

Request for Prequalification

of

Electrical Contractors and

Subcontractors

for

**SELECTED
EBMUD PROJECTS**

EBMUD

November 16, 2020

TABLE OF CONTENTS

	<u>Page No.</u>
NOTICE TO CONTRACTORS	i
SECTION 1 INSTRUCTIONS FOR PREQUALIFICATION SUBMITTALS	1
1.1 DELIVERY OF SUBMITTAL	1
1.2 PREPARATION OF SUBMITTAL	1
1.3 WITHDRAWAL OF SUBMITTAL	2
1.4 LATE SUBMITTAL	2
1.5 PROJECT INFORMATION	2
1.6 INTERPRETATION OF INFORMATION	2
1.7 DETERMINATION	3
1.8 EXCLUSION OF COST QUOTATIONS	3
SECTION 2 SCOPE OF PREQUALIFICATION	4
2.1 INTENT	4
2.2 EXPERIENCE REQUIREMENT	4
SECTION 3 SUBMITTAL INFORMATION	5
3.1 GENERAL	5
PREQUALIFICATION SUBMITTAL FORM	6
PART I. ESSENTIAL REQUIREMENTS FOR QUALIFICATION	7
PART II. ORGANIZATION, HISTORY, ORGANIZATIONAL PERFORMANCE, COMPLIANCE WITH CIVIL AND CRIMINAL LAWS	9
PART III. RECENT CONSTRUCTION PROJECTS COMPLETED	19
CONTRACTOR EXPERIENCE AND REFERENCES FORM	20
SECTION 4 BASIS OF DETERMINATION	21
4.1 GENERAL	21
4.2 RESPONSIVENESS	21
4.3 CAPABILITY	21
 APPENDIX A – PROJECT DESCRIPTIONS	
APPENDIX B – CONTRACTOR PREQUALIFICATION SCORING	

NOTICE TO CONTRACTORS

Notice is hereby given that all electrical contractors and subcontractors that intend to submit a bid for performance of the identified electrical work listed below on East Bay Municipal Utility District (EBMUD) projects are required to complete the prequalification questionnaire, provide all requested materials, and be approved by EBMUD to be on the final qualified bidders list.

Bids that include an electrical contractor or subcontractor (hereinafter referred to as “Contractor”) of any tier that has failed to comply with these requirements will be rejected as nonresponsive. If two or more business entities expect to perform the identified electrical work as part of a Joint Venture, each entity within the Joint Venture must be prequalified in order to qualify for bidding.

Contractors on the final qualified electrical bidders list will be eligible to bid on the selected projects identified in Appendix A. Projects identified in Appendix A are anticipated to be awarded in the near future, and are provided as examples of the types of projects that will use the list. Not all EBMUD projects will require the usage of this list. Electrical Contractor prequalification, if required for a specific project, will be identified in the Instructions to Bidders of the specifications for the project.

Bidding Period

If a contractor wishes to submit during the initial prequalification period, applications must be received by the time and date listed in the *Submission of Prequalification Package* section below. After the initial prequalification period, applications may be submitted during the continuously open period.

Identified Electrical Project Work

Identified projects are those projects in which electrical Contractors will perform construction of industrial electrical power distribution and control systems at water and wastewater facilities, and the delivery, storage, handling, installation, and testing and commissioning of equipment which include, but are not limited to, any of the following:

- Anchors, fasteners, hangers and supports for the electrical equipment
- Outlet boxes, junction and pull boxes
- Wiring devices (including wall switches, receptacles, device plates)
- Low and medium voltage fused and non-fused disconnect switches
- Exposed and concealed raceways (including rigid steel conduit, PVC coated rigid steel conduit, liquid-tight flexible steel conduit, PVC schedule 40 conduit, wireways, cable trays)
- Low voltage and medium voltage shielded power cable, shielded instrumentation cable
- Permanent and temporary electric power and communication services
- Low and medium voltage electric motors and motor controllers
- Fiber optic cables and accessories (terminations, splices, patch panels)
- Fire alarm systems
- Grounding systems
- Low voltage switchboards
- Low and medium voltage motor control centers

- Low and medium voltage generator sets and auxiliaries (including starting batteries, load banks, fuel monitoring systems)
- Low voltage panelboards
- Busways
- Low voltage dry-type and medium voltage dry-type and liquid-filled transformers
- Low voltage uninterruptible power supplies
- Photovoltaic power systems (including PV panels, combiner boxes, and inverters)
- Low voltage and medium-voltage metal-clad switchgear
- Indoor and exterior LED based lighting systems and controls
- Emergency lighting and exit signs
- Underground nonmetallic concrete encased duct banks and direct buried raceways
- Protective devices (including low and medium voltage fuse and circuit breakers, protective relays)
- Local control panels (including remote telemetry units, programmable logic controllers, human machine interfaces, Ethernet switches, DC power supplies, control relays, selector switches, indicating lights, pushbuttons)
- Security system components (including interior and exterior pan-tilt-zoom closed circuit television cameras and controllers , card readers, infrared beam transmitters and receivers, intercoms, motorized gate operators, door alarm switches)
- Wireless 900 MHz spread spectrum radio telemetry systems
- Low and medium voltage variable frequency drives (VFD)
- Low and medium voltage reduced voltage solid state motor starters
- Direct current battery systems (including battery chargers and monitoring equipment)
- Capacitors and line reactors
- Underground manholes and pullboxes
- Overhead power distribution and communications cables and poles
- Automatic and manual transfer switches
- Perform harmonic testing
- Perform international electrical testing association (NETA) Acceptance Testing Standards, including testing for all electrical equipment
- Process control and instrumentation (including pressure, level, flow, and vibration sensors, transmitters, and switches; and water quality analyzers)
- Pipeline cathodic protection systems and corrosion monitoring systems

