

**New Haven Unified School District
Business Department
Union City, California**

REQUEST FOR QUALIFICATIONS AND PROPOSAL: #760

FOR LEASE-LEASEBACK SERVICES

New Haven Unified School District ("District") invites responses from qualified firms, partnerships, corporations, associations, or persons, (referred to herein as either "Contractors" or "Firms"), to enter into Lease-Leaseback agreements with the District for the construction of a range of new and modernization projects as part of the District's bond program on sites located throughout the District. The District has not developed the scope of particular projects, and this will be done at a later date. The District will use this Request for Qualifications and Proposals ("RFQ/RFP") selection process to establish a pool of contractors from which to draw for other upcoming modernization and new construction projects.

It should be noted that the District may consider cutting-edge design and construction methods that take advantage of new technologies and learning space configurations for the possible implementation of hybrid learning. The District may further be interested in having one of more projects constructed using panelized or componentized construction. For these reasons Design Firms with a background in working with contractors using methods of Building Information Modeling ("BIM ") or Integrated Project Delivery ("IBD") are also encouraged to submit proposals. In such a case, Design Firms may respond to the RFQ in a manner consistent with the idea that the Design Firm will be the lead entity, with an implementing general contractor.

This RFQ will also serve as a Prequalification Questionnaire, pursuant to Public Contract Code section 20111.6.

The District intends to award this Project pursuant to a lease-leaseback structure (Education Code section 17406, et seq.). Interested firms or persons are invited to submit their qualifications and proposal as described below, with one (1) unbound and three (3) bound copies of requested materials to:

**New Haven Unified School District
Business Department
34200 Alvarado-Niles Road
Union City CA 95035
Attention: Co-Superintendent/CBO**

Questions regarding this RFQ/RFP shall be in writing and directed to mpratap@nhusd.k12.ca.us. Deadline for all questions is May 10, 2015. Firms with questions or comments about the RFQ/RFP or the Project should not contact any other District representative, Board member, consultant, or employee, unless directed to do so by the Co-Superintendent.

All responses must be received by MAY 15, 2015, no later than 2:00 p.m.

This RFQ/RFP is not a formal request for bids or an offer by the District to contract with any party responding to this RFQ/RFP. The District reserves the right to reject any and all responses. The District also reserves the right to amend this RFQ/RFP as necessary, to waive submittal deadlines, and to solicit and receive additional proposals at any time.

SB 584 Notice: This Project is subject to the requirements of SB 854, found in Labor Code Section 1773, et seq. No contractor may be listed on a bid proposal unless it has registered with the Department of Industrial Relations. The District may not award work for this Project unless the contractor and its subcontractors are registered with the Department of Industrial Relations. This Project is subject to compliance monitoring by the Department of Industrial Relations.

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I. General Information

A. Qualifications. The District invites firms ("Firms") to submit qualifications related to their ability to provide development and construction services with respect to the construction of the Project described herein.

B. Pricing Information. In addition, the Firms shall provide pricing information to the District to perform the Project as indicated herein.

C. Criteria. The District wishes to retain Firms that have the financial strength, management and expertise to deliver the Project within the proposed schedule and within the established budget. The District reserves the right to choose any Firm(s). The Firm(s) will be selected based on qualifications and demonstrated competence that include relevant experience with public school construction, student center and/or public library construction, experience with State of California school and/or community college construction approval process, and a proven track record for cost-efficient and timely construction projects. A "best value" method of selection will be utilized. The "best value" method includes, but is not limited to, evaluating the following selection criteria:

1. Technical expertise;
2. Team experience;
3. Recent completion of projects through a lease-leaseback structure (Ed. Code section 17406, et seq.);
4. Recent completion of public school construction, particularly those involving an Inspector of Record, and requiring interactions and filings with the Division of State and the Office of Public School Construction;
5. Previous work with the District or surrounding districts and local agencies;
6. Proximity of offices and availability of qualified staff;
7. Prior experience with District staff and current consultants;
8. Skilled labor force;
9. Safety record;
10. Constructability and value engineering expertise, experience, and approach;
11. Experience with features similar to the Project;
12. Ability to meet approved schedules; and
13. Anticipated charge for General Conditions, Fee and other costs.

D. Description of Projects. As stated above, the Projects are still in the planning and development phase. The District will not have the scope for a particular projects for several months.

E. Project Architects. The District has not yet selected a pool of architects for the District Bond Projects.

F. Lease-Leaseback Structure. The Projects will be funded from various sources, and any agreements reached will conform to the statutory framework for the lease-leaseback delivery method (Education Code section 17406, et seq.). During construction, the District shall pay tenant improvement payments at a pre-determined payment amount. Once the Projects are underway, the Firm shall lease the facilities constructed back to the District for a pre-determined monthly lease payment amount and lease period. The District intends the lease to include an early termination payment option for the District.

