

PART I. ESSENTIAL REQUIREMENTS FOR QUALIFICATION

		Yes	No	Exempt
1.	Valid and current contractor's license			
2.	Liability Insurance			
3.	Workers Compensation Insurance Policy			
4.	Ineligible for Public Works Contract			

Contractor will be immediately disqualified if the answer to any of questions 1 through 3 is "no."

Contractor will be immediately disqualified if the answer to question 4 is "yes," but if debarment would be the sole reason for denial of qualification, any qualification issued will exclude the debarment period.

PART II. ORGANIZATION, HISTORY, ORGANIZATIONAL PERFORMANCE, COMPLIANCE WITH CIVIL AND CRIMINAL LAWS

A. Current Organization and Structure of the Business

		Possible Score	Score
1.	Organization	Completed answer = 5 Failure to Complete = 0	

II. A Subtotal Score: (Maximum score of 5) _____

B. History of the Business and Organizational Performance

		Possible Score	Score
2.	Change in ownership	n/a	0
3.	Subsidiary/parent/holding/affiliate	n/a	0
4.	Connection to other firm	n/a	0
5.	Gross revenues	n/a	0
6.	Years in business under same name/license	6 years or more = 5 5 years = 4 4 years = 3 3 years = 2 Less than 3 years= 0	
7.	Current debtor. If yes, copy of bankruptcy petition attached.	No = 5 Yes= 0 (documents attached) Yes= -2 (no documents attached)	
8.	Bankruptcy last 5 years. If yes, copy of bankruptcy petition and discharge/case ending documents attached.	No = 5 Yes= 0 (documents attached) Yes= -2 (no documents attached)	

II. B Subtotal Score: (Maximum score of 15) _____

C. Licenses

		Possible Score	Score
9.	List license numbers, classifications, expiration dates	Completed answer = 5 Failure to Complete = 0	
10.	List qualifying individuals	n/a	0
11.	Changed names or license number in past 5 years	No = 5 Yes = 0	
12.	Alternative names	No = 5 Yes = 0	
13.	Suspended license in past 5 years	No = 5 Yes = 0	
14.	Revoked license in past 5 years	No = 5 Yes = 0	

II. C Subtotal Score: (Maximum score of 25) _____

D. Disputes

		Possible Score	Score
15.	Paid liquidated damages in past 5 years	No = 5 Yes = 0	
16.	Debarred/disqualified/removed/prevent from birring or completing public works in past 5 years	No = 5 Yes = 0	
17.	Not responsible bidder finding	No = 5 Yes = 0	
18.	Claims against your firm regarding your work in past 5 years	No = 2 Yes = 0	
19.	Filed claims against general/prime in past 5 years	No = 5 Yes = 0	
20.	Filed claims against owner in past 5 years	No = 5 Yes = 0	
21.	Surety payments on your behalf	No = 5 Yes = 0	
22.	Insurance carrier refusal to renew	No = 5 Yes = 0	
23.	Default terminated with surety completion/pay	No = 5 Yes = 0	

II. D Subtotal Score: (Maximum score of 42) _____

E. Criminal Matters and Related Civil Suits

		Possible Score	Score
24.	Liabile for false claims/material misrepresentation	No = 5 Yes = 0	
25.	Construction related criminal convictions	No = 5 Yes = 0	
26.	Fraud/theft/dishonesty conviction	No = 5 Yes = 0	
27.	Government contract award/bid conviction	No = 5 Yes = 0	

II. E Subtotal Score: (Maximum score of 20) _____

F. Compliance with Occupational Safety and Health Laws and with Other Labor Legislation Safety

		Possible Score	Score
28.	CAL OSHA penalties in past 5 years	No = 5 Yes = 0	
29.	Federal OSHA penalties in past 5 years	No = 5 Yes = 0	
30.	EPA/AQMD/RWQCB penalties in past 5 years	No = 5 Yes = 0	
31.	Documented Safety Meetings	Daily = 5 Weekly = 3 Less often = 0	
32.	Experience Modification Rate (EMR) Average for past 3 premium years	.95 or less = 5 Bet. .95-1.00 = 3 More than 1.00 = 0	
33.	Period without workers compensation insurance/self-insurance in past 5 years. If no, statement from workers compensation carrier verifying coverage attached.	No (with verification attached) = 7 No = 5 Yes = 0	

