



PREQUALIFICATION INSTRUCTIONS, RULES AND FORMS

FOR

PROSPECTIVE BIDDERS

REGARDING

THE RIO STEAM K8 CAMPUS

Deadline for Prequalification Submittals:
1:00 p.m. 10 Days Prior to Bid Date

Deliver Prequalification Submittals To:
Rio School District
Attn.: Kristen Pifko, Assistant Superintendent of Business Services
2500 E. Vineyard Avenue, Suite #100
Oxnard, California 93036

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**PREQUALIFICATION INSTRUCTIONS, RULES AND FORMS
FOR PROSPECTIVE BIDDERS
REGARDING THE RIO STEAM K8 CAMPUS**

I. SUMMARY

This Prequalification Instructions, Rules and Forms for Prospective Bidders package (this “Prequalification Package”) has been prepared on behalf of Rio School District (the “District”). This Prequalification Package is intended to elicit prequalification submittals (“Submittals”), including completed prequalification questionnaires and financial statements, from qualified contractors and subcontractors interested in bidding on the Rio STEAM K8 Campus, (the “Project”). This Prequalification Package only applies to this specific Project. The District’s Board of Trustees (the “Board”) determined that the Project, which is more fully described below in Section II(C), is subject to the mandatory prequalification procedures set forth in Public Contract Code (“PCC”) Section 20111.6. Furthermore, the Board has approved a construction manager multi-prime delivery method for the Project, which means that the District will separately bid each individual trade of work (instead of retaining one general contractor). Accordingly, the District will only accept bids from prequalified general contractors with an A or B license; prequalified mechanical, engineering, and plumbing subcontractors with the below-specified C licenses; and any other prequalified prime contractors (*i.e.*, any other contractors and subcontractors interested in bidding on a specific trade for the Project and obtaining a direct contract with the District).

II. GENERAL INFORMATION

A. Overview of PCC Section 20111.6

Pursuant to PCC Section 20111.6, California school districts must prequalify prospective bidders for certain public works projects. The prequalification requirement applies only if: (1) the school district has an average daily attendance of 2,500 or more students; (2) the public project involves the construction, reconstruction, erection, alteration, renovation, improvement, demolition or repair work of a publicly owned, leased or operated facility; (3) the public project involves a projected expenditure of more than \$1,000,000.00; and (4) the project will be funded, in whole or in part, with money acquired through the Leroy F. Greene School Facilities Act of 1998 (Education Code Sections 17070.10, *et seq.*) or any future bonds issued by the State of California. If the school district’s governing board determines that PCC Section 20111.6 is applicable to a project, then the school district must adopt and implement a uniform system of rating prospective bidders on the basis of completed standardized questionnaires and financial statements (which must be verified under oath by the bidders).

All prime contractors (contractors who contract directly with the school district) and certain subcontractors (contractors who contract directly with the prime contractors) must be prequalified in order to bid on the Project. In general, the following prospective bidders must be prequalified:

- any class of contractors or subcontractors the school district desires to prequalify (NOTE: the District has elected to prequalify all prime contractors and prime subcontractors, see Section II(D), below);
- all prime contractors with a general engineering contractor’s license (an “A” license);
- all prime contractors with a general building contractor’s license (a “B” license); and
- all prime contractors and subcontractors with a mechanical, electrical and plumbing specialty (a “MEP specialty”) with any of the following “C” licenses:
 - C-4 (boiler, hot water heating and steam fitting),
 - C-7 (low voltage systems contractor),
 - C-10 (electrical),
 - C-16 (fire protection),
 - C-20 (warm-air heating, ventilating and air conditioning),
 - C-34 (pipeline),
 - C-36 (plumbing),
 - C-38 (refrigeration),
 - C-42 (sanitation system),
 - C-43 (sheet metal), and
 - C-46 (solar).

If PCC Section 20111.6 is applicable to a project, then a school district can only accept bids from and award bids to prequalified contractors and subcontractors.

B. Brief Description of District

The District is an elementary school district in Ventura County (the “County”), California. The District covers approximately 15.5 square miles, including a portion of the City of Oxnard and certain unincorporated territory in the County. The District is governed by a five-member Board. Currently, the District provides K-8 public education to more than 4,900 students in six elementary and two middle schools. The District intends to construct a new K-8 school, as further explained below.

C. Brief Description of Project

The Project involves construction of a new K-8 STEAM School in the recently developed Riverpark community, inclusive of site improvements, and construction of administrative, classroom and multipurpose buildings. The Project, which is commonly known as the Rio STEAM Academy, is further described in the Scope of Work and related DSA-approved plans and specifications. The Scope of Work, plans and specifications, and the bid package will be made available upon issuance of the notice inviting bids. **The Project**

will be constructed pursuant to a construction manager multi-prime delivery method, with each individual trade of work separately bid.

NOTE: THE ISSUANCE OF THIS PREQUALIFICATION PACKAGE IS NOT A GUARANTEE THAT THE DISTRICT WILL PROCEED WITH THE PROJECT WITHIN THE ANTICIPATED TIMEFRAME OR EVER. THE DISTRICT RESERVES THE RIGHT TO POSTPONE, DELAY, SUSPEND OR TERMINATE ITS PLANS WITH RESPECT TO THE PROJECT, AND NO PROSPECTIVE BIDDERS SHALL HAVE ANY CLAIMS WHATSOEVER AGAINST THE DISTRICT REGARDING ANY ADJUSTMENTS OR MODIFICATIONS TO OR ANY TERMINATION OF THE DISTRICT’S PLANS WITH RESPECT TO THE PROJECT.

D. Prequalification Is a Prerequisite to Bidding on Project

The District’s Board of Trustees (the “Board”) has determined that the Project is subject to the mandatory prequalification procedures set forth in PCC Section 20111.6. Furthermore, as stated above, the Board has approved a construction manager multi-prime delivery method for this Project, which means that the District will separately bid each individual trade of work. Accordingly, the following contractors and subcontractors must be prequalified in order to bid on the Project:

- all prime contractors, *i.e.*, all contractors and subcontractors interested in bidding on the Project for any specific trade of work and obtaining a direct contract with the District;
- all prime contractors with a general engineering contractor’s license (an “A” license);
- all prime contractors with a general building contractor’s license (a “B” license); and
- all prime contractors and subcontractors with a MEP specialty (*i.e.*, the above-referenced mechanical, electrical and plumbing “C” licenses).

This Prequalification Package is applicable to *every* prime contractor intending to submit a bid to the District for *any* portion of the Project. Additionally, each prime contractor must carefully consider which subcontractors are necessary for the portion of work the contractor intends to bid and determine whether those subcontractors need to be prequalified. All MEP specialty subcontractors requiring prequalification must submit a separate Submittal.

NOTE: EACH PRIME CONTRACTOR IS SOLELY RESPONSIBLE FOR ITS COMPLIANCE WITH THE PROVISIONS OF THIS SECTION. THE DISTRICT WILL REJECT ANY AND ALL BIDS BY PRIME CONTRACTORS WHO ARE NOT PREQUALIFIED FOR THE PROJECT BUT ARE REQUIRED TO BE PREQUALIFIED UNDER PCC SECTION 20111.6. IF A PRIME CONTRACTOR DESIRES TO SUBMIT A

JOINT BID WITH ANOTHER CONTRACTOR, BOTH PRIME CONTRACTORS MUST BE INDIVIDUALLY AND SEPARATELY PREQUALIFIED.

NOTE: IF THE DISTRICT AWARDS A CONTRACT TO A PRIME CONTRACTOR THAT LISTED IN ITS BID A MEP SPECIALTY SUBCONTRACTOR THAT WAS NOT PREQUALIFIED UNDER PCC SECTION 20111.6, THEN THE PRIME CONTRACTOR WILL BE REQUIRED TO SUBSTITUTE THE LISTED BUT NOT PREQUALIFIED MEP SPECIALTY SUBCONTRACTOR FOR A PREQUALIFIED MEP SPECIALTY SUBCONTRACTOR AT NO ADDITIONAL COST TO THE DISTRICT.

NOTE: IN NO EVENT SHALL THE DISTRICT BE LIABLE TO A PRIME CONTRACTOR FOR ANY COSTS, EXPENSES, LOST PROFITS, OR OTHER ALLEGED DAMAGES CAUSED BY THE PRIME CONTRACTOR'S FAILURE TO COMPLY WITH THE PROVISIONS OF THIS SECTION, INCLUDING, BUT NOT LIMITED TO, THE COSTS OF REPLACING A SUBCONTRACTOR.

NOTE: PREQUALIFICATION IS NOT IN LIEU OF, DOES NOT SUPERSEDE AND DOES NOT GUARANTEE COMPLIANCE WITH ANY ADDITIONAL PREREQUISITES, CONDITIONS, OR TERMS OF THE BID DOCUMENTS. IF PREQUALIFIED, ALL BIDDERS ARE ADVISED TO CAREFULLY REVIEW AND COMPLY WITH ALL REQUIREMENTS SET FORTH IN THE BID DOCUMENTS.

III. PREQUALIFICATION SUBMITTALS

All prospective bidders must comply with the below requirements in order to ensure that their Submittals will be considered by the District.

