

APPLICATION FOR PRE-QUALIFICATION

FOR GENERAL CONTRACTORS

FOR BID NO. 2092

L-TOWER PHASE II

RIO HONDO COMMUNITY COLLEGE DISTRICT

2023

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GENERAL INFORMATION

The Rio Hondo Community College District (“District”) desires to construct its **L-Tower Phase II Project** (“Project”) at Rio Hondo College located at 3600 Workman Mill Road, Whittier, California 90601. Public Contract Code §20651.5 permits the governing board of any community college district to require each prospective bidder for a contract, as described under §20651, to complete and submit to the district a standardized questionnaire and financial statement in a form specified by the district, including a complete statement of the prospective bidder’s financial ability and experience in performing public works. In accordance with §20651.5, the District has developed a Pre-Qualification Application (“Application”) which must be completed in advance by all firms seeking to bid on the Project. The District is dedicated to encouraging full participation of local minority, small and other disadvantaged businesses in its projects.

The Application is required to submit a bid for the Project. Additionally, the District may, at any time, specifically request a new statement, in which case, the Applicant must comply within thirty (30) days, or the rating on file may, at the discretion of the District, be considered expired. A contractor may also file new statements at more frequent intervals, if there is substantial change in the Applicant’s financial status, and a new rating based on the latest statement will be issued. In no case will pre-qualification remain in effect longer than one (1) calendar year from the date of notice of pre-qualification.

A person who is knowledgeable and duly authorized to attest to the past and present operations of the Applicant and its policies must complete the Application. An Application certification page must be signed by the preparer and by at least one general partner, owner, principal, or executive officer of the firm who is authorized to legally commit the firm. More than one certification page may be necessary. All questions must be answered. Financial statements submitted with this Application shall not be prepared by any individual who is in the regular employ of the firm submitting the statement, nor by any individual or entity who has more than a ten percent (10%) financial interest in the firm’s business. If the individual or entity that prepared a financial statement submitted with this Application has any financial interest in the firm’s business, the firm shall notify the District of such financial interest in a separate signed statement accompanying this Application.

Disclaimers, general statements with global qualifications, or notations of “Not Applicable” are not acceptable. Any pages containing supplemental information, and other documentation which the Applicant submits to ensure full disclosure, should be attached to the Application. Each page must contain the Applicant’s name and tax identification number. Applicants are encouraged to submit Applications as soon as possible to allow Pre-Qualification prior to submission of a bid or proposal. Completed pre-qualification forms should be at least submitted thirty (30) days prior to bid, or as indicated in the Bid Documents, specifically the Notice Inviting Bids. The current deadline to submit completed Prequalification documents is February 3, 2023.

The Applicant must provide current, accurate, and complete information. Incomplete or inaccurate documentation may result in denial of Pre-Qualification. The District reserves the right to verify the information submitted by the Applicant, in any related documents, or by supplemental information or data as necessary. If it is determined that false information or data was submitted in conjunction with the Application, the District may deny Pre-Qualification, revoke previously granted approval, or, if an award has been made, may terminate the contract without prejudice and without damage or cost to the District.

“You”, “Yours” or similar terms as used herein refers to the Applicant’s firm and any of its owners, officers, principals and qualifying individuals. Any references to owners, officers, principals or partners herein shall include any qualifying individuals including any current or past (within the last five years) RME’s or RMO’s, any current owner, officer, principal or partner of the Applicant who was an owner, officer, principal or partner of a different entity with a different contractor’s license within the last five years. If two or more business entities submit a bid on a project as a Joint Venture, or expect to submit a bid as part of a Joint Venture, each entity within the Joint Venture must be separately qualified to bid.

All costs associated with completion of the Application shall be borne by the Applicant. The District shall not, in any event, be liable for any expense incurred by the Applicant in connection with the preparation, completion or submission of the Application. The responses and financial statements submitted in conjunction with the Applicant’s Application shall not be deemed public records and shall not be open to public inspection.

The Pre-Qualification of a prospective Applicant shall not limit or preclude the District’s subsequent consideration of a Pre-Qualified Applicant’s responsibility on factors other than the prospective Applicant’s financial qualifications. (See Public Contract Code §20651.5.)

