



DEPARTMENT OF PUBLIC WORKS
Brad B. Underwood, P.E., L.S., Director

330 W 20th Avenue
San Mateo, CA 94403-1338
Telephone: (650) 522-7300
Fax: (650) 522-7301
www.cityofsanmateo.org

REQUEST FOR QUALIFICATIONS

Prequalification of Bidders for the Underground Flow Equalization System Project

Clean Water Program

August 8, 2019

**Public Works Department
City of San Mateo
330 West 20th Avenue
San Mateo, CA 94403**

Request for Qualifications for the Prequalification of Bidders for the Underground Flow Equalization System Project

The City of San Mateo (City) is accepting Applications for Prequalification for the Underground Flow Equalization (UFES) Project. This Request for Qualifications (RFQ) document is issued with the intent to pre-qualify general contractors for construction of this project. A current California contractor's license is required to bid the Project: Class A.

All questions regarding this RFQ shall be directed to Ben Wright, Project Manager, email: ben.wright@jacobs.com, by August 30th, 2019. The RFQ is available for viewing online at <http://www.cityofsanmateo.org/bids.aspx>.

Statements of Qualifications (SOQs) shall be submitted by construction firms that have a capable and demonstrable background in the type of work described in this RFQ. Sealed Applications for Prequalification shall be submitted to the City of San Mateo Public Works Department, 330 West 20th Avenue, San Mateo, California, 94403, no later than:

2:00 p.m. on September 5th, 2019

SOQs received after the deadline will not be considered. Respondent's shall submit their SOQ in four (4) sets and one (1) electronic copy in PDF format on a flash drive.

This Prequalification to bid the UFES Project is required regardless of and in addition to any prequalification for City of San Mateo work which a general contractor may already have on file. Responses will enable the City to pre-select contractors to bid on the Project based on experience and qualifications. Upon receipt, the Applications for Prequalification will be opened and evaluated by the City, resulting in a list of general contractors deemed qualified to bid the Project.

A Non-mandatory, Informational Conference for General Contractors will take place on August 15, 2019, 10:00 am at City Hall, 330 West 20th Avenue, San Mateo, CA 94403. This will provide an opportunity to ask questions regarding the project and the application requirements.

Table of Contents

I. GENERAL INSTRUCTIONS AND INFORMATION.....	4
A. GENERAL INFORMATION.....	4
B. Data Required	5
C. Current Financial Information	5
D. Accountant’s Certificate	6
E. Affidavits	6
F. Questions	6
G. Appeal Rights	6
II. PROJECT OVERVIEW	8
A. Project Location.....	8
B. Project Description.....	8
III. EVALUATION CRITERIA	9
IV. APPLICATION FOR PRE-QUALIFICATION.....	11
• Part I – Organization Information and Affidavit	
• Part II – Essential Requirements for Qualification	
• Part III – Organization, History, Organization Performance, Compliance with Civil and Criminal Laws	
• Part IV – Organization’s Statement of Experience and Recent Construction Projects Completed	
• Part V – Organization’s Financial Statements, Surety and Bonding Requirements, and Insurance Requirements	
• Part VI – Attachments Required	

I. GENERAL INSTRUCTIONS AND INFORMATION

A. GENERAL INFORMATION

The City of San Mateo (City) is currently under a Regional Water Quality Control Board (RWQCB) Cease and Desist Order (CDO) requiring improvements to its collection and treatment systems to eliminate sanitary sewer overflows and unauthorized discharges. The Clean Water Program (CWP) was established to upgrade aging infrastructure, enhance reliability, provide capacity for wet weather flows, and enhance the City's water treatment process.

One of the key components of the CWP is the UFES project, which consists of a 5.3-MG concrete underground wastewater holding structure located on San Mateo County Event Center property. During storm events, diversion sewers will route wet weather dilute raw sewage flows from the existing sewers on Delaware Street to the holding structure, which will store wastewater until the storm event subsides. An effluent pump station will then pump the stored wastewater back into the collection system when capacity becomes available. Work includes a cast-in-place reinforced concrete tank, diversion gravity sewers and force main, isolation valve vault and combined mechanical and odor control vault, tank flushing system, dewatering pumps and pumping equipment, odor control scrubbing equipment, associated electrical and instrumentation equipment, diesel-powered generator and site and landscaping work.

