



Request For Qualifications For Design-
Build Entities Seeking to Propose For

**SAN BERNARDINO COUNTY
VALLEY COMMUNICATIONS CENTER
DESIGN-BUILD PROJECT
PROJECT NO. 10.10.0181**

JANUARY 2022

**NOTIFICATION OF
DESIGN-BUILD ENTITIES REQUEST FOR QUALIFICATIONS
FOR
SAN BERNARDINO COUNTY
VALLEY COMMUNICATIONS CENTER
DESIGN-BUILD PROJECT
Project No. 10.10.0181**

NOTICE IS HEREBY GIVEN that San Bernardino County ("County") will receive sealed and completed Request for Qualifications Questionnaires to compete on an upcoming San Bernardino County Project, Valley Communications Center Design-Build Project ("Project"), up to, but not later than, **4:00 p.m. (PST) March 14, 2022**. Only Design-Build Entities ("D-B Entity") with a General Building Contractor License ("B" License) and who have been approved through this Request for Qualifications process will be eligible to compete for the Project. The County's competitive selection process will proceed in two steps.

- Step 1 is the Request for Qualifications phase of the Design-Build Entity (D-B Entity).
- Step 2 is the technical proposal from the D-B Entity. Only those D-B Entities that are successfully qualified in Step 1 will be allowed to participate in Step 2.

The maximum allowable design and construction cost for this Project is **\$55,000,000**. There will be no stipend or honorarium for this project however, bridging documents will be provided.

SUBMISSION OF REQUEST FOR QUALIFICATIONS QUESTIONNAIRES

Request for Qualifications Questionnaires may be obtained from the San Bernardino County Electronic Procurement Network (ePro) website: <https://epro.sbcounty.gov/epro/>. All addenda issued (if any) will be posted on ePro. **It is solely the responsibility of each Design-Build Entity to ensure that they receive any and all addenda; addenda will be uploaded to the ePro website.** Completed Request for Questionnaires must be received by the designated date and time. An electronic Request for Qualifications Questionnaire can be submitted through ePro. Submittals in ePro will be opened from the system's "encrypted lock box" after the deadline and evaluated as stated in this solicitation or any addenda. If the Request for Qualifications Questionnaire is submitted through ePro, D-B Entity shall also submit the following hard copies to County (in a sealed envelope with the name and number of the project marked on the outside) as required in this solicitation: one (1) original and five (5) paper copies for a total of six (6) complete Request for Qualifications Questionnaires and (1) copy on a flash drive (**except for the Disclosure of Potential Conflict of Interest Form which should be in a separately sealed and labeled envelope and only one copy provided**). Paper Request for Qualifications Questionnaires will be accepted at the location identified in the solicitation and can be withdrawn at any time prior to the scheduled deadline for submission of a Request for Qualifications Questionnaire. If the Request for Qualifications Questionnaire is submitted through ePro, the D-B Entity acknowledges that its electronic signature is legally binding. **ADDITIONAL NOTE: All Proposers must register with the ePro**

system prior to the date and time to receive the Request for Qualifications Questionnaire or they will be disqualified. **Late or incomplete Request for Qualifications Questionnaires will not be accepted.** System-related issues in ePro shall be directed to Vendor support at ePro.Vendors@buyspeed.com or at (855) 800-5046. For procurement questions involving ePro, please contact the Purchasing Department at (909) 387-2060.

Requests for Clarification of the process or the documents may be submitted by email, Scott.Hughes@res.sbcounty.gov, no later than **5:00 p.m. (PST), Friday, February 25, 2022.**

Submit one (1) copy on a flash drive and one (1) original and five (5) paper copies for a total of six (6) complete Request for Qualifications Questionnaires and related information via mail to:

Scott Hughes Project Manager III
Real Estate Services, Project Management
385 North Arrowhead Avenue, Third Floor
San Bernardino, CA 92415-0184
(909) 387-5000

Request for Qualifications Questionnaires shall be submitted in sealed envelopes, clearly marked:

**Request for Qualifications Questionnaire
San Bernardino County
Valley Communications Center Project
Design-Build Project
Project No. 10.10.0181
Design-Build Entity Business Name
Business Address**

Request for Qualifications Questionnaires must be received by **4:00 p.m. (PST) on Monday, March 14, 2022,** at the above address.

By order of the Board of Supervisors of San Bernardino County, dated at San Bernardino, California, January 11, 2022.

TERRY W. THOMPSON
Real Estate Services, Project Management

Published in the Daily Press on January 14, 2022

GENERAL DESCRIPTION OF THE PROJECT

The project will be located on the vacant County owned lot at the southeast corner of Rialto Avenue and Lena Road in the City and County of San Bernardino. The comprehensive ~74,000 square foot building on the 6.85-acre site will be a new mission critical facility that must be operational 365/24/7, under extreme conditions, as the primary Emergency Operation Center (EOC) and Emergency Communications Center in the San Bernardino Valley. The facility will be occupied by the following entities: Sheriff-Coroner (SBCSD), Office of Emergency Services (OES), County Fire (SBCFD), Consolidated Fire Agencies (CONFIRE), Inland Counties Emergency Medical Agency (ICEMA), Radio Management Facility (ITD) and Building Services.

The following includes the approximate program spaces:

<u>Agency</u>	<u>GSF</u>
OES / EOC	14,908 SF
ECC / Dispatch	15,948 SF
ECC / EOC Support Spaces	6,072 SF
SBCSD Administration	2,355 SF
CONFIRE Administration	4,048 SF
Building Services / Common Spaces	30,331 SF

Total: 73,662 SF

The project includes solar power generating facilities, back-up power systems and redundant HVAC and potable water services. The building foundation will employ a base isolation system. The site includes perimeter fencing, secure and visitor parking areas, associated vehicular controls and a communications tower.

For the purposes of this Request for Qualifications, preliminary site and floor plans are included as Exhibits A.1, A.2-1, A.2-2, and A.2-3.

The basis for the D-B Entity's contract and completion of the design will be Level of Design (LOD) 200 Revit Based Design Development Bridging Documents provided by the County. The Bridging Documents will be included in the forthcoming Request for Proposal from Pre-Qualified D-B Entities.

DESCRIPTION OF THE PROCUREMENT PROCESS

On September 30, 2014, Governor Brown signed Design-Build Legislation SB785 which authorized local agencies, including counties, to use the design-build procurement process for specified public works projects. The County has elected to use the design-build method as outlined in Public Contract code (PCC) section 22160 et seq. for this Project. Within the context of this law, PCC section 22164 states that “[t]he local agency shall prepare and issue a request for qualifications in order to prequalify or short-list the design-build entities whose proposals shall be evaluated for final selection.” The County has developed this Request for Qualifications Questionnaire to comply with this requirement.

The approval of this Request for Qualifications Package is the first step of a two-step procurement process for the selection of a Design-Build Entity for this Project. The purpose of the Request for Qualifications Package is to solicit preliminary information from interested Design-Build Entities. The information submitted will be evaluated by a committee that includes representatives from the Real Estate Services, Project Management (RES-D-PM). The evaluation process is intended to identify three (3) Design-Build Entities who, in the opinion of the County, are best qualified to successfully execute the design and construction of the Project based on the criteria identified in the Request for Qualifications Package.

Following selection of the three finalists, RES-D-PM will return to the Board of Supervisors (Board) to seek approval to proceed on to the second step of the procurement process. The second step will provide significantly more detail regarding the Project requirements and expectations, allowing the three Design-Build Entities to submit a Best and Final Proposal. The selection of the successful Design-Build Entity will be based on “best value to the County”, as determined by the evaluation committee.

PROJECT MILESTONE SCHEDULE

The County currently anticipates conducting the procurement of the Project in accordance with the following milestones, leading to award of a design-build contract. This schedule is subject to revision and the County reserves the right to modify this schedule as it finds necessary.

1. Approve Request for Qualifications Package	01/11/2022
2. Request for Qualifications Package Available	01/14/2022
3. Deadline to Submit Questions for RFQ	02/25/2022
4. Request for Qualifications Questionnaire Due	03/14/2022
5. Shortlist Notification to Successful Firms	04/15/2022
6. Request For Proposal (RFP) Document Available to Short-listed Firms	06/28/2022

7. Final Proposals Package Due	08/01/2022
8. Evaluation of Short-listed Firms Proposal Packages	08/19/2022
9. Cost Reconciliation and Negotiations Finalized	09/15/2022
10. Contract Award/Notice to Proceed	12/06/2022
11. Project Substantial Completion	06/03/2025

NOTICE OF REQUEST FOR QUALIFICATIONS REQUIREMENTS

Notice is hereby given that the County has determined that all proposers on the Project to be undertaken by the County must be prequalified prior to submitting a proposal on the Project. It is mandatory that all Design-Build Entities, hereinafter referred to as D-B Entities, who intend to submit a proposal, fully complete the Request for Qualifications Questionnaire, provide all materials requested herein, and be approved by the County in order to be on the final qualified Proposers list. No proposal will be accepted from a D-B Entity that has failed to comply with these requirements.

While it is the intent of the Request for Qualifications Questionnaire and supporting information required therewith to assist the County in determining proposer responsibility prior to submission of final proposals, neither the fact of prequalification, nor any prequalification rating, will preclude the County from a post-proposal consideration and determination of whether a proposer has the quality, fitness, capacity and experience to satisfactorily perform the proposed work and has demonstrated the requisite trustworthiness.

A D-B Entity will be evaluated based upon how well the entity meets the County's requirements. A D-B Entity may be found not qualified for: (1) Omission of requested information; (2) Falsification of information; or (3) Failure to meet minimum qualifications.

MINIMUM BONDING REQUIREMENTS

The Design-Build Entity, individually or as a team, must have the capacity to obtain performance and payment bonds for the full value of the design-build contract, in an amount not less than the Maximum Allowable Design and Construction Costs (MADCC). Prospective D-B Entities that cannot provide bonding at that amount will not be considered qualified even though they may be qualified otherwise.

CALIFORNIA PUBLIC RECORDS ACT

Public Contract Code section 22164(b)(4)(B) states "[i]nformation required under this subdivision that is not otherwise a public record under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code) shall not be open to public inspection." All information submitted in the Request for Qualifications Questionnaire or in response to requests for additional information may be subject to disclosure under the provisions of the California Public Records Act,

Government Code Section 6250 et seq. and the following. Request for Qualifications Questionnaires may contain financial or other data that constitutes a trade secret. To protect such data from disclosure, D-B Entity should specifically identify the pages that contain confidential information by properly marking the applicable pages and inserting the following notice on the front of its response:

NOTICE

The data on pages_____ of this Proposal response, identified by an asterisk (*) or marked along the margin with a vertical line, contains information which are trade secrets. We request that such data be used only for the evaluation of our response, but understand that disclosure will be limited to the extent that San Bernardino County determines is proper under federal, state, and local law.

The proprietary or confidential data shall be readily separable from the Request for Qualifications Questionnaire in order to facilitate eventual public inspection of the non-confidential portion of the Request for Qualifications Questionnaire.

The County assumes no responsibility for disclosure or use of unmarked data for any purpose. In the event disclosure of properly marked data is requested, the D-B Entity will be advised of the request and may expeditiously submit to the County a detailed statement indicating the reasons it has for believing that the information is exempt from disclosure under federal, state and local law. This statement will be used by the County in making its determination as to whether or not disclosure is proper under federal, state and local law. The County will exercise care in applying this confidentiality standard but will not be held liable for any damage or injury which may result from any disclosure that may occur.

SAN BERNARDINO COUNTY RIGHTS

The County reserves the right to waive minor irregularities and omissions in the information contained in the Request for Qualifications Questionnaire (RFQ) submitted, to make all final determinations, and to determine at any time that the Request for Qualifications procedures will not be applied to a specific future project.

The County may refuse to grant prequalification where the requested information and materials are not provided, or not provided by the date specified above. There is no appeal from a refusal for an incomplete or late Questionnaire, but re-application for a later project is permitted. The closing time for the submission of Request for Qualifications Questionnaires will not be changed in order to accommodate supplementation of incomplete submissions, or late submissions.

The County reserves the right to adjust, increase, limit, suspend or rescind the prequalification rating based on subsequent learned information. D-B Entities whose rating changes sufficiently to disqualify them will be notified and given an opportunity for a hearing consistent with the hearing procedures described for appealing a prequalification rating.

In connection with this procurement, the County reserves to itself all rights (which rights shall be exercisable by the County in its sole discretion) available to it under applicable law, including without limitation, the following, with or without cause and with or without notice:

The right to cancel, withdraw, postpone or extend this RFQ or the subsequent Request for Proposals in whole or in part at any time prior to the execution by County of a design-build contract, without incurring any obligations or liabilities.

The right to issue a new RFQ.

The right to reject any and all submittals, responses and proposals received at any time.

The right to modify all dates set or projected in this RFQ.

The right to terminate evaluations of responses received at any time.

The right to suspend and terminate the procurement process for the Project, at any time.

The right to revise and modify, at any time prior to the RFP/RFQ submittal date, factors it will consider in evaluating responses to this RFQ and the subsequent RFP and to otherwise revise its evaluation methodology.

The right to waive or permit corrections to data submitted with any response to this RFQ until such time as the County declares in writing that a particular stage or phase of its review of the responses to this RFQ has been completed and closed.

The right to issue addenda, supplements, and modifications to this RFQ, including but not limited to modifications of evaluation criteria or methodology and weighting of evaluation criteria.

The right to permit submittal of addenda and supplements to data previously provided with any response to this RFQ until such time as the County declares in writing that a particular stage or phase of its review of the responses to this RFQ has been completed and closed.

The right to hold meetings and conduct discussions and correspondence with one or more of the Design-Build Entities responding to this RFQ to seek an improved understanding and evaluation of the responses to this RFQ.

The right to seek or obtain data from any source that has the potential to improve the understanding and evaluation of the responses to the RFQ, including the right to seek clarifications from Design-Build Entities.

The right to permit Design-Build Entities to add or delete firms and/or key personnel until such time as the County declares in writing that a particular stage or phase of its review has been completed and closed.

