

Name of Prequalifying Contractor: _____



**APPLICATION FOR PRE-QUALIFICATION of
GENERAL CONTRACTORS and
PRIME CONTRACTORS**

(for construction contracts valued at more than \$500,000)

for

SAN DIEGO COMMUNITY COLLEGE DISTRICT

For the Period from July 1, 201 to June 30, 201

Application for Prequalification must be received at least two weeks prior to any bid opening that your firm wishes to bid on, to allow time for review, verification and approval.

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GENERAL INFORMATION

All firms interested in bidding as a General or Prime contractor (for construction contracts valued at more than \$500,000) for the San Diego Community College District Projects listed under Proposition S and N must complete this Pre-Qualification Application and be approved by the San Diego Community College District ("District"). Only Applicants that are pre-qualified will be permitted to submit a bid for these construction projects.

The District intends to enter into contracts with contractors to construct public works of improvement funded by Propositions S and N as well as state and other funds. The District is dedicated to encouraging full participation of local minority, small and other disadvantaged businesses in its projects.

Public Contract Code §20651.5 permits the Governing Board of any Community College District to require each prospective bidder for a contract, as described under §20651, to complete and submit to the District a standardized questionnaire and financial statement in a form specified by the District, including a complete statement of the prospective bidder's financial ability and experience in performing public works construction. In accordance with §20651.5, the District has developed a Pre-Qualification Application which must be completed in advance by all firms seeking to bid these projects.

Only one copy of the Application is required to be submitted.

All pre-qualified firms must submit a Validation Form with the bid package certifying that the information contained in the Application has not changed. If the information has changed or the firm's ownership or financial status has changed, the firm must attach a separate sheet with a full explanation. Any new annual financial statements or tax returns published since submittal of the Pre-Qualification Application must also be attached. A copy of the Validation Form is attached hereto.

A person who is knowledgeable and duly authorized to attest to the past and present operations of the Applicant and its policies must complete the Application. An Application certification page must be signed by the preparer and by at least one general partner, owner, principal, or executive officer of the firm who is authorized to legally commit the firm. More than one certification page may be necessary. All questions must be answered. Disclaimers, general statements with global qualifications, or notations of "Not Applicable" are not acceptable. Any pages containing supplemental information and/or other documentation which the Applicant submits to ensure full disclosure, should be attached to the Application. Applicants are encouraged to submit Applications as soon as possible to allow Pre-Qualification prior to submission of a bid or proposal. Completed pre-qualification forms should be submitted two (2) weeks prior to bid, or as advertised.

The Applicant must provide current, accurate, and complete information. Incomplete or inaccurate documentation may result in denial of Pre-Qualification. The District reserves the right to verify the information submitted by the Applicant, in any related documents, or by supplemental information or data as necessary. If it is determined that false information or data was submitted in conjunction with the Application, the District may deny Pre-Qualification, revoke previously granted approval, or, if an award has been made, may terminate the contract.

All costs associated with completion of the Application shall be borne by the Applicant. The District shall not, in any event, be liable for any expense incurred by the Applicant in connection with the preparation, completion or submission of the Application. The financial information submitted in conjunction with the Applicant's Application is considered confidential business information and will be afforded protection to the fullest extent permitted by law.

The Pre-Qualification Application consists of three (3) primary review modules, which will be used to review the Applicants.

Module 1: The first module consists of a list of threshold questions to which the Applicant must answer “No”. If the Applicant answers “Yes” to any of the threshold questions, the Application will automatically be rejected. If the Applicant answers “No” to all of the questions, the Application will proceed to the second module.

Module 2: The second module consists of a list of “Rating Questions” all of which the Applicant must answer. If the Applicant’s score on the second module meets the minimum of at least 75, the application will proceed to the third module. If the Applicant’s score on the second module is not sufficient, the Application will be rejected.

