













2. The District reserves the right to verify the information submitted by the Applicant, in any related documents, or by supplemental information or data as necessary. If it is determined that false information or data was submitted in conjunction with the Application, the District may deny Pre-Qualification, revoke previously granted approval, or, if an award has been made, may terminate the contract.
3. All costs associated with completion of the Application shall be borne by the Applicant. The District shall not, in any event, be liable for any expense incurred by the Applicant in connection with the preparation, completion or submission of the Application.
4. The District reserves the right to extend the Application submission deadline if such action is determined to be in the best interest of the District.
5. The District's Contracts Management Office has access to all information provided on the Application, related documents, and supplemental data. Should information or data provided in the Application indicate possible fraud, collusion, or intentional submission of false information, the matter may be referred to the District's Legal Counsel for further review and possible investigation independent of the Pre-Qualification process.
6. If the Applicant displays a significant lack of cooperation in facilitating verification of its information or providing data, the District, at its sole discretion, may deny the firm Pre-Qualification approval and declare the Applicant's bid or proposal to be non-responsive for the specific procurement.
7. The financial information submitted in conjunction with the Applicant's Application is considered confidential business information and will be afforded protection by the District to the fullest extent permitted by law.
8. Any dispute arising out of this Application or relating to Pre-Qualification in general shall be heard and determined in the Superior Court of the State of California, County of Los Angeles, or in the United States District Court for the Central District of California. If an action is commenced against the District in jurisdictions other than the above courts, and the District is forced to compel compliance with this provision through court action, Applicant and its owners shall be liable for all expenses, including attorney's fees, incurred by the District in its effort to compel compliance.
9. The District reserves the right to revise the Application and instructions in whole or in part at any time.
10. The Pre-Qualification of a prospective Applicant shall neither limit nor preclude the District's subsequent consideration of a Pre-Qualified Applicant's



responsibility on factors other than the prospective Applicant's financial qualifications. (See Public Contracts Code § 20651.5.)

### ***Definitions***

**Affiliate** is defined as any one of the following: (1) any person other than Applicant which owns 25% or more of Applicant, such as parent companies or holding companies; (2) a subsidiary or a firm in which Applicant owns 25% or more; (3) a firm with which Applicant has or has had an unseverable business or professional identity; and (4) any permanent or temporary common business enterprise relationship in which the parties share operating responsibility and profits (such as or joint ventures).

**Key Person** is defined as any one of the following: (1) any person who owns 5% or more of the Applicant and/or those who make decisions with respect to its operations, finances, or policies, such as the President, CEO, CFO, COO, and in the case of partnerships, the General Partner(s); (2) Corporate Secretaries and Treasurers, as well as Directors, if they meet criteria #1, above; and (3) Division or Regional Business Managers who operate away and independently from the Applicant, but only if the division or regional office is bidding directly with the District.

**Organizational Conflict of Interest** means a situation in which performance of a previous or current contract with the District may provide the Applicant with an unfair competitive advantage, or the Applicant or any Affiliate has a relationship, which could adversely affect the Applicant's ability to fully perform the contract and concurrently to protect the best interests of the District.

**Owners** are defined as any person or other legal entity who owns 5% or more of the Applicant and who exercise a certain degree of control in the day-to-day operations, finances or policies. For the purpose of this Application, shareholders of publicly traded companies are excluded, provided they do not participate in the day-to-day management of the firm.

**Project Team Members** are those employees of the firm who will be directly involved in the execution and management of the project.

**Personal Conflict of Interest** means a business or financial interest of any Key Person that could adversely affect the ability of the individual to fully perform the contract in a manner consistent with the best interests of the District.

