

SAN FRANCISQUITO CREEK JOINT POWERS AUTHORITY
REQUEST FOR INFORMATION FROM PROSPECTIVE BIDDERS
FOR

TIDAL MARSH AND UPLAND HABITAT ENHANCEMENTS IN AND AROUND FABER TRACT MARSH
IN SAN MATEO COUNTY, CA

Notice is hereby given that the San Francisquito Creek Joint Powers Authority (SFCJPA) has determined that all bidders on the project known as TIDAL MARSH AND UPLAND HABITAT ENHANCEMENTS IN AND AROUND FABER TRACT MARSH (Project) to be undertaken by the SFCJPA must be pre-qualified prior to submitting a bid for that project.

Background:

The SFCJPA, through partnerships with its member agencies including the Santa Clara Valley Water District, began construction of the first phase of the San Francisquito Creek Flood Protection, Ecosystem Restoration, and Recreation Project (Program) along the Creek reach between Highway 101 and San Francisco Bay in July 2016.

While the objectives of the Program include ecosystem restoration, and several features of the Program's design will improve habitat quality and quantity for protected species including Salt Marsh Harvest Mouse and Ridgway's Rail, State and Federal agencies with regulatory authority over the Project have requested that specific actions be taken to mitigate for the temporal and permanent impacts of the Program's activities on those species. In order to implement those specific actions, the SFCJPA will advertise for construction bids from licensed construction contractors with the intent of securing a contractor to perform those construction activities (Project).

The SFCJPA has secured an Ecological Restoration consulting firm (Consultant) to develop preliminary designs of the Project features. The SFCJPA is seeking a qualified contractor to finalize habitat restoration design in coordination with Consultant and perform construction services for habitat enhancement features and minor structural elements, along, within, and around San Francisquito Creek, Faber Tract and Outer Faber Tract adjacent to San Francisco Bay in San Mateo County. To be eligible for the contract, prospective bidders shall have experience in design-build projects that develop preliminary (30%) design to final design and construction for similar tidal marsh restoration projects.

Because of the specialized needs of the Project, and because it will be implemented in sensitive habitats that is part of the San Francisco Bay Don Edwards National Wildlife Refuge, the SFCJPA has elected to conduct a pre-qualification process to screen prospective bidders. To qualify for consideration for the contract, prospective bidders must be experienced in habitat restoration site installation and maintenance in tidal San Francisco Bay environments.

Project Description:

The Project consists of two fundamental restoration elements, as well as minor structural elements. Restoration elements include High Tide Refuge Islands and Marsh Perimeter Berm Enhancements. Structural elements include permanent predator exclusionary fencing, pole and chain feature to separate a walking trail from predator trapping areas, and the placement of conical features on top of existing wooden pillars to deter raptor nesting.

High Tide Refuge Islands

The Refuge Islands work consists of furnishing all labor, materials, tools, equipment and incidentals to construct and maintain five (5) earthen refuge islands within the tidally-influenced Outer Faber Marsh, located immediately north of the San Francisquito Creek mouth (Figure 1). Access to Outer Faber Marsh is confined to public trails, vegetated berms, and sensitive marsh habitat. Each island will be built with approximately sixteen (16) cubic yards of imported soil and constructed at low tides. Construction will include laying down temporary boardwalks to protect the marsh, salvaging and stockpiling existing marsh sod; sampling, testing, importing, and placing soil; placing salvaged marsh sod; and installing native plants. The three-year maintenance work will include acquiring replacement native plants from a qualified native plant nursery; installing replacement plants; maintaining logbooks; and performing optional weeding events at the direction of the Owner's Representative/Project Biologist.

Marsh Perimeter Berm Enhancements

The Berm Enhancement Areas work consists of furnishing all labor, materials, tools, equipment and incidentals to revegetate and maintain three (3) earthen berms referred to as the North Berm, East Berm, and South Berm (Figure 1), covering an area of approximately 7.6 acres. The berms are currently dominated by non-native, invasive vegetation. The objective of the work is to convert the berms to native-dominated vegetation suitable as high tide refuge habitat for the California Ridgway's rail and salt marsh harvest mouse. Construction will include performing manual, mechanical, and chemical control of non-native plants; de-compacting soil along an existing trail; installing and testing a rudimentary irrigation system (standpipes, mainlines, and quick coupling valves); installing native plants, including placing soil amendments and wood bark mulch; and constructing a post and cable fence. The three-year maintenance period work will include acquiring replacement native plants from a qualified native plant nursery; installing replacement plants; replenishing wood bark mulch; performing hand watering irrigation events using a watering truck and hoses connected to the irrigation system; maintaining the irrigation system and post and cable fence; maintaining logbooks; and performing optional weeding and irrigation events at the direction of the Consultant.

