

**CAMBRIAN SCHOOL DISTRICT**

**PREQUALIFICATION QUESTIONNAIRE**

**PERMANENT MODULAR DESIGN BUILD CONTRACTORS**

Submit to:

Cambrian School District  
Attn: John Pappalardo, CFO  
4115 Jacksol Drive  
San Jose, California 95124

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**I. INFORMATION ABOUT DESIGN BUILD ENTITY (DBE) MEMBERS**

*(Information only – Not Scored)*

**A. Contact Information - DBE Team**

General Contractor Name: \_\_\_\_\_

Architect or Engineer of Record Name: \_\_\_\_\_

DBE Contact Person: \_\_\_\_\_

DBE Address: \_\_\_\_\_

\_\_\_\_\_

Office Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_ Mobile Phone: \_\_\_\_\_

Signature: \_\_\_\_\_ Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

**B. Design Build Entity Team Members**

<p><b>List the following individuals and legal entities that are Team Members of the DBE.</b> (Attach an additional page if necessary in order to respond to a Question.)</p>		
Discipline	Name	Legal Entity (i.e. corporation, partnership, sole proprietor, etc.)
General Contractor		
Architect or Engineer of Record		

For each DBE Team Member listed above that is not a sole proprietorship or corporation (such as, but not limited to, a partnership or other association), please provide a copy of the agreement creating the partnership or other association.

**C. Information about the General Contractor**

Provide the following information about the General Contractor proposed by the DBE. If the DBE will serve as the General Contractor, then provide all information requested for the DBE itself. Attach additional pages if necessary in order to respond to a Question. This section is not scored.

1. Name of General Contractor: \_\_\_\_\_

2. Date of company formation or incorporation: \_\_\_\_\_

3. State of formation or incorporation: \_\_\_\_\_

4. How many persons does the General Contractor currently employ? \_\_\_\_\_

5. If the General Contractor is a corporation, provide the following information for each office of the corporation and each individual who owns 10% or more of the corporate stock:

Position	Name	Years with Company	% Ownership
President/CEO			
Vice President			
Secretary			
Treasurer/CFO			

6. If the General Contractor is an individual doing business as a sole proprietorship, please complete the following:

Name of Owner	Years as Owner

7. If the General Contractor is a joint venture, partnership, limited liability Company, or other association, provide the following for each member of the joint venture, each partner or other association member. (Attach additional pages if necessary.)

Name of Individual Or Entity	Principal Contact	Position	Years with Joint Venture/ Partnership	% Ownership Interest

8. Has there been any change in ownership of the General Contractor during the last three years? (NOTE: A corporation whose shares are publicly traded is not required to answer this question with regard to public trades.)

- Yes  
 No

*If “yes,” explain on a separate page.*

9. Is the General Contractor a subsidiary, parent, holding company or affiliate of another construction firm? (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.)

- Yes  
 No

*If “yes,” explain on a separate page.*

10. State the General Contractor’s gross revenues for each of the last three years:

2019: \_\_\_\_\_ 2020: \_\_\_\_\_ 2021: \_\_\_\_\_

11. List all California contractor license numbers, classifications and expiration dates currently held by the General Contractor:

CSLB/DIR License Numbers	Trade Classification	Date Issued	Expiration Date
CSLB:			
DIR:			

12. Has the General Contractor changed names or license numbers in the past five (5) years?

- Yes
- No

*If “yes,” explain on a separate page.*

13. Has any owner, CSLB qualifier or corporate officer of the General Contractor operated as a contractor under any other name or license number in the last five years?

- Yes
- No

*If “yes,” explain on a separate page.*

**D. Information about the Architect or Engineer of Record**

1. Provide the following information for the Architect or Engineer of Record:

Name: \_\_\_\_\_

License Number: \_\_\_\_\_

Years in Practice: \_\_\_\_\_

2. If the Architect or Engineer of Record or its Firm is different from that of the General Contractor, please answer the following:

Date of company formation or incorporation: \_\_\_\_\_

State of formation or incorporation: \_\_\_\_\_

How many persons does the Architect or Engineer of Record or its Firm currently employ? \_\_\_\_\_

3. If the Architect/Engineer of Record’s Firm is a corporation, provide the following information for each officer of the corporation.

