

REQUEST FOR PREQUALIFICATION

BUTTE REGIONAL TRANSIT OPERATIONS CENTER CONSTRUCTION



BUTTE COUNTY ASSOCIATION OF GOVERNMENTS

2580 Sierra Sunrise Terrace, Suite 100, Chico, California 95928

TABLE OF CONTENTS

	PAGE
REQUEST FOR PREQUALIFICATION OF B LICENSED CONTRACTORS	
PROJECT INFORMATION AND INSTRUCTION	2
-I. NOTICE OF PREQUALIFICATION	2
-II. PROJECT OVERVIEW	2
-III. PREQUALIFICATION PROCESS	3
-IV. PREQUALIFICATION EVALUATION	5
-V. PREQUALIFICATION APPEAL PROCESS	5
PREQUALIFICATION QUESTIONNAIRE	6
- I COMPANY CONTACT INFORMATION, DECLARATION AND AFFIDAVIT	7
-II. ESSENTIAL REQUIREMENTS FOR PREQUALIFICATION	8
-III. ORGANIZATION HISTORY, ORGANIZATIONAL PERFORMANCE, COMPLIANCE WITH CIVIL AND CRIMINAL LAWS	10
-IV. ORGANIZATIONS EXPERIENCE AND RECENT CONSTRUCTION PROJECTS COMPLETED	20
-V. FINANCIAL STABILITY	24
-VI. REQUIRED ATTACHMENTS	25

PROJECT INFORMATION AND RFP INSTRUCTIONS

I. NOTICE OF PREQUALIFICATION

The Butte County Association of Governments, (“BCAG”), seeks to prequalify a pool of qualified General Contractors (“Contractors”) from which to solicit bids for the construction of a new regional transit center referred to as Butte Regional Transit Operations Center Construction (“Project”). BCAG has determined that all general contractor bidding the Project must be pre-qualified prior to submitting a bid on the project. BCAG will determine which Contractors are eligible to bid on the Project through the pre-qualification (RFP) process. It is mandatory that all Contractors interested in bidding this Project fully and properly complete the prequalification questionnaire and provide all materials requested. If the prequalification questionnaire is not completed properly, or if all requested materials are not provided, the firm will be disqualified.

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.

In responding to this RFQ, all Proposers are required to adhere to all of BCAG requirements provided herein. All proposers must hold a valid type B general contractor license from the State of California.

II. PROJECT OVERVIEW

The Project is located adjacent to the existing Transit Center, at 326 Huss Drive Chico, California, 94928. The Butte Regional Transit Operations Center will provide administrative, operations, and maintenance facilities that will allow efficient operations for BCAG and the B-Line and accommodate future growth.

The Butte County Association of Governments, or “BCAG”, is an association of all the local governments within Butte County. BCAG is responsible for development of federal, state and local transportation projects and programs that secure transportation funding for the region’s highways, transit, streets and roads, pedestrian and other transportation system improvements. BCAG is also the administrative and policymaking agency for the region’s public transit service. The project will consolidate operations at the Huss Lane site, which will be expanded from approximately 2 to 9 acres including an expanded bus yard which includes separate fueling and bus wash buildings. The existing facility will remain operational during construction. Once occupancy has been achieved for the new Admin/Operations building, the existing building and site will be remodeled, all within the required contract duration.

The project will serve a variety of uses including public functions, and seeks to be an exemplary public facility that will serve the community for many years to come. It will be a model steward of the site by integrating environmental planning principles as well as implementing numerous sustainable strategies with the requirement to achieve a minimum LEED Silver certification from the USGBC.

The project buildings include cast-in-place concrete, steel and metal wall panel construction. The use of natural light has been achieved throughout with large clerestory windows. The project includes over 300 pieces of maintenance equipment, as well as fueling systems, standby emergency generator system, and energy efficient mechanical, electrical and plumbing systems and extensive landscaping of the grounds.

Selected prequalified Contractors will be eligible to submit a bid as early as June 2014. Construction is expected to commence by early October, 2014 and substantial completion of the Project must occur by June 30, 2016. The engineer’s estimate of probable construction costs of this project is \$22,000,000 and the estimated construction duration is 22 months. These dates and durations are subject to change.