G. Pre-Construction/Preliminary Services Agreement. Prior to finalizing the lease-leaseback agreement, the successful Firm may be required to enter into a Pre-Construction Services Agreement ("PSA") with the District to perform constructability review(s), develop detailed estimates and budgets, review the Project Plans, and develop specific cost reduction strategies to address budgetary constraints maximizing the value to the Project of those cost reduction efforts. The form of PSA may vary according to the Project and may include the following scope, without limitation;

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1. **Constructability Review.** Review design documents for constructability, scheduling, clarity, consistency and coordination.
2. **Value Engineering.** Undertake value engineering analyses and prepare reports with recommendations to the District to maintain or reduce the established budget.
3. **Meetings.** Participate in meetings with members or representatives of the school community with an interest in the Project.
4. **Schedules.** Prepare and continually update Master Schedules.
5. **Budgets.** Prepare and continually update budgets for the Project.
6. **BIM and Subcontractors .** The above enumerated duties may be conducted using a Building Information Modeling ("BIM") method of design and program development, and if selected by the District, the Contractor will be expected to perform its duties under the PSA in a dynamic and ongoing collaboration with the Architect and District. The Contractor will use employees to perform the PSA who are versed and experienced in the BIM method. In addition, upon the execution of the PSA, the Contractor will designate the subcontractors it expects to use for the mechanical, electrical and plumbing work. The Contractor will solicit bids from subcontractors at its discretion, and Contractor warrants that these subcontractors will undergo a pre-qualification process acceptable to the District. If approved, these subcontractors will also participate, as needed, in the performance of the PSA, particularly in the constructability review.

H. Schedule. For any Bond Project the District shall develop a Design and Construction Schedule with the Assistance of the District Architect and LLB entity.

I. District Project Management Description. The District's Director of Facilities Modernization or his designee will be the primary point of contact between the Firm and the District during the Project.

II. Submittal Requirements

All responses must be concise, well organized, and demonstrate the Firm's qualifications. Responses shall follow the format outlined below. Firms are requested to limit their responses to no longer than **50 pages (or 25 pages double-side)**, 8 ½" x 11" paper, inclusive of resumes, forms, and pictures, and tabbed according to the numbering system reflected below.

A. Cover Letter

B. Table of Contents

C. Firm Information

1. **General Information.** Provide the name, address, and a brief history of the Firm. Please include any former names of the Firm and the number of years the Firm has participated in construction as a general contractor. Include an organizational chart of the Firm.
2. **Personnel.** Provide resumes of personnel to be involved with the Project, including their school construction experience, their experience with the lease-leaseback method of school construction, and familiarity and background in BIM-based projects. Upon engagement, any change in personnel must be approved by the District. The Firm shall be responsible for any additional costs incurred by the engagement of a change in personnel.

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3. **Past Project Values.** Provide the volume of completed construction in dollars for each of the past five (5) years and projects in progress.
4. **Financials, Bonding & Insurance.** Provide a statement regarding financial resources, bonding capacity, and insurance coverage.
5. **Claims Statement.** Provide a claims statement indicating any and all suits or claims in which the Firm or its personnel were parties and which related to construction projects within the past five (5) years. If a suit or claim was limited to a claim from a subcontractor to the Firm or a supplier to the Firm and did not include a project's owner, you need not include that suit or claim in your claims statement.
6. **License Information.** Provide the Firm's contractor license number and whether that license has been revoked or suspended in the past five (5) years. Design firms are excused from this requirement
7. **Firm Officers.** Provide signatory status of officer(s) of the Firm.
8. **Local Office.** Provide the location of your local office nearest to the District, your main office if different, and other relevant resources of your Firm.

D. Prior Relevant Experience. The District prefers to contract with a Firm that has direct experience on projects of similar scope and structure, located in the geographic vicinity of the District.

1. **School Projects.** List ALL public school projects your Firm has been involved with for the past seven (7) years that exceeds \$5 million. Failure to list every Project is material and the District has the discretion to reject as non-responsive any Proposal that does not list all such Projects. For these projects, provide a contact name and telephone number for the owners and indicate which key Firm personnel worked on each project. Please indicate whether the Firm performed its work under a lease-leaseback arrangement pursuant to Education Code section 17406, et seq., or other alternative delivery methods. Your Firm may highlight a Project you have constructed that maybe of interest to the District for its project here, or provide a vision of an appropriate type of construction for the District's site.
2. **BIM Projects.** As part of, or in addition to, your description of your Firm's past projects listed above, list projects your Firm has successfully completed using the Building Information Modeling System.
3. **Cost Savings / Value Engineering.** The District is seeking a Firm that has direct experience and/or can demonstrate an aptitude to "value engineer" or analyze a Project's plans, components, and features, and find more efficient and cost-effective methods or alternatives. To assist the District in evaluating this aspect, please describe your Firm's experience on previous projects where the Firm constructed facilities and on which the Firm was able, either through value engineering or other processes, to suggest and implement ideas that resulted in overall cost savings to the owner of the project. You may do this as part of or in addition to your description of your Firm's past projects listed above. Firms are invited to submit sample forms and reports to illustrate their procedures for constructability review and value engineering.
4. **Hybrid School Construction Experiences.** List Projects you have constructed that involve the installation of hybrid learning centers.
5. **Panelized Construction:** State your experience in performing or overseeing panelized or componentized construction.

