



**Request for Prequalification
for the
Pleasant Hill Library Project**

Prequalification Packages Due

20 February 2020, 2:00 PM

Pleasant Hill City Hall

100 Gregory Lane

Pleasant Hill, CA 94523

For information, contact:

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**NOTICE REQUESTING PREQUALIFICATION PACKAGES FOR THE
PLEASANT HILL LIBRARY PROJECT
AND PROCEDURES FOR PREQUALIFICATION**

Notice is hereby given that the City of Pleasant Hill (“City”) has determined that all General Contractors bidding on its Pleasant Hill Library Project (“Project”) must be prequalified prior to submitting a bid for the Project.

PROJECT DESCRIPTION

The City is seeking a General Contractor (“Contractor”) experienced in public facility construction to construct the project at 1700 Oak Park Blvd., Pleasant Hill, California 94523. The new Pleasant Hill Library (PHL) Project will be a 24,000 SF single story, steel framed building. The project, which will be located on a currently vacant site of approximately 4 acres, will include landscape, parking lot and utilities as part of the site improvements. Project information and documents can be found here: <https://www.ci.pleasant-hill.ca.us/1226/Library-Project>.

The cost of the Project is estimated at **\$25 million dollars**.

The anticipated prequalification and bid schedule is summarized as follows:

Date	Milestone
2/6/20	City issues Request for Prequalification of General Contractors.
2/11/20	Prequalification Conference, 2:00 PM, City Hall (not mandatory)
2/14/20	Deadline for submitting questions.
2/20/20	Prequalification Packages Due, 2:00 PM, City Hall.
2/28/20	City issues recommendation of qualified bidders list to Contractors.
3/6/20	Last day for Contractors to appeal City’s decision with respect to prequalification ratings and to deliver notice of appeal to City.
3/13/20	Last day for appeals to be heard by City.
3/16/20	City adopts approved bidders list.
March 2020	Project issued for bid to Prequalified Bidders.
April 2020	Project awarded to lowest responsible bidder.
May 2020	Construction on Project starts.

PREQUALIFICATION PROCEDURES

It is mandatory that all Contractors who intend to submit bids for the Project fully complete a prequalification package (“Prequalification Package”), including but not limited to the prequalification questionnaire, provide all materials requested herein, and be approved by the City to be on the Prequalified Bidders list. No bid will be accepted from a Contractor that has failed to comply with these requirements. If two or more business entities submit a bid on the Project as a joint venture, each entity within the joint venture must be separately qualified to bid.

The completed Prequalification Package must be delivered to and received by City no later than **February 20, 2020 at 2:00 PM**. Prequalification Packages must include three (3) hard copies and one (1) electronic copy on electronic media, and be submitted under seal and marked **“CONFIDENTIAL: Pleasant Hill Library Project – Contractor Prequalification Package”** to the **City of Pleasant Hill, Attention: June Catalano, City Manager**. City will notify all respondents of the result of the prequalification process in writing.

Answers to questions contained in the attached questionnaire, information about current bonding capacity on an aggregate and per project limit, and the most recent reviewed or audited financial statements, with accompanying notes and supplemental information, are required. The City will use these documents in order to score Contractors with respect to their qualifications to bid on the Project. City reserves the right to check any other sources available to verify Contractor’s statements, prior performance and veracity. City’s decision will be based on objective evaluation criteria identified herein.

While it is the intent of the Prequalification Package and documents required herewith to assist the City in determining bidder responsibility prior to bid and aid City in selecting the lowest responsible bidder for construction of the Project, neither the fact of prequalification, nor any prequalification rating, will preclude City from a post-bid consideration and determination of whether a bidder has the quality, fitness, capacity and experience to satisfactorily perform the proposed work, and has demonstrated the requisite trustworthiness.

The Prequalification Packages submitted by Contractors are not public records and are not open to public inspection. All information provided will be kept confidential to the extent permitted by law; however, the contents may be disclosed to third parties for the purpose of verification, investigation of allegations that may impact Contractor’s prequalification status, and in the process of an appeal hearing. State law provides that the names of contractors applying for prequalification status are public records subject to disclosure, and the first page of the questionnaire will be used for that purpose.

