



Request for Qualifications

Issued: December 2, 2016

**City Auditorium Bathroom
Remodel Project**

Design-Build Project

**STATEMENTS OF QUALIFICATIONS
ARE DUE BY 3:00 P.M.
TUESDAY, JANUARY 10, 2017**

1.0 REQUEST FOR DESIGN-BUILD QUALIFICATIONS

The City of Sutter Creek ("City") is seeking a qualified design build entity ("DBE") for the City Auditorium Bathroom Remodel Project ("Project"). Qualified DBEs are hereby invited to submit a Statement of Qualifications ("SOQ") in response to this Request for Qualifications ("RFQ"). Depending on the number of SOQ's the City receives, the City will invite at most three short-listed DBEs to submit proposals in response to a Request for Proposals ("RFP") after completion of the RFQ process.

A. RFQ Steps. The City's competitive selection process for design-build procurement will be conducted pursuant to Public Contract Code section 22160, et seq., and will proceed in the following steps:

Step 1: RFQ, evaluation and short-list of three most qualified DBEs.

Step 2: RFP issued to short-listed DBEs, and evaluation of proposals.

Step 3: Selection of "best value" proposal and award of Design-Build Contract.

B. Definitions. The definitions provided in Public Contract Code Section 22161 apply to the same terms as used in this RFQ, including the following:

"Best value" means a value determined by evaluation of objective criteria that may include, but not be limited to, price, features, functions, life-cycle costs, experience, and past performance.

"Design-Build Entity (DBE)" means a corporation, limited liability company, partnership, joint venture, or other legal entity that is able to provide appropriately licensed contracting, architectural, and engineering services as needed for the design-build contract.

"Design-Build Team (DBE Team)" means the DBE itself and the individuals and other entities identified by the DBE as members of its team. Members must include the general contractor and all electrical, mechanical, plumbing contractors.

C. RFQ Overview. Part 1.0 of this RFQ provides general information regarding the City, the Project and the RFQ process. Part 2.0 of this RFQ specifies the required contents for each SOQ and the submittal procedures. Part 3.0 of the RFQ describes the evaluation process, short listing the most qualified DBEs for proceeding to the RFP stage (Step 2), and the appeal process.

1.1 BASIC SCOPE AND PROJECT NEEDS

A. Project. The City Auditorium is a large facility owned and operated by the City of Sutter Creek. It is a venue for recreation for children and adults, private events, voting, and also is heavily used by many nonprofit groups in the city. Both, the men's and women's bathrooms are in dire need of upgrades. On an ongoing basis, city staff is repairing them to keep the old fixtures working, due to heavy use. Additionally, they are also difficult to access.

This project would consist of relocating the men's restroom near where the current woman's restroom is. The hallway to the rear northeast exit door would be eliminated. Additionally, the storage area off of the stage would also be eliminated.

Essentially the northeast corner of the building would be restroom facilities.

- B. Cost Estimate.** The cost for completion of design and construction for this project is currently estimated at \$70,000.
- C. Bridging Documents.** The detailed technical requirements for the Project, and accompanying preliminary designs and design parameters (collectively, the “Bridging Documents”), are being developed and will accompany the RFP. The City Engineer will assist in the evaluation of the SOQs and development of the Bridging Documents for the RFP. DBEs or DBE Team members who are involved in the development of the Bridging Documents or other preparation for this Project are ineligible to submit an SOQ.
- D. DBE Services.** The DBE will be responsible for all design-build services for the Project, including, but not limited to, design, construction, scheduling, quality control, permitting, and any other services from design development through construction and final acceptance by the City. The City seeks a reliable DBE and DBE Team with substantial experience with successful delivery of design-build projects of comparable size, scope and complexity.

Each DBE Team must include, at a minimum, a project manager; a design manager who will be responsible for design issues during both the design and construction phases; an on-site construction superintendent, licensed architectural and/or civil engineers; a licensed general contractor; licensed contractors or subcontractors for mechanical, structural, plumbing and electrical work; and a scheduler. A DBE Team member or individual may fill the role of multiple positions as long as it can be demonstrated that the DBE Team Member or individual has the required experience, qualifications and technical knowledge for each role.

