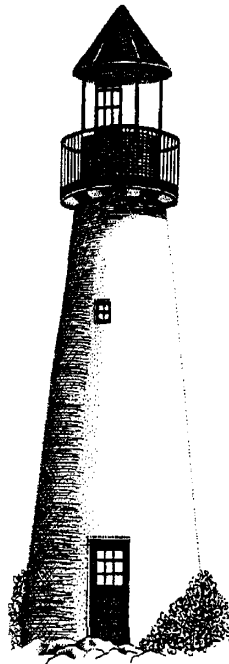


Oceanside Unified School District
REQUEST FOR PREQUALIFICATIONS

RFP 2021-21-034N

CONSTRUCTION SERVICES
For

OCEANSIDE HIGH SCHOOL
Gym Roofing and HVAC Replacement Project
(Required: Class B – General Contracting License)



NOTICE OF REQUEST FOR PREQUALIFICATION

**ADVERTISEMENT FOR PREQUALIFICATION
OF CONTRACTOR
(NO SUBCONTRACTOR BIDS REQUESTED AT THIS TIME)**

NOTICE IS HEREBY GIVEN THAT OCEANSIDE UNIFIED SCHOOL DISTRICT OF SAN DIEGO COUNTY, CALIFORNIA, acting by and through its Governing Board, is requesting prequalification of general contractors pursuant to Public Contract Code Section 20111.5 for construction services for the OCEANSIDE HIGH SCHOOL Gym Roofing and HVAC Replacement Project.

RFP 2021-21-034N
Request for Prequalification
CONSTRUCTION SERVICES
for
Oceanside Unified School District

OCEANSIDE HIGH SCHOOL
Gym Roofing and HVAC Replacement Project
(Required: Class B – General Contracting License)

The Request for Prequalification package and required forms may be obtained from the Oceanside Unified School District, Bond Construction Program Office, 2111 Mission Avenue, Building E, Oceanside, CA 92058 or from the OUSD webpage at [Bids \(schoolloop.com\)](https://www.schoolloop.com).

The RFP Package & required forms may also be obtained from the following dropbox link <https://www.dropbox.com/sh/vtqbtmmrhbso28t/AACSFk40oz1WeRXhziSiR1oba?dl=0> Questions should be submitted in writing to Patrick Faulkner via e-mail at pfaulkner@califcm.com by 3:00 P.M. Monday, March 8th, 2021.

Completed Prequalification submissions and all supporting documents should be placed in a sealed envelope marked "Confidential" and mailed or delivered to Patrick Faulkner at the Oceanside Unified School District, Bond Construction Program Office, 2111 Mission Avenue, Building E, Oceanside, CA, 92058, up to but no later than **3:00 P.M. on Wednesday, March 17th, 2021.**

Dated this day of February 22, 2021

Publication date: February 24, 2021 and March 03, 2021

I. Introduction

1. Pursuant to Public Contract Code section 20111.5, contractors bidding (hereinafter "Contractor" or "Contractors") on the Oceanside Unified School District's **OCEANSIDE HIGH SCHOOL GYM ROOFING AND HVAC REPLACEMENT** project (hereinafter "Project") shall be subject to this Pre-Qualification Policy and shall be required to furnish sufficient proof of public works experience and financial ability in performing public works by completing and submitting standard pre-qualification documents and providing specified supporting documentation, which submission is verified under oath by the Contractor in the manner in which pleadings in civil actions are verified.
2. Contractors seeking pre-qualification are required to submit to the District completed pre-qualification documents ("Pre-Qualification Documents") and any and all documents required therein. (The Pre-Qualification Documents and additional requirements, are set forth in **Attachment "A."**) The Pre-Qualification Documents will be the basis for determining which Contractors are qualified to bid on the Projects. Pursuant to Public Contract Code section 20111.5, all information contained in the Pre-Qualification Documents and submitted financial statements are not public records and are not open to public inspection.
3. Contractors must complete the attached Contractor Pre-Qualification Interest Form (**Attachment "B"**) and submit it to the District no later than **5:00 PM on Friday, March 05, 2021**, to ensure delivery of updates and addenda. It shall be the Contractor's sole responsibility to properly submit the Contractor Pre-Qualification Interest Form and to confirm that it has received and reviewed any and all updates and addenda issued by the District. The District encourages Contractors to submit this form immediately upon receipt of the Pre-Qualification Package.
4. Questions must be submitted to Patrick Faulkner via email at pfaulkner@califcm.com no later than **3:00 p.m. on Monday, March 8th, 2021**. Responses will be provided on **Friday, March 12th, 2021**, by posting on the district website at [Bids \(schoolloop.com\)](http://Bids.schoolloop.com) and by-email to Contractors who have submitted an Interest Form per the deadline noted in Item 3 above.
5. A Contractor is either pre-qualified in accordance with the limits contained herein or not pre-qualified based on the District's uniform rating system described herein. No rating other than a positive or negative pre-qualification determination shall be established by this process.
6. A positive pre-qualification determination is required before any Contractor may submit a bid on either or both of the Projects in accordance with Public Contract Code section 20111.5(e).