Each questionnaire must be signed under penalty of perjury in the manner designated at the end of the form, by an individual who has the legal authority to bind the Contractor on whose behalf that person is signing. The Contractor shall provide only complete and accurate information. If any information provided by a Contractor becomes inaccurate, the Contractor must immediately notify the City and provide updated accurate information in writing and under penalty of perjury. The City may verify any or all information provided in completed Prequalification Packages, consider information provided by sources other than the prospective bidder, and conduct such investigations as the City deems appropriate to assist in the evaluation of Contractor’s responsibility, qualifications and financial capacity.

The City will evaluate all completed Prequalification Packages on a Pass/Fail basis as well as a points-based rating system. In order to prequalify for this Project, Contractor must obtain a “Pass” rating on all of the criteria set forth in Part 2 and meet the minimum scoring requirements of the City in Part 3, 4 and 5. Those Contractors who do not obtain a “Pass” rating for all of the criteria in Part 2 will not be

prequalified to participate in bidding for the contract to perform the Project regardless of the scores obtained in Part 3, 4 and 5. A score sheet for Part III and Part IV is included as Attachment B in the Prequalification Package.

The City reserves the right to reject any or all Prequalification Packages and to waive any irregularities in any Prequalification Package submittal. The City reserves the right to determine that any Contractor is not qualified at any time before or after the Prequalification Packages are received and evaluated if it finds that information provided therein is inaccurate, misleading or false, or upon evidence of collusion or other illegal practices on the part of a Contractor. The City, in its sole discretion, expressly reserves the right to cancel the prequalification process at any time, including but not limited to, after the deadline for the receipt of Prequalification Packages, reject any Prequalification Package received by the City and competitively bid the Project without first prequalifying bidders. The City reserves the right to adjust, increase, limit, suspend or rescind the prequalification rating based on subsequently learned information. Contractors whose rating changes sufficient to disqualify them will be notified, and given an opportunity for a hearing consistent with the hearing procedures described below for appealing a prequalification rating. The City may conduct a final review of the information submitted by the Contractor just prior to the award of the bid to confirm that the information submitted has not changed.

A Contractor who has submitted a completed Prequalification Package, and who receives a rating of “not qualified” from the City may appeal that determination. There is no appeal from a finding that a Contractor is not prequalified because of a failure to submit required information. A Contractor may appeal the City’s decision with respect to its request for prequalification, and request a hearing, by giving written notice of appeal and submitting a deposit of one thousand dollars (\$1,000) to the City no later than five (5) working days after City’s issuance of the written notice of the Contractor’s qualification status. Unless City receives the written notice of appeal and deposit within the time specified above, the Contractor waives any and all rights to challenge the qualification 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 (5) working days after the City’s receipt of the Contractor’s Notice of Appeal and the \$1,000 filing deposit. The hearing so provided shall be an informal process conducted by a panel to whom the City has delegated responsibility to hear such appeals (the “Appeals Panel”). At or prior to the hearing, the Contractor will be advised of the basis for the City’s prequalification determination. The Contractor will be given the opportunity to present information and present reasons in opposition to the prequalification determination.

At the conclusion of the hearing or no later than two (2) working days after completion of the hearing, the Appeals Panel will render its decision, which will be final and binding. It is the intention of the City that the date for submission and opening of bids for the Project will not be delayed or postponed to allow for completion of an appeal process. If the Contractor’s appeal is rejected by the Appeals Panel, the Contractor’s \$1,000 filing deposit shall be forfeited to the City. Otherwise the deposit will be returned to the Contractor following issuance of the Appeals Panel’s decision.

The Prequalification Package, its completion and submission by the Contractor, and its use by the City, shall not give rise to any liability on the part of the City to the Contractor or any third party or person. This is not a solicitation for bid. The Contractor accepts all risk and cost associated with the completion of the Prequalification Package without financial guarantee.

A Contractor may be found not prequalified for either omission of requested information or falsification of information.

