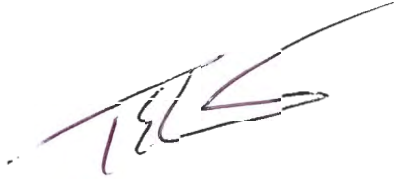



LEGISLATIVE FILE

File ID No. 14-0208
Introduction Date 3-26-2014
Enactment No. 14-0565
Enactment Date 4/9/14
By [Signature]

OAKLAND UNIFIED SCHOOL DISTRICT
Office of the Board of Education



To: Dr. Gary Yee, Ed.D., Acting Superintendent and Secretary, Board of Education
By: Vernon Hal, Deputy Superintendent, Business Operations, 
Timothy White, Associate Superintendent, Facilities, Planning & Management

Date: March 26, 2014

Subject: **Adoption of Uniform System of Prequalifying and Rating Prospective Bidders for Construction Projects over One Million Dollars Pursuant to section 20111.6 of the Public Contract Code**

ACTION REQUESTED

Approval by the Board of Education of Resolution No. 1314-1026 Adopting Uniform System of Prequalifying And Rating Prospective Bidders For Prequalification on Construction Projects valued at One Million Dollars and above Pursuant To Public Contract Code Section 20111.6.

BACKGROUND

The District has developed the attached Uniform System of Prequalifying and Rating Prospective Bidders (“Prequalification”) for prequalification of all trade contractors and subcontractors for the District’s public works projects that meet the statutory projected expenditure threshold of One Million Dollars (\$1,000,000) (“Project”).

The Prequalification requires that all general contractors and specified mechanical, electrical and plumbing subcontractors that intend to bid on a District Project to perform any work must complete and submit to the District a standardized prequalification questionnaire and financial statement. The District is required to adopt and apply a uniform system of rating prospective bidders on the basis of the completed prequalification documents. A proposal form shall not be accepted from any person or other entity that is required to submit prequalification documents but has not done so at least ten (10) business days prior to the date fixed for the public opening of sealed bids or has not be prequalified for at least five (5) days prior to that date.

This prequalification process enables the District to build a pool of contractors and subcontractors that have demonstrated they meet certain minimum District criteria in accordance with the requirements of section 20111.6 of the Public Contract Code. This prequalification process also recognizes the District’s Local, Small Local and Small Local Resident Business Enterprise Program (L/SL/SLRBE) and includes a prequalification questionnaire consistent with the requirements of Public Contract Code section 20111.6 and the District’s L/SL/SLRBE program. Certified Oakland General Contractors and Subcontracts will have a separate prequalification questionnaire, and will not be required to submit financial statements.

FISCAL IMPACT

No fiscal impact or implications associated with the approval of these documents.

RECOMMENDATION

Approval by the Board of Education of Resolution No. 1314-1026 Adopting Uniform System of Prequalifying And Rating Prospective Bidders For Prequalification On Certain Construction Projects Pursuant To Public Contract Code Section 20111.6.

ATTACHMENTS

Resolution No. 1314-1026 Adopting Uniform System of Prequalifying And Rating Prospective Bidders For Prequalification on Construction Projects valued at One Million Dollars and Above Pursuant To Public Contract Code Section 20111.6.

**RESOLUTION OF THE
BOARD OF EDUCATION
OF THE OAKLAND UNIFIED SCHOOL DISTRICT**

RESOLUTION NO. 1314-1026

**UNIFORM SYSTEM OF PREQUALIFYING AND RATING PROSPECTIVE BIDDERS FOR
PREQUALIFICATION ON CONSTRUCTION PROJECTS VALUED AT ONE MILLION
DOLLARS AND ABOVE PURSUANT TO PUBLIC CONTRACT CODE SECTION 20111.6.**

WHEREAS, the Oakland Unified School District (“District”) intends to prequalify prospective bidders for some of its construction projects as required by applicable law; and

WHEREAS, Public Contract Code (“PCC”) section 20111.6(a) requires that school districts prequalify contractors on all public projects awarded on or after January 1, 2014, that use funds received pursuant to the Leroy F. Greene School Facilities Act of 1998 ... or any funds from any future state school bond monies, and that involves a projected expenditure of one million dollars (\$1,000,000) or more; and

WHEREAS, that prequalification shall be in the form of a “standardized prequalification questionnaire and financial statement” (PCC §20111.6(b)); and

WHEREAS, PCC section 20111.6 (b) requires school districts to adopt and apply a uniform system of rating prospective bidders on the basis of the completed questionnaires and financial statements, in order to determine whether the prospective bidders are deemed qualified to bid on District construction projects; and

WHEREAS, PCC section 20111.6, requires that general contractors, and if utilized, all electrical, mechanical, and plumbing subcontractors be prequalified at least ten (10) business days prior to the date fixed for the public opening of sealed bids and be prequalified at least five (5) business days prior to that date; and

WHEREAS, District staff have developed a Contractor’s Prequalification Questionnaire (“Questionnaire”) and a uniform system of rating prospective bidders based upon the completed Questionnaires (“Rating System”) in accordance with PCC section 20111.6; and

WHEREAS, the District intends that the Questionnaire, Financial Statement and Rating System shall be used to prequalify prospective bidders on any construction project meeting the threshold requirements of PCC section 20111.6; and

WHEREAS, the minimum criteria set forth in the Rating System shall include, inter alia, a requirement for a prospective bidder to have constructed a minimum number of California school district or community college construction projects of a minimum size within the recent past for the same license classification, and with a similar scope of work to the type of work for which they are bidding; and

WHEREAS, the Questionnaire, Financial Statement and Rating System cover, at a minimum, the issues covered by the standardized questionnaire and model guidelines for rating bidders developed by the Department of Industrial Relations; and

WHEREAS, the Questionnaire includes a process for prospective bidders to appeal certain decisions with respect to the Prequalification Process (“Appeal Process”); and

WHEREAS, the District intends to adopt the Questionnaire, Rating System, Prequalification Process, and Appeal Process for prequalification on District projects meeting the threshold set forth in PCC section 20111.6 consistent

**RESOLUTION OF THE
BOARD OF EDUCATION
OF THE OAKLAND UNIFIED SCHOOL DISTRICT**

RESOLUTION NO. 1314-1026

Page 2

with the documents attached as Exhibit "A", but tailored to each particular construction project contemplated by the District, and consistent with and in compliance with Public Contract Code section 20111.6; and

WHEREAS, District staff have developed a **separate** Contractor's Prequalification Questionnaire ("Certified S/SL/SLRBE Questionnaire") and a uniform system of rating prospective bidders based upon the completed Certified S/SL/SLRBE Questionnaires ("Local Rating System") in accordance with PCC section 20111.6; and

WHEREAS, the District intends that the Certified Questionnaire and Rating System shall be used to prequalify prospective bidders on any construction project meeting the threshold requirements of PCC section 20111.6; and

WHEREAS, the Certified Questionnaire includes a process for prospective bidders to appeal certain decisions with respect to the Prequalification Process ("Appeal Process"); and

WHEREAS, the District intends to adopt the Certified Questionnaire, Rating System, Prequalification Process, and Appeal Process for prequalification on District projects meeting the threshold set forth in PCC section 20111.6 consistent with the documents attached as Exhibit "A", but tailored to each particular construction project contemplated by the District, and consistent with and in compliance with Public Contract Code section 20111.6; and

NOW, THEREFORE, BE IT RESOLVED, that the Governing Board hereby finds, determines, declares, orders and resolves as follows:

Section 1. That the above recitals are true and correct.

