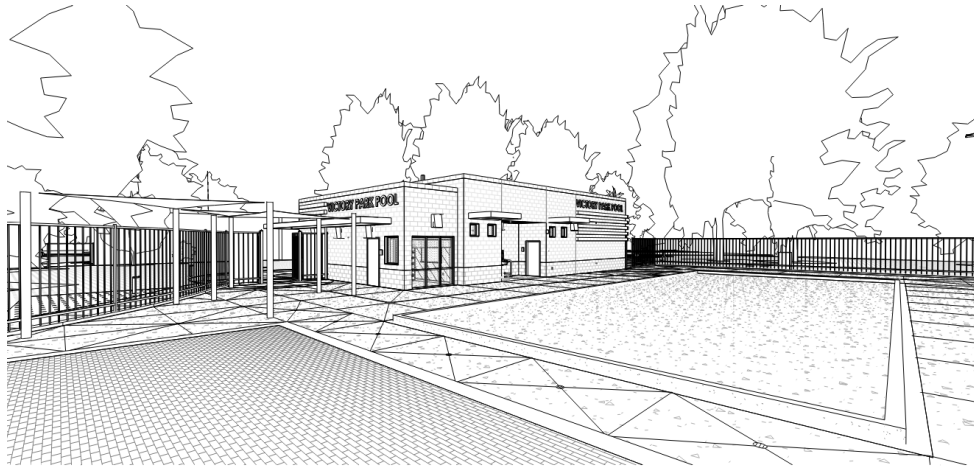




REQUEST FOR PRE-QUALIFICATION

PROPOSALS FOR THE

AQUATIC FACILITIES RENOVATIONS
– VICTORY PARK POOL
PROJECT NO. CR18020



Issued by: City of Stockton
Public Works Department
22 E. Weber Avenue, Room 301
Stockton, CA 95202

Date Issued: January 31, 2024
Date Proposals Due: February 28, 2024

**AQUATIC FACILITIES RENOVATIONS – VICTORY PARK POOL,
PROJECT NO. CR18020
PRE-QUALIFICATION OF GENERAL CONTRACTORS**

The City of Stockton seeks to pre-qualify General Contractors for the renovation and replacement of the Victory Park Pool, Project No. CR18020 (“Project”), and hereby invites sealed pre-qualification submittals from licensed Contractors.

Notice is hereby given that the City of Stockton has determined that General Contractor bidders on this Project must be pre-qualified prior to submitting a bid for construction. The pre-qualification evaluation is solely for the purpose of determining which General Building Contractors are deemed qualified to successfully construct the Project.

Only Contractors in possession of a valid Class B contractor license are allowed to bid on the Project.

It is **mandatory** that all Contractors who intend to submit a bid, fully complete the pre-qualification questionnaire, provide all requested materials, and be approved by the City of Stockton to be on the final qualified bidders list. No bid will be accepted from a Contractor that has failed to comply with these requirements. If two or more business entities submit a bid as part of 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.

FILING OF SUBMITTALS: No later than **3:00 pm on Wednesday, February 28, 2024**.

All submittals must be filed in a sealed package labeled:

“Aquatic Facilities Renovations – Victory Park Pool, Project No. CR18020”

**To: Ahbid Mohammad
City of Stockton
22 E. Weber Avenue, Room 301
Stockton, CA 95202**

The Pre-Qualification Package should be in a firmly sealed package which will clearly be marked on the outside with “CONFIDENTIAL” and the project name. Late Submittal will not be accepted. An electronic copy of the Submittal should be emailed to Ahbid Mohammad at Ahbid.Mohammad@stocktonca.gov.

It is the sole responsibility of the Contractor to ensure that the Pre-Qualification Package is received by the city before the stated deadline.

**AQUATIC FACILITIES RENOVATIONS – VICTORY PARK POOL,
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**AQUATIC FACILITIES RENOVATIONS – VICTORY PARK POOL,
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PROJECT DESCRIPTION

Victory Park Pool is located at 1201 N. Pershing Avenue in Stockton, California, Attachment A – Vicinity Map. The current pool was constructed in 1947 and has been closed since 2013. The pool and bathhouse/mechanical room do not meet current codes or standards. It has been determined that a complete replacement is preferred over repair of the existing facilities. This project will include the removal and replacement of the existing pool and bathhouse/mechanical rooms structures, installation of a new spray ground, construction of a parking lot and relocating the basketball court, Attachment B – Plans.

A 9-month construction period is planned to commence in October 2024 and be complete in June 2025.

Project includes but is not limited to demolition of existing swimming pool, restroom, mechanical room and basketball court; construction of new wood frame/CMU building to include restrooms, mechanical/chemical storage room and offices; Installation of a new electrical service transformer, main switch board and associated subpanels; installation of building mechanical, plumbing and telecommunication systems; construction of a swimming pool, concrete deck and spray ground; Installation of shade structures and ornamental fencing; construction of a new basketball court and chain-link fencing; site landscaping, concrete flatwork and asphalt concrete parking lot.

The engineer's estimate for this project is under \$6,500,000.

