



**CONTRACTOR PREQUALIFICATION APPLICATION  
FOR LEASE-LEASEBACK CONSTRUCTION SERVICES**

**TERRY BRADLEY EDUCATIONAL CENTER**

**PREQUALIFICATION APPLICATION SUBMISSION DEADLINE**

7 hard copies and a thumb drive with an electronic copy of the completed Prequalification Application, along with all required supporting documentation, are to be sealed and **mailed or hand-delivered and received by the District before 4:00 p.m. on August 25, 2021 ("Prequalification Application Submission Deadline")** to:

Purchasing Department, District Office West  
Clovis Unified School District  
1450 Herndon Ave.  
Clovis, CA 93611

The label on the sealed package shall be: (1) marked "CONFIDENTIAL", (2) state the prospective respondent's name, and (3) state "Prequalification Application: Terry Bradley Educational Center"

District reserves the right to modify the time and/or date stated above. District will return unopened any Prequalification Application that is not submitted in accordance with the above time and date.

**"Contact Person"**

Contact Person: Denver Stairs, Assistant Superintendent of Facility Services  
Clovis Unified School District  
1450 Herndon Avenue, Clovis, CA 93611  
Phone No.: (559) 327-9265 Email: DenverStairs@cusd.com

**CONTRACTOR PREQUALIFICATION APPLICATION**  
**TERRY BRADLEY EDUCATIONAL CENTER**

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## SECTION A DISTRICT AND PROJECT INFORMATION

Clovis Unified School District (“**District**”) is a California public school district operating schools in the City of Fresno and City of Clovis, Fresno County, California. It is the fourteenth largest school district in California and enrolls over 43,000 students in grade levels pre-kindergarten through 12<sup>th</sup> grade.

The Governing Board (“**Board**”) of the District is seeking proposals from qualified providers of lease-leaseback construction services (“**contractors**”) for the construction of the Terry Bradley Educational Center (“**Project**”). The Project will be awarded by the Board to the contractor determined to be the best value under the provisions of Education Code section 17406 *et seq.*

### I. CRITICAL DATES

The tentative timeline/deadlines shall apply to the prequalification of contractors and the Request for Sealed Proposals (“**RFP**”). The District reserves the right to modify any of the dates, times, and locations stated below. If there are any modifications, District will provide written notice to those contractors who have requested a copy of the Prequalification Application.

**TABLE A: PREQUALIFICATION AND RFP TIMELINE/DEADLINE**

Timeline/Deadline	Description	Submission/Meeting Location
08/16/2021, Monday	Prequalification Application Project Specific Issuance Date	Not applicable
08/19/2021, Thursday, before 4:00 p.m.	Questions Submission Deadline Regarding Prequalification Application	Via email only to: <a href="mailto:DenverStairs@cusd.com">DenverStairs@cusd.com</a>
08/20/2021, Friday	District Responses to Questions/ Clarifications and Addenda Regarding Prequalification Application	Not Applicable
08/20/2021, Friday	RFP Issuance/Posting Date	Not applicable
08/25/2021, Wednesday before 4:00 p.m.	Prequalification Application Submission Deadline  (7 hard copies and thumb drive with electronic copy; must be mailed or hand-delivered and received by District pursuant to deadline stated in the first column; application received via email or other electronic transmission will not be considered)	Purchasing Department, District Office West 1450 Herndon Ave. Clovis, CA 93611
08/27/2021, Friday	List of Prequalified Contractors Posted	Not applicable
09/07/2021, Tuesday commencing at 11:00 a.m.	Mandatory Project Meeting ( <i>for contractors that prequalified to submit proposals to the RFP</i> )	Large Conference Room, Technology Building (2 <sup>nd</sup> Floor) 1670 David E. Cook Way Clovis, CA 93611
09/13/2021, Monday before 4:00 p.m.	Questions Submission Deadline Regarding RFP	Via email only to: <a href="mailto:DenverStairs@cusd.com">DenverStairs@cusd.com</a>
09/16/2021, Thursday	District Responses to Questions/ Clarifications and Addenda Regarding RFP	Not applicable
09/21/2021, Tuesday before 4:00 p.m.	Sealed Proposal Submission Deadline  (7 hard copies and thumb drive with electronic copy; must be mailed or hand-delivered and received by District pursuant to deadline stated in the first column; application received via email or other electronic transmission will not be considered)	Purchasing Department, District Office West 1450 Herndon Ave. Clovis, CA 93611

Timeline/Deadline	Description	Submission/Meeting Location
09/24/2021, Friday	Short List Interview Date	Large Conference Room, Technology Building (2 <sup>nd</sup> Floor) 1670 David E. Cook Way Clovis, CA 93611
10/06/2021, Wednesday commencing at 6:30 p.m. (Regular Board Meeting)	Selection of Contractor by Board	Professional Development Building, Boardroom 1680 David E. Cook Way Clovis, California

## II. PROJECT DESCRIPTION, PLANS, AND SPECIFICATIONS

- A. PROJECT LOCATION:** The Project involves the construction of a new comprehensive educational center along with corresponding on-site and off-site improvements. The Project site is located between Leonard and Highland Avenues north of McKinley Avenue in the sphere of influence of the City of Fresno, County of Fresno, California.
- B. PROJECT DESCRIPTION:** The Project will be built in three phases: (1) Phase 1 – Offsite Work; (2) Phase 2 - Middle school (7<sup>th</sup> and 8<sup>th</sup> grade levels) and common buildings shared between the middle and high school; and (3) Phase 3 - High school (9<sup>th</sup> through 12<sup>th</sup> grade levels). The elementary school (kindergarten through 6<sup>th</sup> grade levels) will NOT be included as part of the Project.
- C. PROJECT ARCHITECT/PLANS AND SPECIFICATIONS:** District has selected SIM-PBK as its architect for the Project (“**Architect**”). District anticipates the plans will be approved by the Division of the State Architect (“**DSA**”) on or about June 2023 for the middle school and on or about January 2025 for the high school (see Table B – Preconstruction and Construction Schedule below).