Section 2. That the Questionnaire, S/SL/SLRBE Certified Questionnaire, Procedure, Rating System, Prequalification Process, and Appeal Process are approved and adopted pursuant to Public Contract Code section 20111.6.

Section 3. That pursuant to the delegation authority of Education Code section 35161, the District's Superintendent, or his designee, is hereby delegated the authority to:

1. Adjust the size, type and number of past projects required of each prospective bidder to prequalify for specific project(s);
2. Adjust the minimum score required to prequalify for specific project(s) for which the District is prequalifying;
3. Remove, add or modify specific questions in the Questionnaire for specific project(s) for which the District is prequalifying;
4. Determine whether to prequalify prospective bidders on projects that do not require prequalification pursuant to PCC §20111.6;

**RESOLUTION OF THE
BOARD OF EDUCATION
OF THE OAKLAND UNIFIED SCHOOL DISTRICT**

RESOLUTION NO. 1314-1026

Page 3

5. Determine whether to contact references for prospective bidders for specific project(s) for which the District is prequalifying;
6. Establish a process for prequalifying prospective bidders on a quarterly or annual basis; and
7. Adjust other requirements of the District's Prequalification Process as necessary to ensure the establishment of a qualified pool of responsible bidders.

APPROVED, PASSED AND ADOPTED by the Governing Board of the Oakland Unified School District on this 26th day of March, 2014, by the following vote:

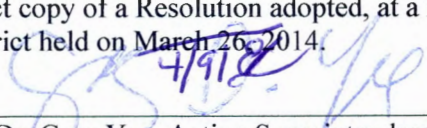
AYES: Jody London, Anne Washington, Roseann Torres, Christopher Dobbins,
Vice President James Harris and President David Kakishiba

NOES: None

ABSENT: Jumoke Hinton Hodge

ABSTAIN: None

I hereby certify that the foregoing is a full, true and correct copy of a Resolution adopted, at a Regular Meeting of the Governing Board of the Oakland Unified School District held on March 26, 2014.



Dr. Gary Yee, Acting Superintendent
Secretary, Board of Education

File ID Number: 14-0208
Introduction Date: 3-26-14
Enactment Number: 14-0565
Enactment Date: 4-9-14
By:

EXHIBIT "A"

**PREQUALIFICATION QUESTIONNAIRE and CERTIFIED PREQUALIFICATION QUESTIONNAIRE
(INCLUDING THE RATING SYSTEM, PREQUALIFICATION PROCESS, AND APPEAL PROCESS)**

OAKLAND UNIFIED SCHOOL DISTRICT
PREQUALIFICATION EVALUATION PROCEDURE

DO NOT DISTRIBUTE THIS EVALUATION FORM WITH THE PREQUALIFICATION QUESTIONNAIRE

Name of Contractor: _____, 20____

1. **Confirm Contractor has passing answers for the "Pass/Fail Questions (Essential Criteria)."**
Note: For the first question (regarding the number and size of previous K-12 projects) confirm that the Contractor has listed the projects that satisfy this requirement in the "Contractor Project References" section, the projects that satisfy this requirement.
2. **Confirm Contractor has submitted the required financial statements.** If not, notify Contractor in writing that his prequalification questionnaire is non-responsive for failing to include the required financial statements.
3. **Score the "Scored Questions."** **[NOTE: THESE POINTS CAN BE MODIFIED TO SUIT YOUR DISTRICT'S GOALS]**

Topic/Question	Score	Scoring & Max. Poss. Score	
1. Liquidated Damages		No = 4 points; Yes = 0 points	4
2. Surety Premium		No = 2 points; Yes = 0 points	2
3. Insurer Pay		No = 2 points; Yes = 0 points	2
4. EMR		No = 2 points; Yes = 0 points	2
5. Workers' Comp.		No = 2 points; Yes = 0 points	2
6. Bankruptcy		No = 4 points; Yes = 0 points	4
7. Denied Bond		No = 4 points; Yes = 0 points	4
8. Filed Claims		No = 4 points; Yes = 0 points	4
9. Labor Code Citations		No = 2 points; Yes = 0 points	2
10. EPA Citations		No = 2 points; Yes = 0 points	2
11. OSHA Citations		No = 2 points; Yes = 0 points	2
12. Prevailing Wage Penalties		No = 2 points; Yes = 0 points	2
13. Safety Meetings		Yes = 2 points; No = 0 points	2
14. Apprenticeship Program		Listed = 2 points; None listed = 0 points	2
Total Score			36

4. **[Optional] Contract References and Score Responses.** Are you prequalifying based solely on the written questions or will you also call references for ALL Contractors? If you are calling references, complete the sheet on the next page and then return to this page for final scoring.
5. **Scoring.**
 - If you are prequalifying based only on the written Scored Questions, a Total Score from the "Scored Questions" at or above **[PICK AN ACCEPTABLE SCORE, LIKELY BETWEEN 22 – 32]** will prequalify this Contractor.
 - If you are also calling references for ALL Contractors, then a total score of the written Scored Questions **plus** the score from the references at or above **[PICK AN ACCEPTABLE SCORE, LIKELY BETWEEN 68 – 84]** will prequalify this Contractor.

Sample "Averaging" Worksheet for 3 reference calls per Contractor – See next page	
"Total Score For This Project" from first call	
"Total Score For This Project" from second call	
"Total Score For This Project" from third call	
Total	
Total divided by 3 (÷ 3)	
Add this number to the Total Score from the written Scored	

Questions to determine if the Contractor is prequalified.

OAKLAND UNIFIED SCHOOL DISTRICT

PREQUALIFICATION EVALUATION – REFERENCE FORM

Name of Contractor: _____, 20____

If the District calls references for ALL contractors, the District should:

1. Fill out the information in Section I and then call the contact person.
2. Ask the questions in Section II. Ensure that you obtain the information regarding whether the Contractor's performance in that area was unsatisfactory, below average, average or above average.
3. Complete section III with the above information and enter the average of the Total Numerical Rating of all the Evaluation Reference Forms for that Contractor at the corresponding place on the Evaluation Worksheet.
4. Use a separate "PREQUALIFICATION EVALUATION – REFERENCE FORM" for each call and then average the scoring to obtain a score for each Contractor.
5. Make the same number of reference calls for each Contractor (2, 3, 4, etc.).

