

***Request for Statements of Qualifications
Contractors for Site Utilities, Masonry,
Foundations, and Super Structure
for San Mateo County
Replacement Correctional Facility***



San Mateo County Sheriff's Office

Issued: March 26, 2013

RFSOQ Due: April 25, 2013

Lieutenant Deborah Bazan, Project Executive,

San Mateo County Sheriff's Office

Jail Planning Unit

1402 Maple Street

Redwood City, CA 94063

Telephone: (650) 716-5980

Email: **dbazan@smcgov.org**

PART 1 – INTRODUCTION

- 1.01** The County of San Mateo (“County”) invites submittals of Statements of Qualifications from highly qualified **trade** contracting firms (“Prospective Bidders”) interested in contracting with the County to provide utilities, masonry, structural concrete, structural steel and framing services (refer to section 2.01) with a lump sum price for the **for the construction of San Mateo County Replacement Correctional Facility**. (“Project”).
- 1.02** The RFSOQ submission of the selected Prospective Bidder will be included in the contract for the project following award.

PART 2–SUBMISSION OF STATEMENT OF PREQUALIFICATION’S

- 2.01** Prospective Bidders are requested to submit an original signed RFSOQ, together with seven (7) copies, and one (1) electronic copy, **no later than 2:00 PM on April 25, 2013to:**

Lieutenant Deborah Bazan, Project Executive
San Mateo County Sheriff’s Office
Jail Planning Unit
1402 Maple Street
Redwood City, CA 94063
Telephone: (650) 716-5980
Email: dbazan@smcgov.org

Financial statements should be submitted to SubQual LLC at or prior to the date listed in 2.01 Date: April 25, 2013

Submittal and Contact Information for SubQual LLC:

Subject line for submittal should read: **San Mateo Jail**
E-mail: prequal@subqual-llc.com
US Mail: 1660 Hotel Circle North, Ste. 400, San Diego, CA 92108
(480) 293-3246
(800) 407-6194 FAX
If you have any questions please call the above phone number.

If you have already prequalified with SubQual LLC you do not need to resubmit your financial information.

All RFSOQ submissions must be to the Jail Planning Unit as listed above. If a mail service or carrier is utilized it is the responsibility of the responder to ensure their response is delivered to correct location and not the mailroom or any other office within a County building.

- 2.02** The RFSOQ should have complete information regarding the experience and qualifications of Prospective Bidder.
- 2.03** The signed original RFSOQ should include a statement signed by an owner, officer, or authorized agent of the Prospective Bidder, acknowledging and accepting the terms and conditions of this RFSOQ.

2.04 ANTICIPATED SCHEDULE OF EVENTS FOR RFSOQ PROCESS

Advertise for RFSOQ	March 25, 2013
Sheriff Issues RFSOQ	March 26, 2013
Questions via email due: 2:00 pm	April 18, 2013
Responses to Questions Posted on Sheriff’s Webpage.	April 23, 2013
Statement of Qualifications submittals due: 2:00 pm	April 25, 2013
Review Statement of Qualifications submittals	April 26 – May 2, 2013
Selection Committee produces short listed Respondents	May 2, 2013
Notice of pre-qualified Respondents posted	May 3, 2013
Request for Proposals sent to pre-qualified Respondents	May 7, 2013
Questions regarding RFP due: 2:00 PM	May 28, 2013
Responses and Addendum posted	June 5, 2013
Bid Proposals due: 2:00 pm	June 12, 2013
Bid Review	June 13 - 14, 2013
Finalist Notification	June 14, 2013
Contract Documents due to Sundt Layton	June 19, 2013
Board of Supervisors approves contract	July 9, 2013

County reserves the right to modify this schedule at any time at its sole discretion.

PART 3 – SHERIFF’S OFFICE BACKGROUND

- 3.01** The San Mateo County Sheriff’s Office is managed by a Sheriff who is directly elected for a four-year term. In addition to overseeing all adult correctional facilities in San Mateo County, the Sheriff is responsible for patrol services in both unincorporated areas of the county and contract cities, investigations, custody, security in the courts, and various administrative functions.
- 3.02** The incumbent Sheriff is Greg Munks. Overseeing this RFSOQ is the Jail Planning Lieutenant Deborah Bazan, Project Executive.
- 3.03** Project rough grading and concrete piles have commenced and will be completed by July 3, 2013.