Mail completed Application to:

Felix g. Sarao
Director of Contract Management & Vending Services
Rio Hondo Community College District
3600 Workman Mill Road
Whittier, CA 90601-1699

The following can result in denial of Pre-Qualified status:

1. Failure to submit any material information required on the questionnaire;
2. Deliberate submission of false information;
3. Debarment, finding of non-responsibility, or suspension (with finding) by any public entity;
4. Conviction of a crime or public offense;
5. Contact with the District’s Board members regarding this pre-qualification process; or
6. Any combination of substantive factors such as, but not limited to, disregard of

laws and regulations, history of failure to perform in other contracts, unresolved tax liens, etc., which, in the sole discretion of the District, do not meet the standards of fitness or reliability expected from contractors wishing to do business with the District.

Once the review and evaluation is complete, the Applicant will be notified by letter whether the Pre-Qualification has been approved or denied. Applicants will be notified of their pre-qualification rating by Email. Notification will be made as soon as possible, but not later than 24 hours prior to any bid opening.

Any Applicant denied Pre-Qualification has a right to appeal the decision. The Applicant has five (5) business days from the date of receipt of the Denial Notification to file a written appeal with the Finance and Business Division (see information below):

VP, Finance and Business
Rio Hondo College
3600 Workman Mill Road, Whittier, CA 90601

Any appeal must: (i) specify in reasonable detail all bases for the appeal (e.g., errors by the District); (ii) specify in reasonable detail all facts asserted by the Applicant in support of its appeal; (iii) include all documentation upon which the Applicant will rely in connection with the appeal; and (iv) include signed certification by an authorized representative of the Applicant in the following form “The undersigned hereby certifies, subject to penalty for perjury pursuant to the laws of the State of California, that: (1) the undersigned is a duly-authorized representative of the Applicant that has filed this appeal; and (2) all assertions and facts set forth in this appeal by or on behalf of the Applicant are true and correct.”

There is no appeal from a finding that an Applicant is not pre-qualified because of a late application or a failure to submit required information. Unless an Applicant files a timely and complete appeal, the Applicant waives any and all rights to challenge the qualification decision of the District, whether by administrative process, judicial process or any other legal process or proceeding. The District reserves the right to resolve appeals before or after bid opening or award of any contract. The date for submission and opening of bids for a specific project and any subsequent contract award will not be delayed or postponed to allow for completion of an appeal process.

After receipt of a request for appeal, the District will provide the Applicant any supporting evidence that has been received from others or adduced as a result of an investigation by the District. The appealing Applicant will be provided an opportunity to rebut any evidence. The District, in its sole discretion, may conduct a hearing regarding the prospective bidder’s timely and complete appeal. If such a hearing is conducted, the prospective bidder consents to the District’s Superintendent/ President, or his or her designee, to act as the hearing officer.

(Remainder of page left blank.)

The District reserves the right to amend the Application at any time prior to the submission of an Application. The District reserves the right to waive minor irregularities and omissions in the information contained in any Application submitted and to make all final determinations. Additionally, a determination by the District that an Applicant is pre-qualified does not amount to a final determination that such prospective bidder is responsible or responsive for purposes of bid evaluation. The District may, in accordance with applicable law reject a pre-qualified Applicant's bid, and the District may additionally reject all bids if it determines such action is in the best interest of the public.

SCORING

Essential Criteria Questions

An Applicant is immediately disqualified if:

- Any answer to questions 1 through 10 is "NO"
- Any answer to questions 11 through 17 is "YES"

If the Applicant is not disqualified based on its answers to the Essential Criteria Questions, the awarding body may assume that the Applicant has passed this pre-qualification section. However, the awarding body may require additional information be submitted to verify the accuracy of the responses provided on the Application.

Pre-Qualification Criteria Questions

Applicants are required to answer questions 1 through 21 in the Pre-Qualification Criteria Questions and must provide additional information to the awarding body for any questions where the answer is not "0." The awarding body will then use this information to calculate a score for these questions in order to determine eligibility for pre-qualification.

