

FORM APPROVED COUNTY COUNSEL  
BY: GREGORY P. PRIAMOS DATE 12/23/15

SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

217



SUBMITTAL DATE:  
December 23, 2015

FROM: Economic Development Agency

SUBJECT: Riverside County Administrative Center Board Chambers Audio Visual System Upgrade Project - Approval of Pre-Qualification Package for Audio Visual Contractors, All Districts, [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve and authorize the Economic Development Agency (EDA) to issue the attached Pre-Qualification Package for Audio Visual Contractors for the purpose of establishing a list of Pre-Qualified Contractors for formal bids for the Riverside County Administrative Center (CAC) Board Chambers Audio Visual (AV) System Upgrade Project;

2. Approve and adopt the attached Contractors Bid Pre-Qualification Package for AV Contractors;

(Continued)

Robert Field  
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	
SOURCE OF FUNDS: N/A				Budget Adjustment:	
				For Fiscal Year:	

C.E.O. RECOMMENDATION:

APPROVE

BY:

Imelda Delos Santos

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

☐ A-30 ☐ Positions Added  
☐ 4/5 Vote ☐ Change Order

Prev. Agn. Ref.: 3-8 of 9/22/15;  
1-0 of 5/11/15

District: A11

Agenda Number:

3-11

# **SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

Economic Development Agency

**FORM 11:** Riverside County Administrative Center Board Chambers Audio Visual System Upgrade Project - Approval of Pre-Qualification Package for Audio Visual Contractors, All Districts, [\$0]

**DATE:** December 23, 2015

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## **RECOMMENDED MOTION:** (Continued)

3. Approve the recommended method of selecting the top ranked pre-qualified AV contractor applications by demonstrated project experience and scores achieved on the financial and public contracting experience questionnaire in accordance with the Request for Qualification and Questionnaire package.

## **BACKGROUND:**

### **Summary**

On September 22, 2015, the Board of Supervisors approved in-principle and the estimated project budget for the Riverside CAC Board Chambers AV System Upgrade project. EDA is in the process of developing a Pre-Qualification package that will result in a list of pre-qualified AV contractors eligible to submit formal bids for the project. The project consists of the replacement of sub-systems for the CAC Board Chambers, located at 4080 Lemon Street, Riverside, California. The applicants will be pre-qualified based on financial ability and project experience in AV systems work in council chambers, assembly spaces, city halls, conference facilities or other public meeting assembly facilities that include but not limited to:

- Closed Circuit Television (CCTV)
- Audio and lighting systems
- Sound reinforcement
- Video distribution and display
- Video streaming and television broadcast feed
- Voting systems
- AV control camera control
- Video tracking
- Video and document archival functions
- Green Room and press feed systems

The contractor's formal bid pre-qualification status will remain current until the contract for construction is awarded or until responding firms are notified in writing by the county in the unexpected event that no construction contract is awarded.

It is recommended that the Board approve the formal Pre-Qualification Bid Package. Following a review of the pre-qualifications and the completion of the initial review process, EDA will return to the Board under separate cover to establish the Pre-Qualified Audio Visual Contractor list for approval and execute any project related agreements.

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

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**FORM 11:** Riverside County Administrative Center Board Chambers Audio Visual System Upgrade Project - Approval of Pre-Qualification Package for Audio Visual Contractors, All Districts, [\$0]

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**Impact on Citizens and Businesses**

Approval of the pre-qualification of AV contractors will position the county to expedite the construction of the Riverside CAC Board Chambers AV System Upgrade project by hiring experienced, responsible and responsive contractors with experience in the selected trade.

Attachments:

Pre-Qualification Questionnaire for Pre-Qualification of Audio Visual Contractors

Contractors Pre-Qualification Package for Pre-Qualification of Audio Visual Contractors



**ATTACHMENT NO. 4**  
PREQUALIFICATION QUESTIONNAIRE  
FOR  
PRE-QUALIFICATION OF AUDIO VISUAL CONTRACTORS  
SEEKING TO BID ON

**Riverside County Administrative Center  
Board Chambers Audio Visual System Upgrade**

October 19, 2015



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## **ATTACHED FORMS**

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### **Part I - Instructions**

**All of the answers by Applicant to the Questions in this Part I must be provided, but are for informational purposes and are not scored.**

1. Applicant Name: \_\_\_\_\_ Check One: ☐ Corporation  
(As it appears on Required License) ☐ Partnership  
☐ Sole Proprietor
2. Contact Person: \_\_\_\_\_
3. Address: \_\_\_\_\_
4. Phone: ( ) \_\_\_\_\_ Fax: ( ) \_\_\_\_\_ E-mail: \_\_\_\_\_
5. If Applicant is a sole proprietor, partnership or Project Joint Venture, list below or on separate signed sheets the following:
  - A. Applicant Constituent Members (refer to Article 1.9 of RFQ for definition):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - B. License number(s) of Required License(s) currently held by Applicant (refer to Article 2.3 of RFQ for definition):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - C. License number(s) of other active contractor licenses issued by the California State Contractors' License Board and currently held by Applicant:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  - D. Registration number issued by the California Department of Industrial Relations (DIR) currently held by Applicant:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. If any Required License is held in the name of a corporation or partnership, for each such Required License list below the name of the individual who serves as the qualifier or qualifying individual on behalf of the Applicant for the Required License:

Required License: \_\_\_\_\_

DIR Registration Number: \_\_\_\_\_

Qualifier (Name (first, middle, and last) and Address):  
\_\_\_\_\_

Required License: \_\_\_\_\_

DIR Registration Number: \_\_\_\_\_

Qualifier (Name (first, middle, and last) and Address):  
\_\_\_\_\_

7. Has there been any change in ownership of the Applicant, (or Applicant Constituent Members if it is a Project Joint Venture), at any time during the past three (3) years?

☐ Yes

☐ No

☐ If Applicant is a publicly traded corporation, then check here and no other response to this Question is required.

If "yes," explain: \_\_\_\_\_  
\_\_\_\_\_

8. Is the Applicant (or Applicant's Constituent Members if Applicant is a Project Joint Venture), a subsidiary, parent, holding company, or affiliate of another construction firm? (For purposes of this Question, an Applicant shall only be deemed an affiliate of another construction firm, and vice versa, if one owns 50% or more of the other, or if an owner, partner, director or officer of one holds a similar position as owner, partner, director or officer in the other).

☐ Yes

☐ No

If "yes," describe the co-ownership or affiliation:  
\_\_\_\_\_  
\_\_\_\_\_

9. Has the Applicant's (or Applicant's Constituent Members if it is a Project Venture), name or license number on any license issued to Applicant by the California State Contractors' License Board been changed within the past five (5) years?

☐ Yes

☐ No

If "yes," explain: \_\_\_\_\_

10. Has any owner, partner, director, or officer of Applicant (or Applicant's Constituent Members if Applicant is a Project Joint Member) operated a construction firm under any other name within the past five (5) years?

☐ Yes ☐ No

If "yes," explain: \_\_\_\_\_  
\_\_\_\_\_.

11. Does any corporate officer, corporate director, partner, or owner hold a similar position in any other construction firm?

☐ Yes ☐ No

If "yes," explain: \_\_\_\_\_  
\_\_\_\_\_.

12. Provide the following information concerning the Applicant's current surety:

Name of bonding company/surety: \_\_\_\_\_

\_\_\_\_\_

Name of surety agent, address, and telephone number: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

13. List below all other sureties (name and address) that have written bonds (performance or payment) for Applicant or an Applicant Constituent Member within the last three (3) years, including the name of the principal on the bond and the date on which the bond was issued:

\_\_\_\_\_

\_\_\_\_\_

## **PART II: ESSENTIAL REQUIREMENTS**

### **Part II - Instructions**

**Questions 1 through 7 and 12 through 15 in this Part II are evaluated on a "pass/fail" basis. The Applicant will be immediately disqualified if (1) its answer to any of Questions 1 through 7 is "no" or (2) its answer to any of Questions 12 through 15 is "yes".**

1. Has Applicant been issued by the State of California and does Applicant currently hold a currently active and valid "C-7" contractor's license as required for the Project?

☐ Yes ☐ No



2. Has Applicant attached evidence of current registration with the California Department of Industrial Relations?

☐ Yes ☐ No

3. Does Applicant currently have a liability insurance policy with a policy limit of at least \$1,000,000 per occurrence and \$ 2,000,000 aggregate?

☐ Yes ☐ No

4. Is Applicant in compliance with the workers' compensation insurance requirements required by the California Labor Code by reason of one of the following:

- A. Applicant has a current workers' compensation insurance policy as required by the California Labor Code

☐ Yes ☐ No

- B. Applicant is legally self-insured pursuant to California Labor Code Section 3700 et. seq.

☐ Yes ☐ No

- C. Applicant is exempt from these requirements because it has no employees

☐ Yes ☐ No

5. If Applicant is not exempt on the basis that Applicant is a small business pursuant to Government Code Section 14837(d)(1) seeking to bid projects that are no more than 25 percent of the qualifying amount provided in said Section 14837(d)(1), has Applicant provided with its Prequalification Submittal a reviewed or audited Statement of Financial Condition or independent accountant's report that complies with the requirements of the Instructions?

☐ Yes ☐ No ☐ Applicant is exempt

6. Has Applicant submitted with its Prequalification Submittal a notarized statement prepared in accordance with the Instructions from an admitted surety insurer (approved by the California Department of Insurance) that is authorized to issue bonds in the State of California stating that the Applicant's current bonding capacity is sufficient at the present time for Applicant to enter into a contract for the amount of the Project as specified in the RFQ?

Applicant's Surety attests to and has identified the Applicant's current limit of its bonding capacity?

☐ Yes ☐ No

Bonding Capacity Limit: \$ \_\_\_\_\_

7. Has the Applicant furnished **Resumes of the Key Personnel**, including resumes of Programmers providing programming by an outside party, showing years of direct experience with the type and size of systems to be provided, including any certifications and current manufacturer's training?

☐ Yes ☐ No

## **Part II - Instructions - Questions 8 through 11**

**Questions 8 through 11 refer only to certifications and training of audio visual contractor personnel and will be scored.**

8. Does the **Supervisor(s)** have at least five (5) years direct experience with the type and size of systems to be provided and have current Certified Technology Specialist (CTS) training?

☐ Yes ☐ No

Indicate the number of staff members with this certification \_\_\_\_\_

9. Does the **Installation staff** have at least three (3) years direct experience with the type and size of systems to be provided and have current Certified Technology Specialist (CTS-I) training?