Structural Elements

Structural elements of the Project are related to predator management and include: 1) installation of a chain-link permanent predator exclusionary fence four feet in height and approximately 30 feet in length, with features along the top that deter raptor perching; 2) a pole and chain barrier approximately 15 feet in length to separate a walking trail from areas used by USDA Wildlife Services Division for predator trapping; and 3) placement of conical features on top of 8 existing wood pillar bridge markers to deter raptor perching.

Design and Construction Process:

The 30% design plans and notes will be utilized for contractor on-boarding. Following contractor selection, the design will be refined through a coordinated effort between the Contractor and the SFCJPA's Design Team. All items not specifically detailed in the plans will be refined during this effort. The majority of construction work will be performed under the supervision of the Consultant.



Figure 1. Vicinity Map
 San Francisco Creek Flood Protection Project
 Conceptual High Tide Refuge Habitat Enhancement Plan (3700-01)
 December 2015

Contractor License Requirement:

Prospective bidders for this work shall possess a valid State Contractor's License in the following category: Class-A (General Engineering)

Pre-Qualification Process:

The SFCJPA has developed a pre-qualification questionnaire, which begins on Page 7 of this document. Prospective bidders must submit a completed questionnaire and all required supporting materials no later than 5:00 pm PST on October 14, 2016 in hard copy to:

Kevin Murray, Contract Manager
SFCJPA
615-B Menlo Avenue
Menlo Park, CA 94025

Please refer to Part III, RECENT TIDAL MARSH RESTORATION PROJECTS COMPLETED, prior to filling out the questionnaire in order to ensure that the prospective bidder meets the basic minimum requirements for pre-qualification. Prospective bidders that do not submit information on three (3) past projects that are comparable to the Project as defined in Part III will not be pre-qualified. The SFCJPA reserves the right to investigate other available sources of information about the past projects for which information has been provided at its discretion.

Not all questions in the questionnaire are scorable; some questions simply ask for information about the contractor's organizational structure, officers, current bonding capacity, notarized statement from surety, and financial information, with accompanying notes and supplemental information, as required. Failure to provide this information will result in disqualification. Responses to scorable questions shall be assigned a score of 1, 2, 3, or 4, with 4 being the highest score available. In order to pre-qualify as a bidder for the Project, a firm is required to have a predetermined passing grade within each of the categories as identified below:

General Requirements: Summary Instructions to Applicant: No points assigned. Pass/Fail only.

Part I: Essential Requirements for Qualification: No points assigned. Pass/Fail only.

Part II: Organizational History, Organizational Performance, and Compliance with Civil and Criminal Laws:

Section A: Current Organization and Structure of the Business. No points assigned. Pass/Fail only.

Section B: History of the Business and Organizational Performance Questions 2-5, 10-11, and 25-29: No points assigned. Pass/Fail only.

Questions 6-9 and 12-27: Must not have checked any boxes that would result in disqualification AND obtain a minimum of 75% of the 80 total points available.

Section C: Compliance with Occupational Safety and Health Laws and with other Legislation Safety Requirements Questions 28-38: Must not have checked any boxes that would result in disqualification AND obtain a minimum of 75% of the 44 total points available.

Part III: Recent Tidal Marsh Habitat Restoration Projects:

Question 39: Three (3) projects submitted must meet the minimum requirements as outlined in the "Experience Requirements". No points assigned. Pass/Fail only.

Additionally, a "not qualified" determination may be made due to:

1. Falsification of information
2. Omission of requested information.

Conducting this pre-qualification process will assist the SFCJPA in determining bidder responsibility prior to bid and to aid the SFCJPA in selecting the lowest responsible bidder, as to whether a bidder has the quality, fitness, capacity and experience to satisfactorily perform the proposed work, and has demonstrated the requisite trustworthiness. Pre-qualification packages (questionnaire answers and financial statements) submitted by contractors are not public records and are not open to public inspection, pursuant to Public Contract Code Section 20101. The SFCJPA reserves the right to rescind a qualifying score if information is obtained after questionnaire scoring that would change a score assigned. Prospective bidders whose score changes sufficiently to disqualify them from bidding will be notified and given an opportunity for an appeals hearing consistent with the hearing procedures described below.

