



REQUEST FOR PRE-QUALIFICATION OF BIDDERS FOR THE SONORA REGIONAL WASTEWATER TREATMENT FACILITY PROJECT

Notice is hereby given that Tuolumne Utilities District (TUD) has determined that all bidders on **Sonora Regional Wastewater Treatment Facility Project** to be undertaken by TUD must be pre-qualified prior to submitting a bid on that project. General information about the project scope is attached to this Request for Pre-Qualification. It is mandatory that all Contractors who intend to submit a bid fully complete the pre-qualification questionnaire, provide all materials requested herein, and be approved by TUD to be on the final qualified bidders list. No bid will be accepted from a Contractor that has failed to comply with these requirements. If two or more business entities submit a bid as part of a Joint Venture, or expect to submit a bid as part of a Joint Venture, then each entity within the Joint Venture must be separately qualified to bid. The last date to submit a fully completed questionnaire is **March 15, 2021 at 4 pm PST**. Contractors are encouraged to submit pre-qualification applications as soon as possible so that they may be notified of omissions of information to be remedied or of their pre-qualification status well in advance of the bid advertisement for this project.

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. TUD will use these documents as the basis of rating Contractors in respect to the size and scope of contracts upon which each Contractor is qualified to bid. TUD reserves the right to check other sources available. TUD's decision will be based on objective evaluation criteria.

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

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

The pre-qualification applications maybe submitted as hardcopies or via email. If by hardcopy please submit under seal and marked "CONFIDENTIAL". Email submissions should include a "read" and a "delivery" receipt.



Makayla Dillon, Management Analyst

mdillon@tudwater.com, 209-532-5536 x 512

Tuolumne Utilities District, 18885 Nugget Blvd. Sonora, CA 95370

The pre-qualification applications (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. However, the contents may be disclosed to third parties for purpose of verification, or investigation of substantial allegations, or in the appeal hearing. State law requires that the names of contractors applying for pre-qualification status shall be public records subject to disclosure, and the first page (Section A) of the questionnaire will be used for that purpose.

Each questionnaire must be signed under penalty of perjury in the manner designated at the end of 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 TUD and provide updated accurate information in writing, under penalty of perjury.

TUD reserves the right to waive minor irregularities and omissions in the information contained in the pre-qualification application submitted, to make all final determinations, and to determine at any time that the pre-qualification procedures will not be applied to a specific future public works project.

Contractors may submit pre-qualification applications during regular working hours on any day that the offices of TUD are open. In person submissions can be arranged by contacting Makayla Dillon, TUD Management Analyst, at 209-532-5536 ext. 512 or mdillon@tudwater.com. Contractors who submit a complete pre-qualification application will be notified of their qualification status no later than five (5) business days after submission of the information.

TUD may refuse to grant pre-qualification where the requested information and materials are not provided or not provided by deadline specified above. There is no appeal from a refusal for an incomplete or late application, but re-application for a later project is permitted. The closing time for bids will not be changed in order to accommodate supplementation of incomplete submissions or late submissions.

Where a timely and completed application results in a rating below that necessary to pre-qualify, an appeal can be made. An appeal is begun by the Contractor delivering notice to TUD of its appeal of the decision with respect to its pre-qualification rating no later than ten (10) business days prior to the closing time for the receipt of bids for this public works project. Without a timely appeal, the Contractor waives any and all rights to challenge the decision of TUD, whether by administrative process, judicial process or any other legal process or proceeding. Appeals shall only apply to responses contained in Section C of the Pre-Qualification Questionnaire. There is no appeal from a refusal for an incomplete or late application, but re-application for a later projects may be permitted.

If the Contractor gives the required notice of appeal and requests a hearing, the hearing shall be conducted so that it is concluded no later than five business days after TUD receipt of the notice of appeal, and no later than four business days prior to the last date for the receipt of bids on the project. The hearing shall be an informal process conducted by a panel consisting of the TUD District Engineer, TUD Associate Engineer, TUD Management Analyst, and TUD General Manager. At or prior to the hearing, the Contractor will be advised of the basis for TUD's pre-qualification determination. The Contractor will be given the opportunity to present information and present reasons in opposition to the rating. Within one day after the conclusion of the hearing, the Appeals Panel will render its decision. It is the intention of TUD 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 pre-qualified for bidding on this public works contract to be let by TUD until the contractor meets TUD's requirements. In addition, a contractor may be found not pre-qualified for either:

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

* * * * *

INSTRUCTIONS FOR CONTRACTORS

Contractors who wish to be pre-qualified must submit a completed pre-qualification questionnaire to TUD for review. Contractors are required to provide any additional information and/or documentation as instructed on the questionnaire. The Pre-qualification Questionnaire can be found on pages 6 to 18.