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PROJECT SCHEDULE (APPROXIMATION)

The current tentative **Project Schedule** is as follows:

Pre-Qualification of Contractors:	March 2024
Project Bidding:	May 2024
Award Project:	August 2024
Start Construction:	October 2024

PRE-QUALIFICATION SCHEDULE (APPROXIMATION)

Advertisement Inviting Pre-Qualification Package:	01/31/2024
Final Date for Request for Clarifications:	02/14/2024
Submissions Due:	2/28/2024 at 3:00 pm
Notice of Prequalified Bidder List:	03/15/2024
Last day to submit Notice to Appeal to City:	03/22/2024
Last day for appeals to be heard by City:	04/05/2024
City adopts approved bidder list:	July/August 2024

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GENERAL

The City is seeking qualified Class “B” General Contractors with construction experience of at least four (4) public sector projects demonstrating successful, comparable experience. Please see Part III Similar Project Experience (page 23) for a definition of “comparable experience.”

Each prospective Contractor must successfully complete the pre-qualification questionnaire, provide all requested materials in the required form, and be approved by the City of Stockton to be on the final qualified bidders list. The City will not accept submission of incomplete or late documentation. Incomplete documentation will result in the rejection of the prospective Contractor.

Answers to all questions contained in the attached questionnaire, information about current bonding capacity, references, notarized statement from surety, and the most recent reviewed or audited financial statements, with accompanying notes and supplemental information, are required. The City will use these documents to rate Contractors with respect to their qualifications to bid on the Project. The City reserves the right to check any other sources available to verify Contractor’s statements, prior performance, and veracity. The City’s decision will be based on objective evaluation criteria identified herein. Proposals will be reviewed and evaluated by a selected committee.

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

The Pre-Qualification Package and its use by the City shall not give rise to any liability on the part of the City to the Contractor or any third party or person. The Contractor accepts all risk and cost associated with the completion of the Pre-Qualification Package without financial guarantee.

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PRE-QUALIFICATION GUIDELINES

Each prospective Contractor must successfully complete the pre-qualification process outlined in this document. No other pre-qualification process completed for the City of Stockton or any other agency will meet these requirements.

Prospective Contractors must submit “Pre-Qualification Package” by completing the pre-qualification questionnaire. The City will not accept information or documents from other parties. Submission of incomplete and/or unclear pre-qualification questionnaire or other required materials will result in rejection of the prospective contractor.

Any questions or requests for information must be submitted in writing to:

Ahbid Mohammad
Associate Civil Engineer
City of Stockton Public Works Department
Email: Ahbid.Mohammad@stocktonca.gov

PREPARATION OF PRE-QUALIFICATION PACKAGE

The submittal information should be presented in a binder and separated by section dividers. Oversize drawings (larger than 11”x17”), if provided, should be folded and inserted into plastic carriers. **Three (3) hard copies and one (1) electronic copy in *.PDF** format of the Pre-Qualification Package on a USB drive shall be delivered to the City of Stockton. The completed Pre-Qualification Package should not exceed 60 pages. The City of Stockton reserves the right to waive minor irregularities and omissions in the information contained in the pre-qualification application submitted.

EVALUATION AND ANALYSIS

Pre-qualification of prospective contractors will be determined from the information submitted in each Pre-Qualification Package. The City reserves the right to verify from other available sources the information provided by the Contractor and to rely upon such information gathered during the verification process. The City’s decision will be based on objective evaluation criteria. Further consideration of a prospective contractor’s qualifications will be made only if the prospective contractor meets all of the following minimum requirements:

1. Submission of a properly completed and signed Declaration
2. Possession of the valid California Contractors “B” License in good standing
3. Meet bonding capacity requirements
4. Meet insurance requirements
5. Demonstration of General Contractor’s Similar Project Experience
6. No completion of work by surety in the last 5 years
7. Satisfactory History with the Department of Industrial Relations

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8. Meet financial requirements
9. Agreed to abide by the City's Community Workforce Training Agreement (CWTA)
10. Agreed to abide by the City's Local Employment Ordinance provisions
11. Agreed to abide by the City's Local Business Preference Ordinance

This project is subject to Prevailing Wage requirements per DIR requirements. Any contract that is subsequently bid and awarded must include prevailing wage labor.

The Pre-Qualification Package Evaluation Form that will be used to verify minimum qualifications is included. The City of Stockton will screen each responding prospective Contractor's statement for minimum qualifications and develop a list of Pre-Qualified Contractors.

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

The Pre-qualification Packages submitted by Contractors are not public records and are not open to public inspection. All financial and proprietary information provided by prospective contractors will be kept confidential to the extent permitted by law. However, by submitting the pre-qualification packet, the Contractor agrees that the contents of the submittal may be disclosed to third parties for the purpose of verification, investigation of substantial allegations, or in any appeal hearing. Also, the names of prospective contractors applying for pre-qualification status will be subject to disclosure.

APPEALS PROCEDURE

A Contractor who has submitted a completed Pre-Qualification Package, and who receives a rating of "not qualified" from the City may appeal that determination. There is no appeal from a finding that a Contractor is not prequalified because of a failure to submit required information. A Contractor may appeal the City's decision with respect to its request for pre-qualification, and request a hearing, by giving written notice of appeal to the City no later than Five (5) business days after City's issuance of the written notice of the Contractor's qualification status. Unless City receives the written notice of appeal within the time specified above, the Contractor waives any and all rights to challenge the qualification decision of the City, whether by administrative process, judicial process or any other legal process or proceeding.

