

DRAFT REQUEST FOR QUALIFICATIONS (RFQ) 5-4319

**DESIGN-BUILD OF HYDROGEN
FUELING STATION AND FACILITY
MODIFICATIONS AT GARDEN
GROVE BUS BASE**



**ORANGE COUNTY TRANSPORTATION AUTHORITY
550 South Main Street
P.O. Box 14184
Orange, CA 92863-1584
(714) 560-6282**

Key RFQ Dates

Issue Date:	September 22, 2025
Informational Meeting Date:	October 1, 2025
Questions Submittal Date:	October 3, 2025
Response Date:	October 9, 2025
Statement of Qualifications Due Date:	October 20, 2025
Anticipated Short-List Date:	November 12, 2025

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NOTICE OF REQUEST FOR QUALIFICATIONS

(RFQ): 5-4319: “Design-Build of Hydrogen Fueling Station and Facility Modifications at Garden Grove Bus Base”

TO: ALL OFFERORS

FROM: ORANGE COUNTY TRANSPORTATION AUTHORITY

The Orange County Transportation Authority (Authority) invites statements of qualifications (SOQ) from qualified contractors to **design, construct and deliver a turnkey hydrogen fueling station and facility modifications at the Garden Grove Bus Base (Project)**. The Authority requires hydrogen fueling for up to 100 fuel cell electric buses (FCEBs) using two fuel lanes with total daily fuel consumption of up to 3,000 kilograms.

The design-build effort is anticipated to span approximately 24 months. Contractor is anticipated to provide an operational training and transitional period not to exceed 18 months after completion and acceptance of the Project.

The Project will be a start to finish design-build project. It will be the responsibility of the selected design-build team to produce and present a complete design of the facility during the subsequent Request for Proposals (RFP) process.

The Project’s budget is estimated at \$26,500,000 million.

A separate future procurement will be issued by Authority for a firm to provide consultant construction management services to oversee the construction activities on this Project.

To prevent potential conflicts of interest, the following prohibitions apply to this solicitation:

The prime consultant and all subconsultants (at any tier), regardless of the level of service provided by said subcontractor(s), awarded this contract to design and build a turnkey hydrogen fueling station at the Garden Grove Bus Base are precluded from participating in the future construction management services contract for this Project.

Please note that by submitting a Proposal, Offeror certifies that it is not subject to any Ukraine/Russia-related economic sanctions imposed by the State of California or the United States Government including, but not limited to, Presidential Executive Order Nos. 13660, 13661, 13662, 13685, and 14065. Any individual or entity that is the subject of any Ukraine/Russia-related economic sanction is not eligible to submit a Proposal. In submitting a Proposal, all Offerors agree to comply with all economic sanctions imposed by the State or U.S. Government.

SOQs must be submitted at or before 2:00 p.m., on October 20, 2025.

Proposals delivered in person or by a means other than the U.S. Postal Service shall be submitted to the following:

**Orange County Transportation Authority
Contracts Administration and Materials Management
600 South Main Street, (Lobby Receptionist)
Orange, California 92868
Attention: Megan Bornman, Senior Contract Administrator**

SOQs delivered using the U.S. Postal Service shall be addressed as follows:

**Orange County Transportation Authority
Contracts Administration and Materials Management
P.O. Box 14184
Orange, California 92863-1584
Attention: Megan Bornman, Senior Contract Administrator**

SOQs and amendments to proposals received after the date and time specified above will be returned to the Offerors unopened.

Note: The Authority utilizes a third-party delivery service therefore, Offerors should anticipate a 48-hour delay in delivery of proposals mailed to the P.O. Box listed above. Proposals are considered received once time-stamped at the Authority's physical address.

Firms interested in obtaining a copy of this Request for Qualifications (RFQ) may do so by downloading the RFQ from OpenGov at <https://cammnet.octa.net>.

All firms interested in doing business with the Authority are required to register their business on-line at OPENGov. The website can be found at <https://cammnet.octa.net>. From the site menu, click on OpenGov to register.

To receive all further information regarding this RFQ 5-4319, firms and subconsultants must be registered on OpenGov with at least one of the following

commodity codes for this solicitation selected as part of the vendor's on-line registration profile:

<u>Category:</u>	<u>Commodity</u>
Construction	Construction – Design/Build Electrical Contractor General Contractor Material Handling – Services
Maintenance Services - Equipment	
Maintenance Services – Facility	System Design and Installation
Professional Consulting	Alternative Fuels Consulting
Professional Services	Alternative Fuels Services Fuel Management Services Engineering- General

Offerors are encouraged to subcontract with small businesses to the maximum extent possible.

All Offerors will be required to comply with all applicable equal opportunity laws and regulations.

SECTION I: INSTRUCTIONS TO OFFERORS

SECTION I. INSTRUCTIONS TO OFFERORS

A. DEFINITIONS

The following terms used in this document shall have the meanings shown below:

Term	Definition
Design-Build	A project delivery process in which both the design and construction of a project are procured from a single entity.
Offeror	Entity submitting an SOQ in response to this solicitation.
Design-Builder Entity	A corporation, limited liability company, partnership, joint venture or other legal entity that is able to provide appropriately licensed contracting, architectural, and engineering services as needed pursuant to a design-build contract.
Design-Build Team	The Design-Build Entity itself and the individuals and other entities identified by the Design-Build Entity as members of its team. Members shall include the general contractor and, if utilized in the design of the project, all electrical, mechanical, and plumbing contractors.
Principal Engineering Firm	The firm that will be responsible for the primary design of the Project.
General Contractor	The firm that will be responsible for constructing the Project.
Other Design Firms	Firm(s) that will participate in the design of the Project.

B. INFORMATIONAL MEETING

An on-site/in-person informational meeting will be held on October 1, 2025, at 9:00 a.m. at the Authority's Administrative Office, 550 South Main Street, Orange, CA 92868 in Conference Room 09.