☐ Yes ☐ No

Indicate the number of staff members with this certification \_\_\_\_\_

10. Does the **Audio DSP Programmer(s)** have at least three (3) years direct experience with the type and size of systems to be provided and have current manufacturer's training and certification?

☐ Yes ☐ No

Indicate the number of staff members with this certification \_\_\_\_\_

11. Does the **Control Programmer(s)** have at least five (5) years direct experience with the type and size of systems to be provided and have current manufacturer's training and certification?

☐ Yes ☐ No

- a. If Programmers are staff members, indicate the number of qualified programmers on staff \_\_\_\_\_  
b. If programming is to be provided by an outside party, tender references and certification for the outside party, including resume(s) of the party providing the programming services as part of the Key Personnel.

12. Within the past five (5) years has a contractor's license issued to Applicant or an Applicant Constituent Member by the California State Contractors' License Board been revoked?

☐ Yes ☐ No

13. Within the past five (5) years has a surety completed a contract on behalf of Applicant or any Applicant Constituent Member, or paid for completion of a contract (public or private) entered into by Applicant or an Applicant Constituent Member, because Applicant or an Applicant Constituent Member was defaulted or terminated by a project owner?

☐ Yes ☐ No

14. Is Applicant or any Applicant Constituent Member currently ineligible to bid on or be awarded a public works contract, or perform as a contractor on a public works contract, pursuant to either California Labor Code Section 1777.1, California Labor Code Section 1777.7 or California Labor Code Section 1725.5?

☐ Yes ☐ No

15. Within the past five (5) years has Applicant, an Applicant Constituent Member, or any owner, partner, director, or officer of either, been convicted of a crime related to the awarding, bidding or performance of a construction contract?

☐ Yes

☐ No

### **PART III: ORGANIZATION AND STRUCTURE**

#### **Part III – Instructions**

**All of the answers by Applicant to the Questions in this Part III are for informational purposes only and are not scored.**

1. If Applicant is a Corporation, state:

A. Year incorporated: \_\_\_\_\_

B. State of incorporation: \_\_\_\_\_

C. For each person who is either (i) an officer of the corporation (president, vice president, secretary, treasurer), or (ii) the owner of 10% or more of the corporation's stock:

Name	Position	Years with Company	% Ownership

D. Every construction firm that any person listed in the answer to immediately preceding Subpart c of this Question has been associated with (as owner, director, partner, or officer) at any time within the past five (5) years. *(For purposes of this Question only, the words "owner" and "partner" refer to a person holding an ownership interest of 10% or more in the firm, which in the case of a firm that is a corporation shall mean 10% or more of its stock):*

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

2. If Applicant is a Partnership, state:

A. Date of formation: \_\_\_\_\_

B. State under whose laws the partnership was formed: \_\_\_\_\_

C. State the following information for each Applicant Constituent Member of the partnership:

Name	Position	Years with Company	% Ownership
------	----------	--------------------	-------------


- D. Every construction firm that any person listed in the answer to immediately preceding Subpart C of this Question has been associated with, (as owner, director, partner, or officer) at any time within the past five (5) years. *(For purposes of this Question only, the words "owner" and "partner" refer to a person holding an ownership interest of 10 % or more in the firm, which in the case of a firm that is a corporation shall mean 10 % or more of its stock):*

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

3. If the Applicant is a sole proprietorship state:

- A. Date of commencement of business: \_\_\_\_\_
- B. Every construction firm that the sole proprietor has been associated with (as owner, general partner, limited partner, or officer) at any time during the past five (5) years. *(For purposes of this Question only, the words "owner" and "partner" refer to a person holding an ownership interest of 10 % or more in the firm, which in the case of a firm that is a corporation shall mean 10 % or more of its stock):*

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

4. If the Applicant is a Project Joint Venture (refer to Paragraph 4.4.7 of Instructions for definition state:

- A. Date of formation of the Project Joint Venture: \_\_\_\_\_
- B. The following information for each Applicant Constituent Member of the Project Joint Venture:

Name of Applicant Constituent Member	% Ownership of Project Joint Venture

- C. Every construction firm that any person listed in the answer to immediately preceding Subpart B of this Question has been associated with (as owner, director, partner, or officer) at any time within the past five (5) years. *(For purposes of this Question only, the words "owner" and "partner" refer to a person holding an ownership interest of 10% or more in the firm, which in the case of a firm that is a corporation shall mean 10% or more of its stock):*

		Dates of Person's Association
--	--	-------------------------------

Person's Name	Construction Firm	with Construction Firm

## **PART IV: PERFORMANCE HISTORY**

### **Part IV - Instructions**

**The answers given by the Applicant to the Questions in this Part IV will be scored.**

- How many full calendar years prior to submission of its Prequalification Submittal has the Applicant (or if the Applicant is a Project Joint Venture, its Principal Managing Partner, as defined in Paragraph 4.4.7 of the Instructions) in its current organizational form, been doing business in California as a contractor performing work of the type for which a contractor's license has been issued to Applicant within the classification of each and all of the Required License(s)?

\_\_\_\_\_ # of years

- State the Applicant's gross revenues for each of the past three (3) full calendar years:

20\_\_\_\_: \_\_\_\_\_

20\_\_\_\_: \_\_\_\_\_

20\_\_\_\_: \_\_\_\_\_

- At any time during the past seven (7) years has Applicant or any Applicant Constituent Member (1) declared bankruptcy; (2) had filed against it a petition for involuntary bankruptcy; (3) been placed in receivership; or (4) entered into an assignment of substantially all of its assets for the benefit of its creditors? *(An occurrence of any of the foregoing events within the past three (3) years constitutes grounds for automatic disqualification).*

☐ Yes

☐ No

If "yes," 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.

- Has any license issued by the California State Contractors' License Board to Applicant, an Applicant Constituent Member, or a Responsible Managing Employee (RME) or Responsible Managing Officer (RMO) of either, been suspended at any time within the past five (5) years?

☐ Yes

☐ No

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

- At any time within the past five (5) years has Applicant been assessed liquidated damages, the assessment of which was not subsequently withdrawn or adjudged improper, on the basis of an assertion by a public or private owner that Applicant did not complete a construction project in accordance with the timing requirements of the construction contract between such owner and Applicant?

☐ 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, the amount of liquidated damages assessed, and all other information necessary to fully explain the assessment of liquidated damages.

6. At any time within the past five (5) years has Applicant, an Applicant Constituent Member, or any construction firm in which any of Applicant's or an Applicant Constituent Member's owners, directors, officers or partners was associated as an owner, director, officer or partner, been debarred or disqualified from bidding on any government agency or public works project for any reason?

☐ Yes ☐ No

If "yes," explain on a separate signed page. State whether the firm involved was the Applicant, an Applicant Constituent Member or another firm. Identify by name of the firm, the name of the person having a position in the Applicant or Applicant Constituent Member who was associated with that firm, the year of the event, the government agency, the project, and the basis for the government agency's action.

7. Within the past five (5) years has Applicant or an Applicant Constituent Member been denied an award of a public works contract based on a finding by a public agency that it was not a responsible bidder?

☐ Yes ☐ No

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

#### **Part IV - Instructions - Questions 8 and 9**

**Questions 8 and 9 refer only to disputes between Applicant and the owner (public or private) of a project. Applicants need not include information about disputes: (1) where the total amount of damages or losses alleged by the project owner was less than \$50,000; or (2) between Applicant and a supplier, another contractor, or subcontractor.**

8. Within the past five (5) years has any lawsuit or arbitration been commenced against Applicant concerning Applicant's work on a public or private construction project?

☐ Yes ☐ No

If "yes," on separate signed sheets identify the lawsuit(s) and/or arbitration(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 or tribunal 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).

9. Within the past five (5) years has commenced any lawsuit or arbitration against a project owner concerning work on, or payment for, a public or private project.

☐ Yes ☐ No

If "yes," on separate signed sheets identify each such lawsuit or arbitration by providing the project name, date of the claim, name of the entity (or entities) against whom the claim was filed, the court or tribunal in which the case was filed and brief descriptions of the claim's nature and status (pending or, if resolved, the terms of its resolution).

10. Within the past five (5) years has any surety company made any payments on behalf of Applicant or an Applicant Constituent Member as a result of a default, or to satisfy any claims made against a performance or payment bond issued on Applicant's or an Applicant Constituent Member's behalf, in connection with a public or private construction project?

☐ 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 and nature of resolution of such claim if resolved, including, the amount, if any, of the payment by which the claim was resolved.

11. Within the past five (5) years has any insurance carrier, for any form of insurance, refused to renew an insurance policy for Applicant or an Applicant Constituent Member?

☐ Yes ☐ No

If "yes," explain on a separate signed page. Name the insurance carrier, the form of insurance, and the year of the refusal.

12. Has Applicant, an Applicant Constituent Member, or an owner, director, officer or partner of either, ever been found, based on a finding of its making any false claim or material misrepresentation to any public agency or entity, liable in a civil suit or guilty in a criminal action?

☐ 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.

13. Has Applicant, an Applicant Constituent Member, or an owner, director, officer or partner of either, 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.

14. Has Applicant, an Applicant Constituent Member or an owner, director, officer or partner of either, 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 state and district if a federal court), the year and the criminal conduct.

15. Has Applicant or an Applicant Constituent Member been required to pay a premium of more than 1% for a performance and payment bond on any project(s) on which it worked at any time within the past three (3) years; and, if so, what is the highest percentage that Applicant or any Applicant Constituent Member was required to pay? (*Applicant may, at its option, provide an explanation for a percentage rate higher than 1%*).

☐ No ☐ Yes Percentage: \_\_\_\_\_%

16. Within the past five (5) years, has Applicant or an Applicant Constituent Member ever been denied bond coverage by a surety company, or has there ever been a period of time when Applicant or an Applicant Constituent Member 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 coverage was denied, the name of the company or companies which denied coverage and the period during which no required surety bond was in place.

17. Within the past five (5) years has CAL OSHA cited and assessed a penalty against Applicant (or, if the Applicant is a Project Joint Venture, its Principal Managing Partner) for any "serious," "willful" or "repeat" violations of its safety or health regulations? *(If an appeal of a citation has been filed, and the Occupational Safety and Health Appeals Board has not yet ruled on the appeal, it need not be included in Applicant's response).*

☐ Yes ☐ No

If "yes," attach a separate signed page describing each such citation, including information about the date of the citation, the nature of the violation, the project on which the citation was issued, and 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.