A. Prequalification Submittal Requirements

1. Required Documents

To seek prequalification for the Project, each prospective bidder must timely submit the following documents to the District:

- a. the standardized prequalification questionnaire, which is attached as Exhibit "A" (the "Questionnaire");
- b. the financial statement (the "Financial Statement") which is requested in Exhibit "A";
- c. all supporting documentation requested in the Financial Statement;

d. all other supporting documentation requested in the Questionnaire;

e. an acknowledgement of any addenda to this Prequalification Package, which is included in Exhibit “A”; and

f. the oath, signed under penalty of perjury, which is included at the end of Exhibit “A.”

NOTE: A PROSPECTIVE BIDDER THAT PURPOSEFULLY OR INADVERTENTLY FAILS TO INCLUDE ANY REQUESTED INFORMATION IN ITS SUBMITTAL MAY BE AUTOMATICALLY DISQUALIFIED FROM BIDDING ON THE PROJECT.

2. Additional Instructions for Submittals

Prospective bidders must:

a. completely, accurately and legibly answer all questions in the Questionnaire;

b. clearly label all supporting documentation as specified in the Questionnaire;

c. submit all supporting documentation in the order specified in the Questionnaire (*e.g.*, submit all requested exhibits in order requested, including submitting exhibit cover pages and a statement that the exhibit was intentionally omitted, if applicable);

d. submit all documentation on standard 8½-inch by 11-inch paper;

e. place **four (4) hard copies and one (1) electronic copy** (*i.e.*, on a flash drive) of the complete Submittal in a sealed envelope;

f. label the sealed envelope as follows:

Prequalification Submittal for Rio School District

Attention: Kristen Pifko, Assistant Superintendent of
Business Services

Project Name: Rio STEAM K8 Campus

Contractor: _____

Contractor Address: _____

Contractor's Email: _____
Contractor's Phone: _____

; and

g. deliver the entire Submittal to the District office at 2500 E. Vineyard Avenue, Suite #100, Oxnard, California 93036 by **1:00 p.m. Ten Days Prior to the Bid Date** (the "Submittal Deadline"). The Submittal may be hand delivered, delivered by courier, or mailed; provided that the District must receive all Submittals by the Submittal Deadline.

3. No Modifications to Prequalification Forms

Prospective bidders must use the forms included in this Prequalification Package. Prospective bidders cannot modify or alter the Questionnaire, Financial Statement or other documents set forth herein. The District will reject any Submittals that contain modified documents or alternate documents.

4. No Reliance on Prior Submittals

Prospective bidders must timely submit a complete Submittal to the District in accordance with this Prequalification Package. Prospective bidders cannot rely upon any prior prequalification submittals or the prior provision of relevant documentation to the District, or cross reference those prior documents in lieu of submitting a complete Submittal to the District.

5. Ongoing Duty to Provide Accurate, Complete Information

Submittals must contain accurate, complete information. In no event shall a prospective bidder withhold pertinent information or provide false or misleading information. If any information provided by a prospective bidder becomes inaccurate, false, or misleading, then the prospective bidder must immediately notify the District in writing and provide the accurate information to the District under penalty of perjury (*i.e.*, with a new certification, as set forth in Section H of Exhibit "A").

6. Submittals Become District Property

Upon receipt, all Submittals shall be deemed District property. The District shall not be obligated to return a Submittal or a copy of a Submittal to a prospective bidder. The District will maintain the confidentiality of the Submittals in accordance with applicable law and any pertinent District policy. Notwithstanding the foregoing, the District may destroy or otherwise dispose of a Submittal without prior notice and without any right of recourse to the applicable prospective bidder.

7. District's Right to Verify Documents

Although the Submittal will be the primary basis of determining whether a prospective bidder is prequalified, the District expressly reserves the right to examine other available sources, including, but not limited to, conducting Uniform Commercial Code searches; interviewing past and present project owners, architects, construction managers and similar parties; and verifying financial information with the prospective bidder's independent accountant. Prospective bidders must acknowledge and consent to these communications in Section G of the Questionnaire.

B. Addenda to Prequalification Package

The District may issue an addendum or addenda to this Prequalification Package. All prospective bidders are responsible for reviewing the District's website to determine whether an addendum or addenda have been issued. Under no circumstances will the District be responsible for informing prospective bidders about any addendum or addenda in any manner beyond posting the applicable documents on the District's website. If the District elects to email or otherwise deliver an addendum to prospective bidders, such action shall not be construed as an agreement by the District to email or otherwise deliver future addenda to prospective bidders. Prospective bidders must acknowledge in their Submittals the receipt of any addenda. In the event that the District issues an addendum less than 72 hours before the Submittal Deadline, the addendum will state an extension of the Submittal Deadline.

NOTE: PROSPECTIVE BIDDERS ARE SOLELY RESPONSIBLE FOR KEEPING THEMSELVES APPRISED OF ANY ADDENDA, INCLUDING ANY EXTENSIONS OF THE SUBMITTAL DEADLINE. THE DISTRICT WILL NOT GRANT INDIVIDUAL EXTENSIONS OF THE SUBMITTAL DEADLINE OR PERMIT RESUBMISSIONS OF SUBMITTALS TO ANY PROSPECTIVE BIDDER WHO FAILED TO REVIEW OR ACKNOWLEDGE ANY ADDENDA OR FAILED TO INDEPENDENTLY NOTICE THAT THE SUBMITTAL DEADLINE WAS EXTENDED. PROSPECTIVE BIDDERS MAY MODIFY THEIR SUBMITTALS PRIOR TO THE SUBMITTAL DEADLINE BY COMPLYING WITH THE REQUIREMENTS OF SECTION III(C) BELOW.

C. Modification of Prequalification Submittal

A prospective bidder may modify a Submittal that it has already submitted to the District *only* if the prospective bidder (1) submits the modified, complete Submittal to the District by the Submittal Deadline, and (2) simultaneously provides the District with written notice that the modified Submittal supersedes the prior Submittal. Any modified Submittal must be a complete Submittal that fully complies with the instructions set forth in this Prequalification Package. The District will replace any prior Submittal with a modified Submittal that is complete, timely submitted and complies with this Prequalification Package's instructions. The District will reject any modified Submittal that is incomplete, not timely received, or otherwise does not comply with this Prequalification Package's instructions. If

the District rejects a modified Submittal, then the District will review and evaluate the prior Submittal (unless the prospective bidder withdraws the prior Submittal in accordance with Section III(D), below).

NOTE: A PROSPECTIVE BIDDER THAT PROPERLY MODIFIES ITS SUBMITTAL SHALL ONLY HAVE ANY RIGHTS TO APPEAL THE DISTRICT'S DECISION OR LACK OF DECISION REGARDING THE MODIFIED SUBMITTAL, AND SHALL NOT HAVE ANY RIGHTS OF APPEAL WITH RESPECT TO THE ORIGINAL SUBMITTAL. CONVERSELY, A PROSPECTIVE BIDDER THAT ATTEMPTS TO MODIFY ITS SUBMITTAL BUT FAILS TO TIMELY OR PROPERLY DO SO, SHALL ONLY HAVE APPEAL RIGHTS WITH RESPECT TO THE ORIGINAL SUBMITTAL.

D. Withdrawal of Prequalification Submittal

At any time prior to the awarding of bids for the Project, a prospective bidder may withdraw its Submittal by providing the District with written notice of the withdrawal. The written notice must be delivered to Kristen Pifko, Assistant Superintendent, at the District offices. If the District receives the withdrawal notice prior to the District's review of the Submittal, then the District will not review the Submittal. If the District receives the withdrawal notice during the District's review of the Submittal, then the District will cease its review of the Submittal. If the District receives the withdrawal notice after the District's review of the Submittal, and the District determined that the prospective bidder was prequalified, then the District will cancel the prospective bidder's prequalified status.

NOTE: A PROSPECTIVE BIDDER THAT WITHDRAWS ITS SUBMITTAL SHALL NOT HAVE ANY RIGHTS TO APPEAL THE DISTRICT'S DECISION OR LACK OF DECISION REGARDING THE PROSPECTIVE BIDDER'S PREQUALIFICATION FOR THE PROJECT.

IV. DISTRICT'S EVALUATION OF PREQUALIFICATION SUBMITTALS

A. District's Review of Submittal for Timeliness

The District will review each Submittal for timeliness of delivery and receipt. The District will reject as non-responsive any Submittals submitted after the Submittal Deadline. Prospective bidders are solely responsible for timely delivery and receipt of the Submittal, regardless of external factors such as traffic, parking issues, weather, lines at the District's reception desk, problems with couriers, or other matters. Prospective bidders are encouraged to deliver their Submittals to the District well in advance of the Submittal Deadline, and to otherwise factor in contingencies (such as traffic, difficulty in finding parking, *etc.*) when arranging for delivery of the Submittals.