II. F Subtotal Score: (Maximum score of 32) _____

G. Prevailing Wage and Apprenticeship Compliance Record

		Possible Score	Score
34.	More than 1 occasion pay back wages/penalties for state prevailing wage laws in past 5 years	No = 5 Yes = 0	
35.	More than 1 occasion pay back wages/penalties for federal prevailing wage laws in past 5 years	No = 5 Yes = 0	
36.	Apprenticeship programs requests	Each program listed = 5	
37.	State-approved apprenticeship Program	Each craft listed = 5	
38.	Violation of California apprenticeship laws. If yes, Department's final decision attached.	No = 5 Yes (with final decision attached) = 0 Yes (without final decision attached) = -2	

II. G Subtotal Score: (Maximum score of 25) _____

H. Skilled and Trained Workforce Requirements

39.	Skilled and Trained Workforce	Yes = 5 No = 0 Not apprenticeable = 0	
40.	All journeypersons or apprentices	Yes = 5 No = 0 (with explanation) No = -2 (without explanation) Not apprenticeable = 0	
41.	At least 50% of skilled journeypersons graduates of apprenticeship program as of 1/1/2019	Yes = 5 No = 0 Does not apply = 0	
42.	At least 60% of skilled journeypersons graduates of apprenticeship program as of 1/1/2020	Yes = 5 No = 0 Does not apply = 0	
43.	Subcontractors, Skilled and Trained Workforce	Yes = 5 No = 0 Not apprenticeable = 0	
44.	Subcontractors, all journeypersons or apprentices	Yes = 5 No = 0 (with explanation) No = -2 (without explanation) Not apprenticeable = 0 Not applicable = 0	
45.	Subcontractors, at least 50% of skilled journeypersons graduates of apprenticeship program as of 1/1/2019	Yes = 5 No = 0 Does not apply = 0 Not apprenticeable = 0	
46.	Subcontractors, at least 60% of skilled journeypersons graduates of apprenticeship program as of 1/1/2020	Yes = 5 No = 0 Not apprenticeable = 0 Not applicable = 0	

II. H Subtotal Score: (Maximum score of 40) _____

I. Financial Background/Bonding

47.	Line of credit of \$25,000 or greater	Yes = 2 No = 0	
48.	Line of credit of \$50,000 or greater	Yes = 2 No = 0	
49.	Line of credit of \$50,000 or greater	Yes = 2 No = 0	
50.	Line of credit of \$150,000 or greater	Yes = 2 No = 0	
51.	Gross revenue for the past 3 fiscal years \$1 million or greater	Yes = 2 No = 0	
52.	Gross revenue for the past 3 fiscal years \$5 million or greater	Yes = 2 No = 0	
53.	Gross revenue for the past 3 fiscal years \$10 million or greater	Yes = 2 No = 0	
54.	Gross revenue for the past 3 fiscal years \$20 million or greater	Yes = 2 No = 0	
55.	Attached financial statement and/or letter verifying line of credit	Yes (and attached reviewed/audited financials/letter verifying line of credit) = 5 No = 0	
56.	Attached statement from surety insurer stating bonding capacity	Yes (and attached statement for surety) = 5 No = 0	
57.	Bonding company/surety documentation	Completed/attached documentation = 2 No documentation = 0	
58.	Bond premium	≤1.00% = 5 1.00-1.25% = 3 More than 1.25% = 0	
59.	List all sureties for past 5 years	n/a	0
60.	Denied bond coverage/no surety when required	No = 5 Yes = 0	

II. I Subtotal Score: (Maximum score of 38) _____

PART III. RECENT CONSTRUCTION PROJECTS COMPLETED

For each project listed

Project 1	Possible Score	Score
Total value of construction	Same or greater value to current = 5 Less value than current = 0	
Time extensions granted	0 days = 5 1-19 days = 2 +20 days = 0	
Bonding capacity for project	Same or greater capacity as current = 5 Less capacity than current = 0	