Position	Name	Years with Company	% Ownership
CEO			
President			
Secretary			
Treasurer/CFO			

4. If the Architect or Engineer of Record is an individual doing business as a sole proprietorship, complete the following:

Owner	Years as Owner

5. If the Architect or Engineer of Record’s Firm is a joint venture, partnership or other association (other than a corporation), provide the following information for each member of the joint venture, each partner or each other association member. (Attach additional pages if necessary)

Name of Individual or Entity	Principal Contact	Position	Years with Joint Venture/ Partnership /Other Association	% Ownership Interest

6. Has there been any change in ownership of the Architect or Engineer of Record’s Firm during the last three years?

(NOTE: A corporation whose shares are publicly traded is not required to answer this question with regard to public trades.)

- Yes  
 No

*If “yes,” explain on a separate page.*

7. Is the Architect or Engineer of Record’s Firm a subsidiary, parent, holding company or affiliate of another firm?

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

- Yes  
 No

*If “yes,” explain on a separate page.*

8. Has the Architect or Engineer of Record’s Firm changed names in the

- past five years? Yes  
 No

*If “yes,” explain on a separate page including reason for change.*

9. Provide the following information for all known Architect/Engineers who will be designing the project: (Attach additional pages if necessary)

Architect or Engineer of Record	License Number	Years in Practice

## II. ESSENTIAL REQUIREMENTS FOR THE DESIGN BUILD ENTITY

This Section II is the first step in scoring the DBE. It seeks information about various members of the DBE, and consists of questions that must be answered or the DBE will be disqualified.

**The DBE will be IMMEDIATELY DISQUALIFIED if the answer to ANY of questions one (1) through fifteen (15) is “No.”**

1. General Contractor possesses a valid and current California Contractor’s license that would allow it to build the Project?  
 Yes  
 No
2. Do all architects or engineers of record who are expected to work on the project possess current California professional licenses for the services which they intend to provide?  
 Yes  
 No
3. Do all DBE Members (contractors, architects, engineers) have a general liability insurance policy with a policy limit of at least: \$1,000,000 per occurrence and \$2,000,000 aggregate from a California admitted company.  
 Yes  
 No
4. Are the General Contractor and Architect/Engineer of Record covered by professional liability insurance policies (“errors and omissions”) with a policy limit of at least \$5,000,000 per occurrence and \$5,000,000 in the aggregate that provides coverage for work on design build contracts?  
 Yes  
 No
5. Is the Architect/Engineer of Record covered by a professional liability insurance policy (“errors and omissions”) with a policy limit of at least \$2,000,000 per occurrence and \$2,000,000 aggregate from a California admitted company that provides coverage for work on design build contracts?  
 Yes  
 No
6. Do all DBE Members (contractors and architects/engineers) have a current workers’ compensation insurance policy as required by the Labor Code or is legally self-insured pursuant to Labor Code section 3700 et. seq.  
 Yes  
 No  
- OR -  
 Contractor  
 Architect/Engineer  
 Other: \_\_\_\_\_ is/are exempt from this requirement, because it has no employees.

NOTE: For questions 3 through 6 above, provide copies of most current certificates of insurance for evidence of all required insurance coverages for each Design Build Entity member.



7. Is the General Contractor’s experience modification rate (EMR) for the most recent three-year period an average of 1.00 or less? List EMR for last three years below:

- Yes
- No

Year:	<u>2019</u>	EMR:	_____
Year:	<u>2020</u>	EMR:	_____
Year:	<u>2021</u>	EMR:	_____

**Provide a letter from surety validating General Contractor’s Intrastate EMR for California, for the most recent premium year. The letter from the surety must reference DBE’s Worker’s Compensation Insurance Rating Bureau (“WCIRB”) identification number. All EMRs will be verified using this number.**

8. Is the General Contractor’s average lost work day rate for the most recent three year period 2 or less? If the General Contractor’s average lost work day rate (LWR) is a three year average exceeding 2 the General Contractor will be disqualified.