All information provided will be kept confidential to the extent permitted by law. However, the contents may be disclosed to third parties for purpose of verification, or investigation of substantial allegations, or during an appeals hearing. State law requires that the names of contractors applying for pre-qualified status shall be public records subject to disclosure, and the first page of the questionnaire will be used for that purpose.

Each questionnaire must be signed under penalty of perjury in the manner designated at the end of the form, by an individual who has the legal authority to bind the prospective bidder on whose behalf that person is signing. If any information provided by a prospective bidder becomes inaccurate prior to the advertisement of the Project for construction bids, the prospective bidder must immediately notify the SFCJPA and provide updated accurate information, in writing, under penalty of perjury. The SFCJPA reserves the right to waive minor irregularities and omissions in the information contained in the pre-qualification packages submitted.

Prospective bidders must submit completed pre-qualification packages no later than 5:00 pm PST on September 27, 2016 to the address indicated above. The due date will not be changed in order to accommodate supplementation of incomplete submissions or late submissions.

Appeals Process:

When a complete and timely submittal in response to this Request for Information results in a rating below that necessary to pre-qualify, the SFCJPA will issue a "not qualified" determination to the prospective bidder. A prospective bidder that receives a "not qualified" determination can appeal that determination. The prospective bidder may initiate an appeal by submitting a written request to the SFCJPA Contract Manager for review of the determination that the submittal resulted in a "not qualified" determination. The request must be submitted no later than 5:00 p.m. PST on the fifth business day following the day of the SFCJPA's delivery of a "not qualified" determination. The request for review shall specify the grounds for disputing the determination of "not qualified". All matters not set forth in the written request for review shall be deemed waived by the prospective bidder. If a timely request for review is not submitted, the "not qualified" determination shall be final and all rights of the prospective bidder to challenge the decision of the SFCJPA, whether by administrative process, judicial process, or any other legal process or proceeding shall be deemed waived by the prospective bidder.

If the prospective bidder submits a request for review within the specified time limit, the SFCJPA will schedule a time for a hearing to allow the prospective bidder to rebut any evidence used as a basis for disqualification and to present evidence as to why it should be determined to be qualified to bid for the Project. The hearing shall be an informal process conducted by a hearing committee composed of senior management representatives, separate from SFCJPA staff, from three (3) of the SFCJPA member agencies. Hearing committee members shall be appointed by the SFCJPA Executive Director. The decision of the hearing committee shall be final.

Anticipated Contracting Schedule:

The SFCJPA anticipates conducting the contracting process in accordance with the following schedule:

- October 6 – Request for Information from Prospective Bidders released
- October 14 – Pre-qualification Packages due to SFCJPA
- October 19 – “Not qualified” determinations delivered
- October 19 – Invitation to pre-qualified contractors to develop bids
- October 21 – Written requests to appeal a “not qualified” determination due to SFCJPA
- October 26 – Appeals hearings, if necessary
- November 15 – Project bids due to SFCJPA
- November 17 – Award contract
- December 1 – Construction start date

PRE-QUALIFICATION QUESTIONNAIRE

CONTACT INFORMATION

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

Contact Person: _____

Address: _____

Phone: _____ Fax: _____

If firm is a sole proprietor or partnership:

Owner(s) of Company _____

Contractor's License Number(s):

PART I. ESSENTIAL REQUIREMENTS FOR QUALIFICATION

Contractor will be immediately disqualified if the answer to any of questions 1 through 5 is “no.”¹

Contractor will be immediately disqualified if the answer to any of questions 6, 7, 8 or 9 is “yes.”² If the answer to question 8 is “yes,” and if debarment would be the sole reason for denial of pre-qualification, any pre-qualification issued will exclude the debarment period.

