CONTAINS SECTION 5 ONLY

REVISION 1

PREQUALIFICATION APPLICATION
FOR GENERAL CONTRACTORS SEEKING
TO BID ON

**ANDERSON DAM TUNNEL PROJECT**

Project No. 91864005

**Deadline to Submit Prequalification Application**:

**September 25, 2020**

**at 2:00 p.m.**

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**TABLE OF CONTENTS**

**SectionPage**

5. [CONTRACTOR PREQUALIFICATION QUESTIONNAIRE 17](#_Toc50033262)

[A. Contractor Information (All Questions Must Be Answered) 17](#_Toc50033263)

[B. Current Organization and Structure 19](#_Toc50033264)

[C. Essential Criteria Questions 26](#_Toc50033265)

[D. Pre-Qualification Criteria Questions 29](#_Toc50033266)

[Prior History 29](#_Toc50033267)

[Criminal Matters and Civil Suits 31](#_Toc50033268)

[Occupational Health and Safety Compliance 32](#_Toc50033269)

[Prevailing Wage and Apprenticeship Compliance 33](#_Toc50033270)

[E. Quality of Performance 35](#_Toc50033271)

[F. Comparable Project Experience 38](#_Toc50033272)

[G. Required Attachments and Enclosures 51](#_Toc50033274)

[H. Certification 52](#_Toc50033275)

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5. CONTRACTOR PREQUALIFICATION QUESTIONNAIRE

**Note:** A Microsoft Word Document is available at Valley Water’s Website titled ADTP Section 5. Prequalification Application Package.

* 1. Contractor Information (All Questions Must Be Answered)

Firm Name (as it appears on CSLB license):

Firm Type: [ ]  Corporation [ ]  LLC [ ]  Partnership
(select one) [ ]  Sole Partnership [ ]  Joint Venture

Contact Person/Title:
 (*List Owner(s) if Firm is a Sole Proprietorship or Partnership*)

Local Address (P.O. Box is not acceptable):

Address 1:

Address 2:

City: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_ State: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Zip:

Office Telephone:

Contact Mobile:

Fax Number:

E-mail Address:

List all California construction or other professional license numbers, classifications and expiration dates held by your firm:

|  |  |  |
| --- | --- | --- |
| **License Number** | **Classification** | **Expiration Date** |
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List your firm’s DIR Public Works Contractor (PWCR) Registration Number(s):

|  |  |  |
| --- | --- | --- |
| **PWCR Number** | **Entity Name** | **Expiration Date** |
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If any of your firm’s license(s) are held in the name of a corporation, limited liability company, 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.

|  |  |  |
| --- | --- | --- |
| **License Number** | **Qualifying Individual** | **Expiration Date** |
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* 1. Current Organization and Structure

Complete the section below for the appropriate type of firm:

**For Firms That Are Corporations:**

1.a. Date incorporated:

1.b. Under the laws of what state:

1.c. 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 percent of the corporation’s stock:

|  |  |  |  |
| --- | --- | --- | --- |
| **Name** | **Position** | **Years with Firm** | **% Ownership** |
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1.d. Identify every construction firm that any person listed above has been associated with (as owner, general partner, limited partner or officer) at any time during the last five years. **NOTE: For this question, “owner” and “partner” refer to ownership of ten percent or more of the business, or ten percent or more of its stock, if the business is a corporation.**

|  |  |  |
| --- | --- | --- |
| **Person’s Name** | **Construction Firm** | **Date of Person’sParticipation with Firm** |
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**For Firms That Are Limited Liability Companies (LLC):**

1.a. Date Article of Organization filed:

1.b. Under the laws of what state:

1.c. Provide all the following information for all members of the LLC:

| **Name** | **Position** | **Years with Firm** | **% Ownership** |
| --- | --- | --- | --- |
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1.d. Identify every construction firm that any person listed above has been associated with (as owner, general partner, limited partner or officer) at any time during the last five years. **NOTE: For this question, “owner” and “partner” refer to ownership of ten percent or more of the business, or ten percent or more of its stock, if the business is a corporation.**

|  |  |  |
| --- | --- | --- |
| **Person’s Name** | **Construction Firm** | **Date of Person’s Participation with Firm** |
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**For Firms That Are Partnerships:**

1.a. Date incorporated:

1.b. Under the laws of what state:

1.c. Provide all the following information for each partner who owns ten percent or more of the firm.