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III. Public Records Act

Responses to this RFQ/RFP will become the property of the District and subject to the California Public Records Act, Government Code sections 6250, *et seq.* Those elements in each response that are trade secrets as that term is defined in Civil Code section 3426.1(d) or otherwise exempt by law from disclosure and which are prominently marked as "TRADE SECRET," "CONFIDENTIAL," or "PROPRIETARY" may not be subject to disclosure. The District shall not be liable or responsible for the disclosure of any such records including, without limitation, those so marked if disclosure is deemed to be required by law or by an order of the Court. A Firm that indiscriminately identifies all or most of its response as exempt from disclosure without justification may be deemed non-responsive. In the event the District is required to defend an action on a Public Records Act request for any of the contents of a response marked "Confidential," "Proprietary," or "Trade Secret," the Firm agrees, by submission of its response for the District's consideration, to defend and indemnify the District from all costs and expenses, including attorneys' fees, in any action or liability arising under the Public Records Act. Any Contractor submitting a Proposal recognizes that Proposals submitted by other Contractors will not be disclosed prior to the District's recommendation for selection.

IV. Prequalification

Complete the Prequalification Questionnaire, attached hereto as **Exhibit A**. It is mandatory that all contractors who intend to submit a bid or proposal for this Project, fully complete the District's Prequalification Questionnaire, provide all materials requested therein, and be approved by the District to be on the final prequalified contractors list. Prequalification of a prospective bidder does not preclude the District from subsequent consideration of a prequalified bidder's responsibility on factors other than financial qualifications. Please note, the awarded Contractor will solicit bids from subcontractors at its discretion, and subject to District review and approval, Contractor warrants that these subcontractors will undergo a prequalification process acceptable to the District.

Please note that, if deemed to be prequalified, contractor prequalification status is valid for one calendar year from the date of prequalification, and must be updated annually.

The prequalification questionnaire answers and financial statements submitted by contractors are not public records and are not open to public inspection. All information provided will be kept confidential to the extent permitted by law.

V. District's Evaluation and Selection Process

- A.** The District will review and evaluate all submitted documents received per this RFQ/RFP.
- B.** Responses will be opened privately to assure confidentiality and avoid disclosure of the contents to competing respondents prior to and during the review, evaluation and negotiation processes.
- C.** Responses will be reviewed for responsiveness and evaluated pursuant to established objective criteria, as indicated herein.
- D.** After the responses are evaluated and/or ranked, the District, at its sole discretion, may elect to interview one or more Firms. Adequate time will be allowed for presentation of qualifications followed by questions and answers.
- E.** District staff will recommend one Firm (but reserves the right to recommend more than one Firm) to the District's Board that, in staff's opinion, is most qualified.
- F.** Final selection of a Firm, terms and conditions of any and all agreements and authority to proceed with noted construction services, shall be at the sole discretion of the District.

EXHIBIT A

PREQUALIFICATION APPLICATION

NEW HAVEN UNIFIED SCHOOL DISTRICT

I. Introduction to Request for Prequalification of Bidders

The New Haven Unified School District ("District") intends to have a number of projects built at the District, as a result of the successful passage of Measure M, a property tax bond with an estimated value of \$125 million. As a condition of bidding for a project, and in accordance with California Public Contract Code Section 20651.5, the District is requiring prospective bidder to submit to the District, a completed set of prequalification documents by completing all of the documents contained herein. Bidders include general contractors. Prequalification documents will be accepted annually by the date specified in Section VII. A prequalification pursuant to this process shall be valid for one calendar year following the date of initial prequalification.

The District reserves the right to require prequalification for specific projects at its discretion. In such a case, the District may request a new prequalification package and the Contractor must comply within thirty (30) days. A Contractor may also file new packages at more frequent intervals if there is a substantial change in the Contractor's financial status or work experience, at which time a new rating will be issued.

Bids must be verified under oath, with the understanding that intentionally providing false information is grounds for disqualification. These documents will be the basis for determining which bidders are qualified to bid for the projects. The District reserves the right to qualify a prospective bidder for one type or size of project, but not to qualify the prospective bidder for other types or sizes of projects. Bids for a particular project will not be accepted if a Contractor has not been prequalified. Ratings of individual firms will only be disclosed upon written request by that firm.

The District reserves the right to check other available sources.

All information contained in the prequalification documents are not public records and are not open to public inspection.

II. District's Prequalification Standards

1. Contractor's Statement of Experience
2. Project References
3. Insurance and Safety Record
4. Surety and Bonding Capacity
5. Arbitration and Litigation History
6. Certificate of Licensed Public Accountant
7. Accountant's Release Letter
8. Declaration (see page 33)

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In addition to being disqualified for failure to meet the District's criteria, a Contractor may be automatically disqualified for any one of the following:

1. Omission of requested information;
2. Falsification of information;
3. Excessive stop notices, prevailing wage violations or construction claims;
4. Debarment from the Division of Labor Standards Enforcement;
5. Have had a surety complete work on any contract in the last 5 years;
6. Are unable to demonstrate bonding capacity or ability to obtain required insurance;
7. Have had contractor's license revoked at any time in the last five years, or is not currently duly licensed to perform the required work;
8. Has not had the requisite public works experience: or
9. Have five or more accidents or complaints that met the criteria warranting inspection logged on the U.S. Department of Labor OSHA website.