II. Description of Project

The project consists of replacement of existing roofing, conduits, and HVAC units on the gymnasium building “K” at OCEANSIDE HIGH SCHOOL. The project also includes water protection application exterior envelope of the gymnasium building “K” at OCEANSIDE HIGH SCHOOL.

1. The estimated construction cost is \$1.8 Million.

The anticipated schedule is summarized as follows:

<u>Date</u>	<u>Milestone</u>
Mar. 30 & April 6, 2021	Advertise for Bids
April 14, 2021	Mandatory Pre-bid Meeting
April 23, 2021	Open Bids
May 12, 2021	Notice to Proceed
Sept. 10, 2021	Project Completion

III. Pre-Qualification Standards and Notification

1. In addition to fulfilling all of essential pre-qualification requirements and providing all of the required supplemental documents (Pre-Qualification Documents and related documents), Contractors must achieve a score of **70** points or higher, out of a total possible **100** points, on those questions in the Pre-Qualification Documents for which point values are assigned in order to be pre-qualified to bid on the Projects.
2. All supplemental documents are to be submitted on 8 ½ by 11 sheets and must be organized and identified in accordance with the requirements of the Pre-Qualification Documents.
3. The District requests that completed Pre-Qualification Documents and supporting materials be submitted not later 3:00 p.m. on **Wednesday, March 17th, 2021.**
4. The District shall inform Contractors, in writing via electronic mail and facsimile, of staff’s pre-qualification determination. If a Contractor decides to appeal a negative pre-qualification determination pursuant to the appeal procedures described below, any such appeal must be filed within four (4) business days of the date of the notice of negative determination.

Completed pre-qualification packages should be marked “**Confidential**” and mailed or delivered to:

**Oceanside Unified School District
Bond Construction Program Office
2111 Mission Avenue, Building E
Oceanside, CA 92058**

Attn.: Patrick Faulkner

Packages must be received no later than **March 17th, 2021 at 3:00 p.m.**

5. The Contractor’s submittal must be signed under penalty of perjury by an individual who has the legal authority to bind the Contractor on whose behalf that person is signing. In addition to disqualification for failure to meet the District’s criteria, Contractor may be automatically disqualified for a failure to provide the requested information or falsification of information required by this Pre-Qualification Standards Document.

IV. Appeal Procedures

In conjunction with this pre-qualification policy, the District also hereby establishes the Bidder Pre-Qualification Appeals Panel (“Appeal Panel”) consisting of the following, or their designees (s): The District’s **Associate Superintendent of Business and the Bond Program Manager**. The sole issue before the Appeals Panel shall be the scoring of a Contractor. The decision of the Appeals Panel shall be the District’s final administrative decision. If the Contractor disputes the decision of the Appeals Panel, it may proceed with the dispute resolution procedure contained herein. This dispute resolution procedure shall be the Contractor’s sole remedy for the dispute.

- (a) Where a complete and timely submitted application results in a rating below the necessary to pre-qualify, an appeal can be made. An appeal is begun by the Contractor delivering notice to the District of its appeal of the decision with respect to its pre-qualification rating no later than four (4) business days after the date of the District’s notice of the negative pre-qualification determination. Without a timely appeal, the Contractor waives any and all rights to challenge the decision of the District, whether by administrative process or any other process or proceeding.
- (b) If the Contractor gives the required notice of appeal and requests a hearing, the hearing shall be conducted so that it is concluded no later than five (5) business days after the District’s receipt of the notice of appeal. The hearing shall be an informal process conducted by the Appeals Panel to whom the District’s governing board has delegated responsibility to hear such appeals. At or prior to the hearing, the Contractor will be advised of the basis for the District’s pre-qualification determination. The Contractor

will be given the opportunity to present information and present reasons in opposition to the rating. The Appeals Panel will render its decision.

