REQUESTS FOR QUALIFICATIONS
For
PREQUALIFICATION OF CONTRACTORS

San Anselmo Flood Risk Reduction Project:

Flood Diversion and Storage (FDS) Basin Construction
at the Former Nursery Site
3000 Sir Francis Drake Boulevard, Fairfax, CA
and
Structure Removal and Bank Restoration at
the Building Bridge No. 2 Site
634-636 San Anselmo Avenue, San Anselmo, CA

Completed General Contractor Qualification Statement due:

Friday, May 1, 2020
Prior to 5:00 p.m.

Contact: Hugh Davis
Associate Civil Engineer
Department of Public Works
3501 Civic Center Drive, Room 304
San Rafael, CA 94903
(415) 473-4232
hdavis@marincounty.org
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NOTICE IS HEREBY GIVEN that sealed Qualifications will be received by the Department of Public Works, County of Marin, Administration Building, 3501 Civic Center Drive, Room 304, San Rafael, California 94903, until May 1, 2020 at 5:00 p.m. for the Flood Detention Storage (FDS) Basin Construction at the former Nursery Site in Fairfax and Structure Removal and Bank Restoration at the Building Bridge No. 2 (BB2) Site in San Anselmo, Project No. 709SAFRR, for which appropriate Contractor’s license(s) will be required.

The Marin County Flood Control and Water Conservation District (District) seeks responses to a Request for Qualifications (RFQ) from General Engineering Construction Contractors interested in pre-qualifying to bid on the upcoming contract(s) for the two above referenced concurrent projects in Fairfax and San Anselmo, California. The authority having jurisdiction for this project is the Marin County Flood Control and Water Conservation District (District). This project is being completed by the District in coordination with the City of San Anselmo, under the authority of the San Anselmo Flood Risk Reduction Project. The private parcels where the projects are located have been acquired by the District and will be modified to enhance flood storage and flood conveyance in the Ross Valley Watershed as part of the San Anselmo Flood Risk Reduction Project (Project).

The District seeks General Contractors with significant experience in coordination and execution of projects that are comparable in size and nature, and involve challenging logistical conditions including: work in and over creeks and sensitive wetlands; work in congested downtown locations; site control; demolition and haul of residential and light commercial building and facilities debris, earthwork including grading, sorting and off-haul of fill materials and construction of engineered earthen embankments, instream structures and associated water management facilities, detention basin and weir, and stream restoration practices including weed control measures, installation of bioengineered slope stabilization and native plant communities revegetation.

The Project is on a 2020-2021 implementation schedule for two phases of work. Site demolition, excavation, preliminary mass grading, and material off-haul are to be undertaken in 2020. Continued excavation and off-haul and final grading, detention facilities construction, bridge removal, and streambank repair and revegetation are scheduled for 2021.

This scope of work will be described in four parts. These four parts of the Project may be bid as one or separately. Parts I and II address construction of a Flood Diversion Storage basin (FDS), a streamside detention basin, to be excavated at the former Sunnyside Nursery Site at 3000 Sir Francis Drake Blvd in Fairfax. Parts III and IV address building and foundation removal, structural stabilization of the road abutment, and streambank and park enhancement at the Building Bridge 2 (BB2) Site which spans San Anselmo Creek in downtown San Anselmo.
For this RFQ, the Project has been split into the following Parts:

a. Part I -- Initial/Interim FDS Excavation and Demolition (summer 2020)
b. Part II -- Final FDS Construction (summer 2021)
c. Part III -- BB2 Building Demolition (summer 2020) TO BE BID SEPARATELY THROUGH THE TOWN OF SAN ANSELMO AND IS NOT PART OF THIS RFQ
d. Part IV -- Final BB2 Construction (summer 2021)

**NOTE: THIS RFQ ONLY COVERS PROJECT PARTS I, II, AND IV. PART III IS BEING PURSUED SEPARATELY THROUGH THE TOWN OF SAN ANSELMO AND IS NOT INCLUDED AS PART OF THIS RFQ.**

General Contractors who are evaluated and deemed pre-qualified to perform work on any or all the Parts will be eligible to submit a bid. General Contractors can submit ONE pre-qualification package for either all or for selected Parts (i.e. Parts I, II and/or IV) of the Project. Please state clearly on the pre-qualification package which Parts that the Contractor is to be considered eligible for. General Contractors who do not submit the pre-qualification information will not be allowed to bid on the project.

Contractors shall submit and will be evaluated on information with respect to their experience on projects of similar size, scope and complexity.

The information shall include general and specific experience, claim and surety history, ability to meet schedule and budget requirements and skills in general management. Contractor shall provide evidence of prior experience, and references for work on a minimum of three projects of comparable setting, size and complexity for each of the Project Parts (I, II AND/OR IV) that will be considered for Pre-Qualification. Resumes of key personnel who will manage and supervise the construction shall be provided in the RFQ response.

Contractors must hold necessary valid contractors’ licenses to construct the Project and must provide the ability to obtain corporate surety (payment & performance) bonds and insurance in order to be eligible for the pre-qualification (RFQ) evaluation.

The District is planning to hold a non-mandatory orientation conference on April 17, 2020 following release of the RFQ. This will be held via remote conference and details will precede the conference. Interested parties are requested to contact the District prior to this date to receive an invitation and details for attendance. If requested, the District can provide interested bidders access to the project sites.