A copy of the Request for Prequalification of Electrical Contractors and Subcontractors, along with any addenda to this document, and questions and answers, will be posted on the EBMUD Current Construction Bids Opportunities webpage, under “Request for Prequalification of Electrical Contractors and Subcontractors for Selected EBMUD Projects” <https://www.ebmud.com/business-center/construction-bids/current-construction-bids>. It is the responsibility of the bidder to frequently check the website for updated information.

The current Prequalified Electrical Contractors List will be included as part of the Contract Documents of the project requiring usage of the list.

Basis of Rating

EBMUD will provide a pass/fail score for each contractor based on responses to questions contained in the attached questionnaire. EBMUD reserves the right to check other sources available and contact listed references. EBMUD's decision will be based on objective evaluation criteria.

Contractor must demonstrate ability to perform installation work in accordance with the California Electrical Code (CEC) and in a neat and workmanlike manner in accordance with National Electrical Contractors Association (NECA) Standards.

See *Section 4 – Basis of Determination* and *Appendix B – Contractor Prequalification Scoring* for additional information on scoring criteria.

Prequalification Approval

Prequalification approval will be valid for one calendar year after the date of Contractor notification. However, EBMUD reserves the right to adjust, limit, suspend or rescind the prequalification rating based on subsequently learned information. Prequalified Contractors whose rating changes sufficiently to disqualify them will be notified and given an opportunity to appeal a prequalification rating consistent with the appeal procedures described below.

The intent of the prequalification questionnaire and documents is to allow the District to identify qualified contractors prior to contract award to aid EBMUD in selecting the lowest responsive, responsible bidder. Neither the fact of prequalification nor any prequalification rating will preclude EBMUD from a post-bid consideration and determination of whether a bidder or its subcontractors have the quality, fitness, capacity and experience to satisfactorily perform the proposed work.

Submission of Prequalification Package

If submitting during the initial prequalification period, the submittal must be received by **Wednesday 4:00PM, December 30, 2020.**

Contractors may submit an application at any time after the initial prequalification period. However, if submitting for a specific EBMUD project, the submittal must be received at least **21 calendar days before the initial bid opening date.** EBMUD will make its best efforts to review the completed submittal upon receipt, but makes no guarantee a determination will be made in time for bid submittal on the specified project. See the Instructions to Bidders of the specific project for more information.

See *Section 1 – Instructions for Prequalification Submittals* for detailed submission instructions. Each questionnaire must be signed under penalty of perjury by an individual who has the legal authority to bind the contractor on whose behalf that person is signing. If any information provided by a contractor becomes inaccurate, the contractor must immediately notify EBMUD and provide updated accurate information in writing, under penalty of perjury.

EBMUD reserves the right to waive minor irregularities and omissions in the information contained in the prequalification application submitted, to determine at any time that the prequalification procedures will not be applied to a specific future public works project, and to make all final determinations.

Prequalification Schedule

The anticipated schedule for Contractor prequalification is as follows:

Milestone	Date
EBMUD Issues Prequalification Document	11/16/2020
End of Initial Prequalification Submittal Period	12/30/2020
Contractor Notifications for Initial Prequal. Period	Anticipated for February/March, 2021.
Appeals Period	5 Work Days from Contractor Notification Date
Prequalification Expiration	One year from Contractor Notification Date ¹

¹Electrical Contractors may also submit an application after the end of the Initial Prequalification Submittal Period above. If approved, the prequalification will also be valid for one year following the Contractor Notification Date.

Applications deemed as incomplete will not undergo further District review and the applicant will be notified. There is no appeal from a refusal based on an incomplete or late application. The applicant may revise and resubmit the application but the District cannot guarantee that review will be completed in time for any specific project.

Appeals Process

Where a timely and completed application results in a rating below that necessary to prequalify, the District will notify the Contractor in writing of the basis for the contractor's disqualification and the Contractor may submit an appeal. The appeal shall be in writing and received by EBMUD no later than five (5) work days following the date of the District's written notification of failure to meet the required prequalification rating. Without a timely appeal, the Contractor waives any and all rights to challenge the decision of EBMUD, whether by administrative process, judicial process, or any other legal process or proceeding.

If the contractor disagrees with the finding, the contractor may submit to EBMUD in writing a rebuttal to any evidence used and/or presentation of new evidence for qualification, no later than five (5) work days following notification of the basis for disqualification. After investigating any new evidence submitted, EBMUD will issue a written decision to the Contractor. EBMUD's decision after an appeal is final.

Where an application results in a rating below that necessary to prequalify and the contractor either fails to timely appeal or the appeals process has been exhausted, the contractor may not resubmit an application for consideration until one calendar year following notification of disqualification.

Questions about the contractor prequalification must be submitted on the Prequalification website Question and Answer webpage. Answers to questions will also be posted on this webpage.

