

PREQUALIFICATION DOCUMENTS
for
BID PACKAGE NO. 01:
HEATING, VENTILATING, & AIR CONDITIONING

UCR BATCHELOR HALL RENEWAL PROJECT

PROJECT NO. 950464-950531

University of California, Riverside
Planning, Design, & Construction
1223 University Ave., Suite 240
Riverside, CA 92521

Advertisement Date: 10/7/19 – 10/18/2019

LEVEL 1 PREQUALIFICATIONS

Document Issue Date: 10/14/19

Mandatory Pre-Qualification Conference: 10/21/19 at 10:00am

Notice of Intent Requested By: 10/24/19 at 3:00pm

Last Day for Questions: 10/30/19

Pre-Qualification Questionnaire Due By: 11/4/19 at 2:00pm

LEVEL 2 REQUEST FOR PROPOSAL

Level 2 Bid / Best Value: 4th Quarter 2019 (est.)

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A. PROJECT BACKGROUND

Batchelor Hall was completed in 1965 and was designed to provide maximum usability and flexibility per design standards current at that time. The four-story building frames the northeast corner of a quadrangle formed at the intersection of Eucalyptus and Science walks. Batchelor Hall currently houses the Institute of Integrative Genomic Biology, Department of Botany and Plant Sciences, Life Sciences Graduate Student Advising Office and Student Academic Affairs under the College of Natural and Agricultural Sciences (CNAS).

The building has remained substantially unchanged and currently houses an equipment core which is inefficient and lacks the recourse necessary for modern research. The building's utility infrastructure systems have reached the end of their service lives and in many cases the systems have become obsolete and exist in poor condition. The Batchelor Hall Renewal project will replace and upgrade the building Mechanical, Plumbing, Electrical, Conveyance, and Fire Protection systems, and convert several wet laboratories and support services to provide instructional laboratories and support services.

B. PROJECT DESCRIPTION

The Batchelor Hall Renewal project is comprised of two separate projects, the Batchelor Hall Renewal and the Batchelor Hall Interiors project. The Batchelor Hall Renewal focuses on replacement of the core building systems and the Batchelor Hall Interiors focuses on the interior improvement aspects of the building.

The project scope breakdown is as follows:

- Batchelor Hall Renewal
 - Heating and cooling systems
 - Ventilation systems

- Energy management systems
- Primary and emergency electrical systems
- Fire alarm and protection systems
- De-ionized water and reverse osmosis systems
- Hazardous materials abatement
- Connect building to standby generator

Batchelor Hall Interiors

- Expand restrooms
- Install new (additional) elevator
- Develop telecommunication rooms with new risers
- Install fire sprinkler mains in corridors
- Place standby power panels on each floor
- Complete code upgrades in stairways

In order to allow occupancy and research in the building during construction, the project will be divided into approximately four phases as will be determined by the University in working in cooperation with PCL Construction Services, Inc. in a separate project planning and preparation phase.

The University has contracted with **HDR Architects** to develop the construction documents which will be utilized on the project.

The campus' proposed phased schedule anticipates that construction will commence in the first quarter of 2020, with anticipated construction completion in June 2022.

The total anticipated Project Construction Budget is \$14,067,474.

The Estimated Construction Cost for the Heating, Ventilating, & Air-Conditioning bid package is \$6,000,000.

C. SCOPE OF BID PACKAGE # 01: HEATING, VENTILATING. & AIR CONDITIONING

The scope of Bid Package # 01 is anticipated to include the following specification sections:

- Hydronic Piping System
- HVAC Pumps
- Steam Distribution System
- Refrigerant Piping System
- Air Distribution System
- Exhaust & Ventilating Fans
- Air Terminal Units & Induction Units
- Heat Transfer Package
- Factory-Built Custom Air Handling Units
- Variable Refrigerant Flow HVAC System
- Hydronic Heating Terminal Units
- Laboratory Airflow Control System
- Variable Frequency Drives

- Building Management & Control System
- UCR Control Systems Standards

D. PREVAILING WAGES

This project will be subject to prevailing wages predetermined by the Department of Industrial Relations (DIR).

E. SUBCONTRACTOR SELECTION PROCESS

This Prequalification phase will be followed by the bidding phase, wherein Pre-Qualified Subcontractors will be asked to submit lump-sum proposals based on 'For Construction' documents issued by the University's Architect. Proposals will be strictly 'Plans & Specs'; no qualifications will be allowed on Subcontractor proposals.

- END OF BACKGROUND & DESCRIPTION -

SUBCONTRACTOR PREQUALIFICATION QUESTIONNAIRE – BP#01

(10/14/19)

for

BACHELOR HALL RENEWAL
PROJECT NO. 950464-950531
UNIVERSITY OF CALIFORNIA, RIVERSIDE

SUBMITTED BY:

_____ (Bidder Name. If a Joint Venture, state name of JV Entity)

Type of Organization: Sole Proprietor/Individual Partnership
 Joint Venture
 Corporation _____ (State of Incorporation)

_____ (Contact Name & Title)

_____ (Street Address)

_____ (City, State, Zip Code)

_____ (Telephone Number) _____ (Facsimile Number)

_____ (E-mail)

Each prospective bidder must answer all of the following questions and provide all requested information. Any prospective bidder failing to do so will be deemed not responsive and not prequalified with respect to this Prequalification at the University’s sole discretion. All bidders that submit a Prequalification Questionnaire will be notified in writing of whether or not they have successfully achieved Prequalification status.

Prospective bidders that correctly respond to all questions that require a specific “YES” or “NO” response to prequalify per the Prequalification Questionnaire Evaluation form, submit all required information and supporting data, obtain the total requisite number of points per response as required AND are determined to have accurately and truthfully responded to the questions will be prequalified. Only those bidders that have been determined to be prequalified will be eligible to submit a bid for the Project.

If a prospective bidder is determined by the University not to be prequalified, the prospective bidder may request a review by the University of California, Riverside. If any person or entity is not satisfied with the outcome of the prequalification, such person or entity may file an objection with the University of California, Riverside. Any such a request or objection must be submitted in writing and received by the University of California, Riverside, at the address for receipt of Prequalification Questionnaires listed on the Advertisement for Subcontractor Prequalification **no later than 3 calendar days** after the date of the University's written notice regarding prequalification determination. The decision resulting from such review is final and is not appealable within the University of California. Any assertion that the outcome of the prequalification process was improper will not be grounds for a bid protest.

All information submitted for prequalification evaluation in response to Sections 3 and 16 and marked as “Confidential” will be considered official information acquired in confidence, and the University of California will maintain its confidentiality unless (1) the University determines that it is required to release the information to a third party pursuant to the requirements of the California Public Records Act or (2) the University is required by court order

to release the information to a third party pursuant to the requirements of the California Public Records Act. In the event that the University receives a request pursuant to the California Public Records Act and the University determines that it is required to disclose information marked "confidential" by the provisions of the California Public Records Act, the University will notify the prospective bidder of the pending disclosure at least 72 hours prior to such disclosure so that the prospective bidder may seek a restraining order in advance of such disclosure. The University shall err on the side of transparency and will generally treat information provided by the prospective bidder that is not marked "confidential" as subject to disclosure pursuant to the California Public Records Act. Likewise, any decision by the University that any document is subject to disclosure pursuant to the California Public Records Act shall not prevent the University from making a subsequent determination that any document is not subject to disclosure pursuant to the California Public Records Act.

