

**JEFFERSON UNION HIGH SCHOOL DISTRICT
PREQUALIFICATION INFORMATION FOR
PROSPECTIVE PRIME CONTRACTORS**

May 2024

I. BACKGROUND AND OVERVIEW

Pursuant to Public Contract Code section 20111.6, the Jefferson Union High School District ("District") is prequalifying prime contractors (referred to herein as "prime contractors") to perform construction work on lease-leaseback projects. As a condition of being awarded a contract to perform any of the construction work on the aforementioned projects, the District requires prospective prime contractors to: (1) complete a prequalification questionnaire on the form supplied by the District as **Attachment "1"** attached hereto ("Prequalification Questionnaire"); and (2) provide financial information to the District (collectively, the Prequalification Questionnaire and financial information are referred to as the "Prequalification Package").

Once the prequalification process is complete, the District will notify the prime contractors whether they meet the prequalification requirements. Prequalification will be valid for one (1) calendar year following the date of initial prequalification. Prime contractors who are prequalified must update prequalification forms as their status or information changes.

The District reserves the right to: (1) request that prime contractor(s) update prequalification forms at any time; (2) revoke, rescind, and/or reuse the prequalification status of a prime contractor; and/or (3) use some or all of the information provided in the Prequalification Package for evaluation purposes.

The District will only enter into an agreement with a prime contractor who has been prequalified by the District.

II. PREQUALIFICATION PROCESS

The following process will govern the conduct of prime contractor prequalification for the aforementioned projects. A prime contractor who submits a complete Prequalification Package thereby consents to and will comply with the procedures outlined below and as set forth in greater detail in this document.

A. Submittal. All prospective prime contractors who wish to qualify for work on the lease-leaseback projects shall submit a Prequalification Package in a sealed envelope to:

Jefferson Union High School District
Attn: Stefanie Phillips
699 Serramonte Boulevard, Suite #100
Daly City, CA 94015
"Prime Contractor Prequalification Response"

The District reserves the right to request, receive, and evaluate supplemental information after the above time and date at its sole discretion.

For information regarding the prequalification process, please email Stefanie Phillips at spillips@jeffersonunion.net.

B. Form. Each prime contractor shall fully complete the Prequalification Package and timely submit all documents as indicated therein. Prime contractor must use the prequalification forms specified by the District to meet these requirements. Prime contractor shall submit one (1) completed Prequalification Package with required attachments in hard copy format (i.e., 8-1/2" x 11" paper) in a sealed envelope as indicated above. Incomplete Prequalification Packages will be considered nonresponsive and disregarded.

C. District's Review. Information submitted in the Prequalification Package shall not be public information and shall not be open to public inspection, to the extent permitted by law. Prime contractors that have submitted a Prequalification Package shall receive written notification of their prequalification status. The District reserves the right, in its sole discretion, to reject any or all Prequalification Packages or to waive irregularities in any Prequalification Package received.

D. Addenda. Any addenda issued by the District will be faxed, mailed, or sent by messenger service to all prime contractors known to the District to have received this Prequalification Information form and who have provided a complete and legible physical address, telephone number, fax number, and email address for receipt of addenda. The receipt of all addenda must be acknowledged on the prime contractor's Prequalification Questionnaire.

E. Nonresponsiveness. A prime contractor's Prequalification Package shall be deemed nonresponsive if:

1. Prime contractor does not provide all requested information.
2. The Prequalification Questionnaire is not signed under penalty of perjury by individuals who have the authority to bind the prime contractor on whose behalf they are signing.

F. Incomplete, Misleading or Inaccurate Information. A prime contractor's Prequalification Package shall be rejected if:

1. Any information provided by the prime contractor is misleading or inaccurate in any material manner (e.g., financial resources are overstated; previous violations of law are not accurately reported).
2. Any information contained in the Prequalification Package is not updated under penalty of perjury when it is no longer accurate.

Even after a prime contractor has been prequalified, the District reserves the right to revoke that determination at any subsequent time, to terminate any contract awarded, and to cease making payments if it subsequently determines that any information provided by the prime contractor in its Prequalification Package, or any updates thereto, was incomplete, misleading, or inaccurate in any material manner.

III. QUALIFICATION CRITERIA

A. Essential Criteria. As detailed herein, each potential prime contractor must provide specific information that will be reviewed and scaled by the District. Any prime contractor who cannot satisfy all of the following requirements (“Essential Criteria”), regardless of the ranking or ability to meet other criteria, will not be prequalified:

1. Licensure. The prime contractor shall hold a current, active license that has been consistently active for at least five (5) years and that has not been suspended or revoked.