The selected DBE will be required to designate an individual to be the single point of contact with the City with contractual responsibility for all design-build services under the contract, ideally the DBE’s project manager.

1.2 RFQ REQUIREMENTS AND INFORMATION

- A. Addenda.** The City reserves the right to issue addenda to revise this RFQ, in part or in whole, including, but not limited to revisions to the selection process, schedule, SOQ submittal date and SOQ submittal requirements. The City also reserves the right, acting in its sole discretion, to cancel or modify the Project or change the delivery method at any time. If the City cancels or modifies the Project or changes the delivery method, it will notify interested DBEs by issuing an addendum.
- B. Questions.** All questions about the requirements, meaning or intent of the RFQ must be submitted to the City in writing via email to the following:

Matt Ospital, PE
Associate City Engineer
Email: m.ospital@wgainc.net

Replies will be issued by addenda and emailed to all DBEs recorded by the City as

having received this RFQ. Questions received less than seven calendar days prior to the SOQ due date will not be answered. Only questions answered by formal written addenda will be binding. Oral or other written interpretations or clarifications will be without legal effect.

- C. Anticipated Schedule.** As of the issuance date of this RFQ, the City anticipates the following schedule for this procurement process:

Issue RFQ:	Friday, December 2, 2016
Deadline for RFQ Questions:	Friday, December 23, 2016
Deadline for SOQ Submission:	Tuesday, January 10, 2017
Short-List Announced By:	Friday, January 20, 2017
RFP to Short-Listers Issue By:	Friday, January 27, 2017

This anticipated schedule is provided for convenience only and is subject to change at any time without prior notice.

- D. Disclaimers and Reservations of Rights.** This RFQ is not an offer to enter into a contract with any DBE. The City reserves the right to request additional information or clarification during the evaluation process. The City may conduct any investigations it deems necessary to assist in the evaluation of any DBE, including investigation of information not referenced in the SOQ in order to fully assess, to the City's satisfaction, the responsibility, qualifications and financial ability of the DBE. The City has no obligation to enter into a contract with any of the short-listed DBEs and may terminate this procurement process at any time. DBEs responding to this RFQ are solely responsible for any costs to prepare and submit an SOQ or to otherwise participate in this DBE selection process. By submitting an SOQ, DBE agrees to and accepts the requirements of this RFQ and the stated RFQ process.

- E. Public Records.** All SOQs submitted in response to this RFQ become the property of the City and will be considered public records subject to disclosure under the California Public Records Act ("CPRA") (Govt. Code section 6250 et seq.), with the exception of required information that is not otherwise a "public record" subject to disclosure under the CPRA. Any portions of an SOQ which are believed to be exempt from disclosure under the CPRA must be clearly marked as such with reference to the specific applicable legal exemption.

DBE is solely responsible for the cost to defend against any claim or legal action challenging the exemption. To ensure fair competition, SOQs will be reviewed and evaluated in private, and will not be available for disclosure under the CPRA until the agenda is posted for City Council approval of the Contract with the selected DBE, based on staff recommendation.

2.0 SOQ SUBMISSION

2.1 SOQ CONTENTS AND FORMAT

Each SOQ is limited to a maximum of 20 pages, excluding specified appendices or attachments. A minimum of 12-point font is required. The following information must be provided in the order presented:

- A. About DBE.** If the DBE is a privately held corporation, limited liability company, partnership, or joint venture, provide a listing of all of the shareholders, partners, or members known at the time of SOQ submission who will perform work on the Project. In addition, identify the key personnel that DBE proposes to assign to this Project. For each listed individual, provide the full name, title, proposed role for the Project, and applicable education and qualifications. Attach a resume for each individual as an appendix to the SOQ. In addition, for each listed individual, provide the license, registration or credentials, as applicable for design or construction of the Project, and provide information on past or present revocation or suspension of any such license, registration or credentials.
- B. Questionnaire.** Each DBE and for each member of the DBE Team, under its current or any former name shall complete the attached "Pre-Qualification Questionnaire."
- C. References.** For DBE and each member of the DBE Team, provide the names, telephone numbers, emails, and addresses for at least three existing or former clients as references. References should be for similar projects within the last five years. Include relevant project information including, but not limited to, project type, dollar amount, and services provided.
- D. Penalty of Perjury.** The SOQ must be executed by DBE and its general partners or joint venture partners, as applicable. The SOQ must state above the signature line: "Each individual signing below certifies under penalty of perjury that he or she is authorized to sign and submit the SOQ on behalf of the DBE and that all of the information provided in the SOQ is true and complete."