All questions in which the Applicant's response is not "0" are scored. If all of the Applicant's responses to questions 1 through 21 are "0" the awarding body may assume that the Applicant has passed this pre-qualification section. However, the awarding body may require additional information from the Applicant 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 awarding body will analyze the issues using the following two factors:

- A. Whether the incident was a good faith mistake and, if so, the error was promptly and voluntarily corrected when brought to the attention of the Applicant; and

B. Whether the Application has a prior history or several incidents of the issue are reported.

The Applicant is required to provide additional documentation for all answers which are not “0.” The awarding body will review the additional documents to calculate a final score between 1 and 5 using the above criteria for each question.

The first factor requires the awarding body to assign a score based on the culpability of the Applicant. A score of 1 is assigned where the incident is clearly the result of a good-faith mistake and a score of 5 is assigned where the incident is clearly an overtly willful action for which the Applicant is culpable. The second factor requires the awarding body to assign a score based on the prior history of the issue being reported. A score of 1 is assigned where only a single incident exists, a score of 2 is assigned where two incidents exist, etc. up to a score of 5 assigned where five or more incidents of that kind exist.

Certain questions in the Pre-Qualification Criteria Questions are weighted two times as much as others based on the severity of the actions and level of an Applicant’s control over those actions. These questions are given additional weight because they involve significant concerns as to whether an Applicant should be pre-qualified. Also, scores were given additional weight based on a Applicant’s level of control over those issues. For example, prevailing wage violations committed by a subcontractor receive less weight than a violation by the Applicant. These questions are scored as follows: If the first factor receives a score of 5 and the second factor receives a score of 4, the total score for a “Red Flag” question would be 18. The calculation can be seen as follows: $((5+4) \times 2 = 18)$. **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 awarding body may use the Scoring Worksheet contained in this Application for Pre-Qualification, to calculate the Applicant’s overall weighted score for the Pre-Qualification Criteria Questions. **An Applicant pre-qualifies only if the overall score is 35 or less, and is disqualified if the overall score is greater than 35.**

Project References

Project References are not scored, but allow the District to collect information about an Applicant’s three (3) most recent public works projects. The information is meant to assist the District should the District desire to interview the managers of projects previously completed (that is, the people who supervised the projects for the project owners) by the Applicant wishing to pre-qualify. This may also provide the District with information to verify answers provided in this Application.

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: _____

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 |
|----------------|----------------|-----------------|
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List your firm’s DIR Public Works Contractor (PWCR) Registration Number(s):

| PWCR Number | Entity Name | Expiration Date |
|-------------|-------------|-----------------|
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(Remainder of page left blank.)

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

1a. Date of commencement of joint venture: _____

(Remainder of page left blank.)

- 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 |
|---------------------------|-------------|
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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 |
|-------------------|----------------------------------|------------------------|
| | | |
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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 |
|------|---------|------|
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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 the District.

| Name | Address | Phone |
|------|---------|-------|
| | | |
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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 |
|------|---------|-------|
| | | |
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13. If your firm operates its own State-approved apprenticeship program:
- (a) Identify the craft or crafts in which your firm provided apprenticeship training in the past year;
 - (b) State the year in which each such apprenticeship program was approved and attach evidence of the most recent California Apprenticeship Council approval(s);
 - (c) 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 |
|-------|------|-----------------|---------------|
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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 |
|------|-------------------|------------------------|
| | | |
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(Remainder of page left blank.)

C. ESSENTIAL CRITERIA QUESTIONS

Contractor is disqualified if any answer to questions 1 through 10 is “NO.”

1. Are you bidding as the prime contractor?
2. 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?
3. Is your firm registered with DIR as a Public Works Contractor for the current fiscal year?
4. 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?
5. 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.?
6. Have you attached your firm’s latest copy of reviewed or audited financial statements with accompanying notes and supplemental information?
NOTE: Financial statements that are not either reviewed or audited are unacceptable. A letter verifying availability of a line of credit may also be attached, but will be used as supplemental information only, and is not a substitute for financial statements. In addition, a compilation is not acceptable.
7. Have you completed at least three (3) public works construction projects within the last five (5) years. (“Public works construction projects” is defined as facilities built for government agencies including school districts, community college districts, special districts, local, county, state and federal agencies requiring prevailing wage rates paid to workers.)
8. **RESERVED**
9. 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? **
NOTE: Notarized statement must be from the surety company, not an agent or broker.
10. Can you meet the minimum safety requirements? Please see as follows:
 - a. You have a Workers’ Compensation Modifier (EMR) of 1.25 or less composite average measured over the last five (5) years.
 - b. You have had no more than five (5) serious violations and no more than two (2) serious repeat violations of OSHA requirements in the past five (5) years.
 - c. You have had NO willful OSHA violations.
 - d. You have an Injury and Illness Prevention Program (“IIPP”).