A separate Butte Regional Transit Operations Center (BRTOC) Off-site contract which consists of improvements to Aztec Drive, storm drain and outfalls to the Comanche creek, and street improvements immediately adjacent to

the site. Construction is expected to start in June or July 2014. This off-site project will be bid under a separate contract and it is expected there will be a period of overlap of the two separate projects when both contractor's will be required to coordinate as multi-prime contractors on the same site. Reference the plans/powerpoint at the BCAG website for more information.

III. PREQUALIFICATION PROCESS

A. Prequalification Submittal Overview:

Each prospective Contractor must answer all of the questions on the attached prequalification questionnaire and provide all requested information and/or documents. Answers to questions contained in the attached questionnaire, information about current bonding capacity, notarized statement from surety, and the most recent reviewed or audited financial statements, with accompanying notes and supplemental information, are required. Any prospective Contractor failing to do so will be deemed non-responsive and eliminated from consideration. The BCAG reserves the right to check other sources available and their decision will be based on objective evaluation criteria.

The BCAG reserves the right to adjust, increase, limit, suspend or rescind the prequalification rating based on subsequently learned information. Contractors whose rating changes are sufficient to disqualify them will be notified, and given an opportunity for a hearing consistent with the hearing procedures described below for appealing a prequalification rating.

BCAG will use the information contained in the prequalification questionnaire as the basis for rating Contractors to determine those firms that will be pre-qualified to submit a bid proposal. BCAG reserves the right to check Contractor experience and capabilities from other available sources. BCAG's decision will be based on objective evaluation criteria and all selections will be at the sole discretion of BCAG.

The prequalification questionnaire and requested documentation will be used solely to assist BCAG in determining bidder qualifications. However, the prequalification process will not preclude BCAG from any post-bid considerations or determination of whether a bidder has the quality, fitness, capacity and experience to satisfactorily perform the proposed work, and/or has demonstrated the requisite trustworthiness.

The prequalification packages (questionnaire answers and financial statements) submitted by Contractors are not public records and are not open to public inspection. All information provided will be kept confidential to the extent permitted by law.

Each questionnaire must be signed under penalty of perjury in the manner designated in the form, by an individual who has the legal authority to bind the Contractor on whose behalf that person is signing. If any information provided by a Contractor becomes inaccurate, the Contractor must immediately notify BCAG and provide updated accurate information in writing, under penalty of perjury.

BCAG reserves the right to waive any minor irregularities and omissions in the information contained in the prequalification application submitted, and to make the final determination on who will be approved to submit a bid for the Project.

BCAG may refuse to grant prequalification where the requested information and materials are not provided, or not provided by the due date. The closing time for the submission of the prequalification will not be changed in order to accommodate submittal of missing materials, supplemental materials, and/or corrections to submitted materials.

The submittal of a prequalification package and its use by BCAG will not give rise to any liability on the part of BCAG to the submitting party(ies) or any third party or person. This is not a solicitation of bid. No guarantees are made or implied that the Project will be constructed, either in part or in whole. The Contractor accepts all risk and cost associated with completion of the prequalification package.

B. Procurement of Prequalification Documents:

All applicants must hold a California State Contractors B License. Prequalification questionnaires are available by contacting the Owner or Construction Manager:

BCAG
2580 Sierra Sunrise Terrace, Suite 100,
Chico, California 95928
Tel: (530) 879-2468
Fax: (530) 879-2444
Email: Andy Newsum, ANewsum@bcag.org

Kitchell
2750 Gateway Oaks Drive, Suite 300
Sacramento, California 95833
916-648-9700
916-648-6534
Kirk Sheeley, ksheeley@kitchell.com

All prequalification documents and notices will be available at the BCAG website, <http://www.bcag.org>

C. Prequalification Due Date:

Please complete all parts of prequalification and submit 1 unbound original with attachments and 10 bound copies with attachments and one (1) CD-R including a PDF copy of the prequalification package. Please tab all sections of the prequalification questionnaire according to the table of contents. Prequalification submittals must be marked clearly on the envelope with your firm name and **“Prequalification for B Licensed Contractors for the BCAG Butte Regional Transit Operations Center”**. Contractors’ prequalification packages must be received by the Construction Manager **no later than 2:00pm on Friday May 9, 2014.**

Prequalification submittals are to be delivered to:

BCAG
2580 Sierra Sunrise Terrace, Suite 100,
Chico, California 95928

Submittals received after the specified time and date will not be considered. **THIS SUBMISSION DEADLINE WILL BE STRICTLY ENFORCED.** No fax or e-mail copies will be accepted. Contractors who submit a complete prequalification package will be notified of their qualification status no later than 14 calendar days after submission of the information.

