

**Attachment 2  
to RFQ for Design Build Entity**

**Statement of Qualifications Scoring  
Criteria**

**NEW UKIAH COURTHOUSE**

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



**Statement of Qualifications Scoring**

**1. Prequalification Questionnaire**

**1.1. Section I – Information About the Design Build Entity**

1.1.1. This is a “pass” or “fail” section. If Design Build Entity fails to respond to all applicable questions, the Design Build Entity will “fail” this portion of the questionnaire and will not prequalify. If Design Build Entity provides all applicable information, it will receive a “pass” and the Judicial Council will proceed to review the Design Build Entity’s Essential Criteria in Section II.

**1.2. Section II – Essential Criteria.**

1.2.1. This is a “pass” or “fail” section. If Design Build Entity answers any question in a disqualifying manner (a “No” answer to **Questions 1 through 7** and a “Yes” answer to **Questions 8 through 15**), the Design Build Entity will “fail” this portion of the questionnaire and will **not** prequalify. If Design Build Entity does not provide a disqualifying answer, it will receive a “pass” and the Judicial Council will proceed to review the Design Build Entity’s scored questions in Section III.

**1.3. Section III – Scored Questions.**

1.3.1. **Subpart A - Statutory Questions.** The Statutory Questions shall be scored as set forth below.

Question #	Requirement / Question	Maximum Score	Design Build Entity Score
1	How many projects for public entities approved by the Office of the State Fire Marshal (OSFM), of similar size, scope and complexity has the Design Build Entity, or any member of the Design Build Entity constructed in California? <b>15 pts for more than 5 projects; 2 pts per project for 5 or less projects</b>	15	
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 5 percent of the annual value of work performed, whichever is less, settled against it in the preceding five (5) years. <b>No = 10 Points Yes, as follows: 1 claim = 8 Points 2 claims = 6 Points 3 claims = 4 Points 4 claims = 2 Points 5 claims or more = 0 points</b>	10	
3	Has the Design Build Entity, or any member of the Design Build Entity, had CalOSHA cited and assessed penalties against 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, in the last five (5) years? <b>No = 10 Points Yes, as follows: 1 violation = 8 Points</b>	10	

	<b>2 violations = 6 Points</b> <b>3 violations = 4 Points</b> <b>4 violations = 2 Points</b> <b>5 violations or more = 0 points</b>		
4	<p>Has 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?</p> <b>No = 10 Points</b> <b>Yes, as follows:</b> <b>1 violation = 8 Points</b> <b>2 violations = 6 Points</b> <b>3 violations = 4 Points</b> <b>4 violations = 2 Points</b> <b>5 violations or more = 0 points</b>	10	
5	<p>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?</p> <b>No = Add 5 Points</b> <b>Yes = Subtract 5 Points</b>	5	
6	<p>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?</p> <b>No = Add 5 Points</b> <b>Yes = Subtract 5 Points</b>	5	
7	<p>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?</p> <b>No = Add 5 Points</b> <b>Yes = Subtract 5 Points</b>	5	
Total for Scored Statutory Questions			
<b>Maximum Possible Score for Subpart A is 60</b>		TOTAL	

1.4. **Subpart B - Other Scored Questions.** The Statutory Questions shall be scored as set forth below.

Question #	Requirement / Question	Maximum Score	Design Build
1	<p>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?</p> <p><b>0 = 5 points</b>  <b>1 or more = 0 points</b></p>	5	
2	<p>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?</p> <p><b>0 = 5 points</b>  <b>1 = 2 points</b>  <b>More than 1 = 0 Points</b></p>	5	
3	<p>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?</p> <p><b>0 = 5 points</b>  <b>1 = 2 points</b>  <b>More than 1 = 0 Points</b></p>	5	
4	<p>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?</p> <p><b>0 = 5 points</b>  <b>1 = 3 points</b>  <b>2 = 2 points</b>  <b>More than 1 = 0 Points</b></p>	5	
5	<p>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?</p> <p><b>0 = 5 points</b>  <b>1 = 2 points</b>  <b>More than 1 = 0 Points</b></p>	5	

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? <b>No = Add 5 Points</b> <b>Yes = Subtract 5 Points</b>	5	
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? <b>0 = Add 5 points</b> <b>1 or more = Subtract 5 points</b>	5	
8	How many times during the past five (5) years, has any surety company made any payments on the 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? <b>0 = Add 5 points</b> <b>1 or more = Subtract 5 points</b>	5	
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? <b>0 = 5 points</b> <b>1 = 2 points</b> <b>More than 1 = 0 Points</b>	5	
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? <b>0 = 5 points</b> <b>1 or more = 0 points</b>	5	
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, been convicted of a crime involving any federal, state, or local law related to construction? <b>0 = Add 5 points</b> <b>1 or more = Subtract 5 points</b>	5	
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, 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? <b>0 = Add 5 points</b> <b>1 or more = Subtract 5 points</b>	5	
13	How many times in the last five (5) years has any claim against the Design Build Entity, or any member of the Design Build Entity, concerning the Design Build Entity, or any	5	

