

**MANTECA UNIFIED SCHOOL DISTRICT**  
**Facilities Planning Department**

**2271 W. Louise Avenue, Manteca, California 95337**  
**Mailing Address: P. O. Box 32, Manteca, California 9536-1120**  
**Telephone: (209) 825-3200**  
**Fax: (209) 858-8527**

**DATE: October 13, 2014**  
**TO: ALL INTERESTED PARTIES**  
**RE: CONTRACTOR PREQUALIFICATION**

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**MANTECA UNIFIED SCHOOL DISTRICT REQUEST FOR QUALIFICATIONS**  
**PREQUALIFICATION OF CONSTRUCTION CONTRACTORS UNDER PUBLIC CONTRACT CODE**  
**SECTION 20111.6**

For construction contracts awarded on or after January 1, 2014, and until January 1, 2019, Public Contract Code Section 20111.6 requires the governing board of a school district with an average daily attendance over two thousand five hundred (2,500) to prequalify bidders for public works projects using any funds received pursuant to the Leroy F. Greene School Facilities Act of 1998 (Education Code Section 17070.10 *et seq.*) or any funds from any future state school bond for a public project with a projected expenditure of one million dollars (\$1,000,000) or more.

Accordingly, **MANTECA UNIFIED SCHOOL DISTRICT** invites construction contractors to prequalify for upcoming District modernization projects by submitting the Qualification Questionnaire. The **deadline** for submitting the Prequalification Questionnaire is **October 23, 2015**. Qualified contractors will be notified by 5:00 p.m. on **October 30, 2015**.

**ANNOUNCEMENT OF PRE-QUALIFICATION PROCEDURES FOR  
ANNUAL PRE-QUALIFICATION**

Notice is hereby given that on October 6, 2015, the Manteca Unified School District determined that all bidders, on certain public projects to be undertaken by the Manteca Unified School District, must be pre-qualified prior to submitting bids for such public projects. Pursuant to Public Contract Code Section 20111.6 bidders on all public projects using funds received pursuant to the Leroy F. Greene School Facilities Act of 1998 or any funds from any future state school bond that involves a projected public project expenditure of one million dollars (\$1,000,000) or more, must be pre-qualified. For purposes of Public Contract Code Section 20111.6 and public projects that fall within its purview, "bidders" include the general contractor, and if utilized, all electrical, mechanical, and plumbing subcontractors. It is mandatory that all Contractors, who intend to submit a bid on a public project requiring pre-qualification, or, who intend to perform any mechanical, electrical, or plumbing component scope of work as a subcontractor on a project requiring prequalification, fully complete the pre-qualification questionnaire, provide all materials requested herein, and be approved by the Manteca Unified School District to be on the final Bidders List as an approved general contractor or approved mechanical, electrical, or plumbing subcontractor.

No bid will be accepted from a Contractor that has failed to comply with these requirements and no subcontractors will be permitted to perform such work on the project if subcontractor has failed to comply with these requirements. If two or more business entities submit a bid on a project as a Joint Venture, or expect to submit a bid as part of a Joint Venture, each entity within the Joint Venture must be separately qualified to bid.

Pre-qualification applications may be submitted four times each year: **(1) from January 1 through January 10; (2) from April 1 through April 10; (3) from July 1 through July 10; and (4) from October 1 through October 10.** Contractors who submit a complete pre-qualification package will be notified by first class mail of their qualification status, such notice to be mailed no later than fifteen (15) business days after submission of the information.

Answers to questions contained in the attached questionnaire, information about current bonding capacity on an aggregate and per project limit, notarized statement from surety, and the most recent reviewed or audited financial statements, with accompanying notes and supplemental information, are required. The Manteca Unified School District will use these documents as the basis of rating Contractors with respect to who is qualified to bid. Contractors seeking prequalification must answer all questions. However for contractors seeking to prequalify as subcontractors only, responses to Part I, Questionnaire Question Number 5 and Part II, D, Questionnaire Question Numbers 14, 15, and 16 will not be rated. The Manteca Unified School District reserves the right to check other sources available. The Manteca Unified School District's decision will be based on objective evaluation criteria.