18. At any time within the past five (5) years has the federal Occupational Safety and Health Administration cited and assessed penalties against Applicant or any Applicant Constituent Member? *(If an appeal of a citation has been filed, and the Occupational Safety and Health Appeals Board has not yet ruled on the appeal, it need not be included in Applicant's response.)*

☐ Yes ☐ No

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

19. At any time within the past five (5) years has the Environmental Protection Agency ("EPA"), any Air Quality Management District ("AQMD") or any Regional Water Quality Control Board ("RWQCB") cited and assessed penalties against either Applicant, an Applicant Constituent Member or the owner of a project on which either was the contractor? *(If an appeal of a citation has been filed, and the EPQ, AQMD or RWQCB has not yet ruled on the appeal, it need not be included it in Applicant's response).*

☐ Yes ☐ No

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

20. How frequently does Applicant hold documented safety meetings for construction employees and field supervisors during the course of a project (public or private)?

\_\_\_\_\_

21. State the Applicant's EMR (Experience Modification Rate) for the past three (3) full calendar years (this information is available from the Applicant's insurance carrier). *Applicants are hereby instructed to submit as part of their Prequalification Submittal OSHA No. 300 logs covering the past three (3) full calendar years as verification of its response to this Question 21.*

20██: \_\_\_\_\_ 20██: \_\_\_\_\_ 20██: \_\_\_\_\_



If an EMR for any of the above three (3) years is or was 1.00 or higher, Applicant may attach signed sheets explaining the reasons for such EMR.

22. Within the past five (5) years has there ever been a period when Applicant or an Applicant Constituent Member had employees but was without workers' compensation insurance or state-approved self-insurance?

☐ Yes ☐ No

If "yes," explain the reason for the absence of workers' compensation insurance or state-approved self-insurance on a separate signed page. If "no" then: (1) provide (a) a statement by the Applicant's current workers' compensation insurance carrier that verifies periods of workers' compensation insurance coverage for the past five (5) years or (b) written evidence of the existence of state-approved self-insurance for the past five (5) years; or (2) if Applicant has been in the construction business for less than five (5) years, provide (a) a statement by Applicant's workers' compensation insurance carrier verifying continuous workers' compensation insurance coverage for the period that Applicant has been in the construction business or (b) written evidence of the existence of state-approved self-insurance for the period that Applicant has been in the construction business.

23. Has there been more than one occasion within the past five (5) years when Applicant was required to pay either back wages or penalties for its failure to comply with the California prevailing wage laws? *(Violations of the prevailing wage laws by a subcontractor need not be included in the Applicant's response).*

☐ 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 were required to be paid.

24. Has there been more than one occasion within the past five (5) years when Applicant was required to pay either back wages or penalties for its failure to comply with the Federal Davis-Bacon prevailing wage laws? *(Violations of the prevailing wage laws by a subcontractor need not be included in the Applicant's response).*

☐ 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 were required to be paid.

25. Have there been one or more public works projects in the past five (5) years wherein Applicant has been found by the Department of Industrial Relations to have violated any provision of the California apprenticeship laws or regulations, or the laws pertaining to the use of apprentices on public works? *(Applicant need not include in its response any incident that occurred prior to January 1, 1998, if the violation was by a subcontractor and the Applicant or the Applicant Constituent Member, as general contractor on a project, had no knowledge of the subcontractor's violation at the time it occurred).*

If none, answer "No". If any, attach a separate signed page 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, and the amount of the penalty assessed, and attach copies of the Department of Industrial Relations' final decision(s).

☐ Yes ☐ No

26. Provide below or on separate sheets the name, address, and telephone number of the apprenticeship program (approved by the California Apprenticeship Council) from which Applicant intends to request the dispatch of apprentices to Applicant for use on the Project for which prequalification is sought by Applicant.

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27. If Applicant operates its own State-approved apprenticeship program, state below or on separate signed sheets:

A. The craft or crafts in which apprenticeship training was provided in the past year:

---

B. The year in which each such apprenticeship program was approved, and attach evidence of the most recent California Apprenticeship Council approval(s) of Applicant's apprenticeship program(s):

---

C. The number of individuals who were employed as apprentices at any time during the past three (3) years in each apprenticeship program

Number of Apprentices over past 3 years: 

---

D. The number of individuals who, during the past three years, completed apprenticeships in each craft while employed

Number of Persons completing Apprenticeship  
In past 3 years: 

---

28. How many Public Agency Facilities has the Applicant (or, if the Applicant is a Project Joint Venture, its Principal Managing Partner) constructed, in its capacity as a C7-License Contractor, that are located in the County of Riverside during the past ten (10) years?

Number of Facilities: 

---

### **Project Reference Interviews**

**Applicants are advised that the County reserves the right, in its sole discretion, to conduct or not conduct past performance interviews of up to six (6) of the Project References listed in the Applicant's responses to Part V, A, and B above. If such interviews are conducted, then the following rules shall be followed:**

1. Contacts for Project References may be contacted for the purpose of either (1) confirming information provided by the Applicant, (2) conducting interviews on past performance, or (3) both confirming information and conducting interviews on past performance.
2. Communications with contacts for the purpose of only confirming information need not be conducted for every Applicant, are not scored and do not follow a prescribed set of questions.
3. The County will select up to six (6) Project References from among all of the Project References provided in the Applicant's responses to Part V, A above, for the purpose of conducting past performance interviews. If such interviews are conducted for any Applicant they will be conducted for all Applicants.
4. Failure of Applicant to receive a pre-established minimum score for any past performance interview of a contact given by Applicant as a part of a Project Reference shall constitute a ground for automatic disqualification.
5. The Applicant has been requested in Part V, A above, to provide for each Project Reference eight (8) contacts for past performance interviews from: Owner, Architect or Engineer and Construction Manager. If any one of these six (6) contacts cannot be located, the Applicant must provide in its response to Part V, A above, an explanation that includes a description of the efforts made to locate the contact.
6. Failure to provide a contact in response to the Part V, A above, when such information is found to have been reasonably available to the Applicant, constitutes a grounds for disqualification. Where a contact requested by Part V, A above, cannot be reasonably located by Applicant, failure to list that contact shall not be a grounds for disqualification unless Applicant fails to provide at least one contact for a Project Reference, in which case such failure shall be a grounds for disqualification.
7. Past performance interviews shall be conducted by telephone. Applicants are responsible to ensure that the individuals listed as contacts in the Project References are available for past performance interviews. County will make two attempts by telephone to reach a contact. If a contact does not respond within forty-eight hours after the second of two telephonic attempts, the contact will be deemed unavailable. If a contact does not respond, the same effort will be made to contact the other contacts provided. If no contacts are available, the Applicant shall be disqualified.
8. A space has been provided in Part V, A above for the Applicant to indicate the contact that the Applicant requests be contacted for a past performance interview. Attempts shall be made to reach that contact before other contacts are called. If that contact does not respond, attempts shall be made as stated above to reach another contact for that Project Reference that is provided in the Applicant's response.
9. The time period during which past performance interviews may be conducted is set forth in the Prequalification Schedule set forth in the Instructions, which time period may be adjusted by Prequalification Addendum.
10. Only one past performance interview shall be conducted of one contact for each Project Reference that is selected for a past performance interview. Once a past performance interview is commenced of one of the contacts listed, no further past performance interviews of other contacts listed will be performed, even if the person interviewed is unable to answer all of the Interview Questions.

11. Identical questions from a standardized list of Questions shall be asked during past performance interviews. A copy of the standardized list of Questions is attached to the Instructions. If the person interviewed states that he/she is unable to answer the Question, then the Applicant shall be given zero points as its score for that Question.

#### **Part IV - Project Experience Form A**

Government Assembly Rooms are defined as a board room, hall, chambers, or assembly area that is publicly attended for the purpose of conducting government business.

1. How many **renovated** Government Assembly Rooms Projects have you completed that include Audio Visual System Work?

Number: \_\_\_\_

2. How many **new** Government Assembly Rooms Projects have you completed that include Audio Visual System Work?

Number: \_\_\_\_

3. How many Government Assembly Rooms have you completed that include **Video Distribution and Display, Video Streaming and TV Broadcast Feed**?

Number: \_\_\_\_

4. How many new Government Assembly Rooms Projects have you completed that include **Voting Systems**?

Number: \_\_\_\_

5. How many new Government Assembly Rooms Projects have you completed that include **Green Room and Press Feed Systems** for facilities with a minimum of 20 delegates?

Number: \_\_\_\_

## **Part V - Project Reference Form**

### **Instructions – Part V Reference Form**

Applicant shall complete the Part V – Project Reference Form for six (6) completed projects.

#### **Project References**

Provide the information requested below for six (6) projects (*cannot be duplicates*) that demonstrate competency and experience in the Project:

- two (2) **renovated** Government Assembly Rooms Projects that included Audio Visual System Work;
- one (1) **new** Government Assembly Room Project that included Audio Visual System Work;
- one (1) completed Government Assembly Room Project that included **Video Distribution and Display, Video Streaming and TV Broadcast Feed**;
- one (1) new Government Assembly Room Project that included **Voting Systems**;
- one (1) new Government Assembly Room Project that included **Green Room and Press Feed Systems** for a facility with a minimum of 20 delegates.

Applicants not demonstrating by their response that they meet said minimum experience requirement will be automatically disqualified.

Information provided must be current and verifiable. If a contact given for a Project Reference cannot be located, state the efforts that were made to locate the contact.