A Contractor will be automatically pre-qualified if the responses submitted to all questions in Sections C and D do not raise concerns. A Contractor that does not automatically pre-qualify by “passing” Sections C and D is subject to additional scrutiny. If additional scrutiny is required, TUD will review and evaluate the required supporting documentation and use a numerical scorecard to determine whether the Contractor is pre-qualified as described below.

ESSENTIAL CRITERIA QUESTIONS (Section C of Pre-Qualification Questionnaire)

Contractor is immediately disqualified if:

- Any answer to questions 1 through 7 is “NO”
- Any answer to questions 8 through 14 is “YES”

If the Contractor is not immediately disqualified based on its answers to the questions in Section C, TUD may assume that the Contractor has passed this pre-qualification section. However, TUD may require additional information be submitted to verify the accuracy of the responses provided on the Questionnaire.

PRE-QUALIFICATION CRITERIA QUESTIONS (SECTION D of Pre-Qualification Questionnaire)

Contractors are required to answer questions 1 through 11 and must provide additional information to TUD for any questions where the answer is not “0”. The awarding body will then use this information to calculate a score for Section D in order to determine eligibility for pre-qualification.

All questions in which the Contractor’s response is not “0” are scored. If all of the Contractor’s responses to questions 1 through 11 are “0” TUD may assume that the Contractor has passed this pre-qualification section. However, TUD may require additional information from the Contractor to verify the accuracy of the responses provided.

If any answer to questions 1 through 11 is not “0”, additional scrutiny is required and TUD will analyze the issues using the following two factors:

1. Whether the incident was a good faith mistake and, if so, the error was promptly and voluntarily corrected when brought to the attention of the Contractor or Subcontractor.
AND
2. Whether the Contractor or Subcontractor has a prior history or several incidents of the issue are reported.

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

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

Certain questions in Section D are weighted two times as much as others based on the severity of the actions and level of a Contractor’s control over those actions. These questions are given additional weight because they involve significant concerns as to whether a Contractor should be pre-qualified. Also, scores were given additional weight based on a Contractor’s level of control over those issues. These questions are scored as follows: If the first factor receives a score of 5 and the second factor receives a score of 4, the total score for a “Red Flag” question would be 18. The calculation can be seen as follows: $((5+4) \times 2 = 18)$. The following questions are assigned additional weight as explained above: 1, 2, 3, 5, 7, 8, 11.

TUD may use the Scoring Worksheet on page 25, to calculate the Contractor’s overall weighted score for Section D. A contractor pre- qualifies only if the overall score is 20 or less, and is disqualified if the overall score is greater than 20.

**PROJECT REFERENCES
(SECTION E below)**

Section E is not scored but allows TUD to collect information about a Contractor’s five most recent wastewater treatment related public works projects. The information is meant to assist TUD when conducting interviews of the managers of projects previously completed (that is, the people who supervised the projects for the project owners) by the Contractor wishing to pre-qualify. This may also be provided to TUD to verify answers provided in sections C and D.

CONTRACTOR PRE-QUALIFICATION QUESTIONNAIRE

NOTE: Section A of questionnaire is a public record, and that all other pages of the questionnaire are not public records

A. CONTRACTOR INFORMATION (All Questions Must Be Answered)

Firm Name: _____
 (as it appears on CSLB license)

Firm Type: Corporation LLC Partnership Sole Proprietorship Joint Venture

Contact: _____
 (Print Name/Title, List Owner if Firm is a Sole Proprietorship or Partnership)

Local Address (P.O. Box is not acceptable):