All other information submitted for prequalification evaluation will be considered official information acquired in confidence, and the University will maintain its confidentiality to the extent permitted by law.

As used herein, the terms "prospective bidder" or "bidder" or "contractor" or "entity" mean the same. The terms "prospective bidder" or "bidder" or "contractor" or "entity" mean all entities and individuals who are intended to work as a part of, for, or under the prospective bidder for the Project that is the subject of this prequalification process and includes, without limitation, such entities or individuals who are prime contractors, and if a joint venture, all members of the joint venture. Whenever an individual or entity is referred to, the reference includes the individual or entity and all partners, affiliates, subsidiaries, heirs, executors, administrators, assigns, predecessors and successors in interest of or to the individual or entity. For instance, a reference to a bidder includes the prospective bidder and all partners, affiliates, subsidiaries, heirs, executors, administrators, assigns, insurers, predecessor businesses and successor businesses of the bidder.

WHERE NECESSARY, COPY THE FORMS IN THIS PACKAGE. USE ONLY THESE FORMS. Oral, telephonic, electronic mail (e-mail), facsimile, or telegraphic Prequalification Questionnaires are invalid and will not be accepted.

SUBMIT ONE (1) ORIGINAL AND THREE (3) COPIES NO LATER THAN THE DEADLINE IN THE ADVERTISEMENT FOR SUBCONTRACTOR PREQUALIFICATION.

1. SURVEY (Information Only)

How did you hear about the prequalification for this Project?

- | | |
|---|--|
| <input type="checkbox"/> Press Enterprise | <input type="checkbox"/> UCR Website |
| <input type="checkbox"/> McGraw Hill ("Greensheet") | <input type="checkbox"/> PCL SmartBid Site |
| <input type="checkbox"/> Reed | <input type="checkbox"/> Other: _____ |

2. LICENSE(S) (Pass/Fail Section)

A. Do you have the following State of California contractor's license current and active with the California Contractor's State License Board?

License Classification & Code:

- **C20: Warm-Air Heating, Ventilating, & Air-Conditioning Contractor**

YES NO

(NOTE -The prospective bidder submitting this Prequalification Questionnaire must be the holder of the requisite license. If the prospective bidder is a Joint Venture, the Joint Venture must hold the license and satisfy all of the requirements in this Prequalification Questionnaire as the joint venture. This means that the joint venture must have completed the projects that it cites as references in Section 6 while the joint venture.)

B. If "YES," provide the following information about the contractor's license:

(1) Name of license holder exactly as on file with the California Contractor's State License Board:

(2) License Number: _____

(3) Issue Date: _____ (4) Expiration Date: _____

C. Has bidder's contractor's license been suspended or revoked by the California Contractor's State License Board within the last five (5) calendar years preceding the deadline for submission of the Prequalification Questionnaire?

YES NO

3. FINANCIAL INFORMATION (Points Section)

The University requires that prospective bidders provide the following information regarding their financial condition for the last two fiscal years ended and the current year to date. To verify the following information, each prospective bidder must submit copies of its financial statements, either reviewed or audited in accordance with Generally Accepted Accounting Principles in the United States of America, for the specified periods other than for the latest year to date. **A financial statement that is neither reviewed or audited is not acceptable.**

	<u>Year Ended:</u> <u>2017</u>	<u>Year Ended:</u> <u>2018</u>	<u>Latest Year to Date:</u> <u>2019</u>
Current Assets:	_____	_____	_____
Underbillings ¹ :	_____	_____	_____
Total Assets:	_____	_____	_____
Current Liabilities:	_____	_____	_____
Total Liabilities:	_____	_____	_____
Revenue:	_____	_____	_____
Expenses:	_____	_____	_____
Equity:	_____	_____	_____
Contracts Receivable (C/R) ² :	_____	_____	_____
Cash:	_____	_____	_____
Marketable Securities ³ :	_____	_____	_____

The University will calculate the following ratios for each period. Must score an average of 25 points or more over the three periods to pass.

Current Ratio = Current Assets / Current Liabilities =	Greater than 1.5 (10 points) 1.0-1.5 (5 points) Less than 1.0 (0 points)
Debt to Equity = Total Liabilities / Equity =	Less than 2.5 (10 points) 2.5-4.0 (5 points) Greater than 4.0 (0 points)
Days in Receivable = (C/R x 365) / Revenue =	Less than 75 days (10 points) 75-90 days (5 points) Greater than 90 days (0 points)
Acid Test = (Cash + Marketable Securities + C/R) / Current Liabilities =	Greater than 1.5 (10 points) 1.0-1.5 (5 points) Less than 1.0 (0 points)
U/B to Working Capital = Underbillings ¹ / Working Capital = ¹ costs & earnings in excess of billings	Less than 25% (10 points) 25-35% (5 points) Greater than 35% (0 points)

²Include retention. ³Do not include marketable securities held in lieu of retention.

4. SURETY (Pass/Fail Section)

Prospective bidder shall obtain and submit the Surety Declaration in the form shown below, signed by an authorized representative of the surety proposed to be used for this project and notarized.

- A. Is the surety to be used authorized by the Insurance Commissioner to transact business in the State of California as an admitted surety insurer (as defined in the California Code of Civil Procedure Section 995.120)?

YES NO

- B. Is the prospective bidder able to obtain **bonding up to \$6,000,000** for this Project?

YES NO

Bond Capacity:

(1) Provide your maximum bonding limit per project:

(2) Provide your aggregate bonding limit:

(3) Provide your available bonding capacity:

- C. Has any surety paid out any monies on claims on the **payment bond** issued by a surety for the benefit of the owner arising out of the construction activities of the bidder within the last five (5) years from the date of the Prequalification Deadline?

YES NO

- D. Has any surety paid out any monies on claims on the **performance bond** issued by a surety for the benefit of an owner arising out of the construction activities of the bidder within the last five (5) calendar years preceding the deadline for submission of the Prequalification Questionnaire?

YES NO

E. Surety Declaration:

PROVIDE THIS DECLARATION TO YOUR SURETY(IES) FOR COMPLETION. DO NOT HAVE THE SURETY SUBMIT THIS INFORMATION DIRECTLY TO THE UNIVERSITY.

(If bidder has more than one surety, submit a completed form for each.)

The undersigned declares under penalty of perjury that the bonding information indicated above on this Prequalification Questionnaire for _____

(Name of Prospective Bidder)

is true and correct and that this Declaration was executed in

_____, in the State of _____,

(Name of City if within a City, otherwise Name of County)

(State)

on _____.

