



**San Mateo County Flood and Sea Level Rise Resiliency District  
Request for Information to Pre-Qualify Prospective Bidders for the  
Bayfront Canal and Atherton Channel  
Flood Protection and Ecosystem Restoration Project  
in southern San Mateo County, CA**

The San Mateo County Flood and Sea Level Rise Resiliency District (District) has determined that all bidders for construction of the project known as Bayfront Canal and Atherton Channel Flood Protection and Ecosystem Restoration Project (Project) to be undertaken by the District must be pre-qualified prior to submitting a bid for that project.

**Background**

The Bayfront Canal and Atherton Channel watersheds drain a predominantly urban, low-elevation area in San Mateo County, collecting stormwater runoff from the municipalities of Redwood City, Menlo Park, Atherton, and Woodside, and unincorporated San Mateo County. Just east of Highway 101 and north of Marsh Road, the Atherton Channel converges with the Bayfront Canal near the border between Redwood City and Menlo Park, and empties into San Francisco Bay through a tide control structure not far from Bedwell Bayfront Park. For the past several decades, high tides have kept flows in the Canal and Channel from draining to the Bay, when even minor rainfall events have resulted in the flooding of nearby mobile home parks and businesses; these properties have experienced flooding 40 times over the past 70 years – most recently in 2017.

In response to this proven threat, in October of 2017, Redwood City, Menlo Park, Atherton, and the County entered into an MOU that established shared funding responsibilities for the design, environmental documentation, and land access agreements of a project to reduce the frequency and impacts of flooding. When the District was established in January 2020 it assumed the lead role to complete this Project, with the above cities and county as continued partners on the Project.

The Project consists of an underground culvert that diverts excess flow from Atherton Channel and Bayfront Canal into managed ponds within the Ravenswood Complex of the South Bay Salt Ponds Restoration Project (SBSPRP). The Project features will be within and along Bayfront Canal, Flood Slough, the entrance to Bedwell Bayfront Park, and the managed ponds owned by the U.S. Fish and Wildlife Service. The successful implementation of this Project will protect developed areas of Redwood City, Menlo Park, and unincorporated San Mateo County against frequent flood events, provide water quality and ecosystem benefits to the managed ponds, and complement flood protection efforts upstream along Atherton Channel.

While the Project will improve habitat for the protected species listed on the following page, permits from State and Federal environmental regulatory agencies require specific actions to mitigate for the temporary and permanent impacts of Project activities on those species. In order to implement those specific actions, the District will advertise for construction bids from licensed construction contractors with the qualifications, skills, and experience to conform to permit mandates and perform construction activities within sensitive marsh shoreline habitat (“Experience Requirements”). Because of these specialized needs and sensitive location, the District has elected to conduct a pre-qualification process to screen prospective bidders for the construction contract.

## **Project Description**

The Project consists of the installation of two 540-foot long, 8-foot wide by 5-foot tall, underground concrete box culverts below Marsh Road at the entrance of Bedwell Bayfront Park. The culverts are designed to divert stormwater runoff during high tide conditions from the Bayfront Canal into the managed ponds of the SBSPRP. The Project also includes the installation of a lateral weir diversion structure on the Bayfront Canal; a trash rack and service grate; sump pump with 4-inch drain line to Flood Slough; maintenance hole access shafts to the box culverts; outlet structure with headwall; and riprap drainage connection to the Pond S5 Forebay (Forebay). The connection to the managed ponds essentially increases the capacity of the Bayfront Canal.

The Project site is located within both the City of Redwood City and City of Menlo Park, and additionally involves work on both federal and private lands. The site is also located within and proximate to brackish and tidal marsh environments. The area provides habitat for ruderal vegetation, and listed and protected species such as the endangered salt marsh harvest mouse, Ridgway's rail, California least tern, and western snowy plover. A demonstrated ability having worked successfully in such sensitive habitats, as well as exceptional project management and an ability to coordinate with multiple jurisdictions and stakeholders is essential.

### *Lateral Weir Diversion Structure*

A 60-foot long concrete diversion structure (diversion structure) will be constructed along the south bank of the Bayfront Canal, just south of the Bayfront Canal tide gates. Stormwater depths in Bayfront Canal that overtop its weir crest pass through a trash rack to prevent trash from entering the box culverts and the connected SBSPRP ponds. The diversion structure will also include a sump pump connected to a 4-inch drain line that outlets into Flood Slough through the existing tide gates' concrete headwall. Approximately 145 cubic yards of rock will be installed adjacent to the diversion structure on the south bank of the Bayfront Canal to prevent scour and erosion of the bank where water flows into the diversion structure.

### *Box Culverts*

Two eight-foot-wide by five-foot-tall parallel box culverts will be installed underground, connecting the diversion structure with the outlet into the Forebay. Each box culvert will be approximately 540 feet long. The box culverts follow the existing alignment of a series of salt production brine ditches, which will be filled in following trenching for and installation of the culverts. Maintenance hole access shafts above each box culvert will be installed approximately 300 feet east of the diversion structure.

