



SONOMA-MARIN AREA RAIL TRANSIT DISTRICT

REQUEST FOR QUALIFICATIONS STATEMENT
FOR PREQUALIFICATION OF
PROSPECTIVE DESIGN-BUILD ENTITIES

FOR DESIGN AND CONSTRUCTION OF CIVIL, STRUCTURES,
AND ARCHITECTURAL IMPROVEMENTS

Windsor Extension Project

RFQ No. CV-DB-18-001

**SONOMA-MARIN AREA RAIL TRANSIT DISTRICT
REQUEST FOR QUALIFICATIONS STATEMENT
FOR
PREQUALIFICATION OF PROSPECTIVE DESIGN-BUILD ENTITIES
FOR THE DESIGN AND CONSTRUCTION OF CIVIL, STRUCTURAL, AND
ARCHITECTURAL IMPROVEMENTS
FOR
Windsor Extension Project**

REQUEST FOR QUALIFICATIONS NO. CV-DB-18-001

Notice is hereby given that the Sonoma-Marín Area Rail Transit District ("District" or "SMART") has determined that all Prospective Design-Build Entities ("PDBEs") for design and construction of civil, rail and structures improvements for SMART's Windsor Extension Project, Contract No. CV-DB-18-001, must be prequalified pursuant to California Public Contract Code Section 20209.5 et seq. for Transit Design-Build Contracts. It is mandatory that all Design-Build Entities who intend to submit a Proposal, comply with all of the requirements in this Request for Qualification ("RFQ") including submittal of a complete Qualification Statement, as well as all materials requested herein, and be approved by the District in order to be on the approved Prequalified PDBE list. No Proposal will be accepted from a Proposer in response to the District's RFP that is not on the approved Prequalified PDBE list. If two or more business entities submit a Proposal as part of a Joint Venture, or expect to submit a Proposal as part of a Joint Venture, each entity within the Joint Venture must be separately qualified to submit a Proposal.

Work under the Contract will include, but is not limited to, furnishing all management, coordination, professional services, labor, equipment, materials and other services to perform the design, construction, and maintenance of civil, structural, and architectural improvements throughout the project corridor, which runs from the existing SMART Rail Operations Center (ROC) at Airport Blvd to the town of Windsor. The length is approximately 3 miles. The Work will be defined in more detail in the District's Request for Proposal ("RFP"). The total estimated cost of this Contract is between \$25 million and \$35 million, and the estimated Contract will commence early 2019 with project completion by late 2021.

The description of the Work set forth in this RFQ and the RFP shall not limit the District's ability to remove any of the specified components from the Contract, and shall not limit the District's ability to add additional Work to the Contract, as it deems advisable.

OBTAINING RFQ DOCUMENT

Electronic Compact Discs ("CDs") and/or hard copies of the RFQ may be obtained from the District Project Office, Sonoma-Marín Area Rail Transit District, in person at 5401 Old Redwood Hwy. Suite 200, Petaluma, CA, 94954, or requested by mail at the same address. Copies of CDs and hard copies requested by mail will be packaged and sent postage paid. In addition, an electronic copy of the RFQ is available for viewing only at SMART's contracts website. The District advises PDBEs to periodically check the website for any addenda to the RFQ documents.

QUALIFICATIONS STATEMENT DUE DATE AND SUBMITTAL REQUIREMENTS

The District requests submittal of Qualification Statements from **PDBEs** until no later than **5:00**

p.m. Pacific Time on December 7, 2018. Time for receipt of Qualifications Statements may be extended by the District's General Manager or authorized representative from the above stated submittal date. Notice of such extension will be published on SMART's contracts website.

- A. Qualifications Statements shall be submitted to the following address:
SMART Project Office
Sonoma-Marín Area Rail Transit District
5401 Old Redwood Highway, Suite 200
Petaluma, CA, 94954
Attn: Mr. Ken Hendricks, Procurement Coordinator
- B. Envelopes or boxes containing Qualifications Statements shall be clearly labeled:
"RFQ No. CV-DB-18-001 Windsor Extension Project Contract."
- C. Format for Hard Copy:
PDBEs shall submit hard copies of the Qualification Statement in 3-ring binders on double-sided 8.5" x 11" recycled paper. Where appropriate, (e.g. for organization charts, schedules, etc.) folded 11"x17" paper should be used. Text should be at a line spacing of 1.5 and not smaller than 10-point font. All pages must be numbered sequentially within each Section and each package must have a table of contents, including page numbers. On the front cover and spine of each Qualifications Statement binder, the Project name and PDBE's name must be clearly identified.
- D. Format for Electronic Copy-USB Flash Drive (USB):
An electronic reference copy of the Qualifications Statement is to be submitted on one USB Flash Drive in Adobe Acrobat Portable Document Format (PDF file type). The USB Flash Drive should contain one copy of the entire contents of the Qualification Statement. The Project name and PDBE's name must be clearly identified on the USB Flash Drive itself.
- E. The Qualifications Statement to be furnished shall consist of a completed prequalification Questionnaire and required information, Certifications and forms. The number of copies are as shown below:

One copy labeled "ORIGINAL", and
two copies, each marked "Copy number (X)
of 2", and One USB Flash Drive (USB).

Each PDBE is responsible to ensure that their Qualifications Statement is received on time and at the location specified. Late submittals of Qualifications Statements will not be accepted. PDBEs must make their own arrangements for submitting the Qualification Statement. The District will invite only PDBEs on the approved Prequalified PDBE list to submit Proposals on the Contract.

CONTACT INFORMATION

PDBEs shall direct all correspondence, facsimile, or email inquiries regarding the RFQ to:

Sonoma-Marín Area Rail Transit District
5401 Old Redwood Highway, Suite 200

Petaluma, CA, 94954
Attention: Mr. Ken Hendricks, Procurement Coordinator
Telephone: 707-285-8256
Email: khendricks@sonomamarintrain.org

RFQ INDUSTRY INFORMATION MEETING

An Industry Information Meeting will be held on **November 8, 2018**. The Information Meeting will convene at 10:00 a.m. at 5401 Old Redwood Highway, 1st Floor Meeting Room, Petaluma, CA 94954. While not mandatory, PDBEs are highly encouraged to make every effort to attend this meeting. Interested PDBEs are requested to confirm their intention to attend by notifying Mr. Ken Hendricks, the District's Procurement Coordinator, by email at: khendricks@sonomamarintrain.org or telephone (707-285-8256) prior to the date of the scheduled Industry Information Meeting.

The District will transmit to all PDBEs of record (holders of the RFQ) such Addenda as the District, in its discretion, considers necessary in response to written questions and those that arise during the RFQ Industry Information Meeting. Oral statements shall not be relied upon and shall not be binding or legally effective. Written Addenda issued by the District as a result of the RFQ Industry Information Meeting shall constitute the sole and exclusive record and statement of the results of the RFQ Industry Information Meeting and will be available on SMART's contracts website.

ADDITIONAL INFORMATION

PDBEs that require explanations or clarifications of the RFQ shall submit their inquiries, in writing, identifying the RFQ number and name, to the contact identified above.

Any response that the District may choose to make will be by written Addenda to the RFQ that can be accessed on SMART's contracts website. Email notification will announce the posting of a new Addendum. The District will not be bound by any explanation, clarification, or interpretation, oral or written, by whosoever made, that is not incorporated in an Addendum to the RFQ. The receipt of Addenda by the PDBE shall be acknowledged and shall be noted in the Qualification Statement. No response will be made to inquiries received by the District later than ten (10) calendar days before the scheduled Qualifications Statement submittal due date. It will be the responsibility of the PDBE to check the SMART website and confirm that they have all of the addendums prior to the submission of their Qualification Statement.

PREQUALIFICATION QUESTIONNAIRE AND OTHER INFORMATION

A Proposer's Qualifications Statement shall be submitted in accordance with the requirements of this RFQ. Proposers shall answer all questions contained in the Prequalification Questionnaire in Appendix A, and provide all other information required in the RFQ (see also Appendices B & C). The District will evaluate each submitted Qualifications Statement to determine whether to prequalify the PDBE with respect to its capacity and experience to effectively perform the scope of Work of the Contract.

PDBEs may submit Qualifications Statements during regular working hours (8:00 AM – 5:00 PM) on any day that the offices of the District are open no later than the Qualifications Statement submission date and time.

TABLE OF CONTENTS

Table of Contents

1.0	DEFINITIONS	6
2.0	LEGAL, CONTRACTUAL, MISCELLANEOUS MATTERS.....	10
3.0	INSURANCE.....	12
4.0	LABOR COMPLIANCE PROGRAM.....	12
5.0	CALIFORNIA CONTRACTOR'S LICENSE	12
6.0	CERTIFICATIONS	12
7.0	CONFLICT OF INTEREST	13
8.0	AFFIDAVIT OF AUTHENTICITY.....	14
9.0	USE OF ENGLISH LANGUAGE	14
10.0	CLARIFICATION REQUESTS BY DISTRICT	14
11.0	PROTESTS	14
12.0	APPLICATION OF CALIFORNIA PUBLIC RECORDS ACT.....	15
13.0	PROJECT ORGANIZATION	16
14.0	SUMMARY OF WORK	18
15.0	ANTICIPATED CONTRACT SCHEDULE	25
16.0	DESIGN-BUILDER ORGANIZATION.....	25
17.0	EVALUATION PROCESS.....	26
18.0	CHANGES.....	28
19.0	NON-DISCRIMINATION PROGRAM FOR SUBCONTRACTING; LOCAL BUSINESSES.....	28
20.0	NOTIFICATION OF PREQUALIFICATION AND DEBRIEFING	29
	APPENDICES.....	30
	APPENDIX A.1 - QUESTIONNAIRE SUBMITTAL CHECKLIST	31
	APPENDIX A.2 - PREQUALIFICATION QUESTIONNAIRE	32
	APPENDIX A.3 - QUESTIONNAIRE SCORING.....	91
	APPENDIX B.1.....	106
	AFFIDAVIT OF AUTHENTICITY FORM (submit with Qualification Statement)	106
	APPENDIX B.2.....	107
	CERTIFICATION REGARDING FINANCIAL CONTRIBUTIONS (submit with Qualification Statement)	107
	APPENDIX C - ORGANIZATIONAL CONFLICTS OF INTEREST	108
	DISCLOSURE STATEMENT.....	108

INSTRUCTIONS TO PROPOSERS

1.0 DEFINITIONS

The following words, terms, abbreviations, and acronyms, when used in this RFQ, shall have the definitions identified in this Section.

Addenda. Written errata, interpretations of, or revisions to RFQ documents issued by the District before the due date for submittal of a Qualifications Statement.

Affiliate. Any person which directly or indirectly, through one or more intermediaries, controls, is controlled by, or is under common control with the following: The Contractor; or any Principal Participant.

An Affiliate may also be any person for which ten percent or more of the equity interest in such person is held directly or indirectly, beneficially or of record, by the following:

- (a) The Contractor; or
- (b) Principal Participant.

For purposes of this definition, the term "control" means the possession, directly or indirectly, of the power to cause the direction of the management of a person, whether through voting securities, by Contract, by family relationship, or otherwise."

Architect of Record. The architect who assumes ultimate responsibility for all architectural elements of the Contract, including work that may be performed by other architects on the Contract, including those identified as Subcontractors.

Authorized Representative. A person fully authorized to act on behalf of the Proposer. A Power of Attorney in favor of the Authorized Representative shall be submitted together with the Proposal signed by each member of the Design-Builder.

Award. The acceptance by the District of a Bid or Proposal, whichever is applicable to the particular solicitation.

Best Value. A selection process in which proposals contain both price and qualitative components, and award is based upon a combination of price and qualitative considerations. The award selection is based upon consideration of a combination of technical and price factors to determine the offer deemed most advantageous and of the greatest value to the District.

CA DIR. California Department of Industrial Relations.

Contract. The written contract executed by the District to the Design/Builder covering the performance of the Work for the SMART Design/Build Initial Operating Segment in accordance with all Contract Documents.

Contract Documents. The documents so identified in the Contract.

Contractor. The person or persons, firm, partnership, joint venture, corporation, or combination thereof, or other entity, private, municipal, or public, which, as an independent contractor, has entered into a Contract with the District, and which is referred to throughout the Contract Documents by singular number and neuter gender.

Contractor's Representative. An individual designated in writing by the Contractor who, upon approval by the Engineer, shall have complete authority to represent and to act for the Contractor.

Days. Unless otherwise designated, days mean calendar days.

D/B. Design-Builder

Design-Build. A method of contracting where a single entity is contractually responsible for architectural, engineering and construction under a single contract.

Design-Build Entity or D/B Entity. A Design-Build Entity is defined by Public Contract Code section 20209.5 (c) as: "a corporation, limited partnership or other association that is able to provide appropriately licensed contracting, architectural, and engineering services as needed pursuant to a design-build contract." For purposes of the Questionnaire, the term includes all identified members of the Design-Builder's team as well as the Design-Builder and its equity members.

Designer. A Principal Participant, specialized Subcontractor, or in-house designer that leads the team furnishing or performing the engineering of the Contract.

Disadvantaged Business Enterprise or DBE. A for-profit small business concern owned and controlled by a socially and economically disadvantaged person(s) as defined in Title 49, Part 26.5, Code of Federal Regulations (CFR).

District. The Sonoma-Marín Area Rail Transit District.

District's Representative. The District's Representative will be the individual designated by the District or his/her designee, for management of the Contract.

District-Furnished Equipment (DFE) or Materials (DFM). Equipment and materials furnished by the District for installation or use by the Contractor.

Engineer. The District's representative as designated in the Supplementary Conditions.

Engineer of Record. An engineer, who has qualified academically, has the requisite practical experience, has passed a recognized examination, and is currently licensed as such in the State of California and who is in direct charge of the design of a designated Design Unit.

General Contractor. The member of the Design-Builder that will have the primary responsibility for the construction work under the Contract.

Heavy and Highway Work. All excavating, grading, trenching, paving, surfacing, cement and concrete work for the Contract.

Install. In reference to the Work to be performed by the Contractor, install shall be understood to

mean: anchored, fastened, or connected in place and adjusted for use; placed or applied in proper position and location; established in place and position for use or service in working order.

IOS. Initial Operating Segment (IOS-1) of the District's rail transit system.

ITP. Instructions to Proposers.

Joint Venture. Two or more firms jointly entering into a contract for a specific venture.

Joint Venture Participant. One of the firms participating in a Joint Venture.

Key Personnel. Designated personnel positions identified in the RFP that may not be replaced without the District's prior approval.

Local Business. A firm that meets one or more of the following criteria as of the date specified below and continues to meet one or more of the following criteria through the date its Work under the Contract is completed:

1. As of the Proposal Due Date (for Subcontractors identified in the Proposal) or date the Subcontract is awarded (for other Subcontractors), has its principal place of business in Marin or Sonoma County; or
2. As of the issuance of the RFQ, held a business license issued in Marin or Sonoma County ; or
3. As of the issuance of the RFQ maintains an office or other facility in Marin or Sonoma County in which not less than five persons are employed substantially full time.

Notice of Award. The written notice by the District to the successful Proposer or Bidder stating that upon compliance with the conditions precedent enumerated therein. The District will sign and deliver the Contract.

Notice to Proceed. Written notice from the District to the Contractor to proceed with the Work.

Option. A unilateral right in the' Contract by which, for a specified time, the District may elect to purchase, at a predetermined price specified in the Contract, additional equipment, supplies, services or work called for by the Contract.

Operations Control Center or OCC. The central operating and control facility for SMART System.

PDBE. Prospective Design-Build Entity (that is, an entity that wishes to be pre-qualified to submit a Proposal).

Pre-qualified PDBE. A PDBE who has been pre-qualified by the District and who is eligible to submit a Proposal in response to this RFP.

Principal Engineer/Principal Engineer of Record. The firm or licensed engineer who will assume ultimate responsibility for all engineering design elements of the Contract, including design work that may be performed by other engineers on the Contract, including those identified as

Subcontractors.

Principal Participant. Any of the following entities:

- (a) The Contractor (or Proposer);
- (b) An individual firm, all general partners, or JV members of the Contractor (or Proposer); or
- (c) All persons and legal entities holding (directly or indirectly) a 15% or greater interest in the Contractor (or Proposer)."

Project. Work required under the Contract for SMART's Windsor Extension Project.

Proposal. The offer of the Prequalified PDBE for the Work in response to the RFP.

Proposer. The offeror or Design/Builder who submits a Proposal in response to the District's RFP to perform the Work under the Contract.

