



**Request for Qualifications (RFQ)  
for Prospective Design-Build  
Firms (DBF) for the**

**Ventura County Transportation  
Commission**

**TRANSIT STOPS ACCESSIBILITY ENHANCEMENT  
PROJECT**

**DUE DATE:**

October 4, 2024 at 4:00 PM (PST)

Ventura County Transportation Commission  
751 Daily Dr. STE. 420  
Camarillo, CA 93010

## **REQUEST FOR QUALIFICATIONS**

### **TRANSIT STOPS ACCESSIBILITY ENHANCEMENT PROJECT**

**Request for Qualifications are due at 4:00 PM (PST) on October 4, 2024**

**Submittal shall be submitted and addressed to:**

**Aubrey Smith  
751 E. Daily Drive, Suite 420  
Camarillo, CA 93010**

**Request for Qualifications will NOT be  
publicly opened and read.**

***\*Late submittals will NOT be accepted.\****

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# GENERAL PREQUALIFICATION PROCESS AND REQUIREMENTS

## GENERAL INFORMATION

- This REQUEST FOR QUALIFICATIONS ("RFQ") from the Owner named below invites the submittal of a Statement of Qualifications ("SOQ") from firms interested in providing design-build services for the project described below. By submitting an SOQ, the Proposer represents that it has carefully read the terms and conditions of this RFQ, and all attachments and addenda, and agrees to be bound by them. This RFQ is not an offer to enter into a contract, but merely a solicitation of persons interested in submitting a Proposal to the Owner for the Project. Hereafter "Ventura County Transportation Commission", "VCTC", "Commission" or "Owner" are terms used interchangeably.
- **Project:** Transit Stops Accessibility Enhancement Project
- **Location:** Ventura County, California
- **Owner:** Ventura County Transportation Commission

## PROCUREMENT METHOD

For this Project, the Owner is utilizing a Best Value Design-Build procurement process whereby the Owner will establish a stipulated sum for the Design-Build Agreement, currently estimated to be approximately \$1.5 million dollars. The RFP will contain suggested enhancements as well as a list of Owner approved deductive measures in order to assist the Design-Build Firm in obtaining best value for the stipulated sum.

## DEFINITIONS

The following "terms" are used throughout this RFQ and are defined as follows:

- "Best Value" means the value determined by objective criteria that may include, but not be limited to, price, features, functions, life cycle costs, experience, and other criteria deemed appropriate by the Owner and their management team.
- "Design-Build" means a project delivery process in which both the design and construction of a project are selected from a single Firm.
- "Design-Build Project" means a capital outlay construction project using the Design-Build project delivery method.
- Design-Build Firm ("DBF") means a partnership, joint venture, corporation, or other legal Firm that is able to provide appropriately licensed contracting, registered architectural, and licensed engineering services as needed pursuant to the Agreement.
- "Design-Build Primary Team" means the Design-Build Firm itself, the General Contractor (if not the DBF), the Architect of Record (AOR), and the Design Architect (if not the AOR) Design-Build Primary Team Members may also be referred to as the Primary Team Members.

- "Design-Build Team" means the Design-Build Firm itself and the individuals and other entities identified by the DBF as members of its team. Members shall include the General Contractor and, if utilized in the design of the Project, all electrical, mechanical, and plumbing subcontractors.
- "Proposers" and "Respondents" both mean the Firm submitting responses to this RFQ and are used interchangeably throughout this document.

## SELECTION PROCESS

The Owner is utilizing a **two-phase process** to qualify and select a DBF to fully execute the design and construction of the Project.

**Phase 1 – Request for Qualifications (RFQ):** Interested Design-Build Entities shall submit a Statement of Qualifications (SOQ) as further defined in this RFQ. The SOQs received in accordance with this RFQ will be reviewed and scored. No more than the six (6) highest scoring Design-Build Entities will be interviewed by a selection committee to further evaluate their qualifications. A shortlist of no more than four (4) Design-Build Entities will be invited to respond to the Phase 2 – Request for Proposals.

**Phase 2 – Request for Proposals (RFP):** Shortlisted DBFs will be issued an RFP. The RFP will be a detailed description of the Owner's expectations for the Project, including the Project's design and performance criteria, administrative details, known site conditions and other pertinent project information, including a sample Design-Build Agreement.

## PROPOSAL MANAGER AND POTENTIAL CONFLICT OF INTEREST DISCLOSURE

1. **Proposal Manager:** Each Design-Build Firm interested in submitting a SOQ shall designate one (1) Individual as its Proposal Manager who will be responsible for all communications with the Owner during the RFQ and RFP process. The Design-Build Firm shall submit to the Owner a completed Identification of Design-Build Firm Proposal Manager form (Exhibit A included herewith).

The Design-Build Firm's Proposal Manager shall be the single point of contact for questions, inquiries, clarifications, and correspondence during the entire RFQ and RFP process. Any substitution of the Design-Build Firm's Proposal Manager during the RFQ and RFP processes shall be made in writing to the Owner as indicated on the Identification of Design-Build Firm Proposal Manager form.

2. **Potential Conflict of Interest Disclosure:** The Design-Build Firm, General Contractor (if not the DBF), Architect of Record (AOR), and the Design Architect (if not the AOR) each shall complete the Potential Conflict of Interest Disclosure (Exhibit B included herewith).

Proposers to this RFQ acknowledges that, for the term of the resulting contract, the DBF, General Contractor (if not the DBF), Architect of Record (AOR), and the Design Architect (if not the AOR) and their respective members, officers or employees, shall not

have any direct interest in any such contract or any direct or material benefit arising therefrom, and shall not be financially interested in any such contract made by them in their official capacity, as the above interests and terms are defined in California Government Code Sections 1090 et seq. and 87100 et seq., and relevant case law. Prohibited interests include interests of immediate family members, domestic partners, and their respective employers or prospective employers.

Proposer further represents and warrants that it presently has no interest and agrees that it will not acquire any interest that would present a conflict of interest under California Government Code Sections 1090 et seq. or 87100 et seq. during the performance of any contract resulting from this RFQ and subsequent RFP and that it will not knowingly employ any person having such an interest.

Submissions made in violation of the conflict of interest rules set forth herein shall be deemed nonresponsive. Contracts made with a proposer in violation of the conflict of interest rules set forth herein shall be deemed void and unenforceable.

### **GENERAL TERMS AND CONDITIONS**

This RFQ is not an offer by VCTC to contract with any proposer or respondent, and does not commit VCTC to award exclusive negotiation rights or a contract or to procure or contract for any services. The issuance of this RFQ does not constitute an agreement by VCTC that VCTC will actually enter into any contract.

VCTC reserves the right to:

- Extend the due date of the RFQ, or cancel, in whole or in part, this solicitation.
- Interview none, any or all respondents to this RFQ.
- Request additional information from respondents at any time.
- Confirm any part of the information furnished by an applicant.
- Obtain additional evidence of managerial, financial, or other capabilities.
- Approve or disapprove the use of particular subcontractors.
- Negotiate with any, all, or none of the applicants;
- Select shortlist DBFs for RFP issuance that are most advantageous to and serve the best interests of VCTC.
- Reject, in whole or in part, any or all submittals, and to waive minor irregularities in any submittal.
- Seek and obtain additional information beyond the due date if the submittals received are unsatisfactory.
- Issue subsequent Requests for Proposals.
- Solicit best and final offers from all or some of the applicants.
- Accept other than the lowest-priced proposal.



- Cancel or withdraw the RFQ at all time without prior notice and the VCTC makes no representation that any Agreement will be awarded to any applicant responding to this RFP.
- Alter the Selection Process Dates
- Issue Addenda to clarify or modify elements of this RFQ.
- Require proposers to accept VCTC's standard insurance and indemnification requirements.
- Correct or waive technical errors in the RFQ process.

The following terms and conditions apply to this RFQ process and all submittals:

- Except confidential financial statements submitted in accordance with the instructions of this RFQ, all RFQ submittals are considered disclosable public records and not considered confidential or proprietary, and will become the property of VCTC. VCTC may use any and all ideas and materials included in any submittal.
- No reimbursement will be made by VCTC for any cost incurred by organization in preparation or submittals of a response to this RFQ.
- By responding to this RFQ, the proposer represents that it and its subsidiaries do not and will not discriminate against any employee or applicant for employment on the basis of race, religion, sex, color, national origin, sexual orientation, ancestry, marital status, physical condition, pregnancy or pregnancy-related conditions, political affiliations or opinion, age, or medical condition or any other category protected by law.
- Proposers and all other information and documents submitted in response to this RFQ are subject to the California Public Records Act, California Government Code §§ 7920.000-7930.215) (CPRA), which generally mandates the disclosure of documents in the possession of VCTC upon the request of any person, unless the content of the document falls within a specific exemption category.
- Non-Liability: By participating in the RFQ process, each respondent agrees to hold VCTC and its officers, employees, agents, representatives, and consultants harmless from all claims, liabilities, and costs related to all aspects of this RFQ.

### **RFQ BRIEFING CONFERENCE**

A RFQ Briefing Conference is scheduled for **September 4, 2024** at 1:00 p.m. (PST) and will be held **virtually** (a meeting link will be posted on the VCTC's solicitation webpage). The focus of the conference is to review the RFQ process, submittal requirements and prequalification evaluation criteria. Attendees will be allowed to ask questions at this conference. Oral responses given at this conference are not binding to the Owner. Only responses and clarifications issued via formal written addenda shall be binding. All Design-Build Entities submitting a Statement of Qualifications are required to attend the Briefing Conference.

Attendance is limited to a maximum of five (5) representatives from each Design-Build Firm, including subcontractors.

### **QUESTIONS PROCEDURE**

Questions pertaining to this RFQ will be accepted from Design-Build Entities that attended the Briefing Conference and must be submitted in writing via e-mail to the name and address found in the Contact and Submittal Information located at the end of this section. Please submit all questions by the deadline stipulated in the Summary Schedule below. The Owner will provide written responses to all questions in the form of an Addendum.

Copies of all questions submitted by Design-Build Entities, and subsequent answers, will be distributed via written addenda by email on the date indicated in the Schedule Summary below to all Design-Build Entities that have submitted the identification of Design-Build Firm Proposal Manager form and have attended the Briefing Conference.

The Owner will also post addenda to VCTC's website. It shall be incumbent upon a DBF to check VCTC's website and review posted material. Failure of a DBF to receive addenda shall not entitle the DBF to an extension of the schedule nor shall it permit the submission of any additional information after the deadline set forth in the schedule.

### **COMMUNICATION WITH THE OWNER**

Under no circumstances are any of the prospective Design-Build Entities or anyone on the prospective Design-Build Teams to contact, discuss with, or inquire of any Owner consultant, employee, elected official or member of the RFQ/P Review Technical Advisory Committee on any matter relating to this solicitation process. This requirement is to ensure that the same information is received by all interested parties and no inconsistent, incomplete, or inaccurate information is communicated. Information obtained outside this prequalification process cannot be relied upon.

Unauthorized contact of any individual as described above may be cause for rejection of the Design-Build Firm's Statement of Qualifications. All inquiries concerning this solicitation shall be directed simultaneously to the contact persons indicated below. No telephone inquiries will be answered.

### **CONTACT INFORMATION:**

All Information requests must be directed to:

Aubrey Smith  
[asmith@goventura.org](mailto:asmith@goventura.org)

With a courtesy copy to:

Claire Grasty  
[cgrasty@goventura.org](mailto:cgrasty@goventura.org)

**SUBMITTAL INFORMATION:**

The Statement of Qualifications must be received by the Owner no later than the date and time shown on the following Summary Schedule, and must be submitted electronically to:

Aubrey Smith at [asmith@goventura.org](mailto:asmith@goventura.org)

***Do not include the Part A Section IV Audited Financial Statements with the electronic submittal.***

**SUMMARY SCHEDULE**

<b>Phase 1: RFQ Process</b>	<b>Date</b>	<b>Time (PST)</b>
RFQ Issued	8/22/24	
Submit Identification of DBF Proposal Manager and Potential Conflict of Interest Disclosures	8/28/24	5:00 pm
<b>RFQ Briefing Conference</b>	<b>9/4/24</b>	<b>1:00 pm</b>
Cut-off date for written questions from DBFs	9/12/24	5:00 pm
Owner distributes responses to written questions	9/23/24	
<b>Statement of Qualifications submission Due Date</b>	<b>10/4/24</b>	<b>4:00 pm*</b>
Interview notifications	10/7/24	5:00 pm
Interview (Part C)	10/14/24	TBD
Announce highest scoring DBFs	10/28/24	

<b>Phase 2: RFP Process</b>	<b>Date</b>	<b>Time (PST)</b>
RFP issued to shortlisted DBFs	10/30/24	

**LATE SUBMITTALS**

Regardless of when they were sent or transmitted, submittals not actually received by VCTC by the deadline set forth in this RFQ will not be considered. Late proposals will be rejected and returned to the proposer. This deadline is absolute, and proposals received after the due date and time will not be considered.

