

**Request For  
Pre-Qualification  
of General Contractors  
for the**

**Santa Rita Jail  
HU-ITR Camera Replacement Project  
Project No. 8022**

**April 26, 2018**

## **TABLE OF CONTENTS**

	<b>PAGE</b>
<b>NOTIFICATION OF PRE-QUALIFICATION REQUIREMENTS</b>	<b>3</b>
<b>INTRODUCTION AND OVERVIEW OF THE PRE-QUALIFICATION PROCESS</b>	<b>11</b>
<b>PRE-QUALIFICATION QUESTIONNAIRE</b>	<b>15</b>
<b>Part I: Information about the Contractor</b>	<b>16</b>
<b>Part II: Essential Requirements for Qualifications of the Contractor</b>	<b>23</b>
<b>Part III: Scored Questions for the Contractor</b>	<b>25</b>
<b>Part IV: Recent Construction Projects Completed</b>	<b>41</b>
<b>Part V: Reference Interview Questions</b>	<b>44</b>
<b>CERTIFICATION</b>	<b>46</b>
<b>SCORING WORKSHEETS AND SUMMARY OF SCORED QUESTIONS</b>	<b>48</b>
<b>ATTACHMENTS</b>	
<b>Attachment 1: Not Used</b>	
<b>Attachment 2: Alameda County Sheriff's Office Security Site Clearance Form</b>	
<b>Attachment 3: Document 00 22 19 Enhanced Construction Outreach Program (ECOP)</b>	
<b>Attachment 4: Enhanced Construction Outreach Program (ECOP) Information Brochure</b>	
<b>Attachment 5: Project Stabilization/Community Benefit Agreement Documents:</b>	
• <b>Document 00 73 49 Project Stabilization/Community Benefit Agreement of The County of Alameda and California prevailing Wage Requirements</b>	
• <b>Document 00 73 49A PSCBA Letter of Assent</b>	
• <b>Document 00 73 49B County of Alameda County-wide Project Stabilization/Community Benefits Agreement</b>	

# Notification of Pre-Qualification Requirements

**NOTIFICATION OF PRE-QUALIFICATION REQUIREMENTS  
for the  
COUNTY OF ALAMEDA  
Santa Rita Jail HU-ITR Camera Replacement Project  
PROJECT # 8022**

The County of Alameda (“County”) is requesting Qualifications for construction services to construct Alameda County’s Santa Rita Jail HU-ITR Camera Replacement Project (“Project”), as a multi-phase critical schedule project at the existing facility located at 5325 Broder Boulevard in Dublin, California. The County’s competitive selection process will proceed in two steps as follows:

**Step 1:** The Construction Contractor Pre-Qualification phase.

**Step 2:** Submittal of bids according to the requirements of the bid documents. Only those Construction Contractors (“Contractors” or “Prime Contractors”) that are successfully qualified in Step 1 will be allowed to participate in Step 2.

**GENERAL DESCRIPTION OF THE PROJECT**

The County’s construction budget limit is a not to exceed \$2.4 Million.

Description of the Project: The proposed project consists of the replacement of existing cameras and microphones and the installation of new cameras and microphones in Housing Units (HU) 1, 2, 8, 9, 24, and Intake and Release (ITR). The scope of work also includes video image storage, system programming, network switches, network video recorder servers and software, racks for the video image storage, video displays, and electrical to support the new work.

The project will use the design-bid-build delivery method. The County desires to complete the entire scope of construction by Spring/Summer of 2019. Upon selection of the Pre-Qualified Short-Listed General Contractors, Construction Documents will be issued for competitive bidding among the Pre-Qualified Short-Listed General Contractors.

General Contractors who are interested in applying for Prequalification to bid this project must attend the Mandatory Pre-Submittal Conference.

**GENERAL STATEMENT OF PREQUALIFICATION CRITERIA AND PRIORITIES**

The County is particularly interested in Contractors with the following qualifications:

- Experience with public sector correctional institution and jail facility renovation projects similar in size, scope, type, and complexity to the project identified in this pre-qualification.
- Experience with managing multiple construction crews with limited wireless radio communication in a large jail facility.

Request for Pre-Qualification of Prime Contractors for  
**SRJ HU-ITR Camera Replacement Project**

---

- Ability to provide a workforce that will pass the on-site security requirements for working in the County's jail facility. This includes compliance with jail facility construction security procedures and work restrictions. See Attachment 2.
- Ability to perform to the Project's required construction phasing schedule and construction completion goals for the County.
- Contractors must have a valid California C-10 Contractor license

**STEP 1 - PRE-QUALIFICATION PROCESS CONFERENCE**

The following is the anticipated schedule of events and actions for this prequalification process:

- Advertise/Issue Request for Pre-Qualification Submittals April 26, 2018
- Advertisement Period April 26 – May 9 2018
- Written Inquiries and Questions Received by May 4, 2018
- Mandatory Pre-Submittal Conference May 9, 2018, 9:30 AM

*Location:*

*Alameda County GSA  
1401 Lakeside Drive, 2nd Floor Conference  
Room #201, Oakland, CA 94612*

- Pre-Submittal Conference Attendee List Issued May 11, 2018
- Final Submittal of Written Clarifying Questions by May 11, 2018
- GSA Response to Written Questions Issued May 18, 2018
- Submission Deadline for Pre-Qualification Documents June 4, 2018, 2 PM
- Completeness Review June 5 – June 6, 2018
- County SOQ Review Process June 7 – June 14, 2018
- Notification of Short-Listed Qualified General Contractors June 15, 2018
- Security Clearances and NDA June 18 – June 29, 2018

Note: the above dates are approximate.

**STEP 2- PROJECT BIDDING PROCESS AND CONSTRUCTION SCHEDULE:**

For those Contractors who become pre-qualified and short-listed to participate in bidding the Project, the following is the anticipated schedule of events for bidding and construction:

- Contract Documents Available July 2, 2018
- Mandatory Pre-Bid Conference & Site Visit No. 1 July 10, 2018, 2 pm  
*(for Pre-Qualified Contractors and any  
interested Subcontractors)*
- Non-Mandatory Networking Meeting and Site Visit No.2 July 11, 2018, 2 pm
- Addendum #1 - Attendees List Issued July 13, 2018
- Last day for GSA to Receive Any Final Bidder Questions July 13, 2018 COB
- Addendum #2 - Bid Questions/Answers Issued July 20, 2018

Request for Pre-Qualification of Prime Contractors for  
**SRJ HU-ITR Camera Replacement Project**

---

- |  |                      |
|--|----------------------|
| • Receipt of Bids and Bid Opening          | August 6, 2018, 2 pm |
| • Notice of Intent to Award                | August 10, 2018      |
| • Last Day to Submit Bid Protest           | August 17, 2018      |
| • Board Award                              | September 18, 2018   |
| • Contract Execution and Notice to Proceed | September, 2018      |
| • Construction Complete                    | January 25, 2019     |

Note: the above dates are approximate, with the exception of the Construction Complete date, which is a firm and required date.

All individuals, as Pre-Qualified General Contractors or any interested Subcontractors who wish to participate in the job walks for Site Visit No. 1 and Site Visit No. 2 indicated above, must complete and sign the Non-Disclosure Agreement (NDA) and receive, in advance, security site clearance from the County Sheriff. See Attachment 2 for this standard form.

### **MINIMUM BONDING REQUIREMENTS**

The minimum bonding capacity must equal or exceed the construction budget. Prospective Contractors that cannot provide bonding at that amount will not be considered qualified even though they may be qualified otherwise.

### **NOTICE OF PRE-QUALIFICATION REQUIREMENTS**

Notice is hereby given that the County has determined that all bidders on the Project must be pre-qualified prior to submitting a bid. It is mandatory that all Contractors, who intend to submit a bid, fully complete the Pre-Qualification Questionnaire Document, and provide all materials requested herein and be approved by the County to be on the final qualified Bidders list. No bid will be accepted from a Contractor that has failed to comply with these requirements. If two or more business entities submit a bid as part of a Joint Venture, or expect to submit a bid as part of a Joint Venture, each entity within the Joint Venture must be separately qualified to bid.

Answers to questions contained in the Pre-Qualification Questionnaire, information about current bonding capacity, notarized statement from surety, and the most recent reviewed or audited financial statements (Profit & Loss Statement and Balance Sheet), with accompanying notes and supplemental information, are required. The County will use these documents as the basis of rating Contractors. The County reserves the right to check other sources available. The County's decision will be based on objective evaluation criteria.

The intent of the Pre-Qualification Questionnaire and supporting information required is to assist the County in determining bidder qualifications prior to submission of bids. Neither the fact of pre-qualification, nor any pre-qualification rating, will preclude the County from a post-bid consideration and determination of whether a bidder has the quality, fitness, capacity and experience to satisfactorily perform the proposed work, and has demonstrated the requisite trustworthiness.

A Contractor will not be considered as qualified for bidding on this Project until the Contractor has met the requirements of the County. In addition, a Contractor may not be considered qualified for either: (1) omission of requested information, or (2) falsification of information.

### **IMPORTANT PROVISIONS OF THE PUBLIC CONTRACT CODE RELATED TO PRE-QUALIFICATION**

In 1999, the California Legislature enacted a law that allows many public agencies, including Alameda County, to require licensed Contractors that wish to bid for public works jobs to “pre-qualify” for the right to bid on a specific public work project, or on projects undertaken by a public agency during a specified period of time. Public Contract Code Section 20101 has the relevant provisions.

The County of Alameda has chosen to adopt the pre-qualification process described in Public Contract Code Section 20101 for this Project. Section 20101 requires every public agency that creates a pre-qualification procedure to: (1) use a standardized questionnaire and financial statement in a form specified by the public entity, (2) adopt and apply a uniform system of rating bidders on objective criteria, on the basis of the completed questionnaire and financial statements, and (3) create an appeals procedure, by which a Contractor that is denied pre-qualification may seek a reversal of that determination.

### **PUBLIC RECORD / CONFIDENTIALITY**

The Pre-Qualification Documents (questionnaire answers and financial statements) submitted by Contractors are not public records and are not open to public inspection. All information provided will be kept confidential to the extent permitted by law. However, the contents may be disclosed to third parties for purpose of verification, or investigation of substantial allegations, or in an appeal hearing. State law requires that the names of Contractors applying for pre-qualification status shall be public records subject to disclosure; the Contact Information page of the questionnaire will be used for that purpose.

### **ENHANCED CONSTRUCTION OUTREACH PROGRAM (ECOP)**

The Project will comply with the requirements of the County’s Enhanced Construction Outreach Program (“ECOP”). All Pre-Qualified Contractors will be required to accept and acknowledge that they will meet the ECOP goals and requirements as they relate to the construction of the Project. Please see Attachments 3 and 4.

The ECOP includes:

1. The requirement that Contractors meet or show good faith efforts (“GFE”) to meet a contract participation goal of 60% to be awarded to local businesses and 20% to certified small local business enterprises (“SBE”), which may include participation of the Contractor;

2. The requirement that Contractors meet or show GFE to meet a sub-contractor or sub-consultant participation goal of 15% Minority-owned Business Enterprise (“MBE”) and 5% Women-owned Business Enterprise (“WBE”) sub-contractor participation;
3. For purposes of the ECOP, an SBE is as defined using the current State definition of a small business, which is a business that:
  - A. Must be independently owned and operated;
  - B. Cannot be dominant in its field of operation;
  - C. Must have its principal office located in California;
  - D. Must have its owners (or officers in the case of a corporation) domiciled in California; and together with its affiliates, be either:
    1. A business with 100 or fewer employees with \$14 million or less in average gross annual revenue over the past three years, or
    2. A manufacturer with 100 or fewer employees.
4. Strong encouragement to bidders to contract with businesses that can demonstrate the ability and willingness to provide jobs required to complete County construction projects to local apprentices, youth, unemployed and under-employed County residents.

#### **PROJECT STABILIZATION/COMMUNITY BENEFITS AGREEMENT (PSCBA)**

The Project will comply with the requirements of the “Project Stabilization/Community Benefits Agreement for the County of Alameda” (“PSCBA”). Work performed pursuant to the proposed Contract, with a construction value of one million (\$1,000,000) or more, will be subject to the requirements of the PSCBA, as described in the documents in Attachment 5. In consideration of the award of a Contract to perform the Work, the Contractor will agree to be party to and bound by the PSCBA. Pre-Qualified Short-Listed Contractors who submit a bid over \$1,000,000 will be required to accept and acknowledge that they will meet the PSCBA requirements and goals as they relate to the construction of the Project and agree to execute the PSCBA Letter of Assent and shall require all of their Subcontractors, of whatever tier, to be similarly bound for all Work within the scope of this Contract by signing an identical Letter of Assent.

#### **COUNTY OF ALAMEDA RIGHTS**

The County reserves the right to waive minor irregularities and omissions in the information contained in the pre-qualification application submitted, to make all final determinations, and to determine at any time that the pre-qualification procedures will not be applied to a specific future public works project.



Request for Pre-Qualification of Prime Contractors for  
**SRJ HU-ITR Camera Replacement Project**

---

The County may refuse to grant pre-qualification where the requested information and materials are not provided, or not provided by the date specified above. There is no appeal from a refusal for an incomplete or late application. The closing date and time for pre-qualification submittals will not be changed in order to accommodate supplementation of incomplete submissions, or late submissions.

The County reserves the right to accept pre-qualification applications despite minor irregularities and omissions in the information that would otherwise serve to disqualify a Contractor. The County reserves the right to make all final pre-qualification determinations and to determine at any time that the pre-qualification procedures will not be applied to the Project.

The County reserves the right to adjust, increase, limit, suspend or rescind the pre-qualification rating based on subsequently learned information. Contractors whose rating changes sufficient to disqualify them will be notified, and given an opportunity for a hearing consistent with the hearing procedures described for appealing a pre-qualification rating.

### **PROTEST PROCESS**

Where the scoring of a timely submitted and complete Pre-Qualification Document results in a rating below that necessary to pre-qualify, a protest can be made by a non-qualifying Contractor. Upon request, the County will provide the non-qualifying Contractor, in writing, the basis for its disqualification and any copies of supporting evidence that has been received from others or adduced as a result of the County's own investigation.

Please see the following link for the County of Alameda policy on the Bid Protest/Appeals process:  
[www.acgov.org/gsa/departments/purchasing/policy/bidappeal.htm](http://www.acgov.org/gsa/departments/purchasing/policy/bidappeal.htm)

### **PREQUALIFICATION POINT OF CONTACT**

Any questions regarding the Project and the Pre-Qualification process should be in writing and directed to:

**Michael E Cadrecha, Architect, Capital Programs**  
**County of Alameda - General Services Agency**  
**1401 Lakeside Drive, Suite 800**  
**Oakland, CA 94612**  
**Phone: 510.208.9589**  
**Fax: 510.208.3995**  
**Email: michael.cadrecha@acgov.org**

<p><b>NOTE:</b> The date by which clarifying questions on the Pre-Qualification Questionnaire must be submitted is <b>May 11, 2018, 5PM</b>. No further questions regarding the Pre-Qualification Questionnaire or required documentation will be answered after that date and time.</p>
--

Request for Pre-Qualification of Prime Contractors for  
**SRJ HU-ITR Camera Replacement Project**

---

The County reserves the right to extend the deadline for submittal of prequalification questionnaires. It will do so through an addendum sent by email to all parties that requested a pre-qualification questionnaire.

