

**Attachment 1  
to RFQ for Design Build Entity Firm**

## **Prequalification Questionnaire**

**NEW UKIAH COURTHOUSE**

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF MENDOCINO**



## **Introduction and Overview of the Prequalification Questionnaire**

### **a. Submission Requirements**

The Prequalification Questionnaire is provided in a fill-in-the-blank format. The Design Build Entity must complete the Prequalification Questionnaire as provided, and provide additional sheets of paper when requested or required.

If any information provided by a Design Build Entity becomes inaccurate, the Design Build Entity must immediately notify the Judicial Council, provide updated accurate information in writing, and resubmit the Certification and Declaration form included in this Prequalification Questionnaire.

### **b. Definition of What Comprises a Design Build Entity and Other Prequalification Definitions**

A “Design Build Entity” means, pursuant to Government Code section 70398, subdivision (c): “a corporation, limited liability company, partnership, joint venture, or other legal entity that is able to provide appropriately licensed contracting, architectural, and engineering services as needed pursuant to a design-build contract.”

### **c. Certification and Declaration Instructions**

- i.** In the page immediately following the Prequalification Questionnaire, the Design Build Entity must include an executed Certification & Declaration in the form identical to the one included herein signed by the person having authority to bind the Design Build Entity, and every **individual** Design Build Entity member. Design Build Entity can include multiple Certifications and Declarations, as necessary.
- ii.** Prequalification Questionnaires submitted by corporations must be signed with the legal name of the corporation, followed by the name of the state of incorporation and by the signature and designation of the chairman of the board, president, or any vice president, and then followed by a second signature by the secretary, assistant secretary, the chief financial officer, or assistant treasurer. All persons signing must be authorized to bind the corporation in the matter. The name of each person signing shall also be typed or printed below the signature. Satisfactory evidence of the authority of each officer signing on behalf of a corporation shall be furnished.
- iii.** Prequalification Questionnaires submitted by partnerships must furnish the full name of all partners and must be signed in the partnership name by a general partner with authority to bind the partnership in such matters, followed by the signature and designation of the person signing. The name of the person signing shall also be typed or printed below the signature.

### **d. Scoring Approach**

The Prequalification Questionnaire shall be scored as set forth in the SOQ Scoring (**Attachment 2**). Review the Statement of Qualifications Scoring Criteria to understand the minimum scoring requirements. A general overview of the scoring of the Prequalification Questionnaire is as follows:

#### **i. SECTION I: INFORMATION ABOUT THE DESIGN BUILD ENTITY**

This is a “Pass” or “Fail” section requesting general information about the Design Build Entity. If the Design Build Entity receives a “Pass” on this section, Section II will be evaluated. If the Design Build Entity fails to provide complete responses to all applicable questions, the Design Build Entity shall not be prequalified.

#### **ii. SECTION II: ESSENTIAL REQUIREMENTS**

This part is a “Pass” or “Fail” series of questions. If the Design Build Entity receives a “Pass” on this section, Section III will be scored. If the Design Build Entity fails any question, the Design Build Entity shall not be prequalified.

iii. **SECTION III: SCORED QUESTIONS**

There are three separate sections of scored questions.

**Subpart A: Statutory Questions**

This subpart addresses scored criteria required by Government Code section 70398, et seq. The scoring for each question is set forth in the SOQ Scoring (**Attachment 2**).

**Subpart B: Other Scored Questions**

This subpart includes a series of other scored questions. The scoring for each question is set forth in the SOQ Scoring.

**Subpart C: References**

This part is comprised of a series of questions relating to the Design Build Entity's performance on at least ten (10) completed projects. The Judicial Council prefers projects that are projects approved by the Office of the State Fire Marshal ("OSFM"), of similar size, scope, and complexity.

iv. **DESIGN BUILD TEAM INFORMATION**

This section shall be comprised of scoring the Design Build Team Information (key personnel that are part of the Design Build Entity's proposed team for the Project) provided by the Design Build Entity in the SOQ. The scoring for Design Build Team information is set forth in the SOQ Scoring

v. **STATEMENT OF QUALIFICATIONS SCORING**

The SOQ Scoring the minimum scoring required by the Design Build Entity to prequalify. Design Build Entity's SOQ score will be the aggregate of the score from this Prequalification Questionnaire and the scoring of the Team Information. **The Judicial Council may elect to contact references identified in Section III, Subpart C, and score interviews. The scoring for this section is set forth in the SOQ Scoring.**

# SECTION I

## INFORMATION ABOUT THE DESIGN BUILD ENTITY

NOTE: The Design Build Entity must respond to all applicable questions to receive a “Pass” score.

