REQUEST FOR PRE-QUALIFICATION

OF DESIGN-BUILD ENTITIES

FOR

CRIMINAL JUSTICE TRAINING CENTER

AT

GOLDEN WEST COLLEGE

RFQ#2043
NOTICE TO CONTRACTORS CALLING FOR PRE-QUALIFICATION/BIDS
COAST COMMUNITY COLLEGE DISTRICT

NOTICE IS HEREBY GIVEN that the Coast Community College District acting by and through its Governing Board will receive responses to the Request for Qualifications for the following named project. Bids will be received prior to, the bid deadline listed below.

Project Name: Golden West College Criminal Justice Training Center
RFQ Number: 2043

RFQ Deadline: December 11, 2014 at 4:00 p.m.

Place of Bid Receipt: Coast Community College District
1370 Adams Avenue
Costa Mesa, CA 92626

Project Description: Using Measure M funds passed in November 2012, the Coast Community College District will be constructing a new Criminal Justice Training Center on the Golden West College Campus. This project seeks to construct a new two story 38,932 gross square foot building. The $16.2M project will be delivered via Design Build Delivery Method on an Active campus with construction commencing in May 2016 and classes beginning in August of 2017.

Each bidder shall be a licensed contractor pursuant to the Business and Professions Code §7028.15 and California Public Contract Code §3300. The District requires that the bidder possess at the time of bid and maintain throughout the duration of the contract the following classification(s):

Design build entities, as defined by Education Code Section 81701(c), must submit a completed Pre-qualification questionnaire and be prequalified by the District. Pre-Qualification is MANDATORY for providing a proposal on this project. Prequalification packets can be found at http://www.cccd.edu/purchasing/Pages/bids.aspx.
ARTICLE 1
DEFINITIONS

1.1 GENERAL

Capitalized terms shall have the meanings assigned to them in, or (if none is assigned) as reasonably understood to apply to them by the context of, the portion of the Pre-Qualification Documents where such terms are used.

1.2 DESIGN-BUILD ENTITY

The term “Design-Build Entity” as used in the Request for Qualification (RFQ) and Pre-Qualification Documents shall have the same meaning as described in Education Code Section 81701 (c).

1.3 DESIGN-BUILD ENTITY MEMBERS

The term “Design-Build Entity Member(s)” as used in the Pre-Qualification Documents means any member of a corporation, limited partnership, partnership, or other association that is able to provide appropriately licensed contracting, architectural, and engineering services as needed pursuant to a design-build contract. If a Design-Build Entity Member, or a firm having an ownership interest in a Design-Build Entity Member, is itself a partnership, joint venture or other association of persons or legal entities, then the term Design-Build Entity Member includes any and all of the individuals, corporations, partnerships, joint ventures or other associations of persons or legal entities that holds an ownership interest in or that share in the profits and losses of such Design-Build Entity Member or firm.

1.4 GENERAL CONTRACTOR, ARCHITECT OF RECORD, STRUCTURAL ENGINEER

The capitalized terms General Contractors, Architect of Record, and Structural Engineer, shall mean the following:

1.4.1 “General Contractor” shall mean the general contractor, holding a current, valid, Class “B” general contractor’s license in good standing, that will assume responsibility for the subcontracting, management, supervision and administration of the construction for the Project.

1.4.2 “Architect of Record” means the licensed architect whose stamp will appear on Project construction documents. In the case where the Architect of Record is not an individual doing business as a sole proprietorship, the “Firm” (whether a corporation, partnership or other association) which employs the Architect of Record.

1.4.3 “Structural Engineer” means the professional(s) providing professional services in the discipline of structural engineering, also known as the Principal Engineer. In the case where the Structural Engineer is not an individual doing business as a sole
proprietorship, the “Firm” (whether a corporation, partnership or other association) which employs the Structural Engineer.

1.5 PROPOSERS

The term Proposers shall mean Pre-Qualified Design-Build Entities that are invited by the District to submit Proposals for the design and construction of the Golden West College Criminal Justice Training Center.

ARTICLE 2
DESCRIPTION OF PROJECT AND RFP PROCESS

2.1 DESCRIPTION OF PROJECT

2.1.1 Type of Structure. To be determined in the Design-Build process.

2.1.2 Size and Capacity. The new Criminal Justice Training Center will consist of a new two-story 38,932 gross square foot building consisting of a Multi-Purpose Room, Classrooms, Forced Simulation Room, faculty offices, lecture space, Lifetime Fitness Lab, Ready Room, Mat Room, Locker Rooms, Armory, Administration and Reception Areas, and a Conference Room. Additionally, there will be adjacent outdoor areas that include a Grinder area, Biddle course, parking, Traffic stop street, a Scenario Village, and an exterior Memorial. This project is to be constructed on approximately 2.2 acre parcel, west of the Gothard parking lot, south of the existing Administration Bldg. and East of the existing Criminal Justice Center. Demolition of the existing 5,205 SF Community Center is included. The $16.2M project will be delivered via Design Build Delivery Method on an Active campus with construction commencing in May 2016 and classes beginning in August of 2017.

2.1.3 Location of Site. The Project site is located at Golden West College, 15744 Goldenwest St., Huntington Beach, CA 92647. Please see site map attached in Exhibit B.

2.1.4 Scope of Project. The scope of the Project includes: (1) the design (based on Project Criteria furnished by the District as part of the Request for Proposals (RFP) process) and construction (based on detailed Construction Documents prepared by the successful Design-Build Entity that are approved by District and the Division of the State Architect (DSA)) of the Project, and incorporate the work of all disciplines necessary to construct the Project, including, without limitation, all structural and architectural elements, mechanical, electrical, lighting, landscaping, graphics, signage, fire alarm, sprinkler systems; and (2) the completed design (based on documents furnished by the District as part of the Project Criteria) and construction (based on detailed Construction Documents prepared by the successful Design-Build Entity that are approved by District, DSA and Local Agencies having jurisdiction) of all Site work, such as, but not limited to,
grading, site utilities, sidewalks, vehicle drive lanes and curbs within the boundaries and off-site work as required by the RFP.

2.1.5 IPD. The District wishes to implement elements of Integrated Project Delivery (IPD) into this design-build project. Integrated Project Delivery is a project delivery approach that integrates people, systems, business structures, and practices into a process that collaboratively harnesses the talents and insights of all participants to optimize project results, increase value to the owner, reduce waste, and maximize efficiency through all phases of design, fabrication, and construction. More information on IPD can be found in the AIA Integrated Project Delivery [URL].

2.1.6 BIM. The District will require the use Building Information Modeling (BIM) for the design of the proposed building including structural, mechanical, electrical, plumbing, fire sprinkler and building envelope systems. BIM standards will be included with the Request for Proposals. In order to accomplish the IPD delivery approach, the successful design-build proposer will be required to list the various trades that will impact the BIM process.

2.1.7 Design-Build Budget. The total Design-Builder’s budget for the design and construction of the project is approximately $16.2 MM. This amount shall be used in the initial Design-Build agreement. After DSA approval and agreement on the Guaranteed Maximum Price (GMP), a change order to the contract will be issued to adjust the contract lump sum to be in accordance with the actual GMP. This amount includes all costs of the complete design, engineering, construction, supervision, management, compliance with all applicable codes and agency requirements, and any and all items required for the completion of the project per the Contract Documents, except costs for items specifically identified as not a part of the Design-Build Budget. Items anticipated to be provided by the District include hazardous material survey, geotechnical report and topographic, utility surveys and procurement of furniture, fixtures and equipment (coordination efforts will be required). Responses to the Request for Proposal will be required to include a total price proposal that is less than or equal to the Design-Build Budget.

2.1.8 Contract Time. See Article 4.2.1 for the preliminary project schedule. The estimated Contract Time allocated by the District for design and construction of phases of the Project from commencement of design to the point of Final Completion is currently established at 400 calendar days. Contract Time, which may be more or less than, or equal to, the period of time just stated, will be set forth in the RFP Documents. Requests for Proposals will be required to include a proposed period of time for design and construction that is less than or equal to the Contract Time.

2.1.9 Liquidated Damages. The Design-Build Contract includes provisions for payment of liquidated damages to the District of $2,500 per Calendar Day if the Design-Builder fails to Substantially Complete the Work within the Contract Time as
adjusted for extensions of time permitted under the terms of the General Conditions of the Design-Build Contract. Additionally, those “short-listed” Design-Build Entities who, after successfully completing the Pre-Qualification process, are invited to submit Design-Build Proposals shall be asked in the Request for Proposal to include in their Design-Build Proposals a daily amount for liquidated damages payable by District to the Design-Build Entity for Compensable Delays, which amount shall under no circumstances exceed $2,500 per Calendar Day. In accordance with the terms of the Design-Build Contract and General Conditions, such liquidated damages payable to the Design-Builder shall constitute the Design-Builder’s exclusive compensation covering all costs, expenses and damages due to Compensable Delay that are incurred by Design-Builder and its Subcontractors and Subconsultants. No other compensation to Design-Builder for costs, expenses or damages associated with Delay shall be permitted.

2.1.10 No Warranty by District. Design-Build Entities are solely responsible to satisfy themselves as to the suitability of any surveys, estimates, projections, budgets, design concepts, technical criteria or similar information provided by the District or reviewed by them relating to the proposed Project. Nothing stated in this Request for Pre-Qualification or in any other information provided by the District shall be construed as implying the creation or existence of any warranty, express or implied, on the part of the District with respect thereto. Notwithstanding the foregoing limitations, the School District will responsible for those additional costs and delays which may be caused by the existence of unanticipated conditions which could only have been discovered through extensive excavation or destructive testing.