CITY OF PLEASANT HILL
STATEMENT OF QUALIFICATIONS
PREQUALIFICATION QUESTIONNAIRE FOR
PLEASANT HILL LIBRARY PROJECT

PART I. CONTACT INFORMATION

Full Name of Contractor (as it appears on license):		
Type of Organization (Corporation, Partnership, Sole Proprietor, etc.):		
Corporate Tax ID No.:		
Is the corporation currently registered and in good standing with the State of California Secretary of State?		
Street Address of Contractor:		
City:	State:	Zip:
Contractor's Contact Person:		
Phone:	Cell Phone:	Fax:
Email Address:		
Contractor's License Number(s):		
If firm is a sole proprietor or partnership: Owner(s) of Company:		

PART II. ESSENTIAL REQUIREMENTS FOR QUALIFICATION (MANDATORY QUESTIONS)

Contractor will be immediately disqualified if the answer to **any of questions 1 through 7 is “yes.”**¹ An answer **“no” to any of questions 8 through 10 will be rated “Fail”** and the Contractor will be immediately disqualified.

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

Yes No

2. 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

3. At the time of submitting this prequalification 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:

4. 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

5. Is your current company Experience Modification Rate (EMR) greater than 1.25?

Yes No

Note: Documentation is required. If it is not attached, this question will be scored as if a “Yes” answer was given.

6. 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, removed, prohibited from pre-qualifying for, bidding on (where pre-qualification not required), 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.

Yes No

¹ A contractor disqualified solely because of a “Yes” answer given to question 1, 2, or 3 may appeal the disqualification and provide an explanation of the relevant circumstances during the appeal procedure.

If "yes," explain on a separate signed page. State whether the firm involved was the firm applying for prequalification 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.

7. Was your firm in bankruptcy at any time during the last five years?

Yes No

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

8. Contractor possesses a valid and current California Contractor's license for Class B?

Yes No

9. Contractor will comply with and provide all insurance as defined in Attachment No. 1, Liability and Insurances.

Yes No

10. Have you attached your reviewed unaudited or audited financial statement with accompanying notes and supplemental information for the past three (3) years, and does your firm have a minimum total revenue for the past three (3) years of \$50 million?

Yes No

PART III. ORGANIZATION, HISTORY, ORGANIZATIONAL PERFORMANCE, COMPLIANCE WITH CIVIL AND CRIMINAL LAWS (SCORED QUESTIONS)

OWENSHIP, CLAIMS, AND LITIGATION

11. Ownership (5 points possible):

A) Has there been any change in ownership of the firm at any time during the last three years?

Yes No

If "yes" explain on a separate signed page.

B) Is the firm a subsidiary, parent, holding company or affiliate of another construction firm?

Yes No

If "yes" explain on a separate signed page.

12. Are any corporate officers, partners or owners connected to any other construction firms currently or in the last five years? (2 points possible)

Yes No

If "yes" explain on a separate signed page.

13. How many years has your organization been in business in California as a contractor under your present business name and license number? (7 points possible)

_____ Years

14. Is your firm currently the debtor in a bankruptcy case? (5 points possible)

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.

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

Has your firm changed names or license number in the past five years? (3 points possible)

Yes No

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

16. 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? (5 points possible)

Yes No

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

17. 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? (5 points possible)

Yes No

If "Yes", how many projects with liquidated damages of \$5,000 or more: ___projects

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.

18. 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? (3 points possible)

Yes No

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 \$10,000.

19. 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? (8 points possible)

Yes No

If "Yes", number of claims: _____ claims

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).

- 20. 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? (5 points possible)**

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.

- 21. In the last five years has any insurance carrier, for any form of insurance, refused to renew the insurance policy for your firm? (3 points possible)**

Yes No

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

- 22. 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? (8 points possible)**

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.

- 23. 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? (8 points possible)**

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.

- 24. 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? (8 points possible)**

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.

- 25. 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? (5 points possible)**

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 that denied coverage; and the period during which you had no surety bond in place.

SAFETY AND REGULATORY COMPLIANCE

- 26. 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? (5 points possible)**

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", number of times penalized: _____

If "yes," attach 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.

- 27. Has the federal Occupational Safety and Health Administration cited and assessed penalties against your firm in the past five years? (5 points possible)**

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", number of times penalized: _____ times penalized.

If "yes," attach a separate signed page describing the citations.

28. 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? (10 points possible)

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", number of times penalized: ___times penalized.

If "yes," attach a separate signed page describing the citations.

29. How often do you require documented safety meetings to be held for construction employees and field supervisors during the course of a project? (3 points possible)

30. Within the last five years (or as long as your firm has been in business if it has been in business for less than five years) has there ever been a period when your firm had employees but was without workers' compensation insurance or state-approved self-insurance? (5 points possible)

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.)