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| --- | --- | --- | --- |
| **Name** | **Position** | **Years with Firm** | **% Ownership** |
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1.d. Identify every construction firm that any person listed above has been associated with (as owner, general partner, limited partner or officer) at any time during the last five years. **NOTE: For this question, “owner” and “partner” refer to ownership of ten percent or more of the business, or ten percent or more of its stock, if the business is a corporation.**

|  |  |  |
| --- | --- | --- |
| **Person’s Name** | **Construction Firm** | **Date of Person’s Participation with Firm** |
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**For Firms That Are Sole Proprietorships:**

1.a. Date of commencement of business:

1.b. Identify every construction firm that the business owner has been associated with (as owner, general partner, limited partner or officer) at any time during the last five years. **NOTE: For this question, “owner” and “partner” refer to ownership of ten percent or more of the business, or ten percent or more of its stock, if the business is a corporation.**

|  |  |  |
| --- | --- | --- |
| **Person’s Name** | **Construction Firm** | **Date of Person’s Participation with Firm** |
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**For Firms That Intend to Make a Bid as Part of a Joint Venture:**

1.a. Date of commencement of joint venture:

1.b. Provide all 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 Construction Firm** | **% Ownership** |
| --- | --- |
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**Note: Explain on a separate sheet. Provide all other pertinent information required in the sections above, for each Corporation, LLC, Partnership, or Sole-Proprietorship that is a part of the Joint Venture.**

**For All Firms:**

1. At any time during the past five years, has your firm shared office space, warehouse space, yard, plant or shop facilities, staff, equipment, telecommunications or other assets with any other construction firm? (If yes, identify and explain below.)

|  |  |  |
| --- | --- | --- |
| **Construction Firm** | **Description ofSharing Agreement** | **Location of Facilities** |
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1. State your firm’s gross revenues for each of the last three fiscal years:

Current year ($):

Previous year ($):

Year prior to previous year ($):

1. How many years has your firm been in business in California as a contractor under your present business name and license number?

1. Bonding Capacity – Provide documentation from your surety/sureties identifying the following:

Name of Bonding Company/Surety:

Name of Surety Agent:

Address:

Telephone number:

1. If your firm was required to pay a premium of more than one percent for a performance and payment bond on any project(s) on which your firm worked at any time during the last three years, state the percentage that your firm was required to pay. You may provide an explanation for a percentage rate higher than one percent, if you wish to do so.

1. List all other sureties (name and full address) that have written bonds for your firm during the last five years, including the dates on which they were issued:

| **Name** | **Address** | **Date** |
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1. How often do you require documented safety meetings to be held for construction employees and field supervisors during the course of a project?
2. List your firm’s Experience Modification Rate (EMR) (California workers’ compensation insurance) for each of the past three premium years:

Current year rate:

Previous year rate:

Year prior to previous year rate:

1. Does your firm regularly utilize a third-party consultant to review labor compliance documents of subcontractors on a public works project?

[ ]  Yes [ ]  No

1. 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 employ on any public works project awarded by Santa Clara Valley Water District.

|  |  |  |
| --- | --- | --- |
| **Name** | **Address** | **Phone** |
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1. Provide the name, address and telephone number of the apprenticeship program (approved by the California Apprenticeship Council) from whom you have requested and/or employed apprentices in the past three years.

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| --- | --- | --- |
| **Name** | **Address** | **Phone** |
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1. If your firm operates its own State-approved apprenticeship program:
2. Identify the craft or crafts in which your firm provided apprenticeship training in the past year;
3. State the year in which each such apprenticeship program was approved and attach evidence of the most recent California Apprenticeship Council approval(s);
4. For each craft, list the number apprentices employed by your firm and the number of individuals that completed apprenticeships while employed by your firm during the last three years.

| **Craft** | **Year** | **No. Apprentices** | **No. Completed** |
| --- | --- | --- | --- |
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1. Has your firm changed names or license number in the past five years?

[ ]  Yes [ ]  No

*(If yes, explain on a separate sheet, including the reason for the change.)*

1. Has there been any change in ownership of your firm at any time during the last five years?

[ ]  Yes [ ]  No

*(If yes, explain on a separate sheet.)*

**NOTE: A corporation whose shares are publicly traded is NOT required to answer this question.**

1. Is your firm a subsidiary, parent, holding company or affiliate of another construction firm?

[ ]  Yes [ ]  No

*(If yes, explain on a separate sheet.)*

**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.**

1. Has any owner, partner and/or officer of your firm operated or been connected to a construction firm under any other name in the last five years not listed in Section 5. paragraphs A. Contractor Information or B. Current Organization Criteria at any time in the past five years?

[ ]  Yes [ ]  No

*(If yes, provide the person’s name, construction firm name, and dates of participation.)*

|  |  |  |
| --- | --- | --- |
| **Name** | **Construction Firm** | **Dates of Participation** |
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* 1. Essential Criteria Questions

Contractor will be **immediately disqualified** if the answer to any of questions 1 through 6 is “No.”

1. Does your firm possess a valid and current California Contractor’s license as required by law for the project or projects for which it intends to submit a bid?

[ ]  Yes [ ]  No

1. Is your firm registered with California Department of Industrial Relations (DIR) as a Public Works Contractor for the current fiscal year?

[ ]  Yes [ ]  No

1. Does your firm have the ability to obtain the minimum insurance policies for this Project as set forth in Appendix A Insurance Requirements?