NOTE: THE DISTRICT SHALL IN NO MANNER WHATSOEVER BE RESPONSIBLE FOR THE TIMELINESS OF SUBMITTALS. ADDITIONALLY, THE

DISTRICT'S DETERMINATION OF TIMELINESS SHALL BE CONCLUSIVE. THE DISTRICT WILL NOT CONSIDER ARGUMENTS THAT THE DISTRICT'S METHOD OF CALCULATING TIMELINESS IS ERRONEOUS OR FLAWED (*E.G.*, THAT THE DISTRICT'S CLOCK IS INACCURATE). AS STATED ABOVE, PROSPECTIVE BIDDERS ARE ENCOURAGED TO DELIVER THEIR SUBMITTALS TO THE DISTRICT WELL IN ADVANCE OF THE SUBMITTAL DEADLINE IN ORDER TO AVOID A REJECTION OF THEIR SUBMITTALS FOR UNTIMELINESS.

B. District's Review of Submittal for Responsiveness

In addition to reviewing each Submittal for timeliness, the District will review each Submittal for all other components of responsiveness. The District will reject any Submittals that are not complete or otherwise do not comply with this Prequalification Package's requirements.

Specifically, the District will reject as non-responsive the following:

1. any Submittal with a revised or altered Questionnaire (*i.e.*, a questionnaire that has been changed, such as by adding or deleting provisions in the original questionnaire);
2. any Submittal with an alternative Questionnaire (*i.e.*, a questionnaire different than the one provided in this Prequalification Package, such as a questionnaire for another school district);
3. any Submittal with an incomplete Questionnaire (*e.g.*, prospective bidder fails to respond to all questions or fails to fully respond to all questions);
4. any Submittal that omits the requested financial information;
5. any Submittal that omits any other requested exhibit or attachment;
6. any Submittal without the signed certification and oath under penalty of perjury; and
7. any Submittal that otherwise fails to comply with this Prequalification Package's requirements.

In the event that the District determines that a Submittal is non-responsive, then the District will provide the prospective bidder written notice of such determination by regular mail and electronic mail (the "Notice of Non-Responsive Submittal").

NOTE: THE DISTRICT RESERVES THE RIGHT TO WAIVE ANY IRREGULARITY IN A TIMELY SUBMITTAL THAT, IN THE DISTRICT'S SOLE DISCRETION, DOES NOT CONSTITUTE A MATERIAL DEVIATION FROM THE REQUIREMENTS OF THIS PREQUALIFICATION PACKAGE.

C. Scored Interview Questions

The Questionnaire requires the prospective bidder to provide the District with certain information regarding its prior public works and private projects, including the contact information of the owner, construction manager, and other parties associated with the project. In addition to evaluating the Questionnaire, Financial Statement, and related financial documentation, the District will interview contacts from at least two of each prospective bidder's prior projects. For example, if a prospective bidder performed work as a prime contractor on any of the listed projects, then the District will contact any construction manager for the prior project and at least one other contact associated with a prior project. If the prospective bidder performed work as a subcontractor on any of the listed projects, then the District will contact a general contractor from a project and at least one other contact associated with a prior project.

NOTE: THE INTERVIEW QUESTIONS, SET FORTH IN EXHIBIT "B," ARE PROVIDED TO PROSPECTIVE BIDDERS FOR INFORMATIONAL PURPOSES ONLY. THE DISTRICT WILL CONDUCT ALL INTERVIEWS. PROSPECTIVE BIDDERS ARE NOT REQUIRED TO TAKE ANY ACTION WITH RESPECT TO POTENTIAL INTERVIEWS. DISTRICT INTERVIEWERS MAY ASK THE INTERVIEWEES WHETHER PROSPECTIVE BIDDERS CONTACTED THE INTERVIEWEES IN ADVANCE OF THE INTERVIEWS AND ATTEMPTED TO INFLUENCE THEIR ANSWERS. THE DISTRICT RESERVES THE RIGHT TO DISQUALIFY ANY PROSPECTIVE BIDDER IF THE DISTRICT DETERMINES, IN ITS SOLE DISCRETION, THAT THE PROSPECTIVE BIDDER ATTEMPTED TO IMPROPERLY INFLUENCE AN INTERVIEWEE.

NOTE: CONTRACTORS AND SUBCONTRACTORS WHO PREVIOUSLY WORKED ON PUBLIC PROJECTS AS A SUBCONTRACTOR MUST PROVIDE THE REQUESTED LIST OF PRIOR PUBLIC WORKS PROJECTS BY LISTING THE NATURE AND VALUE OF THE RELEVANT SUBCONTRACTED WORK; THE GENERAL CONTRACTOR, WITH ALL CONTACT INFORMATION; AND THE OWNER OF THE PROJECT.

D. District's Determination of Prequalification Status

The District will review every timely responsive Submittal to determine whether the prospective bidder is "prequalified" or "not prequalified" (*i.e.*, disqualified). First, the District will review the information set forth in Section B of the Questionnaire to determine whether the prospective bidder is automatically disqualified. Next, if the prospective bidder is not

automatically disqualified, then the District will review each section of the Questionnaire and each appendix, and score each section in accordance with the directions set forth in the Questionnaire. Certain sections in the Questionnaire will not be scored, but must be completed (e.g., the prospective bidder’s contact information in Section A). Subsequently, the District may independently verify certain information, such as financial information, provided by the prospective bidder. Finally, the District will conduct and score interviews of persons associated with the prospective bidder’s past public works projects, as set forth in Exhibit “B.”

The minimum number of points required for prequalification is set forth below.

Category	Total Possible Points	Minimum Points for Prequalification
Section A	<i>Information only</i>	<i>Information only *</i>
Section B	<i>Automatic disqualification</i>	<i>Automatic disqualification *</i>
Section C	160	120
Section D	85	60
Section E & Exhibit B	150	90 **
Section F	<i>Addenda acknowledgment</i>	<i>Addenda acknowledgment *</i>
Section G	<i>Authorizations</i>	<i>Authorizations *</i>
Section H	<i>Oath</i>	<i>Oath *</i>
TOTAL	395	270

* These sections are mandatory and must be completed by the prospective bidders, even though no points are awarded for these sections.

** Prospective bidders must provide references for prior construction projects in Section E of the Questionnaire. The District will interview at least two of those references and score their responses using the information provided in Exhibit “B”.

E. Notice of Prequalification Status

The District intends to provide each prospective bidder a written notice of prequalification status (“Notice of Prequalification Status”) no later than 3 business days prior to bid date. The District will send the Notice of Prequalification Status by electronic mail to the address provided in the prospective bidder’s Submittal. If the Notice of Prequalification Status states that a prospective bidder is prequalified, then that prospective bidder is eligible to submit bids for work on the Project. If the Notice of Prequalification Status states that a prospective bidder is not prequalified, then the notice will specify the basis for the disqualification.

V. APPEALS

A. Rights to Appeal District's Determination of Prequalification Status

A prospective bidder shall have no rights to appeal the District's prequalification decision if:

1. the District determined that the Submittal was received after the Submittal Deadline;
2. the prospective bidder withdrew its Submittal;
3. the prospective bidder submitted a modified Questionnaire; or
4. the prospective bidder submitted an alternative questionnaire.

A prospective bidder shall have rights to appeal the District's prequalification decision only if:

1. the District determined that the Submittal was timely received, but not otherwise responsive (*e.g.*, the prospective bidder received a Notice of Non-Responsive Submittal indicating that the Submittal was incomplete or otherwise did not comply with the provisions of this Prequalification Package), but the prospective bidder can demonstrate that the Submittal, as originally submitted, was in fact complete and otherwise complied with the provisions of this Prequalification Package;

2. the District determined that the Submittal was timely received and responsive, yet further determined that the prospective bidder was automatically disqualified (*i.e.*, the prospective bidder received a Notice of Prequalification Status that indicated the prospective bidder was disqualified based upon the information set forth in Section B of the Questionnaire), but the prospective bidder can demonstrate the District incorrectly determined the automatic disqualification (based upon the information set forth in Section B); or

3. the District determined that the Submittal was timely received and responsive, yet further determined that the prospective bidder was not prequalified (*i.e.*, the prospective bidder received a Notice of Prequalification Status that indicated the prospective bidder failed to obtain the minimum number of points for prequalification), but the prospective bidder can demonstrate that the District did not correctly calculate the prospective bidder's score and the actual score in each category is sufficient to prequalify the prospective bidder.