Project 1 Subtotal: (Maximum score of 15) _____

Project 2	Possible Score	Score
Total value of construction	Same or greater value to current = 5 Less value than current = 0	
Time extensions granted	0 days = 5 1-19 days = 2 +20 days = 0	
Bonding capacity for project	Same or greater capacity as current = 5 Less capacity than current = 0	

Project 2 Subtotal: (Maximum score of 15) _____

BHM Construction, Inc. Scoring for Questionnaire for Educ. Code § 17406 Projects

Project 3	Possible Score	Score
Total value of construction	Same or greater value to current = 5 Less value than current = 0	
Time extensions granted	0 days = 5 1-19 days = 2 +20 days = 0	
Bonding capacity for project	Same or greater capacity as current = 5 Less capacity than current = 0	

Project 3 Subtotal: (Maximum score of 15) _____

PART IV. PRICE PROPOSAL

Circle applicable bid

Price Proposal	Score
Lowest price	250
Second Lowest price	235
Third Lowest price	220
Fourth Lowest price	205
Other: (subtract 15 points for each lowest price after fourth)	

FINAL SCORING

Part I.

Pass/Fail _____

Applicable disbarment period (if any) _____

Part II.

II. A Subtotal Score: (Maximum score of 5) _____

II. B Subtotal Score: (Maximum score of 15) _____

II. C Subtotal Score: (Maximum score of 25) _____

II. D Subtotal Score: (Maximum score of 42) _____

II. E Subtotal Score: (Maximum score of 20) _____

II. F Subtotal Score: (Maximum score of 32) _____

II. G Subtotal Score: (Maximum score of 25) _____

II. H Subtotal Score: (Maximum score of 40) _____

II. I Subtotal Score: (Maximum score of 38) _____

Part II Total Score: (Maximum score of 242) _____

Part III.

Project 1 Subtotal: (Maximum score of 15) _____

Project 2 Subtotal: (Maximum score of 15) _____

Project 3 Subtotal: (Maximum score of 15) _____

Part III Total Score: (Maximum score of 45) _____

Part IV. Lowest Price Proposal (Maximum Score of 250) _____

Total Best Value Score: (Maximum Score of 537) _____

CONTACT INFORMATION

Firm Name: _____ Check One: Corporation
(as it appears on license) Partnership
 Sole Prop.

Contact Person: _____

Address: _____

Phone: _____ Fax: _____

If firm is a sole proprietor or partnership:

Owner(s) of Company _____

Contractor's License Number(s):

PART I. ESSENTIAL REQUIREMENTS FOR QUALIFICATION

Contractor will be immediately disqualified if the answer to any of questions 1 through 3 is “no.”

Contractor will be immediately disqualified if the answer to question 4 is “yes,” but if debarment would be the sole reason for denial of qualification, any qualification 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 a liability insurance policy with a policy limit of at least \$1,000,000 per occurrence and \$2,000,000 aggregate.
 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. At the time of submitting this pre-qualification 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:

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	Social Security #

- 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 per cent or more of the business, or 10 per cent 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 10 per cent or more of the firm.

Name	Position	Years with Co.	% Ownership	Social Security #

- 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 per cent 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

For Firms That Are Sole Proprietorships:

- 1a. Date of commencement of business. _____
 1b. Social security number of company owner. _____
 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 per cent 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

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 one or more 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 below.

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 below.

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 below.

5. State your firm's gross revenues for each of the last three fiscal 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

7. Is your firm currently the debtor in a bankruptcy case?

Yes No

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

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.

C. Licenses

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

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.

11. Has your firm changed names or license number in the past five years?

Yes No

If "yes," explain below, 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 below, 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

If "yes," explain below.

14. Has your contractor's license been revoked at any time in the last five years?

Yes No

If "yes," explain below.

D. Disputes

15. 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
16. 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
17. 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
18. 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
19. 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
20. In the past five years has your firm made any claim against a general contractor or prime contractor concerning work on a project or payment for a contract and **filed that claim in court or arbitration?**
 Yes No
21. 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
22. 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
23. 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

E. Criminal Matters and Related Civil Suits

24. 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
25. 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
26. 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
27. 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

F. 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

29. Has the federal Occupational Safety and Health Administration cited and assessed penalties against your firm 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

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

31. How often do you require documented safety meetings to be held for construction employees and field supervisors during the course of a project?

daily weekly less often than daily or weekly

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: _____

Average for 3 years: _____

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

If "yes," please explain the reason for the absence of workers' compensation insurance below. 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.)