Prequalification by the City for this Project shall remain valid until the contract for construction is awarded or until responding firms are notified in writing by the City in the unexpected event that no construction contract is awarded. It is mandatory that all prime Contractors who intend to submit a bid fully complete the pre-qualification questionnaire, provide all materials requested, and be approved by the City to be on the final qualified Bidders list. No bid will be accepted from a Contractor that has failed to comply with these requirements. If two or more business entities submit a bid as part of a Joint Venture or expect to submit a bid as part of a Joint Venture, each entity within the Joint Venture must be separately qualified to bid.

NOTES:

1. Each partner of joint venture proposals must individually meet the conditions of General Contractor's Evaluation Form, Contractor's License has not been suspended, put on probation or revoked at any time in the last five (5) years.
2. Limited Liability Corporations (LLC) will be required to comply with a Guaranty of Obligations.

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. The City will use these documents as the basis of rating Contractors in respect to prequalification for bidding on the UFES project. The City's decision will be based on objective evaluation criteria developed in accordance with State of California Department of Industrial Relations prequalification guidelines.

The City reserves the right to adjust, increase, limit, suspend or rescind the pre-qualification rating based on the initial review or subsequently learned information. Contractors who are not prequalified or whose rating changes sufficiently 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 required documents to assist City in determining bidder capability and responsibility prior to bid and to aid City in selecting the lowest responsible bidder, bidders must still submit a responsible and responsive bid in accordance with the bidding requirements in order to be awarded a contract pursuant to California Public Contract Code.

B. Data Required

All portions of Application for Prequalification Parts I through VI, should be completed, with additional information attached if the space provided does not suffice. Failure to include the information called for may result in disqualification. It is essential that applicable construction experience of the general contractor is demonstrated, as such experience is considered in establishing prequalification.

NOTE: The pre-qualification packages (questionnaire answers and financial statements) submitted by Contractors are not public records and are not open to public inspection. All information provided will be kept confidential to the extent permitted by law. 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 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 City and provide updated accurate information in writing, under penalty of perjury.

City 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 shall submit pre-qualification packages during regular working hours on any day that the offices of City are open up to the deadline of 2:00 PM, local time, **September 5, 2019.**

City may refuse to grant prequalification where the requested information and materials are not provided by the deadline. There is no appeal from a refusal due to an incomplete or late application. The closing time for bids will not be changed in order to accommodate supplementation of incomplete submissions, or late submissions.

C. Current Financial Information

General Contractor shall provide a complete financial statement indicating organization's financial condition. Financial statements provided by general contractors shall have been

prepared within six (6) months of the date of filing this Prequalification Application. The financial statements shall have been reviewed and audited and submitted with any accompanying notes and supplemental information.

D. Accountant's Certificate

The certificate of a Certified Public Accountant (CPA) is required. A suggested form of certificate is included which may be used if applicable. Certificate shall be signed and shall indicate license/certificate number.

The CPA shall submit information regarding working capital if/as appropriate by furnishing supplemental schedules or as part of their certificate.,

In the event that the general contractor's job income and expenditures are accounted on a completed contract basis and the balance sheet includes an item reflecting the excess of costs to date over billings to date, or vice versa, the elements of "Accumulated Costs" and "Billings to Date" must be shown in support of the balance sheet item.

E. Affidavits

The appropriate affidavit must be completely executed, or the statement will be disqualified.

F. Questions

Only written inquiries will be responded to. Except as provided for below, under no circumstances are any prospective general contractors or anyone receiving the Application for Prequalification, to contact, discuss with, or inquire of any City consultant, employee, or elected official on any matter relating to this solicitation process. This requirement is to ensure that the same information is communicated to all parties and that no inconsistent, incomplete, or inaccurate information is transmitted separately.

All questions regarding this RFQ shall be directed to Ben Wright, Project Manager, email: ben.wright@jacobs.com, by August 30th, 2019.