Section I - General Project Information

Name of Contractor:	Total Contract Costs:
	Contract Start/End Dates:
Project Title:	Actual Completion Date:
Scope of Work:	
Name of Public Agency/School District:	Telephone Number of Contact Person:
Name of Contact Person:	Date and Time of Interview of Contact Person:
Architect Firm:	Principal Architect in Charge of Project:

Section II – Telephone Interview Questions

1. Quality of Work. Were there quality-related problems on the project? Were these problems attributable to the Contractor? Was the Contractor cooperative in trying to resolve problems? If not, provide specific examples. **Please rate the Contractor with respect to quality of work as either unsatisfactory, below average, average, or above average.**

2. Scheduling. Rate the Contractor's performance with regard to adhering to project schedules. Did the Contractor meet the project schedule? If not, was the delay attributable to the Contractor? **Please rate the Contractor with respect to scheduling as either unsatisfactory, below average, average, or above average.**

3. Subcontractor (Project) Management. Rate the Contractor's ability to manage and coordinate subcontractors (if no subcontractors, rate the Contractor's overall project management). Was the Contractor able to effectively resolve problems? If not, provide specific examples. **Please rate the Contractor with respect to project management as either unsatisfactory, below average, average, or above average.**

4. Change Orders. Rate the Contractor's performance with regard to change orders and extras. Did the Contractor unreasonably claim change orders or extras? Were the Contractor's prices on change orders and extras reasonable? If not, provide specific examples. **Please rate the Contractor with respect to change orders as either unsatisfactory, below average, average, or above average.**

5. Working Relationships. Rate the Contractor's working relationships with other parties (i.e. owner, designer, subcontractors, etc.). Did the Contractor relate to other parties in a professional manner? If not, provide specific examples. **Please rate the Contractor with respect to working relationships as either unsatisfactory, below average, average, or above average.**

6. **Paperwork Processing.** Rate the Contractor's performance in completing and submitting required project paperwork (i.e. submittals, drawings, requisitions, payrolls, DSA-required documentation, etc.). Did the Contractor submit the required paperwork promptly and in proper form? If not, provide specific examples. **Please rate the Contractor with respect to paperwork processing as either unsatisfactory, below average, average, or above average.**

7. **Responsiveness.** Rate the Contractor's responsiveness to telephone calls, emails, meetings, requests for action, etc. Did the Contractor respond to inquiries promptly and substantively? If not, provide specific examples. **Please rate the Contractor with respect to responsiveness as either unsatisfactory, below average, average, or above average.**

8. **On-Site Contractor Staff.** Rate the Contractor's on-site staff relating to their management of the site, communication and interaction with District staff, and familiarity with project scope and status. **Please rate the Contractor's on-site staff as either unsatisfactory, below average, average, or above average.**

Section III - Numerical Rating

If the contact person rates the Contractor unsatisfactory in any area, please attempt to provide written comments in Section II to explain the rating(s) assigned.

Contractor's Name: _____

	Unsatisfactory	Below Average	Average	Above Average	Rating
1. Quality of Work	0	3	10	12	
2. Scheduling	0	3	8	10	
3. Subcontractor (Project) Mgt.	0	3	8	10	
4. Change Orders	0	3	8	10	
5. Working Relationship	0	2	4	6	
6. Paperwork Processing	0	2	4	6	
7. Responsiveness	0	2	4	6	
8. On-Site Staff	0	2	4	6	
Total Score For This Project					

**OAKLAND UNIFIED SCHOOL DISTRICT
 CERTIFIED LOCAL, SMALL LOCAL AND SMALL LOCAL RESIDENT BUSINESS ENTERPRISE CONTRACTORS
 PREQUALIFICATION QUESTIONNAIRE FOR PROSPECTIVE BIDDERS**

_____, 2014

The Oakland Unified School District (“District”) has determined that certified local, small local, and small local resident business enterprise contractors on future projects (“Contractor(s)” or “Firm(s)”) must be prequalified prior to submitting a bid or proposal on a project. This form must be completed by:

- A Contractor with an A, B, C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43, and/or C-46 license(s) that intends to bid as a **general contractor** directly to the District.
- A Contractor with an A, B, C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43, and/or C-46 license(s) that intends to bid as a **first-tier subcontractor** to a general contractor that is bidding directly to the District.
- A potential Contractor as the designer/builder that intends to propose to the District on an “energy contract” pursuant to Government Code section 4217.10, et seq.
- A potential Contractor that intends to propose to the District on a “lease-leaseback contract” pursuant to Education Code section 17406.

Form Submission. Contractors must complete this District form; no other prequalification documents submitted by a Contractor will meet the District’s requirements. All Contractors shall submit completed prequalification documents as follows:

Location	Date
Oakland Unified School District 955 High Street Oakland, CA 94601 Attn: Juanita White, Bid Coordinator	_____, 2014

Contractor List. The District will provide a list of prequalified general contractors and electrical, mechanical, and plumbing subcontractors at least five (5) business days prior to the date for submission of any response to a District bid or other solicitation covered by this prequalification.

References. The District reserves the right to contact any representative at Contractor’s previous projects to gather information about the Contractor and/or to base the District’s prequalification determination on a scoring of Contractor’s references’ responses to questions.

Updates. Contractors who are prequalified must update their prequalification questionnaire if or when Contractor’s status or information changes. The District reserves the right to adjust, suspend, or rescind the prequalification rating of any Contractor based on subsequently learned information.

Nonresponsiveness. A Contractor’s prequalification questionnaire shall be deemed nonresponsive if, without limitation, the Contractor’s prequalification questionnaire is not returned on time, does not provide all requested information, is not signed under penalty of perjury by an individual who has the authority to bind the Contractor, is not updated as required or is misleading or inaccurate in any material manner (e.g., financial resources are overstated; previous violations of law are not accurately reported).

Rejection/Waiver/Request. The District reserves the right, in its sole discretion, to reject any or all prequalification questionnaires, to waive irregularities in any prequalification questionnaire or to request further information or documentation from any Contractor.

Public Records. Although the names of Contractors seeking prequalification may be public information, pursuant to, without limitation, Public Contract Code sections 20111.5(a) and 2011.6 (b), each Contractor's questionnaire and financial statements "shall not be public records and shall not be open to public inspection." However, the contents of Contractor's prequalification questionnaires and financial statements may be disclosed, where appropriate, for purposes of clarification and/or investigation of material allegations or in any appeal process.

Appeal. A Contractor may appeal the District's decision. If a Contractor decides to appeal the District's prequalification decision, it must follow the following procedure:

1. Contractor shall submit, in writing, within five (5) working days from District's determination, a request for a written response from the District to explain the District's determination.
2. Within five (5) working days from receipt of the District's written response to the Contractor's request, Contractor may submit, in writing, a request for a meeting with the District's staff. Contractor may submit with the request any and all information that it believes supports a finding that District's determination should be changed.
3. Within five (5) working days from receipt of the District's written response to the Contractor's submittal of information, Contractor may submit, in writing, a request for a meeting with the District's Assistant Superintendent at which time Contractor may discuss information that it believes supports a finding that District's determination should be changed.
4. Within five (5) working days from receipt of the District's written response to the Contractor's request, Contractor may submit, in writing, a request that the District's finding be submitted to the District's Governing Board ("Board"), at which time the Contractor may address the Board pursuant to the Board's procedures for public inquiry.
5. **FAILURE OF A CONTRACTOR TO TIMELY FOLLOW ALL APPEAL STEPS SHALL BE A WAIVER OF THE CONTRACTOR'S RIGHT TO APPEAL THE DISTRICT'S DECISION.**

**OAKLAND CERTIFIED LOCAL, SMALL LOCAL AND SMALL LOCAL RESIDENT BUSINESS ENTERPRISE
CONTRACTORS
PREQUALIFICATION QUESTIONNAIRE FOR PROSPECTIVE BIDDERS
_____, 2014**