- END OF NOTICE -

SECTION 1

INSTRUCTIONS FOR PREQUALIFICATION SUBMITTALS

1.1 DELIVERY OF SUBMITTAL

The prequalification submittal shall be enclosed in a sealed envelope to:

Purchasing Division
375 Eleventh St., First Floor, MS 102
Oakland, CA 94607
Attn: Electrical Contractor Prequalification

The outside of the package shall be marked “**CONFIDENTIAL**” and shall include the **contact name, address, phone number, fax and e-mail** address of the Contractor.

For submittals during the initial prequalification period, or not specific to a particular EBMUD project, the outside of the package shall be marked:

Electrical Contractor Prequalification Application

If the Contractor is applying to qualify for a specific EBMUD project, the outside of the package shall be marked as follows, to include the actual Specification Number of the project:

Electrical Contractor Prequalification Application – Specification No. < Spec No.>

Each prequalification submittal shall include a Prequalification Submittal Form (see Section 3) completely filled in and signed by a duly authorized representative of the Contractor.

1.2 PREPARATION OF SUBMITTAL

Each prequalification submittal shall be assembled in one document with a Title Page, Table of Contents, and Section Dividers. The submittal information shall be presented in the order requested under Submittal Information. Oversized drawings (larger than 11 inches by 17 inches), if provided, shall be folded and inserted in plastic carriers. **One (1) original, and one (1) searchable digital (PDF) on CD/USB Flash drive, of the prequalification submittal shall be delivered.** Submittal materials may be compiled in a binder.

The Contractor’s Electrical Safety Program, as described in Section 3 Part I Question 4, may be submitted via hardcopy or via electronic format (on CD/USB Flash drive etc.). If the Electrical Safety program is submitted via hardcopy, one copy will suffice.

1.3 WITHDRAWAL OF SUBMITTAL

A prequalification submittal may be withdrawn prior to the issuance of determination, via written request to:

Attn: Electrical Contractor Prequalification
Purchasing Division
375 Eleventh St., First Floor, MS 102
Oakland, CA 94607

1.4 SUBMITTAL AFTER INITIAL PREQUALIFICATION PERIOD

If applying during the initial prequalification period, any submittal received after the *End of the Initial Prequalification Submittal Period* will be reviewed by EBMUD after contractor notifications are issued to timely applicants and any necessary appeals have been completed.

Any electrical Contractor not on the prequalification list who wishes to submit a bid as a prime contractor or subcontractor on an identified project must submit a completed prequalification submittal that is received at least 21 calendar days before the initial bid opening date for that project. EBMUD will make its best efforts to review the completed submittal upon receipt, but makes no guarantee a determination will be made in time for bid submittal on the specified project.

Any prequalification submittal for a specific project, received later than 21 calendar days from the initial bid opening, will not be considered for qualification for the specific project and the submittal will be returned to the Contractor without review. The Contractor may resubmit a prequalification application for the continuously open period, or for future contracts that require electrical prequalification.

1.5 PROJECT INFORMATION

General descriptions of the upcoming EBMUD projects anticipated to require prequalification are included in Appendix A.

1.6 INTERPRETATION OF INFORMATION

If any Contractor contemplating the preparation of a prequalification submittal is in doubt as to the meaning of any part of this prequalification document, or finds discrepancies or omissions, the contractor may submit a request to the Prequalification website Question and Answer webpage for an interpretation or correction. The person submitting the request will be responsible for prompt delivery. Any interpretation or correction of this prequalification document will be made only by a written addendum. Each addendum will be posted on the “Request for Prequalification of Electrical Contractors and Subcontractors

for Selected EBMUD Projects” webpage. EBMUD will not be responsible for any other explanations or interpretations of this prequalification document.

1.7 DETERMINATION

EBMUD will determine the prequalification status of each Contractor based on the responses to the information requested in Section 3. The anticipated schedule for Contractor prequalification determination is provided in the Notice to Contractors of Request for Prequalification of Electrical Contractors and Subcontractors for Selected EBMUD Projects. Written notification of determination results will be given to each applicant. If a Contractor meets the requirements of the prequalification, its name will be added to the Prequalified Electrical Contractors List posted on the Prequalification webpage.

1.8 EXCLUSION OF COST QUOTATIONS

The prequalification submittal is a response to a request for information, not a cost proposal. Contractors are advised that a formal or informal cost quotation for the project is not requested by EBMUD and should not be included with the submittal. Any such information furnished will not be considered.

SECTION 2

SCOPE OF PREQUALIFICATION

2.1 INTENT

The prequalification procedure will be used to determine responsible electrical Contractors for the identified project electrical work. However, prequalification is not a conclusive determination of responsiveness and responsibility and a prequalified Contractor may be rejected as nonresponsive or non-responsible by EBMUD during the subsequent bidding for the subject project. In all cases, the contractor ultimately awarded the contract shall comply with the requirements of the construction Contract Documents for the subject project.

2.2 EXPERIENCE REQUIREMENT

The prequalification procedure involves the review and evaluation of information regarding the proven experience of the Contractor to construct the subject electrical projects in a manner acceptable to EBMUD. The experience of the Contractor will be evaluated on the basis of the prequalification submittal and information gathered by EBMUD from the references on related projects. Proven experience is defined as the actual performance of the Contractor on previous construction projects of a similar nature (see Part III of Section 3 for experience requirements) as verified by references.

