



City of
Los Banos
At the Crossroads of California

**REQUEST FOR STATEMENT OF QUALIFICATIONS (RSOQ)
OF PRE-QUALIFICATION FOR DESIGN-BUILD ENTITIES
FOR
CITY OF LOS BANOS FIRE STATION NO. 4 & EOC PROJECT**

Date Released: March 4, 2026



**Questions with regard to submission, process, or proposal
can be emailed to:**

Jelene de Melo, City of Los Banos

jelene.demelo@losbanos.org

and

Roy Magdaleno, Vanir Construction Management

roy.magdaleno@vanir.com

**Proposals must be received prior to 2:00 p.m. April 7, 2026
at the office of City Clerk
City of Los Banos
520 J Street
Los Banos, CA 93635**

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**CITY OF LOS BANOS – FIRE STATION NO. 4 & EOC
REQUEST FOR STATEMENT OF QUALIFICATIONS (RSOQ)
DESIGN-BUILD PRE-QUALIFICATION**

GENERAL REQUIREMENTS FOR RSOQ SUBMITTALS

DEFINITIONS

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

"Architect of Record" ("AOR") is the California Licensed Architect that is part of the D-BE. The AOR has the responsibility to provide the stamped construction and as-built documents, and to review construction documents completed by others. The Architect of Record is also responsible for obtaining Errors and Omissions insurance. (unless the AOR is an employee of the D-BE).

"Best Value" means the value determined by objective criteria that may include, but not be limited to, price, features, functions, life cycle costs, experience, past performance, and other criteria deemed appropriate by the city and its management team.

"Bridging Documents" are the documents developed by the city and/or the city's consultants that establish the project minimum requirements and quality and performance criteria to form the basis of scope and quality for the design and construction of the project.

"Design-Build" means a project delivery method in which both the design and construction of a project are provided from a single entity.

"D-BE Contract" refers to the contract for the design and construction of the Project entered into between the city and the D-BE chosen pursuant to the RFP process.

"D-BE Primary Team Members" means the representatives of the firms that make up the D-BE itself, The D-BE (if there is one), the General Contractor (if not included in a D-BE), the Architect of Record (AOR), and the Design Architect (if not the AOR).

"D-BE Submittal Manager" is the individual that will be the primary point of contact for the D-BE during the RSOQ and RFP review process.

"Design-Build Team" (D-B Team) is the D-BE itself and the individuals and other entities identified by the D-BE 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 contractors.

"Design Architect" is the California Licensed Architect that provides the specialized design services for the Co-Located Dispatch project. The AOR and their staff may have this specialized project experience and qualifications. If so, a separate Design Architect may not be necessary for a D-BE Submittal.

"Design-Build Entity" (D-BE) means a corporation, limited liability company, partnership, joint venture, or other legal entity that is able to provide appropriately licensed contracting, architectural, and engineering services as needed pursuant to a design-build contract.

"Due Diligence Material" is the material, documents, reports, reviews, and communication that support the assumptions and basis for conceptual design and bridging documents. Due Diligence Material may not

**CITY OF LOS BANOS – FIRE STATION NO. 4 & EOC
REQUEST FOR STATEMENT OF QUALIFICATIONS (RSOQ)
DESIGN-BUILD PRE-QUALIFICATION**

provide accurate or sufficient information for construction or for complete and certifiable knowledge of existing conditions.

“Master Architect” refers to the Architectural firm that the city has contracted with to provide the building program, conceptual design, and bridging documents as the basis for the Request for Proposals. The Master Architect will continue to provide consultant services to the city through the D-BE design submittal process and through construction as needed.

“Notice of Appeal” is the written notification that D-BE sends to the city as a response to the D-BEs’ elimination from further consideration during the Submittal review process by the city.

“Project” means the new Fire Station facility in the city of Los Banos as described in Section 1 Project Requirements, sub section 1.1 Project Description.

“Proposed Key Personnel” refers to the staff identified by each D-B Team member that will be working directly on the Project for the D-BE.

“Request for Proposals (RFP) Design-Build Package” means the performance criteria, any concept drawings, the form of contract, and all other documents and information that serve as the basis on which proposals will be solicited by the city of Los Banos.

“RSOQ” refers to all of the terms, conditions and requirements set forth in this document entitled “Request for Statement of Qualifications.”

“Selection Committee” Refers to a group of individuals selected by the city to perform the evaluation of this RSOQ and RFP.

“Submittal” or **“Submittals”** each refer to all of the documents that must be properly completed and submitted to the city pursuant to this RSOQ.

**NOTICE OF REQUEST FOR STATEMENT OF QUALIFICATIONS (RSOQ)
OF PRE--QUALIFICATION FOR DESIGN-BUILD ENTITIES
FOR CITY OF LOS BANOS – FIRE STATION NO. 4 & EOC PROJECT**

The City of Los Banos (City) is requesting Statements of Qualifications from D-BE who are qualified and interested in designing and constructing the City's New Fire Station No. 4 and Emergency Operations Center (EOC) (Project) to be located 1880 Catherine Hostetler Blvd (APN# 430-010-059), Los Banos, CA 93635.

In accordance with the provisions of Public Contract Code (PCC) Sections 22160-22169, the City is utilizing a two-step process to pre-qualify, select, and award a design-build contract. This RSOQ is the first of two steps. The City will score and rank all responsive RSOQ Submittals. A maximum of three (3) highest-ranking Submittals will be eligible to advance to the second step in the process, the Request for Proposals (RFP). D-BE Submittals that rank below the three (3) highest-scoring Submittals may be eligible to participate in the RFP process as alternates should one the three (3) highest-scoring D-BE Submittals request removal from the RFP process. Alternatives to be selected on a next highest score basis.

The project budget for the D-BE Contract (stipulated sum) is \$13,000,000. The city will utilize a Best Value Design-Build selection method during the RFQ/RFP process.

SUBMISSION OF PRE-QUALIFICATION SUBMITTALS

Submittals will be available to interested Design-Build Entities located within the below City of Los Banos link:

CITY OF LOS BANOS LINK TO: <http://www.losbanos.org/category/rfps-and-rfqs/https://losbanos.org/news/request-for-statement-of-qualifications-for-design-build-pre-qualification-for-construction-of-fire-station-no-4/>

Note: This RSOQ, project information, and any issued addenda are available for review and download, free of charge, from the City of Los Banos website. It is the D-BE's responsibility to periodically check the website for addenda or other updates to this RSOQ.

DUE DATE AND TIME FOR SUBMITTALS

All Submittals must be received by the city **before 2:00 PM** on **April 7, 2026**, at the following address:

**City of Los Banos, City Clerk
520 J Street
Los Banos, CA 93635
Phone (209) 827-7000**

ESTIMATED RSOQ SCHEDULE

Below is the city's anticipated schedule for the RSOQ process:

Event Description Target Date(s) 2026	
RSOQ Issued	March 4, 2026
Questions Deadline	March 19, 2026, 5:00 PM
Addendum Deadline	March 25, 2026, 5:00 PM
Submittal Due Date and Time	April 7, 2026, 2:00 PM

The above schedule may be adjusted as events transpire. All times noted in this solicitation are local City of Los Banos Time.

RSOQ BRIEFING CONFERENCE

There is no RSOQ Briefing Conference scheduled for this RSOQ.

ADDENDUMS

Any changes, additions, deletions, clarifications to this RSOQ will be in the form of a written addendum issued by the City. Addendums shall be posted on the City's website: <http://www.losbanos.org/category/rfps-and-rfqs/https://losbanos.org/news/request-for-statement-of-qualifications-for-design-build-pre-qualification-for-construction-of-fire-station-no-4/> D-BEs must check the website for Addendums or other relevant information during the response period. All addendums become a part of this RSOQ. The City is not responsible for the failure of any prospective applicant to receive such addendum and information issued during the response period. It is solely the responsibility of each D-BE to ensure that they receive any and all addenda.

QUESTIONS AND REQUESTS FOR CLARIFICATION

Any questions or requests for clarification regarding this RSOQ or the RSOQ process must be in writing and submitted **prior to 5:00 PM (PST), on March 19, 2026**. The City reserves the right to determine the appropriateness of the comments/questions received, that will be posted on the Website.

Any questions or requests for clarification, shall be directed to the following people:

Jelene de Melo, Engineering Operations Manager
City of Los Banos - Public Works Department
411 Madison Avenue
Los Banos, CA 93635
Phone (209) 827-7056

jelene.demelo@losbanos.org (RSOQ title must be included in the Subject line)

AND

Roy Magdaleno
Vanir Construction Management
2444 Main Street, Suite 130
Fresno, CA 93721
Phone (559) 647-5708

roy.magdaleno@vanir.com (RSOQ title must be included in the Subject line)

GENERAL REQUIREMENTS FOR RSOQ SUBMITTALS

1. PROJECT REQUIREMENTS

1.1 PROJECT DESCRIPTION

The City of Los Banos spans 10.12 square miles of incorporated area combining residential, commercial, and industrial development, and has a population of over 48,000 residents. The Los Banos Fire Department is the emergency response provider for the city,

The Los Banos Fire Department (LBFD) operates under the leadership of Chief Paul Tualla. The Department's mission is, "To protect our citizens from all hazards and emergencies, while improving lives within the community".

LBFD is seeking to build a new 9,500 square foot fire station which will allow for improved response times to the Western parts of the city. The facility will also serve as the Emergency Operations Center and Regional Training Facility (4,630sf). Training will provide local and regional emergency personnel with the knowledge and skills to better serve the City of Los Banos, Merced County, and the State. The new facility will require design and construction, access, utilities improvements, ADA compliance, landscaping, and additional parking. Currently, Fire, EMS, and rescue services are dispatched from two stations; Department personnel respond from two stations strategically located around the geographical center of the city. The department functions under a typical paramilitary rank structure common to most fire departments in the country. Each shift is supervised by a Battalion Chief who is stationed at the station and responds to fires and multi-engine non-fire events. Each fire station is supervised by a Station Captain, who is responsible for the function of their shift assigned to that station. Each piece of equipment has an assigned officer and operator. All Fire Department administrative matters such as permits, inspection scheduling, tours, personnel issues, payroll, and accounting are handled by an administrative assistant and the department secretary.

1.2 DESIGN BUILD OBJECTIVE

The City intends to utilize a design-build delivery process whereby a single contract will be awarded for the planning, design, engineering, permitting, and construction related to the Project, including but not limited to: payment of and securing all applicable agency approvals and permits, utility service connections, and all start-up, testing, and warranty work.

The design-build contract will be awarded after an RFP process that utilizes a Best Value selection method. The selected D-BE will provide the best value for the city.

1.3 PROJECT BUDGET

The expected Project cost is \$13,000,000. The city will utilize the Best Value Design-Build selection method during the RFP process. More detailed cost criteria information will be provided during the RFP phase.

2. D-BE RESPONSIBILITY OVERVIEW

The D-BE will be responsible for: All planning, design, engineering, permitting, and construction related to the Project, including but not limited to: payment of and securing all applicable agency and regulatory approvals and permits; payment of and coordinating/performing utility service connections; and all construction, start-up, testing, and warranty work. The D-BE shall cooperate with all City staff and consultants working on the Project including but not limited to the commissioning agent, inspector, and testing service. The D-BE shall also be responsible (as noted in Bridging Documents) for installing of Owner provided furniture and equipment, and for any activation coordination for the Project. The D-BE will be responsible for all surveying needed for design and build out of the Project, environmental/hazmat, and for existing utility and subsurface conditions investigations needed to confirm site conditions and for design. Further details regarding the D-BE's responsibility will be provided during the RFP phase. The Design-Build contract may also include maintenance on the entire new facility or portions of the facility. If maintenance will be required, the duration for such maintenance will be noted in the RFP.

