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**PREQUALIFICATION APPLICATION  
FOR  
GENERAL CONTRACTORS  
SEEKING TO BID ON  
FLUORIDATION AT WATER TREATMENT  
PLANTS PROJECT**

**Project No. 93084011**

**Deadline to Submit Prequalification Application:**

**August 28, 2015  
at 2:00PM**



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## 1. NOTICE OF REQUEST FOR PREQUALIFICATION

- A. Notice is hereby given that the District has determined that all contractors wishing to bid on the Fluoridation at Water Treatment Plants Project (Project) must be prequalified prior to submitting a bid on the Project. A current Class A California Contractor's License is required to bid on the Project. Bids will not be accepted from any contractor that has failed to comply with these requirements. The District reserves the right to solicit bids for the Project without requiring prequalification, and not to proceed with awarding a contract for this Project.
- B. Project Description: the Project consists of construction of the fluoridation (fluorosilicic acid) facilities and chemical feed systems at Penitencia (PWTP) and Santa Teresa (STWTP) Water Treatment Plants, relocation of the ozone quenching agent (calcium thiosulfate) facility at the PWTP, and associated site improvements. The District estimates the construction cost for this Project to be approximately \$4.0 - \$4.5 million.
- C. Application Submission: the fully completed Prequalification Application must be submitted in a sealed envelope marked—**CONFIDENTIAL—Prequalification Application, Fluoridation at Water Treatment Plants Project** addressed to Beth Redmond, Capital Program Planning and Analysis Unit Manager, Santa Clara Valley Water District, 5750 Almaden Expressway, San Jose, California 95118, no later than 2 p.m. on **August 28, 2015**. It is the sole responsibility of the contractor to ensure that their Prequalification Application is received no later than the stated deadline.

Contractors electing to submit Prequalification Applications by FEDEX, UPS, DHL, CA Overnight, Golden State Overnight etc., must address the outside delivery envelope as follows:

Santa Clara Valley Water District  
**Attention: Beth Redmond - Prequalification Application, Fluoridation at Water Treatment Plants Project (CONFIDENTIAL)**  
5905 Winfield Boulevard  
San Jose, CA 95123-2428

**Note:** USPS (U.S. Mail) does not deliver to 5905 Winfield Boulevard

- D. Prequalification Conference and Site Visit: a prequalification conference/site visit will be conducted by the District on **August 12, 2015**. The conference will convene at **10:00 a.m.** at PWTP, followed by a site visit at STWTP, both in San Jose, California. For contractors who will be submitting a Prequalification Application, attendance at the prequalification conference/site visit is:

Mandatory       Optional

The Prequalification Conference will begin with the District's presentation about the Project and will be followed with a site visit. The objective of the site visit is to familiarize contractors with the site. No additional conferences or site visits will be conducted or allowed. Due to security reasons, any contractor interested in attending the prequalification conference/site showing should call the District Plan Room no later than 24 hours in advance at (408) 630-3088, or send an e-mail to [scvwdplanroom@valleywater.org](mailto:scvwdplanroom@valleywater.org) and provide the name(s) of each person and their organization who will be attending the prequalification conference/site showing. Each person will be required to show a photo ID (CA Driver's License, CA Photo ID, passport) and obtain a visitor's badge. Photography within the facility is restricted. Photos are subject to review by security and/or District personnel before being allowed to leave the premises. Contractors must be escorted by District personnel while on the premises.

Reasonable efforts will be made to accommodate persons with disabilities wishing to attend the prequalification conference/site visit. Please request accommodations when confirming attendance.

- E. The Prequalification Application and reference documents for General Contractors seeking to prequalify on the Fluoridation at Water Treatment Plants Project can be obtained through the District's website: <http://www.valleywater.org/Programs/Construction.aspx>. The 90% design submittal documents will be available in electronic (pdf) format only and will be transferred via the file transfer protocol (FTP) site. The documents contain confidential information and will be made available for review only after the Contractor completes and executes the Request for Plans & Specs with Non-Disclosure Agreement (NDA). All communications related to this Prequalification Process, including addenda, will only be issued to the e-mail address provided on the Prequalification Participant List; all addenda will be posted on District's website. To be included on the Prequalification Participant List, prospective applicants must notify the District by e-mailing [scvwdplanroom@valleywater.org](mailto:scvwdplanroom@valleywater.org).

The District will notify contractors that submit a Prequalification Application of proposed prequalification ratings. A list of proposed prequalified ratings will be posted to the District website. The District reserves the right to not make prequalification determination(s) as to any or all contractors submitting a completed Prequalification Application.

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## 2. SUMMARY OF WORK

The objective of the Fluoridation at Water Treatment Plants Project is to construct fluoridation (fluorosilicic acid) facilities at PWTP and STWTP. STWTP is a 100 MGD (million gallons per day) drinking water treatment plant located in south San Jose, CA. PWTP is a 40 MGD drinking water treatment plant located in east San Jose, CA. The Project includes, but is not limited to, the following major components:

### At PWTP:

1. Decommission the Potassium Permanganate (PP) Facility.
2. Relocate the Ozone Quenching Agent (OQA) Facility to the building that housed the PP Facility. Work includes, but is not limited to, installation of storage tank, chemical feed systems, piping, appurtenances, and instrumentation.
3. Construct new Fluorosilicic Acid (FSA) Facility in the building that housed the OQA Facility. Work includes, but is not limited to, installation of storage tanks, chemical feed systems, piping, appurtenances, and instrumentation.
4. Install FSA chemical trench, single and double contained piping, appurtenances, and leak detection system.
5. Install OQA single and double contained piping.
6. Miscellaneous site improvements.

### At STWTP:

1. Construct new Fluorosilicic Acid (FSA) Storage Facility. Work includes, but is not be limited to, installation of storage tanks, piping, appurtenances, and instrumentation.
2. Install FSA chemical feed system in the existing Chemical Feed Room. Work includes, but is not limited to, installation of metering pumps, piping, appurtenances, instrumentation, and HVAC duct and exhaust hood.
3. Install FSA chemical trench, single and double contained piping, appurtenances, and leak detection system.
4. Miscellaneous site improvements.

The District anticipates awarding a contract in December 2015 for construction of this Project. The estimated construction duration is approximately 14 months. Both, STWTP and PWTP will remain operational during the construction period. The east side of STWTP will be fully removed from service for a period of approximately 2 weeks to allow for items of work including, but not limited to, placing of feed piping in the east filter and installation of a new fluoride injector in the east filter gallery. The west side of STWTP will be fully removed from service for a period of approximately 2 weeks to allow for installation of feed piping in the west filter and installation of a new fluoride injector in the west filter gallery.

Based on the construction duration allowed, this project will likely require multiple crews working simultaneously at each plant.

Reference documents regarding the Project, are available on the District's website:  
<http://www.valleywater.org/Programs/Construction.aspx>

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### 3. PREQUALIFICATION PROCESS SCHEDULE

**Notes:**

1. This Schedule supersedes all other dates referenced in the Prequalification Application.
2. All communications will be by e-mail to the e-mail address provided by the contractor.