The right to add or delete Design-Build Entity responsibilities from the information contained in this RFQ or the subsequent RFP.

The right to appoint and change appointees of the Evaluation Committee.

The right to use assistance of outside technical and legal experts and consultants in the evaluation process.

The right to waive deficiencies, informalities and irregularities in a Proposal, accept and review a non-conforming Proposal or seek clarifications or supplements to a Proposal.

The right to disqualify any Design-Build Entity that changes its submittal without County approval.

County Not Obligated for Costs of Request for Qualifications Questionnaire

The County assumes no obligations, responsibilities, and liabilities, fiscal or otherwise, to reimburse all or part of the costs incurred or alleged to have been incurred by parties considering a response to and/or responding to this RFQ, or the subsequent Request for Proposals (RFP). All of such costs shall be borne solely by each Design-Build Entity and its team members.

County's Obligations

Except as set forth in the following paragraph, in no event shall the County be bound by, or liable for, any obligations with respect to the Project until such time (if at all) a design-build contract, in form and substance satisfactory to the County, has been executed and authorized by the County and, then, only to the extent set forth therein.

Requirement to Keep Team Intact

The team proposed by Design-Build Entity, including but not limited to the lead contractor, the designer-of-record, Key Personnel, and other individuals identified by the Design-Build Entity, shall remain on Design-Build Entity team for the duration of the procurement process and, if the Design-Build Entity is awarded the design-build contract, the duration of the contract. If extraordinary circumstances require a proposed change, it must be submitted in writing to the Director of the County's Real Estate Services, Project Management, who, at his sole discretion, will determine whether to authorize a change. Unauthorized changes to the Design-Build Entities team at any time during the procurement process may result in the elimination of the Design-Build Entity from further consideration.

Notwithstanding the above, the County will consider providing Shortlisted Design-Build Entities with a limited opportunity to add or remove consultants, subcontractors and/or key personnel to address deficiencies identified by the County in the Proposal. This opportunity will only be allowed in writing during the RFP process.

APPEAL PROCESS

Where the scoring of a timely and completed Request for Qualifications Questionnaire results in a rating below that necessary to prequalify a D-B Entity, or a disqualification due to a conflict of interest, an appeal can be made provided the following stipulations are met:

1. Appeal must be in writing.
2. Must be submitted within seven (7) calendar days of the date of the shortlist notification to successful firms, denial of shortlist notification letters, or notification of disqualification due to a conflict of interest.

An appeal can only be brought on the following grounds:

1. Failure of the County to follow the selection procedures and adhere to requirements specified in the RFQ or any addenda or amendments.
2. There has been a violation of conflict of interest as provided by California Government Code Section 87100 et seq.
3. A violation of State or Federal law.

Appeals will not be accepted for any other reasons than those stated above. All appeals must be sent to:

Pete Mendoza, Interim Director
San Bernardino County
Purchasing Department
777 E. Rialto Avenue
San Bernardino, CA 92415-0760

The County Purchasing Agent shall make a decision concerning the appeal, and notify the D-B Entity making the appeal, within a reasonable timeframe prior to the tentatively scheduled date for returning to the Board to release the RFP to the shortlisted firms. The decision of the County Purchasing Agent shall be deemed final.

Without a timely appeal, the D-B Entity waives any and all rights to challenge the decision of the County regarding selection and prequalification of D-B Entity for this Project, whether by administrative process, judicial process or any other legal process or proceeding.

INSTRUCTIONS AND OVERVIEW OF THE REQUEST FOR QUALIFICATIONS PROCESS

The Request for Qualifications Questionnaire seeks information about the contractor and design professionals that comprise the Design-Build Entity. The Questionnaire must be signed under penalty of perjury in the manner designated on the Certifications page by authorized person(s) on behalf of **each** of the entities (or persons) that is a constituent member of the Design-Build Entity that is seeking to be prequalified by the County, including an individual(s) who has the legal authority to bind the D-B Entity on whose behalf that person is signing.

If any information provided by a D-B Entity becomes inaccurate, the D-B Entity must immediately notify the County and provide updated accurate information in writing, under penalty of perjury.

SUBMISSION OF REQUEST FOR QUALIFICATIONS QUESTIONNAIRES

Request for Qualifications Questionnaires may be obtained from San Bernardino County Electronic Procurement Network (ePro) website: <https://epro.sbcounty.gov/bsol/>. All addenda issued (if any) will be posted on ePro. **It is solely the responsibility of each Design-Build Entity to ensure that they receive any and all addenda; addenda will be uploaded to the ePro website.** Completed Request for Qualifications Questionnaires must be received by the designated date and time. An electronic Request for Qualifications Questionnaire can be submitted through ePro. Submittals in ePro will be opened from the system's "encrypted lock box" after the deadline and evaluated as stated in this solicitation or any addenda. If the Request for Qualifications Questionnaire is submitted through ePro, D-B Entity shall also submit the following hard copies to County as required in this solicitation: one (1) original and five (5) paper copies for a total of six (6) complete Request for Qualifications Questionnaires and (1) flash drive. Paper Request for Qualifications Questionnaires will be accepted at the location identified in the solicitation and can be withdrawn at any time prior to the scheduled deadline for submission of a Request for Qualifications Questionnaire. If the Request for Qualifications Questionnaire is submitted through ePro, the D-B Entity acknowledges that its electronic signature is legally binding. **ADDITIONAL NOTE: All Proposers must register with the ePro system prior to the date and time to receive the Request for Qualifications Questionnaire or they will be disqualified. Late or incomplete Request for Qualifications Questionnaires will not be accepted.** System-related issues in ePro shall be directed to Vendor support at ePro.Vendors@buyspeed.com or at (855) 800-5046. For procurement questions involving ePro, please contact the Purchasing Department at (909) 387-2060.

Questions may be submitted by email to Scott.Hughes@res.sbcounty.gov, no later than 5:00 p.m. (PST), Friday, February 25, 2022.

Submit one (1) flash drive and one (1) original and five (5) paper copies for a total of six (6) complete Request for Qualifications Questionnaires and related information via mail to:

Scott Hughes - Project Manager III
Real Estate Services, Project Management
385 North Arrowhead Avenue, Third Floor
San Bernardino, CA 92415-0184
(909) 387-5000

Request for Qualifications Questionnaires shall be submitted in sealed envelopes, clearly marked:

**Request for Qualifications Questionnaire
San Bernardino County
Valley Communication Center Project
Design-Build Project
Project No. 10.10.0181
Design-Build Entity Business Name
Business Address**

Request for Qualifications Questionnaires must be received by **4:00 p.m. (PST) on Monday, March 14, 2022** at the above address.

DEFINITION OF WHAT COMPRISES A DESIGN-BUILD ENTITY

A Design-Build Entity is defined by Public Contract Code 22161 as, “a corporation, limited liability company, partnership, joint venture, or other legal entity that is able to provide appropriately licensed contracting, architectural, and engineering services as needed pursuant to a design-build contract.”

Although that definition allows wide latitude in the composition of the D-B Entity, San Bernardino County requires the D-B Entity to identify and list certain core member organizations that will comprise the D-B Entity. Those core organizations must individually complete the appropriate scored question portion of the Request for Qualifications Questionnaire and obtain a passing score to be considered qualified. The core members that are required to be listed in the D-B Entity are:

- General Contractor
- Architect
- Structural Engineer
- Mechanical Engineer
- Electrical Engineer
- Civil Engineer

The core members of the D-B Entity identified in response to this Request for Qualifications Document must be selected on qualifications. Public Contract Code section 22166 provides as follows:

“Following award of the design-build contract, the design-build entity shall proceed as follows in awarding construction subcontracts with a value exceeding one-half of 1 percent of the contract price allocable to construction work:

- (1) Provide public notice of availability of work to be subcontracted in accordance with the publication requirements applicable to the competitive bidding process of the local agency, including a fixed date and time on which qualifications statements, bids, or proposals will be due.
- (2) Establish reasonable qualification criteria and standards.
- (3) Award the subcontract either on a best value basis or to the lowest responsible bidder. The process may include prequalification or short-listing. The foregoing process does not apply to construction subcontractors listed in the original proposal. Subcontractors awarded construction subcontracts under this subdivision shall be afforded all the protections of Chapter 4 (commencing with Section 4100) of Part 1.”

If the D-B Entity chooses to use a core member organization with the capability of performing both design and construction services (i.e. a subcontractor with a licensed engineer and design staff), then that member must successfully qualify as both the sub-consultant and subcontractor for the listed discipline.

SCORING APPROACH

The rating of the D-B Entity will result from consideration of the scores attained in all parts of the questionnaire. The evaluation process is intended to identify three (3) Design-Build Entities who, in the opinion of the County, are best qualified to successfully execute the design and construction of the Project based on the criteria identified in the Request for Qualifications Package.

PART I: INFORMATION ABOUT THE D-B ENTITY AND EACH OF ITS MEMBERS

This part applies to the D-B Entity as a whole and to each of its Members, and is for identification purposes only. There is no scored value to Part I.

Part I will be the only information of the Request for Qualifications Document provided to the public, unless disclosure is required by law.

PART II: ESSENTIAL REQUIREMENTS FOR THE DESIGN-BUILD ENTITY AS A WHOLE

This part applies to the D-B Entity as a whole and is a qualify-don't qualify series of questions. All questions must be answered correctly or the D-B Entity will be disqualified. This is the first step in rating the D-B Entity in the Request for Qualifications process. If the D-B Entity is able to correctly respond to each of these questions, its ultimate rating will be dependent upon the scored questions.

If the D-B Entity is unable to correctly respond to each of these questions, it will be disqualified regardless of the results of the scored questions.

PART III: SCORED QUESTIONS FOR INDIVIDUAL MEMBERS OF THE D-B ENTITY

Subpart A: Scored Questions for the General Contractor Member

This part applies to the general contractor member. It consists of a series of questions that must be answered. Each group of questions will be scored and given a weighted value. The total score attained establishes the rating for the general contractor and will be combined with the scores of the other parts to determine the total score for the D-B Entity.

Subpart B: Scored Questions for the Architect Member

This part applies to the architect member. It consists of a series of questions that must be answered. Each group of questions will be scored and given a weighted value. The total score attained establishes the rating for the architect member and will be combined with the scores of the other parts to determine the total score for the D-B Entity.

Subpart C: Scored Questions for the Sub-consultant Member(s) – Principal Engineers

This part applies to each Sub-Consultant Member. It consists of a series of questions that must be answered for each sub-consultant member of the D-B Entity. Each group of questions will be scored and given a weighted value. The total score attained establishes the rating for the Sub-Consultant Member and will be combined with the scores of the other parts to determine the total score for the D-B Entity.

San Bernardino County requires that the architectural, structural, mechanical, electrical, and civil engineer consultants be listed as member firms.

Subpart D: Questions for the Sub-Contractor Member(s), including Mechanical and Electrical Subcontractors

This part applies to each Sub-Contractor Member including, but not limited to, Mechanical and Electrical Sub-Contractor(s), who is a partner, general partner, or association member of the D-B Entity. It consists of a series of questions that must be answered for each Sub-Contractor Member.

PART IV: SCORED QUESTIONS FOR RELEVANT PROJECT EXPERIENCE

This part applies to the D-B Entity as a whole and to each of its Members. It consists of a series of questions that must be answered and the total score attained will be combined with the scores of the other parts to determine the total score for the D-B Entity.

DESIGN-BUILD REQUEST FOR QUALIFICATIONS QUESTIONNAIRE

PART I:
INFORMATION about the DESIGN-BUILD ENTITY (D-B Entity) and
each of its MEMBERS

Lead Person or Firm - Contact Information

D-B Entity: _____

Contact: _____

Address: _____

Phone: _____ Fax: _____

Email: _____

Type of Entity (check one):

☐ Corporation ☐ Partnership ☐ Sole Prop. ☐ Other Assoc.

If D-B Entity is a sole proprietor or partnership:

Owner(s) _____

IF THE DESIGN-BUILD ENTITY IS A CORPORATION, LIMITED LIABILITY COMPANY, PARTNERSHIP, JOINT VENTURE, OR OTHER LEGAL ENTITY ATTACH TO QUESTIONNAIRE A COPY OF THE ORGANIZATIONAL DOCUMENTS OR AGREEMENT COMMITTING TO FORM THE ORGANIZATION.

Design-Build Entity Members

Member Firm(s) - List only legal entities or individuals that are members of the Design-Build Entity. If the Design-Build Entity is a privately held corporation, limited liability company, partnership, or joint venture, list all of the shareholders, partners, or members known at the time of submission of this Questionnaire who will perform work on the project.

Discipline	Name	License	DIR Registration No. ¹
General Contractor			
Architect			

Discipline	Name	License	DIR Registration No. ¹
Structural Engineer			
Mechanical Engineer			
Electrical Engineer			
Civil Engineer			
Mechanical Subcontractor Member			
Electrical Subcontractor Member			

For each Design-Build Member listed above that is not a sole proprietorship or corporation (such as, but not limited to, a partnership or other association), please provide a copy of the agreement creating the partnership or other association.

¹ALL DESIGN-BUILD MEMBERS WHO WILL PERFORM, OR HAVE SUBCONSULTANTS/SUBCONTRACTORS PERFORM, PUBLIC WORKS AS DEFINED BY THE LABOR CODE MUST BE REGISTERED WITH THE DEPARTMENT OF INDUSTRIAL RELATIONS AT THE TIME OF SUBMISSION OF THE REQUEST FOR QUALIFICATIONS. SEE SENATE BILL 854 (CHAPTER 28, STATUTES OF 2014).

As required by Labor Code 1771.1(a) "A contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, as defined in this chapter, unless currently registered and qualified to perform public work pursuant to Section 1725.5. It is not a violation of this section for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded."

DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST FORM:

ATTACHED TO THIS QUESTIONNAIRE IS THE DESIGN-BUILD CONFLICT OF INTEREST PACKAGE. ***D-B ENTITY SHALL COMPLETE THE DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST FORM.*** THE COMPLETED FORM SHALL BE PROVIDED TO THE COUNTY IN A ***SEPARATELY SEALED ENVELOPE*** MARKED WITH D-B ENTITY'S NAME, DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST FORM, PROJECT NAME AND PROJECT NUMBER.

PART II : ESSENTIAL REQUIREMENTS for the DESIGN-BUILD ENTITY as a WHOLE

Section II is the first step in scoring the Design-Build Entity. It seeks information about various members of the Design-Build Entity, and consists of questions that must be answered correctly (per the table at the end of this Section) or the Design-Build Entity will be disqualified.

Definitions:

- The term “Design-Build Entity” as used in this Section II means Design-Build Entities wishing to be considered for receipt of the County’s Request for Proposal for the design and construction of the Project.
- The term “Associates” as used in this Section II means all of the following:
 - The current qualifiers for all current Contractors State License Board contracting licenses held by the General Contractor.
 - All current officers of the General Contractor if it is a corporation.
 - All current partners of the General Contractor if it is a partnership.
 - All current joint venturers of the joint venture contractor which is seeking prequalification.
- “Sub-consultant Member” shall mean any member of the Design-Build Entity which provides professional services.
- The term “Proposed Subcontractor” as used in this Section II means a Subcontractor Member including Mechanical and Electrical Subcontractors who are a partner, general partner, or association member of the Design-Build Entity.

ESSENTIAL REQUIREMENTS FOR THE CONTRACTOR AND SUBCONTRACTOR MEMBER(S) OF THE D-B ENTITY.

NOTE: D-B Entity will be automatically disqualified if the answer to any of the questions 1 through 8 is “no”.

1. Does the General Contractor and each Proposed Subcontractor Member possess a current California contractor’s license for the Project for which it intends to submit a proposal?

☐ Yes ☐ No

2. Does the General Contractor have a liability insurance policy with a policy limit of at least the amount shown on the table below, which correlates with the proposed construction budget for this Project from a California admitted company?

Commercial/General Liability Insurance – The Contractor shall carry General Liability Insurance covering all operations performed by or on behalf of the Contractor providing coverage for bodily injury and property damage with a combined single limit of not less than:

- For projects over one million (\$1,000,000) and less than three million (\$3,000,000) require limits of not less than three million (\$3,000,000) in General Liability and Auto Liability coverage.
- For Construction contracts for projects over three million (\$3,000,000) and less than five million (\$5,000,000) require limits of not less than five million (\$5,000,000) in General Liability and Auto Liability coverage.
- For Construction contracts for projects over five million (\$5,000,000) require limits of not less than ten million (\$10,000,000) in General Liability and Auto Liability.

☐ Yes ☐ No

If yes, provide the following information. (Attach a separate page if more than one policy.)

Insurance Company

Policy Number

Policy limit per occurrence

Aggregate policy limit

3. Does the General Contractor (and Subcontractor Member(s)) have current workers' compensation insurance policies as required by the Labor Code or are legally self-insured pursuant to Labor Code sections 3700 et. seq.?

☐ Yes ☐ No

If yes, provide the following information. (Attach a separate page if more than one policy)

Insured

Carrier

Policy Number

4. Has the General Contractor attached the latest copy of a reviewed or audited financial statement with accompanying notes attached for the General Contractor?

☐ Yes ☐ No

An audited financial statement with accompanying notes of a parent company guarantor may be substituted. A financial statement that is not either reviewed or audited is not acceptable. A letter verifying availability of a line of credit is not a substitute for the required financial statement.

5. Has the General Contractor attached a notarized statement from a surety insurer admitted (approved by the California Department of Insurance) and authorized to issue bonds in the State of California, which states that the General Contractor's current bonding capacity is sufficient for the Project for which you seek prequalification?

☐ Yes ☐ No

Notarized Statement must be from the surety company, not an agent or broker.

6. Does the General Contractor (and Proposed Subcontractors) seeking prequalification know and understand their obligations regarding the employment of apprentices on public works under Labor Code section 1777.5 and California Code of Regulations, Title 8, section 230.1, and do they intend to comply with these requirements, including the requirement, if applicable, to request the dispatch of apprentices from an apprenticeship program approved by the California Apprenticeship Council?

☐ Yes ☐ No

7. As required by Public Contract Code section 22164, does the General Contractor (and Proposed Subcontractors) seeking prequalification provide the County an enforceable commitment (as defined in Public Contract Code 22164(c)(2)) that the General Contractor and its subcontractors at every tier will use a “skilled and trained workforce” (as defined in Public Contract Code section 22164(c)(1)) to perform all work on the Project that falls within an apprenticeable occupation in the building and construction trades?

☐ Yes ☐ No

8. As required by Labor Code section 1771.1(a), is the General Contractor (and Proposed Subcontractors) seeking prequalification currently registered and qualified to perform public work pursuant to Labor Code section 1725.5?

☐ Yes ☐ No

NOTE: D-B Entity will be automatically disqualified if the answer to any of the questions 9 through 15 is “yes”.

9. Has the General Contractor or any of its proposed Subcontractor Member's license been revoked or suspended at any time in the last ten (10) years?

☐ Yes ☐ No

10. Has a surety firm completed a contract on behalf of the General Contractor or any proposed Subcontractor Member, or paid for completion because the firm was in default or terminated by the project owner within the last ten (10) years?

☐ Yes ☐ No

11. Within the last ten (10) years was the General Contractor or Subcontractor Member declared ineligible to bid on a public works contract, to be awarded a public works contract, or to 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

12. At any time during the last ten (10) years, has the General Contractor, Subcontractor Members or any of its owners or officers been convicted of a crime involving the awarding of a contract for a government construction project, or the bidding or performance of a government contract?

☐ Yes ☐ No

13. Has the General Contractor 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

14. Has the General Contractor 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

15. Has the General Contractor 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

ESSENTIAL REQUIREMENTS FOR THE ARCHITECT AND SUB-CONSULTANTS OF THE D-B ENTITY:

NOTE: D-B Entity will be automatically disqualified if the answer to any of the questions 16 through 18 is “no”.

16. Does the Architect Member and each Sub-consultant Member possess a valid and current California professional license for the Project for which it intends to submit a proposal?

☐ Yes ☐ No

17. Does the Architect have a professional liability insurance policy with a policy limit of at least \$2,000,000 per occurrence and \$4,000,000 aggregate and each Sub-consultant Member (professional engineer(s)) have a professional liability insurance policy with a policy limit of at least \$1,000,000 per occurrence and \$2,000,000 aggregate?

☐ Yes ☐ No

If yes, provide the name of the insurance company, policy number, and policy limits. (Attach a separate page if more than one policy).

Insurance Company

Policy Number

Policy limit per occurrence

Aggregate policy limit

18. Does the Architect and each Sub-Consultant Member have 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

NOTE: D-B Entity will be automatically disqualified if the answer to any of the questions 18 through 23 is "yes".

19. Has any professional license held by any architect or sub-consultant member who will provide services been revoked at any time in the last ten (10) years?

☐ Yes ☐ No

20. At any time during the last ten (10) years, has the Architect, Sub-consultant Member or any of its owners or officers been convicted of a crime involving the awarding of a contract of a government construction project, or performance of a government contract?

☐ Yes ☐ No

21. Has the Architect, Sub-consultant Member, 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

22. Has the Architect, Sub-consultant Member, 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

23. Has the Architect, Sub-consultant Member, 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

PART III:
SCORED QUESTIONS for MEMBERS of the D-B ENTITY

SUBPART A: SCORED QUESTIONS FOR THE GENERAL CONTRACTOR

Provide the following information about the General Contractor for which prequalification is being requested by the Design-Build Entity. If the Design-Build Entity is itself the General Contractor for which prequalification is being requested, then provide all information requested as it relates to the Design-Build Entity itself.

SCORING: Each of the following Questions shall be scored and included in the calculation of the D-B Entity's total score.

Definitions:

- “General Contractor” - shall mean the general contractor, holding a current, valid, California Class “B” general contractor’s license in good standing, that will assume responsibility for the subcontracting, management, supervision and administration of the construction for the Project.
- The term “Associates” as used in this Part A means all of the following:
 - The current qualifiers for all current Contractors State License Board contracting licenses held by the General Contractor.
 - All current officers of the General Contractor if it is a corporation.
 - All current members of the General Contractor if it is a Limited Liability Company.
 - All current partners of the General Contractor if it is a partnership.
 - All current joint ventures’ of the General Contractor if it is a joint venture.
- The term “Design-Build” as used in this Part III and IV means a project delivery method in which both the design and construction of a project are provided from a single entity under a single contract.

ORGANIZATION and HISTORY OF BUSINESS PERFORMANCE – Weight 25%

A-1. Name of General Contractor: _____

A-2. Date of company formation or incorporation: _____

A-3. State of formation or incorporation: _____

A-4. How many persons does the General Contractor currently employ? _____

A-5(a) If the General Contractor is a corporation, provide the following:

Provide information for each officer of the corporation or individual(s) with 20% or more of the corporate stock and of each shareholder at the time of qualification submission who will perform work on the Project.

Position	Name	Years with Co.	% Ownership
CEO			
President			
Vice-President			
Secretary			
Treasurer			

A-5(b) If the General Contractor is a sole proprietorship, please complete the following:

Provide information for each member of the proprietorship.

Owner	Years as Owner

A-5(c) If the General Contractor is a joint venture, partnership, limited liability company, or other association, provide the following for each member of the joint venture, limited liability company, partner or other association member, and of each member at the time of qualification submission who will perform work on the Project.

(Attach additional pages if necessary)

Name of Individual Or Entity	Principal Contact	Position	Years with Joint Venture/ Partnership	% Ownership Interest

A-6. Has there been any change in ownership of the General Contractor during the last three years?

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

☐ Yes ☐ No

If "yes," explain on a separate page.

A-7 Is the General Contractor 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 page.

A-8 State the General Contractor's gross revenues for each of the last three years:

YEAR: _____ YEAR: _____ YEAR: _____

\$ _____ \$ _____ \$ _____

A-9. Please fill in the following blanks based on the General Contractor's attached financial statement:

Current Assets: \$ _____

Current Liabilities: \$ _____

Total Net Worth: \$ _____

Current Ratio (Assets/Liabilities): _____

Working Capital (Current Assets - Current Liabilities): \$ _____

A-10 List all California contractor license numbers, classifications and expiration dates currently held by the General Contractor.

License Number	Trade Classification	Date Issued	Expiration Date

A-11 Provide information on former San Bernardino County administrative officials (as defined below) who are employed by or represent organization/firm. The information provided must include a list of former County administrative officials

who terminated County employment within the last five (5) years and who are now officers, principals, partners, associates or members of the organization/firm. Information should also include the employment and/or representative capacity and the dates these individuals began employment with or representation of the organization/firm. For purposes of this section, "County administrative official" is defined as a member of the Board of Supervisors or such officer's staff, Chief Executive Officer or member of such officer's staff, County department or group head, assistant department or group head, or any employee in the Exempt Group, Management Unit, or Safety Management Unit.

Failure to provide this information may result in the response to the Request for Qualifications Questionnaire being deemed non-responsive and the D-B entity disqualified.

A-12 Has the General Contractor changed names or license numbers in the past five (5) years?

☐ Yes ☐ No

If "yes," explain on a separate page.

A-13 Has any owner, CSLB qualifier or corporate officer of the General Contractor operated as a contractor under any other name or license number (not listed in A-10 above) in the last five (5) years?

☐ Yes ☐ No

If "yes," explain on a separate page.

A-14 Surety Information for General Contractor:

Bonding Co./Surety: _____

Surety Agent: _____

Agent Address: _____

Telephone No.: _____

A-15 List all other sureties (name and full address) that have written bonds for the General Contractor during the last five years, including periods during which each wrote the bonds:

Surety	Address	Periods of Coverage

- A-16 How many years has the General Contractor or each Contractor of a Joint Venture (or Limited Liability Corporation) organization been in business in California as a General Contractor under its present business name and license number?

NOTE: If Contractor Member is a Joint Venture, add years for each partner to the Joint Venture and enter the average of combined experience.

Years: _____

BANKRUPTCY, DISPUTES, CRIMINAL MATTERS, & LAWSUITS – Weight 15%

- A-17 Is the General Contractor or any of its Associates currently the debtor in a bankruptcy case?

☐ Yes ☐ No

If “yes,” indicate the case number, bankruptcy court, and the date on which the petition was filed.

- A-18 Was the General Contractor or any of its Associates in bankruptcy at any time during the last ten (10) years? (This question refers only to a bankruptcy action that was not described in answer to question A-17, above)

☐ Yes ☐ No

If “yes,” indicate the case number, bankruptcy court, and the date on which the petition was filed.

- A-19 At any time in the last ten (10) years has the General Contractor or any of its Associates been assessed liquidated damages of more than \$10,000 on a construction contract with either a public or private owner?

☐ Yes ☐ No

If yes, explain on a separate page, identifying all such projects by owner, owner's address, name of entity against whom assessment was made, 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.

- A-20 Has the General Contractor or any of its Associates ever been terminated for default on a construction contract?

☐ Yes ☐ No

If "yes," explain on a separate page.

- A-21 In the last ten (10) years has the General Contractor or any of its Associates, been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason?

☐ Yes ☐ No

If "yes," explain on a separate page. State the name of the organization debarred, the year of the event, the owner of the project, and the basis for the action.

- A-22 Has the General Contractor or any of its Associates ever been denied an award of a public works contract based on a finding by a public agency that they were not a responsible bidder?

☐ Yes ☐ No

If "yes," on a separate page identify the year of the event, the entity denied the award, the owner, the project, and the basis for the finding by the public agency.

NOTE: The following two questions refer only to disputes between contractors and owners of projects. You need not include information about disputes with suppliers, other contractors, or subcontractors. You need not include information about "pass-through" disputes in which the actual dispute is between a subcontractor and a project owner.