General Contractors shall email and mail three (3) copies of their RFQ Response, time stamped before 5:00 p.m. on May 1, 2020 to the Department of Public Works, County of Marin, 3501 Civic Center Drive, Room 304, San Rafael, CA, 94903. Please submit packages both by email to Hugh Davis and mailed unstapled and clipped and three-hole punched.

The District at its own discretion may conduct interviews with any or all the contractors responding to the RFQ to better determine their qualifications to perform work required under the Project.
The evaluation of the RFQ is solely for the purpose of determining a list of General Contractors who would be deemed qualified to bid for and perform the work outlined in this RFQ. A prequalification list will be established for each Part of the project.

The District reserves the right to reject any or all responses to the RFQ in all or selected Parts of the Project, and to waive immaterial errors in any response received.

The District reserves the right after receiving SOQs to reject the prequalification procurement process and instead utilize a different process, including conducting an invitation for bids open to all contractors.

II. Introduction and Background

The San Anselmo Flood Risk Reduction Project is a regional planning effort to reduce the risk of flooding in Ross Valley. These projects are two of three active work elements within this regional effort intended to reduce flood risks in Ross Valley by: 1) adding floodplain storage on Fairfax Creek upstream of San Anselmo; and 2) removing structures in downtown San Anselmo which span San Anselmo Creek and reduce flood conveyance. These parcels have been acquired by the District and will be modified to enhance flood storage on Fairfax Creek and flood conveyance on San Anselmo Creek. The Project consist of these two separate main elements:

- **FDS project** constructs a floodplain detention basin and flow diversion structure on Fairfax Creek. It reduces downstream flooding by diverting and temporarily storing flood-stage tributary stormwater for later release after the flooding subsides. This project will be implemented at the former Sunnyside Nursery Site, which adjoins the left bank of Fairfax Creek @ 3000 Sir Francis Drake Blvd, Fairfax, CA

- **BB2 project** removes buildings located at 634-636 San Anselmo Avenue, San Anselmo, associated concrete structural supports (which form a bridge) over-arching San Anselmo Creek and enhancing the ability of the creek to transport stormwater without overtopping the banks. It expands a narrow channel cross-section long identified as being a severe flow capacity constriction in downtown San Anselmo. On the creek bank adjoining the street, the concrete retaining wall will be left in place and stabilized with soil anchors. Concrete and existing infrastructure will be removed from the opposite banks. The opposite bank will be stabilized and reconfigured for flood conveyance and community park enhancement. The project will restore the creek’s natural bed and bank composition and improve public access to the creek and ecological functions.

The construction cost for both these projects is estimated to be around $10 million. More information is available at: [https://www.marinwatersheds.org/resources/projects/san-anselmo-flood-risk-reduction-safr-project](https://www.marinwatersheds.org/resources/projects/san-anselmo-flood-risk-reduction-safr-project).

**The DRAFT 60% construction drawings for the Project will be shared electronically with respondents and are being provided For Reference Only.**

The Department of Public Works (DPW) seeks responses to a Request for Qualifications (RFQ) from General Contractors interested in bidding on these Parts of the San Anselmo Flood Risk Reduction Project for the DISTRICT.
To be qualified Contractors must demonstrate significant experience in coordination and execution of projects that are substantial in size and involve challenging logistical conditions and aggressive schedules. This includes previous experience working in creek and wetland settings; providing environmental controls for community and natural resources impact mitigation; and coordinating activities with interested City, County and Regulatory Agency staff.

Contractors who are evaluated and deemed pre-qualified to perform work will be eligible to submit a bid. Contractors who do not submit the pre-qualification information will not be allowed to bid on the project.

III. Scope of Work and Schedule

The project scope includes, but is not limited to:

**Project 1: The Flood Detention Storage (FDS) Project** requires: demolition and removal of the existing facilities and infrastructure at the former Nursery site; excavation of approximately 30,000 cy of in-place earth; construction of engineered earthen perimeter embankments with a spillway (weir) between the basin and the creek; construction of a Fairfax Creek flow diversion gate; and construction of a perimeter drainage and flood protection improvements.

The work for this project will be constructed in two Parts. The first Part will consist of preliminary construction in the upland area outside the creek. The second phase will occur after the DISTRICT obtains approved creek permits and will consist of completing work started in Part 1 in the upland areas and performing all construction required within the limits of Fairfax Creek. These Parts may be bid as one or separate contracts.

**Part I: FDS --Initial/Interim Excavation and Demolition (summer 2020)**

The construction for this part of the FDS will consist of site clearing and limited earthwork and off-haul of in-place soil, all located within a portion of the site in upland areas. These materials will be off hauled to either District-owned or County-owned property in Novato or at the Contractor’s designated location if that will reduce Project cost. The Contractor would need to determine the off-haul route and to prepare an off-haul route plan and traffic control plan. Entrance to the site is currently over an existing bridge for which a preliminary assessment of the bridge rating has been performed and will be shared with the Contractor.

Anticipated work elements include but are not limited to:
- Installation of temporary bridge shoring and supports, if needed
- Demolition and removal of remnant buildings, trees, debris, septic system, utilities and facilities infrastructure
- A hazardous materials analysis of the structures indicates that asbestos is present and will need to be abated per the report
- Excavation and haul of clean unsaturated alluvial soil (about 20,000 cubic yards)
- Prepare the site for stormwater management for winter 2020, before the Part II construction begins in summer 2021.

**Part II: FDS – Final Construction (summer 2021)**
The second phase of work will be to complete the work in the upland area of the site and perform all the work within the limits of the creek in 2021.