2.1 SCOPE OF SERVICES

The Design-Build project work includes all services, labor, equipment, and materials necessary to design and construct the Project. More detailed information will be provided during the RFP phase.

The design and construction must comply with all applicable requirements of federal, State, County, and local agencies having jurisdiction. The D-BE shall work to obtain approvals in a manner that will facilitate the Project schedule.

2.2 BONDING AND INSURANCE

The selected D-BE recommended for the award of the D-BE contract during the RFP process shall provide payment and performance bonds in an amount of one hundred percent (100%) for each bond of the Design-Build contract amount by a company authorized to do Surety business in the State of California. A Surety confirmation for minimum bonding requirements of the full project budget for both performance and payment bonds will be required in response to this RSOQ.

The Selected D-BE shall provide Professional Liability, General Liability, Automobile Liability, Workers' Compensation, Builder's Risk, and other insurance as described in this RSOQ.

2.3 PUBLIC CONTRACT CODE COMPLIANCE

The undertaking and completion of this Project shall comply with the requirements of Public Contract Code Section 22160, et seq. The D-BE shall be fully knowledgeable of and shall comply with the provisions of Public Contract Code Sections 22160-22169, including the subcontracting requirements of Section 22166.

The Public Contract Code sets forth the minimum requirements for the Project. The City's additional expectations and requirements are set forth in this RSOQ and in the subsequent RFP and the final D-BE Contract.

Nothing in this RSOQ is intended to nor should be interpreted as contravening the provisions of the Public Contract Code or any other applicable law.

2.4 PREVAILING WAGE COMPLIANCE

The D-BE shall be fully knowledgeable of, and shall comply with, the provisions of the Labor Code applicable to the Project, including the general prevailing wage rate requirements, requirements for subcontracts, and forfeiture penalties.

City Public Works projects are subject to compliance monitoring and enforcement by the Department of Industrial Relations (DIR) in accordance with Labor Code Section 1771.4(a)(1). As part of this program, contractors and subcontractors on public works projects are required to be registered with the DIR in accordance with Labor Code Section 1725.5. Unregistered contractors are not qualified to bid on, be listed in a bid proposal, be listed as a subcontractor, or engage in the performance of any public works contract, all as more particularly described in Labor Code Section 1771.1(a).

2.5 LABOR COMPLIANCE

The successful D-BE, 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:

- A. No contractor or subcontractor may be listed on a bid proposal for a 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)].
- B. 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.
- C. This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

2.6 COMMITMENT TO USE A SKILLED AND TRAINED WORKFORCE

Per Public Contract Code Section 22164(c), the D-BE shall not be prequalified or shortlisted unless the D-BE provides an enforceable commitment to the City that the D-BE and its subcontractors at every tier will use a skilled and trained workforce as specified in 22164(c). Each D-BE, by submitting its Submittal to the City, agrees that if selected to provide the City with evidence, on a monthly basis while the Project is being performed, that the D-BE and its subcontractors are complying with the requirements of Public Contract Code Section 22164(c)

(Attachment H included herewith).

2.7 CONFLICT OF INTEREST - OWNER CONSULTANTS

The city has retained the services of Vanir Construction Management, Inc. ("Vanir Inc.") and other specialized consultants or sub-consultants to provide Master Architectural services, and to assist the city in the preparation of the RSOQ, Request for Proposal (RFP) and other services related to the administration and management of the Project. The D-BE will be expected to work collaboratively with Vanir/The Taylor Group Architects (TTG), the city's Project Manager, the project inspector, testing firms, and other city staff and consultants during the course of the Project.

Consultant firms, sub-contractors and/or individuals who are, or have been involved in the preparation of this RSOQ and the RFP for the Project, or who are currently employed by Vanir/TTG, or the city with regards to the Project will not be allowed to participate on any Design--Build Team in any capacity on this Project.

The city may also retain additional consultants to assist with the Project as it deems necessary. The services performed by any city contracted consultants will not excuse or release the D-BE from its sole responsibility to properly perform all design and construction services related to the Project, including start-up and commissioning services of the facility and all of its systems and elements.

2.8 STIPENDS

Stipends will be used on this project; The stipends will partially offset costs for the two pre-qualified D-BE's who are not awarded the Design-Build contract and will allow the city to retain ownership of their proposed designs. If used, stipends for this project will be \$10,000 for each responsive unsuccessful D-BE.

2.9 OWNERSHIP OF PROPOSED DESIGNS

The city intends to retain ownership rights of designs, including alternative technical concepts, which are submitted in response to the RFP.

3. RSOQ TERMS AND CONDITIONS

3.1 PROCUREMENT METHOD

For this Project, the city will utilize a Design-Build procurement process.

3.2 SELECTION PROCESS

The city is utilizing a two-phase process for the identification and selection of the D-BE for this Project as follows:

Phase 1 – Request for Statement of Qualifications (RSOQ): Interested D-BE shall comply with

all of the requirements of this RSOQ and properly submit to the City in a timely manner all of the Submittals required by this RSOQ. The Submittals received in accordance with this RSOQ will be reviewed and scored using an objective scoring methodology to rank candidate D-BE's. A shortlist of what is anticipated to be the top scoring three (3) firms will be allowed to participate in the Phase 2 Request for Proposal process.

Phase 2 – Request for Proposals (RFP): The shortlisted D-BE's will receive the RFP. The RFP will be a detailed description of the city's expectations for the Project, including the Project's design and performance criteria, administrative details, known site conditions and other pertinent project information, as well as a sample of the Design-Build Agreement. Phase 2 will utilize a best value selection method. It is anticipated the RFP will be distributed in the spring of 2026.

3.3 D-BE SUBMITTAL MANAGER AND POTENTIAL CONFLICT OF INTEREST DISCLOSURE

3.3.1 Submittal Manager:

Each D-BE interested in submitting an RSOQ shall designate one (1) Individual as its D-BE Submittal Manager who will be responsible for all communications with the city during the RSOQ and RFP process. The D-BE shall submit to the city a completed D-BE Submittal Manager Form (Attachment E, Exhibit E1 included herewith).

The D-BE's Submittal Manager shall be the single point of contact for questions, inquiries, clarifications, and correspondence during the entire RSOQ and RFP process. Any substitution of the D-BE's Submittal Manager during the RSOQ and RFP processes shall be made in writing to the City as per the Identification of D-BE Submittal Manager form.

3.3.2. Potential Conflict of Interest Disclosure:

The D-BE, General Contractor, Architect of Record, and Design Architect, if applicable, shall complete the Potential Conflict of Interest Disclosure (Attachment E, Exhibit E3 included herewith).

The Identification of D-BE Submittal Manager form naming the D-BE Submittal Manager, together with all Potential Conflict of Interest Disclosures (Attachment E, Exhibit E3 included herewith), must be filled out and included with submittal.

3.4 REQUIREMENT TO KEEP D-BE TEAM INTACT

The D-BE Team and Proposed Key Personnel shall remain as the D-BE Team and Proposed Key Personnel for the duration of the selection and procurement process (and if the D-BE is awarded the design-build contract, for the duration of the contract). If extraordinary circumstances require a change, a change request must be submitted in writing to the city's Director of Public Works (Director), who will then determine whether to authorize a change. Unauthorized changes to the D-BE at any time during the procurement process may result in the elimination of the D-BE from further consideration. (In such event, the city reserves the right to offer another D-BE an invitation to participate in the RFP process.) The decision of the City Manager on such change

request is final and is not appealable.

3.5 OBTAINING RSOQ

Interested D-BE may obtain this RSOQ package by downloading it from the city website at: <https://losbanos.org/news/request-for-statement-of-qualifications-for-design-build-pre-qualification-for-construction-of-fire-station-no-4/>

3.6 KNOWLEDGE OF RSOQ AND CONDITIONS

Before submitting a Submittal, each D-BE shall carefully read all sections of this RSOQ and any addenda thereto, including all forms and attachments, and shall fully inform themselves as to all applicable conditions and limitations even if not specifically identified.

3.7 DUTY TO INQUIRE

Should a D-BE find discrepancies or omissions in the RSOQ or other documents or should the D-BE be in doubt as to their meaning, the D-BE shall at once notify the City. Addenda, if issued, will be posted on the City of Los Banos website. It is the D-BE's responsibility to periodically check the website for such addenda. Responses will not be provided to questions received after the deadline for questions has lapsed.

3.8 QUESTIONS PROCEDURE

Questions pertaining to this RSOQ will only be accepted from a D-BE Submittal Manager and must be submitted in writing via the Public Purchase website. All questions shall be submitted by the deadline stipulated in the Summary Schedule in item 3.13. The city will provide written responses to relevant questions on the Public Purchase website, or an Addendum posted to the website. Questions submitted other than by Submittal Manager may be responded to at the city's discretion.

Questions and responses will be posted (anonymously) on the Public Purchase Website listed above and can be viewed by accessing the Request for Statement of Qualifications located on the website.

Oral explanation or instructions shall not be considered binding on behalf of the city. Any modification to this RSOQ will be issued by the city as a written addendum and posted to the City of Los Banos Website.

Failure of a D-BE to receive addenda shall not entitle the D-BE to an extension of the schedule nor shall it permit the submission of any additional information after the deadline set forth in the schedule.

Requests for clarifications shall be directed to:

Jelene de Melo, Engineering Operations Manager
City of Los Banos - Public Works Department

411 Madison Avenue
Los Banos, CA 93635
Phone (209) 827-7056
jelene.demelo@losbanos.org (RSOQ title must be included in the Subject line)

AND

Roy Magdaleno
Vanir Construction Management
2444 Main Street, Suite 130
Fresno, CA 93721
Phone (559) 647-5708
roy.magdaleno@vanir.com (RSOQ title must be included in the Subject line)

3.9 COMMUNICATION WITH THE CITY

Under no circumstances are any of the prospective D-BE's or anyone on the prospective Design-Build Teams to contact, discuss with, or inquire of any City consultant, employee, elected official or member of the RSOQ Selection Committee on any matter relating to the Project or this RSOQ. 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 the Public Purchase website, oral or written, cannot be relied upon, and is not binding on the city.

Unauthorized contact of any individual as described above may be cause for rejection of the D-BE's Submittal. All inquiries concerning this RSOQ shall be directed to the contact person indicated below. No telephone inquiries will be answered.

3.10 SUBMISSION OF PRE-QUALIFICATION SUBMITTAL:

The Due Date and Time for Submittals is April 7, 2025, prior to 2:00 PM at:
REQUEST FOR STATEMENT OF QUALIFICATIONS (RSOQ)
DESIGN-BUILD PRE-QUALIFICATION FOR CITY OF LOS BANOS FIRE STATION #4 & EOC
City of Los Banos, City Clerk
520 J Street, Los Banos, CA 93635

3.11 EVENTS/RSOQ BRIEFING CONFERENCE

There is no RSOQ Briefing Conference scheduled for this Project.

3.12 NEWS RELEASES

D-BEs shall not issue any news release pertaining to this RSOQ without prior written approval of the City, which may be withheld at the City's sole discretion. A minimum of two (2) business days' advanced notice is required for approval.