G. Appeal Rights

Where a timely and completed application results in a rating below that necessary to be pre-qualified, an appeal can be made. An appeal is begun by the Contractor delivering written notice to the City of Contractor's request for appeal of the decision, no later than five (5) business days following the date of written notification from City that the Contractor has not been prequalified. Without a timely appeal, the Contractor waives any and all rights to challenge the decision of the City, whether by administrative process, judicial process or any other legal process or proceeding.

Appeals shall be submitted to the Ben Wright, Project Manager, email: ben.wright@jacobs.com. Appeals will give the Contractor an opportunity to present information and present reasons in opposition to the rating.

The City shall have the authority to settle and resolve an appeal concerning a rating below that necessary to pre-qualify. The City will provide a written response to the Contractor within five (5) working days after receipt of the appeal unless the Contractor is notified that more time is required.

If the appeal cannot be resolved by mutual agreement, or if the Contractor is not satisfied with the decision of the City, he/she shall have the right to appeal to the City Manager within five (5) business days after the foregoing notification of the City decision.

It is the intention of City that the date for the submission and opening of bids will not be delayed or postponed to allow for completion of an appeal process. Upon review of the supplemental information provided by the contractor, the City's decision not to prequalify shall be final and there will be no further appeal process.

II. PROJECT OVERVIEW

A. Project Location

The Underground Flow Equalization project is in a future easement that will be obtained by the start of construction at the southern corner of the San Mateo County Event Center in San Mateo, California.

The project delivery method for UFES will be through Design / Bid / Build. The construction contract will be awarded under a Lump Sum bid. Design of the project is near completion and the Project is expected to be advertised for bids in November 2019. The City's estimate of probable construction cost is \$45,000,000 and the estimated construction duration is 2 ½ years.

B. Project Description

The UFES facility will be operated by the City of San Mateo. The project involves a 5.3-MG reinforced concrete underground sewage holding structure. During storm events, diversion sewers will route wet weather flows from the existing sewers to the holding structure, which will store wastewater until the storm event subsides. An effluent pump station will then pump the stored wastewater back into the collection system when capacity becomes available.

Major project components include:

- Cast-in-place concrete tank
- Diversion gravity sewers and force main
- Isolation valve vault
- Combined mechanical and odor control vault
- Tank flushing system
- Dewatering pumps and pumping equipment
- Odor control scrubbing equipment
- Electrical building and a diesel-powered generator
- Instrumentation equipment
- Site restoration and paving
- Landscaping and irrigation
- Construction noise and visual impacts mitigation
- Traffic control
- Testing, startup and commissioning support services

This Project will likely be funded in part through State and Federal funding programs and as a result compliance with funding program requirements including the Davis Bacon Act will be required.

III. EVALUATION CRITERIA

Criteria will include:

- Evaluation and verification of General Contractor's or entity's current ability and history to secure Liability and Workers' Compensation insurance
- Evidence and history of proper licensing
- Ability to secure required bonding
- Financial capability
- History of litigation and claims; or other adverse actions
- Safety record

Experience to be evaluated will include:

- History of firm/entity
- Organization of firm/entity
- Relevant experience of firm/entity
- Proposed management team for Project and proposed key personnel
- Experience of proposed key personnel to be assigned to Project
- Firm's/entity's experience in successfully completing public works projects of similar size, scope and complexity

NOTE: The City intends to utilize the Department of Industrial Relations, Model Forms for Prequalification and associated suggested scoring method for scorable questions. The scoring of the recent construction projects will be based on the submitted comparable projects that meet as many of the following components as possible:

- Construction project involving large excavations of similar size, scope and scale (150 feet square or greater and 25 feet depth or greater) in weak soils in an urban setting.
- Successful completion of similar projects valued at \$30 million or greater construction cost.
- Construction of large reinforced concrete structures (150 feet square or greater and 25 feet depth or greater) to contain water or wastewater in an urban setting.
- Experience with shoring wall construction using slurry wall, deep cement soil mixing and/or secant pile shoring or similar methods in an urban setting. Said experience may have been gained through management of a specialty subcontractor.
- Experience installing micropiles or similar pile systems at depths of 30 feet or greater in an urban setting. Said experience may have been gained through management of a specialty subcontractor.
- Experience with dewatering and monitoring groundwater levels for large (150 feet square or greater and 25 feet depth or greater) and deep excavations in high groundwater in an urban setting. Said experience may have been gained through management of a specialty subcontractor.

