

**REQUEST FOR PROPOSALS WITH A GUARANTEED MAXIMUM  
PRICE FOR CONSTRUCTION SERVICES  
(LEASE-LEASEBACK)  
(RFP) #1718-173**

**for Science Center at Santa Ana College**



**DUE DATES**

**August 10, 2017 by 4:00 PM: MEP Prequalification Packages  
September 29, 2017 by 12:00 PM: Contractor Proposals**

***LATE RESPONSES WILL NOT BE CONSIDERED***

<b>Submit Proposal To:</b>	Rancho Santiago Community College District Facility Planning, District Construction and Support Services 2323 N. Broadway, Suite 112 Santa Ana, CA 92706 <b>Attention: Carri M. Matsumoto, Assistant Vice Chancellor</b>
<b>Questions or Clarifications:</b>	All questions must be submitted in writing on specified form, via email to: <b>Allison Coburn, Coburn_Allison@rscsd.edu</b>

**REQUEST FOR PROPOSALS WITH A GUARANTEED MAXIMUM PRICE FOR  
CONSTRUCTION SERVICES (LEASE-LEASEBACK)**

Your firm was one of the prequalified firms that responded to the District’s Request to Prequalify for Preliminary and Construction Services (Lease-Leaseback), dated May 31, 2017 (“Firm” or “Contractor” or “General Contractor”). As indicated in the Request to Prequalify (“RFQ”), the District intends to award this Project utilizing the lease-leaseback delivery method. (Education Code section 81335.)

The Rancho Santiago Community College District (“District”) is requesting sealed proposals to construct the following project (“Proposal(s)”: **Santa Ana College New Science Center (“Project”)**, as further described in **Attachment 1**.

- Estimated Construction (Hard Cost) Budget: **\$45 million**
- Anticipated Financed Amount: **No more than eight percent (8%) of the GMP over twelve (12) months**
- Anticipated Contract Time: **925 calendar days**

**RFP Schedule.** The District has set the following Request for Proposals (“RFP”) Schedule that all Contractors must adhere to. The District reserves the right to modify this RFP Schedule as needed and will issue an addendum if it modifies the Schedule.

Event / Occurrence	Deadline
District Issues RFP & Contract Documents Available	July 26, 2017
Pre-bid Conference ( <b>Mandatory for General Contractors</b> )	August 2, 2017 @ 9:00AM
Deadline for Contractors to submit questions regarding this RFP	September 8, 2017 @ 4:00PM
Deadline for MEP subcontractors to submit prequalification package	August 10, 2017 @ 4:00PM
District to provide list of all prequalified MEP subcontractors	August 24, 2017
Deadline for District to issue final addendum (72 hours before date for Proposal submission)	September 26, 2017 @ 12:00PM
<b>Deadline for Contractors to submit Proposal</b>	September 29, 2017 @ 12:00PM
District to interview some Contractor(s) (Optional)	October 4, 2017, October 5, 2017, or October 6, 2017 (Anticipated)
District to finalize recommendation for District Board of Trustees	No Later than October 20, 2017 (Anticipated)
District Board of Trustees approves successful Contractor	November 13, 2017 (Anticipated)

**Project Information.** Applicable contract documents, including but not limited to drawings and specifications, shall be issued as part of this RFP. Refer to **Attachment 1** for additional project information.

**Proposals.** Each Firm is required to submit a Proposal they deem appropriate to the following requests. Proposals should be brief and concise, but provide sufficient clarity to meet the criteria to be used in the evaluation process. Firm’s response shall not exceed sixty (60) pages. Each hardcopy of the Proposal must be bound individually, single-sided, tabbed, and organized in order and include all sections and information as stated in Part 1, Contents of Proposal. Firm shall submit the Proposal in a sealed envelope by the date indicated in the RFP Schedule, inclusive of the RFP Number and Project Name, with one (1) original and six (6) copies of requested materials as well as one (1) electronic copy, in PDF format with bookmarks on a thumb drive.

**Questions.** Questions regarding this RFP must be in writing on the form included in **Attachment 4** and directed only to **Allison Coburn, Facilities Project Manager** via email at **Coburn\_Allison@rscsd.edu** by the date indicated in the RFP Schedule. Contractors are directed to not contact any other person regarding this RFP.

**RFP Addenda.** If the District issues addenda to this RFP, Contractors are solely responsible for and must acknowledge receipt of addenda in the Contractor’s Proposal. Failure to acknowledge and respond to any addenda issued by the District may, in the District’s sole discretion, render the Contractor’s Proposal to be deemed non-responsive and

may be rejected.

**Subcontractor Prequalification.** If components of the Project will be performed by mechanical, electrical, or plumbing (“MEP”) subcontractors, then each of those MEP subcontractors with the following license classifications that intend to bid as subcontractors are required to have been prequalified by the District: C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43, and/or C-46. All MEP subcontractors must be prequalified by submitting prequalification applications to the District (“**Prequalification Application(s)**”) no later than the date indicated in the RFP Schedule. MEP subcontractors shall submit (6) hard copies and (1) electronic copy in PDF format with bookmarks on a thumb drive of the Prequalification Application. The Prequalification Application for Subcontractors is attached hereto as **Attachment 2**. This Prequalification Application is **for this Project only**. If a Firm is on the District’s prequalified contractors list established by the District’s Purchasing Department, **it is still required to complete this Prequalification Application**. The District highly recommends all Contractors’ MEP subcontractors complete the Prequalification Application as soon as possible to expedite the District’s evaluation. This MEP prequalification is in addition to other “best value” criteria and qualifying of subcontractors that Firm(s) will undergo as indicated in **Attachment 3** (Subcontractor Procurement Process). **This prequalification is only one process that the subcontractor may have to complete and satisfy since the prime contractor(s) to whom the subcontractor may propose may utilize a “best-value” process that will have additional criteria that the subcontractor may need to comply with.**

**Prevailing Wage.** This Project is a public work project. The Contractor and all Subcontractors (of any tier) must pay prevailing wages and must be currently registered and qualified to perform public work in accordance with Labor Code section 1725.5.

**OCIP.** This Project is within the District’s Owner Controlled Insurance Program (“OCIP”). Refer to **Attachment 1** for additional information.

**CSWPA.** This Project is subject to the District’s Community and Student Workforce Project Agreement (“CSWPA”). Refer to **Attachment 1** for additional information.

This RFP is not a formal request for bids or an offer by the District to contract with any party responding to this request. The District reserves the right to reject any and all Proposals. The District also reserves the right to amend this request as necessary. All proposals and attachments submitted to the District in response to this RFP shall remain property of the District.

Thank you for your interest in working with the Rancho Santiago Community College District.

1. **Contents of Proposal.**

1.1. ( TAB A ) Detailed Guaranteed Maximum Price.

1.1.1. Provide a detailed Guaranteed Maximum Price (“GMP”) to perform all work to construct the Project. The details regarding the GMP, including the definition of that term, are stated in **Exhibit C** to the Facilities Lease that was attached to the RFQ. **Attached hereto as Attachment 6 is the following template workbook that the Firm must complete. GMPs submitted in any other format than District provided template may be deemed non-responsive.**