Project #1: **Renovated** Government Assembly Rooms Project that included Audio Visual System Work:

Project Name: \_\_\_\_\_

Location: \_\_\_\_\_

Owner: \_\_\_\_\_

Owner Contact (name and current phone number):

\_\_\_\_\_  
\_\_\_\_\_

Architect or Engineer: \_\_\_\_\_

Architect or Engineer Contact (name and current phone number):

\_\_\_\_\_  
\_\_\_\_\_

Construction Manager: \_\_\_\_\_

Construction Manager Contact (name and current phone number):

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Description of Project (including scope of work performed):

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Method of Project Delivery: \_\_\_\_\_

Total Value of Construction (including change orders): \_\_\_\_\_

Original Scheduled Completion Date: \_\_\_\_\_

Time Extensions Granted (number of days): \_\_\_\_\_

Actual Date of Completion: \_\_\_\_\_

Person to Contact for Interview (must be one of the contacts listed above for the Owner,  
Architect, or Construction Manager): \_\_\_\_\_

Project #2: **Renovated** Government Assembly Rooms that included Audio Visual System Work:

Project Name: \_\_\_\_\_

Location: \_\_\_\_\_

Owner: \_\_\_\_\_

Owner Contact (name and current phone number):

---

---

Architect or Engineer: \_\_\_\_\_

Architect or Engineer Contact (name and current phone number):

---

---

Construction Manager: \_\_\_\_\_

Construction Manager Contact (name and current phone number):

---

\_\_\_\_\_  
Description of Project (including scope of work performed):

\_\_\_\_\_  
\_\_\_\_\_

Method of Project Delivery: \_\_\_\_\_

Total Value of Construction (including change orders): \_\_\_\_\_

Original Scheduled Completion Date: \_\_\_\_\_

Time Extensions Granted (number of days): \_\_\_\_\_

Actual Date of Completion: \_\_\_\_\_

Person to Contact for Interview (must be one of the contacts listed above for the Owner,  
Architect, or Construction Manager): \_\_\_\_\_

Project #3: **New** Government Assembly Rooms Project that included Audio Visual System Work:

Project Name: \_\_\_\_\_

Location: \_\_\_\_\_

Owner: \_\_\_\_\_

Owner Contact (name and current phone number):

\_\_\_\_\_  
\_\_\_\_\_

Architect or Engineer: \_\_\_\_\_

Architect or Engineer Contact (name and current phone number):

\_\_\_\_\_  
\_\_\_\_\_

Construction Manager: \_\_\_\_\_

Construction Manager Contact (name and current phone number):

\_\_\_\_\_  
\_\_\_\_\_

Description of Project (including scope of work performed):

\_\_\_\_\_

\_\_\_\_\_  
Method of Project Delivery: \_\_\_\_\_

Total Value of Construction (including change orders): \_\_\_\_\_

Original Scheduled Completion Date: \_\_\_\_\_

Time Extensions Granted (number of days): \_\_\_\_\_

Actual Date of Completion: \_\_\_\_\_

Person to Contact for Interview (must be one of the contacts listed above for the Owner,  
Architect, or Construction Manager): \_\_\_\_\_

**Project #4: Completed Government Assembly Rooms Project that included Video Distribution and Display, Video Streaming and TV Broadcast Feed:**

Project Name: \_\_\_\_\_

Location: \_\_\_\_\_

Owner: \_\_\_\_\_

Owner Contact (name and current phone number):

\_\_\_\_\_  
\_\_\_\_\_

Architect or Engineer: \_\_\_\_\_

Architect or Engineer Contact (name and current phone number):

\_\_\_\_\_  
\_\_\_\_\_

Construction Manager: \_\_\_\_\_

Construction Manager Contact (name and current phone number):

\_\_\_\_\_  
\_\_\_\_\_

Description of Project (including scope of work performed):

\_\_\_\_\_  
\_\_\_\_\_



Method of Project Delivery: \_\_\_\_\_

Total Value of Construction (including change orders): \_\_\_\_\_

Original Scheduled Completion Date: \_\_\_\_\_

Time Extensions Granted (number of days): \_\_\_\_\_

Actual Date of Completion: \_\_\_\_\_

Person to Contact for Interview (must be one of the contacts listed above for the Owner,  
Architect, or Construction Manager): \_\_\_\_\_

Project #5: New Government Assembly Rooms Project that included **Voting Systems**:

Project Name: \_\_\_\_\_

Location: \_\_\_\_\_

Owner: \_\_\_\_\_

Owner Contact (name and current phone number):

\_\_\_\_\_  
\_\_\_\_\_

Architect or Engineer: \_\_\_\_\_

Architect or Engineer Contact (name and current phone number):

\_\_\_\_\_  
\_\_\_\_\_

Construction Manager: \_\_\_\_\_

Construction Manager Contact (name and current phone number):

\_\_\_\_\_  
\_\_\_\_\_

Description of Project (including scope of work performed):

\_\_\_\_\_  
\_\_\_\_\_

Method of Project Delivery: \_\_\_\_\_

Total Value of Construction (including change orders): \_\_\_\_\_

Original Scheduled Completion Date: \_\_\_\_\_

Time Extensions Granted (number of days): \_\_\_\_\_  
Actual Date of Completion: \_\_\_\_\_

Person to Contact for Interview (must be one of the contacts listed above for the Owner,  
Architect, or Construction Manager): \_\_\_\_\_

Project #6: New Government Assembly Rooms Project that included **Green Room and Press Feed Systems** for a facility with a minimum of 20 delegates:

Project Name: \_\_\_\_\_

Location: \_\_\_\_\_

Owner: \_\_\_\_\_

Owner Contact (name and current phone number):

\_\_\_\_\_  
\_\_\_\_\_

Architect or Engineer: \_\_\_\_\_

Architect or Engineer Contact (name and current phone number):

\_\_\_\_\_  
\_\_\_\_\_

Construction Manager: \_\_\_\_\_

Construction Manager Contact (name and current phone number):

\_\_\_\_\_  
\_\_\_\_\_

Description of Project (including scope of work performed):

\_\_\_\_\_  
\_\_\_\_\_

Method of Project Delivery: \_\_\_\_\_

Total Value of Construction (including change orders): \_\_\_\_\_

Original Scheduled Completion Date: \_\_\_\_\_

Time Extensions Granted (number of days): \_\_\_\_\_

Actual Date of Completion: \_\_\_\_\_

Person to Contact for Interview (must be one of the contacts listed above for the Owner,

Architect, or Construction Manager): \_\_\_\_\_



**THE COUNTY OF RIVERSIDE ECONOMIC DEVELOPMENT AGENCY  
CONTRACTOR PREQUALIFICATION PACKAGE  
FOR  
PRE-QUALIFICATION OF AUDIO VISUAL CONTRACTORS**

**FOR THE**

**Riverside County Administrative Center  
Board Chambers Audio Visual System Upgrade Project –Riverside CA**

*Project Number FM08100007035*

Issued by:  
COUNTY OF RIVERSIDE  
Economic Development Agency  
3403 Tenth Street, Suite 400  
Riverside, CA 92501



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**ADVERTISEMENT OF REQUEST FOR PREQUALIFICATION**  
**OF AUDIO VISUAL SUBCONTRACTORS**  
**FOR THE**  
**RIVERSIDE COUNTY ADMINISTRATIVE CENTER**  
**BOARD CHAMBERS AUDIO VISUAL SYSTEM UPGRADE PROJECT**

**NOTICE IS HEREBY GIVEN** that pursuant to Public Contract Code Section 20101 the County of Riverside ("County") invites qualified contractors to complete and submit a Prequalification Questionnaire and other required documents for the purpose of prequalifying, based on financial ability and public contracting experience.

It is the County's intent to utilize a prequalification process for this project as the County has made a determination that the project requires a certain higher level of resources and/or specialized experience and qualifications ("Specialized Projects"). A Contractor who is prequalified hereunder is prequalified only for this Specialized Project.

The following Pre-Qualification (RFQ) package is issued by the County of Riverside Economic Development Agency (EDA) with the intent to pre-qualify Audio Visual contractors (Contractors) for the public works project titled:

**"Riverside County Administrative Center Board Chambers Audio Visual System Upgrade Project"**  
**(Project)**

**PROJECT OVERVIEW**

**Project Description and Location.** The Project consists of the replacement of subsystems for the County Administrative Building Board Chambers, located at 4080 Lemon Street, Riverside, California 92501. Demonstrated project experience requirements include audio visual systems work in council chambers, assembly spaces, city halls, conference facilities or other public meeting assembly facilities that include but not limited to:

- Closed Circuit Television (CCTV)
- Audio and lighting systems
- Sound reinforcement
- Video distribution and display
- Video streaming and TV broadcast feed
- Voting systems
- AV control camera control
- Video tracking
- Video and document archival functions
- Green Room and Press feed systems

**Delivery Method and Estimate of Probable Construction Cost.** The project delivery method for the Riverside County Administrative Building Audio Visual System Upgrade Project will be through a single prime contract awarded through a Lump Sum bid package. The Project is expected to bid in the beginning of 2016. The County's estimate of probable construction cost is \$340,000 and the anticipated construction duration is 4 months.

**Required License(s).** A current California type **C7** contractor's license is required to bid the Project.

**SUBMITTAL**

It is mandatory that all Licensed Contractors who intend to submit bids for the Project encompassed within this prequalification process must: (1) fully complete the Prequalification Questionnaire, (2) provide all materials requested herein, and (3) be formally approved by the County prior to submitting bids. No bid will be accepted from a Contractor that has failed to comply with these requirements.

Pre-Qualification for this Project shall remain valid until the contract for construction is awarded or until responding firms are notified in writing by the County in the unexpected event that no construction contract is awarded. It is mandatory that all audio visual contractors (Subcontractor) who intend to submit a bid fully complete the pre-qualification questionnaire, provide all materials requested, and be approved by the County to be on the final qualified Bidders list. It has been

determined that all subcontractors who desire to submit bids on the audio visual work package for this Project must also be prequalified. No bid will be accepted from a bidder that has failed to comply with these requirements. If two or more business entities submit a bid as part of a Joint Venture, or expect to submit a bid as part of a Joint Venture, each entity within the Joint Venture must be separately qualified to bid.

Any person or entity wishing to be considered for prequalification ("Applicant") must submit a completed Prequalification Questionnaire and other information as required by the Instructions to Applicants ("Instructions") that are part of the County's Request for Prequalification, copies of which are/will be available commencing \_\_\_\_\_, Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m. at 3403 Tenth Street, Suite 400, Riverside, CA 92501 or on the County's website at <http://www.rivcoeda.org/AboutEDA/ProposalsQuotations>.

A **MANDATORY** Pre-Submittal Conference will be conducted on \_\_\_\_\_, commencing promptly at 2:00 p.m. at the project site in the Riverside County Administrative Center Board Chambers located at 4080 Lemon Street, Riverside, CA 92501. This meeting will include a presentation of the Project, allow for questions regarding the project scope and the Pre-Qualification process. Applicants intending to bid this Project are required to attend this informational meeting in order to be considered for pre-qualification. Sign language services for the Pre-Submittal Conference are available upon written request received by the County at the address stated below for receipt of Prequalification Submittals at least three (3) business days prior to the Pre-Submittal Conference.

All Prequalification Questionnaires and other information required by the Instructions to be submitted by Applicants ("Prequalification Submittals") shall be prepared in conformance with the Instructions using the forms referenced therein or attached thereto. Prequalification Submittals must be hand-delivered or mailed by Applicants so that they are received by County at 3403 Tenth Street, Suite 400, Riverside, CA 92501 no later than 5:00 p.m., \_\_\_\_\_, which date and time are subject to extension by Prequalification Addendum. The Applicant assumes full and sole responsibility for timely receipt of its completed Prequalification Submittal at the location noted above.

