

**ADDENDUM NO. 4****SUMMARY**

This document includes requirements that clarify or supersede portions of the Request for Proposals. This Addendum is a Contract Document.

General

The following changes, additions and deletions shall be made to the following document(s); all other conditions shall remain the same.

**I. ATTACHMENTS**

<u>ITEM</u>	<u>REFERENCE</u>	<u>DESCRIPTION</u>
1.	None	Best Value Scoring Criteria
2.	None	Prequalification Information
3.	None	Prequalification Questionnaire
4.	None	Contractor Prequalification Renewal Affidavit

**II. CLARIFICATIONS**

<u>ITEM</u>	<u>REFERENCE</u>	<u>DESCRIPTION</u>
1.	RFP	Clarification: All contractors proposing will be required to submit an affidavit updating their prequalification information to remain qualified to bid. The same will be required of previously prequalified subcontractors.

**ATTACHMENT 1**

**Best Value Scoring Criteria**

## Best Value Evaluation Criteria

**Proposal Scoring Criteria:**

Item	Criteria	Maximum Score	Contractor Score
1. Proposed price for mark-ups and other construction charges	Firm's amount and additional information provided is competitive and within the District's past experience for construction charges.	<b>40</b>	
2. Proposed overhead expenses (preliminary services)	Firm's amount and additional information provided is competitive and within the District's past experience for charges for preliminary services for the project.	<b>25</b>	
3. Financing cost	Firm's amount and additional information provided for financing of the Project's construction cost.	<b>5</b>	
4. Personnel / subconsultants	Firm's team members, especially team leaders, demonstrate applicable experience and expertise to perform Services.	<b>15</b>	
5. Schedule	Firm demonstrates ability to prepare and meet achievable construction schedules, schedule management procedures, and successful handling of potential delays.	<b>15</b>	
	<b>Total Points</b>	<b>100</b>	

**Interview Evaluation Criteria:**

INTERVIEWS DURING RFP SELECTION
The District, at its discretion and in order to seek clarification from Firm(s) related to proposals, <i>may</i> conduct interviews during its evaluation of RFPs with some or all of the Firms that respond to an RFP. These interviews will only be for this purpose and will <b>NOT</b> be an opportunity for Firms to substantively revise or change their proposals.

Item	Maximum Interview Points	Contractor's Interview Points
1. <b><u>Past Project/Experience:</u></b> Firm's articulation of Firm's history, education, and background; Firm's experiences working with similar, past projects; issues faced and how addressed (i.e. claims, bonding/surety involvement, owner/school site relations, citations, etc.); and questions, concerns, and highlights from the proposal.	15	
2. <b><u>Scheduling/Constructability:</u></b> Firm's articulation of how it will construct the Projects, its ideas related to constructability, and other construction-specific ideas concerns, or related issues (i.e. schedules, budgets, subcontractor selection, value engineering, etc.).	35	
3. <b><u>Personnel/Leadership:</u></b> Firm's articulation of its Project-designated personnel, leadership, subcontractor relations, apprenticeship program, etc. Firms must bring the project team who will be on the project. No substitutions.	25	
4. <b><u>Overall Ability and General Suitability:</u></b> Firm's articulation of its overall skills, ability to complete the Projects, and general suitability for the District's purposes (i.e. implementation of District policies and procedures, compliance with District Programs, political atmosphere, additional information, etc.).	25	
<b>Total Interview Points</b>	<b>100</b>	

**ATTACHMENT 2**

**Prequalification Information**

# Prequalification for Public Works

## 1. Prequalification General Information

PREQUALIFICATION FOR PUBLIC WORKS PROJECTS IN EXCESS OF \$1 MILLION DOLLARS,  
PURSUANT TO SECTION 20111.6 OF THE PUBLIC CONTRACT CODE

Notification of which projects are subject to prequalification will be included in the applicable bid documents.

In accordance with Section 20111.6 (AB 1565) of the Public Contract Code, All Bidders performing as both a Prime Contractor and General Contractor (A or B license), or an Electrical, Mechanical, and Plumbing Contractor (as a prime contractor or subcontractor) involving projected project total in excess of one million dollars (\$1,000,000) must be prequalified prior to submitting bids.