(Date)

(Signature)

(Name and Title - Printed or Typed)

(Representing [Surety Name])

(Entity Name if Different than Surety Name)

(Street Address)

(City, State, Zip Code)

(Telephone Number)

(Facsimile Number)

(E-mail)

(ATTACH ORIGINAL NOTARIZATION of SURETY REPRESENTATIVE'S SIGNATURE)

5. INSURER (Pass/Fail Section)

Prospective bidder shall obtain and submit the Insurance Declaration in the form shown below or submit a sample certificate of insurance form from its insurer, or submit a letter that declares the same as the Insurance Declaration, signed by an authorized representative of its insurer on the representative's or insurer's letterhead. (If more than one insurer or insurance representative, submit a completed form or sample certificate of insurance form or letter for each.)

A. Is the bidder able to obtain insurance in the following limits for the required coverages?

YES NO

<u>Commercial Form General Liability Insurance* - Limits of Liability</u>	<u>Minimum Requirement</u>
Each Occurrence - Combined Single Limit for Bodily Injury and Property Damage	\$1,000,000
Products - Completed Operations Aggregate	\$1,000,000
Personal and Advertising Injury	\$1,000,000
General Aggregate	\$2,000,000

<u>Business Automobile Liability Insurance* - Limits of Liability</u>	<u>Minimum Requirement</u>
Each Accident - Combined Single Limit for Bodily Injury and Property Damage	\$1,000,000

<u>Workers' Compensation and Employer's Liability**</u>	<u>Minimum Requirement</u>
Workers' Compensation:	(as required by Federal and State of California law)
Employer's Liability:	
Each Employee	\$1,000,000
Each Accident	\$1,000,000
Each Policy	\$1,000,000

*This insurance must be (i) issued by companies with a Best rating of A- or better, and a financial classification of VIII or better (or an equivalent rating by Standard & Poor or Moody's) or (ii) guaranteed, under terms consented to by the University (such consent to not be unreasonably withheld), by companies with a Best rating of A- or better, and a financial classification of VIII or better (or an equivalent rating by Standard & Poor or Moody's). Further, the deductible, or retained limit, for each coverage shall not be more than \$100,000.

**This insurance must be issued by companies (i) that have a Best rating of B+ or better, and a financial classification of VIII or better (or an equivalent rating by Standard & Poor or Moody's); or (ii) that are acceptable to the University.

B. Insurance Declaration:

PROVIDE THIS DECLARATION TO YOUR INSURANCE CARRIER FOR COMPLETION AND HAVE YOUR CARRIER RETURN THE COMPLETED DECLARATION TO YOU. THE PROSPECTIVE CONTRACTOR MUST SUBMIT THIS DECLARATION TO UNIVERSITY. DO NOT HAVE YOUR CARRIER SUBMIT THIS DECLARATION DIRECTLY TO THE UNIVERSITY

The undersigned declares under penalty of perjury that the below named insurer is currently willing to provide the insurance listed above in Section 5.A. of this Prequalification

Questionnaire for _____
(Name of Prospective Bidder)

and that this Declaration was executed in

_____, in the State of _____,
(Name of City if within a City, otherwise Name of County) (State)

on _____
(Date)

(Signature)

(Name & Title)

(Insurer Name)

(Street Address)

(City, State & Zip Code)

(Telephone Number)

(Facsimile Number)

(Mobile Number)

(Email)

6. CONSTRUCTION EXPERIENCE (Pass/Fail Section)

A. Does the prospective bidder have the construction experience required below?

YES NO

1. Has completed, on or after **July 31, 2009**, at least **three (3) projects (private or public)** in the United States of America:
 - a. Acting as the **prime or subcontractor** during the construction phase on the project;
 - b. With an initial construction contract (prime or subcontract) award of **\$6,000,000** or more;
 - c. Where the construction involved **six or more** of the following: **Hydronic Piping, Refrigerant Piping, HVAC Pumps, Steam Distribution Systems, Air Distribution System, Exhaust/Ventilating Fans, Air Terminal Units & Induction Units, Heat Transfer Package, Factory-Built Custom Air Handling Units, Variable Refrigerant Flow HVAC System, or Hydronic Heating Terminal Units**, as required in the attached Project Data Sheets;
 - d. Where the construction work occurred in an occupied building;
 - e. That satisfies the Staff Rating requirements in the attached Project Data Sheets; and
 - f. That satisfies the Responsible Performance requirements in the attached Project Data Sheets.

Complete and submit the attached Project Data Sheets as evidence that your construction experience satisfies the above requirements. A PROJECT MAY BE USED TO SATISFY MORE THAN ONE REQUIREMENT.

The term “completed” as used above in this Section means that (1) all work has been completed per your contract and (2) the improvement/facility has been approved and/or accepted (i.e., passed final inspection) by the owner.

NOTE THAT PROJECT REFERENCES WILL BE CONTACTED FOR VERIFICATION OF THE INFORMATION REPORTED ON THE PROJECT DATA SHEETS. IN CASE OF CONFLICT BETWEEN THE INFORMATION REPORTED BY THE PROSPECTIVE BIDDER AND THE INFORMATION PROVIDED BY THE REFERENCE, THE INFORMATION PROVIDED BY REFERENCE SHALL TAKE PRECEDENCE AND AMBIGUITIES SHALL BE RESOLVED AGAINST THE PROSPECTIVE BIDDER.

- B. A bidder wishing to use a predecessor business to satisfy prequalification requirements must demonstrate with written information submitted with this Prequalification Questionnaire that it is substantially the same organization (in terms of who is managing the prospective bidder) as the predecessor business. A bidder may meet the requirement of the preceding sentence by demonstrating that the same person is the qualifying individual (under California Contractor's License Law) for:
- (1) Contractor's license of contractor which shall be the same type as the license required for the contract; and
 - (2) Contractor's license of predecessor business which shall also be the same type as the license required for the contract.

PROJECT DATA SHEET NO. 1

1. Project Name: _____

Location: _____ , _____ , _____
(Street Address) (City) (State & Zip)

2. Owner: _____

Contact Name: _____ Tel: _____ Cell: _____

Contact Title: _____ Email: _____

Owner was a private entity California State University University of California
 4-Year Private College or University: _____
 Other public entity: _____

Did the Owner hold your contract? Yes or No

If "No," then provide the contact information for the entity that held your contract:

Company Name: _____

Contact Person: _____ Tel: _____ Cell: _____

Email: _____

3. Design Professional of Record: _____

Address: _____ , _____ , _____
(Street Address) (City) (State & Zip)

Email: _____ Tel: _____ Cell: _____

4. Inspector of Record: _____

Address: _____ , _____ , _____
(Street Address) (City) (State & Zip)

Email: _____ Tel: _____ Cell: _____

5. Your Regional Office Information:

State the license number and license classification(s) under which you completed the work: _____

Provide the name of your Superintendent assigned to the work: _____

Is this same person that you are proposing to be the Superintendent on the University's project? Yes or No

Provide the name of your Project Manager assigned to the work: _____

Is this same person that you are proposing to be the Project Manager on the University's project? Yes or No

Provide the name of your LEED AP assigned to the work: _____

Is this same person that you are proposing to be the LEED AP on the University's project? Yes or No

Provide the address for the office that directly managed the work:

_____ , _____ , _____
(Street Address) (City) (State & Zip)

6. Project Delivery Method: (CM NOT AT RISK DOES NOT QUALIFY.)

Project Delivery Method: Check one: CM at Risk Design-Bid-Build Design-Build
 Other, specify: _____

7. Schedule:

Original Start Date: _____ Actual Start Date: _____
Original Completion Date: _____ Actual Completion Date: _____
of Time Extensions: _____

Number of calendar days extension due to **conflicts in construction documents:** _____
Number of calendar days extension due to **unforeseen conditions:** _____
Number of calendar days extension due to **design errors/omissions:** _____
Number of calendar days extension due to **regulatory agency requirements:** _____
Number of calendar days extension due to **owner-initiated changes:** _____

On a separate page, provide an explanation **for each time extension due to prospective bidder or not otherwise included above** and attach it to this Prequalification Questionnaire.