<b>Workbook Tab I – GMP Summary</b>				
<b>Workbook Tab I – GMP Summary</b>	<b>#</b>	<b>Item</b>	<b>Additional Description</b>	<b>Workbook Tab (Attachment 6)</b>
	a)	<i>Cost of Work</i>	Subcontractor-Performed Scope.	Tab a.1
			Contractor-Performed Scope. <b>If Firm is proposing to self-perform any work, it must provide with its Proposal at least two (2) bona fide proposals/bids from unassociated subcontractors to perform that same scope of work and, if the Firm’s price is higher, it must provide an explanation why it still intends to self-perform that work.</b>	Tab a.2
	b)	<i>General Conditions and General Requirements.</i>		Tab b
	c)	<i>Alternates Summary.</i>	Each Firm shall include all alternates included in the Contract Documents and associated costs with each.	Tab c
	d)	<i>Bonds.</i>		TAB I only
	e)	<i>Insurance.</i>		TAB I only
	f)	<i>Mark-up, including all fees, charges, overhead, and profit.</i>	Each Firm indicated its proposed mark-ups in its response to the RFQ. Each Firm now must confirm those mark-up values, or each Firm is welcome to reduce their previously proposed mark-up values.	TAB I only
	g)	<i>Construction Contingency.</i>	Each Firm must propose a contingency amount that it would request the District maintain, which shall be administered as indicated in the Contract Documents. The District shall decide, at its discretion, on whether to have a Construction Contingency as indicated in the Contract Documents and, if so, the amount of the Construction Contingency.	TAB I only
	h)	<i>Specific Allowances.</i>	Firm shall indicate all allowances included in the contract documents and	Tab h

			corresponding costs as well as any allowances Firm proposes.	
	i)	<i>Financing.</i>	Firms must be prepared to finance a portion of the GMP for a period of time. Although the exact amount and duration may be adjusted at the District's discretion, it is anticipated that the financing for this Project will be for twelve (12) months, during which time the District will make monthly Lease Payments of 1/12 of the total financed amount, plus an agreed-upon interest charge, as indicated in <b>Exhibit C</b> to the Facilities Lease. The Financed Amount is anticipated to be no more than eight percent (8%) of the GMP.	TAB I only
<b><u>Workbook Tab II – Clarifications</u></b>				
<b><u>Workbook Tab III – List of Contract Docs (Drawing Log)</u></b>				
<b><u>Workbook Tab IV – List of Contract Docs (Specification Log)</u></b>				
<b><u>Workbook Tab V – Schedule</u></b>				
Provide a preliminary construction schedule for the Project, indicating all critical path items and durations for scopes of work. Firm shall highlight any revisions to the schedule indicated in <b>Attachment 1</b> for District consideration.				
<b><u>Workbook Tab VI – Logistics Plan</u></b>				
<b><u>Workbook Tab VII – Addenda</u></b>				
Firm shall list and acknowledge receipt and review of all addenda issued for the Project.				
<b><u>Workbook Tab VIII – Suggested Value Engineering (VE) (OPTIONAL)</u></b>				
Firm may propose any suggested value engineering options with associated cost savings for District consideration. These VE options <u>shall not be included</u> in the Firm's GMP.				

**An Excel version of this workbook is available to download at the following link:**  
<https://www.dropbox.com/s/twggqujfrekcdk/170726-3049-RSCCD-TEMPLATE-GMP%20FINAL.XLS?dl=0>

- 1.2. **( TAB B ) Contractor's Subcontractors.** In addition to the prequalification of MEP subcontractors as indicated herein above, and as was indicated in the RFQ, the successful Contractor shall select subcontractors for the Project in compliance with the requirements as further detailed herein. Attached hereto as **Attachment 3** is the Subcontractor Procurement Process that Contractor shall follow. Contractor shall indicate in the Proposal that the District's process was adhered to and indicate any additional requirements the Contractor undertook in prequalifying subcontractors.
- 1.3. **( TAB C ) Proposed Personnel/Contractor Team.** Provide the resumes of key personnel who would be performing Services for the District for this specific Project. Specifically, define the role of each person and outline his or her individual experience and responsibilities. Indicate personnel who will serve as primary contact(s) for the District.

- 1.4. **( TAB D ) Additional Forms.** Refer to **Attachment 5** for additional forms required to be submitted with Firm’s Proposal.
- 1.5. **( TAB E ) Contract Form.** The revised Contract form for the Project is available to download at the District’s “Bid and Proposal Opportunities” website <https://www.rscsd.edu/Departments/Purchasing/Pages/Bidding-Opportunities.aspx>. The revised Contract form includes District-accepted Contractor suggested revisions provided during the RFQ process and additional Project specific information. The following is a list of District accepted Contractor revisions from the RFQ phase.
- Article 36 of Exhibit D: We request that the Contractor’s and Subcontractors’ obligation to defend, indemnify and hold harmless for item “5) any claims of violation of the Americans with Disabilities Act (“ADA”)” be clarified with added words “due to failure to comply with the requirements of Contractor’s and Subcontractors’ Work as specified in this Contract”.
  - Site Lease – Paragraph 7.1.2.1, “Within three (3) days...” – Recommend change to read “business days”.
  - Facilities Lease Paragraph 6.5, change notification to (3) “business” days.
- Firms will be required to substantially accept the form of Contract, including the indemnification provision(s) therein. **If a Firm has any comments or objections to the Contract form, it must specifically state those in its Proposal. Firms cannot “reserve” the right to make any changes later that it has not specifically indicated in its Proposal.**
- 1.6. **( TAB F ) Additional Data.** Provide additional information about the Contractor as it may relate to Contractor’s Proposal.

**2. District’s Evaluation**

- 2.1. The Contractor will be selected based on the “best value” as determined by the District based on the following factors.

Proposed GMP	Firm’s amount and additional information provided is competitive and within the District’s past experience for charges for a GMP for the Project. The firm has undertaken a procurement process to ensure the solicitation of proposals received are competitive.	200
Comments to Contract	Firm’s acceptance of Contract terms and extent of requested revisions and reasonableness of same.	90
Staff / Personnel / Subcontractors	Firm’s team members, especially team leaders and key subcontractors, demonstrate applicable experience and expertise to perform Construction Services and subcontractors are able to perform the work necessary for the Project.	80
Methodology and Approach	Firm’s approach and methodology for construction services.	80
Schedule	Firm’s demonstrates the ability to complete the Project within the duration provided, in a timely fashion and/or exceed expectations.	40
Proposed General Conditions	Firm’s amount and information provided is competitive with the District’s past experience for charges for General Conditions	35
Financing Cost	Firm’s amount provided for financing of the Project’s construction cost.	25
<b>Maximum Total Possible</b>		<b>550</b>

- 2.2. The District intends to evaluate and rank the Contractors that propose as follows:

- 2.2.1. The District's Evaluation Panel and Executive Staff will make an initial ranking of Firms based on Proposals received. That initial ranking will be based on the above factors.
  - 2.2.2. Based on that initial ranking, the District's Evaluation Panel and Executive Staff will interview the top-ranked Firm or Firms (from one (1) to three (3) Firms) ("**Short List**"), at the District staff's discretion.
  - 2.2.3. After the interview(s) of the Short List, the District will re-score the top-ranked Firms based on the same criteria and make a final determination on the Firm it will recommend to the District's Board.
- 2.3. Final selection of a Contractor shall be at the sole discretion of the District's Board of Trustees after recommendation from the Evaluation Panel and Executive Staff.

**Attachment 1**

**ADDITIONAL PROJECT INFORMATION**

**A. GENERAL PROJECT DESCRIPTION**

The new Science Center will be located at Santa Ana College Campus, 1530 West 17<sup>th</sup> Street, Santa Ana, CA 92706. The Science Center is a new three-story building, approximately 67,000 square feet. It will house modern laboratories, classrooms, lecture classrooms and Division/Faculty offices, including:

- Division Office
- Faculty Offices
- (2) Standard Classrooms
- (1) Large Classroom
- (1) Divisible Classroom
- (1) Computer Lab
- (1) Engineering Lab & Support Space
- (6) Biology Labs & Support Spaces
- (2) Geology Labs & Support Space
- (5) Chemistry Labs & Support Spaces
- (1) Physics Lab & Support Space
- (1) Science Learning Center
- Student Collaboration Areas

This project involves the following:

- Pile installation with a high water table
- Extensive mechanical, electrical, and plumbing scope
- Whole building commissioning
- LEED Silver equivalence

**B. PROJECT SCHEDULE**

The anticipated Project schedule is as follows (subject to change):

<b>TASK</b>	<b>Duration (Calendar Days)</b>	<b>Date</b>
District issues Notice to Proceed to Contractor	N/A	November 20, 2017
Building Demolition to Begin (Fall Session is Complete)	N/A	December 18, 2017
Substantial Completion Phase 1	129	March 28, 2018
Substantial Completion Phase 2	813	February 10, 2020
Final Completion	925	June 1, 2020

**C. PHASING**

The Project includes two phases:

- **Phase 1:** Existing building demolition and construction of new masonry wall including all required electrical upgrades to furnish power at the new wall.
- **Phase 2:** All remaining project scope not included in Phase 1.

