



Ventura County Harbor Department

**Prequalification Questionnaire for
Contractors Seeking to Bid on**

**Channel Islands Harbor
Administration Building Replacement
3900 Pelican Way, Oxnard, CA 93035**

**CONFIDENTIAL
NOT OPEN TO PUBLIC INSPECTION**

Date Issued: August 3, 2017

Date Due: August 18, 2017, 4:30 p.m.

**REQUEST FOR PREQUALIFICATION OF BIDDERS COMMENCING
WITH FORTHCOMING PUBLIC WORK BID**

Notice is hereby given that all bidders on construction of the *Channel Islands Harbor Administration Building Replacement* project (“the project”) to be undertaken by the County of Ventura, by and through its Harbor Department, must be prequalified by the Harbor Department prior to submitting a bid on the project. It is mandatory that all Contractors who intend to submit a bid, fully complete the prequalification questionnaire, provide all materials requested herein, and be approved by Harbor Department to be on the final qualified Bidders list. No bid will be accepted from a Contractor that has failed to comply with these requirements. If two or more business entities submit a bid as part of a Joint Venture, or expect to submit a bid as part of a Joint Venture, each entity within the Joint Venture must be separately qualified to bid. The last date and time to submit a fully completed questionnaire is August 18, 2017 by 4:30 p.m. Contractors are encouraged to submit pre-qualification packages as soon as possible, so that they may be notified of omissions of information to be remedied or of their pre-qualification status well in advance of the bid advertisement for this project.

The project, in a waterfront location, includes demolition of existing facilities, construction of a two-story office building of approximately 9,000 square feet, site stabilization work, marine rock revetment, parking lot, and associated appurtenant work. Please note: the project specifications may include special provisions to ensure that contractors or subcontractors performing the site stabilization and/or marine rock revetment have experience completing similar work.

Answers to questions contained in the attached questionnaire, information about current bonding capacity, notarized statement from surety, documentation of safety qualifications, and the most recent reviewed or audited financial statements, with accompanying notes and supplemental information, are required. Harbor Department will use these documents as the basis of rating Contractors as qualified or not to bid on the project. Harbor Department reserves the right to check other sources available. Harbor Department’s decision will be based on objective evaluation criteria.

Harbor Department reserves the right to adjust, increase, limit, suspend or rescind the pre-qualification rating based on subsequently learned information. Contractors whose rating changes sufficient to disqualify them will be notified, and given an opportunity for a hearing consistent with the hearing procedures described below for appealing a prequalification rating.

While it is the intent of the pre-qualification questionnaire and documents required therewith to assist Harbor Department in determining bidder responsibility prior to bid and to aid Harbor Department in selecting the lowest responsible bidder, neither the fact of prequalification, nor any prequalification rating, will preclude Harbor Department from a post-bid consideration and determination of whether a bidder has the quality, fitness, capacity and experience to satisfactorily perform the proposed work, and has demonstrated the requisite trustworthiness.

One copy of the pre-qualification package should be submitted under seal and marked “CONFIDENTIAL” to:

Project Manager
Ventura County Harbor Department
3900 Pelican Way
Oxnard, CA 93035

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

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

Harbor Department reserves the right to waive minor irregularities and omissions in the information contained in the prequalification application submitted, to make all final determinations, and to determine at any time that the prequalification procedures will not be applied to a specific future public works project.

Contractors may submit prequalification packages during regular working hours on any day that the Harbor Department offices are open. Contractors who submit a complete pre-qualification package will be notified of their qualification status no later than ten business days after submission of the information.

Harbor Department may refuse to grant prequalification where the requested information and materials are not provided, or not provided by August 18, 2017, at 4:30 p.m. There is no appeal from a refusal for an incomplete or late application. The closing time for bids will not be changed in order to accommodate supplementation of incomplete submissions, or late submissions.

Where a timely and completed application results in a rating below that necessary to pre-qualify, an appeal can be made. An appeal is begun by the Contractor delivering notice to Harbor Department, at the address specified above, of its appeal of the decision with respect to its pre-qualification rating and grounds for its appeal, no later than ten business days after receipt of notice of its qualification status. Without a timely appeal, the Contractor waives any and all rights to challenge the decision of the Harbor Department, whether by administrative process, judicial process or any other legal process or proceeding.

If the Contractor gives the required notice of appeal and requests a hearing, the hearing shall be conducted so that it is concluded no later than ten business days after Harbor Department's receipt of the notice of appeal. The hearing shall be an informal process conducted by the Harbor Director, or an individual to whom the Harbor Director has delegated responsibility to hear such appeals. At or prior to the hearing, the Contractor will be advised of the basis for Harbor Department's pre-qualification determination. The Contractor will be given the opportunity to present information and present reasons in opposition to the rating. Within one day after the conclusion of the hearing, the Harbor Director will render their decision. It is the intention of Harbor Department that the date for the submission and opening of bids will not be delayed or postponed to allow for completion of an appeal process.