8. Contract Amount:

Original Contract Award \$ _____
Change Orders \$ _____ Number of Change Orders: _____
Final Contract Amount \$ _____

Amount of Change Orders due to **conflicts in construction documents:** \$ _____
Amount of Change Orders due to **unforeseen conditions:** \$ _____
Amount of Change Orders due to **design errors/omissions:** \$ _____
Amount of Change Orders due to **regulatory agency requirements:** \$ _____
Amount of Change Orders due to **owner-initiated changes:** \$ _____

9.a. Project Description:

- (1) Did you complete the construction work acting as the general contractor? Yes or No
- (2) Did you complete your construction work acting as the subcontractor? Yes or No
- (3) Construction Type: _____
- (4) Describe your entire Scope-of-Work related to the Project for which you are applying to prequalify. Attach a separate page if necessary.

9.b. Construction Experience: (Construction Experience Requirement 6.A.1.)

(1) **The project involved: (Check all that apply. Each is worth 10 Points. 60 Points required to pass.)**

- | | |
|---|--|
| <input type="checkbox"/> Factory-Built Custom AHUs | <input type="checkbox"/> Variable Refrigerant Flow HVAC System |
| <input type="checkbox"/> Air Terminal Units & Induction Units | <input type="checkbox"/> Hydronic Piping |
| <input type="checkbox"/> Laboratory Facilities w/ Fume Hoods | <input type="checkbox"/> Refrigerant Piping |
| <input type="checkbox"/> Steam Distribution System | <input type="checkbox"/> HVAC Pumps |
| <input type="checkbox"/> Exhaust & Ventilating Fans | <input type="checkbox"/> Heat Transfer Package |
| <input type="checkbox"/> Air Distribution System | <input type="checkbox"/> Hydronic Heating Terminal Units |

(2) Did the project involve construction work in an occupied facility **or** was it adjacent to an occupied facility surrounded by continuous pedestrian and vehicular traffic during normal business hours? **(Pass/Fail)**

- | | |
|--|---|
| <input type="checkbox"/> YES, Was in an occupied facility | <input type="checkbox"/> NO, Not in or adjacent to an occupied facility |
| <input type="checkbox"/> YES, Was adjacent to an occupied facility | |

10. Staff Rating – Construction: (Must score at least 35 points to pass.)

(1) The originally assigned project manager remained assigned and involved with the project for the following duration:

- More than 95% of the construction contract time (10 points)
- 75% - 95% of the construction contract time (5 points)
- Less than 75% of the construction contract time (0 points)

(2) The originally assigned superintendent remained assigned and involved with the project for the following duration:

- More than 95% of the construction contract time (10 points)
- 75% - 95% of the construction contract time (5 points)
- Less than 75% of the construction contract time (0 points)

(3) When were you required to submit schedule updates, e.g., weekly, with every application for payment, etc.?

How many times did you submit your schedule update on time?

- More than 90% of the time = More than satisfactory (10 points)
- 75% - 90% of the time = Satisfactory (5 points)
- Less than 75% of the time = Needs improvement (0 points)

(4) How many times did the Owner or Owner's Representative approve your schedule update?

- More than 90% of the time = More than satisfactory (10 points)
- 75% - 90% of the time = Satisfactory (5 points)
- Less than 75% of the time = Needs improvement (0 points)

(5) How many applications for payment did you submit? _____

When were your applications for payment due? _____

How many times did you submit your applications for payment on time in the form required by your contract?

- More than 90% of the time = More than satisfactory (10 points)
- 75% - 90% of the time = Satisfactory (5 points)
- Less than 75% of the time = Needs improvement (0 points)

(6) When were you required to submit updated redlined as-builts? _____

How many times did you submit your updated redlined as-builts on time in the form required by your contract?

- More than 90% of the time = More than satisfactory (10 points)
- 75% - 90% of the time = Satisfactory (5 points)
- Less than 75% of the time = Needs improvement (0 points)

(7) How would the entity that held your contract describe your overall performance and compliance with the contract requirements?

- More than satisfactory (10 points)
- Satisfactory (5 points)
- Needs improvement (0 points)

11. Liquidated Damages and Claims:

- a. Were liquidated damages assessed against you? Yes or No If "Yes," then state amount: \$ _____
- b. Were actual damages assessed against you? Yes or No If "Yes," then state amount: \$ _____
- c. Were back charges assessed against you? Yes or No If "Yes," then state amount: \$ _____

If you answered "Yes" to any of the above questions, provide the following information on a separate page and attach it to this Prequalification Questionnaire:

- (1) Amount of initial claim
- (2) Resolution and amount of final claim
- (3) Source of claim (e.g., subcontractor, etc.)
- (4) Method of resolution.

- d. Did you file a/any claim(s) on the referenced project? Yes or No
If "Yes," complete a Claim Data Sheet per Section 16 of this Prequalification Questionnaire.

**12. Responsible Performance on the Project Provided on the Project Data Sheet:
(Pass/Fail Section)**

- a. Have you listed any negative references for the Project above?
YES NO
- b. Have you provided any information that would conflict with a reference verification check?
YES NO
- c. Do you have a history of poor past performance of work on the Project referenced above as evidenced by continued use of defective materials, unauthorized product substitutions, refusal to correct work not in accordance with the contract documents, or repeated failure to provide proper supervision required by the contract documents?
YES NO

- END OF PROJECT DATA SHEET NO. 1 -

PROJECT DATA SHEET NO. 2

1. Project Name: _____

Location: _____ , _____ , _____
(Street Address) (City) (State & Zip)

2. Owner: _____

Contact Name: _____ Tel: _____ Cell: _____

Contact Title: _____ Email: _____

Owner was a private entity California State University University of California
 4-Year Private College or University: _____
 Other public entity: _____

Did the Owner hold your contract? Yes or No

If "No," then provide the contact information for the entity that held your contract:

Company Name: _____

Contact Person: _____ Tel: _____ Cell: _____

Email: _____

3. Design Professional of Record: _____

Address: _____ , _____ , _____
(Street Address) (City) (State & Zip)