G. 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

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

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.

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).

(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.

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).

H. Skilled and Trained Workforce Requirements

39. Is your firm's workforce a "skilled and trained workforce" pursuant to the requirements of Public Contract Code § 2601?

Yes No Not an apprenticeable occupation

NOTE: "Apprenticeable occupation" means an occupation for which the Chief of the Division of Apprenticeship Standards of the Department of Industrial Relations had approved an apprenticeship program pursuant to Section 3075 of the Labor Code before January 1, 2014.

40. Are all workers at your firm performing work in an apprenticeable occupation in the building and construction trades either skilled journeypersons or apprentices registered in an apprenticeship program approved by the Chief of the Division of Apprenticeship Standards of the Department of Industrial?

Yes No Not an apprenticeable occupation

NOTE: "Skilled journeyperson" means a worker who either: graduated from an apprenticeship program for the applicable occupation that was approved by the chief or located outside California and approved for federal purposes pursuant to the apprenticeship regulations adopted by the federal Secretary of Labor or has at least as many hours of on-the-job experience in the applicable occupation as would be required to graduate from an apprenticeship program for the applicable occupation that is approved by the chief.

If "No" selected please specify how Public Contract Code § 2601(d) will be satisfied.

41. For work performed on or after January 1, 2019, will at least 50 percent of the skilled journeypersons employed to perform work on the contract or project by your firm be graduates of an apprenticeship program for the applicable occupation?

Yes No Requirement does not apply because work is to be performed by the following occupations: acoustical installer, bricklayer, carpenter, cement mason, drywall installer or lather, marble mason, finisher, or setter, modular furniture or systems installer, operating engineer, pile driver, plasterer, roofer or waterproofer, stone mason, surveyor, teamster, terrazzo worker or finisher, and tile layer, setter, or finisher.

42. For work performed on or after January 1, 2020, will at least 60 percent of the skilled journeypersons employed to perform work on the contract or project by your firm be graduates of an apprenticeship program for the applicable occupation?

- Yes No Requirement does not apply because work is to be performed by the following occupations: acoustical installer, bricklayer, carpenter, cement mason, drywall installer or lather, marble mason, finisher, or setter, modular furniture or systems installer, operating engineer, pile driver, plasterer, roofer or waterproofer, stone mason, surveyor, teamster, terrazzo worker or finisher, and tile layer, setter, or finisher.

43. If you intend to use subcontractors, will your subcontractors meet the “skilled and trained workforce” requirements of Public Contract Code § 2601?

- Yes No Not an apprenticeable occupation Not Applicable

NOTE: “Apprenticeable occupation” means an occupation for which the Chief of the Division of Apprenticeship Standards of the Department of Industrial Relations had approved an apprenticeship program pursuant to Section 3075 of the Labor Code before January 1, 2014.

44. If you intend to use subcontractors, will all workers at each subcontractor performing work in an apprenticeable occupation in the building and construction trades be either skilled journeypersons or apprentices registered in an apprenticeship program approved by the Chief of the Division of Apprenticeship Standards of the Department of Industrial?

- Yes No Not an apprenticeable occupation Not Applicable

NOTE: “Skilled journeyperson” means a worker who either: graduated from an apprenticeship program for the applicable occupation that was approved by the chief or located outside California and approved for federal purposes pursuant to the apprenticeship regulations adopted by the federal Secretary of Labor or has at least as many hours of on-the-job experience in the applicable occupation as would be required to graduate from an apprenticeship program for the applicable occupation that is approved by the chief.

If “No” selected please specify how Public Contract Code § 2601(d) will be satisfied.

45. If you intend to use subcontractors for work performed on or after January 1, 2019, will at least 50 percent of the skilled journeypersons employed to perform work on the contract or project by each subcontractor be graduates of an apprenticeship program for the applicable occupation?