Participation via teleconference will also be available. Prospective Offerors may join or call-in using the following credentials:

- [Microsoft Teams Link](#)
- Phone Number: 916-550-9867
- Conference ID: 107 728 348#

A copy of the presentation slides and Informational Meeting registration sheet(s) will be issued via addendum prior to the date of the Informational Meeting.

All prospective Offerors are encouraged to attend the Informational Meeting.

C. EXAMINATION OF SOQ DOCUMENTS

By submitting a SOQ, Offeror represents that it has thoroughly examined and become familiar with the work required under this RFQ and that it is capable of performing quality work to achieve the Authority's objectives.

D. ADDENDA

The Authority reserves the right to revise the RFQ documents. Any Authority changes to the requirements will be made by written addendum to this RFQ. Any written addenda issued pertaining to this RFQ shall be incorporated into the terms and conditions of any resulting agreement. The Authority will not be bound to any modifications to or deviations from the requirements set forth in this RFQ as the result of oral instructions. Offerors shall acknowledge receipt of addenda in their SOQs. Failure to acknowledge receipt of addenda may cause the SOQ to be deemed non-responsive to this RFQ and be rejected.

E. AUTHORITY CONTACT

All communication and/or contacts with Authority staff regarding this RFQ are to be directed to the following Contract Administrator:

Megan Bornman
Contracts Administration and Materials Management Department
600 South Main Street
P.O. Box 14184
Orange, CA 92863-1584
Phone: 714.560. 5064, Fax: 888.404.6282
Email: mbornman@octa.net

Commencing on the date of the issuance of this RFQ and continuing until award of the contract or cancellation of this RFQ, no offeror, subcontractor, lobbyist or agent hired by the offeror shall have any contact or communications regarding this RFQ with any Authority's staff; member of the evaluation committee for this RFQ; or any contractor or consultant involved with the procurement, other than the Contract Administrator named above or unless expressly permitted by this RFQ. Contact includes face-to-face, telephone, electronic mail (e-mail) or formal written communication. Any offeror, subcontractor, lobbyist or agent hired by the offeror that engages in such prohibited communications may result in disqualification of the offeror at the sole discretion of the Authority.

F. CLARIFICATIONS

1. Examination of Documents

Should an Offeror require clarifications of this RFQ, the Offeror shall notify the Authority in writing in accordance with Section F.2. below. Should it be found by the Authority, in its sole discretion, that the point in question is not clearly and fully set forth, the Authority will issue a written addendum clarifying the matter which will be sent to all firms registered on OpenGov under the commodity codes specified in this RFQ.

2. Submitting Requests

- a. All questions must be put in writing and received via e-mail at mbornman@octa.net no later than 5:00 p.m., on October 3, 2025
- b. Requests for clarifications, questions and comments must be clearly labeled, "Written Questions RFQ 5-4319" in the subject line of the e-mail. The Authority is not responsible for failure to respond to a request that has not been labeled as such.

3. Authority Responses

Responses from the Authority will be posted on OpenGov, no later than October 9, 2025. Offerors may download responses from OpenGov at <https://cammnet.octa.net>, or request responses be sent via email.

To receive email notification of Authority responses when they are posted on OpenGov, firms and subconsultants must be registered on OpenGov with at least one of the following commodity codes for this solicitation selected as part of the vendor's on-line registration profile:

Category:

Construction

Maintenance Services -
Equipment

Maintenance Services – Facility
Professional Consulting
Professional Services

Commodity

Construction – Design/Build
Electrical Contractor
General Contractor
Material Handling – Services

System Design and Installation
Alternative Fuels Consulting
Alternative Fuels Services
Fuel Management Services
Engineering- General

Inquiries received after 5:00 p.m. on October 3, 2025 will not be responded to.

G. SUBMISSION OF STATEMENTS OF QUALIFICATIONS**1. Date and Time**

SOQs must be received in the Authority's office at or before 2:00 p.m. on October 20, 2025.

SOQs received after the above-specified date and time will be returned to Offerors unopened. Authority is not responsible for delays in the submission of any portion of an Offeror's SOQ caused by delivery issues with any delivery services including, but not limited to, USPS, UPS or FedEx. It is Offeror's responsibility to ensure all submissions arrive at the Authority's office at the time listed above. No relief will be granted for such occurrences.

2. Address

SOQs delivered in person or by a means other than the U.S. Postal Service shall be submitted to the following:

**Orange County Transportation Authority
Contracts Administration and Materials Management (Camm)
600 South Main Street, (Lobby Receptionist)
Orange, California 92868
Attention: Megan Bornman, Senior Contract Administrator**

Or SOQs delivered using the U.S. Postal Services shall be addressed as follows:

**Orange County Transportation Authority
Contracts Administration and Materials Management (Camm)
P.O. Box 14184
Orange, California 92863-1584
Attention: Megan Bornman, Senior Contract Administrator**

Note: The Authority utilizes a third-party delivery service therefore, Offerors should anticipate a 48-hour delay in delivery of proposals mailed to the P.O. Box listed above. SOQs are considered received once time-stamped at the Authority's physical address.

3. Identification of SOQs

Offeror shall submit one (1) electronic copy of its SOQ, submittal in "PDF" format on a flash drive in a sealed package, by the date and time as required paragraph G.1. of this section, and addressed as shown in G.2 of this section. The outer envelope must show the Offeror's name and address and

clearly marked as follows:

“RFQ 5-4319, “Design-Build of Hydrogen Fueling Station and Facility Modifications at Garden Grove Bus Base”

4. Identification of Financial Information

Offeror shall submit one (1) electronic copy of its financial information submittal in “PDF” format on a flash drive in a sealed package, by the date and time as required in paragraph G.1. of this section. If mailed separately from the SOQ submittal, the submittal must addressed as shown in paragraph G.2 of this section. The outer envelope must show the Offeror’s name and address and clearly marked as follows:

“RFQ 5-4319, “Design-Build of Hydrogen Fueling Station and Facility Modifications at Garden Grove Bus Base”

5. Acceptance of SOQs

- a. The Authority reserves the right to accept or reject any and all SOQs, or any item or part thereof, or to waive any informalities or irregularities in SOQs.
- b. Terminate evaluations of submittals received.
- c. Modify dates set or projected in this RFQ.
- d. Issue addenda to this RFQ.
- e. The Authority reserves the right to withdraw or cancel this RFQ at any time without prior notice and the Authority makes no representations that any RFP will be issued or any contract will be awarded to any Offeror responding to this RFQ.
- f. The Authority reserves the right to issue a new RFQ for the project.
- g. The Authority reserves the right to postpone SOQ openings for its own convenience.
- h. The Authority reserves the right to investigate the qualifications of any Offeror, and/or require additional evidence of qualifications to perform the work.
- i. Submitted SOQs are not to be copyrighted, and once received become the property of the Authority.