Email: _____ Tel: _____ Cell: _____

4. Inspector of Record: _____

Address: _____ , _____ , _____
(Street Address) (City) (State & Zip)

Email: _____ Tel: _____ Cell: _____

5. Your Regional Office Information:

State the license number and license classification(s) under which you completed the work: _____

Provide the name of your superintendent assigned to the work:

Is this same person that you are proposing to be the superintendent on the University's project? Yes or No

Provide the name of your project manager assigned to the work: _____

Is this same person that you are proposing to be the project manager on the University's project? Yes or No

Provide the name of your LEED AP assigned to the work: _____

Is this same person that you are proposing to be the LEED AP on the University's project? Yes or No

Provide the address for the office that directly managed the work:

_____ , _____ , _____
(Street Address) (City) (State & Zip)

6. Project Delivery Method: (CM NOT AT RISK DOES NOT QUALIFY.)

Project Delivery Method: Check one: CM at Risk Design-Bid-Build Design-Build
 Other, specify: _____

7. Schedule:

Original Start Date: _____ Actual Start Date: _____
Original Completion Date: _____ Actual Completion Date: _____
of Time Extensions: _____

Number of calendar days extension due to **conflicts in construction documents:** _____
Number of calendar days extension due to **unforeseen conditions:** _____
Number of calendar days extension due to **design errors/omissions:** _____
Number of calendar days extension due to **regulatory agency requirements:** _____
Number of calendar days extension due to **owner-initiated changes:** _____

On a separate page, provide an explanation **for each time extension due to prospective bidder or not otherwise included above** and attach it to this Prequalification Questionnaire.

8. Contract Amount:

Original Contract Award \$ _____
Change Orders \$ _____ Number of Change Orders: _____
Final Contract Amount \$ _____

Amount of Change Orders due to **conflicts in construction documents:** \$ _____
Amount of Change Orders due to **unforeseen conditions:** \$ _____
Amount of Change Orders due to **design errors/omissions:** \$ _____
Amount of Change Orders due to **regulatory agency requirements:** \$ _____
Amount of Change Orders due to **owner-initiated changes:** \$ _____

9.a. Project Description:

- (1) Did you complete the construction work acting as the general contractor? Yes or No
- (2) Did you complete your construction work acting as the subcontractor? Yes or No
- (3) Construction Type: _____
- (4) Describe your entire Scope-of-Work related to the Project for which you are applying to prequalify. Attach a separate page if necessary.

9.b. Construction Experience: (Construction Experience Requirement 6.A.2.)

- (1) **The project involved: (Check all that apply. Each is worth 10 Points. 60 Points required to pass.)**

- | | |
|---|--|
| <input type="checkbox"/> Factory-Built Custom AHUs | <input type="checkbox"/> Variable Refrigerant Flow HVAC System |
| <input type="checkbox"/> Air Terminal Units & Induction Units | <input type="checkbox"/> Hydronic Piping |
| <input type="checkbox"/> Laboratory Facilities w/ Fume Hoods | <input type="checkbox"/> Refrigerant Piping |
| <input type="checkbox"/> Steam Distribution System | <input type="checkbox"/> HVAC Pumps |
| <input type="checkbox"/> Exhaust & Ventilating Fans | <input type="checkbox"/> Heat Transfer Package |
| <input type="checkbox"/> Air Distribution System | <input type="checkbox"/> Hydronic Heating Terminal Units |

(2) Did the project involve construction work in an occupied facility or was it adjacent to an occupied facility surrounded by continuous pedestrian and vehicular traffic during normal business hours? **(Pass/Fail)**

- | | |
|--|---|
| <input type="checkbox"/> YES, Was in an occupied facility | <input type="checkbox"/> NO, Not in or adjacent to an occupied facility |
| <input type="checkbox"/> YES, Was adjacent to an occupied facility | |

10. Staff Rating – Construction: (Must score at least 35 points to pass.)

(1) The originally assigned project manager remained assigned and involved with the project for the following duration:

- More than 95% of the construction contract time (10 points)
- 75% - 95% of the construction contract time (5 points)
- Less than 75% of the construction contract time (0 points)

(2) The originally assigned superintendent remained assigned and involved with the project for the following duration:

- More than 95% of the construction contract time (10 points)
- 75% - 95% of the construction contract time (5 points)
- Less than 75% of the construction contract time (0 points)

(3) When were you required to submit schedule updates, e.g., weekly, with every application for payment, etc.?

How many times did you submit your schedule update on time?

- More than 90% of the time = More than satisfactory (10 points)
- 75% - 90% of the time = Satisfactory (5 points)
- Less than 75% of the time = Needs improvement (0 points)

(4) How many times did the Owner or Owner's Representative approve your schedule update?

- More than 90% of the time = More than satisfactory (10 points)
- 75% - 90% of the time = Satisfactory (5 points)
- Less than 75% of the time = Needs improvement (0 points)

(5) How many applications for payment did you submit? _____

When were your applications for payment due? _____

How many times did you submit your applications for payment on time in the form required by your contract?

- More than 90% of the time = More than satisfactory (10 points)
- 75% - 90% of the time = Satisfactory (5 points)
- Less than 75% of the time = Needs improvement (0 points)

(6) When were you required to submit updated redlined as-builts? _____

How many times did you submit your updated redlined as-builts on time in the form required by your contract?

- More than 90% of the time = More than satisfactory (10 points)
- 75% - 90% of the time = Satisfactory (5 points)
- Less than 75% of the time = Needs improvement (0 points)

(7) How would the entity that held your contract describe your overall performance and compliance with the contract requirements?

- More than satisfactory (10 points)
- Satisfactory (5 points)
- Needs improvement (0 points)

11. Liquidated Damages and Claims:

- a. Were liquidated damages assessed against you? Yes or No If "Yes," then state amount: \$ _____
- b. Were actual damages assessed against you? Yes or No If "Yes," then state amount: \$ _____
- c. Were back charges assessed against you? Yes or No If "Yes," then state amount: \$ _____

If you answered "Yes" to any of the above questions, provide the following information on a separate page and attach it to this Prequalification Questionnaire:

- (1) Amount of initial claim
- (2) Resolution and amount of final claim
- (3) Source of claim (e.g., subcontractor, etc.)
- (4) Method of resolution.

- d. Did you file a/any claim(s) on the referenced project? Yes or No
If "Yes," complete a Claim Data Sheet per Section 16 of this Prequalification Questionnaire.

