

**LA CAÑADA UNIFIED SCHOOL DISTRICT
LA CAÑADA, CALIFORNIA**

RESOLUTION NO. 7-20-21

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE LA CAÑADA
UNIFIED SCHOOL DISTRICT ADOPTING PREQUALIFICATION PROCESS
FOR CONTRACTORS PURSUANT TO PUBLIC CONTRACT CODE SECTION
20111.6**

WHEREAS, the La Cañada Unified School District ("District") desires to prequalify potential prime contractors, and electrical, mechanical or plumbing contractors holding C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43, and/or C-46 licenses ("MEP subcontractors") for lease-leaseback projects and/or projects using funds received pursuant to the Leroy F. Greene School Facilities Act of 1998 or any funds received, including funds reimbursed, from any future state school bond for a public project that involves a projected expenditure of one million dollars (\$1,000,000) or more;

WHEREAS, school districts are required to prequalify prime contractors and MEP subcontractors for all contracts for the aforementioned district projects using the requirements described in Public Contract Code section 20111.6;

WHEREAS, Public Contract Code section 20111.6 directs school districts to require prospective prime contractors and MEP subcontractors to submit a standardized prequalification questionnaire and financial statement (collectively "Prequalification Package"), prior to submitting a bid/proposal for the aforementioned district projects;

WHEREAS, Public Contract Code section 20111.6 authorizes school districts to establish a uniform system of rating prospective contractors based upon the completed Prequalification Packages ("Prequalification Process");

WHEREAS, District staff have developed a standardized questionnaire in accordance with Public Contract Code section 20111.6 attached hereto as **Exhibit "A"** ("Questionnaire");

WHEREAS, District staff have developed a uniform system of rating potential prime contractors and MEP Subcontractors based upon the completed Questionnaires in accordance with Public Contract Code section 20111.6 attached hereto as **Exhibit "B"** ("Rating System");

WHEREAS, prequalification under the Questionnaire approved by this resolution shall confer prequalification status to a contractor on any projects requiring prequalification under PCC 20111.5 and PCC 20111.6

WHEREAS, the Rating System includes a process for potential prime contractors and MEP Subcontractors to appeal certain decisions with respect to the Prequalification Process ("Appeal Process"); and

WHEREAS, the District desires to adopt the Prequalification Process, including the Questionnaire, Rating System, and Appeal Process.

NOW, THEREFORE, the Board of Education of the La Cañada Unified School District hereby finds, determines, declares, orders and resolves as follows:

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

Section 2. That the Questionnaire, the Rating System, and the Appeal Process are authorized pursuant to Public Contract Code section 20111.6 and 20111.5.

Section 3. That the District's Superintendent, or designee, is authorized to implement the Prequalification Process, including accepting the final list of the prequalified prime contractors, and MEP subcontractors consistent with Public Contract Code section 20111.6.

APPROVED, PASSED AND ADOPTED by the Board of Education of the La Cañada Unified School District on this _____ day of _____, 2020, by the following vote:

AYES: _____

NOES: _____

ABSTENTIONS: _____

President of the Board of Education of the
La Cañada Unified School District

Attested to:

Clerk of the Board of Education of the
La Cañada Unified School District

Exhibit "A"

Prequalification Questionnaire

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CONTRACTOR PRE-QUALIFICATION QUESTIONNAIRE

A. CONTRACTOR INFORMATION

(All Questions Must Be Answered)

Firm Name (as it appears on CSLB license): _____

Firm Type (Select one): Corporation LLC Partnership Sole Proprietorship Joint Venture

Contact Person/Title: _____
(List Owner(s) if Firm is a Sole Proprietorship or Partnership)

Local Address (P.O. Box is not acceptable):

Address 1: _____

Address 2: _____

City: _____

Zip: _____

Office Telephone: _____

Contact Mobile: _____

Fax Number: _____

E-mail Address: _____

List all California construction or other professional license numbers, classifications and expiration dates held by your firm:

License Number	Classification	Expiration Date

List your firm's DIR Public Works Contractor (PWCR) Registration Number(s):

PWCR Number	Entity Name	Expiration Date

If any of your firm's license(s) are held in the name of a corporation, limited liability company, 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.

