

**PREQUALIFICATION SUBMITTAL REQUIREMENTS  
SOCIAL SCIENCES AND MANAGEMENT BUILDING,  
BID RELEASE TWO**

Subject to conditions prescribed by the undersigned, **prequalification submittals** for Prime Trade Contracts are invited for the following Work:

**SOCIAL SCIENCES AND MANAGEMENT BUILDING,  
BID RELEASE TWO, PROJECT NO. 900060  
UNIVERSITY OF CALIFORNIA, MERCED CAMPUS, MERCED CALIFORNIA**

**University has determined that all bidders must be prequalified, except for scaffolding and specialties.**

The Social Sciences and Management Building Project will be constructed by multiple prime trade contractors, each working under a separate contract or contracts with the University. This procurement is for prime contracts to perform the various bid packages of the project as listed below. A contractor who is awarded a contract will be referred to as a "Prime Trade Contractor."

As described in more detail in the bidding documents, significant features of this multiple prime contract method of constructing the project are as follows:

The University will award separate prime trade contracts to the various trades necessary to construct Bid Release Two scope of the project. Each Prime Trade Contractor will be required to work at a project site shared by the Prime Trade Contractors and the other contractors ("Separate Contractors") hired by the University, to cooperate with such other contractors, and to coordinate its work with the work of the other contractors.

Each Prime Trade Contractor will be required to perform its work in accordance with a Preliminary Master Project Schedule to be developed, updated, and maintained by the University Representative after award of the Prime Trade Contract. Each Prime Trade Contractor will be required to provide specified scheduling information necessary for the development, updating, and maintenance of the Preliminary Master Project Schedule by the University Representative.

**DESCRIPTION OF PROJECT:**

The Social Sciences and Management Building project is a 101,500 square foot three-story cast-in place-concrete structure including exterior cement plaster, metal cladding, and glazing. Bid Release Two consist of mechanical, electrical, landscape and finishes. The University's Cost Estimate for the entire project, including the previously awarded contracts in Bid Release One is \$38,455,000.

The Project will be constructed using Multiple Prime Trade Contractors, in two bid releases. Bid Release Two will include 18 unique Bid Packages, with each Prime Trade Contractor executing a direct Contract with the University.

**PRIME TRADE BID PACKAGES:**

	<b>BUDGET:</b>
0 General Information for All Bid Packages	
1 Landscape and Irrigation	\$ 325,000
2 Grading, Paving and Site Utilities	\$ 195,000
3 Concrete and Rebar	\$ 500,000
4 Structural Steel and Misc. Metals	\$ 2,400,000
6 Carpentry and Casework	\$ 900,000
7 Roofing	\$ 660,000
8 Metal Panels	\$ 1,200,000
9 Doors, Frames and Hardware	\$ 560,000
10 Storefront and Glazing	\$ 2,200,000
11 Metal Studs, Insulation, Drywall and Plaster	\$ 2,100,000
12 Ceilings	\$ 700,000
13 Flooring, Ceramic Tile and Grind/Polish	\$ 900,000
14 Paints and Coatings	\$ 500,000
16 Mechanical	\$ 3,200,000
17 Electrical Systems	\$ 3,700,000
18 Fire Sprinkler	\$ 400,000

**PREQUALIFICATION REQUIREMENTS:**

A uniform evaluation procedure will be applied in accordance with applicable law, to evaluate those firms desiring to be pre-qualified to bid the work on this project. Only firms that meet **all** of the following criteria will be allowed to submit a bid for work on this project.

Qualifications will include evaluation and verification of contractor's or entity's evidence of proper licensing, history of litigation and claims or other adverse actions, ability to complete projects of this nature on time within project schedule and safety record.

To become pre-qualified to bid this project, firms shall submit a complete Prequalification Submittal to the University's Representative confirming that **all** the following criteria are met. All written material required must be supplied at the time of the submittal.

The University's Representative reserves the right to request, receive and evaluate supplemental information after the above time and date at its sole determination.

A prequalification submittal package can be obtained by contacting Debra Lytle, 916-830-8000 or emailing her at [dlytle@sundt.com](mailto:dlytle@sundt.com).

A list of the prequalified bidders will be available beginning August 17, 2009. The list of bidders will be available at Stockton Blue at [www.stocktonblue.com](http://www.stocktonblue.com) (follow the links to Planwell and Public Planroom) or call them at (209) 524-2924.