# Introduction and Overview

## **INTRODUCTION AND OVERVIEW OF THE PRE-QUALIFICATION PROCESS**

### **SUBMISSION REQUIREMENTS, DATE AND DELIVERY**

Each Pre-Qualification Questionnaire Document must be signed under penalty of perjury in the manner designated on the certification page, by an individual who has the legal authority to bind the Contractor on whose behalf that person is signing.

If any information provided by a Contractor becomes inaccurate, the Contractor must immediately notify the County and provide updated accurate information in writing, under penalty of perjury.

The due date for the submission of the fully completed Pre-Qualification Document Package is:

**2:00 PM Pacific Time on June 4, 2018**

**A complete submission must be comprised of a digital copy (PDF format) on a Solid-state memory stick, and five (5) fully completed, signed, printed hard copy originals of all required documents.**

The Pre-Qualification Document Package must be submitted in a sealed envelope and marked “CONFIDENTIAL”, to Capital Programs, Attention: Michael Cadrecha, Architect, General Services Agency, County of Alameda, 1401 Lakeside Drive, Suite 800, Oakland, CA 94612. The submitted Pre-Qualification Document Package will be stamped upon receipt with an official date and time of receipt.

### **SCORING APPROACH**

The rating of the Contractor will result from consideration of the scores attained in parts II, III and IV of the questionnaire. The successfully qualified Contractor must achieve a passing score in all three parts of the questionnaire. The scores achieved for the three scored parts are not aggregated to a “total score” to achieve a pass-fail rating. Rather, each part is stand-alone and must be passed sequentially. The Scoring Worksheet for all parts of this document can be found at the last section of this document.

### **PART I: INFORMATION ABOUT THE CONTRACTOR**

This part applies to the Contractor and is for identification purposes only. There is no scoring value to Part I. The first two pages of this part are the only public information portion of the Pre-Qualification Questionnaire Document (specifically the “Lead Person or Firm-Contact Information section and questions 1a. through 1g).

### **PART II: ESSENTIAL REQUIREMENTS FOR QUALIFICATION OF THE CONTRACTOR**

This part applies to the Contractor and is a series of yes/no questions. All questions must be answered correctly or the Contractor will be disqualified. If the Contractor correctly responds to each of these questions, its consideration of qualifications will advance to Part III.

If the Contractor is unable to correctly respond to each of these questions, they will be disqualified regardless of the results of the scored questions.

### **PART III: SCORED QUESTIONS FOR THE CONTRACTOR**

This part is comprised of the qualifications and experiences that the Contractor should possess. A series of questions that must be answered by the Contractor, each question has a pre-assigned score value. The total score attained establishes the rating for the Contractor.

For passing through this part, the Contractor must be able to answer the questions so that the aggregate score for all questions in this part is **equal to or greater than 100 points of the possible maximum score of 150**. If the Contractor passes Part III, consideration of its qualifications will proceed to Part IV.

### **PART IV: RECENT CONSTRUCTION PROJECTS COMPLETED**

This part is comprised of a series of questions relating to the Contractor's performance on three (3) completed projects of similar quality, size, scope and cost. These three (3) projects will be selected by the County from the total list of five (5) projects submitted by the Contractor and will involve a short set of interview questions.

### **PART V: INTERVIEW REFERENCE QUESTIONS**

The identified owner's representative for each project in Part IV above, will be contacted by the County's staff and will be asked 15 questions, of which 14 questions have a score value range of 1 to 10. The Contractor must be given a score value for each question so that the aggregate score for all questions in this part is **equal to or greater than 98 points of the possible maximum score of 140**. If the Contractor passes Part IV, after having also passed Parts II and III, it is considered qualified.

### **PRE-QUALIFICATION DOCUMENT: REVIEW AND NOTIFICATION PROCESS**

The completed Pre-Qualification Document must be submitted by the deadline specified above. Once received, the review and notification process will be as follows:

1. The entire Pre-Qualification Package will be date-stamped upon receipt.
2. The Pre-Qualification Document will be reviewed for completeness by County staff **within two (2) working days from the submission deadline date**. The Contractor will be notified as to completeness. If the Pre-Qualification Document is not deemed complete, upon notification by County Staff the Contractor will have **two (2) working days to add whatever information is needed to make the Document complete**. If the Pre-Qualification Document is complete, it will proceed to be reviewed and scored.
3. The completed Pre-Qualification Document will be reviewed by County staff **within 8 (8) working days from the submission deadline date**.
4. The Contractor will be notified of their qualification rating by regular mail or via electronic mail (email) **within ten (10) working days from the submission deadline date**.

Request for Pre-Qualification of Prime Contractors for  
**SRJ HU-ITR Camera Replacement Project**

---

If the Contractor is rated as “Qualified” for this Project, they will be eligible for bidding on the Project and will be notified of the opportunity to submit a Bid for the Project. The County reserves the right to shortlist a minimum of three (3) and a maximum of six (6) qualified Contractors who had submitted projects and/or stated experience most relevant to the Criteria and Priorities of this Project. The County has set a due date for receiving Qualified Bids following Pre-Qualification. Please see Step 2 – Project Bidding Process and Construction Schedule in the Notification of Pre-Qualification Requirements section.

If the Contractor is rated as “Non-Qualified” for this Project, they may initiate a protest process as described in the Notification of Pre-Qualification Requirements section.

# Pre-Qualification Questionnaire

## **PART I: INFORMATION ABOUT THE CONTRACTOR**

### **Lead Person or Firm - Contact Information**

If Contractor is a sole proprietor or partnership:

Owner(s) of Company: \_\_\_\_\_

Contractor Name: \_\_\_\_\_

Contact: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ EmailAddress: \_\_\_\_\_

Type of Entity (check one):

☐ Corporation ☐ Partnership ☐ Sole Proprietor ☐ Joint Venture ☐ Other Association

### **Member Firm(s)**

<b>Discipline</b>	<b>Name</b>	<b>License</b>
General Contractor		

### **INFORMATION ABOUT THE PRIME CONTRACTOR**

1a. Date of formation or incorporation: \_\_\_\_\_

1b. State of formation or incorporation: \_\_\_\_\_

1c. How many persons does your organization currently employ: \_\_\_\_\_

1d. If your organization is a corporation, please complete the following table:

Provide information for each officer of the corporation or individual(s) with 20% or more of the corporate stock.

<b>Position</b>	<b>Name</b>	<b>Years with Co.</b>	<b>% Ownership</b>
-----------------	-------------	---------------------------	------------------------



Request for Pre-Qualification of Prime Contractors for  
**SRJ HU-ITR Camera Replacement Project**

---

President			
Vice-President			
Secretary			
Treasurer			

1e. If your organization is a partnership, please complete the following table. Provide information for each partner who owns 20% or more of the firm.

<b>Position</b>	<b>Name</b>	<b>Years with Co.</b>	<b>% Ownership</b>
President			
Vice-President			
Secretary			
Treasurer			

1f. If your organization is a sole proprietorship, please complete the following table. Provide information for each member of the proprietorship.

<b>Owner</b>	<b>Years as Owner</b>

1g. If your organization is a joint venture, please complete the following table. Provide information for each member of the joint venture.

**Joint Venture Member #1**

Request for Pre-Qualification of Prime Contractors for  
**SRJ HU-ITR Camera Replacement Project**

---

Name of Company	Name of Owner/Partner or President	Years with Co.	% Ownership of Joint Venture

**Joint Venture Member #2**

Name of Company	Name of Owner/Partner or President	Years with Co.	% Ownership of Joint Venture

**Joint Venture Member #3**

Name of Company	Name of Owner/Partner or President	Years with Co.	% Ownership of Joint Venture

- 1h. For each person listed in tables 1d, 1e, 1f, or 1g, identify every construction company that the person has been employed with at any time **during the last five years**:

Name	Company	Position with Company	Dates of Employment with Company

2. Has there been any change in ownership of the Contractor at any time **during the last three years?** If so, note each change below:


**NOTE: A corporation whose shares are publicly traded is not required to answer this question.**

☐ Yes ☐ No

If “yes,” explain:

3. Is the Contractor a subsidiary, parent, holding company or affiliate of another construction firm?

**NOTE: Include information about other firms if one firm owns 50 per cent (50%) or more of another, or if an owner, partner, or officer of your firm holds a similar position in another firm.**

☐ Yes      ☐ No

If “yes,” explain:

4. Are any of the Contractor’s corporate officers, partners or owners connected to any other construction companies?

**NOTE: Include information about other firms if an owner, partner, or officer of your firm holds a similar position in another firm.**

☐ Yes      ☐ No

If “yes,” explain:

5. State the Contractor Firm’s gross revenues for each of **the last three years:**

**2015:** \_\_\_\_\_ **2016:** \_\_\_\_\_ **2017:** \_\_\_\_\_

6. List all California construction license numbers, classifications and expiration dates of the California contractor licenses held by the Contractor Firm:

Request for Pre-Qualification of Prime Contractors for  
**SRJ HU-ITR Camera Replacement Project**

---

Contractor License Number	Classification	Expiration Date

7. If any of the Contractor's license(s) are held in the name of a corporation or partnership, list below the names of the qualifying individuals(s) listed on the CSLB records who meet(s) the experience and examination requirements for each license.

Contractor License Number	Name of Qualifying Individual

8. Has the Contractor Firm changed names or license number **in the past five years?**

☐ Yes      ☐ No

If "yes," explain:

9. Has any owner, partner or (for corporations) officer of the Contractor operated a construction company under any other name **in the last five years?**

☐ Yes      ☐ No

If "yes," explain:

10. Bonding capacity: Provide documentation from your surety identifying the following:

Request for Pre-Qualification of Prime Contractors for  
**SRJ HU-ITR Camera Replacement Project**

---

<b>Bonding Co./Surety:</b>		<b>Surety Agent:</b>	
<b>Agent Address:</b>		<b>Telephone #:</b>	

11. List all other sureties (name and full address) that have written bonds for your firm **during the last five years**, including the dates during which each wrote the bonds:

<b>Date</b>	<b>Surety</b>	<b>Address</b>

12. Has the Contractor or any of its owners, officers or partners ever been debarred, suspended, or otherwise excluded by the United States Government in compliance with the requirements of 7 Code of Federal Regulations (CFR) 3016.35, 28 CFR 66.35, 29 CFR 97.35, 34 CFR 80.35, 45 CFR 92.35 and Executive Order 12549?

☐ Yes      ☐ No

If “yes,” explain:

## PART II: ESSENTIAL REQUIREMENTS FOR QUALIFICATION OF THE CONTRACTOR:

**NOTE: Contractor will be automatically disqualified if the answer to any of questions 1 through 5 is “no”.**

1. Does the Contractor possess a valid, current California C-10 contractor's license for the Project for which it intends to submit a bid?  
☐ Yes      ☐ No
2. Does the Contractor have a liability insurance policy with a policy limit of at least \$2,000,000 per occurrence and \$4,000,000 annual general aggregate, plus Excess Liability of \$5,000,000 per occurrence (CSL) and \$5,000,000 general aggregate?  
☐ Yes      ☐ No
3. Does the Contractor have current workers' compensation insurance policies as required by the Labor Code or is it legally self-insured pursuant to Labor Code section 3700 et. seq.?  
☐ Yes      ☐ No
4. Has the Contractor attached the latest copy of a reviewed or audited financial statement with accompanying notes and supplemental information?  
☐ Yes      ☐ No

**A financial statement that is not either reviewed or audited is not acceptable. A letter verifying availability of a line of credit is not a substitute for the required financial statement.**

5. Has the Contractor attached a notarized statement from a surety insurer admitted (approved by the California Department of Insurance) and authorized to issue bonds in the State of California, which states that the General Contractor's current bonding capacity is sufficient for the project for which you seek pre-qualification (i.e.: does it meet or exceed \$10,000,000)?  
☐ Yes      ☐ No

<b>Notarized statement must be from the surety company, not an agent or broker.</b>
---

Request for Pre-Qualification of Prime Contractors for  
**SRJ HU-ITR Camera Replacement Project**

---

**NOTE: Contractor will be automatically disqualified if the answer to any of questions 6 thru 12 is “yes”.**

6. Has the Contractor’s license been revoked or suspended at any time **in the last five (5) years?**  
☐ Yes ☐ No
7. Has a surety firm completed a contract on behalf of the Contractor, or paid for completion because the firm was default terminated by the project owner **within the last five (5) years?**  
☐ Yes ☐ No
8. At the time of submitting this pre-qualification form, is the Contractor ineligible to bid on or be awarded or perform as a subcontractor a public works contract, pursuant to either Labor Code section 1777.1 or Labor Code section 1777.7?  
☐ Yes ☐ No
9. At any time **during the last five years**, has the Contractor or any of its owners or officers been convicted of a crime involving the awarding of a contract of a government construction project, or the bidding or performance of a government contract?  
☐ Yes ☐ No
10. Has the Contractor or any of its owners, officers or partners ever been found liable in a civil suit or found guilty in a criminal action for making any false claim or material misrepresentation to any public agency or entity?  
☐ Yes ☐ No
11. Has the Contractor or any of its owners, officers or partners ever been convicted of a crime involving any federal, state, or local law related to construction?  
☐ Yes ☐ No
12. Has the Contractor or any of its owners, officers or partners ever been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty?  
☐ Yes ☐ No



### PART III: SCORED QUESTIONS FOR THE CONTRACTOR

1. How many years has the Contractor been in business in California as a Contractor under its present business name and license number?

**NOTE: If Contractor is a Joint Venture, add years for each partner to the Joint Venture and enter the average of combined experience.**

**Years:** \_\_\_\_\_

2. Is the Contractor or any part of the Joint Venture currently the debtor in a bankruptcy case?

☐ Yes ☐ No

If “yes,” indicate the case number, and the date on which the petition was filed.

**Case #:** \_\_\_\_\_ **Date filed:** \_\_\_\_\_

3. Was the Contractor or any party to the Joint Venture in bankruptcy **at any time during the last five years?** (This question refers only to a bankruptcy action that was not described in answer to question 2, above)

☐ Yes ☐ No

If “yes,” indicate the case number and the date on which the petition was filed, and the Bankruptcy Court’s discharge order number.

**Case #:** \_\_\_\_\_ **Date filed:** \_\_\_\_\_ **Discharge #:** \_\_\_\_\_

4. At any time **in the last five years** has the Contractor or any party to the Joint Venture been assessed and paid liquidated damages of more than \$50,000 after completion of a project under a construction contract with either a public or private owner?

☐ Yes ☐ No

If yes, identify all such projects by owner, owner’s address, completion date of the project, amount of liquidated damages assessed and all other information necessary to fully explain the assessment of liquidated damages.

<b>Owner:</b>		<b>Address:</b>	
<b>Completed:</b>		<b>Amount:</b>	
<b>Other:</b>			

<b>Owner:</b>		<b>Address:</b>	
<b>Completed:</b>		<b>Amount:</b>	

Request for Pre-Qualification of Prime Contractors for  
**SRJ HU-ITR Camera Replacement Project**

---

<b>Other:</b>

5. **In the last five years** has the Contractor or any firm with which any of the Contractor's owners, officers or partners was associated, been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason?