NOTE: A Contractor may receive a negative pre-qualification determination for the Project if the Contractor fails to meet the District's minimum requirements. In addition, a Contractor may be found not pre-qualified for either: (1) Omission of requested information; or (2) Falsification of information.

Attachment "A"

Pre-Qualification Requirements

The following criteria and requirements must be met in the form indicated in order for a Contractor to be determined "pre-qualified" by the Oceanside Unified School District. Failure to provide the requested information or purposely withholding pertinent information shall disqualify the Contractor. Any false or knowingly inaccurate information or responses provided shall serve to disqualify the Contractor.

I. Necessary and Essential Pre-Qualification Requirements

Contractors must meet the following criteria and requirements, as well as submit appropriate evidence thereof, in order for a Contractor to be determined pre-qualified by the Oceanside Unified School District for the **OCEANSIDE HIGH SCHOOL GYM ROOFING AND HVAC REPLACEMENT PROJECT**.¹

1. Contractor must possess a valid and current California Contractor's license (Class B – General Contracting) and the license must be in good standing at the time of submittal of the Pre-Qualification Documents.
2. Contractor must submit proof of general liability, auto, and worker's compensation insurance as specified in the Pre-Qualification Documents.

NOTE: Contractor to furnish a statement indicating the Contractor's ability to provide the insurance and indemnification, which is included in the General Conditions of the Project's Contract Documents. The Contractor will be required to provide insurance as provided for in the Project Contract Documents upon actual bid and award. (Notarization not required at this time.)

3. Contractor must have a Worker's Compensation Experience Modification Rate of 1.25 or less.
4. Contractor must attach a notarized statement from an admitted surety insurer (approved by the California Department of Insurance) and

¹ A Contractor disqualified solely because it does not meet the requirements of items 6, 7, 8, or 9 may appeal the disqualification and provide an explanation of the relevant circumstances during the appeals process.

authorized to issue bonds in the State of California, which states that the Contractor's current bonding capacity is sufficient for the Project.

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

5. The Contractor shall attach, within a separate sealed envelope marked as indicated below, the latest copy of a reviewed or audited financial statement with accompanying notes and supplemental information.

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.

The separate sealed envelope shall be marked as follows:

Proprietary – Not For Public Disclosure

Financial Statement of _____ (Contractor's Name)

For the Oceanside Unified School District Prequalification

6. Contractor's license must not have been revoked at any time in the last five (5) years.
7. Contractor must not have been terminated for cause or defaulted on a project during the last ten (10) years.
8. At the time of submittal of the Pre-Qualification Documents, Contractor must not be 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 1771.1 or Labor Code section 1777.7.
9. Contractor, or any of its owners, officers, or partners, cannot have been found liable in a civil suit, or convicted/found guilty in a criminal action within the last ten (10) years: (a) involving the awarding of a contract of a government construction project, (b) involving the bidding or performance of a government contract, or (c) involving fraud, theft or any other act of dishonesty, including but not limited to the California False Claims Act, or Federal False Claims Act.
10. Contractor must not have been cited and assessed by CAL OSHA penalties for any "serious," "willful," or "repeat" violations of its safety or health regulations in the past five (5) years.
11. Within the last five (5) years, Contractor must have completed as the General Contractor a Project at a California public middle, junior high or

high school campus or California community college campus with the minimum following scope of work:

- **Contract amount in excess of \$500K dollars;**
- **Scope included a roof replacement using thermo single ply roofing material and HVAC replacement.**

II. Required Supplemental Pre-Qualification Documents

1. Surety Information

As discussed above, the Contractor must include a notarized Letter of Bondability from its surety indicating Contractor's available bonding capacity on a per project and an aggregate basis. The surety is required to be an admitted surety in the State of California as defined in the California Code of Civil Procedure (approved by the California Department of Insurance). The District may contact the surety to confirm the information provided in support of the Contractor's pre-qualification application and may also contact the surety on a project by project basis.