EBMUD is not obligated to prequalify or accept a Contractor with no or unsatisfactory related experience.

SECTION 3

SUBMITTAL INFORMATION

3.1 GENERAL

The prequalification submittal prepared and delivered by an electrical Contractor shall include as a minimum the information and submissions requested in this section. Each electrical Contractor shall review the requirements of this Request for Prequalification Document and provide whatever additional information may be required to allow complete determination of conformance with the evaluation criteria utilized for the Basis of Determination.

Incomplete or unclear information may be grounds for rejection of a submittal as nonresponsive.

PREQUALIFICATION SUBMITTAL FORM

FOR: PREQUALIFICATION DOCUMENT FOR ELECTRICAL CONTRACTORS.

THE UNDERSIGNED CONTRACTOR HEREBY AGREES AND DECLARES THAT:

DETERMINATION OF PREQUALIFICATION

Receipt of this submittal by EBMUD does not constitute either a direct or implied guarantee that prequalification is or will be granted. The undersigned agrees to the procedures and conditions of the prequalification requirements described in this prequalification document.

COMPLETENESS AND ACCURACY

All contractor statements and information contained in the prequalification document are complete and accurate. The submittal contains no false or deliberately misleading information.

CLOSING STATEMENT

A. The undersigned is a legally authorized representative of the Contractor.

Legal name of Contractor: _____
(as it appears on contractor license)

Contact Name: _____ Contact E-Mail Address: _____
Contact's Phone : _____ Fax: _____

Business Address: _____

B. DIR Registration Number: _____

C. Addenda: The undersigned acknowledges receipt of the following Addenda Nos.:

<u>Addendum Number</u>	<u>Date</u>
_____	_____
_____	_____
_____	_____

D. By:

1. Signature: _____
2. Clearly printed name: _____
3. Position: _____

- END OF FORM -

PART I. ESSENTIAL REQUIREMENTS FOR QUALIFICATION

Contractor will be immediately disqualified if the answer to any of questions 1 through 5 is “no.” Contractor will be immediately disqualified if the answer to any of questions 6 through 10 is “yes.”¹

1. Contractor possesses a valid and current California Contractor’s C-10 license.
 Yes No

2. Contractor has a general liability insurance policy with a policy limit of at least \$2,000,000 per occurrence and \$2,000,000 annual aggregate, and an automobile liability policy with a policy limit of at least \$2,000,000 per occurrence.
 Yes No

3. Contractor has current workers’ compensation insurance policy as required by the Labor Code or is legally self-insured pursuant to Labor Code section 3700 et. seq.
 Yes No

4. Have you attached a copy of your firm’s Electrical Safety Program which meets the requirements set out in the latest edition of NFPA 70E (2021) and has specifically addressed implementation of Article 110.5 (A) through (M)? **Contractor shall fill in and submit score sheet in Appendix B if indicating “Yes”.**
 Yes No

5. Contractor has a current registration with the California Department of Industrial Relations.
 Yes No

6. Has your contractor’s license been revoked at any time in the last five (5) years, (in any State)?
 Yes No

¹ A contractor disqualified solely because of a “Yes” answer given to question 6, 7, or 9 may submit a completed application and appeal the disqualification. An explanation of the relevant circumstances can be provided during the appeal procedure.

7. Has a surety firm completed a contract on your behalf, or paid for completion within the last five (5) years?

Yes No

8. At the time of submitting this prequalification form, is your firm ineligible to bid on or be awarded a public works contract, or perform as a subcontractor on a public works contract, pursuant to either Labor Code section 1777.1, Labor Code section 1777.7 or Labor Code section 1725.5?

Yes No

If the answer is “Yes,” state the beginning and ending dates of the period of debarment:

9. At any time during the last five (5) years, has your firm, or any of its owners or officers, been convicted of a crime involving the awarding of a contract of a government construction project, or the bidding or performance of a government contract?

Yes No

10. At any time during the last five (5) years, has CAL OSHA cited and assessed penalties against your firm for any “willful” or two (2) or more “serious” violations of its safety or health regulations?

Yes No

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

A. Current Organization and Structure of the Business

For Firms That Are Corporations:

- 1a. Date incorporated: _____
- 1b. Under the laws of what state: _____
- 1c. Provide all the following information for each person who is either (a) an officer of the corporation (president, vice president, secretary, treasurer), or (b) the owner of at least ten (10) percent of the corporation’s stock.

Person’s Name	Position	Years with Co.	% Ownership

- 1d. Identify every construction firm that any person listed above has been associated with (as owner, general partner, limited partner or officer) at any time during the last five (5) years.

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

Person’s Name	Construction Firm	Dates of Person’s Participation with Firm

For Firms That Are Partnerships:

- 1a. Date of formation: _____
- 1b. Under the laws of what state: _____

- 1c. Provide all the following information for each partner who owns ten (10) percent or more of the firm.

Person's Name	Position	Years with Co.	% Ownership

- 1d. Identify every construction company that any partner has been associated with (as owner, general partner, limited partner or officer) at any time during the last five (5) years.

NOTE: For this question, "owner" and "partner" refer to ownership of ten (10) percent or more of the business, or ten (10) percent or more of its stock, if the business is a corporation.