PART 4 – STATEMENT OF QUALIFICATIONS

- 4.01** San Mateo County Sheriff Greg Munks is seeking responses from qualified contracting firms who have demonstrated the ability to provide services for scope of work noted in bid packages listed in section 5.01.
- 4.02** Prospective Bidders should address every item listed in this RFSOQ, even if the item was addressed previously in the RFSOQ. Brevity and clarity are of utmost importance. RFSOQ’s that are comprised of standard marketing materials that do not specifically address the items below will not be evaluated; however, Prospective Bidders may include seven (7) bound copies of their marketing materials, as long as they are not permanently

attached to the RFSOQ. RFSOQ's that do not comply with all applicable requirements will not be considered.

PART 5 – BASIC SCOPE AND CHARACTER OF PROJECT AND SERVICES REQUIRED

5.01 SCOPE OF PROJECT: Construction of a New San Mateo County Replacement Correctional Facility located in Redwood City on the corner of Blomquist and Maple Street on an existing 4.85 acre site. The project consists of 93,250 square feet (sf) of Administration & Support Space, 20,000 sf of Transitional Housing and 139,132 sf of Detention Center. The estimated value of the overall project is \$125M and is estimated to start construction Spring 2013 and open for services Spring 2015.

BID PKG	DESCRIPTION OF WORK	EST. VALUE
BP 31.02 UTILITIES	Furnish and install onsite and off-site utilities including domestic, reclaimed, fire water, sanitary sewer and storm drain.	\$1.4M
BP 3.01 STRUCTURAL CONCRETE	Furnish and install structural concrete and rebar for all buildings.	\$5M
BP 5.01 STRUCTURAL STEEL	Furnish and install structural steel and metal decking for all buildings.	\$14M

County reserves the right to modify the bid packages at any time at its sole discretion.

5.02 This project has a Project Labor Agreement (PLA), which has been attached to this RFSOQ for reference.

PART 6 – FORMAT FOR THE STATEMENT OF QUALIFICATIONS

6.01 The RFSOQ should be bound and printed vertically (“portrait” orientation) on standard 8-½” by 11” paper. The RFSOQ’s should not exceed 25 pages, double sided (excluding forms, resumes, and list of projects), but will preferably be much shorter. Type size should be no smaller than 10 point, but preferably larger. An electronic version shall also be provided in PDF format on a CD disk.

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E-mail: prequal@subqual-llc.com

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(480) 293-3246

(800) 407-6194 FAX

If you have any questions please call the above phone number.

If you have already prequalified with SubQual LLC you do not need to resubmit your financial information.

6.02 The top of page one of the RFSOQ should state the Prospective Bidder's name, address, phone number, fax number, e-mail address, and contact name. No cover letter is necessary.

PART 7 – ADMINISTRATIVE REQUIREMENTS AND POLICIES

7.01 Prospective Bidders will be required to comply with all nondiscrimination employment regulations, including:

- A. No person shall, on the grounds of race, color, creed, national origin, religious affiliation or non-affiliation, sex, sexual orientation, marital status, age (over 40), disability, medical condition (including but not limited to AIDS, HIV positive diagnosis or cancer), political affiliation or union membership be excluded from participation in, be denied the benefits of, or be subjected to discrimination under this Agreement.
- B. Prospective Bidders shall ensure equal employment opportunity based on objective standards of recruitment, selection, promotion, classification, compensation, performance evaluations, and management relations, for all employees under any contract that may result from this submittal. Prospective Bidders' personnel policies shall be made available to County upon request.
- C. Prospective Bidders shall assure compliance with section 504 of the Rehabilitation Act of 1973 by submitting a signed letter of compliance. Prospective Bidders shall be prepared to submit a self-evaluation and compliance plan to County upon request within one (1) year of the execution of any agreement that may result from this submittal.
- D. Prospective Bidders must comply with the County Ordinance Code with respect to the provision on employee benefits. As set forth in the ordinance, such Prospective Bidders are prohibited from discriminating in the provision of employee benefits between an employee with a domestic partner and an employee with a spouse.

7.02 The County reserves the right to accept or reject any or all RFSOQ's submitted, or to request clarification or additional information or an alternative presentation of data from any Prospective Bidder, at the County's sole discretion. Further, while every effort has been made to ensure the information presented in the RFSOQ is accurate and thorough, the County accepts no responsibility or liability for any unintentional errors or omissions in this document. Should a Prospective Bidder realize during the review process that there has been a substantive error or omission in its submittal, which does not alter basic services and has not already resulted in disqualification from participating in the RFSOQ process for other reasons, said Prospective Bidder is invited to submit to the Project Executive a written request and explanation of Prospective Bidder's desire to correct its submittal. It shall be at the sole discretion of the County's selection committee to decide whether to grant Prospective Bidder's request to correct its RFSOQ submittal.