3.13 SUMMARY SCHEDULE

Phase 1: RSOQ Process	Date	Time (PST)
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Issue DB RFQ (Solicitation)	03/04/26 to 04/07/26	
RSOQ Due Date	04/07/26	2:00pm*
Announcement three highest scoring D-BEs	04/15/26	
Confidential Meetings	05/15/26 to 05/20/26	
Proposal Due	06/13/26	4:00pm*
Interviews	07/03/26 to 07/09/26	
Execute DB Contract	08/21/26 to 8/22/26	

3.14 LATE SUBMITTALS

Submittals for RSOQ are DUE prior to 2:00 p.m. (PST) on April 7, 2026. No fax or e-mail copies will be accepted. Submittals received after the specified time and date will not be considered and will be returned unopened to the sender, **LATE SUBMITTALS WILL NOT BE ACCEPTED BY THE CITY AS THE SUBMISSION DEADLINE WILL BE STRICTLY ENFORCED.**

The D-BEs must select a method of delivery that ensures Submittals will be delivered to the correct location by the due date and time.

3.15 MODIFIED, OR WITHDRAWN SUBMITTALS

Submittals may be withdrawn at any time prior to the Due Date and Time by written notice, or in person by the D-BE or its authorized representative, provided the authorized representative's identity is made known and the representative signs a Submittal withdrawal receipt.

Submittals may not be modified after the Due Date except as requested by the city.

3.16 NON-RESPONSIVE SUBMITTALS

The city may deem any Submittal non-responsive and ineligible for consideration if it does not comply with the requirements of this RSOQ. Failure to comply with the format and failure to acknowledge receipt of addenda are common causes for deeming a Submittal non-responsive.

3.17 WITHHOLDING OF INFORMATION

It is understood and agreed by the D-BE when submitting a Submittal that the city has the right to withhold all information regarding this RSOQ until after the City has entered into a contract with the Selected D-BE. The Selection Committee report shall be subject to disclosure after contract execution. D-BEs acknowledge that they only have the right to review that portion of the report that pertains to them prior to contract execution. After contract execution, records related to this procurement may be subject to the disclosure requirements of the California Public Records Act, Government Code section 6250, et seq.

CALIFORNIA PUBLIC RECORDS ACT

Public Contract Code section 22164(b)(4)(B) states “information required under this subdivision that is not otherwise a public record under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code) shall not be open to public inspection.” However, information contained in a Submittal or in response to requests for additional information may be subject to disclosure under the provisions of the California Public Records Act. If a D-BE wants to assert that information contained in a Submittal contains financial or other data that constitutes a trade secret, the D-BE shall specifically identify the pages that it believes contains proprietary or confidential information by properly marking the applicable pages and inserting the following notice on the front of its response:

NOTICE

The data on pages_____ of this Submittal response, identified by an asterisk () or marked along the margin with a vertical line, contains information which are trade secrets. We request that such data be used only for the evaluation of our response but understand that disclosure will be limited to the extent that the City of Los Banos determines is proper under applicable law.*

The proprietary or confidential data shall be readily separable from the RSOQ Questionnaire in order to facilitate eventual public inspection of the non-confidential portion of the RSOQ Questionnaire.

The city assumes no responsibility for disclosure or use of unmarked data for any purpose. In the event disclosure of properly marked data is requested, the D-BE will be advised of the request and may expeditiously submit to the city a detailed statement indicating the reasons it has for believing that the information is exempt from disclosure under applicable law. This statement will be used by the city in making its determination as to whether or not disclosure is proper under federal, state, and local law. The city will exercise care in applying this confidentiality standard but will not be held liable for any damage or injury which may result from any disclosure that may occur.

3.18 CITY RESERVATION OF RIGHTS

This RSOQ or any resulting “Notice of Pre-Qualification” does not commit the city to issue an RFP, award a contract, pay any costs incurred in the response to this solicitation, or for preparation or submission of the Submittal or attachments, or procure or contract for services or supplies. Further, no reimbursable cost may be incurred in anticipation of selection for a contract award.

The city reserves the right to cancel this RSOQ at any time, in part or in its entirety.

No prior, current, or post award conversation or agreement(s) with any officer, agent, or employee of the city shall affect or modify any terms or obligations of this RSOQ, or any contract resulting from this process.

The city, in its sole discretion, reserves the right to waive any incompleteness or irregularity in Submittals submitted and to request additional information.

The city reserves the right to eliminate any D-BE if it is determined that the D-BE has

misrepresented any facts in response to this RSOQ.

3.19 APPEALS RIGHTS

Where a timely and completed Submittal results in elimination for further consideration by the city based on Pass/Fail questions, or Financial Statement review (Attachment C, Section CII), Conflict of Interest, Disclosure (Attachment E, Exhibit E3), an appeal can be made by the D-BE. An appeal shall be initiated by the D-BE Submittal Manager identified in Exhibit E1 of Attachment E, of this RSOQ. A written Notice of Appeal shall be delivered to the City of Los Banos, **no later than five (5) business days** following the date of written notification from the city that the D-BE does not meet the Minimum Qualification Requirements in Section II of Attachment C of this RSOQ. Without a timely Notice of Appeal, the D-BE waives any and all rights to challenge the city's decision, whether by administrative process, judicial process or any other legal process or proceeding.

If the D-BE gives the required Notice of Appeal and requests a hearing, the hearing shall be conducted no later than ten (10) business days after the city's receipt of the Notice of Appeal, unless the Director of Public Works finds good cause for a later hearing date. The hearing shall be an internal process conducted by an appeals panel appointed by the Director of Public Works.

Prior to the hearing, the D-BE will be advised of the basis for the city's determination that resulted in the D-BE elimination. The D-BE will be given the opportunity to present information and present reasons in opposition to the elimination. Within one (1) day after the conclusion of the hearing, the appeals panel will render its decision which shall be final and not subject to further appeal. It is the intention of the City that the evaluation of Submittals will not be delayed or postponed allowing for completion of an appeal process.

Note: A D-BE may be found not pre-qualified for further consideration in the RSOQ evaluation process until the D-BE meets all city minimum requirements. A Submittal may be eliminated based upon:

- (1) Omission of, or errors in, requested information on forms and questions: or
- (2) Falsification of information; or
- (3) Failure to Pass the Pass/Fail Questionnaire Section II in Attachment C; or
- (4) Financial statements that do not have adequate information to evaluate financial standing or do not meet the rating of "Favorable" or Acceptable" per the RMA's Financial Ratio Benchmarks Annual Statement Studies Publication; or
- (5) Conflict of Interest of a D-BE Primary Team member.

4. STATEMENT OF QUALIFICATIONS INSTRUCTIONS AND SUBMITTAL REQUIREMENTS

4.1 GENERAL

The Proposed Key Personnel of the D-BE will not be allowed to participate in any capacity as a member of more than one Design-Build Team.

4.2 RSOQ SUBMITTAL REQUIREMENTS

4.2.1 COMPLETE AND TIMELY SUBMITTAL

Submittals must be received by the City of Los Banos City Clerk's Office at 520 J Street, Los Banos, CA 93635 before 2:00 p.m. on April 7, 2026. Postmarks are not adequate. No fax or email copies 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.

Submittals shall provide clear and sufficient detail to enable the Selection Committee to evaluate the responsiveness of the Submittals and score the Submittals. Although some factors are weighted more heavily than others, all factors are considered necessary for a Submittal to be considered responsive.

If any information provided by the D-BE becomes inaccurate, the D-BE must immediately notify the City and provide updated accurate information in writing, under penalty of perjury.

4.2.2 UNNECESSARILY ELABORATE INFORMATION

Unnecessarily elaborate brochures, visuals, or other presentations, artwork and paper and binding beyond those sufficient to present a complete and effective Submittal are neither necessary nor desired and are strongly discouraged.

4.2.3 SIGNATURE

The Submittal shall be signed by an authorized officer of the submitting D-BE who has actual authority to contractually bind the D-BE to the terms of this RSOQ. The name and title of the authorized officer shall be included.

4.2.4 SUBMITTAL ORGANIZATION

A complete Submittal to the RSOQ will consist of providing all information:

The Submittal must be in a three-ring binder with tabs identifying each section as described below. Attachments must be clearly identified. The font size shall not be less than 11pt and paper size shall be 8.5" x 11". The front of the binder must indicate the D-BE name and address in the following format:

Statement of Qualifications, RSOQ
City of Los Banos – Fire Station No. 4
[D-BE Submittal Manager Name and Address]

Submit one (1) binder clearly marked "Original", six (6) duplicate hard copies of the Submittal, one (1) electronic copy of the submittal in PDF format on a thumb drive, and

one separate sealed original Financial document marked "Confidential Financial Information" to City of Los Banos, Attn; City Clerk, at the address noted in Section 3.10, prior to the Due Date and Time.

The RSOQ is provided in a fill-in-the-blanks format. The D-BE must complete (fill in the blanks of) the Qualifications Document provided. The intent is to have uniformity of submissions, ensure fair and objective review of submissions, and minimize the effort imposed on the D-BE.

For purposes of determining responsiveness or non-responsiveness to this RSOQ, the conforming documentation will be the "Original" hard copy materials submitted in the three- ring binder and the separate original sealed financial statements. Submittals shall be in a sealed envelope or package clearly marked on the exterior and in the same format noted above. Parking may be limited, so be sure to deliver your Submittals early.

The Submittal shall contain the following tabbed sections:

Cover letter (limited to 1 page)

Title Page

Table of Contents

Tab 1 Part A: Questionnaire (Attachment C Herein):

Section CI Identification of members of the D-BE Team

Section CI (A) Information about the D-BE (If Applicable)

Section CI (B) Information about the General Contractor (not required if the D-BE is the General Contractor)

Section CI (C) Information about the Architect of Record (AOR)

Section CI (D) Information about the Design Architect (not required if the AOR firm is the Design Architect)

Section CII: Minimum requirements for the D-BE Submittal

Licensing

Insurance

Bonding

Safety

Labor Compliance

Debarment

Financial Statement Financial document for the D-BE (Audited Financial Statement to be provided in separate sealed envelope).

Section CIII Scored questions for the D-BE Team

Section CIII (A) Scored questions for the D-BE

Section CIII (B) Scored questions for the General Contractor (If there is a separate contract from the Design-Build Firm)

Section CIII (C) Scored questions for the Architect of Record

Section CIII (D) Scored questions for the Design Architect (if applicable)

Tab 2 Part B: Experience (Attachment D Herein):

Section DI: Narrative and Organizational Chart (limited to 3 pages)
Section DII: Personnel Resumes (limited to 2 pages each per resume)
Section DIII: Project Profiles (limited to 2 pages each per project)
Section DIV: Project Working Relationship Matrix
Section DV: Project References
Section DVI: Project Management Approach (limited to 8 pages)

Tab 3 Part C: Exhibits and Additional Forms (Attachment E Herein):

Exhibit E1: Identification of the D-BE Submittal Manager
Exhibit E2: Certification (all Primary Team Members must complete and sign)
Exhibit E3: Potential Conflict of Interest Disclosure
Exhibit E4: Indemnification Agreement
Exhibit E5: Authorization for Release of Information and Waiver of Liability for References
Exhibit E6: California Surety Declaration
Exhibit E7: Letter from Insurance Carrier(s)

5. EVALUATION CRITERIA INSTRUCTIONS

GENERAL INSTRUCTIONS FOR EXHIBITS AND ADDITIONAL INFORMATION FORMS

5.1 QUESTIONNAIRE INSTRUCTIONS

Each responding D-BE must complete and submit a separate qualifications questionnaire for the D-BE, the General Contractor, properly licensed (Class B) in California, as well as the Architect, properly registered/licensed in California. If the D-BE and the General Contractor are the same entity, only one Questionnaire for Attachment C, Section CI, and Section CIII is required. The D-BE's Architect shall be required to complete the design and serve as the Architect of Record for the Project. If the D-BE intends to have a separate Design Architect in addition to the Architect of Record, the D-BE must also submit qualifications for the Design Architect.