**THE FIRM MUST:**

- A. Possess a current California Contractor's License designation as described in the "Description of Classifications as defined by California State License Board, [www.cslb.ca.gov](http://www.cslb.ca.gov). -and-
- B. Complete all of the information and provide all documents requested in the Bidder's Pre-qualification Information, -and-
- C. List at least three completed projects within the last 5 years which each consisting of: (1) similar work in the same prime trade on the construction of a new commercial or educational building of 80,000 sf. or more; (2) similar work in the same prime trade of at least two stories in height; and (3) an original contract value of at least 75% of the published budget for each bid package. For contractors bidding more than one bid package, provide a list of three projects specific to each trade. Complete and return information requested on Attachment 10 for each project. -and-
- D. Provide copies of all notarized statements and/or certifications requested.

**ONE ORIGINAL COPY** of all the requested attachments must be received by the University's Representative:

Kristy Weiland  
Sundt Construction, Inc.  
2860 Gateway Oaks Drive Ste 300  
Sacramento, CA 95833  
Fax (916) 830-8118  
[kdweiland@sundt.com](mailto:kdweiland@sundt.com)

Prequalification submittals will not be accepted after **5:00 P.M. on Thursday, August 13, 2009**. Submittals received after the specified time and date will not be considered. **THIS SUBMISSION DEADLINE WILL BE STRICTLY ENFORCED.**

**PREQUALIFICATION CHECKLIST:**

The following Prequalification Checklist is for contractor's use. A complete Prequalification Submittal Package consists of ALL of the following:

- \_\_\_\_\_ One completed form "Bidder's Prequalification Information" with all requested information. (Attachment 1)
- \_\_\_\_\_ Copies of Notarized Statements for:
1. Completion of work statement (Attachment 2)
  2. Fraudulent Claim statement (Attachment 3)
  3. Mediation, Arbitration and Litigation History (Attachment 4, 5, 8, 9)
- \_\_\_\_\_ Provide information for at least three completed projects within the last 5 years which each consist of: (1) similar work in the same prime trade on the construction of a new commercial or educational building of 80,000 sf or more; (2) similar work in the same prime trade on a cast-in-place concrete structure of at least two stories in height; and (3) an original contract value within 25% of the published budget for each bid package. For contractors bidding more than one scope of work, provide a list of three projects specific to each trade. (Attachment 10)

**ATTACHMENT 1**  
**Bidder's Prequalification Information**

**Please complete as it appears on your State Contractor's License:**

**Legal Name of Firm:** \_\_\_\_\_

**DBA:** \_\_\_\_\_

**Address:** \_\_\_\_\_  
\_\_\_\_\_  
(city, state, zip)

<b>State:</b> _____	<b>License No:</b> _____	<b>Class(es):</b> _____	<b>Expiration:</b> _____
<b>State:</b> _____	<b>License No:</b> _____	<b>Class(es):</b> _____	<b>Expiration:</b> _____
<b>State:</b> _____	<b>License No:</b> _____	<b>Class(es):</b> _____	<b>Expiration:</b> _____
<b>State:</b> _____	<b>License No:</b> _____	<b>Class(es):</b> _____	<b>Expiration:</b> _____

**Shipping Address:** \_\_\_\_\_  
\_\_\_\_\_  
(city, state, zip)

**Mailing Address:** \_\_\_\_\_  
\_\_\_\_\_  
(city, state, zip)

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

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

**PROVIDE NAMES AND TITLES OF YOUR FIRM'S PRINCIPAL CONTACTS:**

**PRINCIPAL CONTACT:** \_\_\_\_\_ **TITLE:** \_\_\_\_\_

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

**E-Mail:** \_\_\_\_\_

**ESTIMATING CONTACT:** \_\_\_\_\_ **TITLE:** \_\_\_\_\_

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

**E-Mail:** \_\_\_\_\_

**Safety:** List Experience Modification Rate 2008 \_\_\_\_\_ 2007 \_\_\_\_\_ 2006 \_\_\_\_\_

**CURRENT BONDING INFORMATION:**

**Surety Company:** \_\_\_\_\_ **Broker:** \_\_\_\_\_

**Contact Person:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**ATTACHMENT 2**

An officer of the company must sign and return the statement below with the pre-qualification statement. Any pre-qualification statements returned without completing the attachment will be deemed non-responsive.

I, \_\_\_\_\_, authorized agent of  
\_\_\_\_\_  
*(Name of Organization)*

hereby certify, under penalty of perjury under the laws of the State of California that the organization has not had a surety company finish work on any project within the last five (5) years.

Signed: \_\_\_\_\_

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

**ATTACHMENT 3**

An officer of the company must sign and return the statement below with the pre-qualification statement. Any pre-qualification statements returned without completing the attachment will be deemed non-responsive.