CONTRACTOR (OR "FIRM") INFORMATION

Contractor's company name:		
Address:		
Telephone:		
Mobile telephone:		
E-mail:		
Years in business under current company name:		
Years at the above address:		
Types of work performed with own forces:		
Gross revenue of the Firm for the past three (3) years:		
\$	\$	\$
Name of license holder exactly as on file with the California State License Board:		
License classification(s):		
License Number(s):		
License expiration date(s):		
Responsible Managing Officer (RMO) or Employee (RME) for Contractor:		
Number of years license holder has held the listed license(s):		
Number of years Contractor has done business in California under contractor's license law:		
Number of years Contractor has done business in California under <u>current</u> Contractor's license:		
Has your Firm changed name(s) or license number(s) in the past five (5) years? (Y / N). If "yes", explain on a separate signed sheet, including the reason for the change.		
Has there been any change in ownership of the Firm at any time in the past five (5) years? NOTE: A corporation whose shares are publicly traded is not required to answer this question. (Y / N). If "yes", explain on a separate signed sheet, including the reason for the change.		
Is the Firm a subsidiary, parent, holding company, or affiliate of another construction firm? NOTE: Include information about other firms if one firm owns ten percent (10%) or more of another, or if an owner, partner, or officer of your Firm holds a similar position in another firm. (Y / N). If "yes", explain on a separate signed sheet, the name of the related company(ies) and the percent ownership.		
Indicate the form of Contractor's firm (type of business entity):		
<input type="checkbox"/> Individual <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Partnership <input type="checkbox"/> Corporation, State: _____ <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Joint Venture		
List the following for each corporation officer, general partner, limited partner, owner, etc. (as applicable) for the Contractor's type of entity. For joint ventures, include this information for each entity in the joint venture and the percent ownership of each joint venture. Attach all additional information on separate signed sheets as needed.		

Name	Position	Years with Co.	% Ownership

Identify every construction firm, contractor and/or construction management firm that the Contractor or any person listed above has been associated with (as officer, general partner, limited partner, owner, RMO, RME etc.) at any time during the **past five (5) years** ("Associated Firm"). Include all additional references and/or information on separate signed sheets. NOTE: For this question, "owner" and "partner" refers to ownership of ten percent (10%) or more of the business, or ten percent (10%) or more of its stock if the business is a corporation. include all additional information on separate signed sheets as needed.

Name of Person at Associated Firm	Name of Associated Firm	Contractor's License No. of Associated Firm	Dates of Person's Participation with Associated Firm

CONTRACTOR'S BONDING COMPANY (SURETY) INFORMATION

Name(s) of bonding company(ies) your Firm has utilized over the past five (5) years (not broker or agency). If you do not use bonding companies, leave this section blank:

Address(es) of those bonding company(ies):

Number of years Contractor has been with those bonding company/surety:

--	--	--

Name of broker/agent:

Address of broker/agent:

Telephone number of broker/agent:

E-mail of broker/agent:

Contractor's total current bonding capacity: \$

CONTRACTOR'S INSURANCE INFORMATION

Name of insurance company(ies) your Firm has utilized over the past five (5) years (not broker or agency):

Address of those insurance company(ies):

"Best" rating(s) for those insurance company(ies):

--	--	--

Number of years Contractor has been with those insurance company(ies):

--	--	--

Name of broker/agent:

Address of broker/agent:

Telephone number of broker/agent:

E-mail of broker/agent:

Contractor's current insurance limits for the following types of coverage:

Commercial General Liability	Combined Single Limit (per occurrence)	\$
	Combined Single Limit (aggregate)	\$
Product Liability & Completed Operations	(aggregate)	\$
	(per occurrence)	\$
Automobile Liability – Any Auto	Combined Single Limit (aggregate)	\$
Automobile Liability – Any Auto	Combined Single Limit (per occurrence)	\$
Employers' Liability		\$
Builder's Risk (Course of Construction)		

Workers' Compensation Experience Modification Rate for the past five (5) premium years:

(1) Current year:	(2)	(3)
	(4)	(5)

QUESTIONS

Pass/Fail Questions (Essential Criteria)

1.	<p>FOR CERTIFIED GENERAL CONTRACTORS:¹ Has your Firm contracted for and completed construction of a minimum of:</p> <ul style="list-style-type: none"> • Two (2) California K-12 public school district construction projects, • Each with a value of at least \$200,000, and • All within the past seven (7) years? (Please circle one). <p>FOR CERTIFIED MECHANICAL, ELECTRICAL & PLUMBING 1st tier subcontractors:² Has your Firm contracted for and completed construction of a minimum of:</p> <ul style="list-style-type: none"> • Two (2) California public works construction projects, • Each with a value of at least \$50,000, and • All within the past ten (10) years? (Please circle one). <p>NOTE: You must list these projects in the "Contractor Project References" Section.</p>	<p><u>YES</u> <u>NO</u> NO = cannot prequalify</p>
2.	Does your Firm currently hold all contractors license(s) necessary to perform the work and have those license(s) been consistently active for at least five (5) years without revocation or suspension? (Please circle one).	<p><u>YES</u> <u>NO</u> NO = cannot prequalify</p>
3.	Has your Firm or an Associated Firm been found non-responsible, debarred, disqualified, forbidden, or otherwise prohibited from performing work and/or bidding on work for any public agency within California within the past five (5) years? (Please circle one).	<p><u>YES</u> <u>NO</u> YES = cannot prequalify</p>
4.	Has your Firm or an Associated Firm defaulted on a contract or been terminated for cause by any public agency on any project within California within the past five (5) years and, if so and if challenged, has that default or termination been upheld by a court or an arbitrator? (Please circle one).	<p><u>YES</u> <u>NO</u> YES = cannot prequalify</p>
5.	Has your Firm or an Associated Firm or any of their owners or officers been convicted of a crime under federal, state, or local law involving: (1) Bidding for, awarding of, or performance of a contract with a public entity; (2) Making a false claim(s) to any public entity; or (3) Fraud, theft, or other criminal act of dishonesty to any contracting party within the past five (5) years? (Please circle one).	<p><u>YES</u> <u>NO</u> YES = cannot prequalify</p>
6.	Has a performance bond surety for your Firm or a performance bond surety for an Associated Firm had to: (1) Take over or complete a project, (2) Supervise the work of a project, or (3) Pay amounts to third parties, related to construction activities of your Firm or an Associated Firm within the past five (5) years? (Please circle one).	<p><u>YES</u> <u>NO</u> YES = cannot prequalify</p>

¹ A, B, C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43, and/or C-46 license(s) that intends to bid as a general contractor (prime contractor) directly to the District.

² A, B, C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43, and/or C-46 license(s) that intends to bid as a first-tier subcontractor to a general contractor.