License Number	Qualifying Individual	Expiration Date

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B. CURRENT ORGANIZATION AND STRUCTURE

Complete the section below for the appropriate type of

firm: **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 percent of the corporation's stock:

Name	Position	Years with Firm	% Ownership

- 1d. Identify every construction firm that any person listed above has been associated with (as owner, general partner, limited partner or officer) at any time during the last five years. **NOTE: For this question, "owner" and "partner" refer to ownership of ten percent or more of the business, or ten percent or more of its stock, if the business is a corporation.**

Person's Name	Construction Firm	Date of Person's Participation with Firm

For Firms That Are Limited Liability Companies (LLC):

- 1a. Date Article of Organization filed: _____
- 1b. Under the laws of what state: _____
- 1c. Provide all the following information for all members of the LLC:

Name	Position	Years with Firm	% Ownership

- 1d. Identify every construction firm that any person listed above has been associated with (as owner, general partner, limited partner or officer) at any time during the last five years.
NOTE: For this question, “owner” and “partner” refer to ownership of ten percent or more of the business, or ten percent or more of its stock, if the business is a corporation.

Person’s Name	Construction Firm	Date of Person’s Participation with Firm

For Firms That Are Partnerships:

- 1a. Date incorporated: _____
 1b. Under the laws of what state: _____
 1c. Provide all the following information for each partner who owns ten percent or more of the firm.

Name	Position	Years with Firm	% Ownership

- 1d. Identify every construction firm that any person listed above has been associated with (as owner, general partner, limited partner or officer) at any time during the last five years.
NOTE: For this question, “owner” and “partner” refer to ownership of ten percent or more of the business, or ten percent or more of its stock, if the business is a corporation.

Person’s Name	Construction Firm	Date of Person’s Participation with Firm

For Firms That Are Sole Proprietorships:

- 1a. Date of commencement of business _____
- 1b. 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 percent or more of the business, or ten percent or more of its stock, if the business is a corporation.

Person’s Name	Construction Firm	Date of Person’s Participation with Firm

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

- 1a. Date of commencement of joint venture: _____
- 1b. Provide all 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 Construction Firm	% Ownership

Note: Explain on a separate sheet. Provide all other pertinent information required in the sections above, for each Corporation, LLC, Partnership, or Sole-Proprietorship that is a part of the Joint Venture.

FOR ALL FIRMS:

- 2. At any time during the past five years, has your firm shared office space, warehouse space, yard, plant or shop facilities, staff, equipment, telecommunications or other assets with any other construction firm? (If yes, identify and explain below.)

Construction Firm	Description of Sharing Agreement	Location of Facilities

- 3. State your firm’s gross revenues for each of the last three fiscal years:
 Current year (\$): _____

Previous year (\$): _____

Year prior to previous year (\$): _____

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

5. Bonding Capacity – Provide documentation from your surety identifying the following:

Name of Bonding Company/Surety: _____

Name of Surety Agent: _____

Address: _____

Telephone number: _____

6. If your firm was required to pay a premium of more than one percent 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 percent, if you wish to do so.

7. List all other sureties (name and full address) that have written bonds for your firm during the last five years, including the dates on which they were issued:

Name	Address	Date

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

9. List your firm's Experience Modification Rate (EMR) (California workers' compensation insurance) for each of the past three premium years:

Current year rate: _____

Previous year rate: _____

Year prior to previous year rate: _____

10. Does your firm regularly utilize a third party consultant to review labor compliance documents of subcontractors on a public works project? Yes No

11. Provide the name, address and telephone number of the apprenticeship program (approved by the California Apprenticeship Council) from whom you intend to request the dispatch of apprentices to employ on any public works project awarded by **La Cañada Unified School District**.

Name	Address	Phone

12. Provide the name, address and telephone number of the apprenticeship program (approved by the California Apprenticeship Council) from whom you have requested and/or employed apprentices in the past three years.

Name	Address	Phone

13. If your firm operates its own State-approved apprenticeship program:
- Identify the craft or crafts in which your firm provided apprenticeship training in the past year;
 - State the year in which each such apprenticeship program was approved and attach evidence of the most recent California Apprenticeship Council approval(s);
 - For each craft, list the number apprentices employed by your firm and the number of individuals that completed apprenticeships while employed by your firm during the last three years.

Craft	Year	No. Apprentices	No. Completed

14. Has your firm changed names or license number in the past five years? Yes No
(If yes, explain on a separate sheet, including the reason for the change.)
15. Has there been any change in ownership of your firm at any time during the last five years? Yes No
(If yes, explain on a separate sheet.)
NOTE: A corporation whose shares are publicly traded is NOT required to answer this question.
16. Is your firm a subsidiary, parent, holding company or affiliate of another construction firm? Yes No
(If yes, explain on a separate sheet.)