2. Insurance Information

Contractor must provide proof of insurance from a California-admitted carrier with financial rating of at least A; V as rated in the most recent edition of Best's Key Rating Guide. The certificate shall contain at a minimum the following coverages and limits:

Comprehensive General Liability Insurance

With a combined single limit per occurrence ----- \$1,000,000

OR

Commercial General Liability Insurance

(Including automobile including) which provides limits not less than:

Per occurrence (combined single limit) ----- \$1,000,000
Per Specific Aggregate (for this Project only) ----- \$2,000,000
Products/Completed Operations ----- \$1,000,000
Personal & Advertising Injury limit ----- \$1,000,000

AND

Automobile Liability Insurance

In the amount of not less than

Per occurrence for bodily injury and property damage ----- \$1,000,000

Worker's Compensation ----- Statutory

III. Pre-Qualification Questionnaire

a. Background Information

Provide firm name as it appears on license: _____

Contact person and title: _____

Address: _____

Phone: _____ Fax: _____ Email: _____

Indicate legal status of the firm (Corporation, Partnership, Sole Proprietor, Etc.):

If firm is a Corporation, indicate President and Secretary:

If firm is a Partnership, indicate partners:

If firm is a Sole Proprietor, indicate owner:

Current contractor's license numbers and classifications:

How long have you had this license:

Have any of the principals of the firm had another contractor's license or have they been listed on any other contractor's license: _____ Yes _____ No

If the answer is "Yes", provide the license numbers and explain the circumstances on attached sheets.

b. History of Your Firm

- i. How long ago was Contractor's firm founded under current contractor's license number: **(Please provide appropriate evidence of date.)** (1 point per year up to maximum of 10 pts.)

- ii. For the categories of projects listed below, identify the number of projects that your firm has **completed in last five (5) years**. For each project listed, provide a list of project names, contract amounts, completion dates and Owner contact information to substantiate the information provided in this section.

NOTE: At least one project must satisfy the requirements listed in Part 1, Question 11. Contractor should note which project satisfies this requirement.

_____ California public high school and/or California Community College Roofing and HVAC projects **(5 pts. per project up to a maximum of 25 points)**

_____ Division of State Architect approved K-14 public school construction in excess of \$500K **(2 pts. per project up to a maximum of 10 pts.)**

NOTE: Each project may only be used in one category for scoring purposes.

c. Project List and References

Attach sheets showing the **last** ten (10) largest California K-12 public school and/or community college projects your firm has completed within the last five (5) years. Information must include the following: Name of Owner, Owner Contact and Phone Number, Project Name and Description, Original Contract Amount and Final Contract Amount. *Of the projects listed, the original contract amounts of the projects will be averaged and scored on the following basis:*

_____ Average equal to or greater than \$3 million. **(20 pts.)**

_____ Average equal to or greater than \$2 million **(15 pts.)**

_____ Average equal to or greater than \$1 million **(10 pts.)**

_____ Less than \$1 million. **(5 pts.)**

d. OSHA Violations

- i. 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 last five (5) years:

(If answer is “Yes,” Contractor is automatically disqualified.)

____ Yes ____ No

- ii. Has the federal OSHA cited and assessed penalties against your firm in the last five (5) years: *(If answer is “Yes,” Contractor is automatically disqualified.)*

____ Yes ____ No

e. Labor Code and Apprenticeship Violations

- i. 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? *(If answer is “Yes”, Contractor is automatically disqualified.)*

____ Yes ____ No

- ii. Has there been any occasion during the last five (5) years on which your firm was required to pay either back wages or penalties for your own firm’s failure to comply with the state or federal (Davis-Bacon) prevailing wage laws/requirements? *(5 points for either “No” or “Yes” indicating 1 such instances; 3 points for “Yes” indicating 2 such instances; 0 points for “Yes” and more than 2 such instances.)*

____ Yes ____ No Number of Instances: _____

f. Claims History

- i. In the last ten (10) years, has your firm or any of its owners, officers or partners, ever been found liable in a civil suit, or convicted/found guilty in a criminal action: (a) involving the awarding of a contract of a government construction project, (b) involving the bidding or performance of a government contract, or (c) involving fraud, theft or any other act of dishonesty, including but not limited to the California False Claims Act, or Federal False Claims Act? *(If answer is “Yes”, Contractor is automatically disqualified.)* ____ Yes ____ No

- ii. At any time in the last five years has the Contractor 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.