***Review this document carefully to ensure that all information to each question is complete and accurate. For questions and assistance call the District's Contractor Pre-Qualification Administrators at (626) 685-6989***

**DISTRICT CONTRACTOR AND VENDOR  
PRE-QUALIFICATION APPLICATION**

Check box if application is for “general” procurement consideration

*If application is for a specific project/bid procurement:*

Name of Procurement: \_\_\_\_\_

Procurement Number (If known): \_\_\_\_\_

Name of Applicant: \_\_\_\_\_  
(As it appears on License)

Tax ID No. or SSN \_\_\_\_\_

Date Submitted: \_\_\_\_\_

Preparer's Name: \_\_\_\_\_

***Note:***

***If this Application is being submitted in response to a Request for Proposal (RFP), Invitation for Bid (IFB), or other procurement action, please reference the RFP or IFB name and number in the spaces provided above.***

***If this Application is not in response to a specific contracting action and is being submitted for general purposes, please check mark the box above.***

**PART I: GENERAL INFORMATION** (5 possible points)

*Identification of Applicant*

1. \_\_\_\_\_  
Exact Legal Name of Applicant

2. \_\_\_\_\_  
Address City State Zip Code

3. \_\_\_\_\_  
(Mailing Address, if different from above)

4. \_\_\_\_\_  
(If doing business with the District under a DBA or other name, include name and tax ID No., if different)

5. Primary (Main) Telephone No. ( ) Fax No. ( )

6. Applicant's Contact Person for Pre-Qualification Office follow-up:

\_\_\_\_\_  
Name Position Telephone Number

7. Has the Applicant changed its address or has the Applicant or its owner operated under any other name(s) including other DBAs in the past five years? If yes, explain fully on a separate sheet of paper.  
 No  Yes

8. Type of business organization: \_\_\_\_\_

YEAR organization established: \_\_\_\_\_ NUMBER of current employees: \_\_\_\_\_

Sole Proprietor  Corporation  
[Date and State of Incorporation] \_\_\_\_\_

Limited Partnership  General Partnership  
[Date and State of Partnership filing] \_\_\_\_\_

Limited Liability Company  Limited Liability Partnership  
[Date and State of filing] \_\_\_\_\_

Other (describe) \_\_\_\_\_

9. List general type of business in which Applicant is engaged (may include more than one).

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10. List type of product or service to be provided to the District.

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

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12. Dun & Bradstreet Number: \_\_\_\_\_

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## **PART II: ESSENTIAL REQUIREMENTS FOR CONTRACTOR PRE-QUALIFICATION** *(27 possible points)*

*Note: Contractor will be immediately disqualified if the answer to any of questions 1 through 5 is “no.” Contractor will be immediately disqualified if the answer to any of questions 6, 7, or 9 is “yes.” If the answer to question 8 is “yes,” and if debarment would be the sole reason for denial of Pre-Qualification, any Pre-Qualification will exclude the debarment period.*

1. Applicant possesses a valid and current California Contractor’s or Business license for the project or projects for which it intends to submit a bid.  
 No                       Yes
  
2. Applicant has a liability insurance policy with a policy limit of at least \$1,000,000 per occurrence and \$2,000,000 aggregate.  
 No                       Yes
  
3. Applicant has workers’ compensation insurance policy as required by the Labor Code or is legally self-insured pursuant to Labor Code section 3700 et al. seq.  
 No                       Yes                       Exempt (No Employees)
  
4. Applicant has attached the latest three years of financial statements with accompanying notes and supplemental information.  
 No                       Yes
  
5. Applicant has attached a notarized statement including current available bonding capacity from an admitted surety insurer (approved by the California Department of Insurance) that is authorized to issue bonds in the State of California. (Note: statement required from surety company, not agent or broker.)  
 No                       Yes
  
6. Has your contractor or business license been revoked at any time in the last five years?  
 No                       Yes
  
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?  
 No                       Yes
  
8. Has your firm ever been 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?  
 No                       Yes

If the answer is "Yes" to question number 8 above, 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?
- No                       Yes

**PART III: OWNERSHIP/MANAGEMENT, PROJECT TEAM MEMBERS AND RELATED ENTITIES** *(un-scored section)*

**1. Owners/Key Persons**

List Owners and Key Persons of Applicant (See Definitions). For large publicly traded companies, list only Key Persons. Attach resumes (project titles).