2. Registration. The prime contractor shall be currently registered as a Public Works prime contractor with the Department of Industrial Relations.

3. Disqualification. The prime contractor shall not have been disqualified, debarred, forbidden, or found non-responsible, or otherwise prohibited, from performing work for and/or bidding on work for any school district or other public agency within the State of California for the past five (5) years.

4. Insurability. The prime contractor shall demonstrate that it holds the insurance as indicated in the Prequalification Package.

5. Bonding Capacity. The prime contractor shall demonstrate that it provide a ten percent (10%) bid bond, a hundred percent (100%) payment bond, and a hundred percent (100%) performance bond, each issued by a surety admitted and authorized to transact business as a surety in California.

6. Violations of Regulations or Laws. The prime contractor, or any of its owners or officers, shall not have been convicted of a crime involving the bidding, award or performance of a contract of a government construction project or fraud, theft, or any other action of dishonesty within the past five (5) years.

B. Other Criteria

As stated above, each prime contractor must satisfy all of the Essential Criteria, regardless of its ranking or ability to meet other criteria or the prime contractor will not prequalify.

The Prequalification Questionnaire contains questions for which a numerical score will be given for specific answer(s). A prime contractor must receive a minimum number of points, regardless of its ability to meet other criteria, or the prime contractor will not prequalify to perform work on this Project. Even if a prime contractor meets the Essential Criteria and receives at least the minimum number of points, the District reserves the right to disqualify that prime contractor on other grounds.

The District will use some or all of the following criteria in qualifying each prime contractor. The District reserves the right to modify the following criteria and to add or delete criteria at its sole discretion at any time prior to opening the Prequalification Package(s).

1. Previous Experience. The prime contractor shall demonstrate experience working on school or community college district projects approved by the Division of the State Architect ("DSA"), including the following:

a. Previous or current contracts for similar types of modernization projects that demonstrate equivalent quality design, detailing, finishes and construction.

b. Experience in managing projects of similar scale and complexity with strict budget and schedule compliance.

2. Business History. The prime contractor has a history of having continuously been in business as a licensed contractor.

3. Workers' Compensation Experience Modifier. The District will consider the prime contractor's workers' compensation experience modification rate for the past three (3) years.

4. Financial Strength. The prime contractor shall demonstrate its financial ability to undertake and complete the Project.

IV. APPEALING A QUALIFICATION FINDING

A prime contractor may appeal the District's decision. If a prime contractor decides to appeal the District's qualification decision, it shall follow this procedure:

A. Prime contractor shall submit, in writing, within three (3) working days from notification, a request for a written response from the District to explain any aspect of the District's determination.

B. Within three (3) working days from receipt of the District's written response to the prime contractor's request, prime contractor may submit, in writing, a request for a meeting with the District's staff. Prime contractor may submit with the request any information that it believes supports a finding that District's determination should be changed.

If the prime contractor chooses not to avail itself of this process, the proposed prequalification rating may be adopted by the District without further proceedings.

ATTACHMENT "1"

Prequalification Questionnaire

[REMAINDER OF PAGE INTENTIONALLY BLANK; EXHIBIT FOLLOWS]

**JEFFERSON UNION HIGH SCHOOL DISTRICT
LEASE-LEASEBACK PREQUALIFICATION QUESTIONNAIRE FOR
PROSPECTIVE PRIME CONTRACTORS**

May 1,2024

Pursuant to Public Contract Code section 20111.6, each prospective prime contractor shall submit the following information to establish its qualifications to perform construction work as the prime contractor on District lease-leaseback projects, including lease-leaseback projects which use or may use funds received pursuant to the Leroy F. Greene School Facilities Act of 1998 or any funds received, including funds reimbursed, from any future state school bond for a public project that involves a projected expenditure of one million dollars (\$1,000,000) or more.

A. CONTRACTOR'S CONTACT INFORMATION

Firm name: _____

Address: _____

Telephone: _____

Fax: _____

Mobile Telephone: _____

E-mail: _____

By: _____ Date: _____

(Name of individual completing statement)

Years in business as a licensed contractor: _____

Types of work performed with own forces: _____

Years in business under current firm name: _____

Years at the above address: _____

B. CURRENT ORGANIZATION AND STRUCTURE OF THE BUSINESS

1. For Firms that Are Corporations:

- a. Date incorporated : _____
- b. Under the laws of what state: _____
- c. Provide all the following information for each person who is either (a) an officer of the corporation (president, vice president, secretary, treasurer), or (b) the owner of at least 10% of the corporation’s stock.