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

17. Has any owner, partner and/or officer of your firm operated or been connected to a construction firm under any other name in the last five years not listed in Section A or Section B above at any time in the past five years? Yes No

(If yes, provide the person's name, construction firm name, and dates of participation.)

Name	Construction Firm	Dates of Participation

C. ESSENTIAL CRITERIA QUESTIONS

	Circle Answer
1. Does your firm possess a valid and current California Contractor’s or other professional license as required by law for the project or projects for which it intends to submit a bid?	Yes No
2. Is your firm registered with DIR as a Public Works Contractor for the current fiscal year	Yes No
3. Does your firm have a liability insurance policy with a policy limit of at least \$1,000,000 per occurrence and \$2,000,000 aggregate?	Yes No
4. Does your firm have current workers’ compensation insurance policy as required by the Labor Code or is your firm legally self-insured pursuant to Labor Code section 3700 et. seq.?	Yes No
5. Have you attached your firm’s latest copy of reviewed or audited financial statements with accompanying notes and supplemental information? *	Yes No
<p>NOTE: Financial statements that are not either reviewed or audited are not acceptable. A letter verifying availability of a line of credit may also be attached; however, it will be considered as supplemental information only, and is not a substitute for the required financial statements.</p>	
6. Have you attached a notarized statement from an admitted surety insurer (approved by the California Department of Insurance) authorized to issue bonds in the State of California, which states that: (a) your current bonding capacity is sufficient for the project for which you seek pre-qualification if you are seeking pre-qualification for a single project; or valid for a year if you are seeking pre-qualification valid for a year; and (b) your current available bonding capacity? **	Yes No
<p>NOTE: Notarized statement must be from the surety company, not an agent or broker.</p>	
7. Has your Firm contracted for and completed construction of a minimum of: <ul style="list-style-type: none"> • Three (3) Division of the State Architect-approved construction projects, • Each with a value of at least \$1,000,000 as a Prime Contractor or \$250,000 as a subcontractor, and • All within the past five (5) years? 	Yes No
<p>NOTE: You must list these projects in the “Project References” Section.</p>	
	Yes No

8.	Has your contractor's or other professional license been revoked at any time in the last five years?		
9.	Has a surety firm completed a contract on your behalf, or paid for completion because your firm was in default and/or terminated by the project owner within the last five years?	Yes	No
10.	Is your firm, any of its officers, supervisors, managers, or any firm or individual identified above in Section A and/or Section B, ineligible to bid on or be awarded a public works contract, or perform as a subcontractor on a public works contract, pursuant to Labor Code section 1777.1, Labor Code section 1777.7, or any other federal, state, county, municipal or other local law providing for the debarment of contractors from public works?	Yes	No
11.	Has your firm, any of its officers, supervisors, managers, or any firm or individual identified above in Section A and/or Section B been convicted of a crime involving the awarding of a contract of a government construction project, the bidding or performance of a government contract, antitrust statutes, racketeering statutes, safety and health regulations, environmental laws, laws banning workplace discrimination, laws governing wages, hours or labor standards, or laws involving fraud, theft, or any other act of dishonesty?	Yes	No
12.	Is your firm currently the debtor in a bankruptcy case? (If yes, attach a copy of the bankruptcy petition showing the case number and date on which the petition was filed.)	Yes	No
13.	Has your firm, any of its officers, supervisors, managers, or any firm or individual identified above in Section A and/or Section B ever been terminated from a public works contract, including but not limited to termination based on any misconduct, such as failure to comply with contractual, statutory, or other legal obligations from any public construction project?	Yes	No
14.	Does your firm, any of its officers, supervisors, managers, or any firm or individual identified above in Section A and/or Section B currently have any delinquent liability to an employee, the state, or any awarding body for any assessment of back wages or related damages, interest, fines or penalties pursuant to any final judgment, order, or determination by any court or any federal, state, or local administrative agency, including a confirmed arbitration award?	Yes	No

* Public Contract Code section 20101(e) exempts from this requirement a contractor who has qualified as a small business pursuant to Government Code section 14837(d)(1), if the bid is “no more than 25 percent of the qualifying amount provided in section 14837(d)(1) for Public Works contract.” As of January 1, 2019, the qualifying amount is \$36 million, and 25 percent of that amount, therefore, is \$9 million.

