

Interim-Superintendent Michael Krause

ADELANTO ELEMENTARY SCHOOL DISTRICT

CONTRACTOR'S STATEMENT OF EXPERIENCE & FINANCIAL CONDITION (SHORT FORM)

I. Request for Prequalification of Bidders

As a condition of bidding for this project, and in accordance with California Public Contract Code Section 20111.5, all prospective bidders are required to submit to the Adelanto Elementary School District ("District") a completed set of prequalification documents by completing all of the documents contained herein, OR must have on file with Adelanto Elementary School District a letter of approved prequalification for the current calendar year. These documents will be the basis for determining which bidders are qualified to bid this project. Bids will not be accepted if a Contractor has not been prequalified. Ratings of individual firms will only be disclosed upon written request by that firm.

The District reserves the right to check other available sources.

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

II. <u>District's Prequalification Standards</u>

- 1. Contractor's Statement of Experience
- 2. Insurance and Safety Record
- 3. Surety and Bonding Capacity
- 4. Arbitration and Litigation History
- 5. Certificate of Licensed Public Accountant
- 6. Accountant's Release Letter
- 7. Declaration (see page 20)

A prequalification package may be required for each project. The District may, at any time, specifically request a new prequalification package, in which case the Contractor must comply within thirty days or the rating on file may, at the discretion of the District, be considered expired. A Contractor may also file new packages at more frequent intervals if there is a substantial change in the Contractor's financial status or work experience, at which time; a new rating will be issued.

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

1. Omission of requested information



Interim-Superintendent Michael Krause

- 2. Falsification of information
- 3. Excessive stop notices, prevailing wage violations or construction claims
- 4. Debarment from the Division of Labor Standards Enforcement
- 5. Have had a surety complete work on any contract in the last 10 years
- 6. Are unable to demonstrate bonding capacity or ability to obtain required insurance
- 7. Is not duly licensed to perform the required work
- 8. Has not had the requisite public works experience

III. Financial Information

A. Financial Capability Statement Requirements

Financial statements will be required for all Projects. Audited statements are preferred and will be given a higher score than unaudited financial statements or records. The financial statement should indicate financial capability to perform basic District Projects.

B. Financial Capacity

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

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

In the event that the Contractor's job income and expenditures are accounted on a completed contract basis and the balance sheet includes an item reflecting the excess of costs to date over billing to date, or vice versa, the elements of "Accumulated Cost" and "Billings to Date" must be shown in support of the balance sheet item.

C. Accountant's Certificate and Release



Interim-Superintendent Michael Krause

A certificate of a licensed Certified Public Accountant is preferred

D. Term of Financial Statements

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

IV. Public Works Requirements

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

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

V. Bondability

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

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

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

VI. Declaration

The attached declaration must be completely executed.

VII. Notification and Due Process of Results



Interim-Superintendent Michael Krause

Contractors will be notified of their prequalification rating by telephone/fax followed by mail. Notification will be made as soon as possible, but not later than 24 hours prior to bid opening as required by law.

If the Contractor chooses to challenge the disqualification, the Contractor shall provide a written request within two (2) working days after notification requesting a hearing. The District shall establish a committee for the hearing to review the facts and reconsider the disqualification. This committee shall render a final and binding decision within five (5) working days of the hearing.

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

VIII. Submission of Completed Statements

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

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

IX. Rating Procedure

The District has pre-established a rating system for prequalification of bidders. Contractors who receive the requisite number of points based on this rating system will be issued bidding documents and allowed to submit bids for the project. Contractors who do not receive the requisite number of points based on this rating system, or are disqualified under Section II, will not be considered qualified to submit bids for the project. The bidder shall be afforded due process prior to final disqualification.

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



Interim-Superintendent Michael Krause

PREQUALIFICATION DOCUMENTS & FORMS

LICENSE & BACKGROUND INFORMATION

Contra	ctor:(As nar	me appears on license)		
Check	one of the follo	owing:		
	Corporation Partnership Sole Proprieto Joint Venture	orship		
Addres	ss:			
City, S	tate, Zip:			
	Address:			
	Number:		Facsimile Number:	
	e Number(s):		Classifications:	
-	tion Date:			
	Number:			
	umber:			
Date B	Susiness Formed	d:	Date Incorporated:	
If a con	rporation, unde	r the laws of what state was	s corporation organized: _	
1.		ears has your organization esent business name and lice		ifornia as a contractor
2.	Is your firm cu	urrently the debtor in a bank	cruptcy case? Yes	No 🗌
3.		is not currently in bankrup five years? Yes	otcy, was your firm in b	ankruptcy at any time
	If yes, please e	explain:		