D. Prequalification Questions:

Contractors are required to submit all questions in writing, via e-mail, to anewsum@bcag.org . All questions must be submitted no later than **4 P.M. 4 calendar days prior to the due date.** No other questions will be received after the deadline. Only written inquiries will be permitted. Copies of all questions and answers will then be posted on the BCAG web site in a written document to all parties who have officially requested the Application for Prequalification.

Under no circumstance should any prospective Contractors or anyone receiving the prequalification, contact, discuss with, or inquire of any BCAG consultant, employee, or Board Officials on any matter relating to this solicitation process. This requirement is to ensure that the same information is communicated to all parties and that no inconsistent, incomplete, or inaccurate information is transmitted separately.

IV. PREQUALIFICATION EVALUATION

The BCAG intends to utilize the Department of Industrial Relations, Model Forms for Prequalification and suggested scoring method for questions. The scored questions arise in the following categories:

PART I	Company Contact Information, Declaration and Affidavit
PART II	Essential Requirements for Qualification
PART III	Organization History, Organization Performance, Compliance with Civil and Criminal Laws
PART IV	Organization's Experience and Recent Construction Projects Completed
PART V	Financial Statements and Supplemental Information
PART VI	Required Attachments

V. PREQUALIFICATION APPEAL PROCESS

Where a timely and completed application results in a Contractor receiving a prequalification rating below that necessary to pre-qualify, the Contractor may dispute the proposed prequalification rating through the appeal process. An appeal is begun by the Contractor delivering written notice to the BCAG Project Manager, to;

Andy Newsum
BCAG
2580 Sierra Sunrise Terrace, Suite 100,
Chico, California 95928

A contractor's written request to appeal must be postmarked no later than five (5) business days after receipt of notice that the contractor is not prequalified. Without a timely appeal, the Contractor waives any and all rights to challenge the decision of the BCAG, whether by administrative process, judicial process or any other legal process or proceeding.

If the Contractor gives the required written 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 BCAG's receipt of the notice of appeal, and no later than five business days prior to the last date for the receipt of bids on the project. The hearing shall be an informal process conducted by the Project Committee. The Project Committee will be comprised of BCAG and Kitchell staff. At or prior to the hearing, the Contractor will be advised of the basis for the BCAG's prequalification determination. The Contractor will be given the opportunity to present information and present reasons in opposition to the rating. Within seven (7) business days after the conclusion of the hearing, the BCAG will render its decision which shall be final and not subject to further appeal. It is the intention of the BCAG that the date for the submission and opening of bids will not be delayed or postponed to allow for completion of an appeal process.

Note: A contractor may be found not prequalified for bidding on the project to be let by the BCAG until the contractor meets the BCAG's requirements. In addition, a contractor may be found not prequalified for either:

- (1) Omission of requested information or
- (2) Falsification of information

**PREQUALIFICATION
QUESTIONNAIRE**

GENERAL CONTRACTORS SEEKING TO BID

**BUTTE REGIONAL TRANSIT OPERATIONS
CENTER CONSTRUCTION**

BUTTE COUNTY ASSOCIATION OF GOVERNMENTS



PART I. COMPANY CONTACT INFORMATION, DECLARATION and AFFIDAVIT

Firm Name: _____
(As it appears on B license)

Check One: Corporation
 Partnership
 Sole Prop.

Contact Person: _____

Address: _____

Phone: _____ Fax: _____ Email: _____

If firm is a sole proprietor or partnership:

Owner(s) of Company _____

Contractor's License Number(s): _____

DECLARATION

1. Acknowledgement and Release. By signature and date on this page, prospective bidder authorizes any financial institution, credit reporting agency and/or service, legal firm or any other type of business, agency or individual named within this document to release to BCAG (or BCAG designated representative), any and all information as that information may relate, or could relate, to BCAG's ability to evaluate the background, stability and general worthiness of this bidder to perform current or future construction activities if prequalified and awarded a contract by the BCAG Institute for Age Research..

- a. A photocopy of this page will be deemed as valid as an original document.
- b. This Acknowledgement and Release will remain in effect until the bidder withdraws itself from consideration, in writing, to the Construction Manager.