2.2 SUMMARY OF REQUEST FOR PROPOSAL (RFP) PROCESS

2.2.1 Informational Summary. The provisions of this Section 2.2 are intended to summarize for Design-Build Entities the process that the District intends to follow in respect to issuance of its Request for Proposal, consideration of Design-Build Proposals from Proposers and Award of the Design-Build Contract. This summary is provided for the convenience of the Design-Build Entities and should not be interpreted as a complete or definitive statement of all procedures, conditions, requirements or standards that may apply to any of the aforementioned processes. The District reserves the right, at any time, and in the exercise of its sole and absolute discretion, to modify such procedures, conditions, requirements or standards, by changes, additions or deletions thereto.

2.2.2 Two-Phase Design-Build Selection. The process for Award of the Design-Build Contract is a two phase process.

2.2.2.1 Phase 1 (the Pre-Qualification Process) consists of the Pre-qualification of a “short-list” of three (3) Pre-Qualified Design-Build Entities who, based on the scoring by District’s Pre-Qualification Selection Committee of their responses and other information provided in response to the Pre-Qualification Questionnaire and potential interviews, are determined to be ranked the most qualified to design and construct the Project. The District
reserves the right to Pre-Qualify more than three (3) Design-Build Entities if it believes it has sufficient reason to do so. The procedures and forms for Pre-Qualification are set forth in the Request for Pre-Qualification, of which these Instructions are a part. Each of the Pre-Qualified Design-Build Entities on this “short-list” will be provided a Request for Proposals and invited to submit Design-Build Proposals for the Project. It is the Bidder’s responsibility to check the District’s website for addendums.

2.2.2.2 Phase 2 (the RFP process) is the process for final selection. From among the Pre-Qualified Design-Build Entities that submit Design-Build Proposals (“Proposers”), one (1) Proposer will receive the Award of the Design-Build Contract. Selection of the successful Design-Build Entity in Phase 2 shall be based upon pre-established criteria set forth in the Request for Proposal, which shall include both price and non-price factors and a Design-Build interview. Award of the Design-Build Contract may be made to that Proposer whose Design-Build Proposal is determined by the District to be overall the best value to the District.

2.2.3 Experience. Credit for experience as non-price evaluative factors in the design-build competition shall be based only on design-build experience and California school design and construction experience.

2.2.4 Award. The Board of Trustees for the District will issue a written decision supporting its Award of the Design-Build Contract to the successful Proposer, stating in detail the basis of the Award. The identity of the successful Proposer shall be publicly announced, along with its price proposal and overall combined scoring on the Request for Proposal evaluation, the District’s ranking of the successful Proposer in relation to the other Proposers and their respective price proposals, and a summary of the District’s rationale for the contract award.

2.2.5 Design-Build Contract. A copy of the proposed Design-Build Contract that the District contemplates issuing to the successful Design-Build Entity will be made available with the Requests for Proposals. District reserves the right, exercised in its sole discretion, at any time prior to Award to unilaterally change, by addition, modification or deletion, any of the terms of the Design-Build Contract in accordance with the procedures set forth in the RFP Documents.

2.2.6 Proposal Bond, Payment and Performance Bonds, Insurance. Each Pre-Qualified Design-Build Entity that is invited to submit a Design-Build Proposal for the Project shall be required, without limitation, to deliver to the District a Proposal Bond as security to ensure that the successful Design-Build Entity will, if it receives the Award, enter into the Design-Build Contract and deliver the other Post-Award Submittals required by the RFP Documents. Additionally, Proposer which is selected for Award of the Design-Build Contract, shall possess and be required to submit evidence of: (1) sufficient bonding to cover the full contract price for non-design services utilizing bond forms included in
the RFP Documents (2) errors and omissions insurance coverage sufficient to cover all engineering design and architectural services required by the Design-Build Contract; and (3) all other insurance coverages required to be provided by the Design-Builder, from an acceptable insurer, under the terms of the Design-Build Contract, including but not limited to:

Comprehensive General Liability Insurance with limits of not less than $2,000,000 per occurrence and $4,000,000 general aggregate, Builders Risk Insurance sufficient to cover the price of the completed project, Public Liability and Property Damage Insurance, Fire Insurance, Automobile Insurance, Worker’s Compensation, and other insurance as required by law and customary for similar construction projects.

2.2.7 **Subcontractors.** All subcontracts with Subcontractors which are not Design-Build Entity members of the successful Proposer’s identified team and who are not otherwise required to be pre-qualified pursuant to information provided herein, shall be awarded by the successful Design-Build Entity in accordance with the process set forth in accordance with Education Code Section 81704(c) and the Request for Proposal, which shall provide for public notice of the availability of work to be subcontracted and a fixed date and time on which the subcontracted work will be awarded, and shall afford to the Subcontractors the protections contained in Chapter 4 (commencing with Section 4100) of Part 1 of Division 2 of the Public Contract Code.

2.2.8 **Interested Parties.** General Contractors and Architects of Record will not be allowed to participate in the Request for Proposal process as members of more than one Design-Build Entity Team or as Subcontractors or Subconsultants to more than one Design-Build Entity. Consultants or Subconsultants to the District who are participants or advisors to the District in respect to selecting the Design-Build Entity for the Project shall not be allowed to participate as a Design-Build Entity Member or as a Subconsultant or Subcontractor, of any Tier, to a Design-Build Entity.

2.2.9 **Design-Build Proposals.** Design-Build Proposals submitted by Proposers in response to the RFP shall include, without limitation, two (2) hard copies of required submittal and one (1) electronic copy on CD ROM disk or flash drive.

2.2.10 **Discussions, Negotiations and Limited Negotiations.** The District reserves the right, but shall not have the obligation, as part of the RFP process to hold Discussions, Negotiations and/or Limited Negotiations with, the Proposers. Procedures for Discussions, Negotiations, and Limited Negotiations shall be set forth in the Request for Proposals and/or in instructions issued to Proposers in accordance with the Request for Proposals.

2.2.11 **Ownership, Copyright, Confidentiality and Disclosure.**

2.2.11.1 **Ownership, Copyright.** Drawings, renderings, models, building designs, design approaches, design details, construction techniques,
procedures, means and methods and other technical design and construction information contained within a Design-Build Proposal shall be deemed the sole and exclusive property of the District, all copyrights thereto shall be deemed assigned to and held by the District, and the Proposer shall retain no property, copyright or other proprietary rights with respect thereto; provided, however, that: (1) nothing herein shall be interpreted as prohibiting or limiting the right of any Proposer that does not receive Award of the Design-Build Contract to copy, use or incorporate such technical design information contained within its own Design-Build Proposal for its own use in connection the conduct of its business, trade or profession; and (2) with respect to the Proposer who receives Award of the Design-Build Contract, such Proposer’s rights and obligations with respect to copying, use or incorporation of such technical design information in any projects or work other than the Project shall be governed by the terms of the Design-Build Contract.

2.2.11.2 Confidentiality of Design and Pricing Information Prior to Award. District shall make reasonable efforts, consistent with applicable laws, to refrain from disclosing to competing Proposers prior to Award the content of any information on design, project management, prices or pricing that is contained in another Proposer’s Design-Build Proposal.

2.2.11.3 Confidentiality of Pre-Qualification Packages. The Pre-Qualification packages (questionnaire answers and financial statements) submitted by Design-Build Entities are not public records and are not subject to public inspection. All information provided will be kept confidential to the extent permitted by law. State law requires that the names of Design-Build Entities applying for pre-qualification status shall be public records subject to disclosure, and the first page of the Questionnaire will be used for that purpose.

2.2.12 Changing of Team Members. No changes in or additions to Design-Build Entity Members or to the list of Subconsultants or Subcontractors that have been pre-qualified pursuant to the District’s Pre-Qualification process for the Project shall be permitted after the deadline in the RFP Schedule for submission of Design-Build Proposals, except with the prior written authorization of the District, which authorization may be granted or withheld in the District’s sole discretion. By way of example and without limitation to the foregoing, any person or entity who is either (1) a Design-Build Entity Member, (2) a key employee of a Design-Build Entity Member who has been pre-qualified for the Project pursuant to the District’s Pre-Qualification process, or (3) a Subconsultant or Subcontractor that has been pre-qualified for the Project pursuant to the District’s Pre-Qualification process, shall not be “switched out” or substituted with other persons or entities after the deadline in the RFP Schedule for submission of Design-Build Proposals.
ARTICLE 3
DESIGN-BUILD ENTITY'S REPRESENTATIONS

3.1 Each Design-Build Entity, by submitting its Pre-Qualification Submittal, represents that:

3.1.1 Compliance with Pre-Qualification Documents. Its Pre-Qualification Submittal is made in compliance with the Pre-Qualification Documents.

3.1.2 Authorization Signatures. Each Pre-Qualification Questionnaire must be signed under penalty of perjury in the manner designated at the end thereof, by a representative of the Design-Build Entity that is authorized to contractually bind the Design-Build Entity and by each of the constituent members of the Design-Build Entity. The information provided by the Design-Build Entity is provided under oath, with the understanding that the intentional providing of false information is, in itself, grounds for disqualification. Any signer of its Pre-Qualification Questionnaire that is a corporation is duly incorporated, authorized to do business and in good standing under the laws of the State of California.