H. VALIDITY PERIOD

Offeror's statement of qualifications shall remain valid for a period of not less than 180 days from the date of submittal. Offeror will certify to the validity period with its signature on Form A, "Transmittal", under the "Certification" section.

I. PRE-CONTRACTUAL EXPENSES

The Authority shall not, in any event, be liable for any pre-contractual expenses incurred by Offeror in the preparation of its SOQ package. Offeror shall not include any such expenses as a part of its SOQ package.

J. JOINT OFFERS

Where two or more firms desire to submit a single proposal in response to this RFQ, they should form a Design-Build Entity. Members of the Design-Build Entity shall include the general contractor and, if utilized in the design of the project, all electrical, mechanical, and plumbing contractors. The Authority intends to contract with the Design-Build Entity awarded a contract for this Project.

K. CONTRACT TYPE

It is anticipated that the Agreement resulting from the subsequent RFP, if awarded, will be a firm-fixed price, lump-sum design-build contract.

L. CONFLICT OF INTEREST

All Offerors responding to this RFQ must avoid organizational conflicts of interest which would restrict full and open competition in this procurement. An organizational conflict of interest means that due to other activities, relationships or contracts, an Offeror is unable, or potentially unable to render impartial assistance or advice to the Authority; an Offeror's objectivity in performing the work identified in the Scope of Work is or might be otherwise impaired; or an Offeror has an unfair competitive advantage. Conflict of Interest issues must be fully disclosed in the Offeror's SOQ.

Offerors hired to perform services for the Authority are prohibited from concurrently acting as an advocate for another firm who is competing for a contract with the Authority, either as a prime or subcontractor.

M. CODE OF CONDUCT

All Offerors agree to comply with the Authority's Code of Conduct as it relates to Third-Party contracts which is hereby referenced and by this reference is incorporated herein. All Offerors agree to include these requirements in all of its subcontracts.

N. OWNERSHIP OF RECORDS/PUBLIC RECORDS ACT

All proposals and documents submitted in response to this RFQ shall become the property of the Authority and a matter of public record pursuant to the California Public Records Act, Government Code sections 7920.000 et seq. (the "Act"). Offerors should familiarize themselves with the provisions of the Act requiring disclosure of public information. Offerors are discouraged from marking their proposal documents as "confidential" or "proprietary."

If a Proposal does include "confidential" or "proprietary" markings and the Authority receives a request pursuant to the Act, the Authority will endeavor (but cannot guarantee) to notify the Offeror of such a request. In order to protect any information submitted within a Proposal, the Offeror must pursue, at its sole cost and expense, any and all appropriate legal action necessary to maintain the confidentiality of such information. The Authority generally does not consider pricing information, subcontractor lists, or key personnel, including resumes, as being exempt from disclosure under the Act. In no event shall the Authority or any of its officers, directors, employees, agents, representatives, or consultants be liable to a Offeror for the disclosure of any materials or information submitted in response to the RFQ or by failing to notify a Offeror of a request seeking its Proposal. The Authority reserves the right to make an independent decision to disclose records and material.

Notwithstanding the above, all information regarding proposal responses will be held as confidential until such time as the evaluation has been completed; an award has been made by the Board of Directors or Authority Staff, as appropriate; and the contract has been fully negotiated.

O. PROHIBITIONS

The following prohibition applies to this procurement:

The prime consultant and all subconsultants (at any tier), regardless of the level of service provided by said subcontractor(s), awarded this contract to design and build a turnkey hydrogen fueling station at the Garden Grove Bus Base are precluded from participating in the future construction management services contract for this Project.

P. INSURANCE REQUIREMENTS

The Design-Builder, at the Design-Builder's sole cost and expense and for the full term of the Design-Build contract or any extension thereof, will be required to obtain and maintain, at a minimum, all the insurance requirements outlined in **Exhibit B**, Insurance Requirements. Additional details will be provided during the RFP process.

Q. BOND REQUIREMENTS

During the RFP process, the Design-Build Entity will be required to provide a certified or cashier's check, or a corporate surety bond on a form acceptable to Authority. Said check or bidder's bond shall be in an amount not less than 10% of the estimated construction cost for this project's budget.

The Design-Builder awarded the contract after the RFP process will be required to deliver to Authority performance and payment bonds on forms acceptable to Authority in the full amount of the estimated construction costs to guarantee the faithful performance and payments. For the purposes of providing performance and payment bonds, the estimated construction cost for this Project is 100% of the Project value. Authority reserves the right to reject any bond if, in the opinion of Authority, the Surety's acknowledgment is not in the form as prescribed by law. Authority reserves the right to negotiate the bonding level requirements.

R. OBLIGATION TO KEEP PROJECT TEAM INTACT

Offerors are advised that all firms and key personnel identified in the SOQ shall remain on the project team for the duration of the procurement process and execution of the Project. If extraordinary circumstances require a change, it must be submitted in writing to Authority. Authority, at its sole discretion, will determine whether to authorize a change, recognizing that certain circumstances (such as death or termination of employment) may occur that are beyond the Design-Builder's control. Unauthorized changes to the Project Team at any time during the procurement process may result in elimination of the Offeror from further consideration.

SECTION II: STATEMENT OF QUALIFICATION CONTENT

SECTION II. STATEMENT OF QUALIFICATION CONTENT

A. SOQ FORMAT AND CONTENT

1. Format

SOQs should be typed with a standard 12-point font, double-spaced, and submitted in 8 1/2" x 11" format. Charts and schedules may be included in 11" x 17" format. SOQs should not include any unnecessarily elaborate or promotional materials.