**NOTE: "Associated with" refers to another construction firm in which an owner, partner or officer of your firm held a similar position, and which is listed in response to question 1c or 1d on this form.**

☐ Yes      ☐ No

If "yes," identify the company, the person within the Contractor who was associated with that company, the year of the event, the owner of the project, the project and the basis for the action.

<b>Company:</b>		<b>Person:</b>	
<b>Year:</b>		<b>Owner:</b>	
<b>Basis:</b>			

<b>Company:</b>		<b>Person:</b>	
<b>Year:</b>		<b>Owner:</b>	
<b>Basis:</b>			

<b>Company:</b>		<b>Person:</b>	
<b>Year:</b>		<b>Owner:</b>	
<b>Basis:</b>			

Request for Pre-Qualification of Prime Contractors for  
**SRJ HU-ITR Camera Replacement Project**

---

<b>Basis:</b>

6. **In the last five years** has the Contractor been denied an award of a public works contract based on a finding by a public agency that the Contractor was not a responsible bidder?

☐ Yes ☐ No

If “yes,” identify the year of the event, the owner, the project and the basis for the finding by the public agency.

<b>Year:</b>		<b>Owner:</b>		<b>Project:</b>	
<b>Basis:</b>					

<b>Year:</b>		<b>Owner:</b>		<b>Project:</b>	
<b>Basis:</b>					

<b>Year:</b>		<b>Owner:</b>		<b>Project:</b>	
<b>Basis:</b>					

Request for Pre-Qualification of Prime Contractors for  
**SRJ HU-ITR Camera Replacement Project**

---

**NOTE:** The following two questions refer only to disputes between the Contractor and the owner of a project. You need not include information about disputes between the Contractor and a supplier, another contractor, or sub-contractor. You need not include information about “pass-through” disputes in which the actual dispute is between a sub-contractor and a project owner.

7. **In the past five years** has any claim in excess of \$50,000 been filed in court or arbitration against the Contractor concerning its work on a construction project?

☐ Yes    ☐ No

If “yes,” identify the claim(s) by providing the project name, date of the claim, name of the claimant, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution).

<b>Project:</b>		<b>Date:</b>	
<b>Claimant:</b>		<b>Court:</b>	
<b>Nature:</b>			
<b>Description:</b>			

<b>Project:</b>		<b>Date:</b>	
<b>Claimant:</b>		<b>Court:</b>	
<b>Nature:</b>			
<b>Description:</b>			

Request for Pre-Qualification of Prime Contractors for  
**SRJ HU-ITR Camera Replacement Project**

---

<b>Project:</b>		<b>Date:</b>	
<b>Claimant:</b>		<b>Court:</b>	
<b>Nature:</b>			
<b>Description:</b>			

8. **In the past five years** has the Contractor made any claim in excess of \$50,000 against a project owner concerning work on a project or payment for a contract and filed that claim in court or arbitration?

☐ Yes ☐ No

If “yes,” identify the claim by providing the project name, date of the claim, name of the entity (or entities) against whom the claim was filed, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim (pending, or if resolved, a brief description of the resolution).

<b>Project:</b>		<b>Date:</b>	
<b>Entity:</b>		<b>Defendant:</b>	
<b>Description:</b>			

<b>Project:</b>		<b>Date:</b>	
<b>Entity:</b>		<b>Defendant:</b>	
<b>Description:</b>			

Request for Pre-Qualification of Prime Contractors for  
**SRJ HU-ITR Camera Replacement Project**

<b>Project:</b>		<b>Date:</b>	
<b>Entity:</b>		<b>Defendant:</b>	
<b>Description:</b>			

9. **In the last five years** has any insurance carrier, for any form of insurance, refused to renew the insurance policy for the Contractor?

☐ Yes      ☐ No

If “yes,” give name the insurance carrier, the form of insurance and the year of the refusal.

<b>Year:</b>		<b>Carrier:</b>		<b>Form:</b>	
<b>Comments:</b>					

<b>Year:</b>		<b>Carrier:</b>		<b>Form:</b>	
<b>Comments:</b>					

<b>Year:</b>		<b>Carrier:</b>		<b>Form:</b>	
<b>Comments:</b>					

10. Has the Contractor or party to the Joint Venture been required to pay a **premium of more than one per cent (1%) for a performance and payment bond** on any project(s) on which the Contractor worked at any time **during the last three years?**

☐ Yes      ☐ No

If “yes,” state the percentage that your firm was required to pay. You may provide an explanation for a percentage rate higher than one per cent, if you wish to do so.

Request for Pre-Qualification of Prime Contractors for  
**SRJ HU-ITR Camera Replacement Project**

---

**NOTE: Score based on highest single year**

<b>Year:</b>		<b>Rate:</b>	
<b>Explanation:</b>          			

<b>Year:</b>		<b>Rate:</b>	
<b>Explanation:</b>          			

<b>Year:</b>		<b>Rate:</b>	
<b>Explanation:</b>          			

11. Has the Contractor carefully read the attached Document 00 22 19 and is the Contractor fully committed to the County's Enhanced Construction Outreach Program (ECOP) and required good faith efforts? *This is located at the back of the document and additional copies can be made available at Pre-Qualifications submittal conference.*

☐ Yes      ☐ No

If "yes," provide an acknowledgement of the County's ECOP program.

--

12. Has the Contractor managed a similar construction outreach program for the benefit of small local businesses, subcontractors, and suppliers?

☐ Yes      ☐ No

Request for Pre-Qualification of Prime Contractors for  
**SRJ HU-ITR Camera Replacement Project**

---

If “yes,” provide a brief description of the program, including the Contractor’s methodology for conducting the program.

--

13. **During the last five years** has the Contractor ever been denied bond coverage by a surety company, or has there ever been a period of time when your firm had no surety bond in place during a public construction project when one was required?

☐ Yes ☐ No

If yes, indicate the date when the Contractor was denied coverage and the name of the company or companies that denied coverage; and the period during which you had no surety bond in place.

<b>Date:</b>		<b>Surety:</b>		<b>Duration Period:</b>	
<b>Explanation:</b>					

<b>Date:</b>		<b>Surety:</b>		<b>Duration Period:</b>	
<b>Explanation:</b>					

<b>Date:</b>		<b>Surety:</b>		<b>Duration Period:</b>	
--------------	--	----------------	--	-------------------------	--



**Explanation:**

14. Has CAL OSHA cited and assessed penalties against the Contractor 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

If “yes,” describe the citations, including information about the dates of the citations, the nature of the violation, the project on which the citation(s) was or were issued, the amount of penalty paid, if any. If the citation was appealed to the Occupational Safety and Health Appeals Board and a decision has been issued, state the case number and the date of the decision.

<b>Description:</b>		<b>Date:</b>		<b>Nature:</b>	
<b>Project:</b>		<b>Amount:</b>			

<b>Description:</b>		<b>Date:</b>		<b>Nature:</b>	
<b>Project:</b>		<b>Amount:</b>			

<b>Description:</b>		<b>Date:</b>		<b>Nature:</b>	
<b>Project:</b>		<b>Amount:</b>			

15. Has the Federal OSHA cited and assessed penalties against the Contractor **in the past five years?**

**NOTE: If you have filed an appeal of a citation and the Appeals Board has not yet ruled on your appeal, or if there is a court appeal pending, you need not include information about the citation.**

☐ Yes ☐ No

If “yes,” describe each citation.

**Explanation:**

16. Has the EPA or any Air Quality Management District or any Regional Water Quality Control Board cited and assessed penalties against either the Contractor or the owner of a project on which the Contractor was the builder, **in the past five years?**

**NOTE: If you have filed an appeal of a citation and the Appeals Board has not yet ruled on your appeal, or if there is a court appeal pending, you need not include information about the citation.**

☐ Yes ☐ No

If "yes," describe each citation.

**Explanation:**

**Explanation:**

**Explanation:**

17. Does the Contractor require documented safety meetings to be held for construction employees and field supervisors during the course of a project?

☐ Yes ☐ No

If "yes," identify how often the meetings are required.

**Weekly**

☐

**Bi-Weekly**

☐

**Monthly**

☐

**Less Frequent**

☐

18. Has the Contractor been issued an Experience Modification Rate (EMR) (California workers' compensation insurance) **for each of the past three premium years?**

☐ Yes ☐ No

Request for Pre-Qualification of Prime Contractors for  
**SRJ HU-ITR Camera Replacement Project**

---

If your EMR for any of these three years is or **was 1.00 or higher**, provide explanation.

**NOTE: Score based on highest EMR in any single Year.**

<b>Current Year:</b>		<b>Rate:</b>	
<b>Explanation:</b>			

<b>Current Year:</b>		<b>Rate:</b>	
<b>Explanation:</b>			

<b>Current Year:</b>		<b>Rate:</b>	
<b>Explanation:</b>			

19. **Within the last five years** has there ever been a period when the Contractor had employees but was without workers' compensation insurance or state-approved self-insurance?

☐ Yes      ☐ No

If "yes," explain the reason for the absence of workers' compensation insurance.

<b>Year:</b>		<b>Period:</b>	
<b>Explanation:</b>			

<b>Year:</b>		<b>Period:</b>	
--------------	--	----------------	--

Request for Pre-Qualification of Prime Contractors for  
**SRJ HU-ITR Camera Replacement Project**

<b>Explanation:</b>
---------------------

<b>Year:</b>		<b>Period:</b>	
<b>Explanation:</b>			

20. Has there been **more than one occasion during the last five years** in which the Contractor was required to pay either back wages or penalties for the Contractor's failure to comply with the state's prevailing wage laws?

**This question refers only to the prime Contractor's violation of prevailing wage laws, not to violations of the prevailing wage laws by a sub-contractor.**

☐ Yes      ☐ No

If "yes," describe the nature of each violation, identifying the name of the project, the date of its completion, the public agency for which it was constructed; the number of employees who were initially underpaid and the amount of back wages and penalties that you were required to pay.

<b>Violation:</b>		<b>Project:</b>	
<b>Completion:</b>		<b>Agency:</b>	
<b>Employees:</b>		<b>Amount:</b>	

<b>Violation:</b>		<b>Project:</b>	
<b>Completion:</b>		<b>Agency:</b>	
<b>Employees:</b>		<b>Amount:</b>	

<b>Violation:</b>		<b>Project:</b>	
<b>Completion:</b>		<b>Agency:</b>	

Request for Pre-Qualification of Prime Contractors for  
**SRJ HU-ITR Camera Replacement Project**

<b>Employees:</b>		<b>Amount:</b>	
<b>Violation:</b>		<b>Project:</b>	
<b>Completion:</b>		<b>Agency:</b>	
<b>Employees:</b>		<b>Amount:</b>	

21. **During the last five years** has there been **more than one occasion** in which the Contractor has been penalized or required to pay back wages for failure to comply with the Federal Davis-Bacon prevailing wage requirements?

☐ Yes ☐ No

If “yes,” describe the nature of the violation, identifying the name of the project, the date of its completion, the public agency for which it was constructed; the number of employees who were initially underpaid, the amount of back wages you were required to pay along with the amount of any penalty paid.

<b>Violation:</b>		<b>Project:</b>	
<b>Completion:</b>		<b>Agency:</b>	
<b>Employees:</b>		<b>Amount:</b>	

<b>Violation:</b>		<b>Project:</b>	
<b>Completion:</b>		<b>Agency:</b>	
<b>Employees:</b>		<b>Amount:</b>	

<b>Violation:</b>		<b>Project:</b>	
<b>Completion:</b>		<b>Agency:</b>	
<b>Employees:</b>		<b>Amount:</b>	

<b>Violation:</b>		<b>Project:</b>	
<b>Completion:</b>		<b>Agency:</b>	
<b>Employees:</b>		<b>Amount:</b>	

22. Does the Contractor intend to request the dispatch of apprentices from an apprenticeship program approved by the California Apprenticeship Council for use on this Project if you are awarded the contract?

☐ Yes ☐ No

If “yes,” provide the name, address and telephone number of the apprenticeship program from whom you intend to request the dispatch of apprentices.

Request for Pre-Qualification of Prime Contractors for  
**SRJ HU-ITR Camera Replacement Project**

Program Name	Address	Phone

23. Has the Contractor operated its own State-approved apprenticeship program during the last three years?

☐ Yes ☐ No

If “yes,” state the year in which each such apprenticeship program was approved, identify the craft or crafts in which your firm provided apprenticeship training, and state the number of individuals who were employed by your firm as apprentices at any time **during the past three years** in each apprenticeship and the number of persons who, during the past three years, completed apprenticeships in each craft while employed by your firm.

<b>Year:</b>		<b>Rate:</b>	
<b>Crafts:</b>			

24. At any time **during the last five years** has the Contractor been found to have violated any provision of California apprenticeship laws or regulations, or the laws pertaining to use of apprentices on public works?

**You may omit reference to any incident that occurred prior to January 1, 2008, if the violation was by a sub-contractor and the Contractor, as general contractor on a project, had no knowledge of the sub-contractor’s violation at the time they occurred.**

☐ Yes ☐ No

If “yes,” provide the date(s) of such findings, and attach copies of the Department’s final decision(s).

Date	Department	Finding	Decision #

25. Does the Contractor have experience building correctional, jail, or institutional facilities of similar size, and scope and cost (\$1 Million or more) to this Project?

☐ Yes ☐ No

If yes, identify projects(s):

Request for Pre-Qualification of Prime Contractors for  
**SRJ HU-ITR Camera Replacement Project**

---

<b>Project</b>	<b>Location</b>	<b>Date Completed</b>	<b>Size, Scope, Cost</b>

26. Does the Contractor currently employ a Project Manager and a Superintendent who will be devoted full-time to this Project and who have experience building security projects of similar size and scope?

☐ Yes      ☐ No

If yes, identify the Project Manager and Superintendent and the projects for each:

<b>Name</b>	<b>Years With Firm</b>

<b>Project</b>	<b>Location</b>	<b>Date Completed</b>	<b>Budget and Size</b>

27. Does the Contractor currently employ a Quality Assurance (QA) /Quality Control (QC) Manager who will be devoted to this Project on a full-time basis?

☐ Yes      ☐ No

Request for Pre-Qualification of Prime Contractors for  
**SRJ HU-ITR Camera Replacement Project**

---

If yes, identify the QA/QC Manager:

<b>Name</b>	<b>Years With Firm</b>



## **PART IV: RECENT CONSTRUCTION PROJECTS COMPLETED**

Contractor shall provide information about **a minimum of three (3) and a maximum of five (5)** successfully completed projects of similar size and scope within five (5) years prior to the bid submittal date.

1. Each project must have had a total construction cost of at least 1 Million Dollars (\$1,000,000). In evaluating whether the other project was “successfully completed,” the County may verify the Owner reference for the project, and may evaluate the Owner’s assessment of the bidder performance.
2. Include the following information for each project:
  - a. Project name and location
  - b. Project budget
  - c. Systems installed
  - d. Completion date
  - e. Reference contact name and telephone number

Projects determined to be unsuccessful by the County after checking references will disqualify the bid.