- A-23 In the past ten (10) years has any claim in excess of \$10,000 been filed in court or arbitration against the General Contractor or any of its Associates concerning their work on a construction project?

☐ Yes ☐ No

If "yes," on a separate page identify the claim(s) by providing the project name, date of the claim, name of the claimant, the name of the entity the claim was filed against, a brief description of the nature of the claim, the court and case number, and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution).

- A-24 In the past ten (10) years has the General Contractor or any of its Associates made any claim in excess of \$10,000 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 a separate page identify the claim by providing the name of claimant, 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 and case number, and a brief description of the status of the claim (pending, or if resolved, a brief description of the resolution).

- A-25 Has the General Contractor or party to the Joint Venture or member of the Limited Liability Company been required to pay a premium of more than one percent for a performance and payment bond on any project(s) on which the Contractor worked at any time during the last three years?

☐ Yes

☐ No

If "yes," on a separate page 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.

- A-26 During the last ten (10) years, has there ever been a period of time when the General Contractor or any of its Associates ever been denied bond coverage by a surety company, or has there ever been a period of time when there was no surety bond in place during a public construction project when one was required?

☐ Yes

☐ No

If yes, indicate the period during which no surety bonds were in place, name of entity without the surety bond, the name of project owner, and if coverage was denied the date coverage was denied and the name of the company that denied coverage.

SAFETY, PREVAILING WAGE, & APPRENTICESHIP – Weight 5%

- A-27 Has CAL OSHA cited and assessed penalties against the General Contractor or any of its Associates for any “serious,” “willful” or “repeat” violations of its safety or health regulations in the past ten (10) 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,” on separate page describe the citations, the party against whom the citation was made, date of citation, nature of the violation, project on which the citation was issued, owner of project, and the amount of penalty paid, if any. State the case number and date of any OSHAB decision. Note that the existence of any “willful” violations of Part 1 (commencing with Section 6300) of Division 5 of the California Labor Code may constitute grounds for disqualification.

- A-28 Has the Federal Occupational Safety and Health Administration cited and assessed penalties against the General Contractor or any of its Associates in the past ten (10) years?

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

☐ Yes

☐ No

If “yes,” on separate page describe the citations, the party against whom the citation was made, date of citation, nature of the violation, project on which the citation was issued, owner of project, and the amount of penalty paid, if any. State the case number and date of any decision.

- A-29 Has the EPA, any Air Quality Management District or any Regional Water Quality Control Board cited and assessed penalties against either the General Contractor or any of its Associates or the owner of a project ON WHICH THE Contractor was the D-B Entity in the past ten (10) years?

NOTE: If an appeal of the citation has been filed and there is no ruling yet, or if there is a court appeal pending, you need not include information about the citation.

☐ Yes ☐ No

If "yes," on separate page describe the citations, the party against whom the citation was made, date of citation, nature of the violation, project on which the citation was issued, owner of project, and the amount of penalty paid, if any. State the case number and date of any decision.

- A-30 Does the General Contractor require documented safety meetings to be held for construction employees and field supervisors during the course of a project?

☐ Yes ☐ No

If "yes", identify how often the meetings are required.

☐ Weekly ☐ Bi-Weekly ☐ Monthly ☐ Less Frequent

- A-31 List the General Contractor's Experience Modification Rate (EMR) (California workers' compensation insurance) for each of the past three premium years:

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

Year: _____	EMR: _____
Year: _____	EMR: _____
Year: _____	EMR: _____

NOTE: If the average EMR for the three past premium years is over 1.00 this is grounds for disqualification.

(If your EMR for any of these three years is 1.00 or higher provide an explanation.)

- A-32 List the General Contractor's injury or illness rate for the most recent three-year period:

Year: _____	Injury or Illness Rate: _____
Year: _____	Injury or Illness Rate: _____
Year: _____	Injury or Illness Rate: _____

State the applicable statistical standard for the injury or illness rate for General Contractor's business category:

Business Category: _____

Applicable Statistical Standard: _____

A-33 List the General Contractor's lost work rate for the most recent three-year period:

Year: _____

Lost Work Rate: _____

Year: _____

Lost Work Rate: _____

Year: _____

Lost Work Rate: _____

State the applicable statistical standard for the lost work rate for General Contractor's business category:

Business Category: _____

Applicable Statistical Standard: _____

A-34 Is the General Contractor a party to an alternative dispute resolution system as provided for in Section 3201.5 of the Labor Code?

☐ Yes

☐ No

NOTE: Attach to the qualification questionnaire evidence that General Contractor is a party to the identified alternative dispute resolution system.

A-35 Within the last ten (10) years has there ever been a period when the General Contractor or any of its Associates 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 page. If "No," please provide a statement by your current workers' compensation insurance carrier that verifies periods of workers' compensation insurance coverage for the General Contractor for the last ten (10) years. (If the General Contractor has been in business for less than ten (10) 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 business.)

- A-36 Has there been more than one occasion during the last ten (10) years in which the General Contractor or any of its Associates was required to pay either back wages or penalties for failure to comply with the state's prevailing wage laws?

☐ Yes

☐ No

If "yes," attach a separate page, describing the violator, nature of each violation, name of the project, 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 were assessed.

- A-37 During the last ten (10) years, has there been more than one occasion in which the General Contractor or any of its Associates have 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 page, describing the violator, nature of each violation, name of the project, 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 were assessed.

- A-38 Does the General Contractor intend to request the dispatch of apprentices from an apprenticeship program approved by the California Apprenticeship Council for use on this Project if you are awarded the contract?

☐ Yes

☐ No

If "yes," attach a separate page, provide the name, address and telephone number of the apprenticeship program from whom you intend to request the dispatch of apprentices.

- A-39 If the General Contractor operates its own State-approved apprenticeship program, provide the following information on a separate page:

- (a) Identify the craft or crafts in which you 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.

A-40 At any time during the last ten (10) years, has the General Contractor or any of its Associates 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 of the findings and attach a copy of the final decision.

Date of Findings

A-41 Do agreements exist between the General Contractor and registered apprenticeship programs which have been approved by the California Apprenticeship Council, and have such programs graduated apprentices in the preceding five years for all apprenticable crafts which may be employed by the General Contractor on this project?

☐ Yes

☐ No

Will the General Contractor self-perform any work on this project in trades that require apprenticable craft tradespersons?

☐ Yes

☐ No

A-42 Will the General Contractor ensure that all subcontractors who will perform work on this Project comply with the requirements of the above question A-41?

☐ Yes

☐ No

PART III SUBPART B: TEAM MEMBER QUESTIONS FOR THE ARCHITECT OF RECORD

SCORING: Each of the following Questions shall be scored and included in the calculation of the D-B Entity's total score.

Definitions:

- "Architect of Record" means the licensed architect member of the Design-Build Entity whose stamp will appear on the Project Construction Documents.
- "Firm" shall mean, in the case where the Architect of Record is not an individual doing business as a sole proprietorship, the firm (whether a sole proprietorship, corporation, partnership or other association) which employs the Architect of Record.
- The term "Design-Build" as used in this Part III and IV means a project delivery method in which both the design and construction of a project are provided from a single entity under a single contract.

ORGANIZATION and HISTORY OF BUSINESS PERFORMANCE – Weight 25%

B-1. If the Architect of Record or its Firm is different from that of the General Contractor, please answer the following:

B-1(a) Date of company formation or incorporation: _____

B-1(b) State of formation or incorporation: _____

B-1(c) How many persons does the Architect of Record or its Firm currently employ?: _____

B-1(d) If the Architect of Record's Firm is a corporation, provide the following information for each officer of the corporation and owners of 20% or more of the corporate stock.

Position	Name	Years with Co.	% Ownership
CEO			
President			
Vice President			
Secretary			
Treasurer			

B-1(e) If the Architect of Record is an individual doing business as a sole proprietorship, complete the following:

Owner	Years as Owner

B-1(f) If the Architect of Record's Firm is a joint venture, partnership or other association (other than a corporation), provide the following information for each member of the joint venture, each partner or each other association member.
(Attach additional pages if necessary)

Name of Individual or Entity	Principal Contact	Position	Years with Joint Venture/ Partnership/ Other Association	% Ownership Interest

B-1(g) Has there been any change in ownership of the Architect of Record's Firm during the last three years?

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

☐ Yes ☐ No

If "yes," explain on a separate page.

B-1(h) Is the Architect of Record's Firm a subsidiary, parent, holding company or affiliate of another 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 the Firm holds a similar position in another firm.

☐ Yes ☐ No

If "yes," explain on a separate page.

B-1(i) Has any corporate officer or owner of the Architect of Record's Firm, worked for any other architectural firms in the past five years?

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 page.

B-1(j) Provide information on former San Bernardino County administrative officials (as defined below) who are employed by or represent organization/firm. The information provided must include a list of former County administrative officials who terminated County employment within the last five years and who are now officers, principals, partners, associates or members of the organization/firm. Information should also include the employment and/or representative capacity and the dates these individuals began employment with or representation of the organization/firm. For purposes of this section, "County administrative official" is defined as a member of the Board of Supervisors or such officer's staff, Chief Executive Officer or member of such officer's staff, County department or group head, assistant department or group head, or any employee in the Exempt Group, Management Unit, or Safety Management Unit.

Failure to provide this information may result in the response to the request for proposal being deemed non-responsive.

B-1(k) Has the Architect of Record's Firm changed names or license number in the last five years?

☐ Yes ☐ No

If "yes," explain on a separate page including reason for change.

B-2 Provide the following information for all known Architects who will be designing the project:
(Attach additional pages if necessary)

Architect	License Number	Years in Practice

B-3 Attach a copy of the Architect of Record's resume with information provided under Section IV.

- B-4 How many years has the Architect's firm been in business in California as an Architect under its present business name and license number?

NOTE: If Architect's firm is a Joint Venture, add years for each partner to the Joint Venture and enter the average combined experience.

Years: _____ CA License: _____

- B-5 The Architect of Record will be required to have an active office located within California during the duration of the Project if selected. This office will have responsibility for the design work associated with the Project. All design associated with the Project, including that design work within the responsibility of Specialty Sub-consultants, shall be accomplished or reviewed and approved by design professionals registered to practice in the State of California for the related professional field(s).

At time of submission of this Request for Qualifications Questionnaire; does the Architect of Record have an active office located within California?

☐ Yes ☐ No

If "yes", on a separate page provide location of office, where the majority of the design work will be performed and number of staff members.

If "no", on a separate page explain fully how the Architect of Record will comply with the requirements outlined in B-5 above.

- B-6 Does Architect of Record or the Firm currently employ LEEDS (Leadership in Energy & Environmental Design) accredited designers?

☐ Yes ☐ No

If yes, identify individuals on a separate page.

BANKRUPTCY, DISPUTES, CRIMINAL MATTERS, & LAWSUITS – Weight 15%

- B-7 Is the Architect of Record or the Firm currently the debtor in a bankruptcy case?

☐ Yes ☐ No

If "yes," indicate the case number, bankruptcy court, and the date on which the petition was filed.

Case Number

Bankruptcy Court

Date Filed

- B-8 Was the Architect of Record or Firm in bankruptcy at any time during the last ten (10) years? (This question refers only to a bankruptcy action that was not described in answer to question B-7, above)

☐ Yes ☐ No

If "yes," indicate the case number, bankruptcy court, and the date on which the petition was filed.

Case Number

Bankruptcy Court

Date Filed

- B-9 In the last ten (10) years has the Architect of Record or the Firm been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason?

☐ Yes ☐ No

If "yes," explain on a separate page. State the name of the organization debarred, the year of the event, the owner of the project, and the basis for the action.

- B-10 Has the Architect of Record or the Firm ever been denied an award of a public works contract based on a finding by a public agency that they were not properly qualified?

☐ Yes ☐ No

If "yes," on a separate page identify the year of the event, the entity denied the award, the owner, the project, and the basis for the finding by the public agency.

- B-11 In the past ten (10) years, has any claim in excess of \$10,000 been filed in court or arbitration against the Architect of Record or the Firm concerning its architectural work on a project for which they were found at fault?

☐ Yes ☐ No

If "yes," on a separate page 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 and case number, and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution).

- B-12 In the past ten (10) years, has the Architect of Record or the Firm made any claim in excess of \$10,000 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 page 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 and case number, and a brief description of the status of the claim (pending, or if resolved, a brief description of the resolution).

- B-13 In the last ten (10) years has any insurance carrier, for any form of insurance, refused to renew an insurance policy for the Architect of Record or the Firm?

☐ Yes

☐ No

If “yes,” on separate page give name the insurance carrier, the form of insurance and the year of the refusal.

PART III SUBPART C-1: SCORED QUESTIONS FOR THE STRUCTURAL ENGINEER MEMBER(S)

SCORING: Each of the following Questions shall be scored and included in the calculation of the D-B Entity's total score.

Definitions:

- "Principal Engineer" shall mean the licensed professional(s) providing professional services in structural, mechanical, electrical, and civil, engineering who will stamp the construction documents. Other professional engineering services may also be included as determined by the County.
- "Principal Engineer's Firm" shall mean, in the case where the "Principal Engineer" is not an individual doing business as a sole proprietorship, the firm (whether a sole proprietorship, corporation, partnership or other association) which employs the Structural Engineer.
- The term "Design-Build" as used in this Part III and IV means a project delivery method in which both the design and construction of a project are provided from a single entity under a single contract.

ORGANIZATION and HISTORY OF BUSINESS PERFORMANCE – Weight 25%

C-1 Provide the following information:

Name: _____

License Number: _____

Engineering Discipline: _____

Years in Practice: _____

C-2 If the Principal Engineer or its Firm is different from that of the General Contractor or Architect of Record, please answer the following:

C-2(a) Date of company formation or incorporation: _____

C-2(b) State of formation or incorporation: _____

C-2(c) How many persons does the Principal Engineer or its Firm currently employ?: _____

C-2(d) If the Principal Engineer's firm is a corporation, provide the following information for each officer of the corporation and individuals who own 20% or more of the corporate stock.