2. Reserved Right. BCAG reserves the right, for the sole purpose of evaluating a potential bidder, to make other inquiries as permitted by law. Furthermore, BCAG reserves the right to reject any or all prequalification applications.

AFFIDAVIT

I, the undersigned, certify and declare that I have read all the foregoing answers to this prequalification questionnaire and know their contents. I attest that the matters stated in the questionnaire answers are true of my own knowledge and belief, except as to those matters stated on information and belief, and as to those matters I believe them to be true and correct. I declare under penalty of perjury under the laws of the State of California, that the foregoing is true and correct.

Dated: _____

(Signature)

(Print name and title)

PART II. ESSENTIAL REQUIREMENTS FOR QUALIFICATION

Except as otherwise provided, Contractor will be immediately disqualified if the answer to any of questions 1 through 6, and 11 through 13 is “no.”

Contractor will be immediately disqualified if the answer to any of questions 7 through 10 is “yes.” If the answer to question 8 is “yes,” and if suspension and/or debarment would be the sole reason for denial of prequalification, any prequalification materials issued will exclude the suspension/debarment period.

1. Contractor possesses a valid and current California Contractor’s B license for the project or projects for which it intends to submit a bid.
 Yes No
2. Contractor has a commercial general liability insurance policy with a policy limit of at least the amount required by Item #30 of Section G of this Part II.
 Yes No
3. Contractor has an Automobile Liability insurance policy with a policy limit of at least the amount required by Item #30 of Section G of this Part II.
 Yes No
4. Contractor carries workers compensation in California State statutory amount as required by the Labor Code or is legally self-insured pursuant to Labor Code section 3700 et. seq.
 Yes No
5. 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 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.

6. 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: (a) that your current bonding capacity is sufficient for the project for which you seek prequalification if you are seeking prequalification for a single project; or (if you are seeking prequalification valid for a year) (b) your current available bonding capacity?
 Yes No

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

7. Has your contractor’s class B, or any other contractor’s license been revoked at any time in the last 5 years?
 Yes No

8. Has a surety firm completed a contract on your behalf, or paid for completion because your firm was terminated for cause by the project owner within the last 5 years?

Yes No

9. Is the average of your firm's Experience Modification Rate (EMR) over the last three years exceeding 1.25?

Yes No

10. At the time of submitting this prequalification form, is your firm ineligible to bid on or be awarded a public works contract, or perform as a subcontractor on a public works contract, pursuant to either Labor Code section 1777.1 or Labor Code section 1777.7?

Yes No

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

11. At any time during the last seven (7) 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

12. Has your firm and/or any firm identified in Part III (A) contracted for and completed construction of a large transit operations or maintenance or similar in complexity construction project with a completed value of \$15 million or more within the past seven (7) years?

Yes No

If so, how many Transit Operations / Maintenance projects have been completed in California within the past seven (7) years? _____.

13. Has your firm and/or any firm identified in Part III (A) contracted for and completed construction of at least three (3) projects for public entities (state, county or city) of equal value within the last 7 years which achieved a *LEED* Silver or better rating from the United States Green Building Council ("USGBC")?

Yes No

If so, how many projects have been completed in the past seven (7) years?

_____.

PART III. ORGANIZATION HISTORY, ORGANIZATIONAL PERFORMANCE, COMPLIANCE WITH CIVIL AND CRIMINAL LAWS

A. CURRENT ORGANIZATION AND STRUCTURE OF THE BUSINESS

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 10% of the corporation's stock.

Name	Position	Years with Co.	% 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 5 years.

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

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

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 10% or more of the firm.

Name	Position	Years with Co.	% Ownership

- 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 5 years.

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

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

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

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

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 or more projects:

Name of firm	% Ownership of Joint Venture

All joint ventures will be expected to provide a copy of their joint venture agreement with their bid.

B. HISTORY OF THE BUSINESS AND ORGANIZATIONAL PERFORMANCE

1. Has there been any change in ownership of the firm at any time during the last 3 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.
2. Is the firm a subsidiary, parent, holding company or affiliate of another construction firm?
NOTE: Include information about other firms if one firm owns 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.
3. Are any corporate officers, partners or owners connected to any other construction firms?
NOTE: Include 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.
4. State your firm’s gross revenues for each of the last 3 years:

5. What were the gross revenues earned in California during that same 3 year period?

6. How many years has your organization been in business in California as a licensed general 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 5 years? (This question refers only to a bankruptcy action that was not described in answer to question 7, above)

Yes No

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

* * * * *

C. LICENSES

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

2. 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 CSLB records who meet(s) the experience and examination requirements for each license.