### *Outlet Structure*

A concrete outlet structure (headwall) will be constructed at the outfall into the Forebay. The outlet structure will be fitted with two flap-gates, one per box culvert, that prevent water from flowing back into the culverts following high flow events. Approximately 90 cubic yards of rock will be installed adjacent to the outfall structure to dissipate flows entering the Forebay. These flows will mix with tidal inflows via water control structures – installed as part of the SBSPRP – ultimately flowing into San Francisco Bay.

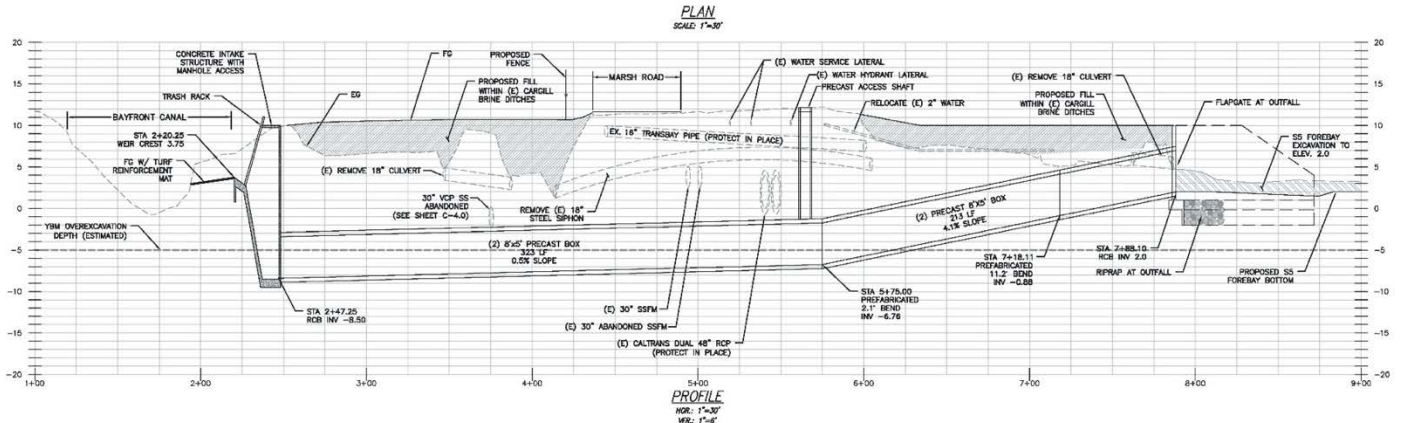
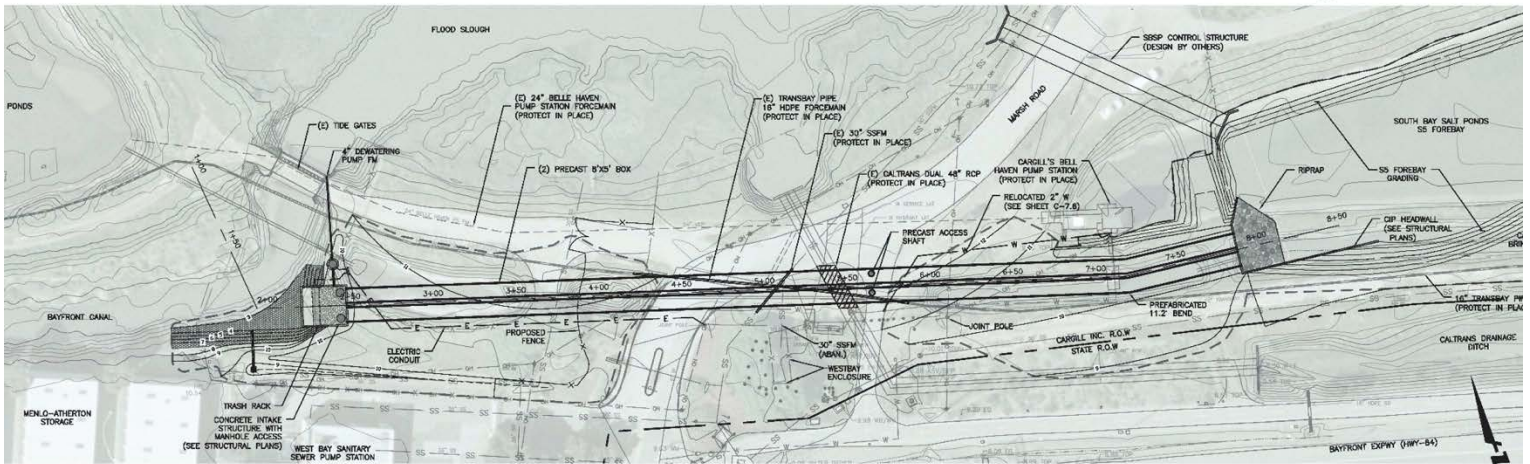
### *Forebay Excavation*

Upwards of three feet of soil would be excavated from the Forebay (approximately 4.2 acres in size) to increase its flood storage capacity. This would generate approximately 20,000 cubic yards of excavated materials that are to be beneficially reused by the adjacent SBSPRP. The side-slopes of the recontoured Forebay would be seeded with a native species seed mix comparable to that used in transitional zones for the SBSPRP.