2.2 SUBMITTAL REQUIREMENTS

Three bound paper copies of each SOQ must be submitted.

All copies must be submitted in a sealed envelope or package marked "**Statement of Qualifications for the City Auditorium Bathroom Remodel: Design-Build Project.**" The sealed submittal must show the **DBE's name, address, DIR Registration Number and Contractor's License Number in the upper left hand corner.**

The sealed envelope or packages must be received by the City by 3:00 p.m., on January 10, 2017, addressed as follows:

**City of Sutter Creek
Attn: City Engineer
18 Main St.
Sutter Creek, CA 95685
Phone: (209) 267-5647**

SOQs must be submitted in strict compliance with this RFQ. SOQs which are late, incomplete or otherwise not in compliance with this RFQ may be rejected as unresponsive. The City reserves the right, acting in its sole discretion, to reject any and all SOQs, to waive any and all informalities, and to reject nonresponsive or conditional submittals.

3.0 SOQ EVALUATIONS

3.1 EVALUATION AND SHORT LIST

SOQs will be reviewed by a panel of City staff, who will also check references, conduct additional investigation if needed, and will score and rank the SOQs based upon the weighted factors set forth above. The City will notify all DBEs when it has completed its review and ranking process. The three highest ranked DBEs will be invited to submit proposals in response to the City's RFP for the Project. It is not anticipated that interviews will be conducted with any DBEs at this time; however, if it is later determined that interviews are in the City's best interest; the City may contact the highest ranking DBEs to schedule interviews during the SOQ evaluation process.

3.2 APPEALS

The City may refuse to grant pre-qualification where the requested information and materials are not provided, or not provided by January 10, 2017. There is no appeal from a refusal for an incomplete or late application, but re-application for a later project is permitted. The closing time for bids will not be changed in order to accommodate supplementation of incomplete submissions, or late submissions.

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

If the Contractor gives the required notice of appeal and requests a hearing, the hearing shall be conducted so that it is concluded no later than five business days after the City's receipt of the notice of appeal, and no later than five business days prior to the last date for the receipt of bids on the project. The hearing shall be an informal process conducted by the City Manager acting as the "Appeals Panel". At or prior to the hearing, the Contractor will be advised of the basis for the City's pre-qualification determination. The Contractor will be given the opportunity to present information and present reasons in opposition to the rating. Within one day after the conclusion of the hearing, the Appeals Panel will render its decision. It is the intention of the City that the date for the submission and opening of bids will not be delayed or postponed to allow for completion of an appeal process.

PRE-QUALIFICATION QUESTIONNAIRE

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):

PART I. ESSENTIAL REQUIREMENTS FOR QUALIFICATION

Contractor will be immediately disqualified if the answer to any of questions 1 through 5 is “no.”¹

Contractor will be immediately disqualified if the answer to any of questions 6, 7, 8 or 9 is “yes.”² If the answer to question 8 is “yes,” and if debarment would be the sole reason for denial of pre-qualification, any pre-qualification issued will exclude the debarment period.

- 1. Contractor possesses a valid and current California Contractor’s license for the project or projects for which it intends to submit a bid.
 Yes No
- 2. Contractor has a liability insurance policy with a policy limit of at least \$1,000,000 per occurrence and \$2,000,000 aggregate.
 Yes No
- 3. Contractor 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 Contractor is exempt from this requirement, because it has no employees
- 4. Have you attached your latest copy of a reviewed or audited financial statement with accompanying notes and supplemental information.
 Yes No

NOTE: A financial statement that is not either reviewed or audited is not acceptable. A letter verifying availability of a line of credit may also be attached; however, it will be considered as supplemental information only, and is not a substitute for the required financial statement.

- 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 pre-qualification valid for a year) (b) your current available bonding capacity?³
 Yes No

NOTE: Notarized statement must be from the surety company, not an agent or broker.

¹ A “no” answer to Question 4 will not be disqualifying if the contractor is exempt from complying with Question 4, for reasons explained in footnote 7.