31. 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? (5 points possible)

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", number of times required to pay back wages or penalties: ___times penalized.

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.

32. 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? (5 points possible)

Yes No

If "Yes", number of times required to pay back wages or penalties: __times penalized.

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.

33. 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? (5 points possible)

Yes No

If "Yes", number of violations: __violations.

NOTE: You may omit reference to any incident that occurred prior to January 1, 2007, 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.

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

34. List your firm's Experience Modification Rating for the past 3 years (7 points possible):

Year 1 (20__): _____

Year 2 (20__): _____

Year 3 (20__): _____

Note: Documentation is required.

PART IV. RELEVANT EXPERIENCE

35. SIMILAR BUILDING SYSTEMS: Fully integrated “Green” Technology HVAC systems

A fully integrated “green” HVAC system is where the mechanical system is fully integrated with active window controls for ventilation, ceiling fans, motorized blinds/shades, and other elements for active monitoring/adjustment for the environment (thermal comfort, lighting, etc.) to meet the changing needs of the building occupants during the day. These types of building systems (for example radiant cooling/heating) also incorporate the ability to adjust to daily and seasonal changes in weather to pre-heat/cool the building outside normal operating hours.

Provide the following information (attach additional sheets as needed) for projects with multiple trades involved, for “green” HVAC systems with a system value of at least \$1 million: (10 points possible)

Project Name	Type of HVAC System	Natural Ventilation Method	Light/Solar Controls	Other Integrated Bldg. Systems

36. SIMILAR BUILDING SYSTEMS: AESS Standards – Steel Frame Construction

Architecturally Exposed Structural Steel (AESS) elements feature a higher degree of finish and are handled with a higher level of care during fabrication and erection. The AISC Code of Standard Practice Section 10 (Architecturally Exposed Structural Steel) provides a framework for a common understanding of the acceptable standards for structural steel.

Provide the following information (attach additional sheets as needed) for structural steel frame buildings completed to meet Architectural Exposed Structural Steel (AESS) standards with a system value of at least \$1 million: (10 points possible)

Project Name	Exposed Struct. Steel (Y/N)	Steel Connection Type(s)	Exposed Steel Decking (Y/N)	AESS Level(s) 1/2/3/4/C

37. SIMILAR BUILDING SYSTEMS: Exterior Building Cladding

A “rainscreen” system is one where the finish cladding is fixed to the building with a secondary support structure. Due to this secondary structure, an air cavity is created between the load bearing wall and the cladding material. This allows continuous ventilation and the cladding to be installed with open joints. Other aspects of a rainscreen may include, but are not limited to: insulated metal panels, fiber cement panels, ultra-high-performance concrete panels, wood siding with open joints, secondary structural support with thermal breaks, etc.

Provide the following information (attach additional sheets as needed) for “rainscreen”-type exterior cladding systems with a system value of at least \$1 million. (10 points possible)

Project Name	Cladding Material	Waterproofing System	Secondary Support System	Type of Load Bearing Wall

38. SIMILAR PROJECTS: Library Experience

Has your firm completed at least three (3) Library Projects, for public or private owners, of at least \$15 Million in contract value within the last seven (7) years? (20 points possible)

Yes No

If the answer is Yes, please list the projects below (attach additional sheets as needed).

PROJECT NO. 1
Project Name:
Owner:
Describe Type of Construction:
Total Contract Amount: \$
Construction Time (in calendar days):
Owner's Representative:
Owner's Representative Telephone No.:
Owner's Representative Email:
Construction Manager (if applicable):
Construction Manager Telephone No.
Construction Manager Email:
Date of Notice to Proceed:
Date of Completion (NOC or other formal written acceptance by the awarding body):
Additional Notes from Contractor:

PROJECT NO. 2
Project Name:
Owner:
Describe Type of Construction:
Total Contract Amount: \$
Construction Time (in calendar days):
Owner's Representative:
Owner's Representative Telephone No.:
Owner's Representative Email:
Construction Manager (if applicable):
Construction Manager Telephone No.
Construction Manager Email
Date of Notice to Proceed:
Date of Completion (NOC or other formal written acceptance by the awarding body):
Additional Notes from Contractor:

PROJECT NO. 3
Project Name:
Owner:
Describe Type of Construction:
Total Contract Amount: \$
Construction Time (in calendar days):
Owner's Representative:
Owner's Representative Telephone No.:
Owner's Representative Email:
Construction Manager (if applicable):
Construction Manager Telephone No.
Construction Manager Email:
Date of Notice to Proceed:
Date of Completion (NOC or other formal written acceptance by the awarding body):
Additional Notes from Contractor:

39. SIMILAR PROJECTS: Open Construction Contracts (Jobs in Progress)

Complete the following form (attach additional sheets as needed) for all open construction contracts valued at \$15 Million or more. Please indicate which projects are for Public Owners in the “Project Name & Type of Work” column (10 points possible).

Project Name & Type of Work	Owner Name	Owner Representative		Original Contract Value	Estimated Contract Completion Value (incl. change orders to date)	Percent Currently Complete	Original Completion Date	Estimated Completion Date
		Name	Phone No.					

40. SIMILAR PROJECTS: Recent Construction Projects Completed

Complete the following form (attach additional sheets as needed) for all contracts valued at \$15 million or more, for Public Owners, that were completed within the past seven (7) years. (10 points possible).

Project Name & Type of Work	Owner Name	Owner Representative		Original Contract Value	Estimated Contract Completion Value (incl. change orders to date)	Percent Currently Complete	Original Completion Date	Estimated Completion Date
		Name	Phone No.					

PART V. INTERVIEW QUESTIONS

The following questions will be used to interview randomly selected contacts **from at least two (2) completed projects listed in Part IV Questions 38, 39, and 40 above.** The Contractor shall provide additional references upon request of City. **City will conduct the interviews.** No action on the Contractor's part is necessary. These questions are included in the package to the Contractor for information only.

The highest possible score is 80 points per project. An average score of 55 or higher for two (2) projects is required for prequalification. An average score of less than 40 points on the projects will automatically disqualify a Contractor. If the average score is between 40 to 52, City will conduct two (2) additional interviews of other references to obtain two (2) additional scores. If the average score of the two (2) additional interviews is less than 76, the Contractor will be automatically disqualified.

1. On a scale of 1-8, with 8 being the best, did the Contractor provide adequate personnel?
2. On a scale of 1-8, with 8 being the best, did the Contractor provide adequate supervision?
3. On a scale of 1-8, with 8 being the best, was the Contractor timely in providing reports and other paperwork, including certified payroll, submittals and schedule updates?
4. On a scale of 1-8, with 8 being the best, did the Contractor adhere to the project schedule that your agency approved? Was the project completed on time?
5. On a scale of 1-8, with 8 being the best, rate the Contractor on the Contractor's proactivity in identifying change order work and the Contractor's timely submission of reasonable cost and time estimates to perform change order work.
6. On a scale of 1-8, with 8 being the best, rate how the Contractor performed in turning in Operations & Maintenance manuals, completing as-built drawings, providing required training and taking care of warranty items?
7. On a scale of 1-8, with 8 being the best, rate the Contractor on whether there were an unusually high number of stop notices, liens, claims or disputes (with your agency or subcontractors or vendors), given the nature of the project, or unusual difficulty in resolving them.
8. On a scale of 1-8, with 8 being the best, rate the Contractor with respect to timely payments by the Contractor to subcontractors and suppliers. (If the person being interviewed knows of no such difficulties, the score on this question should be 10.)
9. On a scale of 1-8, with 8 being the best, rate the Contractor with respect to safety. Was shoring provided properly, were lock / out tag out procedures followed, did the Contractor provide routine safety training?
10. On a scale of 1-8, with 8 being the best, how would you rate the overall quality of the Contractor's work and the contractor's ability to work cooperatively?

* * * * **AFFIDAVIT** * * * *

We, the undersigned, _____ (name) as the authorized representatives for _____ (company) an interested Contractor for the City of Pleasant Hill's prequalification process for the Pleasant Hill Library Project, do hereby attest that all statements and representations made herein are true and correct to the best of our knowledge. These statements are made openly and freely without intent to influence or embellish actual conditions or circumstances that occurred. I declare under penalty of perjury under the laws of the State of California that the foregoing is correct.