**Names and references must be current and verifiable.**

**Project Number:** <sup>1</sup> \_\_\_\_

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

Responsible Member: \_\_\_\_\_

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

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

Owner Contact Name: \_\_\_\_\_

Owner Contact Name: \_\_\_\_\_

Owner Contact Phone: \_\_\_\_\_

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

Architect or Engineer Contact Name: \_\_\_\_\_

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

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

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

Description of Project, Scope of Work Performed:

Original Value of Construction: \_\_\_\_\_

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

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

---

<sup>1</sup> FOR EACH PROJECT COPY THIS PAGE, INSERT A NUMBER (1 THROUGH 5) AND ATTACH ADDITIONAL PAGES.

Request for Pre-Qualification of Prime Contractors for  
**SRJ HU-ITR Camera Replacement Project**

---

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

# Reference Interview Questions

## **PART V: REFERENCE INTERVIEW QUESTIONS**

The following questions will be used to interview contacts selected from three (3) of the five (5) recently completed projects submitted within Part IV. The County will select projects and conduct the interviews. No action on the Contractor's part is necessary. These questions are included in the package given to the Contractor for information only.

Project #: \_\_\_\_\_

Contractor: \_\_\_\_\_

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

Brief Description: \_\_\_\_\_

1. Are there any outstanding stop notices, liens, or claims by the Contractor that are currently unresolved on contracts for which notices of completion were recorded **more than 120 days ago**?  
☐ Yes      ☐ No      If "yes," how many separate instances? \_\_\_\_\_
2. On a scale of 1-10, with 10 being the best, did the Contractor provide adequate personnel?  
Rating: \_\_\_\_\_
3. On a scale of 1-10, with 10 being the best, did the Contractor provide adequate supervision?  
Rating: \_\_\_\_\_
4. On a scale of 1-10, with 10 being the best, was there adequate equipment provided on the job?  
Rating: \_\_\_\_\_
5. On a scale of 1-10, with 10 being the best, was the Contractor timely in providing reports and other paperwork, including change order paperwork and scheduling updates?  
Rating: \_\_\_\_\_
6. On a scale of 1-10, with 10 being the best, did the Contractor adhere to the project schedule that your agency or business approved?  
Rating: \_\_\_\_\_
7. Was the project completed on time?  
☐ Yes      ☐ No      If "no," rate Contractor responsibility : \_\_\_\_\_
8. On a scale of 1-10, with 10 being the best, rate the Contractor on the timely submission of reasonable cost and time estimates to perform change order work.  
Rating: \_\_\_\_\_
9. On a scale of 1-10, with 10 being the best, rate the Contractor on how well they performed the work after a change order was issued, and how well they integrated the change order work into the existing work.  
Rating: \_\_\_\_\_

Request for Pre-Qualification of Prime Contractors for  
**SRJ HU-ITR Camera Replacement Project**

---

10. On a scale of 1-10, with 10 being the best, rate how the Contractor has been performing in the area of turning in Operation & Maintenance manuals, completing as-built drawings, providing required training and taking care of warranty items?  
Rating: \_\_\_\_\_
11. On a scale of 1-10, with 10 being the best, rate the Contractor on whether there were an unusually high number of claims, given the nature of the project, or unusual difficulty in resolving them.  
Rating: \_\_\_\_\_
12. On a scale of 1-10, with 10 being the best, rate the Contractor with respect to timely payments by them to sub-contractors and/or suppliers.  
Rating: \_\_\_\_\_
13. On a scale of 1-10, with 10 being the best, rate the quality of the work overall.  
Rating: \_\_\_\_\_
14. On a scale of 1-10, with 10 being the best, was the contractor cooperative with the owner and the architect?  
Rating: \_\_\_\_\_
15. On a scale of 1-10, with 10 being the best, did the contractor try to resolve disputes in a fair and equitable manner?  
Rating: \_\_\_\_\_

**Certification**

## **CERTIFICATION**

I, the undersigned, on behalf of the Prime Contractor, certify and declare that I have read all the foregoing answers to this Pre-Qualification Document and know their contents. The matters stated in the Questionnaire answers are true of my own knowledge and belief, except as to those matters stated on information and belief, and as to those matters I believe them to be true. I declare under penalty of perjury under the laws of the State of California, that the foregoing is correct.

\_\_\_\_\_  
(Printed name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)





## SCORING WORKSHEETS

The establishing of the qualification of a Contractor is determined by:

- 1) Confirming the appropriate responses to Part II: Essential Requirements do not exceed a point total point value of **zero (0)**;
- 2) Confirming minimum point total value of **100** value from responses to Part III: Scored Questionnaire and
- 3) Confirming minimum point total value of **98** from responses to all Part V: Reference Interview Questions associated with Part IV: Recent Construction Projects Completed.

The table below gives the value of each scored question for the Part II: Essential Requirements and Part III: Scored Questionnaire parts. Scoring breakdown for Interview Questions of Part IV are found above in description of Part IV process.

The Scoring Worksheets list every essential requirement and scored question. The requirements and questions are abbreviated to capture the essence of the item. The abbreviation does not change the actual requirement or question as written in the Essential Requirements and Scored Questionnaire parts of the Pre-Qualification Questionnaire.

### PART II Essential Requirements For the Prime Contractor

Question #	Requirement / Question	Yes	No	Score
1	<b>Does Contractor &amp; Subcontractors have current California contractor's license?</b> <i>Yes = 0; No = 1</i>			
2	<b>Does Contractor &amp; Subcontractors have liability insurance?</b> <i>Yes = 0; No = 1</i>			
3	<b>Does Contractor &amp; Subcontractors have workers' compensation insurance?</b> <i>Yes = 0; No = 1</i>			
4	<b>Is Contractor's financial statement attached?</b> <i>Yes = 0; No = 1</i>			
5	<b>Is Contractor's notarized surety statement attached?</b> <i>Yes = 0; No = 1</i>			
6	<b>Has Contractor or Subcontractors' license been revoked in the last five years?</b> <i>Yes = 1; No = 0</i>			
7	<b>Has Contractor or Subcontractors' surety paid for completion last 5 years?</b> <i>Yes = 1; No = 0</i>			
8	<b>Is Contractor or Subcontractors' ineligible to bid on public works?</b> <i>Yes = 1; No = 0</i>			
9	<b>Has Contractor or Subcontractors been convicted of crime on public contract?</b> <i>Yes = 1; No = 0</i>			
10	<b>Has Contractor been found liable or guilty in a criminal action?</b> <i>Yes = 1 pt; No = 0</i>			

Request for Pre-Qualification of Prime Contractors for  
**SRJ HU-ITR Camera Replacement Project**

11	<b>Has Contractor been convicted of a crime related to construction?</b> <i>Yes =1 pt; No =0</i>			
12	<b>Has Contractor been convicted of a fraud, theft or dishonesty?</b> <i>Yes = 1 pt; No =0</i>			
<b>Total Score for Essential Requirements (Disqualified if score is greater than zero "0")</b>				

**PART III Scored Questions for the General Contractor**

Question #	Requirement / Question	Yes	No	Instance	Score
1	<b>How many years Contractor been in business in California?</b> <i>2 yrs or less = 2 pts; 3 yrs = 3 pts; 4 yrs = 4 pts; 5 yrs + = 5 pts</i>				
2	<b>Is Contractor currently in a bankruptcy?</b> <i>Yes = 0 pts; No = 5 pts</i>				
3	<b>Has Contractor been in bankruptcy during the last five years?</b> <i>Yes = 0 pts; No = 5 pts</i>				
4	<b>How many projects has Contractor paid liquidated damages of \$50,000 or more in last five years?</b> <i>0 to 1 projects = 5 pts; 2 projects =3 pts; more than 2 = 0 pts.</i>				
5	<b>Has Contractor been prevented from bidding on public works projects in last five years?</b> <i>Yes =subtract 5 pts; No =5 pts</i>				
6	<b>Has Contractor been denied award of a public works projects in last five years?</b> <i>Yes = 0 pts; No = 5 pts</i>				
7	<b>Has a claim over \$50,000 been files against Contractor in last five years?</b> <i>5 pts for 0 or 1 instance; 3 pts for 2 instances; 0 pts for more than 2 instances.</i>				
8	<b>Has Contractor filed a claim of more than \$50,000 against owner in last five years?</b> <i>5 pts for 0 or 1 instance; 3 pts for 2 instances; 0 pts for more than 2 instances</i>				
9	<b>Has any insurance carrier refused to renew Contractor policy?</b> <i>5 pts for 0 or 1 instance; 3 pts for 2 instances; 0 pts for more than 2</i>				
10	<b>Has Contractor paid more than 1% for a performance &amp; payment bond?</b> <i>5 pts for up to 1%; 3 pts for no higher than 1.10%; 0 pts for higher than 1.1%.</i>				
11	<b>Has Contractor read Document 00 22 19 and committed to ECOP program?</b> <i>Yes =5; No =0</i>				
12	<b>Has Contractor managed a similar construction outreach program?</b> <i>Yes =5; No =0</i>				

Request for Pre-Qualification of Prime Contractors for  
**SRJ HU-ITR Camera Replacement Project**

13	<b>Has a surety ever denied Contractor bond coverage in last five years?</b> <i>Yes =0; No =5</i>				
14	<b>Has CAL OSHA cited Contractor for serious, willful or repeated safety violations in last five years?</b> <i>5 pts for 0 or 1 instance; 3 pts for 2 instances; 0 pts for any other answer</i>				
15	<b>Has federal OSHA cited Contractor for safety violations in last five years?</b> <i>5 pts for 0 or 1 instance; 3 pts for 2 instances; 0 pts for any other answer</i>				
16	<b>Has EPA, AQMD or RWQCB assessed penalties against Contractor?</b> <i>5 pts for 0 to 1 instance; 3 pts for 2 instances; 0 pts for any other answer</i>				
17	<b>Does Contractor require weekly safety meetings?</b> <i>Yes, weekly =5; any other answer=0</i>				
18	<b>Has Contractor been issued an EMR for last three years?</b> <i>5 pts for .95 or less; 3 pts if between .96 and 1.00; 0 pts for any other answer</i>				
19	<b>Has Contractor been without workmen's compensation insurance in last five years?</b> <i>5 pts for 0 to 1 instance; 0 pts for any other answer</i>				
20	<b>Has Contractor failed to comply with state prevailing wage laws?</b> <i>5 pts for 0 to 2 instance; 3 pts for 3 instances; 0 pts for any other answer</i>				
21	<b>Has Contractor failed to comply with federal prevailing wage laws?</b> <i>5 pts for 0 to 2 instance; 3 pts for 3 instances; 0 pts for any other answer</i>				
22	<b>Does Contractor intend to use a California Apprenticeship Council program?</b> <i>Yes =5; No =0</i>				
23	<b>Has Contractor participated in a state-approved apprenticeship program?</b> <i>5 pts if 1 or more persons; 0 pts if no persons</i>				
24	<b>Has Contractor violated California apprentice laws?</b> <i>5 pts for 0 to 2 instance; 3 pts for 3 instances; 0 pts for any other answer</i>				
25	<b>Has Contractor experience of building similar size projects?</b> <i>Yes =5; No =0</i>				
26	<b>Has Contractor experienced Project Manager and Superintendent?</b> <i>Yes =5; No =0</i>				
27	<b>Has Contractor QA/QC Manager for devoting to this project?</b> <i>Yes =5; No =0</i>				

Request for Pre-Qualification of Prime Contractors for  
**SRJ HU-ITR Camera Replacement Project**

---

<b>Total for Scored Contractor Questions</b> <b>Minimum Qualifying Score is 100</b>	
--	--

**Summary of Scored Questions for Contractor**

<b>Section</b>	<b>Section Score</b>
<b>Part II: Essential Requirements For the Contractor</b> (If score is greater than zero (0), Contractor is Disqualified)	
<b>Part III. Scored Questions for the Contractor</b> (Minimum qualifying score is <b>100</b> points out of Maximum Score of 150)	
<b>Part V: Reference Interviews Questions</b> (Minimum qualifying score is <b>98</b> points out of Maximum Score of 140)	

# ALAMEDA COUNTY SHERIFF'S OFFICE

## SECURITY SITE CLEARANCE

PLEASE TYPE OR PRINT

Email Address: \_\_\_\_\_

LAST NAME: \_\_\_\_\_ FIRST: \_\_\_\_\_ MI: \_\_\_\_\_ DOB: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_ APT: \_\_\_\_\_ ZIP: \_\_\_\_\_

RESIDENCE PHONE: \_\_\_\_\_ BUSINESS PHONE: \_\_\_\_\_ RACE: \_\_\_\_\_ SEX: \_\_\_\_\_

AGE: \_\_\_\_\_ HEIGHT: \_\_\_\_\_ WEIGHT: \_\_\_\_\_ EYES: \_\_\_\_\_ HAIR: \_\_\_\_\_

DRIVER'S LICENSE #: \_\_\_\_\_ STATE: \_\_\_\_\_ SSN: \_\_\_\_\_

CONTRACTOR EMPLOYER: \_\_\_\_\_ JOB TITLE: \_\_\_\_\_ SUPV: \_\_\_\_\_

REASON FOR VISIT: \_\_\_\_\_ DATE OF VISIT: \_\_\_\_\_

START DATE: \_\_\_\_\_ PERMANENT POSITION: \_\_\_\_\_ TEMPORARY POSITION: \_\_\_\_\_

PERSON TO NOTIFY IN CASE OF EMERGENCY: \_\_\_\_\_ PHONE: \_\_\_\_\_

DO YOU CURRENTLY KNOW **ANYONE** IN CUSTODY IN THE ALAMEDA COUNTY JAIL SYSTEM? YES ☐ NO ☐

(THIS INCLUDES FAMILY, FRIENDS, ASSOCIATES, ETC.)

HAVE YOU EVER BEEN ARRESTED BY ANY LAW ENFORCEMENT AGENCIES? YES ☐ NO ☐

HAVE YOU EVER BEEN CHARGED OR CONVICTED ANY TYPE OF CRIMINAL OFFENSE? YES ☐ NO ☐

HAVE YOU EVER ENGAGED IN ANY TYPE OF SEXUAL ABUSE IN ANY CONFINEMENT SETTING? YES ☐ NO ☐

HAVE YOU EVER BEEN CONVICTED OF ANY SEX CRIME? YES ☐ NO ☐

HAVE YOU EVER BEEN CIVILLY OR ADMINISTRATIVELY ADJUDICATED TO HAVE ENGAGED IN SEXUAL ABUSE IN ANY TYPE OF CONFINEMENT FACILITY? YES ☐ NO ☐

HAVE YOU EVER BEEN ACCUSED OF SEXUAL ABUSE/HARRASSMENT YES ☐ NO ☐

**FAILING TO LIST AN ARREST OR CONVICTION WOULD BE BASIS FOR DENIAL.**

IF YOU HAVE BEEN ARRESTED OR CHARGED WITH A CRIME EXPLAIN BELOW

DATE	CHARGE	ARRESTING AGENCY	DISPOSITION
------	--------	------------------	-------------

(IF MORE SPACE IS REQUIRED USE AN ADDITIONAL SHEET OF PAPER)

I UNDERSTAND THAT I AM SUBJECT TO AND GIVE MY CONSENT TO BE SEARCHED, INCLUDING MY PERSON, AFFECTS AND VEHICLE AT ALL TIMES THAT I AM ON JAIL PROPERTY.