**CI. CONTRACT DOCUMENTS**

Contract documents will be available in accordance with the RFP schedule at the District's "Bid and Proposal Opportunities" website:

<https://www.rscdd.edu/Departments/Purchasing/Pages/Bidding-Opportunities.aspx>. All addenda will also be available on this website. Contractors are responsible to check the website regularly for addenda and prior to submitting their proposals.

In addition to the Contract Documents, Contractors may receive the Project's Revit model files by contacting Kevin Donaghey with HGA directly at (310) 557-7617; [KDonaghey@hga.com](mailto:KDonaghey@hga.com). The architect may require release forms for access to those files.

**E. MANDATORY JOB WALK**

Contractor must attend the mandatory job walk on the date and time indicated in the RFP schedule. The job walk will be located at **Santa Ana College, 1530 West 17th Street Santa Ana, CA 92706. Enter from 17th Street, meet at the flagpole in front of Admission Building (S).** Any Contractor that proposes on the Project who fails to arrive on time and attend the entire mandatory job walk and conference will be deemed non-responsive and will have its proposal returned unopened.

**F. OCIP**

This Project is within the District’s Owner Controlled Insurance Program (“**OCIP**”). Contractor and their Subcontractors of all tiers are required to have a maximum Experience Modification Rating (“**EMR**”) as reported by the Workers’ Compensation Insurance Rating Bureau of California (“**WCIRB**”) at the time of enrollment into the OCIP. That maximum EMR and all other requirements of the OCIP are as indicated in the OCIP Manual and Safety Standards, attached as **Exhibit K** to the Facilities Lease and available to download at the District’s “Bid and Proposal Opportunities” website <https://www.rscdd.edu/Departments/Purchasing/Pages/Bidding-Opportunities.aspx>. It is the Contractor’s responsibility to ensure that it and all its known Subcontractors meet the OCIP requirements, which includes the scopes of insurance required of the Contractor and its Subcontractors that are NOT part of the scopes of insurance in the OCIP. The expenses for additional insurance are the responsibility of the Contractor and its Subcontractors.

**G. CSWPA**

This Project is subject to the District’s Community and Student Workforce Project Agreement (“**CSWPA**”). The Contractor and its Subcontractors shall comply with the CSWPA, attached as **Exhibit L** to the Facilities Lease and available to download at the District’s “Bid and Proposal Opportunities” website <https://www.rscdd.edu/Departments/Purchasing/Pages/Bidding-Opportunities.aspx>

**H. PARKING & STAGING**

All construction parking and staging shall be within the Project boundaries or on the undeveloped lot of 17<sup>th</sup> and Bristol (see map below). Contractor to provide accommodations as required for worker transportation to Project site. 17<sup>th</sup> and Bristol lot will not be available until after March 2018.



Attachment 2

**PREQUALIFICATION APPLICATION (SUBCONTRACTORS)**

<b>SUBCONTRACTOR (OR "FIRM") INFORMATION</b>			
Subcontractor's company name:			
Subcontractor's Representative (Point of Contact):			
Address:			
Telephone:		Mobile telephone:	
E-mail:			
Years in business under current company name:			
Types of work performed with own forces:			
Gross revenue of the Firm for the past three (3) years:			
\$	\$	\$	
<b>Submit an audited or reviewed financial statement for the past two (2) full fiscal years. 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 statement.</b>			
Number of years this accounting firm has prepared financial statements for the Firm:			
Number of years this accounting firm has prepared tax returns for the Firm:			
Name of license holder exactly as on file with the California State License Board:			
License classification(s):			
License Number(s):			
License expiration date(s):			
<b>Department of Industrial Relations registration number (Per Labor Code section 1725.5):</b>			
Number of years license holder has held the listed license(s):			
Number of years Subcontractor has done business in California under contractor's license law:			
Number of years Subcontractor has done business in California under <u>current</u> Contractor's license:			
Has your Firm changed name(s) or license number(s) in the past five (5) years? ( Y / N ). If "yes", explain on a separate signed sheet, including the reason for the change.			
Has there been any change in ownership of the Firm at any time in the past five (5) years? <b>NOTE:</b> A corporation whose shares are publicly traded is not required to answer this question. ( Y / N ). If "yes", explain on a separate signed sheet, including the reason for the change.			
Is the Firm a subsidiary, parent, holding company, or affiliate of another construction firm? <b>NOTE:</b> Include information about other firms if one firm owns ten percent (10%) or more of another, or if an owner, partner, or officer of your Firm holds a similar position in another firm. ( Y / N ). If "yes", explain on a separate signed sheet, the name of the related company(ies) and the percent ownership.			
Indicate the form of Subcontractor's firm (type of business entity):			
<input type="checkbox"/> Individual <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Partnership			

Limited Partnership  
 Corporation, State: \_\_\_\_\_  
 Limited Liability Company  
 Joint Venture  
 Other: \_\_\_\_\_

List the following for each corporation officer, general partner, limited partner, owner, etc. (as applicable) for the Subcontractor's type of entity. For joint ventures, include this information for each entity in the joint venture and the percent ownership of each joint venture. Attach all additional information on separate signed sheets as needed.

Name	Position	Years with Co.	% Ownership

Identify every construction firm, contractor and/or construction management firm that the Subcontractor or any person listed above has been associated with (as officer, general partner, limited partner, owner, RMO, RME etc.) at any time during the **past five (5) years** ("Associated Firm"). Include all additional references and/or information on separate signed sheets. NOTE: For this question, "owner" and "partner" refers to ownership of ten percent (10%) or more of the business, or ten percent (10%) or more of its stock if the business is a corporation. include all additional information on separate signed sheets as needed.

Name of Person at Associated Firm	Name of Associated Firm	Contractor's License No. of Associated Firm	Dates of Person's Participation with Associated Firm

**SUBCONTRACTOR'S BONDING COMPANY (SURETY) INFORMATION**

Name(s) of bonding company(ies) your Firm has utilized over the past five (5) years (not broker or agency):


Address(es) of those bonding company(ies):


Number of years Subcontractor has been with those bonding company/surety:

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Name of broker/agent:

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Address of broker/agent:	
Telephone number of broker/agent:	
E-mail of broker/agent:	
Subcontractor's total current bonding capacity: \$	

<b>SUBCONTRACTOR'S INSURANCE INFORMATION</b>
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Name of insurance company(ies) your Firm has utilized over the past five (5) years (not broker or agency):

Address of those insurance company(ies):

"Best" rating(s) for those insurance company(ies):		

Number of years Subcontractor has been with those insurance company(ies):		

Name of broker/agent:	
Address of broker/agent:	
Telephone number of broker/agent:	
E-mail of broker/agent:	

Subcontractor's current insurance limits for the following types of coverage:		
Commercial General Liability	Combined Single Limit (per occurrence)	\$
	Combined Single Limit (aggregate)	\$
Product Liability & Completed Operations	(aggregate)	\$
	(per occurrence)	\$
Automobile Liability – Any Auto	Combined Single Limit (aggregate)	\$
Automobile Liability – Any Auto	Combined Single Limit (per occurrence)	\$
Employers' Liability		\$
Builder's Risk (Course of Construction)		\$

Workers' Compensation Experience Modification Rate (EMR) for the past five (5) premium years:		
(1) Current year:	(2)	(3)
	(4)	(5)

