 20101 allows many public agencies to require licensed contractors that wish to bid for public works jobs to "pre-qualify" for the right to bid on a specific public works project; and

WHEREAS, the State of California Department of Industrial Relations (DIR) has developed a standardized sample questionnaire and model guidelines for rating bidders pursuant to Public Contract Code section 20101 (hereafter "Model Guidelines"); and

WHEREAS, to ensure that only duly qualified contractors are eligible to bid on the Amador County SB 863 Jail Expansion Project, the County desires to engage in a prequalification process as permitted by Public Contract Code section 20101; and

WHEREAS, under Section 20101, in order to prequalify bidders, the Board of Supervisors ("Board") of Amador County ("County") must adopt and apply a uniform system of rating bidders, based on objective criteria that set forth the minimum requirements permitted for qualification and establish a process by which bidders who do not qualify may appeal; and

WHEREAS, the County has determined that adopting bidder prequalification procedures in accordance with Public Contract Code section 20101, and adapted from the Model Guidelines, will benefit the County by providing an opportunity for the County to review prospective bidders' track record in detail and to create a more competitive qualified pool of bidders; and

WHEREAS, the Board has determined that adopting bidder prequalification procedures and establishing an appeal committee will streamline the formal bidding process and further the Board's goals to operate efficiently and in a businesslike manner;

WHEREAS, County staff has prepared a Contractor Prequalification Packet for the Amador County SB 863 Jail Expansion Project consistent with the DIR sample and guidelines, which is attached to this Resolution as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED that the Amador County Board of Supervisors hereby resolves as follows:

- 1. The Board of Supervisors finds that all Prime Contractors bidding on the Amador County SB 863 Jail Expansion Project must be prequalified prior to submitting a bid on said project and adopts the Contractor Prequalification Packet attached to this Resolution as Exhibit A.
- 2. The Board of Supervisors authorizes and directs the General Services Director to issue the Contractor Prequalification Packet in accordance with Public Contract Code section 20101 and authorizes the General Services Director, or his designee, to prequalify bidders for the Amador County SB 863 Jail Expansion Project.

- 3. The Board of Supervisors authorizes and directs the Chief Executive Officer to appoint a review panel (to include, but not be limited to, staff of the General Services Agency and Vanir Construction Management, Inc.) to conduct the prequalification process in accordance with the Contractor Prequalification Packet, after which the General Services Department shall notify contractors of their prequalification status.
- 4. The Board of Supervisors authorizes and directs the Chief Executive Officer to appoint an appeals panel and delegates to the appeals panel the authority to hear and decide appeals from any contractors denied prequalification status.

The foregoing resolution was duly passed and adopted by the Board of Supervisors of Amador County at a regular meeting held thereof on the **21st** day of **March 2023** by the following vote:

AYES: Richard M. Forster, Frank Axe,

Patrick Crew, Jeff Brown and Brian Oneto,

NOTES: None

ABSENT: None

Chairman, Board of Supervisors

ATTEST:

JENNIFER BURNS, Clerk of the Board of Supervisors, Amador County, California

NOTICE TO BIDDERS

Contractor Prequalification Packet

For:

Amador County SB 863 Jail Expansion Project ITB 23-07

Estimated Construction Costs: \$16.5 million

Contractor License Required: Class B

PROJECT DESCRIPTION:

The Work includes, but is not limited to, the construction of Jail Expansion, located at 700 Court Street, Jackson, California. The proposed project consists of a new two-story jail facility with a partial basement. The new building is approximately 12,700 sq, ft. in area and will be Type I-A construction with Occupancy Group I-3 and will be fully sprinklered. The new jail facility will house cells, dayrooms, program treatment rooms, a dental room, exam rooms, offices, recreation yards, a control room, mechanical equipment rooms, and corridors. Also included in the scope of work will be associated site structures including a Mobile Command Structure and site retaining walls. The jail structure will be constructed of structural steel framing with metal decking at the roof levels and a poured-in-place structural concrete slab at the upper tier level. The ground floor level, over the partial basement area, will be constructed of structural steel framing supporting a composite concrete and metal deck slab. The remainder of the first-floor area will consist of a concrete slab-on-grade. The roof and elevated floors will be supported by concrete masonry bearing walls that will also act as the lateral force resisting system for the structure. Poured-in-place concrete retaining walls will be incorporated at the basement level at locations where the soil is to be retained. The foundation for the structure will consist of typical continuous spread footings. The exterior finish of the building will be split-faced masonry and EIFS over rigid insulation.

INSTRUCTIONS TO BIDDERS

Public Bidders are required to register on the Purchase website at: http://www.publicpurchase.com/amadorco,ca to acquire the Contractor Prequalification Packet for the Amador County SB863 Jail Expansion Project, ("Prequalification Package"). Should bidders have any questions about downloading the prequalification package you may contact the office of General Services Administration located at 12200-B Airport Road, Martell, CA, 95654, telephone (209) 223-6375 between the hours of 9:00 a.m. - 4:45 p.m. Monday through Friday.

Sealed Prequalification Applications must be received by the County of Amador Purchasing Office; by U.S. Mail at 12200 B Airport Road, Jackson, CA 95642-9527; by U.P.S., Federal Express, or by other courier to 12200 B Airport Road, Martell, CA; 95654, by 1:30 PM, May 11, 2023. All sealed Prequalification Applications received will be recorded in the office of the Director of General Services Administration, located at the above Martell address. Prequalification Applications received late, will be rejected and returned unopened. Telegraph, Facsimile (FAX) and E-Mail proposals will not be considered.

Package(s) must be labeled with the Bidders name, address and as follows:

(Bidders name and Address)
Contractor Prequalification Application
Project: AMADOR COUNTY SB863 JAIL EXPANSION PROJECT
CONFIDENTIAL - Time Sensitive Material