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

For Firms That Are Sole Proprietorships:

- 1a. Date of commencement of business. _____
- 1c. Identify every construction firm that the business owner has been associated with (as owner, general partner, limited partner or officer) at any time during the last five (5) years.

NOTE: For this question, "owner" and "partner" refer to ownership of ten (10) percent or more of the business, or ten (10) percent or more of its stock, if the business is a corporation.

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

B. History of the Business and Organizational Performance

2. Has there been any change in ownership of the firm at any time during the last five (5) years?

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

Yes No

If “yes,” explain on a separate signed page.

3. Are any corporate officers, partners, or owners currently connected to any other construction firms?

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

Yes No

If “yes,” explain on a separate signed page.

4. State your firm’s gross revenues for each of the last three (3) years:

5. How many years has your organization been in business as a contractor under your present business name and license number?

_____ years

Licenses

6. List all current construction license numbers, classifications and expiration dates of the contractor licenses held by your firm in California:

7. If any of your firm’s license(s) are held in the name of a corporation or partnership, list below the names of the qualifying individual(s) listed on the Contractors State License

Board (CSLB) records who meet(s) the experience and examination requirements for each license.

8. Has any owner, partner or (for corporations) officer of your firm operated a construction firm under any other name in the last five (5) years?

Yes No

If “yes,” explain on a separate signed page, including the reason for the change.

9. Has any CSLB license held by your firm or its Responsible Managing Employee (RME) or Responsible Managing Officer (RMO) been suspended within the last five (5) years?

Yes No

If “yes,” please explain on a separate signed sheet.

Disputes

10. At any time in the last five (5) years has your firm been assessed and paid liquidated damages after completion of a project under a construction contract with either a public or private owner?

Yes No

If yes, explain on a separate signed page, identifying all such projects by owner, owner’s address, the date of completion of the project, amount of liquidated damages assessed and all other information necessary to fully explain the assessment of liquidated damages.

11. In the last five (5) years has your firm, or any firm with which any of your company’s owners, officers or partners was associated, been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason?

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

Yes No

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

12. In the last five (5) years has your firm been denied an award of a public works contract based on a finding by a public agency that your company was not a responsible bidder?

Yes No

If “yes,” explain on a separate signed page. Identify the year of the event, the owner, the project and the basis for the finding by the public agency.

13. At any time during the past five (5) years, has any surety company made any payments on your firm’s behalf to satisfy any claims made against a performance or payment bond issued on your firm’s behalf, in connection with a construction project, either public or private?

Yes No

If “yes,” explain on a separate signed page the amount of each such claim, the name and telephone number of the claimant, the date of the claim, the grounds for the claim, the present status of the claim, the date of resolution of such claim if resolved, the method by which such was resolved if resolved, the nature of the resolution and the amount, if any, at which the claim was resolved.

14. In the last five (5) years has any insurance carrier, for any form of insurance, refused to renew the insurance policy for your firm?

Yes No

If “yes,” explain on a separate signed page. Name the insurance carrier, the form of insurance and the year of the refusal.

Criminal Matters and Related Civil Suits

15. Has your firm or any of its owners, officers or partners ever been found liable in a civil suit or found guilty in a criminal action for making any false claim or material misrepresentation to a public agency?

Yes No

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

16. Has your firm or any of its owners, officers or partners ever been convicted of a crime involving any federal, state, or local law related to construction?

Yes No

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

Bonding

17. Have you provided documentation from your surety identifying the following: (a) name of the bonding company/surety; (b) name of the surety agent, address, and telephone number; c) your current available bonding capacity?

Yes No

C. Compliance with Occupational Safety and Health Laws and with Other Labor Legislation Safety

18. Has the federal Occupational Safety and Health Administration cited and assessed penalties against your firm in the past five (5) years?

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

Yes No

If “yes,” attach a separate signed page describing each citation.

19. Has any regulatory agency at the federal, state, and/or local level (including but not limited to the EPA, an Air Quality Management Agency, or a Regional Water Quality Control Board) cited and assessed penalties against either your firm or the owner of a project on which your firm was the contractor, in the past five (5) years?

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

Yes No

If “yes,” attach a separate signed page describing each citation.

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

Once per week, or more often Less than once per week

21. List your firm’s Experience Modification Rate (EMR) for each of the past 3 premium years:

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

Current year: _____

Previous year: _____

Year prior to previous year: _____

22. Within the last five (5) years has there ever been a period when your firm had employees but was without workers’ compensation insurance or state-approved self-

insurance?

Yes No

If “yes,” please explain the reason for the absence of workers’ compensation insurance on a separate signed page. If “No,” please provide a statement by your current workers’ compensation insurance carrier that verifies periods of workers’ compensation insurance coverage for the last five (5) years. (If your firm has been in the construction business for less than five (5) years, provide a statement by your workers’ compensation insurance carrier verifying continuous workers’ compensation insurance coverage for the period that your firm has been in the construction business.)

Prevailing Wage and Apprenticeship Compliance Record

23. Has there been more than one (1) occasion during the last five (5) years in which your firm was required to pay either back wages or penalties for your own firm’s failure to comply with the **state’s** prevailing wage laws?

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

Yes No

If “yes”, attach a separate signed page or pages, describing the nature of each violation, identifying the name of the project, the date of its completion, the public agency for which it was constructed; the number of employees who were initially underpaid and the amount of back wages and penalties that you were required to pay.