## III. CONTRACT PARAMETERS

### A. PROPOSED BUDGET

- The District will require an open book policy with the selected contractor and its construction team on the entire Project, meaning that all costs included in the contractor’s Total Sublease Payment shall be clearly set forth to the District’s satisfaction, including site improvements, as spelled out in the plans and specifications. The cost shall be broken down by increment in the Schedule of Values.
- The District shall be entitled to have access to required subcontractor bid documentation, value engineering back-up, contingency breakdown and tracking, general conditions breakdown and tracking, documentation of contractor’s fees, and all other information necessary to verify construction costs. A District representative will be allowed to participate in the subcontractor bid process.
- The Project is subject to the payment of prevailing wages under the California Labor Code and applicable regulations, and the Project will be subject to compliance monitoring and enforcement by the California Department of Industrial Relations. The selected contractor shall provide a skilled and trained workforce in compliance with Education Code section 17407.5 and Public Contract Code sections 2600-2602.

- B. CONTRACT:** The selected contractor will execute a Site Lease, Sublease, and Lease-Leaseback Agreement (“**Agreement**”) as set forth in VII below. An electronic copy of the Agreement will be provided to each contractor that prequalifies to submit a proposal to the RFP.

**IV. SCOPE OF WORK**

**A. SCOPE OF WORK:** The scope of work includes all material, labor, equipment and services necessary to do all work shown on the drawings and called for in the plans and specifications. The scope of work includes preconstruction and construction services on the Project.

**B. PRECONSTRUCTION AND CONSTRUCTION SCHEDULE:** The District anticipates the following schedule for preconstruction and construction of the Project, which schedule is subject to changes:

**TABLE B: PRECONSTRUCTION AND CONSTRUCTION SCHEDULE**

Timeline	Phase 1 Offsite Work	Phase 2 Middle School	Phase 3 High School
10/2021 – 09/2023		Preconstruction Services	
01/2022 - 06/2023	Preconstruction Services		
03/2023	DSA Approval of Plans		
06/2023	Notice to Proceed	DSA Approval of Plans	
10/2023		Notice to Proceed Issuance	
10/2022 – 04/2025			Pre-Construction Services
06/2024	Completion		
08/2024	District Occupation		
01/2025			DSA Approval of Plans
05/2025			Notice to Proceed Issuance
06/2025		Completion	
08/2025		District Occupation	
06/2027			Completion
08/2027			District Occupation

Time is of the essence and liquidated damages will be enforced in accordance with the Agreement.

**D. PRECONSTRUCTION SERVICES:** As part of the scope of the Agreement, the selected contractor shall undertake the pre-construction services for the Project, including the following:

1. In consultation with Architect, review design documents for constructability, scheduling, clarity, consistency and coordination. Contractor will participate in a minimum of five meetings on-site at the District’s office for each phase, resulting in a minimum of 15 on-site meetings for the three phases of the Project.
2. Undertake a value engineering analysis and prepare a report with recommendations for reducing construction cost.
3. Perform a constructability review of plans and specifications to ensure buildability of the Project.
4. Provide recommendations as to the detailed construction timeline and scope of each phase.
5. Provide public notice of availability of work to be subcontracted and present a proposed Total Sublease Amount for each phase to the Board for approval.

**E. CONSTRUCTION AND POST-CONSTRUCTION SERVICES:** The selected contractor shall perform the scope of work and obligations described in the Project Documents, including the following construction and post-construction services:

1. Construction of the Project in accordance with the plans and specifications.
2. Coordinate and expedite record drawings and specifications.
3. Compile operations and maintenance manuals, warranties/guarantees, certificates, and as-builts.
4. Prepare final accounting and close-out reports.
5. Assist the District and Architect in providing actual construction costs for each increment.
6. Other responsibilities necessary for the completion of the Scope of Work of the Project in accordance with the plans and specifications.

The selected contractor must have a valid California contractor's license, classification B – General Building Contractor.

**F. SUBCONTRACTORS:** All subcontractors who will perform more than 0.5% of the construction work must be selected by a competitive bidding process as described in Education Code section 17406(a)(4). The selected contractor shall establish reasonable qualification criteria and standards for subcontractors and shall provide public notice of availability of work to be subcontracted for each phase in accordance with the publication date applicable to the District's competitive bidding process, including a fixed date and time on which qualifications statements, bids, or proposals will be due. The process shall include prequalification of all mechanical, electrical and plumbing subcontractors. The District shall be allowed in the contractor's bid room during bid opening. All subcontractors shall be afforded the protections of the Subletting and Subcontracting Fair Practices Act (commencing with Public Contract Code section 4100).

## SECTION B PREQUALIFICATION PROCEDURES AND INSTRUCTION

As a pre-condition to submit a proposal to the Request for Sealed Proposals (“RFP”) on the Project, each general contractor who desires to submit a proposal to the RFP for lease leaseback construction services for the Project must be pre-qualified prior to submitting the proposal. **The project-specific prequalification process for the Project is separate and distinct from the District’s current annual 2021 application for general contractors to participate in state-funded projects. Each contractor that desires to submit a proposal for the Project must submit this project-specific prequalification application. This project-specific Prequalification Application will be available on the District website on or around Monday, August 16, 2021.**

To be considered, general contractors must submit the Prequalification Application to the address listed on the cover page in accordance with the time listed on the cover page. Contractors who fail to prequalify for the Project shall not be eligible to submit a proposal for the Project as the lease leaseback construction services provider.