Questions relating to this project should be directed to:  
Scott Pickford, Facilities Project Manager III  
E-mail: [spickford@rivco.org](mailto:spickford@rivco.org) Telephone: (951) 955-9138 Fax: (951) 955-4890

**INSTRUCTIONS TO**  
**APPLICANTS FOR PREQUALIFICATION**

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## **ARTICLE 1**

### **GENERAL PROVISIONS**

**1.1 Definitions.** Capitalized terms used in these Instructions to Applicants ("Instructions") and its attachments shall have the meanings given to them in these Instructions or its attachments.

**1.2 Purpose.** The purpose of the prequalification process is to prequalify prospective bidders ("Bidder(s)") to submit "Bid(s)" leading to the "Award" by the County of Riverside ("County") of proposed public works construction contracts ("Construction Contracts") for Specific Projects.

**1.3 Authority.** This prequalification of bidders is being conducted by County under the authority of Public Contract Code Section 20101. This authority is in addition to, and shall not be construed as a limitation upon, any other authority or right of County that may exist under applicable laws to conduct this prequalification or to separately determine the responsibility or qualifications of any Bidder for any future contract within the Prequalification Categories.

**1.4 Project.** Subject to the County's reserved rights under Section 1.12, below, Prequalified Bidders will be invited to submit Bids for Award of a Construction Contract(s) as described above in Article 1.2, issued for bid by the County and published as part of the Notice Inviting Bids for the Project.

**1.5 County's Budget.** The County's estimated target budget for the each Project will be published as part of the Notice Inviting Bids for the project. The foregoing statement of the County's Budget does not constitute a promise or representation that County will Award a Construction Contract for the Project to a Bidder submitting a Bid equal to or less than the amount of the County's Budget.

**1.6 Basis for Prequalification.** An Applicant, as defined in Section 1.8, below, will be determined by County to be prequalified or not prequalified on the basis of the information it provides in its written submittal provided pursuant to these Instructions, concerning the Applicant's financial ability and experience in performing public works. In the case of an Applicant that is a Project Joint Venture, as defined in Paragraph 4.4.7, below, the Applicant will be prequalified or not prequalified based on the information provided by Applicant in its Prequalification Submittal concerning the financial ability of the Principal Managing Partner as that term is defined in Paragraph 4.4.7 below, and experience in performing public works of the Constituent Members

**1.7 Deadline.** An Applicant wishing to be considered for prequalification must submit its Prequalification Submittal to County on or prior to 5:00 p.m. \_\_\_\_\_. Such deadline is subject to extension by County by Prequalification Addendum.

**1.8 Applicant.** The term "Applicant" means an individual, corporation, partnership or Project Joint Venture (as defined in Paragraph 4.4.7, below) submitting a Prequalification Submittal.

**1.9 Applicant Constituent Members.** The term "Applicant Constituent Member" means an individual, corporation or partnership that shares directly in the profits, losses, and liabilities of an Applicant. For example, and without limitation to the foregoing, if the Applicant is a partnership comprised of a partner who is an individual and a partner that is a corporation, the individual and the corporation are each an Applicant Constituent Member.

**1.10 No Substitutions.** No changes in or additions to the Applicant Constituent Members of an Applicant shall be permitted after the deadline for submission of Prequalification Submittals, except with the prior written authorization of the County, which authorization may be granted or withheld in the County's sole and absolute discretion.

**1.11 Interested Parties.** There is no limitation on any individual, partnership, corporation or Project Joint Venture (as defined in Paragraph 4.4.7, below) participating as an Applicant, or on any individual, partnership or corporation participating as an Applicant Constituent Member, in more than one Prequalification Submittal. However, no Prequalified Bidder shall be allowed to submit more than one Bid for any one specific Project issued by the County or be

"interested in" a Bid submitted by any other Prequalified Bidder for the Project. "Interested in", as those words are used in this Section 1.11, means that a Prequalified Bidder or an Applicant Constituent Member of a Prequalified Bidder who has a managerial or financial interest in another Prequalified Bidder.

**1.12 Reserved Rights.** County reserves the right to conduct further prequalification of Bidders for the Project, conduct open bidding (i.e., bidding by general public notice and without any requirement for prequalification) or to withdraw the Project from prequalification, bidding, or Award with or without the resetting of the Project for further prequalification, bidding, or Award in the future.

**1.13 No Warranty by County.** Applicants are solely responsible to satisfy themselves as to the suitability of any information provided by the County that is in the nature of estimates of costs, statements of needs or requirements, projections, budgets, or other information describing the proposed contract or project contemplated by this prequalification, and nothing stated in these Instructions or its attachments shall be construed as implying the creation or existence of any warranty, express or implied, on the part of the County with respect to the accuracy, sufficiency or completeness of such information.

**1.14 No License.** A determination by the County prequalifying an Applicant shall not be construed as a license to do business for or within the County.

**1.15 Debarment, Non-Responsibility.** A determination by County that an Applicant is not prequalified does not, unless otherwise expressly stated by County at the time of issuance of its prequalification determination, constitute a finding or determination of debarment or that the Applicant is not a responsible bidder as defined in Public Contract Code Section 1103. A determination by the County that an Applicant is prequalified shall not be interpreted as precluding the County, before, at the time of or after receiving a Bid from such Applicant for the Project, from: (1) imposing new or additional responsibility requirements or qualification conditions upon all Bidders, including, without limitation, Prequalified Bidders, as part of the bidding process for the Project; (2) making a determination that a Prequalified Bidder lacks the quality, fitness, capacity or experience to satisfactorily perform the Project; or (3) requiring prequalification or post-bid qualification of any Subcontractor.

**1.16 Objections by Applicant.** Any objection by an Applicant to the procedures or processes set forth in the Prequalification Documents must be submitted to the County, in writing, not later than the seventh (7th) calendar day prior to submission by the Applicant of its Prequalification Submittal. Failure by an Applicant to so object shall constitute a final and conclusive waiver by the Applicant of its right to thereafter assert such objection, including, without limitation, the right to submit such objection as grounds for an appeal or protest pursuant to Article 5, below.

**1.17 Calculation of Time Periods.** If these Instructions or its attachments ask the Applicant to provide information or respond to a question concerning events occurring within a stated time period (such as, "within the past 5 years"), it shall be deemed to mean the period of time that precedes the date that the Applicant first submits its Prequalification Submittal to the County; provided, however, that if a question asks for information pertaining to a stated number of prior full calendar (or fiscal) years, it shall mean the stated number of years immediately preceding the calendar or fiscal year in which the Prequalification Submittal is submitted by Applicant. If these Instructions or its attachments ask, by exact words or in substance, that the Applicant provide information concerning conditions or circumstances as they exist currently, it shall be deemed to refer to the conditions or circumstances as they exist on the date that the Applicant submits its Prequalification Submittal.

**ARTICLE 2**  
**APPLICANT REPRESENTATIONS**

Each Applicant and Applicant Constituent Member who signs and submits a verification in support of the Applicant's Prequalification Submittal represents that:

**2.1 Compliance with Prequalification Documents.** The Applicant's Prequalification Submittal is made in compliance with the requirements of the Prequalification Documents.

**2.2 Due Authorization.** Each person or entity signing a verification of the Applicant's Prequalification Questionnaire is authorized to do so and any such signer that is a corporation is authorized to do business in, and is in good standing under the laws of, the State of California.

**2.3 Required License(s).** The Applicant has been issued and currently holds the following license(s) issued by the Contractor's State License Board for the State of California that is (are) active and in good standing ("Required License(s)"). As listed herein for the Project:

- **"C-7" Contractor License**

The above listed license is mandatory for the Prequalification.

**2.4 Financial Condition.** There has been no significant or material change in the financial condition of Applicant, or any other person or entity who has submitted a Statement of Financial Condition or independent accountant's report to aid in Applicant's prequalification, since the effective date of such Statement of Financial Condition or independent accountant's report.

**2.5 Labor Compliance.** The Applicant will, if awarded the Construction Contract for a Project, comply with all of the applicable provisions of the California Labor Code Sections 1770 et seq., including, without limitation, payment of prevailing wages, maintenance, and submission of weekly-certified payrolls, hiring of apprentices and establishment, implementation and maintenance of an injury and illness prevention program.

**2.5.1** County public works projects are subject to compliance monitoring and enforcement by the Department of Industrial Relations (DIR) in accordance with Labor Code Section 1771.4(a)(1). As part of this program, contractors and subcontractors on public works projects are required to be registered with DIR in accordance with Labor Code Section 1725.5. Unregistered contractors are not qualified to bid on, be listed in a bid proposal, listed as a subcontractor, or engage in the performance of any Public Works Contract, all as more particularly described in Labor Code Section 1771.1(a).

**ARTICLE 3**  
**PREQUALIFICATION SCHEDULE**

**3.1 Prequalification Schedule.**

The following is the anticipated schedule for the prequalification process ("Prequalification Schedule"):

**3.1.1 Advertisement of Request for Prequalification** \_\_\_\_\_ **thru** \_\_\_\_\_;

**3.1.2 Pre-Submittal Conference** \_\_\_\_\_;

- 3.1.3 **Deadline for Requests for Clarification** \_\_\_\_\_;
- 3.1.4 **Final Date for County to Issue Clarifications** \_\_\_\_\_;
- 3.1.5 **Prequalification Submittals Due** \_\_\_\_\_;
- 3.1.6 **Project Reference Interviews (if conducted)** **To be determined**
- 3.1.7 **Notice of Prequalification Selection** **To be determined**

**3.2 Schedule Changes.** The County reserves the right, at any time, to make additions, modifications, or deletions to any of the events or dates that comprise the Prequalification Schedule by issuance of a Prequalification Addendum. Unless otherwise expressly qualified in these Instructions or its attachments, references in these Instructions or its attachments to the Prequalification Schedule, or to dates in the Prequalification Schedule, shall mean the schedule and dates set forth in Section 3.1, above, as adjusted by any changes thereto made pursuant to a Prequalification Addendum.

#### **ARTICLE 4**

#### **PREQUALIFICATION PROCEDURES**

**4.1 Prequalification Documents.** The Prequalification Documents consist of the following: (1) the Advertisement of Request for Prequalification; (2) these Instructions to Applicants (including, without limitation, all attachments hereto); and (3) Prequalification Addenda. Prequalification Documents may be obtained at the location(s) stated in the Advertisement of Request for Prequalification or from the County's Website at: <http://www.rivcoeda.org/AboutEDA/ProposalsQuotations>.