Address 1: _____

Address 2: _____

City: _____ State: _____ Zip: _____

Office Telephone: _____

Contact Mobile: _____

Fax Number: _____

E-mail Address: _____

List all California construction or other professional license numbers, classifications and expiration dates held by your firm:

| License Number | Classification | Expiration Date |
|----------------|----------------|-----------------|
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List your firm's DIR Public Works Contractor (PWCR) Registration Number(s):

| PWCR Number | Entity Name | Expiration Date |
|-------------|-------------|-----------------|
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If any of your firm's license(s) are held in the name of a corporation, limited liability company, or partnership, list below the names of the qualifying individual(s) listed on the CSLB records who meet(s) the experience and examination requirements for each license.

| License Number | Classification | Expiration Date |
|----------------|----------------|-----------------|
| | | |
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B. CURRENT ORGANIZATION AND STRUCTURE: (Complete the section below for the appropriate type of firm)

For Firms That Are Corporations:

1a. Date incorporated: _____

1b. Under the laws of what state: _____

1c. Provide all the following information for each person who is either (a) an officer of the corporation (president, vice president, secretary, treasurer), or (b) the owner of at least ten percent of the corporation's stock:

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

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

| Persons Name | Construction Firm | Dates of Persons Participation with Firm |
|--------------|-------------------|--|
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For Firms That Are Limited Liability Companies (LLC):

1a. Date incorporated: _____

1b. Under the laws of what state: _____

1c. Provide all the following information for each person who is either (a) an officer of the corporation (president, vice president, secretary, treasurer), or (b) the owner of at least ten percent of the corporation's stock:

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

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

| Persons Name | Construction Firm | Dates of Persons Participation with Firm |
|--------------|-------------------|--|
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For Firms That Are Partnerships:

1a. Date incorporated: _____

1b. Under the laws of what state: _____

1c. Provide all the following information for each partner who owns ten percent or more of the firm.

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

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

| Persons Name | Construction Firm | Dates of Persons Participation with Firm |
|--------------|-------------------|--|
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For Firms That Are Sole Proprietorships:

1a. Date of commencement of business: _____

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

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

| Name | Position | Years With Firm | % Ownership |
|------|----------|-----------------|-------------|
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For Firms That Are Sole Proprietorships:

1a. Date of commencement of business: _____

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

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

| Name | Position | Years With Firm | % Ownership |
|------|----------|-----------------|-------------|
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For Firms That Intend to Make a Bid as Part of a Joint Venture:

1a. Date of commencement of business: _____

1b. Provide all the following information for each firm that is a member of the joint venture that expects to bid on one or more projects

| Name of Construction Firm | % Ownership |
|---------------------------|-------------|
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FOR ALL FIRMS:

2. At any time during the past five years, has your firm shared office space, warehouse space, yard, plant or shop facilities, staff, equipment, telecommunications or other assets with any other construction firm? (If yes, identify and explain below.)

| Construction Firm | Description of Sharing Agreement | Location of Facilities |
|-------------------|----------------------------------|------------------------|
| | | |
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3. State your firm’s gross revenues for each of the last three fiscal years:

Current year (\$): _____

Previous year (\$): _____

Year prior to previous year (\$): _____

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

5. Bonding Capacity – Provide documentation from your surety identifying the following:

Name of Bonding Company/Surety:

Name of Surety Agent: _____

Address: _____

Telephone number: _____

6. If your firm was required to pay a premium of more than one percent for a performance and payment bond on any project(s) on which your firm worked at any time during the

last three years, state the percentage that your firm was required to pay. You may provide an explanation for a percentage rate higher than one percent, if you wish to do so.

7. List all other sureties (name and full address) that have written bonds for your firm during the last five years, including the dates on which they were issued:

| Name | Address | Date |
|------|---------|------|
| | | |
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8. How often do you require documented safety meetings to be held for construction employees and field supervisors during the course of a project?