2. Design-Build Entity Information and Certification

Offerors shall complete and submit "**Form A – Transmittal Cover Page**" providing information regarding the makeup of the Design-Build Entity, contact information for the primary and secondary contact persons who will be the key contacts for all communications related to this RFQ and subsequent RFP, acknowledgement of receipt of all addenda issued by Authority to this RFQ and certification of the SOQ validity period and information provided.

3. Minimum Qualifications

Offerors are advised that the members of the Design-Build Entity must meet minimum qualifications which will be evaluated on a pass-fail basis. Offerors are to complete and submit the following as described below:

- a) **Conflict of Interest Disclosure Statement** – Offeror shall provide a statement from the Design-Build Entity identifying any actual and/or potential conflicts of interests the firm or members of the Design-Build Team may have.
- b) **Legal Structure** - Offeror shall provide the following:
 - 1. Organizational documentation as to whether the Design-Build Entity is/will be a privately held corporation, Limited Liability Company, Partnership, Joint Venture, or other legal entity. Offerors to indicate all shareholders, partners or members who will perform work on this Project. A copy of the organizational documents or agreement committing to form the Design-Build Entity, should be submitted.
 - 2. **Form B - Project Team Information:** The Design-Build Entity should submit information for the members with significant roles on the Design-Build Team, including information for the General

Contractor, Principal Engineering Firm, and any other design firm(s) as applicable to the make up of the Design-Build Entity. Offerors to provide explanation or documentation to any "yes" answers as indicated on Form B.

- c) **Financial Capability** - To be submitted in accordance with the instructions in Section I, Paragraph G.4. The information provided will be used to determine whether the Design-Build Entity is financially capable of delivering the Project. Offeror shall submit the following:

1. Financial statements for the three most recent fiscal years, audited by a certified public accountant in accordance with Generally Accepted Accounting Principals (GAAP) or International Financial Reporting Standards (IFRS), for each of the following entities: (1) the Offeror (if available); (2) each joint venture member or general partner of the Offeror (if applicable); and (3) any other entity that will be financially responsible for the Contract. Each financial statement shall include:
 - a) Opinion letter (auditor's report);
 - b) Balance sheet;
 - c) Income statement;
 - d) Statement of changes in cash flow; and
 - e) Footnotes.

If financial statements are prepared in accordance with principles other than GAAP or IFRS, the submittal must include a letter from the certified public accountant of the applicable entity, addressing the areas of the financial statements that would be affected by a conversion to GAAP or IFRS, and the financial impact thereof.

If the Offeror is a newly formed entity and does not have independent financial statements, financial statements for the Design-Build Entity shall be sufficient (and the Offeror shall expressly state that the Offeror is a newly formed entity and does not have independent financial statements). Financial statements must be provided in US dollars. If audited financial statements are not available for an entity, the SOQ shall include unaudited financial statements for such entity, certified as true, correct and complete by the chief financial officer or treasurer of that entity.

The Offerors are advised that, if the SOQ includes unaudited financial statements for any Design-Build Entity member, a parent company of such Design-Build Entity member will be required to provide a guaranty of the Design-Build Entity's obligations under Contract. The SOQ shall identify each proposed guarantor and

shall include audited financial statements for each proposed guarantor. The Offerors shall also note that even if a Design-Build Entity member provides audited financial statements and meets the minimum financial requirements stated in this RFQ, the Authority reserves the right, in its discretion and based upon the review of the information provided in response to this section, to require that the Offeror identify a parent company of such Design-Build Entity member to act as a guarantor and provide acceptable financial statements for the proposed guarantor.

If an Offeror or any Design-Build Entity member who submits a financial statement, as required herein, files a report with the Securities and Exchange Commission (SEC), then electronic links to the latest SEC Form 10 K and SEC Form 10-Q shall be provided.

2. **Performance and Payment Bond** – Offeror shall provide a letter or other written documentation signed by an authorized representative of a surety or insurance company stating that the Offeror is capable of obtaining a Performance Bond and Payment Bond (refer to Section 1.15.1 for bond amounts) covering the Project, notarized and accompanied by appropriate evidence of authorization. Letters indicating “unlimited” bonding capability are not acceptable.
 3. **Insurance Requirements** - Offeror shall provide either a certificate of insurance evidencing current policies, or written evidence from an insurance company or broker indicating that the Offeror is capable of complying with Exhibit B, Insurance Requirements.
- d) **Form C - Design-Build Entity Minimum Requirements:** This form seeks to assess whether the Design-Build Entity meets the minimum qualifications to work on the Project. Provide, in this section, any documentation and explanation to any “Yes” answers provided.

Offerors’ responses provided as part of this Form C will be evaluated to determine whether the Design-Build Entity is pre-qualified in this first step of the procurement process. A Design-Build Entity that fails any of the questions 1 through 20, listed on the Form C, is automatically disqualified from further evaluation (except with respect to Question 20 to the extent the Design-Build Entity is a party to an alternative dispute resolution system as identified in Question 20).

- e) **Form D - General Contractor Questions:** This form seeks to assess the qualifications of the general contractor. A Design-Build Entity that “fails” any one of the questions 2 through 14 on Form D will be disqualified. Provide, in this section, any documentation and explanation to any “Yes” answers provided.
- f) **Form E - Principal Engineer Questions:** This form seeks to assess the qualifications of the Principal Engineering firm. Failure to provide an explanation for a “yes” answer to questions 4 through 6 on Form E may result in disqualification of Design-Build Entity. Provide, in this section, any documentation and explanation to any “Yes” answers provided.

4. Design-Build Entity and Team Experience

Describe the Team’s past performance in successfully managing and delivering design-build (or a similar integrated delivery model) projects of similar capacity, size, scope, complexity and budget.