Full Legal Name	Title	% of Ownership

[Use additional sheets if necessary]

**2. Experience of Owners and Partners**

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 five (5) percent or more of a business, or five (5) percent or more of its stock, if the business is a corporation.*

Person’s Name	Construction Firm	Participation Dates

[Use additional sheets if necessary]

**3. Related Entities (Affiliates, Subsidiaries, Joint Ventures)**

List Affiliates, subsidiaries, holding companies, joint ventures, etc., of Applicant. If no affiliates, state "NONE." (N/A is not an acceptable answer.) Include the name of the Affiliate, address, telephone number, and percentage of ownership. Also, list the top executive of Affiliate. Provide organizational, geographical or functional chart, if it would assist in clarifying the line(s) of authority.

Affiliate Name & Address	Telephone	% Owned	Top Executive's Name	*Type of Relationship

\*Type of Relationship: Joint Venture (JV) ; Parent Co (PC); Holding Co (HC); Subsidiary (S); or, Other (O). If Other, please explain.

**PART IV: CONTRACTING HISTORY** (137 possible points)

**1. Contracting History** (77 possible points)

List the Applicant's three largest *completed* government contracts, subcontracts, or sales within the past five (5) years of \$3,500,000 or more. If none, list the three largest *completed* contracts with non-governmental entities within the past 5 years.

The District will contact the below listed references to ascertain whether the stated information is true and correct; other questions pertaining to performance history on the contract will also be obtained. Where an applicant fails to score a minimum of 18 points in any one of the three reference checks listed below, the District, in its discretion, may reject the applicant. Please note: reference interviews provided to the District are kept strictly confidential and responses to interview questions will not be shared with the Applicant, unless the Applicant obtains written/signed authorization from the listed reference.

	1	2	3
Agency/Owner			
Contract No.			
Name/Location			
Describe Goods or Services			
Prime (P) or Subcontractor (S)			
Start Date/ Completion Date			
Contract Amount			
Agency/Owner Contact Name & Telephone No.			
Internal Office Use:	Verified on/by: Score:	Verified on/by: Score:	Verified on/by: Score:

**2. PERFORMANCE HISTORY** (12 possible points)

In the last five (5) years, has the Applicant or any Affiliate ever been the subject of any of the following actions?

- a. Been suspended, debarred, disqualified, or otherwise declared ineligible to bid?  
 No  Yes
- b. Failed to complete a contract for a commercial or private owner?  
 No  Yes
- c. Had a contract terminated for any reason, including default?  
 No  Yes
- d. Had liquidated damages assessed against it during or after completion of a contract?  
 No  Yes

*For each "Yes" to questions 3-9, provide details including a brief summary of cause(s) of action; indicate if Applicant, Key Person or Affiliate were plaintiffs (P) or defendants (D); and define charges explicitly, by what authority, court or jurisdiction, etc. Complete details are required! (Attach separate sheets as required.)*

**3. Lawsuits with Public Agencies** (3 possible points)

During the past five (5) years has the Applicant, any of its Key Persons, or any Affiliate been a plaintiff or defendant in any lawsuit regarding services or goods provided to any public agency?

- No  Yes

**4. Bankruptcy** (3 possible points)

Has the Applicant or any Affiliate filed for bankruptcy or reorganization under the bankruptcy laws?

- No  Yes

**5. Judgments, Liens and Claims** (3 possible points)

During the past five years, has the Applicant been the subject of a judgment, lien or claim of \$25,000 or more by a subcontractor or supplier?

- No  Yes

**6. Tax Liens** (3 possible points)

Has the Applicant been the subject of a tax lien by federal, state or any other tax authority?

- No  Yes

**7. Criminal Violations** (9 possible points)

Has the Applicant, any of its Key Persons, or Affiliates:

- a. Been the subject of an investigation involving any alleged violation of criminal law?  
 No                       Yes
  
- b. Has the Applicant 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?  
 No                       Yes
  
- c. Has the Applicant 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 related to construction?  
 No                       Yes

**8. Bonding Capacity** (6 possible points)

- a. Provide documentation from your surety identifying the following:

Name of bonding company/surety:

\_\_\_\_\_

Name of surety agent, address and telephone number:

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

Current bonding capacity: \_\_\_\_\_

- b. Has the Applicant been required to pay a premium of more than one percent for a performance and payment bond on any project(s) during the last three years?  
 No                       Yes
  
- c. State the percentage (or range of percentages) paid. \_\_\_\_\_%
  
- d. List all other sureties (name and full address) that have written bonds for the Applicant during the last five years, including the dates during which each wrote the bonds:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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- e. During the last five years, has the Applicant ever been denied bond coverage by a surety company, or has there ever been a period of time when Applicant had no surety bond in place during a public construction project when one was required?
- No                       Yes

**9. Compliance with Prevailing Wages & Apprenticeship Requirements**  
(6 possible points)

- a. Has there been more than one occasion during the last five years in which the Labor Commissioner has issued a wage and penalty assessment against the Applicant for either back wages or penalties for the failure to comply with prevailing wage laws?

*NOTE: This question refers the Applicant's violation of prevailing wage laws, not to violations of the prevailing wage laws by a subcontractor.*

- No                       Yes

- b. During the last five years, has the Applicant been found to have violated any provision of California apprenticeship laws or regulations, or the laws pertaining to use of apprentices on public works projects?

*NOTE: You may omit reference to any incident that occurred prior to January 1, 1998, if the violation was by a subcontractor and in the role of prime on a contract, you had no knowledge of the subcontractor's violation(s) at the time of occurrence.*

- No                       Yes

**10. Compliance with Occupational Safety and Health Laws and With Other Labor Legislation Safety** (15 possible points)

- a. Has CAL OSHA cited and assessed penalties against the Applicant for any "serious," "willful" or "repeat" violations of its safety or health regulations in the past five years?

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

- No                       Yes

- b. Has the federal Occupational Safety and Health Administration cited and assessed penalties against the Applicant in the past five years?

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

No                       Yes

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

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

No                       Yes

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

No                       Yes

- e. Your workers' compensation insurance carrier issues an Experience Modification Rate to your firm annually. Please provide your Experience Modification Rate (EMR) (California workers' Compensation insurance) for each of the past three premium years:

Year			
Rating			

If your EMR for any of these three years is or was 1.00 or higher, please attach a letter of explanation. *A contractor with an EMR of 1.25% or more may be denied pre-qualification status.*

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

No                       Yes

**PART V – ETHICS** (33 possible points)

**1. False Statements, Bribes, Collusion** (24 possible points)

Has the Applicant, any of its key persons, or affiliates been convicted of the following?

- a. Filed with a governing body (including the District) or submitted to a government employee (including a District employee) any form of document known by the Applicant, any of its Key Persons, or by the person submitting the document, to contain false information?  
 No                       Yes
  
- b. Created or maintained false business records?  
 No                       Yes
  
- c. Given, or offered to give, money or any other benefit to a public official or employee with intent to influence that person regarding any of their official acts, duties or decisions?  
 No                       Yes
  
- d. Given, or offered to give, money or other benefit to an official or employee of a private business with intent to induce that official or employee to engage in unethical or illegal business activities, including but not limited to improper gratuities, and/or violations of lobbying regulations?  
 No                       Yes
  
- e. Agreed with another to bid below prevailing market rate?  
 No                       Yes
  
- f. Agreed with another to submit identical or complimentary bids or otherwise not to bid competitively?  
 No                       Yes
  
- g. Agreed with another not to submit competitive bids in another's territory established either by geography or customers?  
 No                       Yes
  
- h. Agreed with another to take turns in obtaining contracts by pre-determining which firm shall submit the lowest bid?  
 No                       Yes

**2. Conflicts of Interest** (9 possible points)

a. Does the Applicant or any of its Key Persons have any existing relationships that could be construed as either personal or organizational conflicts of interest, or which would give rise to a conflict if Applicant should be a recipient of a contract with the District?