I, \_\_\_\_\_, authorized agent of  
\_\_\_\_\_  
*(Name of Organization)*

hereby certify, under penalty of perjury under the laws of the State of California that the foregoing is true and correct. In the last five (5) years that the organization, any affiliate, parent or subsidiary company, or the principals, officers or RMO's of the organization, joint venture, any affiliate, parent or subsidiary company has not been found by a judge, arbitrator, jury, or a nolo contendere plea to have submitted a false or fraudulent claim.

Signed: \_\_\_\_\_

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

**ATTACHMENT 4**

An officer of the company must sign and return the statement below with the pre-qualification statement. Any pre-qualification statements returned without completing the attachment will be deemed non-responsive.

I, \_\_\_\_\_, authorized agent of  
\_\_\_\_\_  
*(Name of Organization)*

hereby certify, under penalty of perjury under the laws of the State of California that the answers and any attached statement(s) related to "Attachment 3" of the Contractor Pre-Qualification for the organization are true on any project within the last ten (10) years.

Signed: \_\_\_\_\_

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

**ATTACHMENT 5**

**Contractor will be immediately disqualified if any of the answers to questions 1 to 6 is “yes” and explanation(s) are not provided.**

1. In the past 10 calendar years has your firm been involved in mediation of a construction related dispute where the amount in dispute exceeded \$50,000?  
 Yes       No
2. In the past 10 calendar years has your firm filed a lawsuit or made a demand for arbitration where the amount is dispute exceeded \$50,000?  
 Yes       No
3. Has your firm or any of its owners, officers or partners ever been found liable in a civil suit or found guilty in a criminal action for making any false claim or material misrepresentation to any public agency or entity?  
 Yes       No

If “yes,” explain on a separate signed page, including identifying who was involved, the name of the public agency, the date of the investigation and the grounds for the finding.

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

If “yes,” explain on a separate signed page, including identifying who was involved, the name of the public agency, the date of the conviction and the grounds for the conviction.

5. Has your firm or any of its owners, officers or partners ever been convicted of a federal or state crime of fraud, theft, or been found guilty of having submitted a false claim to a public agency within the last (10) years?  
 Yes       No

If “yes,” identify on a separate signed page the person or persons convicted, the court (the county if a state court, the district or location of the federal court), the year and the criminal conduct.

6. Is your firm currently in litigation with the University of California or Sundt Construction, Inc.?  
 Yes       No

7. The attachment below contains information regarding Contractor’s arbitration and litigation history. Applicant hereby acknowledges complete and full disclosure of the information requested.  
 Yes       No

If “no”, contractor will be immediately disqualified.

## **ATTACHMENT 6**

### **MEDIATION, ARBITRATION AND LITIGATION HISTORY**

Claims History. Each Contractor will be evaluated to determine if the Contractor and/or persons or entities associated with Contractor have a history of having unmeritorious construction claims asserted by or on their behalf in litigation or arbitration and/or of having had meritorious construction claims asserted against them in litigation or arbitration.

In order to be evaluated, each Contractor must complete the Claims History portion of this questionnaire. Based on the information provided, each Contractor will be assigned a Claims History score.

One point will be scored by the Contractor for each qualifying lawsuit or arbitration, commenced within 10 calendar years preceding the deadline for submission of the prequalification questionnaire, in which Contractor and/or persons or entities associated with Contractor, had construction claims asserted by or on their behalf that were resolved by trial court judgment, arbitration award or settlement calling for receipt of less than 50% of the total amount of claims asserted in the lawsuit or arbitration.

One point will be scored by the Contractor for each qualifying lawsuit or arbitration, commenced within 10 calendar years preceding the deadline for submission of the prequalification questionnaire, in which Contractor and/or persons or entities associated with Contractor, had design or construction claims asserted against them, that were resolved by trial court judgment, arbitration award or settlement calling for receipt of more than 50% of the total amount of claims asserted in the lawsuit or arbitration.

Additionally, answer(s) "yes" to questions 3 to 6 will be reviewed and upon consideration of the issues, a decision will be rendered of point(s) to be scored.

Any Contractor with a score of 3 or more points will presumptively be considered not prequalified because the Contractor and/or persons or entities associated with Contractor have been a party to 3 or more lawsuits or arbitrations in which they either asserted, or had asserted on their behalf, unmeritorious construction claims or they had meritorious construction claims asserted against them.

The presumption may be rebutted if Sundt and the University determines, after investigating any explanation offered in providing the Claims History, that the Contractor and/or persons or entities associated with Contractor have not been a party to 3 or more lawsuits or arbitrations in which they either asserted, or had asserted on their behalf, unmeritorious construction claims or they had meritorious construction claims asserted against them.