**FURTHERMORE, IF ANYONE I KNOW COMES INTO CUSTODY WITHIN THE ALAMEDA COUNTY JAIL SYSTEM, I WILL NOTIFY THE CLASSIFICATION UNIT SERGEANT IN WRITING WITHIN 24 HOURS.**

THIS STATEMENT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND ANY FALSE STATEMENT IS CAUSE FOR MY SITE CLEARANCE TO BE REVOKED.

APPLICANT SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

(APPLICANT: KEEP A COPY OF THIS FORM FOR YOUR REFERENCE)

DMV: \_\_\_\_\_ REMARKS : \_\_\_\_\_

JPQN: \_\_\_\_\_ REMARKS : \_\_\_\_\_

JPPS: \_\_\_\_\_ REMARKS : \_\_\_\_\_

WPS: \_\_\_\_\_ REMARKS : \_\_\_\_\_

CII : \_\_\_\_\_ REMARKS : \_\_\_\_\_

CLEARANCE DEPUTY: \_\_\_\_\_ BADGE#: \_\_\_\_\_ DATE: \_\_\_\_\_

SUPERVISOR: \_\_\_\_\_ BADGE#: \_\_\_\_\_ DATE: \_\_\_\_\_

APPROVED ☐ DENIED ☐ COMMENTS: \_\_\_\_\_

GDJ \_\_\_\_\_ SRJ \_\_\_\_\_ CRC \_\_\_\_\_ ID BADGE ISSUED AT DATE: \_\_\_\_\_

\_\_\_\_\_ FAX to Backgrounds \_\_\_\_\_

**FAX COMPLETED FORM TO SANTA RITA JAIL: (925) 828-4151**

REVISED 05/2015

## Attachment 3

DOCUMENT 00 22 19

**ENHANCED CONSTRUCTION OUTREACH PROGRAM (ECOP)**  
**(Not Required for Construction Projects 125K and under)**

### GENERAL

#### 1. PURPOSE

1.1 It is the express purpose of the Enhanced Construction Outreach Program (ECOP) to encourage the participation in the County of Alameda, General Services Agency (GSA) capital projects of

- Minority Owned Business Enterprise (MBE),
- Woman Owned Business Enterprise (WBE),
- Local Business Enterprise (LBE) and
- Small Local Business Enterprise (SLBE)

And to ensure that all contracting firms receive an equal opportunity to bid and receive work for this project. The ECOP encourages the inclusion of small businesses in this contract in accordance with Public Contract Code § 2002.

1.2 By submitting a bid, Bidders acknowledge and agree to all Document 00 22 19 provisions contained herein.

1.3 In the event of conflict between the terms of this Section 00 22 19 and the PROJECT STABILIZATION / COMMUNITY BENEFITS AGREEMENT for the COUNTY OF ALAMEDA, the terms of the PROJECT STABILIZATION / COMMUNITY BENEFITS AGREEMENT for the COUNTY OF ALAMEDA shall take priority.

#### 2. APPLICATION

2.1 The provisions outlined in this Section 00 22 19 apply to this contract for the construction of the above-referenced project. This project is funded solely with local dollars, and these provisions shall apply to all work performed under any contract awarded as a result of this competitive process.

2.2 To be considered for a contract award, any bidder who fails to meet all ECOP goals identified herein shall be required to demonstrate to the satisfaction of the County that all good faith efforts (GFEs) were made in accordance with the criteria listed in Section 7.9, GFE 1-9. Failure of the bidder to demonstrate a good faith effort may result in the bid being deemed non-responsive.

#### 3. 3 DEFINITIONS

3.1 LOCAL BUSINESS ENTERPRISE (LBE)

- 3.1.1 For the purposes of this program, a Local Business Enterprise means a business that is a firm or dealer with fixed offices located in, and having a street address within the County and holds a valid business license issued by the County or a city within the County for at least 6 months prior to the date upon which a request for sealed bids or proposals is issued.

3.2 MINORITY OR WOMEN BUSINESS ENTERPRISE (MWBE)

- 3.2.1 For the purposes of this program, an MWBE is a Small Business Enterprise (SBE), as that term is defined by the State of California, that meets both of the following criteria:

3.2.1.1 At least 51 percent of the business is owned by one or more minority persons or women, or in the case of any business whose stock is publicly held, at least 51 percent of the stock is owned by one or more minority persons or women; and

3.2.1.2 Whose management and daily business operations are controlled by one or more minority persons or women.

- 3.2.2 An MWBE must be certified as such by local agencies identified or recognized by the County as having effective certification programs. When the State of California SBE definition is met, validation of the current certification by one of the following local agencies must be provided with the bid response:

Bay Area Rapid Transit (BART)  
The (CPUC) Supplier Clearinghouse  
Western Regional Minority Supplier Development Council (WRMSDC)  
Women's Business Enterprise National Council (WBENC)

3.3 MINORITY PERSON

- 3.3.1 Minority person, for purposes of this section, means Black Americans, Hispanic Americans, Native Americans (including American Indians, Eskimos, Aleuts and Native Hawaiians), Asian-Pacific Americans (including persons whose origins are from Japan, China, the Philippines, Vietnam, Korea, Samoa, Guam, the United States Trust Territories of the Pacific, Northern Marianas, Laos, Cambodia and Taiwan).

3.4 SMALL BUSINESS ENTERPRISE (SBE)

- 3.4.1 For the purposes of this program, an SBE meets the current State of California definition of a small business, which is one that:

3.4.1.1 Must be independently owned and operated;

3.4.1.2 Cannot be dominant in its field of operation;

3.4.1.3 Must have its principal office located in California;



- 3.4.1.4 Must have its owners (or officers in the case of a corporation) domiciled in California; and
- 3.4.1.5 Together with its affiliates, be either:
  - 3.4.1.5.1 A business with 100 or fewer employees, and an average annual gross receipts of \$15 million or less over the previous three tax years, or
  - 3.4.1.5.2 A manufacturer with 100 or fewer employees.
- 3.4.1.6 An SBE must be certified or recognized as such by organizations whose certification is accepted by the California Department of General Services or by local agencies identified by the County of Alameda to have effective certification programs. Validation of the current certification by one of the following local agencies must be provided with the bid response:

Alameda County Transportation Commission (Alameda CTC)  
California Department of General Services (DGS)  
Port of Oakland  
and, when the State SBE definition is met, Alameda County (SLEB certification)

3.5 SMALL LOCAL BUSINESS ENTERPRISE (S/LBE)

- 3.5.1 For the purposes of this program, a Small Local Business Enterprise is defined by the County of Alameda and means a business that meets the SBE definition above, and is a firm or dealer with fixed offices located in, and having a street address within the County, and holds a valid business license issued by the County or a city within the County.

4. **ENHANCED CONSTRUCTION OUTREACH PROGRAM (ECOP) GOALS**

4.1 MBE PARTICIPATION SUBCONTRACTING – 15% GOAL

- 4.1.1 The MBE element of the ECOP program shall include subcontractors, manufacturers, suppliers and truckers in calculating achievement of the MBE goal. Any contractor who fails to meet the MBE goals described herein must demonstrate to the satisfaction of the County of Alameda that a good faith effort was made to meet these goals in order to be considered for a contract award.
  - 4.1.1.1 The County shall further require that in order to be awarded a contract, a prime contractor must show that a good faith effort was made to provide at least 15% of the total contract amount to MBE subcontractors, manufacturers, suppliers, and truckers.

- 4.1.1.2 The MBE goals must be achieved by the use of MBE subcontractors, manufacturers, suppliers, and/or truckers. If the Contractor plans to perform all the work with the Contractor's own forces, the goal will still apply and must be achieved by the use of suppliers, manufacturers, and/or truckers.
- 4.1.1.3 A certified MBE prime contractor **may not** apply the percentage of the prime contractor's work toward meeting the goals as set forth above. An MBE subcontractor meeting the definition of both an MBE and a WBE **may not** be used to achieve both MBE and WBE required goals. The percentage of MBE firms utilized for the project described herein can only be applied to either MBE or WBE required goals. For purposes of meeting the MBE goals for this project, each participating MBE must be identified as an MBE.
- 4.1.1.4 Prime contractors are strongly encouraged to sub-contract with S/LBE certified MBEs to meet the goals.

#### 4.2 WBE PARTICIPATION SUBCONTRACTING – 5% GOAL

- 4.2.1 The WBE element of the ECOP program shall include subcontractors, manufacturers, suppliers and truckers in calculating achievement of the WBE goal. Any contractor who fails to meet the WBE goals described herein must demonstrate to the satisfaction of the County of Alameda that a good faith effort was made to meet these goals in order to be considered for a contract award.
  - 4.2.1.1 The County shall further require that in order to be awarded a contract; a prime contractor must show that a good faith effort was made to provide at least 5% of the total contract amount to WBE subcontractors, manufacturers, suppliers, and/or truckers.
  - 4.2.1.2 The WBE goals must be achieved by the use of subcontractors, manufacturers, suppliers, and/or truckers. If the Contractor plans to perform all the work with the Contractor's own forces, the goal will still apply and must be achieved by the use of manufacturers, suppliers, and/or truckers.
  - 4.2.1.3 A certified WBE prime contractor **may not** apply the percentage of the prime contractor's work toward meeting the goals as set forth above. A WBE subcontractor meeting the definition of both an MBE and a WBE **may not** be used to achieve both the MBE and WBE required goals. The percentage of WBE firms utilized for the project described herein can only be applied to either MBE or WBE required goals. For purposes of meeting the WBE goals for this project, each participating WBE must be identified as a WBE.
  - 4.2.1.4 Prime contractors are strongly encouraged to sub-contract with S/LBE certified WBEs to meet the goals.

#### 4.3 LBE PARTICIPATION GOALS –60% GOAL

4.3.1 The LBE element of the ECOP program shall include subcontractors, manufacturers, suppliers and/or truckers in calculating achievement of the LBE goal. Any contractor who fails to meet the LBE goals described herein must demonstrate to the satisfaction of the County of Alameda that a good faith effort was made to meet these goals in order to be considered for a contract award.

4.3.1.1 The County shall further require that in order to be awarded a contract, a prime contractor must show that a good faith effort was made to provide at least 60% of the total contract amount to an LBE.

4.3.1.2 The prime contractor may count a portion or all of its work towards meeting the goal and/or the LBE goal may be achieved by the use of subcontractors, manufacturers, suppliers, and/or truckers.

#### 4.4 S/LBE PARTICIPATION - 20% GOAL

4.4.1 The S/LBE element of the ECOP program shall include subcontractors, manufacturers, suppliers and/or truckers in calculating achievement of the S/LBE goal. Any contractor who fails to meet the S/LBE goals described herein must demonstrate to the satisfaction of the County of Alameda that a good faith effort was made to meet these goals in order to be considered for a contract award.

4.4.1.1 The County shall further require that in order to be awarded a contract; a prime contractor must show that a good faith effort was made to provide at least 20% of the total contract amount to an S/LBE.

4.4.1.2 The prime contractor may count a portion or all of its work towards meeting the goal and/or the S/LBE goal may be achieved by the use of subcontractors, manufacturers, suppliers, and/or truckers. For purposes of meeting this goal, the 20% S/LBE participation may also be counted toward achieving the 60% LBE participation goal and/or a part of the prime contractor LBE participation.

### 5. SMALL BUSINESS ENTERPRISE 5% BID PREFERENCE

5.1 Prime contractors who are certified small local businesses (S/LBE) shall be eligible to receive a 5% bid preference. Prime contractors that subcontract with certified small local businesses (S/LBE) (in accordance with the Public Contract Code 2002) for a minimum 40% of the contract amount will also be eligible to receive this 5% bid preference. This bid preference shall be applied by multiplying the total Base Bid amount by .95 to determine the bid amount for comparison purposes.

**6. HIRING OF LOCAL APPRENTICES, YOUTH, UNEMPLOYED AND UNDEREMPLOYED RESIDENTS (FOR PROJECTS OVER \$125K, BUT UNDER \$1M)**

**PURPOSE**

- 6.1 The County of Alameda, General Services Agency (GSA), Capital Programs (CP) strongly encourages the hiring of local apprentices, youth, unemployed and under-employed County residents to complete the work required for this project. Those firms that can demonstrate the ability and willingness to provide jobs required to complete this project to local apprentices, youth, unemployed and underemployed County residents should include such evidence in their bid response.

**7. GOOD FAITH EFFORTS, ECOP PACKAGE SUBMITTALS, AND EVALUATION PROCEDURES**

- 7.1 It is required that bidders exercise a good faith effort to secure the participation, as set forth in the specifications, of M/W/S/LBE subcontractors, manufacturers, suppliers and/or truckers on the project. Achievement of the ECOP goals shall constitute prima facie evidence of a Good Faith Effort (GFE). The failure of any bidder to make a good faith effort to achieve the specified participation of M/W/S/LBE subcontractors, manufacturers, suppliers and/or truckers shall be grounds for determining that the bid is non-responsive.
- 7.2 Upon request from GSA, the two responsible bidders with the lowest responsive bids must submit to the Project Manager documentation to support the ECOP goals met, and the GFEs made. The documentation submitted by each bidder shall be referred to as the ECOP Package.
- 7.3 ECOP bid submittal evaluation will initiate following GSA's determination of the two (2) responsible bidders who submitted the lowest responsive bids and their submission of the ECOP Package, which shall include, but not be limited to, ECOP Form 101A, 101B, 102A, 102B and 102C (provided separately as Excel fillable forms) and supporting documentation verifying ECOP goals met and GFEs made. The ECOP Package is to be submitted by the two (2) responsible bidders who submitted the lowest responsive bids to GSA no later than 2:00 p.m. on the second business day following notification and request by GSA.
- 7.3.1 The individual dollar amounts to be subcontracted to the M/W/S/LBE listed in the bidder's proposal will be listed on the S/LBE Participation Information ECOP Forms 101A and 101B and the M/WBE Subcontractor Participation Information ECOP Forms 102A, 102B
- 7.3.2 ECOP Forms 101A, 101B, 102A 102B, 102C (Excel fillable forms), signature page and supporting documentation shall be delivered to the assigned Project Manager.
- 7.4 After the bids are opened, the M/W/S/LBE subcontractors, manufacturers, suppliers and/or truckers who bid to the two (2) responsible bidders with the apparent lowest responsive bids are required to provide the amounts of their bids to the County for the purposes of verification. This information shall be certified by a principal of the subcontracting firm. To the extent permitted by law, the

information provided by the subcontractors, manufacturers, suppliers and/or truckers will be treated as proprietary, and will be solely for the use of County staff or its agents.