- Yes
- No

Year:	<u>2019</u>	Lost Work Day Rate:	_____
Year:	<u>2020</u>	Lost Work Day Rate:	_____
Year:	<u>2021</u>	Lost Work Day Rate:	_____

9. Does the General Contractor have an injury prevention program instituted pursuant to Section 3201.5 or 6401.7 of the California Labor Code.

- Yes
- No

10. Has a notarized statement from an admitted surety insurer (approved by the California Department of Insurance) and authorized to issue bonds in the State of California been attached, which states that the General Contractor’s current bonding capacity is sufficient for the projects for which you seek prequalification? (Statement must be from the surety company, not an agent or broker.)

- Yes
- No

11. Is it true that no Officer or Director of the General Contractor has ever filed for bankruptcy or been forced into bankruptcy by his or her creditors?

- Yes
- No

12. Does the General Contractor know and understand their obligations regarding the employment of apprentices on public works under Labor Code section 1777.5 and California Code of Regulations, Title 8, section 230.1, and do they intend to comply with these requirements, including the requirement, if applicable, to request the dispatch of apprentices from an apprenticeship program approved by the California Apprenticeship Council?

- Yes  
 No

13. Does an agreement exist with the General Contractor and a registered apprenticeship program, approved by the California Apprenticeship Council, which has graduated apprentices in each of the immediately preceding five years, and/or will General Contractor ensure that all subcontractors possess such an agreement?

- Yes  
 No

(This graduation requirement shall not apply to programs providing apprenticeship training for any craft that has not been deemed by the Department of Labor and the Department of Industrial Relations to be an apprentice craft in the five years before enactment of the act adding this section, January 1, 2003)

14. The General Contractor acknowledges that Labor Code § 1725.5 states, in pertinent part that: “A contractor shall be registered pursuant to this section to be qualified to bid/propose on, be listed in a bid/proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any public work contract that is subject to the requirements of this chapter.”; and that the Contractor is or will be so registered with the Department of Industrial Relations at the time the Contractor submits its bid/proposal for the projects that are the subject of this procurement.

- Yes  
 No

15. The General Contractor acknowledges that Labor Code §§ 1725.5 and 1771.1(a) states, in pertinent part that: “A contractor or subcontractor shall not be qualified to bid/propose on, be listed in a bid/proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, as defined in this chapter, unless currently registered and qualified to perform public work pursuant to Section 1725.5.”; and that the Contractor will not list any subcontractors in its bids/proposals for the projects that are the subject of this procurement unless such subcontractors are registered with the Department of Industrial Relations.

- Yes  
 No

**SECTION II. SCORING MATRIX: QUESTIONS 1 - 15**

<b>QUESTION NUMBER</b>	<b>YES</b>	<b>NO</b>	<b>DISQUALIFIED</b>
<b>1</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>2</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>3</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>4</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>5</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>6</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>7</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>8</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>9</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>10</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>11</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>12</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>13</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>14</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>15</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**\* Disqualified if any answer is “No”**

**The DBE will be IMMEDIATELY DISQUALIFIED if the answer to ANY of questions sixteen (16) through twenty-five (25) is “Yes.” If the answer to question 19 and/or 20 is “Yes,” and if the ineligibility and/or debarment periods is/are over at the time of RFSOQ submission, this will not automatically disqualify a DBE from submitting for prequalification status.**

16. Has the General Contractor’s license been revoked or suspended at any time in the last five (5) years?

- Yes
- No

17. Has any professional license held by any architect/engineer who will provide services been revoked at any time in the last five years?