### *Berm Lowering and Onsite Restoration*

An existing berm next to the Forebay will be recontoured and lowered in order to expand onsite vegetated salt marsh along the periphery of the Forebay. The existing berm supports predominantly non-native grassland and ruderal species with salt marsh pickleweed along the toe of its slope.

# Project Location Map



**Contractor License Requirement:**

Prospective bidders for this work shall possess a valid State Contractor's License in the following category: Class-A (General Engineering)

**Pre-Qualification Process:**

The District has developed a pre-qualification questionnaire, which begins on Page 7 of this document. Prospective bidders must submit **no later than 5:00 PM PST on January 15, 2020** the completed questionnaire and all required supporting materials as one PDF document to [Projects@OneShoreline.org](mailto:Projects@OneShoreline.org) and in hard copy (postmarked by the submission deadline) to:

Colin Martorana, Project Manager  
San Mateo County Flood and Sea Level Rise Resiliency District  
1700 S. El Camino Real, Suite 502  
San Mateo, CA 94402

Please refer to Part III, RECENT PROJECTS COMPLETED IN TIDAL MARSH SHORELINE AREAS, prior to filling out the questionnaire in order to ensure that the prospective bidder meets the basic minimum requirements for pre-qualification. Prospective bidders that do not submit information on two (2) past projects that are comparable to the Project as defined in Part III will not be pre-qualified. The District reserves the right to investigate other available sources of information about the past projects for which information has been provided at its discretion.

Not all questions in the questionnaire are scorable; some questions simply ask for information about the contractor's organizational structure, officers, current bonding capacity, notarized statement from surety, and financial information, with accompanying notes and supplemental information, as required. Failure to provide this information may result in disqualification. A "not qualified" determination may be made due to falsification of information or omission of requested information. Responses to scorable questions shall be assigned in accordance with the scores indicated following those questions. In order to pre-qualify as a bidder for the Project, a firm is required to have a passing grade within each of the categories as identified below:

**Part I: Essential Requirements for Qualification:** No points assigned. Pass/Fail only.

**Part II: Organizational History, Organizational Performance, and Compliance with Civil and Criminal Laws:**

Section A: Current Organization and Structure of the Business. No points assigned. Pass/Fail only.

Section B: History of the Business and Organizational Performance Questions 2-5, 9-12, 24, and 26: No points assigned. Pass/Fail only.

Questions 6-8, 13-23, 25, and 27: Must obtain a minimum of 75% of the 80 total points available.

Section C: Compliance with Occupational Safety and Health Laws and with other Legislation

Safety Labor Requirements Questions 28-38: Must obtain a minimum of 75% of the 55 total points available.

**Part III: Recent Projects Completed in Tidal Marsh Shoreline Areas:**

Question 39: At least two (2) projects submitted, must demonstrate the minimum requirements as outlined in the "Experience Requirements". No points assigned. Pass/Fail only.

Conducting this pre-qualification process will assist the District in determining bidder responsibility prior to bid and to aid the District in selecting the lowest responsible bidder, as to whether a bidder has the quality, fitness, capacity, and experience to satisfactorily perform the proposed work, and has demonstrated the requisite trustworthiness. Pre-qualification packages (questionnaire answers and financial statements) submitted by contractors are not public records and are not open to public inspection, pursuant to Public Contract Code Section 20101. The District reserves the right to rescind a qualifying score if information is obtained after questionnaire scoring that would change a score assigned. Prospective bidders whose score changes sufficiently to disqualify them

from bidding will be notified and given an opportunity for an appeals hearing consistent with the hearing procedures described below.

All information provided will be kept confidential to the extent permitted by law. The contents may be disclosed to third parties for purpose of verification, investigation of substantial allegations, or during an appeals hearing. State law requires that the names of contractors applying for pre-qualified status are public records subject to disclosure; the first page of the questionnaire will be used for that purpose.

Each questionnaire must be signed under penalty of perjury in the manner designated at the end of the form, by an individual who has the legal authority to bind the prospective bidder on whose behalf that person is signing. If any information provided by a prospective bidder becomes inaccurate prior to the advertisement of the Project for construction bids, the prospective bidder must immediately notify the District and provide updated accurate information, in writing, under penalty of perjury. The District reserves the right to waive minor irregularities and omissions in the information contained in the pre-qualification packages submitted.