Scored Questions

1.	<p>Has your Firm paid liquidated damages pursuant to a contract for a project with either a public or private owner within the past five (5) years? (Please circle one).</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the project name(s), damages(s), and date(s).</p>	<p><u>YES</u> <u>NO</u></p>
2.	<p>Has your Firm paid a premium of more than one percent (1%) for a performance and payment bond on any project(s) within the past five (5) years? (Please circle one).</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the project name(s), the premium amount(s), and date(s).</p>	<p><u>YES</u> <u>NO</u></p>
3.	<p>Has any insurer had to pay amounts to third parties that were in any way related to construction activities of your Firm within the past five (5) years? (Please circle one).</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the project name(s), the amount(s) paid, and date(s).</p>	<p><u>YES</u> <u>NO</u></p>
4.	<p>Has your Firm's Workers' Compensation Experience Modification Rate exceeded 1.0 at any time for the past five (5) premium years? (Please circle one).</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the EMR(s) and the applicable date(s).</p>	<p><u>YES</u> <u>NO</u></p>
5.	<p>Has there been a period when your Firm had employees but was without workers' compensation insurance or state-approved self-insurance within the past five (5) years? (Please circle one).</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the reason(s) for not having this insurance and the applicable date(s).</p>	<p><u>YES</u> <u>NO</u></p>
6.	<p>Has your Firm declared bankruptcy or been placed in receivership within the past five (5) years? (Please circle one).</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the type of bankruptcy, the Firm's current recovery plan, and the applicable date(s).</p>	<p><u>YES</u> <u>NO</u></p>
7.	<p>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 construction project when one was required within the past five (5) years? (Please circle one).</p> <p style="text-align: center;">If YES, provide details on a separate signed sheet indicating the date(s) when your Firm was denied coverage and the name of the company or companies which denied coverage; and the period(s) during which you had no surety bond in place.</p>	<p><u>YES</u> <u>NO</u></p>
8.	<p>Has a project owner, general contractor, architect, or construction manager filed claim(s) in an amount exceeding \$50,000 against your Firm, or has your Firm filed claim(s) in an amount exceeding \$50,000 against a project owner, general contractor, architect, or construction manager in the past five (5) years?</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the project name(s), claim(s) and the date(s) of claim(s).</p>	<p><u>YES</u> <u>NO</u></p>

9.	<p>Has your Firm or an Associated Firm been cited and/or assessed any penalties for non-compliance with state and/or federal laws and/or regulations, including public bidding requirements and Labor Code violations, within the past five (5) years?</p> <p>If "YES," indicate on separate signed sheet(s) the project name(s), violation(s), and date(s) of citation(s) and/or assessment(s).</p>	<p><u>YES</u> <u>NO</u></p>
10.	<p>Has your Firm been cited and/or assessed penalties by the Environmental Protection Agency, any air quality management district, any regional water quality control board, or any other environmental agency within the past five (5) years?</p> <p>If "yes," indicate on separate signed sheet(s) the project name(s), violation(s), and date(s) of citation.</p>	<p><u>YES</u> <u>NO</u></p>
11.	<p>Has CAL OSHA and/or federal Occupational Safety and Health Administration cited and assessed penalties against your Firm, including any "serious," "willful" or "repeat" violations of safety or health regulations within the past five (5) years?</p> <p>If "yes," indicate on separate signed sheet(s) the project name(s), violation(s), and date(s) of citation. If the citation was appealed and a decision has been issued, state the case number and the date of the decision.</p>	<p><u>YES</u> <u>NO</u></p>
12.	<p>Has your Firm been required to pay either back wages or penalties for its failure to comply with California's prevailing wage laws, with California's apprenticeship laws or regulations, or with federal Davis-Bacon prevailing wage laws within the past five (5) years?</p> <p>If "yes," indicate on separate signed sheet(s) the project name(s), the nature of the violation(s), the name and owner of the project(s), the number of employees who were initially underpaid and the amount of back wages and penalties that your Firm was required to pay.</p>	<p><u>YES</u> <u>NO</u></p>
13.	<p>Does your Firm require weekly, documented safety meetings to be held for construction employees and field supervisors during the course of a project?</p>	<p><u>YES</u> <u>NO</u></p>
14.	<p>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 Firm for use on any public work project for which you are awarded a contract by the District.</p>	

CONTRACTOR PROJECT REFERENCES

FOR CERTIFIED GENERAL CONTRACTORS:

List **ALL** projects in which your Firm has participated as a contractor or first-tier subcontractor during the past **seven (7) years** with a Firm contract value of more than **\$200,000**.

- You may limit your response to the thirty (30) most-recently completed projects, but you **must** include at least the two (2) most recent California K-12 public school projects with a contract value of more than \$200,000 performed by your Firm.
- Include all information indicated below on separate signed sheets as necessary, and explain or clarify any response as necessary.

FOR CERTIFIED MECHANICAL, ELECTRICAL & PLUMBING 1st tier subcontractors:

List **ALL** projects in which your Firm has participated as a first-tier subcontractor during the past **ten (10) years** with a Firm contract value of more than **\$50,000**.

- You may limit your response to the thirty (30) most-recently completed projects, but you **must** include at least the two (2) most recent California public works projects with a contract value of more than \$50,000 performed by your Firm.
- Include all information indicated below on separate signed sheets as necessary, and explain or clarify any response as necessary.

Project Name/Identification:
Project address/location:
Project owner, contact person, and telephone:
Project architect name and telephone number:
If contractor was a subcontractor on the project, name of general contractor and telephone number:
Scope of Work:
Original completion date:
Date completed:
Initial contract value (as of time of bid award):
Final contract value:
Did the project include constructing or modernizing an earthquake resistant building?

CERTIFICATION

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct:

Date: _____

Proper Name of Contractor: _____

Signature: _____

By: _____ (Print Name)

Title: _____

OAKLAND UNIFIED SCHOOL DISTRICT
PREQUALIFICATION EVALUATION PROCEDURE

DO NOT DISTRIBUTE THIS EVALUATION FORM WITH THE PREQUALIFICATION QUESTIONNAIRE

Name of Contractor: _____, 20_____

1. **Confirm Contractor has passing answers for the “Pass/Fail Questions (Essential Criteria).”**
Note: For the first question (regarding the number and size of previous K-12 projects) confirm that the Contractor has listed the projects that satisfy this requirement in the “Contractor Project References” section, the projects that satisfy this requirement.
2. **Confirm Contractor has submitted the required financial statements.** If not, notify Contractor in writing that his prequalification questionnaire is non-responsive for failing to include the required financial statements.
3. **Score the “Scored Questions.”** **[NOTE: THESE POINTS CAN BE MODIFIED TO SUIT YOUR DISTRICT’S GOALS]**

Topic/Question	Score	Scoring & Max. Poss. Score	
1. Liquidated Damages		No = 4 points; Yes = 0 points	4
2. Surety Premium		No = 2 points; Yes = 0 points	2
3. Insurer Pay		No = 2 points; Yes = 0 points	2
4. EMR		No = 2 points; Yes = 0 points	2
5. Workers’ Comp.		No = 2 points; Yes = 0 points	2
6. Bankruptcy		No = 4 points; Yes = 0 points	4
7. Denied Bond		No = 4 points; Yes = 0 points	4
8. Filed Claims		No = 4 points; Yes = 0 points	4
9. Labor Code Citations		No = 2 points; Yes = 0 points	2
10. EPA Citations		No = 2 points; Yes = 0 points	2
11. OSHA Citations		No = 2 points; Yes = 0 points	2
12. Prevailing Wage Penalties		No = 2 points; Yes = 0 points	2
13. Safety Meetings		Yes = 2 points; No = 0 points	2
14. Apprenticeship Program		Listed = 2 points; None listed = 0 points	2
Total Score			36

4. **[Optional] Contract References and Score Responses.** Are you prequalifying based solely on the written questions or will you also call references for ALL Contractors? If you are calling references, complete the sheet on the next page and then return to this page for final scoring.
5. **Scoring.**
 - If you are prequalifying based only on the written Scored Questions, a Total Score from the “Scored Questions” at or above **[PICK AN ACCEPTABLE SCORE, LIKELY BETWEEN 22 – 32]** will prequalify this Contractor.
 - If you are also calling references for ALL Contractors, then a total score of the written Scored Questions **plus** the score from the references at or above **[PICK AN ACCEPTABLE SCORE, LIKELY BETWEEN 68 – 84]** will prequalify this Contractor.