Qualification Statement. The response to the RFQ submitted to the District by a PDBE.

Questionnaire. A series of questions and requests for information developed by CA DIR and amended or adopted by the District in order to prequalify a contractor.

Rail Installation Contractor. The construction contractor or subcontractor who has primary responsibility for the installation of rail, ballast, ties and special trackwork.

RFP. Request for Proposal.

RFQ. Request for Qualifications.

Restricted Parties. Those persons or entities from time to time identified by the District as being ineligible to participate as a Proposer, member of the Design-Build Entity or advisor to any such person or entity.

Scope of Services. Work to be performed by the Design-Builder.

Small Business or SBE. A firm that is listed as a SBE by the State of California, Department of General Services, in its database for SBEs.

SMART. Sonoma-Marine Area Rail Transit District.

SMART System. The Sonoma-Marine Area Rail Transit District, consisting of all real and personal property including right-of-way, tracks, structures, equipment and appurtenances, owned or controlled by the District.

State. The State of California.

Subcontract. Any contract between the Contractor and a Subcontractor, or between Subcontractors of any tier, to perform a portion of the Work.

Subcontractor. Any person or persons, firm, partnership, joint venture, corporation, or combination

thereof, or any other entity that contracts with the Design/Builder or Contractor or any Subcontractor of any tier, to perform a portion of the Work.

Supplier. A Subcontractor who is a manufacturer, fabricator, supplier, distributor, or vendor having a contract with the Contractor or with any Subcontractor to furnish materials or equipment to be incorporated in the Work by Contractor or any Subcontractor.

Stakeholders. Third party public or private agencies or jurisdictional authorities having an interest in the Contract.

Utility. All public and private facilities, other than the SMART System facilities, which relate to the conveyance and supply of water, sewage, gas, chemicals, steam, petroleum products and other piped installations; and all public and private facilities, other than the SMART System facilities, which relate to electrical energy, telephone; telegraph communications, radio, television and public transit installations.

Work. All performance required under the Contract as specified, shown, or indicated in the Contract Documents, including all Change Orders.

Working Days. All calendar days except weekends (Saturdays and Sundays) and District holidays.

2.0 LEGAL, CONTRACTUAL, MISCELLANEOUS MATTERS

2.1 Elimination

The District may, in its sole judgment, eliminate from further consideration a PDBE that (a) fails to submit all information required by this RFQ, or (b) submits falsified information, or (c) fails to meet the prequalification requirements identified in this RFQ.

2.2 Notification of Determination

The District has not predetermined a minimum or maximum number of PDBEs that will be prequalified. A Notice of Approved Prequalified PDBEs will be transmitted to each PDBE at the address contained in the Qualifications Statement.

2.3 Informalities and Irregularities

The District reserves, in its sole discretion, the right to waive informalities and minor irregularities or defects in Qualification Statements received, other provisions in this RFQ notwithstanding.

2.4 District's Reservation of Rights

In connection with this procurement, the District reserves to itself all rights (which rights shall be exercisable by the District in its sole discretion) available to it under the Public Contract Code and applicable law, including without limitation, the following, with or without cause and with or without notice:

- the right to withdraw or cancel this RFQ or the subsequent RFP in whole or in part at any time prior to the execution by the District of a design-build contract, without incurring any cost obligations or liabilities;
- the right to accept or reject any and all submittals, responses and proposals, or any parts thereof, received at any time;
- the right to modify all dates set or projected in this RFQ;
- the right to terminate evaluations of responses received at any time;
- the right to revise and modify at any time, factors it will consider in evaluating responses to this RFQ and the subsequent RFP and to otherwise revise its evaluation methodology;
- the right to waive any informalities, irregularities and omissions in the information contained in the SOQ's, or permit corrections to data submitted with any response to this RFQ until such time as the District declares in writing that a particular stage or phase of its review of the responses to this RFQ has been completed and closed;
- the right to adjust, increase, limit, suspend or rescind the pre-qualification rating based on subsequently learned information.
- the right to issue addenda, supplements, and modifications to this RFQ;
- the right to permit submittal of addenda and supplements to data previously provided with any response to this RFQ until such time as the District declares in writing that a particular stage or phase of its review of the responses to this RFQ has been completed and closed;
- the right to hold meetings and conduct discussions and correspondence with one or more of the PDBE responding to this RFQ to seek an improved understanding and evaluation of the responses to this RFQ;
- the right to seek or obtain data from any source that has the potential to improve the understanding and evaluation of the responses to this RFQ;
- the right to permit PDBEs to add or delete firms and/or key personnel until such time as the District declares in writing that a particular stage or phase of its review has been completed and closed;
- the right to add or delete Design-Builder responsibilities from the information contained in this RFQ or the subsequent RFP;
- the right to waive deficiencies in a SOQ, accept and review a non-conforming SOQ or seek clarifications or supplements to a SOQ;
- the right to disqualify any PDBE which changes its submittal without the District approval,
- the right to add or modify its reserved rights in the subsequent RFP, and
- the right to make all final determinations.

The District assumes no obligations, responsibilities, and liabilities, fiscal or otherwise, to reimburse all or part of the costs incurred or alleged to have been incurred by parties considering a response to and/or responding to this RFQ, or the subsequent RFP. All of such costs shall be borne solely by each PDBE and Design-Build Entity.

In no event shall the District be bound by, or liable for, any obligations with respect to the project until such time (if at all) as a design-build contract, in form and substance satisfactory to the District, has been executed and authorized by the District and, then, only to the extent set forth therein. The District makes no representations that the contract will be awarded to any PDBE responding to this RFQ.

For Federally funded projects, PDBEs must comply with all Federal requirements including but not limited to; the Fly America Act, Buy America Act, Cargo Preference (Use of United States Flag Vessels), DOT Seismic Safety regulations, Energy Conservation standards issued with the Energy Policy and Conservation Act, Federal Water Pollution Control Act, Byrd Anti-Lobbying

Disclosure Act, Clean Air Act, Title VI and Title VII of the Civil Rights Act, the Ag Discrimination Employment Act of 1967, the Americans with Disabilities Act, and the Fair Labor Standards Act. More information shall be included in the Request for Proposals phase.

3.0 INSURANCE

The District's insurance requirements are currently under review and may change. They will be detailed in the RFP and in the Contract. For purposes of this Proposal, certain minimum coverages are required and identified in Appendix A.2, Part II of the Questionnaire.

4.0 LABOR COMPLIANCE PROGRAM

The District intends to implement a Labor Compliance Program containing the requirements outlined in Section 1771.5 of the California Labor Code.

5.0 CALIFORNIA CONTRACTOR'S LICENSE

PDBEs are hereby advised that in order to be prequalified, the Design-Builder, and if a joint venture at least one member of the Joint Venture, must possess a valid State of California Class A Contractor's License by the date on which Qualifications Statements are due. If the Design-Builder is a Joint Venture who is prequalified by the District, the Joint Venture will be required, at the time of submittal of its Proposal in response to the RFP, to have a current, active license in good standing to act in the capacity of a Contractor within the State in accordance with Sections 7029 and 7029.1 of the State Business and Professions Code.

6.0 CERTIFICATIONS

6.1 Certification Regarding Financial Contributions

All PDBEs and identified Subcontractors with Subcontracts expected to exceed \$100,000 shall execute the "Certification Regarding Financial Contributions" in Appendix B.2 to this RFQ and include it with the Qualification Statement.

6.2 Financial Contribution Limitation

The Board of Directors of the Sonoma-Marín Area Rail Transit District adopted a Board rule limiting financial contributions to Board members and candidates for Director (Rules of the Board of Directors, Chapter V, Section 5, as amended from time to time, hereinafter referred to as "the Rule"). In regard to any Contract Award requiring authorization of the Board, the Rule prohibits all PDBE's and any proposed first-tier Subcontractor or Supplier whose Subcontract exceeds \$100,000 from making any monetary or in-kind contribution (including loans) in excess of \$1,000 to a SMART Director or to any candidate for Director.

For purposes of the Rule, the term "contribution" shall have the same meaning as defined in California Government Code Section 82015 and implementing regulations adopted by the Fair Political Practices Commission.

The Rule shall be effective from the date of Qualification Statement submittal and except as noted below, continue until award of the Contract. If the PDBE is not prequalified, it will not be subject to this Rule. If a Prequalified PDBE does not submit a Proposal, the Prequalified PDBE

will not be subject to the Rule after the date Proposals are opened.

The PDBE shall require each proposed Subcontractor or Supplier whose Subcontract is expected to exceed \$100,000 to comply with the Rule and execute the "Certificate Regarding Financial Contributions."

The PDBE must use its best efforts to collect the Certification for each first-tier Subcontractor or Supplier whose Subcontract is expected to exceed \$100,000 and submit such Certifications along with its own to the District on the Qualification Statement submission date.

The PDBE is advised that all Certifications must be submitted on the Qualification Statement submittal date unless there is reasonable cause for delay; however, the PDBE is cautioned that unless all Certifications are submitted within five (5) calendar days after the Qualification Statement submittal date, the Qualification Statement may be considered non-responsive. Certification submitted after Qualification Statement submittal date shall be submitted to:

Sonoma-Marín Area Rail Transit District
5401 Old Redwood Highway, Suite 200
Petaluma, CA, 94954

Telephone: 707-285-8256
Attention: Mr. Ken Hendricks, Procurement Coordinator

Email transmission of the Certification will be acceptable by the above deadline subject to subsequent receipt of originals by express or U.S. mail prior to the issuance of the approved Prequalified PDBE list. Please direct any questions regarding the Rule to SMART's Contract Administrator.

7.0 CONFLICT OF INTEREST

Depending upon the nature of the services performed, District consultants and contractors are subject to the same conflict of interest prohibitions that apply to District employees. These include the requirements of California law (including Government Code Sections 1090 et seq., and 87100 et seq., and Title 2, Division 6 of the California Code of Regulations.) The District reserves the right to disqualify any PDBE under the RFQ if the District, in its sole discretion, deems that the potential for conflicts of interest is likely to impair or restrict the PDBE's ability to furnish services contemplated within the Scope of Services for the Contract.

As part of the RFQ process, PDBEs are required to disclose all work performed by the PDBE (or any of its affiliates) within five (5) years of the date for receipt of Qualification Statements for this RFQ which is related to a SMART project. Each Proposer including its team members must complete Appendix C, entitled "Organizational Conflicts of Interest Disclosure Statement", and include it with the Qualifications Statements. Additionally, PDBEs may be required to disclose financial interests so that the District may be assured that the potential for conflicts of interest under state and federal laws and regulations is not likely to impair the PDBE's ability to furnish services contemplated within the Scope of Services for the Contract. The District will perform a conflict of interest review during evaluation of the Qualification Statements.

In the event that any member of a PDBE has disclosures to make or concerns regarding potential conflict of interest, the member of the PDBE may submit the "Organizational Conflicts of Interest

Disclosure Statement" form in Appendix C to the District for review at any time prior to the due date of the Qualifications Statement. Upon receipt of the form, the District will make a determination as to whether or not a conflict exists and so advise the member who submitted the form. The District encourages early inquiry with respect to any such request.

8.0 AFFIDAVIT OF AUTHENTICITY

The "Affidavit of Authenticity Form" in Appendix B.1 **must be submitted by** the PDBE and each of its joint venture members or general partners in order to be prequalified. Each legal entity that is a member of the PDBE must execute and have notarized its own separate Affidavit of Authenticity. This form includes the acknowledgement of any and all Addenda issued by the District.

9.0 USE OF ENGLISH LANGUAGE

Qualification Statements shall be prepared in the English language and are only acceptable in English.

10.0 CLARIFICATION REQUESTS BY DISTRICT

In the event that the District requests a clarification to a submitted Qualifications Statement, the PDBE shall respond in writing to the District's request for clarification within the time period set forth in the District's request. The PDBE shall mail, email, or hand deliver the required clarification or correction directly to:

Sonoma-Marín Area Rail Transit District
5401 Old Redwood Highway, Suite 200
Petaluma, CA, 94954
Attention: Mr. Ken Hendricks, Procurement Coordinator
Telephone: 707-285-8256
Email: khendricks@sonomamarintrain.org.

Any written communication from a PDBE other than a point of clarification expressly required by the District) that is, or in the District's sole judgment appears to be, a modification to a Qualifications Statement will not be considered.

11.0 PROTESTS

This Section 11.0 sets forth the exclusive protest remedies available with respect to this RFQ. Each PDBE, by submitting its SOQ, expressly recognizes the limitation on its rights to protest contained herein, expressly waives all other rights and remedies, and agrees that the decision on any protest, as provided herein, shall be final and conclusive unless wholly arbitrary. These provisions are included in this RFQ expressly in consideration for such waiver and agreement by the PDBEs.

11.1 Delivery Address

All protests must be in writing; shall state the name and address of protester, a contact person with contact information, the title of the prequalification document; and shall specify in detail the grounds of the protest and the facts supporting the protest.

All protests shall be delivered in hard copy to the following address:

Sonoma-Marín Area Rail Transit District (SMART)
ATTN: SMART D/B WINDSOR EXTENSION PROJECT RFQ PROTEST
5401 Old Redwood Highway, Suite 200
Petaluma, CA, 94954

Protests not properly addressed to, or not received by, the District will not be considered by the District.

11.2 Protests Regarding RFQ Content

In order to be considered by the District, five (5) copies of the protest stating its grounds based on the content of the RFQ must be received by the District office no later than ten (10) calendar days after the RFQ is first advertised. A written decision for sustaining all or part of the protest, or denying the protest in its entirety, will be transmitted to the protestor prior to the submittal of due date of the Qualification Statements. The District's decision will be final.

11.3 Protests regarding District Approved Prequalified PDBEs

The District will transmit, to all PDBEs who have submitted a Qualifications Statement, a Notice of Approved Prequalified PDBEs at the address contained in their Qualification Statement. Any PDBE who has submitted a Qualifications Statement may protest the District's action to not prequalify the PDBE. Five (5) copies of a written statement specifying in detail the grounds of the protest must be received by the District no later than seven (7) calendar days after the date on which the PDBE received the Notice of Approved Prequalified PDBEs.

The protest shall specify the grounds upon which the protest is based. To be considered adversely-affected, the PDBE must demonstrate that the District's decision not to prequalify the PDBE (a) was arbitrary or capricious or (b) involved substantial violation of a provision in the RFQ or applicable procurement statute.

A written decision allowing or denying the protest will be mailed to the protester within fourteen (14) days after the District's receipt of the full and complete written statement from the Proposer. The District's decision will be final.

12.0 APPLICATION OF CALIFORNIA PUBLIC RECORDS ACT

All written correspondence, exhibits, photographs, reports, printed material photographs, tapes, electronic disks, and other graphic and visual aids submitted to District during this procurement pre-qualification process, including as part of the response to this RFQ, are, upon their receipt by District, the property of District and are subject to the California Public Records Act (Chapter 3.5, commencing with Section 6250, of Division 7 of Title I of the Government Code) (the "Act"). None of the aforementioned materials will be returned to the submitting parties. Respondents should familiarize themselves with the provisions of the Act. In no event shall District, or any of its agents, representatives, consultants, directors, officers or employees be liable to any PDBE or member of a Design-Build Entity for the disclosure of all or a portion of a SOQ submitted under this RFQ.

If a responding PDBE has special concerns about information which it desires to make available to District but which it believes constitutes a trade secret, proprietary information, or other

information excepted from disclosure, such responding PDBE team should specifically and conspicuously designate that information as "TRADE SECRET" or "CONFIDENTIAL" in its filed response to this RFQ. Blanket, all-inclusive identifications by designation of whole sections as containing proprietary information, trade secrets or confidential commercial or financial information shall not be permitted and shall be deemed invalid. The specific proprietary information, trade secrets or confidential commercial and financial information must be clearly identified as such.

The District will endeavor to advise the submitter of any request pursuant to the California Public Records Act and any other applicable laws for the disclosure of any material properly labeled as proprietary, trade secret or confidential so as to allow the submitter the opportunity to seek a court order to protect such materials from disclosure. Under no circumstances, however, will the District be responsible or liable to the submitter or any other party for the disclosure of any such labeled materials, whether the disclosure is deemed required by law, by an order of court, or occurs through inadvertence, mistake or negligence on the part of the District or its officers, employees, contractors or consultants.