- 7.5 Each ECOP Package will be reviewed and evaluated by GSA or its agents within approximately five (5) business days of receipt unless additional time is needed to verify the submittals. Bidders must meet all the ECOP goals **OR** make all the GFEs (see section 7.9) in order for their bid to be deemed responsive.
- 7.6 The ECOP Package must be complete, submitted on a CD or flash drive, and contain legible supporting documents:
- 7.6.1 ECOP Forms 101A, 101B, 102A, 102B and 102C to be completed electronically and submitted on a CD or flash drive along with the hard copy signature page and supporting documentation.
- 7.6.2 Supporting certification documentation for the prime contractor and each subcontractor, manufacturer, supplier and/or trucker M/W/S/LBEs submitted in the order they are listed on the ECOP forms **must be submitted as hardcopy**
- 7.6.2.1 To be considered towards meeting the ECOP goals bidders must submit:
- 7.6.2.1.1 Acceptable certifying documentation for the prime contractor and its subcontractors, manufacturers, suppliers and/or truckers, as applicable (for example, local business license with proof of issue and expiration date, certification letters with expiration date).
- 7.6.2.1.2 Evidence that manufacturers, suppliers, and/or truckers are providing goods or services to subcontractors (for example, letter of intent, agreement)
- 7.6.3 Documents evidencing those good faith efforts that were made, submitted in the order listed in the table below with the corresponding item number (1-9) noted on each document.
- 7.6.4 Evidence of M/W/S/LBE participation (copies of bids, agreements, etc.) for all listed subcontractors, manufacturers, suppliers, and/or truckers that are *not* directly contracting with them (for example, material suppliers to subcontractors).
- 7.7 GSA reserves the right, as it may deem appropriate and necessary, to contact the two responsible bidders who submitted the apparent two lowest responsive bids during the evaluation process for clarification and/or submission of additional ECOP Goals or GFE documentation.
- 7.8 ECOP GOALS / GOOD FAITH EFFORTS REQUIRED

Listed in the table (below) are examples of acceptable documentation to support a determination that ECOP goals have been met

	ECOP GOALS	EXAMPLES OF ACCEPTABLE DOCUMENTATION
1	<p><b>60% Local Business Enterprise (LBE)</b> LBE participation may consist of the Prime Contractor and Subcontractors and may count towards the LBE, SBE, MBE and/or WBE ECOP goals.</p>	<ul style="list-style-type: none"> <li>• Business license issued by the County of Alameda or a City within the County of Alameda and proof of date issued (which is at least 6 months prior to the date bids were solicited). OR</li> <li>• Certification letter from an acceptable certifying agency* showing a local address and issuance/expiration dates.</li> </ul>
2	<p><b>20% Certified Small Business Enterprise (SBE)</b> Certified SBEs <b>must be Local</b> (S/LBE) to be considered. S/LBE participation may consist of the Prime Contractor and Subcontractors and may count towards the LBE, SBE, MBE and/or WBE ECOP goals.</p> <p>An SBE meets the LBE definition above and the current State definition of a small business that is &lt;100 employees and &lt;\$15 Million annual gross revenues (over the last three years).</p>	<ul style="list-style-type: none"> <li>• Same as LBE <i>PLUS</i></li> <li>• Current certification document or letter with SBE designation*</li> </ul>
3	<p><b>15% Minority-Owned Business Enterprise (MBE) Subcontractors</b> MBEs are defined per PCC 2000(e)(1), (e)(2) and (f) and are not required to be LBEs. An MWBE may count towards <u>only</u> MBE or WBE participation (not both); however, a local MBE may count towards both LBE and S/LBE ECOP goals.</p> <p>An MBE is a minority-owned business certified by one of the agencies listed below. An MBE can also be an SBE or LBE for purposes of meeting the SBE or LBE subcontracting goals, but an MBE cannot also be considered a WBE.**</p>	<ul style="list-style-type: none"> <li>• Current certification document, letter, etc., with MBE designation**</li> </ul>
4	<p><b>5% Woman-Owned Business Enterprise (WBE) Subcontractors</b> WBEs are defined per PCC 2000(e)(1), (e)(2) and (f) and are not required to be LBEs. An MWBE may count towards <u>only</u> MBE or WBE participation (not both); however, a local WBE may count both towards the LBE and S/LBE ECOP goals.</p> <p>A WBE is a minority-owned business certified by one of the agencies listed below. A WBE can also be an SBE or LBE for purposes of meeting the SBE or LBE subcontracting goals, but a WBE cannot also be considered an MBE.**</p>	<ul style="list-style-type: none"> <li>• Current certification document, letter, etc., with WBE designation**</li> </ul>



\* SBE certification from the following agencies is accepted: Alameda County Transportation Commission (Alameda CTC), California Department of General Services (DGS, Port of Oakland, and when the State SBE definition is met, Alameda County (SLEB certification).

\*\* When the State SBE definition is met MWBE certification from the following agencies is accepted:

Bay Area Rapid Transit (BART), the (CPUC) Supplier Clearinghouse, Western Regional Minority Supplier Development Council (WRMSDC), and Women's Business Enterprise National Council (WBENC).

7.9 The examples of GFE Indicators listed in the table below and suggested samples and are not meant to be mandatory or exclusionary. Other documentation may be acceptable as long as it evidences a GFE. For additional information regarding the ECOP Package submittals contact the GSA Contract Compliance Officer listed in Section IV below.

<b>Required Good Faith Effort Indicators</b>	<b>Examples of Acceptable Documentation</b>
1. The bidder attended mandatory pre-solicitation or pre-bid meetings that were scheduled by the local agency to inform all bidders of the ECOP requirements for the project for which the contract will be awarded.	<ul style="list-style-type: none"> <li>Copy of pre-bid meeting sign-in sheet (which is e-mailed to attendees and available on County Current Contracting Opportunities website listed below). The name of the firm must be listed. <a href="http://www.acgov.org/gsa_app/gsa/purchasing/bid_content/contractopportunities.jsp">http://www.acgov.org/gsa_app/gsa/purchasing/bid_content/contractopportunities.jsp</a></li> </ul>
2. The bidder identified and selected specific items of the project for which the contract will be awarded to be performed by M/W/S/LBEs to provide an opportunity for participation by those enterprises.	<ul style="list-style-type: none"> <li>Copy of advertisements, certified letters, successfully completed faxes and/or other notices to M/W/S/LBEs with selected specific items identified.</li> </ul>
3. The bidder advertised, not less than ten (10) calendar days before the date the bids are opened, in one or more local daily or weekly newspapers, trade association publications, minority or trade-oriented publications, or trade journals for M/W/S/LBEs that are interested in participating in the project.	<ul style="list-style-type: none"> <li>Copy of advertisements placed showing publication name and date, and dated receipts.</li> <li>Dated receipt with ad copy.</li> </ul>

<p>4. The bidder provided written notice of his or her interest in bidding on the contract to the number of M/W/S/LBEs required to be notified by the project specifications not less than ten (10) calendar days prior to the opening of bids. The bidder may utilize the list of certified local business enterprises in the on-line County Small Local Emerging Business (SLEB) Vendor Query System located at <a href="http://www.acgov.org/sleb_query_app/gsa/sleb/query/slebmnu.jsp">http://www.acgov.org/sleb_query_app/gsa/sleb/query/slebmnu.jsp</a>. The minimum number of M/W/S/LBE firms required to be notified is three (3) for each item of the project selected to be performed by a M/W/S/LBE, where an M/W/S/LBE subcontractor has not been secured for that item.</p>	<ul style="list-style-type: none"> <li>• Copy of dated notice, complete distribution list(s) and evidence of distribution (proof of faxes, e-mails sent etc.)</li> <li>• Undelivered faxes do not count toward the effort to meet the minimum requirement</li> <li>• Trades and specialties, in addition to M/W/S/LBE designation, must be clearly identified to meet the minimum requirement by using certification letter or source documentation</li> </ul>
<p>5. The bidder followed up initial solicitations of interest by contacting the enterprises to determine with certainty whether the enterprises were interested in performing specific items of the project.</p>	<ul style="list-style-type: none"> <li>• Successfully completed telephone log containing specific dates, name of caller, person contacted and comments (i.e., why not bidding, information sent to/date)</li> </ul>
<p>6. The bidder provided interested M/W/S/LBEs with information about the plans, specifications, and requirements for the selected subcontracting or material supply work.</p>	<ul style="list-style-type: none"> <li>• Copy of published advertisements, letters, successfully completed faxes, etc. with M/W/S/LBE name/contact information including the required information or directions on how to obtain it and the date the information was provided</li> <li>• Agenda, meeting notes, etc. including specific topics discussed, M/W/S/LBE firm names and contact persons in attendance that received information, and the location and date information was provided</li> </ul>
<p>7. The bidder requested assistance from local and small business and minority and women community organizations; local and small, minority and women contractor groups, local, state, or federal M/W/S/LBE assistance offices, or other organizations that provide assistance in recruitment and placement of M/W/S/LBEs.</p>	<ul style="list-style-type: none"> <li>• Copy of dated written request and response (letter, successfully completed fax, e-mail, etc.)</li> <li>• Or 2<sup>nd</sup> written request to follow-up, if needed. Phone log is not acceptable.</li> </ul>



<p>8. The bidder negotiated in good faith with the M/W/S/LBEs and did not unjustifiably reject as unsatisfactory bids prepared by any M/W/S/LBEs as determined by GSA</p>	<ul style="list-style-type: none"> <li>• Copies or list of all bids and a spreadsheet listing all bids with firm name, contact person, bid items(s), bid price, M/W/S/LBE classification, and comments re-selection or rejection</li> <li>• M/W/S/LBE bids accepted and included in bid response</li> </ul>
<p>9. Where applicable, the bidder advised and made efforts to assist interested M/W/S/LBEs in obtaining bonds, lines of credit, or insurance required by either the GSA or the contractor.</p>	<ul style="list-style-type: none"> <li>• Copy of advertisements or other notices with specifics referencing willingness to assist M/W/S/LBEs</li> <li>• Agenda, meeting notes including presenter's name and title, specific topics discussed, handouts etc., name of M/W/S/LBE firms in attendance, contact persons who received advice, location, and</li> </ul>

7.10 The performance by a bidder of the GFE Indicators specified in the table above shall create a rebuttable presumption, affecting the burden of producing evidence, that a bidder has made a good faith effort to comply with the goals and requirements relating to participation by M/W/S/LBEs established pursuant to Section 4 herein.

## 8. JOINT VENTURES

8.1 Whenever a joint venture occurs involving either a prime or non-prime (for example, subcontractors, manufacturers, suppliers, and truckers) M/W/S/LBE firm at any level of contracting, trucking, manufacturing, or supplying, the prime contractor shall provide the County with a full account of the nature of ownership interests, the basis for creation of the joint venture, and the particular financial participation and administrative responsibilities of the interested parties. In evaluating the prime contractor's effort, the M/W/S/LBE percentage that is to be attributed to a joint venture shall be determined by multiplying the percentage of the total contract amount that is to be performed by the joint venture times the percentage of actual financial participation in the joint venture represented by the M/W/S/LBE business.

## 9. NONDISCRIMINATION

### 9.1 Purpose

9.1 The Contractor shall comply with the Americans with Disabilities Act and Title VII of the Civil Rights Act of 1964 and shall not, in regard to any position for which an employee or applicant for employment is qualified, discriminate against any employee or applicant for employment because of race, creed, color, disability, sex, sexual orientation, political affiliation, or by any other non-merit factors be otherwise subjected to discrimination. The Contractor shall apply the ECOP that ensures applicants are employed, and that employees are treated during employment without regard to their race, age, religion, Vietnam Era Veteran's status, political affiliation, or any other non-merit factors. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other terms of

compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.

- 9.2 Contractor shall, in all solicitations or advertisements for employees placed on behalf of the County, state that all qualified applicants will receive consideration for employment without regard to race, creed, color, disability, sex, sexual orientation or national origin, age, religion, Vietnam Era Veteran's status, political affiliation, or any other non-merit factors.

## **SECTION II**

### **CONTRACT COMPLIANCE REQUIREMENTS**

#### **1. APPLICATION**

- 1.1 The following provisions shall apply to all contracts subject to the provisions of Section I and/or Section IV.

#### **2. ALAMEDA COUNTY CONTRACT COMPLIANCE SYSTEM**

- 2.1 Alameda County utilizes the Elation Systems contract compliance application as part of its commitment to assist contractors to comply with certain legal and contractual requirements. The Elation Systems, a secure web-based computer system, was implemented to monitor compliance and to track and report M/W/S/LBE participation in County contracts.
- 2.2 The prime contractor and all participating local and M/W/S/LBE subcontractors awarded contracts as a result of the bid process for this project are required to use the Elation System to submit ECOP information including, but not limited to, weekly certified payrolls, monthly progress payment reports and other information related to M/W/S/LBE participation. Use of the Elation System, support and training is available at no charge to prime and subcontractors participating in County contracts.
- 2.3 Upon contract award:
- 2.3.1 The County will provide contractors and subcontractors participating in any contract awarded as a result of this bid process, a code that will allow them to register and use the Elation System free of charge.
- 2.3.2 Contractors should schedule a representative from their office/company, along with each of their subcontractors, to attend Elation Systems training.
- 2.3.2.1 Free multi-agency Elation Systems one-hour training sessions require reservations and are held monthly in the Pleasanton, California area.
- 2.4 It is the Contractor's responsibility to ensure that they and their subcontractors are registered and trained as required to utilize Elation Systems.

- 2.4.1 For systems support visit Elation Systems online at <http://www.elationsys.com/> or contact them at (925) 924-0340.
- 2.4.2 If you have questions regarding the utilization of the Elation Systems, please contact the Project Manager.

### 3. MEETINGS

- 3.1 After the award of the contract and prior to beginning work, the General Services Agency may hold a pre-construction conference at which a representative of the Contractor and of each subcontractor must attend. As it becomes necessary during the course of the contract, the General Services Agency may call meetings of the Contractor and pertinent subcontractors.

### 4. INFORMATION AND RECORDS

- 4.1 For the purposes of determining compliance with this program, the Contractor shall provide the County with access to all records and documents that relate to M/W/S/LBE participation. To the extent permitted by applicable law, proprietary information will be safeguarded.
- 4.2 The Contractor must submit the following information to the General Services Agency on Alameda County approved forms. All subcontractor submittals must be through the prime contractor.
  - 4.2.1 S/LBE Participation Information and M/WBE Subcontractor Participation Information, (ECOP Forms 101A, 101B, 102A, and 102B provided separately as Excel fillable forms) submitted no later than 2:00 p.m. on the second business day following notification and request by GSA.
  - 4.2.2 Checklist for Review of Good Faith Efforts (ECOP Form 102C (also provided separately) submitted no later than 2:00 p.m. on the second business day following notification and request by GSA.

### 5. SUBSTITUTION OF M/W/S/LBE FIRMS

- 5.1 Substitution of other **firms** (subcontractors at any level, manufacturers, suppliers and/or truckers) for those listed in the proposal on the sheet entitled M/WBE Subcontractor Participation Information or S/LBE Participation Information shall not be made without prior approval of the County, and shall be in accordance with State or Federal law where applicable.

## SECTION III

### NON-COMPLIANCE WITH ECOP

#### 1. APPLICATION

- 9.3 The following provisions shall apply to all contracts subject to the provisions of Section I and/or Section IV.

**2. DETERMINATION OF NON-COMPLIANCE**

- 9.4 During the performance of the contract, if the General Services Agency has reason to believe or finds that the Contractor has not met the ECOP requirements in the contract, the Director of the General Services Agency (or the Director's designee) shall hold a meeting with the Contractor for the purpose of determining whether the Contractor is out of compliance. If after the meeting the Contractor is found to be out of compliance, the Contractor will be notified of a public hearing. The public hearing will be held before the Board of Supervisors with a minimum five calendar-day notice given to the Contractor. If the Board of Supervisors finds that there has been a violation, the County will notify the Contractor in writing of the sanctions to be imposed by the Board.