[ ]  Yes [ ]  No

1. Does your firm have a current Workers’ Compensation insurance policy as required by the Labor Code or is your firm legally self-insured pursuant to Labor Code section 3700 et. seq.?

[ ]  Yes [ ]  No

1. Have you attached your firm’s latest copy of reviewed or audited financial statements with accompanying notes and supplemental information?

[ ]  Yes [ ]  No

**NOTE: Financial statements that are neither reviewed nor audited are not acceptable. A letter verifying availability of a line of credit may also be attached; however, it will be considered as supplemental information only, and is not a substitute for the required financial statements.**

1. Have you attached a notarized statement from an admitted surety insurer/insurers (approved by the California Department of Insurance) authorized to issue bonds in the State of California, which states that: (a) your current bonding capacity is sufficient for the project for which you seek pre-qualification if you are seeking pre- qualification for a single project; or valid for a year if you are seeking pre-qualification valid for a year; and (b) your current available bonding capacity?[[1]](#footnote-1)

[ ]  Yes [ ]  No

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

Contractor will be **immediately disqualified** if the answer to any of questions 7 through 13 is “Yes.”

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

[ ]  Yes [ ]  No

1. Has a surety firm completed a contract on your behalf, or paid for completion because your firm was in default and/or terminated by the project owner within the last five years?

[ ]  Yes [ ]  No

1. Is your firm, any of its officers, supervisors, managers, or any firm or individual identified above in Section 5. paragraphs A. Contractor Information and/or B. Current Organization Criteria, 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

1. Has your firm, any of its officers, supervisors, managers, or any firm or individual identified above in Section 5. paragraphs A. Contractor Information and/or B. Current Organization Criteria 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

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

[ ]  Yes [ ]  No

*(If yes, attach a copy of the bankruptcy petition showing the case number and date on which the petition was filed.)*

1. Has your firm, any of its officers, supervisors, managers, or any firm or individual identified above in Section 5. paragraphs. Contractor Information and/or B. Current Organization Criteria 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

1. Does your firm, any of its officers, supervisors, managers, or any firm or individual identified above in Section 5. paragraphs. Contractor Information and/or B. Current Organization Criteria 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

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* 1. Pre-Qualification Criteria Questions

Prior History

1. How many times has your firm, or any of its officers, supervisors, or managers, declared bankruptcy at any time during the last five years?

Check One [ ]  0 [ ]  1 [ ]  2 [ ]  3 [ ]  4 [ ]  5+

(This question refers only to a bankruptcy action that was not described in your answer to Question 11 in Section 5. Contractor Prequalification Questionnaire, paragraph C. Essential Criteria Questions. 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.)

1. How many times has your firm, or any of its 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 years?

Check One [ ]  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.)

1. How many times in the past five years, has your firm, or any of its 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?

Check One [ ]  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.)

1. How many times in the past five years, has your firm, or any of its officers, supervisors, or managers, been a party in any civil litigation or administrative proceeding alleging a violation by a subcontractor hired by your firm 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?

Check One [ ]  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.)

1. How many times in the past five years, has your firm, or any of its 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?

Check One [ ]  0 [ ]  1 [ ]  2 [ ]  3 [ ]  4 [ ]  5+

(Explain on a separate sheet. Provide details, including the caption, date, case or docket number, and name of the court or agency before which the case was brought.)

1. How many times has your firm, or any of its 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 years?

Check One [ ]  0 [ ]  1 [ ]  2 [ ]  3 [ ]  4 [ ]  5+

(Explain on a separate sheet. State whether the firm involved was the firm applying for pre-qualification here or another firm. Identify by name of the company, name of the person within your firm who was associated with that company, date, owner of the project, project name and information, basis for the action, and case or docket number.)

1. How many times 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?

Check One [ ]  0 [ ]  1 [ ]  2 [ ]  3 [ ]  4 [ ]  5+

(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.)

1. How many times 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?

Check One [ ]  0 [ ]  1 [ ]  2 [ ]  3 [ ]  4 [ ]  5+

(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 such claim if resolved, method by which claim was resolved if resolved, nature of resolution and amount, if any, at which claim was resolved.)

1. How many times in the last five years has any insurance carrier, for any form of insurance, refused to renew an insurance policy for your firm?

Check One [ ]  0 [ ]  1 [ ]  2 [ ]  3 [ ]  4 [ ]  5+

(Explain on a separate sheet. Name the insurance carrier, form of insurance, and year of refusal.)

1. How many times during the last five years, has your firm been denied bond coverage by a surety company, or has there been a period of time when your firm had no surety bond in place during a public works construction project when one was required?

Check One [ ]  0 [ ]  1 [ ]  2 [ ]  3 [ ]  4 [ ]  5+

(Explain on a separate sheet. Indicate the date when your firm was denied coverage, name of the company or companies which denied coverage, and the time period during which you had no surety bond in place.)

Criminal Matters and Civil Suits

1. How many times has your firm, or any of its officers, supervisors, or managers, ever been convicted of a crime involving any federal, state, or local law related to construction?