In order to submit a valid bid for any project requiring pre-qualification, prospective Bidders must submit a pre-qualification questionnaire, a financial statement, and a standardized bidding form at least ten (10) business days prior to the date fixed for the public opening of sealed bids. All prospective Bidders must be deemed pre-qualified to bid at least five (5) business days prior to that date.

Pre-qualification approval will remain valid for one (1) calendar year from the date of notice of qualification, except that the Manteca Unified School District reserves the right during that calendar year to adjust, increase, limit, suspend or rescind the pre-qualification ratings based on subsequently learned information and after giving notice of the proposed action to the Contractor and an opportunity for a hearing consistent with the hearing procedures described below for appealing a pre-qualification determination.

While it is the intent of the pre-qualification questionnaire and documents required therewith to assist the Manteca Unified School District in determining Bidder responsibility prior to the submission of bids and to aid the Manteca Unified School District in selecting the lowest responsible Bidder, neither the fact of pre-qualification, nor any pre-qualification rating, will preclude the Manteca Unified School District from a post-bid consideration and determination on a specific project of whether a Bidder has the quality, fitness, capacity and experience to satisfactorily perform the proposed work, and has demonstrated the requisite trustworthiness. Contractors are encouraged to submit pre-qualification packages as soon as possible, so that they may be notified of pre-qualification status well in advance of upcoming projects.

The pre-qualification packages should be submitted under seal and marked “CONFIDENTIAL” to

**Susan Bell**  
**Director of Facilities**  
**2271 W. Louise Avenue**  
**P. O. Box 32**  
**Manteca, California 95336**

The pre-qualification packages (questionnaire answers and financial statements) submitted by Contractors are not public records and are not open to public inspection. All information provided will be kept confidential to the extent permitted by law, although the contents may be disclosed to third parties for the purpose of verification, investigation of substantial allegations, and in the process of an appeal hearing. State law requires that the names of Contractors applying for pre-qualification status shall be public records subject to disclosure, and the first page of the questionnaire will be used for that purpose.

Each questionnaire must be signed under penalty of perjury in the manner designated at the end of the form, by an individual who has the legal authority to bind the Contractor on whose behalf that person is signing. If any information provided by a Contractor becomes inaccurate, the Contractor must immediately notify the Manteca Unified School District and provide updated accurate information in writing, under penalty of perjury.

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

A Contractor who has submitted a completed application form, and who receives a rating of “not qualified” from the Manteca Unified School District may appeal that determination. There is no

appeal from a finding that a Contractor is not pre-qualified because of a failure to submit required information, but re-application during one of the designated time periods is permitted. Any Contractor may appeal the decision by the Manteca Unified School District related to the Contractor's request for pre-qualification, and request a hearing, by giving notice to the Manteca Unified School District no later than five (5) business days after receipt of notice of its qualification status. Unless a Contractor files a timely written appeal, the Contractor waives any and all rights to challenge the qualification decision of the Manteca Unified School District, whether by administrative process, judicial process or any other legal process or proceeding.

If a Contractor gives the required notice of appeal and requests a hearing, the hearing shall be conducted so that it is concluded no later than five (5) business days after the Manteca Unified School District's receipt of such Contractor's Notice of Appeal. The hearing so provided shall be an informal process conducted by a panel to whom the Manteca Unified School District's Board of Trustees has delegated responsibility to hear such appeals (the "Appeals Panel"). At or prior to the hearing, the Contractor will be advised of the basis for the Manteca Unified School District's pre-qualification determination. The Contractor will be given the opportunity to present information and present reasons in opposition to the pre-qualification determination. At the conclusion of the hearing or no later than three (3) days after completion of the hearing, the Appeals Panel will render its decision. The date for submission and opening of bids for a specific project will not be delayed or postponed to allow for completion of an appeal process.