**4.2 Prequalification Questionnaire.** Applicants will be evaluated for prequalification based on the responses that they give to the Prequalification Questionnaire and any additional information obtained by County in the manner permitted by the Prequalification Documents, including, without limitation, interviews by County of Project References provided by Applicant (if conducted). All responses to questions in the Prequalification Questionnaire must be made on the form of Prequalification Questionnaire attached hereto as Attachment No.4, or where there is insufficient space in the Prequalification Questionnaire to provide a complete response, on separate sheets signed by the individual executing the verification on behalf of Applicant. If more than one signed verification is required, such separate sheets need only be signed by one signer of the verification signing on behalf of the Applicant. Failure to provide available information that is required by the Prequalification Documents shall be grounds for disqualification. Failure to provide information requested in response to a Question contained in the Prequalification Questionnaire that does not constitute a "pass/fail" or scored Question (i.e., a Question that seeks background or contact information only) shall be accompanied by an explanation of the reason for the failure to respond and any failure to respond that is found by the County to be without substantial justification shall constitute a grounds for disqualification. Unless otherwise requested elsewhere in the Prequalification Documents, all information provided shall be current as of the date of submission by Applicant of its Prequalification Submittal.

**4.3 Prequalification Submittal.** The following documents comprising the Applicant's Prequalification Submittal are required to be submitted by an Applicant in order to be considered for prequalification. **Applicant shall provide one (1) original marked "Original" and three (3) copies.** The Prequalification package shall include:

**4.3.1** A completed **Prequalification Questionnaire** in the form attached hereto as Attachment No. 4;

**4.3.2** A completed **Verification** in the form attached hereto as Attachment No.1, signed in the manner required by these Instructions, on behalf of each of the following: (1) if the Applicant is an individual or a

corporation, by the Applicant; or (2) if the Applicant is a partnership by the Applicant and by each of its Applicant Constituent Members;

**4.3.3** Completed and signed **Release(s) of Information** in the form attached hereto as **Attachment No.2,** signed in the manner required by these Instructions, on behalf of each of the following: (1) if the Applicant is an individual or a corporation, by the Applicant; or (2) if the Applicant is a partnership or Project Joint Venture, by its Managing Partner;

**4.3.4** A completed **Statement of Financial Condition** complying with the requirements below in Section 4.4 and a **signed Certificate of Accountant**, on the letterhead of Applicant's independent Accountant attesting to the fact that the Report complies with the requirements of Section 4.4 below and is found to be a correct representation of the management of the Applicant.

**4.3.5** **Surety Statement:** Each Applicant is required to submit with its Prequalification Submittal a notarized statement from an admitted surety insurer (approved by the California Department of Insurance) that is authorized to issue bonds in the State of California stating that the Applicant's capacity to obtain a performance bond and payment bond is sufficient at the time of execution of such statement for Applicant to enter into a Construction Contract for the minimum bonding capacity stipulated by the RFQ, and for such surety to issue a performance bond and payment bond for the full amount designated therein. The minimum threshold capacity for performance bond and payment bond is stipulated in the Questionnaire. The submitted notarized statement must be from the surety company, not an agent or broker. Nothing stated in the Prequalification Documents shall be construed as limiting the County's right to require that an additional notarized statement from a surety be submitted by Applicant at the time of submission of its Bid that is based upon the full amount of such Bid or that a performance bond and payment bond be submitted by Applicant as part of its Bid in the full amount of its Bid, even if its Bid is more than the amount of the County's Budget.

**4.3.6** **General Liability Insurance Coverage:**

Each Applicant shall attach a copy of a current certificate of General Liability Insurance coverage of at least \$1,000,000 per occurrence / \$2,000,000 aggregate with a California-admitted insurance company and Workers Compensation Coverage to cover all activities of Applicant. The certificate of General Liability Insurance must be able to name "County of Riverside" as Additional Insured.

**4.3.7** **Bank Letter:** Each Applicant shall attach an original, signed letter(s) from Applicant's bank(s) on the bank's letterhead stationary confirming Applicant's relationship, credit, and banking history including the type of account(s) Applicant has, name of the branch manager, and his or her contact information. If Proposer's line of credit is held at an alternate financial institution, provide an original, signed letter from institution, on the institution's letterhead, verifying the availability of a line of credit.

**4.3.8** **Current Registration with California Department of Industrial Relations (DIR):** Each Applicant shall attach a copy of the registration with California Department of Industrial Relations. The listed Applicant name on the license held for the Prequalification Submittal must match the DIR registrant name.

**4.3.9** **Copy of "C-7" License:** Each Applicant shall attach a copy of the "C-7" license, issued in the State of California. The listed name on the license held must match the Applicant name.

**4.3.10** **Copy of the Resumes of Key Personnel:** Each Applicant shall attach a copy of the resumes of Key Personnel showing years of direct experience with the type and size of systems to be provided, including any certifications and current manufacturer's training. If any programming is to be provided by an outside party, attach a copy of the resume showing years of direct experience with the type and size of systems to be provided, including any manufacturer's training and certification.

**4.3.11. Additional Information** The County reserves the right, but shall not have the obligation, to request additional information from an Applicant that may be necessary to complete the County's evaluation of the financial ability of any person or entity who has submitted a Statement of Financial Condition or independent

accountant's report relied upon by the Applicant. Applicant is responsible to provide such information, if requested, within five (5) calendar days of request by the County.

#### **4.4 Financial Information.**

**4.4.1 Statement of Financial Condition.** Except as otherwise provided in Paragraph 4.4.5 or Paragraph 4.4.6, below, each Applicant is required to submit as part of its Prequalification Submittal a Statement of Financial Condition in compliance with Articles 4.4.2, 4.4.3 and 4.4.4 below.

**4.4.2 Time Period.** The information stated in a Statement of Financial Condition shall be current as of the end of the last full fiscal year ending more than sixty (60) Days prior to the deadline in the Prequalification Schedule for submission of Prequalification Submittals, without consideration of any adjustments to such deadline that may be made pursuant to Prequalification Addendum.

**4.4.3 Audit or Review.** The information reflected in a Statement of Financial Condition must be audited or reviewed in accordance with generally accepted accounting principles by an independent, certified public accountant who: (1) is registered and licensed under the laws of any of the United States; (2) is not employed by the Applicant or any of its Applicant Constituent Members; (3) does not have a direct or indirect interest, financial or otherwise, in the business of the Applicant or any of its Applicant Constituent Members; and (4) does not receive more than fifty percent (50%) of his/her/its total annual accounting fees from the Applicant or its Applicant Constituent Members. A certification of "compiled" financial information is not acceptable.

**4.4.4 Certificate of Accountant.** Except as otherwise permitted by Paragraph 4.4.5 or 4.4.6, below, each completed Statement of Financial Condition shall, when submitted to the County as part of the Applicant's Prequalification Submittal, be accompanied by a duly executed Certificate of Accountant, on the letterhead of the Applicant's Accountant evidencing that the financial information reflected in the Statement of Financial Condition has been audited or reviewed by the Accountant and found to be a correct representation of the management of the proposing Contractor

**4.4.5 Small Business Exception.** An Applicant is exempt from the requirement to submit a Statement of Financial Condition under Public Contract Code Section 20101(e), if that Applicant is a small business pursuant to Government Code Section 14837(d)(1) seeking to bid projects that are "no more than 25 per cent of the qualifying amount provided in Section 14837(d)(1)."

**4.4.6 Exceptions.** No Statement of Financial Condition, Certificate or Accountant or independent accountant's report shall be acceptable which contains an opinion stating, in substance or effect, that the financial information of the person or entity audited, reviewed or reported does not present a fair and accurate statement of that person's or entity's financial position or that an opinion cannot be expressed because of restrictions placed on the audit, review or report, whether such restrictions are placed by the Applicant or otherwise. The submission of a Statement of Financial Condition and Certificate of Accountant or independent accountant's report that contains an exception must further include a statement of the reasons for the exception, the approximate amount involved and the overall effect of the exception on the financial condition of the person or entity whose financial condition is the subject of the audit, review or independent accountant's report. If the Applicant fails to complete all of the financial information requested or if exception (whether or not explained) is taken by the certified public accountant to any information provided, then the County reserves the right, in its sole and absolute discretion, to reject the entire Statement of Financial Condition or independent accountant's report or exclude any affected portion of the Statement of Financial Condition or independent accountant's report from consideration in determining whether the person or entity whose financial condition is under consideration meets the minimum requirements for prequalification.

**4.4.7 Project Joint Ventures.** The County recognizes that joint ventures formed for the purpose of bidding contracts may not have sufficient assets to satisfy the requirements for prequalification, even though the managing joint venture partner has such sufficient assets. Accordingly, if the Applicant is a Project Joint Venture, as defined in this Paragraph 4.4.7, then it will be sufficient if the Managing Partner of the joint venture submits the financial information required by this Section 4.4. A "Project Joint Venture" is a joint venture formed solely for the purpose of

performing the classification of contracts for the County that are described in these instructions. "Principal Managing Partner" means the joint venture partner of a Project Joint Venture who is primarily responsible for the day-to-day management of the business of the Project Joint Venture and whose financial condition is necessary to Applicant's ability to prequalify for bidding the contracts within the Bidding Category(s) for which the Applicant seeks prequalification.

**4.5 Evaluation Process.** Each Applicant's Prequalification Submittal will be evaluated based on a uniform system of scoring. Without limitation to any other requirements set forth in the Prequalification Documents, in order to successfully prequalify an Applicant must:

**4.5.1** Submit all of the documents and information comprising a complete Prequalification Submittal as required by Section 4.3, above and listed below;

**4.5.2** Meet the pass-fail requirements set forth in Part II of the Prequalification Questionnaire and listed below:

.a Proposer has submitted a completed **Prequalification Questionnaire**

.b Proposer has submitted a completed **Verification Form** as required by Article 4.3.2 meeting minimum stated requirements

.c Proposer has submitted a completed **Release of Information Form** as required by Article 4.3.3 meeting minimum stated requirements

.d Proposer has submitted a completed **Statement of Financial Condition** as required by Article 4.3.4 meeting minimum stated requirements

.e Proposer has submitted a completed **Certificate of Accountant** as required by Article 4.3.4 meeting minimum stated requirements

.f Proposer has submitted a completed **Surety Statement** as required by Article 4.3.5 meeting minimum stated requirements

.g Proposer has submitted a completed **Proof of General Liability Insurance Coverage** as required by Article 4.3.6 meeting minimum stated requirements

.h Proposer has submitted a completed **Bank Letter** as required by Article 4.3.7 meeting minimum stated requirements

.i Proposer has submitted evidence of **Registration with the California Department of Labor Relations (DIR)** as defined by Article 4.3.8 meeting minimum stated requirements

.j Proposer has submitted a copy of the **"C-7" License** as required by this RFQ.

.k Proposer has submitted a copy of the **Resumes of the Key Personnel** as required by this RFQ.