7.04 All submittals become the property of the County and as such become public documents available to be reviewed by the public upon request. The Government Code Sections 6250 et. seq., the Public Records Act, define public record as any writing containing information relating to the conduct of public business. This applies to submittals pursuant to this RFSOQ. The Public Records Act provides that public records shall be disclosed upon written request, and that any citizen has the right to inspect any public

record, unless the document is exempted from the disclosure requirements. The County cannot represent or guarantee that any information submitted in response to the RFSOQ will be confidential.

If the County receives a request for any document submitted in response to this RFSOQ, it will not assert any privileges that may exist on behalf of the person or business submitting the RFSOQ. Rather, the County will notify the party whose RFSOQ is being sought. In the event that a party who has submitted a RFSOQ wishes to prevent disclosure, it is the sole responsibility of that party to assert any applicable privileges or reasons why the document should not be produced, and to obtain a court order prohibiting disclosure.

- 7.05** Successful and unsuccessful Prospective Bidders will receive a written notification of whether their submittal was elevated to the next phase of finalist evaluation. The written notification will be sent to the name and address of the authorized officer of the firm provided in the RFSOQ submittal. The timing of written notification to Prospective Bidder is entirely at the County's sole discretion.

PART 8 – REVIEW PROCESS

8.01 Review of RFSOQ's

- A. The County will evaluate the information based on materials submitted in response to this RFSOQ.
- B. Prospective Bidders should prepare their response according to the RFSOQ format, i.e., by section and paragraph of this RFSOQ. The County reserves the right to reject any RFSOQ not submitted within the required timeframe; reject any incomplete RFSOQ submitted; contact client references; require further information; and/or require interviews with any Prospective Bidder. All costs related to the preparation, submittal, and/or presentation of an RFSOQ are the responsibility of the Prospective Bidder and will not be assumed in full or in part by the County.
- C. Following a review of the submitted RFSOQ's, the Sheriff will inform each Prospective Bidder in writing as to whether it is qualified to submit a bid.

8.02 Appeal of Disqualification

Prospective Bidder may dispute its disqualification as follows: The Prospective Bidder may, within two business days of receipt of the County's letter of disqualification, rebut in writing any evidence used as a basis for disqualification and present written evidence as to why the Prospective Bidder should be found qualified. The Sheriff, or his designee, will review the Prospective Bidder's letter and make a final determination within fourteen calendar days of receipt. The Sheriff's decision shall be made at least one day prior to the closing time for receipt of bids and shall be final. Written appeals should be addressed directly to Sheriff Greg Munks at 400 County Center, Redwood City, CA 94063. Appeals received after the deadline will not be accepted.

PART 9 – GENERAL CONDITIONS

- 9.01** The RFSOQ should be clear and concise to enable the County to make a thorough evaluation and arrive at a sound determination as to whether the RFSOQ meets the County's requirements. To this end, each RFSOQ should be specific, detailed, and complete as to clearly and fully demonstrate that the Prospective Bidder has a thorough

understanding of and has demonstrated knowledge of the requirements to perform the work (or applicable portion thereof). The RFSOQ must be verified under oath by the Prospective Bidder and each of its members.