III. Financial Information

A. Financial Capability Statement Requirements

Financial statements will be required for all Projects. All statements must be reviewed or audited with accompanying notes and supplemental information. The financial statement should indicate financial capability to perform basic District Projects.

B. Financial Capacity

Prospective bidders will be prequalified to bid on projects up to a maximum dollar amount based on the lesser of ten times working capital (current assets less current liabilities) or ten times net worth (total assets less liabilities). Financial rating may be augmented by submission of a Letter of Bank Credit. Particular attention is called to the fact that the certificate of the certified public accountant or licensed public accountant must express an unqualified opinion or a qualified opinion which does not negate an opinion on the statements as a whole in order to receive a "financial capacity" qualification. Note: Statements with a "negative quick asset" amount may not be augmented.

Working capital and net worth are important facts in determining the bidding capacity of a Contractor; therefore, the accountant will perform a valuable service for their client and also the District if the accountant will furnish by a supplementary schedule or as a part of the accountant's certificate, any information not specifically called for by the statement which, in the accountant's opinion might properly be taken into consideration.

In the event that the Contractor's job income and expenditures are accounted on a completed contract basis and the balance sheet includes an item reflecting the excess of costs to date over billing to date, or vice versa, the elements of

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“Accumulated Cost” and “Billings to Date” must be shown in support of the balance sheet item.

C. Accountant’s Certificate and Release

A certificate of a licensed Certified Public Accountant is preferred.

D. Term of Financial Statements

A Contractor’s financial information is valid until the date shown is more than one year old. Statements will be held on file until the financial information is fifteen months old at which time it will be destroyed. The District reserves the right to reject statements in which the financial information is more than six months old.

IV. Public Works Requirements

Projects estimated at \$1,000,000 to \$9,999,999 will require the successful completion of at least two public works projects with an actual cost of construction totaling at least 75% of the estimated construction cost completed in the State of California in the past seven years or two comparable projects (i.e., two classroom buildings) completed in the State of California in the past seven years.

Projects estimated at more than \$10,000,000 require the successful completion of at least two public works projects with an actual cost of construction totaling at least 50% of the estimated construction cost or two comparable projects (i.e., two classroom buildings) completed in the State of California in the past seven years.

V. Bondability

The bonding surety is required to be an admitted surety in the State of California. The surety will be contacted to confirm willingness to bond the particular project. It is required that the Contractor include a Letter of Bondability from the surety, indicating their support levels for the project in question.

The payment and performance bonds required will neither be accepted nor approved by the District unless the bonds are underwritten by an admitted surety and the requirements of California Code of Civil Procedure Section 995.630(a) and (b) are met. In lieu of the bid bond, Contractor may provide a cashier’s check amounting to 10% of the base bid.

In the event that the Contractor is unable to obtain a bond in the time prescribed by the District, the Contractor may be suspended from the qualified contractors list and not be allowed to bid on District projects until proof of bondability is provided.

VI. Declaration

The attached declaration must be completely executed.

VII. Notification and Due Process of Results

Contractors will be notified of their prequalification rating by email, followed by U.S. mail. If the Contractor chooses to challenge the disqualification, the Contractor shall provide a written request within two (2) working days after notification requesting a hearing. The District shall establish a committee for the hearing to review the facts and reconsider the disqualification. This committee shall render a final and binding decision within five (5) working days of the hearing.

Completed prequalification forms for the projects must be submitted to the District not later than **MAY 15, 2015**. Contractors will be notified of their prequalification rating not later than June 16, 2015.

Any false statements, inaccuracies, omissions or failures to disclose are grounds for exclusion from bidding. If the District should discover false statements, inaccuracies, omissions or failures to disclose by submitters at any time, the submitter will be notified of this disqualification and the inaccuracy which has been discovered. Submitter shall be afforded due process prior to being disqualified. However, if submitter shall seek due process and the false statement, inaccuracy or omission is adjudged to be intentional, then submitter shall be held nonresponsible by District for three years following the due process hearing. Contractor hereby certifies under penalty of perjury that all responses to this questionnaire are true and correct.

VIII. Submission of Completed Statements

Mail completed Contractor's Statement of Experience and Financial Condition along with the following:

- Reviewed or Audited Financial Statement
- Letter of Bondability identifying project by name
- Accountant's Release Letter (if applicable)
- Letter of Credit (optional)

IX. Rating Procedure

The District has pre-established a rating system for prequalification of bidders. Contractors who receive the requisite number of points based on this rating system will be issued bidding documents and allowed to submit bids for the projects. In some cases Contractors will receive enough points to bid on one type Project but not another, which shall be noted in the District's response. Contractors who do not receive the minimum number of points based on this rating system, or are disqualified under Section II, will not

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be considered qualified to submit bids for the project. The bidder shall be afforded due process prior to final disqualification.

Contractors who have been terminated by the owner, owner's representative or contracting party may be disqualified if it is determined that the cause for termination relates to the ability of the contractor to complete a project of this size and complexity or otherwise pertains to the responsibility of the contractor to perform the work.