3.1.3 Immigration Reform and Control Act. Proposer represents that it, and each member of its proposed Design-Build team is, and at all times during the performance of the Work shall be in full compliance with the provisions of the Immigration Reform and Control Act of 1986 (“IRCA”) as well any similar provisions of applicable laws setting forth proscriptions or penalties relating to the employment or hiring of undocumented aliens in connection with the hiring of its employees, and that Proposer has included in its design-Build Proposal all costs of compliance therewith.

ARTICLE 4
PRE-QUALIFICATION DOCUMENTS, SCHEDULE AND PROCEDURES

4.1 PRE-QUALIFICATION DOCUMENTS

4.1.1 Pre-Qualification Documents. The Pre-Qualification Documents consist of the following: (1) Advertisement of Design-Build Project and Opportunity to Pre-Qualify for same; (2) these instructions to Design-Build Entities (including, without limitation, all attachments hereto); (3) Pre-Qualification Questionnaire; and (4) Pre-Qualification Addenda.

4.1.2 Pre-Qualification Submittals. The following documents are required to be submitted to the District by Design-Build Entities in order to be considered for Pre-Qualification:
4.1.2.1 Completed and signed Pre-Qualification Questionnaire in the form attached hereto as Exhibit A; and

4.1.2.2 All other documents or information requested by the Pre-Qualification Questionnaire or these Instructions to Design-Build Entities.

4.2 PRE-QUALIFICATION, REQUEST FOR PROPOSAL AND AWARD SCHEDULE

4.2.1 Procurement Schedule. The following is the anticipated schedule for the Pre-Qualification process and for the issuance of the Request for Proposals and Notice of Intent to Award the Design-Build Contract:

- Initial Advertisement for Pre-Qualification: 11/20/2014
- Subsequent Advertisement for Pre-Qualification: 11/26/2014
- Pre-Qualification Documents Available: 11/20/2014
- Deadline for Requests for Clarification: 12/3/2014
- Pre-Qualification Submittals Due: 12/11/2014
- Interviews (optional): 1/9/2015
- Notice of Selection of Pre-Qualified Entities: 1/13/2015
- Issuance of Requests for Proposals: 1/14/2015
- Design Build Proposals Due: 2/9/2015
- Design-Build Proposal Interviews: 2/18/2015
- Selection of Top-ranked Firm: 2/20/2015
- Board Approval: 3/4/2015
- Notice of Award of Design-Build Contract: 3/5/2015
- Project Delivery to District: 8/18/2017
4.2.2 Public Proceedings. All proceedings related to the Pre-Qualification of Design-Build Entities, shall be closed to the public.

4.2.3 Changes to Pre-Qualification Schedule. The District reserves the right, at any time, to make additions, modifications or deletions to any of the events or dates that comprise the Pre-Qualification Schedule. Changes made prior to issuance of the Request for Proposal shall be made by issuance of a Pre-Qualification Addendum. Changes to any dates set forth in the Pre-Qualification Schedule that are made after issuance of the Request for Proposal shall be made by issuance of an RFP Addendum in accordance with the terms of the RFP Documents changing the RFP Schedule. References in the Pre-Qualification Documents to the Pre-Qualification Schedule or dates in the Pre-Qualification Schedule shall mean the Pre-Qualification Schedule and dates set forth in Paragraph 4.2.1, above, as adjusted by any changes thereto made pursuant to this Paragraph 4.2.3.

4.3 PRE-QUALIFICATION PROCEDURES

4.3.1 Selection of Pre-Qualified Design-Build Entities. The District will select from all of the Design-Build Entities who submit responses to the RFQ, up to three (3) Pre-Qualified Design-Build Entities (unless fewer than three (3) Design-Build Entities participate in the Pre-Qualification Process, in which case fewer than three (3) Pre-Qualified Design-Build Entities may be selected) who, based on the scoring by the Pre-Qualification Selection Committee of their responses and other information provided in response to the RFQ, are determined to be the most qualified to design and construct the Project. The District reserves the right to select more than three (3) Pre-Qualified Design-Build Entities if it believes it has sufficient reason to do so. The selection of those Pre-Qualified Design-Build Entities who will receive the Request for Proposals pursuant to the foregoing “short-listing” process will be based on objective evaluation of the information requested in the Pre-Qualification Documents and provided by the Design-Build Entity in its Pre-Qualification Submittal, including, without limitation, the Design-Build Entity’s answers to the Pre-Qualification Questionnaire.

4.3.2 Pre-Qualification Selection Committee. The Pre-Qualification Selection Committee will conduct on behalf of the District the evaluation, ranking and selection of the Pre-Qualified Design-Build Entities who will receive a Request for Proposals and be invited to submit a Design-Build Proposal for the Project. The identities of the members of the Pre-Qualification Selection Committee shall not be disclosed by the District.

4.3.3 Unauthorized Communications, Lobbying. Unless and except as requested to do so in writing by the District’s Director of Purchasing, Design-Build Entity Members and their Subconsultants and Subcontractors shall not communicate, either verbally or in writing, with: (1) any member of the Pre-Qualification Selection Committee; (2) any consultant or professional retained by the District for the purpose of providing the District advice or professional services in respect to the Project or the Pre-Qualification or RFP process; (3) any member of the Board of Trustees of the
District; (4) any member of the Chancellor’s Executive Council or (5) any employee or representative of the District except the District’s Director of Purchasing. Without limitation to the foregoing, Proposers are advised that lobbying is not permitted with any District personnel or members of the Board of Trustees. “Lobbying”, as used herein, is defined as any action taken by an individual, firm, association, joint venture, partnership, or corporation seeking to influence the governmental decision of District personnel or the members of its Board of Trustees on matters related to the Pre-Qualification or RFP processes or Award of the Design-Build Contract for the Project. Any such contact aforementioned could result in the disqualification of the Design-Build Team.

4.3.5 Licensing. Except as otherwise permitted by this Paragraph 4.3.5, each Design-Build Entity must possess at all times during the Pre-Qualification and RFP processes an active Class B (general contracting) contractor’s license issued by the California Contractors State Licensing Board that is in good standing. If the Design-Build Entity is a joint venture consisting of two or more individuals, firms, partnerships, corporations, associations or other organizations in which at least one of such joint venturers holds an active Class B (general contracting) contractor’s license issued by the California Contractors State Licensing Board that is in good standing, then such Design-Build Entity shall be entitled, notwithstanding the absence of separate joint venture license, to apply for Pre-Qualification and to be considered for Award of the Design-Build Contract; provided, however, that any Design-Build Entity that is selected to receive Award of the Design-Build Contract must possess, at the time of Award of the Design-Build Contract, a separate joint venture Class B (general contracting) contractor’s license issued by the California Contractors State Licensing Board that is in good standing. In addition to the licensing requirements set forth in this Paragraph 4.3.5 applicable to Proposers, all persons or entities acting as architects, engineers or subcontractors that a Proposer would be obligated to pre-qualify pursuant to Paragraph 4.3.18, below, shall possess, at the time of submission by the Design-Build Entity of its Pre-Qualification Submittal, all licenses required by applicable laws to be issued for the contracting and performance of the particular professional service and/or trade work with respect to which Pre-Qualification of such person or entity is required by the Pre-Qualification Documents.

4.3.6 Skilled Labor Availability. As a part of requirements set forth in the Pre-Qualification Documents, each Design-Build Entity (or its General Contractor, if the Design-Build Entity is not the General Contractor) and its subcontractors must meet the minimum requirements for “skilled labor force availability” of California Education Code Section 81703(c)(2)(F), meaning that an agreement exists with a registered apprenticeship program, approved by the California Apprenticeship Council, which has graduated apprentices in each of the immediately preceding five years; provided, however, that this graduation requirement shall not apply to programs providing apprenticeship training for any craft that has not been deemed by the Department of Labor and Department of Industrial Relations to be an apprenticeable craft in the five
years prior to enactment of the act adding California Education Code Section 81703. Failure to comply with such requirements shall be grounds for disqualification without further consideration of the Design-Build Entity’s Pre-Qualification Submittal. If the General Contractor will not self-perform any of the work, then the General Contractor may comply with this requirement by certifying that it will require its subcontractors to comply.

4.3.7 Submission. Two copies of the Pre-Qualification Submittals shall be hand delivered to, or received by mail at:

Coast Community College District  
Attn: John Eriksen, Director of Purchasing  
Purchasing Department  
1370 Adams Ave.  
Costa Mesa, CA 92626

Monday through Friday during regular working hours of 8:00 a.m. to 4:00 p.m., up to and including, December 11, 2014, 4:00 PM. Facsimiles and emails will not be accepted. The submittals shall be marked “CONFIDENTIAL”. Except as permitted by Paragraph 4.3.17 (concerning updating of information due to new or changed circumstances) or as provided in the final sentence of this Paragraph 4.3.7, submissions after the stated deadline will not be considered. The Design-Build Entity assumes full and sole responsibility for timely receipt of its complete Pre-Qualification Submittal at the stated location designated for receipt thereof. Pre-Qualification Submittals that are received after the deadline specified in these Instructions to Design-Build Entities shall be returned, unopened; provided, however, that a late Pre-Qualification Submittal may be considered if it is the only Pre-Qualification Submittal received.