B. Instructions for Submitting an Appeal

If the prospective bidder has a right to appeal as set forth in Section V(A) above, then the prospective bidder shall submit any such appeal (the “Appeal”) in accordance with the following provisions of this Section V(B):

1. the Appeal must be in writing on 8½-inch by 11-inch paper;
2. the Appeal must clearly provide the following information in a cover letter or similar document at the beginning of the Appeal: (a) the prospective bidder’s name, mailing address, phone number, and email address; (b) the name of the project for which prequalification was sought; (c) the fact that the prospective bidder is appealing the District’s prequalification decision; (d) the type of notice that the prospective bidder received from the District (*e.g.*, Notice of Non-Responsive Submittal or Notice of Prequalification Status); and (e) the date the Appeal is being submitted to the District and a brief statement substantiating the prospective bidder’s position that the Appeal is timely submitted;
3. the Appeal must then specify in reasonable detail any alleged errors by the District that constitute the basis of the Appeal (*e.g.*, if the prospective bidder received a Notice of Non-Responsive Submittal, then the prospective bidder must provide reasonably detailed information demonstrating that the original Submittal was responsive);
4. the Appeal must include all facts in support of the Appeal;
5. the Appeal must include all documentation in support of the Appeal, with all such documentation clearly labeled and referenced throughout the Appeal (*e.g.*, clearly label first document as “Exhibit 1” and reference in footnotes or in parentheses throughout the text all places where Exhibit 1 is relevant to the prospective bidder’s Appeal);
6. the Appeal must specify whether the prospective bidder requests a hearing (if the Appeal does not specify that the prospective bidder requests a hearing, then the District reserves the right to render a decision solely based upon the papers submitted with the Appeal);
7. the Appeal must include a certification, signed by an authorized representative of the prospective bidder, stating: “The undersigned hereby certifies under penalty of perjury under the laws of the State of California that (a) all information included in this appeal is true and correct, and (b) the undersigned is a duly-authorized representative of the prospective bidder filing this appeal.”;

8. the Appeal must be enclosed in a sealed envelope, with the following information on the outside of the envelope:

Appeal re: Prequalification Submittal for Rio School District

Attention: Kristen Pifko, Assistant Superintendent of
Business Services
Project Name: Rio STEAM K8 Campus
Contractor: _____
Contractor Address: _____
Contractor Email: _____
Contractor Phone: _____

; and

9. the Appeal must be hand delivered to the front desk of the District office at 2500 E. Vineyard Avenue, Suite #100, Oxnard, California 93036 no later than **1:00 p.m. Seven days after the submittal deadline**(the “Appeals Deadline”). Prospective bidders are solely responsible for timely delivery and receipt of the Appeal, regardless of external factors such as traffic, parking issues, weather, lines at the District’s reception desk, problems with couriers, or other matters. Prospective bidders are encouraged to deliver their Appeals to the District well in advance of the Appeals Deadline, and to otherwise factor in contingencies (such as traffic, difficulty in finding parking, *etc.*) when arranging for delivery of the Appeals.

NOTE: THE PROSPECTIVE BIDDER IS SOLELY RESPONSIBLE FOR COMPLIANCE WITH THE PROVISIONS IN THIS SECTION. THE DISTRICT’S DETERMINATION OF TIMELINESS SHALL BE CONCLUSIVE. THE DISTRICT WILL NOT CONSIDER ARGUMENTS THAT THE DISTRICT’S METHOD OF CALCULATING TIMELINESS IS ERRONEOUS OR FLAWED (*E.G.*, THAT THE DISTRICT’S CLOCK IS INACCURATE). AS STATED ABOVE, PROSPECTIVE BIDDERS ARE ENCOURAGED TO DELIVER THEIR APPEALS TO THE DISTRICT WELL IN ADVANCE OF THE APPEALS DEADLINE IN ORDER TO AVOID A REJECTION OF THE APPEALS FOR UNTIMELINESS. IF THE PROSPECTIVE BIDDER FAILS TO TIMELY SUBMIT AN APPEAL, THEN THE BIDDER SHALL CONCLUSIVELY BE DEEMED TO HAVE WAIVED ALL RIGHTS OF APPEAL, WHETHER ADMINISTRATIVE, JUDICIAL OR OTHERWISE.

C. Appeal Review

The District shall review all Appeals that are submitted before the Appeals Deadline, provided that the Appeal was filed by a prospective bidder with a right of appeal. The District will not review any late Appeals or any Appeals filed by prospective bidders who do not have a right of appeal.

The following provisions apply to the District's review of an Appeal:

1. if the prospective bidder's Appeal alleges that the District incorrectly determined that the Submittal was non-responsive, then the District will review the Appeal to determine whether the Submittal, as originally submitted, was responsive, and if the District determines that the Submittal was incorrectly classified as non-responsive, then the District will review the Submittal to determine whether the prospective bidder is prequalified;

2. if the prospective bidder's Appeal alleges that the District incorrectly determined that the prospective bidder was automatically disqualified, then the District will review the Appeal to determine whether, based upon the original Submittal, the prospective bidder should not have been automatically disqualified, and if the District determines that the prospective bidder was incorrectly categorized as automatically disqualified, then the District will review the Submittal to determine whether the prospective bidder is prequalified; and

3. if the prospective bidder's Appeal alleges that the District incorrectly determined that the prospective bidder was not prequalified, then the District will review the Appeal to determine whether the bidder's score was incorrectly calculated and, if so, whether the prospective bidder should have been prequalified based upon the correct calculation of the bidder's score.

NOTE: THE DISTRICT WILL CONSIDER ALL RELEVANT INFORMATION WHEN REVIEWING APPEALS. THE DISTRICT WILL NOT CONSIDER IRRELEVANT OR SUPERFLUOUS INFORMATION IN ITS REVIEW OF APPEALS. APPEALS SHOULD BE BASED UPON FACTUAL INFORMATION, NOT OPINION OR CONJECTURE. PRIOR TO FILING THEIR APPEALS, IT IS RECOMMENDED THAT PROSPECTIVE BIDDERS CAREFULLY REVIEW THEIR APPEALS TO DETERMINE WHETHER THEY HAVE PROVIDED CONCISE, FACTUAL, PERTINENT INFORMATION TO SUPPORT THEIR POSITIONS, AND COMPLIED WITH ALL REQUIREMENTS FOR FILING AN APPEAL.

D. Appeal Hearing

An Appeal hearing is an opportunity for the prospective bidder to discuss its Appeal with the District. However, the prospective bidder should include all pertinent information in its written Appeal.

If a prospective bidder requests a hearing in its Appeal, then the District will schedule the hearing at a specified time, date and location within the District. The prospective bidder may request certain times and dates for the hearing on its Appeal, but the District reserves the right to unilaterally schedule the hearing based upon multiple factors, including, but not limited to, the number and complexity of Appeals that the District receives, the timeline for initiating the bid process, the availability of space for hearings, the District's other obligations and any other relevant considerations. Therefore, prospective bidders may wish to ensure that multiple authorized representatives are familiar with the Submittal and the Appeal, and otherwise able to attend and participate in any hearing. In the event that the prospective bidder cannot appear at the hearing, the District will make a decision about the Appeal solely based upon the written Appeal.

Appeal hearings will be informal, but all parties shall conduct themselves in a professional, courteous and respectful manner. The District may establish reasonable time limits and other reasonable rules for any Appeal hearings.

E. District Decisions regarding Appeals

The District intends to provide a written notice of its decision regarding the Appeal (the "Notice of Appeal Decision"), inclusive of a Notice of Prequalification Status specifying the District's prequalification determination **3 days prior to the bid date**. The District will provide the prospective bidder with the Notice of Appeal Decision by email at the address included in the Submittal.

NOTE: IF A PROSPECTIVE BIDDER WAS INITIALLY CLASSIFIED AS NON-RESPONSIVE OR DISQUALIFIED, AND ON APPEAL THE DISTRICT DETERMINED IT WAS NECESSARY TO REVIEW THAT PROSPECTIVE BIDDER'S SUBMITTAL FOR PREQUALIFICATION STATUS, THEN THAT BIDDER WILL HAVE A SEPARATE RIGHT OF APPEAL WITH RESPECT TO THE DISTRICT'S DETERMINATION OF PREQUALIFICATION STATUS. THIS SEPARATE RIGHT OF APPEAL SHALL BE SUBJECT TO THE TIMELINES AND PROCEDURES SET FORTH HEREIN. FOR EXAMPLE, IF THE DEADLINE FOR AN APPEAL SET FORTH IN SECTION V(B)(9) IS FOUR CALENDAR DAYS AFTER THE DISTRICT'S NOTICE OF PREQUALIFICATION STATUS SET FORTH IN SECTION IV(E), THEN THE PROSPECTIVE BIDDER WILL HAVE FOUR CALENDAR DAYS AFTER RECEIPT OF THE DISTRICT'S DETERMINATION OF PREQUALIFICATION STATUS TO SUBMIT A SEPARATE APPEAL.

NOTE: THE FILING OF AN APPEAL AND THE RECEIPT OF A NOTICE OF APPEAL DECISION ARE PREREQUISITES TO THE FILING OF ANY CLAIM WHATSOEVER AGAINST THE DISTRICT CONCERNING A SUBMITTAL OR THE DISTRICT'S DECISION REGARDING THE PROSPECTIVE BIDDER'S PREQUALIFICATION TO BID ON THE PROJECT.

VI. DISCLOSURES TO PROSPECTIVE BIDDERS

A. Prospective Bidders' Requests for Further Information

Prospective bidders may request further information about this Prequalification Package by placing their questions in writing and sending them, by email, to:

Kristen Pifko, Assistant Superintendent, kpifko@rioschools.org

with a cc to

Robert Perks, rperks@balfourbeattyus.com

Prospective bidders shall not communicate with any other District representative (*e.g.*, Board member, superintendent, other administrator, staff person or consultant) about this Prequalification Package. Prospective bidders shall include the following subject line for all questions regarding this package: "Questions regarding Prequalification Package – Rio STEAM K8 Campus." All questions must be received by the District at least three calendar days before the Submittal Deadline. The District reserves the right not to respond to any questions received after this time. Moreover, regardless of when a question is submitted, the District reserves the right to only respond to questions of general relevance. If the District elects not to answer any questions, then such decision shall not be the basis of any Appeal. If the District elects to answer any questions, then the District will issue an addendum with the answer, and, if deemed necessary in the District's sole discretion, extend the Submittal Deadline.

