

RESOLUTION NO. 1668.3/15
OF
THE MOUNTAIN VIEW WHISMAN SCHOOL DISTRICT
ADOPTING PROCEDURES AND CRITERIA FOR EVALUATING QUALIFICATIONS AND
PROPOSALS OF LEASE-LEASEBACK CONTRACTORS

WHEREAS, the Mountain View Whisman School District (“District”) desires to continue to utilize the lease-leaseback delivery method for some projects within the Measure G General Bond Obligation program, including the Mariano Castro / Gabriela Mistral Modernization Project; and

WHEREAS, pursuant to Education Code section 17406, school districts must award lease-leaseback contracts based on a competitive solicitation process to the proposer providing the best value to the district; and

WHEREAS, before awarding a lease-leaseback contract, the governing board of the school district must adopt and publish required procedures and guidelines for evaluating the qualifications of prospective lease-leaseback contractors (“Evaluation Procedures”) which ensure that the best value selections by the District are conducted in a fair and impartial manner; and

WHEREAS, District staff has developed the Evaluation Procedures, an exemplar of which, is attached hereto as **Exhibit A-1**; and

WHEREAS, as part of the Evaluation Procedures contractors must submit to the District the prequalification questionnaire attached hereto as **Exhibit A-2**; and

WHEREAS, the prequalification questionnaire is evaluated according to the criteria and scoring set forth in **Exhibit A-3**; and

WHEREAS, as part of the Evaluation Procedures contractors must submit a statement of qualifications that is evaluated according to the criteria and scoring set forth in **Exhibit A-4** attached hereto; and

WHEREAS, as part of the Evaluation Procedures District staff may conduct interviews with some or all the contractors that are evaluated according to the criteria and scoring set forth in **Exhibit A-5** attached hereto; and

WHEREAS, as part of the Evaluation Procedures District staff may conduct reference checks for some or all the contractors that are evaluated according to the criteria and scoring set forth in **Exhibit A-6** attached hereto; and

WHEREAS, the District desires to adopt the Evaluation Procedures as required pursuant to Education Code section 17406(a)(2) to create a pool of qualified lease-leaseback contractors for the projects within the Measure G General Bond Obligation program, including the Mariano Castro / Gabriela Mistral Modernization Project; and

WHEREAS, once the pool of qualified lease-leaseback contractors is established the District shall issue request for proposal(s) (“RFP(s)”) for the District’s construction and modernization projects; and

WHEREAS, the contractor for each project shall be selected based on a “best value” determination by the District of the RFP proposal according to the “best value” criteria attached hereto as **Exhibit B**; and

WHEREAS, District staff may choose to issue a combined RFQ/RFP, in which case the contractor for each project shall be selected based on a “best value” determination by the District with the total combined RFQ/RFP highest best value score, based on the criteria used in each RFQ/RFP, which will be some or all of the criteria approved herein as part of the RFQ process and the RFP process; and

WHEREAS, as part of the Evaluation Procedures to select a contractor for a project, District staff may conduct interviews with some or all of the contractors that respond to an RFP in order to seek clarification from contractors related to their proposals, but will not use these interviews to allow contractors to substantively revise or change their proposals; and

WHEREAS, some of the RFPs may require the contractor to further qualify its subcontractors on a best value basis, which will be through a separate procurement process that shall comply with the District’s requirements for the procurement of subcontractors and Education Code section 17406 as indicated in **Exhibit C** attached hereto.

NOW, THEREFORE, the Governing Board of Mountain View Whisman School District hereby finds, determines, declares, orders and resolves as follows:

Section 1. That the above recitals are true and correct.

Section 2. The Board adopts the Evaluation Procedures, attached hereto as **Exhibit A-1 through A6**, as required pursuant to Education Code section 17406 (a) (2).

Section 3. The Board adopts the “best value” criteria for proposals, attached hereto as **Exhibit B**.

Section 4. The Board adopts “best value” criteria for subcontractor procurement attached hereto as **Exhibit C**.

Section 5. That the District’s Superintendent, or his/her designee, is authorized to implement the Evaluation Procedures and is authorized to make revisions to the criteria that do not impact the overall fair and impartial solicitation process (for example, changing the size and number of past projects in the prequalification, combining the RFQ/RFP process, etc.)

Section 6. That the District’s Superintendent, or the Superintendent’s designee, is authorized pursuant to this Resolution to take any action that is necessary to complete the procedures necessary to carry out, give effect to, and comply with the terms and intent of this Resolution.