4.3.8 Requests for Clarification. The Design-Build Entity is solely responsible to seek clarification, if needed, of any portion of the Pre-Qualification Documents. All requests by Design-Build Entities for clarification of the Pre-Qualification Documents must be submitted in writing, between the hours of 8:00 a.m. and 4:00 p.m., and no later than close of business 12/3/14, by hand delivery, mail, fax or e-mail to the following:

John Eriksen  
Director of Purchasing  
Coast Community College District  
1370 Adams Ave.  
Costa Mesa, CA 92626  
P: (714) 438-4680 F: (714) 438-4895  
Email: purchasing@cccd.edu

Requests for clarification received after that time will not receive a response. Failure by a Design-Build Entity to seek clarification of any portion of the Pre-Qualification Documents shall not relieve the Design-Build Entity from its representations as set forth hereinabove nor serve as the basis for any claim by the Design-Build Entity that it
was mistaken or misled in connection with the preparation of its Pre-Qualification Submittal. Responses to the requests for clarification will be made in writing and distributed to all Design-Build Entities.

4.3.9 Pre-Qualification Addendum. Interpretations, corrections and changes by the District of the Pre-Qualification Documents will be made by Pre-Qualification Addendum. Interpretations, corrections and changes of the Pre-Qualification Documents made in any other manner shall not be relied upon and will not be binding. Notice of Pre-Qualification Addenda that are issued after the original or revised deadline for submission of Pre-Qualification Submittals shall be given only to the Design-Build Entities who have submitted Pre-Qualification Submittals in accordance with the requirements of the Pre-Qualification Documents. Notice by the District of a Pre-Qualification Addendum shall be effective if by hand delivery, mail, facsimile or e-mail. The District also anticipates (but shall not be obligated for) making Pre-Qualification Addenda available for review on the District Website. Failure of a Design-Build Entity to receive a Pre-Qualification Addendum shall not entitle the Design-Build Entity to an extension of the Pre-Qualification Schedule nor shall it permit the submission of any additional Pre-Qualification information after the deadlines set forth in the Pre-Qualification Schedule except in those instances where the District request information for clarification purposes. The Design Build Entities shall confirm, by specifically identifying and listing in its Pre-Qualification submittal, its receipt of each RFQ addendum. Failure to acknowledge receipt of each and all RFQ Addenda may be asserted by the District as a basis for determining RFQ Submittal package nonresponsive.

4.3.10 Applicable Laws. All Pre-Qualification Submittals must be submitted, filed, made and executed in accordance with applicable laws, whether such laws are expressly referred to herein or not.

4.3.11 Sealed Envelope. All Pre-Qualification Submittals shall at the time of delivery be enclosed in a sealed opaque envelope marked “CONFIDENTIAL”. Said envelope, as well as any other outer envelope or packaging in which said envelope may have been placed by Design-Build Entity or the carrier for delivery, shall be addressed and delivered as provided in these Instruction to Design-Build Entities and shall be clearly and conspicuously labeled with the Design-Build Entity’s name, contact information and address and an identifying name of the Project and assigned Project number for which the Pre-Qualification Submittal is submitted. The Design-Build Entity assumes full responsibility for timely delivery of its Design-Build proposal at the location designated.

4.3.12 Withdrawal, Resubmission. Pre-Qualification Submittals may be withdrawn at any time upon written notice to the District at the place for receipt of Pre-Qualification Submittals. Pre-Qualification Submittals withdrawn prior to the deadline for receipt thereof as set forth in the Pre-Qualification Schedule may be resubmitted up to the deadline for submission thereof as provided for in the Pre-Qualification Schedule.
4.3.13 Rejection by District. Without limitation to any of the District’s other rights under the Pre-Qualification Documents or applicable laws, the District reserves the right, exercised in its discretion, to reject any or all Pre-Qualification Submittals that fail to comply with the requirements of the Pre-Qualification Documents or that contains any information that is untrue or misleading. The District further reserves the right, exercised in its sole and absolute discretion, to withdraw and cancel its Request for Pre-Qualification (before or after receipt of Pre-Qualification Submittals) and/or reject all Pre-Qualification Submittals.

4.3.14 Updated Information. If, due to new or changed circumstances occurring after the deadline in the Pre-Qualification Schedule for submission of Pre-Qualification Submittals, any information provided by a Design-Build Entity becomes inaccurate, the Design-Build Entity must immediately notify the District and provide updated accurate information in writing, under penalty of perjury and signed in the same manner as required for Pre-Qualification Submittals. The foregoing provision shall not be interpreted as granting Design-Build Entities the right after the deadline in the Pre-Qualification Schedule for submission of Pre-Qualification Submittals to correct information that was inaccurate or incomplete at the time the Pre-Qualification Submittals was submitted or to submit any new information that is for the purpose of or that would have the effect of improving upon or enhancing the responses or other information provided in the Pre-Qualification Submittal. Consideration of such updated information is in the sole discretion of the District.

4.3.15 General Contractor, Architect of Record, Principal Engineer and Subcontractors. The Design-Build Entity shall provide all information requested by the Pre-Qualification Questionnaire pertinent to the Pre-Qualification of the following, whether or not they are Design-Build Entity Members: General Contractor, Architect of Record, Principal Structural Engineer, other Consulting Engineers as appropriate to your team and Subcontractors in the following trades: mechanical and electrical. With respect to any of the Subcontractors in the stated specialty trades, the Design-Build Entity may, as an alternative to pre-qualifying a single person or entity to perform the work of the stated trade, pre-qualify more than one Subcontractor for each such trade from which it will later accept bids or prices for a portion of the Project.

4.3.16 References. The District reserves the right, but assumes no obligation, to conduct interviews of references provided by Design-Build Entities in its Pre-Qualification Submittals. Whether or not the District elects to conduct interviews, the District assumes no responsibility to determine the accuracy of references provided in the Pre-Qualification Submittals, including, without limitation, contacting or interviewing references and other sources available. If contacted, each reference will be asked identical questions from a list of questions pre-prepared by the District. It is the Design-Build Entity’s responsibility to verify the accuracy, and present only current contact information, for all such references. The District also reserves the right to contact other known references, whether or not listed by the Design-Build Entity, in the same
manner described above.

4.3.17 Subsequent Information. The District reserves the right, in its discretion, to adjust (by increasing or decreasing), limit, suspend or rescind the Pre-Qualification scoring or ranking of a Design-Build Entity or disqualify a Design-Build Entity based on subsequently-learned information that the District determines could have adversely affected the scoring or ranking of the Design-Build Entity if such information had been included in the Design-Build Entity’s Pre-Qualification Submittal. Without limitation, the foregoing, in the event that as a result of such subsequent-learned information the scoring and rank of a Design-Build Entity that is the subject of the such information is changed such that it is thereafter ranked lower than a competing, previously lower-ranked Design-Build Entity, then the District shall have the right, but not the obligation, to extend an invitation to participate in the RFP process to such previously lower-ranked Design-Build Entity (or, if such Design-Build Entity declines the invitation, to extend an invitation to the next in order of the previously lower-ranked Design-Build Entity whose rank, after such adjustment, is above the rank of the Design-Build Entity who was the subject of such information).

4.3.18 Clarification of Submittals. The District reserves the right at any time to request in writing from any or all Design-Build Entities clarification of any information contained in a RFQ submittal. Nothing stated herein or elsewhere in the RFQ documents shall be interpreted as obligating the District to request further clarification from any Design-Build Entity or as obligating the District to seek the same or similar clarification from other or all Design-Build Entities. Request for clarification shall be responded to by the Design-Build Entity to whom it is directed within three (3) days after the date of receipt thereof by the Design-Build Entity in the same manner and to the same location as provided in delivery requirements herein. Responses to such requests by the District shall be limited to clarifying the portion of the submittal described in the District’s request. Responses shall not include changes to a RFQ submittal. Information provided in a response to a request for clarification that does not comply with the requirements of this paragraph will not be considered.

4.3.19 Waiver of Irregularities. The District reserves the right to waive minor or clerical irregularities, errors or omissions in the information contained in any Pre-Qualification Submittal or in regard to any Design-Build Entity’s compliance with Pre-Qualification process, and to make all final determinations with respect to the information provided in any Pre-Qualification Submittal.

4.3.20 Costs and Expenses. Design-Build Entities shall bear, at their own expense and without reimbursement by the District, all costs and expense associated with their participation in the process of Pre-Qualification and if selected of responding to the Request for Proposals for the Project.
ARTICLE 5
SCPORING AND RANKING OF DESIGN-BUILD ENTITIES

5.1 INITIAL SCORING AND RANKING

5.1.1 Scored Sections. The scoring and ranking of the RFQ Design-Build Entities will be based on the requirements set forth in the Pre-Qualification Questionnaire and if optioned, the Interviews.

5.1.2 Short List. Those Design-Build Entities who are not disqualified (based on either their failing to achieve minimum passing scores in their responses to individual sections of the Pre-Qualification Questionnaire or on other grounds for disqualification set forth in the Pre-Qualification Documents) will then be ranked by the Pre-Qualification Selection Committee. Based on the total score, the most qualified Design-Build Entities may be invited pursuant to the “short-listing” process described in Paragraph 2.2.2, above, to participate in Interviews at the option of the Selection Committee. The top-ranked Design-Build Entities based on the selection committee scores and/or interviews will then be invited to Phase 2, the Request for Proposal process.