## QUESTIONS

### Pass/Fail Questions (Essential Criteria) (SUBCONTRACTORS)

1.	<p>Has your Firm contracted for and completed construction of a minimum of:</p> <ul style="list-style-type: none"> <li>• <b>Three (3)</b> Division of the State Architect-approved construction projects,</li> <li>• Each with a value of at least <b>\$500,000</b>, and</li> <li>• All within the past <b>five (5) years</b>? (Please circle "YES" or "NO").</li> </ul> <p><b>NOTE:</b> You <b>must</b> list these projects in the "Subcontractor Project References" Section.</p>	<p><u>YES</u> <u>NO</u> NO = cannot prequalify</p>
2.	<p>Has your Firm contracted for and completed construction of a minimum of:</p> <ul style="list-style-type: none"> <li>• <b>Two (2)</b> community college, university or college (higher education) projects,</li> <li>• Each with a value of at least <b>\$250,000</b>, and</li> <li>• All within the past <b>seven (7) years</b>? (Please circle "YES" or "NO").</li> </ul> <p><b>NOTE:</b> You <b>must</b> list these projects in the "Subcontractor Project References" Section.</p>	<p><u>YES</u> <u>NO</u> NO = cannot prequalify</p>
3.	<p>Does your Firm currently hold all contractors' license necessary to perform the work and have those license(s) been consistently active for at least five (5) years without revocation or suspension? (Please circle "YES" or "NO").</p>	<p><u>YES</u> <u>NO</u> NO = cannot prequalify</p>
4.	<p>Has your Firm or an Associated Firm been found non-responsible, debarred, disqualified, forbidden, or otherwise prohibited from performing work and/or bidding on work for any public agency within California within the past five (5) years? (Please circle "YES" or "NO").</p>	<p><u>YES</u> <u>NO</u> YES = cannot prequalify</p>
5.	<p>Has your Firm or an Associated Firm defaulted on a contract or been terminated for cause by any public agency on any project within California within the past five (5) years and, if so and if challenged, has that default or termination been upheld by a court or an arbitrator? (Please circle "YES" or "NO").</p>	<p><u>YES</u> <u>NO</u> YES = cannot prequalify</p>
6.	<p>Has your Firm or an Associated Firm or any of their owners or officers been convicted of a crime under federal, state, or local law involving:</p> <ul style="list-style-type: none"> <li>(1) Bidding for, awarding of, or performance of a contract with a public entity;</li> <li>(2) Making a false claim(s) to any public entity; or</li> <li>(3) Fraud, theft, or other act of dishonesty</li> </ul> <p>to any contracting party within the past <b>ten (10) years</b>? (Please circle "YES" or "NO").</p>	<p><u>YES</u> <u>NO</u> YES = cannot prequalify</p>
7.	<p>Has a performance bond surety for your Firm or a performance bond surety for an Associated Firm had to:</p> <ul style="list-style-type: none"> <li>(1) Take over or complete a project,</li> <li>(2) Supervise the work of a project, or</li> <li>(3) Pay amounts to third parties,</li> </ul> <p>related to construction activities of your Firm or an Associated Firm within the past five (5) years? (Please circle "YES" or "NO").</p>	<p><u>YES</u> <u>NO</u> YES = cannot prequalify</p>



**If you answered:**  
**"NO" to questions 1-3 or**  
**"YES" to questions 4-7, then STOP.**  
**You are not eligible for prequalification at this time.**

## SCORED QUESTIONS (SUBCONTRACTORS)

1.	<p>Has your Firm paid liquidated damages pursuant to a contract for a project with either a public or private owner within the past five (5) years? (Please circle "YES" or "NO").</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the project name(s), damages(s), and date(s).</p>	<u>YES</u> <u>NO</u>
2.	<p>Has your Firm paid a premium of more than one percent (1%) for a performance and payment bond on any project(s) within the past five (5) years? (Please circle "YES" or "NO").</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the project name(s), the premium amount(s), and date(s).</p>	<u>YES</u> <u>NO</u>
3.	<p>Has any insurer had to pay amounts to third parties that were in any way related to construction activities of your Firm within the past five (5) years? (Please circle "YES" or "NO").</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the project name(s), the amount(s) paid, and date(s).</p>	<u>YES</u> <u>NO</u>
4.	<p>Has your Firm's Workers' Compensation Experience Modification Rate exceeded <b>1.0</b> at any time for the past five (5) premium years? (Please circle "YES" or "NO").</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the EMR(s) and the applicable date(s).</p>	<u>YES</u> <u>NO</u>
5.	<p>Has there been a period when your Firm had employees but was without workers' compensation insurance or state-approved self-insurance within the past five (5) years? (Please circle "YES" or "NO").</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the reason(s) for not having this insurance and the applicable date(s).</p>	<u>YES</u> <u>NO</u>
6.	<p>Has your Firm declared bankruptcy or been placed in receivership within the past five (5) years? (Please circle "YES" or "NO").</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the type of bankruptcy, the Firm's current recovery plan, and the applicable date(s).</p>	<u>YES</u> <u>NO</u>
7.	<p>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 construction project when one was required within the past five (5) years? (Please circle "YES" or "NO").</p> <p style="text-align: center;">If YES, provide details on a separate signed sheet indicating the date(s) when your Firm was denied coverage and the name of the company or companies which denied coverage; and the period(s) during which you had no surety bond in place.</p>	<u>YES</u> <u>NO</u>
8.	<p>Has a project owner, general contractor, architect, or construction manager filed claim(s) in an amount exceeding \$50,000 against your Firm, or has your Firm filed claim(s) in an amount exceeding \$50,000 against a project owner, general contractor, architect, or construction manager in the past five (5) years? (Please circle "YES" or "NO").</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the project name(s), claim(s) and the date(s) of claim(s).</p>	<u>YES</u> <u>NO</u>

9.	<p>Has your Firm or an Associated Firm been cited and/or assessed any penalties for non-compliance with state and/or federal laws and/or regulations, including public bidding requirements and Labor Code violations, within the past five (5) years? (Please circle "YES" or "NO").</p> <p>If "YES," indicate on separate signed sheet(s) the project name(s), violation(s), and date(s) of citation(s) and/or assessment(s).</p>	<p><u>YES</u> <u>NO</u></p>
10.	<p>Has your Firm been required to pay either back wages or penalties for its failure to comply with California's prevailing wage laws, with California's apprenticeship laws or regulations, or with federal Davis-Bacon prevailing wage laws within the past five (5) years? (Please circle "YES" or "NO").</p> <p>If "yes," indicate on separate signed sheet(s) the project name(s), the nature of the violation(s), the name and owner of the project(s), the number of employees who were initially underpaid and the amount of back wages and penalties that your Firm was required to pay.</p>	<p><u>YES</u> <u>NO</u></p>
11.	<p>Does your Firm or an Associated Firm have any <b>pending</b> claims for non-compliance with state and/or federal laws and/or regulations, including public bidding requirements and Labor Code violations? (Please circle "YES" or "NO").</p> <p>If YES, explain and indicate on separate signed sheet(s) the project name(s), claim(s), the date(s) of claim(s) and the status of the claim(s).</p>	<p><u>YES</u> <u>NO</u></p>
12.	<p>Has your Firm been cited and/or assessed penalties by the Environmental Protection Agency, any air quality management district, any regional water quality control board, or any other environmental agency within the past five (5) years? (Please circle "YES" or "NO").</p> <p>If "yes," indicate on separate signed sheet(s) the project name(s), violation(s), and date(s) of citation.</p>	<p><u>YES</u> <u>NO</u></p>
13.	<p>Has Cal/OSHA and/or federal Occupational Safety and Health Administration cited and assessed penalties against your Firm, including any "serious," "willful" or "repeat" violations of safety or health regulations within the past five (5) years? (Please circle "YES" or "NO").</p> <p>If "yes," indicate on separate signed sheet(s) the project name(s), violation(s), and date(s) of citation. If the citation was appealed and a decision has been issued, state the case number and the date of the decision.</p>	<p><u>YES</u> <u>NO</u></p>
14.	<p>Does your Firm require <b>weekly</b>, documented safety meetings to be held for construction employees and field supervisors during the course of a project? (Please circle "YES" or "NO").</p>	<p><u>YES</u> <u>NO</u></p>
15.	<p><b>For C10, C20, and C36 license categories only – Does your Firm have laboratory and/or science building experience with a contract value of \$1,500,000 or greater? (Please circle "YES" or "NO").</b></p> <p><b><i>If your Firm is not one of the three license categories listed above, please circle "NA".</i></b></p>	<p><u>YES</u> <u>NO</u></p> <p><u>NA</u></p>
16.	<p>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 Firm for use on any public work project for which you are awarded a contract by the District.</p>	

## SUBCONTRACTOR PROJECT REFERENCES

List **ALL** projects in which your Firm has participated as a contractor or first-tier subcontractor during the past **seven (7) years** with a Firm contract value of more than **\$250,000**.