Module 3: The third module consists of a list of reference interview questions, which will be asked of previous client project contacts by Application Review Panel. If the Applicant’s score on the third module is sufficient, the Application will be approved. If the Applicant’s score on the third module is not sufficient, the Application will be rejected. Module 3 will only be utilized if the Application Review Panel determines the application warrants further review.

In summary, the Applicant must successfully pass all three modules of the Application in order for the Applicant to be Pre-Qualified for these Projects.

The Pre-Qualification of a prospective Applicant shall not limit or preclude the District’s subsequent consideration of a Pre-Qualified Applicant’s responsibility on factors other than the prospective Applicant’s financial qualifications. (See Public Contract Code §20651.5.)

Applicants shall mail or hand deliver completed Application in an envelope clearly marked Application for Pre-Qualification of General Contractors for San Diego Community College District to:

Gafcon, Inc.
SDCCD Prequalification
3443 Camino Del Rio South, Suite 311
San Diego, CA 92108

The following can result in denial of Pre-Qualified status:

1. Failure to submit any material information required on the questionnaire;
2. Deliberate submission of false information;
3. Debarment or suspension by any public entity;
4. Conviction of a crime or public offense; or,
5. Any combination of substantive factors including, but not limited to, disregard of laws and regulations, history of failure to perform in other contracts, unresolved tax liens, etc., which, in the sole discretion of the District, do not meet the standards of fitness or reliability expected from firms wishing to do business with the District.

Once the review and evaluation is complete, the Applicant will be notified by email whether the Pre-Qualification has been approved or denied. Only Applicants for whom the Pre-Qualification Application has been approved will be permitted to submit a bid for any San Diego Community College Propositions S and N construction contracts valued at more than \$500,000.

Prequalification is valid for a maximum of one year and expires on June 30 each year, at which time a prequalified contractor may fill out a requalification application to extend their status through June 30 of the following year.

The District reserves the right to revoke the prequalified status of any contractor that is not performing appropriately on SDCCD projects or other projects.

Any Applicant denied Pre-Qualification has a right to appeal the decision. The Applicant has five (5) business days from the date of the Denial Notification to file a written appeal with the District's Program Management Consultant, Gafcon at the Application submittal address shown above. The District will call to order a three-member Review Panel for appeals. None of the Review Panel members shall have participated in the prior review of the Application. Upon receipt of the written appeal, the Review Panel will meet to address the appeal. The Panel may consult with District counsel during its review. The Panel will examine the appeal and the facts surrounding the determination before making a decision. The Panel's decision is the final decision of the District. There are no further administrative appeals. The District's formal contract protest procedure is not applicable or available in this appeal process.

Note 1: If your firm was prequalified by the San Diego Community College District prior to July 1, 2008, or has not yet been prequalified, please submit a Prequalification Questionnaire. Do not submit a Requalification Questionnaire.

Note 2: If a firm's current ration falls below the 1.20:1, SDCCD reserves the right to review and consider other pertinent financial information and ratios.

SECTION 1 – CONTRACTOR'S GENERAL INFORMATION

CONTRACTOR'S STATEMENT OF EXPERIENCE AND FINANCIAL CONDITION

Please Type or Print Clearly

Prime Contractor			
Contact Person	Name as it appears on license		
Mailing Address	Street Address		
	City	State	Zip code
Contact Information	Phone/Mobile		Fax
	Email Address		
Check One	Corporation:		
	Partnership:		
	Sole Prop.:		
	Joint Venture:		
Type of Business (Using NAIC codes)			No. of Employees:
			Company-wide: <input type="text"/>
			Local San Diego: <input type="text"/>
MBE Certified:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Contractor's License #:
WBE Certified:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
DBE Certified:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Class(es):
DVBE Certified:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
SBE Certified:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Exp. Date:
African American	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Native American	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Hispanic American	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Asian/Pacific Islander/Asian Indian American	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

Have you ever been licensed in California under a different name or different license number?