** An additional notarized statement from the surety may be requested by La Cañada Unified School District at the time of submission of a bid, if this pre-qualification questionnaire is submitted more than 60 days prior to submission of the bid.

D. PRE-QUALIFICATION CRITERIA QUESTIONS

Prior History

Circle Answer

1. How many times has your firm, or any of its officers, supervisors, or managers, declared bankruptcy at any time during the last five years? **0 1 2 3 4 5+**

(This question refers only to a bankruptcy action that was not described in your answer to Question 11 in Section C. If yes, attach a copy of the bankruptcy petition showing the case number and the date on which the petition was filed, a copy of the Bankruptcy Court's discharge order or any other document that concluded the case if no discharge order was issued.)

2. How many times has your firm, or any of its officers, supervisors, or managers, had an injunction, judgment, order, or lien entered against it for outstanding taxes assessed or fines, penalties and/or unpaid employee wages at any time in the last five years? **0 1 2 3 4 5+**

(Explain on a separate sheet. Provide details, including the name of the government agency, caption, date, case or docket number, and disposition. Be sure to note any judgments or liens that have not been fully satisfied.)

3. How many times in the past five years, has your firm, or any of its officers, supervisors, or managers, been a party in any civil litigation or administrative proceeding alleging violation of any of the following: contract antitrust statutes, racketeering statutes, safety and health regulations, environmental laws, laws banning workplace discrimination, laws governing wages, hours or labor standards, or laws involving fraud, theft, or any other act of dishonesty? **0 1 2 3 4 5+**

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

4. How many times in the past five years, has your firm, or any of its officers, supervisors, or managers, been a party in any civil litigation or administrative proceeding alleging a violation by a subcontractor hired by your firm of any of the following: contract antitrust statutes, racketeering statutes, safety and health regulations, environmental laws, laws banning workplace discrimination, laws governing wages, hours or labor standards, or laws involving fraud, theft, or any other act of dishonesty? **0 1 2 3 4 5+**

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

Circle Answer

5. How many times in the past five years, has your firm, or any of its officers, supervisors, or managers, paid any amount, fine or otherwise, regardless of characterization, to settle any of the allegations listed in Questions 3 and 4 above, whether with or without an admission of responsibility or liability? **0 1 2 3 4 5+**

(Explain on a separate sheet. Provide details, including the caption, date, case or docket number, and name of the court or agency before which the case was brought.)

6. How many times has your firm, or any of its officers, supervisors, or managers, been debarred, suspended, disqualified, denied a classification rating or pre-qualification or otherwise been declared not responsible to or prevented from bidding or performing work on any public works contract or subcontract in the last five years? **0 1 2 3 4 5+**

(Explain on a separate sheet. State whether the firm involved was the firm applying for pre-qualification here or another firm. Identify by name of the company, name of the person within your firm who was associated with that company, date, owner of the project, project name and information, basis for the action, and case or docket number.)

7. How many times in the last five years has your firm been assessed and paid liquidated damages after completion of a project under a construction contract with either a public or private owner? **0 1 2 3 4 5+**

(Explain on a separate sheet. Identify all such projects by owner, owner's address, date of completion of the project, amount of liquidated damages assessed and all other information necessary to fully explain the assessment of liquidated damages.)

8. How many times during the past five years, has any surety company made any payments on your firm's behalf as a result of a default, to satisfy any claims made against a performance or payment bond issued on your firm's behalf, in connection with a construction project, either public or private? **0 1 2 3 4 5+**

(Explain on a separate sheet. Identify the amount of each such claim, name and telephone number of the claimant, date of claim, grounds for claim, present status of claim, date of resolution of such claim if resolved, method by which claim was resolved if resolved, nature of resolution and amount, if any, at which claim was resolved.)

9. How many times in the last five years has any insurance carrier, for any form of insurance, refused to renew an insurance policy for your firm? **0 1 2 3 4 5+**

(Explain on a separate sheet. Name the insurance carrier, form of insurance, and year of refusal.)

10. How many times during the last five years, has your firm been denied bond coverage by a surety company, or has there been a period of time when your firm had no surety bond in place during a public works construction project when one was required? **0 1 2 3 4 5+**

(Explain on a separate sheet. Indicate the date when your firm was denied coverage, name of the company or companies which denied coverage, and the time period during which you had no surety bond in place.)