### Design Build Entity - Contact Information

Design Build Entity’s Name: \_\_\_\_\_

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

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

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

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

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

**Type of Entity (check one):**

- Corporation                       Partnership                       Sole Prop.                       Other Association
- Joint Venture                       Limited Liability Company

If the Design Build Entity is a privately held corporation, limited liability company, partnership, or joint venture, list owner(s), shareholders, partners, or members who will work on the project. **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. (Use additional sheets of paper if necessary)**

**If the proposed Design Build Entity is a corporation, limited liability company, partnership, joint venture, or other legal entity, attach a copy to the Prequalification Questionnaire submitted to the Judicial Council of the organization documents or agreement committing to form the organization.**

**Proposed Firms:**

On a separate sheet of paper list all known entities and/or firms that shall perform work for the Design Build Entity to complete the Project, including the general contractor and architect of record. Design Build Entity should also include any other known consultants selected by the Design Build Entity at the time the SOQ is submitted. For **each**, include: the contact information above, the type of entity, how long the firm has been in business, and all license numbers and Department of Industrial Relations contractor registration numbers. **This should include the firms identified as key personnel in the Team Information portion of the SOQ.**

1. Provide the following information with respect to the Design Build Entity’s corporate form, as applicable.  
**For Design Build Entities That Are Partnerships, Corporations, Limited Liability Companies, or Sole Proprietorships**

Date incorporated:  
Under the laws of what state:

Provide all the following information for each entity, member, partner, or individual who owns ten percent or more of the firm:

Name	Position	Years with Firm	% Ownership

Identify every firm that any person or entity listed above has been associated with (as owner, general partner, limited partner, or officer) at any time during the last five (5) 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	Firm	Date of Person’s Participation with Firm

**For Design Build Entities that Intend to Submit a Proposal as Part of a Joint Venture:**

Date of commencement of joint venture:

Provide all the following information for each firm that is a member of the joint venture:

Name of Firm	% Ownership

**Note: On a separate sheet of paper, provide all other pertinent information required in the sections above, for each Corporation, Limited Liability Company, Partnership, or Sole-Proprietorship that is a part of the Joint Venture.**

2. List all California construction license numbers, classifications, and expiration dates of the California contractor licenses held by the Design Build Entity. *(Use additional sheets of paper if necessary)*

Contractor License	Classification	Expiration Date

3. If any of the above listed licenses are held in the name of a corporation or partnership, including the general contractor member of the Design Build Entity, list below the names of the qualifying individuals listed on the Contractor’s State License Board (CSLB) records who meet the experience and examination requirements for each license. *(Use additional sheets of paper if necessary)*

Contractor License Number	Name of Qualifying Individual

4. Has the license holder(s) identified above changed names or license numbers in the last five (5) years?  
 Yes  No

If “Yes,” explain *(Use additional sheets of paper if necessary)*

5. List all California professional licensing numbers, design discipline, and expiration dates of the licenses issued to the Design Build Entity by the State of California for professional design/engineering services. *(Use additional sheets of paper if necessary)*

License Number	Design Discipline	Expiration Date

6. If any of the above listed licenses are held in the name of a corporation or partnership of the architect of record or any design professional who are members of the Design Build Entity, list below the names of the qualifying individuals listed on the licensing authority’s records who meet the experience and examination requirements for each license. *(Use additional sheets of paper if necessary)*

License Number	Name of Qualifying Individual

7. Has the license holder(s) identified above changed names or license numbers in the last five (5) years?  
 Yes  No

If “Yes,” explain *(Use additional sheets of paper if necessary)*

8. Has there been any change in ownership of the Design Build Entity at any time during the last three (3) years?  
*NOTE: A corporation whose shares are publicly traded is not required to answer this question.*  
 Yes  No

If “Yes,” explain (Use additional sheets of paper if necessary)

9. Is the Design Build Entity, or any member of the Design Build Entity, a subsidiary, parent, holding company or affiliate of another firm?