If the Contractor gives the required notice of appeal and requests a hearing, the hearing shall be conducted so that it is concluded no later than ten (10) business days after the City's receipt of the Contractor's Notice of Appeal. The hearing so provided shall be an

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informal process conducted by a panel to whom the City Manager has delegated responsibility to hear such appeals (the “Appeals Panel”). At or prior to the hearing, the Contractor will be advised of the basis for the City’s pre-qualification determination. The Contractor will be given the opportunity to present information and present reasons in opposition to the pre-qualification determination. At the conclusion of the hearing, the Appeals Panel will render its decision, which will be final and binding. It is the intention of the City that the date for submission and opening of bids for the Project will not be delayed or postponed to allow for completion of an appeal process.

STATEMENT OF UNDERSTANDING

The undersigned certifies that the statements and information contained in this submittal are complete and accurate and that the submittal contains no false or deliberately misleading information. The undersigned hereby agrees and declares that receipt of this submittal by the City of Stockton does not constitute either a direct or implied guarantee to the Contractor that pre-qualification is or will be granted and also agrees to the procedures and conditions of the pre-qualification requirements described in the Pre-Qualification Document.

- (1) Legal Name of Applicant (Contractor) _____

- (2) Address of Applicant (Contractor) _____

- (3) Phone Number _____ Fax _____
Email _____
- (4) Applicant is a () LLC () Corporation () Partnership () Sole Proprietorship () Joint Venture, such entity registered in the State of California
- (5) If Contractor is a Corporation, name the State of Incorporation _____
- (6) Total number of years the Contractor has been contracting _____
- (7) Total number of years the Contractor has been in construction _____

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(8) Banking institution authorized to provide corroboration of applicant's financial stability:

Name: _____

Address: _____

Contact: _____ Telephone _____

(9) Is the Contractor signatory to any union (Yes or No). If yes, please provide affiliate information: _____

(10) Execution:

The undersigned is a legally authorized representative of the Contractor. The legal name of the Contractor is _____

State of California

Contractor's License Number: _____ Type: _____

Expiration: _____

_____, being first duly sworn, says that all statements and information contained in this Submittal are complete and accurate and that this Submittal contains no false or deliberately misleading information.

Contractor

Printed Name

Signature

Title

Subscribed and sworn to before me this _____ day of _____, 20_____

Notary Public in and for the State of _____

Residing at _____

Expiration Date: _____

END OF FORM

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PART I: ESSENTIAL REQUIREMENTS FOR QUALIFICATION

IMPORTANT NOTE:

Contractor may be immediately disqualified if the answer to any of questions 1 through 6 is “no.”

Contractor will be immediately disqualified if the answer to any of questions 7 through 10 is “yes.” If the answer to question 9 is “yes,” and if debarment would be the sole reason for denial of pre-qualification, any pre-qualification issued will exclude the debarment period.

1. Contractor possesses a valid and current California Class “B” General Contractor’s License in good standing for this project for which it intends to submit a bid.
 Yes No
2. Contractor has (or can provide proof that they can obtain within ten (10) business days prior to award) an insurance policy(ies) consistent with Attachment C “Insurance Requirement”.
 Yes No
3. Contractor has current workers’ compensation insurance policy as required by the Labor Code or is legally self-insured pursuant to Labor Code section 3700 et. seq.
 Yes No
4. Have you attached your latest copy of a reviewed or audited financial statement with accompanying notes and supplemental information?
 Yes No

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

5. Have you attached a notarized statement from an admitted surety insurer (approved by the California Department of Insurance and authorized to issue bonds in the State of California), which states that your current bonding capacity is at least \$10,000,000 for a single project. ¹
 Yes No

¹ An additional notarized statement from the surety may be requested by the City of Stockton at the time of submission of a bid, if this pre-qualification package is submitted more than 60 days prior to submission of the bid.

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NOTE: Notarized statement must be from Surety Company, not an agent or broker.

6. Contractor has completed at least four (4) comparable public works projects in the last ten (10) years? See Part III: Similar Project Experience Questionnaire for criteria.
 Yes No

7. Has your contractor's license been revoked at any time in the last five (5) years?
 Yes No

If yes, please explain why: _____

8. Has a surety firm completed, or is in the process of completing, a contract on your behalf, or has paid for completion because your firm was default terminated by the project owner within the last five (5) years?
 Yes No

9. At the time of submitting this pre-qualification form, is your firm ineligible to bid on or be awarded any local, state, or federal public works contracts, or perform as a subcontractor on any such public works contract, pursuant to either Labor Code section 1777.1 or Labor Code section 1777.7 or any other local, state or federal law or regulation?
 Yes No

If the answer is "Yes," state the beginning and ending dates of the period of debarment:

Starting _____ Ending _____

10. At any time during the last five (5) years, has your firm or any of its owners or officers been convicted of a crime involving the awarding of a contract of a government construction project, or the bidding or performance of a government contract?
 Yes No

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

Section A. Current Organization and Structure of the Business

For Firms That Are Limited Liability Companies (LLC):

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

Name	Position	Years with Firm	% Ownership

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

NOTE: For this question, “owner” and “partner” refer to ownership of ten percent (10%) or more of the business, or ten percent (10%) or more of its stock, if the business is a corporation.