**EXHIBIT A: IDENTIFICATION OF DBF PROPOSAL MANAGER**

**VENTURA COUNTY TRANSPORTATION COMMISSION TRANSIT STOPS-STATIONS NEEDS  
ASSESSMENT AND INFRASTRUCTURE IMPROVEMENTS**

**VENTURA COUNTY, CALIFORNIA**

**Name of DBF:** \_\_\_\_\_

**Proposal Manager:** \_\_\_\_\_

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

**Firm/Company:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone:** \_\_\_\_\_ **Fax:** \_\_\_\_\_

**E-mail Address:** \_\_\_\_\_

***Note: Any substitution of DBF's Proposal Manager during the RFQ and RFP process shall be made in writing to and approved by the Owner and shall subject the DBF to re-evaluation. Submit a written request for substitution to the person indicated above.***

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## EXHIBIT B: POTENTIAL CONFLICT OF INTEREST DISCLOSURE

### VENTURA COUNTY TRANSPORTATION COMMISSION TRANSIT STOPS-STATIONS NEEDS ASSESSMENT AND INFRASTRUCTURE IMPROVEMENTS

#### VENTURA COUNTY, CALIFORNIA

*Each member of the DBF Primary Team must complete a separate disclosure*

**DBF Primary Team Member:**

- Design-Build Firm (required)
- Contractor (required if not the Design-Build Firm)
- Architect of Record (required)
- Design Architect (required if not the Architect of Record)

**Firm/Company:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Phone:** \_\_\_\_\_ **Fax:** \_\_\_\_\_

Does the DBF Primary Team Member currently have a contractual relationship with either VCTC, or has the DBF Primary Team member had a contractual relationship with VCTC within the last five (5) years?

- Yes     No

If yes, provide the following details for each occurrence:

Name and Location of Project: \_\_\_\_\_

Services Provided Under Contract: \_\_\_\_\_

Role (Prime or Consultant/Subcontractor): \_\_\_\_\_

Start and Finish Dates of Contract: \_\_\_\_\_

The existence of a prior contractual relationship between any DBF Team member and VCTC does NOT automatically disqualify a DBF team. The determination of whether a conflict exists or not will be determined by VCTC and the DBF Proposal Manager will be contacted with the determination.

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# PROJECT INFORMATION

## PROJECT DESCRIPTION

The selected firm (Contractor) shall be responsible for completing the assessment of all existing bus stops within Ventura County, identifying recommended improvements at each bus stop, design of recommended improvements based on a priority list with the provided budget, and construction of the improvements at select bus stops. Design shall include preparation of plans, specifications, and estimates (PS&E) for the bus stops selected for improvements. The proposed project will implement strategies of the Ventura County Coordinated Public Transit-Human Services Transportation Plan ("Coordinated Plan") to conduct an inventory and evaluate the accessibility of all bus stops countywide, and create a project and priority list based on qualitative and quantitative standards and subsequently construct infrastructure improvements.

Goals and Objectives:

- Develop a countywide inventory of all transit stops.
- Identify stops that have potential for general, multimodal, Americans with Disabilities Act (ADA), operational, and amenity improvements that would create mobility hubs and facilitate improved multimodal connections to transit.
- Ensure alignment of work with Southern California Association of Government's Regional Early Action Planning Grant 2.0's Core Program Objectives.
- Construct Improvements.

## DBF RESPONSIBILITY OVERVIEW

The Design-Build Firm shall be responsible for the design and construction of the Project, including all applicable agency approvals, planning, engineering, permits, start-up and testing, design and construction scheduling, commissioning and coordination of commissioning with Owner, installation of furniture and equipment, closeout (punchlist documentation and resolution, O&M manuals, systems and/or equipment training, as-built documentation, final inspection and acceptance) and activation coordination for the Project. The DBF will be responsible for all surveying and geotechnical investigation needed for the design of the Project, environmental/hazmat, and existing utility and subsurface conditions investigations needed to confirm site conditions.

## LABOR COMPLIANCE

The successful DBF, including the General Contractor and all subcontractors, must comply with the provisions of State Senate Bill 854 (Stat. 2014, chapter 28), which became effective January 1, 2015. Including the following:

3. No contractor or subcontractor may be listed on a bid proposal for public works project (submitted on or after March 1, 2015) unless registered with the Department of Industrial



Relations pursuant to Labor Code section 1725.5 [with limited exceptions from this requirement for bid purposes only under Labor Code section 1771.1(a)]

4. No contractor or subcontractor may be awarded a contract for public works on a public works project (awarded on or after April 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5.
5. This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

# STATEMENT OF QUALIFICATIONS INSTRUCTIONS AND SUBMITTAL REQUIREMENTS

## GENERAL

The General Contractor (if separate Firm from Design-Build Firm), the Architect of Record (AOR), and Design Architect (if separate Firm from the AOR) will not be allowed to participate in any capacity as a member of more than one Design-Build Team. There are no such participatory restrictions on other team members.

Design-Build Primary Team members listed in response to the RFQ are expected to be listed by the DBF in its response to the Request for Proposal. Design-Build Entities must submit requests to substitute team members for good cause to the Owner in writing for approval. If a Design-Build Team member substitution request is received, Owner reserves the right to re-evaluate a DBF's inclusion on the shortlist of entities invited to submit proposals; to rescind a DBF's invitation to participate in the RFP process; and to offer another DBF an invitation to participate in the RFP process.

The Phase 1 evaluation criteria to prequalify prospective Design-Build Entities shall consist of four (4) parts:

- PART A – QUESTIONNAIRE
- PART B – EXPERIENCE
- PART C – INTERVIEW
- PART D – SHORTLIST

## PART A – QUESTIONNAIRE INSTRUCTIONS

Design-Build Primary Team: Each responding Design-Build Firm must submit qualifications for the DBF, a General Contractor properly licensed (Class B) in California, as well as an Architect, properly registered and licensed in California. If the DBF and the General Contractor are the same Firm only, one Questionnaire for Part A Section I and Part A Section III is required. The DBF's Architect shall be required to complete the design and serve as the Architect of Record for the Project. If the DBF intends to have a separate Design Architect in addition to the Architect of Record, the DBF must also submit qualifications for the Design Architect.

DBFs must complete and submit qualifications regarding their Primary Team as described in the attached Part A Questionnaire consisting of the following four (4) Sections:

- Section I: Identification of DBF and Primary Team Members – Not Scored**
  - Section II: Essential requirements for the DBF – Pass/Fail**
  - Section III: Questions for DBF Primary Team Members – Scored**
-

#### **Section IV: Financial Questions for the Design-Build Firm – Scored**

If the information requested for the DBF, General Contractor, Architect of Record, and Design Architect is not provided in accordance with the requirements of Part A Section I, or if the DBF receives a “Fail” grading in Section II, then the DBF will receive a score of “Fail” and no further scoring of the SOQ will be made.

Each of the DBF's Primary Team Members (DBF, General Contractor, Architect of Record and Design Architect) must complete and sign a certification form included in the Part A Questionnaire.

#### **PART B – EXPERIENCE INSTRUCTIONS**

Each Design-Build Firm submitting qualifications shall provide evidence that establishes the Design-Build Firm and its Primary Team Members have completed or demonstrate the capability to complete projects of similar size, scope, schedule, and complexity, and that proposed key personnel have sufficient experience and training to competently manage and complete the design and construction of the Project.

The Design-Build Firm and its Primary Team Members' experience will be evaluated for the relative merit and responses to the following sections:

1. **Section I: Narrative and Organizational Chart:** The information requested in this section is intended to provide the selection team an understanding of the DBF's staffing rationale and how it proposes to organize its team to successfully execute the Project.

The DBF shall describe why this particular team has been assembled for this particular Project. List proposed Design-Build Team personnel that will be assigned to and be responsible for completion of the work on this Project and indicate their roles and responsibilities. Include an organization chart (or charts) for design and construction operations which includes Primary Team Members as identified in Item 2 Personnel Resumes below. The Narrative and Organization Chart shall be limited to three (3) pages. A 11 x 17 sheet may be used for the organization chart and will count as one page.

2. **Section II: Personnel Resumes:** The information requested in this section is intended to allow the selection team to evaluate the experience and skills of the Key Personnel on the Design-Build Team and assess their ability to successfully execute the design and construction of the Project. Certain resumes will have a higher scoring weight than others as noted in the required resume listing below.

Submit resumes of personnel who will be assigned to this Project and who will contribute a significant effort to its design and construction. Clearly identify experience demonstrated by projects on similar size, scope, schedule, and complexity to the Project, including experience with the design and construction of public building facilities, and experience on design-build projects. Projects completed by personnel while employed for other firms may be listed but must be so identified. Identify significant experience or attributes which will be useful on this Project. Personnel

resumes shall be limited to two (2) pages in length for each resume and must respond to each line item contained on the resume template attached.

Resumes will be required for the following team members at a minimum (Key Personnel are indicated in *italics*). Personnel may hold multiple positions:

- a) DBF:
  - i. Project Executive (Prime contracting authority)
  - ii. Design Principal
  - iii. General Construction Principal
  - iv. *DBF Project Director (Primary point of contact)*
  
- b) Design Team:
  - i. *Design Project Manager*
  - ii. *Architect of Record*
  - iii. *Project Architect*
  
- c) Construction Team:
  - i. *Project Manager*
  - ii. *Design Manager*
  - iii. *General Superintendent*
  - iv. Quality Control Manager
  - v. Safety Manager

Please Note: Additional team member resumes may be submitted for clarity of team composition, however, only the resumes for the positions noted above will be scored. Additional scoring weight will be given to personnel with current Design-Build Institute of America (DBIA) certifications, and to positions identified above in *italics*.

3. **Section III: Project Profiles:** The information requested in this section is intended to permit the selection team to review experience and actual results of the team's and team member's ability to successfully design and construct projects similar in nature and complexity to the Project.

The Contractor, Architect of Record and Design Architect (if not the AOR) shall provide design or construction project profiles for a maximum of five (5) independent projects, each having been completed within the last 15 years or are currently under construction and at least 50% completed. Project Profiles shall be limited to two (2) pages in length for each project and must respond to each line item contained on the Project Profile Template included herewith.

Projects are to demonstrate the team's design and construction experience on similar projects in terms of significant new construction, critical schedules, complexity, scope, function, size, cost control, dollar value, and design-build experience.

- a) Design Experience: The DBF shall submit a maximum of five (5) project profiles representative of the AOR's ability to design projects of similar size, scope, character, or complexity to this Project.
  - i. At least two (2) of the projects must be in California.

- ii. All projects must have been completed within the last fifteen (15) years or be currently under construction and at least 50% complete.
- iii. At least two (2) projects must have a construction cost in excess of \$1 million dollars.
- iv. At least two (2) projects must have utilized the Design-Build delivery method.

If the Design Architect is not the AOR, a maximum of 5 additional project profiles representative of the Design Architect's ability to design projects of similar size, scope, character, and complexity to this Project may be submitted. Design Architect profiles shall be scored and the average of the AOR and Design Architect scores shall be utilized in establishing a score for this section.

- b) Construction Experience: The General Contractor shall submit a maximum of five (5) project profiles representative of the General Contractor's ability to provide construction of projects of similar size, scope, character, or complexity to this Project.
  - i. At least two (2) of the projects must be in California.
  - ii. All projects must have been completed within the last fifteen (15) years or be currently under construction and at least 50% complete.
  - iii. At least three (3) projects must have a construction cost each in excess of \$1 million dollars.
  - iv. At least three (3) projects must have utilized the Design-Build delivery method.

For each project, complete the Project Profile Template included herewith. Each profile is limited to two (2) pages and must include a response to all line items of the template for each project presented. Additional information, photos and other graphic materials may be included. Include a narrative addressing the salient features for each project and a brief statement indicating the relevance of the referenced project to this Project. Indicate the degree of involvement by key construction personnel being proposed for this Project.

- 4. **Section IV: Working Relationship Matrix:** The information requested in this section is intended to provide the selection team an understanding of the proposed members' experience and ability to function as a team based on prior and existing working relationships established on previous projects.

The DBF shall select up to ten (10) projects from the Project Profile Templates submitted and list them on the Working Relationship Matrix provided in Part B. For each position listed on the Matrix indicate whether the individual being proposed for this Project had a significant role in the project's success by placing a mark in the appropriate box.