Prime Contractor and Subcontractor for prequalification purpose are defined in accordance with PCC Section 4113: the word “subcontractor” shall mean a contractor, who contracts directly with the prime contractor. “Prime contractor” shall mean the contractor who contracts directly with the awarding authority.

For projects subject to prequalification, Electrical, Mechanical, and Plumbing contractors are contractors pursuant to Section 7058 of the Business and Professions Code holding a C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43, or C-46 license.

### 1. For projects out to bid and subject to prequalification:

- Bidders may submit a completed prequalification application during the bidding process. A submittal deadline will be included in bid documents.
- A notification of all prequalified bidders will be made available via addendum at least five (5) business days prior to the date fixed for receipt of bids.

2. Prequalified bidders will remain valid for one (1) calendar year following the date prequalified, except that the District reserves the right during that calendar year to suspend or rescind the prequalification ratings based on subsequently learned information and after giving notice of the proposed action to the Contractor and an opportunity for a hearing consistent with the hearing procedures described in the Prequalification Policy and Instructions manual.

3. District reserves the right to reject bids as “non-responsive” for any of the following reasons:

- Prime Contractor is not on the prequalified Contractors List.
- Prime Contractor listed an Electrical, Mechanical, or Plumbing Subcontractor not on the prequalified Contractors List.

**ATTACHMENT 3**

**Prequalification Questionnaire**

**ORINDA UNION SCHOOL DISTRICT**

**PREQUALIFICATION QUESTIONNAIRE**

<b>CONTRACTOR (OR "FIRM") INFORMATION</b>		
Contractor's company name:		
Address:		
Telephone:		
Mobile telephone:		
E-mail:		
Years in business under current company name:		
Years at the above address:		
Types of work performed with own forces:		
Gross revenue of the Firm for the past three (3) years:		
\$	\$	\$
<b>Submit an audited or reviewed financial statement 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 as supplemental information only, and is not a substitute for the required financial statement.</b>		
Name of license holder exactly as on file with the California State License Board:		
License classification(s):		
License Number(s):		
License expiration date(s):		
<b>Department of Industrial Relations registration number (Per Labor Code section 1725.5):</b>		
Number of years license holder has held the listed license(s):		
Number of years Contractor has done business in California under Contractor's license law:		
Number of years Contractor has done business in California under <b>current</b> Contractor's license:		
Has your Firm changed name(s) or license number(s) in the past five (5) years? ( Y / N ). If "yes", explain on a separate signed sheet, including the reason for the change.		
Has there been any change in ownership of the Firm at any time in the past five (5) years? <b>NOTE:</b> A corporation whose shares are publicly traded is not required to answer this question. ( Y / N ). If "yes", explain on a separate signed sheet, including the reason for the change.		
Is the Firm a subsidiary, parent, holding company, or affiliate of another construction firm? <b>NOTE:</b> Include information about other firms if one firm owns ten percent (10%) or more of another, or if an owner, partner, or officer of your Firm holds a similar position in another firm. ( Y / N ). If "yes", explain on a separate signed sheet, the name of the related company(ies) and the percent ownership.		
Indicate the form of Contractor's firm (type of business entity):		
___ Individual		
___ Sole Proprietorship		
___ Partnership		
___ Limited Partnership		
___ Corporation, State: _____		
___ Limited Liability Company		



Joint Venture  
 Other: \_\_\_\_\_

List the following for each corporation officer, general partner, limited partner, owner, etc. (as applicable) for the Contractor's type of entity. For joint ventures, include this information for each entity in the joint venture and the percent ownership of each joint venture. Attach all additional information on separate signed sheets as needed.

Name	Position	Years with Co.	% Ownership

Identify every construction firm, Contractor and/or construction management firm that the Contractor or any person listed above has been associated with (as officer, general partner, limited partner, owner, RMO, RME etc.) at any time during the **past five (5) years** ("Associated Firm"). Include all additional references and/or information on separate signed sheets. NOTE: For this question, "owner" and "partner" refers to ownership of ten percent (10%) or more of the business, or ten percent (10%) or more of its stock if the business is a corporation. include all additional information on separate signed sheets as needed.