4.	Has there been any recent	change (last f	our years) in control of ye	our firm?
	Yes No No			
	If yes, please explain:	<u>—</u>		
	Is your firm or its owner holding or affiliate?	ers connected	with other companies	as a subsidiary, parent,
	Yes No No			
	If yes, please explain:			
List al	ll corporate officers, partner	rs, proprietors,	owners and key personne	el:
	Name	Yrs w/	Position	% of
		Firm		Ownership
-				
_				
5.	Has your firm or any of is suit, or found guilty in misrepresentation to any p	a criminal a	ction, for making any	
	Yes No No			
	If yes, please explain:	<u> </u>		
6.	Has your firm or any of involving any federal, stat			
	Yes No No			
	If yes, please explain:			



7.	Has any California State License Board held by your firm or its Responsible Managing
	Employee (RME) or Responsible Managing Officer (RMO) been suspended or revoked
	within the past five years?
	Yes No No
	If yes, please explain:
8.	In what type of construction do you specialize?:
9.	What was the largest amount of work completed in one year?:
	# of projects: amount of largest project:



Interim-Superintendent Michael Krause

PREQUALIFICATION DOCUMENTS & FORMS

INSURANCE INFORMATION

	tly have a minimum of surance? Please provide				
Yes 🗌 💮 1	No (Please provid	e a current Ceri	tificate of In	nsurance as 1	verification)
Insurance Company:					
Address:					
City, State, Zip:					
Phone Number:		Facsimile Nu	mber:		
Contact Person:					
How long have you bee	en with this insurance cor	npany?			
If less than two years, p	blease list prior insurance	companies bel	ow:		
Insurance Company	Address	Phone	Contac	et Person	Year(s)
renew the insur-	years, has any insuranc		nny form o	of insurance	, refused to
Yes No If yes, please ex	_l xplain:				



Interim-Superintendent Michael Krause

PREQUALIFICATION DOCUMENTS & FORMS

SURETY INFORMATION

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

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

or has there eve	er been a period	your firm ever been of time when your fi hen one was required	irm had no suret	•	
Yes No No	1				
If yes, explain:					



13. At any time during the past five years, has an your firm's behalf to satisfy any claims made issued on your firm's behalf in connection wi private?	against a performance or payment bond
Yes No No	
If yes, explain:	
14. Has your firm ever failed to complete a contract Yes No I If yes, explain:	t?
How many projects is your firm currently bond	ed for?
What are the contract amounts your firm has cu	rrently bonded?
Contracts	Amount Bonded



<u>Interim-Superintendent</u> <u>Michael Krause</u>

PREQUALIFICATION DOCUMENTS & FORMS

<u>PERFORMANCE</u>

	What size proj	ects do you feel your firm can undertake?
	Single	project \$ Total work in progress \$
15.	Has your firm time?	ever failed to complete a public contract within the authorized contract
	Yes 🔲	No 🗌
	If yes, explain	;
16.		uring the last five years, has your firm been assessed and paid liquidated completion of a project, under a construction contract with either a public y?
	Yes 🔲	No 🗌
	If yes, explain	:
17.	•	outstanding liens/stop notices for labor and/or material filed against your ntracts which have been done or are being done by your firm? No
	If yes, explain	; <u> </u>
18.	owners, office otherwise prev works project	e years, has you firm, or any firm with which any of your company's ers or partners was associated, been debarred, disqualified, removed or vented from bidding on, or completing, any government agency or public for any reason? No
	If yes, explain	
19.		e years, has your firm been denied an award of a public works contract ling by a public agency that your company was not a responsible bidder?
	Yes 🗌	No 🗌
	If yes, explain	<u>. </u>



Interim-Superintendent Michael Krause

PREQUALIFICATION DOCUMENTS & FORMS

SAFETY PROGRAM & WORKERS' COMPENSATION

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

List your firm's Experience Modification Rate (EMR) (California Workers' Compensation Insurance) for each of the past premium years: Current Year: Previous Year: Year Prior to Previous Year: 21. 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 \square No \square If yes, explain: 22. Has there been more than one occasion during the last five years on which your firm was required to pay either back wages or penalties for your firm's failure to comply with the state's prevailing wage laws? (NOTE: This question refers only to your own firm's violation of prevailing wage laws, not to violations of the prevailing wage laws by a *subcontractor.*) Yes \square No \square If yes, explain: 23. During the last five years, has there been more than one occasion on which your own firm has been penalized or required to pay back wages for failure to comply with federal Davis-Bacon prevailing wage requirements? Yes No \square If yes, explain:



Interim-Superintendent Michael Krause

PREQUALIFICATION DOCUMENTS & FORMS

INDUSTRIAL SAFETY RECORD

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

24. Has your firm ever received a serious or willful industrial safety violation during the five (5) years?	last
Yes No No	
If yes, explain:	
25. Has CAL OSHA cited and assessed penalties against your firm for any "serio "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 He Appeals Board has not yet ruled on your appeal, you need not include information as it.)	s? (ealth
Yes No No If yes, explain:	