24. During the last five (5) years, has there been more than one (1) occasion in which your own firm has been penalized or required to pay back wages for failure to comply with the **federal** Davis-Bacon prevailing wage requirements?

Yes No

If “yes”, attach a separate signed page or pages describing the nature of the violation, identifying the name of the project, the date of its completion, the public agency for which it was constructed; the number of employees who were initially underpaid, the amount of back wages you were required to pay along with the amount of any penalty paid.

25. At any time during the last five (5) years, has your firm been found to have violated any provision of California apprenticeship laws or regulations, or the laws pertaining to use of

apprentices on public works?

Yes No

If “yes”, provide the date(s) of such findings, and attach copies of the Department of Industrial Relations’ final decision(s). _____

PART III. RECENT CONSTRUCTION PROJECTS COMPLETED

26. Contractor Experience and References

Construction of the EBMUD Projects will be completed in multiple construction contracts which will require electrical Contractors who have extensive specialized experience in constructing large and complex water and wastewater facilities under difficult conditions and in close coordination with multiple adjacent concurrent construction projects.

List a minimum of four (4) complex projects of water, wastewater, or industrial facilities on which your firm has completed work in the last six (6) years. For a minimum of two (2) of the projects listed, your firm's electrical contract amount must be greater than \$1,000,000. A maximum of one (1) project that is currently under construction and is more than 50% complete (electrical contract only) at the time of application preparation may be included. Furnish the following information (the Contractor shall verify all contact information provided for each project listed):

- a. Name of the project.
- b. Firm's role.
- c. Percentage of work performed.
- d. Location of the project.
- e. Description of project. This shall be a detailed description of quantities and types of major electrical power distribution, instrumentation, and control equipment installed (medium and/or low voltage switchboards, switchgear, MCC's, generators, motors, VFD's, Reduced Voltage Motor Starters, UPS's, PLC's, DCS's, HMI's, SCADA Systems, Security Systems, Fire Alarm Systems, Lighting Control Systems, etc.), and whether the project involved new installations and/or modifications to existing facilities, and whether electrical shutdowns or cutovers were needed.
- f. **Name, address, and phone number** of the Owner, including Owner contact.
- g. **Name, address, and phone number** of the Design Engineer, including contact.
- h. **Name, address, and phone number** of the Construction Manager, including contact.
- i. Your electrical contract amount. (Not the overall project cost)
- j. Number and amount of electrical contract Change Orders.
- k. Start date, original contract completion date, extended contract completion date, and actual completion date of the Project.

The contractor must use the attached template on the following page for completing the requested information. Please duplicate and complete as many copies of the forms as needed.

In order to achieve a passing score in this section, at least four (4) contracts meeting the requirements listed in the second paragraph above must be provided.

Contractor Experience and References Form

a. Name of the Project:	
b. Firm's Role:	c. Percent of Work Performed:
d. Location of the project:	
e. Description of your electrical scope performed for project (Details from Part III/26.e shall be provided):	
f. Owner's Contact Name: Current Address: Phone Number:	g. Design Engineer Contact Name: Current Address: Phone Number:
h. Construction Manager Contact Name: Current Address: Phone Number:	i. Your electrical contract amount: j. Number of electrical contract Change Orders: Amount of each Change Order:
k. Start Date of Project: _____ Original Contract Completion Date: _____ Extended Contract Completion Date: _____ Actual Completion Date: _____	

- END OF FORM -

SECTION 4

BASIS OF DETERMINATION

4.1 GENERAL

The determination of prequalified contractors will be based on an evaluation of the prequalification submittal and information gathered by EBMUD from the references of related projects and other sources (see page iii and Appendix B for scoring criteria). The categories that will be evaluated under the Basis of Determination are responsiveness and capability.

4.2 RESPONSIVENESS

Before evaluation of the contractor's capability, the responsiveness of the contractor will be assessed. The assessment of responsiveness will determine if adequate information or the minimum prerequisites have been submitted to permit an evaluation under the Basis of Determination. A prequalification submittal will be rejected as nonresponsive for lack of adequate information due to incompleteness, illegibility, or disregard of the requested format.

4.3 CAPABILITY

The determination by EBMUD of a contractor's capability shall assess the contractor's ability, capacity, and skill to construct the subject project in a timely and satisfactory manner, based on the responses to the questions in Section 3 and the scoring system described in Appendix B. Appendix B is provided for contractor reference only, and is not to be completed.

APPENDIX A
PROJECT DESCRIPTIONS

Projects requiring prequalification are provided as typical examples.

EBMUD reserves the right to remove and/or add other projects to this list.