This Resolution shall take effect upon its adoption.

PASSED AND ADOPTED this 1st day of March 2018, by the Governing Board of the Mountain View Whisman School District of Santa Clara County, California, by the following vote:

AYES: _____ NOES: _____ ABSENT: _____ ABSTAIN: _____

STATE OF CALIFORNIA

COUNTY OF SANTA CLARA

I, _____, of the Governing Board of the Mountain View Whisman School District of Santa Clara County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the said Board at a regular Meeting thereof held at its regular place of meeting at the time and by the vote above stated, which resolution is on file in the office of the said Board.

Clerk of the Board of Education
Mountain View Whisman School District

List of Exhibits

- Exhibit A-1.** District’s Procedures for Evaluating the Qualifications of Prospective Lease Leaseback Contractors
- Exhibit A-2.** District’s Prequalification Questionnaire for Prospective Lease-Leaseback Contractors
- Exhibit A-3.** Prequalification Criteria and Scoring
- Exhibit A-4.** District’s Scoring of Best Value Selection Process for Contractors
- Exhibit A-5.** “Best Value” Criteria and Scoring for Interviews
(If Interviews Are Conducted)
- Exhibit A-6.** “Best Value” Criteria and Scoring for Reference Checks
(If Reference Checks Are Conducted)
- Exhibit B.** “Best Value” Criteria for Proposals and Scoring for Proposals in Response to RFP(s)
- Exhibit C.** “Best Value” Criteria for Subcontractor Procurement

Exhibit A-1

District’s Procedures for Evaluating the Qualifications of Prospective Lease-Leaseback Contractors

Scoring. The following table indicates how the District will score steps 1 – 4. Only Firms that receive the minimum qualification points as required at each step will move to the next step.

<p>STEP 1: Scoring of Prequalification Questionnaire</p>	<p>Minimum points required in STEP 1 for Firms to proceed to STEP 2: <u>75.</u></p> <p>Total maximum possible points at the end of STEP 1 is <u>100.</u></p> <p>The District will only score SOQs of Firms that have the required minimum score after STEP 1.</p>
<p>STEP 2: Scoring of SOQ</p>	<p>Minimum points required in STEP 2 for Firms to proceed to STEP 3: <u>550.</u></p> <p>Total combined maximum possible points at the end of STEP 2 is <u>700.</u></p> <p>The District will only interview Firms (if it conducts interviews of Firms) that have the required minimum score after STEP 2.</p>
<p>STEP 3: Scoring of Interviews</p>	<p>The District, <u>at its discretion</u>, may elect to forego conducting interviews.</p> <p>If the District conducts interviews, then the following shall apply:</p> <p>Minimum points required in STEP 3 for Firms to proceed to STEP 4: <u>85.</u></p> <p>Total maximum possible points from an Interview is <u>115.</u></p> <p>The District will only interview Firms (if it conducts interviews) that have the required minimum score after STEP 2.</p>
<p>STEP 4: Scoring of Reference Checks</p>	<p>The District, <u>at its discretion</u>, may elect to forego conducting reference checks.</p> <p>If the District conducts reference checks, then the following shall apply:</p> <p>Minimum points required in STEP 3 for Firms to be included in the District’s Pool of Qualified LLB Contractors: <u>80.</u></p> <p>Total maximum possible points at the end of STEP 4 is <u>110.</u></p> <p>The District will only contact references (if it conducts reference checks) that have the required minimum score after STEP 3.</p>

Exhibit A-2

District's Prequalification Questionnaire for Prospective Lease-Leaseback Contractors