Check One [ ]  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.)

1. How many times has your firm, or any of its 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?

Check One [ ]  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 your firm and the owner of a project. You need not include information about disputes between your firm and a supplier, another contractor, or subcontractor. You need not include information about “pass-through” disputes in which the actual dispute is between a sub-contractor and a project owner. Also, you may omit reference to all disputes involving amounts of less than $50,000.

1. How many times in the last five years has any claim against your firm concerning your firm’s work on a construction project been filed in court or arbitration?

Check One [ ]  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].)

1. How many times in the last 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?

Check One [ ]  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

1. How many times in the last five years has CalOSHA cited and assessed penalties against your firm 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?

Check One [ ]  0 [ ]  1 [ ]  2 [ ]  3 [ ]  4 [ ]  5+

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.

1. How many times in the last five years 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?

Check One [ ]  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.

1. How many times 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?

Check One [ ]  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 your current workers’ compensation insurance carrier that verifies periods of workers’ compensation insurance coverage for the last five years. If your firm has been in the construction business for less than five years, provide a statement by your workers’ compensation insurance carrier verifying continuous workers’ compensation insurance coverage for the period that your firm has been in the construction business.)

Prevailing Wage and Apprenticeship Compliance

1. How many times during the last five years, has your firm been required to pay back wages and/or penalties related to **state or federal** prevailing wage laws for work performed by **your firm**?

Check One [ ]  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 your firm was required to pay.)

NOTE: Question 18 refers only to the violation of prevailing wage laws by your firm, not to violations by a subcontractor.

1. How many times during the last five years, has your firm or any subcontractors hired by your firm been required to pay back wages and/or penalties related to **state or federal** prevailing wage laws for work performed by a **subcontractor**?

Check One [ ]  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 your firm was required to pay.)

NOTE: This question refers only to the violation of prevailing wage laws by subcontractors, not to violations by your firm.

1. How many times during the last five years, has your firm 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?

Check One [ ]  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).)

1. How many times during the last five years, has any subcontractor hired by your firm 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?

Check One [ ]  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)).

**NOTE: Omissions, misrepresentations and any failure to disclose associations with other firms or any prior history of alleged violations may lead to loss of your eligibility to register as a Public Works Contractor, disqualification of bids, and/or grounds for termination of a contract.**

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* 1. Quality of Performance

The following questions will be used to interview owner references for two of the three completed projects described in Section 5. Contractor Prequalification Questionnaire, paragraph F. Comparable Project Experience. No action on the Contractor’s part is necessary. These questions are included in this questionnaire for information only.

1. It is the Contractor’s responsibility to provide correct and current reference contact information for each project.
2. Valley Water will initially contact owner references for the first two of the three completed projects presented in Section 5. Contractor Prequalification Questionnaire, paragraph F. Comparable Project Experience. Valley Water will contact references for the third project only if Valley Water is unable to reach the reference, a reference is unavailable, or Valley Water is unable to interview the reference within 5 working days of the initial contact. Valley Water will contact the owner’s Project Manager, Architect or Engineer-of-Record, and Construction Manager for interviews. There will be 3 interviews conducted for each project for a total of 6 interviews.
3. The scoring for the Interview Questions in this paragraph E. for each project will be as follows:
	* + 1. The score for each of the 13 interview questions will be an average of the total score obtained from the three interviews for each question;
			2. For any of the questions that an interviewed reference does not provide a response or declines to respond, that question will receive a N/A rating. The resulting score for that question will be an average of the total score obtained from the other reference interviews; and
			3. For any of the questions, except question 1, where all of the responses receive a N/A rating, that question will receive a score of zero.

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#### INTERVIEW QUESTIONS

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

The highest possible score for each project is 120 points. A score of fewer than 84 points on either of the two projects disqualifies the Contractor from bidding on this Project.

First, please give a brief description of the project:

1. Are there any outstanding stop notices, liens, or claims by the Contractor that are currently unresolved on contracts for which notices of completion were recorded more than 120 days ago? (1 point for each is deducted from overall score; maximum amount to be deducted is 5 points)
2. On a scale of 1–10 with 10 being the best, did the Contractor provide adequate personnel? (Max. 10 points)
3. On a scale of 1–10 with 10 being the best, did the Contractor provide adequate supervision? (Max. 10 points)
4. On a scale of 1–10 with 10 being the best, did the Contractor provide adequate equipment on the job? (Max. 10 points)
5. On a scale of 1–10 with 10 being the best, was the Contractor timely in providing reports and other paperwork, including change order paperwork and scheduling updates? (Max. 10 points)
6. On a scale of 1–10 with 10 being the best, did the Contractor adhere to the project schedule approved by the project owner? (Max. 10 points)
7. On a scale of 1–10, to what extent was the contractor responsible for delays, if any, in project completion? (Max. 10 points for project being completed on time or if the contractor was not responsible for any delay).
8. On a scale of 1–10 with 10 being the best, rate the Contractor on the timely submission of reasonable cost and time estimates to perform change order work. (Max. 10 points)
9. On a scale of 1–10 with 10 being the best, how well did the Contractor perform the work after a change order was issued, and how well did the Contractor integrate the change order work into the existing work? (Max. 10 points).
10. On a scale of 1–10 with 10 being the best, rate the Contractor’s performance regarding submission of Operation & Maintenance manuals, completing as-built drawings, providing required training, and taking care of warranty items. (Max. 10 Points)
11. On a scale of 1–10 with 10 being the best, rate the Contractor on whether there were an unusually high number of claims, given the nature of the project, or unusual difficulty in resolving them. (Max. 10 points)
12. On a scale of 1–10 with 10 being the highest, rate the Contractor with respect to timely payments by the Contractor to either subcontractors or suppliers. (If there were no such difficulties, the score on this question should be “10.”)
13. On a scale of 1–10 with 10 being the best, how would you rate the quality of the work overall? (Max. 10 points)