PREQUALIFICATION DOCUMENTS & FORMS

LICENSE & BACKGROUND INFORMATION

Contractor: _____
(As name appears on license)

Check one of the following:

- Corporation
- Partnership
- Sole Proprietorship
- Joint Venture

Address: _____

City, State, Zip: _____

Phone Number: _____ Facsimile Number: _____

Email address: _____

License Number(s): _____

Expiration Date(s): _____

Tax ID Number: _____

Date Business Formed: _____ Date Incorporated: _____

If a corporation, under the laws of what state was corporation organized: _____

If a partnership, under the laws of what state was the partnership organized: _____

If sole proprietorship, social security number of company owner: _____

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

2 full years = 1 point
5 years = 4 point

3 years = 2 points
6 years or more = 5 points

4 years = 3 points

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Is your firm currently the debtor in a bankruptcy case? Yes _____ No _____

“No” = 5 points ***“Yes” = 0 points***

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

If your firm is not currently in bankruptcy, was your firm in bankruptcy at any time during the last five years? Yes _____ No _____

If yes, please explain: _____

“No” = 5 points ***“Yes” = 0 points***

If yes, please also attach a copy of the bankruptcy petition, showing the case number and the date on which the petition was filed, and a copy of the Bankruptcy Court's discharge order or other document ending the case if no discharge order was issued.

Has there been any recent change (last four years) in control of your firm? Yes _____ No _____

If yes, please explain: _____

“No” = 5 points ***“Yes” = 0 points***

Is your firm or its owners connected with other companies as a subsidiary, parent, holding or affiliate? Yes _____ No _____

If yes, please explain: _____

List all corporate officers, partners, proprietors, owners and key personnel:

Name	Yrs w/ Firm	Position	% of Ownership

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

Name	Construction Firm	Position	Yrs w/ Firm

Has your firm or any of its owners, officers or partners ever been found liable in a civil suit, or found guilty in a criminal action, for making any false claim or material misrepresentation to any public agency or entity? Yes _____ No _____

If yes, please explain: _____

“No” = 5 points “Yes” = 0 points

Has your firm or any of its owners, officers or partners ever been convicted of a crime involving any federal, state, local law or regulatory violations related to construction? Yes _____ No _____

If yes, please explain: _____

“No” = 5 points “Yes” = 0 points

Has your firm or any of its owners, officers or partners ever been convicted of a federal, state, or local crime of theft, or any other act of dishonesty? Yes _____ No _____

If yes, please explain: _____

“No” = 5 points “Yes” = 0 points

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

Has any California State License Board held by your firm or its Responsible Managing Employee (RME) or Responsible Managing Officer (RMO) been suspended or revoked within the past five years? Yes _____ No _____

If yes, please explain: _____

“No” = 5 points

“Yes” = 0 points

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

Has your firm changed names or license number in the past five years? Yes _____ No _____

If yes, please explain: _____

In what type of construction do you specialize: _____

Related = 5 points

Unrelated = 0 points

What was the largest amount of work completed in one year: _____

of projects: _____ year: _____ amount of largest project: _____

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

PREQUALIFICATION DOCUMENTS & FORMS

PUBLIC AGENCY CONSTRUCTION PROJECTS

Please list all public agency construction projects your firm has performed in the last seven (7) years. If you do not have public agency construction experience, please list private sector experience (using the format below) on a separate sheet. If you wish, you may also provide information about other completed projects similar to the project(s) for which you expect to bid. Additional points will be awarded for projects involving a school district or community college. Please note that the project history scoring will depend, in part, on characterization of your work by the project representative. The submission of this prequalification questionnaire constitutes an agreement by the applicant that characterization of the applicant's performance by a project representative made in good faith is not actionable.

1. Project Name: _____
 - a. Name of Agency: _____
 - b. Type of Construction: _____
 - c. Originally Scheduled Project Completion Date: _____
 - d. Actual Date of Completion: _____
 - e. Project Amount: _____
 - f. Name/Contact Information of Agency Representative: _____

2. Project Name: _____
 - a. Name of Agency: _____
 - b. Type of Construction: _____
 - c. Originally Scheduled Project Completion Date: _____
 - d. Actual Date of Completion: _____
 - e. Project Amount: _____
 - f. Name/Contact Information of Agency Representative: _____

3. Project Name: _____
 - a. Name of Agency: _____
 - b. Type of Construction: _____
 - c. Originally Scheduled Project Completion Date: _____

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- d. Actual Date of Completion: _____
 - e. Project Amount: _____
 - f. Name/Contact Information of Agency Representative: _____

4. Project Name: _____
- a. Name of Agency: _____
 - b. Type of Construction: _____
 - c. Originally Scheduled Project Completion Date: _____
 - d. Actual Date of Completion: _____
 - e. Project Amount: _____
 - f. Name/Contact Information of Agency Representative: _____

5. Project Name: _____
- a. Name of Agency: _____
 - b. Type of Construction: _____
 - c. Originally Scheduled Project Completion Date: _____
 - d. Actual Date of Completion: _____
 - e. Project Amount: _____
 - f. Name/Contact Information of Agency Representative: _____