Anticipated work elements include but are not limited to:

- Complete excavation and haul of clean alluvial soil
- Construction of an engineered earthen perimeter levee with foundation improvements and a side weir spillway and gravel maintenance road
- Construction of an earthen flow diversion structure in Fairfax Creek with an operable, 20-ft diameter radial gate and electronic control
- Modification (demolition and replacement) of storm drainage facilities that outfall to the creek
- Construction of a low concrete floodwall adjoining Sir Francis Drake Blvd.
- Installation of engineered (biotechnical and geotextile/ rock) creek bank and bed erosion protection measures within Fairfax Creek and in the area of disturbance surrounding the side weir and flow diversion structures.
- Revegetation of stream bed and banks including installation of plant material, erosion control measures and irrigation systems
- Installation of a control building with an alternative power supply, and perimeter security lighting, gates and fencing

Project 2: The Building Bridge 2 (BB2) project requires: demolition and removal the BB2 structure located at 634-636 San Anselmo Avenue (Assessor’s Parcel Numbers 006-102-28 and -29) in downtown San Anselmo. Removal of the buildings and encroaching bridge foundation will reduce the frequency and severity of overbank flooding onto San Anselmo Avenue. BB2 is a single-story, 3,000 square foot, wood-frame and masonry building with four (4) commercial units. The building foundation is a concrete bridge deck that spans over the creek and is supported by concrete abutment walls, piers, and footings in the creek bed. The BB2 project may also include certain elements of the San Anselmo Creek park improvements which are part of the City of San Anselmo’s “Reimagine the Creek Park “renovation project. The project will restore park facilities and stream banks immediately adjacent to the BB2 site.

Located in downtown San Anselmo, the BB2 project will require coordination with City staff, and minimization of impacts to downtown businesses and residents near the project site.

This work will be constructed in two Parts:


In 2020, demolition work of the building will occur.

Anticipated work elements include but are not limited to:

- Environmental controls for lead removal, demolition over an active creek, site access and traffic control
- Demolition and removal of the wood and cinderblock buildings including lead abatement and utilities relocation
- Install exclusion fencing and leave the site in a safe condition until work in 2021 proceeds
• Contractor should assume this PART is completed prior to PART IV construction

Part IV:  BB2 – Final Construction

In Year 2, the BB2 project entails removal of the bridge structure and foundation, street improvements to create a new pedestrian plaza (on the right bank), and San Anselmo Creek Park improvements (on the left bank) which include installation of park facilities and restoration (grading and revegetation) of the San Anselmo Creek. Construction will require installation and maintenance of:

• Site access and traffic control
• Clear water bypass and creek protection measures to minimize impacts to waters, wetlands and natural resources; and
• Environmental monitoring throughout construction.

BB2 work elements include but are not limited to:

• Installation of temporary safety and public access facilities
• Bridge and foundation demolition in San Anselmo Creek
• Street improvements for a Pedestrian “plaza” on San Anselmo Ave. atop of the right bank consist of:
  o Temporary shoring to allow safe demolition of the deck and abutments,
  o Permanent structural retaining wall improvements with soil anchors installed through the existing concrete abutment (adjoining San Anselmo Ave.)
  o Construction of a floodwall and “step-down” concrete deck on the right bank, and construction of public maintenance paths and park facilities

San Anselmo Creek Park improvement work includes:

• Extension of the creek diversion and maintenance of all necessary environmental controls
• Stabilization and restoration of the creek bed and banks. This includes:
  o Grading, geotechnical/biotechnical bank stabilization
  o Modification of three storm drains in the project area, and
  o Revegetation of park and creek banks incorporating stream restoration measures for erosion control, slope stability and ecological enhancement
• Reconstruction of existing stage, trails and facilities along the top of the left bank
Schedules:

1) Tentative Selection Schedule

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<th>LOCATION/Party</th>
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<tr>
<td>1. Advertise RFQ</td>
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<td>4/7/20</td>
<td>District</td>
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<td>2. RFQ Packages Available</td>
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<td>4/7/20</td>
<td>On-line</td>
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<td>3. Orientation Conference</td>
<td>10 am</td>
<td>4/17/20</td>
<td>Zoom or Skype Conference</td>
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<td>4. Addendums</td>
<td>If Required</td>
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<td>District</td>
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<td>5. All RFIs Due</td>
<td>1:00 p.m.</td>
<td>4/23/20</td>
<td>via e-mail to Hugh Davis</td>
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<td>6. All SOQ Packages Due</td>
<td>5:00 p.m.</td>
<td>5/1/20</td>
<td>via email AND mailed</td>
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<td>7. Evaluate RFQ</td>
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<td>5/4 to 5/8/20</td>
<td>District</td>
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2) Anticipated Construction Schedule

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<th>Spring/summer 2020</th>
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<td></td>
<td>Construction</td>
<td>Summer and fall 2020</td>
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<tr>
<td>Part II</td>
<td>Plans and Specifications</td>
<td>Winter 2020/21</td>
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<td></td>
<td>Construction</td>
<td>Summer and fall 2021</td>
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<tr>
<td>Part III (NOT INCLUDED AS A PART OF THIS RFQ)</td>
<td>Plans and Specifications</td>
<td>Spring 2020</td>
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<td>Construction</td>
<td>Spring/Summer 2020</td>
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<td>Part IV</td>
<td>Plans and Specifications</td>
<td>Winter 2020/21</td>
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<td></td>
<td>Construction</td>
<td>Summer and fall 2021</td>
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IV. Prequalification and Bidding Process

PREQUALIFICATION:

Pre-qualification Requirement: All bidders who wish to submit a bid for the project must be pre-qualified. It is mandatory that General Contractors fully complete the pre-qualification questionnaire, provide all materials requested herein, and receive approval to be on the final qualified Bidders list. No bid will be accepted from a General Contractor that has failed to comply with these requirements.