Item No.	Activity	Timeline	Latest Date
1	Issuance of Prequalification Applications		July 31, 2015
2	Prequalification Conference/Site Visit	No later than 8 business days <i>after</i> issuance of Applications	August 12, 2015
3	Deadline to submit questions regarding the Prequalification Process, Application or Comparable Project Experience	No later than 10 business days <i>before</i> Applications are due	August 14, 2015
4	Last day for District to issue addenda	No later than 5 business days <i>before</i> Applications are due	August 21, 2015
5	Deadline to submit completed Prequalification Application with all required attachments	4 weeks <i>after</i> Issuance of Prequalification Applications	<b>2:00 p.m. August 28, 2015</b>
6	District notifies contractors of proposed prequalification rating and posts list of proposed prequalified contractors on website	No later than 10 business days <i>after</i> Applications are due	September 14, 2015
7	Deadline to request basis of proposed prequalification rating.	No later than 2 business days <i>after</i> ratings are posted	September 16, 2015
8	Deadline to appeal the District's proposed prequalification rating.	No later than 5 business days <i>after</i> ratings are posted	September 23, 2015
9	Appeals hearing(s) conducted by the District	No later than 5 business days <i>after</i> deadline to appeal	September 30, 2015
10	District issues appeals decision.	No later than 5 business days <i>after</i> appeals heard	October 7, 2015
11	District finalizes and posts list of prequalified contractors		October 8, 2015

### 4. GENERAL INSTRUCTIONS AND INFORMATION

#### A. General Information

1. All portions of the Prequalification Application, Contact Information and Affidavit and PARTS I. through V. must be completed with additional information attached if the space provided does not suffice. The Application must contain complete answers to questions contained in the Prequalification Questionnaire; information about current bonding capacity; notarized statement from an admitted surety; and the most recently reviewed or audited financial statements, with accompanying notes and supplemental information. **Failure to include the information called for will result in disqualification.**

It is essential that construction experience of the general contractor be demonstrated, as such experience is considered in establishing prequalification. The District's decision will be based on objective evaluation criteria.

2. By providing the Prequalification Application to the District the contractor acknowledges and agrees that the District may:
  - a. Verify and research all information submitted;
  - b. Conduct an independent investigation of the contractor's qualifications; and
  - c. Check other sources of information regarding the contractor.
3. The District reserves the right to adjust, increase, limit, suspend, or rescind the prequalification 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 below for appealing a prequalification rating.
4. Each questionnaire must be signed under penalty of perjury 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 District and provide updated accurate information in writing, under penalty of perjury.
5. It is the intent of the Prequalification Questionnaire and documents required therewith to assist the District in determining bidder responsibility prior to bid, and to aid the District in selecting the responsible bidder, submitting the lowest responsive bid. However, neither the fact of prequalification, nor any prequalification rating, will preclude the District from performing a separate post-bid evaluation 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 to be awarded a contract pursuant to the California Public Contract Code.

6. Contractors are advised that the act of providing a prequalification submittal is not, in itself, a guarantee that prequalification will be granted. The District reserves the right to waive minor irregularities and omissions in the information contained in the Prequalification Application submitted, and to make all final determinations.
7. 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 prequalified to bid.

**Notes:**

- a. Each entity of Joint Venture proposals must individually meet the conditions of prequalification requirements and the Contractor's License has not been suspended, put on probation or revoked at any time in the last five (5) years.
- b. Limited Liability Corporations (LLC) will be required to comply with a Guaranty of Obligations.

**B. Public Records Act Applicability**

1. The Prequalification Application (questionnaire answers, financial statements, and other required documents) including information obtained during PART III. Interviews 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 when necessary for purpose of verification, or investigation of substantial allegations, or in an appeal hearing.
2. State law requires that the names of contractors applying for prequalification status shall be public records subject to disclosure. The page of the Questionnaire that includes Contractor Contact Information and Affidavit will be used for that purpose.

### C. Application Submittal

1. Contractors must submit a completed Prequalification Application between 8 a.m. and 5 p.m. on any day that the District is open up to the deadline of 2 p.m., local time, **August 28, 2015**. Prequalification Applications will not be opened or reviewed until after the submission deadline. Contractors who submit a Prequalification Application will be notified of the District's Prequalification determination as per the Prequalification Process Schedule.
2. The District will not consider Prequalification Applications where the requested information and materials are not provided by the deadline. Failure to prequalify based on an incomplete or late Prequalification Application, cannot be appealed. The closing time for submission of Prequalification Applications will not be changed in order to accommodate supplementation of incomplete submissions, or late submissions.

**Note:** The District may determine a contractor not prequalified for:

- a. Omission of requested information or
- b. Falsification of information or
- c. Failure to provide updated material or corrected information.

### D. Reviewed or Audited Financial Information

1. The contractor must include the latest copy of its reviewed or audited Financial Statement. A Financial Statement that is not either reviewed or audited is not acceptable. The Financial Statement must be prepared by an Independent Certified Public Accountant and must be submitted with an Opinion Letter, signed by the Independent Certified Public Accountant, including a statement substantially similar to the following:
  - a. We have audited the accompanying financial statement of XYZ Company as of (*date*), and the related statements for the year ending (*date*). These financial statements are the responsibility of XYZ Company's management. Our responsibility is to express an opinion on these financial statements based on our audit.
  - b. We conducted our audit in accordance with generally accepted auditing standards. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

- c. In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of XYZ Company as of (*date*), and the results of its operations and its cash flows for the year then ended in conformity with generally accepted accounting principles.

### **E. Inquiries**

The Bidder must submit all questions regarding the Prequalification Process, Prequalification Application or concerns regarding Comparable Project Experience requirements in writing as identified in the Prequalification Process Schedule on page 5. Questions received after the deadline may not be answered.

Address all inquiries to Beth Redmond at:  
[scvwdplanroom@valleywater.org](mailto:scvwdplanroom@valleywater.org)

### **F. Addenda and Reference Documents**

1. The District may issue written addenda as appropriate for clarification or other purposes during the prequalification period. Addenda notification(s) will be sent to all contractors on the Prequalification Participant List at the e-mail address provided by the contractor. The addenda will be posted on the District's website: [www.valleywater.org/Programs/Construction.aspx](http://www.valleywater.org/Programs/Construction.aspx). The contractor is responsible for compliance with any and all addenda regardless if they receive notification or not.
2. Reference documents regarding the Project, if any, will be available on the District's website: [www.valleywater.org/Programs/Construction.aspx](http://www.valleywater.org/Programs/Construction.aspx). The District's actions and the contractor's obligations are as described above with regard to addenda.

### **G. Public Contract Code Section 20101**

1. In 1999, the Legislature enacted a law that allows many public agencies to require licensed contractors that wish to bid for public works jobs to prequalify for the right to bid on a specific public works project, or on public works projects undertaken by a public agency during a specified period of time. Public Contract Code section 20101 has the relevant provisions; it was enacted as part of Assembly Bill 574.
2. The law requires every public agency that creates either kind of prequalification procedure to:
  - a. Implement a "standardized questionnaire and financial statement in a form specified by the public entity" (section 20101[a]);

- b. Adopt and apply a uniform system of rating bidders on objective criteria, on the basis of the completed questionnaires and financial statements (Public Contract Code section 20101[b]); and
- c. Create an appeal procedure, by which a contractor that is denied prequalification may seek a reversal of that determination. (Public Contract Code section 20101[d]).