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

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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 (10%) of the corporation's stock.

Name	Position	Years with Co.	% Ownership	Social Security #

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

NOTE: For this question, "owner" and "partner" refer to ownership of ten percent (10%) or more of the business, or ten percent (10%) or more of its stock, if the business is a corporation.

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

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For Firms That Are Partnerships:

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

Name	Position	Years with Co.	% Ownership	Social Security #

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

NOTE: For this question, “owner” and “partner” refer to ownership of ten percent (10%) or more of the business, or ten percent (10%) or more of its stock, if the business is a corporation.

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

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For Firms That Are Sole Proprietorships:

- 1a. Date of commencement of business: _____
- 1b. Social security number of company owner: _____
- 1c. Identify every construction firm that the business owner has been associated with (as owner, general partner, limited partner, or officer) at any time during the last five (5) years.

NOTE: For this question, “owner” and “partner” refer to ownership of ten percent (10%) or more of the business, or ten percent (10%) or more of its stock if the business is a corporation.

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

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

- 1a. Date of commencement of joint venture: _____
- 1b. Provide all of the following information for each firm that is a member of the joint venture that expects to bid on one (1) or more projects:

Name of firm	% Ownership of Joint Venture

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Section B. History of the Business and Performance

2. Has there been any change in ownership of the firm at any time during the last five (5) years?

NOTE: A corporation whose shares are publicly traded is not required to answer this question.

Yes No

If "yes," explain on a separate signed page.

3. Is the firm a subsidiary, parent, holding company, or affiliate of another construction firm?

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

Yes No

If "yes," explain on a separate signed page.

4. Are any corporate officers, partners or owners connected to any other construction firms?

NOTE: Include descriptive and background information about other firms if an owner, partner, or officer of your firm holds a similar position in another firm.

Yes No

If "yes," explain on a separate signed page.

5. State your firm's gross revenue for the three (3) years listed below:

2020	2021	2022
_____	_____	_____

Three-year average gross revenue: _____

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

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

Yes No

If "yes," please attach a copy of the bankruptcy petition, showing the case number and the date on which, the petition was filed.

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

Yes No

If "yes," please attach a copy of the bankruptcy petition, showing the case number and

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the date on which, the petition was filed, and a copy of the Bankruptcy Court's discharge order, or any other document that ended the case, if no discharge order was issued.

Licenses

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

10. If any of your firm's license(s) are held in the name of a corporation or partnership, list below the names of the qualifying individual(s) listed on the California Contractors State License Board (CSLB) records who meet(s) the experience and examination requirements for each license.

11. Has your firm changed names or license number in the past five (5) years?

Yes No

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

12. Has any owner, partner, or (for corporations) officer of your firm operated a construction firm under any other name in the last five (5) years?

Yes No

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

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

Yes No

If "yes," please explain on a separate signed sheet.

Disputes

14. 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?

Yes No

If yes, explain on a separate signed page, identifying all such projects by owner,

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owner's address, the date of completion of the project, amount of liquidated damages assessed and all other information necessary to fully explain the assessment of liquidated damages.

15. In the last five (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?

NOTE: "Associated with" refers to another construction firm in which an owner, partner or officer of your firm held a similar position, and which is listed in response to question 1c or 1d on this form.

Yes No

If "yes," explain on a separate signed page. State whether the firm involved was the firm applying for pre-qualification here or another firm. Identify by name of the company, the name of the person within your firm who was associated with that company, the year of the event, the owner of the project, the project and the basis for the action.

16. In the last five (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 No

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

** ** *

NOTE: The following two (2) questions refer only to disputes between your firm and the owner of a project. You need not include information about disputes between your firm and a supplier, another contractor, or subcontractor. You need not include information about "pass-through" disputes in which the actual dispute is between a sub-contractor and a project owner. Also, you may omit reference to all disputes about amounts of less than \$50,000.

17. In the past five (5) years has any claim **against** your firm concerning your firm's work on a construction project been **filed in court or arbitration**?

Yes No

If "yes," on separate signed sheets of paper identify the claim(s) by providing the project name, date of the claim, name of the claimant, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution).

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18. In the past five (5) years has your firm made any claim against a project owner concerning work on a project or payment for a contract and **filed in court or arbitration?**

Yes No

If “yes,” on separate signed sheets of paper identify the claim by providing the project name, date of the claim, name of the claimant, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution).

** ** *

19. At any time during the past five (5) years, has any surety company made any payments on your firm’s behalf as a result of a default, to satisfy any claims made against a performance or payment bond issued on your firm’s behalf, in connection with a construction project, either public or private?

Yes No

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

20. In the last five (5) years has any insurance carrier, for any form of insurance, refused to renew the insurance policy for your firm?

Yes No

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

Criminal Matters and Related Civil Suits

21. Has your firm or any of its owners, officers or partners ever been found liable in a civil suit or found guilty in a criminal action for making any false claim or material misrepresentation to any public agency or entity?

Yes No

If “yes,” explain on a separate signed page, including identifying who was involved, the name of the public agency, the date of the investigation and the grounds for the finding.