D-BE must complete and submit qualifications for each entity within the D-BE per Attachment C, Section CI.

1) Each member of the D-B Team must complete and submit a separate response to each questionnaire herein.

2) If there is a member of the D-B Team that is not the General Contractor, Architect of Record, or the DBE, that team member shall also submit a separate response to each questionnaire herein.

Each D-BE must submit identification of D-BE Submittal Manager per Attachment E, Exhibit E1:

Identification of D-BE Submittal Manager.

Each D-BE Primary Team Member (General Contractor, Architect of Record and Design Architect) must complete and sign a separate certification form included in the Attachment E, Exhibit E2: Certification form.

Each D-BE Primary Team Member (General Contractor, Architect of Record and Design Architect) must complete potential conflict of interest disclosure included in Attachment E, Exhibit E3.

Each D-BE Primary Team Member (General Contractor, Architect of Record and Design Architect) must complete indemnification agreement included in Attachment E, Exhibit E4.

Each D-BE Primary Team Member (General Contractor, Architect of Record and Design Architect) must complete authorization for release of information and waiver of liability for references included in Attachment E, Exhibit E5.

Each D-BE must submit a surety declaration per Attachment E, Exhibit E6.

Each D-BE must submit a letter from insurance carrier per Attachment E, Exhibit E7.

5.2 EXPERIENCE

Each D-BE submitting qualifications shall provide evidence that establishes that the D-BE has 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 D-BE Proposed Key Personnel's experience will be evaluated for relative merit and responses to the following sections:

Section DI: Narrative and Organizational Chart:

The information requested in this section is intended to provide the Selection Committee with an understanding of the D-BE's staffing rationale and how it proposes to organize its team to successfully execute the Project.

The Submittal shall describe why this particular team has been assembled for this particular Project. List proposed personnel that will be assigned to and be responsible for completion of the work on this Project and indicate their roles and responsibilities and who has signatory authority. Include an organization chart (or charts) for design and construction operations as identified in Section DII Personnel Resumes below. The Narrative and Organization Chart shall be limited to three (3) pages. A folded 11 x 17 sheet may be used for the organization chart and will count as one page. (Attachment D, Section DI).

Section DII: Personnel Resume Template:

The information requested in this section will provide the Selection Committee with the information needed to evaluate the experience and skills of the Proposed Key Personnel on the D-BE team and assess their ability to successfully execute the design and construction of the Project. Certain key resumes will have a higher scoring weight than others as noted in the required resume listing below.

Submit resumes of Proposed Key Personnel who will be assigned to this Project and who will contribute a significant effort to its design and construction. Clearly identify experience on projects of similar size, scope, schedule, and complexity to the Project, including experience with the design and construction of Fire Stations and Emergency Operations Center facilities and experience on design-build projects. Projects completed by Proposed Key Personnel while employed for firms outside the D-BE 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. (Attached D, Section DII).

Resumes will be required for the following Proposed Key Personnel at a minimum:

- a) Administration of the D-BE:
 - i. *Project Executive (Prime contracting authority)*
 - ii. *General Construction Principal*
 - iii. *D-BE Project Director (Primary point of contact)*
- b) Design Team:
 - i. *Design Project Manager*
 - ii. *Architect of Record*
 - iii. *Design Architect*
- c) Construction Team:
 - i. *Project Manager*
 - ii. *Design Manager*
 - iii. *General Superintendent*
- d) Optional Resumes
 - i. *Quality Control Manager*
 - ii. *Safety Manager*
 - iii. *Project Controls Manager*
 - iv. *Project Scheduling Manager*

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

Section DIII: Project Profile Template:

The information requested in this section is intended to permit the Selection Committee to review experience and actual results of the team's and team members' ability to successfully design and construct projects similar in nature and complexity to the Project.

Projects are to demonstrate the 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.

- e) Design Experience: The Submittal shall include a maximum of three (3) 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 ten (10) years or be currently under construction and at least 50% complete.
 - iii. All projects must have a construction cost in excess of \$10 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 three (3) 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. The additional profiles will be scored and the average of the AOR and Design Architect scores shall be utilized in establishing a score for this section.

- f) Construction Experience: The General Contractor shall submit a maximum of three (3) 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 ten (10) years or be currently under construction and at least 50% complete.
 - iii. All projects must have a construction cost each in excess of \$10 million dollars.
 - iv. At least two (2) projects must have utilized the Design-Build delivery method.

For each project, complete the Project Profile Template attached. 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 on the profiled project being proposed for this Project.

Section DIV: Working Relationship Matrix:

The information requested in this section is intended to provide the Selection Committee with an understanding of the key personnel's experience and ability to function as a team at the outset of the Project due to prior existing working relationships established on previous projects.

The Submittal shall select up to six (6) 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 firm or a key individual being proposed for this Project had a significant role in the project's success by placing a "mark" in the appropriate box. (Attachment D, Section DIV).

Section DV: Project References:

The information requested in this section is intended to permit the selection Committee to validate actual performance of the firm and/or key personnel on a given project. List on the Project Reference Template form each project for which a Project Profile Template is being submitted under Section DIII. The Owner Contact provided should be someone intimately familiar with the D-BE involvement in the listed project.

The City intends to contact individuals listed as references and points will be assigned based upon verification that the characterization of the D-BE's involvement in the project is accurate.

It is the D-BE Submittal Manager's responsibility to verify that all references listed can be reached via the information provided by the D-BE. If a reference cannot be located based upon the information provided by the D-BE, then the City will not score the listed project for this Section, or at the City's discretion may request additional contacts.

Below are possible questions that may be used when interviewing selected reference contacts:

1. Are there any outstanding stop notices, liens, or claims by the Prospective Bidder that are currently unresolved on contracts for which notices of completion were recorded more than 120 days ago?
2. On a scale of 1-10, with 10 being the best, did the Prospective Bidder provide adequate personnel?
3. On a scale of 1-10, with 10 being the best, did the Prospective Bidder provide adequate supervision?
4. On a scale of 1-10, with 10 being the best, was there adequate equipment provided on the job?
5. On a scale of 1-10, with 10 being the best, was the Prospective Bidder timely in providing reports and other paperwork, including change order paperwork and scheduling updates?
6. On a scale of 1-10, with 10 being the best, did the Prospective Bidder adhere to the project schedule that your (agency) approved?
7. Was the project completed on time? Or, if the answer is "no," to what extent was the Prospective Bidder responsible for the delay in completion?

8. On a scale of 1-10, with 10 being the best, rate the Prospective Bidder on the timely submission of reasonable cost and time estimates to perform change order work.
9. On a scale of 1-10, with 10 being the best, rate the Prospective Bidder on how well the Prospective Bidder performed the work after a change order was issued and how well the Prospective Bidder integrated the change order work into existing work.
10. On a scale of 1-10, with 10 being the best, rate how the Prospective Bidder performed in turning in Operations and Maintenance manuals, completing as-built drawings, providing required training, and taking care of warranty items?
11. On a scale of 1-10, with 10 being the best, rate the Prospective Bidder on whether there were a high number of claims, given the nature of the project, or difficulty in resolving them.
12. On a scale of 1-10, with 10 being the best, rate the Prospective Bidder with respect to timely payments by the Prospective Bidder to subcontractors and suppliers. (If the person being interviewed knows of no such difficulties, the score on this question should be "10.")
13. On a scale of 1-10, with 10 being the best, rate the Prospective Bidder with respect to safety. Was shoring provided properly, were lock/out tag out procedures followed, did the Prospective Bidder provide routine safety training?
14. On a scale of 1-10, with 10 being the best, how would you rate the overall quality of the Prospective Bidder?

The City, at its sole discretion, may choose to contact other references, including owners, listed on the project profiles presented in the D-BE's Submittal.

There shall be a minimum of three (3) and a maximum of five (5) references.

Section DVI: Project Management Approach:

The information requested in this section is intended to provide the Selection Committee with an understanding of how the D-BE intends to manage the design and construction of the Project, and why their specific approach is best suited to achieve success on the Project (Attachment D, Section DVI).

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

It is anticipated the templates in Attachment D may 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.

6.0 EVALUATION PROCESS

6.1 General

The completeness of the Submittal, the minimum requirements from the Pass/Fail section of this RSOQ, and the financial documents will be reviewed by a representative from the City of Los Banos. The submittals not eliminated during the completeness review will be evaluated by a Selection Committee approved by the City.

The City reserves the right to request clarification and/or additional information from D-BE's. Such clarifications and/or additional information shall be submitted by the D-BE as an addendum to the Submittal upon request of the City. The fact that the City may request such clarification from one D-BE does not obligate the City to seek similar clarification from any other D-BE.

If the information requested in the RSOQ is not provided in accordance with the requirements set forth herein, or if the submittal is incomplete, or if the Pass/Fail section receives a "Fail" rating, or if the financial documents do not receive an "Acceptable" or "Favorable" rating then the D-BE will receive a letter of "Elimination" of their submittal from further consideration. The City reserves the right to waive any irregularity in a submittal and to request additional information.

6.2 Minimum Qualification Requirements: Submittal completeness, Pass/Fail, and Financial Statement

The Submittal will be reviewed for completeness. All requested documents and information provided shall adhere to the requirements of this RSOQ. Should the Submittal be missing information, be completed incorrectly, or fail to provide all requested documents, the D-BE will be notified in writing that their Submittal may not be considered further at the discretion of the City of Los Banos.

The Submittal must answer and pass all Pass/Fail questions to be eligible for consideration in the Pre-qualification and ranking of this RSOQ. The Submittal shall also meet the minimum requirement of an "Acceptable" rating based on industry standard ratios listed in RMA's Financial Ratio Benchmarks Annual Statement Studies publication. Failure to meet one of these minimum requirements will eliminate the Submittal from further consideration. The D-BE shall be notified in writing should their Submittal not pass the minimum pre-qualification requirements and therefore will not be considered further.

The D-BE has the ability to appeal a decision under this "Minimum Qualifications Requirements" heading per the Appeals process outlined in this RSOQ.

6.3 Scored Questions

For purposes of the City's evaluation of the Submittal, only the hard-copy materials, any addendum requested by the City, and the reference inquiries will be considered.

The evaluation will be based on a formal scoring method using scoring criteria. Each member of the Selection Committee will individually evaluate each Submittal. The Committee members, together, will then determine an agreed-upon rating for each criterion to establish the final score.

The Selection Committee will recommend a maximum of the three (3) highest qualifying D-BE Submittals. The City will notify each DB-E in writing and post a "Notice of Pre-Qualification" on the City's website. The "Notice of Pre-Qualification" will identify a maximum three (3) D-BE's that will be eligible to participate in the RFP process.

6.4 QUALIFICATIONS BASIS FOR SCORING

PART A: QUESTIONNAIRE

Section CI – Identification of the D-BE and Primary Team Members

This part seeks information about the make-up of the D-BE Primary Members and is for identification purposes only. There is no scoring value for this part. However, this information is a minimum requirement for completeness of the pre-qualification submittal.

Section CII – Minimum Requirements for the Submittal (Pass/Fail)

The Submittal will be eliminated from further consideration for failure to respond to any question, or if a "Fail" is received on any of the questions.

(Financial)

The Submittal shall include a separate financial statement as defined in this RSOQ. Failure to provide the financial documents as required or failure to meet the rating requirements of "Acceptable" or "Favorable," as determined by a representative of the City Auditor, will result in an elimination of the Submittal from further consideration.