Contractor is disqualified if any answer to questions 11 through 17 is “YES”

11. Has your contractor's or other professional license been revoked at any time in the last five years?
12. 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?
13. 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?
14. 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?
15. 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.)
16. 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?
17. 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?

** An additional notarized statement from the surety may be requested by the 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 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 three (3) 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*:

Only list projects your firm performed as the general contractor.

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

Applications submitted by corporations must be signed with the legal name of the corporation, followed by the name of the state of incorporation and by the signature and designation of the chairman of the board, president or any vice president, and then followed by a second signature by the secretary, assistant secretary, the chief financial officer or assistant treasurer. All persons signing must be authorized to bind the corporation in the matter. The name of each person signing shall also be typed or printed below the signature. Satisfactory evidence of the authority of each officer signing on behalf of a corporation shall be furnished.

Applications submitted by partnerships must furnish the full name of all partners and must be signed in the partnership name by a general partner with authority to bind the partnership in such matters, followed by the signature and designation of the person signing. The name of the person signing shall also be typed or printed below the signature.

Each person signing below makes the following representations under penalty of perjury:

The submitter of the foregoing answers to the questionnaire has read the same and the matters stated therein are true to the best of his or her own personal knowledge. This information is provided for the purpose of qualifying to bid on the **L-Tower Phase II** Project, and any individual, company or other agency named herein is hereby authorized to supply the awarding body with any information necessary to verify the prospective bidder's statements. By signing below, the submitter and the named contractor hereby grant permission to the Rio Hondo Community College District to contact any or all of the above listed persons or entities to confirm facts or otherwise investigate the above facts and issues.

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

I, _____

(Name), the undersigned,

am the _____
(Title),

with the authority to act for and on behalf of _____
(Contractor Entity Name),

declare under penalty of perjury under the laws of the State of California that the foregoing information provided in this Pre-qualification Questionnaire is true, full, and correct.

I understand that making a false statement may result in disqualification from bidding on any public works project, registering as a Public Works Contractor with the Department of Industrial Relations, and may be grounds for termination of a public works contract.

Executed on this: _____ day of _____ at _____.

(Date)

(Month / Year)

(City / State)

Name of Contractor Representative: _____

Signature of Contractor Representative: _____

SCORING WORKSHEET

**Section D. PRE-QUALIFICATION
CRITERIA QUESTIONS AND
SCORING**

| Question Number | Factor #1 - Points | Factor #2 - Points | Multiplying Factor | Total Points |
|-----------------|--------------------|--------------------|--------------------|--------------|
| 1 | | | x2 | |
| 2 | | | x2 | |
| 3 | | | x2 | |
| 4 | | | x1 | |
| 5 | | | x2 | |
| 6 | | | x2 | |
| 7 | | | 1 | |
| 8 | | | x2 | |
| 9 | | | x1 | |
| 10 | | | x2 | |
| 11 | | | x2 | |
| 12 | | | x2 | |
| 13 | | | x1 | |
| 14 | | | x1 | |
| 15 | | | x2 | |
| 16 | | | x2 | |
| 17 | | | x2 | |
| 18 | | | x2 | |
| 19 | | | x1 | |
| 20 | | | x2 | |
| 21 | | | x1 | |
| Total | | | = | |

Factor #1: Whether the incident was a good faith mistake and, if so, the error was promptly and voluntarily corrected when brought to the attention of the Contractor or Subcontractor.

Factor #2: Whether the Contractor or Subcontractor has a prior history or several incidents are reported.

Questions Type:

14 Red Flag Questions (x2)

7 Non-Red Flag Questions (x1)

Notes: The awarding body will review additional documents provided by the Applicant in response to the questions in Section D to calculate a final score using the two factors listed above. A score on a scale of 1 to 5 is assigned to each factor.

Factor #1: A score of 1 is assigned where the incident is clearly the result of a good-faith mistake, and a score of 5 is assigned where the incident is clearly an overtly willful action for which the Applicant is culpable.