**12. Responsible Performance on the Project Provided on the Project Data Sheet:
(Pass/Fail Section)**

- a. Have you listed any negative references for the Project above?
YES NO
- b. Have you provided any information that would conflict with a reference verification check?
YES NO
- c. Do you have a history of poor past performance of work on the Project referenced above as evidenced by continued use of defective materials, unauthorized product substitutions, refusal to correct work not in accordance with the contract documents, or repeated failure to provide proper supervision required by the contract documents?
YES NO

- END OF PROJECT DATA SHEET NO. 2 -

PROJECT DATA SHEET NO. 3

1. Project Name: _____

Location: _____ , _____ , _____
(Street Address) (City) (State & Zip)

2. Owner: _____

Contact Name: _____ Tel: _____ Cell: _____

Contact Title: _____ Email: _____

Owner was a private entity California State University University of California
 4-Year Private College or University: _____
 Other public entity: _____

Did the Owner hold your contract? Yes or No

If "No," then provide the contact information for the entity that held your contract:

Company Name: _____

Contact Person: _____ Tel: _____ Cell: _____

Email: _____

3. Design Professional of Record: _____

Address: _____ , _____ , _____
(Street Address) (City) (State & Zip)

Email: _____ Tel: _____ Cell: _____

4. Inspector of Record: _____

Address: _____ , _____ , _____
(Street Address) (City) (State & Zip)

Email: _____ Tel: _____ Cell: _____

5. Your Regional Office Information:

State the license number and license classification(s) under which you completed the work: _____

Provide the name of your superintendent assigned to the work: _____

Is this same person that you are proposing to be the superintendent on the University's project? Yes or No

Provide the name of your project manager assigned to the work: _____

Is this same person that you are proposing to be the project manager on the University's project? Yes or No

Provide the name of your LEED AP assigned to the work: _____

Is this same person that you are proposing to be the LEED AP on the University's project? Yes or No

Provide the address for the office that directly managed the work:

_____ , _____ , _____
(Street Address) (City) (State & Zip)

6. Project Delivery Method: (CM NOT AT RISK DOES NOT QUALIFY.)

Project Delivery Method: Check one: CM at Risk Design-Bid-Build Design-Build
 Other, specify: _____

7. Schedule:

Original Start Date: _____ Actual Start Date: _____
Original Completion Date: _____ Actual Completion Date: _____
of Time Extensions: _____

Number of calendar days extension due to **conflicts in construction documents:** _____
Number of calendar days extension due to **unforeseen conditions:** _____
Number of calendar days extension due to **design errors/omissions:** _____
Number of calendar days extension due to **regulatory agency requirements:** _____
Number of calendar days extension due to **owner-initiated changes:** _____

On a separate page, provide an explanation **for each time extension due to prospective bidder or not otherwise included above** and attach it to this Prequalification Questionnaire.

8. Contract Amount:

Original Contract Award \$ _____
Change Orders \$ _____ Number of Change Orders: _____
Final Contract Amount \$ _____

Amount of Change Orders due to **conflicts in construction documents:** \$ _____
Amount of Change Orders due to **unforeseen conditions:** \$ _____
Amount of Change Orders due to **design errors/omissions:** \$ _____
Amount of Change Orders due to **regulatory agency requirements:** \$ _____
Amount of Change Orders due to **owner-initiated changes:** \$ _____

9.a. Project Description:

- (5) Did you complete the construction work acting as the general contractor? Yes or No
- (6) Did you complete your construction work acting as the subcontractor? Yes or No
- (7) Construction Type: _____
- (8) Describe your entire Scope-of-Work related to the Project for which you are applying to prequalify. Attach a separate page if necessary.

9.b. Construction Experience: (Construction Experience Requirement 6.A.2.)

(3) **The project involved: (Check all that apply. Each is worth 10 Points. 60 Points required to pass.)**

- | | |
|---|--|
| <input type="checkbox"/> Factory-Built Custom AHUs | <input type="checkbox"/> Variable Refrigerant Flow HVAC System |
| <input type="checkbox"/> Air Terminal Units & Induction Units | <input type="checkbox"/> Hydronic Piping |
| <input type="checkbox"/> Laboratory Facilities w/ Fume Hoods | <input type="checkbox"/> Refrigerant Piping |
| <input type="checkbox"/> Steam Distribution System | <input type="checkbox"/> HVAC Pumps |
| <input type="checkbox"/> Exhaust & Ventilating Fans | <input type="checkbox"/> Heat Transfer Package |
| <input type="checkbox"/> Air Distribution System | <input type="checkbox"/> Hydronic Heating Terminal Units |

(4) Did the project involve construction work in an occupied facility **or** was it adjacent to an occupied facility surrounded by continuous pedestrian and vehicular traffic during normal business hours? **(Pass/Fail)**

- | | |
|--|---|
| <input type="checkbox"/> YES, Was in an occupied facility | <input type="checkbox"/> NO, Not in or adjacent to an occupied facility |
| <input type="checkbox"/> YES, Was adjacent to an occupied facility | |

10. Staff Rating – Construction: (Must score at least 35 points to pass.)

(8) The originally assigned project manager remained assigned and involved with the project for the following duration:

- More than 95% of the construction contract time (10 points)
- 75% - 95% of the construction contract time (5 points)
- Less than 75% of the construction contract time (0 points)

(9) The originally assigned superintendent remained assigned and involved with the project for the following duration:

- More than 95% of the construction contract time (10 points)
- 75% - 95% of the construction contract time (5 points)
- Less than 75% of the construction contract time (0 points)

(10) When were you required to submit schedule updates, e.g., weekly, with every application for payment, etc.?

How many times did you submit your schedule update on time?

- More than 90% of the time = More than satisfactory (10 points)
- 75% - 90% of the time = Satisfactory (5 points)
- Less than 75% of the time = Needs improvement (0 points)

(11) How many times did the Owner or Owner's Representative approve your schedule update?

- More than 90% of the time = More than satisfactory (10 points)
- 75% - 90% of the time = Satisfactory (5 points)
- Less than 75% of the time = Needs improvement (0 points)

(12) How many applications for payment did you submit? _____

When were your applications for payment due? _____

How many times did you submit your applications for payment on time in the form required by your contract?

- More than 90% of the time = More than satisfactory (10 points)
- 75% - 90% of the time = Satisfactory (5 points)
- Less than 75% of the time = Needs improvement (0 points)

(13) When were you required to submit updated redlined as-builts? _____

How many times did you submit your updated redlined as-builts on time in the form required by your contract?

- More than 90% of the time = More than satisfactory (10 points)
- 75% - 90% of the time = Satisfactory (5 points)
- Less than 75% of the time = Needs improvement (0 points)

(14) How would the entity that held your contract describe your overall performance and compliance with the contract requirements?

- More than satisfactory (10 points)
- Satisfactory (5 points)
- Needs improvement (0 points)

11. Liquidated Damages and Claims:

- e. Were liquidated damages assessed against you? Yes or No If "Yes," then state amount: \$ _____
- f. Were actual damages assessed against you? Yes or No If "Yes," then state amount: \$ _____
- g. Were back charges assessed against you? Yes or No If "Yes," then state amount: \$ _____

If you answered "Yes" to any of the above questions, provide the following information on a separate page and attach it to this Prequalification Questionnaire:

- (5) Amount of initial claim
- (6) Resolution and amount of final claim
- (7) Source of claim (e.g., subcontractor, etc.)
- (8) Method of resolution.

- h. Did you file a/any claim(s) on the referenced project? Yes or No
If "Yes," complete a Claim Data Sheet per Section 16 of this Prequalification Questionnaire.