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

Yes  No

If “Yes,” explain (Use additional sheets of paper if necessary)

10. **Bonding capacity.** Provide documentation from your surety identifying the following. Documentation can be in the form of a letter from the surety attached to the Prequalification Questionnaire. If the bonding or surety information relates to the general contractor member of the Design Build Entity, and not the Design Build Entity separately, please provide the bonding information related to that member.

<b>Bonding Co./Surety:</b> _____	<b>Surety Agent:</b> _____
<b>Agent Address:</b> _____	<b>Telephone #:</b> _____
<b>Total Bonding Capacity:</b> _____	<b>Total Available Bonding Capacity:</b> _____

11. List all other sureties (name and full address) that have written bonds for your firm during the last five (5) years, including the dates during which each wrote the bonds. (Use additional sheets of paper if necessary)

Date	Surety	Address

12. Quality Control Processes:

Does the Design Build Entity, or any member thereof, have a written Quality Assurance / Quality Control (QA / QC) program?

Yes  No

13. Experience Modification Rate (EMR). If the Design Build Entity does not have this information for the Design Build Entity, provide the following information for each Design Build Entity member on a separate sheet of paper.

Is your average Experience Modification Rate for the most recent three-year period higher than 1.00?

Yes  No

List your Experience Modification Rate (EMR) for the past three (3) years.

Year	EMR
2021	
2020	
2019	

If the Experience Modification Rate has been above 1.0 in the past three (3) years, provide an explanation, including dates. *(Use additional sheets of paper if necessary)*

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**Submit a letter from your Workers' Compensation Carrier showing your Experience Modification Rate for the past four (4) years.**

14. **Financial Information:** Provide Design Build Entity's total revenue, net income, current assets, current liabilities, total debt, and total net worth for the past **three (3) fiscal years**. If the Design Build Entity does not aggregate this information for the Design Build Entity, provide the following information for **EACH** member of the Design Build Entity. *(Use additional sheets of paper if necessary)*

	Year Ending 2021	Year Ending 2020	Year Ending 2019
<b>Total Revenue</b>			
<b>Net Income</b>			
<b>Current Assets</b>			
<b>Current Liabilities</b>			
<b>Total Debt</b>			
<b>Total Net Worth</b>			

**Attach Design Build Entity's latest copy of reviewed or audited financial statements with accompanying notes and supplemental information. If the Design Build Entity has not prepared this information for the Design Build Entity, provide the financial statements for EACH member of the Design Build Entity. Note: A financial statement that has not been reviewed or audited is not acceptable. A letter verifying availability of a line of credit is not a substitute for the required financial statement.**



## SECTION II: ESSENTIAL REQUIREMENTS

**NOTE: The Design Build Entity will be automatically Disqualified if the answer to any of Questions 1 through 7 is “No.”**

1. Does the Design Build Entity, or any member of the current Design Build Team, possess a valid, current California contractor’s license covering the classification of work for the Project?  
 Yes  No
  
2. Does the Design Build Entity, or any member of the current Design Build Team, possess valid and current licenses from the State of California to perform all architectural design work required for the Project?  
 Yes  No
  
3. Does the Design Build Entity, or any current member of the Design Build Team, carry insurance policy(ies) with policy limits as follows?
  - For a general contractor, a general commercial liability policy of at least \$5,000,000 per occurrence and \$5,000,000 aggregate?
  - For a design professional, including the architect of record, professional liability insurance policy or can obtain additional coverage with a policy limit of at least \$5,000,000 per claim and \$5,000,000 aggregate? Yes  No
  
4. Does the Design Build Entity, or any member of the Design Build Entity, have current workers’ compensation insurance policies as required by the Labor Code or are they legally self-insured pursuant to Labor Code section 3700 et. seq., or do they intend to obtain such insurance prior to commencing work?  
 Yes  No

If yes, provide the following information. *(Use a separate sheet if more than one policy and for each Design Build Entity member, to the extent applicable)*