We understand that the City will investigate any and all statements and representations made by us and our firm in this prequalification questionnaire and we freely give our permission for them to do so. Should releases be required by any of our professional, financial, or bonding institutions to release verification of the enclosed data, we have provided them. We agree to waive any claims against the City and/or any third party designated by the City for the release of the information necessary to evaluate this Statement of Qualifications.

We further understand that any false statement or representations made in this application will result in disqualification of our firm as a prequalified contractor. If it is determined that these false statements or representations were purposefully made to change, hide, or obscure negative information from the City in an attempt to qualify under these false pretenses, the action will result in loss of eligibility for our firm to qualify for any City of Pleasant Hill contracts for a minimum period of one (1) year and a maximum period of five (5) years from the date of discovery.

(Name and Title)

(Signature)

Attested: _____ Corporate Seal

(Name and Title)

(Signature)

Date:

END OF QUESTIONNAIRE

ATTACHMENT A – INSURANCE & INDEMNITY

Contractor to furnish a statement from its broker or insurance carrier(s) it will utilize on the project certifying that the following insurance requirements below will be met

(a) Neither the Contractor nor any subcontractors shall commence any work until all required insurance has been obtained at their own expense. Such insurance must have the approval of the City as to limit, form, and amount, and shall be placed with insurers with a current A.M. Best's rating of no less than A:VII.

(b) Prior to execution of the Contract, the Contractor shall furnish the City with properly endorsed ACORD forms. The City, however, retains the right to request the original certificates of insurance and endorsements affecting coverage for all required policies.

(c) All of the Contractor's policies shall contain an endorsement providing that written notice shall be given to the City at least thirty (30) calendar days prior to termination, cancellation, or reduction of coverage in the policy.

(d) Any policy or policies of insurance that the Contractor elects to carry as insurance against loss or damage to its construction equipment and tools shall include a provision therein providing a waiver of the insurer's right to subrogation against the City, its officers, employees, agents and volunteers.

(f) The requirements as to the types, limits, and the City's approval of insurance coverage to be maintained by the Contractor are not intended to, and shall not in any manner, limit or qualify the liabilities and obligations assumed by the Contractor under the Contract.

(g) In addition to any other remedy the City may have, if the Contractor or any of the subcontractors fail to maintain the required insurance coverage, the City may obtain such insurance coverage as is not being maintained, in form and amount substantially the same as required herein, and the City may deduct the cost of such insurance from any amounts due or which may become due the Contractor under this Contract.

Coverage Requirements

The Contractor and all subcontractors shall, at their expense, maintain in effect at all times during the performance of work under the Contract not less than the following coverage and limits of insurance, which shall be maintained with insurers and under forms of policy satisfactory to the City.

(a) Worker's Compensation and Employer's Liability. The Contractor and all subcontractors shall maintain insurance to protect the Contractor or subcontractor from all claims under Worker's Compensation and Employer's Liability Acts. Such coverage shall be maintained, in type and amount, in strict compliance with all applicable State and Federal statutes and regulations. The Contractor shall execute a certificate in compliance with Labor Code Section 1861, on the form provided in the Contract Documents. For all workers' compensation policies a waiver of subrogation in favor of the City shall apply.

(b) Commercial General and Automobile Liability Insurance

(i) Form and Amounts. The insurance shall include, but shall not be limited

to, protection against claims arising from death, bodily injury, personal injury, or damage to property resulting from actions, failures to act, operations or equipment of the insured, or by its employees, agents or consultants, or by anyone directly or indirectly employed by the insured. The amount of insurance coverage shall not be less than \$2,000,000.00 per occurrence with an aggregate no less than two (2) times the required per occurrence limit applying to bodily injury, personal injury, and property damage, or any combination of the three for the Commercial General Liability policy and \$1,000,000 combined single limit for the Automobile Liability policy. Any deductibles must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles as respects the entity, its officers, officials, employees and volunteers; or the Contractor shall procure a bond guaranteeing payment of losses and related investigations, claim administration expenses, and defense expenses.