- Experience with projects that include high public sensitivity and requirements to mitigate construction disruption to nearby communities. Said project experience could include mitigating construction traffic impacts to nearby communities, traffic control, dust control, noise control, vibration control and settlement monitoring, and outreach efforts to keep the public informed of construction activities.
- Demonstrated ability to meet project schedule.
- Successful testing, startup and commissioning services of large municipal wastewater mechanical, electrical and process systems, including system integration of new facilities into an existing SCADA network.
- Maintaining operation of existing facilities while constructing and commissioning the new facilities.

IV. APPLICATION FOR PRE-QUALIFICATION

The specific documents that must be submitted are attached.

- ❑ Part I – Organization Information and Affidavit
- ❑ Part II – Essential Requirements for Qualification
- ❑ Part III – Organization, History, Organizational Performance, Compliance with Civil and Criminal Laws
- ❑ Part IV – Organization’s Statement of Experience and Recent Construction Projects Completed
- ❑ Part V – Organization’s Financial Statements, Surety and Bonding Requirements, and Insurance Requirements
- ❑ Part VI – Attachments Required

PART I. ORGANIZATION INFORMATION and AFFIDAVIT

The following documents, Prequalification Application, Parts I through V, are to be filed with the City of San Mateo by the Organization requesting Prequalification, in accordance with the Public Contract Code, for the aforementioned Project:

Firm Name: _____ Check One: Corporation
(as it appears on license) Partnership
 Sole Prop.

Contact Person: _____

Address: _____

Phone: _____ Fax: _____

If firm is a sole proprietor or partnership:

Owner(s) of Company _____

Contractor's License Number(s):

AFFIDAVIT

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

Dated: _____

(Signature)

(Printed name and title)

PART II. ESSENTIAL REQUIREMENTS FOR QUALIFICATION

Contractor will be immediately disqualified if the answer to any of questions 1 through 5 is “no.”¹

Contractor will be immediately disqualified if the answer to any of questions 6, 7, 8 or 9 is “yes.”² If the answer to question 8 is “yes,” and if debarment would be the sole reason for denial of pre-qualification, any pre-qualification issued will exclude the debarment period.

1. Contractor possesses a valid and current California Contractor’s license for the project or projects for which it intends to submit a bid.
 Yes No
2. Contractor has a liability insurance policy with a policy limit of at least \$2,000,000 per occurrence and \$10,000,000 aggregate.
 Yes No
3. Contractor has current workers’ compensation insurance policy as required by the Labor Code or is legally self-insured pursuant to Labor Code section 3700 et. seq.
 Yes No Contractor is exempt from this requirement, because it has no employees
4. Have you attached your latest copy of a reviewed or audited financial statement with accompanying notes and supplemental information.¹
 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.

5. Have you attached a notarized statement from an admitted surety insurer (approved by the California Department of Insurance) and authorized to issue bonds in the State of California, which states: (a) that your current bonding capacity is sufficient for the project for which you seek pre-qualification if you are seeking pre-qualification for the Project.²
 Yes No

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

6. Has your contractor’s license been revoked at any time in the last ten years?³
 Yes No
7. Has a surety firm completed a contract on your behalf, or paid for completion because your firm was default terminated by the project owner within the last ten (10) years?³
 Yes No

¹ A “no” answer to Question 4 will not be disqualifying if the contractor is exempt from complying with Question 4, for reasons explained in footnote 2 below.

² City may request an additional notarized statement from the surety at the time of submission of a bid, if this pre-qualification package is submitted more than 60 days prior to submission of the bid.

³ A contractor disqualified solely because of a “Yes” answer given to question 6, 7, or 9 may appeal the disqualification and provide an explanation of the relevant circumstances during the appeal procedure.

8. 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 or Labor Code section 1777.7?

Yes No

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

9. At any time during the last ten 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?³

Yes No

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

A. Current Organization and Structure of the Business

For Firms That Are Corporations:

- 1a. Date incorporated : _____
- 1b. Under the laws of what state: _____
- 1c. Provide all the following information for each person who is either (a) an officer of the corporation (president, vice president, secretary, and treasurer), or (b) the owner of at least ten per cent of the corporation’s stock.