Only one completed SOQ package will be required, and it should state clearly which Part or Parts of the Project that the Contractor wants to be considered for.

The DISTRICT seeks General Contractors with significant experience that can demonstrate the following minimum requirements in coordination and completion of each of the Parts I, II, and/or IV of the SAFRR project (FDS and BB2):

- General Contractor must demonstrate in response to this RFQ that it has successfully completed projects of similar size and complexity to the subject project.
- General Contractor must demonstrate that it has successfully completed projects on and over creeks and in a downtown setting.
- General Contractor must demonstrate that it has completed projects with aggressive schedules successfully.

If General Contractor is unable to provide sufficient references for project types as listed above it could be grounds for disqualification for bidding.

Package Issuance Timeline: Starting April 7, 2020, RFQ packages will be available from the Department of Public Works. Interested contractors should contact Hugh Davis at hdavis@marincounty.org to receive a package by email. The RFQ package will also be available for download from the County’s website at: http://www.marincounty.org/depts/pw/bids-and-proposals

Orientation Conference: The County is currently planning to hold an orientation conference on-line on April 17, 2020. Contractors must contact Hugh Davis by April 15, 2020 to attend this conference on the zoom or other platform and receive on-line invitations. Upon request, the District can provide interested bidders physical access to the project sites.

Submission Location: General Contractors shall submit by email and mail three (3) hard copies of their RFQ responses before 5:00 p.m. on May 1, 2020 to the County of Marin, Department of Public Works, 3501 Civic Center Drive, Room 304, San Rafael, CA, 94903. Please submit SOQ packages in digital format by email and as hard copy (unstapled, clipped and three-hole punched) mailed to the District.

Requests for Information/Questions: Questions or clarifications regarding the pre-qualification sections must be submitted in writing no later than 1:00 pm on April 23, 2020 by e-mail to Hugh Davis at hdavis@marincounty.org.

Application Submittal and Due Date: Each questionnaire must be signed under penalty of perjury in the manner designated at the end of the application, by an individual who has the legal authority to bind the General Contractor on whose behalf that person is signing.
The last date to submit a fully completed questionnaire is May 1, 2020. Pre-qualification documents may be rejected if mailed hard copies are stamped after the deadline on May 1, 2020. The County of Marin reserves the right to extend the date for pre-qualification packages and/or request, receive, and evaluate supplemental information after the above time and date at its sole determination. The District reserves the right to waive minor irregularities and omissions in the information contained in the pre-qualification application submitted, to make all final determinations.

The District reserves the right after receiving SOQ's to reject the prequalification procurement process and instead utilize a different process, including conducting an invitation for bids open to all contractors, for the entire project or selected parts of the project (Parts I, II, and/or IV).

**Incomplete or Late Submittals:** The District may refuse to grant pre-qualification where the requested information and materials are not provided, or not provided by the last date to submit the questionnaire noted above. There is no appeal from a refusal for an incomplete or late application. The closing time to accept RFQs will not be changed in order to accommodate supplementation of incomplete submissions, or late submissions.

**Interviews:** The District, at its own discretion, may conduct interviews with any or all the General Contractors responding to the RFQ to better determine their qualifications to perform work required under the project. Interviews will be for clarification of contractor's responses in the Pre-Qualification Application, for discussion of additional information and to supplement Contractor's responses in the Pre-Qualification Application.

**Determination of Pre-Qualification:** The General Contractor Qualification Statement must be completed and submitted along with supplemental information required. Failure to do so will render the application incomplete. General Contractors may be deemed not qualified for inaccurate, incorrect, misleading or false information. The review, evaluation, and score for each General Contractor's application will be performed by the District and parties approved by the District, this may change based on the scope of work.

**Appeals Process:**

Upon conclusion of the prequalification process, the District will provide the Contractor with a written notice of the District’s Qualification Determination, which will set forth the basis for the prospective bidder's disqualification and any supporting evidence that has been received from others or adduced as a result of the District’s investigation.

If the District determines that a Contractor is not prequalified, the Contractor may appeal the District’s determination. The Contractor may file an appeal by delivering a completed Request for Appeal to the Department of Public Works no later than five (5) business days from the date of the District’s Prequalification Determination notification to the Contractor. The appeal must be delivered both by email to hDavis@marincounty.org and by mail to Marin County Flood Control District and Water Conservation District, Department of Public Works, 3501 Civic Center Drive, Room 304, San Rafael CA 94903, Attention: Hugh Davis. The Contractor’s Failure to file a timely appeal of the District’s Prequalification Determination constitutes the Contractor’s waiver of any and all the Contractor rights to challenge the decision of the District, whether by administrative process, judicial process or any other legal process or proceeding.

Providing Contractor has appealed in a timely manner, the District will schedule an informal hearing with the Purchasing Agent. The informal hearing will take place within (10) business
days of the District’s receipt of the Contractor’s timely appeal. At the hearing, the Contractor will present any evidence used as a basis of determining the Contractor to be not qualified; the Contractor will then be given the opportunity to rebut any evidence used as a basis for the District’s prequalification determination and to present evidence as to why the Contractor should be determined prequalified. This informal hearing is not subject to the rules of evidence. Within five (5) business days after the conclusion of the informal hearing, the Purchasing Agent will provide a written decision to the Contractor. The Purchasing Agent has discretion to extend the time for a written decision. The Purchasing Agent’s decision is final.