Sample “Averaging” Worksheet for 3 reference calls per Contractor – See next page	
“Total Score For This Project” from first call	
“Total Score For This Project” from second call	
“Total Score For This Project” from third call	
Total	
Total divided by 3 (÷ 3)	
Add this number to the Total Score from the written Scored	

Questions to determine if the Contractor is prequalified.

OAKLAND UNIFIED SCHOOL DISTRICT

PREQUALIFICATION EVALUATION – REFERENCE FORM

Name of Contractor: _____, 20____

If the District calls references for ALL contractors, the District should:

1. Fill out the information in Section I and then call the contact person.
2. Ask the questions in Section II. Ensure that you obtain the information regarding whether the Contractor's performance in that area was unsatisfactory, below average, average or above average.
3. Complete section III with the above information and enter the average of the Total Numerical Rating of all the Evaluation Reference Forms for that Contractor at the corresponding place on the Evaluation Worksheet.
4. Use a separate "PREQUALIFICATION EVALUATION – REFERENCE FORM" for each call and then average the scoring to obtain a score for each Contractor.
5. Make the same number of reference calls for each Contractor (2, 3, 4, etc.).

Section I - General Project Information

Name of Contractor:	Total Contract Costs:
	Contract Start/End Dates:
Project Title:	Actual Completion Date:
Scope of Work:	
Name of Public Agency/School District:	Telephone Number of Contact Person:
Name of Contact Person:	Date and Time of Interview of Contact Person:
Architect Firm:	Principal Architect in Charge of Project:

Section II – Telephone Interview Questions

1. Quality of Work. Were there quality-related problems on the project? Were these problems attributable to the Contractor? Was the Contractor cooperative in trying to resolve problems? If not, provide specific examples. **Please rate the Contractor with respect to quality of work as either unsatisfactory, below average, average, or above average.**

2. Scheduling. Rate the Contractor's performance with regard to adhering to project schedules. Did the Contractor meet the project schedule? If not, was the delay attributable to the Contractor? **Please rate the Contractor with respect to scheduling as either unsatisfactory, below average, average, or above average.**

3. Subcontractor (Project) Management. Rate the Contractor's ability to manage and coordinate subcontractors (if no subcontractors, rate the Contractor's overall project management). Was the Contractor able to effectively resolve problems? If not, provide specific examples. **Please rate the Contractor with respect to project management as either unsatisfactory, below average, average, or above average.**

4. Change Orders. Rate the Contractor's performance with regard to change orders and extras. Did the Contractor unreasonably claim change orders or extras? Were the Contractor's prices on change orders and extras reasonable? If not, provide specific examples. **Please rate the Contractor with respect to change orders as either unsatisfactory, below average, average, or above average.**

5. Working Relationships. Rate the Contractor's working relationships with other parties (i.e. owner, designer, subcontractors, etc.). Did the Contractor relate to other parties in a professional manner? If not, provide specific examples. **Please rate the Contractor with respect to working relationships as either unsatisfactory, below average, average, or above average.**

6. **Paperwork Processing.** Rate the Contractor's performance in completing and submitting required project paperwork (i.e. submittals, drawings, requisitions, payrolls, DSA-required documentation, etc.). Did the Contractor submit the required paperwork promptly and in proper form? If not, provide specific examples. **Please rate the Contractor with respect to paperwork processing as either unsatisfactory, below average, average, or above average.**

7. **Responsiveness.** Rate the Contractor's responsiveness to telephone calls, emails, meetings, requests for action, etc. Did the Contractor respond to inquiries promptly and substantively? If not, provide specific examples. **Please rate the Contractor with respect to responsiveness as either unsatisfactory, below average, average, or above average.**

8. **On-Site Contractor Staff.** Rate the Contractor's on-site staff relating to their management of the site, communication and interaction with District staff, and familiarity with project scope and status. **Please rate the Contractor's on-site staff as either unsatisfactory, below average, average, or above average.**

Section III - Numerical Rating

If the contact person rates the Contractor unsatisfactory in any area, please attempt to provide written comments in Section II to explain the rating(s) assigned.

Contractor's Name: _____

	Unsatisfactory	Below Average	Average	Above Average	Rating
1. Quality of Work	0	3	10	12	
2. Scheduling	0	3	8	10	
3. Subcontractor (Project) Mgt.	0	3	8	10	
4. Change Orders	0	3	8	10	
5. Working Relationship	0	2	4	6	
6. Paperwork Processing	0	2	4	6	
7. Responsiveness	0	2	4	6	
8. On-Site Staff	0	2	4	6	
Total Score For This Project					

**OAKLAND UNIFIED SCHOOL DISTRICT
PREQUALIFICATION QUESTIONNAIRE FOR PROSPECTIVE BIDDERS**

_____, 2014

The Oakland Unified School District (“District”) has determined that contractors on future projects (“Contractor(s)” or “Firm(s)”) must be prequalified prior to submitting a bid or proposal on a project. This form must be completed by:

- A Contractor with an A, B, C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43, and/or C-46 license(s) that intends to bid as a general contractor (prime contractor) directly to the District.
- A Contractor with an A, B, C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43, and/or C-46 license(s) that intends to bid as a first-tier subcontractor to a general contractor (prime contractor) that is bidding directly to the District.
- A potential Contractor as the designer/builder that intends to propose to the District on an “energy contract” pursuant to Government Code section 4217.10, et seq.
- A potential Contractor that intends to propose to the District on a “lease-leaseback contract” pursuant to Education Code section 17406.

Form Submission. Contractors must complete this District form; no other prequalification documents submitted by a Contractor will meet the District’s requirements. All Contractors shall submit completed questionnaires and financial statements as follows:

Location	Date
Oakland Unified School District 955 High Street Oakland, CA 94601 Attn: Juanita White, Bid Coordinator	_____, 20____

Contractor List. The District will provide a list of prequalified general contractors and electrical, mechanical, and plumbing subcontractors to all prequalified Contractors at least five (5) business days prior to the date for submission of any response to a District bid or other solicitation covered by this prequalification.

References. The District reserves the right to contact any representative at Contractor’s previous projects to gather information about the Contractor and/or to base the District’s prequalification determination on a scoring of Contractor’s references’ responses to questions.

Updates. Contractors who are prequalified must update their prequalification questionnaire if or when Contractor’s status or information changes. The District reserves the right to adjust, suspend, or rescind the prequalification rating of any Contractor based on subsequently learned information.

Nonresponsiveness. A Contractor’s prequalification questionnaire shall be deemed nonresponsive if, without limitation, the Contractor’s prequalification questionnaire is not returned on time, does not provide all requested information, is not signed under penalty of perjury by an individual who has the authority to bind the Contractor, is not updated as required or is misleading or inaccurate in any material manner (e.g., financial resources are overstated; previous violations of law are not accurately reported).

Rejection/Waiver/Request. The District reserves the right, in its sole discretion, to reject any or all prequalification questionnaires, to waive irregularities in any prequalification questionnaire or to request further information or documentation from any Contractor.