- Yes
- No

18. Has a surety firm completed a contract or paid for completion of a contract on behalf of any Design Build Entity Member because they were defaulted and/or terminated by the project owner within the last five (5) years?

- Yes
- No

19. Has General Contractor’s firm ever been ineligible to bid on or be awarded a public works contracts, or perform as a subcontractor on a public works contract, pursuant to either Labor Code section 1777.1 or Labor Code section 1777.7?

If yes, check only one box below

- Yes
- Yes (but periods are over)
- No

If the answer is “Yes (but periods are over),” state the beginning and ending dates of the ineligibility period. \_\_\_\_\_

20. Has the General Contractor’s firm ever been debarred by any governmental entity for any reason? If yes, check only one box below:

- Yes
- Yes (but periods are over)
- No

If the answer is “Yes (but periods are over)” state the beginning and ending date of ineligibility period and the reason(s) for debarment. Use additional pages if needed.

21. Has any Design Build Entity Member (contractors and architect/engineers) or any of its Associates, or any of their employees ever been convicted of a crime involving the awarding of a contract for a government construction project, or the bidding or performance of a government contract within the last five (5) years?
- Yes  
 No
22. Has any Design Build Entity Member (contractors and architect/engineers) or any of its Associates ever been found liable in a civil suit or found guilty in a criminal action for making any false claim or material misrepresentation to any public agency or entity?
- Yes  
 No
23. Has any Design Build Entity Member (contractors and architect/engineers) or any of its Associates ever been convicted of a crime involving any federal, state, or local law related to construction?
- Yes  
 No
24. Has any Design Build Entity Member (contractors and architect/engineers) or any of its Associates ever been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty?
- Yes  
 No
25. In the last five years, have any assets of the General Contractor been frozen and/or attached by any governmental entity?
- Yes  
 No

**SECTION II. SCORING MATRIX: QUESTIONS 16 – 25**

<b>QUESTION NUMBER</b>	<b>YES</b>	<b>NO</b>	<b>DISQUALIFIED</b>
<b>16</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>17</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>18</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>*19</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>*20</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>21</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>22</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>23</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>24</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>25</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**\* Disqualified if any answer is “Yes”; unless, for question(s) 19 and/or 20 the period(s) of ineligibility is/are over**

### III. TEAM MEMBER QUESTIONS

#### **PASS/FAIL (based on cumulative scoring of each question)**

#### **A. Team Member Questions for the General Contractor**

#### **YOU MUST RESPOND TO EACH QUESTION**

There are a maximum of 142 points available for this Section. To pass this General Qualification Section, the General Contractor must score a minimum of 75% of the maximum points or at least 107 points. A score of less than 75% of the maximum point's or 106 or less points means that a DBE has failed this Section, does not qualify, and may not proceed further.

#### **HISTORY OF THE BUSINESS; ORGANIZATIONAL STRUCTURE; AND PERFORMANCE**

1. Provide financial statements giving the District enough information to determine financial stability. These statements may include, but are not limited to:
  - a) Financial Statement or Annual Report for the last three (3) years;
  - b) Statement of income and related earnings;
  - c) Statement of Changes in financial position;
  - d) Letter from the DBE's banking institution;
  - e) Statement from certified public accounting firm.

If the information submitted by the DBE, or available from other sources, is insufficient to satisfy the District as to the DBE's contractual responsibility, the District may request additional information from other sources or reject the submission. The District's determination of the DBE's responsibility, for the purposes of this RFSOQ, shall be final.

**Note: The audited or reviewed financial statements must be submitted by the RFSOQ due date and time.**

**Your financials are to be submitted as a separate file/document. These documents should be submitted simultaneously with your RFSOQ package.**

- Not all information given or Financial Statements do not indicate reasonably acceptable financial strength: *0 points*
  - Financial Statements indicate reasonably acceptable financial strength to execute the Project: *3 points*
2. How many years has your organization been in business in California as a contractor under your present business name and license number? Years: \_\_\_\_\_ Place the requested information in the preceding space.
    - 3 years or less*                      *2 points*
    - 4 years*                                      *3 points*
    - 5 years*                                      *4 points*
    - 6 or more years*                      *5 points*

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

- Yes *0 points*  
 No *3 points*

4. Was your firm in bankruptcy at any time during the last five (5) years?

- Yes *0 points*  
 No *3 points*

5. Has any CSLB license held by your firm or its Responsible Managing Employee (RME) or Responsible Managing Officer (RMO) been suspended within the last five (5) years?