CONTRACTOR (OR "FIRM") INFORMATION			
Contractor's company name:			
Address:			
Telephone:			
Mobile telephone:			
E-mail:			
Years in business under current company name:			
Years at the above address:			
Types of work performed with own forces:			
Gross revenue of the Firm on public K-12 projects for the past three (5) years:			
\$	\$	\$	\$
Submit an audited or reviewed financial statement for the past two (2) full fiscal years. A letter verifying availability of a line of credit may also be attached; however, it will be considered as supplemental information only, and is not a substitute for the required financial statement.			
Name of license holder exactly as on file with the California State License Board:			
License classification(s):			
License Number(s):			
License expiration date(s):			
Responsible Managing Officer (RMO) or Employee (RME) for Contractor:			
Number of years license holder has held the listed license(s):			
Number of years Contractor has done business in California under contractor's license law:			
Number of years Contractor has done business in California under current Contractor's license:			
Has your Firm changed name(s) or license number(s) in the past five (5) years? (Y / N). If "yes", explain on a separate signed sheet, including the reason for the change.			
Has there been any change in ownership of the Firm at any time in the past five (5) years? NOTE: A corporation whose shares are publicly traded is not required to answer this question. (Y / N). If "yes", explain on a separate signed sheet, including the reason for the change.			
Is the Firm a subsidiary, parent, holding company, or affiliate of another construction firm? NOTE: Include information about other firms if one firm owns ten percent (10%) or more of another, or if an owner, partner, or officer of your Firm holds a similar position in another firm. (Y / N). If "yes", explain on a separate signed sheet, the name of the related company(ies) and the percent ownership.			
Indicate the form of Contractor's firm (type of business entity):			
<input type="checkbox"/> Individual <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Partnership <input type="checkbox"/> Corporation, State: _____ <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Joint Venture Other: _____			

List the following for each corporation officer, general partner, limited partner, owner, etc. (as applicable) for the Contractor's type of entity. For joint ventures, include this information for each entity in the joint venture and the percent ownership of each joint venture. Attach all additional information on separate signed sheets as needed.

Name	Position	Years with Co.	% Ownership

Identify every construction firm, contractor and/or construction management firm that the Contractor or any person listed above has been associated with (as officer, general partner, limited partner, owner, RMO, RME etc.) at any time during the **past five (5) years** ("Associated Firm"). Include all additional references and/or information on separate signed sheets. NOTE: For this question, "owner" and "partner" refers to ownership of ten percent (10%) or more of the business, or ten percent (10%) or more of its stock if the business is a corporation. include all additional information on separate signed sheets as needed.

Name of Person at Associated Firm	Name of Associated Firm	Contractor's License No. of Associated Firm	Dates of Person's Participation with Associated Firm

CONTRACTOR'S BONDING COMPANY (SURETY) INFORMATION

Name(s) of bonding company(ies) your Firm has utilized over the past five (10) years (not broker or agency):

Address(es) of those bonding company(ies):

Number of years Contractor has been with those bonding company/surety:

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Name of broker/agent:

Address of broker/agent:

Telephone number of broker/agent:

E-mail of broker/agent:

Contractor's total current bonding capacity: \$

CONTRACTOR'S INSURANCE INFORMATION

Name of insurance company(ies) your Firm has utilized over the past five (5) years (not broker or agency):

Address of those insurance company(ies):

“Best” rating(s) for those insurance company(ies):

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Number of years Contractor has been with those insurance company(ies):

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Name of broker/agent:

Address of broker/agent:

Telephone number of broker/agent:

E-mail of broker/agent:

Contractor’s current insurance limits for the following types of coverage:


Commercial General Liability	Combined Single Limit (per occurrence)	\$
	Combined Single Limit (aggregate)	\$
Product Liability & Completed Operations	(aggregate)	\$
	(per occurrence)	\$
Automobile Liability – Any Auto	Combined Single Limit (aggregate)	\$
Automobile Liability – Any Auto	Combined Single Limit (per occurrence)	\$
Employers’ Liability		\$
Builder’s Risk (Course of Construction)		

Workers’ Compensation Experience Modification Rate for the past five (5) premium years:

(1) Current year:	(2)	(3)
	(4)	(5)

QUESTIONS

Pass/Fail Questions (Essential Criteria)