1. Contractor possesses a valid and current California Contractor’s license for the project or projects for which it intends to submit a bid.
 Yes No
2. Contractor has a liability insurance policy with a policy limit of at least \$1,000,000 per occurrence and \$2,000,000 aggregate.
 Yes No
3. Contractor has current workers’ compensation insurance policy as required by the Labor Code or is legally self-insured pursuant to Labor Code section 3700 et. seq.
 Yes No Contractor is exempt from this requirement
4. Have you attached your latest copy of a reviewed or audited financial statement with accompanying notes and supplemental information.³
 Yes No

NOTE: A financial statement that is not either reviewed or audited is not acceptable. A letter verifying availability of a line of credit may also be attached; however, it will be considered as supplemental information only, and is not a substitute for the required financial statement.

5. 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: (a) that your current bonding capacity is sufficient for the project for which you seek pre-qualification if you are seeking pre-qualification for a single project; or (if you are seeking pre-qualification valid for a year) (b) your current available bonding capacity?⁴
 Yes No

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

¹ A “no” answer to Question 4 will not be disqualifying if the contractor is exempt from complying with Question 4, for reasons explained in footnote 7.

² A contractor disqualified solely because of a “Yes” answer given to question 6, 7, or 9 may appeal the disqualification and provide an explanation of the relevant circumstances during the appeal procedure.

³ Public Contract Code section 20101(e) exempts from this requirement a contractor who has qualified as a small business pursuant to Government Code section 14837(d)(1), if the bid is “no more than 25 per cent of the qualifying amount provided in section 14837(d)(1).” As of January 1, 2001, the qualifying amount is \$10 million, and 25 per cent of that amount, therefore, is \$2.5 million.

⁴ An additional notarized statement from the surety may be requested by *SFC/JPA* at the time of submission of a bid, if this pre-qualification package is submitted more than 60 days prior to submission of the bid.

6. Has your contractor's license been revoked at any time in the last five years?
 Yes No
7. Has a surety firm completed a contract on your behalf, or paid for completion because your firm was default terminated by the project owner within the last five (5) years?
 Yes No
8. At the time of submitting this pre-qualification form, is your firm ineligible to bid on or be awarded a public works contract, or perform as a subcontractor on a public works contract, pursuant to either Labor Code section 1777.1 or Labor Code section 1777.7?
 Yes No
If the answer is "Yes," state the beginning and ending dates of the period of debarment:

9. At any time during the last five years, has your firm, or any of its owners or officers been convicted of a crime involving the awarding of a contract of a government construction project, or the bidding or performance of a government contract?
 Yes No

PART II. ORGANIZATION, HISTORY, ORGANIZATIONAL PERFORMANCE, COMPLIANCE WITH CIVIL AND CRIMINAL LAWS

A. Current Organization and Structure of the Business

For Firms That Are Corporations:

- 1a. Date incorporated: _____
- 1b. Under the laws of what state: _____
- 1c. Provide all the following information for each person who is either (a) an officer of the corporation (president, vice president, secretary, treasurer), or (b) the owner of at least ten per cent of the corporation's stock.

Name	Position	Years with Co.	% Ownership	Social Security #

- 1d. Identify every construction firm that any person listed above has been associated with (as owner, general partner, limited partner or officer) at any time during the last five years.
NOTE: For this question, "owner" and "partner" refer to ownership of ten per cent or more of the business, or 10 per cent or more of its stock, if the business is a corporation.

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

For Firms That Are Partnerships:

- 1a. Date of formation: _____
- 1b. Under the laws of what state: _____
- 1c. Provide all the following information for each partner who owns 10 per cent or more of the firm.

Name	Position	Years with Co.	% Ownership	Social Security #

- 1d. Identify every construction company that any partner has been associated with (as owner, general partner, limited partner or officer) at any time during the last five years.
NOTE: For this question, "owner" and "partner" refer to ownership of ten per cent or more of the business, or ten per cent or more of its stock, if the business is a corporation.

Person's Name	Construction Company	Dates of Person's Participation with Company

For Firms That Are Sole Proprietorships:

- 1a. Date of commencement of business. _____
- 1b. Social security number of company owner. _____
- 1c. Identify every construction firm that the business owner has been associated with (as owner, general partner, limited partner or officer) at any time during the last five years.
NOTE: For this question, "owner" and "partner" refer to ownership of ten per cent or more of the business, or ten per cent or more of its stock, if the business is a corporation.

