ADVERTISEMENT FOR PREQUALIFICATION

Subject to conditions prescribed by the University of California, Merced, responses to the University's prequalification documents for a General Contractor, Mechanical and Plumbing subcontractor contract are sought from bidders for the following project:

Library Lantern Café Remodel
UNIVERSITY OF CALIFORNIA, MERCED

DESCRIPTION OF WORK:

Project Location: Library Lantern (first floor). University of California Merced (UCM) is expanding and remodeling the Lantern Café to approximately 534sq/ft with removal of existing casework and equipment, removal and replacement of polished concrete for connection to underground utilities. Kitchen service equipment: hand sink, mop sink, mechanical equipment, vent hood with ventilation at the building roof, casework and counter tops. Electrical shall be upgraded with the addition of a new transformer to meet building codes. Miscellaneous work: repair existing walls and new paint throughout, add point-of-sale and security cameras, signage and Commissioning. All work shall be in accordance with State Building Codes, ADA compliant and meet Health Codes inspections. Due to the operational needs, the construction will have a substantial completion date of September 15, 2017.

PREQUALIFICATION SCHEDULE:

On May 22, 2017, a set of prequalification documents will be made available at http://rfq-rfp.ucmerced.edu. Prequalification document is due June 1, 2017, and will be received at:

Documents will be received only at:
UNIVERSITY OF CALIFORNIA, MERCED
ATTN: Construction
767 E Yosemite Ave., Bldg. B, Ste C
Merced CA 95340

(Overnight delivery only)

Or by US Mail at:
UNIVERSITY OF CALIFORNIA, MERCED
ATTN: Construction
5200 Lake Rd.
Merced CA 95343

Documents will not be accepted after:
4:00 PM
June 1, 2017

No prequalification documents will be accepted after 4:00 pm. However, the University reserves the right to request, receive and evaluate supplemental information after the above time and date at its sole determination.

BIDDING SCHEDULE
Following is the anticipated proposal schedule:

1. Bidding Documents available to prequalified bidders – June 6, 2017
2. Bids received and opened – June 20, 2017
For construction value between $300,000 and $640,000, Bidder and its mechanical, electrical and plumbing subcontractor(s) (if using) shall be qualified under the University’s standards prior to award. Mechanical, Plumbing and Electrical subcontractors are required to complete and submit the prequalification documents.

The work described in the contract is a public work subject to section 1771 of the California Labor Code. This is a prevailing wage project.

No contractor or subcontractor, regardless of tier, may be listed on a Bid for, or engage in the performance of, any portion of this project, unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5 and 1771.1.

This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

Estimated construction cost: $ 525,000

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

May 19, 2017
PREQUALIFICATION QUESTIONNAIRE

As used herein, the term "entity" means the prospective Bidder submitting this Prequalification Questionnaire regardless of whether the entity is an individual company, joint venture, or partnership. Please note that the term “prospective Bidder” may sometimes be used interchangeably with the term “entity.”

SUBMITTED BY:

________________________________________
(Entity Name. If a Joint Venture, state name of JV Entity)

________________________________________
(Contact Name)

________________________________________
(Address)

________________________________________
(City, State, Zip Code)

____________________________  _______________________
(Telephone Number)           (Facsimile Number)

________________________________________
(E-mail)
Each prospective Bidder must answer all of the following questions and provide all requested information. Any prospective Bidder failing to do so will be deemed to be not responsive and not prequalified with respect to this Prequalification.

Notification of Prequalification status will be posted on the UC Merced Web Site (http://rfp-rfq.ucmerced.edu/).

Prospective Bidders that can affirmatively respond (i.e. answer YES) to questions 1-8, submit all required information and supporting data, obtain less than 3 points on item #8 Claims History AND are determined to have accurately responded to the questions will be prequalified. Only those Bidders that have been determined to be prequalified will be eligible to submit a bid for this Project.

If the prospective Bidder is determined by the University not to be prequalified, the prospective Bidder may request a review by the Facility. Any such request must be received by the Facility within 3 calendar days after receipt by the prospective Bidder of the determination. The decision resulting from such review is final and is not appealable with the University of California. Any person or entity not satisfied with the outcome of the prequalification must file a writ challenging the outcome within 10 calendar days from the date of the University's written notice regarding prequalification determination. Any assertion that the outcome of the prequalification process was improper will not be a ground for a bid protest.

All information submitted for Prequalification evaluation will be considered official information acquired in confidence, and the University will maintain its confidentiality to the extent permitted by law.