**12. Responsible Performance on the Project Provided on the Project Data Sheet:
(Pass/Fail Section)**

- a. Have you listed any negative references for the Project above?
YES NO
- b. Have you provided any information that would conflict with a reference verification check?
YES NO
- c. Do you have a history of poor past performance of work on the Project referenced above as evidenced by continued use of defective materials, unauthorized product substitutions, refusal to correct work not in accordance with the contract documents, or repeated failure to provide proper supervision required by the contract documents?
YES NO

- END OF PROJECT DATA SHEET NO. 3 -

7. RESPONSIBLE PERFORMANCE ON ALL COMPLETED PROJECTS (Points Section)

Each "NO" is worth 10 points. Must score 70 or more points to pass. At its sole discretion, the University may award 5 points due to mitigating circumstances.

If you answer "YES" to any question, provide an explanation on a separate page and attach it to this Prequalification Questionnaire.

- A. Has bidder provided any inaccurate or incorrect information required during prequalification, qualification, bidding, or required by contract documents?
YES NO

- B. Is bidder currently debarred from work by a public entity in California?
YES NO If "YES," provide name of public entity: _____

- C. Has bidder performed any work without the required contractor's license?
YES NO

- D. Is bidder currently the debtor in a bankruptcy case?
YES NO

- E. Has bidder used unlicensed or improperly licensed subcontractors?
YES NO

- F. Has bidder substituted a subcontractor without an owner's written consent?
YES NO

- G. Has bidder failed to adhere to contractually required and agreed-upon schedules?
YES NO

- H. Has bidder ever been convicted of a criminal offense in connection with current or past contracts for projects?
YES NO

- I. Does bidder have a history of poor past performance of work as evidenced by continued use of defective materials, unauthorized product substitutions, refusal to correct work not in accordance with the contract documents, termination for cause, or repeated failure to provide proper supervision required by the contract documents?
YES NO

- J. Has a public entity ever had to issue bidder a unilateral change order because bidder refused to execute a change order and perform the change order work?

YES NO

8. STAFFING (Pass/Fail Section)

- A. The University requires the prospective bidder to assign a **full-time** superintendent to the Project.

Name of Superintendent: _____ Tel: _____

Email: _____ Cell: _____

- (1) You must complete and submit detailed resume that demonstrates that the above-named individual has construction experience substantially similar to that specified in Section 6.A. of this Prequalification Questionnaire.

- (2) **By signing the Prequalification Declaration of this Questionnaire, you agree that the above-named individual is subject to the University's approval and is subject to replacement by you at University's sole request during the Prequalification and Bidding periods for this Project, and if awarded the Contract for the Project, after award. Any individual approved by the University cannot be replaced by you without University's written consent.**

- B. The University requires the prospective bidder to assign a **full-time** project manager to the Project.

Name of Project Manager: _____ Tel: _____

Email: _____ Cell: _____

- (1) You must complete and submit detailed resume that demonstrate that the above-named individual has construction experience substantially similar to that specified in Section 6.A. of this Prequalification Questionnaire.

- (2) **By signing the Prequalification Declaration of this Questionnaire, you agree that the above-named individual is subject to the University's approval and is subject to replacement by you at University's sole request during the Prequalification and Bidding periods for this Project, and if awarded the Contract for the Project, after award. Any individual approved by the University cannot be replaced by you without University's written consent.**

- C. The individual(s) named above must be assigned to the office that will be assigned to the Project by Contractor. Provide the address of your office to be assigned to this Project:

(Street Address)

_____, _____
(City) (State & Zip)

The above office must be within **90 miles** of the UCR Planning, Design & Construction office at 1223 University Avenue, Suite 240, Riverside, CA 92507.

Any change in the office assigned must be approved by the University and cannot be replaced without University's written consent.

9. SAFETY PROGRAM (Pass/Fail Section)

- A. Has bidder instituted an injury and illness prevention program (IIPP) pursuant to Section 3201.5 or 6401.7 of the Labor Code?

YES NO

If "YES," then attach a copy of the Table of Contents from bidder's IIPP.

- B. Will bidder have personnel permanently assigned and dedicated **full-time** to Safety on this Project?

YES NO

If "YES", provide the name(s) and title(s) of the person(s):

Name and Title: _____

If necessary, include additional information on a separate page and attach it to this Prequalification Questionnaire.

- C. Has bidder had a serious and willful violation of Part 1 (commencing with Section 6300) of Division 5 of the Labor Code within the last five (5) calendar years preceding the deadline for submission of the Prequalification Questionnaire?

YES NO

- D. Has bidder maintained a Workers' Compensation Experience Modification Rate (EMR) that averages below 1.15 for the last five (5) calendar years preceding the deadline for submission of the Prequalification Questionnaire? (If bidder has been in business for less than five years, then bidder must have maintained a Workers' Compensation EMR that averages below 1.15 for all years that bidder has been in business.)

YES NO

Year: _____	EMR: _____
Year: _____	EMR: _____
Year: _____	EMR: _____
Year: _____	EMR: _____
Year: _____	EMR: _____

Attach verification of EMR from State of California or from bidder's insurance company.

10. LABOR COMPLIANCE (Pass/Fail Section)

- A. Has the prospective bidder committed a prevailing wage violation* within the last five (5) calendar years preceding the deadline for submission of the Prequalification Questionnaire?

YES NO

*Does not include a violation determined to be due to inadvertent or unintentional error by the California Department of Industrial Relations. If a violation due to inadvertent or unintentional error, then on a separate page attached to this Prequalification Questionnaire, identify the violation by providing the project name, date of the violation, name of the entity (or entities), a brief description of the nature of the violation, and a brief description of the status of the violation (e.g., pending, or if resolved, a brief description of the resolution, etc.) for the University's verification.

- B. At any time within the last five (5) calendar years preceding the deadline for submission of the Prequalification Questionnaire, has the prospective bidder been found to have violated any provision of California apprenticeship laws or regulations, or the laws pertaining to use of apprentices on public works?

YES NO

11. QUALITY ASSURANCE/QUALITY CONTROL (QA/QC) PROGRAM (Pass/Fail Section)

- A. Does bidder have a written quality assurance/quality control program?

YES NO

If "YES," attach a copy of bidder's QA/QC program.

- B. Will bidder have personnel permanently assigned and dedicated **full-time** to QA/QC on this Project?

YES NO

If "YES", provide the name(s) and title(s) of the person(s):

Name and Title: _____

If necessary, include additional information on a separate page and attach it to this Prequalification Questionnaire.

12. DISCIPLINARY MEASURES HISTORY (Pass/Fail Section)

Has bidder (or any member of the entity if a joint venture or partnership) been disqualified or otherwise barred from doing business with a public agency (e.g., federal, state, county, city, University of California System, California State University System, school district,) within the last five (5) calendar years preceding the deadline for submission of the Prequalification Questionnaire?