Insured: \_\_\_\_\_

Insurance Company: \_\_\_\_\_

Policy Number: \_\_\_\_\_

5. Has the Design Build Entity, or **each** Design Build Entity member, provided the applicable firm’s total revenue, net income, current assets, current liabilities, total debt, and total net worth for the past three (3) fiscal years and provided the required financial information.  
 Yes  No
  
6. Has the Design Build Entity, or any member of the Design Build Entity, attached a notarized statement from a surety insurer admitted (approved by the California Department of Insurance) and authorized to issue bonds in the State of California, which states that the firm’s current bonding capacity is sufficient to provide payment and performance bonds in the amount of 100% of the estimated cost of construction?  
 Yes  No  
*Note: A notarized statement must be from the surety company, not from an agent or broker.*
  
7. Design Build Entity has reviewed the Judicial Council Conflict of Interest Policy for Design Build Projects applicable to the Project, and certifies that neither Design Build Entity, nor any member of Design Build Entity, has any interest and shall not acquire any interest which would present a conflict of interest with the Judicial Council pursuant to California Government Code sections 1090 et seq. and 87100 et seq., and the Judicial Council’s Conflict of Interest Policy for Design Build Projects. Design Build Entity, and all members of the Design Build Entity, further certifies that, to the best of its knowledge after due inquiry, no employees or agents of the Judicial Council are now, nor in the future will they be, in any manner interested directly or indirectly in any agreement arising from this solicitation, or in any profits expected to arise from that agreement, as set forth in California Government Code sections 1090 et seq. and 87100 et seq.  
 Yes  No

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**NOTE: The Design Build Entity will be automatically disqualified if the answer to any of Questions 8 thru 15 is “Yes.”**

8. Has any contractor’s or design license held by the Design Build Entity, or any member of the Design Build Entity, or their associates, been revoked or suspended at any time in the last five (5) years?  
 Yes  No
9. Has a surety firm completed a contract on behalf of Design Build Entity, or any member of the Design Build Entity, or paid for completion because the firm was terminated for default by the project owner within the last five (5) years?  
 Yes  No
10. Is the Design Build Entity, any of its officers, supervisors, managers, or any member of the Design Build Entity, or any firm or individual identified above in Section I, ineligible to bid on or be awarded a public works contract, or perform as a subcontractor on a public works contract, pursuant to Labor Code section 1777.1, Labor Code section 1777.7, or any other federal, state, county, municipal or other local law providing for the debarment of contractors from public works?  
 Yes  No
11. Has the Design Build Entity, or any of its officers, supervisors, managers, or any member of the Design Build Entity, or any of its officers, supervisors, managers, or any firm or individual identified above in Section I, been convicted of a crime involving the awarding of a contract of a government construction project, the bidding or performance of a government contract, antitrust statutes, racketeering statutes, safety and health regulations, environmental laws, laws banning workplace discrimination, laws governing wages, hours or labor standards, or laws involving fraud, theft, or any other act of dishonesty?  
 Yes  No
12. Is the Design Build Entity, or any member of the Design Build Entity, currently the debtor in a bankruptcy case? If yes, attach a copy of the bankruptcy petition showing the case number and date on which the petition was filed.  
 Yes  No
13. Has the Design Build Entity, or any of its officers, supervisors, managers, or any member of the Design Build Entity, any of its officers, supervisors, managers, or any firm or individual identified above in Section I, ever been terminated from a public works contract, including but not limited to termination based on any misconduct, such as failure to comply with contractual, statutory, or other legal obligations from any public construction project?  
 Yes  No
14. Does the Design Build Entity, or any of its officers, supervisors, managers, or any member of the Design Build Entity, any of its officers, supervisors, managers, or any firm or individual identified above in Section I, currently have any delinquent liability to an employee, the state, or any awarding body for any assessment of back wages or related damages, interest, fines or penalties pursuant to any final judgment, order, or determination by any court or any federal, state, or local administrative agency, including a confirmed arbitration award?  
 Yes  No
15. Is the Design Build Entity’s, or any member of the Design Build Entity’s, Experience Modification Rate averaged over the most recent three (3) year period greater than 1.00?  
 Yes  No

**SECTION III:  
SCORED QUESTIONS**

**SUBPART A  
STATUTORY QUESTIONS**

1. How many projects for public entities approved by OSFM, of similar size, scope and complexity has the Design Build Entity, or any member of the Design Build Entity, constructed in California?