- 9.02** Any explanation or question from a Prospective Bidder regarding the meaning or interpretation of this RFSOQ must be requested in writing by email only to Lieutenant Deborah Bazan, Project Executive (dbazan@smcgov.org) by **2:00 PM April 18, 2013**. Responses to submitted questions will be posted on the Sheriff's Office Jail Planning webpage by **April 23, 2013**. Do not contact staff or consultants with questions or clarifications. **It is the responsibility of the responder to check the Jail Planning website for questions and answers as well as any Addendums that have been made:**
<http://www.smcsheriff.com/jail-planning/announcements>
- 9.03** The submission of a RFSOQ does not commit County to award a contract for the Project, to pay costs incurred in the preparation of a RFSOQ or to procure or contract for any services. Costs for preparing the RFSOQ will be paid entirely by the Prospective Bidders.
- 9.04** County reserves the right to interpret or change any provision of this RFSOQ at any time prior to the RFSOQ submission date. Such interpretations or changes shall be in the form of addenda to this RFSOQ and posted on the Sheriff's Office webpage. County, in its sole discretion, may determine that a time extension is required for submission of RFSOQ's, in which case such addenda shall indicate a new RFSOQ submission deadline. County reserves the right to waive inconsequential deviations from stated requirements.
- 9.05** County retains the right to reject any and all RFSOQ's, to contract work with whomever and in whatever manner County decides, or to abandon the work entirely. County shall make final decisions regarding a Prospective Bidder's qualifications as of Bid day. All decisions concerning Prospective Bidder selection shall be made in County's best interests.
- 9.06** County has made a determination in accordance with Section 6255 of the Government Code that all RFSOQ's submitted in response to this RFSOQ shall not be made public by County until after County issues a notice of intent to enter into a Contract with the successful Prospective Bidder. In addition, County has made a determination in accordance with Section 6255 of the Government Code that all Prospective Bidder proprietary financial information submitted in response to this RFSOQ and specifically identified by the Prospective Bidder as "confidential" will not be made public by County and will be returned to each Prospective Bidder, unless otherwise required by law. In the event a Prospective Bidder wishes to claim other portions of its RFSOQ exempt from disclosure under the Public Records Act, Prospective Bidder should clearly identify those portions with the word "confidential" printed on the lower right-hand corner of the page, along with a written justification as to why such information should be exempt from disclosure. Blanket designations of "confidential" shall not be effective. However, County will make a decision based upon applicable law.
- A. County will notify the applicable Prospective Bidders of any requests for disclosure under the Public Records Act. Prospective Bidders agree to defend and indemnify County from any claims and/or litigation arising from such requests.
- B. Proprietary or confidential data should be readily separable from the RFSOQ in order to facilitate eventual public inspection of the non-confidential portion of the RFSOQ.

Confidential data is normally restricted to confidential financial information. The price of products offered or the cost of services shall not be designated as proprietary or confidential information.

PART 10 – PROJECT EXECUTIVE

10.01 All written inquiries and requests for additional information pertaining to this RFSOQ, any Addendum, or any matter relating to the subcontractor selection process, must, unless otherwise identified in an Addendum, be directed to the following designated Project Executive:

Lieutenant Deborah Bazan, Project Executive
San Mateo County Sheriff's Office
Jail Planning Unit
1402 Maple Street
Redwood City, CA 94063
Telephone: (650) 716-5980
Email: dbazan@smcgov.org

PART 11 – CONTENT OF STATEMENTS OF QUALIFICATIONS

The RFSOQ’s should include complete responses to the Prequalification Questionnaire set forth in Part 11, Part 12, and Part 13, and include the following information regarding the Prospective Bidder:

CONTACT INFORMATION

Firm Name: _____ Check One: Corporation
(as it appears on license) Partnership
 Sole Prop.

Contact Person: _____

Address: _____

Phone: _____ Fax: _____

If firm is a sole proprietor or partnership:

Owner(s) of Company _____

Contractor’s License Number(s):

Email address: _____

(If the above information is not fully provided the Bidder/Proposer is immediately disqualified)

PART 12 - INFORMATION ABOUT THE PROSPECTIVE BIDDER

12.01 ORGANIZATION, HISTORY, ORGANIZATIONAL PERFORMANCE, COMPLIANCE WITH CIVIL AND CRIMINAL LAWS

A. Current Organization and Structure of the Business

For Firms That Are Corporations:

- 1a. Date incorporated: _____
- 1b. Under the laws of what state: _____
- 1c. Provide all the following information for each person who is either (a) an officer of the corporation (president, vice president, secretary, treasurer), or (b) the owner of at least ten per cent of the corporation’s stock.

Name	Position	Years with Co.	% Ownership

- 1d. Identify every construction firm that any person listed above has been associated with (as owner, general partner, limited partner or officer) at any time during the last five years.

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

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

For Firms That Are Partnerships:

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

Name	Position	Years with Co.	% Ownership

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

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

Person’s Name	Construction Company(ies)	Dates of Person’s Participation with Company(ies)

For Firms That Are Sole Proprietorships:

- 1a. Date of commencement of business. _____
- 1b. Social security number of company owner: _____
- 1c. Identify every construction firm that the business owner has been associated with (as owner, general partner, limited partner or officer) at any time during the last five years.