3. Has your firm changed names or license number in the past 5 years?

Yes No

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

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

Yes No

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

-
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 5 years?

Yes No

If “yes,” please explain on a separate signed sheet.

6. Has anyone ever filed a claim with the CSLB against your firm?

Yes No

If “yes,” please explain on a separate signed sheet.

* * * * *

D. DISPUTES

1. At any time in the last 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, 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.

2. In the last 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 ,public works or private owner 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 prequalification here or another firm. Identify by name of the company, the name of the person within your firm who was associated with that company, the year of the event, the owner of the project, the project and the basis for the action.

3. In the last 5 years has your firm been denied an award of a public works project 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 questions D 4 & 5 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.

-
4. In the past 5 years has any claim **against** your firm concerning your firm's work on a construction project in California 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).

5. In the past 5 years has your firm made any claim against a project owner concerning work performed on a project in California or payment for a contract and **filed that claim 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 entity (or entities) against whom the claim was filed, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim (pending, or if resolved, a brief description of the resolution).

6. At any time during the past 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.

7. At any time during the past 5 years, has your surety company been contacted due to your performance?

Yes No

If "yes," explain on a separate signed page the reason why the surety was contacted, and how the issue was resolved.

8. In the last 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.

* * * * *

E. CRIMINAL MATTERS AND RELATED CIVIL SUITS

1. 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?

Yes No

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

2. 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, 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.

3. 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.

* * * * *

F. BONDING

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

Name of bonding company/surety: _____

Name of surety agent, address and telephone number:

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

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

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

* * * * *

G. INSURANCE

1. Is/are the insurer(s) listed below to be used for all required insurance (except Workers Compensation) listed by Best with a rating of A- or better, and a financial classification of VIII or better (or an equivalent rating by Standard & Poor or Moody's)?

YES NO

Name of Insurer: _____

2. Is the insurer to be used for Workers Compensation insurance listed by Best with a rating of B+ or better, and also have a financial classification of VIII or better (or an equivalent rating by Standard & Poor or Moody's)?

YES NO

Name of Insurer: _____

3. Is your firm able to obtain insurance in the following limits for this construction contract?

YES NO

Commercial Form General Liability Insurance-Limits of Liability	Minimum Requirement
Each Occurrence-Combined Single Limit for Bodily Injury and Property	\$5,000,000
Products - Completed Operations Aggregate	\$10,000,000
Personal and Advertising Injury	\$1,000,000
General Aggregate	\$10,000,000
Business Automobile Liability Insurance-Limits of Liability	
Each Accident-Combined Single Limit for Bodily Injury and Property Damage	\$1,000,000

4. If the entity submitting this prequalification questionnaire is a Joint Venture, can the Joint Venture entity itself obtain insurance in the following limits listed in 3.C. above for this construction contract?

YES NO N/A

* * * * *

H. COMPLIANCE WITH OCCUPATIONAL SAFETY AND HEALTH LAWS AND WITH OTHER LABOR LEGISLATION SAFETY

1. 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 5 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,” attached 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.

2. Has the Federal Occupational Safety and Health Administration cited and assessed penalties against your firm in the past 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.

3. Has the state or federal 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 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.

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

5. List your firm’s Experience Modification Rate (EMR) (California workers’ compensation insurance) for each of the past 3 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: _____

If your EMR for any of these 3 years is or was 1.00 or higher you may, if you wish, attach a letter of explanation.

6. Within the last 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 5 years. (If your firm has been in the construction business for less than 5 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.)

* * * * *

I. PREVAILING WAGE AND APPRENTICESHIP COMPLIANCE RECORD

1. Has there been more than one occasion during the last 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.

2. During the last 5 years, has there been more than one occasion in which your own firm has been penalized or required to pay back wages for failure to comply with the **federal** Davis-Bacon prevailing wage requirements?

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.