B. Additional Review of Submittals by District

The District reserves the right to seek additional information from a prospective bidder at any time, irrespective of whether that prospective bidder has already been prequalified. For example, if the District reasonably determines that information in the prospective bidder's Submittal may be false, inaccurate or misleading, then the District shall have the right to take whatever steps are necessary to rectify the situation, including, but not limited to, the following: (1) request supplemental documentation from the prospective bidder or other relevant parties to ascertain whether the Submittal included false, inaccurate or misleading information; and (2) if material information in the Submittal was false, inaccurate or misleading, then (a) rescind the contractor's or subcontractor's prequalification status, (b) terminate any agreement with the contractor or subcontractor for cause, and (c) recover any

losses incurred by the District due to the false, inaccurate or misleading information. Furthermore, as stated hereinabove, the District's determination that a prospective bidder is prequalified shall not be in lieu of the prospective bidder's compliance with any bid documents for the Project.

C. Public Records Act

The California Public Records Act (Government Code Sections 6250, *et seq.*) provides the public with the right to access governmental records. Upon request, the governmental agency must allow a member of the public to inspect public records or provide copies of the records to the public, unless there is a legal reason for withholding or redacting the documents. Pursuant to PCC Section 20111.6, the answers in the Questionnaire, the Financial Statement and related financial documents included in the Submittal are not public records and are not subject to public inspection or disclosure. The District will keep such information confidential to the extent permitted by law and applicable District policy. However, the contents of the Submittal may be disclosed to third parties for the purpose of verification, investigation of any allegations, and in the process of any administrative or court proceedings. Moreover, PCC Section 20111.6 specifies that the names, addresses and contractor license numbers of contractors and subcontractors applying for prequalification status are public records subject to disclosure.

D. No Representations or Warranties

The District reserves the right, in its sole discretion, to elect to proceed with the Project as planned, suspend or postpone the Project, or cancel the Project. The District provides no representation, warranty or guarantee that the Project will proceed as planned. Prospective bidders shall not rely upon the District's expectation to initiate the Project or the District's projected timeline for commencement of the Project. The District shall bear no liability to prospective bidders for costs in preparing Submittals or any other matter in the event that the District elects not to proceed with the Project.

E. No Improper Influence of District Board or Staff

Prospective bidders shall not in any way attempt to influence any member of the Board or any District employee or consultant. The District reserves the right to reject the Submittal of any party that violates this provision or appears to violate this provision, and, at any time, to seek any other remedy available at law or in equity for violation of this provision.

END OF INSTRUCTIONS –
REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

EXHIBIT “A”
QUESTIONNAIRE

QUESTIONNAIRE

SECTION A: CONTRACTOR INFORMATION

Section A will not be scored. However, the entire section must be completed. If the entire section is not completed, then the contractor will be considered "non-responsive" and will not be scored for prequalification.

1. **Contractor's Name** (Must be in the exact form that it appears on CSLB license)

2. **Contractor's CSLB License Information** (List primary license first)

License Number	Classification	Expiration Date	Name of Qualifying Individual

3. **Contractor's DIR Registration Number** _____

4. **Contractor's Physical Address**

5. **Contractor's Mailing Address** (If different than above)

6. **Contractor's Main Telephone Number** _____

7. **Contractor's Main Facsimile Number** _____

8. **Contractor's Website** _____

9. **Contact Person #1** _____

Email Address for Contact Person #1 _____

Direct Telephone Line for Contact Person #1: _____

10. **Contact Person #2** _____

Email Address for Contact Person #2 _____

Direct Telephone Line for Contact Person #2: _____

11. **Type of Entity** (Check one box. This information must correspond with CSLB license.)

Corporation

Partnership

Limited Liability Company

Sole Proprietorship

12. Do you intend to bid on the Project as part of a joint venture? Yes No
 (If you answered “yes,” then you must answer sections 12(a-c). All bidders review 12(d).)

- a. On what date did the joint venture commence? _____
- b. What is the name of the firm, if any, that is the primary managing entity for the joint venture (exactly as it appears on CSLB license)? _____

- c. List the name of all joint venture members exactly as the name appears on the joint venture member’s CSLB license and their percentage ownership in the joint venture.

	Member’s Official Name	% Ownership
Member 1		
Member 2		
Member 3		

d. Attach a copy of the joint venture agreement as “**EXHIBIT 2.**” If not applicable, then insert a page stating that EXHIBIT 2 was intentionally omitted.

NOTE: EACH MEMBER OF A JOINT VENTURE MUST INDIVIDUALLY SUBMIT PREQUALIFICATION DOCUMENTS AND INDIVIDUALLY PREQUALIFY.

13. Current Structure of Contractor’s Business (Complete only one section.)

a. Complete this section if contractor is a corporation.

- i. What date was the corporation incorporated? _____
- ii. Under the laws of what State? _____
- iii. Indicate in Table A-1 below (A) the name of each person who is president, vice president, secretary, treasurer or other officer of the corporation or the owner of at least 10% of the corporation’s stock, (B) the positions held by each person, (C) the dates that the person has been associated with the contractor, and (D) the person’s social security number.
- iv. Indicate in Table A-2 below (A) the name of each person listed in (iii) above who was an officer *or* owner of 10% or more of any other construction firm at any time during the last five years, (B) the positions held by each such person, (C) the official

name and address of the other firm (*e.g.*, the name on the CSLB license), and (D) the start and end dates of the person's affiliation with the other firm.

b. Complete this section if the contractor is a partnership.

- i. What date was the partnership formed? _____
- ii. Under the laws of what State? _____
- iii. Indicate in Table A-1 below (A) the name of each person who owns at least 10% of the partnership, (B) the positions held by each person, (C) the dates the person has been associated with contractor, and (D) the person's social security number.
- iv. Indicate in Table A-2 below (A) the name of each person listed in (iii) above who was an officer *or* an owner of 10% or more of any other construction firm at any time during the last five years, (B) the positions held by each such person, (C) the official name and address of the other firm (*e.g.*, the name on the CSLB license), and (D) the start and end dates of the person's affiliation with the other firm.

c. Complete this section if the contractor is a limited liability company.

- i. What date was the LLC formed? _____
- ii. Under the laws of which State? _____
- iii. Indicate in Table A-1 below (A) the name of each person who is member of the LLC and each person who owns at least 10% of the LLC, (B) the positions held by each person, (C) the dates that the person has been associated with the contractor, and (D) the person's social security number.
- iv. Indicate in Table A-2 below (A) the name of each person listed in (iii) above who was an officer *or* an owner of 10% or more of any other construction firm at any time during the last five years, (B) the positions held by each such person, (C) the official name and address of the other firm (*e.g.*, the name on the CSLB license), and (D) the start and end dates of the person's affiliation with the other firm.

d. Complete this section if the contractor is a sole proprietorship.

- i. Date business commenced? _____
- ii. State(s) in which business has operated? _____
- iii. Social security number of company owner? _____
- iv. Indicate in Table A-3 below (A) the positions held by the owner in any other construction firm within the last five years, (B) the official name and address of the other firm (*e.g.*, the name on the CSLB license), and (C) the start and end dates of the owner's affiliation with the other firm.

TABLE A -1				
Name of person	Position with firm	Dates with firm (MM/YY- MM/YY)	% ownership	Social security number

TABLE A – 2			
Name of person	Position in other firm	Other firm’s name and address	Dates with other firm (MM/YY- MM/YY)

TABLE A – 3		
Positions in other firms	Name and address of other firms	Dates with other firm (MM/YY-MM/YY)

NOTE: CONTRACTORS MAY MAKE ADDITIONAL COPIES OF TABLES A-1, A-2 AND/OR A-3, IF NECESSARY.

END OF SECTION A

SECTION B: ESSENTIAL REQUIREMENTS FOR QUALIFICATION

**Contractor will be immediately disqualified if the answer to any of questions 1 through 6 is “no.”¹
Contractor will be immediately disqualified if the answer to any of questions 7 through 10 is “yes.”**

1. Does your construction firm possess a valid and current California Contractor’s license in good standing for the project or projects for which it intends to submit a bid?
 Yes No

2. Does your construction firm possess a valid and current California Department of Industrial Relations (“DIR”) registration?
 Yes No

3. Does your firm currently have the following required insurance policies² with the specified policy limits:
 - a. Does your firm currently have commercial general liability (CGL) insurance on an occurrence basis, including products and completed operations, property damage, bodily injury, personal injury, and advertising injury with limits no less than \$1,000,000.00 per occurrence and \$2,000,000.00 in the aggregate?
 Yes No

 - b. Does your firm acknowledge and agree that if prequalified and awarded a bid, the firm must obtain CGL insurance on an occurrence basis, including products and completed operations, property damage, bodily injury, personal injury, and advertising injury with limits no less than \$5,000,000.00 per occurrence and \$5,000,000.00 in the aggregate at your firm’s sole cost and expense, and as a precondition to entering a contract with the District?
 Yes No

 - c. Does your firm currently have in place automobile liability insurance with limits no less than \$1,000,000.00 per accident for bodily injury and property damage?
 Yes No

 - d. Does your firm acknowledge and agree that if prequalified and awarded a bid, the firm must obtain automobile liability insurance with limits no less than \$3,000,000.00 per accident for bodily injury and property damage at your

¹ A “no” answer to Question 5 will not be disqualifying if the contractor is exempt from complying with Question 5, for reasons explained in footnote 3.