1. **PREQUALIFICATION APPLICATION REQUIRED.** All contractors who intend to submit a proposal on the Project shall fully complete the Pre-Qualification Application contained in this prequalification packet and provide all materials requested herein (collectively “**Prequalification Application**”) and be approved by District to be on the prequalified respondents list. **Except where specifically stated otherwise, all contractors must use the Prequalification Application that is provided in this prequalification packet. A contractor’s failure to use the Prequalification Application may result in a finding that the contractor is not prequalified.** District will not accept any proposal on the Project from a contractor that has failed to comply with these requirements. **If two or more business entities expects to submit a proposal as part of a joint venture, each entity within the joint venture must be separately qualified to submit a proposal. Upon request to the Contact Person listed on the cover page, an electronic version of the Prequalification Application will be provided to the requesting prospective respondent to be used to complete the Prequalification Application.**
2. **SUBMISSION OF PREQUALIFICATION APPLICATION.** All Prequalification Applications shall be submitted in accordance with the Prequalification Application Submission Deadline to the location stated on the cover page of this prequalification packet. Contractors may submit Prequalification Applications during regular working hours on any day that the offices of District are open.
3. **REQUIRED ANSWERS TO PREQUALIFICATION APPLICATION.** **All information requested on the Contractor Contact Information and all questions in the Prequalification Questionnaire must be answered.** If a question is not applicable, indicate a response of “N/A”. District will use the answers to rate each contractor on its prequalification to submit a proposal to the RFP for the Project. Omission of requested information or falsification of information may result in a finding of not prequalified. District reserves the right to check other sources available in verifying answers provided by a contractor or determining a contractor’s prequalification. District’s decision will be based on objective evaluation criteria.
4. **RESERVATION TO MODIFY PREQUALIFICATION RATING.** Before the Prequalification Application Submission Deadline, District reserves the right to: (A) decrease, increase, limit, or otherwise modify any, several, or all of the prequalification ratings set forth in the Prequalification Questionnaire, and (B) modify other provisions of this prequalification packet, written notice of which District will provide to each prospective respondent whom District knows is interested in prequalifying as a respondent on the Project.
5. **PREQUALIFICATION APPLICATION UNDER SEAL.** The Prequalification Application shall be submitted under seal and marked as indicated on the cover page of this prequalification packet.
6. **SIGNATURE ON PREQUALIFICATION APPLICATION.** Each Prequalification Questionnaire must be signed under penalty of perjury in the manner designated at the end of the questionnaire, by an individual who has the legal authority to bind the contractor on whose behalf that person is signing. If any information provided by a contractor becomes inaccurate, the contractor must immediately notify District and provide updated accurate information in writing, under penalty of perjury.

7. UNIFORM RATING SYSTEM

- 7.1 Each prospective respondent shall be deemed by District as qualified to submit a proposal to the RFP on the Project when all of the following conditions are met:
  - 7.1.1 The completed Contractor Contact Information and Prequalification Questionnaire, the forms of which are set forth as part of this prequalification packet, and all required supporting documentation have been received by District by in accordance with the Prequalification Application Submission Deadline to the location stated on the cover page of this prequalification packet..
  - 7.1.2 Upon review and verification, the information provided by the prospective respondent and relied upon to rate the prospective respondent has been deemed by District to be accurate and responsive. The District may, but is not obligated, to verify information provided by each prospective respondent.
  - 7.1.3 The prospective respondent is determined to be prequalified under Part I and has, at a minimum, a passing rating in each of the three Scored Areas.
  - 7.1.4 Upon consideration of all of the information provided in the prospective respondent’s Prequalification Application, including verifications and references provided by available outside sources, no discrepancies or indications of past poor performance are discovered that would require and justify disqualification of the prospective respondent by District.
- 7.2 Not all questions in the Prequalification Questionnaire and information provided as part of the Prequalification Application are rated or scored. Some questions simply ask for information about the contractor firm’s structure, officers and history.

**The questions that are rated are marked with “X” and are in the three Scored Areas as stated below. To prequalify, a contractor must be prequalified under Part I and have, at a minimum, the passing rating in each of the three Scored Areas.**

Scored Area	Description of Scored Area	Passing Rating
	Part I – Essential Requirements for Qualification (Questions No. 1 – 15)	Qualified
1	Part IIC – History of the Business and Organizational Performance  (Question No. 3 – 21, only questions marked with “X” are rated)	Passing rating of <b>27</b> (maximum rating of 45)
2	Part IID – Compliance with Occupational Safety and Health laws and with Other Labor Legislation Safety  (Question Nos. 22 – 32, only questions marked with “X” are rated)	Passing rating of <b>32</b> (maximum rating of 53)
3	Part III – Lease Leaseback Projects Completed Within Last 10 Years	Passing rating of <b>12</b> (maximum rating of 20)

- 7.3 District shall determine qualification or disqualification on the basis of the uniform rating system described in this Prequalification Packet and from information secured from other available sources. District’s decision will be final.



8. **WAIVER OF IRREGULARITIES AND OMISSIONS.** District reserves the right to waive immaterial irregularities, errors, or omissions in the information contained in any prospective respondent's Prequalification Application or in regard to the prospective respondent's compliance with this prequalification packet and to make all final determinations with respect thereto.
9. **NOTIFICATION OF QUALIFICATION STATUS.** District will notify each contractor of their status as either prequalified or not prequalified by no later than the date stated in Table A for posting of the list of prequalified contractors. District anticipates notifying all contractors who have submitted complete Prequalification Application of their qualification status by no later than the date stated in Table A. District reserves the right to take longer than the timeline stated in Table A to notify prospective respondents.
10. **PROPOSALS FROM PREQUALIFIED RESPONDENTS.** After District has determined the prequalified respondents for the Project, District will provide the RFP packet to each prequalified respondent. Respondents shall comply with the instructions and requirements in the RFP packet in submitting proposals for the Project.
11. **RESERVATION OF POST-PROPOSAL CONSIDERATION OF RESPONDENT RESPONSIBILITY.** While it is the intent of the Prequalification Questionnaire and documents required therewith to assist District in determining respondent responsibility prior to receiving proposals to the RFP and to aid District in selecting a contractor for the Project, neither the fact of prequalification, nor any prequalification rating, will preclude District from considering and determining, after proposals to the RFP have been received, whether a respondent has the quality, fitness, capacity and experience to satisfactorily perform the proposed work, and has demonstrated the requisite trustworthiness.
12. **PUBLIC RECORDS.** The Prequalification Questionnaire answers and financial statements submitted by contractors are not public records and are not open to public inspection. All information provided will be kept confidential to the extent permitted by law. However, the contents may be disclosed to third parties for purpose of verification, or investigation of substantial allegations, or in the appeal hearing. State law requires that the names of contractors applying for prequalification status shall be public records subject to disclosure, and the Contractor Contact Information will be used for that purpose.