The District will not advise a submitting party as to the nature or content of documents entitled to protection from disclosure under the California Public Records Act or other applicable laws, as to the interpretation of the California Public Records Act, or as to the definition of trade secret. The submitting party shall be solely responsible for all determinations made by it under applicable laws, and for clearly and prominently marking each and every page or sheet of materials with "TRADE SECRET" or "CONFIDENTIAL" as it determines to be appropriate. Each submitting party is advised to contact its own legal counsel concerning the California Public Records Act, other applicable laws and their application to the submitting party's own circumstances.

In the event of litigation concerning the disclosure of any material submitted by the submitting party, the District's sole involvement will be as a stakeholder retaining the material until otherwise ordered by a court, and the submitting party shall be responsible for otherwise prosecuting or defending any action concerning the materials at its sole expense and risk. The submitting party shall reimburse the District for any expenses it incurs in connection with any such litigation.

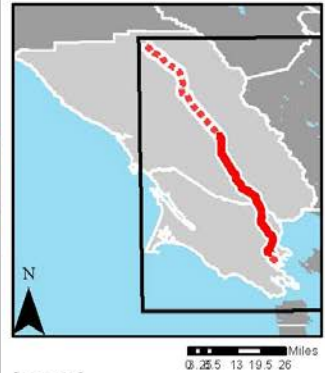
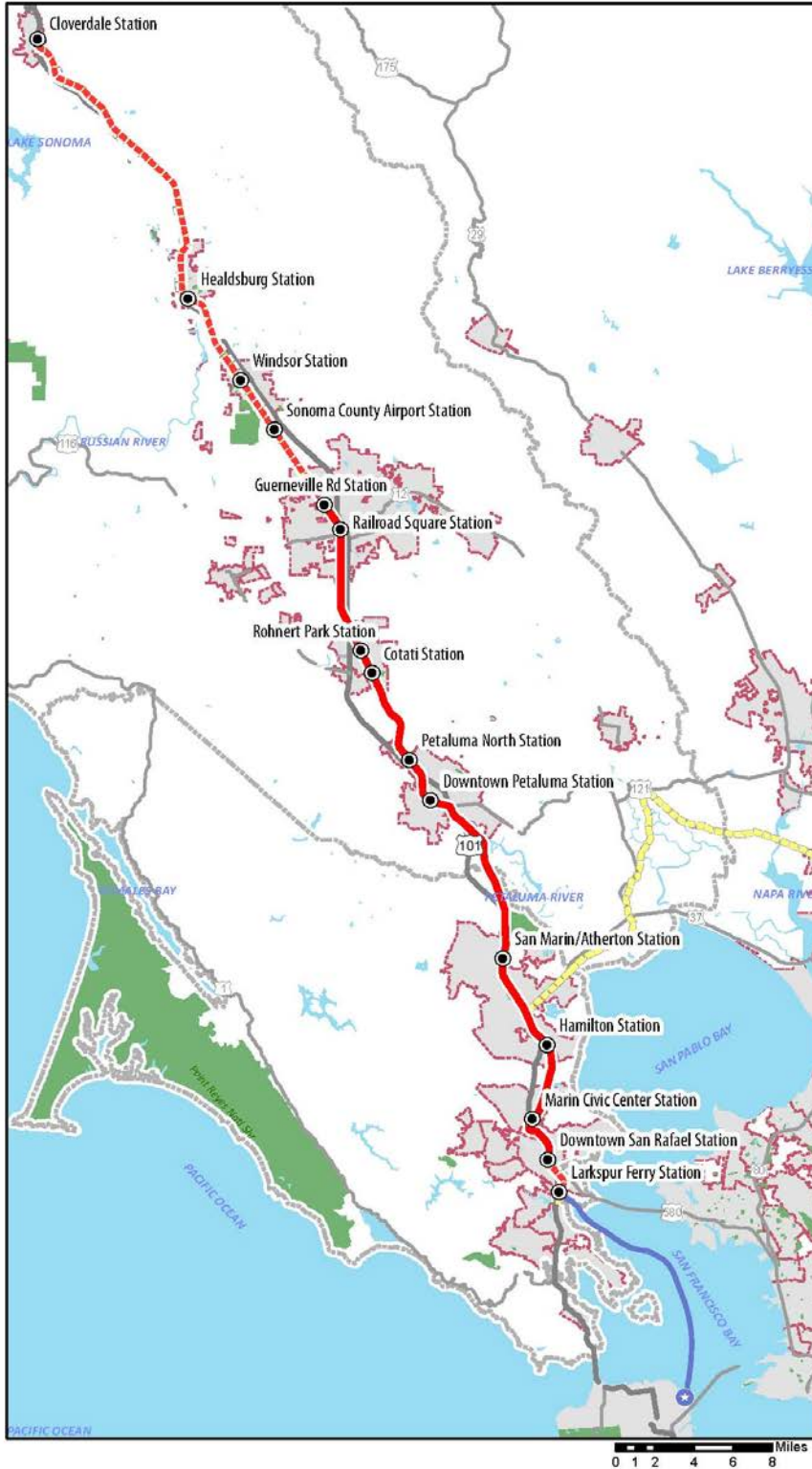
13.0 PROJECT ORGANIZATION

13.1 SMART

The SMART District was established by the California Legislature in 2003 through the enactment of AB 2224, and is comprised of the two counties where SMART operates: Marin and Sonoma Counties. The corridor is owned by the SMART District from Milepost (MP) 68.22 in Healdsburg southward to MP 11.4 in Corte Madera. North of Healdsburg, the NWP is owned by the North Coast Railroad Authority (NCRA), over which SMART has trackage rights as far north as Cloverdale (MP 85.35). See **FIGURE 13-1 SMART System Map**.

SMART is responsible for implementing passenger rail service that will operate over approximately a 70-mile corridor between the cities of Cloverdale (Sonoma County) and Larkspur (Marin County). Historically known as the Northwestern Pacific Railroad (NWP), SMART generally parallels Highway 101 running north-south in Sonoma and Marin Counties.

SMART District



Legend

- San Francisco Ferry Building
- SMART Stations
- Phase**
- Phase 1
- Future Phase
- SMART owned rail
- SMART Counties
- Water
- State and National Parks
- Incorporated Cities

FIGURE 13-1 SMART SYSTEM MAP

13.2 The District's Representative

The District will appoint a representative for the Contract. The District's Representative will manage administrative functions and coordinate with the other SMART departments and external agency contacts including the dissemination of public information.

13.3 The SMART Engineering Consultants

The District may engage the services of consultants to provide engineering support to the District. Such support includes but is not limited to: design oversight, proposal evaluation and assistance, contract compliance reviews, maintaining and reporting on the project schedule and cost status, and coordination with other agencies.

13.4 The Construction Management Oversight Consultant

The District may engage the services of consultants to provide construction management support to the District. Such support includes but is not limited to: construction oversight, contract compliance inspection, construction quality assurance, office engineering support, monitoring, maintaining and reporting on contract schedule and cost status, and coordination with other agencies.

13.5 Ineligible PDDB Team Members and Advisors

As a result of their involvement with the District's Windsor Extension Project Contract, the following firms and their affiliates have been identified as Restricted Parties and are therefore not eligible to participate as the Proposer or as a member of a PDDB. Additional firms or persons may be added to this list of Restricted Parties at any stage of the process.

Cinquini and Passarino, Inc.
Earth Mechanics, Inc.
GHD, Inc.
Krebs Corporation
LTK Engineering, Inc.
MGrodner, LLC
RailPros, Inc.
Stantec Consulting Services, Inc.
WRA Inc.

14.0 SUMMARY OF WORK

Work under the Contract will include, but is not limited to: all management, coordination, professional services, labor, equipment, materials, and other services to perform the final design and construction of civil, structural, and architectural improvements of WINDSOR EXTENSION PROJECT, for the SMART rail transit system.

14.1 Description of Windsor Extension Project

SMART is advancing the Windsor Extension Project – a 3-mile extension of the SMART passenger rail system from Airport Boulevard in unincorporated Sonoma County to the Town of Windsor. This segment of the SMART passenger rail system is another step in completing the 70-mile system from Larkspur to Cloverdale.

The 3-mile route will utilize the existing SMART owned railroad right-of-way. The project requires railway improvements including reconstructing track, constructing a station platform, reconstructing grade crossings, replacing trestle bridges, constructing a parking lot, constructing a multi-use pathway, extending the Positive Train Control (PTC) signaling, radio, and communications systems. See **FIGURE 14-1 WINDSOR EXTENSION PROJECT MAP**.

Windsor Extension Project Elements



FIGURE 14-1 WINDSOR EXTENSION PROJECT MAP

14.2 Principal Elements of the Work

A preliminary summary description of the principal elements of the Work is contained in this Section. The exact scope of work is subject to change by the District and will be detailed in the RFP and the Contract.

14.2.1 Summary Description of Work

- A. The Contract will be a design-build contract that develops the civil, structural, and architectural elements throughout the SMART project area.
- B. The work elements are:
 - 1. **Civil, station, and track construction from SMARTs Rail Operations Center (ROC) to the Town of Windsor station located north of Windsor River Road:** Utility location and relocations, track construction, platform structure and station finishes, grade crossing equipment foundations and instrument house grading, slope stabilization/retaining walls, fire safety improvements, and traffic signal and pedestrian crossing improvements.
 - 2. **Platform finishes:** Railing, lighting, fabrication and installation of shelter and signage for the following platforms:
 - 1. Windsor
 - 3. **Parking lot:** Grading, drainage, paving, and pedestrian connections.
 - 4. **SMART Pathway:** Private/public utility relocations, retaining walls, pedestrian bridges, grading, paving, signage and striping.
- C. SMART is an active passenger rail service operating from the Airport Station south to San Rafael. There is occasional freight operations north of Airport Road to Windsor. The Windsor Extension Project contractor will need to coordinate with the passenger and freight rail operations during design and construction. The Windsor Extension contractor may not interrupt SMART passenger operations.

14.2.2 Contract Scope of Work

- A. The Work includes furnishing all management, coordination, professional services, labor, equipment, materials, and other services required to design, obtain permits, procure all materials, construct, install, test, commission, and maintain the track, structures, rail systems interfaces, utilities, roadway improvements and other elements of Work included in the RFP and the Contract Documents.
- B. Project Management: The work includes providing the following professional and administrative services:

1. Management.
2. Coordination with SMART and other designers.
3. Construction safety.
4. Safety certification.
5. Accounting.
6. Scheduling and schedule control.
7. Cost estimating and cost control.
8. Management and monitoring of small and local business participation
9. Subcontract management.
10. Coordination of design, procurement, and construction.
11. Quality control and compliance with SMART quality assurance requirements.
12. Document control.
13. Design, construction, safety and quality management.
14. Environmental mitigation implementation.
15. Reporting.
16. Record documents.
17. Contract close-out.

C. Design Engineering Professional Services: The work includes the following services:

1. Completion of final design and providing design documents for construction, sealed by a Professional Engineer licensed in California, as approved by SMART and jurisdictions having authority.
2. Obtaining necessary jurisdictional permits from local municipalities for construction.
3. Obtaining some jurisdictional resource permits such as approval from the State Water Resources Control Board for a Storm Water Pollution Prevention Plan and approval from the California Department of Toxic Substances Control.
4. Coordination of all designs and contract interfaces with other designers and third parties, including the freight railroad and jurisdictions.
5. Preparation of design and construction submittals.
6. Identification of problem areas and development of resolutions.
7. Design services during construction.
8. Performance of a safety hazard analysis and minimizing identified hazards in the final design.
9. Final Geotechnical investigation and Report in support of final design.
10. Field surveys including completion of final base mapping of actual existing conditions in support of final design.
11. All track, civil, structures, geotech, traffic, and utilities engineering.
12. Configuration management.

D. Trackwork and Civil Construction: The work includes designing, furnishing, installing, testing, and maintaining of the following:

1. Removal and disposal of existing rail, ties and ballast; reconstruction of the track including subgrade improvements, ballast, ties and rail; related clearing and grubbing, construction of temporary facilities, demolition/removal/abandonment of structures and the relocation and protection of existing utilities.
2. Grading and drainage including earthwork and modifications to existing culverts and channels.

3. Trackwork, including special trackwork and sidings.
4. Civil portion of Systems Contract to include grading to create CIL pads, signal and gate arm base installation, and conduit for Systems.
5. Restoration of disturbed areas affected by construction.
6. Rail/roadway crossings.
7. Environmental mitigation measures.

SMART is interested in innovative cost saving approaches to track installation that will be cost effective. These approaches may incorporate re-use of materials and rehabilitation methods that do not sacrifice the ultimate integrity of the track structure.

- E. Structures: Consists of designing, furnishing, installing and testing SMART pathway bridge structure, new railroad bridges, box & drainage culverts, station platform and shelter, and retaining wall structures within the railroad Right of Way.
- F. Electrical: Consists of the designing, furnishing, installing, and testing of raceways, conduits and electrical work for the station platforms. Electrical shall include conduits necessary for the Systems Contract

14.3 Scope Changes

Details contained in this RFQ concerning the proposed Contract Documents are preliminary and subject to change during the procurement process. Changes in scope may also occur following award of the Contract. Details herein are provided for purposes of providing guidance and background information to PDBEs to assist them in preparing Qualifications Statements.

14.4 Environmental Clearance

A certified Final Environmental Impact Report (EIR) and Final Supplemental EIR have been adopted for the project, under the provisions of the California Environmental Quality Act (CEQA). CEQA documents and the environmental mitigation measures are available for review on SMART's website for document procurement.

14.5 Compliance with Environmental Requirements

The Design Builder (D/B) will be required to comply with all laws, rules and Project-specific environmental requirements relating to protection of the environment as these requirements apply to the construction and the D/B's operation. The District intends to obtain most of the necessary Federal and State permits for the Project (e.g., Army Corps, CA State Water Quality Board, California Department of Fish and Wildlife (CDF&W), etc.) and the D/B will be required to comply with the provisions of these permits. The D/B will be required to apply for and obtain all other necessary local permits, licenses, or other authorizations necessary for the conduct of the Work pursuant to the Contract Documents.

14.6 Agency Coordination

The Design-Builder will be required to coordinate with SMART environmental consultants for all relevant aspects of Work, including, but not limited to, permit application, permit narrative of construction materials and methods, design submittals with typicals and drawings to clearly identify extent and limits of impact, construction plans and overlays on baseline environmental maps, and other Project permit reviews and meetings with all the agencies and utilities that may be involved including, but not limited to SMART, the operating railroad, and the jurisdictions. The RFP will specify with which agencies and utilities the Design Builder shall coordinate.

15.0 ANTICIPATED CONTRACT SCHEDULE

The District's tentative RFQ schedule is as follows and is subject to change:

Procurement Schedule – Design Build – Windsor Extension Project	Proposed Dates
Advertise and Issue RFQ for Design Build WINDSOR EXTENSION PROJECT	October 26, 2018
RFQ Industry Information Meeting	November 8, 2018 at 10:00am (PST)
Deadline for Questions to be Submitted	November 28, 2018
Final Addendum Issued by SMART	November 30, 2018
Deadline for RFQ Submittals	December 7, 2018 at 5:00pm (PST)
Review RFQ Submittals and Select Prequalified Design-Build Entities	December 8-21, 2018

It is SMART's intent to issue the Request for Proposal documents to the selected pre-qualified PDBEs in January 2019 with contract award in early 2nd Quarter of 2019.

16.0 DESIGN-BUILDER ORGANIZATION

The PDBE consists of the Design-Builder and any Consultants and Subcontractors the Design-Builder wishes to include. The Design-Builder may have all necessary design and construction capabilities "in-house" or the Design-Builder may subcontract for these services.

The PDBE and all of its joint venture members or general partner members must sign the Affidavit of Authenticity, Appendix B.1. In addition, the following members of the PDBE will be required to submit the information required in Appendix A.2 - Questionnaire in order to be prequalified under this RFQ:

16.1 Design-Builder

The Design-Builder is the entity that will enter into the design-build Contract with the District, The Design- Builder may be a newly formed corporation, joint venture, or partnership, or it may have already been in existence for some time.

16.2 General Contractor Member(s) of the Design-Builder

The General Contractor will have primary responsibility for construction work under the Contract. The PDBE shall clearly identify who will be the Rail Installation Contractor on the proposed Design-Build team, i.e., either the General Contractor or a Subcontractor.

16.3 Principal Engineer

The Principal Engineer will be the engineer of record who will have primary responsibility for design work under the Contract.

16.4 Architect of Record

The Architect of Record will have primary responsibility for all architectural elements of the work under the Contract.