Section CIII

Section CIII is broken into 4 sets of questions. One for each of the D-B Team members. Since a D-BE can be a variety of construction, architectural, and management or

development firms, the points will be tallied and averaged between the D-BE and the General Contractor (Sections CIII (A) and C III (B)), and the design architectural experience will be averaged from the tallies of Sections CIII (C) and CIII (D) which represent the Architect of Record and the Design Architect.

If there is only one firm representing the construction and project management work, only one Section CIII (A) or CIII (B) is required to be filled out. If only one firm represents the Architect of Record and the Design or specialty Architect, then only one Section CIII (C) or CIII (D) is required.

A firm that employs all these disciplines can simplify their responses to Section CIII with responding to one Section CIII (A) or CIII (B), and one Section CIII (C) or CIII (D).

PART B: EXPERIENCE

Section DI – Narrative and Organizational Chart

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

Section DII – Personnel Resumes

The maximum possible score for Section DII is 180 total points for 9 resumes based on relevance to the Project.

Key Positions (identified in the Instructions) have a maximum score of 20 points per resume. Key Personnel Resumes: 9 resumes x 20 points* (maximum) = 180 points

Total Maximum Score: 180 points

* Includes 2 points for Designated Design-Build Professional

Part B Section DIII – Project Profiles

The maximum possible score for Section DIII is 60 total points based on relevance to the project.

Maximum points per profile = 10

Part B Section DIV – Working Relationship Matrix

The maximum possible score for Section DIV is 50 points.

Part B Section DV – Project References

The maximum possible score for Section DV is 50 points based on relevance to the project and feedback from references.

Maximum points per reference = 10

Part B Section DVI – Project Management Approach

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

7.0 ATTACHMENTS

ATTACHMENT A – PROJECT SCHEDULE

ATTACHMENT B – CHECKLIST FOR SUBMITTALS

ATTACHMENT C - QUESTIONNAIRE

ATTACHMENT D – EXPERIENCE

ATTACHMENT E – ADDITIONAL FORMS

EXHIBIT E1: IDENTIFICATION OF D-BE SUBMITTAL MANAGER

EXHIBIT E2: CERTIFICATION FORM

EXHIBIT E3: POTENTIAL CONFLICT OF INTEREST DISCLOSURE

EXHIBIT E4: INDEMNIFICATION AGREEMENT

**EXHIBIT E5: AUTHORIZATION FOR RELEASE OF INFORMATION AND
WAIVER OF LIABILITY FOR REFERENCES**

EXHIBIT E6: SURETY DECLARATION

EXHIBIT E7: LETTER FROM INSURANCE CARRIER

ATTACHMENT F – SCORING SUMMARY

ATTACHMENT G – CITY CONFLICT OF INTEREST POLICY

**ATTACHMENT H – ENFORCEABLE COMMITMENT AND AGREEMENT TO USE
SKILLED AND TRAINED WORKFORCE**

ATTACHMENT I – CONCEPTUAL FLOOR PLAN

ATTACHMENT J – CONCEPTUAL SITE PLAN

ATTACHMENT A – PROJECT SCHEDULE

ESTIMATED SUMMARY SCHEDULE

Phase 1: RSOQ Process	Date	Time (PST)
Issue DB RFQ (Solicitation)	03/04/26 to 04/07/26	
RSOQ Due Date	04/07/26	2:00pm*
Announcement three highest scoring D-BEs	04/15/26	
Confidential Meetings	05/15/26 to 05/20/26	
Proposal Due	06/13/26	4:00pm*
Interviews	07/03/26 to 07/09/26	
Execute DB Contract	08/21/26 to 8/22/26	

Phase 2: Design Build Process (Subject to Change)	Date
Design	08/25/26 to 12/19/26
Permit Process	12/19/26 to 01/29/27
Construction	1/29/27 to 03/24/28
Project Transition and Closeout	04/23/28 to 05/13/28

ATTACHMENT B – CHECKLIST FOR SUBMITTALS

CHECKLIST FOR SUBMITTALS	
REQUEST FOR STATEMENT OF QUALIFICATIONS FOR DESIGN-BUILD ENTITIES CITY OF LOS BANOS – FIRE STATION NO. 4	
	Provide an enforceable commitment to the City of Los Banos that the D-BE and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades. (Attachment H)
	Cover Letter
PART A – QUESTIONNAIRE INSTRUCTIONS	
	Section CI: Identification of Members of the D-BE Team
	Section CII: Minimum requirements for the D-BE Submittal
	Section CIII: Scored Questions for the D-BE
	D-BE Submittal Manager form (Exhibit E1)
	Signed Certification for each D-BE Primary Team Member (Exhibit E2)
	Potential Conflict of Interest Disclosure (Exhibit E3)
	Indemnification Agreement (Exhibit E4)
	Authorization for Release of Information and Waiver of Liability for References (Exhibit E5)
	California Surety Declaration (Exhibit E6)
	Letters from Insurance Carrier(s) (Exhibit E7)
PART B – EXPERIENCE INSTRUCTIONS	
	Section DI: Narrative and Organizational Chart
	Section DII: Personnel Resumes
	Section DIII: Project Profiles
	Section DIV: Working Relationship Matrix
	Section DV: Project References
	Section DVI: Project Management Approach
Appendix:	
	Letter from Surety
	Six (6) hard copies of RSOQ response, one (1) electronic file copy of the RSOQ response in PDF format on a thumb drive and one (1) original copy of Audited Financial Statements in a sealed envelope and marked "Confidential Financial Statement".

ATTACHMENT C - QUESTIONNAIRE

SECTION CI: IDENTIFICATION OF MEMBERS OF THE D-BE TEAM¹

D-B Team information:

Name: _____

Contact Person: _____

Address: _____

Phone: _____ Email: _____

General Contractor Contact Information:

Name: _____

Contact Person: _____

Address: _____

Phone: _____ Email: _____

Architect of Record Contact Information:

Name: _____

Contact Person: _____

Address: _____

Phone: _____ Email: _____

Design Architect Contact Information:

Name: _____

Contact Person: _____

Address: _____

Phone: _____ Email: _____

¹ *** IF ANY ELECTRICAL, MECHANICAL, OR PLUMBING CONTRACTORS WILL BE UTILIZED IN THE DESIGN OF THE PROJECT, ADD ADDITIONAL SHEETS LISTING THE ABOVE CONTACT INFORMATION FOR EACH SUCH CONTRACTOR AS WELL. (SEE PCC 22161(e).)

SECTION CI (A): INFORMATION ABOUT THE DESIGN-BUILD ENTITY

1. Name of D-BE: _____
2. Date of company formation or incorporation: _____
3. State of formation or incorporation: _____
4. How many persons does the D-BE currently employ? _____
5. Is the General Contractor and/or the AOR part of this firm? _____
(if so, list them below).
- 6 (a). If the design-build entity is a privately held corporation, limited liability company, partnership, or joint venture, list below all of the stakeholders, partners, or members known at the time of statement of qualification submission who will perform work on the project.

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

- 6 (b). If the D-BE is a sole proprietorship, please complete the following:

Owner	Years as Owner

- 6 (c). If the D-BE is a joint venture or partnership, provide the following for each member of the joint venture or each partner who will perform work on the Project. (Attach additional pages if necessary.)

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

7. Has there been any change in ownership of the D-BE 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 that have not resulted in a change in any controlling interest in the corporation.)

☐ Yes ☐ No

If "yes" explain on a separate page.

8. Is the D-BE a subsidiary, parent, holding company or affiliate of another construction company?
(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.

9. State the D-BE's gross revenues for each of the last three fiscal years:

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

10. List all California contractor and/or architectural license numbers, classifications and expiration dates currently held by the D-BE:

(Attach additional pages if necessary.)

License Number	Trade Classification	Date Issued	Expiration Date

11. Has the D-BE changed names or license numbers in the past five years?

☐ Yes ☐ No

If "yes" explain on a separate page.

12. Has any owner, CSLB qualifier or corporate officer of the D-BE operated as a contractor under any other name or license number (not listed in 10 above) in the last five years?

☐ Yes ☐ No

If "yes" explain on a separate page.

13. Surety Information for D-BE:

Bonding Co. /Surety: _____

Surety Agent: _____

Agent Address: _____

Phone: _____

E-mail Address: _____

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

(Attach additional pages if necessary.)

Surety	Address	Periods of Coverage

Note: If D-BE is a corporation, limited liability company, partnership, joint venture, or other legal entity, submit a copy of the organizational documents and agreements committing to the form of the organization. (if the D-BE is a corporation, limited liability company, or partnership that has been in existence in its current form for over five years, please provide the entity's registration number with the California Secretary of State or other State Agency with which it is registered.)

SECTION CI (B): INFORMATION ABOUT THE GENERAL CONTRACTOR**(If the General Contractor is the same as the D-BE, Section 1(B) is not required.)**

The term "General Contractor" means the member of the D-BE 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:
(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 the following for each member of the joint venture or each partner.
(Attach additional pages if necessary.)

Name of Individual Or Entity	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 that have not resulted in a change in any controlling interest in the corporation.)

☐ 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:

(Attach additional pages if necessary.)

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:

(Attach additional pages if necessary.)

Surety	Address	Periods of Coverage

SECTION CI (C): INFORMATION ABOUT THE ARCHITECT OF RECORD
(If the Architect of Record is the same as the D-BE, then Section CI (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: _____

CA Registration / License Number: _____

Years in Practice: _____
2. Date of company formation or incorporation: _____
3. CA 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:
(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 Entity	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 regarding public trades that have not resulted in a change in any controlling interest in the corporation.)

☐ 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.

**SECTION CI (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: _____

CA Registration / License Number: _____

Years in Practice: _____

2. Date of company formation or incorporation:

3. CA 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:

(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 Entity	Principal Contact	Position	Years with Joint Venture/ Partnership	% Ownership 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 regarding public trades that have not resulted in a change in any controlling interest in the corporation.)

☐ 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.

SECTION CII: MINIMUM REQUIREMENTS FOR THE D-BE SUBMITTAL

Questionnaire (Pass/Fail Evaluation)

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

- The qualifying individuals listed with the CA Contractors State License Board for all contracting licenses currently held by the D-BE Team member.
- All current officers of a D-B Team member which is a corporation.
- All current partners of a D-B Team member which is a partnership.
- All current joint ventures and members of a D-B Team member which is a joint venture.

LICENSING

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

☐ Yes (Pass) ☐ No (Fail)

2. Has any contractor license held by the D-BE or its associates, the General Contractor 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 (Fail) ☐ No (Pass)

3. 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 (Pass) ☐ No (Fail)

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

☐ Yes (Fail) ☐ No (Pass)

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

☐ Yes (Fail) ☐ No (Pass)

INSURANCE

6. Does the D-BE have a liability insurance policy with a policy limit of at least **\$5,000,000** per occurrence, **\$5,000,000** aggregate and **\$10,000,000** in excess liability from a California admitted company with a Best Rating of A:VII or better.

☐ Yes (Pass) ☐ No (Fail)

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

Insurance Company: _____

A:VII Best Rating: _____

Policy Number: _____

Policy Limit per Occurrence: _____

Aggregate Policy Limit: _____

Attach a letter from your insurance carrier confirming limits to Exhibit E7.

7. Does the D-BE 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 (Pass) ☐ No (Fail)

If yes, provide the following information and letter from your insurance carrier confirming limits to Exhibit E7.