**SECTION C**  
**PREQUALIFICATION APPLICATION**

**INSTRUCTION:** The Prequalification Application consists of three subsections: (1) C1 - Contractor Contact Information; (2) C2 - Prequalification Questionnaire, and (3) C3 – Certification. **Each contractor must fully complete and submit all three subsections, along with the required supporting documentation, to District in accordance with the time deadline and to the location stated on the cover page of this prequalification packet.**

**C1. CONTRACTOR CONTACT INFORMATION**

**INSTRUCTION AND NOTICE:** Each prospective respondent must complete the information requested below. This completed form and the information contained therein are public records subject to disclosure under the California Public Records Act.

**1. Firm Name (as it appears on California contractor's license):** [ ] [ ]

**2. Check each that applies:**  Corporation  
 Partnership  
 Sole Proprietor  
 Other (specify): [ ] [ ]

**3. DBA name(s):** [ ] [ ]

**4. Federal Tax I.D.:** [ ] [ ]

**5. Name of Contact Person:** [ ] [ ]

**6. Title of Contact Person:** [ ] [ ]

**7. Address of Firm:** [ Street address ]  
[ City, CA ##### ]

**8. Phone:** [ ] [ ] **Fax:** [ ] [ ] **Email:** [ ] [ ]

**9. If firm is a sole proprietor or partnership, state owner(s) of firm:** [ ] [ ]

**10. Firm's California Contractor License(s) (add separate page if additional spaces needed):**

License No.: [ ] [ ] Classification: [ ] [ ] Expiration Date: [ ] [ ]  
If applicable, list names of the qualifying individual(s) listed on the CSLB records who meet(s) the experience and examination requirements of each license: [ ] [ ]

License No.: [ ] [ ] Classification: [ ] [ ] Expiration Date: [ ] [ ]  
If applicable, list names of the qualifying individual(s) listed on the CSLB records who meet(s) the experience and examination requirements of each license: [ ] [ ]

License No.: [ ] [ ] Classification: [ ] [ ] Expiration Date: [ ] [ ]  
If applicable, list names of the qualifying individual(s) listed on the CSLB records who meet(s) the experience and examination requirements of each license: [ ] [ ]

**11. Firm's California Dept. of Industrial Relations Contractor Registration:**

Registration No.: [ ] [ ] Expiration Date: [ ] [ ]

Registration No.: [ ] [ ] Expiration Date: [ ] [ ]

## C2. PREQUALIFICATION QUESTIONNAIRE

**INSTRUCTION AND NOTE:** Each prospective respondent shall use this Prequalification Questionnaire and complete each question as directed below. “Contractor”, “You”, and “Your” is used in this Prequalification Questionnaire to refer to the respondent’s firm and any of its owners, officers, principals, and qualifying individuals. Additional page(s) may be attached if space is needed to respond to any questions. The completed Prequalification Questionnaire and financial statements submitted therewith shall not be public records and shall not be open to public inspection.

This Prequalification Questionnaire contains the following parts, each of which must be completed as instructed:

- Part I Essential Requirements for Qualification
- Part II Organization, History, Organizational Performance, Compliance With Civil And Criminal Laws
- Part III Lease Leaseback Projects Completed Within Last 10 Years

**To prequalify, a contractor must not be immediately disqualified under Part I and have, at a minimum, the passing rating stated in each of the three Scored Areas.**

### **PART I. ESSENTIAL REQUIREMENTS FOR QUALIFICATION**

- X1.** Contractor possesses a valid and current California Contractor’s license for the Project. If yes, must provide a copy of the license or detailed report from the CSLB website.  
 Yes  No

*Rating: Contractor will be immediately disqualified if the answer to this question is “no”.*

- X2.** Contractor has a commercial general liability insurance policy with a policy limit of at least \$5,000,000 per occurrence and \$10,000,000 aggregate. If yes, must provide certificate of insurance stating policy limits.  
 Yes  No

*Rating: Contractor will be immediately disqualified if the answer to this question is “no”.*

- X3.** 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. If yes, must provide certificate of insurance showing coverage for workers’ compensation.  
 Yes  No  Contractor is exempt from this requirement because it has no employees

*Rating: Contractor will be immediately disqualified if the answer to this question is “no”.*

- X4.** Have you attached your latest copy of a reviewed or audited financial statement with accompanying notes and supplemental information?  
 Yes  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.**

*Rating: Contractor will be immediately disqualified if the answer to this question is “no”.*

- X5. Have you 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 that your bonding capacity is at least \$320,000,000?<sup>1</sup>  
 Yes  No

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

*Rating: Contractor will be immediately disqualified if the answer to this question is "no".*

- X6. Has your contractor's license been revoked at any time in the last five years, even if later reinstated retroactively?  
 Yes  No

*Rating: Contractor will be immediately disqualified if the answer to this question is "yes".*

- X7. Has a surety firm completed a contract on your behalf, or paid for completion because your firm was default terminated by the project owner within the last five years?  
 Yes  No

*Rating: Contractor will be immediately disqualified if the answer to this question is "yes".*

- X8. At the time of submitting this Prequalification Questionnaire, is your firm ineligible to bid on or be awarded a public works contract, or perform as a subcontractor on a public works contract, pursuant to either Labor Code section 1777.1 or Labor Code section 1777.7?  
 Yes  No

*Rating: Contractor will be immediately disqualified if the answer to this question is "yes".*

- X9. At any time during the last five years, has your firm, or any of its owners or officers been convicted of a crime involving the awarding of a contract of a government construction project, or the bidding or performance of a government contract?  
 Yes  No

*Rating: Contractor will be immediately disqualified if the answer to this question is "yes".*

- X10. Is your firm currently the debtor in a bankruptcy case?  
 Yes  No

*Rating: Contractor will be immediately disqualified if the answer to this question is "yes".*

- X11. Was your firm in bankruptcy at any time during the last five years? (This question refers only to a bankruptcy action that was not described in answer to question 10, above)  
 Yes  No

*Rating: Contractor will be immediately disqualified if the answer to this question is "yes".*

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<sup>1</sup> An additional notarized statement from the surety may be requested by District at the time of submission of a proposal if the Prequalification Application is submitted more than 60 days prior to submission of the proposal.