WHERE NECESSARY, COPY THE FORMS IN THIS PACKAGE. USE ONLY THESE FORMS.
1. LICENSE(S)

A. Does the entity hold a (B) General Building Contractor license issued in the state of California? Is (are) the license(s) current, active, and in good standing with the California Contractor's State License Board?

License Classification: General Building Contractor or General Engineering Contractor
License Code(s): **B or A**

   YES ☐    NO ☐

B. Does the entity hold a (C) license issued in the state of California? Is (are) the license(s) current, active, and in good standing with the California Contractor's State License Board?

License Classification: Mechanical, Electrical or Plumbing
License Code(s): **C-20, C-38, or C-10 or C-36**

   YES ☐    NO ☐

(NOTE - The entity submitting this prequalification questionnaire must be the holder of the requisite license. If the entity submitting is a Joint Venture, the joint venture must hold the license or have applied for the license(s).

C. If yes, provide the following information about the entity's contractor's license:

1. Name of license holder exactly as on file with the California Contractor's State License Board:

   ________________________________________________________________

2. License Classification(s):

   ________________________________________________________________

3. License Code(s):

   ________________________________________________________________

4. License Number(s):

   ________________________________________________________________

5. Date(s) Issued:

   ________________________________________________________________

6. Expiration Date(s):

   ________________________________________________________________

D. Can you truthfully state that the entity's contractor's license has not been suspended or revoked by the California Contractor's State License Board within the last 5 years.

   YES ☐    NO ☐

2. SURETY

Is the entity able to obtain bonding for $600,000?

   YES ☐    NO ☐
3. CONSTRUCTION EXPERIENCE (IN COMPARABLE PROJECTS)

Has the entity successfully completed at least 2 comparable projects within the last 5 years in the state of California?

YES □ NO □

A. Subject to the above qualifications, a “comparable project” is defined as having all of the following:
   1. A construction cost at the bid date of at least $500,000.00; and
   2. Delivery methods(s); one or more of the following: Lump Sum, Design Build, CM@Risk.
   3. At least one of the following construction types:
      a. Remodel of Food Service Facility
      b. Food Prep equipment installation with underground utilities
      c. Higher Education/Public Works
      d. Active/Operational Facility during a remodel

4. Constructed by the entity submitting this Prequalification Questionnaire. (Note: Projects completed by present employees of the Bidder for former employers are not acceptable.)

YES □ NO □

5. INSURER

Prospective Bidder shall obtain and submit the Insurance Declaration in the form shown below, signed by an authorized representative of its insurer and notarized. (If more than one insurer, submit a completed form for each insurer).

A. Is the entity able to obtain insurance in the following limits for this construction contract?

YES □ NO □

<table>
<thead>
<tr>
<th>Commercial Form General Liability Insurance* - Limits of Liability</th>
<th>Minimum Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Each Occurrence - Combined Single Limit for Bodily Injury and Property Damage</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Products - Completed Operations Aggregate</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>Personal and Advertising Injury</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>General Aggregate</td>
<td>$2,000,000</td>
</tr>
</tbody>
</table>
### Business Automobile Liability Insurance* - Limits of Liability

<table>
<thead>
<tr>
<th>Description</th>
<th>Minimum Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Each Accident - Combined Single Limit for Bodily Injury and Property Damage</td>
<td>$2,000,000</td>
</tr>
</tbody>
</table>

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

**Workers Compensation:** (as required by Federal and State of California law)

- **Employer's Liability:**
  - Each Employee: $1,000,000
  - Each Accident: $1,000,000
  - Each Policy: $1,000,000

*This insurance must be (i) issued by companies with a Best rating of A- or better, and a financial classification of VIII or better (or an equivalent rating by Standard & Poor or Moody's) or (ii) guaranteed, under terms consented to by the University (such consent to not be unreasonably withheld), by companies with a Best rating of A- or better, and a financial classification of VIII or better (or an equivalent rating by Standard & Poor or Moody's). Further, the deductible, or retained limit, for each coverage shall not be more than $100,000.