6. Project Name: _____
- a. Name of Agency: _____
 - b. Type of Construction: _____
 - c. Originally Scheduled Project Completion Date: _____
 - d. Actual Date of Completion: _____
 - e. Project Amount: _____
 - f. Name/Contact Information of Agency Representative: _____

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7. Project Name: _____
- a. Name of Agency: _____
- b. Type of Construction: _____
- c. Originally Scheduled Project Completion Date: _____
- d. Actual Date of Completion: _____
- e. Project Amount: _____
- f. Name/Contact Information of Agency Representative: _____
- _____
- _____

Rating (0 to 5 with 5 being the maximum number of points)

PREQUALIFICATION DOCUMENTS & FORMS

INSURANCE INFORMATION

Do you currently have a minimum of \$2,000,000.00 combined comprehensive single limit liability insurance? Please provide a Certificate of Insurance as verification.

Yes _____ No _____ *(Please provide a current Certificate of Insurance as verification)*

“No” = 5 points

“Yes” = 0 points

Insurance Company: _____

Address: _____

City, State, Zip: _____

Phone Number: _____ Facsimile Number: _____

Contact Person: _____

How long have you been with this insurance company? _____

If less than two years, please list prior insurance companies below:

Insurance Company	Address	Phone	Contact Person	Year(s)

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In the last five years, has any insurance carrier, for any form of insurance, refused to renew the insurance policy for your firm? Yes _____ No _____

If yes, please explain: _____

5 points for "No"

2 points for "Yes" indicating 1 such instance

0 points for "Yes" indicating more than 1 such instance

PREQUALIFICATION DOCUMENTS & FORMS

SURETY INFORMATION

Provide a statement listing names of all surety companies, not agencies, utilized by prospective bidder in the last five (5) years. State whether the surety or sureties bonding bidder's projects have been required or requested to complete any part of bidder's work during the last five (5) years.

Surety Company	Contact Person	Address	Phone No. Fax No.	Largest Bond	Year

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

If yes, explain: _____

“No” = 20 points

“Yes” = 0 points

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At any time during the past five years, has any surety company made any payments on your firm's behalf to satisfy any claims made against a performance or payment bond issued on your firm's behalf in connection with a construction project, either public or private? Yes ___ No ___

If yes, explain: _____

20 points for "No"

2 points for "Yes" indicating 1 such claim

0 points for "Yes" indicating more than 1 such claim

State whether your firm was required to pay a premium of more than one percent for a performance and payment bond on any projects(s) on which your firm worked during the last three years. If so, state the percentage that your firm was required to pay. You may explain if you choose.

"No" = 2 points

"Yes" = 0 points

Has your firm ever failed to complete a contract? Yes _____ No _____

If yes, explain: _____

"No" = 30 points

"Yes" = 0 points

How many projects is your firm currently bonded for? _____

NEW HAVEN UNIFIED SCHOOL DISTRICT

What are the contract amounts your firm has currently bonded?

Contracts	Amount Bonded

PREQUALIFICATION DOCUMENTS & FORMS

PERFORMANCE

What size projects can your firm undertake?

Single project \$ _____ Total work in progress \$ _____

Has your firm ever failed to complete a public contract within the authorized contract time?

Yes _____ No _____ If yes, explain: _____

*10 points for "No"
2 points for "Yes" indicating 1 such instance
0 points for "Yes" indicating more than 1 such instance*

At any time during the last five years, has your firm been assessed and paid liquidated damages after completion of a project, under a construction contract with either a public or private entity?

Yes _____ No _____ If yes, explain: _____

*"No" = 10 points
If there was no more than one such project for which the liquidated damages assessed and paid was less than \$10,000.00 = 5 points
Any other answer = 0 points*

Are there any outstanding liens/stop notices for labor and/or material filed against your firm on any contracts which have been done or are being done by your firm?

Yes _____ No _____ If yes, explain: _____

*5 points for "No"
2 points for "Yes" indicating 1 such notice
0 points for "Yes" indicating more than 1 such notice*

NEW HAVEN UNIFIED SCHOOL DISTRICT

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

Yes _____ No _____ If yes, explain: _____

“No” = 30 points

“Yes” = 0 points

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

Yes _____ No _____ If yes, explain: _____

“No” = 30 points

“Yes” = 0 points

PREQUALIFICATION DOCUMENTS & FORMS

SAFETY PROGRAM & WORKER'S COMPENSATION

Each bidder shall submit its workers' compensation experience modification factor. After determination of the successful bidder, its subcontractors must submit their workers compensation modification factor within five (5) days of District's request.

List your firm's Experience Modification Rate (EMR) (California Workers' Compensation Insurance) for each of the past premium years:

Current Year: _____

Previous Year: _____

Year Prior to Previous Year: _____

If your EMR for any of these three years is or was 1.00 or higher, you may explain if you wish:

***5 points for 3-year average EMR of 1.00 or less
2 points for 3-year average EMR of more than 1.00 but no more than 1.25
0 points for any other EMR***

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

Yes _____ No _____ If yes, explain: _____

"No" = 5 points "Yes" = 0 points

NEW HAVEN UNIFIED SCHOOL DISTRICT

Has there been more than one occasion during the last five years on which your firm was required to pay either back wages or penalties for your firm's failure to comply with the state's prevailing wage laws? (NOTE: This question refers only to your own firm's violation of prevailing wage laws, not to violations of the prevailing wage laws by a subcontractor.)

