

Name of Requalifying Contractor: _____



**APPLICATION FOR REQUALIFICATION of
GENERAL CONTRACTORS and
PRIME CONTRACTORS**

(for construction contracts valued at more than \$500,000)

for

SAN DIEGO COMMUNITY COLLEGE DISTRICT

For the Period from July 1, 2011 to June 30, 2012

Application for Requalification must be received at least two weeks prior to any bid opening that your firm wishes to bid on, to allow time for review, verification and approval.

TABLE OF CONTENTS

<u>GENERAL INFORMATION</u>	<u>3</u>
<u>SECTION 1 – CONTRACTOR’S GENERAL INFORMATION</u>	<u>6</u>
<u>SECTION 1A – THRESHOLD QUESTIONS (Module 1)</u>	<u>7</u>
<u>SECTION 2 – ACCOUNTANTS RELEASE FORM</u>	<u>9</u>
<u>SECTION 3 – REQUALIFICATION CERTIFICATION FORM</u>	<u>10</u>
<u>SECTION 4 – PREQUALIFICATION VALIDATION FORM</u>	<u>11</u>
<u>SECTION 5 – CalEMA CERTIFICATION FORM</u>	<u>12</u>
<u>SECTION 6 – LIST OF REQUIRED ATTACHMENTS</u>	<u>14</u>

GENERAL INFORMATION –REQUALIFICATION

All firms interested in bidding as a General or Prime contractor (for construction contracts valued at more than \$500,000) for the San Diego Community College District Projects listed under Proposition S and N must complete a Pre-Qualification Application and be approved by the San Diego Community College District (“District”). Only Applicants that are pre-qualified will be permitted to submit a bid for these construction projects.

The District intends to enter into contracts with contractors to construct public works of improvements funded by Propositions S and N as well as state and other funds. The District is dedicated to encouraging full participation of local minority, small and other disadvantaged businesses in its projects.

Public Contract Code §20651.5 permits the Governing Board of any Community College District to require each prospective bidder for a contract, as described under §20651, to complete and submit to the District a standardized questionnaire and financial statement in a form specified by the District, including a complete statement of the prospective bidder's financial ability and experience in performing public works construction. In accordance with §20651.5, the District has developed a Pre-Qualification Application which must be completed in advance by all firms seeking to bid these projects.

All firms receiving this Requalification Application have previously been prequalified by the San Diego Community College District prior to June 30, 2011. In order to maintain prequalified status for the period beginning July 1, 2011 through June 30, 2012, this Requalification Application must be filled out in its' entirety and the required attachments must be included.

Please note that Module 1 is PASS/FAIL. Improperly answering any question in Module 1 will result in the non-renewal of a firm's prequalified status.

Only one copy of the Application is required to be submitted.

All requalified firms wishing to bid on District projects greater than \$500,000 must submit a Prequalification Validation Form with the bid package certifying that the information contained in their firm's Prequalification or Requalification Application has not changed. If the information has changed or the firm's ownership or financial status has changed, the firm must attach a separate sheet with a full explanation. Any new annual financial statements or tax returns published since submittal of the Prequalification Application must also be attached. A copy of the Validation Form is attached hereto.

A person who is knowledgeable and duly authorized to attest to the past and present operations of the Applicant and its policies must complete the Application. A Requalification Certification page must be signed by the preparer and by at least one general partner, owner, principal, or executive officer of the firm who is authorized to legally commit the firm. More than one certification page may be necessary. All questions must be answered. Disclaimers, general statements with global qualifications, or notations of “Not Applicable” are not acceptable. Any pages containing supplemental information and/or other documentation which the Applicant submits to ensure full disclosure, should be attached to the Application. Applicants are encouraged to submit Applications as soon as possible to allow requalification prior to submission of a bid or proposal. Completed requalification forms should be submitted two (2) weeks prior to bid, or as advertised.

The Applicant must provide current, accurate, and complete information. Incomplete or inaccurate documentation may result in denial of requalification. The District reserves the right to verify the information submitted by the Applicant, in any related documents, or by supplemental information or data as necessary. If it is determined that false information or data was submitted in conjunction with the Application, the District may deny requalification, revoke previously granted approval, or, if an award has been made, may terminate the contract.