**This insurance must be issued by companies (i) that have a Best rating of B+ or better, and a financial classification of VIII or better (or an equivalent rating by Standard & Poor or Moody's); or (ii) that are acceptable to the University

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**COMPLETE AND SUBMIT THE FOLLOWING PROJECT DATA SHEET FOR EACH COMPARABLE PROJECT SUBMITTED AS EVIDENCE OF THE ENTITY’S EXPERIENCE. SUBMIT NOT MORE OR LESS THAN THE NUMBER PROJECT DATA SHEETS CORRESPONDING TO THE REQUIRED NUMBER OF COMPARABLE PROJECTS LISTED ABOVE. SUBMIT DATA SHEETS FOR EACH WORK CATEGORY FOR WHICH THE ENTITY IS REQUESTING PREQUALIFICATION.**
Project Name: ________________________________

Date Begun: _______________ Date Completed: _______________

Project Location (including full address, if any):

City: _______________ State: ___________ Zip: ___________

Project Description: ________________________________

Construction Type: ___________________________ Size (gross sq. ft.): __________________

Business name of entity, which constructed this project:

Did your entity act as the General Contractor for the project?

YES ☐ NO ☐

Cost at Bid: $____________________________

Was construction of the project begun and completed within the last 7 years?

YES ☐ NO ☐

Project Owner Name: ________________________________

Project Owner Address: ________________________________

City: ______________ State: _______ Zip: ______

Design Professional (e.g. the name of the Architect or Engineer of record)

What was the project’s delivery method? (Lump Sum, Negotiated, T&M etc.) _____________
4. LIQUIDATED DAMAGES

In the last five years, the entity HAS NOT been assessed liquidated damages on a construction contract with either a public or private owner? (a yes answer means you have not been assessed liquidated damages)

YES ☐ NO ☐

5. DISCIPLINARY MEASURES HISTORY

Can you truthfully state that the entity (nor any member of the entity if a joint venture or partnership) has not been disqualified or otherwise barred from doing business with a public agency (e.g., federal, state, county, city, University of California System, California State University System, school district,) within the last 10 years?

YES ☐ NO ☐

6. FALSE CLAIMS HISTORY

Can you truthfully state that the entity (nor any member of the entity if a joint venture or partnership) has not been found in a final decision of a court to have submitted a false claim to a public agency (e.g., federal, state, county, city, University of California System, California State University System,) within the last 10 years?

YES ☐ NO ☐

7. TERMINATION

Can you truthfully state that the entity (nor any member of the entity if a joint venture or partnership) HAS NOT been terminated for cause by an Owner after construction commenced within the last 5 years?

YES ☐ NO ☐

8. CLAIMS HISTORY

Each prospective Bidder will be evaluated to determine if the prospective Bidder and/or persons or entities associated with prospective Bidder have a history of having unmeritorious claims asserted by or on their behalf in litigation or arbitration and/or of having had meritorious design or construction claims asserted against them in litigation or arbitration.

In order to be evaluated, each prospective Bidder must complete the Claims History portion of this questionnaire. Based on the information provided, each prospective Bidder will be assigned a Claims History score.

One point will be assessed for each qualifying lawsuit or arbitration, commenced within 5 calendar years preceding the deadline for submission of the prequalification questionnaire, in which prospective Bidder and/or persons or entities associated with prospective Bidder, had design or construction claims asserted by or on their behalf that were resolved by trial court judgment, arbitration award or settlement calling for receipt of less than 50% of the total amount of claims asserted in the lawsuit or arbitration.

Additionally, one point will be assessed for each qualifying lawsuit or arbitration, commenced within 5 calendar years preceding the deadline for submission of the prequalification questionnaire, in which prospective Bidder and/or persons or entities associated with prospective Bidder, had design or construction claims asserted against them, that were resolved by trial court judgment, arbitration award or settlement calling for receipt of more than 50% of the total amount of claims asserted in the lawsuit or arbitration.
Any prospective Bidder with a score of 3 or more points will presumptively be considered not prequalified because the prospective Bidder and/or persons or entities associated with prospective Bidder have been a party to 3 or more lawsuits or arbitrations in which they either asserted, or had asserted on their behalf, unmeritorious design or construction claims or they had meritorious design or construction claims asserted against them.

The presumption may be rebutted if the University determines, after investigating any explanation offered in providing the Claims History, that the prospective Bidder and/or persons or entities associated with prospective Bidder have not been a party to 3 or more lawsuits or arbitrations in which they either asserted, or had asserted on their behalf, unmeritorious design or construction claims or they had meritorious design or construction claims asserted against them.

If the presumption is not rebutted, the prospective Bidder will be deemed to have an unacceptable Claims History, and will not be prequalified for the Project that is the subject of this prequalification process.

As used herein:

“Lawsuit” means any lawsuit commenced within 5 calendar years preceding the deadline for submission of the prequalification questionnaire.