(ii) Additional Requirements. The commercial general and automobile liability insurance coverage shall also include the following:

a. A provision or endorsement naming the City, its officers, employees, agents and volunteers, as additional insured with respect to any potential liability arising out of the performance of any work under the Contract, and providing that such insurance is primary insurance as respects the interest of the City, and that any other insurance, risk pool membership, or other liability protection maintained by the City, its officers, employees, agents and volunteers, is excess to the insurance required hereunder, and will not be called upon to contribute to any loss unless and until all limits available under the contractor's and subcontractor's insurance policy/policies have been paid.

b. A "Cross Liability" or "Severability of Interest" clause. Broad Form Property Damage, Personal Injury, Contractual Liability, Protective Liability, and Completed Operations coverages, and elimination of any exclusion regarding loss or damage to property caused by explosion or resulting from collapse of buildings or structures or damage to property underground, commonly referred to by insurers as the "XCU" hazards.

c. A provision or endorsement stating that such insurance, subject to all of its other terms and conditions, applies to the liability assumed by the Contractor under the Contract, including, without limitation, indemnity and litigation costs.

d. A provision or endorsement stating that any failure to comply with reporting or other provisions of the policies, including breaches of warranties, shall not affect coverage provided to the City, its officers, officials, employees, or volunteers.

e. A provision or endorsement stating that the Contractor's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

(iii) SPECIAL NOTICE: Claims Made Coverage. Liability insurance coverage shall not be written on a "claims made" basis. The Certificate of Insurance must clearly provide that the coverage is on an "occurrence" basis.

(c) Builder's Risk or Installation Floater "All-Risk" Insurance. Before commencement of the work, the Contractor shall submit written evidence that it has obtained for the period of the Contract, Builder's Risk "All-Risk" Completed Value Insurance and/or Inland Marine "All-Risk" Installation Floater Insurance, as may be applicable, upon the entire project which is the subject of this Contract, including completed work and work in progress. The policy or policies

of insurance shall name the Contractor, City, and their agents as insureds as their respective interests may appear, and shall include an insurer's waiver of subrogation rights in favor of each. Such insurance may have a deductible clause, but the amount of the deductible shall be subject to the approval of the City, except that the deductible on earthquake coverage may be in accordance with the underwriter's requirements.

(d) **Contractors Pollution Liability**

Pollution Coverage shall be provided on a Contractors Pollution Liability form or other form acceptable to City providing coverage for liability arising out of sudden, accidental and gradual pollution and remediation. The policy limit shall be no less than one million dollars (\$1,000,000) per claim. All activities contemplated in this agreement shall be specifically scheduled on the policy as "covered operations." The policy shall provide coverage for the hauling of waste from the project site to the final disposal location, including non-owned disposal sites.

Indemnity Agreement

Contractor shall indemnify and hold harmless City, its officers, employees, agents and volunteers from and against all liability, loss, damage, expense, and cost (including, without limitation, reasonable legal counsel fees, expert fees and all other costs and fees of litigation) of every nature arising out of or in connection with Contractor's negligence, recklessness, or willful misconduct in the performance of work hereunder, or its failure to comply with any of its obligations contained in this Agreement, except such loss or damage caused by the sole or active negligence or willful misconduct of the City. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this Agreement.

**ATTACHMENT B
SCORING SHEET**

Part II – MANDATORY QUESTIONS				
1.	Has your contractor’s license been revoked at any time in the last five years? (No = Pass)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	___ Pass/Fail
2.	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? (No = Pass)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	___ Pass/Fail
3.	At the time of submitting this prequalification 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? (No = Pass)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	___ Pass/Fail
4.	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? (No = Pass)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	___ Pass/Fail
5.	Is your current company Experience Modification Rate (EMR) greater than 1.25? (No = Pass)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	___ Pass/Fail
6.	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, removed, prohibited from pre-qualifying for, bidding on (where pre-qualification not required), or completing, any government agency or public works project for any reason? (No = Pass)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	___ Pass/Fail
7.	Was your firm in bankruptcy at any time during the last five years? (No = Pass)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	___ Pass/Fail
8.	Contractor possesses a valid and current California Contractor’s license for Class B? (Yes = Pass)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	___ Pass/Fail
9.	Contractor will comply with and provide all insurance as defined in Attachment No. 1, Liability and Insurances. (Yes = Pass)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	___ Pass/Fail
10.	Have you attached your reviewed unaudited or audited financial statement with accompanying notes and supplemental information for the past three (3) years, and does your firm have a minimum total revenue for the past three (3) years of \$50 million? (Yes = Pass)	<input type="checkbox"/> Yes	<input type="checkbox"/> No	___ Pass/Fail