Project Bid Specification	Anticipated Advertise Date	Estimated contract amount
Specification No. 2151 – USL WTP Control Systems Improvements	February 2021	\$1.2M
Specification No. 2120 – Happy Valley and Sunnyside Pumping Plants	March 2021	\$1M
Specification No. 2152 – San Pablo Reservoir Hypolimnetic Oxygenation System	March 2021	\$7.5
Specification No. 2168 – Westside Pumping Plant Relocation, Encinal Regulator Installation, and Encinal	March 2021	\$9M
Specification No. 2137 – Raw Water Treatment Facilities Improvement - Phase II	April 2021	\$TBD
Specification No. 2128 – Upper San Leandro Water Treatment Plant Reliability Improvements	July 2021	\$70M

Updated on 11/16/20

APPENDIX B

**CONTRACTOR PREQUALIFICATION
SCORING CRITERIA**

APPENDIX B

CONTRACTOR PREQUALIFICATION SCORING (For Reference Only)

The scorable questions assess the following three (3) areas:

- 1) Part II. A – Current Organization and Structure of the Business, and B - History of the business and organizational performance;
- 2) Part II. C – Compliance with occupational safety and health laws, workers’ compensation, and Part D - Prevailing Wage and Apprenticeship Compliance Record;
- 3) Part III – Recent Construction Projects Completed.

Not all questions in the questionnaire are scorable; some questions simply ask for information about the contractor firm’s structure, officers and history. This Appendix includes only those questions that are “scorable”. The question numbers in this document are the numbers used in the questionnaire. Thus, there are a few breaks in the numerical sequence.

The Scores Needed for Prequalification

To prequalify, a contractor is required to have a passing grade within **each** of the three (3) large categories referred to above.

For Part II Sections A and B, a passing score of **35** is required (of a maximum score of 50 on this portion of the questionnaire).

For Part II Sections C and D, a passing score of **31** is required (of a maximum score of 38 points on this portion of the questionnaire).

For Part III, a minimum of four (4) projects meeting the criteria listed in question 26 must be presented.

Questions about History of the Business and Organizational Performance

(17 questions, 10 questions scored)

1. How many years has your organization been in business as a contractor under your present business name and license number?

_____ years

3 years or less = 2 points
4 years = 3 points
5 years = 4 pts.
6 years or more = 5 points

9. Has any CSLB license held by your firm or its Responsible Managing Employee (RME) or Responsible Managing Officer (RMO) been suspended within the last five (5) years?

Yes No

“No” = 5 points “Yes” = 0 points

10. At any time in the last five (5) years, has your firm been assessed and paid liquidated damages after completion of a project, under a construction contract with either a public or private owner?

Yes No

No projects with liquidated damages totaling more than \$50,000, or one (1) project with liquidated damages = 5 points
Two (2) projects each with liquidated damages totaling more than \$50,000 = 3 points
Any other answer: no points

11. In the last five (5) years has your firm, or any firm with which any of your company’s owners, officers or partners was associated, been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason?

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

Yes No

“No” = 5 points “Yes” = 0 points

12. In the last five (5) years, has your firm been denied an award of a public works contract based on a finding by a public agency that your company was not a responsible bidder?

Yes No

“No” = 5 points “Yes” = 0 points

13. At any time during the past five (5) years, has any surety company made any payments on your firm's behalf to satisfy any claims made against a performance or payment bond issued on your firm's behalf in connection with a construction project, either public or private?

Yes No

5 points for either "No" or "Yes" indicating no more than 1 such claim.

3 points for "Yes" indicating no more than 2 such claims

Subtract 5 points for "Yes" if more than 2 such claims

14. In the last five (5) years, has any insurance carrier, for any form of insurance, refused to renew the insurance policy for your firm?

Yes No

5 points for either "No" or "Yes" indicating 1 such instance.

3 points for "Yes" indicating 2 such instances.

0 points for "Yes" or if more than 2 such instances.

15. Has your firm, or any of its owners, officers, or partners ever been found liable in a civil suit, or found guilty in a criminal action, for making any false claim or material misrepresentation to any public agency or entity?

Yes No

"No" = 5 points "Yes" = subtract 5 points

16. Has your firm, or any of its owners, officers or partners ever been convicted of a crime involving any federal, state, or local law related to construction?

Yes No

"No" = 5 points "Yes" = subtract 5 points

17. Have you provided documentation from your surety identifying the following: (a) name of the bonding company/surety; (b) name of the surety agent, address, and telephone number; c) your current available bonding capacity?

Yes No

“Yes” = 5 points “No” = 0 points

Questions about compliance with safety, workers compensation, prevailing wage and apprenticeship laws.

(8 questions)

18. Has the federal Occupational Safety and Health Administration cited and assessed penalties against your firm in the past five (5) years?

Note: If you have filed an appeal of a citation and the appropriate appeals Board has not yet ruled on your appeal, you need not include information about it.

Yes No

If yes, attach a separate signed page describing each citation.

If the firm’s average gross revenues for the last three (3) years was less than \$50 million, scoring is as follows:

5 points for either “No” or “Yes” indicating no more than 1 such instance.

3 points for “Yes” indicating 2 such instances.

0 points for “Yes” if more than 2 such instances.

If the firm’s average gross revenues for the last three (3) years was more than \$50 million, scoring is as follows:

5 points for either “No” or “Yes” indicating 1, 2, or 3 such instances.

3 points for “Yes” indicating either 4 or 5 such instances.

0 points for “Yes” if more than 5 such instances.

19. Has any regulatory agency at the federal, state, and/or local level (including but not limited to the EPA, an Air Quality Management Agency, or a Regional Water Quality Control Board) cited and assessed penalties against either your firm or the owner of a project on which your firm was the contractor, in the past five (5) years?

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

Yes No

If the firm's average gross revenues for the last three (3) years was less than \$50 million, scoring is as follows:

5 points for either "No" or "Yes" indicating no more than 1 such instance.