3. Provide the **name, address and telephone number** of the apprenticeship program (approved by the California Apprenticeship Council) from whom you intend to request the dispatch of apprentices to your company for use on this prevailing wage project;

4. If your firm operates its own State-approved apprenticeship program:
- (a) Identify the craft or crafts in which your firm provided apprenticeship training in the past year.
 - (b) State the year in which each such apprenticeship program was approved, and attach evidence of the most recent California Apprenticeship Council approval(s) 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 3 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.

5. At any time during the last 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 government construction projects?

NOTE: You may omit reference to any incident that occurred prior to January 1, 1998, if the violation was by a subcontractor and your firm, as general contractor on a project, had no knowledge of the subcontractor's violation at the time they occurred.

Yes No

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

PART IV. ORGANIZATION'S EXPERIENCE AND RECENT CONSTRUCTION PROJECTS COMPLETED

Provide information on projects completed or currently in progress that demonstrate your organization's experience with projects of similar scope, size and complexity as the new Butte Regional Transit Operations Center Project (BRTOC). Provide specific project related experience, relevance of scope, size and complexity.

1. Relevant Project Experience

Provide information for 6 projects your firm has successfully completed within the last 7 years. Please use the Sample Format following this section.

The 6 examples should have construction values in excess of \$10,000,000, including at least 3 projects for public entities (state, county or city) in the state of California, with a construction value in excess of \$20,000,000. Relevant projects will include as many of the following components and construction features as applicable:

- Cast-in-Place Concrete walls and soffits
- Braced frame Structural Steel
- Metal insulated wall panels
- Below grade fuel storage tanks with all applicable Air Quality District permitting by the contractor
- Projects requiring an intermediate milestone construction schedule. Include strategies employed to accomplish early mobilization, close scheduling of trades, coordination with owner vendors, etc.
- Projects with complex interrelated building systems such as security monitoring and alarm, Distributed fire alarm, building and energy management systems, telecommunications, data distribution and other related sub-systems
- Projects requiring work immediately adjacent to existing sites/facilities that remain occupied and operational, while new work including utilities, site features, security, building and energy management, and telephone/data systems are constructed and connected to the existing facilities.
- Projects that achieved a LEED certification from the USGBC to a minimum *LEED Silver* or better rating
- Use of Building Information Modeling (BIM) for trade coordination, issue anticipation and resolution, and to meet contractor's obligations to fulfill the coordinated shop drawing requirements.

Clearly identify the relevance of each project, and be specific as to the nature of any self-performed work and the role of your organization in the management of the overall project. Label responses consistent to the categories listed above. List each project by name, location, year of completion, construction value, and owner's name, owner's project manager's name and current contact information including phone number. Include a description of the construction type, project schedule, and the construction value of the work performed. Photos and other graphic materials would be helpful to delineate each project.

2. LEED Certification Project Experience

Provide a list of projects that your company has completed or is currently working on that achieved a LEED certification from the USGBC. For each project listed, identify the level of LEED certification (Certified, Silver, Gold or Platinum) gained or anticipated.

3. Project Management Expertise

Provide a summary of the following key indicators of project management expertise:

- Indicate how your organization has managed, directed or participated in the projects submitted

under Section 1 above.

- Indicate your organization's management structure, lines of authority and hierarchy.
- Provide information on how schedules, costs, and quality are maintained throughout a project. Indicate how communications between the various stakeholders (owner, project design consultants, and inspectors) and the general contractor are managed to ensure all project requirements are addressed and met. This should include both on-site personnel and home office staff.
- Outline how your organization will work with the local community to address concerns over noise, dust, traffic impacts of construction, etc.
- Outline how your firm will work to ensure adequate numbers of DBE contractors are employed to perform work on the Project site, and to how qualified local contractors will be notified of the Project and encouraged to provide proposals to the general contractors to perform work at the Project site.

4. Quality Control & Technology

Describe your organization's philosophy for producing quality buildings and your approach to quality control. Provide information on how you handle minimizing warranty callbacks and typical response time for warranty callbacks, (Typical response time is from initial request by Owner to final resolution of issue to Owner's established requirements). Describe how coordination has been achieved and communicated to subcontractors and other tradespersons on projects of similar size, scope and complexity. Outline/describe your organization's use and application of technology for coordination, including clash detection, trade coordination and the shop drawing/fabrication process. Outline your approach regarding the use/application of mock-ups and provision of samples for key interior and exterior building finishes.