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

Current year rate: _____

Previous year rate: _____

Year prior to previous year rate: _____

10. Does your firm regularly utilize a third-party consultant to review labor compliance documents of subcontractors on a public works. Yes No

11. Provide the name, address and telephone number of the apprenticeship program (approved by the California Apprenticeship Council) from whom you intend to request the dispatch of apprentices to employ on any public works project awarded by TUD.

| Name | Address | Phone |
|------|---------|-------|
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12. Provide the name, address and telephone number of the apprenticeship program (approved by the California Apprenticeship Council) from whom you have requested and/or employed apprentices in the past three years.

| Name | Address | Phone |
|------|---------|-------|
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13. If your firm operates its own State-approved apprenticeship program:
- (a) Identify the craft or crafts in which your firm provided apprenticeship training in the past year;
 - (b) State the year in which each such apprenticeship program was approved and attach evidence of the most recent California Apprenticeship Council approval(s);
 - (c) For each craft, list the number apprentices employed by your firm and the number of individuals that completed apprenticeships while employed by your firm during the last three years.

| Craft | Year | No. Apprentices | No. Completed |
|-------|------|-----------------|---------------|
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14. Has your firm changed names or license number in the past five years? (If yes, explain on a separate sheet, including the reason for the change.)
- Yes
 - No

15. Has there been any change in ownership of your firm at any time during the last five years? (If yes, explain on a separate sheet.)
- Yes
 - No

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

16. Is your firm a subsidiary, parent, holding company or affiliate of another construction firm? (If yes, explain on a separate sheet.)
- Yes
 - No

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

17. Has any owner, partner and/or officer of your firm operated or been connected to a construction firm under any other name in the last five years not listed in Section A or Section B above at any time in the past five years?

- Yes
 No

If Yes: Provide the person’s name, construction firm name, and dates of participation.

| Name | Construction Firm | Dates Participated On |
|------|-------------------|-----------------------|
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C. ESSENTIAL CRITERIA QUESTIONS

1. Has your firm completed at least 3 wastewater treatment related projects with treatment capacities of at least 1 million gallons per day within the last 10 years?
 Yes
 No

2. Does your firm possess a valid and current California Contractor’s or other professional license as required by law for the project for which it intends to submit a bid?
 Yes
 No

3. Is your firm registered with DIR as a Public Works Contractor for the current fiscal year?
 Yes
 No

4. Is your firm capable of securing a general liability insurance policy with a limit of at least \$5,000,000 per occurrence and \$10,000,000 aggregate?
 Yes
 No

5. Does your firm have current workers' compensation insurance policy as required by the Labor Code or is your firm legally self-insured pursuant to Labor Code section 3700 et. seq.?
- Yes
- No
6. Have you attached your firm's latest copy of reviewed or audited financial statements with accompanying notes and supplemental information?
- *NOTE:** Financial statements that are not either reviewed or audited are 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 statements.
- Yes
- No
7. Have you attached a notarized statement from an admitted surety insurer (approved by the California Department of Insurance) authorized to issue bonds in the State of California, which states that: (a) your current bonding capacity is sufficient for the project for which you seek pre-qualification if you are seeking pre-qualification for a single project; or valid for a year if you are seeking pre-qualification valid for a year; and (b) your current available bonding capacity? ***NOTE:** Financial statements that are not either reviewed or audited are 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 statements.
- Yes
- No
8. Has your contractor's or other professional license been revoked at any time in the last five year?
- Yes
- No
9. Has a surety firm completed a contract on your behalf, or paid for completion because your firm was in default and/or terminated by the project owner within the last five years?
- Yes
- No

10. Is your firm, any of its officers, supervisors, managers, or any firm or individual identified above in Section A and/or Section B, ineligible to bid on or be awarded a public works contract, or perform as a subcontractor on a public works contract, pursuant to Labor Code section 1777.1, Labor Code section 1777.7, or any other federal, state, county, municipal or other local law providing for the debarment of contractors from public works?
- Yes
- No
11. Has your firm, any of its officers, supervisors, managers, or any firm or individual identified above in Section A and/or Section B been convicted of a crime involving the awarding of a contract of a government construction project, the bidding or performance of a government contract, antitrust statutes, racketeering statutes, safety and health regulations, environmental laws, laws banning workplace discrimination, laws governing wages, hours or labor standards, or laws involving fraud, theft, or any other act of dishonesty?
- Yes
- No
12. Is your firm currently the debtor in a bankruptcy case? **If Yes:** attach a copy of the bankruptcy petition showing the case number and date on which the petition was filed.
- Yes
- No
13. Has your firm, any of its officers, supervisors, managers, or any firm or individual identified above in Section A and/or Section B ever been terminated from a public works contract, including but not limited to termination based on any misconduct, such as failure to comply with contractual, statutory, or other legal obligations from any public construction project?
- Yes
- No
14. Does your firm, any of its officers, supervisors, managers, or any firm or individual identified above in Section A and/or Section B currently have any delinquent liability to an employee, the state, or any awarding body for any assessment of back wages or related damages, interest, fines or penalties pursuant to any final judgment, order, or determination by any court or any federal, state, or local administrative agency, including a confirmed arbitration award?
- Yes
- No