YES NO

13. FALSE CLAIMS HISTORY (Pass/Fail Section)

Has bidder (or any member of the entity if a joint venture or partnership) been found in a final decision of a court to have submitted a false claim to a public agency (e.g., federal, state, county, city, University of California System, California State University System,) within the last five (5) calendar years preceding the deadline for submission of the Prequalification Questionnaire?

YES NO

14. TERMINATION HISTORY (Pass/Fail Section)

Has bidder (or any member of the entity if a joint venture or partnership) been terminated for cause by an owner after construction commenced within the last five (5) calendar years preceding the deadline for submission of the Prequalification Questionnaire?

YES NO

15. LIQUIDATED DAMAGES (Pass/Fail Section)

Has bidder (or any member of the entity if a joint venture or partnership) been assessed liquidated damages of more than **\$50,000** on a construction contract with either a public or private owner within the last five (5) calendar years preceding the deadline for submission of the Prequalification Questionnaire?

YES NO

16. CLAIMS HISTORY (Points Section)

Each prospective bidder will be evaluated to determine if the bidder and/or persons or entities associated with the bidder have a history of having unmeritorious claims asserted by or on their behalf in litigation or arbitration and/or of having had meritorious design or construction claims asserted against them in litigation or arbitration.

In order to be evaluated, each prospective bidder must complete the Claims History portion of this Prequalification Questionnaire. Based on the information provided, each prospective bidder will be assigned a Claims History score. **The maximum possible score is 15. Must score 10 or more points to pass this Section.**

Two (2) points will be deducted from the total available points for this Section for each qualifying lawsuit or arbitration, commenced within **five (5) calendar years** preceding the deadline for submission of the Prequalification Questionnaire, in which the prospective bidder and/or persons or entities associated with the bidder, had design or construction claims asserted by or on their behalf that were resolved by trial court judgment, arbitration award or settlement calling for receipt of less than 50% of the total amount of claims asserted in the lawsuit or arbitration.

Additionally, **two (2) points** will be deducted from the total available points for this Section for each qualifying lawsuit or arbitration, commenced within **five (5) calendar years** preceding the deadline for submission of the Prequalification Questionnaire, in which the prospective bidder and/or persons or entities associated with the bidder, had design or construction claims asserted against them, that were resolved by trial court judgment, arbitration award or settlement calling for receipt of more than 50% of the total amount of claims asserted in the lawsuit or arbitration.

Any prospective bidder with a **score deduction of 6 or more points** will presumptively be considered not prequalified because the prospective bidder and/or persons or entities associated with the bidder have been a party to three (3) or more lawsuits or arbitrations in which they either asserted, or had asserted on their behalf, unmeritorious design or construction claims or they had meritorious design or construction claims asserted against them.

The presumption may be rebutted if the University determines, after investigating any explanation offered in providing the Claims History, that the prospective bidder and/or persons or entities associated with the bidder have not been a party to three (3) or more lawsuits or arbitrations in which they either asserted, or had asserted on their behalf, unmeritorious design or construction claims or they had meritorious design or construction claims asserted against them.

If the presumption is not rebutted, the prospective bidder will be deemed to have an unacceptable Claims History and will not be prequalified for the Project that is the subject of this prequalification process.

As used herein:

“Lawsuit” means any lawsuit commenced within five (5) calendar years preceding the deadline for submission of the Prequalification Questionnaire.

“Arbitration” means any binding arbitration commenced within five (5) calendar years preceding the deadline for submission of the Prequalification Questionnaire.

“Claim” means a claim (excluding claims solely for the enforcement of stop notices) arising from design and/or construction work and includes, without limitation, claims for extra compensation and damages (including delay, disruption and acceleration damages, but excluding claims for personal injury or death), and claims for defective design or construction work.

“Pass-Through Claim” has the meaning commonly ascribed to it in the construction industry and also includes (i) any claim that was or is asserted by the prospective bidder, in whole or in part, against an Owner on behalf of a different person or entity; and (ii) any claim that was or is asserted by an Owner against the prospective bidder, and that was subsequently reasserted, in whole or in part, against a different person or entity.

A. Has bidder failed to be prequalified, in part or in whole, within the last five (5) calendar years preceding the deadline for submission of the Prequalification Questionnaire, for failure to provide requested information regarding past litigation or arbitration history?

YES NO (5 Points)

B. Has bidder been a party to any lawsuits or arbitrations, within the last five (5) calendar years preceding the deadline for submission of the Prequalification Questionnaire, where the total amount of Claims (including Pass-Through Claims) asserted **by or on behalf of** the entity exceeded \$50,000?

YES NO (5 Points)

If “YES,” then how many? _____

For each such claim, complete a Claim Data Sheet and attach it to this Prequalification Questionnaire. Make Copies of the Claim Data Sheet as needed.

- C. Has bidder been a party to any lawsuits or arbitrations, within the last five (5) calendar years preceding the deadline for submission of the Prequalification Questionnaire, where the total amount of Claims (including Pass-Through Claims, and claims for indemnity or contribution) **against** the entity exceeded \$50,000?

YES NO (5 Points)

If "YES," then how many? _____

For each such claim, complete a Claim Data Sheet and attach it to this Prequalification Questionnaire. Make Copies of the Claim Data Sheet as needed.

CLAIM DATA SHEET No. ____

A separate Claim Data Sheet must be prepared for each Lawsuit or Arbitration as required above. If the claims were made against the entity and were resolved for more than 50% of the highest amount sought, state why the claims should not be considered meritorious design or construction claims asserted against the prospective bidder and/or persons or entities associated with the prospective bidder.

1. **Case Name and Number:** _____
Date Arbitration or Litigation Commenced: _____
Name of Court or Arbitration Service: _____
Location of Court or Arbitration Service: _____

Address: _____ , _____ , _____
(Street Address) (City) (State & Zip)

2. **Project Name:** _____
Project or Contract Number: _____

Location: _____ , _____ , _____
(Street Address) (City) (State & Zip)

3. **Owner:** _____
Contact Name: _____ Tel: _____ Cell: _____
Contact Title: _____ Email: _____

Did the Owner hold your contract? Yes or No

If "No," then provide the contact information for the entity that held your contract:

Company Name: _____
Contact Person: _____ Tel: _____ Cell: _____
Email: _____

4. **Description of Claims:** (Attach a separate page if necessary.)

Highest Amount Sought for All Claims: \$ _____

Amount Recovered: \$ _____

Date of Claim Resolution: _____

Method of Resolution: (Check one.)

Judgment Arbitration Award Settlement

Other, describe: _____

PREQUALIFICATION DECLARATION

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

_____ of _____
(Title) (Name of Bidder)

submitting this Prequalification Questionnaire; that I am duly authorized to sign this Prequalification Questionnaire on behalf of the above-named bidder; and that all information set forth in this Prequalification Questionnaire and all attachments hereto are, to the best of my knowledge, true, accurate, and complete as of its submission date.

I declare, under penalty of perjury, that the foregoing is true and correct and that this Declaration was executed in:

_____, in the State of _____,
(Name of City if within a City, otherwise Name of County) (State)

on _____ .
(Date)

(Signature)

- END OF PREQUALIFICATION QUESTIONNAIRE -