Name	Position	Years with Co.	% Ownership

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

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

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

For Firms That Are Partnerships:

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

Name	Position	Years with Co.	% Ownership

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

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

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

For Firms That Are Sole Proprietorships:

1a. Date of commencement of business. _____

1b. Social security number of company owner. _____

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

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

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

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

1a. Date of commencement of joint venture. _____

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

Name of firm	% Ownership of Joint Venture

B. History of the Business and Organizational Performance

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

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

Yes No

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

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

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

Yes No

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

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

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

Yes No

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

5. State your firm’s gross revenues in dollars for each of the last three calendar years:

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

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

Yes No

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

8. **Was your firm in bankruptcy at any time during the last ten years? (This question refers only to a bankruptcy action that was not described in answer to question 7, above)**

Yes No

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

Licenses

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

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

11. Has your firm changed names or license number in the past ten years?

Yes No

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

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

Yes No

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

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

Yes No

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

Disputes

14. At any time in the last ten years has your firm been assessed and paid liquidated damages after completion of a project under a construction contract with either a public or private owner?

Yes No

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

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

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

Yes No

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

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

Yes No

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

* * * * *

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

17. In the past ten years has any claim **against** your firm concerning your firm’s work on a construction project been **filed in court or arbitration?**

Yes No

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

18. In the past ten 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 either with a public entity pursuant to Government Code sections 810 et seq., or in court or arbitration?**

Yes No

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

* * * * *

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

Yes No

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

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

Yes No

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

Criminal Matters and Related Civil Suits

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

Yes No

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

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

Yes No

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

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

Yes No

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

Bonding

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

Name of bonding company/surety: _____

Name of surety agent, address and telephone number:

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

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

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

Yes No

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

C. Compliance with Occupational Safety and Health Laws and with Other Labor Legislation Safety

28. 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 in the past ten years?

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

Yes No

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

29. Has the federal Occupational Safety and Health Administration cited and assessed penalties against your firm in the past ten years?

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

Yes No

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

30. Has the state or federal Environmental Protection Agency (EPA) or any local/regional Air Quality Management District or any Regional Water Quality Control Board cited and assessed penalties against either your firm or the owner of a project on which your firm was the contractor, in the past ten years?

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

Yes No

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

31. How often do you require documented safety meetings to be held for construction employees and field supervisors during the course of a project?
32. List your firm’s Experience Modification Rate (EMR) (California workers’ compensation insurance) for each of the past three premium years:

NOTE: your workers’ compensation insurance carrier issues an Experience Modification Rate to your firm annually.

Current year: _____

Previous year: _____

Year prior to previous year: _____

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

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

Yes No

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

Prevailing Wage and Apprenticeship Compliance Record

34. Has there been more than one occasion during the last ten years in which your firm was required to pay either back wages or penalties for your own firm’s failure to comply with the **state’s** prevailing wage laws?

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

Yes No

If “yes”, attach a separate signed page or pages, describing the nature of each violation, identifying the name of the project, the date of its completion, the public agency for which it

was constructed; the number of employees who were initially underpaid and the amount of back wages and penalties that you were required to pay.

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

Yes No

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

36. Provide the **name, address and telephone number** of the apprenticeship program (approved by the California Apprenticeship Council) from whom you intend to request the dispatch of apprentices to your company for use on any public work project for which you are awarded a contract by City of San Mateo.

37. If your firm operates its own State-approved apprenticeship program:

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

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

Yes No

If “yes,” provide the date(s) of such findings and attach copies of the Department’s final decision(s).

PART IV. ORGANIZATION'S STATEMENT OF EXPERIENCE RECENT CONSTRUCTION PROJECTS COMPLETED

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

Provide information on projects completed or currently in progress that demonstrate your organization's experience with projects of similar scope, size and complexity as the Underground Flow Equalization System. Provide specific project related experience, relevance of scope, size and complexity. As a minimum, provide information on six most recently completed public works projects and three largest completed private projects within the last ten years. Please label response consistent to the categories listed below and include project name, location, construction value, and owner contact information.