D. PRE-QUALIFICATION CRITERIA QUESTIONS

Prior History

Circle Answer

- | | | | | | | | |
|----|---|---|---|---|---|---|----|
| 1. | How many times has your firm, or any of its officers, supervisors, or managers, declared bankruptcy at any time during the last five years? NOTE: This question refers only to a bankruptcy action that was not described in your answer to Question 11 in Section C. If yes, attach a copy of the bankruptcy petition showing the case number and the date on which the petition was filed, a copy of the Bankruptcy Court’s discharge order or any other document that concluded the case if no discharge order was issued. | 0 | 1 | 2 | 3 | 4 | 5+ |
| 2. | How many times in the past five years, has your firm, or any of its officers, supervisors, or managers, been a party in any civil litigation or administrative proceeding alleging violation of any of the following: contract antitrust statutes, racketeering statutes, safety and health regulations, environmental laws, laws banning workplace discrimination, laws governing wages, hours or labor standards, or laws involving fraud, theft, or any other act of dishonesty? NOTE: Explain on a separate sheet. Provide details including the nature of the claims and defenses, caption, date, case or docket number, name of the court or agency before which the case is pending or which it was heard, and current status. | 0 | 1 | 2 | 3 | 4 | 5+ |
| 3. | How many times has your firm, or any of its officers, supervisors, or managers, been debarred, suspended, disqualified, denied a classification rating or pre-qualification or otherwise been declared not responsible to or prevented from bidding or performing work on any public works contract or subcontract in the last five years? NOTE: Explain on a separate sheet. State whether the firm involved was the firm applying for pre-qualification here or another firm. Identify by name of the company, name of the person within your firm who was associated with that company, date, owner of the project, project name and information, basis for the action, and case or docket number.) | 0 | 1 | 2 | 3 | 4 | 5+ |
| 4. | How many times in the last five years has your firm been assessed and paid liquidated damages after completion of a project under a construction contract with either a public or private owner? NOTE: Explain on a separate sheet. Identify all such projects by owner, owner’s address, date of completion of the project, amount of liquidated damages assessed and all other information necessary to fully explain the assessment of liquidated damages.) | 0 | 1 | 2 | 3 | 4 | 5+ |

5. How many times during the past five years, has any surety company made any payments on your firm’s behalf as a result of a default, to satisfy any claims made against a performance or payment bond issued on your firm’s behalf, in connection with a construction project, either public or private? **0 1 2 3 4 5+**

NOTE: Explain on a separate sheet. Identify the amount of each such claim, name and telephone number of the claimant, date of claim, grounds for claim, present status of claim, date of resolution of such claim if resolved, method by which claim was resolved if resolved, nature of resolution and amount, if any, at which claim was resolved.

6. How many times in the last five years has any insurance carrier, for any form of insurance, refused to renew an insurance policy for your firm? **0 1 2 3 4 5+**

NOTE: Explain on a separate sheet. Name the insurance carrier, form of insurance, and year of refusal.

Criminal Matters and Civil Suits

Circle Answer

7. How many times has your firm, or any of its officers, supervisors, or managers, ever been convicted of a crime involving any federal, state or local law related to construction? **0 1 2 3 4 5+**

NOTE: Explain on a separate sheet. Identify who was involved, name of the public agency, date of conviction, and grounds for conviction.

8. How many times has your firm, or any of its officers, supervisors, or managers, ever been found liable in a civil suit or convicted of a federal or state crime of fraud, theft, or involving any other act of dishonesty, such as making any false claim or material misrepresentations? **0 1 2 3 4 5+**

NOTE: Explain on a separate sheet. Identify the person or persons convicted or found liable, court [the county if a state court, the district or location if federal court], year, and conduct involved.)