5. Key Personnel

Provide proposed key personnel's qualifications, experience, length of employment with company, and training to competently manage this project. Key personnel shall include principal(s), or officer(s) having overall project responsibility, as well as on-site project manager(s), superintendent(s), project controls engineer(s), schedule manager(s), and all others involved in the management of the project. Provide an overview of how your organization intends to structure on-site management operations and interface with the home office, owner, specialty subcontractors and BCAG representatives during the construction of the project. In particular, outline how your organization will staff and support a project in a relatively rural area of the State. Show where and how your organization has done this successfully on other projects of similar size, scope and remote location.

5. Safety Program

The Owner is committed to the safety of all employees, the existing staff on-site, the surrounding community, visitors and the environment. While BCAG has the responsibility for conducting our business in a manner that strives to prevent accidents, the general contractor will have primary responsibility for the safety at the project site.

Describe your organization's Safety Management Plan and provide an overview of your safety program. Identify how your organization's safety program is implemented, and the lines of authority and communication, including your acknowledgement of the contractual requirement that the general contractor will designate a safety professional at the Project site.

7. Interviews Questions

This section includes a series of interview questions and questions about recently completed projects. **BCAG (or their designated representative) may choose whether or not to conduct these interviews.** If BCAG chooses to conduct the interviews, the following questions will be used to interview randomly selected contacts from at least 2 completed projects. No action on the contractor's part is necessary. These questions are included in the package given for contractor information only.

1. 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)
2. On a scale of 1-10, with 10 being the best, did the contractor provide qualified personnel? (Max. 10 points)
 3. On a scale of 1-10, with 10 being the best, did the contractor provide adequate supervision? (Max. 10 points)
 4. On a scale of 1-10, with 10 being the best, was there adequate equipment provided on the job? (Max. 10 points)
 5. 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)
 6. On a scale of 1-10, with 10 being the best, did the contractor adhere to the project schedule that your agency or business accepted? (Max. 10 points)
 7. 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 least responsible, how responsible was the contractor for the delay?
 8. On a scale of 1-10, with 10 being the best, rate the contractor on the timely submission of Change Order requests. (Max. 10 points)
 9. 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).
 10. On a scale of 1-10, with 10 being the best, rate how the contractor performed with respect to project close-out and turn-over of operation & maintenance manuals, as-built drawings, building commissioning, providing required training and resolving warranty items? (Max. 10 points)
 11. On a scale of 1-10, with 10 being the lowest amount, rate the contractor on whether there were an unusually high number of claims, given the nature of the project. (Max. 10 points)
 12. On a scale of 1-10, with 10 being the timeliest, did the contractor make timely payments to either subcontractors or suppliers? (If the person being interviewed knows of no such difficulties, the score on this question should be “10.”)
 13. On a scale of 1-10, with 10 being the best, how would you rate the quality of the work overall? (Max. 10 points)
 14. On a scale of 1-10, with 10 being the best, did the contractor cooperate and collaborate with the architect and other design consultants in the early recognition and resolution of design conflicts?
 15. On a scale of 1-10, with 10 being the best, did the contractor cooperate and complete all commissioning efforts required by the Commissioning Agent satisfactorily before the contract duration expired?

Project Description and Information Sheet

Contractor will provide information about its 6 most recently completed projects within the last 5 years.¹ Names and references must be current and verifiable. Use a separate sheet of paper for each project and include all of the following information:

Project Name: _____

Location: _____

Gross Area (SF): _____

Project Delivery
Method: _____

Owner: _____

Owner Contact (name and current phone number):

Architect or Engineer: _____

Architect or Engineer Contact (company name, contact and current phone number):

Construction Manager: _____

Construction Manager Contact (company name, contact and current phone number):

Description of Project, Scope of Work Performed: _____

LEED Certification Level (if any): _____

Original Construction Contract Amount: _____

Total Value of Construction (including change orders): _____

Original Scheduled Completion Date: _____

Time Extensions Granted (number of days): _____

Actual Date of Completion: _____

¹ If you wish, you may, using the same format, also provide information about other projects that you have completed that are similar to the project(s) for which you expect to bid.

PART V. FINANCIAL STATEMENTS AND SUPPLEMENTAL INFORMATION

Financial prequalification may be established by determining capacity to perform the BCAG Butte Regional Transit Operations Center construction contract in the following manner:

- a. Working capital is determined from the most recent balance sheet submitted, by subtracting the current liabilities from current assets.
- b. Available lines of credit or other credit facilities are then added to the working capital, and then the sum is multiplied by 10.
- c. Uncompleted work on current contracts, which have been awarded to your organization (backlog), will be subtracted from the amount determined in paragraph "b" above.
- d. Any positive number resulting from paragraph "c" above would be the maximum amount of the BCAG contract that can be awarded to the submitting organization.