- Yes *0 points*  
 No *5 points*

6. Has the General Contractor or any of its Associates ever been terminated for public default on a construction contract?

- Yes *0 points*  
 No *5 points*

NOTE: “was associated” or “associated with” refers to another construction firm in which an owner, partner or officer of your firm held a similar position, and which is listed in response to any of the following questions on this form:

7. In the last five (5) years has your firm, or any firm with which any of your company’s owners, officers or partners was associated, been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason?

- Yes *0 points*  
 No *5 points*

8. In the last five (5) years has your firm been denied an award of a public works contract based on a finding by a public agency that your company was not a responsible bidder?

- Yes *0 points*  
 No *5 points*

If “yes,” on a separate page identify the year of the event, the entity denied the award, the owner, the project, and the basis for the finding by the public agency.

9. At any time in the last five (5) 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? If so, how much was paid out? \$ \_\_\_\_\_ if yes, place the requested information in the preceding space.

- Yes *0 points*  
 No *5 points*  
 Yes *2 points (less than \$50K liquidated damages assessed)*

If yes, explain on a separate page, identifying all such projects by owner, owner’s address, name of entity against whom assessment was made, the date of completion of the project, amount of liquidated damages assessed and all other information necessary to fully explain the assessment of liquidated damages



10. In the past ten (10) years has any litigation or claim been filed against the Contractor? If so, how many claims? \_\_\_\_\_, if yes, place the requested information in the preceding space.

- Yes *0 points*
- No *5 points*
- Yes *2 points (if only 1 claim)*

11. At any time during the past five (5) years, has any surety or insurance 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? If so, how many claims? \_\_\_\_\_

- Yes *2 points*
- No *5 points*
- Yes *subtract (5) points for more than two claims*

12. In the last five (5) years has any insurance carrier, for any form of insurance, refused to renew the insurance policy for your firm? If so, how many instances: \_\_\_\_\_?

- Yes *3 points for 1-2 instances*
- No *5 points*
- Yes *0 points for more than 2 instances*

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

Name of bonding company/surety:

\_\_\_\_\_

Name of surety agent, address and telephone number:

\_\_\_\_\_

- 5 points if information provided*
- subtract 5 points if information is not provided*

14. If your firm was required to pay a premium of more than one per cent (1%) for a performance and payment bond on any project(s) on which your firm worked at any time during the last three (3) years, state the percentage that your firm was required to pay. \_\_\_\_\_. You may provide an explanation for a percentage rate higher than one per cent (1%), if you wish to do so. Use additional pages if needed.

- 5 points if rate is less than (1%)*
- 3 points if rate was less than (1.10%)*

15. List all other sureties (name and full address) that have written bonds for your firm during the last five (5) years, including the dates during which each wrote the bonds:

Use additional pages if needed.

- 5 points information provided*
- 0 points no information provided*

16. During the last five (5) years, has your firm ever been denied bond coverage by a surety company, or has there ever been a period of time when your firm had no surety bond in place during a public construction project when one was required?