.l Proposer has successfully responded to all **Essential Requirements** as defined in Part II of the Prequalification Questionnaire

.m Proposer has provided the required **Project Reference Forms** as defined in Part V.C of the Prequalification Questionnaire

**4.5.3** At the conclusion of the Evaluation Process, Applicants with the top ranked 4 to 6 combined scores will be selected for the list of Pre-Qualified Contractors for the scored questions and submitted project reference

forms set forth in Part IV and V of the Prequalification Questionnaire and, if interviews of Project References are conducted, for the Project Reference interviews.

**4.6 Reference Interviews.** Without limitation to the County's rights under Section 4.8, below, County reserves the right, but assumes no obligation, to contact and interview any person or organization identified in Applicant's response to Part V, A of the Prequalification Questionnaire concerning the Applicant's past performance on its Project References. Interviews will be conducted in accordance with the rules for interviews set forth in Part V, C of the Prequalification Questionnaire following a pre-set list of questions set forth in Attachment No. 3 attached hereto. Applicant assumes sole responsibility for any inaccuracies, or lack of currency of, the information provided by the Applicant in its Project References. Incorrect or non-current contact Information provided in response to a request for a Project Reference may, in the sole discretion of County, be treated as a failure by the Applicant to provide a complete response, resulting in either a reduction in Applicant's score or disqualification.

**4.7 Additional Investigations.** In addition to the County's contacting the Project References listed in Applicant's responses to Part V of the Prequalification Questionnaire, County shall have the right, but not the obligation, before or after an Applicant has been prequalified, to investigate the facts or circumstances of any response by an Applicant. Except as provided in Article 5, below, the County has no obligation to afford any Applicant the opportunity, as part of the scoring process of an Applicant's Prequalification Submittal or otherwise, to respond to any adverse information that is received as a result of such investigations. In addition to the foregoing, the County shall have the right, but not the obligation, before or after an Applicant has been prequalified, to designate auditors to perform audits or reviews of the books or accounts of the person or entity whose financial information forms the basis for the Statement of Financial Condition or independent accountant's report submitted and relied upon by the Applicant in order to confirm the accuracy and completeness of the financial information provided. The Applicant must make provision for and is responsible to ensure full and prompt cooperation with such audits or reviews.

**4.8 Prequalification Selection.** The County will designate an individual or group of individuals to conduct the evaluation of the Applicant's Prequalification Submittal on behalf of the County. The identities of such individual(s) shall not be disclosed by the County to the Applicants. Those individual(s) designated to score the Prequalification Submittal shall be employees of the County.

**4.9 Unauthorized Communications.** Unless requested to do so in writing by County or as otherwise permitted by these Instructions, Applicants and Applicant Constituent Members shall not communicate, either verbally or in writing, concerning any aspect of the prequalification process with: (1) any consultant or professional retained by the County for the purpose of providing the County advice or professional services in respect to the prequalification process or the design or construction of the Project; or (2) any employee or representative of the County other than as designated in Section 4.12 herein.

**4.10 Prequalification Conference.** A mandatory Prequalification Conference will be conducted on the date therefor that is set forth in the Prequalification Schedule commencing promptly at 2 p.m. on \_\_\_\_\_, at the following location: 3403 Tenth Street, Suite 400, Riverside, CA 92501. Applicants must attend and sign in at the Prequalification Conference in order to be considered for prequalification.

**4.11 Proceedings.** Unless otherwise directed by the County in a Prequalification Addendum, all proceedings conducted for the purpose of or related to the prequalification of Applicants, other than the Prequalification Conference, shall be closed to the public.

**4.12 Requests for Clarification.** Applicants are solely responsible to seek clarification, if needed, of any portion of the Prequalification Documents. All requests by Applicants for clarification of the Prequalification Documents ("Request(s) for Clarification") must be submitted, between the hours of 8 a.m. and 5 p.m. at least three (3) calendar days prior to the deadline in the Prequalification Schedule for submission of Prequalification Submittals, by hand delivery, mail, fax or e-mail to the following: Address: 3403 Tenth Street, Suite 400, Riverside CA 92501 Phone: (951) 955-2784 Fax: (951) 955-4890 E-Mail: CWaltman@rivcoeda.org. Requests for Clarification received after that time will not be responded to. Failure by an Applicant to seek clarification of any portion of the Prequalification Documents shall neither



relieve the Applicant from its representations as set forth in Article 2, above, nor serve as the basis for any claim by the Applicant that it was mistaken or misled in connection with the preparation of its Prequalification Submittal.

**4.13 Prequalification Addenda.** Interpretations, corrections, and changes by the County of the Prequalification Documents will be made by Prequalification Addenda. Interpretations, corrections, and changes of the Prequalification Documents made in any other manner shall not be relied upon by Applicants and will not be binding upon the County. Notice of issuance of a Prequalification Addendum issued before the deadline for initial submission of Prequalification Submittals set forth in Paragraph 3.1.5, above, shall be given only to the Applicants at the address provided by them at the Prequalification Conference. Notice of Prequalification Addenda that are issued after said deadline shall be given only to the Applicants who have submitted Prequalification Submittals in accordance with the requirements of the Prequalification Documents. It is the obligation of the Applicant to verify issuance of Notice by the County of a Prequalification addenda by checking County's website. County will seek to distribute such Notices to Applicants via email or addresses as provided by Applicant. Failure of an Applicant to receive a Prequalification Addendum shall not entitle the Applicant to an extension of the Prequalification Schedule nor shall it permit the submission of any additional prequalification information after the deadline for receipt of the Prequalification Submittal set forth in the Prequalification Schedule.

**4.14 Preparation, Copies.** The portions of the Prequalification Submittal prepared or filled in by an Applicant must be either typed or completed in ink. Responses in pencil are unacceptable. For "Yes" or "No" answers, Applicants must indicate either "Yes" or "No" by putting a check mark or "X" mark in the box next to "Yes" or "No". If there is a requirement that the Applicant or any Applicant Constituent Member submit any additional documents, they shall be packaged as part of the Applicant's Prequalification Submittal. One (1) original marked "Original" and (3) copies of the Prequalification Submittals shall be submitted.

**4.15 Verification.** Prequalification Questionnaires must be verified in the manner required by Paragraph 4.3.2, above, using the form of verification attached hereto as Attachment No. 1 by an individual with legal authority to bind the person or entity on whose behalf such individual is signing.

**4.16 Submission.** One (1) original(s) marked "original" and three (3) copy(ies) of the Prequalification Submittal shall be submitted. Prequalification Submittals shall be hand delivered to, or received by mail at, 3403 Tenth Street, Suite 400, Riverside, CA 92501, at any time Monday through Friday between the hours of 8 a.m. to 5 p.m., prior to the deadline for receipt of Prequalification Submittals set forth in the Prequalification Schedule. Prequalification Submittals that are submitted after the deadline specified in the Prequalification Schedule will not be considered and will be returned, unopened. Oral, telephonic, facsimile, or electronically transmitted Prequalification Submittals will not be considered. The Applicant assumes full responsibility for timely delivery of its Prequalification Submittal at the location designated therefor in these Instructions.

**4.17 Sealed Envelope.** Each Prequalification Submittal, including the original(s) and each copy, shall at the time of delivery be enclosed in a single, sealed opaque envelope. Piecemeal submissions are not permitted. The envelope, as well as any outer envelope or packaging in which the envelope may have been placed by the Applicant or the carrier, shall be addressed and delivered as required by these Instructions and shall be clearly and conspicuously labeled with the Applicant's name and address and the words "CONFIDENTIAL RESPONSE TO REQUEST FOR PREQUALIFICATION OF PROSPECTIVE BIDDERS".

**4.18 Supplemental Information.** Without limitation to the County's rights under Section 4.22, below, unless requested by the County in a Prequalification Addendum or otherwise required by these Instructions, an Applicant shall not have the right to submit new or additional information to supplement its Prequalification Submittal after the deadline in the Prequalification Schedule for receipt of Prequalification Submittals.

**4.19 Withdrawal, Resubmission.** Prequalification Submittals may be withdrawn upon written notice to the County that is received by County at the place for receipt of Prequalification Submittals. Prequalification Submittals withdrawn prior to the deadline for receipt thereof set forth in the Prequalification Schedule may be resubmitted up to the deadline for receipt of Prequalification Submittals set forth in the Prequalification Schedule.

**4.20 Rejection, Cancellation, Revocation.** Without limitation to any of the County's other rights under the Prequalification Documents or applicable laws, the County reserves the right, exercised in its sole and absolute discretion, to at any time: (1) reject any Prequalification Submittal that fails to comply with the requirements of the Prequalification Documents or that contains any information that the County determines is false or misleading; (2) reject all Prequalification Submittals; (3) withdraw and cancel its Request for Prequalification of Prospective Bidders; (4) cancel, revoke or limit the prequalification status or rating of any Prequalified Bidder based on subsequently-learned information indicating that the Prequalified Bidder's Prequalification Submittal contained false or misleading information; (5) cancel, revoke or limit the prequalification status, or rating of any Prequalified Bidder based on receipt of new information that the Prequalified Bidder is obligated to disclose in accordance with its continuing obligations under Section 4.22, below, including, without limitation, any such new information that reflects a material change in the financial condition of any person or entity submitting a Statement of Financial Condition or independent accountant's report; or (6) cancel or revoke the prequalification status of all Prequalified Bidders for any reason, without cause and for its convenience (with or without the issuance of a further Request for Prequalification of Prospective Bidders). Exercise by County of its rights under this Section, or of any other right of County under these Instructions or applicable laws to cancel, revoke or limit the prequalification status or rating of any Prequalified Bidder shall not, under any circumstance, give rise to any liability or obligation on the part of County nor shall it constitute grounds for any claim by an Applicant or Prequalified Bidder for recovery from County of any loss, damage, cost or expense.

**4.21 New Information by Applicant.** Applicant has the continuing obligation, commencing upon submission of its Prequalification Submittal and continuing until Award of a Construction Contract, to immediately notify the County, in writing, if it learns that any of the following have occurred: (1) any statement made in its Prequalification Submittal was false or misleading when made; (2) circumstances have occurred since the Applicant submitted its Prequalification Submittal that, if they had occurred prior to the date that Applicant submitted its Prequalification Submittal, would have constituted grounds for the automatic disqualification of the Applicant under the terms of Prequalification Questionnaire; provided, however, that the obligation set forth in Clause (2) of this Section 4.21 shall not extend to or include the providing of information that would involve a recalculation of the Applicant's Experience Modifier Rate; (3) there has been a change in or addition to the Applicant Constituent Members; (4) the Applicant has undergone a change in ownership in which ownership of 50% or more of its stock or assets has changed; or (5) there has occurred a reduction in net worth or working capital (as reported in the Statement of Financial Condition or independent accountant's report of such person or entity submitted as part of Applicant's Prequalification Submittal) of more than twenty-five percent (25%). Additional information provided by Applicant shall be submitted under oath using the form of verification provided as part the Prequalification Documents.