If the presumption is not rebutted, the Contractor will be deemed to have an unacceptable Claims History, and will not be prequalified for the Project that is the subject of this prequalification process.

## **ATTACHMENT 7**

### **MEDIATION, ARBITRATION AND LITIGATION HISTORY**

As used herein:

- Lawsuit means any lawsuit commenced within 10 calendar years preceding the deadline for submission of the prequalification questionnaire
- Arbitration means any binding arbitration commenced within 8 calendar years preceding the deadline for submission of the prequalification questionnaire
- Claim means a claim (excluding claims solely for the enforcement of stop notices) arising from design and/or construction work and includes, without limitation, claims for extra compensation and damages (including delay, disruption and acceleration damages, but excluding claims for personal injury or death), and claims for defective design or construction work.
- Pass-Through Claim has the meaning commonly ascribed to it in the construction industry and also includes (i) any claim that was or is asserted by a person or entity, in whole or in part, against an Owner on behalf of a different person or entity; and (ii) any claim that was or is asserted by an Owner against a person or entity, and that was subsequently reasserted, in whole or in part, against a different person or entity
- Member of Contractor means all firms and individuals who are intended to work as a part of, for, or under the Contractor on the Project that is the subject of this prequalification process and includes, without limitation, such firms or individuals who are prime contractors, contractors (to the extent known), architects, mechanical engineers, electrical engineers, civil engineers, structural engineers or geotechnical engineers
- Whenever a person or entity is referred to, the reference includes the person or entity and all partners, affiliates, subsidiaries, heirs, executors, administrators, assigns, predecessors and successors in interest of or to the person or entity. For instance, a reference to a Contractor includes the Contractor and all partners, affiliates, subsidiaries, heirs, executors, administrators, assigns, insurers, predecessor businesses and successor businesses of the Contractor.



**ATTACHMENT 9**  
**Lawsuits and Arbitrations against Contractor**

Use one Form per Lawsuit or Arbitration (Make Copies as Needed)

Case Name and Number including Name and Location of Court or Arbitration Service:

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Date Arbitration or Litigation Commenced: \_\_\_\_\_

Project or Contract Number: \_\_\_\_\_

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

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Project or Contract Number: \_\_\_\_\_

Project Location: \_\_\_\_\_, \_\_\_\_\_  
(City) (State)

Name of Owner: \_\_\_\_\_

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Contact Person and Title: \_\_\_\_\_

Owner's Phone Number: \_\_\_\_\_

Description of Claims: \_\_\_\_\_

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Highest Amount Sought For All Claims: \$ \_\_\_\_\_

Amount Recovered: \$ \_\_\_\_\_

Date of Claim Resolution: \_\_\_\_\_

Method of Resolution (check one):     Judgment  
     Arbitration Award  
     Settlement  
     Other (describe) \_\_\_\_\_

If the claims were resolved for more than 50% of the highest amount sought for all claims, state why the claims should not be considered meritorious design or construction claims asserted against Design Builder and/or persons or entities associated with Design Builder:

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**ATTACHMENT 10**  
**Project Experience**

Use one Form per Project (Make Copies as Needed)

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

Project Location: \_\_\_\_\_, \_\_\_\_\_  
(City) (State)

Date of Completion: \_\_\_\_\_

Duration of Project: \_\_\_\_\_

Was this Project a new commercial or educational building of 80,000 sf or more? Yes  No

Was this Project a structure of at least two stories in height? Yes  No

Contract Value of Scope of Work Provided by this Contractor: \$ \_\_\_\_\_

Description of Scope of Work: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name of General Contractor: \_\_\_\_\_

Contact Person and Title: \_\_\_\_\_

Contact Person's Phone Number: \_\_\_\_\_

Name of Owner: \_\_\_\_\_

Contact Person and Title: \_\_\_\_\_

Contact Person's Phone Number: \_\_\_\_\_

**ATTACHMENT 10**  
**Project Experience (LANDSCAPE ONLY)**

Use one Form per Project (Make Copies as Needed)

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

Project Location: \_\_\_\_\_, \_\_\_\_\_  
(City) (State)

Date of Completion: \_\_\_\_\_

Duration of Project: \_\_\_\_\_

Was this Project of a similar size? Yes  No

Contract Value of Scope of Work Provided by this Contractor: \$ \_\_\_\_\_

Description of Scope of Work: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name of General Contractor: \_\_\_\_\_

Contact Person and Title: \_\_\_\_\_

Contact Person's Phone Number: \_\_\_\_\_

Name of Owner: \_\_\_\_\_

Contact Person and Title: \_\_\_\_\_

Contact Person's Phone Number: \_\_\_\_\_

END OF DOCUMENT 00012