1. Relevant Projects

Submit at least (3) examples of your organization's relevant projects with construction values of \$30,000,000 or greater completed within the last ten (10) years, including at least one (1) project, which is a public works project in the state of California with a construction value of \$30,000,000 or greater. Relevant projects shall include as many of the following attributes as applicable:

Clearly identify the relevance of each project and be specific as to the nature of any self-performed work and the role of your organization in the management of the overall project. List each project by name, location, year of completion, and owner's name, owner's project manager's name and current contact information including phone number and email address. Include a description of the construction type, project schedule, and the construction value of the work performed. Photos and other graphic materials would be helpful to delineate each project. A Sample Format is included following this listing of categories.

2. Project Management Expertise

Indicate how your organization has managed, directed or participated in projects of similar scope and complexity as the UFES Project. Indicate your organization's management structure, lines of authority and hierarchy.

3. Quality Control

Describe your organization's philosophy for producing quality work and your approach to quality control. Provide information on how you handle minimizing warranty callbacks and typical response time for warranty callbacks. (Typical response time is from initial request by Owner to final resolution of issue to Owner's established requirements.) Describe how coordination has been achieved and communicated to subcontractors and other tradespersons on projects of similar size, scope and complexity.

4. Key Personnel

Provide proposed key personnel's qualifications, experience, length of employment with company, and training to competently manage this project. Key personnel shall include principal(s), or officer(s) having overall project responsibility, as well as on-site project

manager(s), superintendent(s), project controls engineer(s), schedule manager(s), testing/commissioning agent(s), and all others involved in the management of the project.

5. Safety Program

The City of San Mateo is committed to the safety of all employees on the UFES Project, the existing City staff, the surrounding community, visitors and the environment. While the City of San Mateo has the responsibility for conducting our business in a manner that strives to prevent accidents, the general contractor will have primary responsibility for the safety at the project site. Describe your organization's Safety Management Plan and provide an overview of your safety training/continuing education program(s). Identify how your organization's safety program is implemented, on a project and the lines of authority and communication.

SAMPLE FORMAT

Example Project Description and Information

Names and references must be current and verifiable. Use separate sheets that contain all of the following information:

Project Name: _____

Location: _____

Owner: _____

Owner Contact (name and current phone number and email address):

Architect or Engineer: _____

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

Construction Manager (name and current phone number and email address):

Description of Project, Scope of Work Performed:

Total Value of Construction (including change orders): _____

Original Scheduled Completion Date: _____

Time Extensions Granted (number of days): _____

Actual Date of Completion: _____

NOTE: Include information to address all the previously listed categories; Successful completion of similar construction projects in excess of \$30 million, project management, quality control, key personnel and safety program.

PART V. ORGANIZATION'S FINANCIAL STATEMENT

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

Financial Statements and Supplemental Information

Financial prequalification will be established by determining capacity to perform the City of San Mateo contract in the following manner:

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

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

Information you must submit includes:

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

PART V. ORGANIZATION'S FINANCIAL STATEMENT

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

Surety and Bonding Requirements

- A. Attach a notarized statement from the bonding company your firm proposes to use indicating their commitment to provide a Performance and Payment Bond for the full amount of the contract.**
- B. List the names of the Bonding firms utilized by your organization in the last ten (10) years, for projects over \$30,000,000.**

Name of Bonding Company No. 1 _____

Address: _____

Contact
Name: _____ Telephone: _____ Fax: _____

Project
Name: _____

Amount Bonded: _____ %
Completed _____

Project
Name: _____

Amount Bonded: _____ %
Completed _____

Project
Name: _____

Amount Bonded: _____ %
Completed _____

Name of Bonding Company No. 2 _____

Address: _____

Contact
Name: _____ Telephone: _____ Fax: _____

Project
Name: _____

Amount Bonded: _____ %
Completed _____

Project
Name: _____

Amount Bonded: _____ **%**
Completed _____

Project
Name: _____

Amount Bonded: _____ **%**
Completed _____

Name of Bonding Company No. 3 _____

Address: _____

Contact
Name: _____ **Telephone:** _____ **Fax:** _____

Project
Name: _____

Amount Bonded: _____ **%**
Completed _____

Project
Name: _____

Amount Bonded: _____ **%**
Completed _____

PART V. ORGANIZATION'S FINANCIAL STATEMENT

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

Insurance Requirements

Each policy of insurance carried by the successful bidder for this project shall be issued by an insurance company licensed to do business in the State of California with a rating of "A" or better and a financial size category of "V" or better according to the latest edition of "Bests".