- 5. **Section V: Project References:** The information requested in this section is intended to permit the selection team to validate actual performance of the firm and/or individual team members on a given project. List on the Project Reference Template form each project for which a Project Profile Template is being submitted under Section III. For each project listed identify the Project Name, Firm Name, and Owner Contact Name along with Contact's Title, Phone Number, E-mail Address and Relationship to the

project. The Owner Contact should be someone intimately familiar with the firm's involvement in the listed project.

The Owner intends to contact those individuals listed as references by the DBF team members and points will be assigned based upon verification that the DBF's characterization of its involvement in the project is accurate and their overall assessment of the quality of the services provided, specifically including design of the facility to meet its intended purpose, function of the facility, project management, cost of the facility in relation to budget, schedule control, quality, and commissioning.

It is the DBF's responsibility to verify that all references listed can be reached using the information provided by the DBF. If a reference cannot be located using the information provided by the DBF, then that listed project will not receive a score.

The Owner, at its sole discretion, may choose to contact other references, including owners, listed on the project profiles presented in the DBF's Statement of Qualifications.

6. **Section VI: Project Management Approach:** The information requested in this section is intended to provide the selection team an understanding of how the DBF intends to manage the design and construction of the Project, and why their specific approach is best suited to achieve success on the Project.

Describe the DBF's approach to managing this Project and include the DBF's philosophy and methodology regarding design-build. This section is limited to eight (8) pages. The DBF shall demonstrate its understanding of how the design-build process will achieve the best value for Owner by describing how successful delivery strategies and lessons learned on previous similar projects will be utilized on this Project to achieve the best value and timely project delivery. The DBF shall also discuss their process and procedures for integrating the Owner in the design-build process throughout design and construction, and to ensure the critical features are incorporated into the Project.

### **PART C – INTERVIEW**

No more than the six (6) highest scoring Design-Build Entities based upon the number of points scored from Parts A and B will be interviewed by a Selection Committee to further evaluate their qualifications. A total of 400 points will be allocated for Part C – Interview.

The interview will provide the opportunity to clarify and elaborate on the written material submitted in the SOQ package and to give the Selection Committee the opportunity to meet personnel assigned to this project. Personnel from the Design-Build Firm, including the General Superintendent, Project Manager, Design Manager, and the Architect of Record's Design Project Manager, and Design Manager must attend the interview. Additional personnel from the Design-Build team may attend the interview as determined by the Design-Build Firm.

The Owner will provide additional interview details in the invitation to interview.

## PART D – SHORTLIST

No more than the four (4) highest scoring Design-Build Entities from the RFQ process will be invited to participate in the RFP Phase and submit Proposals. The scoring will be based upon the total points accumulated from the scoring of Parts A, B, and C (1,205 total points).

### SOQ SUBMITTAL REQUIREMENTS

The DBF Statement of Qualifications shall be submitted in accordance with the procedure listed above and the following requirements. Each submittal shall use no less than 11 pt. font and shall be on 8-1/2 x 11 inch page size. Each submittal shall contain the following sections:

Cover letter (limited to 1 page)  
Title Page  
Table of Contents

Tab 1 Part A: Questionnaire:

Section I: Information on DBF and Primary Team Members  
Section II: Essential requirements for the DBF  
Section III: Questions for DBF Primary Team Members  
Section IV: Financial Questions for the Design-Build Firm (Audited Financial Statements to be provided in separate sealed envelope)  
Signed Certification for each DBF Primary Team Member

Tab 2 Part B: Experience:

Section I: Narrative and Organization Chart (limited to 3 pages)  
Section II: Personnel Resumes (limited to 2 pages each per resume)  
Section III: Project Profiles (limited to 2 pages each per project)  
Section IV: Project Profile Team Matrix  
Section V: Project References  
Section VI: Project Approach to Management Plan (limited to 8 pages)

Tab 3 Appendix:

Letter from Surety  
Letter(s) from Insurance Carriers

The DBF shall provide their **Audited Financial Statements on a USB flash drive in a sealed envelope to the following address:**

Aubrey Smith  
750 E. Daily Drive, Suite 420  
Camarillo, CA 93010

**Statement of Qualifications**  
**Ventura County Transportation Commission Transit Stops Accessibility Enhancement Project**

**“Confidential Financial Information”**

***Do not include the Part A Section IV Audited Financial Statements with the electronic submittal.***

Submittals must be received by the time and date identified in the Summary Schedule and at the address stated in the Contact and Submittal Information of the General Prequalification Process and Requirements section.

Submitting firms are responsible to ensure their Audited Financial Statements submittal is physically received by Owner prior to the stated time and date. Postmarks are not adequate. No fax or email copies of the Audited Financial Statements will be accepted. Submittals received after the specified time and date will not be considered and will be returned unopened to the sender. THIS SUBMISSION DEADLINE WILL BE STRICTLY ENFORCED.



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# STATEMENT OF QUALIFICATIONS

## PART A – QUESTIONNAIRE

Section I: Identification of DBF and Primary Team Members

***THE SECTION I INFORMATION ABOUT THE DBF PRIMARY MEMBERS IS FOR IDENTIFICATION PURPOSES ONLY. THERE IS NO SCORING VALUE TO THIS SECTION.***

Section II: Essential Requirements for the DBF

Section III: Scored Questions for DBF Primary Team Members

Section IV: Scored Financial Questions for the Design-Build Firm

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**SECTION I: IDENTIFICATION OF DBF AND PRIMARY TEAM MEMBERS**

**DBF Contact Information:**

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

Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

**General Contractor Contact Information:**

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

Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

**Architect of Record Contact Information:**

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

Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

**Design Architect Contact Information:**

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

Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_



**SECTION I (A): INFORMATION ABOUT THE DESIGN-BUILD FIRM**

1. Name of Design-Build Firm: \_\_\_\_\_
2. Date of company formation or incorporation: \_\_\_\_\_
3. State of formation or incorporation: \_\_\_\_\_
4. How many persons does the Design-Build Firm currently employ? \_\_\_\_\_

5(a). If the Design-Build Firm is a corporation, provide the following information and a copy of the corporation bylaws or organizational or incorporation documents:

(Provide information for each officer of the corporation and owners of 10% or more of the corporate stock.)

<b>Position</b>	<b>Name</b>	<b>Years with Co.</b>	<b>% Ownership</b>
CEO			
President			
Secretary			
Treasurer			

5(b). If the Design-Build Firm is a sole proprietorship, please complete the following:

<b>Owner</b>	<b>Years as Owner</b>





5(c). If the Design-Build Firm is a joint venture or partnership, provide a copy of the Firm or partnership agreement or bylaws, or organizational documents or agreement committing to form the partnership or Firm, and the following for each member of the joint venture or each partner.

(Attach additional pages if necessary.)

Name of Individual Or Firm	Principal Contact	Position	Years with Joint Venture/ Partnership	% Ownership Interest

6. Has there been any change in ownership of the Design-Build Firm during the last three years?

(NOTE: A corporation whose shares are publicly traded is not required to answer this question with regard to public trades.)

Yes                       No

If "yes," explain on a separate page.

7. Is the Design-Build 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 on a separate page.

8. State the Design-Build Firm's gross revenues for each of the last three years:

YEAR: \_\_\_\_\_                      YEAR: \_\_\_\_\_                      YEAR: \_\_\_\_\_

\$ \_\_\_\_\_                      \$ \_\_\_\_\_                      \$ \_\_\_\_\_

9. List all California contractor license numbers, classifications and expiration dates currently held by the Design-Build Firm:

License Number	Trade Classification	Date Issued	Expiration Date

10. Has the Design-Build Firm changed names or license numbers in the past five years?

Yes                       No

If "yes," explain on a separate page.

11. Has any owner, CSLB qualifier or corporate officer of the Design-Build Firm operated as a contractor under any other name or license number (not listed in 9 above) in the last five years?

Yes                       No

If "yes," explain on a separate page.

12. Surety Information for Design-Build Firm:

Bonding Co. /Surety: \_\_\_\_\_

Surety Agent: \_\_\_\_\_

Agent Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

13. List all other sureties (name and full address) that have written bonds for the Design-Build Firm during the last five years, including periods during which each wrote the bond:

Surety	Address	Periods of Coverage

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**SECTION I (B): INFORMATION ABOUT THE GENERAL CONTRACTOR**

**(If the General Contractor is the same as the Design-Build Firm, Section I (B) is not required.)**

The term "General Contractor" means the member of the DBF that will have the primary responsibility for the construction of the Project. Duplicate and submit for each General Contractor if more than one.

1. Name of General Contractor: \_\_\_\_\_
2. Date of company formation or incorporation: \_\_\_\_\_
3. State of formation or incorporation: \_\_\_\_\_
4. How many persons does the General Contractor currently employ? \_\_\_\_\_

5(a). If the General Contractor is a corporation, provide the following information and a copy of the corporation bylaws or organizational or incorporation documents:

(Provide information for each officer of the corporation and owners of 10% or more of the corporate stock.)

Position	Name	Years with Co.	% Ownership
CEO			
President			
Secretary			
Treasurer			

5(b). If the General Contractor is a sole proprietorship, please complete the following:

Owner	Years as Owner

5(c). If the General Contractor is a joint venture or partnership, provide a copy of the Firm or partnership agreement or bylaws, or organizational documents or agreement committing to form the partnership or Firm, and the following for each member of the joint venture or each partner.  
 (Attach additional pages if necessary.)

Name of Individual Or Firm	Principal Contact	Position	Years with Joint Venture/ Partnership	% Ownership Interest

6. Has there been any change in ownership of the General Contractor during the last three years?

(NOTE: A corporation whose shares are publicly traded is not required to answer this question regarding public trades.)

Yes                       No

If "yes," explain on a separate page.

7. Is the General Contractor 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 on a separate page.

8. State the General Contractor's gross revenues for each of the last three years:

YEAR: _____	YEAR: _____	YEAR: _____
\$ _____	\$ _____	\$ _____

9. List all California contractor license numbers, classifications and expiration dates currently held by the General Contractor:

License Number	Trade Classification	Date Issued	Expiration Date

10. Has the General Contractor changed names or license numbers in the past five years?

Yes                       No

If "yes," explain on a separate page.

11. Has any owner, CSLB qualifier or corporate officer of the General Contractor operated as a contractor under any other name or license number (not listed in 9 above) in the last five years?

Yes                       No

If "yes," explain on a separate page.

12. Surety Information for General Contractor:

Bonding Co. /Surety: \_\_\_\_\_

Surety Agent: \_\_\_\_\_

Agent Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

E-mail Address: \_\_\_\_\_



13. List all other sureties (name and full address) that have written bonds for the General Contractor during the last five years, including periods during which each wrote the bond:

<b>Surety</b>	<b>Address</b>	<b>Periods of Coverage</b>

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**SECTION I (C): INFORMATION ABOUT THE ARCHITECT OF RECORD**

**(If the Architect of Record is the same as the Design-Build Firm Section I (C) is not required).**

The Architect of Record is the licensed Architect who will have primary responsibility for design work under the Agreement. Duplicate and submit for each Architect of Record if more than one.

1. Provide the following information:

Name of Architect of Record: \_\_\_\_\_

Registration / License Number: \_\_\_\_\_

Years in Practice: \_\_\_\_\_

2. Date of company formation or incorporation: \_\_\_\_\_

3. State of formation or incorporation: \_\_\_\_\_

4. How many persons does the Architect of Record's firm currently employ? \_\_\_\_

5(a). If the Architect of Record's firm is a corporation, provide the following information and a copy of the corporation bylaws or organizational or incorporation documents:

(Provide information for each officer of the corporation and owners of 10% or more of the corporate stock.)

Position	Name	Years with Co.	% Ownership
CEO			
President			
Secretary			
Treasurer			

--	--	--	--

5(b). If the Architect of Record's firm is a sole proprietorship, please complete the following:

Owner	Years as Owner

5(c). If the Architect of Record's firm is a joint venture or partnership, provide the following for each member of the joint venture or each partner.  
 (Attach additional pages if necessary.)

Name of Individual Or Firm	Principal Contact	Position	Years with Joint Venture/ Partnership	% Ownership Interest

6. Has there been any change in ownership of the Architect of Record's firm during the last three years?  
 (NOTE: A corporation whose shares are publicly traded is not required to answer this question with regard to public trades.)

Yes                       No

If "yes," explain on a separate page.

7. Is the Architect of Record's firm a subsidiary, parent, holding company or affiliate of another 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 on a separate page.

8. Has any corporate officer or owner of the Architect of Record's firm worked for any other architectural or engineering firms in the past five years?  
(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 on a separate page.