² The bid documents may require different insurance limits and specific insurance provisions relevant to the particular trade and scope of work.

firm's sole cost and expense, and as a precondition to entering a contract with the District?

Yes No

e. Does your firm currently have employer's liability insurance with a limit of no less than \$1,000,000.00 per accident for bodily injury or disease?

Yes No

4. Does your construction firm have current workers' compensation insurance as required by the Labor Code or is your firm legally self-insured pursuant to Labor Code Sections 3700, *et seq.*?
 Yes No The construction firm is exempt from this requirement because it has no employees

5. Have you attached a copy of a reviewed or audited financial statement with accompanying notes and supplemental information from your construction firm's most recent fiscal year as "**EXHIBIT 5**" (see Section F(3))?³
 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 as "**EXHIBIT 6**" 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) your current available bonding capacity, and (b) that your current bonding capacity is sufficient for the project for which you seek prequalification?⁴
 Yes No

NOTE: NOTARIZED STATEMENT MUST BE FROM THE SURETY COMPANY, NOT AN AGENT OR BROKER.

7. At any time during the last five years, have any of your contractor's licenses been revoked?
 Yes No

³ Public Contract Code Section 20101(e) exempts from this requirement a contractor who has qualified as a small business pursuant to Government Code Section 14837(d)(1), if the bid is "no more than 25% of the qualifying amount provided in Section 14837(d)(1)." Currently, the qualifying amount is \$10 million. Therefore, 25% of that amount is \$2.5 million.

⁴ An additional notarized statement from the surety may be requested by the District at the time of submission of a bid.

8. At any time during the last five years, has a surety firm completed a contract on your behalf, or paid for completion because your firm defaulted or was terminated by the project owner?
 Yes No
9. At the time of submitting this pre-qualification 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, Labor Code Section 1777.7 or any other provision of applicable law, or is it reasonably foreseeable that your firm will be ineligible to bid on or be awarded a public works contract within the next year?
 Yes No
10. At any time during the last five 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, or is your firm or any of its owners or officers currently in the process of being prosecuted for such a crime?
 Yes No

END OF SECTION B

SECTION C: HISTORY AND ORGANIZATIONAL PERFORMANCE

Section C is divided into four subsections: C-1 "Business Structure; Leadership"; C-2 "Disputes"; C-3 "Civil and Criminal Lawsuits"; and C-4 "Financial Information; Bonding Capacity." Each subsection will be scored as set forth herein.

SECTION C-1: BUSINESS STRUCTURE; LEADERSHIP

1. At any time during the last three years, has there been any change in ownership of your firm?

Yes No Not applicable because contractor is a corporation whose shares are publicly traded

Yes = 0 points. No or not applicable = 5 points.

2. Is your firm a subsidiary, parent, holding company or affiliate of another construction firm (*i.e.*, 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

Yes = 0 points. No = 5 points.

3. Are any officers, partners or owners connected to any other construction firms (including if an owner, partner, or officer of your firm holds a similar position in another firm)?

Yes No

Yes = 0 points. No = 5 points.

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

> 5 years = 5 points. 4 years = 3 points. 3 years = 2 points. < 3 years = 0 points.

5. At any time during the last five years, has your firm or any firm with which any of your firm's owners, partners or officers are associated received a notice of suspension or forfeiture from the California Secretary of State or the Franchise Tax Board?

Yes No

Yes = 0 points. No = 5 points.

6. At any time during the last five years, was your firm the debtor in a bankruptcy case, whether voluntary or involuntary, or did your firm assign any or all of its assets for the benefit of any creditor, or is your firm currently the debtor in a bankruptcy case?

Yes No

Yes = 0 points. No = 5 points.

7. At any time during the last five years, has your firm changed names or license numbers?
 Yes No

Yes = 0 points. No = 5 points.

8. At any time during the last five years, has any owner, partner or officer of your firm operated a construction firm under any other name?
 Yes No

Yes = 0 points. No = 5 points.

9. At any time during the last five years, has any CSLB license held by your firm or its responsible managing employee (RME) or responsible managing officer (RMO) been suspended?
 Yes No

Yes = 0 points. No = 5 points.

SECTION C-2: DISPUTES

10. At any time during the last five years, has your firm received a notice of noncompliance or notice of default from any public agency regarding your work on a project and your firm DID NOT substantially prevail on this matter?
 Yes No

Yes = 0 points. No = 5 points.

11. At any time during the last five years, has your firm filed a request to withdraw or be released from a public agency bid?
 Yes No

Yes = 0 points. No = 5 points.

12. At any time during the last five years, was your firm placed on notice, penalized or assessed damages for improperly substituting a subcontractor while working on a public project?
 Yes No

Yes = 0 points. No = 5 points.

13. At any time during the last five years, has your firm been assessed and paid liquidated damages after completion of a project under a construction contract with either a public or private owner?
 Yes No

Yes = 0 points. No = 5 points.

14. At any time during the last five years, has your firm, or any firm with which any of your firm's owners, officers or partners was or is 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 13 in Section A.
- Yes No

Yes = 0 points. No = 5 points.

15. At any time during the last five 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

Yes = 0 points. No = 5 points.

NOTE: Questions 7 and 8 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 subcontractor and a project owner. Also, you may omit reference to all disputes about amounts of less than \$50,000.

16. At any time during the past five years, has any claim against your firm concerning your firm's work on a construction project been filed in court or arbitration and your firm DID NOT prevail on substantially all aspects of such claim?
- Yes No

Yes = 0 points. No = 5 points.

17. At any time during the past five years, has your firm made any claim against a project owner concerning work on a project or payment for a contract and filed that claim in court or arbitration and your firm DID NOT prevail on substantially all aspects of such claim?
- Yes No

Yes = 0 points. No = 5 points.

18. At any time during the past five years, has any surety company made any payments on your firm's behalf as a result of a default or 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

Yes = 0 points. No = 5 points.

19. At any time during the last five years, has any insurance carrier, for any form of insurance, refused to renew the insurance policy for your firm?

Yes No

Yes = 0 points. No = 5 points.

20. At any time during the last five years, has any surety company denied bond credit to your firm, or was your firm ever without a surety bond although one was required?

Yes No

Yes = 0 points. No = 5 points.

21. At any time during the last five years, has anyone protested a bid that you submitted to a public agency that resulted in the rejection of your bid or all bids?

Yes No

Yes = 0 points. No = 5 points.

22. At any time during the last five years, has your firm protested a bid that another party submitted to a public agency that did not result in the rejection of that bid or all bids?

Yes No

Yes = 0 points. No = 5 points.

23. At any time during the last ten years, has a court, arbitrator, mediator or any other official tribunal found that your firm was liable for construction defects and that decision was not overturned on appeal?

Yes No

Yes = 0 points. No = 5 points.

SECTION C-3: CIVIL AND CRIMINAL LAWSUITS

24. 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

Yes = 0 points. No = 5 points.

25. 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

Yes = 0 points. No = 5 points.

26. 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

Yes = 0 points. No = 5 points.

SECTION C-4: FINANCIAL INFORMATION; BONDING CAPACITY

27. State your firm's tax identification number: _____

This question is not scored, but must be completed.

28. State your firm's gross revenues for each of the last three years.

Year: _____	Amount: _____
Year: _____	Amount: _____
Year: _____	Amount: _____

This question is not scored, but must be completed.

29. Attach to this Questionnaire as "**EXHIBIT 5**" your construction firm's reviewed or audited financial statement for the most recent fiscal year, with accompanying notes and supplemental information.

NOTE: THE CPA MUST BE AN INDEPENDENT PARTY AND NOT AN EMPLOYEE OF THE CONTRACTOR. THE LETTER MUST BE CERTIFIED TO BE FREE OF ANY KNOWINGLY FALSE, FICTITIOUS OR FRAUDULENT INFORMATION AND SIGNED BY A PARTNER IN THE CPA FIRM AS WELL AS BY THE CONSTRUCTION FIRM'S PRESIDENT, CHIEF EXECUTIVE OFFICER OR CHIEF FINANCIAL OFFICER. FINALLY, THE LETTER MUST INCLUDE THE CPA'S LICENSE NUMBER.

This question is not scored, but must be completed.

30. Attach to this Questionnaire as "**EXHIBIT 6**" a notarized statement from the surety that would issue performance and payment bonds on behalf of your construction firm if the District awarded you a contract for the Project. The statement must include the name of the surety; the name, address, telephone number and email address of the surety agent; and a statement of your current bonding capacity. The statement must be from the surety, and not from a broker, agent or other representative of the surety.