- iii. In the last five years has the Contractor, or any firm with which any of the Contractor's owners, officers or partners was associated with, 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 the Contractor held a similar position.

Yes No

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

- iv. In the last five years has the Contractor been denied an award of a public works contract based on a finding by a public agency that the Contractor 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 the Contractor and the owner of a project. The Contractor need not include information about disputes between the Contractor and a supplier, another contractor, or subcontractor. Also, the Contractor may omit reference to all disputes about amounts of less than \$25,000.

- v. In the past five years has any claim **against** the Contractor concerning the Contractor'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). If “yes”, are there any current claims against the Contractor that should you lose the claim(s), would adversely affect the Contractor’s financial position or the Contractor’s ability to meet the Contractor’s obligations if awarded the contract for this project? If so, please explain.

- vi. In the past five years has the Contractor 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). If “yes”, are there any current claims against a project owner that should the Contractor lose the claim(s), would adversely affect the Contractor’s financial position or the Contractor’s ability to meet the Contractor’s obligations if awarded the contract for this project? If so, please explain.

g. Surety Company Information

- i. At any time during the past ten (10) years, has any surety company made any payments on your firm’s behalf as a result of a default or to satisfy any claims made against a payment bond issued on your firm’s behalf? (5 points for “No”; 3 points for “Yes” indicating no more than 1 such claim; 0 points for 2 or more claims.)

_____ Yes _____ No Indicate number of claims: _____

- ii. If your firm was required to pay a premium of more than one percent (1%) 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 percent, if you wish to do so. (5 points if the rate is no more than 1.0 percent; 3 points if the rate was no higher than 1.10 percent; 0 points for any other answer.) _____%

- iii. During the last five (5) years, has your firm ever been denied bond credit 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? (“No” = 5 points; “Yes” = 0 points)

_____ Yes _____ No

h. Insurance/Worker’s Compensation Experience Modification Rate

- i. In the last five (5) years, has any insurance carrier, for any form of insurance, refused to renew the insurance policy for your firm? (5 points for “No”, 3 points for “Yes” indicating 2 such instances; 0 points for “Yes” or if more than 2 such instances.)

_____ Yes _____ No Number of instances: _____

- ii. What is your firm’s current worker’s compensation experience modification rate? (Less than 1.00 - 5 pts.; 1.01 < or = 1.25 - 2 pts.; If > 1.25 Contractor is automatically disqualified.) **Please provide evidence from your insurance carrier of this modification rate.**

i. Licensing

Has your Contractor’s license, or those of its responsible managing Employee, Responsible Managing Officer, any Owners, Officers, or Partners been revoked or suspended at any time in the last five (5) years? *(If any such license has been revoked, Contractor is automatically disqualified. If any such license has been suspended, attach a sheet explaining the circumstances which the Owner may consider.)*

IV. CERTIFICATION UNDER PENALTY OF PERJURY

I, the undersigned, certify and declare that I know the contents of all documents submitted pursuant to the Pre-Qualification Documents, have read all the foregoing answers to the Pre-Qualification Questionnaire included in the Pre-Qualification Documents and any attached sheets and know their contents. The matters contained in, or submitted pursuant to the Pre-Qualification Documents, all documents submitted herewith, and all Pre-Qualification Questionnaire answers are true of my own knowledge and belief, except as to those matters stated on information and belief, as to those matters I believe them to be true. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

Signed: _____

Name: _____

Title: _____

(Must be Signed by an Owner, Partner, or Corporate Officer Authorized to Sign on behalf of the Corporation, which Signature Must be Notarized.)

Attachment "B"

Contractor Pre-Qualification Interest Form

Contractor Name: _____

Contractor Address: _____

Contractor Phone: _____

Contact Person: _____

Ph/Cell Number: _____

E-Mail Address: _____

DISTRICT WILL ONLY ISSUE UPDATES/ADDENDA TO CONTRACTORS VIA E-MAIL.

Submit Attachment "B" to Patrick Faulkner via email at pfaulkner@califcm.com no later than 3:00 p.m. on Friday, March 5th, 2021.