- Yes *0 points*  
 No *5 points*

17. Provide the following information:

- a. Average annual work volume per year for the past five (5) fiscal years: \_\_\_\_\_;  
b. Total bonding capacity: \_\_\_\_\_;  
c. Bonding capacity presently encumbered: \_\_\_\_\_;  
d. Bonding capacity available and remaining at time of submission: \$ \_\_\_\_\_;

State your firm's gross revenues for each of the last three (3) years:

2019: \_\_\_\_\_ 2020: \_\_\_\_\_ 2021: \_\_\_\_\_

- 5 points information provided*  
 *subtract 5 points if all information is not provided*

### COMPLIANCE WITH OCCUPATIONAL SAFETY AND HEALTH LAWS;

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

- 3 points for once per week or more*  
 *0 points less than once per week*

19. Within the last five (5) years has there ever been a period when your firm had employees but was without workers' compensation insurance or state approved self-insurance? If so, more than once? \_\_\_\_\_ Fill in the requested information in the preceding space.

- 5 points for no instances*

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

20. In the past five (5) years have any complaints been filed or adjudicated in court or in arbitration proceedings against your firm concerning your firm's work on a construction contract?

- Yes *(see points totals below)*  
 No *5 points*

If "yes," on a separate page identify the complaints(s) by providing the project name, date of the complaint, name of the plaintiff, the name of the entity the complaint was filed against, a brief description of the nature of the complaint, the court and case number, and a brief description of the status of the complaint (pending or, if resolved, a brief description of the resolution).

Points:

- for 0-1 instances* *5 points*  
 *if 2 instances* *3 points*  
 *if more than 2 instances* *0 points*

21. In the past five (5) years has your firm filed or adjudicated a complaint in court or arbitration proceedings against a project owner concerning work on a project or payment for a contract?

- Yes                    *(see points totals below)*  
 No                         *5 points*

If yes, on a separate page identify the complaint(s) by providing the contract name, date of the complaint, name of defendant [or entity against whom the complaint was filed], a brief description of the complaint, the court in which the case was filed and a brief description of the status of the complaint or, if resolved, the resolution.

- for 0-1 instances*                    *5 points*  
 *if 2 instances*                         *3 points*  
 *if more than 2 instances*             *0 points*

22. In the last 5 years, have any claims either in excess of \$250,000 or in excess of 10% of the original contract amount been made against your firm concerning your firm's work on a construction contract?

- Yes                    *(see points totals below)*  
 No                         *5 points*

If yes, on a separate page identify the amount of each claim, the name and telephone number of the claimant, the date of the claim, the grounds for the claim, the present status of the claim, the date of resolution of such claim if resolved, the method by which such was resolved if resolved, the nature of the resolution and the amount, if any, at which the claim was resolved.

- for 0-1 instances*                    *5 points*  
 *if 2 instances*                         *3 points*  
 *if more than 2 instances*             *0 points*

23. In the last 5 years, has your firm filed or made any claims either in excess of \$250,000 or in excess of 10% of the original contract amount against a project owner concerning work on a project or payment for a contract?

- Yes                    *(see points totals below)*  
 No                         *5 points*

If yes, on a separate page identify the amount of each claim, the name and telephone number of the claimant, the date of the claim, the grounds for the claim, the present status of the claim, the date of resolution of such claim if resolved, the method by which such was resolved if resolved, the nature of the resolution and the amount, if any, at which the claim was resolved.

- for 0-1 instances*                    *5 points*  
 *if 2 instances*                         *3 points*  
 *if more than 2 instances*             *0 points*

24. In the last 5 years has your firm filed a government claim/tort claim (pursuant to Government Code Sections 910 et seq.) or filed a complaint or initiated arbitration against an owner?

- Yes (see points totals below)  
 No 5 points

If yes, attach a separate page in the ‘Litigation Details’ attachment, identifying the amount of each claim, the name and telephone number of the owner, the date of the claim, the grounds for the claim, the present status of the claim, the date of resolution of such claim if resolved, the method by which such was resolved if resolved, the nature of the resolution and the amount, if any, at which the claim was resolved.