9. Has the Architect of Record's firm changed names in the past five years?

Yes                       No

If "yes," explain on a separate page.

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**SECTION I (D): INFORMATION ABOUT THE DESIGN ARCHITECT (If not the Architect of Record)**

The Design Architect is the Architect who will have design responsibility in addition to the Architect of Record.

1. Provide the following information:

Name of Design Architect: \_\_\_\_\_

Registration / License Number: \_\_\_\_\_

Years in Practice: \_\_\_\_\_

2. Date of company formation or incorporation: \_\_\_\_\_

3. State of formation or incorporation: \_\_\_\_\_

4. How many persons does the Design Architect's firm currently employ? \_\_\_\_\_

5(a). If the Design Architect's firm is a corporation, provide the following information and a copy of the corporation bylaws or organizational or incorporation documents:  
 (Provide information for each officer of the corporation and owners of 10% or more of the corporate stock.)

Position	Name	Years with Co.	% Ownership
CEO			
President			
Secretary			
Treasurer			



5(b). If the Design Architect's firm is a sole proprietorship, please complete the following:

Owner	Years as Owner

5(c). If the Design Architect's firm is a joint venture or partnership, provide the following for each member of the joint venture or each partner.  
 (Attach additional pages if necessary.)

Name of Individual Or Firm	Principal Contact	Position	Years with Joint Venture/ Partnership	% Ownersh ip Interest

6. Has there been any change in ownership of the Design Architect's firm during the last three years?  
 (NOTE: A corporation whose shares are publicly traded is not required to answer this question with regard to public trades.)

Yes                       No

If "yes," explain on a separate page.

7. Is the Design Architect's firm a subsidiary, parent, holding company or affiliate of another 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 on a separate page.

8. Has any corporate officer or owner of the Design Architect's firm worked for any other architectural or engineering firms in the past five years?  
(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 on a separate page.

9. Has the Design Architect's firm changed names in the past five years?

Yes                       No

If "yes," explain on a separate page.

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**CERTIFICATION**

NOTE: All Primary Members of the DBF Team must complete and sign a copy of this Certification form.

I, the undersigned \_\_\_\_\_, certify and declare that I have read all the foregoing answers to this Pre-Qualification Questionnaire; that all responses are correct and complete of my own knowledge and belief. I declare under penalty of perjury under the laws of the State of California, that the foregoing is true and correct.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed name)

\_\_\_\_\_  
(Place of Execution)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Firm Name)

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## SECTION II: ESSENTIAL REQUIREMENTS FOR THE DBF (PASS/FAIL)

The term "Associates" shall mean all of the following:

- The current qualifiers for all current Contractors State License Board contracting licenses held by the Design-Build Firm.
- All current officers of a Design-Build Firm which is a corporation.
- All current partners of a Design-Build Firm which is a partnership.
- All current joint venturers of the joint venture Design-Build Firm which is seeking prequalification.

1. Does the Design-Build Firm and each proposed Subcontractor possess a current California contractor's license for the Project for which it intends to submit a proposal or intend to obtain a license before commencing work?

Yes                       No

**Yes = Pass**

**No = Fail**

2. Does the Design-Build Firm have a commercial general liability insurance policy that includes errors and omissions insurance with a policy limit of at least **\$5,000,000** ?

Yes                       No

**Yes = Pass**

**No = Fail**

If yes, provide the following information. (Attach a separate page if more than one policy.)

Insurance Company: \_\_\_\_\_

Policy Number: \_\_\_\_\_

Policy Limit per Occurrence: \_\_\_\_\_

Aggregate Policy Limit: \_\_\_\_\_

Attach a letter from your insurance carrier confirming limits.

3. Does the Design-Build Firm and each proposed Subcontractor have current California Workers' Compensation insurance policies as required by the Labor Code or are legally self-insured pursuant to Labor Code sections 3700 et seq. or do they intend to obtain such insurance prior to commencing work?

Yes                       No

**Yes = Pass**

**No = Fail**

If yes, provide the following information. (Attach a separate page if more than one policy.)

Insured: \_\_\_\_\_

Insurance Company: \_\_\_\_\_

Policy Number: \_\_\_\_\_

4. Has the latest copy of an audited financial statement (no more than two years old) with accompanying notes been attached for the Design-Build Firm or each member of the Design-Build Firm if Joint Venture, Partnership, etc.? (An audited financial statement with accompanying notes of a parent company guarantor may be substituted. A financial statement that is not audited is not acceptable. A letter verifying availability of a line of credit is not a substitute for the required financial statement.)

Yes                       No

**Yes = Pass**

**No = Fail**

5. Has 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 been attached, which states that the Design-Build Firm's current bonding capacity is sufficient to provide payment and performance bonds in the amount of 100% of the contract total? (Statement must be from the surety company, not an agent or broker.)

Yes                       No

**Yes = Pass**

**No = Fail**

6. Has any contractor license held by the Design-Build Firm or its associates, the General Contractor Member(s) of the Design-Build Team or their associates, or any of the proposed Subcontractors or their associates, been revoked or suspended within the last five (5) years?

Yes                       No



**Yes = Fail**  
**No = Pass**

7. Has a surety firm completed a contract or paid for completion of a contract on behalf of any member of the DBF because they were terminated by the project owner within the last five (5) years?

Yes                       No

**Yes = Fail**  
**No = Pass**

8. Within the last five years was the Design-Build Firm, the General Contractor Member(s) of the Design-Build Team or any proposed Subcontractor been declared ineligible to bid on a public works contract, to be awarded a public works contract, or to 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

**Yes = Fail**  
**No = Pass**

9. Has any member of the Design-Build Team (contractors, architects, engineers, subcontractors or others) or any member's associates, ever been convicted of a crime involving the awarding of a contract for a government project, or the bidding or performance of a government contract within the last five (5) years?

Yes                       No

**Yes = Fail**  
**No = Pass**

10. Do the Architect of Record, Design Architect (if different), and Engineer of Record (for each engineering discipline) who are expected to work on the Project possess current California professional registrations / licenses for the architectural and engineering services which they intend to provide?

Yes                       No

**Yes = Pass**  
**No = Fail**

11. Are all Principal Architect/Engineers covered by a professional liability insurance policy with a policy limit of at least **\$3,000,000** per occurrence ?

Yes                       No

**Yes = Pass**

**No = Fail**

If yes, provide the following information. (Attach a separate page if more than one policy.)

Insurance Company: \_\_\_\_\_

Policy Number: \_\_\_\_\_

Policy Limit per Occurrence: \_\_\_\_\_

Aggregate Policy Limit: \_\_\_\_\_

12. Has any professional registration held by any Architect who will provide services been revoked at any time in the last five years?

Yes                       No

**Yes = Fail**

**No = Pass**

13. Has any professional license held by any Engineer who will provide services been revoked at any time in the last five years?

Yes                       No

**Yes = Fail**

**No = Pass**

14. Does the Design-Build Firm, the General Contractor Member(s) of the Design-Build Team and each proposed Subcontractor seeking prequalification, know and understand their obligations regarding the employment of apprentices on public works under Labor Code section 1777.5 and California Code of Regulations, Title 8, section 230.1, and do they intend to comply with these requirements, including the requirement, if applicable, to request the dispatch of apprentices from an apprenticeship program approved by the California Apprenticeship Council?

Yes                       No

**Yes = Pass**

**No = Fail**

15. Will the Design-Build Firm ensure that itself and its subcontractors at every tier, including those responsible for specialty construction work use only qualified skilled labor personnel (such as carpenters, heat and frost insulators, asbestos workers, boilermakers, iron shop builders, blacksmiths, forgers, bricklayers, electrical workers, elevator constructors, iron workers, plumbers, pipe fitters, plasterers, cement masons, painters, roofers, waterproofers, sheet metal workers) and other such skilled labor as may be required by the work of the Project to perform such work, and will provide an enforceable commitment to VCTC demonstrating the foregoing?

Yes                       No

**Yes = Pass**  
**No = Fail**

**The undersigned certifies under penalty of perjury under the laws of the State of California that the foregoing is true and correct.**

<b>By:</b>	<b>Date:</b>
<b>Its:</b>	
<b>By:</b>	<b>Date:</b>
<b>Its:</b>	

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### SECTION III: SCORED QUESTIONS FOR THE DBF PRIMARY TEAM MEMBERS

#### SECTION III (A): SCORED QUESTIONS FOR THE DESIGN-BUILD FIRM

The term "Associates" shall mean all of the following:

- The current qualifiers for all current Contractors State License Board contracting licenses held by the DBF.
- All current officers of a Design-Build Firm which is a corporation.
- All current partners of a Design-Build Firm which is a partnership.
- All current joint venturers of the joint venture Design-Build Firm which is seeking prequalification.

A-1 How many years has the Design-Build Firm been licensed in California?

Years: \_\_\_\_\_

- 5 years or less = 0 points**  
**6 years = 1 point**  
**7 years = 3 points**  
**8 years or more = 5 points**

A-2. Is the Design-Build Firm or its associates currently the debtor in a bankruptcy or receivership case?

Yes     No

- Yes = 0 points**  
**No = 10 points**

If "yes," indicate the case number, bankruptcy court, and the date on which the petition was filed.

\_\_\_\_\_

Case Number

\_\_\_\_\_

Bankruptcy Court

\_\_\_\_\_

Date Filed

A-3. Has the Design-Build Firm or its associates ever been in bankruptcy or receivership at any time? (This question refers only to a bankruptcy action that was not described in answer to question A-2, above.)

Yes     No

- Yes = 0 points**  
**No = 10 points**

If "yes," indicate the case number, bankruptcy court, and the date on which the petition was filed.

Case Number

Bankruptcy Court

Date Filed

- A-4. Has the Design-Build Firm, its associates, or managing employees ever been assessed liquidated damages of more than a total **\$30,000** on a construction contract with either a public or private owner?

Yes     No

**0 to 1 Project            = 10 points**  
**2 Projects                = 3 points**  
**More than 2 Projects = 0 points**

If yes, explain on a separate page, identifying all such projects by owner, owner's address, name of Firm against whom assessment was made, the date of completion of the project, total amount of liquidated damages assessed and all other information necessary to fully explain the assessment of liquidated damages.

- A-5. Has the Design-Build Firm, its associates or managing employees ever been declared by an owner, or found by an arbitrator or court to be in default on a construction contract?

Yes     No

**Yes = 0 points**  
**No = 5 points**

If "yes," explain on a separate page.

- A-6. Has the Design-Build Firm, its associates or managing employees, been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason?

Yes     No

**Yes = 0 points**  
**No = 10 points**

If "yes," explain on a separate page. State the name of the organization debarred, the year of the event, the owner of the project, and the basis for the action.

- A-7. Has the Design-Build Firm, its associates or managing employees ever been denied an award of a public works contract based on a finding by a public agency that they were not a responsible or responsive bidder?

Yes     No

**Yes = 0 points**

**No = 5 points**

If "yes," on a separate page identify the year of the event, the Firm denied the award, the owner, the project, and the basis for the finding by the public agency.

(NOTE: The following two questions refer only to disputes between the Design-Build Firm and owners of projects. You need not include information about disputes with suppliers, other contractors, or subcontractors. You need not include information about "pass-through" disputes in which the actual dispute is between a subcontractor and a project owner.)

A-8. In the past five years has any claim in excess of **\$30,000** been filed in court, arbitration, or other dispute resolution proceeding against the Design-Build Firm or its associates concerning their work on a construction project?

Yes       No

**0 to 1 instance = 5 points**  
**2 instances = 3 points**  
**More than 2 instances= 0 points**

If "yes," on a separate page identify the claim(s) by providing the project name, date of the claim, name of the claimant, the name of the Firm the claim was filed against, a brief description of the nature of the claim, the court and case number, and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution).

A-9. In the past five years has the Design-Build Firm or its associates made any claim in excess of **\$30,000** against a project owner concerning work on a project or payment for a contract and filed that claim in court or arbitration?

Yes       No

**0 to 1 instance = 5 points**  
**2 instances = 3 points**  
**More than 2 instances= 0 points**

If "yes," on a separate page identify the claim by providing the name of claimant, the project name, date of the claim, name of the Firm (or entities) against whom the claim was filed, a brief description of the nature of the claim, the court and case number, and a brief description of the status of the claim (pending, or if resolved, a brief description of the resolution).

A-10. Has any insurance carrier, for any form of insurance, refused to renew the insurance policy for the Design-Build Firm or its associates due to non-payment or contractor losses?

Yes       No

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**Yes = 0 points**

**No = 5 points**

If "yes," on a separate page give name of the insured, name the insurance carrier, the form of insurance, and the year of the refusal.