Public Records. Although the names of Contractors seeking prequalification may be public information, pursuant to, without limitation, Public Contract Code sections 20111.5(a) and 2011.6 (b), each Contractor’s questionnaire and financial

statements “shall not be public records and shall not be open to public inspection.” However, the contents of Contractor’s prequalification questionnaires and financial statements may be disclosed to third parties for purposes of clarification or investigation of material allegations or in any appeal process.

Appeal. A Contractor may appeal the District’s decision. If a Contractor decides to appeal the District’s prequalification decision, it must follow the following procedure:

1. Contractor shall submit, in writing, within five (5) working days from District’s determination, a request for a written response from the District to explain the District’s determination.
2. Within five (5) working days from receipt of the District’s written response to the Contractor’s request, Contractor may submit, in writing, a request for a meeting with the District’s staff. Contractor may submit with the request any and all information that it believes supports a finding that District’s determination should be changed.
3. Within five (5) working days from receipt of the District’s written response to the Contractor’s submittal of information, Contractor may submit, in writing, a request for a meeting with the District’s Assistant Superintendent at which time Contractor may discuss information that it believes supports a finding that District’s determination should be changed.
4. Within five (5) working days from receipt of the District’s written response to the Contractor’s request, Contractor may submit, in writing, a request that the District’s finding be submitted to the District’s Governing Board (“Board”), at which time the Contractor may address the Board pursuant to the Board’s procedures for public inquiry.
5. **FAILURE OF A CONTRACTOR TO TIMELY FOLLOW ALL APPEAL STEPS SHALL BE A WAIVER OF THE CONTRACTOR’S RIGHT TO APPEAL THE DISTRICT’S DECISION.**

OAKLAND SCHOOL DISTRICT
PREQUALIFICATION QUESTIONNAIRE FOR PROSPECTIVE BIDDERS

_____, 2014

CONTRACTOR (OR "FIRM") INFORMATION			
Contractor's company name:			
Address:			
Telephone:			
Mobile telephone:			
E-mail:			
Years in business under current company name:			
Years at the above address:			
Types of work performed with own forces:			
Gross revenue of the Firm for the past three (3) years:			
\$	\$	\$	\$
Submit an audited or reviewed financial statement for the past two (2) full fiscal years. 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 statement.			
Name of license holder exactly as on file with the California State License Board:			
License classification(s):			
License Number(s):			
License expiration date(s):			
Responsible Managing Officer (RMO) or Employee (RME) for Contractor:			
Number of years license holder has held the listed license(s):			
Number of years Contractor has done business in California under contractor's license law:			
Number of years Contractor has done business in California under current Contractor's license:			
Has your Firm changed name(s) or license number(s) in the past five (5) years? (Y / N). If "yes", explain on a separate signed sheet, including the reason for the change.			
Has there been any change in ownership of the Firm at any time in the past five (5) years? NOTE: A corporation whose shares are publicly traded is not required to answer this question. (Y / N). If "yes", explain on a separate signed sheet, including the reason for the change.			
Is the Firm a subsidiary, parent, holding company, or affiliate of another construction firm? NOTE: Include information about other firms if one firm owns ten percent (10%) or more of another, or if an owner, partner, or officer of your Firm holds a similar position in another firm. (Y / N). If "yes", explain on a separate signed sheet, the name of the related company(ies) and the percent ownership.			
Indicate the form of Contractor's firm (type of business entity):			
<input type="checkbox"/> Individual <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Partnership <input type="checkbox"/> Corporation, State: _____ <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Joint Venture <input type="checkbox"/> Other: _____			

List the following for each corporation officer, general partner, limited partner, owner, etc. (as applicable) for the Contractor's type of entity. For joint ventures, include this information for each entity in the joint venture and the percent ownership of each joint venture. Attach all additional information on separate signed sheets as needed.

Name	Position	Years with Co.	% Ownership

Identify every construction firm, contractor and/or construction management firm that the Contractor or any person listed above has been associated with (as officer, general partner, limited partner, owner, RMO, RME etc.) at any time during the **past five (5) years** ("Associated Firm"). Include all additional references and/or information on separate signed sheets.
 NOTE: For this question, "owner" and "partner" refers to ownership of ten percent (10%) or more of the business, or ten percent (10%) or more of its stock if the business is a corporation. include all additional information on separate signed sheets as needed.

Name of Person at Associated Firm	Name of Associated Firm	Contractor's License No. of Associated Firm	Dates of Person's Participation with Associated Firm

CONTRACTOR'S BONDING COMPANY (SURETY) INFORMATION

Name(s) of bonding company(ies) your Firm has utilized over the past five (5) years (not broker or agency):

Address(es) of those bonding company(ies):

Number of years Contractor has been with those bonding company/surety:

--	--	--

Name of broker/agent:

Address of broker/agent:

Telephone number of broker/agent:

E-mail of broker/agent:

Contractor's total current bonding capacity: \$

CONTRACTOR'S INSURANCE INFORMATION

Name of insurance company(ies) your Firm has utilized over the past five (5) years (not broker or agency):

Address of those insurance company(ies):

"Best" rating(s) for those insurance company(ies):

--	--	--

Number of years Contractor has been with those insurance company(ies):

--	--	--

Name of broker/agent:

Address of broker/agent:

Telephone number of broker/agent:

E-mail of broker/agent:

Contractor's current insurance limits for the following types of coverage:


Commercial General Liability	Combined Single Limit (per occurrence)	\$
	Combined Single Limit (aggregate)	\$
Product Liability & Completed Operations	(aggregate)	\$
	(per occurrence)	\$
Automobile Liability – Any Auto	Combined Single Limit (aggregate)	\$
Automobile Liability – Any Auto	Combined Single Limit (per occurrence)	\$
Employers' Liability		\$
Builder's Risk (Course of Construction)		

Workers' Compensation Experience Modification Rate for the past five (5) premium years:

(1) Current year:	(2)	(3)
	(4)	(5)

QUESTIONS

Pass/Fail Questions (Essential Criteria)

<p>1. FOR GENERAL / PRIME CONTRACTORS:¹ Has your Firm contracted for and completed construction of a minimum of:</p> <ul style="list-style-type: none"> • Four (4) California K-12 public school district construction projects, • Each with a value of at least \$750,000, and • All within the past five (5) years? (Please circle one). <p>FOR MECHANICAL ELECTRICAL PLUMBING CONTRACTORS:² Has your Firm contracted for and completed construction of a minimum of:</p> <ul style="list-style-type: none"> • Two (2) California K-12 public school district construction projects, • Each with a value of at least \$250,000, and • All within the past five (5) years? (Please circle one). <p>NOTE: You must list these projects in the “Contractor Project References” Section.</p>	<p><u>YES</u> <u>NO</u> NO = cannot prequalify</p>
<p>2. Does your Firm currently hold all contractors’ license(s) necessary to perform the work and have those license(s) been consistently active for at least five (5) years without revocation or suspension? (Please circle one).</p>	<p><u>YES</u> <u>NO</u> NO = cannot prequalify</p>
<p>3. Has your Firm or an Associated Firm been found non-responsible, debarred, disqualified, forbidden, or otherwise prohibited from performing work and/or bidding on work for any public agency within California within the past five (5) years? (Please circle one).</p>	<p><u>YES</u> <u>NO</u> YES = cannot prequalify</p>
<p>4. Has your Firm or an Associated Firm defaulted on a contract or been terminated for cause by any public agency on any project within California within the past five (5) years and, if so and if challenged, has that default or termination been upheld by a court or an arbitrator? (Please circle one).</p>	<p><u>YES</u> <u>NO</u> YES = cannot prequalify</p>
<p>5. Has your Firm or an Associated Firm or any of their owners or officers been convicted of a crime under federal, state, or local law involving:</p> <ul style="list-style-type: none"> (1) Bidding for, awarding of, or performance of a contract with a public entity; (2) Making a false claim(s) to any public entity; or (3) Fraud, theft, or other act of dishonesty <p>to any contracting party within the past ten (10) years? (Please circle one).</p>	<p><u>YES</u> <u>NO</u> YES = cannot prequalify</p>
<p>6. Has a performance bond surety for your Firm or a performance bond surety for an Associated Firm had to:</p> <ul style="list-style-type: none"> (1) Take over or complete a project, (2) Supervise the work of a project, or (3) Pay amounts to third parties, <p>related to construction activities of your Firm or an Associated Firm within the past five (5) years? (Please circle one).</p>	<p><u>YES</u> <u>NO</u> YES = cannot prequalify</p>
<div style="display: flex; align-items: center; justify-content: center;">  <p>If you answered: “NO” to questions 1-2 or “YES” to questions 3-6, then STOP. You are not eligible for prequalification at this time.</p> </div>	