Person's Name	Construction Company	Dates of Person's Participation with Company

For Firms That Intend to Make a Bid as Part of a Joint Venture:

- 1a. Date of commencement of joint venture. _____
- 1b. 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:

Name of firm	% Ownership of Joint Venture

B. History of the Business and Organizational Performance

- 2. Has there been any change in ownership of the firm at any time during the last three 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 page.
- 3. Is the firm a subsidiary, parent, holding company or affiliate of another construction firm?
NOTE: Include information about other firms if one firm owns 50 per cent 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 page.

4. 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 page.

5. State your firm's gross revenues for each of the last three years:

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

7. Is your firm currently the debtor in a bankruptcy case?

Yes No

If "yes," please attach a copy of the bankruptcy petition, showing the case number, and the date on which the petition was filed.

8. Was your firm in bankruptcy at any time during the last five years? (This question refers only to a bankruptcy action that was not described in answer to question 7, above)

Yes No

If "yes," please attach a copy of the bankruptcy petition, showing the case number and the date on which the petition was filed, and a copy of the Bankruptcy Court's discharge order, or of any other document that ended the case, if no discharge order was issued.

Licenses

9. List all California construction license numbers, classifications and expiration dates of the California contractor licenses held by your firm:

10. If any of your firm's license(s) are held in the name of a corporation or partnership, list below the names of the qualifying individual(s) listed on the CSLB records who meet(s) the experience and examination requirements for each license.

11. Has your firm changed names or license number in the past five years?

Yes No

If "yes," explain on a separate signed page, including the reason for the change.

12. Has any owner, partner or (for corporations:) officer of your firm operated a construction firm under any other name in the last five years?

Yes No

If "yes," explain on a separate signed page, including the reason for the change.

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

Yes No

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

Disputes

14. At any time in the last five years has your firm been assessed and paid liquidated damages after completion of a project under a construction contract with either a public or private owner?

Yes No

If yes, explain on a separate signed page, identifying all such projects by owner, owner's address, the date of completion of the project, amount of liquidated damages assessed and all other information necessary to fully explain the assessment of liquidated damages.

15. In the last five years has your firm, or any firm with which any of your company's owners, officers or partners was associated, been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason?

NOTE: "Associated with" refers to another construction firm in which an owner, partner or officer of your firm held a similar position, and which is listed in response to question 1c or 1d on this form.

Yes No

If "yes," explain on a separate signed page. State whether the firm involved was the firm applying for pre-qualification here or another firm. Identify by name of the company, the name of the person within your firm who was associated with that company, the year of the event, the owner of the project, the project and the basis for the action.

16. In the last five years has your firm been denied an award of a public works contract based on a finding by a public agency that your company was not a responsible bidder?

Yes No

If "yes," explain on a separate signed page. Identify the year of the event, the owner, the project and the basis for the finding by the public agency.

* * * * *

NOTE: The following two questions refer only to disputes between your firm and the owner of a project. You need not include information about disputes between your firm and a supplier, another contractor, or subcontractor. You need not include information about "pass-through" disputes in which the actual dispute is between a sub-contractor and a project owner. Also, you may omit reference to all disputes about amounts of less than \$50,000.

17. 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

If "yes," on separate signed sheets of paper identify the claim(s) by providing the project name, date of the claim, name of the claimant, a brief description of the nature of the

claim, the court in which the case was filed and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution).

18. In the past five years has your firm made any claim against a project owner concerning work on a project or payment for a contract and **filed that claim in court or arbitration?**

Yes No

If "yes," on separate signed sheets of paper 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).

19. At any time during the past five years, has any surety company made any payments on your firm's behalf as a result of a default, to satisfy any claims made against a performance or payment bond issued on your firm's behalf, in connection with a construction project, either public or private?

Yes No

If "yes," explain on a separate signed page the amount of each such claim, the name and telephone number of the claimant, the date of the claim, the grounds for the claim, the present status of the claim, the date of resolution of such claim if resolved, the method by which such was resolved if resolved, the nature of the resolution and the amount, if any, at which the claim was resolved.

20. In the last five 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 page. Name the insurance carrier, the form of insurance and the year of the refusal.

Criminal Matters and Related Civil Suits

21. Has your firm or any of its owners, officers or partners ever been found liable in a civil suit or found guilty in a criminal action for making any false claim or material misrepresentation to any public agency or entity?

Yes No

If "yes," explain on a separate signed page, including identifying who was involved, the name of the public agency, the date of the investigation and the grounds for the finding.

22. Has your firm or any of its owners, officers or partners ever been convicted of a crime involving any federal, state, or local law related to construction?