*Note:* A Contractor may be found not pre-qualified for bidding on a specific public works contract to be let by the Manteca Unified School District, or on all contracts to be let by the Manteca Unified School District until the Contractor meets Manteca Unified School District's requirements. In addition, a Contractor may be found not pre-qualified for either:

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

**NOTICE: To Contractors seeking to prequalify as mechanical, electrical, and plumbing subcontractors:**

Mechanical, electrical, or plumbing subcontractors (licensed pursuant to Section 7058 of the Business and Professions Code, specifically contractors holding C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43, and C-46 licenses) must also meet pre-qualification requirements on all projects using funds received pursuant to the Leroy F. Greene School Facilities Act of 1998 or any funds from any future state school bond that involves a projected public project expenditure of one million dollars (\$1,000,000) or more. If a public works project includes electrical, mechanical, or plumbing components that will be performed by electrical, mechanical, or plumbing subcontractors, a list of pre-qualified general contractors and electrical, mechanical, and plumbing subcontractors will be made available by the Manteca Unified School District to all bidders at least five (5) business days prior to the dates fixed for the public opening of sealed bids.

Accordingly, on all projects using funds received pursuant to the Leroy F. Greene School Facilities Act of 1998 or any funds from any future state school bond that involves a projected public project expenditure of one million dollars (\$1,000,000) or more, general contractors must utilize mechanical, electrical, and/or plumbing subcontractors that meet the District's prequalification requirements. The prequalification of mechanical, electrical, and/or plumbing subcontractors is subject to the same timelines as the pre-qualification of general contractors as set forth above.

Please note where mechanical, electrical, and plumbing subcontractors must meet pre-qualification requirements, general contractors will be required to specify subcontractors who have already been pre-qualified with the District or if the Contractor intends on using a mechanical, electrical, and/or plumbing subcontractor who is not on the District's Bidder's List, then such Contractor must ensure that its mechanical, electrical, and/or plumbing subcontractor(s) have submitted a prequalification questionnaire to the District as required by this Notice and are pre-qualified with the District in accordance with the timelines and procedures applicable to all Bidders.

Contractors seeking prequalification must answer all questions. However for contractors seeking to prequalify as subcontractors only, responses to Part I, Questionnaire Question Number 5 and Part II, D, Questionnaire Question Numbers 14, 15, and 16 will not be rated.

Notwithstanding the requirements for mechanical, electrical, and/or plumbing subcontractors, please be advised that the Manteca Unified School District may require, as to such other subcontractors, one of the following:

- The qualification of subcontractors in the following crafts or trades, following acceptance of your bid, but before the award is made:  
  
\_\_\_\_\_
- Pre-qualification of all subcontractors.
- Pre-qualification of subcontractors in certain crafts.
- Post-bid qualification review.

**PREQUALIFICATION QUESTIONNAIRE**

**CONTACT INFORMATION**

Contractor \_\_\_\_\_  
(as it appears on license)

Check one of the following:

- Corporation
- Partnership
- Sole Proprietorship
- Joint Venture

Contact Person: \_\_\_\_\_

Address (City, State, Zip): \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_ Company Website: \_\_\_\_\_

Contractor's License Number(s) and Types (Please include expiration date):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Tax ID Number \_\_\_\_\_

If firm is a sole proprietor or partnership:

Owner(s) of Company \_\_\_\_\_

Company Union Status:      Union              Non-Union

Minority Status:      MBE              DBE              DVBE              SBE              DBE

Other Minority Certification: \_\_\_\_\_

## PREQUALIFICATION QUESTIONNAIRE

### **PART I. ESSENTIAL REQUIREMENTS FOR QUALIFICATION**

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

**To Contractors seeking prequalification as a subcontractor only: You must respond to all Part I questions, however your response to Part I, Question Number 5 will not be rated.**

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

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

**NOTE: A financial statement that is not either reviewed or audited is not acceptable. A letter verifying availability of a line of credit may also be attached; however, it will be considered as supplemental information only, and is not a substitute for the required financial statement.**

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<sup>1</sup> A “no” answer to Question 4 will not be disqualifying if the contractor is exempt from complying with Question 4, for reasons explained in footnote 3.