- X12. Has your firm or any of its owners, officers or partners ever been found liable in a civil suit or found guilty in a criminal action for making any false claim or material misrepresentation to any public agency or entity?  
 Yes  No

*Rating: Contractor will be immediately disqualified if the answer to this question is "yes".*

- X13. Has your firm or any of its owners, officers or partners ever been convicted of a crime involving any federal, state, or local law related to construction?  
 Yes  No

*Rating: Contractor will be immediately disqualified if the answer to this question is "yes".*

- X14. Has your firm or any of its owners, officers or partners ever been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty?  
 Yes  No

*Rating: Contractor will be immediately disqualified if the answer to this question is "yes".*

- X15. District requires an A rating or higher on an insurer that issues the commercial general liability insurance policy. Is your firm able to provide evidence that it currently meets this requirement?  
 Yes  No

If yes, attach a copy of evidence that this requirement is met, which may include a report from AM Best.

*Rating: Contractor will be immediately disqualified if the answer to this question is "no".*

**FOR USE BY DISTRICT**

**PART I**

**Prospective respondent prequalifies under Part I (mark one): \_\_\_ Yes \_\_\_ No**

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

**PART IIA. CURRENT ORGANIZATION AND STRUCTURE OF THE BUSINESS**

**INSTRUCTION:** Please complete the portion of this Part IIA that is applicable to your firm.

**Your Firm is a Corporation**

- 1a. Date incorporated: [ ]
- 1b. Under the laws of what state: [ ]
- 1c. Provide all the following information for each person who is either (a) an officer of the corporation (president, vice president, secretary, treasurer), or (b) the owner of at least ten per cent of the corporation's stock.

Name	Position	Years with Co.	% Ownership
[ ]	[ ]	[ ]	[ ]
[ ]	[ ]	[ ]	[ ]
[ ]	[ ]	[ ]	[ ]
[ ]	[ ]	[ ]	[ ]
[ ]	[ ]	[ ]	[ ]
[ ]	[ ]	[ ]	[ ]
[ ]	[ ]	[ ]	[ ]
[ ]	[ ]	[ ]	[ ]

- 1d. Identify every construction firm that any person listed above has been associated with (as owner, general partner, limited partner or officer) at any time during the last five years.

**NOTE: For this question, “owner” and “partner” refer to ownership of 10 percent or more of the business, or 10 percent or more of its stock, if the business is a corporation.**

Person's Name	Construction Firm	Dates of Person's Participation with Firm
[ ]	[ ]	[ ]
[ ]	[ ]	[ ]
[ ]	[ ]	[ ]
[ ]	[ ]	[ ]
[ ]	[ ]	[ ]
[ ]	[ ]	[ ]

**Your Firm is a Partnership**

1a. Date of formation: [ ]

1b. Under the laws of what state: [ ]

1c. Provide all the following information for each partner who owns 10 per cent or more of the firm.

Name	Position	Years with Co.	% Ownership
[ ]	[ ]	[ ]	[ ]
[ ]	[ ]	[ ]	[ ]
[ ]	[ ]	[ ]	[ ]
[ ]	[ ]	[ ]	[ ]
[ ]	[ ]	[ ]	[ ]
[ ]	[ ]	[ ]	[ ]
[ ]	[ ]	[ ]	[ ]

1d. Identify every construction company that any partner has been associated with (as owner, general partner, limited partner or officer) at any time during the last five years.

**NOTE: For this question, “owner” and “partner” refer to ownership of 10 percent or more of the business, or 10 percent or more of its stock, if the business is a corporation.**

Person's Name	Construction Company	Dates of Person's Participation with Company
[ ]	[ ]	[ ]
[ ]	[ ]	[ ]
[ ]	[ ]	[ ]
[ ]	[ ]	[ ]
[ ]	[ ]	[ ]
[ ]	[ ]	[ ]
[ ]	[ ]	[ ]

**You Firm is a Sole Proprietorship**

1a. Date of commencement of business: [ ]

1b. Identify every construction firm that the business owner has been associated with (as owner, general partner, limited partner or officer) at any time during the last five years.

**NOTE: For this question, “owner” and “partner” refer to ownership of 10 percent or more of the business, or 10 percent or more of its stock, if the business is a corporation.**

Person's Name	Construction Company	Dates of Person's Participation with Company
[ ]	[ ]	[ ]
[ ]	[ ]	[ ]
[ ]	[ ]	[ ]
[ ]	[ ]	[ ]
[ ]	[ ]	[ ]
[ ]	[ ]	[ ]
[ ]	[ ]	[ ]

**PART IIB. JOINT VENTURE**

**INSTRUCTION:** Complete the information requested below if your firm, provided it is prequalified, intends to submit a proposal to the RFP as part of a joint venture; if not, please leave the following blank.

2a. Date of commencement of joint venture: [ ]

2b. Provide all of the following information for each firm that is a member of the joint venture that expects to submit a proposal to the RFP:

Name of firm	% Ownership of Joint Venture
[ ]	[ ]
[ ]	[ ]
[ ]	[ ]
[ ]	[ ]
[ ]	[ ]
[ ]	[ ]
[ ]	[ ]



**PART IIC. HISTORY OF THE BUSINESS AND ORGANIZATIONAL PERFORMANCE**

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

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

Yes  No  Not applicable

If "yes," explain: [ ]

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

**NOTE: Include information about other firms if one firm owns 50 percent or more of another, or if an owner, partner, or officer of your firm holds a similar position in another firm.**

Yes  No

If "yes," explain: [ ]

5. Are any corporate officers, partners or owners of your firm connected to any other construction firms.

**NOTE: Include information about other firms if an owner, partner, or officer of your firm holds a similar position in another firm.**

Yes  No

If "yes," explain: [ ]

6. State your firm's gross revenues for each of the last five years:

2020: [ ]

2019: [ ]

2018: [ ]

2017: [ ]

2016: [ ]

**X7.** How many years has your organization been in business in California as a contractor under your present business name and license number? [ ] years

**FOR USE BY DISTRICT**

Rating: \_\_\_\_ points (total possible points: 5)

3 years = 2 points

4 years = 3 points

5 years = 4 points

6 years or more = 5 points

## Licenses

All contractors must have a valid California contractor's license, classification B – General Building Contractor, to be considered for the Project.