<p>GC</p>	<p>1. Contractor: Has your Firm contracted for and completed construction of a minimum of:</p> <ul style="list-style-type: none"> • Four (4) projects each with a minimum contract value of three million dollars (\$3,000,000) within the last five (5) years for California K-12 public schools? (Please circle one). <p>NOTE: You must list these projects in the “Contractor Project References” Section.</p>	<p align="center"><u>YES</u> <u>NO</u> NO = cannot prequalify</p>
OR		
<p>Sub</p>	<p>1. Subcontractors: Has your Firm contracted for and completed construction of a minimum of:</p> <ul style="list-style-type: none"> • Four (4) projects each with a minimum contract value of two hundred thousand dollars (\$200,000) within the last five (5) years for California K-12 public schools? (Please circle one). <p>NOTE: You must list these projects in the “Contractor Project References” Section.</p>	<p align="center"><u>YES</u> <u>NO</u> NO = cannot prequalify</p>
	<p>2. Does your Firm currently hold all contractor’s license(s) necessary to perform the work and have those license(s) been consistently active for at least ten (10) years without revocation or suspension? (Please circle one).</p>	<p align="center"><u>YES</u> <u>NO</u> NO = cannot prequalify</p>
	<p>3. Has your Firm or an Associated Firm been found non-responsible, debarred, disqualified, forbidden, or otherwise prohibited from performing work and/or bidding on work for any public agency within California within the past ten (10) years? (Please circle one).</p>	<p align="center"><u>YES</u> <u>NO</u> YES = cannot prequalify</p>
	<p>4. Has your Firm or an Associated Firm defaulted on a contract or been terminated for cause by any public agency on any project within California within the past ten (10) years and, if so and if challenged, has that default or termination been upheld by a court or an arbitrator? (Please circle one).</p>	<p align="center"><u>YES</u> <u>NO</u> YES = cannot prequalify</p>
	<p>5. Has your Firm or an Associated Firm or any of their owners or officers been convicted of a crime under federal, state, or local law involving:</p> <ul style="list-style-type: none"> (1) Bidding for, awarding of, or performance of a contract with a public entity; (2) Making a false claim(s) to any public entity; or (3) Fraud, theft, or other act of dishonesty, <p>to any contracting party within the past ten (10) years? (Please circle one).</p>	<p align="center"><u>YES</u> <u>NO</u> YES = cannot prequalify</p>
	<p>6. Has a performance bond surety for your Firm or a performance bond surety for an Associated Firm had to:</p> <ul style="list-style-type: none"> (1) Take over or complete a project, (2) Supervise the work of a project, or (3) Pay amounts to third parties, <p>related to construction activities of your Firm or an Associated Firm within the past ten (10) years? (Please circle one).</p>	<p align="center"><u>YES</u> <u>NO</u> YES = cannot prequalify</p>
	<p>7. Has your Firm’s Workers’ Compensation Experience Modification Rating averaged more than 1.25 over the past five (5) premium years? (Please circle one). Attach proof of Worker’s Compensation Experience Mod Rating for the last 5 years.</p>	<p align="center"><u>YES</u> <u>NO</u> YES = cannot prequalify</p>
	<p>If you answered: “NO” to questions 1-2 or “YES” to questions 3-7, then STOP. You are not eligible for prequalification at this time.</p>	

Scored Questions

1.	<p>Has your Firm paid liquidated damages pursuant to a contract for a project with either a public or private owner within the past <u>ten (10) years</u>? (Please circle one).</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the project name(s), damages(s), and date(s).</p>	<p><u>YES</u> <u>NO</u></p>
2.	<p>Has your Firm paid a premium of more than one percent (1.5%) for a performance and payment bond on any project(s) within the past <u>ten (10) years</u>? (Please circle one).</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the project name(s), the premium amount(s), and date(s).</p>	<p><u>YES</u> <u>NO</u></p>
3.	<p>Has any insurer had to pay amounts to third parties that were in any way related to construction activities of your Firm within the past five (5) years? (Please circle one).</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the project name(s), the amount(s) paid, and date(s).</p>	<p><u>YES</u> <u>NO</u></p>
4.	<p>Has there been a period when your Firm had employees but was without workers' compensation insurance or state-approved self-insurance within the past five (5) years? (Please circle one).</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the reason(s) for not having this insurance and the applicable date(s).</p>	<p><u>YES</u> <u>NO</u></p>
5.	<p>Has your Firm declared bankruptcy or been placed in receivership within the past <u>ten (10) years</u>? (Please circle one).</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the type of bankruptcy, the Firm's current recovery plan, and the applicable date(s).</p>	<p><u>YES</u> <u>NO</u></p>
6.	<p>Has your Firm been denied bond coverage by a surety company, or has there been a period of time when your Firm had no surety bond in place during a public construction project when one was required within the past <u>ten (10) years</u>? (Please circle one).</p> <p style="text-align: center;">If YES, provide details on a separate signed sheet indicating the date(s) when your Firm was denied coverage and the name of the company or companies which denied coverage; and the period(s) during which you had no surety bond in place.</p>	<p><u>YES</u> <u>NO</u></p>
7.	<p>Has a project owner, general contractor, architect, or construction manager filed claim(s) in an amount exceeding \$50,000 against your Firm, or has your Firm filed claim(s) in an amount exceeding \$50,000 against a project owner, general contractor, architect, or construction manager in the past <u>ten (10) years</u>? (Please circle one).</p> <p style="text-align: center;">If YES, explain and indicate on separate signed sheet(s) the project name(s), claim(s) and the date(s) of claim(s).</p>	<p><u>YES</u> <u>NO</u></p>
8.	<p>Has your Firm or an Associated Firm been cited and/or assessed any penalties for non-compliance with state and/or federal laws and/or regulations, including public bidding requirements and Labor Code violations, within the past <u>ten (10) years</u>? (Please circle one).</p> <p style="text-align: center;">If "YES," indicate on separate signed sheet(s) the project name(s), violation(s), and date(s) of citation(s) and/or assessment(s).</p>	<p><u>YES</u> <u>NO</u></p>