- (1) **Identification of Projects** - Offeror shall include at least three (3) projects attributed to the Principal Engineering firm, three (3) projects attributed to the General Contractor, and one (1) project attributed to any other design firm identified as a part of the Design-Build Team completed within the last five (5) years. For each Project identified in the SOQ, provide the following information in a table format:
 - a) Name of Project;
 - b) Owner/Customer Name & Reference Contact Information (phone number and email address). **The Authority reserves the right to contact the references provided for each project listed;**
 - c) Type of Customer (private vs. public agency; industrial or commercial vs. municipal);
 - d) Location of Project (include physical address of project facilities if available);
 - e) Description of the delivery method and integration of design and construction, identifying the firm(s) role as a prime consultant, subconsultant, contractor, subcontractor, or other;

- f) Name of each key team member who is proposed for this Project who played a significant role on the Project example;
- g) The initial contract price (indicate pricing provided at the start of a design build effort, the final contract price, and an explanation for any difference between the two amounts;
- h) The initial date scheduled for substantial completion, the actual date of substantial completion, and an explanation for any difference between the two dates.

(2) For each Project identified in the SOQ, Offeror shall provide the following information in a narrative format and is limited to two (2) pages per project:

- a) **Description of Project:** Describe objective of the project, type of project, size and capacity, and major challenges during design and construction.
- b) **Relevancy to this Project:** Describe how the project is applicable and relevant to this Project in terms of project scope and size, project delivery method, technical requirements, regulatory and environmental requirements, and operations and maintenance requirements.
- c) **Scope of Services:** Describe scope of services and/or design work relative to all phases of project delivery.
- d) **Responsible Firms Role:** Describe specific roles of responsible firms in the design and/or construction of the project. Describe team structure and management.
- e) **Design-Build Team Key Personnel:** Indicate the specific roles and responsibilities of the key personnel of the Design-Build Entity who played a significant role on the Project example, including a description of their Project responsibilities and functions and highlighting project experience where the key personnel of the Design-Build Entity have previously worked together.
- f) **Design and Construction Management Techniques:** Explain design collaboration approach and project delivery strategy; provide overview of design and construction challenges and how those challenges were addressed; describe any innovative solutions employed.

- g) **Claims and Liquidated Damages:** For the reference project, describe the history of claims, disputes and litigation over \$50,000 and how they were resolved. State whether any liquidated damages were assessed and not assessed.
- h) **Permitting and Compliance:** Describe history of compliance with permit conditions.

5. Organization and Key Personnel

Offeror shall demonstrate the Design-Build Team's makeup and organization and the overall experience of the key personnel on the Project.

- (1) Offeror to identify the key personnel performing the major functions of the Project.
- (2) Provide an organization chart for all phases of the Project from design through final acceptance. Organizational chart(s) shall include the "chain of command" demonstrating interrelationships and reporting hierarchy among the key personnel, the reporting relationships and responsibilities of the Design-Build Entity and any other firms.
- (3) Provide a narrative description of the Design-Build Entity management and organizational approach for accomplishing the Project. The narrative description should describe the methodology for integrating the Design-Build Entity and the different areas of expertise within the team into an efficient and effective organization. The management approach must reflect an understanding of the use of the design-build project delivery methodology for projects with scope and complexity comparable to this Project.
- (4) Resumes - Offeror to provide resumes for all key personnel. Resumes should be no longer than two (2) pages and include the following information:
 - a) Description of the individual's proposed Project role;
 - b) Identification of employer and number of years employed by the firm and years of experience in the field proposed. A minimum of five years of experience is preferred;
 - c) Educational background, professional licenses, and credentials;

- d) Experience relevant to their proposed role on the Project;
- e) Description of the phase or phases of the Project with whom that person will be involved;
- f) Estimate of proposed percentage of that individual's time that the Offeror intends to assign this individual to the Project during each phase in which they are involved.

6. Quality Management Approach

Offeror should demonstrate an understanding of quality management on design-build projects and provide an effective approach to quality management in project administration, design and construction.

Offeror to provide the following information:

- (1) Description of the Offeror's approach to quality control and validation of administrative functions.
- (2) Description of the Offeror's approach to quality control and validation during design.
- (3) Description of the Offeror's quality control and validation during construction.
- (4) Identification of the method of providing coordination between Authority and the Design-Builder organization.

7. Safety Program

Offeror shall provide the Offeror's safety record for the most recent three-year period, providing an average experience modification rate, an average total recordable injury/illness rate; and average lost work rate as part of Form C, "Design-Build Entity Minimum Requirements".

Offeror shall submit a summary of the Offerors worker safety program, which shall include a description of how the Offeror will provide protection to prevent damage, injury, or loss to employees of the Offeror and its Subcontractors and other persons who are on the project site and minimize lost or restricted workdays due to injuries. Offeror shall also provide information on Offeror's workers' compensation experience history for the last three years.

8. Appendices

Information considered by Offeror to be pertinent to this project and which has not been specifically solicited in any of the aforementioned sections may be placed in a separate appendix section. Offerors are cautioned, however, that this does not constitute an invitation to submit large amounts of extraneous materials. Appendices should be relevant and brief.

B. FORMS

- 1. Form A - Transmittal Cover Page**
- 2. Form B - Project Team Information**
- 3. Form C - Design-Build Entity Minimum Qualifications**
- 4. Form D - General Contractor Questions**
- 5. Form E - Principal Engineer Questions**

SECTION III: EVALUATION AND AWARD

SECTION III. EVALUATION AND AWARD

A. RESPONSIVENESS EVALUATION

Upon receipt, the SOQs will be reviewed by Authority to determine conformance to the RFQ instructions regarding organization, format and responsiveness to the requirements set forth in the RFQ. The Authority reserves the right to request clarification(s) regarding the information submitted in response to this RFQ and waive minor informalities, irregularities, and apparent clerical mistakes that are unrelated to the substantive content of the SOQs at the Authority's sole discretion. Any SOQ that is incomplete in any material respect may be deemed nonresponsive and may be rejected in its entirety.

B. MINIMUM QUALIFICATIONS – PASS/FAIL

SOQs will first be reviewed using the pass-fail criteria below.