16.5 Heavy and Highway Subcontractors

The Design-Builder may perform all Heavy and Highway Work in the Contract or may subcontract some of this Work. If any Heavy and Highway Work are subcontracted, such prospective subcontractors must complete and submit the Questionnaire to be prequalified. The Design-Builder may already know which Heavy and Highway Subcontractors it will work with, or as an alternative, the Design-Builder may prequalify several Heavy and Highway Subcontractors now from which it will later accept bids to perform these services.

16.6 Other Subcontractors

The Design-Builder may prequalify other (non-heavy and highway) subcontractors for the Project. In the event that the Design-Builder intends to include a Rail Installation Subcontractor on its team, in lieu of the General Contractor performing the rail installation work, the Rail Installation Subcontractor shall be prequalified.

Subcontractors will be entitled to the protections contained in Chapter 4 (commencing with Section 4100) of Part 1 of Division 2 of the Public Contract Code as specified therein and in the transit operator design-build law.

17.0 EVALUATION PROCESS

The District intends to evaluate Qualifications Statements submitted in response to this RFQ in accordance with the processes described in this Section. Only approved Prequalified PDBEs will be invited to submit Proposals in response to the RFP for the Contract.

If the District decides that more information is required prior to completing its evaluation of a Qualification Statement, the District may, but is not obligated to, request additional information from the PDBE through a clarification request in accordance with Section 10.0 of this RFQ. The District's evaluation procedure will be conducted using three screening levels: responsiveness; essential requirements; and scored questions.

17.1 Responsiveness – First Level of Qualifications Statement Evaluation

The first level of the Qualification Statement evaluation involves a review of submitted material to determine if all required information and prequalification Questionnaires have been submitted. The District will determine whether the Qualification Statement is responsive to the submittal requirements of the RFQ and whether it has included all required information.

Failure to submit all items in the Appendix A.1 Questionnaire Submittal Checklist will cause the District to not evaluate the Qualification Statement using the second level of screening criteria. The Qualification Statement will be found non-responsive and not considered further.

The District reserves the right to reject any Qualifications Statement as non-responsive for any of the following reasons:

- Receipt of the Qualification Statement after the due date and time specified in the RFQ; or
- Failure to submit all of the information, forms and certificates requested in Parts I, II, III, and IV described in Appendix A.2 - Questionnaire.

Note: The Questionnaire is not all-inclusive. While the minimum number of forms is provided, additional forms or information may be required. In addition, many of the questions require additional or supporting information for which there are no forms provided. The PDBE is responsible for reviewing all the forms and determining where additional information is required.

17.2 Essential Requirements for the PDBE – Second Level of Qualifications Statement Evaluation

The second level of the Qualification Statement evaluation involves evaluation of the questions in Part II - Essential Requirements for the Design-Build Entity. The District will follow the California DIR recommended guidelines for scoring Part II, included in Appendix A.3 - Questionnaire Scoring. Failure to achieve the minimum score on Part II will preclude further evaluation of the Qualification Statement, and the Qualification Statement will be found unacceptable and not considered further.

17.3 Scored Questions and Referenced Projects – Third Level of Qualification Evaluation

The third level of the Qualification Statement evaluation involves scoring of Part III - Scored Questions and Part IV - Referenced Projects.

Part III — Scored Questions. The District will follow the California DIR recommended guidelines for scoring Part III, included in Appendix A.3 – Questionnaire Scoring. Failure to achieve the minimum score on any single Part III element will preclude further evaluation of the Qualification Statement, and the Qualification Statement will be found unacceptable and not considered further.

Part IV — Referenced Projects. The District will score Part IV in accordance with Appendix A.3. In the Qualification Statement, substantially completed contracts may be used to meet a qualifying experience requirement. Substantial completion means that the related project is ready for public use or occupancy but final acceptance by the owner has not yet occurred.

17.4 Scoring Summary

The Qualification Statement will be found unacceptable and not considered further if the Design-Builder fails to achieve a zero (0) on Part II - Essential Requirements for the Design-Builder; fails to achieve the minimum score on any single remaining questionnaire in Part III - Scored Questions (including the questionnaire for the Rail Installation Subcontractor but excluding questionnaires for Other Subcontractors, and provided that the Qualification Statement will not be considered unacceptable with respect to Heavy and Highway Subcontractors if at least one questionnaire for such subcontractors achieves the minimum score); and/or fails to meet a score of 71 or higher on a minimum of two interviews in Part IV - Referenced Projects.

Those Qualification Statements found to be responsive and that have met the scoring requirements

of this RFQ will be found acceptable. If a Qualification Statement does not meet the responsiveness and scoring requirements of the RFQ, it will be found unacceptable.

No distinction will be made between Qualification Statements that exceed the RFQ requirements from those that simply meet RFQ requirements. No pricing information is involved in the prequalification.

18.0 CHANGES

Once a Prequalified PDBE is included in the approved Prequalified PDBE list, no change may be made in the prequalified elements of the Prequalified PDBE's organization, including the joint venture itself, except upon written approval of the District, and only in accordance with this section 18.0. The District does not encourage changes to the prequalified PDBE. Further, while the District may consider requested changes, the District has no obligation to approve any such requested changes.

18.1 Time Limit for Requesting Changes

In the event that a prequalified PDBE decides to request a change, the request shall be made in writing to the District **no later than ten (10) calendar days prior to the date Proposals are due in response to the RFP.**

18.2 Substitution of Members of the Prospective Design-Build Entity Following Prequalification

Prequalified PDBEs shall not substitute members of the Design-Build Entity except upon written approval by the District. District approval will be granted only subject to the requirements of this Section 18.0, and only if the District determines that the proposed change does not decrease the prequalified PDBE's capability and experience with respect to its technical, organizational, personnel, safety, quality, Subcontractor, SBE/DBE participation, management, and other qualifications information that was submitted in the PDBE's Qualification Statement.

18.3 Submittal of Change Requests

Substitution requests shall be submitted by the PDBE to the District at the following address:

Sonoma-Marín Area Rail Transit District
5401 Old Redwood Highway, Suite 200
Petaluma, CA, 94954
Attention: Mr. Ken Hendricks, Procurement Coordinator
Telephone: (707) 285-8256

The District's decision with regard to proposed substitutions will be final and conclusive.

19.0 NON-DISCRIMINATION PROGRAM FOR SUBCONTRACTING; LOCAL BUSINESSES

It is the policy of SMART to ensure that contractors who contract with the District do not discriminate or give a preference in the award of subcontracts on the basis of race, national origin, color, ethnicity, or gender. A Proposer is not required to subcontract any portion of the work. If a Proposer subcontracts a portion of the work, it shall do so without discrimination.

19.1 PDBE Team Members

PDBEs are encouraged to include local (Marin and Sonoma counties) businesses, as well as SBEs on their teams. Further, the District does not preclude a local business or SBE Subcontractor from participating on more than one proposing team. The District will consider the use of local businesses and SBEs as factors in evaluating proposals. These factors will be set forth in more detail in the RFP. As part of the PDBE's proposal evaluation in the RFP stage, SMART will consider the Local and Small Business participation as part of the overall quality evaluation. When Federal funding is involved, PDBEs shall ensure SMART's Disadvantaged Business Enterprise (DBE) goal percent is met. SMART's current DBE goal is 4.4%. For non-Federally funded projects, PDBEs are encouraged to use services offered by financial institutions owned and controlled by DBEs.

19.2 Subcontracting Plan

PDBEs are advised that the RFP will contain requirements for a Subcontracting Plan, including opportunities for hiring local employees and businesses, as well as the use of SBE/DBE businesses, which will be an evaluated element during the RFP selection process. PDBEs are encouraged to work closely at an early stage with local, SBE, and DBE businesses. For Federally funded projects, PDBEs must meet SMART's DBE goal requirement.

20.0 NOTIFICATION OF PREQUALIFICATION AND DEBRIEFING

PDBEs that submit a Qualifications Statement will be notified in writing regarding the PDBEs selected for inclusion in the approved Prequalified PDBEs list. Such Notice of Approved Prequalified PDBEs will be made within five (5) calendar days of the date of the approval of the Prequalified PDBEs.

PDBEs not selected for inclusion in the approved Prequalified PDBEs list may request a debriefing. Such request must be made in writing to the District within five (5) days of receipt of the above-described notification.

APPENDICES

A. APPENDIX A – QUESTIONNAIRE

A.1 QUESTIONNAIRE SUBMITTAL CHECKLIST

A.2 PREQUALIFICATION QUESTIONNAIRE

A.3 QUESTIONNAIRE SCORING

B. APPENDIX B - FORMS

B.1 AFFIDAVIT OF AUTHENTICITY FORM

B.2 CERTIFICATION REGARDING FINANCIAL CONTRIBUTIONS

C. APPENDIX C - ORGANIZATIONAL CONFLICTS OF INTEREST DISCLOSURE STATEMENT

APPENDIX A.1

QUESTIONNAIRE SUBMITTAL CHECKLIST

This checklist is provided for the PDBEs convenience. It is the PDBEs responsibility to ensure that all required information is included in the Qualifications Statement.

- ___ Provide Joint Venture Agreement if the PDBE is joint venture.
- ___ Answer all questions in Appendix A.2, Questionnaire - PART I - Information about the Prospective Design-Build Entity Members.
 - ___ Include a brief description of each member firm of the PDBE and identify the firm's respective scope of work for the Design-Build Contract.
 - ___ Include an organization chart showing the role and relationship of each member of the PDBE included in the Qualification Statement.
- ___ Answer all questions in the Appendix A.2, Questionnaire - PART II - Essential Requirements for the Prospective Design-Build Entity.
 - ___ In addition to the financial statements required by Questionnaire, Part II, Question 4 in Appendix A.2, audited financial statements with accompanying notes shall be provided for the last five fiscal years, including income statements, balance sheets and cash flow statements, together with statements of earnings for subsequent partial reporting periods for: (1) the Design-Builder as a whole, or (2) each equity member of the Design-Builder. If financial statements are provided for parent companies, they shall be accompanied by a note stating the relationship between the parent company and the Design-Builder.
Financial Statements shall be included in separately sealed envelope(s) entitled "Financial Information." The Financial Information envelope(s) shall include one original and three copies of the required information.
 - ___ Provide a notarized statement from an admitted surety insurer (approved by the California Department of Insurance) and authorized to issue bonds in the State of California which states that the Design-Builder's current bonding capacity is sufficient to provide for payment and performance bonds, each for not less than 100 percent of the Contract Price.
- ___ Answer all questions in the Appendix A.2, Questionnaire - PART III - Scored Questions for the Design-Builder, General Contractor, Principal Engineer, Architect of Record, Heavy and Highway Subcontractors, Other Subcontractors, Structures Lead Designer.
- ___ Answer all questions in the Appendix A.2, Questionnaire - PART IV - Referenced Projects.
- ___ Submit the Form "Declaration of Authenticity" for the PDBE and each of its joint venture members or general partners including acknowledgement and receipt of Addenda issued by the District. (Appendix B.1)
- ___ Submit the Form "Certification Regarding Financial Contributions" for PDBE and any proposed first-tier Subcontractors and Suppliers whose Subcontract is expected to exceed \$100,000 (Appendix B.2).
- ___ Disclose all work related to a SMART project that was performed by the PDBE and any of its affiliates and Subcontractors within five (5) years of the date for receipt of Qualifications Statements. (See Section 7.0 of RFQ.) Submit the "Organizational Conflict of Interest Disclosure Statement" (Appendix C).

APPENDIX A.2

PREQUALIFICATION QUESTIONNAIRE

PART I - INFORMATION ABOUT THE PDBE MEMBERS

This part seeks information about the composition of the PDBE. It is for identification purposes only. Part I will not be scored. However, **failure to provide all information required in Part I will render the Qualifications Statement non-responsive.**

PART II — ESSENTIAL REQUIREMENTS FOR THE PDBE (see Appendix A.3 for Questionnaire Scoring)

This part seeks information about various members of the PDBE, and consists of qualify and don't qualify questions. **All questions in Part II must be answered correctly or the PDBE will be disqualified.** This is the first step in rating the PDBE. If the PDBE is able to correctly answer each of these questions, its ultimate rating will be dependent upon the scored questions. If the PDBE is unable to correctly answer each of these questions, the PDBE will be disqualified regardless of the results of the scored questions.

PART III - SCORED QUESTIONS (see Appendix A.3 for Questionnaire Scoring)

PART III(A) SCORED QUESTIONS FOR THE DESIGN-BUILDER

This part seeks information about the Design-Builder proposed who must be prequalified and will be scored according to the recommended guidelines in the CA DIR.

PART III(B) SCORED QUESTIONS FOR THE GENERAL CONTRACTOR MEMBERS

This part seeks information about the General Contractor Member(s) proposed who must be prequalified and will be scored according to the recommended guidelines in the CA DIR.

PART III(C) SCORED QUESTIONS FOR THE PRINCIPAL ENGINEER

This part seeks information about the Principal Engineer proposed who must be prequalified and will be scored according to the recommended guidelines in the CA DIR.

PART III(D) SCORED QUESTIONS FOR THE ARCHITECT OF RECORD

This part seeks information about the Architect of Record proposed who must be prequalified and will be scored according to the recommended guidelines in the CA DIR.

PART III(E) SCORED QUESTIONS FOR THE HEAVY AND HIGHWAY SUBCONTRACTOR(S)

This part seeks information about the Heavy and Highway Subcontractors proposed who must be prequalified and will be scored according to the recommended guidelines in the CA DIR.

PART III(F) SCORED QUESTIONS FOR OTHER SUBCONTRACTOR(S)

This part seeks information about other subcontractors (non-heavy and highway) who the PDBE wishes to prequalify. If the Design-Builder proposes a Subcontractor to perform the rail installation, in lieu of rail installation being performed by the Design-Builder or General Contractor, this part seeks information regarding the proposed rail Subcontractor. The

entity that will perform the rail construction must be prequalified. This part will be scored according to the recommended guidelines in the CA DIR.

PART III(G) SCORED QUESTIONS FOR STRUCTURES LEAD DESIGNER

This part seeks information about the Structures Lead Designer of Record proposed who must be prequalified and will be scored according to the recommended guidelines in the CA DIR.

PART IV - REFERENCED PROJECTS (see Appendix A.3 for Questionnaire Scoring)

This part is comprised of a series of questions relating to the General Contractor's and Principal Engineer Firm's performance on rail transit projects (at least one of which should be design-build) and public works transportation projects completed in the previous ten (10) years. The projects may be for public agencies or private entities located in the United States. Names and references must be current and verifiable. Substantially completed contracts may be used to meet a qualifying experience requirement. Substantial completion means that the related project is ready for public use or occupancy but final acceptance by the owner has not yet occurred.

NOTE – RAIL SUBCONTRACTOR REFERENCED PROJECTS

In the event that the General Contractor intends to subcontract the rail, in lieu of performing the rail installation, the Subcontractor who will perform rail installation must be prequalified by the District. Referenced Projects shall be submitted, in addition to those of the General Contractor, for the Rail Installation Subcontractor. Rail installation includes rail, ties, ballast, and special trackwork.

APPENDIX A.2

PART I — PDBE MEMBERS

I. INFORMATION ABOUT PROSPECTIVE DESIGN-BUILD ENTITY MEMBERS

Design-Build Entity: _____

Design-Builder Name: _____

General Contractor Name: _____

Principal Engineer
Name: _____

Architect of Record Name:

Heavy and Highway Subcontractor(s) Name:

Other Subcontractor(s) including Rail Installation Subcontractor (if proposed by PDBE)
Name: _____

Structures Lead Designer Name: _____

Provide the following information for each firm named above:

Contact Person: _____

Address: _____

Phone No.: _____ Fax No.: _____

Include a brief description of each member of the PDBE and identify their respective scope of work for the Design-Build Contract. Include an organization chart showing the role and relationship of each member of the PDBE in the Qualification Statement.

In addition, provide the name and contact information for an individual from the Design-Builder who will serve as a point of contact for subcontracting opportunities, including small/MBE/WBE business firms. For those prequalified PDBEs, this information will be included in the Notice of Approved Prequalified PDBEs.

Contact Person for subcontracting opportunities: _____

Phone No.: _____ Fax No.: _____

Email: _____

PART I (A) — DESIGN-BUILDER

INFORMATION ABOUT THE DESIGN-BUILDER

1. Name of Design-Builder: _____
2. Date of company formation or incorporation: _____
3. State of formation or incorporation: _____
4. How many persons does the Design-Builder currently employ? _____
- 5(a) If the Design-Builder 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 Company	% Ownership
CEO			
President			
Secretary			
Treasurer			

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

Owner	Years as Owner

- 5(c) If the Design-Builder 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-Builder during the last three years? (NOTE: A corporation whose shares are publicly traded is not required to answer this question with regard to public trades.)
 Yes No
 If "yes," explain on a separate page.