<b>Number:</b>	
<b>Number of above that were design build:</b>	

Provide a listing of the three (3) largest (in area) public entity projects approved by the OSFM that the Design Build Entity, or any member of the Design Build Entity, has designed and constructed within California.

<b>Project Name</b>	<b>Description</b>	<b>Size (sf)</b>	<b>Cost</b>

*On a separate sheet of paper, please describe the scope of work for each project. Each description shall not exceed one-half of a page.*

**NOTE: If projects are itemized for individual Design Build Entity members, please provide the information above for EACH Design Build Entity member.**

2. Has the Design Build Entity, or any member of the Design Build Entity, had a construction or design claim or litigation totaling more than five hundred thousand dollars (\$500,000) or five percent (5%) of the annual value of work performed, whichever is less, settled against it in the preceding five (5) years.  
 Yes     No

*If yes, please explain EACH claim on a separate piece of paper. Each explanation shall not exceed one-half page.*

3. Has the Design Build Entity, or any member of the Design Build Entity, in the last five (5) years, had CalOSHA cited and assessed penalties against the Design Build Entity, or any member of the Design Build Entity, for any “serious,” “willful” or “repeat” violation(s) or the federal Occupational Safety and Health Administration cited and assessed penalties against your firm for violation(s) of safety or health regulations?  
 Yes     No

*If yes, please explain EACH violation on a separate piece of paper. Each explanation shall not exceed one-half page.*

4. Has the Design Build Entity, or any member of the Design Build Entity, had any violations of federal or state law, including, but not limited to, those laws governing the payment of wages, benefits, or personal income tax withholding, or the Federal Insurance Contributions Act (FICA) withholding requirements, state disability insurance withholding, or unemployment insurance payment requirements, settled against it in the preceding five (5) years. Please note, for purposes of this question, only violations by a Design Build Entity member as

an employer are applicable, unless it is shown that the Design Build Entity member, in the capacity of an employer, had knowledge of the subcontractor's violations or failed to comply with the conditions set forth in subdivision (b) of Section 1775 of the Labor Code?

Yes     No

*If yes, please explain EACH violation on a separate piece of paper. Each explanation shall not exceed one-half page.*

5. Has the Design Build Entity, or any member of the Design Build Entity, ever been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of a violation of law or a safety regulation, and if so to explain the circumstances?

Yes     No

*If yes, please explain EACH circumstance on a separate piece of paper. Each explanation shall not exceed one-half page.*

6. Has the Design Build Entity, or any member of the Design Build Entity, ever violated the Contractors' State License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code), excluding alleged violations or complaints.

Yes     No

*If yes, please explain EACH violation on a separate piece of paper. Each explanation shall not exceed one-half page.*

7. Has the Design Build Entity, or any member of the Design Build Entity, been convicted for submitting a false or fraudulent claim to a public agency in the preceding five (5) years?

Yes     No

*If yes, please explain EACH conviction on a separate piece of paper. Each explanation shall not exceed one-half page.*

**SUBPART B  
OTHER SCORED QUESTIONS**

**Prior History**

**Circle Answer**

1. How many times has the Design Build Entity, any member of the Design Build Entity, or any of either's officers, supervisors, or managers, declared bankruptcy at any time during the last five (5) years? **0 1 2 3 4 5+**

*This question refers only to a bankruptcy action that was not described in your answer to the similar question in the Essential Criteria. If yes, attach a copy of the bankruptcy petition showing the case number and the date on which the petition was filed, a copy of the Bankruptcy Court's discharge order or any other document that concluded the case if no discharge order was issued.*

2. How many times has the Design Build Entity, any member of the Design Build Entity, or any of either's officers, supervisors, or managers, had an injunction, judgment, order, or lien entered against it for outstanding taxes assessed or fines, penalties and/or unpaid employee wages at any time in the last five (5) years? **0 1 2 3 4 5+**

