



SAN BENITO COUNTY

PRE-QUALIFICATION QUESTIONNAIRE

DRAFT

GENERAL CONTRACTOR

PART 1 - CONTACT INFORMATION

Firm Name: _____ Check One: ☐ Corporation
(as it appears on license) ☐ Partnership

☐ Sole Prop.

Contact Person: _____

Address: _____

Phone: _____ Fax: _____

E-mail: _____

If firm is a sole proprietor or partnership:

Owner(s) of Company _____

Contractor's License Number(s):

PART II. ESSENTIAL REQUIREMENTS FOR QUALIFICATION

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

Question	Response
1. Contractor possesses a valid and current California Contractor's license for the project or projects for which it intends to submit a bid.	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Contractor has a liability insurance policy with a policy limit of at least \$1,000,000 per occurrence and \$2,000,000 aggregate	<input type="checkbox"/> Yes <input type="checkbox"/> 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.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Contractor is exempt from this requirement, because it has no employees
4. Have you attached your latest copy of a <u>reviewed</u> or <u>audited</u> financial statement with accompanying notes and supplemental information? 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.	<input type="checkbox"/> Yes <input type="checkbox"/> No
5. Have you attached a notarized statement from an admitted surety insurer (approved by the California Department of Insurance) and authorized to issue bonds in the State of California, which states that your current bonding capacity is sufficient for the project for which you seek pre-qualification? NOTE: Notarized statement must be from the surety company, not an agent or broker.	<input type="checkbox"/> Yes <input type="checkbox"/> No

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

Question	Response
6. Has your contractor’s license been revoked at any time in the last five (5) years?	<input type="checkbox"/> Yes <input type="checkbox"/> No
7. Within the last seven (7) years has a surety firm completed a contract on your behalf, or paid for completion because your firm was default terminated by the project owner?	<input type="checkbox"/> Yes <input type="checkbox"/> No
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? If the answer is “Yes,” state the beginning and ending dates of the period of debarment:	<input type="checkbox"/> Yes <input type="checkbox"/> No
9. At any time during the last five (5) years, has your firm, or any of its owners or officers been convicted of a crime involving the awarding of a contract of a government construction project, or the bidding or performance of a government contract?	<input type="checkbox"/> Yes <input type="checkbox"/> No

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

A. Current Organization and Structure of the Business

1. For Firms That Are Corporations:

- a. Date incorporated: _____
- b. Under the laws of what state: _____
- c. 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 per cent of the corporation's stock.

Name	Position	Years with Co.	% Ownership	Social Security #

- d. 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 (5) 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

2. For Firms That Are Partnerships:

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

Name	Position	Years with Co.	% Ownership	Social Security #

- d. Identify every construction company that any partner has been associated with (as owner, general partner, limited partner or officer) at any time during the last five (5) 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.

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

3. For Firms That Are Sole Proprietorships:

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

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

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

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

- a. Date of commencement of joint venture. _____
- b. 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

1. Has there been any change in ownership of the firm at any time during the last three (3) years?

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

☐ Yes ☐ No

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

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

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

☐ Yes ☐ No

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

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

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

☐ Yes ☐ No

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

4. State your firm’s gross revenues for each of the last three years:

Year	Gross Revenue

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

_____ years

6. 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.

7. Was your firm in bankruptcy at any time during the last five (5) years? (This question refers only to a bankruptcy action that was not described in answer to question 6, above)

☐ Yes ☐ No

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

C. Licenses

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

License No. (CA)	Classification	Expiration Date

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

Name of the qualifying individual(s)

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

☐ Yes ☐ No

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

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

☐ Yes ☐ No

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

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

☐ Yes ☐ No

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

D. Disputes

1. At any time in the last five (5) years has your firm been assessed and paid liquidated damages after completion of a project under a construction contract with either a public or private owner, or have liquidated damages been waived by change order, negotiated settlement, or similar method?

☐ Yes ☐ No

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

2. In the last five (5) years has your firm, or any firm with which any of your company’s owners, officers or partners was associated, been debarred, disqualified, removed, or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason?

NOTE: “Associated with” refers to another construction firm in which an owner, partner, or officer of your firm held a similar position, and which is listed in response to question 1c, 1d, 2c, 2d, 3c, 3d, 4c, or 4d 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 the name of the company, the name of the person within your firm who was associated with that company, the year of the event, the owner of the project, the project, and the basis for the action.

3. In the last five (5) years has your firm been denied an award of a public works contract based on a finding by a public agency that your company was not a responsible bidder?

☐ Yes ☐ No

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

* * * * *

NOTE: The following two 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 \$25,000.

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

☐ Yes ☐ No

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

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

☐ Yes ☐ No

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

* * * * *

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

☐ Yes ☐ No

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

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

☐ Yes ☐ No

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

NOTE: Exceptions may be made in the case of a carrier dropping that form of insurance coverage.