9.	<p>Has your Firm been cited and/or assessed penalties by the Environmental Protection Agency, any air quality management district, any regional water quality control board, or any other environmental agency within the past ten (10) years?</p> <p>If “yes,” indicate on separate signed sheet(s) the project name(s), violation(s), and date(s) of citation.</p>	<p><u>YES</u> <u>NO</u></p>
10.	<p>Has CAL OSHA and/or federal Occupational Safety and Health Administration cited and assessed penalties against your Firm, including any “serious,” “willful” or “repeat” violations of safety or health regulations within the past ten (10) years?</p> <p>If “yes,” indicate on separate signed sheet(s) the project name(s), violation(s), and date(s) of citation. If the citation was appealed and a decision has been issued, state the case number and the date of the decision.</p>	<p><u>YES</u> <u>NO</u></p>
11.	<p>Has your Firm been required to pay either back wages or penalties for its failure to comply with California’s prevailing wage laws, with California’s apprenticeship laws or regulations, or with federal Davis-Bacon prevailing wage laws within the past ten (10) years?</p> <p>If “yes,” indicate on separate signed sheet(s) the project name(s), the nature of the violation(s), the name and owner of the project(s), the number of employees who were initially underpaid and the amount of back wages and penalties that your Firm was required to pay.</p>	<p><u>YES</u> <u>NO</u></p>
12.	<p>Does your Firm require weekly, documented safety meetings to be held for construction employees and field supervisors during the course of a project?</p>	<p><u>YES</u> <u>NO</u></p>
13.	<p>Provide the name, address and telephone number of the apprenticeship program (approved by the California Apprenticeship Council) from whom you intend to request the dispatch of apprentices to your Firm for use on any public work project for which you are awarded a contract by the District.</p>	

CONTRACTOR PROJECT REFERENCES

List **ALL** projects in which your Firm has participated as the prime contractor during the past **five (5) years**.

- You may limit your response to the twenty (20) **most-recently completed projects** but you **must** include at least the **four (4)** most recent California K-12 public school projects with a contract value of more than **\$3,000,000** performed by your Firm.
- Please include all information indicated below on separate signed sheets as necessary, and explain or clarify any response as necessary

SUBCONTRACTOR PROJECT REFERENCES

List **ALL** projects in which your Firm has participated as a contractor or first-tier subcontractor during the past **five (5) years**.

- You may limit your response to the twenty (20) **most-recently completed projects** but you **must** include at least the **four (4)** most recent California K-12 public school projects with a contract value of more than **\$200,000** performed by your Firm.
- Include all information indicated below on separate signed sheets as necessary, and explain or clarify any response as necessary.

Project Name/Identification:
Project address/location:
Project owner, contact person, and telephone:
Project architect name and telephone number:
If contractor was a subcontractor on the project, name of general contractor and telephone number:
Scope of Work:
Original completion date:
Date completed:
Initial contract value (as of time of bid award):
Final contract value:

CERTIFICATION

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct:

Date: _____

Proper Name of Contractor: _____

Signature: _____

By: _____ (Print Name)

Title: _____

Exhibit A-3

Prequalification Criteria and Scoring

1. **Confirm Firm has passing answers for the “Pass/Fail Questions.”**
2. **Confirm Firm has submitted the required financial statements.** If not, notify Firm in writing that its submittal is non-responsive for failing to include the required financial statements.
3. **Score the “Scored Questions.”**
4. **Scoring.** If you are prequalifying based only on the written Scored Questions, a Total Score from the “Scored Questions” **at or above 75** will prequalify this Contractor or Subcontractor.
5. The following scoring will be used in evaluating the Prequalification Questionnaires:

Topic/Question	Scoring & Max. Poss. Score	Score
1. Liquidated Damages	No = 10 points; Yes = 0 points	10
2. Surety Premium	No = 10 points; Yes = 0 points	10
3. Insurer Pay	No = 5 points; Yes = 0 points	5
4. Workers’ Comp.	No = 5 points; Yes = 0 points	5
5. Bankruptcy	No = 5 points; Yes = 0 points	5
6. Denied Bond	No = 10 points; Yes = 0 points	10
7. Filed Claims	No = 15 points; Yes = Deduct 5 points for each claim; do not score lower than 0 points.	15
8. Labor Code Citations	No = 5 points; Yes = 0 points	5
9. EPA Citations	No = 5 points; Yes = 0 points	5
10. OSHA Citations	No = 10 points; Yes = 0 points	10
11. Prevailing Wage Penalties	No = 10 points; Yes = 0 points	10
12. Safety Meetings	Yes = 5 points; No = 0 points	5
13. Apprenticeship Program	Listed = 5 points; None listed = 0 points	5
Total Score		100

Exhibit A-4

District’s Scoring of Best Value Selection Process for Contractors

STEP 2 – RESPONSE SCORING. The following scoring will be used in evaluating the Firm’s SOQ responses to the following criteria, which will be determined by reviewing all portions of the SOQ, including the “Content of SOQs” section of the RFQ.

Item	Description	Maximum Qualification Points	Firm’s Qualification Points
1. Compensation	Firm’s Compensation information provided is competitive and within the District’s past experience for compensation for similar HVAC construction and modernization projects.	300	
2. Personnel / Subconsultants	Firm’s team members, especially team leaders, demonstrate applicable experience and expertise to perform Services.	75	
3. LLB Projects	Firm demonstrates past experience and expertise with LLB process.	75	
4. Schedule	Firm demonstrates ability on LLB projects to prepare and meet achievable construction schedules management procedures, and successful handling of potential delays.	50	
5. Budget	Firm demonstrates past experience and expertise to manage costs and stay within budgets on LLB projects.	50	
6. Cost Savings / Value Engineering	Firm demonstrates past experience and expertise to perform value engineering services for the Projects.	50	
7. Approach to Work	Firm demonstrates how it intends to work with the District and develop management techniques related to the District’s educational program requirements.	20	
8. Current Work Commitments	Firm describes current and projected workload.	20	
9. Environmental	Firm indicates its past experience performing in an environmentally responsible manner.	20	
10. Safety	Firm demonstrates a strong commitment to project safety and indicates a history of safe worksites.	20	
11. Additional Information	Strength of additional information provided by Firm.	20	
	Total Score	700	

Exhibit A-5

**“Best Value” Criteria and Scoring for Interviews
(If Interviews Are Conducted)**

Firms may be invited to interview with the District. The subject matter for the interview will be at the District’s discretion but shall include, at a minimum, the following topics.

Item	Maximum Qualification Points	Qualification Points
1. Past Projects/Experience: Firm’s articulation of Firm’s history, education, and background; Firm’s experiences working with similar, past projects; issues faced and how addressed (i.e. claims, bonding/surety involvement, owner relations, citations, etc.); and questions, concerns, and highlights from the SOQ.	35	
2. District Projects: Firm’s articulation of how it will construct the Project, its ideas related to constructability, and other construction-specific ideas, concerns, or related issues (i.e. schedules, budgets, subcontractor selection, etc.).	30	
3. Overall Ability and General Suitability. Firm’s articulation of its overall skills, ability to complete the Projects, and general suitability for the District’s purposes (i.e. implementation of District policies and procedures, compliance with District Programs, political atmosphere, additional information, etc.)	30	
4. Personnel/Leadership: Firm’s articulation of its Project-designated personnel, leadership, subcontractor relations, apprenticeship program, etc.	20	
TOTAL QUALIFICATION POINTS FROM STEP 3	115	

Exhibit A-6

**“Best Value” Criteria and Scoring for Reference Checks
(If Reference Checks Are Conducted)**

1. Contact references from the Firm’s response to the “**Contractor Project References**” section of the Prequalification Questionnaire and score those responses.
2. Fill out the information in Section I of the Qualification Evaluation – Reference Form and then call the contact person.
3. Ask the questions in Section II of the Qualification Evaluation – Reference Form. Ensure that you obtain the information regarding whether the Firm’s performance in that area was “unsatisfactory,” “below average,” “average” or “above average.” Assign the corresponding score for each answer in Section III.
4. Complete Section III of the Qualification Evaluation – Reference Form with the information received during the call.
5. Use a separate Qualification Evaluation – Reference Form for each call.
6. Make three (3) complete reference calls for each Firm.
7. Enter the “Total Score for This Project” of all the Qualification Evaluation – Reference Forms for that Firm into an “Averaging” Worksheet.