5.1.3 Interviews. If the District selects a short list of Design-Build Entities for invitations to interview with the Selection Committee, interviews will be face to face confidential exchanges between a Design-Build Entity and the Selection Committee for the purpose of clarifying a Pre-Qualification submittal to assure a full understanding of, and responsiveness to the requirements of the RFQ documents and to discuss any perceived weaknesses or deficiencies in a Pre-Qualification submittal. Interviews will be held after the scoring of the RFQ submittal and pursuant to the schedule herein. Interviews will be conducted by the Selection Committee in accordance with Rules for RFQ Interviews set forth in the Attachments portion of the RFQ documents.

5.1.4 Perceived Weakness, Deficiencies in Submittals. Interviews may include addressing perceived weakness or deficiencies in the RFQ submittal of the Design-Build Entities with whom such interviews are conducted. However, District assumes no obligation as part of the Interviews to address or discuss any or all weaknesses, errors, omissions or other matters in the RFQ submittal, whether observed or not observed by the District or the Selection Committee, and all such weakness or deficiencies, whether observed, not observed, discussed or not discussed, remain the sole responsibility of the Design-Build Entity.

5.1.5 Additional Interviews. In the event that any of the Design-Build Entities to whom an Interview invitation was issued fails to attend the Interview, the District may, if it determines that it is in its best interest to do so, invite one or more of the other Pre-Qualified Design-Build Entities ranked next highest in order according to the scoring conducted during the RFQ process to attend an interview.

5.1.6 Scores Not Carried Forward. Scoring from this Request For Pre-Qualification
5.2 SELECTION

The District will convene the Selection Committee and brief all members on the scope of the project and the services required. The Committee will discuss the requirements of the project.

5.2.1 Initial Screening. From the applicant's response to the RFQ, The Selection Committee will objectively evaluate each firm's abilities in accordance with the criteria stated in each section Prequalification Application.

5.2.2 References. Interviews may be conducted with the references identified in your Prequalification Application. It is the Design-Build Entity’s responsibility to verify the latest and current contact information for all references. The District reserves the right to check other references for Design-Build Entities regardless of whether such references are listed by the Design-Build Entity.

5.2.2.1 A standardized list of questions shall be asked of each reference and reference responses will be scored and evaluated. A design-build entity may be disqualified for receiving a failing score from one (1) or more references.

5.2.2.2 References stating that he/she are unable to answer a question, shall receive a score of zero (0) for that interview, and may be subject to disqualification.

5.2.3 Interviews, if opted. (20 Total Points Available. The minimum number of points to qualify is 13): The Selection Committee will determine the preliminary ranking of the firms under consideration based on the above scoring factors and select three (3) firms with the highest ranking to present in-person interviews.

5.2.3.1 The Selection Committee will discuss and decide what topics should be covered, based on the preliminary topics listed below. A date and time for the interviews shall be determined.

5.2.3.2 Request for interview: A formal letter of request will be prepared by the District. The District may advise each firm by phone or email of the interview schedule and follow up with the formal letter of request. The District will schedule a suitable room for the Committee and the selected firms. The Design-Build Entity will furnish all visual aids.

5.2.3.3 Scoring of Interview. Interviews will be conducted in person. The Design-Build Entity shall include on their interview team, at a minimum, the (1)

will not be carried forward as a factor in scoring Design-Build Proposals submitted in response to the RFP process by Pre-Qualified Design-Build Entities on the “short-list” of Pre-Qualified Design-Build Entities.
Executive in Charge; (2) Project Manager; (3) Superintendent; (4) Principal Project Architect; (5) Lead Designer; (6) Principal Engineer.

5.2.4 The Selection committee will review the scoring evaluations of each firm and rate each firm in the following categories:

**Project Staff (35 points)** – The credentials, experience and committee’s evaluation of each key person’s ability to perform the work.

**Experience and Ability (35 points)** – The experience and ability of the individual Design-Build Entity Members and the experience of the Design-Build Entity as a team.

**Approach and Methodology (30 points)** – The unique approach and methodology to be employed by the Design-Build Entity collaborating with the Owner in carrying out the requirements of the project. *Proposers shall discuss your approach and methodology for this project in a transmittal letter to be included with your Pre-Qualification Application.*

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**ARTICLE 6**

**NOTICE AND APPEAL OF DISTRICT DECISION**

6.1 NOTICE OF SELECTION

The District will issue a Notice of Selection of Pre-Qualified Design-Build Entities in accordance with the Pre-Qualification Schedule to all Design-Build Entities who have completed and submitted Pre-Qualification Submittals. Such Notice may, or may not, include a statement of the final ranking of the Design-Build Entities; however, information on the ranking of Design-Build Entities will be made available during debriefings.

6.2 DEBRIEFING

After the issuance of the Notice of Selection of Pre-Qualified Design-Build Entities, the District will make available, for those requesting it, an opportunity for a debriefing. Debriefings will be conducted in accordance with the Pre-Qualification Schedule. At the pre-qualification debriefing, summaries of the scoring and ranking of Pre-Qualification Submittals will be reviewed. Copies of Pre-Qualification Submittals and evaluating worksheets will not be provided nor point-by-point comparisons of competing Pre-Qualification Submittals. Debriefings shall not include disclosure of any information prohibited from disclosure by applicable laws or exempt from release under applicable laws pertaining to release of public records, including, without limitation information constituting trade secrets or other proprietary information.

6.3 APPEAL OF DISTRICT DECISION

Any Design-Build Entity submitting a Pre-Qualification Submittal to the District may file an
appeal of the District's decision in its Notice of Selection of Pre-Qualified Design-Build Entities, provided that each and all of the following are complied with:

i. the appeal is in writing;

ii. the appeal is filed and received by the Director of Purchasing not more than five (5) Calendar Days following the date of issuance of the District's Notice of Selection of Pre-Qualified Design-Build Entities;

iii. the written appeal sets forth, in detail, all grounds for the appeal, including without limitation all facts, supporting documentation, legal authorities and argument in support of the grounds for the appeal. Any matters not set forth in the written appeal shall be deemed waived. All factual contentions must be supported by competent, admissible and credible evidence.

**6.3.1 Failure to Comply.** Any appeal not conforming to, or not submitted within the time period required by, this Section 6.3 may be rejected as invalid.

**6.3.2 Review and Decision.** The Director of Purchasing, in his/her discretion, shall establish a committee to review the facts and reconsider the dis-qualification. This committee shall render a final and binding decision within five (5) working days of appeal.

**6.3.3 Superseding Procedures.** The provisions of this Section 6.3 supercede and are in lieu of the provisions for appeal as may be otherwise established by the District pertaining to pre-qualification of contractors for competitive bidding of construction contracts.

**ARTICLE 7**

**ATTACHMENTS**

The following Attachments are attached hereto and incorporated as part of the Pre-Qualification Documents by this reference:

ATTACHMENT NO. 1: PREQUALIFICATION QUESTIONNAIRE

ATTACHMENT NO. 2: GWC CRIMINAL JUSTICE TRAINING CENTER PROJECT DESCRIPTION AND PROGRAM SUMMARY

**END OF INSTRUCTIONS**
EXHIBIT A:

APPLICATION FOR
DESIGN-BUILD ENTITY PREQUALIFICATION
APPLICATION FOR DESIGN-BUILD ENTITY PREQUALIFICATION

PREQUALIFICATION PROCESS

As a condition of proposing, prospective Design-Build Entities are required to submit to the District a completed prequalification package as specified in the Request for Pre-Qualification of Design Build Entities, Golden West College Criminal Justice Training Facility, RFP #2043. This application and all attachments incorporated by reference therein are not public record and are not open to public inspection.

Proposers are solely responsible for ensuring the completeness and accuracy of all information. Failure to comply with this requirement may cause rejection of your application as being non-responsive. Each Pre-Qualification Statement must be signed under penalty of perjury in the manner designated on the “Affidavit of Contractor” by an individual who has the legal authority to bind the Contractor. The DISTRICT will evaluate all bid proposals for completeness and accuracy and reserves the right to reject any or all prequalification applications or to waive any irregularities or informalities in any application or prequalification process.

MINIMUM CRITERIA FOR PREQUALIFICATION

In order to Pre-qualify to bid on the Project, a Contractor must meet the minimum criteria for each of the following four (4) categories as set forth herein:

1. Meet all “Essential Requirements” for prequalification;
2. Meet or exceed a score of 85 points on the rated questionnaire;
3. Demonstrate through reference the minimum required experience on projects of similar size, scope, and complexity;
4. Demonstrate the financial capacity to perform this project evidenced by contractor’s financial statements.