Yes No Not Applicable

Requirement does not apply because work is to be performed by the following occupations: acoustical installer, bricklayer, carpenter, cement mason, drywall installer or lather, marble mason, finisher, or setter, modular furniture or systems installer, operating engineer, pile driver, plasterer, roofer or waterproofer, stone mason, surveyor, teamster, terrazzo worker or finisher, and tile layer, setter, or finisher.

46. If you intend to use subcontractors for work performed on or after January 1, 2020, will at least 60 percent of the skilled journeypersons employed to perform work on the contract or project by each subcontractor be graduates of an apprenticeship program for the applicable occupation?

Yes No Not Applicable

Requirement does not apply because work is to be performed by the following occupations: acoustical installer, bricklayer, carpenter, cement mason, drywall installer or lather, marble mason, finisher, or setter, modular furniture or systems installer, operating engineer, pile driver, plasterer, roofer or waterproofer, stone mason, surveyor, teamster, terrazzo worker or finisher, and tile layer, setter, or finisher.

I. Financial Background/Bonding

- 47. Does your firm have a business line of credit of \$25,000 or greater?
 Yes No
- 48. Does your firm have a business line of credit of \$50,000 or greater?
 Yes No
- 49. Does your firm have a business line of credit of \$50,000 or greater?
 Yes No
- 50. Does your firm have a business line of credit of \$150,000 or greater?
 Yes No
- 51. Is your average annual gross revenue for the past 3 fiscal years \$1 million or greater?
 Yes No
- 52. Is your average annual gross revenue for the past 3 fiscal years \$5 million or greater?
 Yes No
- 53. Is your average annual gross revenue for the past 3 fiscal years \$10 million or greater?
 Yes No
- 54. Is your average annual gross revenue for the past 3 fiscal years \$20 million or greater?
 Yes No
- 55. Have you attached your latest copy of a reviewed or audited financial statement and/or a letter from your financial institution verifying your line of credit?
 Yes No
- 56. Have you attached a 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 or (b) your current available bonding capacity?
 Yes No
- 57. Bonding capacity: Provide documentation from your surety identifying the following:

Name of bonding company/surety: _____

Name of surety agent, address and telephone number:

58. 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.

59. 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:

60. 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

PART III. RECENT CONSTRUCTION PROJECTS COMPLETED

Contractor shall provide information about its three most recently completed public works projects and/or its largest (total contract value) completed private projects within the last three years. Use separate sheets of paper that contain all of the following information:

Project Name: _____

Location: _____

Owner: _____

Architect or Engineer: _____

Construction Manager: _____

Description of Project, Scope of Work Performed:

Total Value of Construction (including change orders): _____

Original Scheduled Completion Date: _____

Time Extensions Granted (number of days): _____

Actual Date of Completion: _____

Bonding Capacity for Project: _____

* * * * *

I, the undersigned, certify and declare that I have read all the foregoing answers to this 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: _____
(Name)

APPENDIX E

SKILLED AND TRAINED WORKFORCE REQUIREMENTS

1. SUBCONTRACTOR represents and warrants that it, and its subcontractors at every tier, has and will have the capacity and ability to, and will, meet the requirements of Education Code section 17407.5 and Chapter 2.9 of the Public Contract Code, including but not limited to sections 2600-2602.
2. SUBCONTRACTOR agrees to defend, indemnify, and hold CONTRACTOR harmless from any allegations, claims, judgments, suits, demands, administrative proceedings, fines, and penalties ("Labor Claims"), arising out of or related to SUBCONTRACTOR'S, or any of its agents, representatives, subcontractors, employees, or independent contractor's, performance of its obligations under the Agreement and compliance or non-compliance with the skilled labor and workforce requirements, and all related applicable laws. Such defense and indemnity obligation shall be immediate upon tender by CONTRACTOR. CONTRACTOR shall have the right to be represented by counsel of its choosing, whose fees and costs shall be borne by SUBCONTRACTOR.
3. SUBCONTRACTOR'S failure to comply with the requirements of Education Code section 17407.5 and Public Contract Code sections 2600-2602 shall be a default event, entitling CONTRACTOR, in its unilateral discretion, to terminate SUBCONTRACTOR for cause per the procedure and terms set forth in the Agreement at section 17. SUBCONTRACTOR'S defense, indemnity, and hold harmless obligations in this Appendix E and in the Agreement shall survive any termination for cause.