Insured: _____

Insurance Company: _____

Policy Number: _____

8. Are all Principal Architect/Engineers covered by a professional liability insurance policy with a policy limit of at least **\$2,000,000** per occurrence and **\$2,000,000** aggregate from a California admitted company that provides coverage for work on a design-build contract with a Best Rating of A:VII or better.

☐ Yes (Pass) ☐ No (Fail)

If yes, provide the following information and letter from your insurance carrier confirming limits to Exhibit E7.

Insurance Company: _____

A:VII Best Rating: _____

Policy Number: _____

Policy Limit per Occurrence: _____

Aggregate Policy Limit: _____

9. At any time during the last five (5) years, has there ever been a period when any member of the D-BE had employees, but were without Workers' Compensation insurance or state-approved self-insurance?

☐ Yes (Fail) ☐ No (Pass)

10. At any time during the past five (5) years, has any member of the DB-E had any carrier, for any form of insurance, refuse to renew coverage for the member of the D-BE?
- ☐ Yes (Fail) ☐ No (Pass)

BONDING

11. 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 D-BE's current bonding capacity is sufficient to provide payment and performance bonds in the amount of \$13,000,000 (Statement must be from the surety company, not an agent or broker.)
- ☐ Yes (Pass) ☐ No (Fail)
12. Has a surety firm completed a contract or paid for completion of a contract on behalf of any member of the D-BE because they were terminated by the project owner within the last five (5) years?
- ☐ Yes (Fail) ☐ No (Pass)
13. Within the last five (5) years was the D-BE or the General Contractor Member(s) of the Design-Build Team 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 (Fail) ☐ No (Pass)
14. Has any member of the Design-Build Team (contractors, architects, engineers, 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 (Fail) ☐ No (Pass)
15. Does the D-BE and the General Contractor Member(s) of the Design-Build, know and understand their obligations regarding the employment of apprentices on public works under Public Contract Code Section 22164, 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 (Pass) ☐ No (Fail)
16. Will the D-BE ensure that it and its subcontractors at every tier will use qualified skilled and trained labor personnel that falls within an apprenticeable occupation in the building and construction trades to perform the work of the Project as required by Public Contract Code Section 22164(c) (Attachment H)?
- ☐ Yes (Pass) ☐ No (Fail)

SAFETY

17. Does the General Contractor have a written Injury and Illness Prevention Program (IIPP) that

complies with California Code of Regulations, Title 8, Sections 1509 and 3203?

☐ Yes (Pass) ☐ No (Fail)

18. Does the General Contractor have a written safety program that meets Cal/OSHA requirements?

☐ Yes (Pass) ☐ No (Fail)

19. Will the General Contractor have personnel assigned and dedicated to safety on this project?

☐ Yes (Pass) ☐ No (Fail)

20. At any time during the last five (5) years, has Cal/OSHA or an equivalent agency from outside the State of California cited and assessed penalties against the General Contractor or other members of the DBE Team for any "serious," "willful" or "repeat" violations of its safety or health regulations?

NOTE: If members have filed an appeal of a citation and the Appeals Board has ruled in their favor, D-BE member need not include information about it.

☐ Yes (Fail) ☐ No (Pass)

LABOR COMPLIANCE

21. At any time during the last five (5) years, has there been an occasion in which the General Contractor or other members of the D-B Team was required to pay either back wages or penalties for the failure to comply with the State's prevailing wage laws?

NOTE: This question refers only to the D-BE/Member(s) and General Contractor's violation of prevailing wage laws, not to violations of the prevailing wage laws by a subcontractor.

☐ Yes (Fail) ☐ No (Pass)

22. At any time during the last five (5) years, has there been an occasion in which the General Contractor or other member of the D-BE Team was penalized or required to pay back wages for failure to comply with the federal Davis-Bacon prevailing wage requirements?

☐ Yes (Fail) ☐ No (Pass)

23. Does the General Contractor or other member of the D-B Team intend to request the dispatch of apprentices from an apprenticeship program approved by the California Apprenticeship Council for use on this Project if awarded the contract?

☐ Yes (Pass) ☐ No (Fail)

24. At any time during the last five (5) years, has the General Contractor or other member of the D-B Team 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 (Fail) ☐ No (Pass)

25. At any time during the last five (5) years, has a court or administrative agency made a final determination that the General Contractor or other member of the D-B Team, individually or collectively with another party, violated any federal or state laws prohibiting the hiring or employment of illegal or undocumented employees?

☐ Yes (Fail) ☐ No (Pass)

DEBARMENT

26. At any time during the last five (5) years, has any of the D-B Team Member(s), or any firm with which any member's owners, officers or partners was associated, been debarred, eliminated, defaulted on, removed, or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason?

NOTE: "Associated with" refers to another firm in which an owner, officer, or partner held a similar position.

☐ Yes (Fail) ☐ No (Pass)

FINANCIAL STATEMENT

One year of audited financial statements for the D-BE and/or General Contractor.

If the D-BE is a joint venture, each member of the joint venture must submit 2-year audited financial statement. For purposed of the remaining questions in this section, if the D-BE is a joint venture, any questions regarding the D-BE shall mean each member of the joint venture.

The Financial Statement shall not be older than one year prior to the date of filing this Pre-qualification Submittal. The

Financial Statement shall be reviewed and audited and submitted with any accompanying notes and supplemental information. The City of Los Banos reserves the right to reject Financial Statement in which the financial condition reported is a date 12 months or more prior to the date of filing.

The Financial Statements must be audited or reviewed by a certified Public Account (CPA). The CPA should submit a copy of his/her current license as proof of the accountant's qualifications to issue reviewed or audited financial statements. The license shall be signed and shall indicate the license certificate number. Bearing in mind that the working capital is an important factor in considering an entity's financial condition, the entity's accountant will perform a valuable service for the entity and at the same time assist the City and will furnish supplemental schedules to provide any information not specifically called for by the Statement which in their opinion might be taken into consideration.

Please fill in the following blanks based on the D-BE and General Contractor's latest audited Financial Statement. If the D-BE is a Joint Venture, Partnership, etc., combine assets and liabilities.

	<u>D-BE</u>	<u>General Contractor</u>
Current Assets:	\$ _____	\$ _____
Current Liabilities:	\$ _____	\$ _____
Total Net Worth:	\$ _____	\$ _____
Current Ratio (Assets/Liabilities):	\$ _____	\$ _____
Working Capital (Current Assets - Current Liabilities):	\$ _____	\$ _____

27. Has the latest copy of an audited financial statement prepared by an independent Certified Public Accountant (no more than one-year old) with accompanying notes been attached for the D-BE Firm and/or General Contractor 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 (Pass) ☐ No (Fail)

28. Has the D-BE attached a copy of financial statements with accompanying notes and supplemental information.

NOTE: Submit financial statements for the latest fiscal year ended. These financial statements must include a balance sheet, statement of operations and retained earnings, statement of cash flows, and notes to the financial statements conforming to generally accepted accounting principles (GAAP).

☐ Yes (Pass) ☐ No (Fail)

29. Are the General Contractor or other member of the D-BE team currently the debtor in a bankruptcy or receivership case?

☐ Yes (Fail) ☐ No (Pass)

30. At any time during the last five (5) years, was any of the General Contractor or other member of the D-BE team in bankruptcy or receivership? (This question refers only to a bankruptcy action that was not described in answer to question 30.)

☐ Yes (Fail) ☐ No (Pass)

SECTION CIII: SCORED QUESTIONS FOR THE D-B TEAM

SECTION CIII (A): SCORED QUESTIONS FOR THE D-BE

(If applicable)

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

The qualifying individuals listed with the CA Contractors State License Board for all contracting licenses currently held by the D-BE Team member.

- All current officers of a D-BE Team member which is a corporation.
- All current partners of a D-BE Team member which is a partnership.
- All current joint venturers of a D-BE Team member which is a joint venture.

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

2. Has the D-BE, its associates, or managing employees ever had liquidated damages of more than total of **\$30,000** withheld by an owner, on a construction contract with either a public or private owner?

☐ Yes

☐ No

No = 5 points

Yes = 0 points

If "yes" explain on a separate page, identifying all such projects by owner, owner's address, name of firm against whom liquidated damages were withheld, the date of completion of the project, total amount of liquidated damages withheld and all other information necessary to fully explain the withholding of liquidated damages.

3. Has the D-BE, 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.

4. Has the D-BE, its associates or managing employees, been debarred, eliminated, 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.

5. Has the D-BE, 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 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 D-BE 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.)

6. In the past five years has any claim in excess of **\$50,000** been filed in court, arbitration, or other dispute resolution proceeding against the D-BE or its associates concerning their work on a construction project?

☐ Yes ☐ No

No = 5 points

Yes = 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).

7. In the past five years has the D-BE or its associates made any claim in excess of **\$50,000** against a project owner concerning work on a project or payment for a contract and filed that claim in court or arbitration?

☐ Yes ☐ No

No = 5 points

Yes = 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 firms) 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).

8. Has any insurance carrier, for any form of insurance, refused to renew the insurance policy for the D-BE 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.

9. Has the D-BE, its associates or managing employees ever been found liable in a civil lawsuit or found guilty in a criminal action (or legally admitted for the purpose of a criminal plea) for making any false claim or material misrepresentation to any public entity?

☐ 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 entity, the civil or criminal verdict, the date, and the basis for the finding.

10. Has the D-BE, 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.

11. Has the D-BE, 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.

12. Has there ever been a period of time when the D-BE 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.

13. Has CAL OSHA cited and assessed penalties against the D-BE, its associates or managing employee for any "serious," "willful" or "repeat" violations of 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, it will not be counted as an instance, but still please include information about it.)

☐ Yes ☐ No

No = 5 points

Yes

1 instance = 0 points

2 instances = (-3) points

More than 2 instances = (-5) 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 OSHA decision.

14. Has the Federal Occupational Safety or Health Administration cited and assessed penalties against the D-BE, its associates or managing employees?

(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, it will not be counted as an instance, but still please include information about it.)

☐ Yes ☐ No

No = 5 points

Yes

1 instance = 0 points

2 instances = (-3) points

More than 2 instances = (-5) 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.

15. Has the Environmental Protection Agency, any Air Quality Management District or any Regional Water Quality Control Board cited and assessed penalties against either the D-BE, 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 you have filed an appeal of a citation, and the Occupational Safety and Health Appeals Board has not yet ruled on your appeal, it will not be counted as an instance, but still please include information about it.)

☐ Yes ☐ No

No = 5 points

Yes

1 instance = 0 points

2 instances = (-3) points

More than 2 instances = (-5) 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.

16. How often does the D-BE require documented safety 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

17. List the D-BE's Experience Modification Rate (EMR) (California Workers' Compensation insurance) 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: 2025 EMR: _____

Year: 2024 EMR: _____

Year: 2023 EMR: _____

Average EMR for the past 3 years:

0.85 or less = 10 points

0.86 to 1.00 = 5 points

Greater than 1.00 = Elimination

Note: Public Contract Code Section 22164 requires an acceptable safety record for Design-Build projects. 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 D-BE will be eliminated from future consideration and there will be no further scoring of the RSOQ.

18. Has there ever been a period when the D-BE or its associates had employees but was without Workers' Compensation insurance or state-approved self-insurance?

☐ Yes ☐ No

No = 5 points

Yes = 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 D-BE.

19. Has there been more than one occasion in which the D-BE 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

No = 5 points

Yes

1 instance = 0 points

2 instances = -3 points

More than 2 instances = -5 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.

20. Has there been more than one occasion in which the D-BE 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

No = 5 points

Yes

1 instance = 0 points

2 instances = -3 points

More than 2 instances = -5 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.