**H. Scoring of Prequalification Applications**

- 1. The District's scoring of Prequalification Applications will be based on objective evaluation criteria. Only contractors meeting the Minimum Requirements for all PARTS will receive a rating of prequalified. Prequalification will be determined based on the following requirements:

<b>Minimum Requirements</b>	
PART I. Essential Requirements	Qualified on all questions
PART II.A. and B. History and Organizational Performance	Minimum Score of 57 out of 76
PART II.C. H&S & Labor Law Compliance	Minimum Score of 38 out of 53
PART III. Quality of Performance (interview responses) *	Minimum Score of 72 out of 120 on each of the two interviews
PART IV. Comparable Project Experience	Minimum Score of 45 out of 89 on each of the four projects

\*At least one project with a minimum of 500 feet of double-containment piping must receive a qualifying score in PART III.

**I. Appeal Procedure**

- 1. Upon written request from the contractor, the District will provide the contractor with a written notification of the basis for the District's disqualification rating and any supporting evidence that has been received from others or adduced as a result of an investigation by the District.
- 2. If a timely and complete application results in a rating below that necessary to prequalify, an appeal can be made. To initiate an appeal, contractor must notify the District in writing appealing the prequalification rating. The request must be made no later than five (5) business day following the District's notification to the contractor of its prequalification determination. Failure to file a timely appeal waives any and all rights the contractor has to challenge the decision of the District, whether by administrative process, judicial process or any other legal process or

proceeding.

3. If the contractor submits a timely appeal, an administrative hearing will be conducted no later than five (5) business days after the deadline to appeal. The contractor will be given the opportunity to rebut any evidence used as a basis for the proposed prequalification rating and to present evidence as to why the contractor should receive a rating of prequalified. The District will provide a written decision within five (5) business days after the conclusion of the hearing.
4. If the contractor chooses not to avail themselves of this appeal process, the proposed prequalification determination will be finalized without further proceedings.

### J. Bonding Capacity

1. Contractor must provide a notarized statement from its surety company, admitted to sell surety coverage in California, identifying the following:
  - a. Name of company/surety;
  - b. NAIC #;
  - c. Name of surety agent, address and phone number; and
  - d. Statement that the contractor's current bonding capacity is sufficient to satisfy the bonding requirements for the Project (assume \$4.5M contract price).

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

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# Prequalification Questionnaire

## 5. PREQUALIFICATION QUESTIONNAIRE

### Contractor Contact Information and Affidavit

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

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

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

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

If firm is a sole proprietor or partnership:

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

Contractor's License Number(s):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

### AFFIDAVIT

I, the undersigned, certify and declare that I have read all the answers contained in this prequalification questionnaire 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.

Dated: \_\_\_\_\_ (Signature)

\_\_\_\_\_  
(Printed Name and Title)

**THIS PAGE IS A PUBLIC RECORD**



**PART I. ESSENTIAL REQUIREMENTS FOR PREQUALIFICATION**

**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, 8 or 9 is “Yes.” If the answer to question 8 is “Yes,” and if debarment would be the sole reason for denial of prequalification, any prequalification 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 the ability to obtain the minimum insurance policies for this Project as set forth in Appendix A—Insurance Requirements.  
 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, because it has no employees
  
- 4. Have you attached your latest copy of a reviewed or audited financial statement with accompanying notes and supplemental information?  
 Yes     No

***Note:** A financial statement that is not either reviewed or audited is not acceptable. A letter verifying availability of a line of credit may also be attached; however, it will be considered as supplemental information only, and is not a substitute for the required 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 prequalification if you are seeking prequalification for a single project; or (if you are seeking prequalification valid for a year) (b) your current available bonding capacity?<sup>1</sup>  
 Yes     No

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

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<sup>1</sup> An additional notarized statement from the surety may be requested by the District at the time of submission of a bid, if this Prequalification Application is submitted more than 60 days prior to submission of the bid.



## Prequalification Questionnaire

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 prequalification 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 the answer is "Yes," state the beginning and ending dates of the period of debarment:

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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

### PART II. ORGANIZATION, HISTORY, ORGANIZATIONAL PERFORMANCE, 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 per cent of the corporation's stock:

Name	Position	Years with Co.	% Ownership



- 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 ten 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 ten per cent or more of the firm:

Name	Position	Years with Co.	% Ownership

- 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 per cent or more of its stock, if the business is a corporation.*

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



# Prequalification Questionnaire

**For Firms That Are Sole Proprietorships:**

1a. Date of commencement of business: \_\_\_\_\_

1b. Tax ID number (TIN): \_\_\_\_\_

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 this 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 per cent 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

*"No" = 3 points    "Yes" = 0 points*

If "Yes," please attach a copy of the bankruptcy petition, showing the case number, and the date on which the petition was filed.

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

*“No” = 3 points“      “Yes” = 0 points*

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.

## Licenses

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

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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:

---

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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

*“No” = 5 points      “Yes” = 0 points*

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

### 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

*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.*

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

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 on this form.*

Yes       No

*No = 5 points      Yes = 0 points*

If "Yes," explain on a separate signed page. State whether the firm involved was the firm applying for prequalification 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.

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

No = 5 points      Yes = 0 points

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.

**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 your 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.*

*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 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.  
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" or 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

No = 5 points Yes = subtract 5 points

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.

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

No = 5 points Yes = subtract 5 points

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.

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

No = 5 points Yes = subtract 5 points

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.

**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 per cent 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 per cent, if you wish to do so. \_\_\_\_\_%

*5 points if the rate is no more than one percent.  
3 points if the rate was no higher 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:

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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

*No = 5 points      Yes = 0 points*

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.

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

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 revenues 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?

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 revenues 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.*

**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.

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 revenues 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?

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*3 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.

*5 points for three-year average EMR of 0.95 or less.*

*3 points for three-year average of 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

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

*0 points for any other answer.*

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.)

### 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 instance.*

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

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



# Prequalification Questionnaire

If your firm's average gross revenues 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" and 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" and more than 3 such instances.*

If your firm's average gross revenues 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" and 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 the 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); and
  - 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 instance.*

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

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

*If your firm's average gross revenues 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" and more than 6 such instances.*

### **PART III. QUALITY OF PERFORMANCE**

The following questions will be used to interview owner references for two of the four completed projects described in PART IV. No action on the Contractor's part is necessary. These questions are included in this questionnaire for information only.

The District will contact owner references for the first two of the projects presented in PART IV, including one project with at least 500 feet of double-containment piping (Project 1). If the contact information is incorrect, a reference is unavailable, or the District is unable to interview the reference within 5 working days of the initial contact, the District will contact owner references for other projects in the numeric sequence they are presented in PART IV. If a reference responds after the District has completed an interview for a subsequently listed project but, before scoring of applications are complete the District will use the interview score for the lowest numerically listed project in PART IV.

At least one project with a minimum of 500 feet of double-containment piping must receive a qualifying score in PART III.

### **INTERVIEW QUESTIONS**

#### ***Information Only. No Action Required by Contractor***

The highest possible score for each project is 120 points. A score of fewer than 55 points disqualifies a Contractor from bidding on this Project. A score of between 56 and 72 indicates the District should conduct an interview of another contact, that is, a manager of another completed project. A score of 72 or higher on each of two interviews is sufficient for prequalification.