Note: A contractor may be found not prequalified for either:

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

CONTACT INFORMATION

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

Contact Person Name/ E-mail: _____

Mailing Address: _____

Phone: _____ Fax: _____

If firm is a sole proprietor or partnership:

Owner(s) of Company: _____

CA CSLB License Number(s), Classifications and Expiration Dates:

Department of Industrial Relations Public Works Registration Number:

PART I. ESSENTIAL REQUIREMENTS FOR QUALIFICATION

Contractor will be immediately disqualified if the answer to any of questions 1 through 6 is “no.”

Contractor will be immediately disqualified if the answer to any of questions 7, 8, 9 or 10 is “yes.”¹ If the answer to question 9 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 valid and current California Department of Industrial Relations Public Works Registration Number.
 Yes No
3. 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
4. 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
5. Have you attached your latest copy of a reviewed or audited financial statement with accompanying notes and supplemental information?
 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.

6. Have you attached a statement from an admitted surety insurer (approved by the California Department of Insurance) confirming that your current bonding capacity is sufficient for the project for which you seek pre-qualification?²
 Yes No

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

¹ A contractor disqualified solely because of a “Yes” answer given to question 7, 8, or 10 may appeal the disqualification and provide an explanation of the relevant circumstances during the appeal procedure.

² An additional notarized statement from the surety may be requested by Harbor Department 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.

7. Has your contractor's license been revoked at any time in the last five years?
 Yes No
8. 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
9. 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:

10. 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

PART II. ORGANIZATION, HISTORY, and ORGANIZATIONAL PERFORMANCE

A. Current Organization and Structure of the Business

- 1a. Date of formation: _____
- 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 (10) percent or more of the business, or ten (10) percent or more of its stock, if the business is a corporation.

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

B. History of the Business and Organizational Performance

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

- 3. How many years has your organization been in business in California as a contractor under your present business name and license number? _____ years
- 4. 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.

5. Was your firm in bankruptcy at any time during the last five years? (This question refers only to a bankruptcy action that was not described in answer to question 7, above)
 Yes No
If “yes,” please attach detailed explanation.

Licenses

6. 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.
7. 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.
8. 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.

Disputes

9. 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 information necessary to fully explain the assessment of liquidated damages.
10. 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.
11. 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.

* * * * *

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.

If either answer is “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).

12. 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
13. In the past five years has your firm made any claim against a project owner concerning work on a project or payment for a contract and **filed that claim in court or arbitration**?
 Yes No

* * * * *

Criminal Matters and Related Civil Suits

14. 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.
15. 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.
16. 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.

Bonding

17. 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.

18. 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?
 Yes No
If “yes,” provide details on a separate signed sheet.

C. Safety Qualification

19. List your firm’s Experience Modification Rate (EMR) (California workers’ compensation insurance) for each of the past three premium years:
NOTE: An Experience Modification Rate is issued to your firm annually by your workers’ compensation insurance carrier.

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

20. 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

21. Provide letter-sized copies of your firm’s OSHA No. 300, Log of Work-Related Injuries and Illnesses, and OSHA No. 300A, Annual Summary of Work-Related Injuries and Illnesses, covering the past three (3) years.

- a. Average Lost Workday Incident Rate (LWIR). Provide your firm’s LWIR for the past three (3) complete years. The lost workday information is listed on your OSHA forms 300 and 300A and is available from your workers comp insurance carrier.

LWIR = (Total number of lost workday incidents x 200,000)/Total employee hours worked

- b. Average Recordable Incident Rate (RIR). Provide your firm's RIR for the past three (3) complete years. The Incident Rate information is listed on your OSHA form nos. 300 and 300A and is available from your workers' comp insurance carrier.

$$\text{RIR} = (\text{Total number of recordable incidents} \times 200,000) / \text{Total employee hours worked}$$

Prevailing Wage and Apprenticeship Compliance Record

22. 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.

23. 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).

PART III. RECENT CONSTRUCTION PROJECTS COMPLETED

24. Contractor shall provide the following information about its six most recently completed public works projects and its three largest completed private projects within the last three years. **Names and references must be current and verifiable.** If needed, use separate sheets of paper that contain all of the following information:

- a) Project Name
- b) Location
- c) Owner
- d) Owner Contact (name and current phone number)
- e) Description of Project, Scope of Work Performed
- f) Original Contract Price
- g) Total Value of Construction (including change orders)
- h) Completion Date

* * * * *

CERTIFICATION

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

Dated: _____

(Name)

(Title)