Factor #2: A score of 1 is assigned where only a single incident exists, 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: 35 points or LESS.

A contractor is DISQUALIFIED if the total score above is: GREATER THAN 35 points.

REMAINING DOCUMENTS

FINANCIAL INFORMATION

Reviewed or audited statements are required. Note: A compilation is not acceptable.

(A certificate of a licensed accountant will be required in all cases)

COMPLETE THIS CERTIFICATE FOR AN AUDIT OF FINANCIAL STATEMENT

STATE OF: _____

We have examined the Financial Statement of _____
as of _____. Our examination was made in accordance with generally
accepted auditing standards, and accordingly included such texts of the accounting records and
such other auditing procedures as we considered necessary in the circumstances.

In our opinion, the accompanying financial statement included on pages _____ to _____, inclusive,
sets forth fairly the financial condition of _____ as of
_____, in conformity with generally accepted accounting principles.

(Type Name of Firm)

(Accountant Signature)

(Telephone Number)

(License Number)

**COMPLETE THIS CERTIFICATE FOR A REVIEW
ONLY OF FINANCIAL STATEMENT**

We have reviewed the accompanying financial statement of _____
_____ as of _____. The information included
in the financial statement is the representation of the management of the above firm.

Based on our review with the exception of the matter(s) described in the following paragraph(s), we are not aware of any material modifications that should be made to the accompanying financial statements in order for them to be in conformity with generally accepted accounting principles.

(Type Name of Firm)

(Accountant Signature)

(Telephone Number)

(License Number)

(NOTE THIS REVIEW CONSISTS PRINCIPALLY OF INQUIRIES OF MANAGEMENT AND APPROPRIATE ANALYTICAL PROCEDURES APPLIED TO THIS FINANCIAL DATA. IT IS SUBSTANTIALLY LESS IN SCOPE THAN AN EXAMINATION IN ACCORDANCE WITH GENERALLY ACCEPTED AUDITING STANDARDS, THE OBJECTIVE OF WHICH IS THE EXPRESSION OF AN OPINION REGARDING THE FINANCIAL STATEMENTS TAKEN AS A WHOLE. ACCORDINGLY, WE HAVE NOT EXPRESSED SUCH AN OPINION.)

Special note to Accountant:

The above Certificates of Accountant shall not be made by any individual who is in the regular employ of the individual, partnership or corporation submitting the statement, nor by any individual who is a member of the firm with more than a 10 percent financial interest.

ACCOUNTANT'S RELEASE LETTER

By signing the form below, I authorize the Rio Hondo Community College District to contact our company's licensed accounting firm to verify our most recent audited or reviewed financial statement. I understand the financial statement is confidential information and is not open to public inspection.

Name

Title

Company Name

Date

GENERAL LETTER OF CREDIT

The following form may be completed by your bank to augment your Working Capital. If it prefers, the bank may issue a Letter of Credit on its own letterhead, provided the Letter of Credit contains substantially the same provisions, and is addressed to the Rio Hondo Community College District and bears an original signature.

DATE: _____

TO: Rio Hondo Community College District
3600 Workman Mill Road
Whittier, CA 90601

ATTENTION:

SUBJECT: General Letter of Credit

Reference is made to the pre-qualification of

(Name of Contractor)

Under Board Rules of the Board of Trustees pertaining to the construction, alteration and maintenance of community college district facilities, we certify that the above Contractor has been extended an unqualified line of credit to exceed \$ _____ and that such credit will not be withdrawn or reduced without 30 days written notice to the District.

It is understood that this letter of credit is to be used by the District solely for determining the financial resources of the said Contractor during the term of his pre-qualification with the District.

(Name of Financial Institution) Institution No. Code: _____

(Address)

(City)

(State)

(Zip)

By: _____

Date: _____

(Please Type or Print Name and Title)

FINANCIAL INSTITUTION RELEASE LETTER

(For use only when augmenting financial rating with a Letter of Credit)

By signing the form below, I authorize the Rio Hondo Community College District to contact our financial institution to verify our line of credit information. I understand this information is confidential information and is not open to public inspection.

Name

Title

Company Name

Date

Verified by Rio Hondo Community College District

Name Date