In order to prequalify to work with the University of California, Irvine, the bidder shall return this fully completed questionnaire. The University may, at their sole discretion, require further prequalification (technical or otherwise) for certain projects, and will inform contractors by specifying the application of additional special prequalification requirements in writing.
INFORMATION FOR APPLICANTS

1. Prospective bidders on the University of California, Irvine construction projects, the estimated cost of which exceed $49,999.99, shall complete the prequalification application and submit to Contract Management, at the following address. Please mark envelope CONFIDENTIAL, and mail to:

   University of California, Irvine  
   Facilities Management Building  
   Contract Management  
   19172 Jamboree Rd.  
   Irvine, CA  92697

   Note: You can reach the Contract office by calling (949) 824-1404, or by email at fmcontracts@uci.edu. Prequalification Form is available on the Internet at http://www.fm.uci.edu/contracts/bidboard.html. At this time, electronic submittals are not allowed.

   Submit only one copy of Form. A new and current submittal will be required each year. The University may specifically request a new statement, in which case, the contractor must comply within thirty days, or the rating on file may, at the discretion of the University, be considered expired. A contractor may also file a new statement at more frequent intervals if there is substantial change in its financial status, and a new rating based on the latest statements may be issued. In addition to these prequalification requirements, certain projects may require an additional special and/or technical prequalification.

2. PERIOD OF PREQUALIFICATION

   A contractor’s prequalification status is valid until the information shown in the statements on file is a maximum of 15 months old. The University normally honor the rating until the financial statement is 15 months old to enable contractors an opportunity to submit new annual statements. The University reserves the right to reject statements in which the information is more than six months old. Complete all applicable portions of the form, and attach schedules if the space provided does not suffice. Contractor’s failure to provide the requested information may result in disqualification.

3. CORRECT AFFIDAVIT

   The correct affidavit on page 12 must be completely executed. In doing so, the contractor certifies and declares under penalty of perjury under California State Laws that the information submitted is true and correct. The University requires a wet signature on this affidavit.

4. REVIEW AND PREQUALIFICATION OR TERMINATION PREQUALIFICATION

   A prospective bidder that has been prequalified by the University may be disqualified or may have the prequalification limited, suspended, deferred, or rescinded by the University prior to expiration of the time period specified in the prequalification. Reference checks on listed qualifying project experience will be done. Also provide the most recent Experience Modification Rate in the space provided. Prospective bidder shall also provide proof of workers’ compensation insurance carrier.
PREQUALIFICATION QUESTIONNAIRE

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

SUBMITTED BY:

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

(Contact Name)

(Address)

(City, State, Zip Code)

(Telephone Number) (Facsimile Number)

(E-mail)

Each prospective Bidder must answer all of the following questions and provide all requested information, where applicable. Any prospective Bidder failing to do so will be deemed to be not responsive and not responsible with respect to this Prequalification at the sole discretion of the University of California. All Bidders that have submitted a Prequalification Questionnaire will be notified in writing of whether or not they have successfully achieved Prequalification status. Prospective Bidders that affirmatively respond (i.e. answer YES) to all questions, submit all required information and supporting data, and are determined to have accurately responded to the questions will be prequalified. Only those Bidders that have been determined to be prequalified will be eligible to submit a bid for this Project.

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

All information submitted for prequalification evaluation is subject to disclosure pursuant to the California Public Records Act. Likewise, any decision by the University that any document is subject to disclosure pursuant to the California Public Records Act shall not prevent the University from making a subsequent determination that any document is not subject to disclosure pursuant to the California Public Records Act.

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

WHERE NECESSARY, COPY THE FORMS IN THIS PACKAGE. USE ONLY THESE FORMS.
1. LICENSE(S)
   A. Does the entity hold a California contractor's license(s), which is (are) current active, and in good standing with the California Contractor's State License Board?
      YES ☐    NO ☐
      (NOTE -The entity submitting this prequalification questionnaire must be the holder of the license. If the entity submitting is a Joint Venture, the joint venture must hold the license or have applied for the license(s).
   B. If yes, provide the following information about the entity's contractor's license:
      1. Name of license holder exactly as on file with the California Contractor's State License Board:
      ____________________________
      2. License Classification(s): ____________________________
      3. License Code(s): ____________________________
      4. License Number(s): ____________________________
      5. Date(s) Issued: ____________________________
      6. Expiration Date(s): ____________________________
   C. Can you truthfully state that the entity's contractor's license has not been suspended or revoked by the California Contractor's State License Board within the last 5 years?
      YES ☐    NO ☐