<u>Sample “Averaging” Worksheet for 3 reference calls per Firm – See next page</u>	
“Total Score for This Project” from first call	
“Total Score for This Project” from second call	
“Total Score for This Project” from third call	
Total	
Total divided by three (÷ 3) [DIVIDE SCORE BY NUMBER OF CALLS] This is the score for the Firm for the References Step in the evaluation process.	

References – Qualification Evaluation Form

Section I - General Project Information

Name of Firm:	Total Contract Costs:
	Contract Start/End Dates:
Project Title:	Actual Completion Date:
Scope of Work:	
Name of Public Agency:	Telephone Number of Contact Person:
Name of Contact Person:	Date and Time of Interview of Contact Person:
Architect Firm:	Principal Architect in Charge of Project:

Section II – Telephone Interview Questions

1. **Quality of Work.** Were there quality-related problems on the project? Were these problems attributable to the Firm? Was the Firm cooperative in trying to resolve problems?

Response:

- Unsatisfactory Below Average Average Above Average

Comments/Examples *(Optional)*

2. **Scheduling.** Rate the Firm's performance with regard to adhering to project schedules. Did the Firm meet the project schedule? If not, was the delay attributable to the Firm?

Response:

- Unsatisfactory Below Average Average Above Average

Comments/Examples *(Optional)*

3. **Subcontractor (Project) Management.** Rate the Firm's ability to manage and coordinate subcontractors (if no subcontractors, rate the Firm's overall project management). Was the Firm able to effectively resolve problems?

Response:

- Unsatisfactory Below Average Average Above Average

Comments/Examples *(Optional)*

4. **Change Orders.** Rate the Firm's performance with regard to change orders and extras. Did the Firm unreasonably claim change orders or extras? Were the Firm's prices on change orders and extras reasonable?

Response:

- Unsatisfactory Below Average Average Above Average

Comments/Examples *(Optional)*

5. **Working Relationships.** Rate the Firm's working relationships with other parties (i.e. owner, designer, subcontractors, etc.). Did the Firm relate to other parties in a professional manner?

Response:

- Unsatisfactory Below Average Average Above Average

Comments/Examples *(Optional)*

6. **Responsiveness.** Rate the Firm's responsiveness to telephone calls, emails, meetings, requests for action, etc. Did the Firm respond to inquiries promptly and substantively?

Response:

- Unsatisfactory Below Average Average Above Average

Comments/Examples *(Optional)*

7. **On-Site Firm Staff.** Rate the Firm's on-site staff relating to their management of the site, communication and interaction with owner's staff, and familiarity with project scope and status.

Response:

- Unsatisfactory Below Average Average Above Average

Comments/Examples *(Optional)*

8. **Paperwork Processing.** Rate the Firm's performance in completing and submitting required project paperwork (i.e. submittals, drawings, requisitions, payrolls, etc.). Did the Firm submit the required paperwork promptly and in proper form?

Response:

- Unsatisfactory Below Average Average Above Average

Comments/Examples *(Optional)*

Section III - Numerical Rating

If the contact person rates the Firm unsatisfactory in any area, please attempt to provide written comments in Section II to explain the rating(s) assigned.

Firm's Name: _____

		Unsatisfactory	Below Average	Average	Above Average	Rating
1.	Quality of Work	0	5	10	15	
2.	Scheduling	0	5	10	15	
3.	Subcontractor (Project) Mgt.	0	5	10	15	
4.	Change Orders	0	5	10	15	
5.	Working Relationship	0	5	10	15	
6.	Responsiveness	0	5	10	15	
7.	On-Site Staff	0	5	5	10	
8.	Paperwork Processing	0	2	5	10	
Total Score for This Project						

Exhibit B

“Best Value” Criteria and Scoring for Proposals in Response to RFP(s)

The District shall award the Contract for the Project to the Firm with the **highest best value score**.