### **Appeals Process:**

When a complete and timely submittal in response to this Request for Information results in a rating below what is necessary to pre-qualify, the District will issue a “not qualified” determination to the prospective bidder. A prospective bidder that receives a “not qualified” determination can appeal that determination. The prospective bidder may initiate an appeal by submitting a written request to the District Project Manager for review of the determination that the submittal resulted in a “not qualified” determination. The request must be submitted no later than 5:00 PM PST on the fifth business day following the day of the District’s delivery of a “not qualified” determination. The request for review shall specify the grounds for disputing the determination of “not qualified”. All matters not set forth in the written request for review shall be deemed waived by the prospective bidder. If a timely request for review is not submitted, the “not qualified” determination shall be final and all rights of the prospective bidder to challenge the decision of the District, whether by administrative process, judicial process, or any other legal process or proceeding shall be deemed waived by the prospective bidder.

If the prospective bidder submits a request for review within the specified time limit, the District will schedule a time for a hearing to allow the prospective bidder to rebut any evidence used as a basis for disqualification and to present evidence as to why it should be determined to be qualified to bid for the Project. The hearing shall be an informal process conducted by a hearing committee composed of representatives of the District’s partner agencies on this project appointed by the District Chief Executive Officer. The decision of the hearing committee shall be final.

### **Anticipated Bidding and Contracting Schedule:**

*The bidding and contracting process is anticipated to begin January 2021, as the Project’s bid documents are currently being completed. Announcement of their availability will be made on the District website.*

January 15 – Pre-qualification Packages due to District

January 22 – Pre-qualified contractors invited to develop bids; Not-qualified determinations sent

January 29 – Written requests to appeal a “not qualified” determination due to District

# PRE-QUALIFICATION QUESTIONNAIRE

## CONTACT INFORMATION

Firm Name: \_\_\_\_\_ Check One:  Corporation  
(as it appears on license)  Partnership  
 Sole Prop.

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

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

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

If firm is a sole proprietor or partnership:

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

Contractor's License Number(s):

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

## PART I. ESSENTIAL REQUIREMENTS FOR QUALIFICATION

Contractor will be disqualified if the answer to any of questions 1 through 5 is "no."<sup>1</sup> Contractor will be immediately disqualified if the answer to any of questions 6 through 9 is "yes."<sup>2</sup> If the answer to question 8 is "yes," and if debarment would be the sole reason for denial of pre-qualification, any pre-qualification issued will exclude the debarment period.

1. Contractor possesses a valid and current California Contractor's license for the project or projects for which it intends to submit a bid.  
 Yes       No
2. Contractor has a liability insurance policy with a policy limit of at least \$1,000,000 per occurrence and \$2,000,000 aggregate.  
 Yes       No
3. Contractor has current workers' compensation insurance policy as required by the Labor Code or is legally self-insured pursuant to Labor Code section 3700 et. seq.  
 Yes       No       Contractor is exempt from this requirement
4. Have you attached your latest copy of a reviewed or audited financial statement with accompanying notes and supplemental information.<sup>3</sup>  
 Yes       No

NOTE: A letter verifying availability of a line of credit may be attached; it will be considered supplemental information and not a substitute for the required reviewed or audited financial statement.

5. Have you attached a notarized statement from an admitted surety insurer (approved by the California Department of Insurance) and authorized to issue bonds in the State of California, which states: (a) that your current bonding capacity is sufficient for the project for which you seek pre-qualification if you are seeking pre-qualification for a single project; or (if you are seeking pre-qualification valid for a year) (b) your current available bonding capacity?<sup>4</sup>  
 Yes       No

NOTE: Notarized statement must be from the surety company, not an agent or broker.

6. Has your contractor's license been revoked at any time in the last five years?  
 Yes       No
7. Has a surety firm completed a contract on your behalf, or paid for completion because your 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 your firm ineligible to bid on or be awarded a public works contract, or perform as a subcontractor on a public works contract, pursuant to either Labor Code section 1777.1 or Labor Code section 1777.7?  
 Yes       No  
If "Yes," state the beginning and ending dates of the period of debarment: \_\_\_\_\_
9. At any time during the last five years, has your firm, 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

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<sup>1</sup> A "no" answer to Question 4 will not be disqualifying if the contractor is exempt from complying with Question 4, for reasons explained in footnote 3.

<sup>2</sup> A contractor disqualified solely because of a "Yes" answer given to question 6, 7, or 9 may appeal the disqualification and provide an explanation of the relevant circumstances during the appeal procedure.

<sup>3</sup> Public Contract Code section 20101(e) exempts from this requirement a contractor who has qualified as a small business pursuant to Government Code section 14837(d)(1), if the bid is "no more than 25 percent of the qualifying amount provided in section 14837(d)(1)." As of January 1, 2001, the qualifying amount is \$10 million, and 25 percent of that amount, therefore, is \$2.5 million.