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

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

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

- 1a. Date of commencement of joint venture. _____
- 1b. Provide all of the following information for each firm that is a member of the joint venture that expects to bid on one or more projects:

Name of firm	% Ownership of Joint Venture

B. History of the Business and Organizational Performance

- 1. Has there been any change in ownership of the firm at any time during the last three years?

NOTE: A corporation whose shares are publicly traded is not required to answer this question.

Yes No

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

2. Is the firm a subsidiary, parent, holding company or affiliate of another construction firm?

NOTE: Include information about other firms if one firm owns 50 per cent or more of another, or if an owner, partner, or officer of your firm holds a similar position in another firm.

Yes No

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

3. Are any corporate officers, partners or owners connected to any other construction firms?

NOTE: Include information about other firms if an owner, partner, or officer of your firm holds a similar position in another firm.

Yes No

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

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

5. Has your firm changed names or license number in the past five years?

Yes No

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

6. Has any owner, partner or (for corporations :) officer of your firm operated a construction firm under any other name in the last five years?

Yes No

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

(If the above information is not fully provided the Bidder/Proposer is immediately disqualified)

PART 13 - SCORABLE QUESTIONS

13.01 Scoreable questions arise in four different areas:

- (I) Additional questions for immediate disqualification
- (II) History of the business and organizational performance;
- (III) Compliance with occupational safety and health laws, workers' compensation and other labor legislation; and
- (IV) Completion of recent projects and quality of performance.

The Scores Needed for Prequalification:

To prequalify, a Prospective Bidder is required to have a passing grade within each of the three large categories referred to above.

For Section I, "Questions for immediate disqualification," immediate disqualification is determined based on responses to the questions as described therein.

For Section II, "History of the business and organizational performance," a passing score of **60** on this portion of the questionnaire (of a maximum score of **80** on this portion of the questionnaire).

For Section III, "Compliance with occupational safety and health laws, workers' compensation and other labor legislation," a passing score of **50** on this portion of the questionnaire (of a maximum score of **61** points on this portion of the questionnaire).

For Section IV, "Completion of recent projects and quality of performance," a passing score of **81** on this portion of the questionnaire (of a maximum score of **95** points on this portion of the questionnaire).

Total maximum score: **191** points. Total minimum score: **236** points.

SECTION I. QUESTIONS FOR IMMEDIATE DISQUALIFICATION

1. List all California construction license numbers, classifications and expiration dates of the California contractor licenses held by your firm:

(If No California license Bidder/Proposer is immediately disqualified. Check CSLB for complaints or citations against license. Validated citations against the license may also be grounds for immediate disqualification)

2. Provide a notarized of letter from your insurance company stating you have a liability insurance policy with a policy limit of at least **\$2,000,000** per occurrence and **\$5,000,000** aggregate.

(If No notarized letter is attached Bidder/Proposer is immediately disqualified)

3. **Financial Statements and Supplemental Information**

Financial prequalification will be established by determining capacity to perform the County of San Mateo contract in the following manner:

- a. Working capital is determined from the most recent balance sheet submitted, by subtracting the current liabilities from current assets.

- b. Available lines of credit or other credit facilities are then added to the working capital, and then the sum is multiplied by ten (10).
- c. Uncompleted work on current contracts, which have been awarded to your organization (backlog), will be subtracted from the amount determined in paragraph “b” above.
- d. Any positive numbers resulting from paragraph “c” above is the maximum County contract that can be awarded to the submitting organization.
- e. Should your organization not qualify on the basis of the above calculation, the County may consider other alternative information you can provide that, in its sole judgment, indicates clearly your ability to meet the financial requirements of the anticipated County contract. This information must include the required data described below, and sufficient supplemental analysis and description as needed to clearly present your position. This information must be submitted with your AFP. It is your responsibility to make the above described calculation and determine if additional information will be required to demonstrate your ability to perform the project.

4. **Information Prospective Bidders Must Submit Includes:**

- a. Full set of financial statements for your most recent three (3) complete fiscal years, accompanied by either an audit or review report by an independent Certified Public Accountant. *Complied or internally prepared financial statements will not be accepted.* Statements, which are older than six (6) months, must be supplemented by internally financial statements, which update the information to no more than six (6) months from the date of submission of the AFP. Such statements must be prepared in accordance with generally accepted accounting principles, including all required information disclosures.
- b. Letter from a financial institution in support of available lines of credit or other facilities, if you wish them to be considered in prequalification.
- c. Schedule indicating contracts, which have been awarded to you, and reconciling the original award, any amendments, completed portion and uncompleted portion of such contracts. This is your backlog of work awarded but not yet complete.