Any false statements, inaccuracies, omissions or failures to disclose are grounds for exclusion from bidding. If the DISTRICT should discover false statements, inaccuracies, omissions, or failures to disclose by submitters at any time, the submitter will be notified of dis-qualification and the inaccuracy which has been discovered.
PART I(A). DESIGN-BUILD ENTITY INFORMATION

Design Build Project Prequalifying For: __________________________________________________________

CONTACT INFORMATION

General Contractor Name: __________________________________________________________

Architect of Record Name: ________________________________________________________________

Design-Build Entity Contact Person: _______________________________________________________

Design-Build Entity Address: ______________________________________________________________

Phone: __________________________ Fax: __________________________

Email: __________________________

DESIGN-BUILD ENTITY MEMBERS

<table>
<thead>
<tr>
<th>Discipline</th>
<th>Name (as it appears on license)</th>
<th>Legal Entity (i.e. corporation, partnership, sole proprietor, etc.)</th>
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<tr>
<td>General Contractor</td>
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<td>Architect</td>
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<td>Structural Engineer</td>
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Provide an Organization Chart for the project indicating, at a minimum, the roles and relationships of the above named individuals.
### PART I(B). GENERAL CONTRACTOR DECLARATION

Contractor (as name appears on license): ________________________________

Address: ________________________________

Phone: ________________________________ FAX: __________________________

Email: ________________________________

**California Contractors License:**

License No(s):_______________________ Primary License class: ______  Expiration Date: ______________

Type of Firm: (check one) Individual___ Corporation ___ Partnership___ Other (specify)____________________

Tax I.D. No.:_________________________ Date Business Formed:________________________

Date Incorporated (if applicable): ______________ State of Incorporation: ______________

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<tr>
<th>OWNERS, OFFICERS, AND PRINCIPALS (Including RMO/RME)</th>
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*If yes to any of the below listed questions, explain on a separate signed page.*

Have the firm’s owners, officers, and/or principals (including the RMO/RME) ever been licensed under a different name or license number?  
Yes _____ No ________

Have officers or principals of firm ever had their Contractor’s licenses suspended or revoked?  
Yes_____ No ________

Has there been any change in the control of the firm in the last five years?  
Yes_____ No ________

Are any of the firm’s owners, officers, and/or principals connected with Any other companies as a subsidiary, parent, or affiliate?  
Yes_____ No ________
List the present and all prior Sureties whom have provided a bond to your firm in the last five (5) years.

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<th>SURETY HISTORY</th>
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<th>Largest Bond</th>
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<tr>
<td>Company &amp; Address</td>
<td>Contact Name &amp; Phone</td>
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Single Project Bond Limit: ____________________
Aggregate Bond Capacity: ____________________
Total Value of Work in Progress: ____________________
Current Bond Rating: ____________________

*Please attach resume’s for any members from the firm that will be associated with this project. Resumes shall identify the individual’s overall experience, education, licensing and other general information as well as the individual’s: i) California school design and/or construction experience, and ii) design-build project design and/or construction experience.*
# PART I(C). ARCHITECT DECLARATION

Architect of Record: ________________________________

License No(s):_______________________ Years in Practice: _______________

Architectural Firm: ______________________________________________________________________

Address: ______________________________________________________________________________

Phone: ________________________________ FAX: ________________________________

Email: __________________________________________________________________________________

Type of Firm: (check one) Individual___ Corporation ____ Partnership___ Other (specify)______________

Tax I.D. No.:___________________________ Date of Business Formation:_______________

Date Incorporated (if applicable): ________________ State of Incorporation: ____________

### OWNERS, OFFICERS, AND PRINCIPALS

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<th>Name</th>
<th>Years with Firm</th>
<th>Position</th>
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*If yes to any of the below listed questions, explain on a separate signed page.*

Have the firm’s owners, officers, and/or principals ever been licensed under a different name or license number? Yes _____ No ______

Have officers or principals of firm ever had their licenses suspended or revoked? Yes_____ No ______

Has there been any change in ownership of the firm in the last five years? Yes_____ No ______

Are any of the firm’s owners, officers, and/or principals connected with Any other companies as a subsidiary, parent, or affiliate? Yes_____ No ______

Has the Architect of Record been employed by the firm for the last five years? Yes_____ No ______
Please Provide the following information for all Architects involved in the design and/or construction of this project:

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<th>Name</th>
<th>Years in Practice</th>
<th>License Number</th>
<th>Role in this Project</th>
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Please attach resume’s for any members from the firm that will be associated with this project. Resumes shall identify the individual’s overall experience, education, licensing and other general information as well as the individual’s: i) California school design and/or construction experience, and ii) design-build project design and/or construction experience.
**PART I(D). STRUCTURAL ENGINEER DECLARATION**

Structural Engineer of Record (SEOR): __________________________________________

License No(s): _______________   Engineering Discipline: __________________________

Firm: ______________________________________________________

Address: ____________________________________________________________________

Phone: ___________________________   FAX: _________________________________

Email: ______________________________________________________________________

Type of Firm: (check one) Individual___   Corporation ___   Partnership___   Other (specify)____________________

Tax I.D. No.: _________________________   Date of Business Formation: ______________

Date Incorporated (if applicable): _____________________   State of Incorporation: __________

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<th>Name</th>
<th>Years with Firm</th>
<th>Position</th>
<th>% of Ownership</th>
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*If yes to any of the below listed questions, explain on a separate signed page.*

Have the firm’s owners, officers, and/or principals ever been licensed under a different name or license number?  
Yes _____ No _______

Have officers or principals of firm ever had their licenses suspended or revoked?  
Yes_____ No _______

Has there been any change in ownership of the firm in the last five years?  
Yes_____ No _______

Are any of the firm’s owners, officers, and/or principals connected with any other companies as a subsidiary, parent, or affiliate?  
Yes_____ No _______

Has the SEOR been employed by the firm for the last five years?  
Yes_____ No _______
Please provide the following information for all engineers involved in the design and/or construction of this project:

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<th>Name</th>
<th>Years in Practice</th>
<th>License Number</th>
<th>Role in this Project</th>
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Please attach resume’s for any members from the firm that will be associated with this project. Resumes shall identify the individual’s overall experience, education, licensing and other general information as well as the individual’s: i) California school design and/or construction experience, and ii) design-build project design and/or construction experience.
PART I(E). ELECTRICAL SUBCONTRACTOR DECLARATION

Please include a subcontractor declaration for each electrical subcontractor that is being prequalified.

Firm Name: _____________________________________________________________

Address: __________________________________________________________________

Phone: ___________________________ FAX: ___________________________

Email: _____________________________________________________________________

Number of persons employed by Firm: _____________________________

Type of Firm: (check one) Individual ___ Corporation ___ Partnership ___ Other ___
(specify) _____________________________________________________________

Tax I.D. No.: ___________________________ Date of Business Formation: _____________

Date Incorporated (if applicable): ___________________________ State of Incorporation: ___________

<p>| OWNERS, OFFICERS, AND PRINCIPALS |
|-------------------|-----------------|-----------------|-----------------|</p>
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<th>Name</th>
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<th>Position</th>
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If yes to any of the below listed questions, explain on a separate signed page.

Have the firm’s owners, officers, and/or principals ever been licensed under a different name or license number? Yes _____ No ______

Have officers or principals of firm ever had their licenses suspended or revoked? Yes_____ No ______

Has there been any change in ownership of the firm in the last five years? Yes_____ No ______

Are any of the firm’s owners, officers, and/or principals connected with Any other companies as a subsidiary, parent, or affiliate? Yes_____ No ______
Please state the Electrical Subcontractor’s gross revenues for each of the last three years:

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<th>Year:</th>
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Please list all California Contractor License numbers currently held by the Electrical Subcontractor:

<table>
<thead>
<tr>
<th>License Number</th>
<th>Classification</th>
<th>Date Issued</th>
<th>Expiration Date</th>
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Please list all sureties that have written bonds for Electrical Subcontractor during the past five years:

<table>
<thead>
<tr>
<th>Surety</th>
<th>Address</th>
<th>Agent Name/Phone</th>
<th>Periods of Coverage</th>
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Please attach resume’s for any members from the firm that will be associated with this project. Resumes shall identify the individual’s overall experience, education, licensing and other general information as well as the individual’s: i) California school design and/or construction experience, and ii) design-build project design and/or construction experience.
PART I(F). MECHANICAL SUBCONTRACTOR DECLARATION

Please include a subcontractor declaration for each mechanical subcontractor that is being prequalified.

Firm Name: ________________________________________________

Address: __________________________________________________________________________

Phone: ___________________________ FAX: ___________________________

Email: __________________________________________________________________________

Number of persons employed by Firm: ___________________________

Type of Firm: (check one) Individual___ Corporation ___ Partnership___ Other (specify) _______________

Tax I.D. No.: ___________________________ Date of Business Formation: ___________________________

Date Incorporated (if applicable): ___________________________ State of Incorporation: _____________

<table>
<thead>
<tr>
<th>Name</th>
<th>Years with Firm</th>
<th>Position</th>
<th>% of Ownership</th>
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If yes to any of the below listed questions, explain on a separate signed page.

Have the firm’s owners, officers, and/or principals ever been licensed under a different name or license number? Yes _____ No _______

Have officers or principals of firm ever had their licenses suspended or revoked? Yes_____ No _______

Has there been any change in ownership of the firm in the last five years? Yes_____ No _______

Are any of the firm’s owners, officers, and/or principals connected with Any other companies as a subsidiary, parent, or affiliate? Yes_____ No _______
Please state the Mechanical Subcontractor’s gross revenues for each of the last three years:

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<th>Year:</th>
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Please list all California Contractor License numbers currently held by the Mechanical Subcontractor:

<table>
<thead>
<tr>
<th>License Number</th>
<th>Classification</th>
<th>Date Issued</th>
<th>Expiration Date</th>
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</table>

Please list all sureties that have written bonds for Mechanical Subcontractor during the past five years:

<table>
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<th>Surety</th>
<th>Address</th>
<th>Agent Name/Phone</th>
<th>Periods of Coverage</th>
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</tbody>
</table>

Please attach resume’s for any members from the firm that will be associated with this project. Resumes shall identify the individual’s overall experience, education, licensing and other general information as well as the individual’s: i) California school design and/or construction experience, and ii) design-build project design and/or construction experience.
ESSENTIAL REQUIREMENTS FOR PREQUALIFICATION

Contractor is disqualified if the answer to any of questions 1 through 11 in this section is “No” or the answer to any of questions 11 through 17 in this section is “Yes.”