NOTE: THE SURETY MUST BE AN ADMITTED INSURER AUTHORIZED BY THE CALIFORNIA DEPARTMENT OF INSURANCE TO CONDUCT BUSINESS AND ISSUE BONDS IN CALIFORNIA, AND MUST HAVE AN A.M. BEST KEY RATING GUIDE RATING OF A- OR BETTER.

This question is not scored, but must be completed.

31. If, at any time during the last five years, any surety other than the one listed in item 4 above has issued any performance or payment bond on behalf of your construction firm, please list below in Table F-2 the name of the surety, the surety's address, the dates on which the bonds were issued and the amount of the bonds:

TABLE F-2			
Surety Name	Address	Dates	Amount

No surety listed = 5 points. 1 surety listed = 3 points. Any other answer = 0 points.

32. At any time during the last five years, was your construction firm required to pay a premium of more than 1% for a performance and payment bond on any project(s) on which your firm worked?

Yes No

If yes, state the percentage that your firm was required to pay: _____%

Yes and higher than 1.10% = 0 points. Yes and no higher than 1.10% = 3 points. No = 5 points.

33. At any time during the last five 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

Yes = 0 points. No = 5 points.

34. At any time during the last ten years, did your firm receive a notice of tax lien from the Internal Revenue Service or the State of California, including, but not limited to, the Employment Development Department; get assessed penalties for failure to properly pay or withhold taxes; become the subject of a State or federal notice of tax levy; or otherwise fail to properly pay or withhold State or federal taxes, and your firm DID NOT prevail on substantially all aspects of this matter?

Yes No

Yes = 0 points. No = 5 points.

35. Are there currently any outstanding judgment liens against your firm or any of its property (*i.e.*, a lien created when someone wins a lawsuit against you and records the judgment against your property) or anticipated to be filed against your firm?

Yes No

Yes = 0 points. No = 5 points.

36. At any time during the last five years, was your firm the subject of any effort to collect delinquent debt in excess of \$100,000, and your firm DID NOT substantially prevail on such claim?

Yes No

Yes = 0 points. No = 5 points.

END OF SECTION C

SECTION D: SAFETY; WORKERS' COMPENSATION; PREVAILING WAGE AND APPRENTICESHIP LAWS

Section D is divided into three subsections: D-1 "Safety and Health"; D-2 "Prevailing Wage Laws"; and D-3 "Apprenticeship Programs." Each subsection will be scored as set forth herein.

SECTION D-1: SAFETY AND HEALTH

1. At any time during the last five years, has the California Occupational Safety and Health Administration (Cal-OSHA) cited and assessed penalties against your firm for any "serious," "willful" or "repeat" violations of its safety or health regulations, and the citation was not overturned on appeal?

Yes No

Yes = 0 points. No = 5 points.

2. At any time during the last five years, has the federal Occupational Safety and Health Administration cited and assessed penalties against your firm, and the citation was not overturned on appeal?

Yes No

Yes = 0 points. No = 5 points.

3. At any time during the last five years, has Cal-OSHA or federal OSHA cited and assessed penalties against any of your subcontractors for any "serious," "willful" or "repeat" violations of its safety or health regulations, and the citation was not overturned on appeal?

Yes No

Yes = 0 points. No = 5 points.

4. At any time during the last five years, has the Environmental Protection Agency (federal or state), 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, and the citation was not overturned on appeal?

Yes No

Yes = 0 points. No = 5 points.

5. Does your firm currently have a safety plan in place which complies with the current OSHA standards?

Yes No

Yes = 5 points. No = 0 points.

6. During the course of a project, how often do you require documented safety meetings to be held for construction employees and field supervisors (e.g., daily, weekly, once every two weeks, etc.)?

\geq daily = 5 points. < daily to \geq weekly = 3 points. <weekly = 0 points.

7. During the course of a project, how often do you require a safety manager to inspect the project site (e.g., daily, weekly, once every two weeks, etc.)?

\geq daily = 5 points. < daily to \geq weekly = 3 points. <weekly = 0 points.

8. List your firm's Experience Modification Rate (EMR) (California workers' compensation insurance) for each of the past three premium years. (Your workers' compensation insurance carrier issues an Experience Modification Rate to your firm on an annual basis.)

Current year: _____

Previous year: _____

Year prior to previous year: _____

Average of above 3 years: _____

For EMR average: $\leq .95$ = 5 points. $> .95$ and ≤ 1.0 = 3 points. > 1.0 = 0 points.

9. At any time during the last five years, has there ever been a period when your firm had employees but was without workers' compensation insurance or state-approved self-insurance?

Yes No

Yes = 0 points. No = 5 points.

10. During the last five years, has any public agency ever found that you violated its site safety and health program?

Yes No

Yes = 0 points. No = 5 points.

11. During the last five years, has any public agency found that your construction firm violated its drug-free workplace or alcohol and tobacco policy (Gov. Code Sections 8350, et seq.)?

Yes No

Yes = 0 points. No = 5 points.

12. Has any school district ever found that your construction firm failed to properly take the precautionary measures designed to ensure the safety of students (e.g., ensuring that contractors/subcontractors passed applicable background checks; installing and

maintaining barricaded work areas; providing for continual supervision and monitoring of all contractor employees (*see, e.g.*, Ed. Code Sections 45125.1 and 45125.2))?

Yes No

Yes = 0 points. No = 5 points.

SECTION D-2: PREVAILING WAGE LAWS

13. During the last five years, has there been more than one occasion in which your firm was required to pay either back wages or penalties for your own firm's failure to comply with state 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 any of your subcontractors.

Yes No

Yes = 0 points. No = 5 points.

14. During the last five 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 prevailing wage laws (*i.e.*, the Davis Beacon requirements)?

Yes No

Yes = 0 points. No = 5 points.

SECTION D-3: APPRENTICESHIP PROGRAMS

15. Provide the name, address, telephone number, facsimile number and, if known, contact person and email address, 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 any project for which you are awarded a contract by the District.

Name: _____

Address: _____

Telephone Number: _____

Facsimile Number: _____

Contact Person: _____

Email Address: _____

Name: _____

Address: _____

Telephone Number: _____

Facsimile Number: _____

Contact Person: _____

Email Address: _____

Name: _____
 Address: _____
 Telephone Number: _____
 Facsimile Number: _____
 Contact Person: _____
 Email Address: _____

At least one approved apprenticeship program = 5 points. No program = 0 points.

16. Does your construction firm operate its own State-approved apprenticeship program?
 Yes No

If the answer to question 4 is yes, then please provide the following information.

Craft	Year that program was approved	For last 3 years, total # of persons employed as apprentices at your firm	For last 3 years, total # of persons who completed apprenticeship at your firm

NOTE: Attach evidence of the most recent California Apprenticeship Council approval(s) of your apprenticeship program(s) as **EXHIBIT 7**.

If one or more persons completed approved program = 5 points.
 If no program or no persons completed approved program = 0 points.

17. 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

Yes = 0 points. No = 5 points.

END OF SECTION D

SECTION E: RECENT CONSTRUCTION PROJECTS COMPLETED

Please provide information about (a) your six most recently completed public works projects and (b) your three largest completed private projects within the last five years. If you were the prime contractor or general contractor on the project, use Form 1. If you were the subcontractor on the project, use Form 2. Please make copies of the appropriate form, and use one form per project. All information must be completed, and all names and contact information must be current.

Please note that the District intends to verify the information provided in this Section E, and to interview at least two contacts listed in this Section E. The interviews will be scored as set forth in Exhibit “B.” Prospective bidders are not required to take any action with respect to potential interviews. District interviewers may ask the interviewees whether prospective bidders contacted them in advance of the interviews and attempted to influence their answers. Prospective bidders may be disqualified if the District determines, in its sole discretion, that prospective bidders attempted to influence any interviewees.

FORM 1 – GENERAL CONTRACTORS OR PRIME CONTRACTORS
MOST RECENT PROJECTS

Use this form for all projects in which you were the general or prime contractor. Make copies of this page and fill out one information sheet per contract. Names and references must be current and verifiable.

Contract Date: _____

Original Contract Amount: \$ _____

Final Contract Amount: \$ _____

Project Name: _____

Project Address: _____

Project Owner: _____

Project Owner's Contact Person: _____

Contact Person's Position/Title: _____

Contact Person's Current Telephone Number: _____

Contact Person's Current Email Address: _____

Architect or Engineer Firm: _____

Architect or Engineer Address: _____

Architect or Engineer Contact Person: _____

Contact Person's Position/Title: _____

Contact Person's Current Telephone Number: _____

Contact Person's Current Email Address: _____

Construction Manager Firm: _____

Construction Manager's Address: _____

Construction Manager Contact Person: _____

Contact Person's Position/Title: _____

Contact Person's Current Telephone Number: _____

Contact Person's Current Email Address: _____

Description of Project: _____

Description of Contractor's Scope of Work: _____

Original Scheduled Completion Date: _____

Time Extensions Granted (number of days): _____

Actual Date of Completion: _____

FORM 2 – SUBCONTRACTORS
MOST RECENT PROJECTS

Use this form for all projects in which you were the subcontractor. Make copies of this page and fill out one information sheet per contract. Names and references must be current and verifiable.