- A-11. Has the Design-Build Firm, its associates or managing employees ever been found liable in a civil suit or found guilty in a criminal action for, or legally admitted for the purpose of a criminal plea to making any false claim or material misrepresentation to any public Firm?

Yes     No

**Yes = (-5) points**

**No = 5 points**

If "yes," explain on a separate page, including identifying who was found liable or guilty, the court and case number, the name of the public Firm, the civil or criminal verdict, the date and the basis for the finding.

- A-12. Has the Design-Build Firm, its associates, or managing employees ever been convicted of a crime involving any federal, state, or local law related to construction?

Yes     No

**Yes = (-10) points**

**No = 5 points**

If "yes," explain on a separate page, including identifying who was convicted, the name of the victim, the date of the conviction, the court and case number, the crimes, and the grounds for the conviction.

- A-13. Has the Design-Build Firm, its associates or managing employees ever been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty?

Yes     No

**Yes = (-10) points**

**No = 5 points**

If "yes," identify on a separate page, the person or persons convicted, the court and case number, the crimes, and the year convicted.

- A-14. Has there ever been a period of time when the Design-Build Firm or its associates had no surety bond in place during a public construction project when one was required?

Yes     No



**Yes = 0 points**

**No = 10 points**

If "yes," indicate the period during which no surety bonds were in place, name of Firm without the surety bond, the name of project owner, and if coverage was denied, the date coverage was denied and the name of the company that denied coverage.

- A-15. Has CAL OSHA cited and assessed penalties against the Design-Build Firm, its associates or managing employee for any "serious," "willful" or "repeat" violations of its safety or health regulations?

(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

**0 to 1 instance = 5 points**

**2 instances = 3 points**

**More than 2 instances= 0 points**

If "yes," on separate page describe the citations, the party against whom the citation was made, date of citation, nature of the violation, project on which the citation was issued, owner of project, and the amount of penalty paid, if any. State the case number and date of any OSHAB decision.

- A-16. Has the Federal Occupational Safety and Health Administration cited and assessed penalties against the Design-Build Firm, its associates or managing employees?

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

Yes     No

**0 to 1 instance = 5 points**

**2 instances = 3 points**

**More than 2 instances= 0 points**

If "yes," on separate page describe the citations, the party against whom the citation was made, date of citation, nature of the violation, project on which the citation was issued, owner of project, and the amount of penalty paid, if any. State the case number and date of any decision.

A-17. Has the Environmental Protection Agency, any Air Quality Management District or any Regional Water Quality Control Board cited and assessed penalties against either the Design-Build Firm, its associates, managing employees or the owner of a project during the time in which the preceding parties were performing on a contract?

(NOTE: If an appeal of the citation has been filed and there is no ruling yet, or if there is a court appeal pending, you need not include information about the citation.)

Yes       No

**0 to 1 instance      = 5 points**  
**2 instances            = 3 points**  
**More than 2 instances = 0        points**

If "yes," on separate page describe the citations, the party against whom the citation was made, date of citation, nature of the violation, project on which the citation was issued, owner of project, and the amount of penalty paid, if any. State the case number and date of any decision.

A-18. How often does the Design-Build Firm require documented safety meetings and documented worker safety program meetings to be held for construction employees and field supervisors during the course of a project?

Frequency of documented safety meetings: \_\_\_\_\_

**At least once a week = 10 points**  
**Once every two weeks = 5 points**  
**Less than every two weeks = 0 points**

A-19. List the Design-Build Firm's Experience Modification Rate (EMR) (California Workers' Compensation insurance), average total recordable injury or illness rate (ARIR), and average lost work rate (ALWR) for each of the past three premium years:

(NOTE: An Experience Modification Rate is issued to your firm annually by your Workers' Compensation insurance carrier.)

Year:                      EMR: \_\_\_\_\_      ARIR: \_\_\_\_\_      ALWR: \_\_\_\_\_

Year:                      EMR: \_\_\_\_\_      ARIR: \_\_\_\_\_      ALWR: \_\_\_\_\_

Year:                      EMR: \_\_\_\_\_      ARIR: \_\_\_\_\_      ALWR: \_\_\_\_\_

**Average EMR, ARIR, ALWR for the past 3 years:**

**0.85 or less            = 10 points**  
**0.86 to 1.00           = 5 points**  
**Greater than 1.00   = Disqualification**

Note: Public Contract Code Section 22164 requires an acceptable safety record for Design-Build projects and a worker's safety program. A proposer's safety record shall be deemed acceptable if its experience modification rate for the most recent three-year period is an average of 1.00 or less. If the average is greater than 1.00, the DBF will be disqualified and there will be no further scoring of the SOQ.

A-20. Has there ever been a period when the Design-Build Firm or its associates had employees but was without Workers' Compensation insurance or state-approved self-insurance?

Yes       No

**0 instances                    = 5 points**  
**More than 0 instances= 0            points**

If "yes," please explain the reason for the absence of Workers' Compensation insurance on a separate page. If "No," please provide a statement by your current Workers' Compensation insurance carrier that verifies periods of Workers' Compensation insurance coverage for the Design-Build Firm.

A-21. Has there been more than one occasion in which the Design-Build Firm or its associates were required to pay either back wages or penalties for failure to comply with the state's prevailing wage laws?

Yes       No

**0 to 2 instances            = 5 points**  
**3 instances                    = 3 points**  
**More than 3 instances= 0            points**

If "yes," attach a separate page, describing the violator, nature of each violation, name of the project, 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 were assessed.

A-22. Has there been more than one occasion in which the Design-Build Firm or its associates were penalized or required to pay back wages for failure to comply with the Federal Davis-Bacon prevailing wage requirements?

Yes       No

**0 to 2 instances            = 5 points**  
**3 instances                    = 3 points**  
**More than 3 instances= 0            points**

If "yes," attach a separate page, describing the violator, nature of each violation, name of the project, date of its completion, the public agency for which it was

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constructed, the number of employees who were initially underpaid and the amount of back wages and penalties that were assessed.

- A-23. If the Design-Build Firm operates its own State-approved apprenticeship program, provide the following information on a separate page:
- (a) Identify the craft or crafts in which you 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.

**No scoring**

- A-24. Has the Design-Build Firm its associates been found to have violated any provision of California apprenticeship laws or regulations, or the laws pertaining to use of apprentices on public works?

Yes       No

**0 to 2 instances      = 5 points**  
**3 instances            = 3 points**  
**More than 3 instances = 0        points**

If "yes," provide the date of the findings and attach a copy of the final decision.

Date(s) of Findings: \_\_\_\_\_

- A-25. Do agreements exist between the Design-Build Firm and registered apprenticeship programs which have been approved by the California Apprenticeship Council and have graduated apprentices for all apprenticeable crafts which may be employed by the Design-Build Firm on this Project?

(This graduation requirement shall not apply to programs providing apprenticeship training for any craft that has not been deemed by the Department of Labor and the Department of Industrial Relations to be an apprenticeable craft within the period of October 1995 to October 2000.)

Yes       No

**Yes = 5 points**  
**No = 0 points**

**SECTION III (A): SCORED QUESTIONS FOR THE DESIGN-BUILD FIRM**

**MAXIMUM POSSIBLE SCORE IS 155 POINTS. A MINIMUM SCORE OF 110 POINTS MUST BE ATTAINED OR THE DESIGN-BUILD FIRM WILL BE RATED AS NOT QUALIFIED.**

**SECTION III (B): SCORED QUESTIONS FOR THE GENERAL CONTRACTOR**

(Not required if the Design-Build Firm is the General Contractor.)

The term "General Contractor" means the member of the Design-Build Team that will have the primary responsibility for the construction of the Project. Duplicate and submit for each General Contractor if more than one.

The term "Associates" shall mean all of the following:

- The current qualifiers for all current Contractors State License Board contracting licenses held by the General Contractor.
- All current officers of a General Contractor which is a corporation.
- All current partners of a General Contractor which is a partnership.
- All current joint venturers of the joint venture General Contractor which is seeking prequalification.

B-1 How many years has the General Contractor been licensed in California?

Years: \_\_\_\_\_

- 5 years or less = 0 points**
- 6 years = 1 point**
- 7 years = 3 points**
- 8 years or more = 5 points**

B-2. Is the General Contractor or its associates currently the debtor in a bankruptcy or receivership case?

Yes                       No

- Yes = 0 points**
- No = 10 points**

If "yes," indicate the case number, bankruptcy court, and the date on which the petition was filed.

\_\_\_\_\_                      \_\_\_\_\_                      \_\_\_\_\_  
Case Number                      Bankruptcy Court                      Date Filed

B-3. Has the General Contractor or its associates ever been in bankruptcy or receivership at any time? (This question refers only to a bankruptcy action that was not described in answer to question B-2, above.)

Yes       No

**Yes = 0 points**

**No = 10 points**

If "yes," indicate the case number, bankruptcy court, and the date on which the petition was filed.

\_\_\_\_\_

Case Number

\_\_\_\_\_

Bankruptcy Court

\_\_\_\_\_

Date Filed

B-4. Has the General Contractor, its associates, or managing employees ever been assessed liquidated damages of more than a total **\$30,000** on a construction contract with either a public or private owner?

Yes       No

**0 to 1 Project = 10 points**

**2 Projects = 3 points**

**More than 2 Projects = 0 points**

If yes, explain on a separate page, identifying all such projects by owner, owner's address, name of Firm against whom assessment was made, the date of completion of the project, total amount of liquidated damages assessed and all other information necessary to fully explain the assessment of liquidated damages.

B-5. Has the General Contractor, its associates or managing employees ever been declared by an owner, or found by an arbitrator or court to be in default on a construction contract?

Yes       No

**Yes = 0 points**

**No = 5 points**

If "yes," explain on a separate page.

B-6. Has the General Contractor, its associates or managing employees, been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason?

Yes       No

**Yes = 0 points**

**No = 10 points**

If "yes," explain on a separate page. State the name of the organization debarred, the year of the event, the owner of the project, and the basis for the action.

B-7. Has the General Contractor, its associates or managing employees ever been denied an award of a public works contract based on a finding by a public agency that they were not a responsible or responsive bidder?

Yes       No

**Yes = 0 points**

**No = 5 points**

If "yes," on a separate page identify the year of the event, the Firm denied the award, the owner, the project, and the basis for the finding by the public agency.

(NOTE: The following two questions refer only to disputes between General Contractors and owners of projects. You need not include information about disputes with suppliers, other contractors, or subcontractors. You need not include information about "pass-through" disputes in which the actual dispute is between a subcontractor and a project owner.)

B-8. In the past five years has any claim in excess of **\$30,000** been filed in court, arbitration, or other dispute resolution proceeding against the General Contractor or its associates concerning their work on a construction project?

Yes       No

**0 to 1 instance = 5 points**

**2 instances = 3 points**

**More than 2 instances = 0 points**

If "yes," on a separate page identify the claim(s) by providing the project name, date of the claim, name of the claimant, the name of the Firm the claim was filed against, a brief description of the nature of the claim, the court and case number, and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution).



B-9. In the past five years has the General Contractor or its associates made any claim in excess of **\$30,000** against a project owner concerning work on a project or payment for a contract and filed that claim in court or arbitration?

Yes       No

**0 to 1 instance      = 5 points**  
**2 instances            = 3 points**  
**More than 2 instances = 0        points**

If "yes," on a separate page identify the claim by providing the name of claimant, the project name, date of the claim, name of the Firm (or entities) against whom the claim was filed, a brief description of the nature of the claim, the court and case number, and a brief description of the status of the claim (pending, or if resolved, a brief description of the resolution).

B-10. Has any insurance carrier, for any form of insurance, refused to renew the insurance policy for the General Contractor or its associates due to non-payment or contractor losses?

Yes       No

**Yes = 0 points**  
**No = 5 points**

If "yes," on a separate page give name of the insured, name the insurance carrier, the form of insurance, and the year of the refusal.

B-11. Has the General Contractor, its associates or managing employees ever been found liable in a civil suit or found guilty in a criminal action for, or legally admitted for the purpose of a criminal plea to making any false claim or material misrepresentation to any public Firm?

Yes       No

**Yes = (-5) points**  
**No = 5 points**

If "yes," explain on a separate page, including identifying who was found liable or guilty, the court and case number, the name of the public Firm, the civil or criminal verdict, the date and the basis for the finding.

B-12. Has the General Contractor, its associates, or managing employees ever been convicted of a crime involving any federal, state, or local law related to construction?

Yes       No

**Yes = (-10) points**

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**No = 5 points**

If "yes," explain on a separate page, including identifying who was convicted, the name of the victim, the date of the conviction, the court and case number, the crimes, and the grounds for the conviction.

- B-13. Has the General Contractor, its associates or managing employees ever been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty?