	<p>member of the Design Build Entity's, work on a construction project been filed in court or arbitration?</p> <p><b>0 = Add 5 points</b>  <b>1 or more = Subtract 5 points</b></p>		
14	<p>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?</p> <p><b>0 = 5 points</b>  <b>1 = 2 points</b>  <b>More than 1 = 0 Points</b></p>	5	
15	<p>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?</p> <p><b>0 = 5 points</b>  <b>1 = 2 points</b>  <b>More than 1 = 0 Points</b></p>	5	
16	<p>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?</p> <p><b>0 = 5 points</b>  <b>More than 1 = 0 points</b></p>	5	
17	<p>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?</p> <p><b>0 = Add 5 points</b>  <b>More than 1 = Subtract 5 points</b></p>	5	
18	<p>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?</p> <p><b>0 = Add 5 points</b>  <b>More than 1 = Subtract 5 points</b></p>	5	
19	<p>How many times during the last five (5) years, has the Design Build Entity, or a 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?</p> <p><b>0 = Add 5 points</b>  <b>More than 1 = Subtract 5 points</b></p>	5	
20	<p>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</p>	5	

	public works projects, including Labor Code sections 1777.5 and 1777.7? <b>0 = Add 5 points</b> <b>More than 1 = Subtract 5 points</b>		
Total for Score for Other Scored Questions			
<b>Maximum Possible Score for Subpart B is 100</b>		TOTAL	

**1.5. Subpart C - Past Experience.** The Judicial Council shall review Design Build Entity’s past experience to determine whether Design Build Entity, or its members, have the collective experience on projects of similar size, scope, complexity, and cost. **The maximum possible score for Subpart C is 35 points.**

**1.6. Reference Checks (Optional).** The Judicial Council may check references at its discretion. If the Judicial Council checks references, it shall select three (3) references for each Design Build Entity. Reference checks shall include the following interview questions and will be scored accordingly for each reference check. The maximum possible score is 390 points, unweighted. After the Judicial Council contacts and scores references, the Judicial Council will add all three interviews together. The Judicial Council will then multiple the total of all three scored reference checks and multiply the total by .25, and the product shall be the weighted total that shall be included in the scoring. The maximum weighted total is **97.5**. (390 x .25 = 97.5) which is also the **maximum possible score for reference checks.**

POTENTIAL REFERENCE VERIFICATION QUESTIONS	Points
Are there any outstanding stop notices, liens, or claims by Design Build Entity that are currently unresolved on contracts for which notices of completion were recorded more than 120 days ago? <input type="checkbox"/> Yes <input type="checkbox"/> No    If “yes,” how many separate instances? <input type="text" value="#"/> 10 pts for 0 instances; 5 pts for 1 to 2 instances and 0 pts for 3 or more instances	
Was the project a public entity project requiring the Office of the State Fire Marshal approval and constructed in California? <input type="checkbox"/> Yes <input type="checkbox"/> No 10 points for Yes. 0 points for No	
On a scale of 1 to 10, with 10 being the best, did Design Build Entity provide appropriate personnel?	
On a scale of 1 to 10, with 10 being the best, did Design Build Entity provide appropriate supervision?	
On a scale of 1 to 10, with 10 being the best, was there adequate equipment provided on the job?	
On a scale of 1 to 10, with 10 being the best, was Design Build Entity timely in providing reports, meeting minutes, schedule updates and other paperwork?	
On a scale of 1 to 10, with 10 being the best, did Design Build Entity adhere to the project schedule that was approved?	
On a scale of 1-10, with 10 being the best, rate Design Build Entity’s performance in turning over Operation and Maintenance manuals, complete As-Built drawings, providing training and completing warranty items.	
On a scale of 1-10, with 10 being the best, rate Design Build Entity’s performance for submitting reasonable claims on the project and for resolving the claims.	
On a scale of 1-10, with 10 being the best, rate the quality of the overall work on the project.	
On a scale of 1-10, with 10 being the best, was Design Build Entity cooperative with the owner and construction manager?	
On a scale of 1-10, rate Design Build Entity’s performance in resolving disputes in a fair and equitable manner.	
On a scale of 1-10, with 10 being the best, rate Design Build Entity’s performance in completing the project on time.	

Total Score <b>Maximum Possible Score each individual reference is 130 and 390 for all three (3) references for a Design Build Entity.</b>	
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- 1.7. Design Build Team Information.** The Judicial Council will review the Key Personnel Form, information, and resumes submitted in the Design Build Team Information section to determine whether the Design Build Entity’s team experience and training is sufficient to competently complete the Project. The Personnel Form includes the Key Personnel for whom Design Build Entity provided information. **The maximum possible score for Design Build Team Information is 35 points.**
- 1.8. Scoring Criteria.** The Judicial Council shall aggregate the scoring of each section of the Statement of Qualifications. The minimum scoring necessary to prequalify is as follows:
- 1.8.1. If the Judicial Council DOES NOT check references, the **minimum** points required to prequalify is **180 points** out of a **maximum** of **225 points**.
- 1.8.2. If the Judicial Council DOES check references, the **minimum** points required to prequalify is **258 points** out of a **maximum** of **322.5 points**.
- 1.9. Composite Scoring.** The total composite scoring of the SOQ is as follows:

		Maximum	Minimum	Design Build Entity Score
<b>Section I</b>	<b>Information about Design Build Entity</b>	Pass	Pass	
<b>Section II</b>	<b>Essential Requirements</b>	Pass	Pass	
<b>Section III</b>	<b>Scored Questions for Design Build Entity Members</b>			
	<i>Subpart A</i>	<i>Statutory Questions</i>	60	N/A
	<i>Subpart B</i>	<i>Other Scored Questions</i>	100	N/A
	<i>Subpart C</i>	<i>Recent Completed Project</i>	35	N/A
<b>Subtotal</b>	<b>Section III Combined Score</b>	195	N/A	
<b>Team Information</b>	<b>Score for Team Information</b>	35	N/A	
<b>Reference Checks (Optional)</b>	<b>Check References from Recent Construction Projects Completed</b>	97.5	N/A	
<b>TOTAL (No Reference Checks)</b>	<b>Section 3 + Team Information</b>	230	180	
<b>TOTAL (WITH Reference Checks)</b>	<b>Section 3 + Team Information + Reference Checks</b>	327.5	258	