Name of Person at Associated Firm	Name of Associated Firm	Contractor's License No. of Associated Firm	Dates of Person's Participation with Associated Firm

**CONTRACTOR'S BONDING COMPANY (SURETY) INFORMATION**

Name(s) of bonding company(ies) your Firm has utilized over the past five (5) years (not broker or agency):


Address(es) of those bonding company(ies):


Number of years Contractor has been with those bonding company/surety:

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Name of broker/agent:

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Address of broker/agent:
Telephone number of broker/agent:
E-mail of broker/agent:
Contractor's total current bonding capacity: \$

<b>CONTRACTOR'S INSURANCE INFORMATION</b>
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Name of insurance company(ies) your Firm has utilized over the past five (5) years (not broker or agency):		

Address of those insurance company(ies):		

"Best" rating(s) for those insurance company(ies):		

Number of years Contractor has been with those insurance company(ies):		

Name of broker/agent:		
Address of broker/agent:		
Telephone number of broker/agent:		
E-mail of broker/agent:		

Contractor's current insurance limits for the following types of coverage:		
Commercial General Liability	Combined Single Limit (per occurrence)	\$
	Combined Single Limit (aggregate)	\$
Product Liability & Completed Operations	(aggregate)	\$
	(per occurrence)	\$
Automobile Liability – Any Auto	Combined Single Limit (aggregate)	\$
Automobile Liability – Any Auto	Combined Single Limit (per occurrence)	\$
Employers' Liability		\$
Builder's Risk (Course of Construction)		

Workers' Compensation Experience Modification Rate for the past five (5) premium years:		
(1) Current year:	(2)	(3)
	(4)	(5)

## QUESTIONS

### Pass/Fail Questions (Essential Criteria)

1.	<p>Has your Firm contracted for and completed construction of a minimum of:</p> <ul style="list-style-type: none"> <li>• <b>\$15 million per year for the last five (5) years</b> of K-12 public schools either new construction or modernization under the State School Building Program administered by the Office of Public School Construction?</li> </ul> <p style="text-align: right;">(Please circle one).</p> <p><b>NOTE:</b> You <b>must</b> list these projects in the “Contractor Project References” Section.</p>	<p><u>YES</u> <u>NO</u> NO = cannot prequalify</p>
2.	<p>Does your Firm currently hold all Contractors’ license(s) necessary to perform the work and have those license(s) been consistently active for at least <b>ten (10) years</b> without revocation or suspension? (Please circle one).</p>	<p><u>YES</u> <u>NO</u> NO = cannot prequalify</p>
3.	<p>Has your Firm or an Associated Firm been found non-responsible, debarred, disqualified, forbidden, or otherwise prohibited from performing work and/or bidding on work for any public agency within California within the past <b>ten (10) years</b>? (Please circle one).</p>	<p><u>YES</u> <u>NO</u> YES = cannot prequalify</p>
4.	<p>Has your Firm or an Associated Firm defaulted on a contract or been terminated for cause by any public agency on any project within California within the past <b>ten (10) years</b> and, if so and if challenged, has that default or termination been upheld by a court or an arbitrator? (Please circle one).</p>	<p><u>YES</u> <u>NO</u> YES = cannot prequalify</p>
5.	<p>Has your Firm or an Associated Firm or any of their owners or officers been convicted of a crime under federal, state, or local law involving:</p> <p style="margin-left: 20px;">(1) Bidding for, awarding of, or performance of a contract with a public entity; (2) Making a false claim(s) to any public entity; or (3) Fraud, theft, or other act of dishonesty, to any contracting party within the past <b>ten (10) years</b>? (Please circle one).</p>	<p><u>YES</u> <u>NO</u> YES = cannot prequalify</p>
6.	<p>Has a performance bond surety for your Firm or a performance bond surety for an Associated Firm had to:</p> <p style="margin-left: 20px;">(1) Take over or complete a project, (2) Supervise the work of a project, or (3) Pay amounts to third parties, related to construction activities of your Firm or an Associated Firm within the past <b>ten (10) years</b>? (Please circle one).</p>	<p><u>YES</u> <u>NO</u> YES = cannot prequalify</p>
7.	<p>Has your Firm’s Workers’ Compensation Experience Modification Rating averaged more than 1.25 over the past five (5) premium years? (Please circle one). Attach proof of Worker’s Compensation Experience Mod Rating for the last 5 years.</p>	<p><u>YES</u> <u>NO</u> YES = cannot prequalify</p>