*Explain on a separate sheet. Provide details, including the name of the government agency, caption, date, case or docket number, and disposition. Be sure to note any judgments or liens that have not been fully satisfied.*

3. How many times in the past five (5) years has the Design Build Entity, any member of the Design Build Entity, or any of either's officers, supervisors, or managers, been a party in any civil litigation or administrative proceeding alleging violation of any of the following: contract antitrust statutes, racketeering statutes, safety and health regulations, environmental laws, laws banning workplace discrimination, laws governing wages, hours or labor standards, or laws involving fraud, theft, or any other act of dishonesty? **0 1 2 3 4 5+**

*Explain on a separate sheet. Provide details including the nature of the claims and defenses, caption, date, case or docket number, name of the court or agency before which the case is pending or which it was heard, and current status.*

4. How many times in the past five (5) years has the Design Build Entity, any member of the Design Build Entity, or any of either's officers, supervisors, or managers, been a party in any civil litigation or administrative proceeding alleging a violation by a subcontractor hired by the Design Build Entity, or any member of the Design Build Entity, of any of the following: contract antitrust statutes, racketeering statutes, safety and health regulations, environmental laws, laws banning workplace discrimination, laws governing wages, hours or labor standards, or laws involving fraud, theft, or any other act of dishonesty? **0 1 2 3 4 5+**

*Explain on a separate sheet. Provide details including the nature of the claims and defenses, caption, date, case or docket number, name of the court or agency before which the case is pending or which it was heard, and current status.*

**Circle Answer**

5. How many times in the past five (5) years has the Design Build Entity, any member of the Design Build Entity, or any of either's officers, supervisors, or managers, paid any amount, fine or otherwise, regardless of characterization, to settle any of the allegations listed in Questions 3 and 4 above, whether with or without an admission of responsibility or liability?
- Explain on a separate sheet. Provide details, including the caption, date, case or docket number, and court or agency before which the case was brought.*
6. How many times has the Design Build Entity, any member of the Design Build Entity, or any of either's officers, supervisors, or managers, been debarred, suspended, disqualified, denied a classification rating or pre-qualification, or otherwise been declared not responsible to or prevented from bidding or performing work on any public works contract or subcontract in the last five (5) years?
- Explain on a separate sheet. State whether the firm involved was the Design Build Entity, any member of the Design Build Entity, or other firm. Identify by name of the company, name of the person who was associated with that company, date, owner of the project, project name and information, basis for the action, and case or docket number.*
7. How many times in the last five (5) years has the Design Build Entity, or any member of the Design Build Entity, been assessed and paid liquidated damages after completion of a project under a construction contract with either a public or private owner?
- Explain on a separate sheet. Identify all such projects by owner, owner's address, date of completion of the project, amount of liquidated damages assessed and all other information necessary to fully explain the assessment of liquidated damages.*
8. How many times during the past five (5) years, has any surety company made any payments on Design Build Entity's, or any member of the Design Build Entity's, behalf as a result of a default, to satisfy any claims made against a performance or payment bond issued on the Design Build Entity, or any member of the Design Build Entity's, behalf, in connection with a construction project, either public or private?
- Explain on a separate sheet. Identify the amount of each such claim, name and telephone number of the claimant, date of claim, grounds for claim, present status of claim, date of resolution of claim if resolved, method by which claim was resolved, nature of resolution and amount, if any, at which claim was resolved.*
9. How many times in the last five (5) years has any insurance carrier, for any form of insurance, refused to renew an insurance policy for the Design Build Entity, or any member of the Design Build Entity?
- Explain on a separate sheet. Name the insurance carrier, form of insurance, and year of refusal.*
10. How many times during the last five (5) years, has the Design Build Entity, or any member of the Design Build Entity, been denied bond coverage by a surety company, or has there been a period of time when the Design Build Entity, or any member of the Design Build Entity, had no surety bond in place during a public works construction project when one was required?
- Explain on a separate sheet. Indicate when the Design Build Entity, was denied coverage, and the name of the company or companies which denied coverage.*

**Criminal Matters and Civil Suits**

**Circle Answer**

11. How many times has the Design Build Entity, or any member of the Design Build Entity, or any of either’s officers, supervisors, or managers, ever been convicted of a crime involving any federal, state, or local law related to construction? **0 1 2 3 4 5+**