First, please give a brief description of the project:

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? (1 point for each is deducted from overall score; maximum amount to be deducted is (5 points))
2. On a scale of 1–10 with 10 being the best, did the Contractor provide adequate

- personnel? (Max. 10 points)
3. On a scale of 1–10 with 10 being the best, did the Contractor provide adequate supervision? (Max. 10 points)
  4. On a scale of 1–10 with 10 being the best, was there adequate equipment provided on the job? (Max. 10 points)
  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? (Max. 10 points)
  6. On a scale of 1–10 with 10 being the best, did the Contractor adhere to the project schedule that your [agency] [business] approved? (Max. 10 points)
  7. Was the project completed on time? (10 points if the answer is “Yes”).  
  
Or, if the answer is “No” on a scale of 1–10 with 10 being the best, to what extent was the Contractor responsible for the delay in completion?
  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. (Max. 10 points)
  9. On a scale of 1–10 with 10 being the best, rate the Contractor on how well the Contractor performed the work after a change order was issued, and how well the Contractor integrated the change order work into the existing work. (Max. 10 points).
  10. On a scale of 1–10 with 10 being the best, rate, how has the Contractor been performing in the area of turning in Operation & Maintenance manuals, completing as-built drawings, providing required training and taking care of warranty items? (Max. 10 Points)
  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. (Max. 10 points)
  12. On a scale of 1–10 with 10 being the highest, rate the Contractor with respect to timely payments by the Contractor to either subcontractors or suppliers. (If the person being interviewed knows of no such difficulties, the score on this question should be “10.”)
  13. On a scale of 1–10 with 10 being the best, how would you rate the quality of the work overall? (Max. 10 points)

#### **PART IV. COMPARABLE PROJECT EXPERIENCE**

Each entity to a Joint Venture applying for prequalification must be separately prequalified. The





District reserves the right to contact references to verify any of the responses provided under this PART IV.

**A. Comparable Projects**

Provide the following information for the four most relevant chemical system projects your company has completed within the last seven years. At least one of the four projects must include 500 feet or more of double-containment piping. Please list this project as Project 1. Double-containment piping is defined as a system consisting of a carrier pipe centrally located within an outer containment pipe. For the project to be considered complete, the piping elements must be completed and accepted by the project owner.

**PROJECT 1 - Project includes at least 500 feet of double-containment piping**

To prequalify on this Part IV, a Contractor must obtain a score of at least 45 points out of 89 for each of the five projects.

The District reserves the right to contact references to verify any of the responses provided.

**A.1. PROJECT 1 – General Information**

- a. PROJECT 1 Name: \_\_\_\_\_
- b. Name, Address, and License # of Company awarded the Contract: \_\_\_\_\_  
\_\_\_\_\_
- c. Contract Award Date: \_\_\_\_\_
- d. Address: \_\_\_\_\_
- e. Owner: \_\_\_\_\_
- f. Was the owner a Government entity?  
Yes  No
- g. Was PROJECT 1 performed by a Joint Venture?  
Yes  No
- h. Owner address and current phone number: \_\_\_\_\_  
\_\_\_\_\_
- i. Owner’s Project Manager and contact information (name, firm, e-mail and current phone number):  
\_\_\_\_\_

- j. Architect or Engineer-of-Record contact (name, firm, e-mail, and current phone number):  
\_\_\_\_\_
- k. Owner's Construction Manager and contact information (name, firm, e-mail, and current phone number):  
\_\_\_\_\_
- l. Total Bid Price upon award: \_\_\_\_\_
- m. Total Cost of Construction (including change orders): \_\_\_\_\_
- n. Original Scheduled Completion Date: \_\_\_\_\_
- o. Time Extensions Granted (number of days): \_\_\_\_\_
- p. Actual Date of Completion: \_\_\_\_\_
- q. On a separate sheet of paper, please include the following information for PROJECT 1:
  - (1) Scope of work performed;
  - (2) List names and contacts for each of the major subcontractors managed. Please describe specific work performed by others, their cost portion of the construction contract, and indicate your relationship with these other firms; and
  - (3) Describe the scope of contract modifications, and the total dollar values and time extensions associated with the changes.

## A.2. PROJECT 1 – Special Information

- 1. New or Modified Chemical Feed Piping Systems
  - a. Did your company's work on this project include the installation of new or modified chemical feed piping system(s) in which the work included installation or modification of at least 50 feet of piping in a chemical feed (metering) area and piping extending outside the feed area to at least two chemical application points per chemical system?  
 Yes (4 points)     No (0 points)
  - b. If "Yes", check up to two of the following choices to best describe the chemical systems your company installed. Tie-in of a new system to an existing system does not qualify as a "modified chemical system." A system for one chemical counts as only "one chemical system" regardless

of the number of metering pumps or levels of chemical strength. Count each chemical system only once.

- 1 new chemical system (1 point)
- 1 modified chemical system (2 points)
- 2 or 3 new chemical systems (2 points)
- 2 or 3 modified chemical systems (4 points)

c. Was the piping installation for these systems performed by workers paid as plumbers, pipe fitters, or steamfitters?

- Yes (5 points)       No (0 points)

### 2. Double-Containment Piping

a. Did your company's work on this project include the installation of double-containment piping? (Note: Double containment piping is defined as a system consisting of a carrier pipe centrally located within an outer containment pipe)

- Yes (5 points)       No (0 points)

b. If "Yes," check the box that indicates how many total linear feet of double containment piping your company installed on this project?

- 0 to 199 ft. (0 points)
- 200 to 500 ft. (2 points)
- 501 to 800 ft. (6 points)
- Greater than 800 ft. (10 points)

c. Was the double-containment piping installation performed by workers paid as plumbers, pipe fitters, or steamfitters?

- Yes (8 points)       No (0 points)

d. Did the work include double-containment piping where the outer containment pipe was clear PVC?

- Yes (3 points)       No (0 points)

### 3. Facility Operations and Shutdowns

a. Was the piping work your company installed performed in an existing operational facility that was required to be temporarily shut down for 2 to 5 weeks to perform all or part of the piping work?

- Yes (3 points)       No (0 points)

- b. If "Yes," was your work completed within the contracted allowable shutdown duration(s)?

Yes (3 points)     No (0 points)

If "No," explain on a separate sheet of paper; partial points may be awarded at the District's discretion.

- d. If "Yes," was your tie-in work completed within the contracted allowable shutdown duration?

Yes (3 points)     No (0 points)

If "No," explain on a separate sheet of paper; partial points may be awarded at the District's discretion.

- e. Was the work performed at an existing drinking water treatment plant facility?

Yes (3 points)     No (0 points)

#### 4. Pipe Supports

- a. Did the project require the design and installation of a new unistrut (or similar) pipe support system?

Yes (4 points)     No (0 points)

- b. Did the project require the installation of new pipe on an existing unistrut (or similar) pipe support system?

Yes (4 points)     No (0 points)

5. Did the project require fitting the new pipes into existing limited spaces with existing conduits?

Yes (6 points)     No (0 points)

#### 6. Hazardous Materials Permitting

- a. Was a hazardous materials installation permit required for the parts of the project associated with the installation of the piping?

Yes (2 points)     No (0 points)

- b. If "Yes," which party was responsible for obtaining the permit?