All costs associated with completion of the Application shall be borne by the Applicant. The District shall not, in any event, be liable for any expense incurred by the Applicant in connection with the preparation, completion or submission of the Application. The financial information submitted in conjunction with the Applicant's Application is considered confidential business information and will be afforded protection to the fullest extent permitted by law.

The Requalification Application consists of one (1) review module, which will be used to renew the Applicants prequalified status.

Module 1: The first module consists of a list of threshold questions to which the Applicant must answer "No". If the Applicant answers "Yes" to any of the threshold questions, the Application will automatically be rejected. If the Applicant answers "No" to all of the questions, the Application will proceed to the second module.

The requalification of a prospective Applicant shall not limit or preclude the District's subsequent consideration of a Pre-Qualified Applicant's responsibility on factors other than the prospective Applicant's financial qualifications. (See Public Contract Code §20651.5.)

Applicants shall mail or hand deliver completed Application in an envelope clearly marked Application for Requalification of General Contractors for San Diego Community College District to:

Gafcon, Inc.
SDCCD Prequalification
3443 Camino Del Rio South, Suite 311
San Diego, CA 92108

Once the review and evaluation is complete, the Applicant will be notified by e-mail and by letter whether the requalification has been approved or denied. Only Applicants for whom the Requalification Application has been approved will be permitted to submit a bid for any San Diego Community College Propositions S and N construction contracts valued at more than \$500,000.

Any Applicant denied Requalification has a right to appeal the decision. The Applicant has five (5) business days from the date of the Denial Notification to file a written appeal with the District's Program Management Consultant, Gafcon, at the Application submittal address shown above. The District will call to order a three-member Review Panel for appeals. None of the Review Panel members shall have participated in the prior review of the Application. Upon receipt of the written appeal, the Review Panel will meet to address the appeal. The Panel may consult with District counsel during its review. The Panel will examine the appeal and the facts surrounding the determination before making a decision. The Panel's decision is the final decision of the District. There are no further administrative appeals. The District's formal contract protest procedure is not applicable or available in this appeal process.

Please refer to the Pre-Qualification Application for general information regarding Pre-Qualification.

Note 1: SDCCD Prequalification does not preclude a firm from any project specific prequalification required by SDCCD contracted Construction Managers, nor is it a prerequisite for the same.

Note 2: If your firm was prequalified by the San Diego Community College District prior to July 1, 2008, or has not yet been prequalified, please submit a Prequalification Questionnaire. Do not submit a Requalification Questionnaire.

Note 3: If a firm's current ratio falls below the 1.20:1, SDCCD reserves the right to review and consider other pertinent financial information and ratios.

SECTION 1 – CONTRACTOR’S GENERAL INFORMATION

CONTRACTOR’S STATEMENT OF EXPERIENCE AND FINANCIAL CONDITION

Please Type or Print Clearly

Prime Contractor			
Contact Person	Name as it appears on license		
Mailing Address	Street Address		
	City	State	Zip code
Contact Information	Phone/Mobile		Fax
	Email Address		
Check One	Corporation:		
	Partnership:		
	Sole Prop.:		
	Joint Venture:		
Type of Business (Using NAIC codes)			No. of Employees:
			Company-wide:
			Local San Diego:
MBE Certified:	Yes	No	Contractor's License #:
WBE Certified:	Yes	No	
DBE Certified:	Yes	No	Class(es):
DVBE Certified:	Yes	No	
SBE Certified:	Yes	No	Exp. Date:
African American	Yes	No	
Native American	Yes	No	
Hispanic American	Yes	No	
Asian/Pacific Islander/Asian Indian American	Yes	No	

Note 1: If a firm’s Current Ratio falls below the 1.20:1 threshold, the District reserves the right to review and consider other pertinent financial information and ratios.

SECTION 1A - THRESHOLD QUESTIONS (Module 1)

Applicant will be immediately disqualified if the answer to any of the questions below is "Yes". Refusal to answer or omission of response to any question on this form will result in disqualification of Applicant.