- Yes (Financial information meets the above requirements¹) No
 Not Applicable

Financial statements should be submitted to SubQual LLC at or prior to the date listed in 2.01 Date: **April 25, 2013**

Submittal and Contact Information for SubQual LLC:

Subject line for submittal should read: **San Mateo Jail**

E-mail: prequal@subqual-llc.com

US Mail: 1660 Hotel Circle North, Ste. 400, San Diego, CA 92108
(480) 293-3246 phone (800) 407-6194 FAX

¹ Public Contract Code section 20101(e) exempts from this requirement a contractor who has qualified as a small business pursuant to Government Code section 14837(d)(1), if the bid is “no more than 25 per cent of the qualifying amount provided in section 14837(d)(1).”

If you have any questions please call the above phone number. If you have already prequalified with SubQual LLC you do not need to resubmit your financial information

The maximum contract value shall be determined as follows:

- a. Working capital times 5
- b. Equity (adjusting by adding shareholder payables and confirmed unused line of credit; deducting shareholder receivables and intangible assets)
- c. Revenue time 25%

The lowest value will be used for your maximum contract value per project. Each subcontractor shall be informed prior to the next steps for selection of their maximum contract value for this project.

5. Have you attached a notarized statement from an admitted surety insurer (approved by the California Department of Insurance) and authorized to issue bonds in the State of California, which states: (a) that your current bonding capacity is sufficient for the project for which you seek pre-qualification if you are seeking pre-qualification for a single project; or (if you are seeking prequalification valid for a year) (b) your current available bonding capacity? (Minimum rating for Bonding: AM Best rating = A- or better. AM Best Financial Size Category: VI or larger)

Yes No

(If No notarized statement is attached Bidder/Proposer is immediately disqualified Notarized statement must be from the surety company, not an agent or broker.)

6. Has your contractor's license been revoked at any time in the last five years?

Yes No

(If Yes Bidder/Proposer is immediately disqualified)

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

Yes No

(If Yes Bidder/Proposer is immediately disqualified)

8. At the time of submitting this pre-qualification form, is your firm ineligible to bid on or be awarded a public works contract, or perform as a subcontractor on a public works contract, pursuant to either Labor Code section 1777.1 or Labor Code section 1777.7?

Yes No

(If Yes Bidder/Proposer is immediately disqualified)

9. At any time during the last five years, has your firm or any of its owners or officers been convicted of a crime involving the awarding of a contract of a government construction project, or the bidding or performance of a government contract?

Yes No

(If Yes Bidder/Proposer is immediately disqualified)

10. Prospective Bidder has current workers' compensation insurance policy as required by the Labor Code or is legally self-insured pursuant to Labor Code section 3700 et. seq.

Yes No Prospective Bidder is exempt from this requirement, because it has no employees

(If No Bidder/Proposer is immediately disqualified)

SECTION II. HISTORY OF THE BUSINESS AND ORGANIZATIONAL PERFORMANCE

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

(Scoring **2 points** for each year revenue exceeded 75% of the Estimated Bid Package Value (Refer to section 5.01 for values), **maximum 6 points**)

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

(Scoring: **1 points** for each year as a California firm, **maximum 3 points**)

3. Is your firm currently the debtor in a bankruptcy case?

Yes No

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

(Scoring: **"No" = 3 points "Yes" = 0 points**)

4. Was your firm in bankruptcy at any time during the last five years? (This question refers only to a bankruptcy action that was not described in answer to question 7, above)

Yes No

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

(Scoring: **"No" = 3 points "Yes" = 0 points**)

5. **Licenses/Insurance:** Has any CSLB license held by your firm or its Responsible Managing Employee (RME) or Responsible Managing Officer (RMO) been suspended within the last five years?

Yes No

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

(Scoring: **"No" = 5 points "Yes" = 0 points**)

6. **Disputes:** At any time in the last five years has your firm been assessed and paid liquidated damages after completion of a project under a construction contract with either a public or private owner?

Yes No

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

(Scoring: "No" = 5 points "Yes" = 0 points)

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

NOTE: "Associated with" refers to another construction firm in which an owner, partner or officer of your firm held a similar position, and which is listed in response to question 1c or 1d on this form.

Yes No

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

(Scoring: "No" = 5 points "Yes" = 0 points)

8. In the last five years has your firm been denied an award of a public works contract based on a finding by a public agency that your company was not a responsible bidder?