Contractor (2 points)     Owner (0 points)

- c. Was this project inspected by regulatory hazardous materials officials for the permit authority having jurisdiction?
- Yes (2 points)     No (0 points)
7. Did this project require pressure testing of piping?
- Yes (1 point)     No (0 points)
- If "Yes," were you required to maintain an accuracy of 0 psi pressure change for a duration of 1 hour?
- Yes (2 points)     No (0 points)
8. Pipe Layout Submittals
- a. Was a pipe layout submittal(s) required prior to installation?
- Yes (3 points)     No (0 points)
- b. If "Yes," was the submittal required to show detailed sections, elevations, and slopes of the new piping being installed and the existing features (i.e., existing piping)?
- Yes (4 points)     No (0 points)
9. Leak Detection System
- a. Did the work include the installation of automated leak detection sensors on double contained piping?
- Yes (2 points)     No (0 points)
- b. If "Yes," check the box that indicates how many leak detection sensors were installed for this project?
- 0 to 5 (0 points)  
 more than 6 (2 points)
10. Did the project require insulation for any piping?
- Yes (2 points)     No (0 points)



**PROJECT 2**

To prequalify on this Part IV, a Contractor must obtain a score of at least 45 points out of 89 for each of the five projects.

The District reserves the right to contact references to verify any of the responses provided.

**A.1. PROJECT 2 – General Information**

- a. PROJECT 2 Name: \_\_\_\_\_
- b. Name, Address, and License # of Company awarded the Contract: \_\_\_\_\_  
\_\_\_\_\_
- c. Contract Award Date: \_\_\_\_\_
- d. Address: \_\_\_\_\_
- e. Owner: \_\_\_\_\_
- f. Was the owner a Government entity?  
Yes  No
- g. Was PROJECT 2 performed by a Joint Venture?  
Yes  No
- h. Owner address and current phone number: \_\_\_\_\_  
\_\_\_\_\_
- i. Owner's Project Manager and contact information (name, firm, e-mail and current phone number):  
\_\_\_\_\_
- j. Architect or Engineer-of-Record contact (name, firm, e-mail, and current phone number):  
\_\_\_\_\_
- k. Owner's Construction Manager and contact information (name, firm, e-mail, and current phone number):  
\_\_\_\_\_
- l. Total Bid Price upon award: \_\_\_\_\_
- m. Total Cost of Construction (including change orders): \_\_\_\_\_

- n. Original Scheduled Completion Date: \_\_\_\_\_
- o. Time Extensions Granted (number of days): \_\_\_\_\_
- p. Actual Date of Completion: \_\_\_\_\_
- q. On a separate sheet of paper, please include the following information for PROJECT 2:
  - (1) Scope of work performed;
  - (2) List names and contacts for each of the major subcontractors managed. Please describe specific work performed by others, their cost portion of the construction contract, and indicate your relationship with these other firms; and
  - (3) Describe the scope of contract modifications, and the total dollar values and time extensions associated with the changes.

## A.2. PROJECT 2 – Special Information

### 1. New or Modified Chemical Feed Piping Systems

- a. Did your company's work on this project include the installation of new or modified chemical feed piping system(s) in which the work included installation or modification of at least 50 feet of piping in a chemical feed (metering) area and piping extending outside the feed area to at least two chemical application points per chemical system?  
 Yes (4 points)       No (0 points)
- b. If "Yes", check up to two of the following choices to best describe the chemical systems your company installed. Tie-in of a new system to an existing system does not qualify as a "modified chemical system." A system for one chemical counts as only "one chemical system" regardless of the number of metering pumps or levels of chemical strength. Count each chemical system only once.
  - 1 new chemical system (1 point)
  - 1 modified chemical system (2 points)
  - 2 or 3 new chemical systems (2 points)
  - 2 or 3 modified chemical systems (4 points)
- c. Was the piping installation for these systems performed by workers paid as plumbers, pipe fitters, or steamfitters?  
 Yes (5 points)       No (0 points)

### 2. Double-Containment Piping

- a. Did your company's work on this project include the installation of double-containment piping? (Note: Double containment piping is defined as a system consisting of a carrier pipe centrally located within an outer containment pipe)

Yes (5 points)       No (0 points)

- b. If "Yes," check the box that indicates how many total linear feet of double containment piping your company installed on this project?

0 to 199 ft. (0 points)  
 200 to 500 ft. (2 points)  
 501 to 800 ft. (6 points)  
 Greater than 800 ft. (10 points)

- c. Was the double-containment piping installation performed by workers paid as plumbers, pipe fitters, or steamfitters?

Yes (8 points)       No (0 points)

- d. Did the work include double-containment piping where the outer containment pipe was clear PVC?

Yes (3 points)       No (0 points)

### 3. Facility Operations and Shutdowns

- a. Was the piping work your company installed performed in an existing operational facility that was required to be temporarily shut down for 2 to 5 weeks to perform all or part of the piping work?

Yes (3 points)       No (0 points)

- b. If "Yes," was your work completed within the contracted allowable shutdown duration(s)?

Yes (3 points)       No (0 points)

If "No," explain on a separate sheet of paper; partial points may be awarded at the District's discretion.



- d. If "Yes," was your tie-in work completed within the contracted allowable shutdown duration?

Yes (3 points)       No (0 points)

If "No," explain on a separate sheet of paper; partial points may be awarded at the District's discretion.

- e. Was the work performed at an existing drinking water treatment plant facility?

Yes (3 points)       No (0 points)

#### 4. Pipe Supports

- a. Did the project require the design and installation of a new unistrut (or similar) pipe support system?

Yes (4 points)       No (0 points)

- b. Did the project require the installation of new pipe on an existing unistrut (or similar) pipe support system?

Yes (4 points)       No (0 points)

5. Did the project require fitting the new pipes into existing limited spaces with existing conduits?

Yes (6 points)       No (0 points)

#### 6. Hazardous Materials Permitting

- a. Was a hazardous materials installation permit required for the parts of the project associated with the installation of the piping?

Yes (2 points)       No (0 points)

- b. If "Yes," which party was responsible for obtaining the permit?

Contractor (2 points)       Owner (0 points)

- c. Was this project inspected by regulatory hazardous materials officials for the permit authority having jurisdiction?

Yes (2 points)       No (0 points)

7. Did this project require pressure testing of piping?

- Yes (1 point)       No (0 points)

If "Yes," were you required to maintain an accuracy of 0 psi pressure change for a duration of 1 hour?

- Yes (2 points)       No (0 points)

**8. Pipe Layout Submittals**

- a. Was a pipe layout submittal(s) required prior to installation?

- Yes (3 points)       No (0 points)

- b. If "Yes," was the submittal required to show detailed sections, elevations, and slopes of the new piping being installed and the existing features (i.e., existing piping)?

- Yes (4 points)       No (0 points)

**9. Leak Detection System**

- a. Did the work include the installation of automated leak detection sensors on double contained piping?

- Yes (2 points)       No (0 points)

- b. If "Yes," check the box that indicates how many leak detection sensors were installed for this project?

- 0 to 5 (0 points)  
 more than 6 (2 points)

**10. Did the project require insulation for any piping?**

- Yes (2 points)       No (0 points)

**PROJECT 3**

To prequalify on this Part IV, a Contractor must obtain a score of at least 45 points out of 89 for each of the five projects.

The District reserves the right to contact references to verify any of the responses provided.