Section 17407.5 of the Education Code reads:

- (a) The governing board of a school district shall not enter into an agreement pursuant to Section 17406 or 17407 with any entity unless the entity provides to the governing board of the school district an enforceable commitment that the entity and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or contract 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.
- (b) Subdivision (a) shall not apply if any of the following requirements are met:
 - (1) The governing board of the school district has entered into a project labor agreement that will bind all contractors and subcontractors performing work on the project or contract to use a skilled and trained workforce and the entity agrees to be bound by that project labor agreement.
 - (2) The project or contract is being performed under the extension or renewal of a project labor agreement that was entered into by the school district prior to January 1, 2017.

(3) The entity has entered into a project labor agreement that will bind the entity and all its subcontractors at every tier performing the project or contract to use a skilled and trained workforce.

(c) For purposes of this section, “project labor agreement” has the same meaning as in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.

Sections 2600-2602 of the Public Contract Code read:

2600

(a) This chapter applies when a public entity is required by statute or regulation to obtain an enforceable commitment that a bidder, contractor, or other entity will use a skilled and trained workforce to complete a contract or project.

(b) A public entity may require a bidder, contractor, or other entity to use a skilled and trained workforce to complete a contract or project regardless of whether the public entity is required to do so by a statute or regulation.

2601

For purposes of this chapter:

(a) “Apprenticeable occupation” means an occupation for which the Chief of the Division of Apprenticeship Standards of the Department of Industrial Relations had approved an apprenticeship program pursuant to Section 3075 of the Labor Code before January 1, 2014.

(b) “Chief” means the Chief of the Division of Apprenticeship Standards of the Department of Industrial Relations.

(c) “Graduate of an apprenticeship program” means either of the following:

(1) An individual that has been issued a certificate of completion under the authority of the California Apprenticeship Council for completing an apprenticeship program approved by the chief pursuant to Section 3075 of the Labor Code.

(2) An individual that has completed an apprenticeship program located outside California and approved for federal purposes pursuant to the apprenticeship regulations adopted by the federal Secretary of Labor.

(d) “Skilled and trained workforce” means a workforce that meets all of the following conditions:

(1) All the workers performing work in an apprenticeable occupation in the building and construction trades are either skilled journeypersons or apprentices registered in an apprenticeship program approved by the chief.

(2) (A) For work performed on or after January 1, 2017, at least 30 percent of the skilled journeypersons employed to perform work on the contract or project by every contractor and each of its subcontractors at every tier are graduates of an apprenticeship program for the applicable occupation. This requirement shall not apply to work performed in the occupation of teamster.

(B) For work performed on or after January 1, 2018, at least 40 percent of the skilled journeypersons employed to perform work on the contract or project by every contractor and each of its subcontractors at every tier are graduates of an apprenticeship program for the applicable occupation. This requirement shall not apply to work performed in the following occupations: acoustical installer, bricklayer, carpenter, cement mason, drywall installer or lather, marble mason, finisher, or setter, modular furniture or systems installer, operating engineer, pile driver, plasterer, roofer or waterproofer, stone mason, surveyor, teamster, terrazzo worker or finisher, and tile layer, setter, or finisher.

(C) For work performed on or after January 1, 2019, at least 50 percent of the skilled journeypersons employed to perform work on the contract or project by every contractor and each of its subcontractors at every tier are graduates of an apprenticeship program for the applicable occupation. This requirement shall not apply to work performed in the following occupations: acoustical installer, bricklayer, carpenter, cement mason, drywall installer or lather, marble mason, finisher, or setter, modular furniture or systems installer, operating engineer, pile driver, plasterer, roofer or waterproofer, stone mason, surveyor, teamster, terrazzo worker or finisher, and tile layer, setter, or finisher.