21. If the D-BE 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

22. Has the D-BE and 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

No = 5 points

Yes

1 instance = 0 points

2 instances = -3 points

More than 2 instances = -5 points

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

Date(s) of Findings: _____

23. Do agreements exist between the D-BE 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 D-BE 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 CIII (B): SCORED QUESTIONS FOR THE GENERAL CONTRACTOR

(Not required if the D-BE 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 the following:

The qualifying individuals listed with the CA Contractors State License Board for all contracting licenses currently 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 and members of General Contractor which is a joint venture.

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

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

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

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

☐ Yes ☐ No

No = 5 points

1 instance = 0 points

2 instances = -3 points

More than 2 instances = -5 points

If "yes" explain on a separate page, identifying all such projects by owner, owner's address, name of entity against whom liquidated damages were withheld, the date of completion of the project, total amount of liquidated damages withheld and all other information necessary to fully explain the withholding of liquidated damages.

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.

5. Has the General Contractor, its associates or managing employees, been debarred, eliminated, 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.

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 entity 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.)

8. In the past five years has any claim in excess of **\$50,000** 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

No = 5 points

Yes

1 instance = 0 points

2 instances = (-3) points

More than 2 instances = (-5) 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 entity 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).

9. In the past five years has the General Contractor or its associates made any claim in excess of **\$50,000** against a project owner concerning work on a project or payment for a contract and filed that claim in court or arbitration?

☐ Yes ☐ No

No = 5 points

Yes

1 instance = 0 points

2 instances = (-3) points

More than 2 instances = (-5) 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 entity (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).

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.

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

☐ 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 entity, the civil or criminal verdict, the date, and the basis for the finding.

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

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.

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.

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 entity 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.

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, it will not be counted as an instance, but still please include information about it.)

☐ Yes ☐ No

No = 5 points

Yes

1 instance = 0 points

2 instances = (-3) points

More than 2 instances = (-5) 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.

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

(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, it will not be counted as an instance, but still please include information about it.)

☐ Yes

☐ No

No = 5 points

Yes

1 instance = 0 points

2 instances = (-3) points

More than 2 instances = (-5) 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.

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 you have filed an appeal of a citation, and the listed agencies above have not yet ruled on your appeal, it will not be counted as an instance, but still please include information about it.)

☐ Yes

☐ No

No = 5 points

1 instance = 0 points

2 instances = (-3) points

More than 2 instances = (-5) 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.

18. How often does the General Contractor require documented safety 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

19. List the General Contractor's Experience Modification Rate (EMR) (California Workers' Compensation insurance) 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: 2025EMR: _____

Year: 2024EMR: _____

Year: 2023EMR: _____

Average EMR for the past 3 years:

0.85 or less = 10 points

0.86 to 1.00 = 5 points

Greater than 1.00 = Eliminated from further consideration

Note: Public Contract Code Section 22164 requires an acceptable safety record for Design-Build projects. A General Contractor'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 D-BE will be eliminated and there will be no further scoring of the submittal.

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

No = 5 points

Yes = 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.

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

No = 5 points

1 instance = 0 points

2 instances = (-3) points

More than 2 instances = (-5) 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.

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

No = 5 points
1 instance = 0 points
2 instances = (-3) points
More than 2 instances = (-5) 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.

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

24. Has the General Contractor or 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

No = 5 points
1 instance = 0 points
2 instances = (-3) points
More than 2 instances = (-5) points

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

Date(s) of Findings: _____

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 CIII (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:

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

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

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

4. In the past five years has any claim in excess of **\$50,000** been filed in court, arbitration, or other dispute resolution proceeding against the Architect of Record or the firm concerning any of its work or services on a project?

☐ Yes ☐ No

No = **5 points**
1 instance = **0 points**
2 instances = **-3 points**
More than 2 instances = **-5 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).

5. Has the Architect of Record or the firm been debarred, eliminated, 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.

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 bidder as required by statute for all members of the D-BE?

☐ Yes ☐ No

No = **5 points**
1 instance = **0 points**
2 instances = **(-3) points**
More than 2 instances = **(-5) points**

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

7. In the past five years has the Architect of Record or the firm made any claim in excess of **\$50,000** against a project owner concerning any of its work or services on a project.

☐ Yes ☐ No

No = **5 points**
1 instance = **0 points**

2 instances = (-3) points
More than 2 instances = (-5) points

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

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.

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

☐ 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.

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

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.

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.

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 CIII (D): SCORED QUESTIONS FOR THE DESIGN ARCHITECT

(If applicable)

(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:

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

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

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

4. In the past five years has any claim in excess of **\$50,000** been filed in court, arbitration, or other dispute resolution proceeding against the Design Architect or the firm concerning any of its work or services on a project?

☐ Yes ☐ No

No = **5 points**
1 instance = **0 points**
2 instances = **-3 points**
More than 2 instances = **-5 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).

5. Has the Design Architect or the firm been debarred, eliminated, 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.

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 bidder as required by statute for all members of the D-BE?

☐ Yes ☐ No

No = **5 points**
1 instance = **0 points**
2 instances = **(-3) points**
More than 2 instances = **(-5) points**

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

7. In the past five years has the Design Architect or the firm made any claim in excess of **\$50,000** against a project owner concerning any of its work or services on a project and filed that claim in court or arbitration?

☐ Yes ☐ No

No = **5 points**
1 instance = **0 points**

2 instances = (-3) points
More than 2 instances = (-5) points

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

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.

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

☐ 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.

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.

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.

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

☐ Yes ☐ No

Yes = (-10) points

No = 5 points

ATTACHMENT D – EXPERIENCE

SECTION DI: NARRATIVE AND ORGANIZATIONAL CHART

See Instructions

SECTION DII: 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 Fire Stations and Emergency Operations Centers: _____

Design-Build Experience: _____

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

Experience with energy efficiency/sustainable building design measures: _____

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

Describe what makes this individual uniquely suited for this assignment: _____

SECTION DIII: 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: _____

Amount of Change Orders: _____

Amount of Claims: _____

Delivery Method: _____

Sustainable Building 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.

SECTION DIV: WORKING RELATIONSHIP MATRIX

	Project Name and Construction Value									
Project Executive										
Design Principal										
General Contractor Principal										
D-BE Project Director										
Design Project Manager										
Architect of Record										
Design Architect										
Project Architect										
Project Manager										
Design Manager										
General Superintendent										
MEP Superintendent										
Quality Control Manager										
Project Controls 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.

Note: For Scoring, larger construction projects will be weighted heavier than lower value construction projects.

SECTION DV: PROJECT REFERENCES

To be completed for each project included in Project Profiles

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

SECTION DVI: PROJECT MANAGEMENT APPROACH

See Instructions

ATTACHMENT E – ADDITIONAL FORMS

EXHIBIT E1: IDENTIFICATION OF D-BE SUBMITTAL MANAGER

CITY OF LOS BANOS – FIRE STATION NO. 4

Name of D-BE:

Submittal Manager:

Title:

Firm/Company:

Address:

Phone:

Fax:

E-mail Address:

Provide this form as part of your RSOQ submittal package.

Note: Any substitution of D-BE's Submittal Manager during the RSOQ and RFP process shall be made in writing to and approved by the City and shall subject the D-BE to re-evaluation. Submit a written request for substitution to the person indicated below.

Jelene de Melo, Engineering Operations Manager
City of Los Banos – Public Works Department
411 Madison Avenue
Los Banos, CA 93625
Jelene.demelo@losbanos.org (RSOQ title must be included in the Subject line)
Phone (209) 827-7056

And

Roy Magdaleno
Vanir Construction Management
2444 Main Street, Suite 130
Fresno, CA 93721
Phone (559) 647-5708

EXHIBIT E2: CERTIFICATION FORM

CERTIFICATION FORM

NOTE: Each D-B Team member must complete and sign a copy of this Certification form by an employee of member of the D-B Team that is most knowledgeable of the information provided in this Submittal relating to that D-B Team member.

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)

(Title, Position in firm)

(Place of Execution)

(Date)

(Firm Name)

EXHIBIT E3: POTENTIAL CONFLICT OF INTEREST DISCLOSURE

CITY OF LOS BANOS - FIRE STATION NO. 4

Each member of the D-BE Team must complete a separate disclosure

D-BE Primary Team Member:

- ☐ Design-Build Entity (required if not the General Contractor firm)
- ☐ General Contractor firm (required if not the Design-Build Entity)
- ☐ Architect of Record firm (required)
- ☐ Design Architect firm (required if not the Architect of Record firm)

Firm/Company:

Address:

Phone:

Email:

Has the D-BE Team and/or sub-consultant or sub-contractor had a contractual relationship with either the City of Los Banos or Vanir with regards to the City of Los Banos – Fire Station No. 4 project?

- ☐ 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 D-BE (Team Member, and/or subcontractor, and/or consultant) and City of Los Banos and/or Vanir does NOT automatically eliminate a D-BE Submittal. The determination of whether a conflict exists or not will be determined by the City of Los Banos whereby the D-BE Submittal Manager will be contacted with the determination.

All Potential Conflict of Interest Disclosures together with the Identification of the D-BE Submittal Manager (Exhibit A) shall be included in your RSOQ Submittal package. Failure to do so may result in elimination from further consideration.

EXHIBIT E4: INDEMNIFICATION AGREEMENT

Each member of the Design Build Team must complete

INDEMNIFICATION AGREEMENT

THE FOLLOWING INDEMNIFICATION AGREEMENT IS TO BE COMPLETED, SIGNED AND RETURNED WITH THE OFFER.

This indemnification agreement ("Agreement") is made and entered into by and between the City of Los Banos ("City") and _____ ("Offeror") with reference to the following facts:

WHEREAS the City may receive a request for disclosure of Offeror's submission under the California Public Records Act, Government Code Section 6250, et seq.; and

WHEREAS, Offeror has included in its submission an exhibit entitled "*EXHIBIT-CONFIDENTIAL/PROPRIETARY*" containing records that Offeror has determined to constitute trade secrets or other proprietary information exempt from disclosure under the California Public Records Act; and

WHEREAS the City requires defense and indemnity from Offeror for the City's ongoing non-disclosure of Offeror's *EXHIBIT-CONFIDENTIAL/PROPRIETARY*.

NOW, THEREFORE, for good and valuable consideration and the mutual promises contained herein, the parties agree to the following:

1. The above recitals are incorporated herein by this reference.
2. Except as otherwise provided herein, the City will not release Offeror's *EXHIBIT-CONFIDENTIAL/PROPRIETARY* based on Offeror's representation that the records contained therein are proprietary and exempt from disclosure under the California Public Records Act and/or are trade secrets as that term is defined in Government Code Section 6250, et seq. Notwithstanding the foregoing, however, the City may release Offeror's *EXHIBIT-CONFIDENTIAL/PROPRIETARY* in the event of any of the following:
 - a. Offeror fails to comply with the terms and conditions of this Agreement; or
 - b. Offeror provides the City with written notice that some or all the records may be released; or
 - c. A court of competent jurisdiction orders the City to release the records and the City has exhausted or waived its appeal rights.
3. To the fullest extent allowed by law, the City shall not be liable for, and Offeror shall defend and indemnify City and its Board of Supervisors, officers, directors, employees

and agents of City (collectively "City Parties"), against any and all claims, demands, liability, judgments, awards, fines, mechanics' liens or other liens, labor disputes, losses, damages, expenses, charges or costs of any kind or character, including attorneys' fees (whether incurred by City attorneys or attorneys employed by City) and court costs (hereinafter collectively referred to as "Claims"), related to Offeror's *EXHIBIT-CONFIDENTIAL/PROPRIETARY*.