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* 1. Comparable Project Experience

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

Valley Water reserves the right to contact references to verify any of the responses provided under this Section 5. Contractor Prequalification Questionnaire, paragraph F. Comparable Project Experience.

**Comparable Projects**

Provide the following information for **3** comparable projects that your company has completed within the last **15** years.

For the project to be considered completed, it must have been accepted by the project owner.

1. Comparable projects will score higher if they include:
2. similar sized tunnels and shafts to the ADTP;
3. excavation through weak, sheared ground with fault zones and low standup times;
4. use of roadheader and/or drill and blast excavation methods;
5. use of ground support measures including fiber reinforced shotcrete, steel sets, and rock bolts;
6. pre-excavation drilling and grouting and face support measures; and
7. reinforced concrete final lining, and steel carrier pipes within the tunnel.
8. Comparable projects will score higher if they include Microtunnel Boring Machine (MTBM) mined tunnel reaches driven through mixed-face conditions below the water table with wet recovery either in a lake tap or inside a shaft.

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#### PROJECT 1

A Contractor must obtain a score of at least 60 points out of 85 for PROJECT 1.

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

1. PROJECT 1 Name:
2. Name, Address, and License # of Company awarded the Contract:

1. Contract Date:
2. Address:
3. Owner:
4. Was the owner a Government entity?

[ ]  Yes [ ]  No

1. Was PROJECT 1 performed by a Joint Venture?

[ ]  Yes [ ]  No

1. Owner address and current phone number:

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

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

1. Owner’s Construction Manager and contact information (name, firm, e-mail, and current phone number)

1. Total Contract Price upon award or formation:
2. Total Cost of Construction (including change orders):
3. Original Scheduled Completion Date:
4. Time Extensions Granted (number of days):
5. Actual Date of Completion:
6. On a separate sheet of paper, please include the following information for PROJECT 1:
	* 1. Scope of work performed;
		2. List names and contacts for each of the major subcontractors managed. Please describe specific work performed by others, their cost portion of the construction contract, and indicate your relationship with these other firms; and
		3. Describe the scope of contract modifications, and the total dollar values and time extensions associated with the changes.

##### A.2. PROJECT 1 – Special Information

1. Project Construction Type:
	1. Did the work involve the use of an MTBM or Tunnel Boring Machine (TBM) below the water table with wet recovery either in a lake tap or inside a shaft?

[ ]  Yes (8 points) [ ]  No (0 points)

* 1. Did the work involve Sequential Excavation Method (SEM) tunneling?

 [ ]  Yes (6 points) [ ]  No (0 points)

* 1. Did the work involve shaft construction?

[ ]  Yes (3 points) [ ]  No (0 points)

* 1. Did the work include a final lining of cast-in-place reinforced concrete?

[ ]  Yes (5 points) [ ]  No (0 points)

* 1. Did the work involve roadheader and/or drill and blast excavation tunneling?

[ ]  Yes (5 points) [ ]  No (0 points)

1. Length of Project:
2. What was the length of the project?

[ ]  0 to 500 ft. (1 point)

[ ]  500 to 1500 ft. (3 points)

[ ]  Greater than 1500 feet (5 points)

1. Project Control of Water:
2. Did the project require water control measures to address groundwater inflows such as pre-drainage, probe hole drilling, and pre-excavation grouting?

[ ]  Yes (5 points) [ ]  No (0 points)

1. Did the project require the handling and treatment of all water inflows encountered during tunnel construction?

[ ]  Yes (2 points) [ ]  No (0 points)

1. Project Quality Control:

a. Did the project include an independent Quality Control manager with full authority to stop work and require removal or replacement of defective contract work?

[ ]  Yes (3 points) [ ]  No (0 points)

1. Risk Management:
2. Did the work require participation in a construction phase risk register process with periodic workshops with the Construction Manager, Designer, and/or Owner?

[ ]  Yes (3 points) [ ]  No (0 points)

1. Project Schedule:
	1. Did the construction team include a professional scheduler (with certification by the Association for the Advancement of Cost Engineers or similar entity)?