<sup>2</sup> A contractor disqualified solely because of a “Yes” answer given to question 6, 7, or 9 may appeal the disqualification and provide an explanation of the relevant circumstances during the appeal procedure.

<sup>3</sup> Public Contract Code section 20101(e) exempts from this requirement a contractor who has qualified as a small business pursuant to Government Code section 14837(d)(1), if the bid is “no more than 25 per cent of the qualifying amount provided in section 14837(d)(1).” As of August 12, 2013, the qualifying amount is \$10 million, and 25 per cent of that amount, therefore, is \$2.5 million.

5. Have you attached a notarized statement from an admitted surety insurer (approved by the California Department of Insurance) and authorized to issue bonds in the State of California, which states: (a) that your current bonding capacity is sufficient for the project for which you seek pre-qualification if you are seeking pre-qualification for a single project; or (if you are seeking pre-qualification valid for a year) (b) your current available bonding capacity?<sup>4</sup>
- Yes       No

**NOTE: Notarized statement must be from the surety company, not an agent or broker. Contractors seeking prequalification as a subcontractor only: You must respond to this question, however you will not be rated according to your response.**

6. Has your contractor's license been revoked at any time in the last five years?
- Yes       No
7. Has a surety firm completed a contract on your behalf, or paid for completion because your firm was default terminated by the project owner within the last five (5) years?
- Yes       No
8. At the time of submitting this pre-qualification form, is your firm ineligible to bid on or be awarded a public works contract, or perform as a subcontractor on a public works contract, pursuant to either Labor Code section 1777.1 or Labor Code section 1777.7?
- Yes       No

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

\_\_\_\_\_

9. At any time during the last five years, has your firm, or any of its owners or officers been convicted of a crime involving the awarding of a contract of a government construction project, or the bidding or performance of a government contract?
- Yes       No

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<sup>4</sup> An additional notarized statement from the surety may be requested by Manteca Unified School District at the time of submission of a bid, if this pre-qualification package is submitted more than 60 days prior to submission of the bid.

**PREQUALIFICATION QUESTIONNAIRE**

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

**A. Current Organization and Structure of the Business**

**For Firms That Are Corporations:**

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

Name	Position	Years with Co.	% Ownership	Social Security #

- 1d. Identify every construction firm that any person listed above has been associated with (as owner, general partner, limited partner or officer) at any time during the last five years.  
**NOTE: For this question, "owner" and "partner" refer to ownership of ten per cent or more of the business, or 10 per cent or more of its stock, if the business is a corporation.**

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

**For Firms That Are Partnerships:**

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

Name	Position	Years with Co.	% Ownership	Social Security #


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

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

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

**For Firms That Are Sole Proprietorships:**

1a. Date of commencement of business. \_\_\_\_\_

1b. Social security number of company owner. \_\_\_\_\_

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

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

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

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

1a. Date of commencement of joint venture. \_\_\_\_\_

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

a. Name of firm	% Ownership of Joint Venture

**B. History of the Business and Organizational Performance**

2. How many years has your organization completed work for public agencies? Years: \_\_\_\_\_

3. Has your organization ever been licensed in California under a different name or different license number?

Yes  No

If “yes,” please list all name(s) and license number(s), on a separate signed page.

4. Are you currently pre-qualified with any other school district?

Yes  No

If yes, please identify the school district(s), with contact information and the dollar rating that you have been pre-qualified for at such school district(s), on a separate signed page.