**A.1. PROJECT 3 – General Information**

- a. PROJECT 3 Name: \_\_\_\_\_

- b. Name, Address, and License # of Company awarded the Contract: \_\_\_\_\_  
\_\_\_\_\_
- c. Contract Award Date: \_\_\_\_\_
- d. Address: \_\_\_\_\_
- e. Owner: \_\_\_\_\_
- f. Was the owner a Government entity?  
Yes  No
- g. Was PROJECT 3 performed by a Joint Venture?  
Yes  No
- h. Owner address and current phone number: \_\_\_\_\_  
\_\_\_\_\_
- i. Owner's Project Manager and contact information (name, firm, e-mail and current phone number):  
\_\_\_\_\_
- j. Architect or Engineer-of-Record contact (name, firm, e-mail, and current phone number):  
\_\_\_\_\_
- k. Owner's Construction Manager and contact information (name, firm, e-mail, and current phone number):  
\_\_\_\_\_
- l. Total Bid Price upon award: \_\_\_\_\_
- m. Total Cost of Construction (including change orders): \_\_\_\_\_
- n. Original Scheduled Completion Date: \_\_\_\_\_
- o. Time Extensions Granted (number of days): \_\_\_\_\_
- p. Actual Date of Completion: \_\_\_\_\_

q. On a separate sheet of paper, please include the following information for PROJECT 3:

- (1) Scope of work performed;
- (2) List names and contacts for each of the major subcontractors managed. Please describe specific work performed by others, their cost portion of the construction contract, and indicate your relationship with these other firms; and
- (3) Describe the scope of contract modifications, and the total dollar values and time extensions associated with the changes.

**A.2. PROJECT 3 – Special Information**

1. New or Modified Chemical Feed Piping Systems

a. Did your company's work on this project include the installation of new or modified chemical feed piping system(s) in which the work included installation or modification of at least 50 feet of piping in a chemical feed (metering) area and piping extending outside the feed area to at least two chemical application points per chemical system?

Yes (4 points)       No (0 points)

b. If "Yes", check up to two of the following choices to best describe the chemical systems your company installed. Tie-in of a new system to an existing system does not qualify as a "modified chemical system." A system for one chemical counts as only "one chemical system" regardless of the number of metering pumps or levels of chemical strength. Count each chemical system only once.

- 1 new chemical system (1 point)
- 1 modified chemical system (2 points)
- 2 or 3 new chemical systems (2 points)
- 2 or 3 modified chemical systems (4 points)

c. Was the piping installation for these systems performed by workers paid as plumbers, pipe fitters, or steamfitters?

Yes (5 points)       No (0 points)

2. Double-Containment Piping

a. Did your company's work on this project include the installation of double-containment piping? (Note: Double containment piping is defined as a system consisting of a carrier pipe centrally located within an outer

containment pipe)

Yes (5 points)     No (0 points)

b. If "Yes," check the box that indicates how many total linear feet of double containment piping your company installed on this project?

- 0 to 199 ft. (0 points)  
 200 to 500 ft. (2 points)  
 501 to 800 ft. (6 points)  
 Greater than 800 ft. (10 points)

c. Was the double-containment piping installation performed by workers paid as plumbers, pipe fitters, or steamfitters?

Yes (8 points)     No (0 points)

d. Did the work include double-containment piping where the outer containment pipe was clear PVC?

Yes (3 points)     No (0 points)

### 3. Facility Operations and Shutdowns

a. Was the piping work your company installed performed in an existing operational facility that was required to be temporarily shut down for 2 to 5 weeks to perform all or part of the piping work?

Yes (3 points)     No (0 points)

b. If "Yes," was your work completed within the contracted allowable shutdown duration(s)?

Yes (3 points)     No (0 points)

If "No," explain on a separate sheet of paper; partial points may be awarded at the District's discretion.

d. If "Yes," was your tie-in work completed within the contracted allowable shutdown duration?

Yes (3 points)     No (0 points)

If "No," explain on a separate sheet of paper; partial points may be awarded at the District's discretion.

e. Was the work performed at an existing drinking water treatment plant facility?

Yes (3 points)     No (0 points)

4. Pipe Supports

a. Did the project require the design and installation of a new unistrut (or similar) pipe support system?

Yes (4 points)     No (0 points)

b. Did the project require the installation of new pipe on an existing unistrut (or similar) pipe support system?

Yes (4 points)     No (0 points)

5. Did the project require fitting the new pipes into existing limited spaces with existing conduits?

Yes (6 points)     No (0 points)

6. Hazardous Materials Permitting

a. Was a hazardous materials installation permit required for the parts of the project associated with the installation of the piping?

Yes (2 points)     No (0 points)

b. If "Yes," which party was responsible for obtaining the permit?

Contractor (2 points)     Owner (0 points)

c. Was this project inspected by regulatory hazardous materials officials for the permit authority having jurisdiction?

Yes (2 points)     No (0 points)

7. Did this project require pressure testing of piping?

Yes (1 point)     No (0 points)

If "Yes," were you required to maintain an accuracy of 0 psi pressure change for a duration of 1 hour?

Yes (2 points)     No (0 points)

8. Pipe Layout Submittals

a. Was a pipe layout submittal(s) required prior to installation?



# Prequalification Questionnaire

Yes (3 points)     No (0 points)

b. If "Yes," was the submittal required to show detailed sections, elevations, and slopes of the new piping being installed and the existing features (i.e., existing piping)?

Yes (4 points)     No (0 points)

## 9. Leak Detection System

a. Did the work include the installation of automated leak detection sensors on double contained piping?

Yes (2 points)     No (0 points)

b. If "Yes," check the box that indicates how many leak detection sensors were installed for this project?

0 to 5 (0 points)  
 more than 6 (2 points)

## 10. Did the project require insulation for any piping?

Yes (2 points)     No (0 points)

## PROJECT 4

To prequalify on this Part IV, a Contractor must obtain a score of at least 45 points out of 89 for each of the five projects.

The District reserves the right to contact references to verify any of the responses provided.

### A.1. PROJECT 4 – General Information

a. PROJECT 4 Name: \_\_\_\_\_

b. Name, Address, and License # of Company awarded the Contract: \_\_\_\_\_

\_\_\_\_\_

c. Contract Award Date: \_\_\_\_\_

d. Address: \_\_\_\_\_

e. Owner: \_\_\_\_\_

f. Was the owner a Government entity?



# Prequalification Questionnaire

Yes  No

g. Was PROJECT 4 performed by a Joint Venture?

Yes  No

h. Owner address and current phone number: \_\_\_\_\_

\_\_\_\_\_

i. Owner's Project Manager and contact information (name, firm, e-mail and current phone number):

\_\_\_\_\_

j. Architect or Engineer-of-Record contact (name, firm, e-mail, and current phone number):

\_\_\_\_\_

k. Owner's Construction Manager and contact information (name, firm, e-mail, and current phone number):

\_\_\_\_\_

l. Total Bid Price upon award: \_\_\_\_\_

m. Total Cost of Construction (including change orders): \_\_\_\_\_

n. Original Scheduled Completion Date: \_\_\_\_\_

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

p. Actual Date of Completion: \_\_\_\_\_

q. On a separate sheet of paper, please include the following information for PROJECT 4:

- (1) Scope of work performed;
- (2) List names and contacts for each of the major subcontractors managed. Please describe specific work performed by others, their cost portion of the construction contract, and indicate your relationship with these other firms; and
- (3) Describe the scope of contract modifications, and the total dollar values and time extensions associated with the changes.