Criminal Matters and Civil Suits

Circle Answer

11. How many times has your firm, or any of its officers, supervisors, or managers, ever been convicted of a crime involving any federal, state, or local law related to construction? **0 1 2 3 4 5+**

(Explain on a separate sheet. Identify who was involved, name of the public agency, date of conviction, and grounds for conviction.)

12. How many times has your firm, or any of its officers, supervisors, or managers, ever been found liable in a civil suit or convicted of a federal or state crime of fraud, theft, or involving any other act of dishonesty, such as making any false claim or material misrepresentations? **0 1 2 3 4 5+**

(Explain on a separate sheet. Identify the person or persons convicted or found liable, court [the county if a state court, the district or location if federal court], year, and conduct involved.)

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

13. How many times in the last five years has any claim against your firm concerning your firm's work on a construction project been filed in court or arbitration? **0 1 2 3 4 5+**

(Explain on a separate sheet. Identify the claim(s) by providing the project name, date of the claim, name of the claimant, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim [e.g. "pending" or, if resolved, a brief description of the resolution].)

14. How many times in the last five years has your firm made any claim against a project owner concerning work on a project or payment for a contract and filed that claim in court or arbitration? **0 1 2 3 4 5+**

(Explain on a separate sheet. Identify the claim(s) by providing the project name, date of the claim, name of the entity (or entities) against whom the claim was filed, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim [e.g. "pending" or if resolved, a brief description of the resolution].)

Occupational Health and Safety Compliance

Circle Answer

15. How many times in the last five years has CalOSHA cited and assessed penalties against your firm for any “serious,” “willful” or “repeat” violation(s) or the federal Occupational Safety and Health Administration cited and assessed penalties against your firm for violation(s) of safety or health regulations? **0 1 2 3 4 5+**

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

16. How many times in the last five years has the EPA or any Air Quality Management District or any Regional Water Quality Control Board cited and assessed penalties against either your firm or the owner of a project on which your firm was the contractor? **0 1 2 3 4 5+**

(Explain on a separate sheet describing each citation.)

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

17. How many times within the last five years has there ever been a period when your firm had employees but was without workers’ compensation insurance or state-approved self-insurance? **0 1 2 3 4 5+**

(Explain the reason for each absence of workers’ compensation insurance on a separate sheet. If “None,” please provide a statement by your current workers’ compensation insurance carrier that verifies periods of workers’ compensation insurance coverage for the last five years. 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

18. How many times during the last five years, has your firm been required to pay back wages and/or penalties related to **state or federal** prevailing wage laws for work performed by **your firm**? **0 1 2 3 4 5+**

(Explain on a separate sheet. Describe the nature of each violation and identify the name of the project, date of its completion, public agency for which it was constructed, number of employees underpaid, and amount(s) of back wages and penalties your firm was required to pay.)

NOTE: Question 18 refers only to the violation of prevailing wage laws by your firm, not to violations by a subcontractor.

Circle Answer

19. How many times during the last five years, has your firm or any subcontractors hired by your firm been required to pay back wages and/or penalties related to **state or federal** prevailing wage laws for work performed by a **subcontractor**?

0 1 2 3 4 5+

(Explain on a separate sheet. Identify the subcontractor's business name and CSLB license number, describe the nature of each violation, and identify the name of the project, date of its completion, public agency for which it was constructed, number of employees underpaid, and amount(s) of back wages and penalties your firm was required to pay.)

NOTE: This question refers only to the violation of prevailing wage laws by subcontractors, not to violations by your firm.

20. How many times during the last five years, has your firm paid any penalties related to any provision of California apprenticeship laws or regulations, or the laws pertaining to use of apprentices on public works projects, including Labor Code sections 1777.5 and 1777.7?

0 1 2 3 4 5+

(Explain on a separate sheet. Provide the date(s) of such findings, case number(s), and attach copies of the Department's final decision(s).)

21. How many times during the last five years, has any subcontractor hired by your firm paid any penalties related to any provision of California apprenticeship laws or regulations, or the laws pertaining to use of apprentices on public works projects, including Labor Code sections 1777.5 and 1777.7?

0 1 2 3 4 5+

(Explain on a separate sheet. Provide the date(s) of such findings, case number(s), and attach copies of the Department's final decision(s).)