7. Is the Design-Builder a subsidiary, parent, holding company or affiliate of another construction firm?
 (NOTE: Include information about other firms if one firm owns 50 percent or more of another, or if an owner, partner, or officer of your firm holds a similar position in another firm.)

Yes No

If "yes," explain on a separate page.

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

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

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

License Number	Trade Classification	Date Issued	Expiration Date

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

Yes No

If "yes," explain on a separate page.

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

Yes No

If "yes," explain on a separate page.

12. Surety Information for Design-Builder:

Bonding Co./Surety: _____

Surety Agent: _____

Agent Address: _____

Telephone No.: _____

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

Surety	Address	Periods of Coverage

14. Attach W-9 for Entity. Entity must be in good standing and free from suspension or debarment.

PART I (B) — GENERAL CONTRACTOR MEMBER(S) OF THE DESIGN-BUILDER

INFORMATION ABOUT THE GENERAL CONTRACTOR MEMBER(S) OF THE DESIGN-BUILDER

The term "General Contractor" means the member of the Design-Builder 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 the 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 Company	% 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 with regard to public trades.)

Yes No

If "yes," explain on a separate page.

7. Is the General Contractor a subsidiary, parent, holding company or affiliate of another construction firm?

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

Yes No

If "yes," explain on a separate page.

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

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

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

License Number	Trade Classification	Date Issued	Expiration Date

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

Yes No

If "yes," explain on a separate page.

11. Has any owner, California State License Board (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: _____

Telephone No.: _____

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 bonds:

Surety	Address	Periods of Coverage

14. Entity must be in good standing and free from suspension or debarment.

PART I (C) - PRINCIPAL ENGINEER

INFORMATION ABOUT THE PRINCIPAL ENGINEER

The Principal Engineer is the firm or licensed engineer who will have primary responsibility for design work under the Contract. Duplicate and submit copies of this form if more than one Principal Engineer is being prequalified.

1. Name of Principal Engineer:

License Number:

Engineering Discipline:

Years in Practice:

2. If the firm of Principal Engineer is different from that of the Design-Builder, please provide the following:

2(a) Date of company formation or incorporation:

2(b) State of formation or incorporation:

2(c) How many persons does the Engineer's firm currently employ?

2(d) If the Principal Engineer's firm is a corporation, provide the following information for each officer of the corporation and individuals who own 10% or more of the corporate stock.

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

2(e) If the Principal Engineer is a sole proprietorship, complete the following:

Owner	Years as Owner

2(f) If the Principal Engineer's firm is a joint venture or partnership, provide the following information for each member of the joint venture or each partner.

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

2(g) Has there been any change in ownership of the Principal Engineer's firm during the last three years?
 (NOTE: A corporation whose shares are publicly traded is not required to answer this question with regard to public trades.)
 Yes No
 If "yes," explain on a separate page.

2(h) Is the Principal Engineer'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.

2(i) Has any corporate officer or owner of the Principal Engineer's firm worked for any other 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.

2(j). Has the Principal Engineer's firm changed names in the past five years?
 Yes No
 If "yes," explain on a separate page including reason for change.

3. Attach a copy of the Principal Engineer's resume.

4. Firm (if applicable) must be in good standing and free from suspension or debarment.

PART I (D) - ARCHITECT OF RECORD

INFORMATION ABOUT THE ARCHITECT OF RECORD

“Architect of Record” shall mean the Architect whose stamp will appear on project documents. Do not answer this section if an Architect’s Stamp will not appear on project documents. Attach copies if more than one Architect of Record.

1. Name of Architect of Record: _____
 License Number: _____
 Discipline: _____
 Years in Practice: _____

2. If the Architect of Record’s firm is different from that of the Design-Builder, please answer the following:

- 2(a) Date of company formation or incorporation: _____
 2(b) State of formation or incorporation: _____
 2(c) How many persons does the firm currently employ? _____
 2(d) If the Architect of Record's firm is a corporation, provide the following 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			

2(e) If the Architect of Record's firm is a sole proprietorship, complete the following:

Owner	Years as Owner

- 2(f) If the Architect of Record's firm is a joint venture or partnership, provide the following information 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

- 2(g) Has there been any change in ownership of the Architect of Record's firm during the last three years?
(NOTE: A corporation whose shares are publicly traded is not required to answer this question with regard to public trades.)
 Yes No
If "yes," explain on a separate page.

- 2(h) 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.

- 2(i) Has any corporate officer or owner of the Architect of Record's firm, worked for any other architectural 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.

- 2(j). Has the Architect of Record's firm changed names in the past five years?
 Yes No
If "yes," explain on a separate page including reason for change.

3. Provide the following information for all known Architects who will be performing design work under the Contract (Attach additional pages if necessary):

Architect	License Number	Years in Practice

4. Attach a copy of the Architect of Record's resume.

5. Firm (if applicable) must be in good standing and free from suspension or debarment.

END OF SECTION

PART I (E) — HEAVY AND HIGHWAY SUBCONTRACTORS

INFORMATION ABOUT HEAVY AND HIGHWAY SUBCONTRACTORS

Attach copies of 1(E) for each Heavy and Highway Subcontractor being prequalified.

1. Name of Heavy and Highway Subcontractor: _____
2. Date of company formation or incorporation: _____
3. State of formation or incorporation: _____
4. How many persons does the Heavy and Highway Subcontractor currently employ? _____
- 5(a) If the Heavy and Highway Subcontractor is a corporation, provide the following information for each officer of the corporation and individuals who own 10% or more of the corporate stock.

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

- 5(b) If the Heavy and Highway Subcontractor is a sole proprietorship, complete the following:

Owner	Years as Owner

- 5(c) If the Heavy and Highway Subcontractor is a joint venture or partnership, provide the following information for each member of the joint venture or each partner:

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 Heavy and Highway Subcontractor during the last three years?
 (NOTE: A corporation whose shares are publicly traded is not required to answer this question with regard to public trades.)
 Yes No
 If "yes," explain on a separate page.

7. Is the Heavy and Highway Subcontractor 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 Heavy and Highway Subcontractor'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 Heavy and Highway Subcontractor:

License Number	Trade Classification	Date Issued	Expiration Date

10. Has the Heavy and Highway Subcontractor 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 Heavy and Highway Subcontractor 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 Heavy and Highway Subcontractor:
 Bonding Co./Surety: _____
 Surety Agent: _____
 Agent Address: _____
 Telephone No.: _____

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

Surety	Address	Periods of Coverage

END OF SECTION

PART I(F) — OTHER SUBCONTRACTORS

INFORMATION ABOUT OTHER SUBCONTRACTORS

If the Design-Build Entity chooses, other (non-heavy and highway) Subcontractors may be prequalified as part of the Design-Build Entity. Attach copies of **I(F)** for each Subcontractor proposed to be prequalified.

Note: if the PDBE intends to subcontract the rail installation a copy of this I(F) must be submitted for the rail installation subcontractor. Rail installation shall be considered to include rail, ties, ballast and special trackwork.

1. Name of Subcontractor: _____
2. Date of company formation or incorporation: _____
3. State of formation or incorporation: _____
- 4(a) How many persons does the Subcontractor currently employ? _____
- 4(b) If the Subcontractor is a corporation, provide the following information for each officer of the corporation and individuals who own 10% or more of the corporate stock.

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

- 5(c) If the Subcontractor is a sole proprietorship, complete the following:

Owner	Years as Owner

- 5(d) If the Subcontractor is a joint venture or partnership, provide the following information for each member of the joint venture or each partner.

Name of Individual or Entity	Principal Contact	Position	Years with Joint Venture/ Partner	% Ownership Interest

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

Yes No

If "yes," explain on a separate page.

7. Is the Subcontractor 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 Subcontractor'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 Subcontractor:

License Number	Trade Classification	Date Issued	Expiration Date

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

Yes No

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

11. Has any owner, partner, CSLB qualifier or corporate officer of the Subcontractor 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 Subcontractor:

Bonding Co./Surety: _____

Surety Agent: _____

Agent Address: _____

Telephone No.: _____

13. List all other sureties (name and full address) that have written bonds for your firm

during the last five years, including the dates during which each wrote the bonds:

Surety	Address	Periods of Coverage

14. Company must be in good standing and free from suspension or debarment.
END OF SECTION

PART I (G) – STRUCTURES LEAD DESIGNER

INFORMATION ABOUT THE STRUCTURES LEAD DESIGNER

The Structures Lead Designer is the firm or licensed engineer who will have primary responsibility for structures design under the Contract and who shall provide its stamp on the Contract documents for all structures design. Submit this form for the Structures Lead Designer.

1. Name of Structures Lead Designer: _____
 License Number: _____
 Discipline: _____
 Years in Practice: _____

2. If the Structures Lead Designer is different from that of the Design-Builder, please answer the following:
 Name of Subcontractor: _____
 2(a) Date of company formation or incorporation: _____
 2(b) State of formation or incorporation: _____
 2(c) How many persons does the firm currently employ? _____
 2(d) If the Structures Lead Designer's firm is a corporation, provide the following 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			

- 2(e) If the Structures Lead Designer's firm is a sole proprietorship, complete the following:

Owner	Years as Owner

- 2(f) If the Structures Lead Designer's firm is a joint venture or partnership, provide the following information 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

2(g) Has there been any change in ownership of the Structure Lead Designer's firm during the last three years?

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

Yes No

If "yes," explain on a separate page.

2(h) Is the Structures Lead Designer'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.

2(i) Has any corporate officer or owner of the Structures Lead Designer's firm, worked for any other architectural 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.

2(j) Has the Structures Lead Designer's firm changed names in the past five years?

Yes No

If "yes," explain on a separate page including reason for change.

3. Provide the following information for all known Engineers who will be performing structures design work under the Contract: engineer name, license number, years in practice.

License Number	Trade Classification	Date Issued	Expiration Date

4. Attach a copy of the Structures Lead Designer's resume.

5. Firm (if applicable) must be in good standing and free from suspension or debarment.

END OF SECTION

APPENDIX A.2

**PART II —ESSENTIAL REQUIREMENTS FOR THE
PROSPECTIVE DESIGN-BUILD ENTITY**

This part seeks information about various members of the PDBE, and consists of qualify and don't qualify questions. All questions must be answered correctly or the PDBE will be disqualified. This is the first step in rating the PDBE. If the PDBE is able to correctly answer each of these questions, its ultimate rating will be dependent upon the scored questions. If the PDBE is unable to correctly answer each of these questions, it will be disqualified regardless of the results of the scored questions.

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

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

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

Yes No

2. Does the Design-Builder have a liability insurance policy with a policy limit of at least \$5,000,000 per occurrence and \$10,000,000 aggregate from a California admitted company?

Yes No

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

Insurance Company _____

Policy Number _____

Policy limit per occurrence _____

Aggregate policy limit _____

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

Yes No

Provide the following information. (Attach a separate page if more than one policy)

Insured _____

Carrier _____

Policy Number _____

4. Has the latest copy of an audited financial statement (no more than two years old) with

accompanying notes been attached for the Design-Builder or each member of the Design-Builder? (An audited financial statement with accompanying notes of a parent company guarantor may be substituted. A financial statement that is not audited is not acceptable. A letter verifying availability of a line of credit is not a substitute for the required financial statement.)

Yes No

5. Has a notarized statement from an admitted surety insurer (approved by the California Department of Insurance) and authorized to issue bonds in the State of California been attached, which states that the Design Builder's current bonding capacity is sufficient to provide payment and performance bonds in the amount required by the RFQ? (Statement must be from the surety company, not an agent or broker.)

Yes No

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

Yes No

7. Has a surety firm completed a contract or paid for completion of a contract on behalf of any member of the Design-Build Entity because the member was terminated by the project owner within the last five years?

Yes No

8. Within the last five years was the Design-Builder, the General Contractor Member(s) of the Design-Builder or any proposed Subcontractor declared ineligible to bid on a public works contract, to be awarded a public works contract, or to perform as a subcontractor on a public works contract, pursuant to either Labor Code Section 1777.1 or Labor Code Section 1777.7?

Yes No

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

Yes No

10. Do all Architects and Engineers who are expected to work on the project possess current California professional licenses for the architectural and engineering services that they intend to provide?

Yes No

11. Are all Principal Engineers and the Structures Lead Designer covered by a professional liability insurance policy with a policy limit of at least \$2,000,000 per occurrence and \$5,000,000 aggregate from a California admitted company that provides coverage for work on a design-build contract?

Yes No

If yes, provide the name of the insurance company, policy number, and policy limits. (Attach a separate page if more than one policy.)

Insurance Company _____
Policy Number _____
Policy limit per occurrence _____
Aggregate policy limit _____

12. Has any professional license held by any Architect who will provide services been revoked at any time in the last five years?
 Yes No
13. Has any professional license held by any Engineer who will provide services been revoked at any time in the last five years?
 Yes No
14. Does the Design-Builder, the General Contractor Member(s) of the Design-Builder and each proposed Subcontractor seeking prequalification, know and understand their obligations regarding the employment of apprentices on public works under Labor Code Section 1777.5 and California Code of Regulations, Title 8, Section 230.1, and do they intend to comply with these requirements, including the requirement, if applicable, to request the dispatch of apprentices from an apprenticeship program approved by the California Apprenticeship Council?
 Yes No
15. Will the Design-Builder ensure that its Subcontractors responsible for specialty construction work use only qualified skilled labor personnel to perform such work?
 Yes No

END OF SECTION

APPENDIX A.2

PART III — SCORED QUESTIONS

PART III(A) - SCORED QUESTIONS FOR THE DESIGN-BUILDER

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

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

A-1. How many years has the Design-Builder been licensed in California?
Years: _____

A-2. Is the Design-Builder or its associates currently the debtor in a bankruptcy case?
 Yes No
If "yes," indicate the case number, bankruptcy court, and the date on which the petition was filed.

Case Number	Bankruptcy Court	Date Filed

A-3. Was the Design-Builder or its associates in bankruptcy at any time during the last five years? (This question refers only to a bankruptcy action that was not described in answer to question A-2, above)
 Yes No
If "yes," indicate the case number, bankruptcy court, and the date on which the petition was filed.

Case Number	Bankruptcy Court	Date Filed

A-4. At any time in the last five years has the Design-Builder or its associates been assessed liquidated damages of more than \$50,000 on a construction contract with either a public or private owner?
 Yes No
If yes, explain on a separate page, identifying all such projects by owner, owner's address, name of entity against whom assessment was made, the date of completion of the project, amount of liquidated damages assessed and all other information necessary to fully explain the assessment of liquidated damages.

A-5. Has the Design-Builder or its associates ever been declared by an owner, or found by an arbitrator or court to be in default on a construction contract?
 Yes No

If "yes," explain on a separate page.

- A-6. In the last five years has the Design-Builder or its associates, been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason?

Yes No

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

- A-7. Has the Design-Builder or its associates 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

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 Design-Builders and owners of projects. You need not include information about disputes with suppliers, other contractors, or subcontractors. You need not include information about "pass-through" disputes in which the actual dispute is between a subcontractor and a project owner.)

- A-8. In the past five years has any claim in excess of \$50,000 been filed in court, arbitration, or other dispute resolution proceeding against the Design-Builder or its associates concerning their work on a construction project?

Yes No

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).

- A-9. In the past five years has the Design-Builder 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

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).

- A-10. In the last five years has any insurance carrier, for any form of insurance, refused to renew the insurance policy for the Design-Builder or its associates due to non-payment or contractor losses?

Yes No

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

- A-11. Has the Design-Builder or its associates 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 entity?

Yes No

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.

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

Yes No

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

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

Yes No

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

- A-14. During the last five years, has there ever been a period of time when the Design-Builder or its associates had no surety bond in place during a public construction project when one was required?

Yes No

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.

- A-15. Has CAL OSHA cited and assessed penalties against the Design-Builder or its associates for any "serious," "willful" or "repeat" violations of its safety or health regulations in the past five years?

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

Yes No

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

- A-16. Has the Federal Occupational Safety and Health Administration cited and assessed penalties against the Design-Builder or its associates in the past five years?