4. Offeror waives any and all claims in law or equity and hereby releases the City Parties from any and all claims, deductibles, self-insured retentions, demands, liability, judgments, awards, fines, mechanics' liens or other liens, labor disputes, losses, damages, expenses, charges or costs of any kind or character, including attorneys' fees and court costs, which arise out of or are in any way connected to Offeror's *EXHIBIT-CONFIDENTIAL/PROPRIETARY*.

Print Name

Signature

Title

Date

Company/Organization

Each member of the D-BE Team must complete

EXHIBIT E5: AUTHORIZATION FOR RELEASE OF INFORMATION AND WAIVER OF LIABILITY FOR REFERENCES

By signing this Authorization, the D-BE Team Members identified in Submittal, (collectively and individually referred to as "D-BE") agree as follows:

1. D-BE authorizes any and all individuals who are familiar with Contractor's work history and performance to provide information to the City of Los Banos pertaining to Contractor's performance.
2. D-BE voluntarily waives any and all rights it/he/she may have to privacy and/or confidentiality pertaining to Contractor's work history and performance insofar as the information is released solely to the City of Los Banos in its evaluation of D-BE's suitability as a D-B Team Member for this specific solicitation.
3. This authorization shall remain valid for one (1) year from the date of signature.
4. D-BE hereby releases the City of Los Banos, and its officers and employees, and any party responding to a reference check, from any claims, damages or liabilities of any kind, that may directly or indirectly result from the use disclosure, or release of such information by any person or party, whether such information is favorable or unfavorable to Contractor, arising from the work reference contemplated by this authorization.

D-BE has read the above, understands its contents, and voluntarily agrees to its terms.

This Authorization must be signed by each, and every member of the D-BE Team identified in Part I of the Questionnaire. A copy of this Authorization will be provided to all individuals and entities solicited for a reference check.

General Contractor

By: _____

Title: _____

Date: _____

Architect of Record

Title: _____

Date: _____

Design-Build Entity

By: _____

By: _____

Title: _____

Date: _____

Design Architect:

By: _____

Title: _____

Date: _____

EXHIBIT E6: CALIFORNIA SURETY DECLARATION

Provide this declaration to your Surety or Sureties to be used for this Project to be signed by an authorized representative and **notarized** and included with your Proposal. If the Offeror submitting this Proposal is a Joint Venture, Partnership, or other association, provide such information for each member or partner.

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

_____ (County), _____ (State) on _____ (Date)

(Signature)

(Name and Title)

(Representing [Surety Name])

(Firm Name)

_____ (Address) _____ (City, State, Zip Code)

_____ (Telephone Number) _____ (Fax Number)

(Email Address)

(ATTACH NOTARIZATION of SURETY REPRESENTATIVE'S SIGNATURE)

Bonding Capacity: _____

Provide documentation from your surety identifying the following:

Name of Bonding Company/Surety:	
Name of Surety Agent, Address, and Telephone Number:	
Total Bonding Capacity	
Total Available Bonding Capacity	

EXHIBIT E7: LETTER FROM INSURANCE CARRIER

(See Section CII, Items 6, 7 and 8)

ATTACHMENT F – SCORING SUMMARY

Part A Questionnaire (Attachment C)		Maximum Score	Minimum Score for D-BE Qualification
Section CI:	Identification of D-BE Team		
	CI (A) Information about D-BE	N/A	N/A
	CI (B) Information about General Contractor	N/A	N/A
	CI (C) Information about the Architect of Record	N/A	N/A
	CI (D) Information about the Design Architect	N/A	N/A
Section CII:	Essential Requirements for the D-BE Submittal		
	Pass Fail questions	Pass	Pass
	Financial Statement	Favorable	Acceptable
Section CIII:	Scored Questions for D-BE Team		
	CIII (A) Scored Questions for the D-BE	130	
	CIII (B) Scored Questions for the General Contactor (score will be averaged with D-BE)	150	
	Average of scoring Section CIII (A) & (B)	140	
	CIII (C) Scored Questions for Architect of Record (AOR)	80	
	CIII (D) Scored Questions for Design Architect (score will be averaged with AOR)	80	
	Average of scoring Section CIII (C) & (D)	80	0
Part B Qualifications Experience (Attachment D)			
Section DI:	Narrative and Organizational Chart	20	N/A
Section DII:	Required Personnel Resumes		
	D-BE – Project Executive	20	N/A
	D-BE – General Contractor Principal	20	N/A
	D-BE – Project Director	20	N/A
	Design Team – Project Manager	20	N/A
	Design Team – Architect of Record	20	N/A
	Design Team – Design Architect	20	N/A
	Construction Team – Project Manager	20	N/A
	Construction Team – Design Manager	20	N/A
	Construction Team – General Superintendent	20	N/A
	Total Maximum Points (Personnel Resumes)	180	N/A
Section DIII:	Project Profiles		
	6 Projects @ 10 points maximum each	60	N/A
Section DIV:	Working Relationship Matrix	50	N/A
Section DV:	Project References		
	5 Projects @ 10 points maximum each	50	N/A
Section DVI:	Project Management Approach	100	N/A
Part B Qualifications Experience – Maximum Point Total		460	N/A

ATTACHMENT G – CITY CONFLICT OF INTEREST POLICY

Throughout the term of the awarded contract, any person, firm or subsidiary thereof who may provide, has provided or is currently providing design engineering services and/or construction engineering services under a contractual relationship with a construction contractor(s) on any City project related to this solicitation.

Similar to the disclosures regarding contractors, all firms are also required to disclose throughout the term of the awarded contract, any design engineering services including claim services, lead project management services and construction engineering services provided to all other clients on any City project listed in this solicitation.

In addition to the disclosures, the consultant shall also provide possible mitigation efforts, if any, to eliminate or avoid any actual or perceived conflicts of interest.

The consultant shall ensure that there is no conflict before providing services to any construction contractor on any of the City's projects related to this solicitation. The submitted documentation will be used for determining potential conflicts of interest. The City will use this documentation to determine whether the firm may provide the specified services under this contract.

If a consultant discovers a conflict during the execution of an assigned task order (if applicable), the consultant must immediately notify the City Contract Administrator regarding the conflicts of interest. The City Contract Administrator may terminate the Task Order (if applicable) involving the conflict of interest and City may obtain the conflicted services in any way allowed by law. Failure by the consultant to notify the City Contract Administrator may be grounds for termination of the contract.

ATTACHMENT H – ENFORCEABLE COMMITMENT AND AGREEMENT TO USE SKILLED AND TRAINED WORKFORCE

I certify on behalf of the D-BE as follows:

If selected as the D-BE on the City of Los Banos – Fire Station No. 4 project:

(check one applicable provision)

_____Design-Builder and all of its subcontractors at ever tier shall comply with the requirements of the Public Contract Code Section 22164(c) regarding the use of skilled and trained workforce to perform all the work on the City of Los Banos – Fire Station No. 4 Project; and will provide the County with evidence, on a monthly basis, while the project is being performed, the Design-Builder and all of its subcontractors are complying with the requirements of Public Contract Code Section 22164(c).

Or (D-BE has a PLA)

Design-Build Entity is a party to an applicable Project Labor Agreement that binds the D-BE and all subcontractors at every tier performing work on the Project or contract to use a skilled and trained workforce per Public Contract Code 22164(c).

Note: This statement is a Pass/Fail statement. Any proposers that will not verify a commitment to comply with the requirements of Public Contract Code Section 22164(c) by checking the applicable provision above shall not be shortlisted.

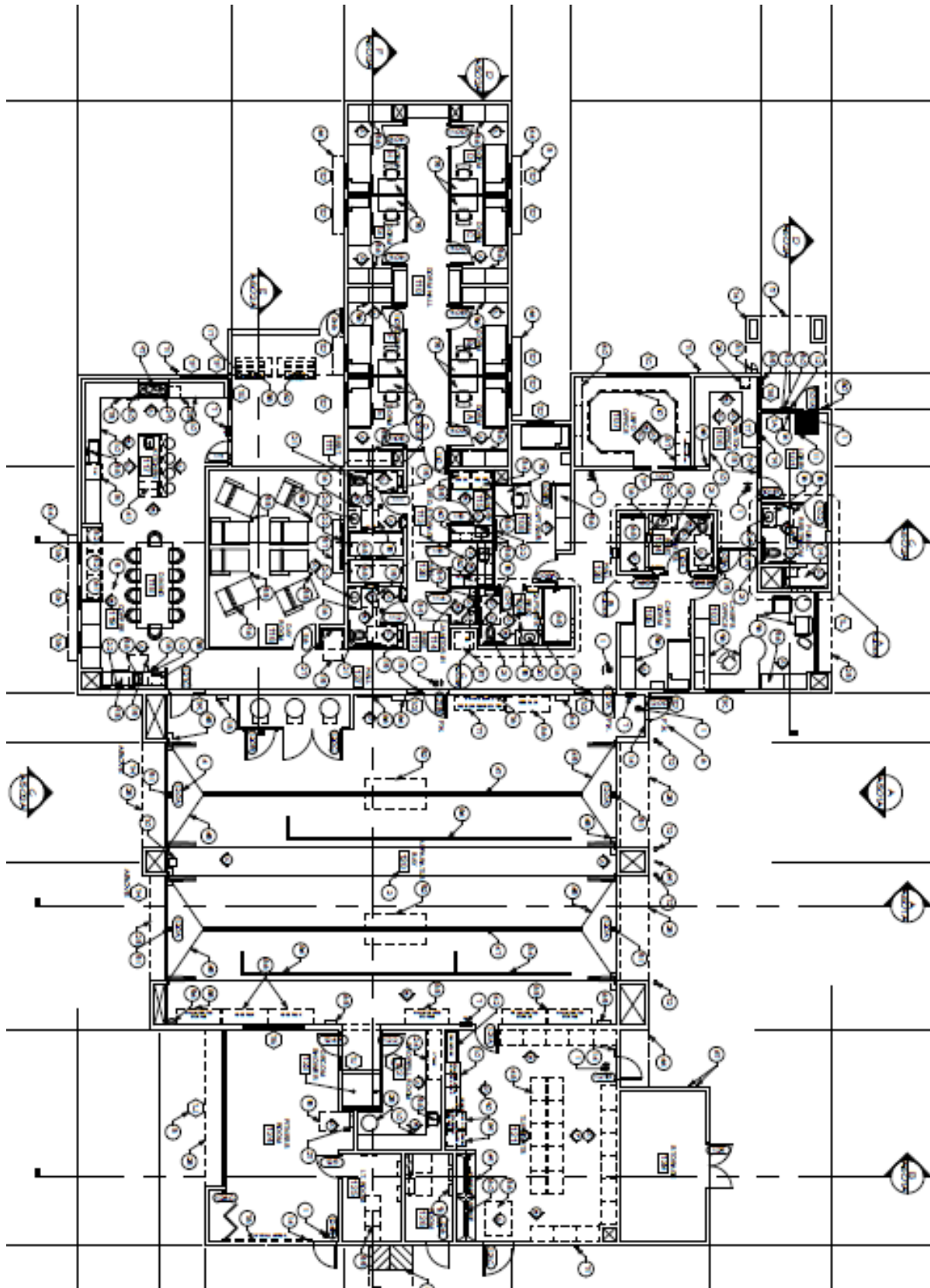
Responsible Design-Builder Representative

Dated

(Signature)

(Company and Position of Signatory)

ATTACHMENT I – CONCEPTUAL FLOOR PLAN



ATTACHMENT J: CONCEPTUAL SITE PLAN