22. Has your firm or any of its owners, officers or partners ever been convicted of a crime involving any federal, state, or local law related to construction?

Yes No

If “yes,” explain on a separate signed page, including identifying who was involved, the name of the public agency, the date of the conviction and the grounds for the conviction.

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23. Has your firm or any of its owners, officers or partners ever been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty?

Yes No

If "yes," identify on a separate signed page the person or persons convicted, the court (the county if a state court, the district or location of the federal court), the year and the criminal conduct.

Bonding

24. Bonding capacity: _____

Provide documentation from your surety identifying the following:

Name of bonding company/surety: _____

Name of surety agent, address and telephone number:

25. If your firm was required to pay a premium of more than one percent (1%) for a performance and payment bond on any project(s) on which your firm worked at any time during the last five (5) years, state the percentage that your firm was required to pay. You may provide an explanation for a percentage rate higher than one percent (1%), if you wish to do so.

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

27. 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 No

If yes, provide details on a separate signed sheet indicating the date when your firm was denied coverage and the name of the company or companies which denied coverage; and the period during which you had no surety bond in place.

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Section C. Compliance with Occupational Safety and Health Laws, and Workers' Compensation and Other Labor Legislation Safety

28. Has CAL OSHA cited and assessed penalties against your firm for any "serious," "willful" or "repeat" violations of its safety or health regulations in the past ten (10) years?

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

Yes No

If "yes," attach a separate signed page describing the citations, including information about the dates of the citations, the nature of the violation, the project on which the citation(s) was or were issued, the amount of penalty paid, if any. If the citation was appealed to the Occupational Safety and Health Appeals Board and a decision has been issued, state the case number and the date of the decision.

29. Has the Federal Occupational Safety and Health Administration cited and assessed penalties against your firm in the past five (5) years?

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

Yes No

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

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

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

Yes No

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

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

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

NOTE: An Experience Modification Rate is issued to your firm annually by your workers' compensation insurance carrier.

Current year: _____

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Previous year: _____

Year prior to previous year: _____

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

33. Within the last five (5) years has there ever been a period when your firm had employees but was without workers' compensation insurance or state-approved self-insurance?

Yes No

If "yes," please explain the reason for the absence of workers' compensation insurance on a separate signed page. If "No," please provide a statement by your current workers' compensation insurance carrier that verifies periods of workers' compensation insurance coverage for the last five years. (If your firm has been in the construction business for less than five years, provide a statement by your workers' compensation insurance carrier verifying continuous workers' compensation insurance coverage for the period that your firm has been in the construction business.)

Prevailing Wage and Apprenticeship Compliance Record

34. Has there been any 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?

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

Yes No

If "yes", attach a separate signed page or pages, describing the nature of each violation, identifying the name of the project, the date of its completion, the public agency for which it was constructed; the number of employees who were initially underpaid and the amount of back wages and penalties that you were required to pay.

35. During the last five (5) years, has there been any occasion in which your own firm has been penalized or required to pay back wages for failure to comply with the **Federal** Davis-Bacon prevailing wage requirements?

Yes No

If "yes," attach a separate signed page or pages describing the nature of the violation, identifying the name of the project, the date of its completion, the public agency for which it was constructed; the number of employees who were initially underpaid, the amount of back wages you were required to pay along with the amount of any penalty paid.

**AQUATIC FACILITIES RENOVATIONS - VICTORY PARK POOL,
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36. At any time during the last five (5) years, has your firm been found to have violated any provision of California apprenticeship laws or regulations, or the laws pertaining to use of apprentices on public works?

Yes No

If "yes," Number of violations: _____

Provide the dates(s) of such findings and attach copies of the Department's final decision(s).

PART III SIMILAR PROJECT EXPERIENCE QUESTIONNAIRE

Part III is a verification of the answer provided in Part I Essential Requirements, Question 6. Contractor shall provide information about its four (4) most recent comparable public sector projects, all of which must have been successfully completed within the last ten (10) years. All four projects must meet the minimum criteria:

- a. Minimum project value of \$7,000,000
- b. Projects must be similar in size or complexity to any combination of the following project types:
Public Works: City offices, Recreation Facility, Aquatic Facility, Senior Center, Park Facilities, Police Facility, Library, High School or Higher Education facility.
- c. Site Improvements including wet and dry utilities, site landscape, parking, and site concrete.
- d. At least one of the projects must include construction of a new a building.
- e. All of the projects must include mechanical and electrical improvements of moderate to advanced complexity.
- f. At least two of the projects must be conventional design-bid-build project delivery for a public agency.

This part includes a series of interview questions shown in "**A LIST OF THE SCORABLE QUESTIONS AND THE SCORING INSTRUCTIONS**" section that will be used to interview randomly selected contacts from at least two completed reference projects. City of Stockton will conduct the interviews. No action on the contractor's part is necessary.