2. SURETY
   Prospective Bidder shall obtain and submit the Surety Declaration in the form shown below, signed by an authorized representative of the surety proposed to be used for this project and notarized.
   A. Is the surety to be used for this project authorized by the Insurance Commissioner to transact business in the State of California as an admitted surety insurer (as defined in the California Code of Civil Procedure Section 995.120)?
      YES ☐    NO ☐
   B. Is the entity able to obtain bonding for $100,000.00?
      YES ☐    NO ☐
   C. Can the entity truthfully state that no surety has paid out any monies on claims on the performance bond issued by a surety for the benefit of the Owner arising out of the construction activities of the entity within the last 5 years?
      YES ☐    NO ☐
   D. Can the entity truthfully state that no surety has paid out any monies on claims on the payment bond issued by a surety for the benefit of the Owner arising out of the construction activities of the entity within the last 5 years?
      YES ☐    NO ☐
D. Surety Declaration:

PROVIDE THIS DECLARATION TO YOUR SURETY(IES) FOR COMPLETION. DO NOT HAVE THE SURETY SUBMIT THIS INFORMATION DIRECTLY TO THE UNIVERSITY.

The undersigned declares under penalty of perjury that the bonding capacity indicated above is true and correct and that this declaration was executed in

__________________________ (County), _________________________, (State)
on ______________________________ (Date).

______________________________________________________
(Signature)

______________________________________________________
(Name and Title - Printed or Typed)

_____________________________________________________
(Representing [Surety Name])

_____________________________________________________
(Entity Name)

_____________________________________________________
(Address)

_____________________________________________________
(City, State, Zip Code)

_____________________________________________________
(Telephone Number) (Facsimile Number)

_____________________________________________________
(E-mail)

(ATTACH NOTARIZATION of SURETY REPRESENTATIVE’S SIGNATURE)
3. **INSURER**

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

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

| YES □ | NO □ |

<table>
<thead>
<tr>
<th>Insurance Coverage</th>
<th>Minimum Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Commercial Form General Liability Insurance</strong> * - Limits of Liability</td>
<td></td>
</tr>
<tr>
<td>Each Occurrence - Combined Single Limit for Bodily Injury and Property Damage</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Products - Completed Operations Aggregate</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Personal and Advertising Injury</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>General Aggregate</td>
<td>$3,000,000</td>
</tr>
<tr>
<td><strong>Business Automobile Liability Insurance</strong> * - Limits of Liability</td>
<td></td>
</tr>
<tr>
<td>Each Accident - Combined Single Limit for Bodily Injury and Property Damage</td>
<td>$1,000,000</td>
</tr>
<tr>
<td><strong>Workers Compensation and Employer’s Liability Insurance</strong> **</td>
<td></td>
</tr>
<tr>
<td>Workers Compensation:</td>
<td>(as required by Federal and State of California law)</td>
</tr>
<tr>
<td>Employer’s Liability:</td>
<td></td>
</tr>
<tr>
<td>Each Employee</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Each Accident</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Each Policy</td>
<td>$1,000,000</td>
</tr>
</tbody>
</table>

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

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

PROVIDE THIS DECLARATION TO YOUR INSURANCE CARRIER(S) FOR COMPLETION. DO NOT HAVE THE CARRIER SUBMIT THIS DECLARATION DIRECTLY TO THE UNIVERSITY.

The undersigned declares under penalty of perjury that below named insurer is currently willing to provide the insurance listed above and that this declaration was executed in

(State) _____________________________ (County), ___________________________,

on ______________________________ (Date).

__________________________________________________________________________
(Signature)

__________________________________________________________________________
(Name and Title - Printed or Typed)

__________________________________________________________________________
(Representing [Insurer Name])

__________________________________________________________________________
(Entity Name)

__________________________________________________________________________
(Address)

__________________________________________________________________________
(City, State, Zip Code)

__________________________________________________________________________
(Telephone Number) ___________________________________ (Facsimile Number)

__________________________________________________________________________
(E-mail)

(ATTACH NOTARIZATION of INSURER REPRESENTATIVE’S SIGNATURE)
4. CONTRACTOR’S STATEMENTS OF EXPERIENCE

A. CONTRACTOR INFORMATION:
1. Name of Firm: _______________________
2. Contact: ___________________________
3. Mailing address of firm: _______________________
   Physical address of firm, if different from mailing: _______________________
4. Telephone No. __________________ Fax No. __________________
5. Company Website URL: _______________________
6. State of organization: __________________ Date established: __________

B. Provide the following information for 3 public works and/or private sector construction projects completed within the past 3 years for individual contracts at least $100,000. **Names and references must be current and verifiable.** Attach additional sheets that contain all the information. List projects in chronological order, most recently completed project first.