<sup>4</sup> An additional notarized statement from the surety may be requested by District at the time of submission of a bid, if this pre-qualification package is submitted more than 60 days prior to submission of the bid.

**PART II. ORGANIZATION, HISTORY, ORGANIZATIONAL PERFORMANCE, AND COMPLIANCE WITH CIVIL AND CRIMINAL LAWS**

**A. Current Organization and Structure of the Business**

**For Firms That Are Corporations:**

- 1a. Date incorporated: \_\_\_\_\_
- 1b. Under the laws of what state: \_\_\_\_\_
- 1c. Provide all the following information for each person who is either (a) an officer of the corporation (president, vice president, secretary, treasurer), or (b) the owner of at least ten percent of the corporation's stock.

Name	Position	Years with Co.	% Ownership	Social Security #

- 1d. Identify every construction firm that any person listed above has been associated with (as owner, general partner, limited partner or officer) at any time during the last five years.  
NOTE: For this question, "owner" and "partner" refer to ownership of ten percent or more of the business, or 10 percent or more of its stock, if the business is a corporation.

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

**For Firms That Are Partnerships:**

- 1a. Date of formation: \_\_\_\_\_
- 1b. Under the laws of what state: \_\_\_\_\_
- 1c. Provide all the following information for each partner who owns 10 percent or more of the firm.

Name	Position	Years with Co.	% Ownership	Social Security #

- 1d. Identify every construction company that any partner has been associated with (as owner, general partner, limited partner or officer) at any time during the last five years.  
NOTE: For this question, "owner" and "partner" refer to ownership of ten percent or more of the business, or ten percent or more of its stock, if the business is a corporation.

Person's Name	Construction Company	Dates of Person's Participation with Company

**For Firms That Are Sole Proprietorships:**

- 1a. Date of commencement of business. \_\_\_\_\_
- 1b. Social security number of company owner. \_\_\_\_\_
- 1c. Identify every construction firm that the business owner has been associated with (as owner, general partner, limited partner or officer) at any time during the last five years.  
NOTE: For this question, "owner" and "partner" refer to ownership of ten percent or more of the business, or ten percent or more of its stock, if the business is a corporation.

Person's Name	Construction Company	Dates of Person's Participation with Company

**For Firms That Intend to Make a Bid as Part of a Joint Venture:**

- 1a. Date of commencement of joint venture. \_\_\_\_\_
- 1b. Provide all of the following information for each firm that is a member of the joint venture that expects to bid on one or more projects:

Name of firm	% Ownership of Joint Venture

**B. History of the Business and Organizational Performance**

- 2. Has there been any change in ownership of the firm at any time during the last three years?  
NOTE: A corporation whose shares are publicly traded is not required to answer this question.  
 Yes       No  
If "Yes," explain on a separate signed page.
- 3. Is the firm a subsidiary, parent, holding company or affiliate of another construction firm?  
NOTE: Include information about other firms if one firm owns 50 percent 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 on a separate signed page.
- 4. Are any corporate officers, partners or owners connected to any other construction firms.  
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 on a separate signed page.
- 5. State your firm's gross revenues for each of the last three years:  
  
\_\_\_\_\_
- 6. How many years has your organization been in business in California as a contractor under your present business name and license number? \_\_\_\_\_ Years

**3 years or more = 2 points**  
**4 years = 3 points      5 years = 4 points**  
**6 years or more = 5 points**

7. Is your firm currently the debtor in a bankruptcy case?  
 Yes       No  
If "Yes," please attach a copy of the bankruptcy petition, showing the case number, and the date on which the petition was filed.

**"No" = 5 points      "Yes" = 0 points**

8. Was your firm 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 7, above)  
 Yes       No  
If "Yes," please attach a copy of the bankruptcy petition, showing the case number and the date on which the petition was filed, and a copy of the Bankruptcy Court's discharge order, or of any other document that ended the case, if no discharge order was issued.

**"No" = 5 points      "Yes" = 0 points**

### Licenses

9. List all California construction license numbers, classifications and expiration dates of the California contractor licenses held by your firm:

\_\_\_\_\_

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

\_\_\_\_\_

11. Has your firm changed names or license number in the past five years?

Yes       No

If "Yes," explain on a separate signed page, including the reason for the change.

12. Has any owner, partner or (for corporations:) officer of your firm operated a construction firm under any other name in the last five years?

Yes       No

If "Yes," explain on a separate signed page, including the reason for the change.

13. Has any CSLB license held by your firm or its Responsible Managing Employee (RME) or Responsible Managing Officer (RMO) been suspended within the last five years?

Yes       No

If "Yes," please explain on a separate signed sheet.