- You may limit your response to the **thirty (30)** most-recently completed projects, but you **must** include all projects that satisfy the “**Pass/Fail Questions (Essential Criteria)**” and the “**Scored Questions**” requirements above.
- Include all information indicated below on separate signed sheets as necessary, and explain or clarify any response as necessary

Project name/identification:
Project address/location:
Project owner, contact person, and telephone:
Project architect name and telephone number:
If contractor was a subcontractor on the project, name of general contractor and telephone number:
Indicate if the project was under lease-leaseback, design-build, design-bid-build or other delivery structure:
Scope of work:
Original completion date:
Date completed:
Initial contract value (as of time of bid award):
Final contract value:

### CERTIFICATION

I certify the following:

- Under penalty of perjury under the laws of the State of California, the foregoing is true and correct.
- This prequalification is only one process that the subcontractor may have to complete and satisfy since the prime contractor(s) to whom the subcontractor may propose may utilize a “best-value” process that will have additional criteria that the subcontractor may need to comply with.

Date: \_\_\_\_\_

Proper Name of Subcontractor: \_\_\_\_\_

Signature: \_\_\_\_\_

By: \_\_\_\_\_ (Print Name)

Title: \_\_\_\_\_

### **DISTRICT'S APPEAL PROCESS RELATED TO SUBCONTRACTORS' PREQUALIFICATION APPLICATIONS**

A subcontractor may appeal the District's decision. If a subcontractor decides to appeal the District's prequalification decision, it must follow the following procedure:

1. Subcontractor shall submit, in writing, within two (2) Business Days from District's determination, a request for a written response from the District to explain the District's determination.
2. Within two (2) Business from receipt of the District's written response to the subcontractor's request, subcontractor may submit, in writing, a request for a meeting with the District's staff. Subcontractor may submit with the request any and all information that it believes supports a finding that District's determination should be changed.
3. District staff shall hold a meeting with the subcontractor. If the subcontractor continues to contest the District's determination after that meeting with District staff, then the subcontractor may address the Board at the next public noticed meeting of the District's governing board, pursuant to the governing board's procedures for public comment. **TO PRESERVE THE SUBCONTRACTOR'S RIGHT TO CHALLENGE THE DISTRICT'S DETERMINATION, THE SUBCONTRACTOR SHALL ADDRESS THE BOARD AT THE NEXT PUBLIC NOTICED MEETING OF THE BOARD AFTER SUBCONTRACTOR'S MEETING WITH DISTRICT STAFF.**
4. **FAILURE OF A SUBCONTRACTOR TO TIMELY FOLLOW ALL APPEAL STEPS SHALL BE A WAIVER OF THE SUBCONTRACTOR'S RIGHT TO APPEAL THE DISTRICT'S DECISION.**

**DISTRICT'S SCORING OF SUBCONTRACTORS' PREQUALIFICATION APPLICATIONS**

1. **Confirm the Subcontractor has passing answers for the "Pass/Fail Questions."**
2. **Confirm Subcontractor has submitted the required financial statements.** If not, notify Subcontractor in writing that its Prequalification Application is non-responsive for failing to include the required financial statements.
3. **Score the "Evaluated Questions."**

<b>Topic/Question</b>	<b>Scoring &amp; Max. Poss. Score</b>		<b>Score</b>
1. Liquidated Damages	No = 8 points; Yes = 0 points	8	
2. Surety Premium	No = 2 points; Yes = 0 points	2	
3. Insurer Pay	No = 2 points; Yes = 0 points	2	
4. EMR	No = 2 points; Yes = 0 points	2	
5. Workers' Comp.	No = 2 points; Yes = 0 points	2	
6. Bankruptcy	No = 8 points; Yes = 0 points	8	
7. Denied Bond	No = 8 points; Yes = 0 points	8	
8. Filed Claims	No = 8 points; Yes = 0 points	8	
9. Labor Code Citations	No = 2 points; Yes = 0 points	2	
10. Back Wages or Penalties	No = 2 points; Yes = 0 points	2	
11. Pending DIR Claims	No = 2 points; Yes = 0 points	2	
12. EPA Citations	No = 2 points; Yes = 0 points	2	
13. OSHA Citations	No = 2 points; Yes = 0 points	2	
14. Safety Meetings	Yes = 2 points; No = 0 points	2	
15. Laboratory Project	Listed = 8 points; None listed = 0 points  <b>(if N/A = do not score and maximum is 54 points, not 62 points)</b>	8	
16. Apprenticeship Program	Listed = 2 points; None listed = 0 points	2	
<b>Total Score</b>		<b>62 (or 54)</b>	

<b>Scoring of Subcontractors' Prequalification Application</b>	<b>Minimum points required for prequalification: 48 (or 40)</b>
--	---

**Attachment 3**

**SUBCONTRACTOR PROCUREMENT PROCESS**  
**(CONTRACTORS MUST FOLLOW THIS PROCESS FOR THE PROJECT)**

- **MEP Prequalification.** The Contractor shall ensure that all of its mechanical, electrical and plumbing (“MEP”) subcontractors are prequalified and shall comply with the requirements for the procurement of subcontractors as further detailed herein and by the District at that time.
- **Subcontractor Listing.** The District will select the Contractor on a best-value basis. All Contractors’ subcontractors in excess of ½ of 1% of that lump sum cost shall be identified in the Contractors’ Proposals and shall be afforded the protections of the Subletting and Subcontracting Fair Practices Act. (Public Contract Code § 4100, et seq.)
- **Public Notice.** The District, on behalf of the Contractors shall provide public notice of bidding for all subcontractors “in accordance with the publication requirements applicable to the District’s competitive selection process” to solicit Subcontractors in compliance with statutory requirements and the District’s process.
- **Best-Value Process for Subcontractor Selection.** The Contractor is permitted to choose some or all of its subcontracts on a low-bid basis or through a best-value process. If the Contractor utilizes a best value process, the Contractor shall use the following best value criteria and process as a **MINIMUM** threshold for subcontractors. The Contractor is permitted to add additional prequalification thresholds and/or best value criteria, but only if those thresholds and criteria are reasonable and are neither arbitrary nor capricious. Otherwise, the Contractor shall award to subcontractors with the lowest responsive, responsible bid to the Contractor. Notwithstanding any provision herein to the contrary, if Contractor does not intend to choose the lowest bidding subcontractor for a specific scope of work, Contractor shall justify, to the District’s satisfaction, its basis for that action, consistent with this process and applicable law, prior to taking that action

<b>Best Value Criteria for Subcontractors</b>	<b>Required Response for Subcontractor to Qualify</b>
<b>1.</b> Has the subcontractor performed at least two (2) subcontracts for at least 90% of the value of the current subcontract?	<b>Yes</b>
<b>2.</b> Has the subcontractor been found non-responsible, debarred, disqualified, forbidden, or otherwise prohibited from performing work and/or bidding on work for any public agency within California within the past five (5) years?	<b>No</b>
<b>3.</b> Has the subcontractor defaulted on a contract, been substituted off a project after beginning performance, or been terminated for cause by any prime contractor or public agency on any project within California during the past five (5) years and has that default, substitution or termination been upheld by a court or an arbitrator?	<b>No</b>
<b>4.</b> Has the subcontractor paid liquidated damages pursuant to a contract for a project with either a public or private owner within the past five (5) years?	<b>No</b>
<b>5.</b> Has the subcontractor’s Workers’ Compensation Experience Modification Rate exceeded 1.25 at any time for the past five (5) premium years?	<b>No</b>
<b>6.</b> Has the subcontractor failed in its performance of a contract with the Contractor during the past five (5) years and does the Contractor have documentation to support that failed performance? (If so, and if the Contractor does not wish to subcontract with that subcontractor and if it provides to the District with that documentation, the District shall, at its reasonable discretion, permit Contractor to list and contract with the next lowest subcontractor for the project.)	<b>No</b>

**Attachment 4**

**PRE-BID CLARIFICATION ("PBC") FORM  
(ALL questions to be submitted on this form ONLY)**

**PBC #**   
*(RSCCD USE ONLY):*

PROJECT NAME:	RFP #1718-173 Science Center at Santa Ana College		
PROJECT NUMBER:	3049	DSA NUMBER:	04-115788
TO:	Allison Coburn	EMAIL:	<b>Coburn_Allison@rsccd.edu</b>