1. Proposed Guaranteed Maximum Price	Firm’s amount is competitive and within the District’s past experience for charges for a Guaranteed Maximum Price for the Project	300
2. Proposed General Conditions	Firm’s amount and additional information provided is competitive with the District’s past experience for charges for General Conditions	50
3. Staff / Personnel / Sub consultants	Firm’s team members, especially team leaders, demonstrate applicable experience and expertise to perform Construction Services	50
4. Lease-Leaseback Contract	Firm’s exceptions to the Lease-Leaseback Contract Form.	25
5.		
6. Accessories, Additional Components, and Upgrades	Firm’s pricing and ability to provide the District with accessories, additional components, and upgrades for the Project.	25
7.		
8. Methodology and Approach	Firm’s amount and additional information provided to their approach for construction services	25
9. Financing Cost	Firm’s amount and additional information provided for financing of the Project’s construction cost	25
	TOTAL SCORE	500

INTERVIEWS DURING RFP SELECTION

The District, at its discretion and in order to seek clarification from Firm(s) related to proposals, may conduct interviews during its evaluation of RFPs with some or all of the Firms that respond to an RFP. These interviews will only be for this purpose and will **not** be an opportunity for Firms to substantively revise or change their proposals.

Exhibit C

“Best Value” Criteria for Subcontractor Procurement

Bidding for Subcontractor Work. The selected Contractor, when directed by the District, shall provide a final lump sum Guaranteed Project Cost if it was not provided in their response to the RFP which shall include all scopes of work and pricing from Subcontractors following the bidding procedures outlined herein. Contractor’s procurement/bidding for its Subcontractors shall comply with the requirements set forth In Education Code section 17406 and as required by the District. The Subcontractor procurement process shall be adapted by the District as needed for the Project. The Subcontractor procurement process for all Contractor’s subcontractors performing work valued in excess of ½ of 1% of the Guaranteed Project Cost shall be the following:

Step 1. Public Notice. When directed by the District, the successful Contractor shall provide notice of bidding for subcontractors “in accordance with the publication requirements applicable to the District’s competitive selection process” to solicit Subcontractors in compliance with statutory requirements and the District’s process. The District intends to work with the successful Contractor for each Project to issue an advertisement to solicit Subcontractors in compliance with statutory requirements and the District’s process. Contractor’s Subcontractor advertisement must be approved by the District prior to publication.

Step 2. MEP Prequalification. All mechanical, electrical and plumbing subcontractors with the following license classifications (C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43, and/or C-46) performing work on this Project must be prequalified with the District and shall prequalify with the District by submitting the District’s Prequalification Questionnaire.

Step 3. Non-MEP Subcontractor Qualification Criteria and Standards. Contractor shall use the following qualification criteria and standards for non-MEP subcontractors solicited for work on this Project. The Contractor may not add additional qualification criteria and standards unless the District consents in writing.

Non-MEP Subcontractor Qualification Criteria and Standards	Required Response for Non-MEP Subcontractor to Qualify
1. Has the subcontractor performed at least two (2) subcontracts for at least 90% of the value of the current subcontract?	Yes
2. Has the subcontractor been found non-responsible, debarred, disqualified, forbidden, or otherwise prohibited from performing work and/or bidding on work for any public agency within California within the past five (5) years?	No
3. Has the subcontractor defaulted on a contract, been substituted off a project after beginning performance, or been terminated for cause by any prime contractor or public agency on any project within California during the past five (5) years and has that default, substitution or termination been upheld by a court or an arbitrator?	No
4. Has the subcontractor paid liquidated damages pursuant to a contract for a project with either a	No

public or private owner within the past five (5) years?	
5. Has the subcontractor's Workers' Compensation Experience Modification Rate exceeded 1.5 at any time for the past five (5) premium years?	No

Step 4. Low Bid, Best Value, or Combination of Both.

- 4.1. The Contractor may be permitted to award some or all of its subcontracts based on a best value basis **as determined by the District** prior to Contractor's bid solicitation. Otherwise, the Contractor shall award to subcontractors with the lowest responsive, responsible bid to the Contractor.

- 4.2. Contractor may submit a request in writing to the District, if Contractor believes it is warranted to award a specific scope of work based on the best value basis. Contractor shall provide in writing its justification and supporting documentation to justify, to the District's satisfaction, its basis for the request prior to awarding subcontract(s) for specific scope(s) of work. The District, at District's sole discretion, may accept or deny Contractor's request. If the District denies Contractor's request Contractor shall award that specific scope of work to the subcontractor with the lowest responsive, responsible bid to the Contractor

- 4.3. Contractor shall also submit to the District, all documentation of its bid solicitation process, including advertisements, bid evaluation criteria, bids submitted, and proposed award documentation.