If the Contractor chooses not to avail itself of this appeal process, the proposed prequalification determination will be adopted without further proceedings

**BIDDING PROCESS for PRE-QUALIFIED BIDDERS:**

The Bidding process will be a separate action that will only be available to the contractors determined to be qualified as described herein.

1. The District may request bids for individual Parts of the project.
2. Bids will be accepted only from pre-qualified General Contractors. Pre-qualified General Contractors will be able to buy plans and specifications when they are available for bid.
3. A pre-bid conference may be held after the bid documents are distributed at the discretion of the District.
4. A General Contractor wishing to be pre-qualified should be aware that if they are the successful low bidder, they must comply with all bid conditions including, but not limited to:
   a. Furnishing satisfactory corporate surety payment and performance bonds, if required.
   b. Furnishing and maintaining required insurance.
V. Reference Documents

This project is part of the Ross Valley Flood Protection and Watershed Program. Additional information about the projects and setting are available on the District’s Marin Watershed Program website at: https://www.marinwatersheds.org/creeks-watersheds/ross-valley-flood-protection-watershed-program

The DRAFT 60% project drawings will be provided on request by email to hdavis@marincounty.org and are For Reference Only. Contractors who are prequalified and eligible to bid will be required to purchase the final bid package documents at the time of bid.
VI. Other Requirements

A. Complete Response: All responses must be complete, including all required information and attachments, in order to be considered responsive and eligible for prequalification.

B. Bonding Requirements: At the time of execution of contract, the Contractor shall be capable to provide:
   1. Corporate surety bond, in a sum not less than 100 percent of the amount of the contract, to guarantee the faithful performance of the Contract.
   2. A corporate surety bond, in a sum not less than 100 percent of the amount of the contract, to guarantee the payment of wages for services engaged and of bills contracted for materials, supplies, and equipment used in the performance of the contract.
VII. Submittal Checklist

One digital copy emailed to hdavis@marincounty.org and three (3) copies, of 8-1/2” x 11" format of responses with supporting material should be time stamped by May 1, 2020 and mailed to:

Marin County Flood Control and Water Conservation District
c/o Department of Public Works
3501 Civic Center Drive
Room 304
San Rafael, CA, 94903
Attention: Hugh Davis

Please submit packages unstapled and clipped and three-hole punched.

Responses received after this date and time are subject to rejection.

The Submittal Checklist

The following elements shall be included in the Contractor’s Statement of Qualifications. Refer to the Section “Preparing Statement of Qualifications” for more details

1. Cover Letter - Contractor Affidavit
2. The Responses to Qualifications Questionnaire
   a. Essential Requirements
   b. Licensure Information
3. General Background
4. Financial Status
5. Proposed Project Personnel and Resources
6. Company Experience
7. Legal Proceedings
8. References
9. Other Information
INSTRUCTIONS FOR
PREPARING STATEMENTS OF QUALIFICATIONS (SOQ)

1. EXECUTION OF STATEMENT OF QUALIFICATIONS
Contractors shall submit the SOQ together with all required submittals and supplements that the Contractors are required to provide, executed in the appropriate manner as set forth below:

A. If Contractor is a Corporation, the Affidavit shall be signed by the President and Vice President of the Corporation whose signatures shall be attested by the Secretary or Assistant Secretary of the Corporation and the Corporate Seal affixed.

B. If Contractor is a joint venture, each party to the joint venture shall execute the “Joint Venture Affidavit” as appropriate for this type of organization and each member of the Joint Venture shall execute the Affidavit as prescribed in 2.A.

2. QUALIFICATIONS QUESTIONNAIRE

A. The Statement of Qualifications and the Response to Qualifications Questionnaire shall be filled in completely.

B. DISTRICT shall have the right to request and require such additional information as it deems necessary to evaluate the ability of Contractor to successfully perform the work.

C. DISTRICT reserves the right to reject any Contractor who does not satisfy DISTRICT as to its ability to successfully perform the work.

D. In general, causes for disqualification or rejection may include but are not limited to the following, as measured by the responses in the SOQ and other information acquired during the evaluation of the SOQ:
   1. Lack of ability, capacity and skill of Contractor to perform the contract or to provide the services required.
   2. Lack of capability of Contractor to perform the contract or to provide the services promptly, or within the time specified, without delay or interference.
   3. Lack of character, integrity, reputation, judgment, experience and efficiency of Contractor.
   4. Inadequate performance of previous contracts or services by Contractor.
   5. Lack of previous and existing compliance by Contractor with laws and ordinances relating to contracts or services.
   6. Insufficiency of the financial resources and ability of Contractor to perform the contract and provide the services.
   7. Unacceptable number and scope of conditions attached to the SOQ by Contractor, if any.
   8. Unacceptable safety record.
INSTRUCTIONS

ALL questions shall be answered in full, without exception located in the SOQ. If copies of other documents will answer the question completely, they may be attached and clearly labeled, or annotated as associated with the relevant question, and included in SOQ behind the section specified. The SOQ shall be compiled as indicated here as well as in the Qualifications Questionnaire.