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

Yes No

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

- A-17. Has the EPA, any Air Quality Management District or any Regional Water Quality Control Board cited and assessed penalties against either the Design-Builder or its associates or the owner of a project during the time in which the preceding parties were performing

on a contract in the past five years?

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

Yes No

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

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

A-19. List the Design-Builder'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: _____ EMR: _____

Year: _____ EMR: _____

Year: _____ EMR: _____

If your _____ EMR _____ for any of these three years is 1.00 or higher you may attach a letter of explanation.

A-20. Within the last five years has there ever been a period when the Design-Builder or its associates had employees but was without workers' compensation insurance or state-approved self-insurance?

Yes No

If "yes," please explain the reason for the absence of workers' compensation insurance on a separate page. If "No," please provide a statement by your current workers' compensation insurance carrier that verifies periods of workers' compensation insurance coverage for the Design-Builder for the last five years. (If the Contractor has been in business for less than five years, provide a statement by your workers' compensation insurance carrier verifying continuous workers' compensation insurance coverage for the period that your firm has been in business.)

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

Yes No

If "yes," attach a separate page, describing the violator, nature of each violation, name of the project, date of its completion, the public agency for which it was constructed, the number of employees who were initially underpaid and the amount of back wages and penalties that were assessed.

A-22. During the last five years, has there been more than one occasion in which the Design-Builder or its associates have been penalized or required to pay back wages for failure to comply with the Federal Davis-Bacon prevailing wage requirements?

Yes No

If "yes," attach a separate page, describing the violator, nature of each violation, name of the project, date of its completion, the public agency for which it was constructed; the number of employees who were initially underpaid and the amount of back wages and

penalties that were assessed.

A-23. If the Design-Builder 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.

A-24. At any time during the last five years, has the Design-Builder 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

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

Date of Findings _____

A-25. Do agreements exist between the Design-Builder and registered apprenticeship programs which have been approved by the California Apprenticeship Council and have graduated apprentices in the preceding five years, for all apprenticeable crafts which may be employed by the Design-Builder 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

A-26. In the last five years, has the Design-Builder completed one or more contracts for construction of transportation facilities in the State of California comparable to the project identified in the Request for Qualifications?

- Yes No

If "yes" how many? _____

A-27. In the past five years, has the Design-Builder completed one or more contracts for construction of transportation facilities in the United States comparable to the project identified in the Request for Qualifications?

- Yes No

If "yes" how many? _____

A-28. In the last five years, has the Design-Builder completed one or more design-build contracts for construction of transportation facilities in the United States (including California) comparable to the project identified in the Request for Qualifications?

- Yes No

If "yes" how many? _____

A-29. Please fill in the following blanks based on the Design Builder's attached financial statement. If each member of the Design-Builder attached financial statements, add assets and liabilities for all.

Current Assets:	\$ _____
Current Liabilities:	\$ _____
Total Net Worth:	\$ _____
Current Ratio (Assets/Liabilities):	_____
Working Capital (Current Assets - Current Liabilities):	\$ _____

END OF SECTION

PART III(B) - SCORED QUESTIONS FOR THE GENERAL CONTRACTOR MEMBER(S)
OF THE DESIGN-BUILDER

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

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

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

B-1. How many years has the General Contractor been licensed in California?
 Years: _____

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

Yes No

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

Case Number	Bankruptcy Court	Date Filed

B-3. Was the General Contractor or its associates in bankruptcy at any time during the last five years? (This question refers only to a bankruptcy action that was not described in answer to question B-2, above)

Yes No

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

Case Number	Bankruptcy Court	Date Filed

B-4. At any time in the last five years has the General Contractor or its associates been assessed liquidated damages of more than \$50,000 on a construction contract with either a public or private owner?

Yes No

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

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

Yes No

If "yes," explain on a separate page.

- B-6. In the last five years has the General Contractor or its associates, been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason?
 Yes No
If "yes," explain on a separate page. State the name of the organization debarred, the year of the event, the owner of the project, and the basis for the action.
- B-7. Has the General Contractor or its associates 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
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 contractors and owners of projects. You need not include information about disputes with suppliers, other contractors, or subcontractors. You need not include information about "pass-through" disputes in which the actual dispute is between a subcontractor and a project owner.)
- B-8. In the past five years has any claim in excess of \$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
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).
- B-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
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).
- B-10. In the last five years 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
If "yes," on a separate page give name of the insured, name the insurance carrier, the form of insurance, and the year of the refusal.
- B-11. Has the General Contractor or its associates 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 entity?
 Yes No
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.

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

Yes No

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

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

Yes No

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

- B-14. During the last five years, 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

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.

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

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

Yes No

If "yes," 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.

- B-16. Has the Federal Occupational Safety and Health Administration cited and assessed penalties against the General Contractor or its associates in the past five years?

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

Yes No

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

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

(NOTE: If an appeal of the citation has been filed and there is no ruling yet, or if there is a

court appeal pending, you need not include information about the citation.)

Yes No

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

B-18. 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?

B-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:	EMR:
Year:	EMR:
Year:	EMR:

If your EMR for any of these three years is 1.00 or higher you may attach a letter of explanation.

B-20. Within the last five years 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

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 for the last five years. (If the General Contractor has been in business for less than five years, provide a statement by your workers' compensation insurance carrier verifying continuous workers' compensation insurance coverage for the period that your firm has been in business.)

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

Yes No

If "yes," attach a separate page, describing the violator, nature of each violation, name of the project, date of its completion, the public agency for which it was constructed, the number of employees who were initially underpaid and the amount of back wages and penalties that were assessed.

B-22. During the last five years, has there been more than one occasion in which the General Contractor or its associates have been penalized or required to pay back wages for failure to comply with the Federal Davis-Bacon prevailing wage requirements?

Yes No

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

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

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

- (a) Identify the craft or crafts in which you provided apprenticeship training in the past year.
- (b) State the year in which each such apprenticeship program was approved, and attach evidence of the most recent California Apprenticeship Council approval(s) of your apprenticeship program(s).
- (c) State the number of individuals who were employed by your firm as apprentices at any time during the past three years in each apprenticeship and the number of persons who, during the past three years, completed apprenticeships in each craft while employed by your firm.

B-24. At any time during the last five years, 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

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

Date of Findings _____

B-25. Do agreements exist between the General Contractor and registered apprenticeship programs which have been approved by the California Apprenticeship Council and have graduated apprentices in the preceding five years, 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

B-26. In the last five years, has the General Contractor completed one or more contracts for construction of transportation facilities in the State of California comparable to the project identified in the Request for Qualifications?

- Yes No

If "yes" how many? _____

B-27. In the past five years, has the General Contractor completed one or more contracts for construction of transportation facilities in the United States comparable to the Project identified in the Request for Qualifications?

- Yes No

If "yes" how many? _____

B-28. In the last ten years, has the General Contractor completed one or more design-build contracts for construction of transportation facilities in the United States (including California) comparable to the Project identified in the Request for Qualifications?

- Yes No

If "yes" how many? _____

END OF SECTION

PART III (C) - SCORED QUESTIONS FOR THE PRINCIPAL ENGINEER

The Principal Engineer is the firm or licensed engineer who will have primary responsibility for design work under the Contract.

"Firm" shall mean the firm that employs the Principal Engineer.

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

Name _____ of _____ Principal _____ Engineer:

Name _____ of _____ Firm:

C-1. How many years has the Principal Engineer been licensed and practicing in California?
Years: _____

C-2. Is the firm currently the debtor in a bankruptcy case?
 Yes No

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

Case Number	Bankruptcy Court	Date Filed

C-3. Was the firm in bankruptcy at any time during the last five years? (This question refers only to a bankruptcy action that was not described in answer to question C-2, above)
 Yes No

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

Case Number	Bankruptcy Court	Date Filed

C-4. In the past five years has any claim in excess of \$50,000 been filed in court, arbitration or other dispute resolution proceeding against the Principal Engineer or the firm concerning its engineering work on a project?
 Yes No

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

C-5. In the last five years has the Principal Engineer or the firm, been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason?
 Yes No

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

- C-6. Has the Principal Engineer or the firm 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

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.

- C-7. In the past five years has the Principal Engineer or the firm, made any claim in excess of \$50,000 against a project owner concerning its engineering work on a project and filed that claim in court or arbitration?

Yes No

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).

- C-8. In the last five years has any insurance carrier, for any form of insurance, refused to renew an insurance policy for the Principal Engineer or the firm, based on non-payment or losses?

Yes No

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

- C-9. Has the Principal Engineer or the firm 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," on a separate page identify who was found liable or convicted, the name of the public agency, the court and case number, the date of the investigation and the grounds for the finding.

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

Yes No

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

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

Yes No

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

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

Yes No

If yes, please explain on a separate page.

C-13. In the last five years, has the Principal Engineer completed one or more contracts for construction of transportation facilities in the State of California comparable to the project identified in the Request for Qualifications?

Yes No

If "yes" how many? _____

C-14. In the past five years, has the Principal Engineer completed one or more contracts for construction of transportation facilities in the United States comparable to the project identified in the Request for Qualifications?

Yes No

If "yes" how many? _____

C-15. In the last ten years, has the Principal Engineer completed one or more design-build contracts for construction of transportation facilities in the United States (including California) comparable to the project identified in the Request for Qualifications?

Yes No

If "yes" how many? _____

END OF SECTION

PART III(D) — SCORED QUESTIONS FOR THE ARCHITECT OF RECORD

"Firm" shall mean the firm which employs the Architect of Record.

Name of Architect of Record: _____

Name of Firm: _____

D-1. How many years has the Architect of Record been licensed and practicing in California?
 Years: _____

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

Yes No

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

Case Number	Bankruptcy Court	Date Filed

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

Yes No

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

Case Number	Bankruptcy Court	Date Filed

D-4. In the last five years has the Architect of Record or the firm, been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason?

Yes No

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

D-5. Has the Architect of Record or the firm 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

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.

D-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 Architect of Record or the firm concerning its architectural work on a project?

Yes No

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

brief description of the resolution).

- D-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 its architectural work on a project and filed that claim in court or arbitration?

Yes No

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).

- D-8. In the last five years 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

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

- D-9. Has the Architect of Record or the firm 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," on a separate page identify who was involved, the name of the public agency, the date of the investigation and the grounds for the finding.

- D-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

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

- D-11. Has the 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

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

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

Yes No

If yes, please explain on a separate page.

- D-13. In the last five years, has the Architect of Record completed one or more contracts for construction of transportation facilities in the State of California comparable to the project identified in the Request for Qualifications?

Yes No

If "yes" how many? _____

- D-14. In the past five years, has the Architect of Record completed one or more contracts for

construction of transportation facilities in the United States comparable to the project identified in the Request for Qualifications?

Yes No

If "yes" how many? _____

D-15. In the last ten years, has the Architect of Record completed one or more design-build contracts for construction of transportation facilities in the United States (including California) comparable to the project identified in the Request for Qualifications?

Yes No

If "yes" how many? _____

END OF SECTION

PART III (E) SCORED QUESTIONS FOR THE HEAVY AND HIGHWAY SUBCONTRACTORS

Heavy and Highway Subcontractors must be prequalified. The Design-Builder may prequalify multiple alternative Heavy and Highway Subcontractors, and later competitively bid out the subcontracts to those prequalified.

Attach copies of III(E) for each alternative Heavy and Highway Subcontractor if multiple Heavy and Highway Subcontractors are being prequalified.

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

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

Subcontractor Name: _____

E-1. How many years has the Heavy and Highway Subcontractor been licensed in California?
Years: _____

E-2. Is the Heavy and Highway Subcontractor or its associates currently the debtor in a bankruptcy case?

- Yes No

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

Case Number	Bankruptcy Court	Date Filed

E-3. Was the Heavy and Highway Subcontractor or its associates in bankruptcy at any time during the last five years? (This question refers only to a bankruptcy action that was not described in answer to question 1-2, above)

- Yes No

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

Case Number	Bankruptcy Court	Date Filed

E-4. At any time in the last five years has the Heavy and Highway Subcontractor or its associates been assessed liquidated damages of more than \$50,000 on a construction contract with either a public or private owner?

- Yes No

If yes, explain on a separate page, identifying all such projects by owner, owner's address,

name of entity against whom assessment was made, the date of completion of the project, amount of liquidated damages assessed and all other information necessary to fully explain the assessment of liquidated damages.

- E-5. In the past five years has the Heavy and Highway Subcontractor or its associates ever been declared by an order or found by an arbitrator or court to be in default on a contraction contract?

Yes No

If "yes," explain on a separate page.

- E-6. In the last five years has the Heavy and Highway Subcontractor or its associates been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason?

Yes No

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.

- E-7. Has the Heavy and Highway Subcontractor or its associates 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

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 contractors and owners of projects. You need not include information about disputes with suppliers or other contractors.)

- E-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 Heavy and Highway Subcontractor or its associates concerning their work on a construction project?

Yes No

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),

- E-9. In the past five years has the Heavy and Highway Subcontractor or its associates made any claim in excess of \$50,000 against a project owner or a general contractor concerning work on a project or payment for a contract and filed that claim in court or arbitration?

Yes No

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),

- E-10. In the last five years has any insurance carrier, for any form of insurance, refused to renew the insurance policy for the Heavy and Highway Subcontractor or its associates due to non-payment or contractor losses?

Yes No

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.

- E-11. Has the Heavy and Highway Subcontractor or its associates 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 entity?

Yes No

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.

- E-12. Has the Heavy and Highway Subcontractor or its associates ever been convicted of a crime involving any federal, state, or local law related to construction?

Yes No

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.

- E-13. Has the Heavy and Highway Subcontractor or its associates ever been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty?

Yes No

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

- E-14. During the last five years, has there ever been a period of time when the Heavy and Highway Subcontractor or its associates had no surety bond in place during a public construction project when one was required?

Yes No

If yes, indicate the period during which no surety bonds were in place, name of entity without 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.

- E-15. Has CAL OSHA cited and assessed penalties against the Heavy and Highway Subcontractor or its associates for any "serious," "willful" or "repeat" violations of its safety or health regulations in the past five years?

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

Yes No

If "yes," 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.

- E-16. Has the Federal Occupational Safety and Health Administration cited and assessed penalties against the Heavy and Highway Subcontractor or its associates in the past five years?

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

Yes No

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.

- E-17. Has the EPA or any Air Quality Management District or any Regional Water Quality Control Board cited and assessed penalties against either the Heavy and Highway Subcontractor, its associates, or the owner of a project during the time in which the preceding parties were performing on a contract in the past five years?

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

Yes No

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.

- E-18. How often does the Heavy and Highway Subcontractor require documented safety meetings to be held for construction employees and field supervisors during the course of a project? _____

- E-19. List the Heavy and Highway Subcontractor'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:	EMR:
Year:	EMR:
Year:	EMR:

If your EMR for any of these three years is or was 1.00 or higher you may attach a letter of explanation.

- E-20. Within the last five years has there ever been a period when the Heavy and Highway Subcontractor or its associates had employees but was without workers' compensation insurance or state-approved self- insurance?

Yes No

If "yes," please explain the reason for the absence of workers' compensation insurance 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 Heavy and Highway Subcontractor for the last five years. (If the Heavy and Highway Subcontractor has been in business for less than five years, provide a statement by your workers' compensation insurance carrier verifying continuous workers' compensation insurance coverage for the period that your firm has been in business.)

- E-21. Has there been more than one occasion during the last five years in which the Heavy and Highway Subcontractor or its associates was required to pay either back wages or penalties for failure to comply with the state's prevailing wage laws?

Yes No

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.

- E-22. During the last five years, has there been more than one occasion in which the Heavy and Highway Subcontractor or its associates have been penalized or required to pay back wages for failure to comply with the Federal Davis-Bacon prevailing wage requirements?

Yes No

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.

- E-23. If the Heavy and Highway Subcontractor 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,

- E-24. At any time during the last five years, has the Heavy and Highway Subcontractor 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

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

Date of Findings _____

- E-25. Do agreements exist between the Heavy and Highway Subcontractor and registered apprenticeship programs which have been approved by the California Apprenticeship Council and have graduated apprentices in the preceding five years, for all apprenticeable crafts which may be employed by the Heavy and Highway Subcontractor 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

END OF SECTION

PART III(F) — SCORED QUESTIONS FOR OTHER SUBCONTRACTOR(S)

If the Design-Builder chooses, other (non-heavy and highway) Subcontractors may be prequalified as part of the Design-Build Entity. Attach copies of III(F) for each Subcontractor. **If the PD BE includes a rail installation Subcontractor on its team, it must attach a copy of III(F) completed by the Rail Subcontractor.**

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

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

Subcontractor Name: _____

F-1. How many years has the Subcontractor been licensed in California?