[ ]  Yes (2 points) [ ]  No (0 points)

* 1. Did the project require work to be performed during a time-constrained construction season defined by permit conditions?

[ ]  Yes (3 points) [ ]  No (0 points)

* 1. Was the project completed on schedule without delays due to procuring labor, materials, and/or equipment?

[ ]  Yes (3 points) [ ]  No (0 points)

1. Environmental Compliance:
	* + - 1. Did the project encounter Naturally Occurring Asbestos (NOA) during tunneling and implement appropriate safety measures as mandated by CalOSHA or other regulatory agencies?

[ ]  Yes (8 points) [ ]  No (0 points)

* + - * 1. Was a Notice of Violation (NOV), a Stop Work Notice, or other shutdown notice issued on the project due to any contractor non-compliance with regulatory permits?

[ ]  No (5 points) [ ]  Yes (subtract 1 point)

* + - * 1. Was the tunnel excavation considered “potentially gassy” as defined by OSHA 29 CFR 1926.800 and per Cal OSHA Tunnel Safety Order Subchapter 20?

[ ]  Yes (5 points) [ ]  No (0 points)

1. Materials:
	1. Did the project include the installation of slope stabilization and reinforcing geogrid materials?

[ ]  Yes (2 points) [ ]  No (0 points)

* 1. Did import materials meet project specifications?

[ ]  Yes (2 points) [ ]  No (0 points)

* 1. If “No” to question 7.b, did the contractor request a modification to the specifications for import material?

[ ]  Yes (2 points) [ ]  No (0 points)

1. Permitting and Best Management Practices (BMP) Experience:
2. Did the project site include water bodies and/or streams subject to regulatory permits?

[ ]  Yes (5 points) [ ]  No (0 points)

1. During performance of the project, were there any National Pollution Discharge Elimination System (NPDES) Permit violations?

[ ]  No violations (5 points) [ ]  1 or more violations (subtract 3 points)

**PROJECT 2**

A Contractor must obtain a score of at least 60 points out of 85 for PROJECT 2.

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

1. PROJECT 2 Name:
2. Name, Address, and License # of Company awarded the Contract:

1. Contract Date:
2. Address:
3. Owner:
4. Was the owner a Government entity?

[ ]  Yes [ ]  No

1. Was PROJECT 2 performed by a Joint Venture?

[ ]  Yes [ ]  No

1. Owner address and current phone number:

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

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

1. Owner’s Construction Manager and contact information (name, firm, e-mail, and current phone number)

1. Total Contract Price upon award or formation:
2. Total Cost of Construction (including change orders):
3. Original Scheduled Completion Date:
4. Time Extensions Granted (number of days):
5. Actual Date of Completion:
6. On a separate sheet of paper, please include the following information for PROJECT 2:
	* 1. Scope of work performed;
		2. List names and contacts for each of the major subcontractors managed. Please describe specific work performed by others, their cost portion of the construction contract, and indicate your relationship with these other firms; and
		3. Describe the scope of contract modifications, and the total dollar values and time extensions associated with the changes.

##### A.2. PROJECT 2 – Special Information

1. Project Construction Type:
	1. Did the work involve the use of an MTBM or Tunnel Boring Machine (TBM) below the water table with wet recovery either in a lake tap or inside a shaft?

[ ]  Yes (8 points) [ ]  No (0 points)

* 1. Did the work involve Sequential Excavation Method (SEM) tunneling?

 [ ]  Yes (6 points) [ ]  No (0 points)

* 1. Did the work involve shaft construction?

[ ]  Yes (3 points) [ ]  No (0 points)

* 1. Did the work include a final lining of cast-in-place reinforced concrete?

[ ]  Yes (5 points) [ ]  No (0 points)

* 1. Did the work involve roadheader and/or drill and blast excavation tunneling?

[ ]  Yes (5 points) [ ]  No (0 points)

1. Length of Project:
2. What was the length of the project?

[ ]  0 to 500 ft. (1 point)

[ ]  500 to 1500 ft. (3 points)

[ ]  Greater than 1500 feet (5 points)

1. Project Control of Water:
2. Did the project require water control measures to address groundwater inflows such as pre-drainage, probe hole drilling, and pre-excavation grouting?

[ ]  Yes (5 points) [ ]  No (0 points)

1. Did the project require the handling and treatment of all water inflows encountered during tunnel construction?

[ ]  Yes (2 points) [ ]  No (0 points)

1. Project Quality Control:

a. Did the project include an independent Quality Control manager with full authority to stop work and require removal or replacement of defective contract work?

[ ]  Yes (3 points) [ ]  No (0 points)

1. Risk Management:
2. Did the work require the participation in a construction phase risk register process with periodic workshops with the Construction Manager, Designer, and/or Owner?

[ ]  Yes (3 points) [ ]  No (0 points)

1. Project Schedule:
2. Did the construction team include a professional scheduler (with certification by the Association for the Advancement of Cost Engineers or similar entity)?