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<th>Response to Item in Questionnaire</th>
<th>SOQ Section</th>
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In the interest of brevity and clarity, all references to “Contractor” in these Instructions shall mean a Contractor submitting as a corporation, as an individual, as a partnership, or as a joint venture. District’s representative shall be entitled to contact each, and every reference listed in response to this questionnaire, and each entity referenced in any response to any question in this questionnaire. The Contractor, by completing the SOQ, expressly agrees that any information concerning the Contractor in possession of said entities and references shall be made available to the DISTRICT without liability. The Contractor shall provide only complete and accurate information. The Contractor hereby warrants that, to the best of its knowledge and belief, the responses contained herein are true, accurate, and complete. The Contractor also acknowledges that DISTRICT is relying on the truth and accuracy of the responses contained herein. It if is later discovered that Contractor knowingly provided false material information in response to a question said action shall constitute grounds for immediate termination or rescission by DISTRICT of any subsequent agreement with the Contractor. The SOQ, its completion and submission by the Contractor, and its use by DISTRICT, shall not give rise to any liability on the part of DISTRICT to the Contractor or any third party or person. The Contractor accepts all risk and cost associated with the completion of the SOQ without financial guarantee.

1A. ESSENTIAL REQUIREMENTS FOR QUALIFICATION

Provide the answers to questions 1.A through 1.F as part of the SOQ; place the answers to these questions and any supplemental information Section 1 in the SOQ.
A. Contractor possesses a valid and current California Contractor’s license for the project or projects for which it intends to submit a bid, yes or no?

B. Contractor has an insurance policy with policy limits required in Article 5 of the General Conditions, yes or no?

C. Contractor has current workers’ compensation insurance policy as required by the Labor Code or is legally self-insured pursuant to Labor Code section 3700 et. seq., yes or no?

D. Contractor has a Labor Compliance Program conforming to the requirements of California Labor Code Sections 1720 et. seq. and 1770 et. seq.” yes or no?

E. Contractor has attached latest copy of a reviewed or audited financial statement with accompanying notes and supplemental information, yes or no?  
   NOTE: A financial statement that is not either reviewed or audited is 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 statement.

F. Contractor has attached a notarized statement from an admitted surety insurer (approved by the California Department of Insurance) and authorized to issue bonds in the State of California, which states your current available bonding capacity, yes or no?
   NOTE: Notarized statement must be from the surety company, not an agent or broker. Contractor will be immediately determined “not qualified” if the answer to any of questions 1F through 1.I is “yes.” If the answer to question 8 is “yes,” and if debarment would be the sole reason for denial of pre-qualification, any pre-qualification issued will exclude the debarment period.

G. Has Contractor’s license been revoked at any time in the last five years, yes or no?

H. Has a surety firm completed a contract on Contractor’s behalf, or paid for completion because the project owner terminated Contractor for default within the last five (5) years, yes or no?

I. At any time during the last five years, has Contractor or any of its owners or officers been convicted of a crime involving the awarding of a contract of a government construction project, or the bidding or performance of a government contract?

1B. LICENSE CERTIFICATION

Provide a copy Contractor’s License or proof of licensure in Section 2 of the SOQ.

2. GENERAL BACKGROUND OF CONTRACTOR
Provide the requested information by answering the questions below; include the responses and any supplemental information in Section 3 in the SOQ.

A. Provide the current name, address, telephone number and facsimile number of Contractor.

B. If a Joint Venture (JV), at least one (1) company must qualify on all items. If this is a JV, list all participants.

C. List all previous names or addresses of Contractor, if any, and all previous or current JV affiliations: (Mark current JV with *).

D. Provide the following: all states of incorporation for each Contractor; all state contractors’ licenses, including Business Licenses, held by each Contractor; projects in California completed within the last five (5) years with reference contacts.

E. For each Contractor, including each Contractor submitting as a member of a JV, identify the current President and/or Chief Executive Officer and the years those individuals have been in their positions. Provide a current resume or biography covering experience of those individuals.

F. For each Contractor, including each Contractor submiting as a member of a JV, provide all the following information for each person who is either (a) an officer of the corporation (president, vice president, secretary, treasurer), or (b) the owner of at least ten per cent of the corporation’s stock: name, position, years with company, percent ownership.

G. 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 10 per cent or more of its stock, if the business is a corporation.

H. Identify the number of permanent Employees. Provide a current EEO employment report summary for the past 12 months.

I. Name and address of current affiliated companies (parent, subsidiary, divisions). Note: the Contractor submitting this SOQ is required to qualify on its experience and resources. Resources of a parent company or affiliate will only be considered if a written commitment for that resource is included in the SOQ and cross-referenced to the items that are affected. The written commitment must clearly identify what resources (financing, staff, equipment, and the like) and which company or affiliate will commit the resources, and such commitment will be binding.

3. FINANCIAL STATUS

Provide the requested information below in Section 4 in the SOQ.

A. Provide certified financial statements for the past two years for which they are complete. In addition, please provide Contractor’s Dunn & Bradstreet Number and, for the current year-to-date and, for the previous two complete fiscal years, the following summary information based upon the certified financial statements:
Cash
Accounts Receivable
Other current assets
Total assets
Current Liabilities (excluding accrued payroll and short-term debt)
Accrued payroll
Short-term debt
Line of credit
Total liabilities
Total equity

B. Bankruptcies:
1. Has the Contractor, or any of its parents, subsidiaries, or member of a JV, ever had a Bankruptcy Petition filed in its name, voluntarily or involuntarily, yes or no? If yes, specify court in which bankruptcy was filed and case name and number, date, circumstances, and resolution in the SOQ.
2. Has any Majority Shareholder of the Contractor ever had a Bankruptcy Petition filed in his/her name, voluntary or involuntarily? If yes, specify court in which bankruptcy was filed and case name and number, date, circumstances, and resolution in the SOQ.