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

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

Yes  No

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

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

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

Yes  No

If “yes,” explain on a separate signed page. Please include all name(s) and license number(s)

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

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

Yes  No

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

List your firm’s gross revenues for each of the last three years:

Year: \_\_\_\_\_ \$ \_\_\_\_\_

Year: \_\_\_\_\_ \$ \_\_\_\_\_

Year: \_\_\_\_\_ \$ \_\_\_\_\_

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

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

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

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

In what type of construction do you specialize?: \_\_\_\_\_

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

Number of projects: \_\_\_\_\_ Year: \_\_\_\_\_ Amount of Largest Project: \_\_\_\_\_

**C. Licenses**

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

\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_

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

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

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

Yes       No

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

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

Yes       No

If "yes," please explain on a separate signed sheet.

**D. Surety and Bonding Information**

Bonding capacity: **Please provide a letter stating bondability from current surety company.** Also, please provide documentation from your surety (not agency) identifying the following: **Note: Contractors seeking prequalification as a subcontractor only: You must respond to this question, however you will not be rated according to your response.**

Name of bonding company/surety: \_\_\_\_\_

Name of surety agent/contact person, address and telephone number:

\_\_\_\_\_

14. If your firm was required to pay a premium of more than one per cent for a performance and payment bond on any project(s) on which your firm worked at any time during the last three years, state the percentage that your firm was required to pay. You may provide an explanation for a percentage rate higher than one per cent, if you wish to do so. **Note: Contractors seeking prequalification as a subcontractor only: You must respond to this question, however you will not be rated according to your response.**

\_\_\_\_\_

List all other sureties, not agencies (name, contact person, full address, phone number, largest bond obtained) that have written bonds for your firm during the last five years, including the dates during which each wrote the bonds (If necessary, list on separate signed sheet) **Note: Contractors seeking prequalification as a subcontractor only: You must respond to this question, however you will not be rated according to your response.:**

\_\_\_\_\_

\_\_\_\_\_

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- 
15. During the last five years, has your firm ever been denied bond coverage by a surety company, or has there ever been a period of time when your firm had no surety bond in place during a public construction project when one was required? **Note: Contractors seeking prequalification as a subcontractor only: You must respond to this question, however you will not be rated according to your response.**

Yes       No

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

16. At any time during the past five years, has any surety company made any payments on your firm's behalf as a result of a default, to satisfy any claims made against a performance or payment bond issued on your firm's behalf, in connection with a construction project, either public or private? **Note: Contractors seeking prequalification as a subcontractor only: You must respond to this question, however you will not be rated according to your response.**

Yes       No

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

17. Has your firm ever failed to complete a contract?

Yes       No

If "yes," explain on a separate signed page.

How many projects is your firm currently bonded for? \_\_\_\_\_

What are the contract amounts your firm has currently bonded?

Contracts	Amount Bonded

**E. Insurance**

Insurance Company: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Facsimile Number: \_\_\_\_\_

Contact Person: \_\_\_\_\_

18. 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)

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

20. Has your organization ever had insurance terminated by a carrier in the past five (5) years due to an excessive claims history and/or nonpayment of premium?

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

**F. Safety Program & Workers’ Compensation**

Each bidder shall submit a copy of the bidder’s established safety/injury prevention program which complies with the Contract Documents and all applicable governmental regulations. After determination of the successful bidder, its subcontractors must submit a copy of their respective safety/injury prevention programs within five (5) days of the District’s request.

If the bidder and/or its subcontractors have not established a safety/injury prevention program, the bidder and/or its subcontractors agree to implement a mutually agreed upon Project Safety Plan prepared by the District, taking into account the bidder’s experience, expertise, existing labor agreements relating to safety issues and any unique safety issues relating to the project. If the bidder and/or its subcontractors have established a safety/injury prevention program, but the District determines it does not comply with the Contract Documents, all applicable governmental regulations, or is deficient for any reason whatsoever, the bidder and/or its subcontractors agree to implement a mutually agreed upon Project Safety Plan prepared by the District.

Bidder: \_\_\_\_\_

Signature: \_\_\_\_\_

By: \_\_\_\_\_

Date: \_\_\_\_\_

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.