26. Has any one of the following agencies: the federal Occupational Safety and Health Administration, the EPA or any Air Quality Management District cited and assessed penalties against your firm in the past five years? (NOTE: If you have filed an appeal of a citation and the Appeals Board has not yet ruled on your appeal, you need not include information about it.)
Yes No No
If yes, explain:
27. How often do you require documented safety meetings to be held for construction employees and filed supervisors during the course of a project?
28. How often do you conduct documented safety inspections on a construction site? Daily Weekly Quarterly
29. Have any of the subcontractors you retained ever received a serious or willful industrial safety violation during the last five (5) years? Yes No
If yes, list each subcontractor and explain below. (Please use additional pages if necessary)
Subcontractor: License No.:
Explain:
Subcontractor: License No.: Explain:
Dapium.



<u>Interim-Superintendent</u> <u>Michael Krause</u>

PREQUALIFICATION DOCUMENTS & FORMS

ARBITRATION & LITIGATION HISTORY

(Copy as necessary to report all claims)

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

30.	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 No
	If yes, please provide the project name, date of the claim, name of the claimant, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution):
31.	In the past five years, has any claimant against your firm made any claim against a project owner concerning work on a project or payment for a contract, and filed that claim in court or arbitration?
	Yes No No
	If yes, please identify the claim by providing the project name, date of the claim, name of the entity (or entities) against whom the claim was filed, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution):



Interim-Superintendent Michael Krause

PREQUALIFICATION DOCUMENTS & FORMS

FINANCIAL INFORMATION

COMPLETE THIS CERTIFICATE FOR A REVIEW ONLY OF FINANCIAL STATEMENT

(If certified or audited Financial Statement is Provided)

	ecompanying financial statement of as of The efinancial statement is the representation of the management
paragraph(s), we are not a	h the exception of the matter(s) described in the following ware of any material modifications that should be made to the atements in order for them to be in conformity with generally ples.
(Type Name of Firm)	(Accountant Signature)
(Telephone Number)	(License Number)

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

Special note to Accountant:

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



<u>Interim-Superintendent</u> <u>Michael Krause</u>

PREQUALIFICATION DOCUMENTS & FORMS

ACCOUNTANT'S RELEASE LETTER

By signing the form below, I authorize the Adelanto Elementary 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.

Print Name	Signature
	-
	Title
	G N
	Company Name
	D .
	Date



Interim-Superintendent Michael Krause

Date: _____

PREQUALIFICATION DOCUMENTS & FORMS

GENERAL LETTER OF CREDIT

33. The following form may be completed by your bank to augment your Working Capital. If it

contains sub	•	isions, and is addre	n letterhead, provided the Letter of Credit essed to the Adelanto Elementary School
DATE:			
SUBJECT:	General Letter of Cre	dit	
Reference is made to	the prequalification of		
(Name of Contractor)		
of school district fac credit to exceed \$_	ilities, we certify that the	e above Contractor	construction, alteration and maintenance has been extended an unqualified line of credit will not be withdrawn or reduced
	this letter of credit is to Contractor during the ter		strict solely for determining the financial cation with the District.
(Name of Financial I	nstitution)	Institut	ion No. Code:
(Address)			
(City)		(State)	(Zip)

(Please Type or Print Name and Title)



<u>Interim-Superintendent</u> <u>Michael Krause</u>

PREQUALIFICATION DOCUMENTS & FORMS

FINANCIAL INSTITUTION RELEASE LETTER

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

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

Print Name	Signature	
	Title	
	Company Name	
	Date	
Verified by Adelanto Elementa	ry School District	
Name	Date	



Interim-Superintendent Michael Krause

PREQUALIFICATION DOCUMENTS & FORMS

PREQUALIFICATION STATEMENT FOR

ADELANTO ELEMENTARY 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.

\Box <u>DECLARATION</u> \Box
I,(printed name) hereby declare that I am the(title) of(name of bidder) submitting this Prequalification statement; that I am duly authorized to execute this Prequalification Statement on behalf of the above-named company; and that all information set forth in this Prequalification Statement and all attachments hereto are, to the best of my knowledge, true, accurate, and complete as of its submission date. I acknowledge that any false statements, inaccuracies or failure to disclose are grounds for disqualification.
I declare, under penalty of perjury, that the foregoing is true and correct and that this declaration was Subscribed at (location and city), County of, State of, on (date).
(Signature)
(If signed by other than the sole proprietor, a general partners, or corporate officer, attach

original notarized power of attorney or corporate resolution.)

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