C. Loans:
1. Is the Contractor currently in default on loan agreement or financing agreement with bank, financial institution, or other entity, yes or no? If yes, identify the loan, including name of financial institution, loan number and name and phone number of contact; specify details, circumstances, and prospects for resolution in the SOQ.
2. Has the Contractor factored its accounts receivables, yes or no? If yes, when and for how long?

D. Bonding:
1. What is the Contractor's current bonding profile?
   a. Current bonding capacity?
   b. Unencumbered bonding capacity?
2. Have Performance or Payment Bond claims been paid by a surety for this Contractor or a Joint Venture (JV) in which this Contractor participated, on any project in the past five (5) years, yes or no? If the answer is yes, please describe the claim, the name of the company or person making the claim, and the resolution of the claim. Separate claims for disputed subcontractor payment and note those with an asterisk (*).
3. In the past 5 years, has any surety company refused to bond the Contractor on any project, yes or no? If yes, specify the reasons given for that refusal, and the name, address and phone number of the surety company that refused to bond.
4. For each surety company used by the Contractor or JV, identify the following:
   a. Surety company.
   b. A.M. BEST rating for the named surety.
   c. Total current line of bonding credit extended to the Contractor or JV, including a project list and the dollar value committed for each.
   d. Name, address, and telephone number of each current surety agent or underwriting contact. Provide a current copy of the bonding agreement or a
notarized letter(s) from each surety company that certifies total bonding limits stated above.

4. PROPOSED PROJECT PERSONNEL AND RESOURCES

Provide the requested information below in Section 5 in the SOQ:

For purposes of the SOQ, "qualifications" means academic degrees, licenses and/or registrations, certifications, and similar items; "background" means experience in earthwork, creek construction, engineering, and related fields, (for example, projects, role on projects, duration on projects). DISTRICT understands the nature of the construction industry and that not all personnel named and/or identified in the SOQ may be available at any time during which this SOQ is applicable. For that reason, and to ensure flexibility in staffing for the Contractor, this questionnaire asks for more than one identified person in the various categories. Further, certification of an individual’s availability for the entire duration of the project means from notice to proceed through notice of completion, generally in a full –time capacity, unless otherwise indicated. The project superintendent and foreman shall have a minimum of 10 and 5 years of experience wetlands or habitat restoration projects, respectively. Submit a list of potential superintendents and major equipment operators, including name, qualifications, and experience summary for each, with special emphasis on projects using equipment and methods required for wetland’s projects. DISTRICT will have the opportunity to reject any individuals proposed. One of the named superintendents and one of the named machine operators who are not rejected shall be assigned to DISTRICT’s projects.

A. Proposed Superintendent
   1. Provide resumes of two pages for each of three (3) possible candidates for this position. List the name, qualifications, and background of the Contractor's proposed Superintendent for this project. Include the names, addresses of companies he/she has been affiliated within the last 10 years. Certify that he/she will be available for the entire project duration.
   2. List and provide description of the three largest environmentally sensitive projects by size, type and duration for which each proposed Superintendent has supervised or field engineered and constructed in the last ten years for the Contractor or for any other company.

B. Proposed Construction Project Management and Safety Management Staff: Provide resumes for proposed key staff for project management and safety management with their qualifications and background. List the qualifications and background of the proposed individuals and include the names and addresses of companies that he/she has been affiliated with and projects served on in the last ten years. List and provide description of at least three similar projects by size, type and duration on which each person proposed has worked. Certify that they will be available for the entire project duration. Resumes shall be two pages maximum.

C. Proposed Resources and Equipment Availability
   1. Provide the names of at least one trucking company proposed for this project. Provide a list of previous projects that the trucking and company and the contractor have worked one together in the past 5 years.
   2. Provide a list of all equipment, including support equipment, owned or leased by the Contractor. Include equipment from the Contractor's parent company, the Contractor's subsidiary, or the Contractor's parent company’s subsidiary if such
resources will be required for this project. In the list, provide a description of the equipment, manufacturer, model, date of manufacture, and date of last required certification; indicate if the equipment is owned or leased, and, if leased, the lessor.

3. List any other staff, physical plant, or information system resources possessed by the Contractor or JV that the Contractor believes would be assets to building this project.

5. COMPANY EXPERIENCE

Provide the requested information on the experience Section 6 in the SOQ:

A. List the top 5 projects of reasonably similar nature, specifically environmentally sensitive and mass excavation projects involving compressed schedules, completed by the Contractor in the last 7 years. List the name, contact, address, and telephone number of each Owner for each project. Provide the names, last known addresses and telephone numbers for the Owner’s construction representatives on that project. Specific emphasis should be placed on schedule and complexity of the work. Identify the original contract value, amount of change orders (and disaggregating of change orders into owner-initiated changes due to change in scope of work, changes related to differing site conditions, and other change orders as a percent of total change orders), final contract value, original schedule duration, claims filed, fines paid by the Owner and damages assessed for each project that the Contractor have listed. For each project listed, identify the specific features that demonstrate similarity to the proposed projects. These comparisons will be considered in the evaluation. Keep answers brief.

B. For each project listed in response to 5.A., identify the original contract completion date followed by the actual contract completion date. Explain all time extensions. Indicate if those time extensions were voluntarily resolved with the Owner or involuntarily resolved by mediation, arbitration or litigation. Indicate if the Owner assessed damages against the Contractor.