**3. SANCTIONS**

- 9.5 A finding at the public hearing that there has been a violation of the ECOP requirements of the contract shall be cause for the Board of Supervisors to impose any or all of the following sanctions:
- 9.5.1 Withhold an additional ten percent (10%) of all further contract progress payments until the Contractor provides evidence satisfactory to the Board of Supervisors that the condition of noncompliance has been corrected.
- 9.5.2 Suspend the contract until such time as the Contractor provides evidence satisfactory to the Board of Supervisors that the condition of noncompliance has been corrected.
- 9.5.3 Terminate the contract and collect appropriate damages from the Contractor.
- 9.5.4 Declare that the Contractor is not a responsible bidder, and is ineligible to make bids on future County contracts for a stated period of time or until the Contractor can demonstrate to the satisfaction of the Board of Supervisors that the violation has been corrected.

**SECTION IV**

**1. OUTREACH**

- 1.1 To promote the ECOP goals and assist contractors and subcontractors in their efforts to develop the relationships they may require to meet the ECOP goals for this project, the County will
- 1.1.1 E-mail the Notice to Bidders to vendors in the County Vendor Database and other sources. Advertise the project once a week for at least 2 consecutive weeks in a newspaper of general circulation in the county where the project is located, trade organizations and chambers of commerce, and plan rooms. Notice of this project will also be posted on the County Current Contracting Opportunities and Calendar of Events websites (see website URL addresses below).
- 1.1.2 Incorporate a networking and informational component in the mandatory bid walk/site visit.
- 1.1.3 Provide information about the project, the ECOP, and other current and upcoming projects at the bid conference/networking meeting.

- 1.1.4 E-mail the list of attendees from the mandatory bid walk to each attendee when issuing the first Addendum for the Project and post the attendance and first Addendum on the Current Contracting Opportunities website.

## 2. CONTRACTOR RESOURCES

The following sources may be contacted for assistance in soliciting M/W/S/LBE participation:

### Asian American Contractors Association

Juliana Choy Sommer, President

(415) 642-1818

[www.aaca-sf.com](http://www.aaca-sf.com)

### Western Regional Minority Supplier Development Council (WRMSDC) – MBE certifications only

80 Swan Way, Suite 245

Oakland, CA 94621

(510) 686-2555

[www.wrmsdc.org](http://www.wrmsdc.org)

### Women's Business Enterprise National Council (WBENC)

WBE certifications only – [www.wbenc.org](http://www.wbenc.org)

Visit the following County of Alameda GSA websites for

<b>CERTIFIED SMALL LOCAL VENDORS</b>	<a href="http://www.acgov.org/sleb_query_app/gsa/sleb/query/slebresultlist.jsp?smEmInd=C">http://www.acgov.org/sleb_query_app/gsa/sleb/query/slebresultlist.jsp?smEmInd=C</a>
<b>CURRENT CONTRACT OPPORTUNITIES</b>	<a href="http://www.acgov.org/gsa_app/gsa/purchasing/bid_content/contractopportunities.jsp">http://www.acgov.org/gsa_app/gsa/purchasing/bid_content/contractopportunities.jsp</a>
<b>UPCOMING CONTRACT OPPORTUNITIES</b>	<a href="http://www.acgov.org/gsa_app/gsa/purchasing/bid_content/futurecontractopportunities.jsp">http://www.acgov.org/gsa_app/gsa/purchasing/bid_content/futurecontractopportunities.jsp</a>
<b>CALENDAR OF EVENTS</b>	<a href="http://www.acgov.org/calendar_app/DisplayListServlet?site=Internet&amp;ag=GSA&amp;ty=PUR">http://www.acgov.org/calendar_app/DisplayListServlet?site=Internet&amp;ag=GSA&amp;ty=PUR</a>
<b>COUNTY OF ALAMEDA HOME PAGE</b>	<a href="http://www.acgov.org/index.htm">http://www.acgov.org/index.htm</a>

## BIDDER INFORMATION AND ACCEPTANCE

*(Submit hardcopy of this completed page along with all hardcopy ECOP supporting documentation.)*

The undersigned has read and agrees to the Supplementary Instructions to Bidders – Enhanced Construction Outreach Program, Document 00 22 19 of the Bid packet and declares that the ECOP Forms 101A, 101B, 102A, 102B and 102C (Excel Fillable Forms provided separately) have been completed accurately by the Prime Firm submitting the bid.

Official Name of Bidder: \_\_\_\_\_

Street Address Line 1: \_\_\_\_\_

Street Address Line 2: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Webpage: \_\_\_\_\_

Type of Entity / Organizational Structure (check one):

☐ Corporation

☐ Joint Venture

☐ Limited Liability Partnership

☐ Partnership

☐ Limited Liability Corporation

☐ Non-Profit / Church

☐ Other: \_\_\_\_\_

Jurisdiction of Organization Structure: \_\_\_\_\_

Date of Organization Structure: \_\_\_\_\_

Federal Tax Identification Number: \_\_\_\_\_

Primary Contact Information:

Name / Title: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_

Name and Title of Signer: \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

# Attachment 4



## Enhanced Construction Outreach Program (ECOP)

### INFORMATION GUIDE

*The County is interested in promoting its construction contracting opportunities to local Alameda County, small, minority and women-owned business enterprises and its employment opportunities to local apprentices, youth, unemployed and underemployed County residents.*



- ECOP applies to Capital Construction Projects as approved by the Board of Supervisors and managed by the County of Alameda, General Services Agency for sealed bid construction projects over \$125,000.
- Prime contractors who are certified small local businesses (per guidelines on page 4) shall be eligible to receive a 5% bid preference. Prime contractors that subcontract with certified small local businesses for a minimum 40% of the contract will also be eligible to receive this 5% bid preference.

# ECOP GOALS

1.	<b>60% Local</b> <b>Business Enterprise (LBE)</b> <b>Participation Goal</b>	A <b>Local</b> Alameda County business is one with fixed offices located in and having a street address within the County for at least 6 months prior to the date upon which a request for bids is issued and holds a valid business license issued by the County or city within the County.
2.	<b>20% Small</b> <b>Business Enterprise (SBE)</b> <b>Participation Goal</b>	A <b>Small</b> business meets the current State of California definition of less than \$15 Million in annual revenues <i>and</i> has less than 100 employees over the last 3 years or is a manufacturer with 100 or fewer employees and meets the above definition of a <b>Local</b> Business.
3.	<b>15% Minority</b> <b>Business Enterprise (MBE)</b> <u><b>SUBCONTRACTING</b></u> <b>Participation Goal</b>	<b>MBE</b> participation must be SUBCONTRACTED and may NOT consist of any WBE or Prime participation
4.	<b>5% Woman</b> <b>Owned-Business Enterprise (WBE)</b> <u><b>SUBCONTRACTING</b></u> <b>Participation Goal</b>	<b>WBE</b> participation must be SUBCONTRACTED and may NOT consist of any MBE or Prime participation



# Definitions

# Examples

<ul style="list-style-type: none"> <li>LBE participation may consist of the Prime Contractor and Subcontractors* and may count towards <u>both</u> the LBE and SBE ECOP goals.</li> </ul> <p>*For ECOP goals subcontractors to include manufacturers, suppliers and/or truckers.</p>	<ul style="list-style-type: none"> <li>Valid business license issued by a city within the County of Alameda and proof of date issued (which is at least 6 months prior to the date bids were solicited) or</li> <li>Certification letter from an acceptable certifying agency showing a local address and issuance/expiration dates that are in compliance. (See Page 4)</li> </ul>
<ul style="list-style-type: none"> <li>Certified SBEs must be <u>Local</u> (S/LBE) to be considered.</li> <li><b>S/LBE</b> must meet <b>Local</b> definition above <i>and</i> be <u>certified Small</u> by California Department of General Services (DGS) or other agency accepted by County. (See Page 4)</li> <li>Small participation may consist of any contractor, subcontractor, manufacturer, supplier or trucker.</li> </ul>	<ul style="list-style-type: none"> <li>All of the above, and</li> <li>Current certification document or letter with SBE designation.</li> </ul>
<ul style="list-style-type: none"> <li>MBEs are defined per PCC 2000 (e)(1), (e)(2) and (f), must be SBEs but are not required to be LBEs.</li> <li>An MWBE may count <u>only</u> toward MBE or WBE participation (not both); however, a local MBE may count towards both LBE and S/LBE participation.</li> </ul>	<ul style="list-style-type: none"> <li>Current certification document, letter, etc., with MBE designation. (See Page 4)</li> </ul>
<ul style="list-style-type: none"> <li>WBEs are defined per PCC 2000 (e)(1), (e)(2) and (f), must be SBEs but are not required to be LBEs.</li> <li>An MWBE may count <u>only</u> towards MBE or WBE participation (not both); however, a local WBE may count both towards LBE and S/LBE participation.</li> </ul>	<ul style="list-style-type: none"> <li>Current certification document, letter, etc., with WBE designation. (see Page 4)</li> </ul>

# **ECOP Goals & Good Faith Efforts Bid Submittal Requirements**

- To be considered for award, bidders must meet ALL of the ECOP goals OR provide evidence that ALL good faith efforts (GFEs) were made as stated in the bid specifications issued for each project. The County shall award a contract to the responsible bidder with the lowest responsive bid as required by law.

## **Under ECOP**

### **SBE certification from the following agencies is accepted:**

Alameda County Transportation Commission (Alameda CTC),  
California Department of General Services (DGS),  
Port of Oakland,  
and when the State SBE definition is met,  
Alameda County (SLEB certification).

## **When the State SBE definition is met**

### **MWBE certification from the following agencies is accepted:**

Bay Area Rapid Transit (BART),  
the (CPUC) Supplier Clearinghouse,  
Western Regional Minority Supplier Development Council  
(WRMSDC), and Womens' Business Enterprise National Council  
(WBENC).

# Frequently Asked Questions (FAQs)



1. *What is the minimum number of M/W/S/LBE firms I need to notify in writing regarding their interest in the project?*

Show evidence of contacting and responses from a minimum of three (3) M/W/S/LBE firms for each item of trade/project identified for performance by an M/W/S/LBE.

2. *Would undelivered faxes or no-answer calls count?*

No. In order to receive credit, you must provide evidence of your completed fax transmission to the identified vendor by name and number, or a completed telephone call to the identified vendor logged by name and number, with any specific comments, information, or notes about the call.

3. *I'm a County certified SLEB – does that mean I qualify for both Small and Local under ECOP?*

If you are a certified SLEB you must also meet the State definition for Small to be qualified under ECOP S/LBE.

## FAQs Continued

?

4. *Would a self-identified MWBE be acceptable without certification?*

No. You must provide evidence of a MWBE certification issued by a recognized certifying agency to receive the MWBE credit.

5. *If we are an MBE or WBE prime submitting a bid, would that count towards our MBE or WBE goal?*

No. MWBEs must be subcontracted to meet the goal. Also, certified MWBE subcontractors may satisfy either MBE or WBE, but not both.

6. *I have made an initial invitation to bid; however, I failed to follow up with the vendors and am unable to provide evidence of a follow-up. Will I still get credit for GFE #5?\**

No. You must show proof that a follow-up was made. Telephone logs with names, comments, or notes from the vendor are examples of acceptable documentation.

7. *Do I need to include in my advertisement and notices information about obtaining bonds, lines of credit or insurance?*

Yes. Provide a copy of advertisements with specifics referencing willingness to assist M/W/S/LBEs, or an agenda, location, meeting notes, etc. with firms attending and contact persons receiving advice.

\*All GFEs are stated and described in bid specifications.

?

# Resources for Contractors

*For assistance in soliciting M/W/S/LBE participation contact:*

**Asian American Contractors Association**

Juliana Choy Sommer, President, (415) 642-1818

[www.aaca-sf.com](http://www.aaca-sf.com)

**Western Regional Minority Supplier Development Council (WRMSDC) - MBE certifications only**

80 Swan Way, Suite 245, Oakland, CA 94621, (510) 686-2555

[www.wrmsdc.org](http://www.wrmsdc.org)

**Women's Business Enterprise National Council (WBENC)**

**WBE certifications only—** [www.wbenc.org](http://www.wbenc.org)

*For assistance in hiring local apprentices, youth, unemployed and under-employed County residents, contact:*

**Cypress/Mandela Inc. Training Center**

Art Shanks, (510) 208-7350, E-Mail: [artshanks@yahoo.com](mailto:artshanks@yahoo.com)

[www.cypressmandela.org](http://www.cypressmandela.org)

**Youth Employment Partnership Program**

Michele Clark (510) 533-3447, x3344, E-Mail: [mcc@yep.org](mailto:mcc@yep.org)

<http://www.yep.org/>

*For information regarding apprenticeship programs, related forms, complete laws, regulations and Labor Code provisions contact:*


**Department of Industrial Relations, Division of Apprenticeship Standards (DAS), San Francisco Office**

455 Golden Gate Avenue, 9<sup>th</sup> Floor, San Francisco, CA 94102

Phone: 415/703-1128; FAX 415/703-5427 - [www.dir.ca.gov](http://www.dir.ca.gov)

Contractors and subcontractors are strongly encouraged to self-register in the **County Local Vendor Database at**

[https://www.acgov.org/sleb\\_app/EntryFormServlet](https://www.acgov.org/sleb_app/EntryFormServlet)

After registering you will be directed to e-subscribe  for automatic updates to County contracting opportunities and events.



**acgov.org**

## Alameda County's Official Website

Under  
*Doing Business With Us*  
See

### Small, Local & Emerging Business Program CERTIFIED SMALL LOCAL VENDORS

[http://www.acgov.org/sleb\\_query\\_app/gsa/sleb/query/slebresultlist.jsp?  
smEmInd=C](http://www.acgov.org/sleb_query_app/gsa/sleb/query/slebresultlist.jsp?smEmInd=C)

### UPCOMING CONTRACTING OPPORTUNITIES

[http://www.acgov.org/gsa\\_app/gsa/purchasing/bid\\_content/  
futurecontractopportunities.jsp](http://www.acgov.org/gsa_app/gsa/purchasing/bid_content/futurecontractopportunities.jsp)

### CURRENT CONTRACTING OPPORTUNITIES

[http://www.acgov.org/gsa\\_app/gsa/purchasing/bid\\_content/  
contractopportunities.jsp](http://www.acgov.org/gsa_app/gsa/purchasing/bid_content/contractopportunities.jsp)

Also see  
**CALENDAR OF EVENTS**

[http://www.acgov.org/calendar\\_app/DisplayListServlet?  
site=Internet&ag=GSA&ty=PUR](http://www.acgov.org/calendar_app/DisplayListServlet?site=Internet&ag=GSA&ty=PUR)

*For additional information contact:*



### County of Alameda, General Services Agency Office of Acquisition Policy

Willie A. Hopkins, Jr., Director  
(510) 208-9700 • [willie.hopkins@acgov.org](mailto:willie.hopkins@acgov.org)

Linda Moore, Business Outreach Officer  
(510) 208-9717 • [linda.moore@acgov.org](mailto:linda.moore@acgov.org)

June 15, 2017

## Attachment 5

DOCUMENT 00 73 49

**PROJECT STABILIZATION/COMMUNITY BENEFIT AGREEMENT**  
**of the**  
**COUNTY OF ALAMEDA**  
**and**  
**California Prevailing Wage**  
**Requirements**

### 1. Summary

- 1.1. In addition to Labor, Wage & Hour, Apprentice, and related provisions described in Document 00 72 13 Paragraph 26; the Work performed pursuant to this Contract is subject to the requirements of the "PROJECT STABILIZATION/COMMUNITY BENEFITS AGREEMENT for the COUNTY OF ALAMEDA" ("PSCBA"). The Contractor agrees to be party to and bound by the "PROJECT STABILIZATION/COMMUNITY BENEFITS AGREEMENT for the COUNTY OF ALAMEDA". Contractor agrees to execute the "PROJECT STABILIZATION/COMMUNITY BENEFITS AGREEMENT for the COUNTY OF ALAMEDA Letter of Assent" and shall require all of its subcontractors, of whatever tier, to become similarly bound for all work within the scope of this Contract by signing an identical Letter of Assent.