Years: _____

F-2. Is the Subcontractor or its associates currently the debtor in a bankruptcy case?

Yes No

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

Case Number	Bankruptcy Court	Date Filed

F-3. Was the Subcontractor or its associates in bankruptcy at any time during the last five years? (This question refers only to a bankruptcy action that was not described in answer to question J-2, above)

Yes No

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

Case Number	Bankruptcy Court	Date Filed

F-4. At any time in the last five years has the Subcontractor or its associates been assessed liquidated damages of more than \$50,000 on a construction contract with either a public or private owner?

Yes No

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

- F-5. In the past five years has the Subcontractor or its associates ever been declared by an order or found by an arbitrator or court to be in default on a construction contract?
 Yes No
If "yes," explain on a separate page.
- F-6. In the last five years has the Subcontractor or its associates been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason?
 Yes No
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.
- F-7. Has the Subcontractor or its associates 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
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 contractors and owners of projects. You need not include information about disputes with suppliers, or other contractors.)
- F-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 Subcontractor or its associates concerning their work on a construction project?
 Yes No
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).
- F-9. In the past five years has the Subcontractor, or their associates, made any claim in excess of \$50,000 against a project owner or a general contractor concerning work on a project or payment for a contract and filed that claim in court or arbitration?
 Yes No
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).
- F-10. In the last five years has any insurance carrier, for any form of insurance, refused to renew the insurance policy for the Subcontractor or its associates due to non-payment or contractor losses?
 Yes No
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.
- F-11. Has the Subcontractor or its associates 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 entity?

Yes No

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.

- F-12. Has the Subcontractor or its associates ever been convicted of a crime involving any federal, state, or local law related to construction?

Yes No

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.

- F-13. Has the Subcontractor or its associates ever been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty?

Yes No

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

- F-14. During the last five years, has there ever been a period of time when the Subcontractor or its associates had no surety bond in place during a public construction project when one was required?

Yes No

If yes, indicate the period during which no surety bonds were in place, name of entity without 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.

- F-15. Has CAL OSHA cited and assessed penalties against the Subcontractor or its associates for any "serious," "willful" or "repeat" violations of its safety or health regulations in the past five years?

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

Yes No

If "yes," 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,

- F-16. Has the Federal Occupational Safety and Health Administration cited and assessed penalties against the Subcontractor or its associates in the past five years?

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

Yes No

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.

- F-17. Has the EPA or any Air Quality Management District or any Regional Water Quality Control Board cited and assessed penalties against either the Subcontractor, its associates, or the

owner of a project during the time in which the preceding parties were performing on a contract in the past five years?

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

Yes No

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.

F-18. How often does the Subcontractor require documented safety meetings to be held for construction employees and field supervisors during the course of a project?

F-19. List the Subcontractor'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:	EMR:
Year:	EMR:
Year:	EMR:

If your EMR for any of these three years is or was 1.00 or higher you may attach a letter of explanation.

F-20. Within the last five years has there ever been a period when the Subcontractor or its associates had employees but was without workers' compensation insurance or state-approved self-insurance?

Yes No

If "yes," please explain the reason for the absence of workers' compensation insurance 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 Subcontractor for the last five years. (If the Subcontractor has been in business for less than five years, provide a statement by your workers' compensation insurance carrier verifying continuous workers' compensation insurance coverage for the period that your firm has been in business.)

F-21. Has there been more than one occasion during the last five years in which the Subcontractor or its associates was required to pay either back wages or penalties for failure to comply with the state's prevailing wage laws?

Yes No

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.

F-22. During the last five years, has there been more than one occasion in which the Subcontractor or its associates has been penalized or required to pay back wages for failure

to comply with the Federal Davis-Bacon prevailing wage requirements?

Yes No

If "yes," 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.

F-23. If the Subcontractor 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.

F-24. At any time during the last five years, has the Subcontractor 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

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

Date of Findings: _____

F-25. Do agreements exist between the Subcontractor and registered apprenticeship programs which have been approved by the California Apprenticeship Council and have graduated apprentices in the preceding five years, for all apprenticeable crafts which may be employed by the Subcontractor 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

END OF SECTION

PART III (G) - SCORED QUESTIONS FOR THE STRUCTURES LEAD DESIGNER

The Structures Lead Designer is the engineer of record who will have primary responsibility for structures design work under the Contract.

"Firm" shall mean the firm that employs the Structures Lead Designer.

Name of Structures Lead Designer: _____

Name of Firm: _____

G-1. How many years has the Structures Lead Designer been licensed and practicing in California?

Years: _____

G-2. Is the firm currently the debtor in a bankruptcy case?

Yes No

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

Case Number	Bankruptcy Court	Date Filed

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

Yes No

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

Case Number	Bankruptcy Court	Date Filed

G-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 Structures Lead Designer or the firm concerning its engineering work on a project?

Yes No

If "yes," on a separate page 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).

G-5. In the last five years has the Structures Lead Designer or the firm, been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason?

Yes No

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.

- G-6. Has the Structures Lead Designer or the firm 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

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.

- G-7. In the past five years has the Structures Lead Designer or the firm, made any claim in excess of \$50,000 against a project owner concerning its engineering work on a project and filed that claim in court or arbitration?

Yes No

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).

- G-8. In the last five years has any insurance carrier, for any form of insurance, refused to renew an insurance policy for the Structures Lead Designer or the firm, based on non-payment or losses?

Yes No

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

- G-9. Has the Structures Lead Designer or the firm 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," on a separate page identify who was involved, the name of the public agency, the date of the investigation and the grounds for the finding.

- G-10. Has the Structures Lead Designer or the firm ever been convicted of a crime involving any federal, state, or local law related to construction?

Yes No

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,

- G-11. Has the Structures Lead Designer or the firm ever been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty?

Yes No

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

- G-12. Has the Department of Consumer Affairs taken any disciplinary action against the Principal Engineer?

Yes No

If yes, please explain on a separate page,

- G-13. In the last five years, has the Structures Lead Designer completed one or more contracts for construction of transportation facilities in the State of California comparable to the project

identified in the Request for Qualifications?

Yes No

If "yes" how many? _____

G-14. In the past five years, has the Structures Lead Designer completed one or more contracts for construction of transportation facilities in the United States comparable to the project identified in the Request for Qualifications?

Yes No

If "yes" how many? _____

G-15. In the last ten years, has the Structures Lead Designer completed one or more design-build contracts for construction of transportation facilities in the United States (including California) comparable to the project identified in the Request for Qualifications?

Yes No

If "yes" how many? _____

END OF SECTION

APPENDIX A.2

PART IV — REFERENCED PROJECTS

1. How many design-build projects have the General Contractor and the firm employing the Principal Engineer involved in this Design-Build Entity ever worked together on?
2. List the total value of all rail transit design-build contracts and the value of the largest transportation design-build project that the General Contractor and the firm employing the Principal Engineer have worked together on.

Total Value:	Largest Design-Build Contract:
--------------	--------------------------------

3. Provide the information shown on the following pages for the General Contractor Member of the Design-Builder and the firm employing the Principal Engineer for rail transit projects (one of which should be design-build) and public works transportation projects completed in the previous ten years. The projects may be with public agencies or private entities and may be located anywhere in the United States. Names and references must be current and verifiable.

Experience should demonstrate how the identified firm successfully managed, designed, and/or constructed projects similar in size, scope, nature and complexity as the SMART WINDSOR EXTENSION PROJECT Contract. Project descriptions and project references should document success in:

- Completing rail transit, design-build projects
- Completing contracts on time and within budget, while managing all aspects of projects in a quality, safe and effective manner.
- Fulfilling environmental mitigation commitments, including maintenance of traffic and fulfilling utility coordination aspects of projects.
- Coordinating and performing construction in accordance with the requirements of an operating railroad or rail transit system.

Substantially completed contracts may be used to meet a qualifying experience requirement. Substantial completion means that the related project is ready for public use or occupancy but final acceptance by the owner has not yet occurred.

3(a). **General Contractor Member of the Design-Builder.** Indicate below up to three of the most relevant railroad or rail transit projects (one of which should be design-build) and up to three of the most current public works transportation projects completed by the General Contractor Member over the last ten years. The projects may be public or private and located anywhere. Names and references must be current and verifiable. (Copy additional sheets, as necessary). **NOTE: If the PD BE is proposing a Rail Installation Subcontractor as a member of its team, fill out this section 3(a) for the Rail Installation Subcontractor as well as for the General Contractor.**

General Contractor Name and Current Telephone Number: _____

Project Name: _____

Location: _____

Owner Name and Current Telephone Number: _____

Principal Engineer Name and Current Telephone Number: _____

Construction Manager Name and Current Telephone Number: _____

Description of Project, Scope of Work Performed:

Value of Original Contract: _____

Value of Contract including change orders: _____

Original Scheduled Completion Date: _____

Time Extensions Granted (number of days): _____

Actual Date of Completion: _____

3(b). **Principal Engineer Firm.** Indicate below up to three of the most relevant rail transit projects (one of which should be design-build) and up to three of the most current public works transportation projects completed by the Principal Engineer Firm over the last ten years. The projects may be public or private and located anywhere. Names and references must be current and verifiable. (Copy additional sheets, as necessary).

Principal Engineer Firm Name and Current Telephone Number: _____

Project Name: _____

Location: _____

Owner Name and Current Telephone Number: _____

General Contractor Name and Current Telephone Number: _____

Construction Manager Name and Current Telephone Number: _____

Description of Project, Scope of Work Performed: _____

Value of Original Contract: _____

Value of Contract including change orders: _____

Original Scheduled Completion Date: _____

Time Extensions Granted (number of days): _____

Actual Date of Completion: _____

END OF SECTION

APPENDIX A.3

QUESTIONNAIRE SCORING

PART I — INFORMATION ABOUT THE PROSPECTIVE DESIGN-BUILD ENTITY MEMBERS

There is no scoring value to Part I.

PART II — ESSENTIAL REQUIREMENTS FOR THE PROSPECTIVE DESIGN-BUILD ENTITY

This part consists of qualify and don't qualify questions. All questions must be answered correctly or the PDBE will be disqualified. This is the first step in rating the PDBE. If the PDBE is able to correctly answer each of these questions, its ultimate rating will be dependent upon the scored questions in Part III. If the PDBE is unable to correctly answer each of the Part II questions correctly, it will be disqualified regardless of the results of the scored questions. **If the score received for Part II is greater than "0" the PDBE will be classified as Unacceptable.**

Part II Question	Yes	No	Score
1	0	1	
2	0	1	
3	0	1	
4	0	1	
5	0	1	
6	1	0	
7	1	0	
8	1	0	
9	1	0	
10	0	1	
11	0	1	

12	1	0	
13	1	0	
14	0	1	
15	0	1	

Score for PDBE Essential Requirements **Disqualified if score is greater than 0.**

PART III — SCORED QUESTIONS

This Part III will be scored according to the recommended guidelines in the CA DIR.

PART III(A) — Scored Questions for the Design-Builder. The maximum possible score for Part III(A) is 210. A minimum score of 110 must be attained or the Design-Builder will be rated as not qualified which in turn disqualifies the Design-Build Entity.

Part III(A) Question	Quality	Yes	No	Score
A-1	5 yrs (or less) = 0 pts 6 yrs = 1 pt 7 yrs = 3 pts 8 yrs = 5 pts	N/A	N/A	
A-2	N/A	0	10	
A-3	N/A	0	10	
A-4	0-1 Projects = 10 pts 2 Projects = 3 pts More than 2 Projects = 0 pts	N/A	N/A	
A-5	N/A	0	5	
A-6	N/A	0	10	
A-7	N/A	0	5	
A-8	5 pts for 0 or 1 instance 3 pts for 2 instances 0 pts for more than 2 instances	N/A	N/A	
A-9	5 pts for 0 or 1 instance 3 pts for 2 instances 0 pts for more than 2 instances	N/A	N/A	
A-10	N/A	0	5	
A-11	N/A	-5	5	
A-12	N/A	-10	5	
A-13	N/A	-10	5	
A-14	N/A	0	10	
A-15	5 pts for 0 to 1 instance 3 pts for 2 instances 0 pts for more than 2 instances	N/A	N/A	
A-16	5 pts for 0 to 1 instance 3 pts for 2 instances 0 pts for more than 2 instances	N/A	N/A	
A-17	5 pts for 0 to 1 instance 3 pts for 2 instances 0 pts for more than 2 instances	N/A	N/A	
A-18	10 pts for at least once a week 5 pts for every two weeks 0 pts for less than every two weeks	N/A	N/A	
A-19	10 pts for .85 or less 5 pts if between .86 and 1.00 0 pts for greater than 1.00	N/A	N/A	
A-20	5 pts for 0 instance 0 pts for greater than 0	N/A	N/A	

A-21	5 pts for 0 to 2 instances 3 pts for 3 instances 0 pts for more than 3 instances		N/A	N/A	
A-22	5 pts for 0 to 2 instances 3 pts for 3 instances 0 pts for more than 3 instances		N/A	N/A	
A-23	N/A		N/A	N/A	
A-24	5 pts for 0 to 2 instances 3 pts for 3 instances 0 pts for more than 3 instances		N/A	N/A	
A-25	N/A		5	0	
A-26	0 Contracts = 0 pts 1 Contracts = 2 pts 2 Contracts = 4 pts		N/A	N/A	
A-27	0 Contracts = 0 pts 1 Contracts = 2 pts 2 Contracts = 4 pts		N/A	N/A	
A-28	0 Contracts = 0 pts 1 Contracts = 4 pts 2 Contracts = 7 pts		N/A	N/A	
A-29	Net Worth	Less than \$4 mil = 0 pts \$4 mil to \$12 mil = 5 pts \$12 mil to \$20 mil =10 pts Over \$20 mil =15 pts	N/A	N/A	
A-29	Current Ratio	Less than 1.0 = 0 pts 1 to 1.15 = 5 pts Over 1.15 = 10 pts	N/A	N/A	
A-29	Working Capital	Less than \$3 mil = 0 pts \$3 mil to \$10 mil = 5 pts \$10 mil to \$15 mil = 10 pts Over \$15 mil = 15 pts	N/A	N/A	
Score for Design-Builder Scored Questions (Disqualified if less than 110)					

PART III(B) — Scored Questions for the General Contractor Members(s) of the Design-Builder. The maximum possible points for Part III(B) is 170. A minimum score of 85 must be attained or the General Contractor Member will be rated as not qualified which in turn disqualifies the Design-Build Entity.

Part III(B) Question	Quality	Yes	No	Score
B-1	5 yrs or less = 0 pts 6 yrs = 1 pts 7 yrs = 3 pts 8 yrs + =5 pts	N/A	N/A	
B-2	N/A	0	10	
B-3	N/A	0	10	
B-4	0-1 Projects =10 pts 2 Projects = 3 pts More than 2 Projects = 0 pts	N/A	N/A	
B-5	N/A	0	5	
B-6	N/A	0	10	
B-7	N/A	0	5	
B-8	5 pts for 0 or 1 instance 3 pts for 2 instances 0 pts for more than 2 instances	N/A	N/A	
B-9	5 pts for 0 or 1 instance 3 pts for 2 instances 0 pts for more than 2 instances	N/A	N/A	
B-10	N/A	0	5	
B-11	N/A	-5	5	
B-12	N/A	-10	5	
B-13	N/A	-10	5	
B-14	N/A	0	10	
B-15	5 pts for 0 or 1 instance 3 pts for 2 instances 0 pts for more than 2 instances	N/A	N/A	
B-16	5 pts for 0 or 1 instance 3 pts for 2 instances 0 pts for more than 2 instances	N/A	N/A	
B-17	5 pts for 0 to 1 instance 3 pts for 2 instances 0 pts for more than 2 instances	N/A	N/A	
B-18	10 pts for at least once a week 5 pts for every two weeks 0 pts for less than every two weeks.	N/A	N/A	

B-19	10 pts for .85 or less 5 pts if between .86 and 1.00 0 pts for greater than 1.00	N/A	N/A	
B-20	5 pts for 0 instance 0 pts for greater than 0	N/A	N/A	
B-21	5 pts for 0 to 2 instances 3 pts for 3 instances 0 pts for more than 3 instances	N/A	N/A	
B-22	5 pts for 0 to 2 instances 3 pts for 3 instances 0 pts for more than 3 instances	N/A	N/A	
B-23	N/A	N/A	N/A	
B-24	5 pts for 0 to 2 instances 3 pts for 3 instances 0 pts for more than 3 instances	N/A	N/A	
B-25	N/A	5	0	
B-26	0 Contracts = 0 pts 1 Contracts = 2 pts 2 Contracts = 4 pts	N/A	N/A	
B-27	0 Contracts = 0 pts 1 Contracts = 2 pts 2 Contracts = 4 pts	N/A	N/A	
B-28	0 Contracts = 0 pts 1 Contracts = 4 pts 2 Contracts = 7 pts	N/A	N/A	
Score for General Contractor Member(s) Scored Questions (Disqualified if less than 85)				

PART III(C) — Scored Questions for the Principal Engineer. The maximum possible score for Part III(C) is 95. A minimum score of 55 must be attained or the Principal Engineer will be rated as not qualified which in turn disqualifies the Design-Build Entity.