Yes     No

**Yes = (-10) points**

**No = 5 points**

If "yes," identify on a separate page, the person or persons convicted, the court and case number, the crimes, and the year convicted.

- B-14. Has there ever been a period of time when the General Contractor or its associates had no surety bond in place during a public construction project when one was required?

Yes     No

**Yes = 0 points**

**No = 10 points**

If "yes," indicate the period during which no surety bonds were in place, name of Firm without the surety bond, the name of project owner, and if coverage was denied, the date coverage was denied and the name of the company that denied coverage.

- B-15. Has CAL OSHA cited and assessed penalties against the General Contractor, its associates or managing employee for any "serious," "willful" or "repeat" violations of its safety or health regulations?

(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

**0 to 1 instance = 5 points**

**2 instances = 3 points**

**More than 2 instances = 0 points**

If "yes," on separate page describe the citations, the party against whom the citation was made, date of citation, nature of the violation, project on which the citation was issued, owner of project, and the amount of penalty paid, if any. State the case number and date of any OSHAB decision.

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B-16. Has the Federal Occupational Safety and Health Administration cited and assessed penalties against the General Contractor, its associates or managing employees?

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

Yes       No

**0 to 1 instance      = 5 points**  
**2 instances            = 3 points**  
**More than 2 instances= 0        points**

If "yes," on separate page describe the citations, the party against whom the citation was made, date of citation, nature of the violation, project on which the citation was issued, owner of project, and the amount of penalty paid, if any. State the case number and date of any decision.

B-17. Has the Environmental Protection Agency, any Air Quality Management District or any Regional Water Quality Control Board cited and assessed penalties against either the General Contractor, its associates, managing employees or the owner of a project during the time in which the preceding parties were performing on a contract?

(NOTE: If an appeal of the citation has been filed and there is no ruling yet, or if there is a court appeal pending, you need not include information about the citation.)

Yes       No

**0 to 1 instance      = 5 points**  
**2 instances            = 3 points**  
**More than 2 instances= 0        points**

If "yes," on separate page describe the citations, the party against whom the citation was made, date of citation, nature of the violation, project on which the citation was issued, owner of project, and the amount of penalty paid, if any. State the case number and date of any decision.

B-18. A-18. How often does the Design-Build Firm require documented safety meetings and documented worker safety program meetings to be held for construction employees and field supervisors during the course of a project?

Frequency of documented safety meetings: \_\_\_\_\_

**At least once a week = 10 points**  
**Once every two weeks = 5 points**  
**Less than every two weeks= 0 points**

B-19. List the Design-Build Firm's Experience Modification Rate (EMR) (California Workers' Compensation insurance), average total recordable injury or illness rate (ARIR), and average lost work rate (ALWR) for each of the past three premium years:

(NOTE: An Experience Modification Rate is issued to your firm annually by your Workers' Compensation insurance carrier.)

Year:                      EMR: \_\_\_\_\_      ARIR: \_\_\_\_\_      ALWR: \_\_\_\_\_

Year:                      EMR: \_\_\_\_\_      ARIR: \_\_\_\_\_      ALWR: \_\_\_\_\_

Year:                      EMR: \_\_\_\_\_      ARIR: \_\_\_\_\_      ALWR: \_\_\_\_\_

**Average EMR, ARIR, ALWR for the past 3 years:**

- 0.85 or less                      = 10 points**
- 0.86 to 1.00                      = 5 points**
- Greater than 1.00              = Disqualification**

Note: Public Contract Code Section 22164 requires an acceptable safety record for Design-Build projects and a worker's safety program. A proposer's safety record shall be deemed acceptable if its experience modification rate for the most recent three-year period is an average of 1.00 or less. If the average is greater than 1.00, the DBF will be disqualified and there will be no further scoring of the SOQ.

B-20. Has there ever been a period when the General Contractor or its associates had employees but was without Workers' Compensation insurance or state-approved self-insurance?

Yes       No

- 0 instances                      = 5 points**
- More than 0 instances = 0 points**

If "yes," please explain the reason for the absence of Workers' Compensation insurance on a separate page. If "No," please provide a statement by your current Workers' Compensation insurance carrier that verifies periods of Workers' Compensation insurance coverage for the General Contractor.

B-21. Has there been more than one occasion in which the General Contractor or its associates were required to pay either back wages or penalties for failure to comply with the state's prevailing wage laws?

Yes       No

- 0 to 2 instances              = 5 points**
- 3 instances                      = 3 points**

**More than 3 instances= 0 points**

If "yes," attach a separate page, describing the violator, nature of each violation, name of the project, 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 were assessed.

- B-22. Has there been more than one occasion in which the General Contractor or its associates were penalized or required to pay back wages for failure to comply with the Federal Davis-Bacon prevailing wage requirements?

Yes     No

**0 to 2 instances = 5 points**

**3 instances = 3 points**

**More than 3 instances= 0 points**

If "yes," attach a separate page, describing the violator, nature of each violation, name of the project, 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 were assessed.

- B-23. If the General Contractor operates its own State-approved apprenticeship program, provide the following information on a separate page:

- (a) Identify the craft or crafts in which you 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.

**No scoring**

- B-24. Has the General Contractor its associates been found to have violated any provision of California apprenticeship laws or regulations, or the laws pertaining to use of apprentices on public works?

Yes     No

**0 to 2 instances = 5 points**

**3 instances = 3 points**

**More than 3 instances= 0 points**

If "yes," provide the date of the findings and attach a copy of the final decision.

Date(s) of Findings: \_\_\_\_\_

- B-25. Do agreements exist between the General Contractor and registered apprenticeship programs which have been approved by the California Apprenticeship Council and have graduated apprentices for all apprenticeable crafts which may be employed by the General Contractor on this Project?

(This graduation requirement shall not apply to programs providing apprenticeship training for any craft that has not been deemed by the Department of Labor and the Department of Industrial Relations to be an apprenticeable craft within the period of October 1995 to October 2000.)

Yes       No

**Yes = 5 points**

**No = 0 points**

**SECTION III (B): SCORED QUESTIONS FOR THE GENERAL CONTRACTOR**

**MAXIMUM POSSIBLE SCORE IS 155 POINTS (to be averaged with the Design-Build Firm score if the Design-Build Firm is not the General Contractor).**

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**SECTION III (C): SCORED QUESTIONS FOR THE ARCHITECT OF RECORD**

The Architect of Record is the Architect who will have primary responsibility for design work under the Agreement. Attach copies if more than one Architect of Record.

“Firm” shall mean the firm that employs the Architect of Record.

The nature of the project will dictate the discipline(s) of the Architect of Record(s). Attach additional copies if more than one Architect of Record.

Name of Principal Architect of Record: \_\_\_\_\_

Name of Firm: \_\_\_\_\_

C-1. How many years has the Architect of Record been licensed and practicing in California?

Years: \_\_\_\_\_

- 5 years or less = 0 points**
- 6 years = 3 points**
- 7 years = 5 points**
- 8 years or more = 10 points**

C-2. Is the firm currently the debtor in a bankruptcy or receivership case?

Yes     No

- Yes = 0 points**
- No = 10 points**

If “yes,” indicate the case number, bankruptcy court, and the date on which the petition was filed.

\_\_\_\_\_                      \_\_\_\_\_                      \_\_\_\_\_  
Case Number                      Bankruptcy Court                      Date Filed

C-3. Was the firm in bankruptcy or receivership at any time? (This question refers only to a bankruptcy action that was not described in answer to question C-2, above.)

Yes     No

- Yes = 0 points**
- No = 10 points**



If "yes," indicate the case number, bankruptcy court, and the date on which the petition was filed.

\_\_\_\_\_

Case Number

\_\_\_\_\_

Bankruptcy Court

\_\_\_\_\_

Date Filed

- C-4. In the past five years has any claim in excess of **\$30,000** been filed in court, arbitration, or other dispute resolution proceeding against the Architect of Record or the firm concerning its engineering work on a project?

Yes     No

**0 to 1 instances      = 5 points**

**2 to 3 instances      = 3 points**

**More than 3 instances = 0          points**

If "yes," identify the claim(s) by providing the project name, date of the claim, name of the claimant, a brief description of the nature of the claim, the court and case number, and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution).

- C-5. Has the Architect of Record or the firm been debarred, disqualified, removed, or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason?

Yes     No

**Yes = 0 points**

**No = 10 points**

If "yes," explain on a separate page. State the name of the organization debarred, the year of the event, the owner of the project, and the basis for the action.

- C-6. Has the Architect of Record or the firm or its managing employees ever been denied an award of a public works contract based on a finding by a public agency that they were not a responsible or responsive bidder as required by statute for all members of the DBF?

Yes     No

**0 instances              = 5 points**

**1 to 2 instances       = 3 points**

**More than 2 instances = 0          points**

If "yes," on a separate page identify the year of the event, the Firm denied the award, the owner, the project, and the basis for the finding by the public agency.

C-7. In the past five years has the Architect of Record or the firm made any claim in excess of **\$30,000** against a project owner concerning engineering work on a project and filed that claim in court or arbitration?

Yes       No

**0 instances                    = 5 points**  
**1 to 3 instances            = 3 points**  
**More than 3 instances= 0            points**

If "yes," on separate page identify the claim by providing the project name, date of the claim, name of the Firm (or entities) against whom the claim was filed, a brief description of the nature of the claim, the court and case number, and a brief description of the status of the claim (pending, or if resolved, a brief description of the resolution).

C-8. Has any insurance carrier, for any form of insurance, refused to renew an insurance policy for the Architect of Record or the firm based on non-payment or losses?

Yes       No

**Yes = (-5) points**  
**No = 5 points**

If "yes," on separate page give name the insurance carrier, the form of insurance and the year of the refusal.

C-9. Has the Architect of Record or the firm or its managing employees ever been found liable in a civil suit or found guilty in a criminal action for, or legally admitted for the purpose of a criminal plea to making any false claim or material misrepresentation to any public agency or Firm?

Yes       No

**Yes = (-5) points**  
**No = 5 points**

If "yes," on a separate page identify who was found liable or convicted, the name of the public agency, the court and case number, the date of the investigation and the grounds for the finding.

C-10. Has the Architect of Record or the firm ever been convicted of a crime involving any federal, state, or local law related to construction?

Yes       No

**Yes = (-5) points**  
**No = 5 points**

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If "yes," on a separate page identify who was convicted, the name of the victim, the date of the conviction, the court and case number, the crimes, and the grounds for the conviction.

C-11. Has the Architect of Record or the firm ever been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty?

Yes     No

**Yes = (-5) points**

**No = 5 points**

If "yes," on a separate page identify who was convicted, the court and case number, the crimes and the year convicted.

C-12. Has the Department of Consumer Affairs taken any disciplinary action against the Architect of Record?

Yes     No

**Yes = (-10) points**

**No = 5 points**

If "yes," please explain on a separate page.

**SECTION III (C): SCORED QUESTIONS FOR THE ARCHITECT OF RECORD**

**MAXIMUM POSSIBLE SCORE IS 80 POINTS.**

**SECTION III (D): SCORED QUESTIONS FOR THE DESIGN ARCHITECT**

(Required if the Design Architect is not the Architect of Record.)

The Design Architect is the Architect who will have design responsibility in addition to the Architect of Record.

“Firm” shall mean the firm that employs the Design Architect.

The nature of the project will dictate the discipline(s) of the Design Architect(s). Attach additional copies if more than one Design Architect.

Name of Principal Design Architect: \_\_\_\_\_

Name of Firm: \_\_\_\_\_

D-1. How many years has the Design Architect been licensed and practicing in California?

Years: \_\_\_\_\_

- 5 years or less = 0 points**
- 6 years = 3 points**
- 7 years = 5 points**
- 8 years or more = 10 points**

D-2. Is the firm currently the debtor in a bankruptcy or receivership case?

Yes     No

- Yes = 0 points**
- No = 10 points**

If “yes,” indicate the case number, bankruptcy court, and the date on which the petition was filed.

\_\_\_\_\_

Case Number

\_\_\_\_\_

Bankruptcy Court

\_\_\_\_\_

Date Filed

D-3. Was the firm in bankruptcy or receivership at any time? (This question refers only to a bankruptcy action that was not described in answer to question D-2, above.)

Yes     No

- Yes = 0 points**
- No = 10 points**

If "yes," indicate the case number, bankruptcy court, and the date on which the petition was filed.

\_\_\_\_\_

Case Number

\_\_\_\_\_

Bankruptcy Court

\_\_\_\_\_

Date Filed

- D-4. In the past five years has any claim in excess of **\$30,000** been filed in court, arbitration, or other dispute resolution proceeding against the Design Architect or the firm concerning its engineering work on a project?