Name	Position	Years with Co.	% Ownership

2. For Firms that Are Partnerships or LLCs:

- a. Date of formation: _____
- b. Under the laws of what state: _____
- c. Provide all the following information for each partner or member who owns ten percent (10%) or more of the firm.

Name	Position	Years with Co.	% Ownership

3. For Firms that Are Sole Proprietorships:

- a. Date of commencement of business: _____

4. For Firms that Intend to Bid as a Joint Venture:

- a. Date of commencement of joint venture: _____
- b. Provide all of the following information for each firm that is a member of the joint venture that expects to bid on one or more projects. Attach all additional references and/or information on separate signed sheets.

Name of Firm	% of Ownership of Joint Venture

5. Associated Firms

For any of the above business structures, 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 past three (3) years.

Person’s Name	Name of Construction Firm & License No.	Dates of Person’s Participation with Firm

Attach all additional references and/or information on separate signed sheets.

C. HISTORY OF THE BUSINESS AND ORGANIZATIONAL PERFORMANCE

1. Has there been any change in ownership of the firm at any time during the past five (5) 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 sheet.

2. Is the firm a subsidiary, parent, holding company, or affiliate of another construction firm? NOTE: Include information about other firms if one firm owns 10% 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 sheet. Include name of the related company and percent ownership.

3. Are any corporate officers, partners or owners connected to any other construction firms? NOTE: Include information about other firms if an owner, partner, or officer of your firm holds a similar position in another firm.

Yes No

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

4. Has any owner, partner, CSLB qualifier or corporate officer of the firm operated as a contractor under any other name or license number (not listed above) in the last five (5) years?

Yes No

If "yes," explain on a separate signed sheet, including the name and license number of the other company.

5. State your firm's gross revenues for each of the past three (3) years:

Year	Gross Revenue
	\$
	\$
	\$

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

7. Is your firm currently the debtor in a bankruptcy case or was in bankruptcy at any time during the last five (5) years?

Yes No

If "yes," please attach a copy of the bankruptcy petition and a copy of the Bankruptcy Court's discharge or any other document that ended the case, if any.

LICENSES/REGISTRATION

8. Please provide the following licensing information:

- a. Name of license holder exactly as on file with the California State License Board: _____
- b. License classification(s): _____
- c. License #: _____
- d. Expiration Date: _____
- e. Public Works Contractor’s Registration # as on file with Department of Industrial Relations: _____

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

- Yes No

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

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

- Yes No

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

DISPUTES

11. At any time in the last five (5) years, has your firm been assessed liquidated damages under a construction contract with another public or private owner?

- Yes No

If “yes,” explain on a separate signed sheet, identifying projects by owner, owner’s address, and date of completion.

12. At any time in the last five (5) years, has your firm, or any owners, officers or partners, been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any public works project?

- Yes No

If “yes,” explain on a separate signed sheet, including the name of the person who was associated with that company, the year of the event, owner, owner’s address and basis for the action.

13. Is your firm, or any owners, officers or partners, presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or Board?

- Yes No

If "yes," explain on a separate signed sheet, including the name of the person who was associated with that company, the year of the event, owner, owner's address and basis for the action.

- 14.** At any time in the last five (5) years, has a public agency found your company was not a responsible bidder?

Yes No

If "yes," explain on a separate signed sheet, including the year of the event, owner, owner's address and basis for the finding.

- 15.** In the past five (5) years, has any claims exceeding \$50,000 against your firm or by your firm against an owner been filed in court or arbitration concerning your firm's work or payment on a construction project?

Yes No

If "yes," explain on a separate signed sheet, including the project name, court or arbitration case name and number, and a brief description of the status of the claim.

INSURANCE

- 16.** Does Prime contractor have liability insurance policy with a policy limit of at least \$2,000,000 per occurrence and \$4,000,000 aggregate?

Yes No

If "No," provide on a separate signed sheet what limits are available to the Prime contractor.

- 17.** Does Prime contractor have current workers' compensation insurance policy as required by the California Labor Code or is legally self-insured pursuant to California Labor Code section 3700 *et seq.*?

Yes No

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

Yes No

If "yes," explain on a separate signed sheet, including the name of the insurance carrier, form of insurance and year of the refusal.

CRIMINAL MATTERS AND RELATED CIVIL SUITS

- 19.** Has your firm or any of its owners, partners or officers 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 sheet, identifying who was involved, name of the public agency, date of the investigation and grounds for the filing.