### 2. PROJECT STABILIZATION/COMMUNITY BENEFIT AGREEMENT Of the COUNTY OF ALAMEDA

- 2.1. The PROJECT STABILIZATION/COMMUNITY BENEFITS AGREEMENT for the COUNTY OF ALAMEDA (PSCBA) is included for reference only in PROJECT STABILIZATION/COMMUNITY BENEFITS AGREEMENT for the COUNTY OF ALAMEDA Document 00 73 49B.

#### 2.1.1. ROLES AND RESPONSIBILITIES SUBCONTRACTS

- 2.1.1.1. Each Contractor, which includes all subcontractors of any tier, including trucking entities performing Covered Work of this Contract, agrees that neither it nor any of its subcontractors will subcontract any Work of this Contract except to a person, firm, or corporation who is or becomes party to the PSCBA by signing the Letter of Assent attached to the PSCBA as Exhibit "A". All Contractors performing Covered Work of this Contract shall, as a condition to performing Work of this Contract, become Signatory to and perform all work under the terms of the PSCBA.

- 2.1.1.2. Each Contractor, which includes all subcontractors of any tier performing Work of this Contract, shall give written notice to the Union(s) of any subcontract involving the performance of work covered by the PSCBA within either five (5) business days of executing a contract with such subcontract or before the subcontractor commences work on the Project, whichever occurs first. Such notice shall specify the name and address of the subcontractor, the California State License Board license number of the Contractors and scope of work to be performed. Written notice at a Pre-Job Conference shall be deemed written notice under this provision only for those subcontractors listed at the Pre-Job Conference
- 2.1.1.3. The Contractor shall be responsible for PSCBA compliance by all subcontractor and lower tier subcontractor.
- 2.1.2. WORK ASSIGNMENTS AND JURISDICTIONAL DISPUTES
  - 2.1.2.1. The assignment of the Work to subcontractors is solely the responsibility of the Contractor.
  - 2.1.2.2. Each Contractor shall conduct a Pre-Job Conference with the Building and Construction Trades Council of Alameda County (Council) prior to commencing Work as specified in Paragraph 2.1.3 of this Document 00 73 49. The Contractor will notify the County in advance of all such conferences.
  - 2.1.2.3. Any jurisdictional disputes regarding the assignment of the Work of this Contract will be resolved per the requirements of the PSCBA.
- 2.1.3. PRE-JOB CONFERENCE
  - 2.1.3.1. A mandatory Pre-Job Conference and/or Mark-Up Meeting will be held prior to the commencement of work to establish the scope of work in each Contractor and Subcontractor contract. All meeting shall be held at the offices of the Alameda County Building and Construction Trades Council.
  - 2.1.3.2. The Contractor performing the work shall have the responsibility for making work assignments in accordance with the PSCBA, and will be required to bring relevant plans, specifications, and blueprints to the meeting, as requested by the Union
  - 2.1.3.3. Contractor must submit written workforce projections at the Pre-Job Conference. The workforce projections shall include projected man-hours on a craft-by-craft basis, consistent with the Contractor's bid proposal.



- 2.1.3.4. The County will schedule and attend all Pre-Job and Mark-Up Meetings and participate in discussions as they pertain to the terms and conditions of the PSCBA.

**2.1.4. JOINT ADMINISTRATIVE COMMITTEE MEETINGS**

- 2.1.4.1. The Joint Administrative Committee (JAC) has been established to monitor compliance with the PSCBA. The JAC meets monthly and reviews monthly reporting by the Contractor.
- 2.1.4.2. The Contractors shall provide progress report as described in Paragraph 2.1.8 of this Document.

**2.1.5. COORDINATOR**

- 2.1.5.1. The County will designate a Coordinator, who will be responsible for the administration and application of the PSCBA.

**2.1.6. LOCAL HIRING PROGRAM**

- 2.1.6.1. The Contractor agrees to achieve the inclusion of Residents as defined in the PSCBA in the employment and apprenticeship opportunities created by the Work of this Contract, which will be known as the Local Hiring Program (LHP) as described in the PSCBA.
- 2.1.6.2. The Contractor agrees to a goal that Residents of the County will perform forty percent (40%) of all hours worked on the Work of this Contract, on a craft-by-craft basis, if such workers are available, capable and willing to work on the projects, together with the apprentice goals described in Paragraph 2.1.7 of this Document.
- 2.1.6.3. The Contractors and subcontractors shall make good faith efforts to reach these goals, as described in the PSCBA including but not limited to the following:
  - 2.1.6.3.1. Within one week of the issuance of the Notice to Proceed, the Contractors shall meet with the County to review and approve its compliance plan for reaching the Local Hiring Goals, using the required compliance plan form provided by the County.
  - 2.1.6.3.2. Submit copies of hiring hall dispatch requests and responses to the County within ten (10) days of County's request at any point during the execution of the Work of this Contract.

- 2.1.6.3.3. Immediately contact the County if a union hiring hall dispatcher will not or cannot, upon request of the Contractor, dispatch local residents.
- 2.1.6.3.4. Use the "Name Call," "Rehire" or other available hiring hall procedures to reach goals and shall provide documentation of such requests to the County upon request.
- 2.1.6.3.5. Use community based organizations as a resource for local labor resources, if a union will not or cannot provide local Residents as requested
- 2.1.6.3.6. Sponsor local Residents for apprenticeship, when possible.
- 2.1.6.3.7. Maintain records for each Resident of Alameda County who was referred but not hired along with an explanation why the worker was not hired.
- 2.1.6.3.8. Document participation in any local employment training programs and submit documentation of such to the County within ten (10) days if requested by County.
- 2.1.6.3.9. To the extent possible, the parties agree to implement the Local Hiring Program while complying with the County's Local Vendor Preference and Enhanced Construction Outreach (ECOP) programs for the work of this Contract. To the extent that the County determines, in its sole discretion, that there is a conflict between the Local Hiring Program established in the PSCBA and the County's SLEB, ECOP, and/or Local Vendor Preference Programs, the conflict shall be resolved in favor of the Local Hiring Program of the PSCBA.
- 2.1.6.3.10. For the purpose of reaching the goal established in Paragraph 2.1.6.2 of this Document, a Contractor may qualify for full credit toward the goal by employing Alameda County Residents for other work the Contractor is performing in any of the nine Bay Area counties of: Alameda, Contra Costa, San Francisco, San Mateo, Santa Clara, Marin, Solano, Napa and Sonoma as outlined in the PSCBA.

#### **2.1.7. APPRENTICES**

- 2.1.7.1. Although the PSCBA states that the County shall make available to the Unions a database of apprentices qualifying under the local hiring provision of the PSCBA, the County has not developed this database. Contractor is to contact the Unions for available apprentices.

2.1.7.1.1. For each Covered Project, the Contractors will be responsible to ensure that it and/or its subcontractors hire at least one (1) new apprentice for the first \$1 million of construction value and for each succeeding \$5 million of construction contract value, the Contractors and/or their subcontractors will be required to hire at least one (1) additional new apprentice. All such apprentices may be graduates of pre apprenticeship programs with known and successful track record of apprentice placement into jobs. All the pre apprenticeship program graduates must be Residents of Alameda County and members of a Disadvantaged Population, as described in the PSCBA.

2.1.7.2. Contractors shall exercise their best efforts to recruit apprenticeship program applicants from Residents and who are members of a Disadvantaged Population as described in the PSCBA

2.1.7.3. The Contractor shall request dispatch of apprentices in writing from the local Unions and/or Joint Apprenticeship Training Committee in which the Contractor participates. Copies of the written requests shall be provided to the County within ten (10) days of request by the Coordinator.

2.1.7.4. For the purposes of meeting the goal established in Paragraph 2.1.6.1 of this Document, a Contractor may qualify for full credit toward the goal by employing Alameda County Residents as apprentices for other work the Contractor is performing in any of the nine Bay Area counties of: Alameda, Contra Costa, San Francisco, San Mateo, Santa Clara, Marin, Solano, Napa and Sonoma as described in the PSCBA

## **2.1.8. DATA COLLECTION AND REPORTING**

2.1.8.1. This Paragraph describes Contractor and data collection, reporting guidelines and responsibilities for the PSCBA.

2.1.8.2. On a monthly basis, Contractors must submit reports to the County on the status and progress of local hiring on a craft-by-craft basis, including utilization of apprentices as described in Document 00 73 49A "PSCBA Forms".

## **2.1.9. HELMETS TO HARDHATS: VETERAN EMPLOYMENT**

2.1.9.1. The Contractor agrees to utilize the series of the Center for Military Recruitment, Assessment and Veterans Employment (hereinafter "Center") and Center's "Helmets to Hardhats" program to serve as a resources for preliminary orientations, assessment of construction aptitude, referral to apprenticeship programs or hiring halls, counseling

and mentoring, support network, employment opportunities and other needs as described in the PSCBA.

- 2.1.9.2. The Contractors may also utilize the services of the “Swords to Ploughshares” program.
3. **California Labor Code:** In addition to complying with the PSCBA, Contractor shall also comply with the California Labor Code prevailing wage requirements.
- 3.1. Pursuant to Labor Code Section 1770, *et seq.*, the Contractor shall pay to persons performing labor in and about the Work provided for in the Contract an amount equal to or more than the general prevailing rate of per diem wages for work of a similar character in the locality in which the Work is performed, and not less than the general prevailing rate of per diem wages for legal holiday and overtime work in said locality, which per diem wages shall be equal to or more than the stipulated rates contained in a schedule thereof which has been ascertained and determined by the Director of the State Department of Industrial Relations to be the general prevailing rate of per diem wages for each craft or type of workman or mechanic needed to execute this contract. The Contractor shall also cause a copy of this determination of the prevailing rate of per diem wages to be posted at each Site.
- 3.2. The Contractor shall forfeit, as a penalty to the County, fifty dollars (\$50.00) for each laborer, workman, or mechanic employed in performing labor in and about the work provided in the Contract Documents for each day, or portion thereof, on which such laborer, workman or mechanic is paid less than the said stipulated rates for any work done under these Contract Documents by him or her or by any Subcontractor or designer under him or her, in violation of Articles 1 and 2 of Chapter 1 of Part 7 of Division II of the Labor Code. The sums and amounts which shall be forfeited pursuant to this paragraph 3.2 and the terms of the Labor Code shall be withheld and retained from payments due or to become due to the Contractor under this Contract and the terms of the Labor Code, but no sum shall be so withheld, retained or forfeited except from the final payment without a full investigation by either the State Department of Industrial Relations or by the County. The final amount of forfeiture shall be determined by the Labor Commissioner pursuant to Labor Code § 1775.
- 3.3. The Contractor shall insert in every subcontract or other arrangement which Contractor may make for performance of work or labor on the Work provided for in the Contract Documents, a provision that the Subcontractor shall pay persons performing labor or rendering service under subcontract or other arrangement not less than the general prevailing rate of per diem wages for work of a similar character in the locality in which the Work is performed, and not less than the general prevailing rate of per diem wages for holiday and overtime work fixed as provided in the Labor Code.
- 3.4. The Contractor stipulates that it shall comply with all applicable wage and hour laws, including without limitation Labor Code § 1813.

**4. Project Stabilization/Community Benefits Agreement/ Labor Compliance Program Monitoring**

- 4.1. The County has elected to retain the services of a third party to monitor compliance with the PSCBA and California Labor Code Requirement.
- 4.2. The PSCBA/Labor Compliance Program (“PSCBA/LCP”) will enforce PSCBA, prevailing wage, apprentice employment and local hiring requirements consistent with California Labor Code and the PSCBA. PSCBA/LCP services do not limit the scope of Work and do not relieve the Contractor of any responsibility for coordination of the Work with California Labor Code or the PSCBA.
- 4.3. The Contractor shall be responsible for any costs that the County incurs as the result of any actions taken by DIR, or by the County when exercising its enforcement duties, to address Contractor and/or Subcontractor violations related to California Labor Code or the PSCBA. If the Contractor or any of its Subcontractor are notified that they should take certain actions to be in compliance with the PSCBA or applicable state law and those actions are not taken or not taken in a timely manner, then the County shall have the right to recover the cost of all work performed by or for the County or its contractors from the date of such notice and the County shall have the right to back charge the Contractor for any and all costs associated with such work.
- 4.4. Certified payroll reports for the duration of the Project shall be maintained by the Contractor and submitted electronically, and are subject to all of the following conditions:
  - 4.4.1. Certified Payroll Reports (CPR) shall be submitted to the County electronically on the web-based software system, described in Document 00 45 46.01 “Prevailing Wage and Related Labor Requirements Certification”, to be utilized for collection and verification of payroll reports for the Project.
  - 4.4.2. CPR must contain all of information required by California Labor Code section 1776 and must be organized in a manner that is similar or identical to the format in which the information is reported on the DIR “Public Works Payroll Reporting Form” (Form A-1-131);
  - 4.4.3. Statement of Compliance. CPR shall be accompanied by a signed “Statement of Compliance” certifying that the payroll reports are correct and complete and that each laborer or mechanic has been paid not less than the proper prevailing wage rate for the work performed. The wording of the certification shall comply with California Labor Code section 1776 and 29 C.F.R. § 5.5(a)(3)(ii)(B)-(D).
  - 4.4.4. Electronic CPR submitted to the County, the DIR Division of Labor Standards Enforcement (DLSE), or other entity within the DIR, must be in the form of a non-modifiable image or record that bears an electronic signature or includes a copy of any original certification made on paper. Printed reports submitted on

paper with an original signature will be accepted as supplemental information to electronic reports, and will not relieve the Contractor or its Subcontractor from their obligation to submit electronic reports.

- 4.4.5. Apprenticeship Program. Reference is made to General Conditions Document 00 72 13, Paragraph 26 and the PSCBA for the Contractor and its Subcontractors obligation to comply, and be responsible for ensuring compliance, with the requirements of the California Labor Code provisions concerning the employment of apprentices, including Labor Code sections 1776, 1777.5, and 1777.6.

END OF DOCUMENT