Yes No If Yes, list name(s) and license number(s):

Tax ID Number:

Date Business Formed:

1. In the past ten (10) years, what other business ventures have the principal or corporate officers been involved in?

Name	Type of Business	Dates

2. Has there been any change in control of the company within the past two years? (If yes, explain on separate signed page.)

Yes No

3. Is the company or its owners connected with other companies as a subsidiary, parent, holding or affiliate?

Yes No

If yes, please list the names of said companies and the relationship with the Applicant:

4. Corporate Officers - Partners - Proprietor - Owners - Key Personnel:

Name	Position	Years with Firm	% of Ownership	SSN

5. If a corporation, date of corporation:		State:	
6. If a partnership, date of formation:		State:	

7. In what type of construction do you specialize?

8. What was the largest amount of work completed in one year?

Dollar amount	Number of Jobs	Year	Largest Job	Amount
\$				\$

9. List annual gross income for the last three (3) years:	Year:		\$	
	Year:		\$	
	Year:		\$	

10. Are you currently pre-qualified with any other school or community college district other than San Diego Community College District in the State of California?

Yes No

If yes, please list district and dollar rating

	\$	
	\$	
	\$	
	\$	

11. Have you ever been denied pre-qualification status?

Yes No

If yes, please list name of agency and date of denial:

	Date:	
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I hereby allow the agent of the San Diego Community College District to contact the district(s) above to discuss my rating/pre-qualification/denial of pre-qualification.

Signature _____ Date _____

Name/Title _____

SECTION 2 - THRESHOLD QUESTIONS (Module 1)

Applicant will be immediately disqualified if the answer to any of the questions below is "Yes".

Refusal to answer or omission of response to any question on this form will result in disqualification of Applicant.

1. Is your firm's license currently **SUSPENDED** or **INACTIVE** as recorded by the California State License Board (CSLB)?

Yes No

2. Is your firm's bonding capacity **LESS THAN** the value of the project that your firm is bidding on?

Yes No

3. Has your firm completed **FEWER THAN** five (5) public works construction projects within the last five (5) years?

Yes No

4. Has your firm completed **FEWER THAN** two (2) school (K-12 or higher education) construction projects within the last five (5) years, with single contract values greater than \$500,000?

Yes No

5. Is your firm currently **INELIGIBLE** to bid on public works projects in accordance with Section 1777.1 of the California Labor Code?

Yes No

6. Has your firm's Worker's Compensation Experience Modification Rate, as averaged over the past three or five (3 or 5) years, **EXCEEDED** 1.00?

Yes No

7. In the last five (5) years, has your firm had **MORE THAN** five (5) serious violations* as defined by Cal-OSHA?

Yes No

8. In the last five (5) years, has your firm had **MORE THAN** two (2) repeat violations* as defined by Cal-OSHA?

Yes No

9. In the last five (5) years, has your firm had **ANY** willful violations of any occupational safety or health standard, order, or Section 25910 of the California Health and Safety Code?

Yes No

10. An Injury and Illness Prevention Program (IIPP) in accordance with California Labor Code Sections 3201.5 or 6401.7 is required for firms seeking to prequalify. Has your firm **FAILED** to implement an IIPP?

Yes No

11. In the last five (5) years, has your firm, or any key Person in your firm (RMO, RME, Principal, Owner, or Project Manager), had any license revoked by the Contractors State License Board (CSLB)?

Yes No

12. Workers Compensation Insurance (as required by the California Labor Code) or adequate Self Insurance (in accordance with California Labor Code Section 3700 et. seq) is required for firms seeking to prequalify. Does your firm currently FAIL to meet these requirements?

Yes No

13. In the last five (5) years, has your firm, or any key Person in your firm, been convicted of a crime involving the awarding of a contract of a government (local, state or federal) construction project, or the bidding or performance of a government contract?

Yes No

14. In the last five (5) years, has your firm, or any key Person in your firm, been “defaulted” or “terminated” by an owner (other than for convenience of the project owner) or has your surety completed a contract for your firm?