20. In the last five (5) years, has your firm or any of its owners, partners or officers ever been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction, including but not limited to, a contract of a government construction project; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property?

Yes No

If "yes," explain on a separate signed sheet, identifying who was involved, name of the public agency, date of conviction and grounds for the conviction.

21. Is your firm or any of its owners, partners or officers presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph 20 of this questionnaire?

Yes No

If "yes," explain on a separate signed sheet, identifying who was involved, name of the public agency, date of conviction and grounds for the conviction.

SAFETY

22. Within the past five (5) years, has the California or federal OSHA cited and assessed against your firm, or any associated firm, for "serious," "willful" or "repeat" violations of its safety or health regulations?

Yes No

If "yes," explain on a separate signed sheet, identifying the citation(s), nature of the violation(s), project, and amount of penalty paid, if any.

23. Within the past five (5) years, has the EPA or any Air Quality Management District or any Regional Water Quality Control Board cited and assessed penalties against your firm or the owner of the project on which your firm was the Contractor?

Yes No

If "yes," explain on a separate signed sheet, describing the citation(s).

- 24.** State the Prime contractor's Workers' Compensation Experience Modification Rate for the past three (3) premium years:

Year	Modification Rate

If your EMR is 1.00 or higher, you may attach a letter of explanation.

- 25.** Within the past five (5) years, has there ever been a period when your firm and/or any associated firm had employees but was without workers' compensation insurance or state-approved self-insurance?

Yes No

If yes, explain on separate sheet, including the date(s) and reason(s) for the absence of workers' compensation insurance.

PREVAILING WAGE AND APPRENTICESHIP COMPLIANCE

- 26.** In the past five (5) years, has there been more than one occasion in which your firm was required to pay either back wages or penalties for your firm's failure to comply with California prevailing wage laws or federal Davis-Bacon prevailing wage requirements?

Yes No

If "yes," explain on a separate signed sheet, describing the nature of the violation(s), project, owner, and amount paid, if any.

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

Yes No

If "yes," explain on a separate signed sheet, including date(s) of such findings and attaching the DAS' final decision(s).

BONDING

- 28.** 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 your current bonding capacity (both single job limit and aggregate limit)? NOTE: Contractor must have independent capacity to provide a 10% bid bond, 100% payment bond, and 100% performance bond, each issued by an admitted surety insurer, without bonding by subcontractors.

Yes No

- 29.** Provide the name, address and telephone number of the surety agent: _____

30. List all sureties that have written bonds for your firm currently and during the last five (5) years:

Name	Address	Dates of bonds

31. In the last five (5) years, has any surety paid on your firm’s behalf as a result of a default to satisfy any claims made against a payment or performance bond issued on your firm’s behalf?

- Yes No

If “yes,” explain on a separate signed sheet, including the amount of each claim, name and telephone number of claimant, date of and grounds for the claim, and present status.

32. If your firm was required to pay a premium of more than 1% for a performance and payment bond on any project on which your firm worked in the last five (5) years, state the percentage that your firm was required to pay: ____.

You may explain on a separate sheet, why you were required to pay a premium of more than 1%.

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

- Yes No

If “yes,” explain on a separate signed sheet, including the name of the surety company and the period during which your firm had no bond in place.

D. PROJECT REFERENCES

On the form attached as Exhibit A, list all California K-12 projects (both under construction and completed) during the past five (5) years, **using the lease-leaseback project delivery method** in which the Contractor under all firm names identified in Section B has participated. Use and attach additional signed sheets when needed to explain or clarify any response or to include more responses with all requested information.

E. FINANCIAL INFORMATION

Prime contractor must submit a reviewed financial statement with accompanying notes and supplemental information for the past two (2) full fiscal years. A letter verifying availability of a line of credit may also be attached; however, it will be considered supplemental information only, and is not a substitute for the required financial statement.

CERTIFICATION

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct:

Date: _____

Proper Name of Prime Contractor: _____

Signature by an officer of the Prime Contractor: _____

Print Name: _____

Title: _____

EXHIBIT A

1. Project Name/Identification:

- a. Project Name: _____
- b. Project address/location: _____
- c. Owner (name of district reference and tel. no.): _____

- d. Architect (name and tel. no.): _____
- e. Construction Manager (name and tel. no.): _____
- f. Scope of Work: _____

- g. Was/Is this a lease-leaseback project? _____
- h. Original completion date: _____
- i. Actual date of completion: _____
- j. Time extensions granted: _____
- k. Initial contract value: _____
- l. Final contract value: _____

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____
Name _____