- Names of Project and Location
- Project Description
- Total Value of Construction (include contract award amount and total change orders
- Completion Date
- Owner of Project
- Owner Reference (include contact name, current mailing address, phone no., fax no., and email address)

C. An entity wishing to use a predecessor business to satisfy prequalification requirements must demonstrate with written information submitted with this Prequalification Questionnaire that it is substantially the same organization (in terms of who is managing Bidder) as the predecessor business. An entity may meet the requirement of the preceding sentence by demonstrating that the same person is the qualifying individual (under California Contractor’s License Law) for:

1. Contractor’s license of Bidder which shall be the same type as license required for the Contract; and
2. Contractor’s license of predecessor business which shall also be the same type as the license required for the Contract.

5. SAFETY PROGRAM

A. Does the entity have a written Injury and Illness Prevention Program (IIPP) that complies with Title 8 of the California Code of Regulations?

   YES ☐ NO ☐

B. Does the entity have a written safety program that meets CAL/OSHA requirements?

   YES ☐ NO ☐
C. Will the entity have personnel permanently assigned and dedicated to Safety on projects?

   YES ☐   NO ☐

D. Is the entity’s Experience Modification Rate (EMR) less than 1.0 for each of the past 3 premium years?

   YES ☐   NO ☐

   Year: □□□□□□ EMR: □□□□□□□
   Year: □□□□□□ EMR: □□□□□□□
   Year: □□□□□□ EMR: □□□□□□□

   Attach verification of EMR from State of California or from insurance company.

E. The entity HAS NOT had any Cal-OSHA fines in the Serious, Repeat or Willful categories within the past 10 years?

   YES ☐   NO ☐

6. QUALITY CONTROL/QUALITY ASSURANCE PROGRAM (QC/QA)

A. Does the entity have a written quality control/quality assurance program?

   YES ☐   NO ☐

   If YES, submit a copy of your QC/QA program with this submission.

B. Will the entity have personnel permanently assigned and dedicated to QC/QA on this project?

   YES ☐   NO ☐

7. BUSINESS CONSTRUCTION REVENUE

For the purposes of this Prequalification Questionnaire, "business construction revenue" shall be defined as payments to entity for construction services.

Can you truthfully state that the entity has had an annual business construction revenue of at least $500,000 for each and every one of the last 5 consecutive calendar years?

   YES ☐   NO ☐

8. LIQUIDATED DAMAGES

A. In the last five years, the entity HAS NOT been assessed liquidated damages of more than $100,000 on a construction contract with either a public or private owner?

   ☐ Yes    ☐ No

9. DISCIPLINARY MEASURES HISTORY

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

   YES ☐   NO ☐
10. **FALSE CLAIMS HISTORY**

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

   YES ☐   NO ☐

11. **TERMINATION**

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

   YES ☐   NO ☐

12. **CLAIMS HISTORY**

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

Each prospective Bidder must complete the Claims History portion of this questionnaire.

Prospective Bidder will presumptively be considered not prequalified if the prospective Bidder and/or persons or entities associated with prospective Bidder have been a party to 3 or more lawsuits or arbitrations in which they either asserted, or had asserted on their behalf, unmeritious design or construction claims or they had meritorious design or construction claims asserted against them.

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

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

As used herein:

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

“Arbitration” means any binding arbitration commenced within 5 calendar years preceding the deadline for submission of the prequalification questionnaire “Claim” means a claim (excluding claims solely for the enforcement of stop notices) arising from design and/or construction work and includes, without limitation, claims for extra compensation and damages (including delay, disruption and acceleration damages, but excluding claims for personal injury or death), and claims for defective design or construction work.

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

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

Whenever a person or entity is referred to, the reference includes the person or entity and all partners, affiliates, subsidiaries, heirs, executors, administrators, assigns, predecessors and successors in interest of or to the person or entity. For instance, a reference to a Contractor includes the prospective Bidder and all partners, affiliates, subsidiaries, heirs, executors, administrators, assigns, insurers, predecessor businesses and successor businesses of the Bidder.

A. Can entity truthfully state that the entity has not been non-prequalified, in part or in whole, within the past five (5) years, for failure to provide requested information regarding past litigation or arbitration history?

   YES ☐     NO ☐

B. 1. Lawsuits And Arbitrations By Entity:

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

   YES ☐     NO ☐

   If no, how many? __________

2. Lawsuits And Arbitrations Against Entity:

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

   YES ☐     NO ☐

   If no, how many? __________
PREQUALIFICATION DECLARATION

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

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

______________________________
(Signature)

______________________________
(Printed Name)

______________________________
(Address)

______________________________
(City, State, Zip Code)

______________________________
(Telephone Number)   ________________________________
(Facsimile Number)

______________________________
(E-mail)