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

9. How many times in the last five years has any claim against your firm concerning your firm’s work on a construction project been filed in court or arbitration? **0 1 2 3 4 5+**

NOTE: Explain on a separate sheet. Identify the claim(s) by providing the project name, date of the claim, name of the claimant, a brief description of the nature of the claim, the court in which the case was

filed and a brief description of the status of the claim [e.g. "pending" or, if resolved, a brief description of the resolution].

10. How many times in the last five years has your firm made any claim against a project owner concerning work on a project or payment for a contract and filed that claim in court or arbitration? **0 1 2 3 4 5+**

NOTE: Explain on a separate sheet. Identify the claim(s) by providing the project name, date of the claim, name of the entity (or entities) against whom the claim was filed, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim [e.g. "pending" or if resolved, a brief description of the resolution].)

Occupational Health and Safety Compliance

Circle Answer

11. How many times in the last five years has CalOSHA cited and assessed penalties against your firm for any "serious," "willful" or "repeat" violation(s) or the federal Occupational Safety and Health Administration cited and assessed penalties against your firm for violation(s) of safety or health regulations? **0 1 2 3 4 5+**

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



NOTE: Omissions, misrepresentations and any failure to disclose associations with other firms or any prior history of alleged violations may lead to loss of your eligibility to register as a Public Works Contractor, disqualification of bids, and/or grounds for termination of a contract.

E. PROJECT REFERENCES No. 1

Provide information about the firm’s five most recently completed wastewater treatment related public works projects within the last ten years. Additionally, please identify any projects within the last ten years that were partially or fully funded by USDA or California State Revolving Fund. Names and references must be current and verifiable. Use separate sheets of paper that contain all the following information*:

For General Contractors: Only list projects your firm performed as the general contractor.

Project Name: _____

Location: _____

Owner: _____

Owner Contact: _____
(name and current phone number)

Architect or Engineering Firm: _____
(name and current phone number)

Architect or Engineer Contact: _____
(name and current phone number)

Construction Manager: _____
(name and current phone number)

Inspector of Record: _____
(name and current phone number)

Description of Project, Scope of Work Performed: _____

Total Value of Construction, including change orders: \$ _____

Date Construction Commenced: _____

Original Contractual Completion Deadline: _____

Adjusted Completion Deadline Based on Time Extensions Granted by Owner: _____

Actual Date of Completion: _____

General Contractor’s Project Manager (lead contact in office), if applicable: _____

General Contractor’s Superintendent (lead contact on site), if applicable: _____

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

PROJECT REFERENCES No. 2

Provide information about the firm’s five most recently completed wastewater treatment related public works projects within the last ten years. Additionally, please identify any projects within the last ten years that were partially or fully funded by USDA or California State Revolving Fund. Names and references must be current and verifiable. Use separate sheets of paper that contain all the following information*:

For General Contractors: Only list projects your firm performed as the general contractor.

Project Name: _____

Location: _____

Owner: _____

Owner Contact: _____
(name and current phone number)

Architect or Engineering Firm: _____
(name and current phone number)

Architect or Engineer Contact: _____
(name and current phone number)

Construction Manager: _____
(name and current phone number)

Inspector of Record: _____
(name and current phone number)

Description of Project, Scope of Work Performed: _____

Total Value of Construction, including change orders: \$ _____

Date Construction Commenced: _____

Original Contractual Completion Deadline: _____

Adjusted Completion Deadline Based on Time Extensions Granted by Owner: _____

Actual Date of Completion: _____

General Contractor’s Project Manager (lead contact in office), if applicable: _____

General Contractor’s Superintendent (lead contact on site), if applicable: _____

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

PROJECT REFERENCES No. 3

Provide information about the firm’s five most recently completed wastewater treatment related public works projects within the last ten years. Additionally, please identify any projects within the last ten years that were partially or fully funded by USDA or California State Revolving Fund. Names and references must be current and verifiable. Use separate sheets of paper that contain all the following information*:

For General Contractors: Only list projects your firm performed as the general contractor.