C. Of the projects listed in response to 5.A., identify those that were the subject of a substantial claim or lawsuit by, or against, the Contractor, Owner or Designer. Please identify in the Contractor's response the party initiating the claim or lawsuit, nature of such claim or lawsuit(excepting Workers’ Comp. and General Automobile Liability), the court in which the case was filed, the style of the case (name and case number) and the details of its resolution. Provide all pertinent details in the SOQ. Keep your answers brief.

D. List any pending claims and/or unsettled litigation on other projects (not related to Workers’ Compensation and General Automobile Liability claims). Provide the same types of information requested in Section 5.C.

E. List any claim over $25,000 that was submitted by a subcontractor through the General Contractor to the Owner on any project listed in 5.A. Give a brief description of the dispute and describe the resolution and any effect on the project cost or schedule.

F. List all subcontractors and/or vendors with commitments over $100,000 on the projects listed in 5.A. that were:
   1. Terminated
   2. Defaulted and/or
3. Abandoned the Project.

Explain the problem or dispute. Indicate the resolution of the dispute and the effect on the project schedule and cost.

G. List any accidents, spills or permit violations which occurred during any of the projects listed in 5.A. Indicate resolution of the incident and whether the Owner was fined, whether the Contractor was fined, or if a lawsuit resulted.

H. Has the Contractor or a Joint Venture in which the Contractor participated, ever failed to complete a project, yes or no? If yes, please explain.

I. Have any of the Contractor's bonding companies been contacted within the last 7 years because of the Contractor's alleged poor performance or default, yes or no? If yes, explain the incident completely.

J. Has the Contractor, or a Joint Venture in which the Contractor participated, ever abandoned a project, even temporarily, during a dispute, yes or no? If yes, please explain the circumstances, including resolution of the dispute. List parties to the dispute and whether or not collective bargaining was an issue.

K. Does Contractor have a written Quality Control/Quality Assurance Program, yes or no? If yes, provide an outline and any examples to summarize.

L. Provide information on the Contractor’s Safety Program.

M. Has the Contractor participated in a Value Engineering (VE) Program or cost savings incentive program, yes or no? If yes, provide a brief description of the two (2) most successful examples of VE cost savings on the projects listed in 5.A.

N. Does the Contractor have any employee incentive programs to reward safety, productivity, quality, performance, skill or longevity, yes or no? If yes, provide a list and brief description of each program available to the Contractor's staff.

O. Does the Contractor have any in-house or sponsored programs for trade, safety, and/or apprenticeship training, yes or no? If yes, provide a short description of these programs and the results over the last five years.

6. LEGAL PROCEEDINGS

Provide the requested information, and include in Section 7 of the SOQ:

A. Arbitrations and Mediations
List all arbitration and/or mediation demands filed by, or against, the Contractor and/or JV in the last 10 years. Identify the nature of the claim, the amount in dispute, the parties, and the ultimate resolution of the proceeding. Provide the style of the case (e.g., ABC vs. XYZ) including parties, proceeding (arbitration or mediation) and case number.

B. Lawsuits
List briefly, all construction related lawsuits (other than labor or personal injury litigation) greater than $100,000 or 10 percent of the original bid, whichever is less, filed by, or against, the Contractor and/or JV in the last 10 years, and identify the nature of the claim, the amount in dispute, the parties, and the ultimate resolution of the lawsuit. Provide the style of the case including parties, court and case number.

C. Other Proceedings
   1. List all lawsuits, adversely resolved administrative proceedings, or hearings initiated by the National Labor Relations Board (NLRB) or similar state agency in the past 5 years concerning any labor practices of the Contractor and/or JV. Identify the nature of the proceeding and the resolution.
   2. List all lawsuits, adversely resolved administrative proceedings, or hearings initiated by the Occupational Safety and Health Administration (OSHA) or state-plan-state agency concerning the safety practices of the Contractor and/or JV in the last 5 years. Identify the nature of the proceeding and the resolution.
   3. List all adversely resolved EEOC Administrative proceedings or hearing initiated to address alleged issues of discrimination or harassment over the last 5 years. Identify the nature of the proceedings.
   4. List all lawsuits, adversely resolved administrative proceedings, or hearings initiated by the Internal Revenue Service (IRS) or any state revenue department, concerning the tax liability of the Contractor and/or JV (other than audits) in the last 5 years. Identify the nature of the proceeding and the resolution.

D. Have any criminal proceedings or investigations been brought against the Contractor and/or JV in the last 10 years, yes or no? If the answer is yes, please provide a complete and detailed report.

7. REFERENCES

Provide the requested information and any supplemental information in Section 8 of the SOQ

A. Banks: Provide a signed letter of authorization to the Contractor’s bank(s) authorizing DISTRICT or its designate to ask for and receive written account history and activity information; provide a copy to each bank to facilitate communication. Such information will be held strictly confidential by the DISTRICT and its designate(s) and will be used only for purposes of prequalification.

B. Major Subcontractors: Provide references for at least three (3) major subcontractors who have worked with the Contractor on wetlands or habitat restoration projects in the last five (5) years.

C. Certificates of Insurance in accordance with Article 5 of the General Conditions

8. COMMENTS:
Please list any additional information that the Contractor believes would assist DISTRICT in evaluating the possibility of using the Contractor on this project and include in Section 9 of the SOQ.

END OF QUESTIONNAIRE