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General Contractor Experience Requirements: Reference 1

Project Name: _____

Location: _____

Owner: _____

Owner Representative, address, email and phone number: _____

Architect or Engineer, address, email and phone number: _____

Description of Project, Scope of Work Performed: _____

Percentage of Base Contract subcontracted: _____

Total Value of Construction breakdown with initial contract award/final contract
sum: _____

Recreational facilities and structures (Yes / No): _____

Original Scheduled Completion Date: _____

Initial Contract time in days: _____ Time Extensions granted in Days: _____

Days Liquidated damages assessed: _____

Actual Date of Completion: _____

Union Labor % _____

Includes new building in the project (Yes / No): _____

Design-Bid-Build project delivery for a public Agency (Yes / No): _____

**AQUATIC FACILITIES RENOVATIONS - VICTORY PARK POOL,
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General Contractor Experience Requirements: Reference 2

Project Name: _____

Location: _____

Owner: _____

Owner Representative, address, email and phone number: _____

Architect or Engineer, address, email and phone number: _____

Description of Project, Scope of Work Performed: _____

Percentage of Base Contract subcontracted: _____

Total Value of Construction breakdown with initial contract award/final contract
sum: _____

Recreational facilities and structures (Yes / No): _____

Original Scheduled Completion Date: _____

Initial Contract time in days: _____ Time Extensions granted in Days: _____

Days Liquidated damages assessed: _____

Actual Date of Completion: _____

Union Labor % _____

Includes new building in the project (Yes / No): _____

Design-Bid-Build project delivery for a public Agency (Yes / No): _____

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General Contractor Experience Requirements: Reference 3

Project Name: _____

Location: _____

Owner: _____

Owner Representative, address, email and phone number: _____

Architect or Engineer, address, email and phone number: _____

Description of Project, Scope of Work Performed: _____

Percentage of Base Contract subcontracted: _____

Total Value of Construction breakdown with initial contract award/final contract
sum: _____

Recreational facilities and structures (Yes / No): _____

Original Scheduled Completion Date: _____

Initial Contract time in days: _____ Time Extensions granted in Days: _____

Days Liquidated damages assessed: _____

Actual Date of Completion: _____

Union Labor % _____

Includes new building in the project (Yes / No): _____

Design-Bid-Build project delivery for a public Agency (Yes / No): _____

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General Contractor Experience Requirements: Reference 4

Project Name: _____

Location: _____

Owner: _____

Owner Representative, address, email and phone number: _____

Architect or Engineer, address, email and phone number: _____

Description of Project, Scope of Work Performed: _____

Percentage of Base Contract subcontracted: _____

Total Value of Construction breakdown with initial contract award/final contract

sum: _____

Recreational facilities and structures (Yes / No): _____

Original Scheduled Completion Date: _____

Initial Contract time in days: _____ Time Extensions granted in Days: _____

Days Liquidated damages assessed: _____

Actual Date of Completion: _____

Union Labor % _____

Includes new building in the project (Yes / No): _____

Design-Bid-Build project delivery for a public Agency (Yes / No): _____

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A LIST OF THE SCORABLE QUESTIONS AND THE SCORING INSTRUCTIONS

The scorable questions arise in three different areas:

Part II – Section B History of the business and organizational performance;

Part II – Section C Compliance with occupational safety and health laws, workers' compensation and other labor legislation;

Note: These sections include questions that are “scorable” from the Part II Questionnaire.

Part III – Similar Project Experience Questionnaire– Reference Questions

The Scores Needed for Pre-Qualification

To pre-qualify, a contractor is required to qualify under Part I, then have a passing score as specified below:

- Part II - Section B, “History of the Business and Organizational Performance,”
The prospective contractor is required to meet a passing score of 54 on this portion of the questionnaire (of a maximum score of 76 on this portion of the questionnaire).
- Part II - Section C, “Compliance With Occupational Safety and Health Laws, Workers’ Compensation and Other Labor Legislation”
The prospective contractor is required to meet a passing score of 31 on this portion of the questionnaire (of a maximum score of 43 points on this portion of the questionnaire).
- Part III – Similar Project Experience Questionnaire – Reference Questions
The highest possible score is 120 Points. An average score less than 72 points for two (2) projects disqualifies a contractor from bidding on the subject project. An average score of between 73 and 83 indicates *the* City should conduct an interview of another contact, that is, a manager of another completed project. An average score of 84 or higher is required for pre- qualification. City of Stockton will conduct the interviews. No action on the contractor’s part is necessary.

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Part II - Section B - Questions about History of the Business and Organizational Performance

(16 questions)

1. How many years has your organization been in business in California as a contractor under your present business name and license number? _____ Years
3 years = 2 points
4 years = 3 points
5 years = 4 points
6 years or more = 5 points

2. Is your firm currently the debtor in a bankruptcy case?
 Yes No
“No” = 3 points “Yes” = 0 points

3. Was your firm in bankruptcy any time during the last five years? (This question refers only to a bankruptcy action that was not described in answer to question 2 above)
 Yes No
“No” = 3 points “Yes” = 0 points

4. 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 No
“No” = 5 points “Yes” = 0 points

5. 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?
 Yes No Instance(s) _____
No projects with liquidated damages of more than \$50,000, or one (1) project with liquidated damages = 5 points
Two (2) projects with liquidated damages of more than \$50,000 = 3 points Any other answer: 0 points

6. 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?

NOTE: “Associated with” refers to another construction firm in which an owner, partner or officer of your firm held a similar position, and which is listed in response to question 1c or 1d on this form.