*Explain on a separate sheet. Identify who was involved, name of the public agency, date of conviction, and grounds for conviction.*

12. How many times has the Design Build Entity, any member of the Design Build Entity, or any of either’s officers, supervisors, or managers, ever been found liable in a civil suit or convicted of a federal or state crime of fraud, theft, or involving any other act of dishonesty, such as making any false claim or material misrepresentations? **0 1 2 3 4 5+**

*Explain on a separate sheet. Identify the person or persons convicted or found liable, court [the county if a state court, the district, or location if federal court], year, and conduct involved.*

**NOTE: The following two questions refer only to disputes between has the Design Build Entity, or any member of the Design Build Entity, and the owner of a project. You need not include information about disputes between the Design Build Entity, or any member of the Design Build Entity, and a supplier, another contractor, or subcontractor. You need not include information about “pass-through” disputes in which the actual dispute is between a sub-contractor and a project owner. Also, you may omit reference**

13. How many times in the last five (5) years has any claim against has the Design Build Entity, or any member of the Design Build Entity, concerning the Design Build Entity, or any member of the Design Build Entity’s, work on a construction project been filed in court or arbitration? **0 1 2 3 4 5+**

*Explain on a separate sheet. 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 [e.g. "pending" or, if resolved, a brief description of the resolution].*

14. How many times in the last five (5) years has the Design Build Entity, or any member of the Design Build Entity, 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? **0 1 2 3 4 5+**

*Explain on a separate sheet. Identify the claim(s) 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 [e.g. "pending" or if resolved, a brief description of the resolution].*

**Occupational Health and Safety Compliance**

**Circle Answer**

15. How many times in the last five (5) years has the EPA or any Air Quality Management District or any Regional Water Quality Control Board cited and assessed penalties against either the Design Build Entity, or any member of the Design Build Entity, or the owner of a project on which the Design Build Entity, or any member of the Design Build Entity, performed design or construction work?

**0 1 2 3 4 5+**

*Explain on a separate sheet describing each citation.*

**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.**

16. How many times within the last five (5) years has there been a period when the Design Build Entity, or any member of the Design Build Entity, had employees but was without workers' compensation insurance or state-approved self-insurance?

**0 1 2 3 4 5+**

*Explain the reason for each absence of workers' compensation insurance on a separate sheet. If "None," please provide a statement by current workers' compensation insurance carrier that verifies periods of workers' compensation insurance coverage for the last five (5) years.*

17. How many times during the last five (5) years, has the Design Build Entity, or any member of the Design Build Entity, been required to pay back wages and/or penalties related to state or federal prevailing wage laws for work performed by the Design Build Entity, or any member of the Design Build Entity?

**0 1 2 3 4 5+**

*Explain on a separate sheet. Describe the nature of each violation and identify the name of the project, date of its completion, public agency for which it was constructed, number of employees underpaid, and amount(s) of back wages and penalties the Design Build Entity, or a member the Design Build Entity, was required to pay.*

**NOTE: This question refers only to the violation of prevailing wage laws by the Design Build Entity, or any member of the Design Build Entity, not to violations by a subcontractor.**



**Circle Answer**

18. How many times during the last five (5) years, has the Design Build Entity, or any member of the Design Build Entity, or any subcontractors hired by the Design Build Entity, or any member of the Design Build Entity, been required to pay back wages and/or penalties related to state or federal prevailing wage laws for work performed by a subcontractor?

**0 1 2 3 4 5+**

*Explain on a separate sheet. Identify the subcontractor's business name and CSLB license number, describe the nature of each violation, and identify the name of the project, date of its completion, public agency for which it was constructed, number of employees underpaid, and amount(s) of back wages and penalties the Design Build Entity, or any member of the Design Build Entity, was required to pay.*

**NOTE: This question refers only to the violation of prevailing wage laws by subcontractors, not to violations by the Design Build Entity, or any member of the Design Build Entity.**

19. How many times during the last five (5) years, has the Design Build Entity, or any member of the Design Build Entity, paid any penalties related to any provision of California apprenticeship laws or regulations, or the laws pertaining to use of apprentices on public works projects, including Labor Code sections 1777.5 and 1777.7?