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



E. PROJECT REFERENCES

Provide information about the firm’s six most recently completed public works projects and its three largest completed private projects within the last three years. Names and references must be current and verifiable. Use separate sheets of paper that contain all of the following information*:

For General Contractors: Only list projects your firm performed as the general contractor.

For Subcontractors: Only list projects your firm performed as the prime contractor if a single trade job or as a subcontractor on a multiple trade contract. For multiple trade contracts, indicate the general contractor’s name and contact information.

Project Name: _____

Location: _____

Owner: _____

Owner Contact (name and current phone number): _____

Architect or Engineering Firm: _____

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

Construction Manager (name and current phone number): _____

Inspector of Record (name and current phone number): _____

Description of Project, Scope of Work Performed:

Total Value of Construction
(including change orders): _____

Date Construction Commenced: _____

Original Contractual Completion Deadline: _____

Adjusted Completion Deadline Based on
Time Extensions Granted by Owner: _____

Actual Date of Completion: _____

General Contractor’s Project Manager (lead contact in office), if applicable: _____

General Contractor’s Superintendent (lead contact on project site), if applicable: _____

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

F. CERTIFICATION

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

The submitter understands that any statement which is proven to be false shall be grounds for immediate disqualification from bidding on the Project. The submitter whose signature appears below represents and warrants that he or she has authority to bind the named contractor.

Date: _____

Proper Name of Prime Contractor: _____

Signature by an officer of the Prime Contractor: _____

Print Name: _____

Title: _____

Exhibit "B"

Prequalification Rating System

[REMAINDER OF PAGE INTENTIONALLY BLANK; EXHIBIT FOLLOWS]

**LA CAÑADA UNIFIED SCHOOL DISTRICT
PROSPECTIVE CONTRACTOR
PREQUALIFICATION EVALUATION PROCEDURE**

Name of Prime Contractor: _____

- A. Confirm Prequalification Statement Submitted is Responsive** – if the answer to any of the questions is “no,” then the Prequalification Package is nonresponsive.

A. Completeness

Did the Contractor provide all requested information in its submitted Prequalification Statement?

Yes No

B. Signed Under Penalty of Perjury

Is the Prequalification Questionnaire signed under penalty of perjury by an individual who has the authority to bind the Contractor on whose behalf they are signing?

Yes No

- B. Incomplete, Misleading or Inaccurate Information** – if the answer to any of the questions is “yes,” then reject Contractor.

- A. Is the information provided by the Prime contractor is misleading or inaccurate in any material manner?

Yes No

- B. Is the information contained in the Prequalification Package is not updated under penalty of perjury when it is no longer accurate?

Yes No

C. Confirm Essential Criteria

Contractor is immediately disqualified if:

- Any answer to questions 1 through 7 and question 14 is “NO”
- Any answer to questions 8 through 14 is “YES”

If the Contractor is not immediately disqualified based on its answers to the questions in Section C, the District may assume that the Contractor has passed this pre-qualification section. However, the District may require additional information be submitted to verify the accuracy of the responses provided on the Questionnaire.

1. Does your firm possess a valid and current California Contractor’s or other professional license as required by law for the project or projects for which it intends to submit a bid?

Yes No
(If no, then Contractor is not qualified)

2. Is your firm registered with DIR as a Public Works Contractor for the current fiscal year?

Yes No

(If no, then Contractor is not qualified)

3. Does your firm have a liability insurance policy with a policy limit of at least \$1,000,000 per occurrence and \$2,000,000 aggregate

Yes No

(If no, then Contractor is not qualified)

4. Does your firm have current workers' compensation insurance policy as required by the Labor Code or is your firm legally self- insured pursuant to Labor Code section 3700 et. seq.?

Yes No

(If no, then Contractor is not qualified)

5. Have you attached your firm's latest copy of reviewed or audited financial statements with accompanying notes and supplemental information? *

Yes No

(If no, then Contractor is not qualified)

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

6. Have you attached a notarized statement from an admitted surety insurer (approved by the California Department of Insurance) authorized to issue bonds in the State of California, which states that: (a) your current bonding capacity is sufficient for the project for which you seek pre-qualification if you are seeking pre- qualification for a single project; or valid for a year if you are seeking pre-qualification valid for a year; and (b) your current available bonding capacity? **

Yes No

(If no, then Prime contractor is not qualified)

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

7. Has your Firm contracted for and completed construction of a minimum of:

- Three (3) Division of the State Architect-approved construction projects,
- Each with a value of at least \$1,000,000 as a Prime Contractor or \$250,000 as a subcontractor, and
- All within the past five (5) years?