**If you answered:**  
**“NO” to questions 1-2 or**  
**“YES” to questions 3-7, then STOP.**  
**You are not eligible for prequalification at this time.**

## Scored Questions

1.	<p>Has your Firm paid liquidated damages pursuant to a contract for a project with either a public or private owner within the past <b>ten (10) years</b>? (Please circle one).</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the project name(s), damages(s), and date(s).</p>	<u>YES</u> <u>NO</u>
2.	<p>Has your Firm paid a premium of more than one percent (1.5%) for a performance and payment bond on any project(s) within the past <b>ten (10) years</b>? (Please circle one).</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the project name(s), the premium amount(s), and date(s).</p>	<u>YES</u> <u>NO</u>
3.	<p>Has any insurer had to pay amounts to third parties that were in any way related to construction activities of your Firm within the past five (5) years? (Please circle one).</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the project name(s), the amount(s) paid, and date(s).</p>	<u>YES</u> <u>NO</u>
4.	<p>Has there been a period when your Firm had employees but was without workers' compensation insurance or state-approved self-insurance within the past five (5) years? (Please circle one).</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the reason(s) for not having this insurance and the applicable date(s).</p>	<u>YES</u> <u>NO</u>
5.	<p>Has your Firm declared bankruptcy or been placed in receivership within the past <b>ten (10) years</b>? (Please circle one).</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the type of bankruptcy, the Firm's current recovery plan, and the applicable date(s).</p>	<u>YES</u> <u>NO</u>
6.	<p>Has your Firm been denied bond coverage by a surety company, or has there been a period of time when your Firm had no surety bond in place during a public construction project when one was required within the past <b>ten (10) years</b>? (Please circle one).</p> <p style="text-align: center;">If YES, provide details on a separate signed sheet indicating the date(s) when your Firm was denied coverage and the name of the company or companies which denied coverage; and the period(s) during which you had no surety bond in place.</p>	<u>YES</u> <u>NO</u>
7.	<p>Has a project owner, general Contractor, architect, or construction manager filed claim(s) in an amount exceeding \$50,000 against your Firm, or has your Firm filed claim(s) in an amount exceeding \$50,000 against a project owner, general Contractor, architect, or construction manager in the past <b>ten (10) years</b>?</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the project name(s), claim(s) and the date(s) of claim(s).</p>	<u>YES</u> <u>NO</u>
8.	<p>Has your Firm or an Associated Firm been cited and/or assessed any penalties for non-compliance with state and/or federal laws and/or regulations, including public bidding requirements and Labor Code violations, within the past <b>ten (10) years</b>?</p> <p style="text-align: center;">If "YES," indicate on separate signed sheet(s) the project name(s), violation(s), and date(s) of citation(s) and/or assessment(s).</p>	<u>YES</u> <u>NO</u>
9.	<p>Has your Firm been cited and/or assessed penalties by the Environmental Protection Agency, any air quality management district, any regional water quality control board, or any other environmental agency within the past <b>ten (10) years</b>?</p> <p style="text-align: center;">If "yes," indicate on separate signed sheet(s) the project name(s), violation(s), and date(s) of citation.</p>	<u>YES</u> <u>NO</u>

10.	<p>Has CAL OSHA and/or federal Occupational Safety and Health Administration cited and assessed penalties against your Firm, including any “serious,” “willful” or “repeat” violations of safety or health regulations within the past <b>ten (10) years</b>?</p> <p>If “yes,” indicate on separate signed sheet(s) the project name(s), violation(s), and date(s) of citation. If the citation was appealed and a decision has been issued, state the case number and the date of the decision.</p>	<p><u>YES</u> <u>NO</u></p>
11.	<p>Has your Firm been required to pay either back wages or penalties for its failure to comply with California’s prevailing wage laws, with California’s apprenticeship laws or regulations, or with federal Davis-Bacon prevailing wage laws within the past <b>ten (10) years</b>?</p> <p>If “yes,” indicate on separate signed sheet(s) the project name(s), the nature of the violation(s), the name and owner of the project(s), the number of employees who were initially underpaid and the amount of back wages and penalties that your Firm was required to pay.</p>	<p><u>YES</u> <u>NO</u></p>
12.	<p>Does your Firm require <b>weekly</b>, documented safety meetings to be held for construction employees and field supervisors during the course of a project?</p>	<p><u>YES</u> <u>NO</u></p>
13.	<p>Provide the name, address and telephone number of the apprenticeship program (approved by the California Apprenticeship Council) from whom you intend to request the dispatch of apprentices to your Firm for use on any public work project for which you are awarded a contract by the District.</p>	