- A. Attach a notarized statement from the Worker's Compensation carrier specifying organization's current Experience Modification rating for Worker's Compensation in the State of California.
- B. List the names of the insurance firms utilized by your organization in the last ten (10) years, for projects over \$30,000,000.

Name of Insurance Company No. 1 _____

Address: _____

Contact Name: _____ Telephone: _____ Fax: _____

Rating: _____

Name of Insurance Company No. 2 _____

Address: _____

Contact Name: _____ Telephone: _____ Fax: _____

Rating: _____

Name of Insurance Company No. 3

Address: _____

Contact
Name: _____ **Telephone:** _____ **Fax:** _____

Rating: _____

PART VI. ATTACHMENTS REQUIRED

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

The following documents, Attachments 1 through 7, are to be filed with the City of San Mateo by the Organization requesting Prequalification, in accordance with the Public Contract Code, for the aforementioned project.

Failure to provide all these attachments will be cause for disqualification for this project.

- Attachment 1 – **Certificate of Accountant**
- Attachment 1A – **General Statement of Bank Credit**
- Attachment 2 – **Notarized State from Bonding Company**
- Attachment 3 – **Notarized Statement from Worker's Compensation Insurance Carrier**
- Attachment 4 – **Current Copy of Organization's California Contractor's License(s)**
- Attachment 5 – **Certification declaring that the applying Organization has not has a surety company finish work on any project within the last ten (10) years.**
- Attachment 6 – **Certification declaring that the applying Organization, in the last ten (10) years has not been found by a judge, arbitrator, jury, or a nolo contendere plea to have submitted a false or fraudulent claim to a public agency**
- Attachment 7 – **Certification declaring that the applying Organization has not been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of violations of law or a safety regulation, pursuant to Public Contract Code, Section 10162**

Attachment 1 – Certificate of Account

Exchange this page for a Certificate of Account.

Attachment 1A – General Statement of Bank Credit

Exchange this page for a General Statement of Bank Credit.

Attachment 2 – Notarized Statement from the Bonding Company

Exchange this page for a notarized statement from the bonding company that your organization proposes to use, indicating their commitment to provide Performance and Payment bonds for the full amount of the contract.

Attachment 3 – Notarized Statement from the Worker’s Compensation Carrier

Exchange this page for a notarized statement from the Worker’s Compensation carrier that your organization proposes to use, specifying Contractor’s current Experience Modification Rating for Workers’ Compensation for the State of California.

Attachment 4 – Current Copy Organization’s California Contractor’s License(s)

Exchange this page for a current copy of your organization’s California Contractor’s License(s).

Attachment 5 – Certification Declaring Applying Organization Has Not Had Surety Finish Work on any Project within last 10 Years

Exchange this page for a certification declaring that the applying organization has not had a surety company finish work on any project within the last ten (10) years.

Sample Declaration

I, _____, authorized agent of

(Name of Organization)

hereby certify, under penalty of perjury under the laws of the State of California, that the organization has not has surety company finish work on any project within the last ten (10) years.

Signed: _____

Dated: _____

Attachment 6 – False or Fraudulent Claim

Exchange this page for a certification declaring that the applying organization in the last ten (10) years has not been found by a judge, arbitrator, jury, or nolo contendere plea to have submitted a false or fraudulent claim to a public agency.

Sample Declaration

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

hereby certify, under penalty of perjury under the laws of the State of California, that the foregoing is true and correct. In the last ten (10) years that the organization, any affiliate, parent or subsidiary company has not been found by a judge, arbitrator, jury, or nolo contendere plea to have submitted a false or fraudulent claim to a public agency.

Signed: _____

Dated: _____

Attachment 7 – Disqualification or Removal

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

Sample Declaration

I, _____, authorized agent of

(Name of Organization)

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

Signed: _____

Dated: _____