Yes No

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

23. Has your firm or any of its owners, officers or partners ever been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty?

Yes No

If "yes," identify on a separate signed page the person or persons convicted, the court (the county if a state court, the district or location of the federal court), the year and the criminal conduct.

Bonding

24. Bonding capacity: Provide documentation from your surety identifying the following:

Name of bonding company/surety: _____

Name of surety agent, address and telephone number:

25. If your firm was required to pay a premium of more than one per cent for a performance and payment bond on any project(s) on which your firm worked at any time during the last three years, state the percentage that your firm was required to pay. You may provide an explanation for a percentage rate higher than one per cent, if you wish to do so.

26. List all other sureties (name and full address) that have written bonds for your firm during the last five years, including the dates during which each wrote the bonds:

27. During the last five years, has your firm ever been denied bond coverage by a surety company, or has there ever been a period of time when your firm had no surety bond in place during a public construction project when one was required?

Yes No

If yes, provide details on a separate signed sheet indicating the date when your firm was denied coverage and the name of the company or companies which denied coverage; and the period during which you had no surety bond in place.

C. Compliance with Occupational Safety and Health Laws and with Other Labor Legislation Safety

28. Has CAL OSHA cited and assessed penalties against your firm for any "serious," "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 Health Appeals Board has not yet ruled on your appeal, you need not include information about it.

Yes No

If "yes," attached a separate signed page describing the citations, including information about the dates of the citations, the nature of the violation, the project on which the citation(s) was or were issued, the amount of penalty paid, if any. If the citation was appealed to the Occupational Safety and Health Appeals Board and a decision has been issued, state the case number and the date of the decision.

29. Has the federal Occupational Safety and Health Administration 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, or if there is a court appeal pending, you need not include information about the citation.

Yes No

If "yes," attach a separate signed page describing each citation.

30. Has the EPA or any Air Quality Management District or any Regional Water Quality Control Board cited and assessed penalties against either your firm or the owner of a project on which your firm was the contractor, 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, or if there is a court appeal pending, you need not include information about the citation.

Yes No

If "yes," attach a separate signed page describing each citation.

31. How often do you require documented safety meetings to be held for construction employees and field supervisors during the course of a project?

32. List your firm's Experience Modification Rate (EMR) (California workers' compensation insurance) for each of the past three premium years:

NOTE: An Experience Modification Rate is issued to your firm annually by your workers' compensation insurance carrier.

Current year: _____

Previous year: _____

Year prior to previous year: _____

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

33. Within the last five years has there ever been a period when your firm had employees but was without workers' compensation insurance or state-approved self-insurance?

Yes No

If "yes," please explain the reason for the absence of workers' compensation insurance on a separate signed page. If "No," please provide a statement by your current workers' compensation insurance carrier that verifies periods of workers' compensation insurance coverage for the last five years. (If your firm has been in the construction business for less than five years, provide a statement by your workers' compensation insurance carrier verifying continuous workers' compensation insurance coverage for the period that your firm has been in the construction business.)

Prevailing Wage and Apprenticeship Compliance Record

34. Has there been more than one occasion during the last five years in which your firm was required to pay either back wages or penalties for your own firm's failure to comply with the **state's** prevailing wage laws?

NOTE: This question refers only to your own firm's violation of prevailing wage laws, not to violations of the prevailing wage laws by a subcontractor.

Yes No

If "yes" attach a separate signed page or pages, describing the nature of each violation, identifying the name of the project, the date of its completion, the public agency for which it was constructed; the number of employees who were initially underpaid and the amount of back wages and penalties that you were required to pay.

35. During the last five years, has there been more than one occasion in which your own firm has been penalized or required to pay back wages for failure to comply with the **federal** Davis-Bacon prevailing wage requirements?

Yes No

If "yes," attach a separate signed page or pages describing the nature of the violation, identifying the name of the project, the date of its completion, the public agency for which it was constructed; the number of employees who were initially underpaid, the amount of back wages you were required to pay along with the amount of any penalty paid.

36. 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 company for use on any public work project for which you are awarded a contract by *[Public Entity]*.

37. If your firm operates its own State-approved apprenticeship program:
- (a) Identify the craft or crafts in which your firm provided apprenticeship training in the past year.
 - (b) State the year in which each such apprenticeship program was approved, and attach evidence of the most recent California Apprenticeship Council approval(s) of your apprenticeship program(s).