“Arbitration” means any binding arbitration commenced within 5 calendar years preceding the deadline for submission of the prequalification questionnaire.

“Claim” means a claim (excluding claims solely for the enforcement of stop notices) arising from design and/or construction work and includes, without limitation, claims for extra compensation and damages (including delay, disruption and acceleration damages, but excluding claims for personal injury or death), and claims for defective design or construction work.

“Pass-Through Claim” has the meaning commonly ascribed to it in the construction industry and also includes (i) any claim that was or is asserted by a person or entity, in whole or in part, against an Owner on behalf of a different person or entity; and (ii) any claim that was or is asserted by an Owner against a person or entity, and that was subsequently reasserted, in whole or in part, against a different person or entity.

“Entity” means all entities and individuals who are intended to work as a part of, for, or under the prospective Bidder on the Project that is the subject of this prequalification process and includes, without limitation, such entities or individuals who are prime Bidders, and if a joint venture, all members of the joint venture.

Whenever a person or entity is referred to, the reference includes the person or entity and all partners, affiliates, subsidiaries, heirs, executors, administrators, assigns, predecessors and successors in interest of or to the person or entity. For instance, a reference to a Bidder includes the prospective Bidder and all partners, affiliates, subsidiaries, heirs, executors, administrators, assigns, insurers, predecessor businesses and successor businesses of the Bidder.
A. Can entity truthfully state that the entity has not been assigned non-prequalified status, in part or in whole, within the past five (5) years, for failure to provide requested information regarding past litigation or arbitration history?

YES ☐ NO ☐

B. 1. Lawsuits And Arbitrations By Entity:

Can entity truthfully state that, within the past 5 years, the entity has not been a party to any lawsuits or arbitrations, where the total amount of Claims (including Pass-Through Claims) asserted by or on behalf of the entity exceeded $50,000?

YES ☐ NO ☐

If no, how many? ________________

For each such claim, complete a copy of Claim Data Sheet and attach it to the entity’s prequalification questionnaire.

2. Lawsuits And Arbitrations Against Entity:

Can entity truthfully state that, within the past 5 years, the entity has not been a party to any lawsuits or arbitrations where the total amount of Claims (including Pass-Through Claims, and claims for indemnity or contribution) against the entity exceeded $50,000?

YES ☐ NO ☐

If no, how many? ________________

For each such claim, complete a copy of Claim Data Sheet and attach it to the entity’s prequalification questionnaire.

(A separate data sheet must be prepared for each Lawsuit or Arbitration as required above. If the claims were made against the entity and were resolved for more than 50% of the highest amount sought, state why the claims should not be considered meritorious design or construction claims asserted against prospective Bidder and/or persons or entities associated with prospective Bidder:
CLAIM DATA SHEET

(Make Copies of this CLAIM DATA SHEET as Needed.)

Case Name and Number including Name and Location of Court or Arbitration Service:

__________________________________________________________

Date Arbitration or Litigation Commenced: __________________________

Project or Contract Number: _______________________________________

Project Name: __________________________________________________

Project or Contract Number: _______________________________________

Project Location: ___________________________ City) __________________ (State)

Name of Owner: _________________________________________________

Contact Person and Title: _________________________________________

Owner's Telephone Number: _______________________________________

Description of Claims: ____________________________________________

Highest Amount Sought For All Claims: $ ____________ (Amount in Figures)

Amount Recovered: $ ________________________ (Amount in Figures)

Date of Claim Resolution: ________________

Method of Resolution (check one):

☐ Judgment  ☐ Arbitration Award  ☐ Settlement
☐ Other – Describe: ________________________________________________
PREQUALIFICATION DECLARATION

I, ____________________________ (Printed Name), hereby declare that I am the ____________________________ (Title)

of ____________________________ (Name of Entity)

submitting this Prequalification Questionnaire; that I am duly authorized to sign this Prequalification Questionnaire on behalf of the above named entity; and that all information set forth in this Prequalification Questionnaire and all attachments hereto are, to the best of my knowledge, true, accurate and complete as of its submission date.

The undersigned declares under penalty of perjury that all of the prequalification information submitted with this form is true and correct and that this declaration was executed in __________ (County), __________ (State) on __________ (Date).

________________________________________
(Signature)

________________________________________
(Printed Name)

________________________________________
(Address)

________________________________________
(City, State, Zip Code)

________________________  _______________________
(Telephone Number)        (Facsimile Number)

________________________________________
(E-mail - optional)

March 4, 2016
GC, MEP Prequalification

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