**"No" = 5 points      "Yes" = 0 points**

### Disputes

14. At any time in the last five years has your firm been assessed and paid liquidated damages after completion of a project under a construction contract with either a public or private owner?

Yes       No

If yes, explain on a separate signed page, identifying all such projects by owner, owner's address, the date of completion of the project, amount of liquidated damages assessed and all other information necessary to fully explain the assessment of liquidated damages.

**No projects with liquidated damages of more than \$50,000, or one project with liquidated damages = 5 points**

**Two projects with liquidated damages of more than \$50,000 = 3 points**

**Any other answer: no points**

15. In the last five years has your firm, or any firm with which any of your company'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 above.  
 Yes       No  
If "Yes," explain on a separate signed page. State whether the firm involved was the firm applying for pre-qualification here or another firm. Identify by name of the company, the name of the person within your firm who was associated with that company, the year of the event, the owner of the project, the project and the basis for the action.

**"No" = 5 points      "Yes" = 0 points**

16. In the last five years has your firm been denied an award of a public works contract based on a finding by a public agency that your company was not a responsible bidder?  
 Yes       No  
If "Yes," explain on a separate signed page. Identify the year of the event, the owner, the project and the basis for the finding by the public agency.

**"No" = 5 points      "Yes" = 0 points**

NOTE: The following two questions refer only to disputes between your firm and the owner of a project. You need not include information about disputes between your firm and a supplier, another contractor, or subcontractor. You need not include information about "pass-through" disputes in which the actual dispute is between a subcontractor and a project owner. Also, you may omit reference to all disputes about amounts of less than \$50,000.

17. In the past five years has any claim **against** your firm concerning your firm's work on a construction project been **filed in court or arbitration**?  
 Yes       No  
If "Yes," on separate signed sheets of paper 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).

***If the firm's average gross revenue for the last three years was less than \$50 million, scoring is as follows:***

***5 points for either "No", or "Yes" indicating 1 such instance (of any claim against your firm).***

***3 points for "Yes" indicating 2 such instances.***

***0 points for "Yes" if more than 2 such instances.***

***If your firm's average gross revenue for the last three years was more than \$50 million, scoring is as follows:***

***5 points for either "No", or "Yes" indicating 1, 2, or 3 such instances.***

***3 points for "Yes" indicating either 4 or 5 such instances.***

***0 points for "Yes" if more than 5 such instances.***

18. In the past five years has your firm made any claim 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," on separate signed sheets of paper 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).

**If your firm's average gross revenues for the last three years was less than \$50 million, scoring is as follows:**

**5 points for either "No", or "Yes" indicating 1 such instance.**

**3 points for "Yes" indicating 2 such instances.**

**0 points for "Yes" if more than 2 such instances.**

**If your firm's average gross revenue for the last three years was more than \$50 million, scoring is as follows:**

**5 points for either "No", or "Yes" indicating 1, 2, or 3 such instances.**

**3 points for "Yes" indicating either 4 or 5 such instances.**

**0 points for "Yes" if more than 5 such instances.**

19. At any time during the past five years, has any surety company made any payments on your firm's behalf as a result of a default, to satisfy any claims made against a performance or payment bond issued on your firm's behalf, in connection with a construction project, either public or private?

Yes       No

If "Yes," explain on a separate signed page the amount of each such claim, the name and telephone number of the claimant, the date of the claim, the grounds for the claim, the present status of the claim, the date of resolution of such claim if resolved, the method by which such was resolved if resolved, the nature of the resolution and the amount, if any, at which the claim was resolved.

**5 points for either "No", or "Yes" indicating 1 such claim.**

**3 points for "Yes" indicating no more than 2 such claims.**

**Subtract five points for "Yes" if more than 2 such claims.**

20. In the last five years has any insurance carrier, for any form of insurance, refused to renew the insurance policy for your firm?

Yes       No

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

**5 points for either "No", or "Yes" indicating 1 such instance.**

**3 points for "Yes" indicating 2 such instances.**

**0 points for "Yes" if more than 2 such instances.**

### **Criminal Matters and Related Civil Suits**

21. Has your firm 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

If "Yes," explain on a separate signed page, including identifying who was involved, the name of the public agency, the date of the investigation and the grounds for the finding.

**"No" = 5 points**

**"Yes" = subtract 5 points**

22. Has your firm 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

If "Yes," explain on a separate signed page, including identifying who was involved, the name of the public agency, the date of the conviction and the grounds for the conviction.

**"No" = 5 points      "Yes" = subtract 5 points**

23. Has your firm 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

If "Yes," identify on a separate signed page the person or persons convicted, the court (the county if a state court, the district or location of the federal court), the year and the criminal conduct.

**"No" = 5 points      "Yes" = subtract 5 points**

### **Bonding**

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

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

Name of surety agent, address and telephone number:

\_\_\_\_\_

25. If your firm was required to pay a premium of more than one percent for a performance and payment bond on any project(s) on which your firm worked at any time during the last three years, state the percentage that your firm was required to pay. You may provide an explanation for a percentage rate higher than one percent, if you wish to do so.