**4.22 Certification for Bidding.** A Prequalified Bidder may be required by County, as a condition of submitting a Bid in the future as a result of this Prequalification, to prepare and file a certification affirming under oath that it has no new information to disclose that would constitute new information of the type that it has a continuing obligation to disclose pursuant to Section 4.21, above.

**4.23 Waiver of Irregularities.** County reserves the right to waive minor or clerical irregularities, errors, or omissions in the prequalification process, in the information contained in any Prequalification Submittal or in regard to any Applicant's compliance with the prequalification process. The County's determinations with respect to waiving or not waiving any such irregularities, errors, or omissions shall, in the exercise of its sole and absolute discretion, be final, and binding upon Applicant.

**4.24 Not Public Records.** Except as otherwise provided by applicable laws, a Prequalification Submittal (including, but not limited to, any included financial information) is not a public record and is not open to public inspection. However, contents of a Prequalification Submittal may be disclosed to third parties for the purpose of verifying information or in the process of an appeal or determination of a protest. If applicable law provides that the names of contractors applying for prequalification status are public records subject to disclosure, and if applicable law does not otherwise require, only the first page of the Prequalification Questionnaire will be disclosed.

**4.25 Applicable Laws.** All Prequalification Submittals must be submitted, filed, made, and executed in accordance with applicable laws, whether or not such applicable laws are expressly referred to in or conflict with the requirements of the Prequalification Documents.

**4.26 Costs and Expenses.** Applicants shall bear, at their own expense and without reimbursement by the County, all costs, and expenses associated with their participation in the prequalification process or in connection with the preparation or submission of Bids for the Project.

**4.27 Receipt of Notices.** Notices by the County to an Applicant that are issued after the deadline in the Prequalification Schedule for submission of Prequalification Submittals shall be deemed delivered and received by the Applicant if provided by delivery, mail, facsimile or e-mail to the Applicant at the address provided by the Applicant at the Prequalification Conference, in its Prequalification Submittal, or at the Applicant's last known address. It is the obligation of the Applicant to verify issuance of Notice by the County of a Prequalification addenda by checking County's website. County will seek to distribute such Notices to Applicants via email or addresses as provided by Applicant. Failure of an Applicant to receive a Prequalification Addendum shall not entitle the Applicant to an extension of the Prequalification Schedule nor shall it permit the submission of any additional prequalification information after the deadline for receipt of the Prequalification Submittal set forth in the Prequalification Schedule.

**4.28 Notice of Prequalification.** The County will issue a notice ("Notice of Prequalification") to Applicants who have successfully prequalified. Formal issuance of a Notice of Prequalification is for the convenience of the Applicants and is not a condition to the validity of the County's determination that an Applicant is or is not prequalified.

**4.29 Non-Transferable.** Neither an Applicant's Prequalification Submittal nor a Prequalified Bidder's prequalification status is assignable or transferable. Any attempt to assign or transfer in violation of this provision shall be null and void.

**4.30 Subsequent Responsibility Determination.** A determination that an Applicant is prequalified does not constitute a waiver by the County of its right to make a subsequent determination that a Prequalified Bidder, or any Subcontractor to a Prequalified Bidder, is not a responsible bidder as defined in Public Contract Code Section 1103 to submit a Bid for Award of the Construction Contract for the Project.

**4.31 Debriefing.** At the County's option, exercised in its sole and absolute discretion after the issuance of the Notice of Prequalification, the County may make available for those requesting it an opportunity for a debriefing. Debriefings, if conducted, will be conducted in accordance with the Prequalification Schedule. At the prequalification debriefings, summaries of the overall evaluation of an Applicant's Prequalification Submittal will be reviewed. Copies of Prequalification Submittals or scoring of individual questions will not be provided nor will there be point-by-point comparisons of competing Prequalification Submittals.

## **ARTICLE 5**

### **APPEALS AND PROTESTS**

#### **5.1 Appeals.**

**5.1.1 Appeal of Prequalification Determination.** Any Applicant may dispute the County's determination denying prequalification status to the Applicant by filing an appeal provided that each and all of the following are complied with:

**.1** The appeal shall be in writing and include a request for hearing of the appeal.

**.2** The appeal shall be based on a dispute relating to the prequalification rating of the Applicant filing the appeal; appeals are not permitted if the reason for disqualification is the failure by Applicant to submit a complete Prequalification Submittal.

**.3** The appeal shall be filed with and received by the County at the following address: 3403 Tenth Street, Suite 400, Riverside, CA 92501, not more than ten (10) calendar days following the date of issuance of the County's Notice of Prequalification. Failure to timely file an appeal shall constitute grounds for the County to deny the appeal without further consideration of the grounds stated therein and shall constitute a waiver by Applicant of any and all rights to challenge the prequalification decision of the County, whether by administrative process, judicial process or any other legal process or proceeding.

**5.1.2 Notification of Grounds.** If the Applicant's written notice of appeal requests that County give a written explanation of the basis for disqualification, then County shall provide the Applicant with a written statement of the basis for Applicant's disqualification and any supporting evidence that has been received from others or adduced as a result of an investigation by the Applicant.

**5.1.3 Hearing.** An Applicant that has properly filed an appeal in accordance with the requirements of Paragraph 5.1.1, above, shall be given notice and opportunity to appear before a committee ("Appeal Committee"), consisting of individuals appointed by the County Economic Development Agency, to rebut any evidence used as a basis for disqualification and to present evidence as to why the Applicant should be prequalified. Hearing before the Appeal Committee shall be an informal process. If the Applicant chooses not to avail itself of this process, then the County's determination that the Applicant is not prequalified may be adopted by the County without further proceedings.

**5.1.4 Final Decision.** The Appeal Committee shall provide a written decision to the Applicant filing the appeal, either granting or denying the appeal. A written decision of the Appeal Committee on an appeal shall be final, unless overturned by the Board of Supervisors.

**5.2 Protests.** Any protest with respect to the conduct of the prequalification process, not involving an appeal by an Applicant pursuant to Section 5.1, above, of a determination that such Applicant is not prequalified, must be filed within ten (10) calendar days following the date of issuance of the County's Notice of Prequalification. Such protest shall state the grounds for the protest and any evidence and legal authority for such protest. Without limitation to the provisions of Section 1.16, above, failure to do so shall result in Applicant waiving all rights and grounds for protest of the County's execution, handling, or implementation of the prequalification process. Determination by County of protests that are properly and timely noticed in accordance with this Section 5.2 shall be made by County based on the information submitted as part of the protest and without the necessity of a hearing.

**5.3 Bid Closing.** The date for submission of Bids for the Project subject to this Prequalification shall not be delayed or postponed to allow for completion of the processing of an appeal or protest.

**ATTACHMENT NO. 1**

**VERIFICATION**

STATE OF CALIFORNIA, COUNTY OF \_\_\_\_\_

I have read the foregoing **PREQUALIFICATION QUESTIONNAIRE (including, without limitation all attached pages)** and know its/their contents.

- ☐ The matters stated in the foregoing document are true of my own knowledge except as to those matters, which are stated, on information and belief, and as to those matters, I believe them to be true.
- ☐ I am \_\_\_ an officer \_\_\_ a partner \_\_\_ a member \_\_\_ the sole proprietor of \_\_\_\_\_, a \_\_\_\_\_, and am authorized to make this verification for and on its behalf, and I make this verification for that reason.
- ☐ I am informed and believe and on that ground allege that the statements made in the foregoing document are true.
- ☐ The matters stated in the foregoing document are true of my own knowledge except as to those matters, which are stated, on information and belief, and as to those matters, I believe them to be true.

Executed on \_\_\_\_\_ (date), at \_\_\_\_\_ (city), California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Signature

## **ATTACHMENT NO. 2**

### **AUTHORIZATION TO RELEASE INFORMATION**

The undersigned hereby authorizes and consents to the County of Riverside ("County") obtaining information from third parties, including, but not limited to, any individual(s) or individual representative(s) of any firm(s), entity(ies) or organization(s) listed in the Applicant's Prequalification Submittal, for the purpose of verifying the information provided or for any other purpose related to the evaluation of Applicant's qualifications. To ensure the effectiveness of the prequalification process, such individuals must be able to speak frankly and openly. Accordingly, the undersigned hereby fully and unconditionally releases and discharges the third party individuals, and the firms, entities and organizations they represent, from any claim or liability relating to information provided by it/him/her/them to the County in connection with the processing, investigation and evaluation by County of the Applicant's Prequalification Submittal.

\_\_\_\_\_  
Company

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

### **ATTACHMENT NO. 3**

#### **STANDARDIZED PROJECT REFERENCE INTERVIEW QUESTIONS**

The following questions will be used to conduct interviews concerning past performance by Applicant on a project listed by Applicant as a Project Reference in its responses to Part V, C of the Prequalification Questionnaire. The County will conduct the interviews in accordance with the rules set forth in Part V, A of the Prequalification Questionnaire. No action on the Applicant's part is necessary. These questions are included in the package for information purposes only.

First, please give a brief description of the project listed as one of the Applicant's Project References.

1. On a scale of 1-10, with 10 being the best, did the contractor provide adequate personnel? (Max. 10 points)
2. On a scale of 1-10, with 10 being the best, did the contractor provide qualified supervision? (Max. 10 points)
3. On a scale of 1-10, with 10 being the best, was there adequate equipment provided on the job? (Max. 10 points)
4. On a scale of 1-10, with 10 being the best, was the contractor timely in providing reports and other paperwork, including change order paperwork and scheduling updates? (Max. 10 points)
5. Was the project completed on time? (10 points if the answer is "Yes").  
Or, if the answer is "no," on a scale of 1-9, with 9 representing the least responsibility, to what extent was the contractor responsible for the delay in completion? (Max. 10 points)
6. On a scale of 1-10, with 10 being the best, rate how the contractor performed in the area of turning in Operation & Maintenance manuals, completing as-built drawings, providing required training and taking care of warranty items? (Max. 10 points)
7. On a scale of 1-10, with 10 being the best, rate the contractor on whether there were an unusually high number of claims, given the nature of the project, or unusual difficulty in resolving them. (Max. 10 points)
8. On a scale of 1-10, with 10 being the best, how would you rate the quality of the contractor's performance overall? (Max. 10 points)