3 points for "Yes" indicating 2 such instances.

0 points for "Yes" or if more than 2 such instances.

If the firm's average gross revenues for the last three (3) years was more than \$50 million, scoring is as follows:

5 points for either "No" or "Yes" indicating 1, 2, or 3 such instances.

3 points for "Yes" indicating either 4 or 5 such instances.

0 points for "Yes" if more than 5 such instances.

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

3 points for an answer of once each week or more often.

0 points for any other answer

21. List your firm's Experience Modification Rate (EMR) for each of the past three (3) premium years:

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

Current year: _____

Previous year: _____

Year prior to previous year: _____

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

5 points for 3-year average EMR of 1.0 or less

3 points for 3-year average of EMR of more than 1.0 but no more than 1.1

0 points for any other EMR

22. Within the last five (5) years, has there ever been a period when your firm had employees but was without workers' compensation insurance or state-approved self-insurance?

Yes No

*5 points for either “No” or “Yes” indicating no more than 1 such instance.
0 points for any other answer*

23. Has there been more than one (1) occasion during the last 5 years on which your firm was required to pay either back wages or penalties for your own firm’s failure to comply with the **state’s** prevailing wage laws?

Yes No

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

If your firm’s average gross revenues for the last three (3) years were less than \$50 million, scoring is as follows:

*5 points for either “No,” or “Yes” indicating either 1 or 2 such instance.
3 points for “Yes” indicating 3 such instances.
0 points for “Yes” and more than 3 such instances.*

If your firm’s average gross revenues for the last three (3) years were more than \$50 million, scoring is as follows:

*5 points for either “No” or “Yes” indicating no more than 4 such instances.
3 points for “Yes” indicating either 5 or 6 such instances.
0 points for “Yes” and more than 6 such instances.*

24. During the last five (5) years, has there been more than one (1) occasion on which your own firm has been penalized or required to pay back wages for failure to comply with the **federal** Davis-Bacon prevailing wage requirements?

Yes No

If your firm’s average gross revenues for the last three (3) years were less than \$50 million, scoring is as follows:

*5 points for either “No,” or “Yes” indicating either 1 or 2 such instance.
3 points for “Yes” indicating 3 such instances.
0 points for “Yes” and more than 3 such instances.*

If your firm's average gross revenues for the last three (3) years were more than \$50 million, scoring is as follows:

5 points for either "No" or "Yes" indicating no more than 4 such instances.

3 points for "Yes" indicating either 5 or 6 such instances.

0 points for "Yes" and more than 6 such instances.

25. At any time during the last five (5) years, has your firm been found to have violated any provision of State apprenticeship laws or regulations, or the laws pertaining to use of apprentices on public works?

Yes No

If yes, provide the MM/DD/20YY(s) of such findings, and attach copies of the Department's final decision(s).

If your firm's average gross revenues for the last three (3) years were less than \$50 million, scoring is as follows:

5 points for either "No," or "Yes" indicating either 1 or 2 such instance.

3 points for "Yes" indicating 3 such instances.

0 points for "Yes" and more than 3 such instances.

If your firm's average gross revenues for the last three (3) years were more than \$50 million, scoring is as follows:

5 points for either "No" or "Yes" indicating no more than 4 such instances.

3 points for "Yes" indicating either 5 or 6 such instances.

0 points for "Yes" and more than 6 such instances.

PART III. RECENT CONSTRUCTION PROJECTS COMPLETED

26. This part will be scored as pass/fail based on the contractor's list of recently completed projects, or current on-going projects, meeting the criteria listed under Part III Contractor Experience.

NFPA 70E Electrical Safety Program Checklist

Contractor Name:

In accordance with NFPA 70E – 2021, Article 110, General Requirements for Electrical Safety – Related Work Practices, are the following items included as part of the Contractor’s submitted Electrical Safety Program:

1. Article 110.5 (A) General.
 Yes No Page/Section where reference can be found: _____

2. Article 110.5 (B) Inspection.
 Yes No Page/Section where reference can be found: _____

3. Article 110.5 (C) Condition of Maintenance.
 Yes No Page/Section where reference can be found: _____

4. Article 110.5 (D) Awareness and Self-Discipline.
 Yes No Page/Section where reference can be found: _____

5. Article 110.5 (E) Electrical Safety Program Principles.
 Yes No Page/Section where reference can be found: _____

6. Article 110.5 (F) Electrical Safety Program Controls.
 Yes No Page/Section where reference can be found: _____

7. Article 110.5 (G) Electrical Safety Program Procedures.
 Yes No Page/Section where reference can be found: _____

8. Article 110.5 (H) Risk Assessment Procedure.
 Yes No Page/Section where reference can be found: _____

9. Article 110.5 (I) Job Safety Planning and Job Briefing.
 Yes No Page/Section where reference can be found: _____

10. Article 110.5 (J) Incident Investigations.
 Yes No Page/Section where reference can be found: _____

11. Article 110.5 (K) Electrically Safe Work Condition Policy.

Yes No Page/Section where reference can be found: _____

12. Article 110.5 (L) Lockout/Tagout Program.

Yes No Page/Section where reference can be found: _____

13. Article 110.5 (M) Auditing.

Yes No Page/Section where reference can be found: _____

-End of Form-