[ ]  Yes (2 points) [ ]  No (0 points)

1. Did the project require work to be performed during a time-constrained construction season defined by permit conditions?

[ ]  Yes (3 points) [ ]  No (0 points)

1. Was the project completed on schedule without delays due to procuring labor, materials, and/or equipment?

[ ]  Yes (3 points) [ ]  No (0 points)

1. Environmental Compliance:
2. Did the project encounter Naturally Occurring Asbestos (NOA) during tunneling and implement appropriate safety measures as mandated by CalOSHA or other regulatory agencies?

[ ]  Yes (8 points) [ ]  No (0 points)

1. Was a Notice of Violation (NOV), a Stop Work Notice, or other shutdown notice issued on the project due to any contractor non-compliance with regulatory permits?

[ ]  No (5 points) [ ]  Yes (subtract 1 point)

1. Was the tunnel excavation considered “potentially gassy” as defined by OSHA 29 CFR 1926.800 and per Cal OSHA Tunnel Safety Order Subchapter 20?

[ ]  Yes (5 points) [ ]  No (0 points)

1. Materials:
	1. Did the project include the installation of slope stabilization and reinforcing geogrid materials?

[ ]  Yes (2 points) [ ]  No (0 points)

* 1. Did import materials meet project specifications?

[ ]  Yes (2 points) [ ]  No (0 points)

* 1. If “No” to question 7.b, did the contractor request a modification to the specifications for import material?

[ ]  Yes (2 points) [ ]  No (0 points)

1. Permitting and Best Management Practices (BMP) Experience:
2. Did the project site include water bodies and/or streams subject to regulatory permits?

[ ]  Yes (5 points) [ ]  None (0 points)

1. During performance of the project, were there any National Pollution Discharge Elimination System (NPDES) Permit violations?

[ ]  No violations (5 points) [ ]  1 or more violations (subtract 3 points)

#### PROJECT 3

A Contractor must obtain a score of at least 60 points out of 85 for PROJECT 3.

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

1. PROJECT 3 Name:
2. Name, Address, and License # of Company awarded the Contract:

1. Contract Date:
2. Address:
3. Owner:
4. Was the owner a Government entity?

[ ]  Yes [ ]  No

1. Was PROJECT 3 performed by a Joint Venture?

[ ]  Yes [ ]  No

1. Owner address and current phone number:

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

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

1. Owner’s Construction Manager and contact information (name, firm, e-mail, and current phone number)

1. Total Contract Price upon award or formation:
2. Total Cost of Construction (including change orders):
3. Original Scheduled Completion Date:
4. Time Extensions Granted (number of days):
5. Actual Date of Completion:
6. On a separate sheet of paper, please include the following information for PROJECT 3:
	* 1. Scope of work performed;
		2. List names and contacts for each of the major subcontractors managed. Please describe specific work performed by others, their cost portion of the construction contract, and indicate your relationship with these other firms; and
		3. Describe the scope of contract modifications, and the total dollar values and time extensions associated with the changes.

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

1. Project Construction Type:
2. Did the work involve the use of an MTBM or Tunnel Boring Machine (TBM) below the water table with wet recovery either in a lake tap or inside a shaft?

[ ]  Yes (8 points) [ ]  No (0 points)

1. Did the work involve Sequential Excavation Method (SEM) tunneling?

 [ ]  Yes (6 points) [ ]  No (0 points)

1. Did the work involve shaft construction?

[ ]  Yes (3 points) [ ]  No (0 points)

1. Did the work include a final lining of cast-in-place reinforced concrete?

[ ]  Yes (5 points) [ ]  No (0 points)

1. Did the work involve roadheader and/or drill and blast excavation tunneling?

[ ]  Yes (5 points) [ ]  No (0 points)

1. Length of Project:
2. What was the length of the project?

[ ]  0 to 500 ft. (1 point)

[ ]  500 to 1500 ft. (3 points)

[ ]  Greater than 1500 feet (5 points)

1. Project Control of Water:
2. Did the project require water control measures to address groundwater inflows such as pre-drainage, probe hole drilling, and pre-excavation grouting?

[ ]  Yes (5 points) [ ]  No (0 points)

1. Did the project require the handling and treatment of all water inflows encountered during tunnel construction?

[ ]  Yes (2 points) [ ]  No (0 points)

1. Project Quality Control:

a. Did the project include an independent Quality Control manager with full authority to stop work and require removal or replacement of defective contract work?

[ ]  Yes (3 points) [ ]  No (0 points)

1. Risk Management:
2. Did the work require participation in a construction phase risk register process with periodic workshops with the Construction Manager, Designer, and/or Owner?

[ ]  Yes (3 points) [ ]  No (0 points)

1. Project Schedule:
2. Did the construction team include a professional scheduler (with certification by the Association for the Advancement of Cost Engineers or similar entity)?