- | | | |
|-----------|--|---------------------------|
| 1. | Conflict of Interest Disclosure | Pass-Fail Criteria |
| | Offeror to provide a conflict of interest disclosure statement as requested in Section II, "Statement of Qualification Content", Paragraph A.3.a. | |
| 2. | Legal Structure | Pass-Fail Criteria |
| | The initial evaluation of Design-Build Entity's legal structure will be based on information provided on Form A, "Transmittal Cover Page", Form B "Project Team Information", Form C "Design-Build Minimum Requirements", Form D, "General Contractor Questions", Form E, "Principal Engineer Questions" and the organizational documents or agreement committing to form the Design-Build Entity. | |
| 3. | Financial Capability | Pass-Fail Criteria |
| | The information provided in Section II, "Statement of Qualification Content", Paragraph A.3.C., will be used to evaluate the Design-Build Entity's ability to deliver the Project using criteria as reasonably determined by the Authority which may include: | |
| | <ul style="list-style-type: none"> (1) Profitability and potential for growth. (2) Solvency. (3) Financial challenges in the past and anticipated in the near future and how the entity has and is addressing those challenges. (4) Bond, credit, and other ratings. | |

4. Minimum Requirements**Pass-Fail Criteria**

The initial evaluation of Design-Build Entities will be based on information provided on the following forms:

- (1) Form C - Design-Build Minimum Requirements: If the Design-Build Entity "fails" any questions 1 through 20, listed on Form C, they will be disqualified from further evaluation (except with respect to Question 20 to the extent the Design-Build Entity is a party to an alternative dispute resolution system as identified in Question 20).
- (2) Form D – General Contractor Questions: If the Design-Build Entity "fails" any one of the questions 2 through 14 on Form D, they will be disqualified. Provide, in this section, any documentation and explanation to any "Yes" answers provided.
- (3) Form E – Principal Engineer Questions: Failure to provide an explanation for a "yes" answer to questions 4 through 6 on Form E may result in Design-Build Entity disqualification. Provide, in this section, any documentation and explanation to any "Yes" answers provided.

C. TECHNICAL QUALIFICATIONS

The Authority will evaluate the technical SOQs based on the following criteria:

1. Design-Build Entity and Team Experience 20 Points

The information required in Section II, "Statement of Qualification Content", Paragraph A.4. will be used to evaluate the Design-Build Entity's and Design-Build Team's experience against the criteria noted in Exhibit C, "Technical Evaluation Criteria and Scoring".

2. Organizational Approach and Key Personnel 20 Points

The information required in Section II, "Statement of Qualification Content", Paragraph A.5. will be used to evaluate the Design-Build Entity's Key Personnel experience against the criteria noted in Exhibit C, "Technical Evaluation Criteria and Scoring".

3. Quality Management Approach 5 Points

The information required in Section II, "Statement of Qualification Content", Paragraph A.6. will be used to evaluate the Offeror's quality management program approach against the criteria noted in Exhibit C, "Technical Evaluation Criteria and Scoring".

4. Safety Management Approach**5 Points**

The information provided in Section II, "Statement of Qualification Content", Paragraph A.7. will be used to evaluate the Offeror's worker safety program against the criteria noted in Exhibit C, "Technical Evaluation Criteria and Scoring".

D. EVALUATION PROCEDURE

The information required in Section III, "Evaluation and Award" (minimum requirements), Paragraph B.1-4 will be reviewed and scored using the pass/fail criteria by Authority staff representing relevant disciplines and may include external members.

The information required in Section III, "Evaluation and Award", Paragraph C.1-4 (technical qualifications) will be reviewed and scored using a numeric value as shown in Exhibit C, "SOQ Scoring Rubric" by an evaluation committee comprised of Authority staff and may include outside personnel.

In order to be shortlisted, Offerors must attain a "Pass" rating for the minimum requirements section and attain the minimum required score of 35 points for the technical qualifications.

Offerors who do not obtain a "Pass" rating in all criteria under minimum requirements will not be shortlisted regardless of the scores obtained for the technical qualifications.

Offerors who received zero points in any of the technical qualification criteria will not be shortlisted regardless of the overall score obtained under the technical qualifications.

E. SCORING CRITERIA

SOQs will be scored on a pass/fail basis for the minimum requirements and a points-basis for the technical qualifications, commensurate with Exhibit C, as shown below:

Scoring Criteria	
<u>Minimum Requirements</u>	<u>Scoring Method</u>
<ul style="list-style-type: none">• Conflict of Interest Disclosure	Pass/Fail
<ul style="list-style-type: none">• Legal Structure	
<ul style="list-style-type: none">• Financial Capability	
<ul style="list-style-type: none">• Minimum Requirements<ul style="list-style-type: none">○ Form C - Design-Build Minimum Requirements○ Form D – General Contractor Questions○ Form E – Principal Engineer Questions	
<i>Minimum Required Score: Pass (all criteria)</i>	

Scoring Criteria	
<u>Technical Qualifications</u>	<u>Scoring Method</u>
• Design-Build Entity and Team Experience	20 points possible
• Organizational Approach and Key Personnel	20 points possible
• Quality Management Approach	5 points possible
• Safety Management Approach	5 points possible
<i>Minimum Required Score: 35 Points Total (50 possible points)</i>	

F. NOTIFICATION OF SHORTLIST

Based upon the score of each SOQ, a list of Design-Build Teams will be developed ("shortlist"). The Authority will notify all Offerors who submit an SOQ in response to this RFQ of the short-listed teams.

G. APPEAL FOR DENIAL OF PRE-QUALIFICATION

By agreeing to participate and submit a pre-qualification package pursuant to this RFQ, Offeror agrees to be bound by the appeal process set forth herein. All Offerors who submitted timely and complete SOQ packages, who are denied qualification may request an Appeal Hearing by submitting written notice of its appeal of the decision to the Authority Contact as specified in paragraph E of this section within five (5) business days of receipt of the decision. Without a timely appeal, the Offeror agrees that failure to timely submit said request waives any and all rights to challenge the decision of the Authority whether by administrative process, judicial process or any other legal process or proceeding.