Part III(C) Question	Quality	Yes	No	Score
C-1	5 yrs (or less) = 0 pts 6 yrs = 3 pts 7 yrs = 5 pts 8 yrs+ = 10 pts	N/A	N/A	
C-2	N/A	0	10	
C-3	N/A	0	10	
C-4	5 pts for 0 to 2 instances 3 pts for 3 instances 0 pts for more than 3 instances	N/A	N/A	
C-5	N/A	0	10	
C-6	5 pts for 0 to 2 instances 3 pts for 3 instances 0 pts for more than 3 instances	N/A	N/A	
C-7	5 pts for 0 to 2 instances 3 pts for 3 instances 0 pts for more than 3 instances	N/A	N/A	
C-8	N/A	-5	5	
C-9	N/A	-5	5	
C-10	N/A	-5	5	
C-11	N/A	-5	5	
C-12	N/A	-10	5	
C-13	0 Contracts = 0 pts 1 Contracts = 2 pts 2 Contracts = 4 pts	N/A	N/A	
C-14	0 Contracts = 0 pts 1 Contracts = 2 pts 2 Contracts = 4 pts	N/A	N/A	
C-15	0 Contracts = 0 pts 1 Contracts = 4 pts 2 Contracts = 7 pts	N/A	N/A	
Score for Principal Engineer Scored Questions (Disqualified if less than 55)				

PART III(D) — Scored Questions for the Architect of Record. The maximum possible score for Part III(D) is 95. A minimum score of 55 must be attained or the Architect of Record will be rated as not qualified which in turn disqualifies the Design-Build Entity.

Part III(D) Question	Quality	Yes	No	Score
D-1	5 yrs (or less) = 0 pts 6 yrs = 3 pts 7 yrs = 5 pts 8 yrs = 10 pts	N/A	N/A	
D-2	N/A	0	10	
D-3	N/A	0	10	
D-4	5 pts for 0 instances 3 pts for 1-3 instances 0 pts for more than 3 instances	N/A	N/A	
D-5	5 pts for 0 instances 3 pts for 1-3 instances 0 pts for more than 3 instances	N/A	N/A	
D-6	5 pts for 0 instances 3 pts for 1-2 instances 0 pts for more than 2 instances	N/A	N/A	
D-7	N/A	-10	5	
D-8	N/A	-10	5	
D-9	N/A	-10	5	
D-10	N/A	-10	5	
D-11	N/A	-10	5	
D-12	N/A	0	10	
D-13	0 Contracts = 0 pts 1 Contract = 2 pts 2 Contracts = 4 pts	N/A	N/A	
D-14	0 Contracts = 0 pts 1 Contract = 2 pts 2 Contracts = 4 pts	N/A	N/A	
D-15	0 Contracts = 0 pts 1 Contract = 4 pts 2 Contracts = 7 pts	N/A	N/A	
Score for the Architect of Record Scored Questions (Disqualified if less than 55)				

PART III (E) — Scored Questions for the Heavy and Highway Subcontractor(s). The maximum possible score for Part III(E) is 155. A minimum score of 90 must be attained or the Heavy and Highway Subcontractor will be rated as not qualified. All proposed Heavy and Highway Subcontractors must be disqualified in order to disqualify the Design-Build Entity.

Part III(E) Question	Quality	Yes	No	Score
E-1	5 yrs (or less) = 0 pts 6 yrs = 1 pt 7 yrs = 3 pts 8 yrs = 5 pts	N/A	N/A	
E-2	N/A	0	10	
E-3	N/A	0	10	
E-4	0-1 Projects = 10 pts 2 Projects = 3 pts More than 2 Projects = 0 pts	N/A	N/A	
E-5	N/A	0	5	
E-6	N/A	0	10	
E-7	N/A	0	5	
E-8	5 pts for 0 or 1 instance 3 pts for 2 instances 0 pts for more than 2 instances	N/A	N/A	
E-9	5 pts for 0 or 1 instance 3 pts for 2 instances 0 pts for more than 2 instances	N/A	N/A	
E-10	N/A	0	5	
E-11	N/A	-5	5	
E-12	N/A	-10	5	
E-13	N/A	-10	5	
E-14	N/A	0	10	
E-15	5 pts for 0 to 1 instance 3 pts for 2 instances 0 pts for more than 2 instances	N/A	N/A	
E-16	5 pts for 0 to 1 instance 3 pts for 2 instances 0 pts for more than 2 instances	N/A	N/A	
E-17	5 pts for 0 to 1 instance 3 pts for 2 instances 0 pts for more than 2 instances	N/A	N/A	
E-18	10 pts for at least once a week 5 pts for every two weeks 0 pts for less than every two weeks	N/A	N/A	
E-19	10 pts for .85 or less 5 pts if between .86 and 1.00 0 pts for greater than 1.00	N/A	N/A	
E-20	5 pts for 0 instance 0 pts for greater than 0	N/A	N/A	
E-21	5 pts for 0 to 2 instances 3 pts for 3 instances	N/A	N/A	

	0 pts for more than 3 instances			
E-22	5 pts for 0 to 2 instances 3 pts for 3 instances 0 pts for more than 3 instances	N/A	N/A	
E-23	N/A	N/A	N/A	
E-24	5 pts for 0 to 2 instances 3 pts for 3 instances 0 pts for more than 3 instances	N/A	N/A	
E-25	N/A	5	0	
Score for the Heavy and Highway Subcontractor(s) Scored Questions (Disqualified if less than 90)				

PART III (F) — Scored Questions for the Other Subcontractor(s). The maximum possible score for Part III(F) is 155. A minimum score of 90 must be attained or the Subcontractor will be rated as not qualified and will not be included in the approved Prequalified PDBEs list.

Part III(F) Question	Quality	Yes	No	Score
F-1	5 yrs (or less) = 0 pts 6 yrs = 1 pt 7 yrs = 3 pts 8 yrs = 5 pts	N/A	N/A	
F-2	N/A	0	10	
F-3	N/A	0	10	
F-4	0-1 Projects = 10 pts 2 Projects = 3 pts More than 2 Projects = 0 pts	N/A	N/A	
F-5	N/A	0	5	
F-6	N/A	0	10	
F-7	N/A	0	5	
F-8	5 pts for 0 or 1 instance 3 pts for 2 instances 0 pts for more than 2 instances	N/A	N/A	
F-9	5 pts for 0 or 1 instance 3 pts for 2 instances 0 pts for more than 2 instances	N/A	N/A	
F-10	N/A	0	5	
F-11	N/A	-5	5	
F-12	N/A	-10	5	
F-13	N/A	-10	5	
F-14	N/A	0	10	
F-15	5 pts for 0 to 1 instance 3 pts for 2 instance 0 pts for more than 2 instances	N/A	N/A	
F-16	5 pts for 0 to 1 instance 3 pts for 2 instances 0 pts for more than 2 instances	N/A	N/A	
F-17	5 pts for 0 to 1 instance 3 pts for 2 instances 0 pts for more than 2 instances	N/A	N/A	
F-18	10 pts for at least once a week 5 pts for every two weeks 0 pts for less than every two weeks	N/A	N/A	
F-19	10 pts for .85 or less 5 pts if between .86 and 1.00 0 pts for greater than 1.00	N/A	N/A	
F-20	5 pts for 0 instance 0 pts for greater than 0	N/A	N/A	
F-21	5 pts for 0 to 2 instances 3 pts for 3 instances 0 pts for more than 3 instances	N/A	N/A	

F-22	5 pts for 0 to 2 instances 3 pts for 3 instances 0 pts for more than 3 instances	N/A	N/A	
F-23	N/A	N/A	N/A	
F-24	5 pts for 0 to 2 instances 3 pts for 3 instances 0 pts for more than 3 instances	N/A	N/A	
F-25	N/A	5	0	
Score for the Other Subcontractors Scored Questions (Disqualified if less than 90)				

PART III(G) — Scored Questions for the Structures Lead Designer. The maximum possible score for Part III(G) is 95. A minimum score of 55 must be attained or the Structures Lead Designer will be rated as not qualified which in turn disqualifies the Design-Build Entity.

Part III(G) Question	Quality	Yes	No	Score
G-1	5 yrs (or less) = 0 pts 6 yrs = 3 pts 7 yrs = 5 pts 8 yrs = 10 pts	N/A	N/A	
G-2	N/A	0	10	
G-3	N/A	0	10	
G-4	5 pts for 0 to 2 instances 3 pts for 3 instances 0 pts for more than 3 instances	N/A	N/A	
G-5	N/A	0	10	
G-6	5 pts for 0 to 2 instances 3 pts for 3 instances 0 pts for more than 3 instances	N/A	N/A	
G-7	5 pts for 0 to 2 instances 3 pts for 3 instances 0 pts for more than 3 instances	N/A	N/A	
G-8	N/A	-5	5	
G-9	N/A	-5	5	
G-10	N/A	-5	5	
G-11	N/A	-5	5	
G-12	N/A	-10	5	
G-13	0 Contracts = 0 pts 1 Contract = 2 pts 2 Contracts = 4 pts	N/A	N/A	
G-14	0 Contracts = 0 pts 1 Contract = 2 pts 2 Contracts = 4 pts	N/A	N/A	
G-15	0 Contracts = 0 pts 1 Contract = 2 pts 2 Contracts = 7 pts	N/A	N/A	
Score for the Structures Lead Designer Scored Questions (Disqualified if less than 55)				

PART IV — REFERENCED PROJECTS

This part consists of an evaluation of referenced projects submitted by the General Contractor Member of the Design-Builder and the firm employing the Design-Builder's Principal Engineer. If the Design-Builder includes a Rail Installation Subcontractor as a member of its team, the Rail Installation Subcontractor's referenced projects may be evaluated.

The evaluation will consist of assessment of the general contracting firm's or engineering firm's performance on the referenced project. The District will evaluate a minimum of two separate past projects as provided in the Questionnaire. **It is at the District's sole discretion which referenced projects will be evaluated for performance.** The District will not evaluate referenced projects that are not relevant to the SMART WINDSOR EXTENSION PROJECT Contract. Note: To be considered relevant, a referenced project must be a railroad or rail transit project (one of which should be design-build) or public work transportation projects completed in the previous ten years and of similar size, scope, nature and complexity as the SMART WINDSOR EXTENSION PROJECT Contract.

The District will interview owners of the referenced projects to determine the general contracting firm's or engineering firm's or rail installation firm's performance using the "REFERENCE INTERVIEW QUESTIONS," attached hereto. The highest possible score for each interview is 100 points. **A score of less than 50 points disqualifies a Design- Builder from proposing on the SMART WINDSOR EXTENSION PROJECT Contract.** A score between 50 and 70 indicates that the District should conduct an interview of another contact, that is, a manager of another project. A score of 71 or higher on a minimum of two interviews is sufficient for prequalification.

PART IV - REFERENCE INTERVIEW QUESTIONS

Project Name: _____

General Contractor or Principal Engineer Firm (Contractor/Firm): _____

Owner Name and Telephone No.: _____

Brief Description: _____

1. On a scale of 1-10, with 10 being the best, did the Contractor/Firm provide adequate personnel?

Rating: _____

2. On a scale of 1-10, with 10 being the best, was the Contractor/Firm timely in providing reports and other paperwork, including change order paperwork and scheduling updates?

Rating: _____

3. On a scale of 1-10, with 10 being the best, did the Contractor/Firm adhere to the project schedule that your agency or business approved?

Rating: _____

4. On a scale of 1-10, with 10 being the best, rate the Contractor/Firm on the timely submission of reasonable cost and time estimates to perform change order work.

Rating: _____

5. On a scale of 1-10, with 10 being the best, rate the Contractor/Firm on whether there were an unusually high number of claims/design changes, given the nature of the project, or unusual difficulty in resolving them.

Rating: _____ x 2

6. On a scale of 1-10, with 10 being the best, was the Contractor/Firm cooperative with the owner?

Rating: _____ x 2

7. On a scale of 1-10, with 10 being the best, rate the quality of the work overall.

Rating: _____ x 2

INTERVIEW (PERFORMANCE) RATING: _____ (0-100)

APPENDIX B.1

**AFFIDAVIT OF AUTHENTICITY FORM
(Submit with Qualification Statement)**

The following affidavit shall be executed, notarized and submitted for each legal entity that is a joint venture member or general partner of the PDBE as identified in the Qualification Statement.

State of California

County of Sonoma

Before me, the undersigned authority, personally appeared _____,
who, having been by me duly sworn, made the following statement:

"I am authorized to make this affidavit on behalf of _____, a participating legal entity in the attached Qualification Statement dated _____, 20__, and submitted in response to RFQ NO. _____, issued by the Sonoma-Marine Area Rail Transit District for the D/B Windsor Extension Project Contract. All information pertaining to _____ and provided in the attached Qualification Statement is to the best of my knowledge, true and correct and if called upon to testify, I could testify competently thereto.

I acknowledge receipt of the Addenda to this RFQ by identifying the following Addenda numbers and dates of receipt: _____

(Signature)

(Printed Name)

(Date)

(Design-Build Entity Member)

APPENDIX B.2

**CERTIFICATION REGARDING FINANCIAL CONTRIBUTIONS
(submit with Qualification Statement)**

Certification shall be executed by the PDBE and each proposed first-tier Subcontractor whose subcontract is expected to exceed \$100,000. Make additional copies of the Certification as necessary.

PDBE must use its best efforts to collect the Certification from each first-tier Subcontractor whose subcontract is expected to exceed \$100,000 and to submit such Certifications along with its own to the District by the date on which Qualification Statements are due.

PDBE is advised that all Certifications must be submitted by the date on which Qualification Statements are due unless there is reasonable cause for delay; however, PDBE is cautioned that unless all Certifications are submitted within five (5) calendar days after the date on which Qualification Statements are due, the Qualification Statement may be considered non-responsive. See instructions in the RFQ for submitting Certifications after the due date for Qualification Statements.

The undersigned certifies that:

1. It will not make any monetary or in-kind contribution (including loans) to any SMART Director, or any candidate for Director, in excess of \$1,000 from the date Qualification Statements are due until the date of the final determination by the District that it is included on the Prequalified PDBE List.
2. It understands that the term "contribution" shall have the same meaning as defined in California Government Code Section 82015 and implementing regulations adopted by the Fair Political Practices Commission.
3. If PDBE is prequalified and subsequently submits a Proposal in response to the subsequent Request for Proposals, the undersigned shall continue to comply with this prohibition until Award of the Contract.

Firm

Signature

Date

Print Name and Title

**APPENDIX C
ORGANIZATIONAL CONFLICTS OF INTEREST
DISCLOSURE STATEMENT**

1. Policy

An organizational conflict of interest means that because of other activities, relationships, or contracts, a Proposer, Team member, or Subcontractor is unable or potentially unable, to render impartial assistance or advice to SMART; a contractor's objectivity in performing the contract work is or might be otherwise impaired; or a contractor has an unfair competitive advantage.

2. Disclosure

In the space provided below, and on supplemental sheets as necessary, identify all relevant facts relating to past, present or planned interest(s) of the proposer and its Team (including Proposer, Team members, and all subcontractors identified at the time of the submittal of the SOQ, and their respective personnel) which may result, or could be viewed as, an organizational conflict of interest in connection with the RFQ.

3. Explanation

In the space below, and on supplemental sheets as necessary, identify steps that have been or will be taken to avoid or mitigate any organizational conflicts of interest described herein.

4. Certification

The undersigned hereby certifies that, to the best of his or her knowledge and belief, no interest exists that is required to be disclosed in this Organizational Conflicts of Interest Disclosure Statement other than as disclosed above.

Signature

Name

Title

Firm Name

Proposer Name