\_\_\_\_\_

**5 points if the rate is no more than one percent.**

**3 points if the rate is no more than 1.10 percent.**

**0 points for any other answer.**

26. 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:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

27. During the last five years, has your firm 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, provide details on a separate signed sheet indicating the date when your firm was denied coverage and the name of the company or companies which denied coverage; and the period during which you had no surety bond in place.

**"No" = 5 points      "Yes" = 0 points**

### **C. Compliance with Occupational Safety and Health Laws and with Other Labor Legislation Safety Requirements**

28. Has CAL OSHA cited and assessed penalties against your firm for any “serious,” “willful” or “repeat” violations of its safety or health regulations in the past five years?

NOTE: If you have filed an appeal of a citation, and the Occupational Safety and Health Appeals Board has not yet ruled on your appeal, you need not include information about it.

Yes  No

If “Yes,” attached a separate signed page describing 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.

***If your firm’s average gross revenues for the last three years was less than \$50 million, scoring is as follows:***

***5 points for either “No”, or “Yes” indicating 1 such instance.***

***3 points for “Yes” indicating 2 such instances.***

***0 points for “Yes” if more than 2 such instances.***

***If your firm’s average gross revenue for the last three years was more than \$50 million, scoring is as follows:***

***5 points for either “No”, or “Yes” indicating 1, 2, or 3 such instances.***

***3 points for “Yes” indicating either 4 or 5 such instances.***

***0 points for “Yes” if more than 5 such instances.***

29. Has the federal Occupational Safety and Health Administration cited and assessed penalties against your firm 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,” attach a separate signed page describing each citation.

***If your firm’s average gross revenues for the last three years was less than \$50 million, scoring is as follows:***

***5 points for either “No”, or “Yes” indicating 1 such instance.***

***3 points for “Yes” indicating 2 such instances.***

***0 points for “Yes” if more than 2 such instances.***

***If your firm’s average gross revenue for the last three years was more than \$50 million, scoring is as follows:***

***5 points for either “No”, or “Yes” indicating 1, 2, or 3 such instances.***

***3 points for “Yes” indicating either 4 or 5 such instances.***

***0 points for “Yes” if more than 5 such instances.***

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

NOTE: If you have filed an appeal of a citation and the 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,” attach a separate signed page describing each citation.

***If your firm’s average gross revenues for the last three years was less than***

**\$50 million, scoring is as follows:**

**5 points for either "No", or "Yes" indicating 1 such instance.  
3 points for "Yes" indicating 2 such instances.  
0 points for "Yes" if more than 2 such instances.**

**If your firm's average gross revenue for the last three years was more than \$50 million, scoring is as follows:**

**5 points for either "No", or "Yes" indicating 1, 2, or 3 such instances.  
3 points for "Yes" indicating either 4 or 5 such instances.  
0 points for "Yes" if more than 5 such instances.**

31. How often do you require documented safety meetings to be held for construction employees and field supervisors during the course of a project?

\_\_\_\_\_

**5 points for an answer of once each week or more often.  
0 points for any other answer.**

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

Current year: \_\_\_\_\_ Previous year: \_\_\_\_\_ Year prior to previous year: \_\_\_\_\_

If your EMR for any of these three years is or was 1.00 or higher you may, if you wish, attach a letter of explanation.

**NOTE: An EMR is issued to your firm annually by your worker's compensation insurance carrier.**

**5 points for three-year average EMR of 0.95 or less.  
3 points for three-year average EMR of more than 0.95, but no more than 1.00.  
0 points for any other EMR.**

33. Within the last five years has there ever been a period when your firm had employees but was without workers' compensation insurance or state-approved self-insurance?  
 Yes       No  
If "Yes," please explain the reason for the absence of workers' compensation insurance on a separate signed page. If "No," please provide a statement by your current workers' compensation insurance carrier that verifies periods of workers' compensation insurance coverage for the last five years. (If your firm has been in the construction business for less than five years, provide a statement by your workers' compensation insurance carrier verifying continuous workers' compensation insurance coverage for the period that your firm has been in the construction business.)

**5 points for either "No", or "Yes" indicating 1 such instance.  
0 points for any other answer.**

### **Prevailing Wage and Apprenticeship Compliance Record**

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

NOTE: This question refers only to your own firm's violation of prevailing wage laws, not to violations of the prevailing wage laws by a subcontractor.

Yes       No

If "Yes," attach a separate signed page or pages, describing the nature of each violation, identifying the name of the project, the date of its completion, the public agency for which it was constructed; the number of employees who were initially underpaid and the amount of back wages and penalties that you were required to pay.