If the Offeror provides the required notice of appeal and requests an appeal hearing, the hearing shall be conducted to conclude no later than ten (10) business days after the receipt of the written request notice.

The hearing shall be an informal process, to be conducted by the Chief Executive Officer or his/her designee, who is delegated responsibility to hear such appeals (Appeals Official.) Prior to the hearing the Offeror shall be advised of the basis of the Authority's pre-qualification determination. The Offeror shall be given the opportunity to present information and reasons in opposition to its rating. The Appeal Official shall render his/her decision within five (5) business days of conclusion of the hearing, and the Appeal Official's decision shall be binding and final.

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EXHIBIT A: PROJECT AND PROCUREMENT BACKGROUND

PROJECT BACKGROUND

General Summary of Work:

The Orange County Transportation Authority (AUTHORITY) owns, operates, and maintains the Garden Grove Bus Base located at 11790 Cardinal Circle, Garden Grove, CA 92843. The AUTHORITY is seeking a qualified contractor (DESIGN-BUILDER) to design, construct, and deliver a turnkey code-compliant Hydrogen Fueling Station and Facility Modifications at its Garden Grove Bus Base. DESIGN-BUILDER shall complete the design of the project, and obtain all required approvals from authorities having jurisdiction prior to proceeding with construction. DESIGN-BUILDER shall deliver the project fully commissioned and ready for use, and meet all performance requirements through demonstrated performance testing. The AUTHORITY requires hydrogen fueling for up to 100 fuel cell electric buses (FCEBs) using two fuel lanes with total daily fuel consumption of up to 3,000 kilograms. Facility modifications are needed at existing maintenance facilities affected by the introduction of hydrogen system to the property including the fuel building, maintenance building, brake check building, canopy detail area, vehicle test station canopy, tire shop area to service OCTA's bus fleet. DESIGN-BUILDER shall provide fuel supply services and operations during training and transition period of 18 months after completion and acceptance of the project. There is no scope split, the AUTHORITY shall not perform any work on the project.

Environmental Review:

The Project has been environmentally cleared by the Authority. Pursuant to the California Environmental Quality Act, the project was determined to be Categorical Exempt, and a Notice of Exemption was filed in February 2024 with the Orange County Recorder's Office and the Governor's Office of Planning and Research State Clearinghouse.

PROCUREMENT BACKGROUND

Short-listing and Procurement Process:

Authority intends to use a two-step process to select a Design-Build Contractor to deliver the Project. The process will include the following two steps:

- a) Request for Qualifications (RFQ): This RFQ is issued as part of the first step to solicit information, in the form of SOQs, that Authority will evaluate to determine which Offerors are the most highly qualified to successfully deliver the Project. The Authority will use the SOQ process to develop a short list of Offerors.
- b) Request for Proposals (RFP): Authority will then issue an RFP to the short-listed Offerors, requesting submittals of proposals that Authority will evaluate to determine which proposal offers the best value. Authority, in its sole discretion, will award a design-build contract for the Project to the Offeror offering the best

PROJECT AND PROCUREMENT BACKGROUND

value proposal. Specific details concerning the RFP step of the procurement and any modifications to the above will be set forth in the RFP.

Anticipated Procurement Schedule:

Authority reserves the right to modify any of the dates in the below schedule, in its sole discretion.

Date	Milestone
September 22, 2025	Issue RFQ
October 1, 2025	RFQ Informational Meeting
October 20, 2025	SOQs Due
December 1, 2025	Release of RFP to Short-Listed Teams
January 7, 2026	Proposals Due
February 10, 2026	Interviews
April 13, 2026	Approval to Award
May 2026	Anticipated Contract Execution

EXHIBIT B: INSURANCE REQUIREMENTS

INSURANCE REQUIREMENTS

CONTRACTOR shall procure and continuously maintain in full force and effect through contract completion, insurance coverages specified herein. Coverages shall not be subject to self-insurance provisions. CONTRACTOR shall provide the following insurance coverage:

1. Commercial General Liability, to include Products/Completed Operations, Independent Contractors', Contractual Liability, and Personal Injury, and Property Damage with a minimum limit of \$1,000,000 per occurrence and \$2,000,000 general aggregate.
2. Automobile Liability to include owned, hired and non-owned autos with a combined single limit of \$1,000,000 each accident;
3. Workers' Compensation with limits as required by the State of California, including waiver of subrogation, in favor of AUTHORITY, its officers, directors, employees and agents.
4. Builders All Risk policy or course of construction including earthquake and flood coverage with minimum limits of \$(*project amount*).
5. Employers' Liability with minimum limits of \$1,000,000
6. Professional Liability with minimum limits of \$2,000,000 per occurrence and \$4,000,000 general aggregate;
7. Pollution Liability with minimum limits of \$2,000,000 per occurrence and \$4,000,000 general aggregate.

Prior to commencement of any work hereof, CONTRACTOR shall furnish to AUTHORITY's Contract Administrator broker-issued insurance certificate showing the required insurance coverages and further providing that:

AUTHORITY, its officers, directors, employees and agents must be named as additional insured on Commercial General Liability and Automobile Liability policy with respect to performance hereunder; and

The coverage shall be primary and noncontributory as to any other insurance with respect to performance hereunder; and

Thirty (30) days prior written notice of cancellation or material change be given to

AUTHORITY.

In addition, CONTRACTOR shall provide insurance policy blanket endorsement.

"Occurrence," as used herein, means any event or related exposure to conditions, which result in bodily injury or property damage.

The Certificate of Insurance shall reference Agreement Number C-X-XXXX and, the Contract Administrator's Name, Megan Bornman.

Upon AUTHORITY's request, certified, true and exact copies of each of the insurance policies shall be provided to AUTHORITY.

AUTHORITY shall notify CONTRACTOR in writing of any changes in the requirements to insurance required to be provided by CONTRACTOR. Except as set forth in this Article, any additional cost from such change shall be paid by AUTHORITY and any reduction in cost shall reduce the contract price pursuant to a change order.