**0 1 2 3 4 5+**

*Explain on a separate sheet. Provide the date(s) of such findings, case number(s), and attach copies of the Department's final decision(s).*

20. How many times during the last five (5) years, has any subcontractor hired by the Design Build Entity, or any member of the Design Build Entity, paid any penalties related to any provision of California apprenticeship laws or regulations, or the laws pertaining to use of apprentices on public works projects, including Labor Code sections 1777.5 and 1777.7?

**0 1 2 3 4 5+**

*Explain on a separate sheet. Provide the date(s) of such findings, case number(s), and attach copies of the Department's final decision(s).*

**SUBPART C**  
**RECENT PROJECT COMPLETED INFORMATION SHEET**

Provide information about Design Build Entity's ten (10) largest completed public and/or private projects within the last seven (7) years. Names and references must be current and verifiable. These can include the projects included in Section III, Subpart A. **If the Design Build Entity has not completed the above required projects itself, then provide the above required projects for each member of the Design Build Entity.** Use separate sheets of paper that contain all of the following information:

- Project Name
- Location
- Owner
- Owner Contact Information
- Architect or Engineering Firm (if Design Build Entity or Design Build Entity member did not provide these services)
- Architect or Engineering Firm Contact Information (name and current phone number)
- Construction Manager, if applicable (name and current phone number)
- Inspector of Record, if applicable (name and current phone number)
- Description of Project and Scope of Work Performed
- Total Value of Construction (including change orders)
- Date Construction Commenced
- Original Contractual Completion Date
- Adjusted Completion Deadline Based on Time Extensions Granted by Owner
- Actual Date of Completion
- General Contractor's Project Manager, if applicable (lead contact in office)
- General Contractor's Superintendent, if applicable (lead contact on project site)

## SOQ CERTIFICATION AND DECLARATION

The Design Build Entity, and each of the Design Build Entity members, certify and declare that they have read all the information in the Statement of Qualifications, including the Prequalification Questionnaire, and know its contents. The signatories below have the legal authority bind the Design Build Entity, and each of the Design Build Entity members. By signing this Certification & Declaration, the undersigned persons on behalf of the Design Build Entity, and the individual Design Build Entity members, submitting this Statement of Qualifications, do certify and declare the following:

1. That they have read and reviewed the completed Prequalification Questionnaire, and the matters stated therein are true, to the best of their own personal knowledge. The information in the Prequalification Questionnaire is provided for the purpose of prequalifying to submit a proposal for the Project, and any individual, company or other agency named in the SOQ or the Prequalification Questionnaire is authorized to supply the Judicial Council with any information necessary to verify the Design Build Entity's statements. By signing this certification, the signatories, the Design Build Entity, and any Design Build Entity member, hereby grant permission to the Judicial Council to contact any or all persons or entities to identified in the SOQ and Prequalification Questionnaire to confirm facts or otherwise investigate facts contained in those documents. The signatories, Design Build Entity, and Design Build Entity members understand that any statement which is proven to be false shall be grounds for immediate disqualification from proposing on the Project.
2. The Design Build Entity, and every Design Build Entity member, shall comply with all laws applicable to the Project, including, but not limited to, the requirements of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.
3. The Design Build Entity agrees that if awarded the Project, it shall comply with any skilled and trained workforces statutes and contractual requirements in the applicable contract documents for the Project, and that the Design Build Entity and its subcontractors at every tier shall use a skilled and trained workforce to perform all Work on the Project that falls within an apprenticeable occupation in the building and construction trades, in accordance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.
4. Reasonable diligence has been used by the Design Build Entity, and every Design Build Entity member, in the preparation of this Statement of Qualifications and that it is true and complete to the best of the signers' knowledge.

I do declare, under the penalty of perjury, under the laws of the State of California, that the following is true and correct. Executed this day \_\_\_\_ of \_\_\_\_\_ (Month), \_\_\_\_\_ (Year), in \_\_\_\_\_ County, of \_\_\_\_\_ (State).

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Name of Entity: \_\_\_\_\_

Title/Position: \_\_\_\_\_