E. Criminal Matters and Related Civil Suits

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

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

☐ Yes ☐ No

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

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

☐ Yes ☐ No

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

F. Bonding

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

Company	Agent Contact & Phone No.

2. 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 three (3) 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.

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

Company	Contact & Phone No.	Years Used

4. During the last five (5) years, has your firm ever been denied bond coverage by a surety company, or has there ever been a period of time when your firm had no surety bond in place during a public construction project when one was required?

☐ Yes ☐ No

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

Provide a notarized statement that states your firm's total bonding capacity from an admitted surety insurer that is authorized to issue bonds in the State of California.

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

1. Has CAL OSHA cited and assessed penalties against your firm for any "serious," "willful," or "repeat" violations of its safety or health regulations in the past five (5) years?

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

☐ Yes ☐ No

If **"yes,"** 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.

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

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

☐ Yes ☐ No

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

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

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

☐ Yes ☐ No

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

4. How often do you require documented safety meetings to be held for construction employees and field supervisors during the course of a project?
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5. List your firm’s Experience Modification Rate (EMR) (California workers’ compensation insurance) for each of the past three (3) premium years:

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

Year	Modification Rate
2016	
2015	
2014	

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

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

☐ Yes ☐ No

If **“yes,”** please explain the reason for the absence of workers’ compensation insurance on a separate signed page.

If **“No,”** please provide a statement by your current workers’ compensation insurance carrier that verifies periods of workers’ compensation insurance coverage for the last five (5) years. (If your firm has been in the construction business for less than five (5) years, provide a statement by your workers’ compensation insurance carrier verifying continuous workers’ compensation insurance coverage for the period that your firm has been in the construction business.)

H. Prevailing Wage and Apprenticeship Compliance Record

1. Has there been more than one occasion during the last five (5) years in which your firm was required to pay either back wages or penalties for your own firm’s failure to comply with the **state’s** prevailing wage laws?

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

☐ Yes ☐ No

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

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

☐ Yes ☐ No

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

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

Apprenticeship Program	Contact & Phone No.

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4. If your firm operates its own State-approved apprenticeship program:
 - a. Identify the craft or crafts in which your firm provided apprenticeship training in the past year.
 - b. State the year in which each such apprenticeship program was approved, and attach evidence of the most recent California Apprenticeship Council approval(s) of your apprenticeship program(s).
 - c. State the number of individuals who were employed by your firm as apprentices at any time during the past three (3) years in each apprenticeship and the number of persons who, during the past three (3) years, completed apprenticeships in each craft while employed by your firm.

5. At any time during the last five (5) years, has your firm been found to have violated any provision of California apprenticeship laws or regulations, or the laws pertaining to use of apprentices on public works?

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

☐ Yes ☐ No

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

I. Other Criteria

1. At any time during the last five (5) years, has your firm been found to have violated any of the California Department of Industrial Relations regulations?

☐ Yes ☐ No

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

[CONTINUED ON FOLLOWING PAGE]

PART IV. RECENT CONSTRUCTION PROJECTS COMPLETED

1. Contractor shall provide information about its six (6) most recently completed public works projects and its three (3) largest completed private projects within the last five (5) years. **Names and references must be current and verifiable; if references are not verifiable it may result in a point deduction during the scoring process.**
2. Use separate sheets of paper that contain all of the following information:
 - a. Project Details
 - i. Name
 - ii. Location
 - iii. Description of Project
 - iv. Delivery Method
 - v. Role and Scope of Work Performed
 - vi. Total Value of Construction (including change orders)
 - vii. Original Scheduled Completion Date
 - viii. Time Extensions Granted (number of days)
 - ix. Actual Date of Completion
 - b. Owner
 - i. Owner Contact (name, current phone number, email address)
 - c. Architect or Engineer
 - i. Architect or Engineer Contact (name, current phone number, email address)
 - d. Construction Manager (name, current phone number, email address)

[CONTINUED ON FOLLOWING PAGE]

PART V. CURRENT CONSTRUCTION PROJECTS

1. Contractor shall provide information about its three largest construction projects in progress. **Names and references must be current and verifiable; if references are not verifiable it may result in a point deduction during the scoring process.**
2. Use separate sheets of paper that contain all of the following information:
 - a. Project Details
 - i. Name
 - ii. Location
 - iii. Description of Project
 - iv. Role and Scope of Work
 - v. Contract Amount
 - vi. Percent Complete
 - vii. Scheduled Completion Date
 - b. Owner
 - i. Owner Contact (name, current phone number, email address)
 - c. Architect or Engineer
 - i. Architect or Engineer Contact (name, current phone number, email address)
 - d. Construction Manager (name, current phone number, email address)

[CONTINUED ON FOLLOWING PAGE]

* * * * *

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.

Executed in _____, _____ on _____.
(City) (State) (Date)

By: _____

DRAFT