Yes No

(If No, then Contractor is not qualified)

NOTE: Contractor must list these projects in the "Project References" Section.

8. Has your contractor's or other professional license been revoked at any time in the last five years?

Yes No

(If Yes, then Contractor is not qualified)

9. Has a surety firm completed a contract on your behalf, or paid for completion because your firm was in default and/or terminated by the project owner within the last five years?

Yes No

(If Yes, then Contractor is not qualified)

10. Is your firm, any of its officers, supervisors, managers, or any firm or individual identified above in Section A and/or Section B, ineligible to bid on or be awarded a public works contract, or perform as a subcontractor on a public works contract, pursuant to Labor Code section 1777.1, Labor Code section

1777.7, or any other federal, state, county, municipal or other local law providing for the debarment of contractors from public works?

Yes No
(If Yes, then Contractor is not qualified)

11. Has your firm, any of its officers, supervisors, managers, or any firm or individual identified above in Section A and/or Section B been convicted of a crime involving the awarding of a contract of a government construction project, the bidding or performance of a government contract, antitrust statutes, racketeering statutes, safety and health regulations, environmental laws, laws banning workplace discrimination, laws governing wages, hours or labor standards, or laws involving fraud, theft, or any other act of dishonesty?

Yes No
(If yes, then Contractor is not qualified)

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

Yes No
(If yes, then Contractor is not qualified)
(If yes, attach a copy of the bankruptcy petition showing the case number and date on which the petition was filed.)

13. Has your firm, any of its officers, supervisors, managers, or any firm or individual identified above in Section A and/or Section B ever been terminated from a public works contract, including but not limited to termination based on any misconduct, such as failure to comply with contractual, statutory, or other legal obligations from any public construction project?

Yes No
(If yes, then Contractor is not qualified)

14. Does your firm, any of its officers, supervisors, managers, or any firm or individual identified above in Section A and/or Section B currently have any delinquent liability to an employee, the state, or any awarding body for any assessment of back wages or related damages, interest, fines or penalties pursuant to any final judgment, order, or determination by any court or any federal, state, or local administrative agency, including a confirmed arbitration award?

Yes No
(If yes, then Contractor is not qualified)

D. EVALUATION OF PREQUALIFICATION CRITERIA QUESTIONS

Contractors are required to answer questions 1 through 21 and must provide additional information to the District for any questions where the answer is not “0”. The District will then use this information to calculate a score for Section D in order to determine eligibility for pre-qualification.

All questions in which the Contractor’s response is not “0” are scored. If all of the Contractor’s responses to questions 1 through 21 are “0” the District may assume that the Contractor has passed this pre-qualification section. However, the District may require additional information from the Contractor to verify the accuracy of the responses provided. If the answer to any of questions 1 through 21 is not “0”, additional scrutiny is required and the District will analyze the issues using the following factor:

- Factor - Points: A score of 0 is assigned for zero or no incident is reported, a score of 1 is assigned where only a single incident exists, score of 2 is assigned for two incidents, score of 3 is assigned for three incidents, score of 4 is assigned for four incidents, and a score of 5 is assigned where five or more incidents of that kind are reported.

Certain questions in Section D are weighted two times as much as others based on the severity of the actions and level of a Contractor’s control over those actions. These questions are given additional weight because they involve significant concerns as to whether a Contractor should be pre-qualified. Also, scores were given additional weight based on a Contractor’s level of control over those issues. For example, prevailing wage violations committed by a subcontractor receive less weight than a violation by the Contractor. These questions are scored as follows: If the factor point receives a score of 5 the total score for a “Red Flag” question would be 10. The calculation can be seen as follows: $(5 \times 2) = 10$). The following questions are assigned additional weight as explained above: 1 through 3, 5 through 6, 8, 10 through 12, 15 through 18, and 20.

The District shall use the Scoring Worksheet shown below to calculate the Contractor’s overall weighted score for Section D.

A contractor pre- qualifies only if the Total Score is 18 or less, and is disqualified if the Total Score is greater than 18.