DATE:			
FROM:		EMAIL:	
SPECIFICATION NUMBER:		DRAWING NUMBER:	
REQUESTED CLARIFICATION:			
RESPONSE TO CLARIFICATION, <b>SUBMITTED AS PART OF AN ADDENDUM:</b>			
RESPONSE PROVIDED BY:		DATE:	

*Attach additional numbered sheets as necessary; however, only one (1) request shall be contained on each submitted form.*

**Attachment 5**

**ADDITIONAL REQUIRED FORMS**  
**(to be Submitted with Proposal)**

*Refer to the following pages.*

**REQUEST FOR SUBSTITUTION**

**(DUE WITHIN THE TIME FRAME INDICATED IN THE CONTRACT DOCUMENTS)**

Pursuant to Public Contract Code section 3400, Firm submits the following request to substitute listed articles, devices, equipment, products, materials, fixtures, patented processes, forms, methods, or types of construction. Firm understands that if the request to substitute is not an “or equal” or is not accepted by the District, the Firm will provide the specified item. Otherwise, the Firm will be non-responsive. With this understanding, Firm hereby requests substitution of the following articles, devices, equipment, products, materials, fixtures, patented processes, forms, methods, or types of construction:

	Specification Section	Specified Item	Requested Substituted Item	Contractor Agrees to Provide Specified Item if request to Substitute is Denied (circle one)		District Decision (circle one)	
				Yes	No	Grant	Deny
1.							
2.							
3.							
4.							
5.							

This Request Form must be accompanied by evidence as to whether the proposed Substitution complies with the Substitution requirements in the Contract Documents and with the following: 1) is equal in quality, service, and ability to the Specified Item; 2) will entail no change in detail, construction, and scheduling of related work; 3) will be acceptable in consideration of the required design and artistic effect; 4) will provide no cost disadvantage to the District; 5) will require no excessive or more expensive maintenance, including adequacy and availability of replacement parts; 6) will require no change of the construction schedule or milestones for the Project; and, 7) Contractor agrees to pay for any DSA Fees or other Governmental Plan check costs associated with this Substitution Request.

\_\_\_\_\_  
Company's Name

\_\_\_\_\_  
Authorized Representative Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

**NONCOLLUSION DECLARATION**  
**Public Contract Code § 7106**

TO BE EXECUTED BY FIRM AND SUBMITTED WITH PROPOSAL

The undersigned declares:

I am the \_\_\_\_\_ **[PRINT YOUR TITLE]**

of \_\_\_\_\_ **[PRINT FIRM NAME]**,

the party making the foregoing proposal.

The proposal is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation. The proposal is genuine and not collusive or sham. The Firm has not directly or indirectly induced or solicited any other Firm to put in a false or sham proposal. The Firm has not directly or indirectly colluded, conspired, connived, or agreed with any Firm or anyone else to put in a sham proposal, or to refrain from proposing. The Firm has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the proposal price of the Firm or any other Firm, or to fix any overhead, profit, or cost element of the proposal price, or of that of any other Firm. All statements contained in the proposal are true. The Firm has not, directly or indirectly, submitted his or her proposal price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, to any corporation, partnership, company, association, organization, proposal depository, or to any member or agent thereof, to effectuate a collusive or sham proposal, and has not paid, and will not pay, any person or entity for such purpose.

Any person executing this declaration on behalf of a Firm that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that he or she has full power to execute, and does execute, this declaration on behalf of the Firm.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on the following date:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address

\_\_\_\_\_  
Name Printed or Typed

\_\_\_\_\_  
City, County, and State

\_\_\_\_\_  
Area Code and Telephone Number

END OF DOCUMENT

**ACKNOWLEDGMENT OF BIDDING PRACTICES REGARDING INDEMNITY FORM**

Please be advised that the undersigned Contractor on behalf of itself and all Subcontractors hereby waives the benefits and protection of Labor Code Section 3864, which provides:

“If an action as provided in this chapter is prosecuted by the employee, the employer, or both jointly against the third person results in judgment against such third person, the employer shall have no liability to reimburse or hold such third person harmless on such judgment or settlement in the absence of a written agreement to do so executed prior to the injury.”

This Agreement has been signed by an authorized representative of the contracting party and shall be binding upon its successors and assignees. The undersigned further agrees to promptly notify the District of any changes of ownership of the contracting party or any subcontractor while this Agreement is in force.

\_\_\_\_\_  
Company's Name

\_\_\_\_\_  
Authorized Representative Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

END OF DOCUMENT

**DESIGNATED SUBCONTRACTORS LIST**

1. Proposer must list hereinafter the name and location of each Subcontractor who will be employed, and the scope of Work that each will perform if the Contract is awarded to the Proposer. Proposer acknowledges and agrees that under Public Contract Code section 4100, et seq., it must clearly identify the name and location of each Subcontractor who will perform work or labor or render service to the Proposer in or about the construction of the Work in an amount in excess of one-half of one percent (1/2 of 1%) of Proposer's total Proposal.
2. As to any Work that Proposer fails to list, Proposer agrees to perform that portion itself or be subjected to penalty under applicable law.
3. If alternate Proposals are called for and Proposer intends to use Subcontractors different from or in addition to those Subcontractors listed for work under the base Proposal, Proposer must list Subcontractors that will perform Work in an amount in excess of one half of one percent (1/2 of 1%) of Proposer's total Proposal, including alternates.
4. In case more than one Subcontractor is named for the same scope of Work, state the portion that each will perform.
5. Proposer need not list entities that are only vendors or suppliers of materials.
6. Proposer must provide the Contactor State License Board number (CSLB No.) for all listed Subcontractors.
7. Proposer must provide the Department of Industrial Relations registration number (DIR No.) for all listed subcontractors.
8. If further space is required for the list of proposed Subcontractors, additional sheets showing the required information, as indicated below, shall be attached hereto and made a part of this document.

Portion of Work	Firm Name of Subcontractor
Business Address (Street, City, Zip Code)	License(s) Type and Number(s)
First and Last Name of Subcontractor Representative	DIR#
Telephone	Email Address
Please check the applicable boxes below for this firm.	
<input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> DVBE <input type="checkbox"/> Participate in an Internship Program <input type="checkbox"/> Participate in an Apprenticeship Program	

Portion of Work	Firm Name of Subcontractor
Business Address (Street, City, Zip Code)	License(s) Type and Number(s)
First and Last Name of Subcontractor Representative	DIR#
Telephone	Email Address
Please check the applicable boxes below for this firm.	
<input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> DVBE <input type="checkbox"/> Participate in an Internship Program <input type="checkbox"/> Participate in an Apprenticeship Program	

Portion of Work	Firm Name of Subcontractor
Business Address (Street, City, Zip Code)	License(s) Type and Number(s)
First and Last Name of Subcontractor Representative	DIR#
Telephone	Email Address
Please check the applicable boxes below for this firm.	
<input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> DVBE <input type="checkbox"/> Participate in an Internship Program <input type="checkbox"/> Participate in an Apprenticeship Program	

Portion of Work	Firm Name of Subcontractor
Business Address (Street, City, Zip Code)	License(s) Type and Number(s)
First and Last Name of Subcontractor Representative	DIR#
Telephone	Email Address
Please check the applicable boxes below for this firm.	
<input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> DVBE <input type="checkbox"/> Participate in an Internship Program <input type="checkbox"/> Participate in an Apprenticeship Program	

Portion of Work	Firm Name of Subcontractor
Business Address (Street, City, Zip Code)	License(s) Type and Number(s)
First and Last Name of Subcontractor Representative	DIR#
Telephone	Email Address
Please check the applicable boxes below for this firm.	
<input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> DVBE <input type="checkbox"/> Participate in an Internship Program <input type="checkbox"/> Participate in an Apprenticeship Program	

*(Please copy this page if you need to list more Subcontractors for this project.)*

I certify and declare under penalty of perjury under the laws of the State of California that all the foregoing information is complete, true, and correct.