1. Do all contractors, subcontractors, architects, and engineers possesses a valid and current California professional license for the services in which they intend to provide on the Project.

   __________ Yes  __________ No

2. Contractor has attached verification of a general liability insurance policy with a policy limit of at least $2,000,000 per occurrence and $4,000,000 aggregate.

   __________ Yes  __________ No

3. Contractor has attached verification of a current workers’ compensation insurance policy as required by the Labor Code or is legally self-insured pursuant to Labor Code section 3700 et. seq.

   __________ Yes  __________ No  __________ Contractor is exempt because it has no employees

4. The Architect is covered by a professional liability insurance policy with a policy limit of at least $2,000,000 per occurrence and $4,000,000 aggregate for work on a design-build contract.

   __________ Yes  __________ No

5. The Structural Engineer is covered by a professional liability insurance policy with a policy limit of at least $1,000,000 per occurrence and $2,000,000 aggregate for work on a design-build contract.

   __________ Yes  __________ No

6. Contractor has attached the latest copy of a complete audited or reviewed set of financial statements with accompanying notes and supplemental information. (A Compilation or income tax return is acceptable for maximum contract awards of $500,000.) (A District Consultant or representative will be reviewing this statement)

   __________ Yes  __________ No

7. Contractor has attached a letter from an admitted surety insurer (approved by the California Department of Insurance, NOT by your agent or broker) authorized to issue bonds in the State of California, which states that the contractor has a current available bonding capacity to cover this project?

   __________ Yes  __________ No
8. Contractor has established, implemented, and maintains an effective Injury & Illness Prevention Program (IIPP), pursuant to 8CCR Section 3203. The District will require all contractors to provide a copy prior to commencing construction.

_______ Yes  ________ No

9. Contractor meets the minimum experience requirements as set forth in Part III, Sections A & B?

_______ Yes  ________ No

10. Do agreements exist between the General Contractor and registered apprenticeship programs which have been approved by the California Apprenticeship Council and have graduated apprentices in each of the immediately preceding five years, for all apprenticable crafts which may be employed by the General Contractor on this project? Further, whether or not the General Contractor has such agreements in place, will the General Contractor ensure that all eligible subcontractors employed by the General Contractor will have in place for apprenticable crafts, an agreement with a registered apprenticeship program which has been approved by the California Apprenticeship Council and have graduated apprentices in each of the immediately preceding five years?

_______ Yes  ________ No

11. Contractor has an Experience Modification Rate (EMR) (California workers’ compensation insurance) average for the past three premium years of 1.25 or less?

_______ Yes  ________ No

List your firm’s Experience Modification Rate (EMR) (California’s workers’ compensation insurance) for each of the past three premium years: (Note: An Experience Modification Rate is issued to your firm annually by your workers’ compensation insurance carrier).

Current Year: _______

Previous Year: _______

Year prior to previous year: _______

12. Have you defaulted on a contract that caused a surety to suffer a loss on either a performance or payment bond in the past five (5) years?

_______ Yes  ________ No

13. Have you failed to complete one or more contracts in the past ten (10) years?

_______ Yes  ________ No

14. Have you declared bankruptcy or been placed in receivership within the past five (5) years?
15. Has your firm or any owner, officer or principal (including Responsible Managing Officer/Responsible Managing Employee) of your firm ever been found guilty of violating any federal, state or local law, rule or regulation regarding a construction contract?

________ Yes  _______ No

16. Has there been any occasion in the last five (5) years in which your firm was required to pay either back wages or penalties for failure to comply with California's prevailing wage laws? (Note: This question refers only to your own firm’s violation of prevailing wage laws, not to violations of the prevailing wage laws by a subcontractor.).

________ Yes  _______ No

17. Has the Occupational Safety and Health Administration (OSHA or Cal-OSHA) cited and assessed penalties against your firm for any "serious," "willful" or "repeat" violations of its safety or health regulations in the past five years? (Note: If you have filed an appeal of a citation and the Occupational Safety and Health Appeals Board has not yet ruled on your appeal, you need not include information about it.)

________ Yes  _______ No
Contractor must receive a minimum of 85 points out of a possible 110 points in this section, or is disqualified.

1. How many years' experience in public works construction has your firm had?

________________________ years

- 10 + years - 10 points
- 5 to 10 years - 7 points
- 2 to 5 years - 3 points
- 0 to 2 years - 0 points

2. How many years' experience in California higher education construction has your firm had?

________________________ years

- 10 + years - 10 points
- 5 to 10 years - 7 points
- 2 to 5 years - 3 points
- 0 to 2 years - 0 points

3. How many years' experience as a prime contractor has your firm had?

________________________ years

- 10 + years - 10 points
- 5 to 10 years - 7 points
- 2 to 5 years - 3 points
- 0 to 2 years - 0 points

4. Is your business entity, as evident by the Contractors State License Board, located within the Coast Community College District service area (Costa Mesa, Fountain Valley, Garden Grove, Huntington Beach, Midway City, Newport Beach, Seal Beach, Sunset Beach, Westminster)?

__________ Yes ____________ No

Yes - 5 points
No - 0 points
5. What percentage of Orange County residents do you intend to employ in the completion of construction activities?

_________________ percent

Greater than 30% - 5 points
15% to 30% - 3 points
Less than 15% - 0 points

If Yes to any of the below listed questions, explain on a separate signed page.

4. Has a claim or other demand been made against your firm’s California Contractors License Bond in the last ten (10) years?

________ Yes _________ No

No - 5 points
Yes - 0 points

5. Has a complaint been filed against your firm’s California Contractors License with the California Contractors State License Board in the last ten (10) years?

________ Yes _________ No

No - 5 points
Yes - 0 points

6. Has your firm been unable to obtain a bond or been denied a bond for a contract in the last five (5) years?

________ Yes _________ No

No - 5 points
Yes - 0 points

7. In the last ten (10) years, has your firm failed to complete a construction contract within the authorized contract time?

________ Yes _________ No

No -5 points
Yes - 0 points
8. In the last ten (10) years, has your firm been declared in default of a construction contract?

_________ Yes ___________ No

No - 5 points
Yes - 0 points

9. In the last ten (10) years, has your firm been assessed for liquidated damages under a construction contract with either a public or private owner?

_________ Yes ___________ No

No - 5 points
Yes - 0 points

10. Has any claim against your firm concerning work on a construction project ever been filed in court or submitted to arbitration or mediation by either a public or private owner within the past 10 years?

_________ Yes ___________ No 
If yes, on how many occasions? ________________

No occasions - 10 points
1 or 2 occasions - 5 points
More than 2 occasions - 0 points

11. Has your firm ever made any claim against a public or private owner concerning work or payment on a construction project and filed that claim in court or submitted the claim to arbitration or mediation within the past 10 years?

_________ Yes ___________ No 
If yes, on how many occasions? ________________

No occasions - 10 points
1 or 2 occasions - 5 points
More than 2 occasions - 0 points

12. In the last ten (10) years, has any surety made any payments on your firm's behalf to satisfy any claims made against a payment or performance bond issued on your firm's behalf in connection with a public or private construction project?

_________ Yes ___________ No 
If yes, on how many occasions? ________________

No occasions - 10 points
1 occasion - 5 points
More than 1 occasion - 0 points
13. Have you (bidder) ever brought any claim(s) against a public agency?

__________Yes ____________No

No - 5 points
Yes - 0 points

14. Has the EPA or any Air Quality Management District or any Regional Water Quality Control Board cited and assessed penalties against either your firm or the owner of a project on which your firm was the contractor in the past five years? (Note: If you have filed an appeal of a citation and the appropriate appeals Board has not yet ruled on your appeal, you need not include information about it.)

__________Yes ____________No

No - 5 points
Yes - 0 points
PART III. EXPERIENCE & REFERENCES

List references for **no more than six (6) projects of similar size, scope, and complexity** completed within the past five years.

Please indicate how the Proposed Design-Build Entity team member(s) were involved in each referenced project.

Include no more than one (1) page of project photos for each referenced project.

(continued on next page)
### Project 1:

<table>
<thead>
<tr>
<th>Name of Project:</th>
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<td>Procurement Type (D-B-B, D-B, CM@R, L-LB, Etc.):</td>
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<td>Project Description:</td>
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<td>DBE Team Member Involvement:</td>
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<td>Owner/Contact Person:</td>
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<td>Contact Number:</td>
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<td>Start Date:</td>
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<td>Contract Value:</td>
<td>Change Order Amount:</td>
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<td>Disputed Contract (Yes/No)? If yes, please explain on a separate signed page:</td>
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<td>Project Description:</td>
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<td>Contract Value:</td>
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<td>Disputed Contract (Yes/No)? If yes, please explain on a separate signed page:</td>
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<td>Procurement Type (D-B-B, D-B, CM@R, L-LB, Etc.):</td>
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<td>Project Description:</td>
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<td>DBE Team Member Involvement:</td>
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<td>Owner/Contact Person:</td>
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<td>Contact Number:</td>
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<td>Start Date:</td>
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<td>Contract Value:</td>
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<td>Disputed Contract (Yes/No)? If yes, please explain on a separate signed page:</td>
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### Project 4:

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<td>Procurement Type (D-B-B, D-B, CM@R, L-LB, Etc.):</td>
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<td>Project Description:</td>
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<td>DBE Team Member Involvement:</td>
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<td>Owner/Contact Person:</td>
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<td>Start Date:</td>
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<td>Contract Value:</td>
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<td>Disputed Contract (Yes/No)? If yes, please explain on a separate signed page:</td>
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<td>Project 5:</td>
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<td>Name of Project:</td>
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<td>Procurement Type (D-B-B, D-B, CM@R, L-LB, Etc.):</td>
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<td>Change Order Amount:</td>
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<td>Disputed Contract (Yes/No)? If yes, please explain on a separate signed page:</td>
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<td>Procurement Type (D-B-B, D-B, CM@R, L-LB, Etc.):</td>
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<td>Change Order Amount:</td>
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<tr>
<td>Disputed Contract (Yes/No)? If yes, please explain on a separate signed page:</td>
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PART IV: FINANCIAL RATING

Financial statements may be reviewed by an independent analyst who will render a recommendation as to the maximum contract amount. The District reserves the right to utilize all available sources in the determination of this recommendation.