**A.2. PROJECT 4 – Special Information**

1. New or Modified Chemical Feed Piping Systems

- a. Did your company’s work on this project include the installation of new or modified chemical feed piping system(s) in which the work included installation or modification of at least 50 feet of piping in a chemical feed (metering) area and piping extending outside the feed area to at least two chemical application points per chemical system?

Yes (4 points)       No (0 points)

- b. If “Yes”, check up to two of the following choices to best describe the chemical systems your company installed. Tie-in of a new system to an existing system does not qualify as a “modified chemical system.” A system for one chemical counts as only “one chemical system” regardless of the number of metering pumps or levels of chemical strength. Count each chemical system only once.

- 1 new chemical system (1 point)  
 1 modified chemical system (2 points)  
 2 or 3 new chemical systems (2 points)  
 2 or 3 modified chemical systems (4 points)

- c. Was the piping installation for these systems performed by workers paid as plumbers, pipe fitters, or steamfitters?

Yes (5 points)       No (0 points)

2. Double-Containment Piping

- a. Did your company’s work on this project include the installation of double-containment piping? (Note: Double containment piping is defined as a system consisting of a carrier pipe centrally located within an outer containment pipe)

Yes (5 points)       No (0 points)

- b. If “Yes,” check the box that indicates how many total linear feet of double containment piping your company installed on this project?

- 0 to 199 ft. (0 points)  
 200 to 500 ft. (2 points)  
 501 to 800 ft. (6 points)  
 Greater than 800 ft. (10 points)

- c. Was the double-containment piping installation performed by workers paid as plumbers, pipe fitters, or steamfitters?

Yes (8 points)     No (0 points)

- d. Did the work include double-containment piping where the outer containment pipe was clear PVC?

Yes (3 points)     No (0 points)

### 3. Facility Operations and Shutdowns

- a. Was the piping work your company installed performed in an existing operational facility that was required to be temporarily shut down for 2 to 5 weeks to perform all or part of the piping work?

Yes (3 points)     No (0 points)

- b. If "Yes," was your work completed within the contracted allowable shutdown duration(s)?

Yes (3 points)     No (0 points)

If "No," explain on a separate sheet of paper; partial points may be awarded at the District's discretion.

- d. If "Yes," was your tie-in work completed within the contracted allowable shutdown duration?

Yes (3 points)     No (0 points)

If "No," explain on a separate sheet of paper; partial points may be awarded at the District's discretion.

- e. Was the work performed at an existing drinking water treatment plant facility?

Yes (3 points)     No (0 points)

### 4. Pipe Supports

- a. Did the project require the design and installation of a new unistrut (or similar) pipe support system?

Yes (4 points)     No (0 points)

- b. Did the project require the installation of new pipe on an existing unistrut (or similar) pipe support system?

Yes (4 points)     No (0 points)

5. Did the project require fitting the new pipes into existing limited spaces with existing conduits?
- Yes (6 points)     No (0 points)
6. Hazardous Materials Permitting
- a. Was a hazardous materials installation permit required for the parts of the project associated with the installation of the piping?
- Yes (2 points)     No (0 points)
- b. If "Yes," which party was responsible for obtaining the permit?
- Contractor (2 points)     Owner (0 points)
- c. Was this project inspected by regulatory hazardous materials officials for the permit authority having jurisdiction?
- Yes (2 points)     No (0 points)
7. Did this project require pressure testing of piping?
- Yes (1 point)     No (0 points)
- If "Yes," were you required to maintain an accuracy of 0 psi pressure change for a duration of 1 hour?
- Yes (2 points)     No (0 points)
8. Pipe Layout Submittals
- a. Was a pipe layout submittal(s) required prior to installation?
- Yes (3 points)     No (0 points)
- b. If "Yes," was the submittal required to show detailed sections, elevations, and slopes of the new piping being installed and the existing features (i.e., existing piping)?
- Yes (4 points)     No (0 points)
9. Leak Detection System
- a. Did the work include the installation of automated leak detection sensors on double contained piping?
- Yes (2 points)     No (0 points)

b. If "Yes," check the box that indicates how many leak detection sensors were installed for this project?

- 0 to 5 (0 points)  
 more than 6 (2 points)

10. Did the project require insulation for any piping?

- Yes (2 points)       No (0 points)

**PART V. REQUIRED ATTACHMENTS**

1. The latest copy of a reviewed or audited financial statement with accompanying notes and supplemental information, including an opinion letter from CPA.
2. Notarized statement from admitted surety company.
3. Notarized statement from the workers' compensation carrier that your organization proposes to use, specifying contractor's current experience modification rating for workers' compensation for the State of California.
4. Project information required pursuant to PART IV. (question A.1.q.) for all PROJECT 1 through PROJECT 4.

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**APPENDIX A**

**INSURANCE REQUIREMENTS**  
**For information only**



## Insurance Requirement

Please refer to the insurance requirements listed below.

- A. Without limiting the Contractor's indemnification of, or liability to, the Santa Clara Valley Water District ("District"), the Contractor must provide and maintain at its own expense, during the term of this Agreement, or as may be further required herein, the following insurance coverages and provisions:
- B. Contractor must provide its insurance broker(s)/agent(s) with a copy of these requirements and warrants that these requirements have been reviewed by Contractor's insurance agent(s) and/or broker(s), who have been instructed by Contractor to procure the insurance coverage required herein. All Certificates of Insurance complete with copies of all required endorsements must be sent to:

**Beth Redmond**  
**Santa Clara Valley Water District**  
**5750 Almaden Expressway**  
**San Jose, CA 95118**

- C. In addition to certificates, Contractor must furnish District with copies of original endorsements affecting coverage required by this Appendix. The certificates and endorsements are to be signed by a person authorized by that insurer to bind coverage on its behalf. **All endorsements and certificates (by Contractor and any Subcontractors) are to be received and approved by District before work commences.** In the event of a claim or dispute, District has the right to require Contractor's insurer to provide complete, certified copies of all required pertinent insurance policies, including endorsements affecting the coverage required by this Appendix.
- D. Contractor must, at its sole cost and expense, procure and maintain during the entire period of this Agreement the following insurance coverage(s).

E. **Required Coverages**

- 1. **Commercial General/Business Liability Insurance** with coverage as indicated:

**\$5,000,000** per occurrence / **\$5,000,000** aggregate limits for bodily injury and property damage

**\$5,000,000** Products/Completed Operations aggregate (to be maintained for at least three (3) years following acceptance of the work by District.

General Liability insurance must include:

- a. Coverage at least as broad as found in standard ISO form CG 00 01.
- b. Premises and Operations
- c. Contractual Liability expressly including liability assumed under this contract.

- d. If Contractor will be working within fifty (50) feet of a railroad or light rail operation, any exclusion as to performance of operations within the vicinity of any railroad bridge, trestle, track, roadbed, tunnel, overpass, underpass, or crossway must be deleted, or a railroad protective policy in the above amounts provided.
- e. Owners and Contractors' Protective liability
- e. Severability of Interest
- f. Explosion, Collapse and Underground Hazards, (X,C, and U)
- g. Broad Form Property Damage liability

**2. Business Auto Liability Insurance** with coverage as indicated:

**\$2,000,000** combined single limit for bodily injury and property damage per occurrence, covering all owned, non-owned and hired vehicles.