Yes No

15. Has your firm, or any key Person in your firm, ever been found guilty in a criminal action, for making any false claim or material misrepresentation to any public agency or entity?

Yes No

16. In the last ten (10) years, has your firm, or any key Person in your firm, ever been convicted of a crime involving any federal, state or local contracts?

Yes No

17. In the last ten (10) years, has your firm been involved in any litigation with the San Diego Community College District, filed any claims against the San Diego Community College District, or had any claims filed against it by the San Diego Community College District?

Yes No

18. In the last five (5) years, has your firm been assessed damages (liquidated or actual) by any owner on any project?

Yes No

19. According to your firms most recent financial review or audit (must be dated within the past 12 months), is your firms Asset to Liability Ratio LESS THAN 1.20:1?

Yes No

20. In the last five (5) years, has your firm declared or filed for bankruptcy?

Yes No

***Violation definitions/classifications can be found at the following website:**

<http://www.dir.ca.gov/DOSH/>

These definitions are accurate as of the publishing of this document. Gafcon is not responsible for third party information.

If the answer to ALL of the above questions is NO, please proceed with completion of this Application.

SECTION 3- RATING QUESTIONS (Module 2)

Highest Possible Rate = 100 Points. A score less than 75 points will disqualify you from this prequalification process. "You" or "Your" refer to the Applicant listed in Section 1.

Question	Response	Points (For office use only)
<p>1. How many years has your organization been in business in California as a contractor under your present business name and license number?</p> <p>(5 Yrs. or less = 0 pts., 6-15 Yrs. = 3 pts., >15 = 6 pts)</p>	Years	pts
<p>2. How many years' experience does your RMO/RME have as a licensed contractor?</p> <p>(5 Yrs. or less = 0 pts., 6-10 Yrs. = 3 pts., >10 = 6 pts.)</p>	Years	pts
<p>3. Has your firm or the RMO/RME ever had their contractor's licenses suspended, put on probation, or revoked? (Check One)</p> <p>(Revoked = 0 pts., probation = 3 pts., suspended = 2 pts., never suspended or on probation = 6 pts.)</p>	Never Suspended or on Probation Suspended Probation Revoked	pts
<p>4. How many years has your firm performed construction work to public agencies under the California Division of State Architect (DSA) rules and regulations?</p> <p>(5 Yrs. or less = 0 pts., 6-15 Yrs. = 3 pts., >15 = 6 pts.)</p>	Years	pts
<p>5. How many times in the last ten (10) years has your company received "Non-responsive Notices" on public works contracts during the prequalification review?</p> <p>(>2 = 0 pts., 1 = 2 pts., 0 = 5 pts.)</p>	Notices	pts
<p>6. Within the last five (5) years, how many times has your company filed "Requests to be Released" from bid on public works contracts?</p> <p>(>2 = 0 pts., 1 = 2 pts., 0 = 5 pts.)</p>	Requests	pts
<p>7. Within the last five (5) years, how many times has your company filed two (2) or more Requests for Substitution of Listed Subcontractors that were denied?</p> <p>(≥2 = 0 pts., 1 = 2 pts., 0 = 5 pts.)</p>	Requests	pts