Prospective bidders must meet the engineer’s estimate for this project when evaluating the lesser of:

- Five times working capital (current assets minus current liabilities), OR
- Net worth (assets less liabilities, plus available letter of credit confirmed by bank letter), OR
- Annual Revenue times 30%

Inability to meet this requirement will disqualify a contractor from bidding on this project.

Prospective bidders shall provide the each of the documents listed below in order to be deemed financially qualified to bid this project. Failure to complete and/or provide the information requested may result in disqualification.

A. Audited/Reviewed Financial Statements

Prospective Bidder must submit the most recent one (1) year of independently audited/reviewed financials including balance sheet, income statement, statement of cash flows and notes to the financials.

B. Certificate of Accountant

The certificate of an accountant licensed by the State of California will be required in all cases. A suggested form of a certificate for both an audit and a review is attached, (Attachment 1). The accountant may submit a certificate in his/her own words provided it does not include qualifications too extensive as to nullify the value of the statement or its usefulness to the District.

C. General Letter of Credit (optional)

A Letter of Credit may be included in determining the working capital (current assets) of the contractor for the purposes of prequalification with the District. A suggested letter format is attached (Attachment 2). Banks may issue a Letter of Credit on its own letterhead, provided that the letter contains the same provisions, is addressed to the Coast Community College District, and bears an original signature.
AFFIDAVIT OF CONTRACTOR

The submitter of the foregoing answers and statements of experience and financial condition has read the same and the matters stated therein are true of his or her own knowledge. The statement is for the purpose of inducing the District to supply the submitter with plans and specifications and any depository, vendor, or other agency named therein is hereby authorized to supply the District with any information necessary to verify the statement. Should the foregoing statement at any time cease to properly and truly represent the submitter in any substantial respect, the submitter will refrain from further bidding on the applicable scope of work.

Attached is a certified copy of the minutes of the corporation indicating that the person whose signature appears below has authority to bind the corporation. For other types of organization, provide evidence in a form and substance acceptable to the District (such as a Power of attorney) that the person whose signature appears below has authority to bind the contractor.

AFFIDAVIT OF AN INDIVIDUAL FOR A SOLE PROPRIETORSHIP:

I, ____________________________________________________________, an individual, doing business as ___________________________________________________________, hereby declare, by signing this affidavit, the foregoing statements to be true and correct and are made under penalty of perjury under the laws of the State of California.

PARTNERSHIP AFFIDAVIT:

I, ____________________________________________________________, a partner of ____________________________________________________________, hereby declare, by signing this affidavit, the foregoing statements to be true and correct and are made under penalty of perjury under the laws of the State of California.

CORPORATE AFFIDAVIT:

I, ____________________________________________________________, the ____________________________________________________________, (Title of Corporate Officer) (Full Corporate Name), hereby declare, by signing this affidavit, the foregoing statements to be true and correct and are made under penalty of perjury under the laws of the State of California.

Executed this ______________ Day of ________________________________, 2011,

City of ________________________, County of ________________________________,

State of ________________________.

Signature of Applicant ____________________________________________________
ATTACHMENT 1A: CERTIFICATE OF ACCOUNTANT

FOR AN AUDIT OF A FINANCIAL STATEMENT COMPLETE THIS CERTIFICATE

STATE OF ______________________

We have examined the Financial Statement of ________________ as of ________________. Our examination was made in accordance with generally accepted auditing standards, and accordingly included such tests of the accounting records and such other auditing procedures, as we considered necessary in the circumstances.

In our opinion, the accompanying financial statement included on pages___ to ___, inclusive, sets forth fairly the financial condition of ________________ as of ________________, in conformity with generally accepted accounting principles.

___________________________________
(Print Name of Firm) (Accountant must sign here)

___________________________________
(Telephone No.) (License No.)

Special Note to Accountant:

The above Certificate of Accountant shall not be made by any individual who is in the regular employ of the individual, partnership or corporation submitting the statement; nor by any individual who is a member of the firm with more than a 10 percent financial interest.
ATTACHMENT 1B: CERTIFICATE OF ACCOUNTANT

FOR A REVIEW OF A FINANCIAL STATEMENT COMPLETE THIS CERTIFICATE

I (we) have reviewed the accompanying financial statement of ______________ as of ______________. The information included in the financial statement is the representation of the management of the above firm.

Based on (our) review, with the exception of the matter (s), described in the following paragraph (s), (we are) not aware of any material modifications that should be made to the accompanying financial statements, in order for them to be in conformity with generally accepted accounting principles.

NOTE THIS REVIEW CONSISTS PRINCIPALLY OF INQUIRIES OF MANAGEMENT AND APPROPRIATE ANALYTICAL PROCEDURES APPLIED TO THIS FINANCIAL DATA. IT IS SUBTANTIALLY LESS IN SCOPE THAN AN EXAMINATION IN ACCORDANCE WITH GENERALLY ACCEPTED AUDITING STANDARDS, THE OBJECTIVE OF WHICH IS THE EXPRESSION OF AN OPINION REGARDING THE FINANCIAL STATEMENTS TAKEN AS A WHOLE. ACCORDINGLY, WE HAVE NOT EXPRESSED SUCH AN OPINION.

____________________  __________________________________
(Print Name of Firm)  (Accountant must sign here)

____________________  ______________________________
(Telephone No.)  (License No.)

Special Note to Accountant:

The above Certificate of Accountant shall not be made by any individual who is in the regular employ of the individual, partnership or corporation submitting the statement; nor by any individual who is a member of the firm with more than a 10 percent financial interest.
ATTACHMENT 2: GENERAL LETTER OF CREDIT

TO: Coast Community College District
    1370 Adams Avenue
    Costa Mesa, CA 92626

ATTN: Facilities Planning

SUBJECT: GENERAL LETTER OF CREDIT

Reference is made to the prequalification of ________________________________ (Name of Contractor).

Under the direction of the Board of Trustees pertaining to the construction, alteration and maintenance of Coast Community College District Facilities, we certify that the above Contractor has been extended an unqualified line of credit not to exceed $____________, and that such credit will not be withdrawn or reduced without 30 days written notice to the District.

It is understood that this letter of credit is to be used by the District solely for determining the financial resources of the said Contractor during the term of his prequalification with the District.

________________________________    Bank No. Code _____________

(Name of Bank)

________________________________

(Address)

________________________________

(City)

By:________________________________

(Please type or print name & title)
EXHIBIT B:

PROJECT DESCRIPTION AND
PROGRAM SUMMARY

FOR

GOLDEN WEST COLLEGE
CRIMINAL JUSTICE TRAINING CENTER
Golden West College – Criminal Justice Training Center

Project Description:

Using Measure M funds passed in November 2012, the Coast Community College District will be constructing a new Criminal Justice Training Center on the Golden West College Campus. The new Criminal Justice Training Center will consist of a new two-story 38,932 gross square foot building consisting of a Multi-Purpose Room, Classrooms, Forced Simulation Room, faculty offices, lecture space, Lifetime Fitness Lab, Ready Room, Mat Room, Locker Rooms, Armory, Administration and Reception Areas, and a Conference Room. Additionally, there will be adjacent outdoor areas that include a Grinder area, Biddle course, parking, Traffic stop street, a Scenario Village, and an exterior Memorial. This project is to be constructed on approximately 2.2 acre parcel, west of the Gothard parking lot, south of the existing Administration Bldg. and East of the existing Criminal Justice Center. Demolition of the existing 5,205 SF Community Center is included. The $16.2M project will be delivered via Design Build Delivery Method on an Active campus with construction commencing in May 2016 and classes beginning in August of 2017.

The project scope will include associated over-excavation site work, security gates, concrete flat work, utilities, site walls, peace officer memorial, landscape, irrigation system, exterior walkways, sidewalk, covered break area, and curb & gutter improvements as required by the Division of the State Architect (DSA). Hardscape and landscape of all disturbed areas to interface with existing and adjacent campus improvements, and exterior and interior signage. The project mechanical and electrical shall be new integrated systems throughout renovated and expansion areas.

The Design-Build Entity will be required to collaborate with Owner’s representatives to ensure continuity of District and College direction for design and technical standards and overall desired design elements which will be further defined in the Request for Proposal. Furniture, fixtures and moveable equipment are not a part of the work.

Logistics for this project will be challenging with limited lay down area due to ongoing campus operations. Golden West College is an existing campus operating at full capacity with ongoing classes M-S 7:00 AM-10:00 PM. Work hours will be in conformance within City of Huntington Beach allowable parameters for construction work. Emergency vehicle and service access, and pedestrian circulation within the campus must be maintained at all times.