Yes No

“No” = 5 points “Yes” = 0 points

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7. 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 No

“No” = 5 points “Yes” = 0 points

* * * * *

NOTE: Questions 8 and 9 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.

8. In the past five (5) years has any claim **against** your firm concerning your firm’s work on a construction project been **filed in court or arbitration?**

Yes No Instance(s) _____

If the firm’s average gross revenue for the last three (3) years was less than \$10 million, scoring is as follows:

***5 points for either “No” or “Yes” indicating 1 such instance
3 points for “Yes” indicating 2 such instances
0 points for “Yes” if more than 2 such instances***

If your firm’s average gross revenue for the last three years was more than \$10 million, scoring is as follows:

***5 points for either “No” or “Yes” indicating 1, 2, or 3 such instances
3 points for “Yes” indicating either 4 or 5 such instances***

0 points for “Yes” if more than 5 such instances

9. In the past five (5) years has your firm made any claim against a project owner concerning work on a project or payment for a contract and **filed that claim in court or arbitration?**

Yes No Instance(s) _____

If your firm’s average gross revenue for the last three (3) years was less than \$10 million scoring is as follows:

***5 points for either “No” or “Yes” indicating 1 such instance
3 points for “Yes” indicating 2 such instances
0 points for “Yes” if more than 2 such instances***

If your firm’s average gross revenue for the last three years was more than

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\$10 million scoring is as follows:

5 points for either “No” or “Yes” indicating 1, 2, or 3 such instances 3 points for “Yes” indicating either 4 or 5 such instances

0 points for “Yes” if more than 5 such instances

* * * * *

10. At any time during the past five (5) years, has any surety company made any payments on your firm’s behalf as a result of a default, to satisfy any claims made against a performance or payment bond issued on your firm’s behalf, in connection with a construction project, either public or private?

Yes No Instance(s) _____

5 points for either “No” or “Yes” indicating 1 such claim 3 points for “Yes” indicating no more than 2 such claims

Subtract 5 points for “Yes” if more than 2 such claims

11. In the last five (5) years has any insurance carrier, for any form of insurance, refused to renew the insurance policy for your firm?

Yes No Instance(s) _____

***5 points for either “No” or “Yes” indicating 1 such instance 3 points for “Yes” indicating 2 such instances
0 points for “Yes” or if more than 2 such instances***

12. Has your firm or any of its owners, officers or partners ever been found liable in a civil suit or found guilty in a criminal action for making any false claim or material misrepresentation to any public agency or entity?

Yes No

“No” = 5 points “Yes” = subtract 5 points

13. Has your firm or any of its owners, officers or partners ever been convicted of a crime involving any federal, state, or local law related to construction?

Yes No

“No” = 5 points “Yes” = subtract 5 points

14. Has your firm or any of its owners, officers or partners ever been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty?

Yes No

“No” = 5 points “Yes” = subtract 5 points

15. If your firm was required to pay a premium of more than one per cent for a performance and payment bond on any project(s) on which your firm worked at any time during the last five (5) 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,

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if you wish to do so.

_____ %

5 points if the rate is no more than one percent

3 points if the rate was no higher than 1.10 percent

0 points for any other answer

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 No

“No” = 5 points “Yes” = 0 points

Part II - Section C - Questions about Compliance with Occupational Safety and Health Laws, Workers’ Compensation and Other Labor Legislation

(9 questions)

17. 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 ten (10) years?

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

Yes No Instance(s) _____

If the firm’s average gross revenue for the last three years was less than \$10 million, scoring is as follows:

5 points for either “No” or “Yes” indicating 1 such

instance 3 points for “Yes” indicating 2 such instances

0 points for “Yes” if more than 2 such instances

If the firm’s average gross revenue for the last three years was more than \$10 million, scoring is as follows:

5 points for either “No” or “Yes” indicating 1, 2, or 3 such

instances 3 points for “Yes” indicating either 4 or 5 such instances

0 points for “Yes” if more than 5 such instances

18. Has the Federal Occupational Safety and Health Administration cited and assessed penalties against your firm in the past five (5) years?

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

Yes No Instance(s) _____

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If the firm's average gross revenue for the last three years was less than \$10 million, scoring is as follows:

***5 points for either "No" or "Yes" indicating 1 such instance
3 points for "Yes" indicating 2 such instances
0 points for "Yes" or if more than 2 such instances***

If the firm's average gross revenue for the last three years was more than \$10 million, scoring is as follows:

***5 points for either "No" or "Yes" indicating 1, 2, or 3 such instances
3 points for "Yes" indicating either 4 or 5 such instances***

0 points for "Yes" if more than 5 such instances

19. 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?

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

Yes No Instance(s) _____

If the firm's average gross revenue for the last three years was less than \$10 million, scoring is as follows:

***5 points for either "No" or "Yes" indicating 1 such instance
3 points for "Yes" indicating 2 such instances
0 points for "Yes" or if more than 2 such instances***

If the firm's average gross revenue for the last three years was more than \$10 million, scoring is as follows:

***5 points for either "No" or "Yes" indicating 1, 2, or 3 such instances
3 points for "Yes" indicating either 4 or 5 such instances***

0 points for "Yes" if more than 5 such instances

20. 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 an answer of once each week or more often
0 points for any other answer***

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

NOTE: An Experience Modification Rate is issued to your firm annually by your workers' compensation insurance carrier.