² A contractor disqualified solely because of a “Yes” answer given to question 6, 7, or 9 may appeal the disqualification and provide an explanation of the relevant circumstances during the appeal procedure.

³ An additional notarized statement from the surety may be requested by *Public Entity* at the time of submission of a bid, if this pre-qualification package is submitted more than 60 days prior to submission of the bid.

6. Has your contractor's license been revoked at any time in the last five years?
 Yes No
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
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 the answer is "Yes," state the beginning and ending dates of the period of debarment:

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

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

A. Current Organization and Structure of the Business

For Firms That Are Corporations:

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

Name	Position	Years with Co.	% Ownership	Social Security #

- 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	Dates of Person’s Participation with Firm

For Firms That Are Partnerships:

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

Name	Position	Years with Co.	% Ownership	Social Security #

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

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

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

For Firms That Are Sole Proprietorships:

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

2. 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.

3. 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.

4. 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.

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

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

7. 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.

8. 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.

Licenses

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

10. 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.
- _____
- _____
11. 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.
12. 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.
13. 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.

Disputes

14. 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.
15. 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.
16. In the last five years has your firm been denied an award of a public works contract based on a finding by a public agency that your company was not a responsible bidder?

Yes No

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

* * * * *

NOTE: The following two questions refer only to disputes between your firm and the owner of a project. You need not include information about disputes between your firm and a supplier, another contractor, or subcontractor. You need not include information about “pass-through” disputes in which the actual dispute is between a sub-contractor and a project owner. Also, you may omit reference to all disputes about amounts of less than \$50,000.

17. 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).

18. 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).

* * * * *

19. 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.

20. 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.

Criminal Matters and Related Civil Suits

21. 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.

22. 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.

23. 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.

Bonding

24. Bonding capacity: Provide documentation from your surety identifying the following:

Name of bonding company/surety: _____

Name of surety agent, address and telephone number:

25. 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.

26. 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:

27. 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.

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

28. 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.

29. 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.

30. 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.

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

32. List your firm’s Experience Modification Rate (EMR) (California workers’ compensation insurance) for each of the past three premium years:
NOTE: An Experience Modification Rate is issued to your firm annually by your workers’ compensation insurance carrier.

Current year: _____

Previous year: _____

Year prior to previous year: _____

If your EMR for any of these three years is or was 1.00 or higher you may, if you wish, attach a letter of explanation.

33. 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.)

Prevailing Wage and Apprenticeship Compliance Record

34. 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.

35. 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.

36. 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]*.

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

- (a) Identify the craft or crafts in which your firm provided apprenticeship training in the past year.
- (b) State the year in which each such apprenticeship program was approved, and attach evidence of the most recent California Apprenticeship Council approval(s) of your apprenticeship program(s).
- (c) State the number of individuals who were employed by your firm as apprentices at any time during the past three years in each apprenticeship and the number of persons who, during the past three years, completed apprenticeships in each craft while employed by your firm.

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

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

Yes No

If "yes," provide the date(s) of such findings, and attach copies of the Department's final decision(s).

PART III. RECENT CONSTRUCTION PROJECTS COMPLETED

39. Contractor shall provide information about its six most recently completed public works projects and its three largest completed private projects within the last three years.⁴ Names and references must be current and verifiable. Use separate sheets of paper that contain all of the following information:

Project Name: _____

Location: _____

Owner: _____

Owner Contact (name and current phone number):

Architect or Engineer: _____

Architect or Engineer Contact (name and current phone number):

Construction Manager (name and current phone number):

⁴ If you wish, you may, using the same format, also provide information about other projects that you have completed that are similar to the project(s) for which you expect to bid.

Description of Project, Scope of Work Performed:

Total Value of Construction (including change orders): _____

Original Scheduled Completion Date: _____

Time Extensions Granted (number of days): _____

Actual Date of Completion: _____

* * * * *

I, the undersigned, certify and declare that I have read all the foregoing answers to this prequalification questionnaire and know their contents. The matters stated in the questionnaire answers are true of my own knowledge and belief, except as to those matters stated on information and belief, and as to those matters I believe them to be true. I declare under penalty of perjury under the laws of the State of California, that the foregoing is correct.

Dated: _____
(Name)