- for 0-1 instances 5 points  
 if 2 instances 3 points  
 if more than 2 instances 0 points

25. Has CAL OSHA cited and assessed penalties against your firm for any “serious,” “willful” or “repeat” violations of its safety or health regulations in the past five (5) years? If so, how many times?  
\_\_\_\_\_

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

- Yes (see points totals below)  
 No 5 points

- for 0-1 instances 5 points  
 if 2 instances 3 points  
 if more than 2 instances 0 points

26. Has the Federal Occupational Safety and Health Administration cited and assessed penalties against your firm in the past five (5) years? If so, how many times? \_\_\_\_\_

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

- Yes (see points totals below)  
 No 5 points

- for 0-1 instances 5 points  
 if 2 instances 3 points  
 if more than 2 instances 0 points

27. Has the EPA or any Air Quality Management District or any Regional Water Quality Control Board cited and assessed penalties against either your firm or the owner of a project on which your firm was the contractor, in the past five (5) years? If so, how many times? \_\_\_\_\_

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

- Yes (see points totals below)  
 No 5 points
- for 0-1 instances 5 points  
 if 2 instances 3 points  
 if more than 2 instances 0 points

If “yes,” attach a separate signed page describing each citation.

28. Has there been more than one occasion during the last five (5) years in which your firm was required to pay either back wages or penalties for your own firm’s failure to comply with the state’s prevailing wage laws? If so, how many times? \_\_\_\_\_

**NOTE: This question refers only to your own firm’s violation of prevailing wage laws, not to violations of the prevailing wage laws by a subcontractor.**

- Yes (see points totals below)  
 No 5 points
- for 0-1 instances 5 points  
 if 2 instances 3 points  
 if more than 2 instances 0 points

29. Does the General Contractor operate its own State-approved apprenticeship program? If “yes,” provide the following information on a separate page:

- Yes 5 points  
 No 0 points

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

30. At any time during the last five years, has the General Contractor or any of its Associates been found to have violated any provision of California apprenticeship laws or regulations, or the laws pertaining to use of apprentices on public works?

Yes *(see points totals below)*

No *5 points*

*for 0-1 instances* *5 points*

*if 2 instances* *3 points*

*if more than 2 instances* *0 points*

If “yes,” provide the date of the findings and attach a copy of the final decision.

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Date of Findings

**SECTION III. SCORING MATRIX: QUESTIONS A. 1 - 30**

<b>QUESTION NUMBER</b>	<b>MINIMUM POINTS</b>	<b>MAXIMUM POINTS</b>	<b>ACTUAL POINTS</b>
1	0	3	
2	2	5	
3	0	3	
4	0	3	
5	0	5	
6	0	5	
7	0	5	
8	0	5	
9	0	5	
10	0	5	
11	-5	5	
12	0	5	
13	-5	5	
14	3	5	
15	0	5	
16	0	5	
17	-5	5	
18	0	3	
19	0	5	
20	0	5	
21	0	5	
22	0	5	
23	0	5	
24	0	5	
25	0	5	
26	0	5	
27	0	5	
28	0	5	
29	0	5	
30	0	5	
<b>TOTAL MAXIMUM POINTS</b>		142	

**Note:** The General Contractor must score a minimum of 75% of the maximum points or at least 107 points. A score of less than 75% of the maximum point's or 106 or less points means that a DBE has failed this Section, does not qualify, and may not proceed further.

**B. Team Member Questions for the Architect or Engineer of Record**

**YOU MUST RESPOND TO EACH QUESTION**

**There are a maximum of 36 points available for this Section. To pass this General Qualification Section, The Architect or Engineer of Record must score a minimum of 50% of the maximum points or at least 18 points. A score of less than 50% of the maximum point's or 17 or less points means that the Architect or Engineer of Record has failed this Section, does not qualify, and may not proceed further.**

Name of Architect or Engineer of Record: \_\_\_\_\_

Name of Design Firm: \_\_\_\_\_

**Please answer the following questions as indicated:**

**General**

1. How many years has the Architect or Engineer of Record been licensed and practicing in California?

Years: \_\_\_\_\_ CA License: \_\_\_\_\_

- 3 years or less      2 points
- 4 years                3 points
- 5 years                4 points
- 6 or more years      5 points

**Financial ability to perform the work required**

2. Is the Architect or Record or the Design Firm currently the debtor in a bankruptcy case?

- Yes                    0 points
- No                     3 points

If “yes,” indicate the case number, bankruptcy court, and the date on which the petition was filed.