***If your firm's average gross revenues for the last three years was less than \$50 million, scoring is as follows:***

***5 points for either "No", or "Yes" indicating either 1 or 2 such instances.  
3 points for "Yes" indicating 3 such instances.  
0 points for "Yes" if more than 3 such instances.***

***If your firm's average gross revenue for the last three years was more than \$50 million, scoring is as follows:***

***5 points for either "No", or "Yes" indicating no more than 4 such instances.  
3 points for "Yes" indicating either 5 or 6 such instances.  
0 points for "Yes" if more than 6 such instances.***

35. During the last five years, has there been more than one occasion in which your own firm 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," attach a separate signed page or pages describing 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.

***If your firm's average gross revenues for the last three years was less than \$50 million, scoring is as follows:***

***5 points for either "No", or "Yes" indicating either 1 or 2 such instances.  
3 points for "Yes" indicating 3 such instances.  
0 points for "Yes" if more than 3 such instances.***

***If your firm's average gross revenue for the last three years was more than \$50 million, scoring is as follows:***

***5 points for either "No", or "Yes" indicating no more than 4 such instances.  
3 points for "Yes" indicating either 5 or 6 such instances.  
0 points for "Yes" if more than 6 such instances.***

36. Provide the name, address and telephone number of the apprenticeship program (approved by the California Apprenticeship Council) from whom you intend to request the dispatch of apprentices to your company for use on any public work project for which you are awarded a contract by District.

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***5 points if at least one approved apprenticeship program is listed.  
0 points for any other answer.***

37. If your firm operates its own State-approved apprenticeship program:
- (a) Identify the craft or crafts in which your firm provided apprenticeship training in the past year.
  - (b) State the year in which each such apprenticeship program was approved, and attach evidence of the most recent California Apprenticeship Council approval(s) of your apprenticeship program(s).
  - (c) 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.

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**5 points if one or more persons completed an approved apprenticeship while employed by your firm.**

**0 points if no persons completed an approved apprenticeship while employed by your firm.**

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

NOTE: You may omit reference to any incident that occurred prior to January 1, 1998, if the violation was by a subcontractor and your firm, as general contractor on a project, had no knowledge of the subcontractor'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).

**If your firm's average gross revenues for the last three years was less than \$50 million, scoring is as follows:**

**5 points for either "No", or "Yes" indicating either 1 or 2 such instances.**

**3 points for "Yes" indicating 3 such instances.**

**0 points for "Yes" if more than 3 such instances.**

**If your firm's average gross revenue for the last three years was more than \$50 million, scoring is as follows:**

**5 points for either "No", or "Yes" indicating no more than 4 such instances.**

**3 points for "Yes" indicating either 5 or 6 such instances.**

**0 points for "Yes" if more than 6 such instances.**

### **PART III. RECENT PROJECTS COMPLETED IN TIDAL MARSH SHORELINE AREAS**

39. Contractor shall use the Project Data Sheet template on the following page to provide information on a minimum of two (2) projects (one data sheet per project) it has completed within the last ten years that are adjacent to or within the tidal marsh of San Francisco Bay or environments similar to San Francisco Bay, and are comparable to the Project in terms of technical and special status species habitat considerations. In the contractor's description of the project, contractor is encouraged to discuss experience on projects that involved multiple local jurisdictions and stakeholders. Failure to meet these requirements will deem the contractor disqualified. Names and references must be current and verifiable.

Name of Contractor \_\_\_\_\_

PROJECT DATA SHEET (One Form Per Project)

For all responses requiring additional space, use up to two pages appended to this sheet, per data sheet

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

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

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

Owner Contact (name and current phone number)

\_\_\_\_\_

Construction Manager (name and current phone number):

\_\_\_\_\_

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

Was Project Completed within the original bid price: \_\_\_\_\_

Was any demand made on the surety of any required bonds; if so please explain:

\_\_\_\_\_

Project Start Date: \_\_\_\_\_

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

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

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

If this project would have resulted in a "Yes" response to any of the questions in the Disputes section above (Questions 14-20), please provide details here, as directed by that question:

\_\_\_\_\_

Description of Project, Scope of Work Performed

\_\_\_\_\_

PRE-QUALIFICATION DECLARATION

I, \_\_\_\_\_, hereby declare that I am  
(Printed Name)

\_\_\_\_\_ of \_\_\_\_\_  
(Title) (Name of Firm)

and I am submitting this INFORMATION Questionnaire; I am duly authorized to sign this INFORMATION Questionnaire on behalf of the above named firm; and I have read all the foregoing answers and know all of their contents and that all information set forth in this INFORMATION Questionnaire and all attachments hereto are, to the best of my knowledge, true, accurate and complete as of its submission date.

The undersigned certifies and declares under penalty of perjury under the laws of the State of California, that the foregoing is true and correct and that this declaration was executed in

San Mateo County, California, on \_\_\_\_\_.  
(Date)

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