No  Yes

b. Has any Owner, Key Person or Project Team member of Applicant ever:

1. Been an employee of the District, or served as a Member of the District Board of Trustees or as an Alternate?

No  Yes

2. Been related by blood or marriage to a District employee, District Board Member or Alternate?

No  Yes

## **PART VI - ADDITIONAL DOCUMENTATION REQUIRED**

Please attach the following information:

- 1. Applicant's current business licenses and contractor's license.
- 2. Applicant's financial statements (see specific requirements below):
  - a. Publicly traded companies: annual reports for the most recent three (3) years.
  - b. Non-publicly traded companies with audited or reviewed financial statements: statements, including balance sheet, statement of earnings and retained income, with footnotes, for the most recent three years.
  - c. Non-publicly traded companies without audited or reviewed financial statements: company generated financial statements, including balance sheet, statement of earnings and retained income for the last three years signed by the CEO or President, and copies of the company's last three years income tax returns.
  - d. Sole proprietorships: the last three years of the owner's personal tax returns (Schedule C) and financial statements for corresponding period signed by the owner.
- 3. Pre-Qualification Certification Form
- 4. Notarized bonding letter from a surety company stating the Applicant's *single project* bonding capacity

## PRE-QUALIFICATION CERTIFICATION FORM

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

The Applicant recognizes that the information submitted in the questionnaire herein is for the express purpose of inducing the District to award a contract, or to allow the Applicant to participate in District projects as contractor, subcontractor, vendor, or supplier. The Applicant has read and understands the requirements of the program as described in the " Pre-Qualification Program" which was sent out with this Application, and has read and understands the instructions for completing this form. The Applicant acknowledges that he/she is duly authorized to provide the information contained in this Application and that answering the questions in this Application is entirely within his/her control.

### DECLARATION

I, \_\_\_\_\_ (printed name) \_\_\_\_\_ am \_\_\_\_\_ the title) \_\_\_\_\_ of the Applicant. I certify that I have read and understood the questions contained in the attached Application, and that to the best of my knowledge and belief all information contained herein and submitted concurrently or in supplemental documents with this Application is complete, current, and true. I further acknowledge that any false, deceptive or fraudulent statements on the Application will result in denial of Pre-Qualification status.

I authorize the District to contact any entity named herein, or any other internal or outside resource, for the purpose of verifying information provided in the questionnaire or to develop other information deemed relevant by the District.

\_\_\_\_\_  
Signature of Preparer of this Application

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Officer Authorized to Legally Bind the Applicant

\_\_\_\_\_  
Date

### NOTICE TO APPLICANTS

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

## PRE-QUALIFICATION VALIDATION FORM

*Submission of this Validation Form is only required once the Pre-Qualified Applicant submits a bid/proposal to the District.*

*This Validation Form must be submitted for each bid or proposal and be completed and signed by at least one General Partner, Owner, Principal or Officer authorized to legally commit the Applicant.*

*This Validation Form must be submitted ten (10) days prior to the bid or proposal due date. The pre-qualified firm must certify that the information contained in the most recently submitted Application has not changed, and must list contact information for all current projects that are affecting their aggregate bonding capacity at the time of the new bid. If it determined that the firm's aggregate bonding capacity will be surpassed with the submittal of the new bid, the District may reject the firm's bid. Likewise, if the Application information has changed an evaluation of the new information could result in the change in Pre-Qualification status of the Applicant. If the Pre-Qualification status is denied, bidder or proposer will be considered non-responsive.*

RFP or IFB Name and Number

\_\_\_\_\_

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

I hereby state:

### ***DECLARATION 1***

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

OR

The Pre-Qualification Application dated \_\_\_\_\_ on file with District is correct and current as submitted, except as modified by the attached changed pages and/or attachments to said Application. (Applicant may attach additional sheets to describe changes). Attach recent financial statements if previous are more than one year old.

***DECLARATION 2***

The below listed construction projects are the only projects that affect the firm's aggregate bonding capacity at the time that bid (Name/Number: \_\_\_\_\_ ) is being submitted.

Agency/Owner	Agency/Owner Contact Person & Phone Number	Project Name / Contract #	Description of Services Provided	Prime (P) or Subcontractor (S)	Start Date / Completion Date	Contract Amount

By signing below I attest that all information on this Validation Form is true and correct.

\_\_\_\_\_  
 Signature of Person Certifying for Applicant/Bidder

\_\_\_\_\_  
 Date