- (c) State the number of individuals who were employed by your firm as apprentices at any time during the past three years in each apprenticeship and the number of persons who, during the past three years, completed apprenticeships in each craft while employed by your firm.

38. At any time during the last five years, has your firm been found to have violated any provision of California apprenticeship laws or regulations, or the laws pertaining to use of apprentices on public works?

NOTE: You may omit reference to any incident that occurred prior to January 1, 1998, if the violation was by a subcontractor and your firm, as general contractor on a project, had no knowledge of the subcontractor's violation at the time they occurred.

Yes No

If "yes," provide the date(s) of such findings, and attach copies of the Department's final decision(s).

PART III. RECENT TIDAL MARSH RESTORATION PROJECTS COMPLETED

39. Contractor shall provide information about three (3) tidal marsh habitat restoration projects that are closely related or comparable to the Tidal Marsh and Upland Habitat Enhancements in and around Faber Tract Marsh Project (see Project Description) demonstrating a similarity through inclusion of design-build services of upland refuge islands and upland berm vegetative enhancements in San Francisco Bay environments or environments similar to San Francisco Bay. Failure to meet these requirements will deem the Contractor disqualified.

The three (3) projects must have been completed within the last ten years. Names and references must be current and verifiable. Failure to list a minimum of three projects or determination by the SFCJPA that the provided information is invalid will result in disqualification.

Name of Contractor _____

PROJECT DATA SHEET # 1 (One Form Per Project)

1. Project Name: _____

2. Project Location: _____

3. Owner's Name: _____

Address: _____

Phone: _____

Contact Person: _____

4. Owner's Construction Manager (if any):

Phone: _____

Contact Person: _____

5. Name of General Contractor's Project Manager and Superintendent:

6. What was the final contract value of the project: _____

7. Was Project completed on time, including owner approved time extensions?

Start Date: _____

Contract Completion Date (Original scheduled completion date plus time extensions granted): _____

Actual Completion Date: _____

8. Any Liquidated Damages Assessed?

9. Was Project Completed within the original bid fee? _____

10. Was your firm required to provide a Bond for the project?

Name of Contractor _____

PROJECT DATA SHEET # 2 (One Form Per Project)

1. Project Name: _____

2. Project Location: _____

3. Owner's Name: _____

Address: _____

Phone: _____

Contact Person: _____

4. Owner's Construction Manager (if any):

Phone: _____

Contact Person: _____

5. Name of General Contractor's Project Manager and Superintendent:

6. What was the final contract value of the project: _____

7. Was Project completed on time, including owner approved time extensions?

Start Date: _____

Contract Completion Date (Original scheduled completion date plus time extensions granted): _____

Actual Completion Date: _____

8. Any Liquidated Damages Assessed?

9. Was Project Completed within the original bid fee? _____

10. Was your firm required to provide a Bond for the project?

Name of Contractor _____

PROJECT DATA SHEET # 3 (One Form Per Project)

1. Project Name: _____

2. Project Location: _____

3. Owner's Name: _____

Address: _____

Phone: _____

Contact Person: _____

4. Owner's Construction Manager (if any):

Phone: _____

Contact Person: _____

5. Name of General Contractor's Project Manager and Superintendent:

6. What was the final contract value of the project: _____

7. Was Project completed on time, including owner approved time extensions?

Start Date: _____

Contract Completion Date (Original scheduled completion date plus time extensions granted): _____

Actual Completion Date: _____

8. Any Liquidated Damages Assessed?

9. Was Project Completed within the original bid fee? _____

10. Was your firm required to provide a Bond for the project?

PRE-QUALIFICATION DECLARATION

I, _____, hereby declare that I
am _____
(Printed Name)

_____ of _____
(Title) (Name of Firm)

and I am submitting this INFORMATION Questionnaire; I am duly authorized to sign this INFORMATION Questionnaire on behalf of the above named firm; and I have read all the foregoing answers and know all of their contents and that all information set forth in this INFORMATION Questionnaire and all attachments hereto are, to the best of my knowledge, true, accurate and complete as of its submission date.

The undersigned certifies and declares under penalty of perjury under the laws of the State of California, that the foregoing is true and correct and that this declaration was executed in

_____ County, California, on _____.
(Date)

(Signature)