Yes     No

**0 to 1 instances      = 5 points**

**2 to 3 instances      = 3 points**

**More than 3 instances = 0          points**

If "yes," identify the claim(s) by providing the project name, date of the claim, name of the claimant, a brief description of the nature of the claim, the court and case number, and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution).

- D-5. Has the Design Architect or the firm been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason?

Yes     No

**Yes = 0 points**

**No = 10 points**

If "yes," explain on a separate page. State the name of the organization debarred, the year of the event, the owner of the project, and the basis for the action.

- D-6. Has the Design Architect or the firm or its managing employees ever been denied an award of a public works contract based on a finding by a public agency that they were not a responsible or responsive bidder as required by statute for all members of the DBF?

Yes     No

**0 instances              = 5 points**

**1 to 2 instances        = 3 points**

**More than 2 instances = 0          points**

If "yes," on a separate page identify the year of the event, the Firm denied the award, the owner, the project, and the basis for the finding by the public agency.

D-7. In the past five years has the Design Architect or the firm made any claim in excess of **\$30,000** against a project owner concerning engineering work on a project and filed that claim in court or arbitration?

Yes       No

**0 instances                    = 5 points**  
**1 to 3 instances            = 3 points**  
**More than 3 instances= 0            points**

If "yes," on separate page identify the claim by providing the project name, date of the claim, name of the Firm (or entities) against whom the claim was filed, a brief description of the nature of the claim, the court and case number, and a brief description of the status of the claim (pending, or if resolved, a brief description of the resolution).

D-8. Has any insurance carrier, for any form of insurance, refused to renew an insurance policy for the Design Architect or the firm based on non-payment or losses?

Yes       No

**Yes = (-5) points**  
**No = 5 points**

If "yes," on separate page give name the insurance carrier, the form of insurance and the year of the refusal.

D-9. Has the Design Architect or the firm or its managing employees ever been found liable in a civil suit or found guilty in a criminal action for, or legally admitted for the purpose of a criminal plea to making any false claim or material misrepresentation to any public agency or Firm?

Yes       No

**Yes = (-5) points**  
**No = 5 points**

If "yes," on a separate page identify who was found liable or convicted, the name of the public agency, the court and case number, the date of the investigation and the grounds for the finding.

D-10. Has the Design Architect or the firm ever been convicted of a crime involving any federal, state, or local law related to construction?

Yes       No

**Yes = (-5) points**  
**No = 5 points**

---

If "yes," on a separate page identify who was convicted, the name of the victim, the date of the conviction, the court and case number, the crimes, and the grounds for the conviction.

D-11. Has the Design Architect or the firm ever been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty?

Yes       No

**Yes = (-5) points**

**No = 5 points**

If "yes," on a separate page identify who was convicted, the court and case number, the crimes and the year convicted.

D-12. Has the Department of Consumer Affairs taken any disciplinary action against the Design Architect?

Yes       No

**Yes = (-10) points**

**No = 5 points**

If "yes," please explain on a separate page.

### **SECTION III (D): SCORED QUESTIONS FOR THE DESIGN ARCHITECT**

**MAXIMUM POSSIBLE SCORE IS 80 POINTS (to be averaged with the Architect of Record score if the Design Architect is not the Architect of Record).**

**SECTION IV: SCORED FINANCIAL QUESTIONS FOR THE DESIGN-BUILD FIRM**

A. Please fill in the following blanks based on the Design-Build Firm's latest audited financial statement. If the Design-Build Firm is a Joint Venture, Partnership, etc., combine assets and liabilities. **Three years of audited financial statements for each member of the DBF are required.**

Current Assets: \$ \_\_\_\_\_

Current Liabilities: \$ \_\_\_\_\_

Total Net Worth: \$ \_\_\_\_\_

Current Ratio (Assets/Liabilities): \_\_\_\_\_

Working Capital (Current Assets - Current Liabilities): \$ \_\_\_\_\_

**NET WORTH**

- Less than \$10M = 0 points
- \$10M to \$25M = 5 points
- \$25M to \$75M = 10 points
- Greater than \$70M = 15 points

**CURRENT RATIO**

- Less than 1.0 = 0 points
- 1.0 to 1.15 = 5 points
- Over 1.15 = 10 points

**WORKING CAPITAL**

- Less than \$3M = 0 points
- \$3M to \$10M = 5 points
- \$10M to \$20M = 10 points
- Greater than \$30M = 15 points

**MAXIMUM POSSIBLE SCORE IS 40 POINTS.**



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#### **IV. STATEMENT OF QUALIFICATIONS (continued)**

##### **PART B – QUALIFICATIONS EXPERIENCE**

Section I: Narrative and Organizational Chart – See Instructions

Section II: Personnel Resume Template

Section III: Project Profile Template

Section IV: Project Reference Template

Section V: Working Relationship Matrix

Section VI: Project Management Approach – See Instructions

***It is anticipated the templates in this section will be recreated for ease of use in preparing responses.***

***Please ensure that all of the information on each template is provided in the exact sequence and format as it is on the template including elements in bold and the scoring criteria.***

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**SECTION I: NARRATIVE AND ORGANIZATIONAL CHART**  
See Instructions

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**SECTION II: PERSONNEL RESUME TEMPLATE**

Maximum 2 pages per resume

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

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

**Years of Experience:** \_\_\_\_\_ **Years with this Firm:** \_\_\_\_\_

Education: \_\_\_\_\_

**Active Registrations, Licenses or Credentials:** \_\_\_\_\_

Awards: \_\_\_\_\_

Responsibilities on this Project: \_\_\_\_\_

**Experience:** Identify relevant projects on which employee has worked. Include a brief description of the project and **specifically** identify employee's roles, responsibilities, and duration of involvement on the project.

Experience on similar projects: \_\_\_\_\_

Experience with California Public Facilities/Infrastructure : \_\_\_\_\_

Design-Build Experience: \_\_\_\_\_

Experience with Facilities Construction for Public Sector Clients (Identify California projects): \_\_

Experience with energy efficiency/sustainable design measures: \_\_\_\_\_

Other experience, training, education, and qualifications relevant to the proposed Project: \_\_

Describe what makes this individual uniquely suited for this assignment: \_\_\_\_\_

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**SECTION III: PROJECT PROFILE TEMPLATE**

Maximum 2 pages per project

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

Firm's Role on Project: \_\_\_\_\_

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

Location: \_\_\_\_\_

Project Description: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Firm's Project Manager: \_\_\_\_\_

Personnel on project being proposed for this Project: \_\_\_\_\_

\_\_\_\_\_

General Contractor (if not Firm): \_\_\_\_\_

Architect of Record (if not Firm): \_\_\_\_\_

Construction Manager: \_\_\_\_\_

Other Relevant Entities: \_\_\_\_\_

Project Type: \_\_\_\_\_ Gross Square Footage: \_\_\_\_\_

Scheduled Completion Date: \_\_\_\_\_ Actual Completion Date: \_\_\_\_\_

Explain Difference, if any: \_\_\_\_\_

\_\_\_\_\_

Original Const. Contract Amount: \_\_\_\_\_ Final Const. Contract Amount: \_\_\_\_\_

Explain Difference, if any: \_\_\_\_\_

\_\_\_\_\_

Delivery Method: \_\_\_\_\_

Sustainable Measures Incorporated: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Relevance to this Project: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Awards: \_\_\_\_\_

Project Owner: \_\_\_\_\_

Owner's Representative: \_\_\_\_\_

E-mail Address: \_\_\_\_\_ Telephone: \_\_\_\_\_

***This form maybe reproduced/reprinted for use on each of the required project profiles being submitted.***



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**SECTION IV: PROJECT REFERENCE TEMPLATE**

To be completed for each project included in Project Profiles

DISCIPLINE:	
<b>1</b>	<b>PROJECT NAME:</b>
	Reference Firm Name:
	Contact Name: Title:
	Phone Number: E-mail:
	Relationship to Project:
<b>2</b>	<b>PROJECT NAME:</b>
	Reference Firm Name:
	Contact Name: Title:
	Phone Number: E-mail:
	Relationship to Project:
<b>3</b>	<b>PROJECT NAME:</b>
	Reference Firm Name:
	Contact Name: Title:
	Phone Number: E-mail:
	Relationship to Project:
<b>4</b>	<b>PROJECT NAME:</b>
	Reference Firm Name:
	Contact Name: Title:
	Phone Number: E-mail:
	Relationship to Project:
<b>5</b>	<b>PROJECT NAME:</b>
	Reference Firm Name:
	Contact Name: Title:
	Phone Number: E-mail:
	Relationship to Project:

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**SECTION V: WORKING RELATIONSHIP MATRIX**

Key Personnel are indicated below in *italics*.

	<i>Project Name</i>	<i>Project Name</i>	<i>Project Name</i>	<i>Project Name</i>	<i>Project Name</i>	<i>Project Name</i>	<i>Project Name</i>	<i>Project Name</i>	<i>Project Name</i>	<i>Project Name</i>
Project Executive										
Design Principal										
General Contractor										
<i>DBF Project Director</i>										
<i>Design Project Manager</i>										
<i>Architect of Record</i>										
<i>Project Architect</i>										
<i>Project Manager</i>										
<i>Design Manager</i>										
<i>General Superintendent</i>										
Quality Control Manager										
Safety Manager										

**Check boxes to indicate on which projects team members have worked. If a member has not worked on a project leave the box blank.**

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**SECTION VI:**                    **PROJECT MANAGEMENT APPROACH**  
See Instructions

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# QUALIFICATIONS BASIS FOR SCORING

## PART A: QUESTIONNAIRE

### **Section I – Identification of the DBF and Primary Team Members**

This part seeks information about the make-up Design-Build Team members and is for identification purposes only. There is no scoring value for this section.

### **Section II – Essential Requirements for the DBF (Pass/Fail)**

DBF will be disqualified for failure to respond to any question, or if a Fail is received on any of the questions, regardless of the results of the scored questions.

### **Section III (A) – Scored Questions for the Design-Build Firm**

The maximum possible score for Section III (A) is 155 points. A minimum score of 110 points must be attained or the Design-Build Firm will be rated as not qualified. In addition, the Design-Build Firm will be rated as not qualified if its average Experience Modification Rate (EMR) for the last three years exceeds 1.00.

### **Section III (B) – Scored Questions for the General Contractor**

The maximum possible score for Section III (B) is 155 points. A minimum score of 110 points must be attained or the General Contractor will be rated as not qualified which in turn disqualifies the Design-Build Firm. If the Design-Build Firm is different from the General Contractor the scores of the two questionnaires will be averaged. In addition, the Design-Build Firm will be rated as not qualified if the General Contractor's average Experience Modification Rate (EMR) for the last three years exceeds 1.00.

### **Section III (C) – Scored Questions for the Architect of Record**

The maximum possible score for III (C) is 80 points. A minimum score of 55 points must be attained or the Architect of Record will be rated as not qualified which in turn disqualifies the DBF.

### **Section III (D) – Scored Questions for the Design Architect**

The maximum possible score for Section III (D) is 80 points. A minimum score of 55 points must be attained or the Design Architect will be rated as not qualified which in turn disqualifies the DBF. If the Architect of Record is different from the Design Architect the scores of the two questionnaires will be averaged.

### **Section IV – Scored Financial Questions for the Design-Build Firm**

The maximum possible score for Section IV is 40 points.



## PART B: EXPERIENCE

### Section I – Narrative and Organizational Chart

The maximum possible score for Section I is 20 points based on relevance to the Project.

### Section II – Personnel Resumes

The maximum possible score for Section II is 240 total points for 15 resumes based on relevance to the Project.

Key Personnel Resumes (identified in *italic* text in the Instructions and on the Working Relationship Matrix) have a maximum score of 20 points per resume. Other Required Resumes have a maximum score of 10 points per resume.

Key Personnel Resumes:	7 resumes x 20 points* (maximum)
= 140 points	
Other Required Resumes:	2 resumes x 10 points**
(maximum) =	20points
Section Maximum Score:	= 160 points

\* Includes 2 points for Designated Design-Build Professional

\*\* Includes 1 point for Designated Design-Build Professional or Associate Design-Build Professional

### Section III – Project Profiles

The maximum possible score for Section III is 100 total points for 10 project profiles based on relevance to the Project.

Maximum points per Profile = 10

### Section IV – Project References

The maximum possible score for Section IV is 100 points for 10 projects based on relevance to the Project.

Maximum points per Project Reference = 10

### Section V – Working Relationship Matrix

The maximum possible score for Section V is 50 points.

### Section VI – Project Management Approach

The maximum possible score for Section VI is 100 points based on relevance to the Project.