8. List all California construction license numbers, classifications, and expiration dates of the California contractor licenses held by your firm:  
[ ]
9. If any of your firm's license(s) are held in the name of a corporation or partnership, list below the names of the qualifying individual(s) listed on the CSLB records who meet(s) the experience and examination requirements for each license:  
[ ]
10. Has your firm changed names or license number in the past five years?  
 Yes  No  
If "yes," explain, including the reason for the change: [ ]
11. Has any owner, partner or (for corporations) officer of your firm operated a construction firm under any other name in the last five years?  
 Yes  No  
If "yes," explain, including the reason for the change: [ ]
- X12. Has any CSLB license held by your firm or its Responsible Managing Employee (RME) or Responsible Managing Officer (RMO) been suspended within the last five years?  
 Yes  No  
If "yes," please explain: [ ]

### FOR USE BY DISTRICT

Rating: \_\_\_\_\_ points (total possible points: 5)  
No = 5 points  
Yes = Negative 5 points

## Disputes

- X13. At any time in the last five years has your firm been assessed and paid liquidated damages after completion of a project under a construction contract with either a public or private owner?  
 Yes  No  
If yes, explain below, identifying all such projects by owner, owner's address, the date of completion of the project, amount of liquidated damages assessed and all other information necessary to fully explain the assessment of liquidated damages:  
[ ]

### FOR USE BY DISTRICT

Rating: \_\_\_\_\_ points (total points: 5)  
No projects with liquidated damages of more than \$50,000 = 5 points  
Two projects each with liquidated damages of more than \$50,000 = 3 points  
Any other answer = 0 points

- X14. In the last five years has your firm, or any firm with which any of your company's owners, officers or partners was associated, been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason?

**NOTE: "Associated with" refers to another construction firm in which an owner, partner or officer of your firm held a similar position, and which is listed in response to question 1c or 1d on this form.**

Yes  No

If "yes," explain below. State whether the firm involved was the firm applying for prequalification here or another firm. Identify by name of the company, the name of the person within your firm who was associated with that company, the year of the event, the owner of the project, the project and the basis for the action.

[ ]

**FOR USE BY DISTRICT**

Rating: \_\_\_\_ points (total possible points: 5)

No = 5 points

Yes = Negative 5 points

- X15. In the last five years has your firm been denied an award of a public works contract based on a finding by a public agency that your company was not a responsible bidder?

Yes  No

If "yes," explain below. Identify the year of the event, the owner, the project and the basis for the finding by the public agency.

[ ]

**FOR USE BY DISTRICT**

Rating: \_\_\_\_ points (total possible points: 5)

No = 5 points

Yes = Negative 5 points

\* \* \* \* \*

**NOTE: The following two questions refer only to disputes between your firm and the owner of a project. You need not include information about disputes between your firm and a supplier, another contractor, or subcontractor. You need not include information about “pass-through” disputes in which the actual dispute is between a sub-contractor and a project owner. Also, you may omit reference to all disputes about amounts of less than \$50,000.**

- X16.** In the past five years has any claim **against** your firm concerning your firm’s work on a construction project been **filed in court or arbitration?**  
 Yes  No

If “yes,” identify below each claim by providing the project name, date of the claim, name of the claimant, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution):  
[ ]

**FOR USE BY DISTRICT**

Rating: \_\_\_\_ points (total possible points: 5)  
5 points for either “No” or “Yes” indicating 1 claim  
3 points for “Yes” indicating 2 claims  
0 points for “Yes” indicating more than 2 claims

- X17.** In the past five years, has your firm made any claim against a project owner concerning work on a project or payment for a contract and **filed that claim in court or arbitration?**  
 Yes  No

If “yes,” identify below each claim by providing the project name, date of the claim, name of the entity (or entities) against whom the claim was filed, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim (pending, or if resolved, a brief description of the resolution):  
[ ]

**FOR USE BY DISTRICT**

Rating: \_\_\_\_ points (total possible points: 5)  
5 points for either “No” or “Yes” indicating 1 claim  
3 points for “Yes” indicating 2 claims  
0 points for “Yes” if more than 2 claims

[Remainder of this page intentionally left blank]

- X18. At any time during the past five years, has any surety company made any payments on your firm's behalf as a result of a default, to satisfy any claims made against a performance or payment bond issued on your firm's behalf, in connection with a construction project, either public or private?  
 Yes  No

If "yes," explain below the amount of each such claim, the name and telephone number of the claimant, the date of the claim, the grounds for the claim, the present status of the claim, the date of resolution of such claim if resolved, the method by which such was resolved if resolved, the nature of the resolution and the amount, if any, at which the claim was resolved:

[ ]

**FOR USE BY DISTRICT**

Rating: \_\_\_\_\_ points (total possible points: 5)  
5 points for either "No" or "Yes" indicating 1 such claim.  
3 points for "Yes" indicating no more than 2 such claims  
Subtract five points for "Yes" if more than 2 such claims

**Insurance**

- X19. In the last five years, has any insurance carrier, for any form of insurance, refused to renew the insurance policy for your firm?  
 Yes  No

If "yes," explain below, listing the name of the insurance carrier, the form of insurance and the year of each refusal:

[ ]

**FOR USE BY DISTRICT**

Rating: \_\_\_\_\_ points (total possible points: 5)  
5 points for either "No" or "Yes" indicating 1 instance of refusal  
3 points for "Yes" indicating 2 instances of refusal  
0 points for "Yes" or if more than 2 instances of refusal

**Bonding**

Each contractor must have a bonding capacity of at least \$320,000,000.