Position	Name	Years with Co.	% Ownership
CEO			
President			
Vice-President			
Secretary			
Treasurer			

C-2(e) If the Principal Engineer is an individual doing business as a sole proprietorship, complete the following:

Owner	Years as Owner

C-2(f) If the Principal Engineer's firm is a joint venture, partnership or other association (other than a corporation), provide the following information for each member of the joint venture, each partner or each other association member.

Name of Individual or Entity	Principal Contact	Position	Years with Joint Venture/ Partnership /Other Association	% Ownership Interest

C-2(g) Provide information on former San Bernardino County administrative officials (as defined below) who are employed by or represent organization/firm. The information provided must include a list of former County administrative officials who terminated County employment within the last five years and who are now officers, principals, partners, associates or members of the organization/firm. Information should also include the employment and/or representative capacity

and the dates these individuals began employment with or representation of the organization/firm. For purposes of this section, "County administrative official" is defined as a member of the Board of Supervisors or such officer's staff, Chief Executive Officer or member of such officer's staff, County department or group head, assistant department or group head, or any employee in the Exempt Group, Management Unit, or Safety Management Unit.

Failure to provide this information may result in the response to the Request for Qualifications Questionnaire, being deemed non-responsive and the D-B Entity disqualified.

C-2(h) Has there been any change in ownership of the Principal Engineer's Firm during the last three years?

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

☐ Yes ☐ No

If "yes," explain on a separate page.

C-2(i) Is the Principal Engineer's Firm a subsidiary, parent, holding company or affiliate of another 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 page.

C-2(j) Has any corporate officer or owner of the Principal Engineer's Firm worked for any other engineering firms in the past five years?

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 page.

C-2(k) Has the Principal Engineer's Firm changed names in the past five years?

☐ Yes ☐ No

If "yes," explain on a separate page including reason for change.

C-3 Attach a copy of the Principal Engineer's resume with information provided under Section IV.

C-4 How many years has the Principal Engineer's Firm been in business in California under its present business name and license number?

Years: _____ CA License: _____

BANKRUPTCY, DISPUTES, CRIMINAL MATTERS, & LAWSUITS – Weight 15%

C-5 Is the Principal Engineer's Firm currently the debtor in a bankruptcy case?

☐ Yes ☐ No

If "yes," indicate the case number, bankruptcy court, and the date on which the petition was filed.

Case Number

Bankruptcy Court

Date Filed

C-6 Was the Principal Engineer's Firm in bankruptcy at any time during the last ten (10) years? (This question refers only to a bankruptcy action that was not described in answer to question C-5, above)

☐ Yes ☐ No

If "yes," indicate the case number, bankruptcy court, and the date on which the petition was filed.

Case Number

Bankruptcy Court

Date Filed

C-7 In the past ten (10) years has any claim in excess of \$10,000 been filed in court or arbitration against the Principal Engineer's Firm concerning its work on a construction project?

☐ Yes ☐ No

If "yes," 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 and case number, and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution).

C-8 Has the Principal Engineer's Firm ever been denied an award of a public works contract based on a finding by a public agency that they were not a responsible bidder?

☐ Yes ☐ No

If "yes," on a separate page identify the year of the event, the entity denied the award, the owner, the project, and the basis for the finding by the public agency.

- C-9 In the past ten (10) years has the Principal Engineer's Firm made any claim in excess of \$10,000 against a project owner concerning work on a construction project or payment?

☐ Yes

☐ No

If "yes," on separate page 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 and case number, and a brief description of the status of the claim (pending, or if resolved, a brief description of the resolution).

- C-10 In the last ten (10) years has any insurance carrier, for any form of insurance, refused to renew an insurance policy for the Principal Engineer's Firm based on non-payment or losses?

☐ Yes

☐ No

If "yes," on separate page give name the insurance carrier, the form of insurance and the year of the refusal.

PART III SUBPART C-2: SCORED QUESTIONS FOR THE MECHANICAL ENGINEER MEMBER(S)

SCORING: Each of the following Questions shall be scored and included in the calculation of the D-B Entity's total score.

Definitions:

- "Principal Engineer" means the licensed professional(s) providing professional services in structural, mechanical, electrical, and civil, engineering who will stamp the construction documents. Other professional engineering services may also be included as determined by the County.
- "Principal Engineer's Firm" shall mean, in the case where the "Principal Engineer" is not an individual doing business as a sole proprietorship, the firm (whether a sole proprietorship, corporation, partnership or other association) which employs the Structural Engineer.
- The term "Design-Build" as used in this Part III and IV means a project delivery method in which both the design and construction of a project are provided from a single entity under a single contract.

ORGANIZATION and HISTORY OF BUSINESS PERFORMANCE – Weight 25%

C-1 Provide the following information:

Name: _____

License Number: _____

Engineering Discipline: _____

Years in Practice: _____

C-2 If the Principal Engineer or its Firm is different from that of the General Contractor or Architect of Record, please answer the following:

C-2(a) Date of company formation or incorporation: _____

C-2(b) State of formation or incorporation: _____

C-2(c) How many persons does the Principal Engineer or its Firm currently employ?: _____

C-2(d) If the Principal Engineer's firm is a corporation, provide the following information for each officer of the corporation and individuals who own 20% or more of the corporate stock.

Position	Name	Years with Co.	% Ownership
CEO			
President			
Vice-President			
Secretary			
Treasurer			

C-2(e) If the Principal Engineer is an individual doing business as a sole proprietorship, complete the following:

Owner	Years as Owner

C-2(f) If the Principal Engineer's firm is a joint venture, partnership or other association (other than a corporation), provide the following information for each member of the joint venture, each partner or each other association member.

Name of Individual or Entity	Principal Contact	Position	Years with Joint Venture/ Partnership /Other Association	% Ownership Interest

C-2(g) Provide information on former San Bernardino County administrative officials (as defined below) who are employed by or represent organization/firm. The information provided must include a list of former County administrative officials who terminated County employment within the last five years and who are now officers, principals, partners, associates or members of the organization/firm. Information should also include the employment and/or representative capacity

and the dates these individuals began employment with or representation of the organization/firm. For purposes of this section, "County administrative official" is defined as a member of the Board of Supervisors or such officer's staff, Chief Executive Officer or member of such officer's staff, County department or group head, assistant department or group head, or any employee in the Exempt Group, Management Unit, or Safety Management Unit.

Failure to provide this information may result in the response to the Request for Qualifications packet being deemed non-responsive and the D-B Entity disqualified.

C-2(h) Has there been any change in ownership of the Principal Engineer's Firm during the last three years?

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

☐ Yes ☐ No

If "yes," explain on a separate page.

C-2(i) Is the Principal Engineer's Firm a subsidiary, parent, holding company or affiliate of another 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 page.

C-2(j) Has any corporate officer or owner of the Principal Engineer's Firm worked for any other engineering firms in the past five years?

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 page.

C-2(k) Has the Principal Engineer's Firm changed names in the past five years?

☐ Yes ☐ No

If "yes," explain on a separate page including reason for change.

C-3 How many years has the Principal Engineer's Firm been in business in California under its present business name and license number?

Years: _____ CA License: _____

C-4 Attach a copy of the Principal Engineer's resume with information provided under Part IV.

BANKRUPTCY, DISPUTES, CRIMINAL MATTERS, & LAWSUITS – Weight 15%

C-5 Is the Principal Engineer's Firm currently the debtor in a bankruptcy case?

☐ Yes ☐ No

If "yes," indicate the case number, bankruptcy court, and the date on which the petition was filed.

Case Number Bankruptcy Court Date Filed

C-6 Was the Principal Engineer's Firm in bankruptcy at any time during the last ten (10) years? (This question refers only to a bankruptcy action that was not described in answer to question C-5, above)

☐ Yes ☐ No

If "yes," indicate the case number, bankruptcy court, and the date on which the petition was filed.

Case Number Bankruptcy Court Date Filed

C-7 In the past ten (10) years has any claim in excess of \$10,000 been filed in court or arbitration against the Principal Engineer's Firm concerning its work on a construction project?

☐ Yes ☐ No

If "yes," 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 and case number, and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution).

C-8 Has the Principal Engineer's Firm ever been denied an award of a public works contract based on a finding by a public agency that they were not a responsible bidder?

☐ Yes

☐ No

If "yes," on a separate page identify the year of the event, the entity denied the award, the owner, the project, and the basis for the finding by the public agency.

C-9 In the past ten (10) years has the Principal Engineer's Firm made any claim in excess of \$10,000 against a project owner concerning work on a construction project or payment?

☐ Yes

☐ No

If "yes," on separate page 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 and case number, and a brief description of the status of the claim (pending, or if resolved, a brief description of the resolution).

C-10 In the last ten (10) years has any insurance carrier, for any form of insurance, refused to renew an insurance policy for the Principal Engineer's Firm based on non-payment or losses?

☐ Yes

☐ No

If "yes," on separate page give name the insurance carrier, the form of insurance and the year of the refusal.

PART III SUBPART C-3: SCORED QUESTIONS FOR THE ELECTRICAL ENGINEER MEMBER(S)

SCORING: Each of the following Questions shall be scored and included in the calculation of the D-B Entity's total score.

Definitions:

- "Principal Engineer" means the licensed professional(s) providing professional services in structural, mechanical, electrical, and civil, engineering who will stamp the construction documents. Other professional engineering services may also be included as determined by the County.
- "Principal Engineer's Firm" shall mean, in the case where the "Principal Engineer" is not an individual doing business as a sole proprietorship, the firm (whether a sole proprietorship, corporation, partnership or other association) which employs the Structural Engineer.
- The term "Design-Build" as used in this Part III and IV means a project delivery method in which both the design and construction of a project are provided from a single entity under a single contract.

ORGANIZATION and HISTORY OF BUSINESS PERFORMANCE – Weight 25%

C-1 Provide the following information:

Name: _____

License Number: _____

Engineering Discipline: _____

Years in Practice: _____

C-2 If the Principal Engineer or its Firm is different from that of the General Contractor or Architect of Record, please answer the following:

C-2(a) Date of company formation or incorporation: _____

C-2(b) State of formation or incorporation: _____

C-2(c) How many persons does the Principal Engineer or its Firm currently employ?: _____

C-2(d) If the Principal Engineer's firm is a corporation, provide the following information for each officer of the corporation and individuals who own 20% or more of the corporate stock.

Position	Name	Years with Co.	% Ownership
CEO			
President			
Vice-President			
Secretary			
Treasurer			

C-2(e) If the Principal Engineer is an individual doing business as a sole proprietorship, complete the following:

Owner	Years as Owner

C-2(f) If the Principal Engineer's firm is a joint venture, partnership or other association (other than a corporation), provide the following information for each member of the joint venture, each partner or each other association member.

Name of Individual or Entity	Principal Contact	Position	Years with Joint Venture/ Partnership /Other Association	% Ownership Interest

C-2(g) Provide information on former San Bernardino County administrative officials (as defined below) who are employed by or represent organization/firm. The information provided must include a list of former County administrative officials who terminated County employment within the last five years and who are now officers, principals, partners, associates or members of the organization/firm. Information should also include the employment and/or representative capacity

and the dates these individuals began employment with or representation of the organization/firm. For purposes of this section, "County administrative official" is defined as a member of the Board of Supervisors or such officer's staff, Chief Executive Officer or member of such officer's staff, County department or group head, assistant department or group head, or any employee in the Exempt Group, Management Unit, or Safety Management Unit.

Failure to provide this information may result in the response to the Request for Qualifications packet being deemed non-responsive and the D-B Entity disqualified.

- C-2(h) Has there been any change in ownership of the Principal Engineer's Firm during the last three years?

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

☐ Yes ☐ No

If "yes," explain on a separate page.

- C-2(i) Is the Principal Engineer's Firm a subsidiary, parent, holding company or affiliate of another 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 page.

- C-2(j) Has any corporate officer or owner of the Principal Engineer's Firm worked for any other engineering firms in the past five years?

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 page.

- C-2(k) Has the Principal Engineer's Firm changed names in the past five years?

☐ Yes ☐ No

If "yes," explain on a separate page including reason for change.

C-3 How many years has the Principal Engineer's Firm been in business in California under its present business name and license number?

Years: _____ CA License: _____

C-4 Attach a copy of the Principal Engineer's resume with information provided under Part IV.

BANKRUPTCY, DISPUTES, CRIMINAL MATTERS, & LAWSUITS – Weight 15%

C-5 Is the Principal Engineer's Firm currently the debtor in a bankruptcy case?

☐ Yes ☐ No

If "yes," indicate the case number, bankruptcy court, and the date on which the petition was filed.

Case Number

Bankruptcy Court

Date Filed

C-6 Was the Principal Engineer's Firm in bankruptcy at any time during the last ten (10) years? (This question refers only to a bankruptcy action that was not described in answer to question C-5, above)

☐ Yes ☐ No

If "yes," indicate the case number, bankruptcy court, and the date on which the petition was filed.

Case Number

Bankruptcy Court

Date Filed

C-7 In the past ten (10) years has any claim in excess of \$10,000 been filed in court or arbitration against the Principal Engineer's Firm concerning its work on a construction project?

☐ Yes ☐ No

If "yes," 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 and case number, and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution).

C-8 Has the Principal Engineer's Firm ever been denied an award of a public works contract based on a finding by a public agency that they were not a responsible bidder?

☐ Yes

☐ No

If "yes," on a separate page identify the year of the event, the entity denied the award, the owner, the project, and the basis for the finding by the public agency.

C-9 In the past ten (10) years has the Principal Engineer's Firm made any claim in excess of \$10,000 against a project owner concerning work on a construction project or payment?

☐ Yes

☐ No

If "yes," on separate page 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 and case number, and a brief description of the status of the claim (pending, or if resolved, a brief description of the resolution).

C-10 In the last ten (10) years has any insurance carrier, for any form of insurance, refused to renew an insurance policy for the Principal Engineer's Firm based on non-payment or losses?

☐ Yes

☐ No

If "yes," on separate page give name the insurance carrier, the form of insurance and the year of the refusal.