¹ A, B, C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43, and/or C-46 license(s) that intends to bid as a general contractor (prime contractor) directly to the District.

² A, B, C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43, and/or C-46 license(s) that intends to bid as a first-tier subcontractor to a general contractor.

Scored Questions

1.	<p>Has your Firm paid liquidated damages pursuant to a contract for a project with either a public or private owner within the past five (5) years? (Please circle one).</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the project name(s), damages(s), and date(s).</p>	<u>YES</u> <u>NO</u>
2.	<p>Has your Firm paid a premium of more than one percent (1%) for a performance and payment bond on any project(s) within the past five (5) years? (Please circle one).</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the project name(s), the premium amount(s), and date(s).</p>	<u>YES</u> <u>NO</u>
3.	<p>Has any insurer had to pay amounts to third parties that were in any way related to construction activities of your Firm within the past five (5) years? (Please circle one).</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the project name(s), the amount(s) paid, and date(s).</p>	<u>YES</u> <u>NO</u>
4.	<p>Has your Firm's Workers' Compensation Experience Modification Rate exceeded 1.0 at any time for the past five (5) premium years? (Please circle one).</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the EMR(s) and the applicable date(s).</p>	<u>YES</u> <u>NO</u>
5.	<p>Has there been a period when your Firm had employees but was without workers' compensation insurance or state-approved self-insurance within the past five (5) years? (Please circle one).</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the reason(s) for not having this insurance and the applicable date(s).</p>	<u>YES</u> <u>NO</u>
6.	<p>Has your Firm declared bankruptcy or been placed in receivership within the past five (5) years? (Please circle one).</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the type of bankruptcy, the Firm's current recovery plan, and the applicable date(s).</p>	<u>YES</u> <u>NO</u>
7.	<p>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 construction project when one was required within the past five (5) years? (Please circle one).</p> <p style="text-align: center;">If YES, provide details on a separate signed sheet indicating the date(s) when your Firm was denied coverage and the name of the company or companies which denied coverage; and the period(s) during which you had no surety bond in place.</p>	<u>YES</u> <u>NO</u>
8.	<p>Has a project owner, general contractor, architect, or construction manager filed claim(s) in an amount exceeding \$50,000 against your Firm, or has your Firm filed claim(s) in an amount exceeding \$50,000 against a project owner, general contractor, architect, or construction manager in the past five (5) years?</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the project name(s), claim(s) and the date(s) of claim(s).</p>	<u>YES</u> <u>NO</u>

9.	<p>Has your Firm or an Associated Firm been cited and/or assessed any penalties for non-compliance with state and/or federal laws and/or regulations, including public bidding requirements and Labor Code violations, within the past five (5) years?</p> <p>If "YES," indicate on separate signed sheet(s) the project name(s), violation(s), and date(s) of citation(s) and/or assessment(s).</p>	<p><u>YES</u> <u>NO</u></p>
10.	<p>Has your Firm been cited and/or assessed penalties by the Environmental Protection Agency, any air quality management district, any regional water quality control board, or any other environmental agency within the past five (5) years?</p> <p>If "yes," indicate on separate signed sheet(s) the project name(s), violation(s), and date(s) of citation.</p>	<p><u>YES</u> <u>NO</u></p>
11.	<p>Has CAL OSHA and/or federal Occupational Safety and Health Administration cited and assessed penalties against your Firm, including any "serious," "willful" or "repeat" violations of safety or health regulations within the past five (5) years?</p> <p>If "yes," indicate on separate signed sheet(s) the project name(s), violation(s), and date(s) of citation. If the citation was appealed and a decision has been issued, state the case number and the date of the decision.</p>	<p><u>YES</u> <u>NO</u></p>
12.	<p>Has your Firm been required to pay either back wages or penalties for its failure to comply with California's prevailing wage laws, with California's apprenticeship laws or regulations, or with federal Davis-Bacon prevailing wage laws within the past five (5) years?</p> <p>If "yes," indicate on separate signed sheet(s) the project name(s), the nature of the violation(s), the name and owner of the project(s), the number of employees who were initially underpaid and the amount of back wages and penalties that your Firm was required to pay.</p>	<p><u>YES</u> <u>NO</u></p>
13.	<p>Does your Firm require weekly, documented safety meetings to be held for construction employees and field supervisors during the course of a project?</p>	<p><u>YES</u> <u>NO</u></p>
14.	<p>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 Firm for use on any public work project for which you are awarded a contract by the District.</p>	

CONTRACTOR PROJECT REFERENCES

FOR GENERAL / PRIME CONTRACTORS:

List **ALL** projects in which your Firm has participated as a contractor or first-tier subcontractor during the past **five (5) years** with a Firm contract value of more than **\$750,000**.

- You may limit your response to the thirty (30) most-recently completed projects, but you **must** include at least the four (4) most recent California K-12 public school projects with a contract value of more than \$500,000 performed by your Firm.
- Include all information indicated below on separate signed sheets as necessary, and explain or clarify any response as necessary.

FOR MECHANICAL ELECTRICAL PLUMBING CONTRACTORS:

List **ALL** projects in which your Firm has participated as a contractor or first-tier subcontractor during the past **five (5) years** with a Firm contract value of more than **\$250,000**.

- You may limit your response to the thirty (30) most-recently completed projects, but you **must** include at least the two (2) most recent California K-12 public school projects with a contract value of more than \$250,000 performed by your Firm.
- Include all information indicated below on separate signed sheets as necessary, and explain or clarify any response as necessary.

Project Name/Identification:
Project address/location:
Project owner, contact person, and telephone:
Project architect name and telephone number:
If contractor was a subcontractor on the project, name of general contractor and telephone number:
Scope of Work:
Original completion date:
Date completed:
Initial contract value (as of time of bid award):
Final contract value:
Did the project include constructing or modernizing an earthquake resistant building?

CERTIFICATION

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct:

Date: _____

Proper Name of Contractor: _____

Signature: _____

By: _____ (Print Name)

Title: _____