**3. Builders' Risk (Course of Construction) Insurance**

Covering all risks of loss, less policy exclusions, for an amount equal to the completed value of the project with no coinsurance penalty provisions.

The Contractor's coverage shall provide the following:

- a. Coverage shall be provided on an "all-risk" or "special forms" basis (including perils of earthquake and flood, unless waived by the District's Risk Manager), including coverage for "soft costs" such as design, engineering, and construction management fees.
- b. Coverage shall be provided on the work and materials which are the subject to this Agreement, whether in process or manufactured or finished, including "in transit" coverage to the final agreed upon destination of delivery, and including loading and unloading operations, and such coverage shall be in force until the work and materials are accepted by the District.
- c. Builder's Risk policy shall name Santa Clara Valley Water District as loss payee and additional insured as its interests may appear at the time of the loss.
- d. Deductible shall not exceed \$25,000 per occurrence and shall be borne by the Contractor, except that higher deductibles for earthquake and flood may be approved by the District's Risk Manager.
- e. Loss, if any, shall be adjustable with and payable to the District as trustees for all entities having an insurable interest, except in cases as may require payment of all or a proportion of such insurance to be made to a mortgagee as its interest may appear.



- f. The insurer shall agree to waive all rights of subrogation against the District.
- g. If the Contractor fails to maintain such insurance as is called for herein, the District, at its option, may order the Contractor to suspend work at Contractor's expense until a new policy of insurance is in effect and on file with the District's project manager.
- h. The policy shall provide Santa Clara Valley Water District the right to occupy the premises without termination of the policy until final acceptance of the project.

#### 4. **Workers' Compensation and Employer's Liability Insurance**

- a. Statutory California Workers' Compensation coverage covering all work to be performed for the District.
- b. Employer Liability coverage for not less than \$1,000,000 per occurrence.

#### 5. **Professional/Errors and Omissions Liability** with coverage as indicated:

**\$2,000,000** per claim/ **\$2,000,000** aggregate

Professional/Errors and Omission Liability appropriate to the Consultant's profession, and must include:

- A. If coverage contains a deductible, or self-insured retention, it shall not be greater than one hundred thousand dollars (\$100,000) per occurrence/event.
- B. Coverage shall include contractual liability
- C. If coverage is claims-made:
  - 1. Certificate of Insurance shall clearly state that the coverage is claims-made.
  - 2. Policy retroactive date must coincide with or precede the Consultant's start of work (including subsequent policies purchased as renewals or replacements).
  - 3. Policy must allow for reporting of circumstances or incidents that might give rise to future claims.
  - 4. Insurance must be maintained and evidence of insurance must be provided for at least three (3) years after completion of the contract of work.

### 6. Surety Bonds

Contractor shall provide the following Surety Bonds:

- a. **A bid bond.** A written guarantee from a bank or insurer submitted by the Contractor to the District ensuring that, upon acceptance of the bid by the District, the contractor will proceed with the contract.
- b. **A performance bond.** A written guarantee from a bank or insurer submitted by the Contractor ensuring payment of the contract in case Contractor fails in the full performance of the contract.
- c. **A payment bond.** (Deposit or guarantee backed by a third party that all sums owed by the Contractor to its employees, suppliers, subcontractors and other creditors will be paid on time and in full.)

### General Requirements

**With respect to all coverages noted above, the following additional requirements apply:**

1. **Additional Insured Endorsement(s)** Contractor must provide an additional insured endorsement for Commercial General/Business Liability and Business Automobile liability coverage naming the **Santa Clara Valley Water District, its Directors, officers, employees, and agents, individually and collectively**, as additional insureds, and must provide coverage for acts, omissions, etc. arising out of the named insureds' activities and work. Other public entities may also be added to the additional insured endorsement as applicable and the Contractor will be notified of such requirement(s) by the District. **NOTE: This section does not apply to the Workers' Compensation and Professional Liability policies.**  
  
(**NOTE:** Additional insured language on the Certificate of Insurance is **NOT** acceptable without a separate endorsement such as Form CG 20 10, CG 2033, CG 2037. Note: Editions dated 07/04 are not acceptable)
2. **Primacy Clause:** Contractor will provide evidence (either through endorsement or language in the insurance contract) that Contractor's insurance is primary with respect to any other insurance which may be carried by the District, its officer, agents and employees, and the District's coverage must not be called upon to contribute or share in the loss. **NOTE: This section does not apply to the Workers' Compensation and Professional Liability policies.**
3. **Cancellation Clause** Contractor will provide endorsements for all policies stating that the District will be given 30 days notice of cancellation, (10 days for non-payment of premium). **NOTE: The standard wording in the ISO Certificate of Insurance is not acceptable.**
4. **Acceptability of Insurers:** All coverages must be issued by companies admitted to conduct business in the State of California, which hold a current policy holder's alphabetic and financial size category rating of not less than A- V, according to the current Best's Key Rating Guide or a company of equal financial stability that is approved by the District's Risk Management Administrator.

5. **Self-Insured Retentions or Deductibles:** Any deductibles or self-insured retentions must be declared to and approved by the District. At the option of the District, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the District, its officers, officials, employees and volunteers; or the Contractor shall provide a financial guarantee satisfactory to the Entity guaranteeing payment of losses and related investigations, claim administration, and defense expenses.
6. **Subcontractors** Should any of the work under this Agreement be sublet, Contractor will name each of the subcontractors of any tier under its own policies, or will require each of its subcontractors of any tier to carry the aforementioned coverages. Contractor is responsible for ensuring all evidence of insurance for any subcontractor is forwarded to the District for review.
7. **Amount of Liability not Limited to Amount of Insurance:** The insurance procured by Contractor for the benefit of the District must not be deemed to release or limit any liability of Contractor. Damages recoverable by the District for any liability of Contractor must, in any event, not be limited by the amount of the required insurance coverage.
8. **Coverage to be Occurrence Based:** All coverage must be occurrence-based coverage. Claims-made coverage is not allowed.
9. **Waiver of Subrogation:** Contractor agrees on to waive subrogation against the District to the extent any loss suffered by Contractor is covered by any Commercial General Liability policy, Automobile policy, Workers' Compensation policy, or Builders' Risk policy described in **Required Coverages** above. Contractor agrees to advise its broker/agent/insurer and agrees to provide evidence (either through endorsement or language in the insurance contract) that subrogation has been waived.
10. **Non-compliance:** The District reserves the right to withhold payments to the Contractor in the event of material noncompliance with the insurance requirements outlined above.
11. **Please mail the certificates and endorsements to:**

**Karen Uyeda  
Santa Clara Valley Water District  
5750 Almaden Expressway  
San Jose, CA 95118**

**IMPORTANT:** On the certificate of insurance, please note [INSERT PO /CONTRACT/ AGREEMENT NUMBER & project title] and [INSERT NAME OF THE DISTRICT POINT OF CONTACT AND UNIT]. DO NOT SEND THE CERTIFICATE OF INSURANCE TO THE CONTRACT ADMINISTRATOR OR RISK MANAGER.

**If your insurance broker has any questions** please advise him/her to call Mr. David Cahen, District Risk Manager (408) 630-2213.