Should your organization not qualify on the basis of the above calculation, BCAG may consider other alternative information you can provide that, in its sole judgment, indicates clearly your ability to meet the financial requirements of the anticipated BCAG contract. This information must include the required data described below, and sufficient supplemental analysis and description as needed to clearly present your position. This information must be submitted with your prequalification statement. It is your responsibility to make the above-described calculation and determine if additional information will be required to demonstrate your ability to perform the project.

Information you must submit includes:

1. Full set of financial statements for your most recent 3 complete fiscal years, accompanied by either an audit or review report by an independent Certified Public Accountant. *Compiled or internally prepared financial statements will not be accepted.* Statements, which are older than 6 months, must be supplemented by internal financial statements, which update the information to no more than 6 months from the date of submission of the Audited Financial Report (AFR). The statements must be prepared in accordance with generally accepted accounting principles, including all required information disclosures.
2. Letter from a financial institution in support of available lines of credit or other facilities, if you wish them to be considered in prequalification. See attached "General Statement of Bank Credit" for sample language; Attachment - 1.
3. Schedule indicating contracts, which have been awarded to you, and reconciling the original award, any amendments, completed portion and uncompleted portion of the contracts. This is your backlog of work awarded, but not yet complete.

PART VI. REQUIRED ATTACHMENTS

Name of Organization (Name must correspond exactly with Contractor's License)

BCAG
2580 Sierra Sunrise Terrace, Suite 100
Chico, CA 95928

The following documents, Attachments 1 through 8, are to be submitted as part of the prequalification package. Failure to provide all these attachments will be cause for disqualification for this project.

- **Attachment 1** - Notarized Statement from Bonding Company, Provide on Own Form.
- **Attachment 2** - Notarized Statement from Worker's Compensation Insurance Carrier, Provide on Own Form
- **Attachment 3** - Current Copy of Organization's California Contractor's License(s), Provide on Own Form.
- **Attachment 4** - Certification declaring that the applying organization has not had a surety company finish work on any project within the last 5 years.
- **Attachment 5** - Certification declaring that the applying Organization, in the last 5 years has not been found by a judge, arbitrator, jury, or a *nolo contendere* plea to have submitted a false or fraudulent claim to a public agency
- **Attachment 6** - Certification declaring that the applying Contractor has not been suspended, disbarred, disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of violations of law or a safety regulation, pursuant to Public Contract Code section 10162

Attachment 6

Certification Declaring Applying Organization Has Not Had Surety Finish Work on any Project within last 5 Years

Exchange this page for a certification declaring that the applying organization has not had a surety company finish work on any project within the last 5 years.

Sample Declaration

I, _____ authorized agent of _____
(Name of Organization)

hereby certify, under penalty of perjury under the laws of the State of California, that the organization named above has not had a surety company finish work on any project within the last 5 years.

Signed: _____ Dated: _____

Attachment 7

False or Fraudulent Claim

Exchange this page for a certification declaring that the applying organization in the last 5 years has not been found, by a judge, arbitrator, jury, or *nolo contendere* plea, to have submitted a false or fraudulent claim to a public agency.

Sample Declaration

I, _____ authorized agent of _____
(Name of Organization)

hereby certify, under penalty of perjury under the laws of the State of California, that the foregoing is true and correct. In the last 5 years, the organization named above, any affiliate, parent or subsidiary company, has not been found by a judge, arbitrator, jury, or *nolo contendere* plea, to have submitted a false or fraudulent claim to a public agency.

Signed: _____ Dated: _____

Attachment 8

Disqualification or Removal

Exchange this page for a certification declaring that the applying organization has not been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of violations of law or a safety regulation, pursuant to State of California, Public Contract Code, Section 10162.

Sample Declaration

I, _____ authorized agent of _____
(Name of Organization)

hereby certify, under penalty of perjury under the laws of the State of California, that the organization named above has not been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state or local government project because of violations of law or a safety regulation, pursuant to State of California, Public Contract Code, Section 10162.

Signed: _____ Dated: _____