\_\_\_\_\_  
Case Number                                  Bankruptcy Court                                  Date Filed

3. Was the Architect or Engineer of Record or Design Firm in bankruptcy at any time during the last five years? (This question refers only to a bankruptcy action that was not described in answer to question B-2, above)

- Yes                    0 points
- No                     3 points

If “yes,” indicate the case number, bankruptcy court, and the date on which the petition was filed.

\_\_\_\_\_  
Case Number                                  Bankruptcy Court                                  Date Filed



**History of Performance**

4. In the last five years has the Architect or Engineer of Record or the Design Firm, been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason?

Yes            *0 points*  
 No              *5 points*

If “yes,” explain on a separate page. State the name of the organization debarred, the year of the event, the owner of the project, and the basis for the action.

5. Has the Architect of Record or the Design Firm ever been denied an award of a public works contract based on a finding by a public agency that they were not properly qualified?

Yes            *0 points*  
 No              *5 points*

If “yes,” on a separate page identify the year of the event, the entity denied the award, the owner, the project, and the basis for the finding by the public agency.

6. In the past five years has any claim in excess of \$25,000 been filed in court or arbitration against the Architect of Record or the Design Firm concerning its architectural and engineering work on a project for which they were found at fault?

Yes            *0 points*  
 No              *5 points*

If “yes,” on a separate page 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 and case number, and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution).

7. In the past five years has the Architect of Record or the Design Firm, made any claim in excess of \$25,000 against a project owner concerning its architectural and engineering work on a project and filed that claim in court or arbitration?

Yes            *0 points*  
 No              *5 points*

If “yes,” on separate page identify the claim by providing the project name, date of the claim, name of the entity (or entities) against whom the claim was filed, a brief description of the nature of the claim, the court and case number, and a brief description of the status of the claim (pending, or if resolved, a brief description of the resolution).

8. In the last five years has any insurance carrier, for any form of insurance, refused to renew an insurance policy for the Architect or Engineer of Record or the Design Firm, based on non-payment or losses?

Yes            *0 points*  
 No              *5 points*

If “yes,” on separate page give name the insurance carrier, the form of insurance and the year of the refusal.

**SECTION III. SCORING MATRIX: QUESTIONS B. 1 - 8**

<b>QUESTION NUMBER</b>	<b>MINIMUM POINTS</b>	<b>MAXIMUM POINTS</b>	<b>ACTUAL POINTS</b>
1	2	5	
2	0	3	
3	0	3	
4	0	5	
5	0	5	
6	0	5	
7	0	5	
8	0	5	
<b>TOTAL MAXIMUM POINTS</b>		36	

**Note:** The Architect/Engineer of Record must score a minimum of 50% of the maximum points or at least 18 points. A score of less than 50% of the maximum points or 17 or less points means that the Architect/Engineer of Record has failed this Section, does not qualify, and may not proceed further.

#### IV. CERTIFICATION

NOTE: Authorized person(s) with authority to execute this Certification shall sign this Certification on behalf of **each** of the entities that is a constituent member of the DBE that is the DBE seeking to be prequalified by the DISTRICT. Make additional copies of this certification page as needed to provide certification for each such person or legal entity.

I, the undersigned \_\_\_\_\_, certify and declare that I have read all the foregoing answers to this Prequalification Questionnaire; that all responses are correct and complete of my own knowledge and belief. I further declare under penalty of perjury under the laws of the State of California, that the foregoing is true and correct.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed name)

\_\_\_\_\_  
(Place of Execution)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Name of the entity that is a constituent member of the DBE, on whose behalf this Certificate is signed

**END PREQUALIFICATION QUESTIONNAIRE**