<p>8. Within the last ten (10) years, how many lawsuits brought by suppliers, subcontractors, prime contractors, or owners have been defended in court by your firm?</p> <p>PLEASE EXPRESS AS A RATIO OF NUMBER OF LAWSUITS PER NUMBER OF PUBLIC WORKS CONTRACTS THAT YOUR FIRM HAS ENGAGED IN.</p> <p>Example: If your firm has engaged in 100 public contracts in the past 10 years, and has had 7 lawsuits brought by any of the above mentioned parties, the proper response would be 7/100 or .07.</p> <p>(>0.10 = 0 pts., .01 - .09 = 3 pts., Less than .01 = 10 pts.)</p>	Ratio	pts
<p>9. Within the last ten (10) years, how many times has your company been awarded a public works contract in which you “failed to execute” a contract? Note: “Failure to Execute” is any of the following: (1) Refusal to pick up, sign, and/or return contract documents; (2) Inability to obtain insurance and/or bond requirements; or (3) Failure to submit required agreement forms such as a Project Stabilization Agreement.</p> <p>(≥2 = 0 pts., 1 = 3 pts., 0 = 7 pts.)</p>	Times	pts
<p>10. Within the last ten (10) years, how many legal proceedings (including arbitration, mediation, or other dispute resolution proceedings) have you initiated against an owner, regardless of outcome?</p> <p>(>3 = 0 pts., 1-3 = 3 pts., 0 = 6 pts.)</p>	Proceedings	pts
<p>11. Within the last ten (10) years, how many legal proceedings (including arbitration, mediation, or other dispute resolution proceedings) has an owner initiated against you, regardless of outcome?</p> <p>(>3 = 0 pts., 1-3 = 3 pts., 0 = 6 pts.)</p>	Proceedings	pts
<p>12. Has an owner ever made a demand on your performance bond?</p> <p>(Yes = 0 pts., No = 10 pts.)</p>	Yes No	pts
<p>13. Has your firm ever had insurance terminated by a carrier in the past five (5) years due to an excessive claims history and/or nonpayment of premium?</p> <p>(Yes = 0 pts., No = 10 pts.)</p>	Yes No	pts
<p>14. Within the past five (5) years, have any of your employees or another entity (including an Owner) filed a complaint against your firm with the California Contractors State License Board? If yes, how many complaints were filed?</p> <p>(>3 = 0 pts., 3 = 2pts., 2 = 3 pts., 1 = 4 pts., No = 6 pts.)</p>	Yes No Complaints	pts

<p>15. Within the past five (5) years, have there been any findings against your firm based on complaints by any of your employees or subcontractor employees filed with the DIR, Divisions of Labor Standards Enforcement? If yes, how many findings? (>3 = 0 pts., 3 = 2pts., 2 = 3 pts., 1 = 4 pts., No = 6 pts.)</p>	<p>Yes No Findings</p>	<p>pts</p>
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SECTION 4 – PERFORMANCE

1. What size projects can your company undertake?

Single job: \$	Total work in progress: \$
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2. List the two (2) - largest public works contracts completed in the State of California in the past five (5) years and provide the requested information for each project listed:

	Owner	Contact & Phone #	Project Name	Contract \$	Year Completed
Project A					
Project B					
			Project A	Project B	
Original contract value:					
Change orders - total value:					
Owner-initiated change orders - % of total:					
Change orders due to differing site conditions - % of total:					
Other change orders - % of total:					
Final contract value:					
Original contract duration - calendar days:					
Final contract duration - calendar days:					
Original contract completion date:					
Actual contract completion date:					
Time extensions voluntarily resolved with owner - calendar days:					
Time extensions involuntarily resolved by mediation, arbitration or litigation –calendar days:					

3. List the three (3) largest contracts completed in the State of California in the past five (5) years not listed in #2 above:

Owner	Contact & Phone #	Project Name	Contract \$	Year Completed



4. Provide a list detailing experience record of proposed construction staff which you intend to assign to the project (project managers, superintendents, foremen, etc.)

5. List all projects completed for School Districts, including community college districts, in the last five (5) years not listed in #2 or #3 above: (Attach separate sheet(s) as needed.)

Owner	Contact & Phone #/ Inspector & Phone #	Job Description	Contract \$	Year Completed

6. List two (2) current Trade Suppliers and three (3) current Trade Subcontractors that you principally work with:

Company	Material or Service Provided	Contact	Phone #

Reference Interview Questions (Module 3)

The following questions will be used to interview randomly selected contacts from at least two (2) completed projects. The District will do this. **No action on your part is necessary.** These questions are for your information only. Highest Possible Rate, for these questions, is 140 Points. A score less than 100 points disqualifies you from bidding projects proposed by San Diego Community College District electing to use this pre-qualification process as a condition of bidding.