(D) For work performed on or after January 1, 2020, at least 60 percent of the skilled journeypersons employed to perform work on the contract or project by every contractor and each of its subcontractors at every tier are graduates of an apprenticeship program for the applicable occupation. This requirement shall not apply to work performed in the following occupations: acoustical installer, bricklayer, carpenter, cement mason, drywall installer or lather, marble mason, finisher, or setter, modular furniture or systems installer, operating engineer, pile driver, plasterer, roofer or waterproofer, stone mason, surveyor, teamster, terrazzo worker or finisher, and tile layer, setter, or finisher.

(3) For an apprenticeable occupation in which no apprenticeship program had been approved by the chief before January 1, 1995, up to one-half of the graduation percentage requirements of paragraph (2) may be satisfied by skilled

journeypersons who commenced working in the apprenticeable occupation before the chief's approval of an apprenticeship program for that occupation in the county in which the project is located.

(4) The apprenticeship graduation percentage requirements of paragraph (2) are satisfied if, in a particular calendar month, either of the following is true:

(A) At least the required percentage of the skilled journeypersons employed by the contractor or subcontractor to perform work on the contract or project meet the graduation percentage requirement.

(B) For the hours of work performed by skilled journeypersons employed by the contractor or subcontractor on the contract or project, the percentage of hours performed by skilled journeypersons who met the graduation requirement is at least equal to the required graduation percentage.

(5) The contractor or subcontractor need not meet the apprenticeship graduation requirements of paragraph (2) if, during the calendar month, the contractor or subcontractor employs skilled journeypersons to perform fewer than 10 hours of work on the contract or project.

(6) A subcontractor need not meet the apprenticeship graduation requirements of paragraph (2) if both of the following requirements are met:

(A) The subcontractor was not a listed subcontractor under Section 4104 or a substitute for a listed subcontractor.

(B) The subcontract does not exceed one-half of 1 percent of the price of the prime contract.

(e) "Skilled journeyperson" means a worker who either:

(1) Graduated from an apprenticeship program for the applicable occupation that was approved by the chief or located outside California and approved for federal purposes pursuant to the apprenticeship regulations adopted by the federal Secretary of Labor.

(2) Has at least as many hours of on-the-job experience in the applicable occupation as would be required to graduate from an apprenticeship program for the applicable occupation that is approved by the chief.

2602

(a) When a contractor, bidder, or other entity is required to provide an enforceable commitment that a skilled and trained workforce will be used to complete a contract or

project, the commitment shall be made in an enforceable agreement with the public entity or other awarding body that provides both of the following:

(1) The contractor, bidder, or other entity, and its contractors and subcontractors at every tier, will comply with this chapter.

(2) The contractor, bidder, or other entity will provide to the public entity or other awarding body, on a monthly basis while the project or contract is being performed, a report demonstrating compliance with this chapter.

(b) If the contractor, bidder, or other entity fails to provide the monthly report required by this section, or provides a report that is incomplete, the public agency or other awarding body shall withhold further payments until a complete report is provided.

(c) If a monthly report does not demonstrate compliance with this chapter, the public agency or other awarding body shall withhold further payments until the contractor, bidder, or other entity provides a plan to achieve substantial compliance with this chapter, with respect to the relevant apprenticeable occupation, prior to completion of the contract or project.

(d) A monthly report provided to the public agency or other awarding body shall be a public record under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code) and shall be open to public inspection.

(End of Code Sections.)

4. SUBCONTRACTOR and each of its subcontractors at every tier will demonstrate its compliance with Education Code section 17407.5 and Skilled and Trained Workforce requirements of Public Contract Code section 2600 et seq by either of the following methods (initial one of A or B below):

 A Using the form attached hereto, provide monthly reports to CONTRACTOR from the SUBCONTRACTOR and each of its subcontractors at every tier demonstrating that they are complying with the requirements of Public Contract Code section 2600 et seq., which shall be a public record under California Public Records Act, Government Code section 6250 et seq.; or

 B. Provide evidence that

1. The governing board of the school district has entered into a project labor agreement pursuant to Public Contract Code section 2500 that will bind all contractors and subcontractors performing work on the project or contract to use a skilled and trained workforce and the entity agrees to be bound by that project labor agreement;

2. The Project or contract is being performed under the extension or renewal of a project labor agreement pursuant to Public Contract Code section 2500 that was entered into by the school district prior to January 1, 2017; or
3. The CONTRACTOR has entered into a project labor agreement pursuant to Public Contract Code section 2500 that will bind the entity and all its subcontractors at every tier performing the project or contract to use a skilled and trained workforce.