Yes No

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

(Scoring: "No" = 5 points "Yes" = 0 points)

NOTE: The following two questions (9 and 10) 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 subcontractor and a project owner. Also, you may omit reference to all disputes about amounts of less than \$50,000.

9. In the past five years has any claim against your firm concerning your firm's work on a construction project been filed in court or arbitration?

Yes No

If "yes," on separate signed sheets of paper identify the claim(s) by providing the project name, date of the claim, name of the claimant, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution).

(Scoring) **“No” or “Yes” indicating 1 such instance = 5 points**

“Yes” indicating 2 such instances = 3 points

“Yes” if more than 2 such instances = 0 points

10. In the past 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?

Yes No

If “yes,” on separate signed sheets of paper identify the claim by providing the project name, date of the claim, name of the entity (or entities) against whom the claim was filed, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim (pending, or if resolved, a brief description of the resolution).

(Scoring) **“No” or “Yes” indicating 1 such instance = 5 points**

“Yes” indicating 2 such instances = 3 points

“Yes” if more than 2 such instances = 0 points

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

Yes No

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

(Scoring) **“No” or “Yes” indicating 1 such instance = 5 points**

“Yes” indicating 2 such instances = 3 points

“Yes” if more than 2 such instances = 0 points

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

Yes No

If “yes,” explain on a separate signed page. Name the insurance carrier, the form of insurance and the year of the refusal.

(Scoring) **“No” or “Yes” indicating 1 such instance = 5 points**

“Yes” indicating 2 such instances = 3 points

“Yes” if more than 2 such instances = 0 points

13. **Criminal Matters and Related Civil Suits:** Has your firm or any of its owners, officers or partners ever been found liable in a civil suit or found guilty in a criminal action for making any false claim or material misrepresentation to any public agency or entity?

Yes No

If “yes,” explain on a separate signed page, including identifying who was involved, the name of the public agency, the date of the investigation and the grounds for the finding.

(Scoring) “No” = 5 points “Yes” = subtract 5 points

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

Yes No

If “yes,” explain on a separate signed page, including identifying who was involved, the name of the public agency, the date of the conviction and the grounds for the conviction.

(Scoring) “No” = 5 points “Yes” = subtract 5 points

- 15. Has your firm or any of its owners, officers or partners ever been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty?

Yes No

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

(Scoring) “No” = 5 points “Yes” = subtract 5 points

- 16. **Bonding:** Bonding capacity: Provide documentation from your surety identifying the following:

Name of bonding company/surety:

Name of surety agent, address and telephone number:

(No score for this question will be given)

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

(Scoring)

If the rate is no more than one per cent = 5 points

If the rate was no higher than 1.10 per cent = 3 points

Any other answer = 0 points

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

(No score for this question will be given)

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

Yes No

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

(Scoring) “No” = 5 points “Yes” = 0 points

SECTION III. COMPLIANCE WITH OCCUPATIONAL SAFETY AND HEALTH LAWS, WORKERS’ COMPENSATION AND OTHER LABOR LEGISLATION

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

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

Yes No

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

(Scoring) “No” or “Yes” indicating 1 such instance = 5 points

“Yes” indicating 2 such instances = 3 points

“Yes” if more than 2 such instances = 0 points

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

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

Yes No

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

(Scoring) **“No” or “Yes” indicating 1 such instance = 5 points**
“Yes” indicating 2 such instances = 3 points
“Yes” if more than 2 such instances = 0 points

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

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

Yes No

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

(Scoring) **“No” or “Yes” indicating 1 such instance = 5 points**
“Yes” indicating 2 such instances = 3 points
“Yes” if more than 2 such instances = 0 points

4. Has your firm been cited by any governing agencies for violations to local ordinances or codes (i.e. BAAQMD, Regional Water Quality Control Boards, etc.)?

Yes No Explain (if yes):

(Scoring) **If “yes” subtract ~~10~~3 points)**

5. Has your firm ever received a citation or violation from the Department of Toxic Substances Control (DTSC)?

(Scoring) **If “yes” subtract ~~10~~3 points)**

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

(Scoring) **For an answer of once each week or more often = 5 points**
Any other answer = 0 points

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

(Scoring) **5 points for an answer of once each week or more often.**
0 points for any other answer)

7. List your firm’s Experience Modification Rate (EMR) (California Workers Compensation Insurance) for each of the past three premium years:

NOTE: An Experience Modification Rate is issued to your firm annually by your workers’ compensation insurance carrier.