1. Is your firm's license currently **SUSPENDED** or **INACTIVE** as recorded by the California State License Board (CSLB)?

Yes No

2. Is your firm's bonding capacity **LESS THAN** the value of the project that your firm is bidding on?

Yes No

3. Is your firm currently **INELIGIBLE** to bid on public works projects in accordance with Section 1777.1 of the California Labor Code?

Yes No

4. Does your firm's Worker's Compensation Experience Modification Rate, as averaged over the past five (5) years, **EXCEED 1.00**?

Yes No

5. In the period from July 1, 2010 to June 30, 2011, has your firm incurred **MORE THAN one (1) serious violation*** as defined by Cal-OSHA?

Yes No

6. In the period from July 1, 2010 to June 30, 2011, has your firm incurred **ANY repeat violations*** as defined by Cal-OSHA?

Yes No

7. In the period from July 1, 2010 to June 30, 2011, has your firm had **ANY willful violations** of any occupational safety or health standard, order, or Section 25910 of the California Health and Safety Code?

Yes No

8. An Injury and Illness Prevention Program (IIPP) in accordance with California Labor Code Sections 3201.5 or 6401.7 is required for firms seeking to prequalify. Has your firm **FAILED** to implement an IIPP?

Yes No

9. General Liability Insurance with minimum limits of \$1,000,000 per occurrence and \$2,000,000 aggregate is required for firms seeking to prequalify. Are your firm's insurance limits **LESS THAN** the required values?

Yes No

10. Workers Compensation Insurance (as required by the California Labor Code) or adequate Self Insurance (in accordance with California Labor Code Section 3700 et. seq) is required for firms seeking to prequalify. Does your firm currently **FAIL** to meet these requirements?

Yes No

11. In the period from July 1, 2010 to June 30, 2011, has your firm, or any key Person in your firm (RMO, RME, Principal, Owner, or Project Manager), had any license revoked by the Contractors State License Board (CSLB)?	
Yes	No
12. In the period from July 1, 2010 to June 30, 2011, has your firm, or any key Person in your firm, been convicted of a crime involving the awarding of a contract of a government (local, state or federal) construction project, or the bidding or performance of a government contract?	
Yes	No
13. In the period from July 1, 2010 to June 30, 2011, has your firm, or any key Person in your firm, been “defaulted” or “terminated” by an owner (other than for convenience of the project owner) or has your surety completed a contract for your firm?	
Yes	No
14. In the period from July 1, 2010 to June 30, 2011, has your firm, or any key Person in your firm, ever been found guilty in a criminal action, for making any false claim or material misrepresentation to any public agency or entity?	
Yes	No
15. In the period from July 1, 2010 to June 30, 2011, has your firm, or any key Person in your firm, ever been convicted of a crime involving any federal, state or local contracts?	
Yes	No
16. In the period from July 1, 2010 to June 30, 2011, has your firm been involved in any litigation with the San Diego Community College District, filed any claims against the San Diego Community College District, or had any claims filed against it by the San Diego Community College District?	
Yes	No
17. In the period from July 1, 2010 to June 30, 2011, has your firm been assessed damages (liquidated or actual) by any owner on any project?	
Yes	No
18. According to your firms most recent financial review or audit (must be dated within the past 12 months), is your firms “Current Ratio” (Current Assets / Current Liabilities) LESS THAN 1.20:1? (**See Note 1 on Page 5)	
Yes	No
19. In the period from July 1, 2010 to June 30, 2011, has your firm declared or filed for bankruptcy?	
Yes	No

***Violation definitions/classifications can be found at the following website. These definitions are accurate as of the publishing of this document. Gafcon is not responsible for third party information:**
<http://www.dir.ca.gov/dosh/>

SECTION 2 - ACCOUNTANT'S RELEASE FORM

By signing the form below, I authorize this pre-qualifying agency to contact our company's licensed accounting firm to verify our most recent audited or reviewed financial statement. I understand the financial statement is confidential information and is not open to public inspection.

Name Contractor's Signature

Title Company Name

Date

SECTION 3 – REQUALIFICATION CERTIFICATION FORM

A copy of this certification must be completed and signed by the preparer and by at least one general partner, owner, principal or officer authorized to legally commit the Applicant, and submitted with the Application.