Project Name: _____

Location: _____

Owner: _____

Owner Contact: _____
(name and current phone number)

Architect or Engineering Firm: _____
(name and current phone number)

Architect or Engineer Contact: _____
(name and current phone number)

Construction Manager: _____
(name and current phone number)

Inspector of Record: _____
(name and current phone number)

Description of Project, Scope of Work Performed: _____

Total Value of Construction, including change orders: \$ _____

Date Construction Commenced: _____

Original Contractual Completion Deadline: _____

Adjusted Completion Deadline Based on Time Extensions Granted by Owner: _____

Actual Date of Completion: _____

General Contractor’s Project Manager (lead contact in office), if applicable: _____

General Contractor’s Superintendent (lead contact on site), if applicable: _____

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

PROJECT REFERENCES No. 4

Provide information about the firm’s five most recently completed wastewater treatment related public works projects within the last ten years. Additionally, please identify any projects within the last ten years that were partially or fully funded by USDA or California State Revolving Fund. Names and references must be current and verifiable. Use separate sheets of paper that contain all the following information*:

For General Contractors: Only list projects your firm performed as the general contractor.

Project Name: _____

Location: _____

Owner: _____

Owner Contact: _____
(name and current phone number)

Architect or Engineering Firm: _____
(name and current phone number)

Architect or Engineer Contact: _____
(name and current phone number)

Construction Manager: _____
(name and current phone number)

Inspector of Record: _____
(name and current phone number)

Description of Project, Scope of Work Performed: _____

Total Value of Construction, including change orders: \$ _____

Date Construction Commenced: _____

Original Contractual Completion Deadline: _____

Adjusted Completion Deadline Based on Time Extensions Granted by Owner: _____

Actual Date of Completion: _____

General Contractor’s Project Manager (lead contact in office), if applicable: _____

General Contractor’s Superintendent (lead contact on site), if applicable: _____

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

PROJECT REFERENCES No. 5

Provide information about the firm’s five most recently completed wastewater treatment related public works projects within the last ten years. Additionally, please identify any projects within the last ten years that were partially or fully funded by USDA or California State Revolving Fund. Names and references must be current and verifiable. Use separate sheets of paper that contain all the following information*:

For General Contractors: Only list projects your firm performed as the general contractor.

Project Name: _____

Location: _____

Owner: _____

Owner Contact: _____
(name and current phone number)

Architect or Engineering Firm: _____
(name and current phone number)

Architect or Engineer Contact: _____
(name and current phone number)

Construction Manager: _____
(name and current phone number)

Inspector of Record: _____
(name and current phone number)

Description of Project, Scope of Work Performed: _____

Total Value of Construction, including change orders: \$ _____

Date Construction Commenced: _____

Original Contractual Completion Deadline: _____

Adjusted Completion Deadline Based on Time Extensions Granted by Owner: _____

Actual Date of Completion: _____

General Contractor’s Project Manager (lead contact in office), if applicable: _____

General Contractor’s Superintendent (lead contact on site), if applicable: _____

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

CERTIFICATION

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

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

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

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

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

I, _____ (Name), the undersigned, am the _____ (Title), with the authority to act for and on behalf of _____ (Contractor Entity Name), declare under penalty of perjury under the laws of the State of California that the foregoing information provided in this Pre-qualification Questionnaire is true, full, and correct.

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

Executed on this: ____ day of _____ at _____
(Date) (Month / Year) (City / State)

Print Name of Contractor Representative: _____

Signature of Contractor Representative: _____

Section D. PRE-QUALIFICATION CRITERIA QUESTIONS AND SCORING

| Question Number | Factor #1 Points | Factor #2 Points | Multiplying Factor | Total Points |
|-----------------|------------------|------------------|--------------------|--------------|
| 1 | | | x2 | |
| 2 | | | x2 | |
| 3 | | | x2 | |
| 4 | | | x1 | |
| 5 | | | x2 | |
| 6 | | | x1 | |
| 7 | | | x2 | |
| 8 | | | x2 | |
| 9 | | | x1 | |
| 10 | | | x1 | |
| 11 | | | x2 | |
| Total | | | = | |

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

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

Questions Type:

- Non-Red Flag Questions (x1)
- Red Flag Questions (x2)

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

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

Factor #2: A score of 1 is assigned where only a single incident exists, and a score of 5 is assigned where five or more incidents of that kind are reported.

A contractor is PRE-QUALIFIED if the total score is: 20 points or LESS.

A contractor is DISQUALIFIED if the total score is: GREATER THAN 20 points.