Questions

1. Are there any outstanding stop notices or liens currently unresolved on contracts that have had notices of completion recorded? (Max. 10 points)
2. Did the contractor provide adequate personnel? (Max. 10 points)
3. Did the contractor provide adequate supervision? (Max. 10 points)
4. Was there adequate equipment provided on the job? Max. 10 points)
5. Was the contractor timely in providing reports and other paperwork, including change order paperwork? (Max. 10 points)
6. Was the contractor timely in completing the project? (Max. 10 points)
7. Were there excessive change orders on the job that can be faulted to the contractor or subcontractors? (Max. 10 points)
8. When a change order was issued, did the contractor perform the work well, and did it integrate into the existing work easily? (Max. 10 points)
9. How has the contractor been performing in the area of taking care of warranty items? (Max. 10 points)
10. Did you have difficulty with claims? (Max. 10 points)
11. How would you rate the contractor's overall performance? (Max 10 points)
12. Would you want to work with them again? (Max 10 points)
13. Describe any significant safety issues on the Project. (Max 10 points)
14. Subcontractor/supplier question: Does this contractor pay their bills on time? (Max 10 points)

SECTION 5 - INSURANCE

Do you currently have 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 Certificates of Insurance for General Liability and Workers Compensation as verification

AMOUNT OF INSURANCE	\$	Insurance Company Information	
General Liability	\$	Name	
Builder's Risk	\$	Address	
Additional Insured	\$	Phone Number	
Worker's Comp.	\$	Contact	
Years with Insurance Company		Expiration Date	

Note: Please list all insurance companies for the past eight (8) years on a separate page including phone numbers and contact name.

SECTION 6 – FINANCIAL INFORMATION

Reviewed or audited statements are required. A compilation is not acceptable.

Financial Capacity:

1. Contractor **MUST** have a working capital (current assets to current liabilities) ratio of at least 1.2:1 in order to qualify. **If a firm's Current Ratio falls below the 1.20:1 threshold, the District reserves the right to review and consider other pertinent financial information and ratios.**

Yes No

2. The maximum dollar rating for which the Contractor shall be qualified to bid is Ten Times (10x) Bidder's net worth (assets less liabilities). It is estimated that the value of construction for this project will be between:

\$

Based on an	Audit	or	Review	Dated	
1. Ratio Based on Working Capital:			:	1	(must be at least 1.2:1 to qualify)
2. Dollar Rating Based on 10x Net Worth	\$				

ACCOUNTANT'S RELEASE LETTER

By signing the form below, I authorize this pre-qualifying agency to contact our company's licensed accounting firm to verify our most recent audited or reviewed financial statement. I understand the financial statement is confidential information and is not open to public inspection.

Name

Contractor's Signature

Title

Company Name

Date

SECTION 7 - LABOR COMPLIANCE CLEARANCE

Our firm has worked on a Public Sector project in the past three (3) years.

Yes No

If no, this section is not required, please proceed to Section 8.

Do any projects completed for any Public Sector more than six (6) months ago have any outstanding Labor Compliance issues?

Yes No

Has any project been involved with a prevailing wage audit within the past three years?

Yes No

If yes, list any projects completed more than six (6) months or more in the past, which have outstanding Labor Compliance issues.

Project Name	Completion Date	Dollar Amount Withheld

**If any projects are listed, please attach a detailed explanation of the steps taken to date to clear the issue.
Include results of prevailing wage audit(s).**

SECTION 8 – PRE-QUALIFICATION CERTIFICATION FORM

A copy of this certification must be completed and signed by the preparer and by at least one general partner, owner, principal or officer authorized to legally commit the Applicant, and submitted with the Application.