<b>SCORING SUMMARY</b>		<b>Maximum Score</b>	<b>Minimum Score for Qualification</b>
<b>Part A Questionnaire</b>			
Section I:	Identification of DBF and Primary Team Members		
	I (A) Information about Design-Build Firm	N/A	N/A
	I (B) Information about General Contractor	N/A	N/A
	I (C) Information about the Architect of Record	N/A	N/A
	I (D) Information about the Design Architect	N/A	N/A
Section II:	Essential Requirements for the DBF	Pass	Pass
Section III:	Scored Questions for DBF and Primary Team Members		
	III (A) Scored Questions for the Design-Build Firm	155	110
	III (B) Scored Questions for the General Contactor (score will be averaged with DBF)		
	III (C) Scored Questions for Architect of Record (AOR)	80	55
	III (D) Scored Questions for Design Architect (score will be averaged with AOR)		
Section IV:	Scored Financial Questions for the Design-Build Firm	40	N/A
<b>Part A Questionnaire – Maximum Point Total</b>		<b>275</b>	<b>-</b>
<b>Part B Qualifications Experience</b>			
Section I:	Narrative and Organizational Chart	20	N/A
Section II:	Required Personnel Resumes		
	DBF – Project Executive	N/A	N/A
	DBF – Design Principal	N/A	N/A
	DBF – General Contractor Principal	N/A	N/A
	DBF – <i>Project Director</i>	20	N/A

VENTURA COUNTY TRANSPORTATION COMMISSION  
TRANSIT STOPS ACCESSIBILITY ENHANCEMENT PROJECT

	Design Team – <i>Project Manager</i>	20	N/A
	Design Team – <i>Architect of Record</i>	20	N/A
	Design Team – <i>Design Architect</i> (if not the AOR) (score will be averaged with AOR)		N/A
	Design Team – <i>Project Architect</i>	20	N/A
	Construction Team – <i>Project Manager</i>	20	N/A
	Construction Team – <i>Design Manager</i>	20	N/A
	Construction Team – <i>General Superintendent</i>	20	N/A
	Construction Team – <i>Quality Control Manager</i>	10	N/A
	Construction Team – <i>Safety Manager</i>	10	N/A
	Total Maximum Points (Personnel Resumes)	160	N/A
Section III:	Project Profiles		
	10 Projects @ 10 points maximum each	100	N/A
Section IV:	Project References		
	10 Projects @ 10 points maximum each	100	N/A
Section V:	Working Relationship Matrix	50	N/A
Section VI:	Project Management Approach	100	N/A
<b>Part B Qualifications Experience – Maximum Point Total</b>		<b>530</b>	<b>N/A</b>
<b>Part C Interview – Maximum Point Total</b>		<b>400</b>	<b>N/A</b>
<b>PARTS A, B, and C – MAXIMUM POINT TOTAL</b>		<b>1,205</b>	<b>-</b>

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## **APPENDICES**

Appendix A – Design-Build Request for Proposal Stipend Agreement (Sample)

Appendix B – Insurance Requirements

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## **Appendix B - Exhibit B**

### **Ventura County Transportation Commission Contract Insurance Requirements**

With respect to performance of work under this Agreement, Design-Build Firm (DBF) shall maintain and shall require all of its subcontractors and other agents to maintain insurance as described below unless such insurance has been expressly waived by the attachment of a Waiver of Insurance Requirements. Any requirement for insurance to be maintained after completion of the work shall survive this Agreement.

VCTC reserves the right to review any and all of the required insurance policies and/or endorsements but has no obligation to do so. Failure to demand evidence of full compliance with the insurance requirements set forth in this Agreement or failure to identify any insurance deficiency shall not relieve DBF from, nor be construed or deemed a waiver of, its obligation to maintain the required insurance at all times during the performance of this Agreement.

#### **Insurance**

- 1.1 Before beginning any work under the Agreement, Design/Build Firm at its own cost and expense, unless otherwise specified below, shall procure the types and amounts of insurance listed below against claims for injuries to persons or damages to property that may arise from or in connection with the performance of the work hereunder by the Design/Build Firm and its agents, representatives, employees, and subcontractors. Consistent with the following provisions, Design/Build Firm shall provide proof satisfactory to VCTC of such insurance that meets the requirements of this section and under forms of insurance satisfactory in all respects, and that such insurance is in effect prior to beginning work to VCTC. Design/Build Firm shall maintain the insurance policies required by this section throughout the term of the Agreement. The cost of such insurance shall be included in Design/Build Firm's Proposal. Design/Build Firm shall not allow any subcontractor to commence work on any subcontract until Design/Build Firm has obtained all insurance required herein for the subcontractor(s). Contractor shall maintain all required insurance listed herein for the duration of the Agreement.
  - 1.1.1 Workers' Compensation. Design/Build Firm shall, at its sole cost and expense, maintain Statutory Workers' Compensation Insurance and Employer's Liability Insurance for any and all persons employed directly or indirectly by Contractor. The Statutory Workers' Compensation Insurance and Employer's Liability Insurance shall be provided with limits of not less than \$1,000,000 per accident. In the alternative, Design/Build Firm may rely on a self-insurance program to meet those requirements, but only if the program of self-insurance complies fully with the provisions of the California Labor Code. Determination of whether a self-insurance program meets the standards of the Labor Code shall be solely in the

discretion of VCTC's Contract Administrator. The insurer, if insurance is provided, or the Design/Build Firm, if a program of self-insurance is provided, shall waive all rights of subrogation against VCTC and its officers, officials, employees, and volunteers for loss arising from work performed under the Agreement.

1.1.2. Commercial General and Automobile Liability Insurance.

- i. Commercial General Liability (CGL). Insurance Services Office Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal & advertising injury with limits no less than \$5,000,000 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location (ISO CG 25 03 or 25 04) or the general aggregate limit shall be twice the required occurrence limit.
- ii. Automobile Liability. Insurance Services Office Form Number CA 0001 covering, Code 1 (any auto), or if Design/Build Firm has no owned autos, Code 8 (hired) and 9 (non-owned), with limit no less than \$2,000,000 per accident for bodily injury and property damage.
- iii. Additional requirements. Each of the following shall be included in the insurance coverage or added as an endorsement to the policy:
  - a. The Insurance shall cover on an occurrence or an accident basis, and not on a claims-made basis.
  - b. Any failure of Design/Build Firm to comply with reporting provisions of the policy shall not affect coverage provided to VCTC and its officers, employees, agents, and volunteers.

1.1.3 Professional Liability Insurance

- i. General requirements. Design/Build Firm, at its own cost and expense, shall maintain for the period covered by the Agreement professional liability insurance for licensed professionals performing work pursuant to the Agreement in an amount not less than \$3,000,000 per claim or per occurrence covering the licensed professionals' errors and omissions. Any deductible or self-insured retention shall not exceed one hundred fifty thousand dollars (\$150,000) per claim. Claims-made limitations. The following provisions shall apply if the professional liability coverage is written on a claims-made form:

- ii. The retroactive date of the policy must be shown and must be before the date of the Agreement.
- iii. Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after completion of the Agreement or the work, so long as commercially available at reasonable rates.
- iv. If coverage is canceled or not renewed and it is not replaced with another claims-made policy form with a retroactive date that precedes the date of the Agreement, Design/Build Firm shall purchase an extended period coverage for a minimum of five (5) years after completion of work under the Agreement or the work. VCTC shall have the right to exercise, at the Design/Build Firm's sole cost and expense, any extended reporting provisions of the policy, if the Design/Build Firm cancels or does not renew the coverage.
- v. A copy of the claim reporting requirements must be submitted to VCTC for review prior to the commencement of any work under the Agreement.

#### 1.1.4 Cyber Risk and Privacy Insurance

Design/Build Firm and any subcontractor handling Personally Identifiable Information (as defined herein) under this Agreement shall maintain cyber risk coverages including network and internet security liability coverage, privacy liability coverage, first party privacy coverage, and media coverage. Such insurance shall include coverage for liability arising from theft, dissemination, and/or use of confidential information or information that can be linked to a specific individual, including but not limited to, bank and credit card account information or personal information, such as name, address, social security numbers, protected health information or other similar information (collectively, "Personally Identifiable Information"), stored or transmitted in electronic form. If such policy is written on a claims-made (rather than an occurrence) basis, Design/Build Firm and such subcontractor shall maintain continuous coverage in effect for the term of this Agreement and for at least one (1) year beyond the termination or completion of services.

#### 1.1.5 All Policies Requirements

- i. Acceptability of insurers. All insurance required by this section is to be placed with insurers with a Bests' rating of no less than A:VII.
- ii. Verification of coverage. Prior to beginning any work under the Agreement, Design/Build Firm shall furnish VCTC with complete copies of all policies delivered to Design/Build Firm by the insurer,

including complete copies of all endorsements attached to those policies. All copies of policies and endorsements shall show the signature of a person authorized by that insurer to bind coverage on its behalf. If VCTC does not receive the required insurance documents prior to the Design/Build Firm beginning work, this shall not waive the Design/Build Firm's obligation to provide them. VCTC reserves the right to require complete copies of all required insurance policies at any time.

- iii. Notice of Cancellation of Coverage. An endorsement shall be attached to all Commercial General Liability and Automobile Liability insurance obtained pursuant to the Agreement stating that coverage shall not be suspended, voided, canceled by either party, except after thirty (30) days' prior written notice by mail, return receipt requested, has been given to Design/Build Firm. In the event that any coverage required by this section is cancelled, Design/Build Firm shall provide written notice to VCTC at Design/Build Firm's earliest possible opportunity and in no case later than ten (10) working days after Design/Build Firm is notified of the change in coverage.
- iv. Additional insured; primary insurance. VCTC and its officers, employees, agents, and volunteers, and those of VCTC's partner agencies, employees, agents, and volunteers, shall be covered on the General Liability and Automobile Liability policies as additional insureds with respect to each of the following: liability arising out of activities performed by or on behalf of Design/Build Firm, including VCTC's general supervision of Design/Build Firm; products and completed operations of Design/Build Firm, as applicable; premises owned, occupied, or used by Design/Build Firm; and automobiles owned, leased, or used by the Design/Build Firm in the course of providing services pursuant to the Agreement. The coverage shall contain no special limitations on the scope of protection afforded to VCTC or its officers, employees, agents, or volunteers.

1.1.6 An endorsement must be attached to all policies stating that coverage is primary insurance with respect to VCTC and its officers, officials, employees and volunteers, and that no insurance or self-insurance maintained by VCTC shall be called upon to contribute to a loss under the coverage.

1.1.7 Deductibles and Self-Insured Retentions. Design/Build Firm shall disclose to and obtain the approval of VCTC for the self-insured retentions and deductibles before beginning any of the services or work called for by any term of the Agreement. Further, if the Design/Build Firm's insurance policy includes a self-insured retention that must be paid by a named insured as a precondition of the insurer's liability, or which has the effect of providing that payments of the self-insured retention by others, including additional insureds or insurers do not serve to

satisfy the self-insured retention, such provisions must be modified by special endorsement so as to not apply to the additional insured coverage required by the agreement so as to not prevent any of the parties to the agreement from satisfying or paying the self-insured retention required to be paid as a precondition to the insurer's liability. Additionally, the certificates of insurance must note whether the policy does or does not include any self-insured retention and also must disclose the deductible.

1.1.8 During the period covered by the Agreement, only upon the prior express written authorization of VCTC Representative, Design/Build Firm may increase such deductibles or self-insured retentions with respect to VCTC, its officers, employees, agents, and volunteers.

1.1.9 VCTC Representative may condition approval of an increase in deductible or self-insured retention levels with a requirement that Design/Build Firm procure a bond, guaranteeing payment of losses and related investigations, claim administration, and defense expenses that is satisfactory in all respects to each of them.

1.1.9 Subcontractors. Design/Build Firm shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for Subcontractors shall be subject to all requirements stated herein.

1.1.10 Variation. VCTC may approve a variation in the foregoing insurance requirements, upon a determination that the coverage, scope, limits, and forms of such insurance are either not commercially available, or that VCTC's interests are otherwise fully protected.

1.1.11 Remedies. In addition to any other remedies VCTC may have if Design/Build Firm fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, VCTC may, at its sole option exercise any of the following remedies, which are alternatives to other remedies VCTC may have and are not the exclusive remedy for Design/Build Firm's breach:

Obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement;

Order Design/Build Firm to stop work under the Agreement or withhold any payment that becomes due to Design/Build Firm hereunder, or both stop work and withhold any payment, until Design/Build Firm demonstrates compliance with the requirements hereof; and/or terminate the Agreement

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**End of Request for Qualifications**