I hereby certify that I am aware of the provisions of section 17407.5 of the Education Code and sections 2600 through 2602 of the Public Contract Code and will comply with such provisions during the performance of the work on this Project or the Agreement and will bind each of my subcontractors at every tier to comply with such provisions.

Date: _____

Subcontractor: _____

Signature: _____

Print Name: _____

Title: _____

NAME OF PROJECT: _____

NAME OF CONTRACTOR: _____

For the month and year of: _____

The undersigned hereby certifies that contractor and all of its subcontractors at every tier are in compliance with Public Contract Code section 2600 et seq. and that in the above month and year contractor and all of its subcontractors at every tier have used a Skilled and Trained Workforce to perform all work on the subcontract or project as follows (check all that apply):

All Workers Journeypersons or Apprentices

_____ All the workers performing work in an apprenticeable occupation in the building and construction trades are either skilled journeypersons or apprentices registered in an apprenticeship program approved by the Chief of the Division of Apprenticeship Standards of the Department of Industrial Relations

OR

_____ EXCEPTION: All workers performing work are not in an apprenticeable occupation in the building and construction trades.

Number of Skilled Journeypersons Calculation:

1. Number of Skilled Journeypersons performing work on the Project: _____
2. Number of Skilled Journeypersons who are graduates of an apprenticeship program for the applicable occupation: _____
3. Number of Skilled Journeyperson for an apprenticeable occupation in which no apprenticeship program had been approved by the Chief before 1/1/95 who commenced working in the apprenticeable occupation before the chief's approval of an apprenticeship program for that occupation in the county in which the project is located: _____

Percentage of Skilled Journeypersons:

Line A: (Divide Line 2 by Line 1): _____ % ($\geq 50\%$ in 2019; $\geq 60\%$ in 2020)

Line B: (Divide Line 3 by Line 1): _____ % ($\leq 25\%$ in 2019; $\leq 30\%$ in 2020)

Skilled Journeypersons Percentage of Work Requirements:

_____ 1a. Line A. For work performed on or after January 1, 2019, at least 50 percent of the skilled journeypersons employed to perform work on the contract or project are graduates of an apprenticeship program for the applicable occupation.

_____ 1b. Line A. For work performed on or after January 1, 2020, at least 60 percent of the skilled journeypersons employed to perform work on the contract or project are graduates of an apprenticeship program for the applicable occupation.

_____ 2. Line B. No more than one-half of the graduation requirement is skilled journeypersons for an apprenticeable occupation in which no apprenticeship program had been approved by the Chief before 1/1/95 who commenced working in the apprenticeable occupation before the chief's approval of an apprenticeship program for that occupation in the county in which the project is located.

OR

_____ 1a. Per calendar month, the percentage of hours of work performed by skilled journeypersons employed by subcontractor on the contract or Project is at least equal to the required graduation percentage for work performed of at least 50 percent on or after January 1, 2019.

_____ 1b. Per calendar month, the percentage of hours of work performed by skilled journeypersons employed by subcontractor on the contract or Project is at least equal to the required graduation percentage for work performed of at least 60 percent on or after January 1, 2020.

_____ 2. Per calendar month, the percentage of hours of work performed by skilled journeypersons for an apprenticeable occupation in which no apprenticeship program had been approved by the Chief before 1/1/95 who commenced working in the apprenticeable occupation before the chief's approval of an apprenticeship program for that occupation in the county in which the project is located is no more than one-half of the graduation requirement.

OR

_____ EXCEPTION: During the calendar month, contractor employed skilled journeypersons to perform fewer than 10 hours of work on the contract or Project.

_____ EXCEPTION: The SUBCONTRACTOR was not a listed subcontractor under Section 4104 or a substitute for a listed subcontractor AND, the Agreement does not exceed one-half of 1 percent of the price of the prime contract.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

Signature: _____

Print Name: _____

Title: _____