Yes _____ No _____ If yes, explain: _____

5 points for "No"

2 points for "Yes" indicating 1 such occasion

0 points for "Yes" indicating more than 1 such occasion

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

Yes _____ No _____ If yes, explain: _____

5 points for "No"

2 points for "Yes" indicating 1 such occasion

0 points for "Yes" indicating more than 1 such occasion

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

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

- (a) Identify the craft or crafts in which your firm provided apprenticeship training in the past year.
- (b) State the year in which each such apprenticeship program was approved, and attach evidence of the most recent California Apprenticeship Council approval(s) of your apprenticeship program(s).

NEW HAVEN UNIFIED SCHOOL DISTRICT

(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.

At any time during the last five years, has your firm been found to have violated any provision of California apprenticeship laws or regulations, or the laws pertaining to use of apprentices on public works? Yes _____ No _____

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

(0 to 5 with 5 being the maximum number of points)

PREQUALIFICATION DOCUMENTS & FORMS

INDUSTRIAL SAFETY RECORD

Each bidder, and its subcontractors, must declare any serious or willful violations of Part 1 (commencing with Section 6300) of Division 5 of the California Labor Code received during the last five years. This information must include all construction work undertaken in the United States by the bidder and any affiliate of the bidder. Separate information shall be submitted for each particular partnership, joint venture, corporation, Limited Liability Company or individual bidder or subcontractor. The bidder or its subcontractors may be requested to submit additional information or explanation of data, which District may require for evaluating the safety record. The term “affiliate” shall mean any firm, corporation, partnership, joint venture, limited liability company or association which is a member, joint venturer or partner of the bidder, or any such entity which owns a substantial interest in or is owned in common with the bidder, its subcontractor or any of its members, joint venturers or partners, or any such entity in which the bidder, its subcontractor, or any of their members, joint venturers or partners own a substantial interest.

Has your firm ever received a serious or willful industrial safety violation during the last five (5) years? Yes _____ No _____

If yes, explain: _____

- 10 points for “No”**
- 2 points for “Yes” indicating 1 such occasion**
- 0 points for “Yes” indicating more than 1 such occasion**

Has CAL OSHA cited and assessed penalties against your firm for any “serious”, “willful” or “repeat” violations of its safety or health regulations in the past five years? (NOTE: If you have filed an appeal of a citation and the OSHA Appeals Board has not yet ruled on your appeal, you need not include information about it.) Yes _____ No _____

If yes, explain: _____

10 points for "No"
2 points for "Yes" indicating 1 such occasion
0 points for "Yes" indicating more than 1 such occasion

Has any one of the following agencies: the federal Occupational Safety and Health Administration, the EPA or any Air Quality Management District cited and assessed penalties against your firm in the past five years? (NOTE: If you have filed an appeal of a citation and the Appeals Board has not yet ruled on your appeal, you need not include information about it.)

Yes _____ No _____ If yes, explain: _____

5 points for "No"
2 points for "Yes" indicating 1 such occasion
0 points for "Yes" indicating more than 1 such occasion

How often do you require documented safety meetings to be held for construction employees and filed supervisors during the course of a project? _____

5 points for once a week or more often
0 points for any other answer

How often do you conduct documented safety inspections on a construction site?

Daily _____ Weekly _____ Quarterly _____

5 points for "Daily"
2 points for "Weekly"
0 points for any other answer

Have any of the subcontractors you retained ever received a serious or willful industrial safety violation during the last five (5) years? Yes _____ No _____

If yes, list each subcontractor and explain below. (Please use additional pages if necessary)

Subcontractor: _____ License No.: _____

Explain: _____

NEW HAVEN UNIFIED SCHOOL DISTRICT

Subcontractor: _____ License No.: _____

Explain: _____

Subcontractor: _____ License No.: _____

Explain: _____

10 points for "No"
2 points for "Yes" indicating 1 subcontractor
0 points for "Yes" indicating more than 1 subcontractor

PREQUALIFICATION DOCUMENTS & FORMS

ARBITRATION & LITIGATION HISTORY

(Copy as necessary to report all claims)

NOTE: The following two questions refer only to disputes between your firm and the owner of a project. You need not include information about disputes between your firm and a supplier, another contractor or subcontractor. You need not include information about “pass-through” disputes in which the actual dispute is between a subcontract and a project owner. Also, you may omit reference to all disputes involving amounts of less than \$50,000.00.