## CONTRACTOR PROJECT REFERENCES

List **ALL** projects in which your Firm has participated as the prime Contractor during the past **five (5) years** with a Firm contract value of more than **\$5,000,000**.

- You may limit your response to the **thirty (30)** most-recently completed projects, but you **must** include at least the **four (4)** most recent California K-12 public school projects with a contract value of more than **\$5,000,000** performed by your Firm.
- Include all information indicated below on separate signed sheets as necessary, and explain or clarify any response as necessary

Project name/identification:
Project address/location:
Project owner, contact person, and telephone:
Project architect name and telephone number:
If Contractor was a subcontractor on the project, name of general Contractor and telephone number:
Indicate if the project was under lease-leaseback, design-build, design-bid-build or other delivery structure:
Scope of work:
Original completion date:
Date completed:
Initial contract value (as of time of bid award):
Final contract value:

### 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 Contractor: \_\_\_\_\_  
\_\_\_\_\_

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

By: \_\_\_\_\_  
\_\_\_\_\_ (Print Name)

Title: \_\_\_\_\_  
\_\_\_\_\_

**ATTACHMENT 4**

**Prequalification Renewal Affidavit**

**AFFIDAVIT IN SUPPORT OF REQUEST FOR RENEWAL OF PRE-QUALIFICATION STATUS  
WITH ORINDA UNION SCHOOL DISTRICT**

The undersigned, \_\_\_\_\_, being duly sworn, states the following:

1. I am the \_\_\_\_\_ [owner, officer or managing agent] of \_\_\_\_\_ [name of company] ("Contractor").
2. On \_\_\_\_\_, 20 \_\_\_\_, Contractor submitted a completed Statement of Qualifications, including its responses to perform work on certain District projects ("Projects").
3. The District subsequently informed Contractor that Contractor qualified to bid on the Projects.
4. I hereby submit this affidavit in support of Contractor's request for renewal of its status as a Contractor prequalified to bid on the Projects ("Affidavit").
5. On \_\_\_\_\_, 20 \_\_\_\_, I reviewed the Contractor's 20 \_\_\_\_ SOQ. After reviewing the 20 \_\_\_\_ SOQ, I determined the following:  
  
[ ] None of the Contractor's answers contained in the 20 \_\_\_\_ SOQ need to be updated in order for Contractor's answers to continue to be complete and accurate as of the date of this Affidavit.  
or,  
  
[ ] Attached to this Affidavit are those responses to the questions posed in the 20 \_\_\_\_ Prequalification Questionnaire which have been updated so that Contractor's answers to those questions are complete and accurate as of the date of this Affidavit.
6. On, \_\_\_\_\_, 20 \_\_\_\_, Contractor registered with the California Department of Industrial Relations ("DIR") in order to qualify to perform public works projects in California. A copy of Contractor's proof of registration is attached.
7. The undersigned is duly authorized to execute this Affidavit under penalty of perjury on behalf of the Contractor.
8. The undersigned warrants and represents that he/she has personal knowledge of each of the responses contained in Contractor's 20 \_\_\_\_ SOQ and/or that he/she has conducted all necessary and appropriate inquiries to determine the truth, completeness and accuracy of those responses and, if applicable, any updates to those responses.
9. The undersigned declares and certifies that all of the information contained in this Affidavit, including any attachments, is complete and accurate; there are no omissions of material fact or information that render any response to be false or misleading and there are no misstatements of fact in any of the responses. I declare under penalty of perjury under California law that the foregoing is true and correct.

Executed this \_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_, at \_\_\_\_\_  
City and State

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(Signature) (Typed or written name and title)  
[Notarial Acknowledgement Required]



END OF ADDENDUM