Company's Name	Authorized Representative Name
Signature	Title
Date	

END OF DOCUMENT

**IRAN CONTRACTING ACT CERTIFICATION**  
*(Public Contract Code sections 2202-2208)*

Prior to proposing on, submitting a proposal or executing a contract or renewal for a State of California contract for goods or services of \$1,000,000 or more, a vendor must either: a) certify it is **not** on the current list of persons engaged in investment activities in Iran created by the California Department of General Services (“DGS”) pursuant to Public Contract Code section 2203(b) and is not a financial institution extending twenty million dollars (\$20,000,000) or more in credit to another person, for 45 days or more, if that other person will use the credit to provide goods or services in the energy sector in Iran and is identified on the current list of persons engaged in investment activities in Iran created by DGS; or b) demonstrate it has been exempted from the certification requirement for that solicitation or contract pursuant to Public Contract Code section 2203(c) or (d).

To comply with this requirement, please insert your vendor or financial institution name and Federal ID Number (if available) and complete **one** of the options below. Please note: California law establishes penalties for providing false certifications, including civil penalties equal to the greater of \$250,000 or twice the amount of the contract for which the false certification was made; contract termination; and three-year ineligibility to proposal on contracts. (Public Contract Code section 2205.)

**OPTION #1 - CERTIFICATION**

I, the official named below, certify I am duly authorized to execute this certification on behalf of the vendor/financial institution identified below, and the vendor/financial institution identified below is **not** on the current list of persons engaged in investment activities in Iran created by DGS and is not a financial institution extending twenty million dollars (\$20,000,000) or more in credit to another person/vendor, for 45 days or more, if that other person/vendor will use the credit to provide goods or services in the energy sector in Iran and is identified on the current list of persons engaged in investment activities in Iran created by DGS.

<i>Vendor Name/Financial Institution (Printed)</i>		<i>Federal ID Number (or n/a)</i>
<i>By (Authorized Signature)</i>		
<i>Printed Name and Title of Person Signing</i>		
<i>Date Executed</i>	<i>Executed in</i>	

**OPTION #2 – EXEMPTION**

Pursuant to Public Contract Code sections 2203(c) and (d), a public entity may permit a vendor/financial institution engaged in investment activities in Iran, on a case-by-case basis, to be eligible for, or to proposal on, submit a proposal for, or enters into or renews, a contract for goods and services.

If you have obtained an exemption from the certification requirement under the Iran Contracting Act, please fill out the information below, and attach documentation demonstrating the exemption approval.

<i>Vendor Name/Financial Institution (Printed)</i>		<i>Federal ID Number (or n/a)</i>
<i>By (Authorized Signature)</i>		
<i>Printed Name and Title of Person Signing</i>		<i>Date Executed</i>

END OF DOCUMENT

**DISABLED VETERAN BUSINESS ENTERPRISE (DVBE) PARTICIPATION STATEMENT**

Each Firm must complete this form in order to comply with the District’s policy for participation of disabled veteran business enterprises.

The undersigned, on behalf of the Contractor named below, certifies that the Contractor has made reasonable efforts to secure participation by DVBE in the Contract to be awarded for Science Center at Santa Ana College, including participation by DVBE Subcontractors and/or material suppliers. **Check only one of the following:**

- The Contractor was unable after reasonable efforts to secure DVBE participation in the Contract for the above-referenced Project/Proposal No. However, the Contractor will use DVBE services if the opportunity arises at any time during construction of the Project. Upon completion of the Project, the Contractor will report to the District the total dollar amount of DVBE participation in any Contract awarded to Contractor, and in any change orders, for the above-referenced Project.
  
- The Contractor has secured DVBE participation in the Contract for the above referenced Project/Proposal No., and anticipates that such DVBE participation will equal approximately \_\_\_\_\_ dollars (\$ \_\_\_\_\_), which represents approximately \_\_\_\_\_ percent ( \_\_\_%) of the total Contract for such Project. Upon completion of the Project, Contractor will report to the District the actual total dollar amount of DVBE participation in the Contract awarded to Contractor, and in any change orders, for such Project.

\_\_\_\_\_  
Company’s Name

\_\_\_\_\_  
Authorized Representative Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

END OF DOCUMENT

**Attachment 6**

**REQUIRED GMP TEMPLATE WORKBOOK**

*Refer to the following attachment*

## Guaranteed Maximum Price Proposal

Date: \_\_\_\_\_

### I. GMP Components

**NOTE TO EDITOR: The highlighted fields or red text on this sheet must be edited (all others will automatically populate from the corresponding tabs). DELETE TEXT BOX AFTER READING THIS TEXT BOX.**

**Notes**

a) Cost of Work (Direct Cost of Work)	\$	-	Scope as indicated as the "Cost to Perform Work" in Exhibit C to the Facilities Lease to perform the "Scope of Work for Construction Services" indicated in this RFP
b) General Conditions / General Requirements	\$	-	
<b>SUBTOTAL</b>	<b>\$</b>	<b>-</b>	Sum of Items a) through e)
c) Alternates	\$	-	
d) Bonds	0.0% \$	-	Firm's charge for Bonds shall be expressed as a fixed percentage of Subtotal above
e) Insurance	0.0% \$	-	Firm's charge for Insurance shall be expressed as a fixed percentage of Subtotal above
f) Mark-up, including all fees, charges, overhead, and profit	0.0% \$	-	Firm's Mark-Up shall be expressed as a fixed percentage of Subtotal above
g) Construction Contingency	0.0% \$	-	Percentage of Subtotal above (to be proposed by Firm and negotiated with District as required)
h) Specific Allowances	\$	-	
i) Financing Interest	\$0 0.0% \$	-	Provide Firm's financing rate. Per RFP, financed amount is anticipated to be no more than eight percent (8%) of the GMP.

**TOTAL GMP \$ -**

This is to certify that, to the best of my knowledge and belief, the cost or pricing data submitted in this proposal, either actually or by specific identification in writing, to the District or to the District's Representative in support of the Facilities Lease Agreement are accurate, complete, and current as of the date noted above. This certification includes the cost or pricing data supporting any future payment requests submitted pursuant to the Facilities Lease Agreement.

Firm: \_\_\_\_\_

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

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_





**b) General Conditions / General Requirements**

	QUANTITY	UNIT	MATERIAL \$/UNIT	AMOUNT	EQUIP./SUBS. \$/UNIT	AMOUNT	LABOR \$/UNIT	AMOUNT	TOTAL
<b>GENERAL CONDITIONS / GENERAL REQUIREMENTS</b>									
<b>Project (On Site Jobsite Staff)</b>									
Operations Manager	-	-	-	-	-	-	-	-	\$ -
Project Manager	-	-	-	-	-	-	-	-	\$ -
Project Superintendent	-	-	-	-	-	-	-	-	\$ -
Project Engineer	-	-	-	-	-	-	-	-	\$ -
Scheduling Engineer	-	-	-	-	-	-	-	-	\$ -
Field Engineer	-	-	-	-	-	-	-	-	\$ -
Draftsperson/Detailer	-	-	-	-	-	-	-	-	\$ -
Record Drawings	-	-	-	-	-	-	-	-	\$ -
Field Accountant	-	-	-	-	-	-	-	-	\$ -
Time Keeper/Checker	-	-	-	-	-	-	-	-	\$ -
Secretarial/Clerk Typist	-	-	-	-	-	-	-	-	\$ -
Independent Surveyor	-	-	-	-	-	-	-	-	\$ -
Safety &. E.E.O. officer	-	-	-	-	-	-	-	-	\$ -
Runner	-	-	-	-	-	-	-	-	\$ -
<b>Temporary Utilities</b>									
Telephone Installation	-	-	-	-	-	-	-	-	\$ -
Telephone Monthly Charges	-	-	-	-	-	-	-	-	\$ -
Elect Power Installation	-	-	-	-	-	-	-	-	\$ -
Elect Power Distribution Wiring	-	-	-	-	-	-	-	-	\$ -
Elect Power Monthly Charges	-	-	-	-	-	-	-	-	\$ -
Water Service - Installation	-	-	-	-	-	-	-	-	\$ -
Water Service - Monthly Costs	-	-	-	-	-	-	-	-	\$ -
Heating & Cooling Costs	-	-	-	-	-	-	-	-	\$ -
Light Bulbs & Misc. Supplies	-	-	-	-	-	-	-	-	\$ -
Clean-Up-Periodical	-	-	-	-	-	-	-	-	\$ -
Clean-Up-Final	-	-	-	-	-	-	-	-	\$ -
Dump Permits and Fees	-	-	-	-	-	-	-	-	\$ -
Recycling/Trash Dumpster Removal/Hauling	-	-	-	-	-	-	-	-	\$ -
Flagger/Traffic Control	-	-	-	-	-	-	-	-	\$ -
Dust Control	-	-	-	-	-	-	-	-	\$ -
Trash Chute & Hopper	-	-	-	-	-	-	-	-	\$ -
<b>Temporary Facilities (for Contractor Use)</b>									
Office Trailer/Rental	-	-	-	-	-	-	-	-	\$ -
Storage Trailer & Tool Shed Rental	-	-	-	-	-	-	-	-	\$ -
Office Furniture/Equip/computers	-	-	-	-	-	-	-	-	\$ -
Xerox Copies/Miscellaneous Printing	-	-	-	-	-	-	-	-	\$ -
Postage/UPS/FedEx	-	-	-	-	-	-	-	-	\$ -
Project Photographs	-	-	-	-	-	-	-	-	\$ -