Current year: _____

Previous year: _____

Year prior to previous year: _____

NOTE: An Experience Modification Rate is issued to your firm annually by your workers' compensation insurance carrier.

5 points for three-year average EMR of .95 or less

3 points for three-year average of EMR of more than .95 but no more than 1.00

0 points for any other EMR

22. 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?

Yes No

5 points for either "No" or "Yes" indicating 1 such instance 0 points for any other answer

23. 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?

Yes No Instance(s) _____

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.

If your firm's average gross revenue for the last three years was less than \$10 million, scoring is as follows:

5 points for either "No," or "Yes" indicating either 1 or 2 such

instance 3 points for "Yes" indicating 3 such instances

0 points for "Yes" and more than 3 such instances

If your firm's average gross revenue for the last three years was more than \$10 million, scoring is as follows:

5 points for either "No" or "Yes" indicating no more than 4 such

instances 3 points for "Yes" indicating either 5 or 6 such instances

0 points for "Yes" and more than 6 such instances

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24. During the last five (5) years, has there been any occasion in which your own firm has been penalized or required to pay back wages for failure to comply with the **Federal Davis- Bacon** prevailing wage requirements?

Yes No Instance(s) _____

If your firm's average gross revenue for the last three years was less than \$10 million, scoring is as follows:

5 points for either "No," or "Yes" indicating either 1 or 2 such

instance 3 points for "Yes" indicating 3 such instances

0 points for "Yes" and more than 3 such instances

If your firm's average gross revenue for the last three years was more than \$10 million, scoring is as follows:

5 points for either "No" or "Yes" indicating no more than 4 such

instances 3 points for "Yes" indicating either 5 or 6 such instances

0 points for "Yes" and more than 6 such instances

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

Yes No Instance(s) _____

If your firm's average gross revenue for the last three years was less than \$10 million, scoring is as follows:

5 points for either "No," or "Yes" indicating either 1 or 2 such

instance 3 points for "Yes" indicating 3 such instances

0 points for "Yes" and more than 3 such instances

If your firm's average gross revenue for the last three years was more than \$10 million, scoring is as follows:

5 points for either "No" or "Yes" indicating no more than 4 such

instances 3 points for "Yes" indicating either 5 or 6 such instances

0 points for "Yes" and more than 6 such instances

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Part III - Similar Project Experience Questionnaire – Reference Questions

These questions are included for information only. The highest possible score is 120 points. An average score of less than 72 points for any two (2) projects disqualifies a contractor from bidding on the subject project. For an average score between 73 and 83, the City will conduct an interview of another reference to obtain a revised average score. If the revised average score is less than 84, the contractor will automatically be disqualified. An average score of 84 or higher is required for pre-qualification. The City of Stockton will conduct the interviews. No action on the contractor's part is necessary.

1. Please give a brief description of the project.
2. Are there any outstanding stop notices, liens, or claims by the contractor that are currently unresolved on contracts for which notices of completion were recorded more than 120 days ago? (1 point for each is deducted from overall score; maximum amount to be deducted is 5 points)
3. On a scale of 1-10, with 10 being the best, did the contractor provide adequate personnel? (Max. 10 points)
4. On a scale of 1-10, with 10 being the best, did the contractor provide adequate supervision? (Max. 10 points)
5. On a scale of 1-10, with 10 being the best, was there adequate equipment provided on the job? (Max. 10 points)
6. On a scale of 1-10, with 10 being the best, was the contractor timely in providing reports and other paperwork, including change order paperwork and scheduling updates? (Max. 10 points)
7. On a scale of 1-10, with 10 being the best, did the contractor adhere to the project schedule that your [agency] [business] approved? (Max. 10 points)
8. Was the project completed on time? (10 points if the answer is "Yes"). Or, if the answer is "no," on a scale of 1-10, with 10 being the best, to what extent was the contractor responsible for the delay in completion?
9. On a scale of 1-10, with 10 being the best, rate the contractor on the timely submission of reasonable cost and time estimates to perform change order work. (Max. 10 points)
10. On a scale of 1-10, with 10 being the best, rate the contractor on how well the contractor performed the work after a change order was issued, and how well the contractor integrated the change order work into the existing work. (Max. 10 points).
11. On a scale of 1-10, with 10 being the best, rate how has the contractor been

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performing in the area of turning in Operation & Maintenance manuals, completing as-built drawings, providing required training and taking care of warranty items?
(Max. 10 points)

12. On a scale of 1-10, with 10 being the best, rate the contractor on whether there were an unusually high number of claims, given the nature of the project, or unusual difficulty in resolving them. (Max. 10 points)

13. On a scale of 1-10, with 10 being the highest, rate the contractor with respect to timely payments by the contractor to either subcontractors or suppliers. (If the person being interviewed knows of no such difficulties, the score on this question should be “10.”)

14. On a scale of 1-10, with 10 being the best, how would you rate the quality of the work overall? (Max. 10 points)

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PART IV CERTIFICATION

Questionnaires 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.

Questionnaires 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 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 City of Stockton 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 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: _____