**PRE-QUALIFICATION CRITERIA QUESTIONS AND
SCORING WORKSHEET**

Question Number	Factor - Points	Multiplying Factor	Total Points
1		2	0
2		2	0
3		2	0
4		1	0
5		2	0
6		2	0
7		1	0
8		2	0
9		1	0
10		2	0
11		2	0
12		2	0
13		1	0
14		1	0
15		2	0
16		2	0
17		2	0
18		2	0
19		1	0
20		2	0
21		1	0
Total Score			0

Questions Type:

14 Red Flag Questions (x2)

7 Non-Red Flag Questions (x1)

Notes: The District will review additional documents provided by the Contractor, in response to the questions in Section D, to calculate a final score using the factor listed above. A score on a scale of 0 to 5 is assigned to each factor.

Factor - Points: A score of 0 is assigned for zero or no incident is reported, a score of 1 is assigned where only a single incident exists, score of 2 is assigned for two incidents, score of 3 is assigned for three incidents, score of 4 is assigned for four incidents, and a score of 5 is assigned where five or more incidents of that kind are reported.

A contractor is PRE-QUALIFIED if the Total Score above is: 18 points or LESS.

A contractor is DISQUALIFIED if the Total Score above is: GREATER THAN 18 points.

E. CONTACT REFERENCES

The District may, at its discretion, contact the Contractor's references from its most recent K-12 school district projects.

This Section E is not scored, but allows the District to collect information about a Contractor's most recent public works projects. The information is meant to assist the District to conduct the interviews of the managers of projects previously completed (that is, the people who supervised the projects for the project owners) by the Contractor wishing to pre-qualify. This may also provide the District with information to verify answers provided in sections C and D

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PREQUALIFICATION Evaluation Reference Form**
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(Optional - To be utilized by the District, at its discretion, to evaluate references)

The District should fill out the information in Section I and the District will contact the person identified as the contact person. The District should then ask the questions in Section II, ensuring that it obtains the information as to whether the contractor's performance in that area was unsatisfactory, below average, average or above average.

Section I - General Project Information

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

Section II – Interview Questions

The following questions shall be used by the District to interview individuals identified as “project references” in Section E of the questionnaire.

(For each of the questions 2 through-9 rate the contractor as either unsatisfactory, below average, average, or above average.

1. Give a brief description of the project.

Comments: _____

2. Did the contractor provide adequate personnel?

Unsatisfactory Below Average Average Above Average

Comments: _____

3. Rate the Firm's ability to manage and coordinate subcontractors (if no subcontractors, rate the Firm's overall project management). Was the Firm able to effectively resolve problems?

Unsatisfactory Below Average Average Above Average

Comments: _____

4. Rate the firm’s ability in providing reports and other paperwork, including change order paperwork and scheduling updates timely?

Unsatisfactory Below Average Average Above Average

Comments: _____

5. Rate the Firm's performance with regard to adhering to project schedules. Did the Firm meet the project schedule? If not, was the delay attributable to the Firm?

Unsatisfactory Below Average Average Above Average

Comments: _____

6. Rate the Firm's performance with regard to change orders and extras. Did the Firm unreasonably claim change orders or extras? Were the Firm's prices on change orders and extras reasonable?

Unsatisfactory Below Average Average Above Average

Comments: _____

7. How well did the contractor perform in the area of turning in Operation & Maintenance manuals, completing as-built drawings, providing required training and taking care of warranty items?

Unsatisfactory Below Average Average Above Average

Comments: _____

8. Given the nature of the project, were there an unusually high number of claims or unusual difficulty in resolving them?

Unsatisfactory Below Average Average Above Average

Comments: _____

9. How would you rate the quality of the work overall?

Unsatisfactory Below Average Average Above Average

Comments: _____

Rating Weights

Unsatisfactory - 0
Below Average 2
Average 3
Above Average 4

Contractor to submit four to six references. District will average the scores of all completed references received.

F. Appeal Process

If the Contractor decides to appeal the District's qualification decision, it shall follow this procedure:

- a. Contractor shall submit, in writing, within three (3) working days from notification, a request for a written response to the District to explain any aspect of the District's determination.
- b. Within three (3) working days from receipt of the District's written response to the Contractor's request, Contractor may submit, in writing, a request for reconsideration by the District's staff. Contractor may submit with the request any information that it believes supports a finding that District's determination should be changed.

If the Contractor chooses not to avail itself of this process, the proposed prequalification rating may be adopted by the District without further proceedings.