21. 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 1.25 or higher you may, if you wish, attach a letter of explanation.

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

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

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.

23. Has your firm ever received a serious or willful safety violation during the last five (5) years?

Yes       No

If “yes,” attached a separate signed page describing the violation, including information about the dates, the nature of the violation, the project on which the citation(s) was or were issued, the amount of penalty paid, if any.

24. 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 Occupational Safety and Health Appeals Board has not yet ruled on your appeal, you need not include information about it.**

Yes       No

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

25. Has the federal Occupational Safety and Health Administration 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, or if there is a court appeal pending, you need not include information about the citation.**

Yes       No

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

26. Has the EPA or any Air Quality Management District or any Regional Water Quality Control Board or any local authorities cited and assessed penalties against either your firm or the owner of a project on which your firm was the contractor, in the past five years? **NOTE: If you have filed an appeal of a citation and the Appeals Board has not yet ruled on your appeal, or if there is a court appeal pending, you need not include information about the citation.**

Yes       No

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

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

\_\_\_\_\_

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

Daily \_\_\_\_\_ Weekly \_\_\_\_\_ Quarterly \_\_\_\_\_

29. Does your firm currently have a safety plan which complies with the current OSHA standards?

Yes       No

30. Have any of your subcontractors you retained ever received a serious or willful industrial safety violation during the last five (5) years?

Yes       No

If "yes," attach a separate signed page listing each subcontractor, its license number and provide a brief explanation.

#### **H. Prevailing Wage and Apprenticeship Compliance Record**

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

Yes       No

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

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

Yes       No

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

33. 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 the District.

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

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35. 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?

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

Yes       No

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

**I. Disputes**

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

Yes       No

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

37. In the last five years has your firm, or any firm with which any of your company's owners, officers or partners was associated, been debarred, disqualified, removed or otherwise

prevented from bidding on, or completing, any government agency or public works project for any reason?

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

Yes       No

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

38. 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 on a separate signed page. Identify the year of the event, the owner, the project and the basis for the finding by the public agency.

\* \* \* \* \*

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

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

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

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

Yes       No

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

**J. Criminal Matters and Related Civil Suits**

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

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

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

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

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

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

**PREQUALIFICATION QUESTIONNAIRE**

**PART III. FINANCIAL INFORMATION**

Reviewed financial statements are required for this Project.

**1. COMPLETE THIS CERTIFICATE  
FOR A REVIEW OF FINANCIAL STATEMENT**

STATE OF: \_\_\_\_\_

We have examined the Financial Statement of \_\_\_\_\_  
as of \_\_\_\_\_. Our examination was made in accordance with generally  
accepted auditing standards, and accordingly included such tests of the accounting records and  
such other auditing procedures as we considered necessary in the circumstances.

In our opinion, the accompanying financial statement included on pages \_\_\_\_\_ to \_\_\_\_\_,  
inclusive, sets forth fairly, in all material respects, the financial condition of  
\_\_\_\_\_ as of \_\_\_\_\_, in conformity with  
generally accepted accounting principles.

\_\_\_\_\_  
(Type Name of Firm)

\_\_\_\_\_  
(Accountant Signature)

\_\_\_\_\_  
(Telephone Number)

\_\_\_\_\_  
(License Number)

Special Note to Accountant: The above Certificate 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 ten percent  
financial interest.

**PREQUALIFICATION QUESTIONNAIRE**

ACCOUNTANT'S RELEASE LETTER

By signing the form below, I authorize the Manteca 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.

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Signature

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Printed Name / Title

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Company Name

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Date

**PREQUALIFICATION QUESTIONNAIRE**

PREQUALIFICATION STATEMENT FOR  
MANTECA 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. In executing this Declaration, I hereby permit the Manteca Unified School District to contact any owner, school district, contractor, subcontractor, supplier or any other party that the Manteca Unified School District deems relevant for purposes of verifying or gathering any information necessary to complete the evaluation of this pre-qualification submittal.

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 partner, 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.