[ ]  Yes (2 points) [ ]  No (0 points)

1. Did the project require work to be performed during a time-constrained construction season defined by permit conditions?

[ ]  Yes (3 points) [ ]  No (0 points)

1. Was the project completed on schedule without delays due to procuring labor, materials, and/or equipment?

[ ]  Yes (3 points) [ ]  No (0 points)

1. Environmental Compliance:
2. Did the project encounter Naturally Occurring Asbestos (NOA) during tunneling and implement appropriate safety measures as mandated by CalOSHA or other regulatory agencies?

[ ]  Yes (8 points) [ ]  No (0 points)

1. Was a Notice of Violation (NOV), a Stop Work Notice, or other shutdown notice issued on the project due to any contractor non-compliance with regulatory permits?

[ ]  No (5 points) [ ]  Yes (subtract 1 point)

1. Was the tunnel excavation considered “potentially gassy” as defined by OSHA 29 CFR 1926.800 and per Cal OSHA Tunnel Safety Order Subchapter 20?

[ ]  Yes (5 points) [ ]  No (0 points)

1. Materials:
2. Did the project include the installation of slope stabilization and reinforcing geogrid materials?

[ ]  Yes (2 points) [ ]  No (0 points)

1. Did import materials meet project specifications?

[ ]  Yes (2 points) [ ]  No (0 points)

1. If “No” to question 7.b, did the contractor request a modification to the specifications for import material?

[ ]  Yes (2 points) [ ]  No (0 points)

1. Permitting and Best Management Practices (BMP) Experience:
2. Did the project site include water bodies and/or streams subject to regulatory permits?

[ ]  Yes (5 points) [ ]  None (0 points)

1. During performance of the project, were there any National Pollution Discharge Elimination System (NPDES) Permit violations, if any, did the project experience?

[ ]  No violations (5 points) [ ]  1 or more violations (subtract 3 points)

* 1. Required Attachments and Enclosures
1. Prequalification Application submittals that do not comply with this Section 5.G. will be deemed non-responsive.
2. The envelope must contain 1 original hard copy of the Prequalification Application and 1 USB Flash Drive containing the Prequalification Application, with all documents in searchable PDF format and Microsoft Word format. Original, signed documents required by paragraphs 3.a.-3.c. are not required to be submitted in Microsoft Word format.
3. The following list is provided for the contractor’s convenience and is superseded by any and all listed specific attachment requirements as stated in this Prequalification Questionnaire.
	1. The latest copy of a reviewed or audited financial statement with accompanying notes and supplemental information, including an Opinion Letter from an Independent CPA. The original Opinion Letter must be submitted.
	2. Notarized statement from admitted surety company/companies. The original notarized statement must be submitted.
	3. Notarized statement from the workers' compensation carrier that your organization proposes to use, specifying contractor's current experience modification rating for workers' compensation for the State of California. The original notarized statement must be submitted.
	4. Project information required pursuant to Section 5. Contractor Prequalification Questionnaire, paragraph F. Comparable Project Experience (question A.1.q.) for PROJECT 1, PROJECT 2, and PROJECT 3.
	5. Completed and signed Certification provided at Section 5.H. The original Certification must be submitted.
	6. Completed and signed Affidavit of Compliance with California’s Skilled and Trained Workforce Requirements (Public Contract Code §§ 2600–2603) provided in Appendix C. The original signed Affidavit must be submitted.

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* 1. Certification

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.

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.

**Each person signing below makes the following representations under penalty of perjury:**

The submitter of the foregoing answers to the questionnaire has read the same and the matters stated therein are true to the best of his or her own personal knowledge. This information is provided for the purpose of qualifying to bid on the Project, and any individual, company or other agency named herein is hereby authorized to supply the awarding body with any information necessary to verify the prospective bidder’s statements. By signing below, the submitter and the named contractor hereby grant permission to the Santa Clara Valley Water District to contact any or all of the above listed persons or entities to confirm facts or otherwise investigate the above facts and issues.

The submitter understands that any statement which is proven to be false shall be grounds for immediate disqualification from bidding on the Project. The submitter whose signature appears below represents and warrants that he or she has authority to bind the named contractor.

(SIGNATURES FOLLOW ON NEXT PAGE)

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I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_(Name), the undersigned, am the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Title), with the authority to act for and on behalf of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Contractor Entity Name), declare under penalty of perjury under the laws of the State of California that the foregoing information provided in this Prequalification Questionnaire is true, full, and correct.

I understand that making a false statement may result in disqualification from bidding on any public works project, registering as a Public Works Contractor with the Department of Industrial Relations, and may be grounds for termination of a public works contract.

Executed on this \_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 (Date) (Month / Year) (City / State)

Name of Contractor Representative:

Signature of Contractor Representative:

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1. An additional notarized statement from the surety may be requested by Santa Clara Valley Water District at the time of submission of a bid, if this pre-qualification questionnaire is submitted more than 60 days prior to submission of the bid. [↑](#footnote-ref-1)