In the past five years, has any claim against your firm concerning your firm’s work on a construction project, been **filed in court or arbitration**? Yes _____ No _____

If yes, please provide the project name, date of the claim, name of the claimant, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution):

- 20 points for “No”***
- 5 points for “Yes” indicating 1 such claim***
- 0 points for “Yes” indicating more than 1 such claim***

In the past five years, has any claimant against your firm made any claim against a project owner concerning work on a project or payment for a contract, and **filed that claim in court or arbitration**? Yes _____ No _____

If yes, please identify the claim by providing the project name, date of the claim, name of the entity (or entities) against whom the claim was filed, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution):

20 points for “No”
5 points for “Yes” indicating 1 such claim
0 points for “Yes” indicating more than 1 such claim

PREQUALIFICATION DOCUMENTS & FORMS

FINANCIAL INFORMATION

Financial Condition Rating (0 to 20 with 20 being the maximum number of points, 20 recommended as highest score for qualified contractors with audited financial statements, and 10 points as the highest score for unaudited financial statements)

COMPLETE THIS CERTIFICATE FOR A REVIEW ONLY OF FINANCIAL STATEMENT

(If certified or audited Financial Statement is provided)

We have reviewed the accompanying financial statement of _____ as of _____. The information included in the financial statement is the representation of the management of the above firm.

Based on our review with the exception of the matter(s) described in the following paragraph(s), we are not aware of any material modifications that should be made to the accompanying financial statements in order for them to be in conformity with generally accepted accounting principles.

(Type Name of Firm)

(Accountant Signature)

(Telephone Number)

(License Number)

(NOTE THIS REVIEW CONSISTS PRINCIPALLY OF INQUIRIES OF MANAGEMENT AND APPROPRIATE ANALYTICAL PROCEDURES APPLIED TO THIS FINANCIAL DATA. IT IS SUBSTANTIALLY LESS IN SCOPE THAN AN EXAMINATION IN ACCORDANCE WITH GENERALLY ACCEPTED AUDITING STANDARDS, THE OBJECTIVE OF WHICH IS THE EXPRESSION OF AN OPINION REGARDING THE FINANCIAL STATEMENTS TAKEN AS A WHOLE. ACCORDINGLY, WE HAVE NOT EXPRESSED SUCH AN OPINION.)

Special note to Accountant:

The above Certificates of Accountant shall not be made by any individual who is in the regular employ of the individual, partnership or corporation submitting the statement, nor by any individual who is a member of the firm with more than a 10 percent financial interest.

PREQUALIFICATION DOCUMENTS & FORMS

ACCOUNTANT'S RELEASE LETTER

By signing the form below, I authorize the New Haven Unified School District to contact our company's licensed accounting firm to verify our most recent audited or reviewed financial statement. I understand the financial statement is confidential information and is not open to public inspection.

Name

Title

Company Name

Date

PREQUALIFICATION DOCUMENTS & FORMS

GENERAL LETTER OF CREDIT

Credit Rating (0 to 5 with 5 being the maximum number of points)

The following form may be completed by your bank to augment your Working Capital. The bank may issue a Letter of Credit on its own letterhead, provided the Letter of Credit contains substantially the same provisions, and is addressed to the New Haven Unified School District and bears an original signature.

DATE: _____

TO: _____

ATTENTION: _____

SUBJECT: General Letter of Credit

Reference is made to the prequalification of

(Name of Contractor)

Under Board Rules of the Board of Education pertaining to the construction, alteration and maintenance of school district facilities, we certify that the above Contractor has been extended an unqualified line of credit not to exceed \$_____ and that such credit will not be withdrawn or reduced without 30 days written notice to the District.

It is understood that this letter of credit is to be used by the District solely for determining the financial resources of the said Contractor during the term of his prequalification with the District.

(Name of Financial Institution) Institution No. Code: _____

(Address)

(City) (State) (Zip)

By: _____ Date: _____

(Please Type or Print Name and Title)

PREQUALIFICATION DOCUMENTS & FORMS

FINANCIAL INSTITUTION RELEASE LETTER

(For use only when augmenting financial rating with a Letter of Credit)

By signing the form below, I authorize the New Haven Unified School District to contact our financial institution to verify our line of credit information. I understand this information is confidential information and is not open to public inspection.

Name

Title

Company Name

Date

Verified by New Haven Unified School District

Name

Date

PREQUALIFICATION DOCUMENTS & FORMS

PREQUALIFICATION STATEMENT FOR

NEW HAVEN UNIFIED SCHOOL DISTRICT

Each prospective bidder must have a current and active license at the time of the award and must submit the following information on this form. Bidder must also complete and submit with this questionnaire the attached “Contractor’s Statement of Experience and Financial Conditions”. If necessary, bidder may attach supplemental information as a separate package.

DECLARATION

I, _____ (printed name) hereby declare that I am the _____ (title) of _____ (name of bidder) submitting this Prequalification statement; that I am duly authorized to execute this Prequalification Statement on behalf of the above-named company; and that all information set forth in this Prequalification Statement and all attachments hereto are, to the best of my knowledge, true, accurate, and complete as of its submission date. I acknowledge that any false statements, inaccuracies or failure to disclose are grounds for disqualification.

I declare, under penalty of perjury, that the foregoing is true and correct and that this declaration was Subscribed at _____ (location and city), County of _____, State of _____, on _____ (date).

(Signature)

(If signed by other than the sole proprietor, a general partners, or corporate officer, attach original notarized power of attorney or corporate resolution.)

All information submitted for prequalification evaluation will be considered official information acquired in confidence and the District will maintain its confidentiality to the extent permitted by law.

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