20. Bonding capacity: Provide documentation from your surety identifying the following:

Name of bonding company/surety: [ ]

Name of surety agent, address and telephone number: [ ]

21. List all other sureties (name and full address) that have written bonds for your firm during the last five years, including the dates during which each wrote the bonds:

[ ]

**FOR USE BY DISTRICT**

**SCORED AREA 1 -- PART IIC  
HISTORY OF THE BUSINESS AND ORGANIZATION PERFORMANCE**

Rating for Scored Area 1: \_\_\_\_\_ points (passing rating of 27; maximum rating of 45)

**To prequalify, the prospective respondent must have a passing rating. Prospective respondent has a passing rating in Scored Area 1 – Part IIC (mark one): \_\_\_ Yes \_\_\_ No**

**PART IID. COMPLIANCE WITH OCCUPATIONAL SAFETY AND HEALTH LAWS AND WITH OTHER LABOR LEGISLATION SAFETY**

**X22.** Has CAL OSHA cited and assessed penalties against your firm for any “serious,” “willful” or “repeat” violations of its safety or health regulations in the past five years?

**NOTE: If you have filed an appeal of a citation, and the Occupational Safety and Health Appeals Board has not yet ruled on your appeal, you need not include information about it.**

Yes  No

If “yes,” describe below the citations, including information about the dates of the citations, the nature of the violation, the project on which the citation(s) was or were issued, the amount of penalty paid, if any. If the citation was appealed to the Occupational Safety and Health Appeals Board and a decision has been issued, state the case number and the date of the decision.

[ ]

**FOR USE BY DISTRICT**

Rating: \_\_\_\_\_ points (total possible points: 5)  
5 points for either “No” or “Yes” indicating 1 instance of citation and assessment  
3 points for “Yes” indicating 2 instances of citation and assessment  
0 points for “Yes” if more than 2 instances of citation and assessment

**X23.** Has the federal Occupational Safety and Health Administration cited and assessed penalties against your firm in the past five years?

**NOTE: If you have filed an appeal of a citation and the Appeals Board has not yet ruled on your appeal, or if there is a court appeal pending, you need not include information about the citation.**

Yes  No

If “yes,” describe each citation: [ ]

**FOR USE BY DISTRICT**

Rating: \_\_\_\_\_ points (total possible points: 5)  
5 points for either “No” or “Yes” indicating 1 instance of citation and assessment  
3 points for “Yes” indicating 2 instances of citation and assessment  
0 points for “Yes” if more than 2 instances of citation and assessment

[Remainder of this page intentionally left blank]

- X24. Has the EPA or any Air Quality Management District or any Regional Water Quality Control Board cited and assessed penalties against either your firm or the owner of a project on which your firm was the contractor, in the past five years?

**NOTE: If you have filed an appeal of a citation and the Appeals Board has not yet ruled on your appeal, or if there is a court appeal pending, you need not include information about the citation.**

Yes  No

If "yes," describe each citation: [ ]

**FOR USE BY DISTRICT**

Rating: \_\_\_\_\_ points (total possible points: 5)  
5 points for either "No" or "Yes" indicating 1 instance of citation and assessment  
3 points for "Yes" indicating 2 instances of citation and assessment  
0 points for "Yes" if more than 2 instances of citation and assessment

- X25. How often do you require documented safety meetings to be held for construction employees and field supervisors during the course of a project?

[ ]

**FOR USE BY DISTRICT**

Rating: \_\_\_\_\_ points (total possible points: 3)  
3 points for an answer of once each week or more often  
0 points for any other answer

- X26. List your firm's Experience Modification Rate (EMR) (California workers' compensation insurance) for each of the past five premium years:

**NOTE: An Experience Modification Rate is issued to your firm annually by your workers' compensation insurance carrier.**

Current year: [ ]

Previous year: [ ]

Year prior to previous year: [ ]

If your EMR for any of the five premium years is or was 1.00 or higher you may, if you wish, provide an explanation: [ ]

**FOR USE BY DISTRICT**

Rating: \_\_\_\_\_ points (total possible points: 5)  
5 points for three-year average EMR of .95 or less.  
3 points for three-year average of EMR of more than .95 but no more than 1.00.  
0 points for any other EMR.



- X27. Within the last five years has there ever been a period when your firm had employees but was without workers' compensation insurance or state-approved self-insurance?  
 Yes  No

If "yes," please explain the reason for the absence of workers' compensation insurance: [ ]

If "No," please provide a statement by your current workers' compensation insurance carrier that verifies periods of workers' compensation insurance coverage for the last five years. (If your firm has been in the construction business for less than five years, provide a statement by your workers' compensation insurance carrier verifying continuous workers' compensation insurance coverage for the period that your firm has been in the construction business.)

**FOR USE BY DISTRICT**

Rating: \_\_\_\_ points (total possible points: 5)  
5 points for either "No" or "Yes" indicating 1 instance without workers' compensation or state-approved self-insurance  
0 points for any other answer.

**Prevailing Wage and Apprenticeship Compliance Record**

- X28. Has there been more than one occasion during the last five years in which your firm was required to pay either back wages or penalties for your own firm's failure to comply with the **state's** prevailing wage laws?

NOTE: This question refers only to your own firm's violation of prevailing wage laws, not to violations of the prevailing wage laws by a subcontractor.

Yes  No

If "yes," describe below the nature of each violation, identifying the name of the project, the date of its completion, the public agency for which it was constructed; the number of employees who were initially underpaid and the amount of back wages and penalties that you were required to pay:

[ ]

**FOR USE BY DISTRICT**

Rating: \_\_\_\_ points (total possible points: 5)  
5 points for either "No" or "Yes" indicating either 1 or 2 such instance  
3 points for "Yes" indicating 3 such instances  
0 points for "Yes" and more than 3 such instances

**X29.** During the last five years, has there been more than one occasion in which your own firm has been penalized or required to pay back wages for failure to comply with the **federal** Davis-Bacon prevailing wage requirements?