PART III SUBPART C-4: SCORED QUESTIONS FOR THE CIVIL ENGINEER MEMBER(S)

SCORING: Each of the following Questions shall be scored and included in the calculation of the D-B Entity's total score.

Definitions:

- "Principal Engineer" means the licensed professional(s) providing professional services in structural, mechanical, electrical, and civil, engineering who will stamp the construction documents. Other professional engineering services may also be included as determined by the County.
- "Principal Engineer's Firm" shall mean, in the case where the "Principal Engineer" is not an individual doing business as a sole proprietorship, the firm (whether a sole proprietorship, corporation, partnership or other association) which employs the Structural Engineer.
- The term "Design-Build" as used in this Part III and IV means a project delivery method in which both the design and construction of a project are provided from a single entity under a single contract.

ORGANIZATION and HISTORY OF BUSINESS PERFORMANCE – Weight 25%

C-1 Provide the following information:

Name: _____

License Number: _____

Engineering Discipline: _____

Years in Practice: _____

C-2 If the Principal Engineer or its Firm is different from that of the General Contractor or Architect of Record, please answer the following:

C-2(a) Date of company formation or incorporation: _____

C-2(b) State of formation or incorporation: _____

C-2(c) How many persons does the Principal Engineer or its Firm currently employ?: _____

C-2(d) If the Principal Engineer's firm is a corporation, provide the following information for each officer of the corporation and individuals who own 20% or more of the corporate stock.

Position	Name	Years with Co.	% Ownership
CEO			
President			
Vice-President			
Secretary			
Treasurer			

C-2(e) If the Principal Engineer is an individual doing business as a sole proprietorship, complete the following:

Owner	Years as Owner

C-2(f) If the Principal Engineer's firm is a joint venture, partnership or other association (other than a corporation), provide the following information for each member of the joint venture, each partner or each other association member.

Name of Individual or Entity	Principal Contact	Position	Years with Joint Venture/ Partnership /Other Association	% Ownership Interest

C-2(g) Provide information on former San Bernardino County administrative officials (as defined below) who are employed by or represent organization/firm. The information provided must include a list of former County administrative officials who terminated County employment within the last five years and who are now officers, principals, partners, associates or members of the organization/firm. Information should also include the employment and/or representative capacity

and the dates these individuals began employment with or representation of the organization/firm. For purposes of this section, "County administrative official" is defined as a member of the Board of Supervisors or such officer's staff, Chief Executive Officer or member of such officer's staff, County department or group head, assistant department or group head, or any employee in the Exempt Group, Management Unit, or Safety Management Unit.

Failure to provide this information may result in the response to the Request for Qualifications packet being deemed non-responsive and the D-B Entity disqualified.

C-2(h) Has there been any change in ownership of the Principal Engineer's Firm during the last three years?

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

☐ Yes ☐ No

If "yes," explain on a separate page.

C-2(i) Is the Principal Engineer's Firm a subsidiary, parent, holding company or affiliate of another 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 page.

C-2(j) Has any corporate officer or owner of the Principal Engineer's Firm worked for any other engineering firms in the past five years?

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 page.

C-2(k) Has the Principal Engineer's Firm changed names in the past five years?

☐ Yes ☐ No

If "yes," explain on a separate page including reason for change.

C-3 How many years has the Principal Engineer's Firm been in business in California under its present business name and license number?

Years: _____ CA License: _____

C-4 Attach a copy of the Principal Engineer's resume with information provided under Part IV.

BANKRUPTCY, DISPUTES, CRIMINAL MATTERS, & LAWSUITS – Weight 15%

C-5 Is the Principal Engineer's Firm currently the debtor in a bankruptcy case?

☐ Yes ☐ No

If "yes," indicate the case number, bankruptcy court, and the date on which the petition was filed.

Case Number

Bankruptcy Court

Date Filed

C-6 Was the Principal Engineer's Firm in bankruptcy at any time during the last ten (10) years? (This question refers only to a bankruptcy action that was not described in answer to question C-5, above)

☐ Yes ☐ No

If "yes," indicate the case number, bankruptcy court, and the date on which the petition was filed.

Case Number

Bankruptcy Court

Date Filed

C-7 In the past ten (10) years has any claim in excess of \$10,000 been filed in court or arbitration against the Principal Engineer's Firm concerning its work on a construction project?

☐ Yes ☐ No

If "yes," 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 and case number, and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution).

C-8 Has the Principal Engineer's Firm ever been denied an award of a public works contract based on a finding by a public agency that they were not a responsible bidder?

☐ Yes

☐ No

If "yes," on a separate page identify the year of the event, the entity denied the award, the owner, the project, and the basis for the finding by the public agency.

C-9 In the past ten (10) years has the Principal Engineer's Firm made any claim in excess of \$10,000 against a project owner concerning work on a construction project or payment?

☐ Yes

☐ No

If "yes," on separate page 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 and case number, and a brief description of the status of the claim (pending, or if resolved, a brief description of the resolution).

C-10 In the last ten (10) years has any insurance carrier, for any form of insurance, refused to renew an insurance policy for the Principal Engineer's Firm based on non-payment or losses?

☐ Yes

☐ No

If "yes," on separate page give name the insurance carrier, the form of insurance and the year of the refusal.

PART III SUBPART D: TEAM MEMBER QUESTIONS FOR THE SUB-CONTRACTOR MEMBER INCLUDING MECHANICAL & ELECTRICAL SUBCONTRACTOR(S)

This part will be scored and applies to each Sub-Contractor Member including, but not limited to, Mechanical and Electrical Sub-Contractor(s), who is a partner, general partner, or association member of the D-B Entity.

Definitions:

- “Subcontractor Member” means the specialty contractor, holding a current, valid, contractor’s license in good standing, which will assume responsibility for the construction of their specialty trade including Class C-20 (mechanical) who is a partner, general partner, or association member of the Design-Build Entity.
- The term “Design-Build” as used in this Part III and IV means a project delivery method in which both the design and construction of a project are provided from a single entity under a single contract.

D-1 Name of Subcontractor Member: _____

D-2 Date of company formation or incorporation: _____

D-3 State of formation or incorporation: _____

D-4 How many persons does the Subcontractor Member currently employ?: _____

D-5(a) If the Subcontractor Member is a corporation, provide the following information for each officer of the corporation and individuals who own 20% or more of the corporate stock.

Position	Name	Years with Co.	% Ownership
CEO			
President			
Vice-President			
Secretary			
Treasurer			

D-5(b) If the Subcontractor Member is a sole proprietorship, complete the following:

Owner	Years as Owner

D-5(c) If the Subcontractor Member is a joint venture, partnership, limited liability corporation, or other association (other than a corporation), provide the following information for each member of the joint venture, each partner or each other association member.

Name of Individual or Entity	Principal Contact	Position	Years with Joint Venture/ Partnership/ Other Association	% Ownership Interest

D-6 Provide information on former San Bernardino County administrative officials (as defined below) who are employed by or represent organization/firm. The information provided must include a list of former County administrative officials who terminated County employment within the last five years and who are now officers, principals, partners, associates or members of the organization/firm. Information should also include the employment and/or representative capacity and the dates these individuals began employment with or representation of the organization/firm. For purposes of this section, "County administrative official" is defined as a member of the Board of Supervisors or such officer's staff, Chief Executive Officer or member of such officer's staff, County department or group head, assistant department or group head, or any employee in the Exempt Group, Management Unit, or Safety Management Unit.

Failure to provide this information may result in the response to the Request for Qualifications packet being deemed non-responsive and the D-B Entity disqualified.

D-7 Has there been any change in ownership of the Subcontractor Member during the last three years?

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

☐ Yes ☐ No

If "yes," explain on a separate page.

D-8 Is the Subcontractor Member a subsidiary, parent, holding company or affiliate of another 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 page.

D-9 State the Subcontractor Member gross revenues for each of the last three years:

YEAR: _____ YEAR: _____ YEAR: _____
\$ _____ \$ _____ \$ _____

D-10 List all California contractor license numbers, classifications and expiration dates currently held by the Subcontractor Member:

License Number	Classification	Date Issued	Expiration Date

D-11 Has the Subcontractor Member changed names or license numbers in the past five years?

☐ Yes ☐ No

If "yes," explain on a separate page.

D-12 Has any owner, CSLB qualifier or corporate officer of the Subcontractor Member operated as a contractor under any other name or license number (not listed in D-10 above) in the last five years?

☐ Yes

☐ No

If "yes," explain on a separate page.

D-13 Surety Information for Subcontractor Member:

Bonding Co./Surety: _____

Surety Agent: _____

Agent Address: _____

Telephone No.: _____

D-14 List all other sureties (name and full address) that have written bonds for your firm during the last five years, including the dates during which each wrote the bonds:

Surety	Address	Dates

D-15 How many years has the Sub-contractor Member been licensed in California?

Years: _____

D-16 Is the Sub-contractor Member or any of its Associates currently the debtor in a bankruptcy case?

☐ Yes

☐ No

If "yes," indicate the case number, bankruptcy court, and the date on which the petition was filed.

Case Number

Bankruptcy Court

Date Filed

D-17 Was the Sub-contractor Member or any of its Associates in bankruptcy at any time during the last ten (10) years? (This question refers only to a bankruptcy action that was not described in answer to question D-16, above)

☐ Yes

☐ No

If "yes," indicate the case number, bankruptcy court, and the date on which the petition was filed.

Case Number

Bankruptcy Court

Date Filed

D-18 At any time in the last ten (10) years has the Sub-contractor Member or any of its Associates been assessed liquidated damages of more than \$10,000 on a project under a construction contract with either a public or private owner?

☐ Yes

☐ No

If yes, explain on a separate page, identifying all such projects by owner, owner's address, name of entity against whom assessment was made, 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.

D-19 In the last ten (10) years has the Sub-contractor Member or any of its Associates ever defaulted on a construction contract?

☐ Yes

☐ No

If "yes," explain on a separate page.

D-20 In the last ten (10) years has the Subcontractor Member or any of its Associates been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason?

☐ Yes

☐ No

If "yes," explain on a separate page. State the name of the organization debarred, the year of the event, the owner of the project, and the basis for the action.

D-21 Has the Sub-contractor Member or any of its Associates ever been denied an award of a public works contract based on a finding by a public agency that they were not a responsible bidder?

☐ Yes

☐ No

If "yes," on a separate page identify the year of the event, the entity denied the award, the owner, the project, and the basis for the finding by the public agency.

NOTE: The following two questions refer only to disputes between contractors and owners of projects. You need not include information about disputes with suppliers, or other contractors.

D-22 In the past ten (10) years has any claim in excess of \$10,000 been filed in court or arbitration against the Subcontractor Member or any of its Associates concerning their work on a construction project?

☐ Yes

☐ No

If "yes," on a separate page identify the claim(s) by providing the project name, date of the claim, name of the claimant, the name of the entity the claim was filed against, a brief description of the nature of the claim, the court and case number, and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution).

D-23 In the past ten (10) years has the Sub-contractor Member or any of its Associates made any claim in excess of \$10,000 against a project owner or a general contractor concerning work on a project or payment for a contract and filed that claim in court or arbitration?

☐ Yes

☐ No

If "yes," on a separate page identify the claim by providing the name of claimant, 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 and case number, and a brief description of the status of the claim (pending, or if resolved, a brief description of the resolution).

D-24 In the last ten (10) years has any insurance carrier, for any form of insurance, refused to renew the insurance policy for the Sub-contractor Member or any of its Associates due to non-payment or contractor losses?

☐ Yes

☐ No

If "yes," on a separate page give name of the insured, name the insurance carrier, the form of insurance, and the year of the refusal.

D-25 During the last ten (10) years, has there ever been a period of time when the Sub-contractor Member or any of its Associates had no surety bond in place during a public construction project when one was required?

☐ Yes

☐ No

If "yes", on a separate page indicate the period during which no surety bonds were in place, name of entity without surety bond, the name of project owner, and if coverage was denied the date coverage was denied and the name of the company that denied coverage.

- D-26 Has CAL OSHA cited and assessed penalties against the Sub-contractor Member or any of its Associates for any “serious,” “willful” or “repeat” violations of its safety or health regulations in the past ten (10) 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,” on separate page describe the citations, the party against whom the citation was made, date of citation, nature of the violation, project on which the citation was issued, owner of project, and the amount of penalty paid, if any. State the case number and date of any OSHAB decision.

- D-27 Has the Federal Occupational Safety and Health Administration cited and assessed penalties against the Sub-contractor Member or any of its Associates in the past ten (10) years?

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

☐ Yes ☐ No

If “yes,” on separate page describe the citations, the party against whom the citation was made, date of citation, nature of the violation, project on which the citation was issued, owner of project, and the amount of penalty paid, if any. State the case number and date of any decision.

- D-28 Has the EPA or any Air Quality Management District or any Regional Water Quality Control Board cited and assessed penalties against either the Subcontractor Member, any of its Associates, or the owner of a project during the time in which the preceding parties were performing under a contract in the past ten (10) years?

NOTE: If an appeal of the citation has been filed and there is no ruling yet, or if there is a court appeal pending, you need not include information about the citation.

☐ Yes ☐ No

If “yes,” on separate page describe the citations, the party against whom the citation was made, date of citation, nature of the violation, project on which the citation was issued, owner of project, and the amount of penalty paid, if any. State the case number and date of any decision.

D-29 Does the Sub-contractor Member require documented safety meetings to be held for construction employees and field supervisors during the course of a project?

☐ Yes

☐ No

If "yes", identify how often the meetings are required.