NOTE TO EDITOR: Modify categories and titles as necessary.  
DELETE TEXT BOX AFTER READING THIS TEXT BOX.

**b) General Conditions / General Requirements**

	QUANTITY	UNIT	MATERIAL		EQUIP./SUBS.		LABOR		TOTAL
			\$/UNIT	AMOUNT	\$/UNIT	AMOUNT	\$/UNIT	AMOUNT	
Temporary Toilets	-	-	-	-	-	-	-	-	\$ -
Project Sign	-	-	-	-	-	-	-	-	\$ -
Temporary Fencing/Enclosures	-	-	-	-	-	-	-	-	\$ -
Covered Walkways	-	-	-	-	-	-	-	-	\$ -
Barricades	-	-	-	-	-	-	-	-	\$ -
Temporary Stairs	-	-	-	-	-	-	-	-	\$ -
Opening Protection	-	-	-	-	-	-	-	-	\$ -
Safety Railing & Nets	-	-	-	-	-	-	-	-	\$ -
Drinking Water/Cooler/Cup	-	-	-	-	-	-	-	-	\$ -
Safety/First Aid Supplies	-	-	-	-	-	-	-	-	\$ -
Fire Fighting Equipment	-	-	-	-	-	-	-	-	\$ -
Security Guards / Security Service	-	-	-	-	-	-	-	-	\$ -
<b>Temporary Facilities (for District Use)</b>									
Office Trailer/Rental	-	-	-	-	-	-	-	-	\$ -
Storage Trailer & Tool Shed Rental	-	-	-	-	-	-	-	-	\$ -
Office Furniture/Equip/computers	-	-	-	-	-	-	-	-	\$ -
<b>Hoisting</b>									
Hoist & Tower Rental	-	-	-	-	-	-	-	-	\$ -
Hoist Landing & Fronts	-	-	-	-	-	-	-	-	\$ -
Hoist Operator	-	-	-	-	-	-	-	-	\$ -
Hoist Safety Inspections	-	-	-	-	-	-	-	-	\$ -
Hoist Material Skips/Hoppers	-	-	-	-	-	-	-	-	\$ -
Erect & Dismantle Hoists	-	-	-	-	-	-	-	-	\$ -
Crane Rental	-	-	-	-	-	-	-	-	\$ -
Crane Operators	-	-	-	-	-	-	-	-	\$ -
Crane Safety Inspections	-	-	-	-	-	-	-	-	\$ -
Erect & Dismantle Crane	-	-	-	-	-	-	-	-	\$ -
Fuel, Repairs, Maintenance	-	-	-	-	-	-	-	-	\$ -
Crane Raising/Jumping Costs	-	-	-	-	-	-	-	-	\$ -
Temporary Elevator/Rental	-	-	-	-	-	-	-	-	\$ -
Elevator Operation Costs	-	-	-	-	-	-	-	-	\$ -
Elevator Repairs/Maintenance	-	-	-	-	-	-	-	-	\$ -
Cage Rider at Elevator	-	-	-	-	-	-	-	-	\$ -
Safety Inspections	-	-	-	-	-	-	-	-	\$ -
Forklift Rental	-	-	-	-	-	-	-	-	\$ -
Forklift Operator	-	-	-	-	-	-	-	-	\$ -
Forklift Safety Inspections	-	-	-	-	-	-	-	-	\$ -
Fuel, Repairs, Maintenance	-	-	-	-	-	-	-	-	\$ -
Elevator Service Costs	-	-	-	-	-	-	-	-	\$ -
<b>SWPPP Implementation</b>									

**b) General Conditions / General Requirements**

	QUANTITY	UNIT	MATERIAL		EQUIP./SUBS.		LABOR		TOTAL
			\$/UNIT	AMOUNT	\$/UNIT	AMOUNT	\$/UNIT	AMOUNT	
	-	-	-	-	-	-	-	-	\$ -
	-	-	-	-	-	-	-	-	\$ -
<b>Parking</b>									
	-	-	-	-	-	-	-	-	\$ -
	-	-	-	-	-	-	-	-	\$ -
<b>Miscellaneous Project Costs</b>									
Printing - Drawings & Specifications	-	-	-	-	-	-	-	-	\$ -
Facility Operator/Training	-	-	-	-	-	-	-	-	\$ -
	-	-	-	-	-	-	-	-	\$ -
	-	-	-	-	-	-	-	-	\$ -
	-	-	-	-	-	-	-	-	\$ -

<b>TOTAL GENERAL CONDITIONS / GENERAL REQUIREMENTS</b>			\$ -	\$ -	\$ -	\$ -
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**c) Alternates Summary**

**Alternate Summary  
(If Applicable)**

	<b>ITEM</b>	<b>Total</b>	<b>REMARKS</b>
ALT 1	(ADD) 3-year extended warranty for the following work categories: Site Utilities, Landscape, Elevator, Plumbing, HVAC, Electrical, Communications, Laboratory Equipment, Laboratory Fume Hoods, and General Contractor.	\$ -	
ALT 2	(ADD) Use composite metal roofing to match the rest of the north canopy instead of using <TPO-1> thermoplastic single ply roofing.	\$ -	
ALT 3	(DEDUCT) Use high performance paint on steel handrails for all stairs instead of stainless steel handrails.	\$ -	
ALT 4		\$ -	
		\$ -	
		\$ -	
	TOTAL	\$ -	

**h) Specific Allowances**

ITEM	MATERIAL	EQUIP/SUB	LABOR	TOTAL	REMARKS
	-	-	-	\$ -	
	-	-	-	\$ -	
	-	-	-	\$ -	
	-	-	-	\$ -	
	-	-	-	\$ -	
	-	-	-	\$ -	
	-	-	-	\$ -	
	-	-	-	\$ -	
	-	-	-	\$ -	
	-	-	-	\$ -	
<b>Total</b>	-	-	-	\$ -	

General Notes:

- 1) Include backup as required to support allowance request.
- 2) Specific allowance dollar amounts may be reallocated between the various allowance categories, as approved in writing by the District in advance.

**Project Name**  
**GMP**  
**II. Clarifications**

**General Clarifications**

- 1.
- 2.
- 3.
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## V. Schedule

This GMP Proposal is based on the following Dates of Commencement and Final Completion:

Date of Commencement: \_\_\_\_\_  
Date of Final Completion: \_\_\_\_\_

These dates have been defined as Notice to Proceed and Final Completion respectively in the attached Proposed Baseline Construction Schedule.

**Contactor to attach proposed GMP construction schedule.**

## VI. Logistics Plan

Contactor to attach Logistics Plan

**VII. Addenda**

Addenda Acknowledgement. The Firm confirms that this Proposal incorporates and is inclusive of all items or other matters contained in Addenda issued by or on behalf of the District (list all addenda on the blank line below). Firm must acknowledge each Addendum in their Proposal by number or their Proposal may be deemed non-responsive. Receipt and acceptance of the following addenda is hereby acknowledged:

Addenda Nos. \_\_\_\_\_ acknowledged and incorporated into this Proposal.

Firm: \_\_\_\_\_

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

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_