Part III – SCORED QUESTIONS: OWNERSHIP, CLAIMS, LITIGATION

11.	A) Has there been any change in ownership of the firm at any time during the last three years?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	____ Points (5 max)
	B) Is the firm a subsidiary, parent, holding company or affiliate of another construction firm?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
12.	Are any corporate officers, partners or owners connected to any other construction firms currently or in the last five years?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	____ Points (2 max)
13.	How many years has your organization been in business in California as a contractor under your present business name and license number?	____ years		____ Points (7 max)
14.	Is your firm currently the debtor in a bankruptcy case?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	____ Points (5 max)
15.	Has your firm changed names or license number in the past five years?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	____ Points (3 max)
16.	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?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	____ Points (5 max)
17.	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?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	____ Points (5 max)
18.	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?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	____ Points (3 max)
19.	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?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	____ Points (8 max)
20.	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?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	____ Points (5 max)
21.	In the last five years has any insurance carrier, for any form of insurance, refused to renew the insurance policy for your firm?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	____ Points (3 max)

22.	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?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	____ Points (8 max)
23.	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?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	____ Points (8 max)
24.	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?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	____ Points (8 max)
25.	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?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	____ Points (5 max)

Part III – SCORED QUESTIONS: SAFETY / REGULATORY COMPLIANCE				
26.	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?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	____ Points (5 max)
27.	Has the federal Occupational Safety and Health Administration cited and assessed penalties against your firm in the past five years?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	____ Points (5 max)
28.	Has the EPA or any Air Quality Management City 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?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	____ Points (10 max)
29.	How often do you require documented safety meetings to be held for construction employees and field supervisors during the course of a project?	_____		____ Points (3 max)
30.	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?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	____ Points (5 max)
31.	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?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	____ Points (5 max)
32.	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?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	____ Points (5 max)
33.	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?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	____ Points (5 max)
34.	List your firm’s Experience Modification Rating for the past 3 years (7 points possible):	Year 1 (20____): _____ Year 2 (20____): _____ Year 3 (20____): _____		____ Points (7 max)

Part IV – RELEVANT EXPERIENCE – SIMILAR CONSTRUCTION ELEMENTS				
35.	Provide information for projects with multiple trades involved, for “green” HVAC systems with a system value of at least \$1 million			____ Points (10 max)
36.	Provide information for structural steel frame buildings completed to meet Architectural Exposed Structural Steel (AESS) standards with a system value of at least \$1 million			____ Points (10 max)
37.	Provide information for structural steel frame buildings completed to meet Architectural Exposed Structural Steel (AESS) standards with a system value of at least \$1 million			____ Points (10 max)
Part IV – RELEVANT EXPERIENCE – SIMILAR PROJECTS				
38.	Library Experience: Has your firm completed at least three (3) Library Projects, for public or private owners, of at least \$15 Million in contract value within the last 7 years?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	____ Points (20 max)
39.	Open Construction Contracts (Jobs in Progress) for all open construction contracts valued at \$15 million or more.			____ Points (10 max)
40.	Recent Construction Projects Completed: All contracts valued at \$15 million or more, for Public Owners, that were completed within the past five (5) years.			____ Points (10 max)
Part V – INTERVIEW QUESTIONS				
	City will interview randomly selected contacts from at least two (2) completed projects listed in Part IV Questions 38, 39, and 40 above.	_____		____ Points (80 max)

**CITY OF PLEASANT HILL PLEASANT HILL LIBRARY PROJECT
PREQUALIFICATION EVALUATION**

Contractor Name: _____

	Evaluation Criteria	Required Rating	Actual Rating
Part II:	MANDATORY QUESTIONS 1-10. Essential Requirements	Pass	
Part III:	SCORED QUESTIONS 11 –25. Ownership, Claims, Litigation 80 points possible	60 points	
	SCORED QUESTIONS 26 – 34. Safety and Regulatory Compliance 50 points possible	30 points	
Part IV:	RELEVANT EXPERIENCE 35-37. Similar Building Systems 30 points possible	15 points	
	RELEVANT EXPERIENCE 38-40. Similar Projects 40 points possible	25 points	
Part V	INTERVIEW QUESTIONS 80 points possible (per project)	55 points (average of two projects)	