☐ Weekly

☐ Bi-Weekly

☐ Monthly

☐ Less Frequent

D-30 List the Sub-contractor Member's Experience Modification Rate (EMR) (California workers' compensation insurance) for each of the past three premium years:

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

Year: _____

EMR: _____

Year: _____

EMR: _____

Year: _____

EMR: _____

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

D-31 List the General Contractor's injury or illness rate for the most recent three-year period:

Year: _____

Injury or Illness Rate: _____

Year: _____

Injury or Illness Rate: _____

Year: _____

Injury or Illness Rate: _____

State the applicable statistical standard for the injury or illness rate for General Contractor's business category:

Business Category: _____

Applicable Statistical Standard: _____

D-32 List the General Contractor's lost work rate for the most recent three-year period:

Year: _____

Lost Work Rate: _____

Year: _____

Lost Work Rate: _____

Year: _____

Lost Work Rate: _____

State the applicable statistical standard for the lost work rate for General Contractor's business category:

Business Category: _____

Applicable Statistical Standard:_____

- D-33 Is the General Contractor a party to an alternative dispute resolution system as provided for in Section 3201.5 of the Labor Code?

☐ Yes ☐ No

NOTE: Attach to the qualification questionnaire evidence that General Contractor is a party to the identified alternative dispute resolution system.

- D-34 Within the last ten (10) years has there ever been a period when the Sub-contractor Member or any of its Associates 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 page. If "No," please provide a statement by your current workers' compensation insurance carrier that verifies periods of workers' compensation insurance coverage for the Sub-contractor Member for the last ten (10) years. (If the Sub-contractor Member has been in business for less than ten (10) 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 business.)

- D-35 Has there been more than one occasion during the last ten (10) years in which the Sub-contractor Member or any of its Associates was required to pay either back wages or penalties for failure to comply with the California state prevailing wage laws?

☐ Yes ☐ No

If "yes," attach a separate page, describing the violator, nature of each violation, name of the project, 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 were assessed.

- D-36 During the last ten (10) years, has there been more than one occasion in which the Sub-contractor Member or any of its Associates have 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 page, describing the violator, nature of each violation, name of the project, 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 were assessed.

D-37 If the Sub-contractor Member operates its own State-approved apprenticeship program, provide the following information on a separate page:

- (a) Identify the craft or crafts in which you 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.

D-38 At any time during the last ten (10) years, has the Sub-contractor Member or any of its Associates 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 of the findings and attach a copy of the final decision.

Date of Findings

D-39 Do agreements exist between the Sub-contractor Member and registered apprenticeship programs which have been approved by the California Apprenticeship Council, and have such programs graduated apprentices in the preceding five years, for all apprenticable crafts which may be employed by the Sub-contractor Member on this project?

☐ Yes

☐ No

(This graduation requirement shall not apply to programs providing apprenticeship training for any craft that has not been deemed by the Department of Labor and the Department of Industrial Relations to be an apprenticable craft within the period of October, 1999 to October, 2001.)

PART IV RELEVANT PERSONNEL AND PROJECT EXPERIENCE

RELEVANT EXPERIENCE – Weight 55%

PART IV SUBPART A: PERSONNEL

SCORING: Each of the following Questions shall be scored and included in the calculation of the D-B Entity's total score. D-B Entity shall provide sufficient information to enable the County to understand and evaluate the experience of the D-B Entities team on similar projects.

1. List the following key personnel who will be assigned to this Project for the Design-Build Entity:

Architect Principal-in-Charge of Project
Architect Project Manager
Architect of Record
Structural Engineer of Record
Civil Engineer of Record
Mechanical Engineer of Record
Electrical Engineer of Record
General Contractor Executive-in-Charge of Project
General Contractor Project Manager
General Contractor Superintendent
2. For each of the above provide a resume containing the individual's overall experience, education, licensing and other general information as well as the individual's prior experience to perform his/her required functions relevant to the scope associated with the Project. These individuals are to be committed to the roles indicated for the project and may not be subject to substitution without prior written approval by the County. Any persons so substituted must possess qualifications equal to or better than the individuals who may be prequalified.
3. Provide an Organization Chart for the project indicating, at a minimum, the roles and relationships of the above named individuals.
4. Provide an explanation of the history and business relationship, if any, between the D-B Entity's lead contractor and architect-of-record.
5. Provide an explanation of the prior working relationship that the D-B Entity has had with any other proposed member of its team, including any specialty sub-consultants or major sub-contractors.

PART IV RELEVANT PERSONNEL AND PROJECT EXPERIENCE

PART IV SUBPART B: PROJECT EXPERIENCE

SCORING: Each of the following Questions shall be scored and will be included in the calculation of the D-B Entity's total score. D-B Entity shall provide sufficient information to enable the County to understand and evaluate the experience of the D-B Entity's team on similar projects.

1. D-B Entity, D-B Entity's Lead Contractor (if different from D-B Entity) and Architect-of-Record (if different from D-B Entity) shall each describe a minimum of (1) one project and a maximum of four (4) projects (following guidelines set forth in Schedule A - Project Summary) that said entity has managed, designed, and/or constructed during the last ten (10) years that were projects located in California with a construction contract value in excess of \$4M.
2. D-B Entity, D-B Entity's Lead Contractor (if different from D-B Entity) and Architect-of-Record (if different from D-B Entity) shall each describe a minimum of (1) one project and a maximum of four (4) projects (following guidelines set forth in Schedule A - Project Summary) that said entity has managed, designed, and/or constructed during the last ten (10) years, related to Design-Build Projects with a total contract value in excess of \$4M.
3. Identify any projects where Design-Build Entity, Design-Build Entity's lead contractor (if different from D-B Entity) and Architect-of-Record (if different from D-B Entity) have worked together in a design-build relationship. If applicable, describe a minimum of (1) one project and a maximum of four (4) such projects (following guidelines set forth in Schedule A - Project Summary) completed during the last ten (10) years, focusing on those projects that D-B Entity considers most relevant in demonstrating its qualifications to serve as the design-builder for this Project.
4. Identify any projects where Design-Build Entity, Design-Build Entity's lead contractor (if different from D-B Entity), and Architect-of-Record (if different from D-B Entity) have worked together on the same project, for the same owner, in a non-design-build relationship; including, but not limited to projects delivered on an at-risk construction management or design-bid-build basis. If applicable, describe a minimum of (1) one project and a maximum of four (4) such projects (following guidelines set forth in Schedule A - Project Summary) completed during the last ten (10) years, focusing on those projects that D-B Entity considers most relevant in demonstrating its qualifications to serve as the design-builder for this Project.

SCHEDULE A PROJECT SUMMARY

For each project provide, at a minimum, the information listed below. Names and references must be current and verifiable.

Project Name: _____

Location: _____

Owner: _____

Owner Contact Name: _____

Owner Contact Phone: _____ email: _____

Architect: _____

Architect Contact Name: _____

Architect Phone: _____ email: _____

Construction Manager Name: _____

Construction Manager Phone: _____ email: _____

Description of Project, Scope of Work Performed: _____

Type of Procurement (D-B-B, D-B, CM@R, Other.) _____

Value of Original Contract: _____

Final value of Contract including change orders: _____

Original Scheduled Completion Date: _____

Time Extensions Granted (number of calendar days): _____

Actual Date of Completion: _____

Duration of Design & Permitting Process: _____

Glossary of Abbreviations:

- D-B-B Design-Bid-Build
- D-B Design-Build
- CM@R Construction Management at Risk

PART IV RELEVANT PERSONNEL AND PROJECT EXPERIENCE

PART IV SUBPART C: REFERENCE INTERVIEWS

Part IV Subpart C is comprised of a series of questions relating to the D-B Entity's performance on three completed projects. The three projects will be selected by the County from the total list of projects submitted. The questions will be asked by the County's staff and answered by an owner's representative for each subject project. Each question has a possible score value ranging from 1 to 5.

Project: _____

Project Owner: _____

Contractor: _____

Project Brief Description: _____

1. Are there any outstanding stop notices, liens, or claims by the Contractor that are currently unresolved on contracts for which notices of completion were recorded more than 120 days ago?

☐ Yes

☐ No

If "yes" how many separate instances? _____

2. On a scale of 1-5, with 5 being the best, did the Contractor provide adequate personnel? Rating: _____

3. On a scale of 1-5, with 5 being the best, did the Contractor provide adequate supervision? Rating: _____

4. On a scale of 1-5, with 5 being the best, was there adequate equipment provided on the job? Rating: _____

5. On a scale of 1-5, with 5 being the best, was the Contractor timely in providing reports and other paperwork, including change order paperwork and scheduling updates? Rating: _____

6. On a scale of 1-5, with 5 being the best, did the Contractor adhere to the project schedule that your agency or business approved? Rating: _____

7. Was the project completed on time?

☐ Yes (5 points)

☐ No

If "no", on a scale of 1-5, with 5 being the best, rate Contractor responsibility: Rating: _____

8. On a scale of 1-5, with 5 being the best, rate the Contractor on the timely submission of reasonable cost and time estimates to perform change order work.
Rating: ____
9. On a scale of 1-5, with 5 being the best, rate the contractor on how well they performed the work after a change order was issued, and how well they integrated the change order work into the existing work.
Rating: ____
10. On a scale of 1-5, with 5 being the best, rate how has the Contractor been performing in the area of submitting Operation & Maintenance manuals, completing as-built drawings, providing required training, and taking care of warranty items?
Rating: ____
11. On a scale of 1-5, with 5 being the best, rate the Contractor on whether there were an unusually high number of claims, given the nature of the project, or unusual difficulty in resolving them.
Rating: ____
12. On a scale of 1-5, with 5 being the highest, rate the Contractor with respect to timely payments by them to sub-contractors and/or suppliers.
Rating: ____
13. On a scale of 1-5, with 5 being the best, rate the quality of the work overall.
Rating: ____
14. On a scale of 1-5, with 5 being the best, was the contractor cooperative with the owner and the architect?
Rating: ____
15. On a scale of 1-5, with 5 being the best, did the contractor try to resolve disputes in a fair and equitable manner?
Rating: ____

CERTIFICATION

NOTE: Authorized person(s) with authority to execute this Certification shall sign this Certification on behalf of **each** of the entities (or persons) that is a general partner or joint venture member of the Design-Build Entity that is the proposer seeking to be prequalified by the County. Make additional copies this certification page as needed to provide certification for each such person or legal entity.

I, the undersigned _____, certify and declare that I have read all the foregoing answers to this Prequalification Questionnaire; that all responses are correct and complete of my own knowledge and belief. I further declare under penalty of perjury under the laws of the State of California, that the foregoing is true and correct.

(Signature)

(Printed name)

(Place of Execution)

(Date)

Name of the entity (or person)* on whose behalf this Certificate is signed

*Name of an entity (or person) that is a constituent member of the Design-Build Entity.

DESIGN-BUILD CONFLICT OF INTEREST PACKAGE

The following is the Conflict of Interest Policy as stated in County Policy No. 11-13.

POLICY STATEMENT AND PURPOSE

The purpose of this policy is to provide guidelines, as required by Public Contract Code section 22162, for the conflict of interest policy for consultants or contractors that submit a proposal as a Design-Build Entity, or seek to join a Design-Build Team, for a Design-Build project procured pursuant to Public Contract Code section 22160 et seq.

Organizational conflicts of interest can occur when, because of existing or planned activities or because of relationships with other persons, a Proposer is unable or potentially unable to render impartial assistance or advice to the County, the Proposer's objectivity in performing the contract work is or might be otherwise impaired, or the Proposer has an unfair competitive advantage.

DEPARTMENTS AFFECTED

All County agencies, departments, and Board-governed Special Districts utilizing the Design-Build procurement for a project under Public Contract Code section 22160 et seq.

DEFINITIONS

County means all County departments, agencies, and Board-governed Special Districts.

Design-Build means a project delivery process in which both the design and construction of a project are procured from a single entity.

Design-Build Entity means a corporation, limited liability company, partnership, joint venture, or other legal entity that is able to provide appropriately licensed contracting, architectural, and engineering services as needed pursuant to a Design-Build contract.

Design-Build Team means the Design-Build Entity itself and the individuals and other entities identified by the Design-Build Entity as members of its team. Members shall include the general contractor and, if utilized in the design of the project, all electrical, mechanical, and plumbing contractors.

Proposal means a Proposer's response to the County's Design-Build RFQ and RFP.

Proposer means any consultant or contractor that seeks to submit a proposal as a Design-Build Entity or to join a Design-Build Team.

Related Entity means an organization in which:

- (1) The same person or a majority of the same persons direct or control each entity; or
- (2) The same person or a majority of the same persons have a 50 percent or greater ownership interest in each business entity.

For purposes of this definition, "person" shall mean an individual, proprietorship, firm, partnership, joint venture, syndicate, business trust, company, corporation, limited liability company, association, committee, and any other organization or group of persons acting in concert.

Request for Proposals (RFP) is the process of inviting prequalified or short-listed entities to submit competitive sealed Proposals for a Design-Build project.

Request for Qualifications (RFQ) is the process to prequalify or short-list the Design-Build Entities whose Proposals shall be evaluated for final selection.

Sub-consultant and Subcontractor means an individual or business seeking to join a Design-Build Team or provide services to a Design-Build Team, on a County Design-Build project.