The Applicant recognizes that the information submitted in the questionnaire herein is for the express purpose of inducing the District to award a contract to Applicant. The Applicant has read and understands the requirements of this Pre-Qualification Application and process, and has read and understands the instructions for completing this form. The Applicant acknowledges that he/she is duly authorized to provide the information contained in this Application and that answering the questions in this Application is entirely within his/her control.

DECLARATION

I, (printed name) _____ am the
title) _____ of Applicant. I certify that I have read and understood the questions contained in the attached Application, and that to the best of my knowledge and belief all information contained herein and submitted concurrently or in supplemental documents with this Application is complete, current, and true. I further acknowledge that any false, deceptive or fraudulent statements on the Application will result in denial of Pre-Qualification. I authorize the District to contact any entity named herein, or any other internal or outside resource, for the purpose of verifying information provided in the questionnaire or to develop other information deemed relevant by the District.

Signature of Preparer or Officer of the Applicant

Date

Signature of Preparer or Officer of the Applicant

Date

~~~~~

### **NOTICE TO APPLICANTS**

**A material false statement, omission or fraudulent inducement made in connection with this Pre- Qualification Application is sufficient cause for denial of the Application or revocation of a prior approval, thereby precluding the Applicant from doing business with, or performing work for, the District, either as a vendor, prime contractor, subcontractor, or supplier for a period of three years. In addition, such false submission may subject the person and/or entity making the false statement to criminal charges. [Title 18 USC 1001, false statements; California Penal Code Section 132, offering altered or antedated or forged documents or records; and Section 134, preparing false documentary evidence].**

## SECTION 9 – PRE-QUALIFICATION VALIDATION FORM

This Validation Form must be submitted for each bid or proposal. The Validation Form must be completed and signed by at least one General Partner, Owner, Principal or Officer authorized to legally commit the Applicant. For Applicants who provide additional and/or updated information as indicated below, submission of this Validation Form in advance of the bid or proposal date is encouraged. An evaluation of the new information could result in the change in Pre-Qualification status of the Applicant and if the Pre-Qualification status is denied, bidder may be considered non-responsive.

Bid Name and Number

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### **DECLARATION**

I, (printed full name) \_\_\_\_\_, hereby declare that I am the (position or title) \_\_\_\_\_ of (APPLICANT) \_\_\_\_\_, and that I am duly authorized to execute this Validation Statement on behalf of this entity. I acknowledge that any false, deceptive or fraudulent statements on this validation will result in denial of Pre-Qualification. I hereby state:

The Pre-Qualification Application dated on file with District is correct and current as submitted.

### **OR**

The Pre-Qualification Application dated on file with District is correct and current as submitted, except as modified by the attached changed pages and/or attachments to said Application.

(Applicant may attach additional sheets to describe changes). Attach recent financial statements if previous are more than one year old.

\_\_\_\_\_  
Signature of Person Certifying for Applicant

\_\_\_\_\_  
Date

Name of Applicant: \_\_\_\_\_

Tax ID No. or SSN: \_\_\_\_\_

## **SECTION 10 – CaIEMA CERTIFICATION FORM**

### **Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions**

#### **Instructions for Certification**

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into.

If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.

4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

**Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions**

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

\_\_\_\_\_  
Signature of Preparer or Officer of the Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Preparer or Officer of the Applicant

\_\_\_\_\_  
Date

## LIST OF REQUIRED ATTACHMENTS

- Certificate of Insurance for Workers Compensation and General Liability
- Letter of Bondability
- Reviewed or Audited Financial Statement (dated within the past 12 months)
- Accountant's Release Letter
- Pre-Qualification Certification Form
- CalEMA Certification Form
- California Contractors License
- OSHA 300 Logs for the past 3 years
- Past 8 Years of Insurance History

**Note:**

California Contractors License-the copy must clearly and legibly show: (i) the licensee name; (ii) the expiration date; (iii) the classification(s) of licensure.

If your organization's California Contractors License is issued by virtue of the qualification of a responsible managing employee or responsible managing officer, the Qualifiers Bond if required pursuant to California Business & Professions Code §7071.9.