The Applicant recognizes that the information submitted in the questionnaire herein is for the express purpose of inducing the District to award a contract to Applicant. The Applicant has read and understands the requirements of this Re-Qualification Application and process, and has read and understands the instructions for completing this form. The Applicant acknowledges that he/she is duly authorized to provide the information contained in this Application and that answering the questions in this Application is entirely within his/her control.

DECLARATION

I, (printed name) _____ am the (title) _____ of Applicant. I certify that I have read and understood the questions contained in the attached Application, and that to the best of my knowledge and belief all information contained herein and submitted concurrently or in supplemental documents with this Application is complete, current, and true. I further acknowledge that any false, deceptive or fraudulent statements on the Application will result in denial of Re-Qualification. I authorize the District to contact any entity named herein, or any other internal or outside resource, for the purpose of verifying information provided in the questionnaire or to develop other information deemed relevant by the District.

Signature of Preparer or Officer of the Applicant Date

Signature of Preparer or Officer of the Applicant Date

~~~~~

#### **NOTICE TO APPLICANTS**

A material false statement, omission or fraudulent inducement made in connection with this Re-Qualification Application is sufficient cause for denial of the Application or revocation of a prior approval, thereby precluding the Applicant from doing business with, or performing work for, the District, either as a vendor, prime contractor, subcontractor, or supplier for a period of three years. In addition, such false submission may subject the person and/or entity making the false statement to criminal charges. [Title 18 USC 1001, false statements; California Penal Code Section 132, offering altered or antedated or forged documents or records; and Section 134, preparing false documentary evidence].

## SECTION 4 – PREQUALIFICATION VALIDATION FORM

This Validation Form must be submitted for each bid or proposal. The Validation Form must be completed and signed by at least one General Partner, Owner, Principal or Officer authorized to legally commit the Applicant. For Applicants who provide additional and/or updated information as indicated below, submission of this Validation Form in advance of the bid or proposal date is encouraged. An evaluation of the new information could result in the change in Pre-Qualification status of the Applicant and if the Pre-Qualification status is denied, bidder may be considered non-responsive.

---

Bid Name and Number

---

---

### ***DECLARATION***

I, (printed full name) \_\_\_\_\_,  
hereby declare that I am the (position or title) \_\_\_\_\_ of (APPLICANT) ,  
and that I am duly authorized to execute this Validation Statement on behalf of this entity. I  
acknowledge that any false, deceptive or fraudulent statements on this validation will result in denial of  
Pre-Qualification. I hereby state:

The Pre-Qualification Application dated on file with District is correct and current as submitted.

### **OR**

The Pre-Qualification Application dated on file with District is correct and current as submitted, except  
as modified by the attached changed pages and/or attachments to said Application.

(Applicant may attach additional sheets to describe changes). Attach recent financial statements if  
previous are more than one year old.

---

Signature of Person Certifying for Applicant

Date

---

Name of Applicant:

---

Tax ID No. or SSN:

---

## **SECTION 5 – CaIEMA CERTIFICATION FORM**

### **Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions; Instructions for Certification:**

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into.

If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.

4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

**Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions**

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

\_\_\_\_\_  
Signature of Preparer or Officer of the Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Preparer or Officer of the Applicant

\_\_\_\_\_  
Date

## **SECTION 6 – LIST OF REQUIRED ATTACHMENTS**

- Certificate of Insurance for Workers Compensation and General Liability
- Letter of Bondability
- Reviewed or Audited Financial Statement (dated within the past 12 months)
- Accountant's Release Letter
- Re-Qualification Certification Form
- CalEMA Certification Form
- California Contractors License
- OSHA 300 Logs for the past year

**Note:**

California Contractors License-the copy must clearly and legibly show: (i) the licensee name; (ii) the expiration date; (iii) the classification(s) of licensure.

If your organization's California Contractors License is issued by virtue of the qualification of a responsible managing employee or responsible managing officer, the Qualifiers Bond if required pursuant to California Business & Professions Code §7071.9.