POLICY AMPLIFICATION

Based upon the guidance of Federal, State and local laws, codes, regulations and policies, the following conflict of interest approach will apply:

1. Consultants will NOT be allowed to participate as a Proposer or to join a Design-Build Team if any of the following is applicable:
 - a. The consultant is the County's general engineering or architectural consultant to the Design-Build project. Sub-consultants to the general engineering or architectural consultant that have not yet performed work on the contract to provide services for the Design-Build project may participate as a Proposer or join a Design-Build Team if they terminate the agreement to provide work and provide no work for the County's general engineering or architectural consultant on the Design-Build project.
 - b. The consultant has assisted or is assisting the County in the management of the Design-Build project, including the preparation of the RFP language or evaluation criteria.
 - c. The consultant has conducted preliminary design services for the Design-Build project such as conceptual layouts, preliminary design, or preparation of bridging documents.
 - d. The consultant performed design work related to the Design-Build project for other stakeholders in the Design-Build project.
 - e. The consultant has performed work on a previous contract that specifically excludes them from participating as a Proposer or joining a Design-Build Team for the Design-Build project.
 - f. The consultant is under contract with any other entity or stakeholder to perform oversight on the Design-Build project.
 - g. The consultant has obtained any advice from, or discussed any aspect relating to, the project or procurement of the project with any person or entity with an organizational conflict of interest, including but not limited to, the consultants of any entity who have provided technical support on the Design-Build project.
2. Consultants who may have potential conflicts of interest in relation to the Design-Build project and wish to participate as a Proposer must:
 - a. Conform to federal, state and local conflict of interest rules and regulations.
 - b. Disclose all relevant facts relating to past, present or planned interest(s) of the Proposer's team (including the Proposer, Proposer's proposed consultants and Sub-consultants and/or Subcontractors and their respective chief executives, directors and key personnel) which may result in, or could be viewed as, an organizational conflict of interest in connection with any Design-Build procurement, including present or planned contractual or employment relationships with any current County employee.
 - c. Disclose in the response documents to a Design-Build RFQ and RFP, all the work performed in relation to the Design-Build project.
 - d. Provide all records of work performed in relation to the Design-Build project to the County so that all information can be evaluated and made available to all potential Design-Build Teams, if necessary.
 - e. Ensure that the consultant's contract, with any other entity or stakeholder in the Design-Build project, to perform services related to the Design-Build project has expired or has been terminated.
 - f. In cases where consultants on different consultant teams belong to the same parent company, each consultant should describe how the Sub-consultants and/or Subcontractors would avoid conflicts through the qualification and bid phases of the Design-Build project.

3. The Design-Build Conflict of Interest Package ("Package") is attached to the standard practice and includes the Conflict of Interest Policy, Conflict of Interest Checklist Instructions, Conflict of Interest Checklist ("Checklist"), and Disclosure of Potential Conflict of Interest Form ("Disclosure Form"). The Package will be provided to and is to be used by all Proposers, including Sub-consultants and Subcontractors, to assist in screening for potential organizational conflicts of interest. If a Proposer determines a potential conflict of interest exists that is not covered by the Checklist, that potential conflict must still be disclosed.
4. If the Proposer determines a potential conflict of interest exists, it must disclose the potential conflict of interest to the County; however, such a disclosure will not necessarily disqualify a Proposer from being awarded a contract. The Proposer shall propose measures to avoid, neutralize or mitigate all potential conflicts. Proposer will provide the Disclosure Form separate from the Proposal and it will not be provided to the RFQ/RFP selection committee members. Separate County staff, with the assistance of County Counsel, will review the Disclosure Form and the appropriateness of the proposed mitigation measures to determine if the Proposer may be awarded the contract notwithstanding the potential conflict. The County reserves the right to cancel or amend the resulting contract if the successful Proposer failed to disclose a potential conflict, which it knew or should have known about, or if the Proposer provided information on the Disclosure Form that is false or misleading.
5. Upon review of the information provided by Proposer, the County will determine, in its sole discretion, if the Proposer has a conflict of interest.
6. After contract award, the consultant has an ongoing obligation to monitor its conflicts or potential conflicts of interest. The County has a right to ongoing enforcement of this Policy. If an organizational conflict of interest is discovered after contract award, the consultant must make an immediate and full written disclosure to the County that includes a description of the action that the consultant has taken or proposes to take to avoid or mitigate such conflicts. If an organizational conflict of interest is determined to exist and the consultant was aware of an organizational conflict of interest prior to award of the contract and did not disclose the conflict, the County may terminate the contract. If a new conflict of interest arises after contract award, and consultant's proposed measures to avoid or mitigate the conflict are determined by the County to be inadequate to protect the County, the County may terminate the contract. If the contract is terminated, the County assumes no obligations, responsibilities and liabilities to reimburse all or part of the costs incurred or alleged to have been incurred by consultant and is entitled to pursue any available legal remedies.
7. For other potential conflicts of interest not mentioned specifically above (e.g. employee changing companies, merger/acquisitions of firms, property ownership, business arrangements, financial interest) consultant shall disclose and address any conflicts of interest or potential conflicts of interest when participating as or joining a Design-Build Team. The County will then determine if a conflict of interest exists.
8. The successful Proposer, or Related Entities affiliated with the successful Proposer, are prohibited from competing on any agreement to provide construction inspection services for the Design-Build project. Except for Sub-consultants whose services are limited to providing surveying or material testing information, no Sub-consultants who provided design services in connection with the Design-Build project shall be eligible to compete for any agreement to provide construction inspection services for the Design-Build project.
9. The County recognizes that Proposers must maintain business relations with other public and private sector entities in order to continue as viable businesses. The County will take this reality into account as it evaluates the appropriateness of proposed measures to mitigate potential conflicts. It is not the intent of the County to disqualify

Proposers based merely on the existence of a business relationship with another entity, but rather only when such relationship causes a conflict that potentially impairs the Proposer's ability to provide objective advice to the County. The County would seek to disqualify Proposers only in those cases where a potential conflict cannot be adequately mitigated.

10. This Policy and the accompanying Standard Practice must be referenced in the Design-Build RFQ and RFP documents, and the County's contract with the successful Design-Build Entity.

Conflict of Interest Checklist Instructions

Purpose of the Checklist. A Checklist will be provided to and is to be used by all Proposers to assist in screening for potential organizational conflicts of interest. The Checklist is for the internal use of the Proposers and does not need to be submitted to the County.

Checklist is not Exclusive. This Checklist serves as a guide only. There may be additional potential conflict of interest situations not covered by this Checklist. If a Proposer determines a potential conflict of interest exists that is not covered by this Checklist, that potential conflict must still be disclosed.

Use of the Disclosure Form. After review of the Checklist, the Proposers must complete the Disclosure Form and submit it along with the Proposal in a separate sealed and labeled envelope. If the Proposer determines a potential conflict of interest exists, it must disclose the potential conflict of interest to the County; however, such a disclosure will not necessarily disqualify a Proposer from being awarded a contract. Proposer will provide the Disclosure Form separate from the Proposal, and it will not be provided to the selection committee members. Separate County staff, with the assistance of County Counsel, will review the disclosure and the appropriateness of the proposed mitigation measures to determine if the Proposer may be awarded the contract notwithstanding the potential conflict. Resolution of the conflict of interest issues is ultimately at the sole discretion of the County.

Material Representation. The Proposer is required to submit the attached Disclosure Form either declaring, to the best of its knowledge and belief, that no potential conflict exists, or identifying potential conflicts and proposing remedial measures to mitigate such conflicts. The Proposer is also responsible to update conflict information if such information changes after the submission of the Proposal. Information provided on this Disclosure Form will constitute a material representation as to the award of this contract. The County reserves the right to cancel or amend the resulting contract if the successful Proposer failed to disclose a potential conflict, which it knew or should have known about; if the Proposer provided information on the Disclosure Form that is false or misleading; or if a new conflict of interest arises after contract award and the consultants proposed measures to avoid or mitigate the conflict are determined by the County to be inadequate to protect the County.

Approach to Reviewing Potential Conflicts. The County recognizes that the Proposers must maintain business relations with other public and private sector entities in order to continue as viable businesses. The County will take this reality into account as it evaluates the appropriateness of proposed measures to mitigate potential conflicts. It is not the intent of the County to disqualify Proposers based merely on the existence of a business relationship with another entity, but rather only when such relationship causes a conflict that potentially impairs the Proposer's ability to provide objective advice to the County. The County would seek to disqualify Proposers only in those cases where a potential conflict cannot be adequately mitigated.

Additional Guidance for Professionals Licensed by the California Board For Professional Engineers and Land Surveyors and the California Architects Board. The California Board For Professional Engineers and Land Surveyors provides additional guidance and has established conflict of interest rules which can be found at California Code of Regulations, title 16, sections 475 and 476. For professionals licensed by the California Architects Board see California Code of Regulations, title 16, article 9, professional conduct.

CONFLICT OF INTEREST CHECKLIST

(For Proposers Internal Use and Information Only – Does **NOT** need to be Provided to County)

An organizational conflict of interest may exist in any of the following cases:

- ☐ The Proposer, or its principals, own real property in a location where there may be a positive or adverse impact on the value of such property based on the recommendations, designs or other deliverables required by this contract.
- ☐ The Proposer is providing services to another governmental or private entity and the Proposer knows or has reason to believe, that the entity's interests are, or may be, adverse to the County's interest with respect to the specific project covered by this contract. **Comment:** the mere existence of a business relationship with another entity would not ordinarily need to be disclosed. Rather, this focuses on the nature of services commissioned by the other entity. For example, it would not be appropriate to propose on a County project if a City has also retained the Proposer for the purposes of persuading the County to stop or alter the project plans.
- ☐ The Proposer is providing design services to a private entity, including but not limited to developers, whom the Proposer knows or has good reason to believe, own or are planning to purchase property affected by the project covered by this contract, when the value or potential uses of such property may be affected by the Proposer's performance of work pursuant to this contract. "Property affected by the project" includes property that is in, adjacent to, or in reasonable proximity to the project. The value or potential uses of the private entity's property may be affected by the Proposer's work pursuant to the contract when such work involves, but is not limited to, providing recommendations for right-of-way acquisitions, access control and traffic flow. **Comment:** this provision does not presume Proposers know nor have a duty to inquire as to all of the business objectives of their clients. Rather, it seeks the disclosure of information regarding cases where the Proposer has a reason to believe that its performance of work under this contract may materially affect the value or viability of a project it is performing for the other entity.
- ☐ The Proposer has a business arrangement with a County employee or immediate family member of such employee, including promised future employment of such person, or a subcontracting arrangement with such person, when such arrangement is contingent on the Proposer being awarded this contract. This item does not apply to pre-existing employment of current or former County employees, or their immediate family members. **Comment:** this provision is not intended to supersede any statutes or policies applicable to its own employees accepting outside employment. This provision is intended to focus on identifying situations where promises of employment have been made contingent on the outcome of this particular procurement. It is intended to avoid a situation where a Proposer may have unfair access to "inside" information.
- ☐ The Proposer has, in previous work for the County, provided design services and such other professional services that potentially provides the Proposer with an unfair advantage in preparing a Proposal for this project. **Comment:** this provision will not, for example, necessarily disqualify a Proposer who provided surveying or material testing services for this project, however such work must be disclosed and all work products must be provided.
- ☐ The Proposer has, in previous work for the County, been given access to "data" relevant to this procurement or this project that is classified as "private" or "nonpublic" under the California Public Records Act (see GC 6250-6270), and such data potentially provides the Proposer with an unfair advantage in preparing a Proposal for this project. **Comment:** this provision is intended to avoid a situation where a Proposer has been provided information that cannot be provided to other Proposers.
- ☐ The Proposer has, in previous work for the County, managed or assisted in the management of the design-build project, performing such work as: helping to create the ground rules for the solicitation, writing the solicitation, or preparing evaluation criteria or evaluation guides for this solicitation.
- ☐ The Proposer, or any of its principals, because of any current or planned business arrangement, investment interest, or ownership interest in any other business, may be unable to provide objective advice to the County.

Disclosure of Potential Conflict of Interest Form

(To be completed by Proposer and provided to County in a ***separate sealed envelope*** from the Proposal)

Following review of the Design-Build Conflict of Interest Package for Projects under Public Contract Code section 22160 et seq., the Proposer hereby indicates that it has, to the best of its knowledge and belief:

_____ Determined that no potential organizational conflict of interest exists.

_____ Determined a potential organizational conflict of interest as follows:

Attach additional sheets as necessary.

Describe nature of the potential conflict(s):

Describe measures proposed to mitigate the potential conflict(s):

Signature

Date

If a potential conflict has been identified, please provide the name and phone number for a contact person authorized to discuss this Disclosure Form with County personnel.

Name

Phone Number

END PREQUALIFICATION QUESTIONNAIRE

SCORING WORKSHEETS

Part II Essential Requirements

SECTION II. SCORING MATRIX:

QUESTION NUMBER	YES	NO	SCORE
1	0	1	
2	0	1	
3	0	1	
4	0	1	
5	0	1	
6	0	1	
7	0	1	
8	0	1	
9	1	0	
10	1	0	
11	1	0	
12	1	0	
13	1	0	
14	1	0	
15	1	0	
16	0	1	
17	0	1	
18	0	1	
19	1	0	
20	1	0	
21	1	0	
22	1	0	
23	1	0	
TOTAL			*

Disqualified if score is greater than zero (0)

SCORING WORKSHEETS

Part III & IV Scored Questions

DESIGN-BUILD PREQUALIFICATION EVALUATION CRITERIA

Project: Valley Communications Center Design-Build Project

Project Number: 10.10.0181

Design-Build Entity: _____

PART III & IV EVALUATION CRITERIA	WEIGHT	SCORE	WEIGHT X SCORE	COMMENTS
<i>Organization & History of Business Performance, Licenses</i>	25			
<u>Score for each below (0-5) = _____</u> General Contractor Architect <u>Score for each below (0-2) = _____</u> Structural Engineer Mechanical Engineer Electrical Engineer Civil Engineer Other Subcontractors				
<i>Bankruptcy, Disputes, Criminal Matters & Lawsuits</i>	15			
<u>Score for each below (0-5) = _____</u> General Contractor Architect <u>Score for each below (0-2) = _____</u> Structural Engineer Mechanical Engineer Electrical Engineer Civil Engineer Other Subcontractors				
<i>Safety, Prevailing Wages & Apprenticeship for General Contractor</i>	5			
<i>Relevant Personnel and Project Experience</i>	55			
<u>Score for each below (0-5) = _____</u> General Contractor Architect As a Team <u>Score for each below (0-2) = _____</u> Structural Engineer Mechanical Engineer Electrical Engineer Civil Engineer Other Subcontractors <u>Score for each Reference Interview below (0-5) = _____</u> Selected Project One Selected Project Two Selected Project Three				
TOTAL SCORE WEIGHT MUST EQUAL	100	Total Score =		

Evaluator No. _____

Date _____

EXHIBIT A

Preliminary Schematic Plans

- A.1 Site Plan
- A.2 1st Floor Plan
- A.3 2nd Floor Plan
- A.4 3rd Floor Plan