Yes  No

If “yes,” describe below the nature of each violation, identifying the name of the project, the date of its completion, the public agency for which it was constructed; the number of employees who were initially underpaid, the amount of back wages you were required to pay along with the amount of any penalty paid:

| |

**FOR USE BY DISTRICT**

**Rating: \_\_\_\_\_ points (total possible points: 5)**  
5 points for either “No,” or “Yes” indicating either 1 or 2 such violation(s)  
3 points for “Yes” indicating 3 such violations  
0 points for “Yes” and more than 3 such violations

**X30.** Provide the name, address and telephone number of the apprenticeship program (approved by the California Apprenticeship Council) from whom you intend to request the dispatch of apprentices to your company for use on any public work project for which you are awarded a contract by District.

| |

**FOR USE BY DISTRICT**

**Rating: \_\_\_\_\_ points (total possible points: 5)**  
5 points if at least one approved apprenticeship program is listed  
0 points for any other answer

**X31.** If your firm operates its own State-approved apprenticeship program:

(a) Identify the craft or crafts in which your firm provided apprenticeship training in the past year:

| |

(b) State the year in which each such apprenticeship program was approved, and attach evidence of the most recent California Apprenticeship Council approval(s) of your apprenticeship program(s):

| |

(c) State the number of individuals who were employed by your firm as apprentices at any time during the past three years in each apprenticeship and the number of persons who, during the past three years, completed apprenticeships in each craft while employed by your firm:

| |

**FOR USE BY DISTRICT**

**Rating: \_\_\_\_\_ points (total possible points: 5)**  
5 points if one or more persons completed an approved apprenticeship while employed by your firm  
  
0 points if no persons completed an approved apprenticeship while employer by your firm

**X32.** At any time during the last five years, has your firm been found to have violated any provision of California apprenticeship laws or regulations, or the laws pertaining to use of apprentices on public works?

**NOTE: You may omit reference to any incident that occurred prior to January 1, 1998, if the violation was by a subcontractor and your firm, as general contractor on a project, had no knowledge of the subcontractor's violation at the time they occurred.**

Yes  No

If "yes," provide the date of each violation and attach a copy of the Department's final decision(s):

**FOR USE BY DISTRICT**

Rating: \_\_\_\_\_ points (total possible points: 5)

5 points for either "No," or "Yes" indicating either 1 or 2 such violation(s)

3 points for "Yes" indicating 3 such violations

0 points for "Yes" and more than 3 such violations

**FOR USE BY DISTRICT**

**SCORED AREA 2 -- PART IID  
COMPLIANCE WITH OCCUPATIONAL SAFETY AND HEALTH LAWS  
AND WITH OTHER LABOR LEGISLATION SAFETY**

Rating for Scored Area 2 – Part IID: \_\_\_\_\_ points (passing rating of 32; maximum rating of 53)

**To prequalify, the prospective respondent must have a passing rating. Prospective respondent has a passing rating in Scored Area 2 – Part IID (mark one):** \_\_\_ Yes \_\_\_ No

**PART III. LEASE LEASEBACK CONSTRUCTION PROJECTS COMPLETED WITHIN LAST 10 YEARS**

Contractor shall provide information about construction projects that it performed **pursuant to lease leaseback agreements within the last 10 years where the contract amount is at least \$5,000,000.** Names of Owner Contact and Architect or Engineer Contact must be current and verifiable.

**Contractor must provide the following information for each lease leaseback project on a separate document to be attached to the Prequalification Application:**

1. Project Name
2. Location
3. Owner
4. Owner Contact (name and current phone number)
5. Architect or Engineer
6. Architect or Engineer Contact (name and current phone number)
7. Construction Manager (name and current phone number)
8. Description of Project, Scope of Work Performed
9. Original Contract Amount
10. Amount of all Amendments
11. Final Contract Amount (including amendments)
12. Original Scheduled Completion Date
13. Time Extensions Granted (number of days)
14. Actual Date of Completion

**FOR USE BY DISTRICT**

**SCORED AREA 3 -- PART III  
LEASE LEASEBACK CONSTRUCTION PROJECTS COMPLETED WITHIN LAST 10 YEARS**

Rating for Scored Area 3 – Part IIIA: \_\_\_\_\_ points (passing rating of 12, maximum rating of 20 points)

\_\_\_\_\_ points for projects that are similar in scope of work to Project (total possible points: 10)

- 10 points for 6 or more projects that are similar to Project
- 8 points for 4 - 5 projects that are similar to Project
- 6 points for 2 - 3 projects that are similar to Project
- 3 points for 1 project that is similar to Project
- 0 points for no project that is similar to Project

\_\_\_\_\_ points for projects completed by Original Scheduled Completion Date (total possible points: 10)

- 10 points for 6 or more projects completed by Original Scheduled Completion Date
- 8 points for 4 - 5 projects completed by Original Scheduled Completion Date
- 6 points for 2 - 3 projects completed by Original Scheduled Completion Date
- 3 point for 1 project completed by Original Scheduled Completion Date
- 0 points for no project completed by Original Scheduled Completion Date

**To prequalify, the prospective respondent must have a passing rating. Prospective respondent has a passing rating in Scored Area 3 – Part III (mark one): \_\_\_ Yes \_\_\_No**

### C3. CERTIFICATION

Questionnaires submitted by corporations must be signed with the legal name of the corporation, followed by the name of the state of incorporation and by the signature and designation of the chairman of the board, president or any vice president, and then followed by a second signature by the secretary, assistant secretary, the chief financial officer or assistant treasurer. All persons signing must be authorized to bind the corporation in the matter. The name of each person signing shall also be typed or printed below the signature. Satisfactory evidence of the authority of each officer signing on behalf of a corporation shall be furnished.

Questionnaires submitted by partnerships must furnish the full name of all partners and must be signed in the partnership name by a general partner with authority to bind the partnership in such matters, followed by the signature and designation of the person signing. The name of the person signing shall also be typed or printed below the signature.

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

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

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

I, the undersigned, certify and declare that I have read all the foregoing answers to the Prequalification Questionnaire, reviewed all documents attached thereto, and know their contents. The matters stated in the Pre-Questionnaire answers and the attached documents are true of my own knowledge and belief, except as to those matters stated on information and belief, and as to those matters, I believe them to be true. I declare under penalty of perjury under the laws of the State of California that the foregoing is correct.

Dated: \_\_\_\_\_

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

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

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