Subcontract Date: _____

Original Subcontract Amount: \$ _____

Final Subcontract Amount: \$ _____

Project Name: _____

Project Address: _____

Project Owner: _____

Project Owner's Contact Person (if known): _____

Contact Person's Position/Title: _____

Contact Person's Current Telephone Number: _____

Contact Person's Current Email Address: _____

General Contractor: _____

General Contractor's Address: _____

General Contractor's Contact Person: _____

Contact Person's Position/Title: _____

Contact Person's Current Telephone Number: _____

Contact Person's Current Email Address: _____

Construction Manager Firm (if known): _____

Construction Manager's Address: _____

Construction Manager Contact Person: _____

Contact Person's Position/Title: _____

Contact Person's Current Telephone Number: _____

Contact Person's Current Email Address: _____

Description of Project: _____

Description of Subcontractor's Scope of Work: _____

Original Scheduled Completion Date: _____

Time Extensions Granted (number of days): _____

Actual Date of Completion: _____

END OF SECTION E

SECTION F: ADDENDA

This section is not scored, but must be completed.

The prospective bidder acknowledges that it has received and examined any and all addenda issued in relation to this Prequalification Package and is thoroughly familiar with all contents thereof by entering the applicable addendum number in the space provided below:

- Addendum No. _____

END OF SECTION F

SECTION G: AUTHORIZATIONS

This section is not scored, but must be completed.

I, the undersigned, certify and declare that:

1. Accountant Release/Authorization: I authorize Rio School District or its duly-authorized representative (the “District”) to contact the below-referenced contractor’s (the “Contractor’s”) licensed accounting firm to verify the audited or reviewed financial statement submitted with the Contractor’s prequalification application. I understand that the financial statement is confidential information and not subject to public inspection.

2. Present and Past Project Interviews: I further hereby authorize the District to contact any project owner, school district, public agency, general contractor, subcontractor, architect, construction manager or other party that the District, in its sole discretion, desires to interview for the purposes of verifying or further evaluating the Contractor’s prequalification submittal, and understand that I have provided the information set forth in Section I for this purpose.

3. Public Information: I acknowledge and consent to the District’s search of public records, including, but not limited to, the Secretary of State records, Franchise Tax Board records, UCC records, state and federal court records, in order to verify information provided in the Contractor’s prequalification submittal.

Name of Contractor (as it appears on CSLB license)

Printed Name of Authorized Representative

Title of Authorized Representative

Signature of Authorized Representative

Date Signed

City and State where Signed

END OF SECTION G

SECTION H: OATH

This section is not scored, but must be completed.

I, the undersigned, certify and declare that:

- (a) I am a duly-authorized representative of the contractor submitting this Prequalification Submittal to the District;
- (b) on behalf of the contractor submitting this Prequalification Submittal to the District, I have read all the foregoing answers to this Prequalification Submittal and am knowledgeable about its contents, including, but not limited to, all exhibits attached hereto;
- (c) the matters stated in the questionnaire answers and the attachments 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
- (d) in the event that any information provided herein becomes inaccurate, false or misleading, I will immediately notify the District and provide updated, accurate information in writing and under penalty of perjury.

I declare under penalty of perjury under the laws of the State of California, that the foregoing is correct.

Name of Contractor (as it appears on CSLB license)

Printed Name of Authorized Representative

Title of Authorized Representative

Signature of Authorized Representative

Date Signed

City and State where Signed

END OF SECTION H

SECTION I: EXHIBITS

This section is not scored, but must be completed.

Please attach to your Submittal the following Exhibits, in the specified order.

Exhibit #	Description/Directions	Attached?
Exhibit 1	Please attach a copy of your license(s). Copies must be clearly legible.	
Exhibit 2	Please attach a copy of your joint venture agreement, if you intend to bid as a joint venture with another contractor. If not applicable, then please insert a page stating that “Exhibit 2 was intentionally omitted.”	
Exhibit 3	Please attach a certificate of insurance evidencing your firm’s compliance with the insurance requirements for this project. The certificate must include the limits and dates of coverage.	
Exhibit 4	Please attach a copy of the most recent Secretary of State certification indicating your firm’s current standing.	
Exhibit 5	Please attach a copy of your firm’s reviewed or audited financial statement with accompanying notes and supplemental information.	
Exhibit 6	Please attach a notarized statement from the admitted surety insurer (approved by the California Department of Insurance) and authorized to issue bonds in the State of California, in accordance with Section C-4, question number 30, of the Questionnaire.	
Exhibit 7	Please attach evidence of your most recent California Apprenticeship Council approval(s), in accordance with Section D-3, question 16, or, if not applicable, please insert a page stating that “Exhibit 7 was intentionally omitted.”	

END OF SECTION I

AND

END OF PREQUALIFICATION PACKAGE

EXHIBIT “B”

SCORED INTERVIEW QUESTIONS

Prospective bidders are not required to take any action with respect to potential interviews. District interviewers may ask the interviewees whether prospective bidders contacted them in advance of the interviews and attempted to influence their answers. The below interview questions are provided to prospective bidders for informational purposes only. The highest possible score for a single project is 150 points. The District will average the scores for each interview. An average score of less than 90 points will disqualify a prospective bidder from working on the Project.

Contractor – Scored Interview Questions

1. Relationships – On a scale of 1 to 5 (with 5 being the best level of performance), please rate the contractor’s performance in each of the following categories:

- a. Relationship with owner (5 points maximum); _____
- b. Relationship with design team (5 points maximum);
- c. Relationship with inspectors (5 points maximum); and
- d. Relationship with other contractors/subcontractors (5 points maximum).

2. Quality Control – On a scale of 1 to 5 (with 5 being the best level of performance), please rate the contractor’s performance in each of the following categories:

- a. Provision of experienced supervisors (5 points maximum);
- b. Adequate staffing of the project (5 points maximum);
- c. Provision of sufficient equipment to perform the work in a timely manner (5 points maximum);
- d. Required supervision from owner or owner’s agent(s) (5 points for minimal supervision to 0 points for excessive supervision required);
- e. Workmanship (5 points maximum);
- f. Installation (5 points maximum); and
- g. Coordination of subcontractors (5 points maximum).

3. Schedule Control – On a scale of 1 to 5, please rate the contractor’s performance regarding the following:

- a. Maintaining and managing the project schedule (with 5 being the best level of performance); and
- b. Delays directly caused by contractor and not substantially caused by other contractors, the public agency or acts beyond the contractor’s control (5 points for no delays directly caused by contractor and 0 points for multiple delays caused directly by contractor).¹

4. Cost Control – On a scale of 1 to 5 (with 5 being the best level of performance), please rate the contractor’s performance in each of the following categories:

- a. Maintaining the project budget; and
- b. Managing cost overruns effectively.

¹ See Business & Professions Code Section 7119 (regarding contractor’s obligation to show due diligence in completing contracted work, and stating that failure to do so gives CSLB cause to take disciplinary action against a license).

5. Communication – On a scale of 1 to 5 (with 5 being the best level of performance), please rate the contractor’s performance in each of the following categories:

- a. Clarity of communication, including in person, telephonic and written communication; and
- b. Timeliness of communication, including responsiveness to inquiries and proactive nature of any communication.

6. Documentation – On a scale of 1 to 5 (with 5 being the best level of performance), please rate the contractor’s performance in each of the following categories:

- a. Timeliness of documents (e.g., reports, change orders);
- b. Professionalism and sufficiency of documents (e.g., whether reports were complete and accurate); and
- c. Timeliness and sufficiency of close out documentation (e.g., DSA documentation).

7. Change Orders – On a scale of 1 to 5 (with 5 being the best level of performance), please rate the contractor’s performance in each of the following categories:

- a. The quality of change order work (5 points maximum);
- b. How well contractor integrated change order work into existing work (5 points maximum); and
- c. The excessiveness of change order requests not due to changes in the plans and specifications or other matters outside of contractor’s control (5 points for no excessive change order requests to 0 points for excessive change order requests).²

8. Claims; Violations – On a scale of 1 to 5 (with 5 being the best level of performance), please rate the contractor’s performance in each of the following categories:

- a. Are there any outstanding stop notices, liens or claims by the contractor on contracts for which notices of completion have been recorded? (5 points if none.)
- b. Were there any OSHA violations (Cal or federal) resulting in action associated with this contractor’s work on the project? (5 points if none.)
- c. Were there any other violations resulting in action associated with this contractor’s work on the project? (5 points if none.)
- d. Were there any issues with agency policy compliance (e.g., safety precautions for students and staff)? (5 points if none.)

² See Business & Professions Code Section 7113 (stating that a contractor must complete a contract for the agreed-upon price, and that failure to do so gives CSLB cause to take disciplinary action against that contractor’s license).

9. Project Satisfaction; Recommendation Level – On a scale of 1 to 5 (with 5 being the best level of performance), please rate the contractor’s performance in each of the following categories:

- a. Your level of satisfaction with the contractor’s performance and the completed project;
- b. Your assessment as to whether the contractor’s experience comports with the District’s anticipated project (type, size and scope); and
- c. The degree to which you would recommend this contractor for work on future public works projects.

END OF EXHIBIT B