Current year: _____

Previous year: _____

Year prior to previous year: _____

(Scoring)

For 0.8 and below = 10 points

For three-year average EMR of .95 or less = 5 points

For three-year average of EMR of more than .95 but no more than 1.00 = 3 points

For Any other EMR = subtract **20** points

For Any EMR greater than 1.0 = DISQUALIFIED.

8. **Outstanding liens for federal or state taxes:** Within the last five years has there ever been a period when your firm had employees but was without workers' compensation insurance or state-approved self-insurance?

Yes No

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

(Scoring)

For either "No" or "Yes" indicating 1 such instance = 5 points

For any other answer = 0 points

9. **Prevailing Wage and Apprenticeship Compliance Record:** Has there been more than one occasion during the last five years in which your firm was required to pay either back wages or penalties for your own firm's failure to comply with the state's prevailing wage laws?

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

Yes No

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

(Scoring) **"No" or "Yes" indicating 1 such instance = 5 points**

"Yes" indicating 2 such instances = 3 points

"Yes" if more than 2 such instances = 0 points

10. During the last five years, has there been more than one occasion in which your own firm has been penalized or required to pay back wages for failure to comply with the federal Davis-Bacon prevailing wage requirements?

Yes No

If "yes," attach a separate signed page or pages describing the nature of the violation, identifying the name of the project, the date of its completion, the

public agency for which it was constructed; the number of employees who were initially underpaid, the amount of back wages you were required to pay along with the amount of any penalty paid.

(Scoring) **“No” or “Yes” indicating 1 such instance = 5 points**

“Yes” indicating 2 such instances = 3 points

“Yes” if more than 2 such instances = 0 points

11. Provide the **name, address and telephone number** of the apprenticeship program (approved by the California Apprenticeship Council) from whom you intend to request the dispatch of apprentices to your company for use on any public work project for which you are awarded a contract by *[Public Entity]*.

(Scoring) **If at least one approved apprenticeship program is listed = 5 points**

For any other answer = 0 points

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

NOTE: You may omit reference to any incident that occurred prior to April 12, 2008 if the violation was by a subcontractor and your firm, as general contractor on a project, had no knowledge of the subcontractor’s violation at the time they occurred.

Yes No

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

(Scoring) **“No” or “Yes” indicating 1 such instance = 5 points**

“Yes” indicating 2 such instances = 3 points

“Yes” if more than 2 such instances = 0 points

SECTION IV. COMPLETION OF RECENT PROJECTS AND QUALITY OF PERFORMANCE

1. **RECENT CONSTRUCTION PROJECTS COMPLETED:** Provide information on projects completed or currently in progress that demonstrate your organization’s experience with projects of similar scope, size and complexity as the San Mateo Replacement Correctional Facility Project. Provide specific project related experience, relevance of scope, size and complexity. Please label response consistent to the categories listed below. Submit at least three project examples of projects completed within the past ten (10) years. Two of the projects shall be relevant examples of your organization’s relevant projects with sub trade construction completed within the last ten (10) years,
- Project Name:
 - Location:
 - Owner Contact (name and current phone number):
 - Architect or Engineer Contact (name and current phone number):
 - Description of Project, Scope of Work Performed:

- f. Total Value of Construction your scope (including change orders):
- g. Original Scheduled Completion Date: _____
- h. Time Extensions Granted (number of days): _____
- i. Actual Date of Completion:
- j. Project photographs if available

(Scoring) **Maximum points = 50 points**

2. **KEY PERSONNEL:** Provide proposed key personnel’s qualifications, experience, length of employment with company, and training to competently manage this project. Key personnel shall include Project Manager, Superintendent, and all others involved in the management of the project.

(Scoring) **Maximum points = 45 points**

PART 14 - CERTIFICATION

All firms seeking prequalification must sign the certification below and attach it to its Prequalification Questionnaire. Copy this certification form for completion by each legal entity proposed to be on the prequalified team.

I, the undersigned _____, certify and declare that I have read all the foregoing answers to this Prequalification Questionnaire; that all responses are correct and complete of my own knowledge and belief. I declare under penalty of perjury under the laws of the State of California, that the foregoing is true and correct.

(Signature of Prospective Bidder/Proposer)

(Printed name of Prospective Bidder/Proposer)

(Place of Execution)

(Date)

PART 15 - REFERENCE DOCUMENTS

EXHIBIT A – Professional Labor Agreement