CONTRACTOR shall also include in each subcontract the stipulation that subcontractors shall maintain coverage in the amounts required as provided in this Agreement.

CONTRACTOR shall be required to immediately notify AUTHORITY of any modifications or cancellation of any required insurance policies.

EXHIBIT C: TECHNICAL EVALUATION CRITERIA AND SCORING

TECHNICAL EVALUATION CRITERIA AND SCORING

RFQ No.:	
Proposal Title:	
Proposing Firm:	
Evaluator No.:	
Total Score:	0

DESIGN-BUILD ENTITY AND TEAM EXPERIENCE

	<u>Criteria</u>	<u>Description of Evaluation</u>	<u>Maximum Points Possible</u>	<u>Evaluator Score</u>
1	Completeness of Project Identification & Documentation	All required projects are included (3 Principal Engineering Firm, 3 General Contractor, 1 other design firm) within 5 years, with all table elements (a–h) fully and accurately completed. Missing or incomplete entries result in proportional point deductions.	5	
2	Clarity and Quality of Project Descriptions	Narrative descriptions (2 pages max per project) are well-written, concise, and clearly describe objectives, size/capacity, challenges, and outcomes.	2	
3	Relevance to This Project	Projects clearly demonstrate similarity in scope, size, complexity, budget, delivery method, and technical/regulatory requirements. More points for strong alignment with proposed project.	5	
4	Scope of Services and Firm Roles	Clear, detailed explanation of each firm's scope of services, phases covered, team structure, and management approach.	2	
5	Key Personnel Relevance and Integration	Identifies key personnel from the Design-Build Team who worked on listed projects, with clear evidence of relevant experience and past collaboration.	2	
9	Design & Construction Management Approach	Strong evidence of effective integration between design and construction, collaborative problem-solving, innovative techniques, and lessons learned.	1	
7	Claims, Disputes, and Liquidated Damages	Transparent reporting of claims/disputes >\$50,000 and liquidated damages, with evidence of effective resolution and minimal adverse impacts.	1	
8	Permitting and Compliance History	Demonstrated compliance with permit conditions and regulatory requirements; no or minimal compliance issues.	1	
6	Cost and Schedule Performance	Demonstrates ability to deliver projects on or under budget and on schedule, with explanations for any variances.	1	

Total Points: 20 **0**

TECHNICAL EVALUATION CRITERIA AND SCORING

RFQ No.:	
Proposal Title:	
Proposing Firm:	
Evaluator No.:	
Total Score:	0

ORGANIZATION AND KEY PERSONNEL

	<u>Criteria</u>	<u>Description of Evaluation</u>	<u>Maximum Points Possible</u>	<u>Evaluator Score</u>
1	Identification of Key Personnel	All major project roles are clearly identified, with no missing critical functions; each role aligns with project needs.	5	
2	Organization Chart – Clarity and Completeness	Chart includes all phases (design to acceptance), clear chain of command, interrelationships, and firm reporting lines; visually clear and logical.	2	
3	Management & Organizational Approach	Narrative demonstrates a clear, efficient integration of all disciplines, effective design-build collaboration, and understanding of similar project complexities.	1	
4	Relevance of Key Personnel Experience	Personnel have strong, directly relevant experience to proposed roles, with demonstrated success in comparable projects.	5	
5	Resumes – Completeness and Quality	All resumes include role description, employer history, experience, education, licenses, and relevant project involvement per requirements.	5	
6	Phase Involvement Clarity	Clearly states which project phases each key person is involved in, and the continuity of their participation.	1	
7	Time Commitment to Project	Provides realistic and appropriate percentage-of-time allocation for each key person during all relevant phases.	1	

Total Points: 20 0

TECHNICAL EVALUATION CRITERIA AND SCORING

RFQ No.:	
Proposal Title:	
Proposing Firm:	
Evaluator No.:	
Total Score:	0

QUALITY MANAGEMENT APPROACH

	<u>Criteria</u>	<u>Description of Evaluation</u>	<u>Maximum Points Possible</u>	<u>Evaluator Score</u>
1	Integration of Quality Across All Phases	Shows a cohesive, integrated approach where quality management in administration, design, and construction is interconnected and continuously monitored.	1	
2	Quality Control in Administrative Functions	Clearly describes a systematic, documented process for quality control and validation of administrative functions (e.g., document control, reporting, submittal reviews), with practical examples.	1	
3	Quality Control in Design Phase	Provides a clear, detailed approach for quality control and validation during design, including peer reviews, design verification, and compliance checks with technical requirements.	1	
4	Quality Control in Construction Phase	Outlines specific construction quality procedures, inspections, testing protocols, and corrective action processes, demonstrating an ability to maintain high standards on site.	1	
5	Coordination with Authority	Demonstrates clear methods for ensuring effective communication and coordination between the Authority and the Design-Build team, including meeting schedules, decision-making processes, and issue resolution.	1	

Total Points: 5 0

SAFETY PROGRAM

	<u>Criteria</u>	<u>Description of Evaluation</u>	<u>Maximum Points Possible</u>	<u>Evaluator Score</u>
1	Worker Safety Program – Completeness	Provides a comprehensive safety program summary, covering policies, procedures, training, and safety culture. Includes proactive measures for prevention and risk mitigation.	2	
2	Site Safety Protection Measures	Clearly describes methods to prevent damage, injury, or loss to employees, subcontractors, and others on site, including specific examples of protective equipment, hazard controls, and safety enforcement.	2	
3	Workers' Compensation Experience History	Clearly presents workers' compensation experience for the last three years, showing minimal claims and positive trends.	1	

Total Points: 5 0

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EXHIBIT D: FORMS

DESIGN-BUILD ENTITY INFORMATION

Design-Build Entity Legal Name:	
Principal Office Street Address:	
City, ST, Zip	
Phone Number	
Design-Build Entity Legal Structure:	<input type="checkbox"/> Corporation <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Partnership <input type="checkbox"/> Joint Venture <input type="checkbox"/> Other (Specify):
Date of Formation or Incorporation:	
Under the Laws of Which State:	
CA CSLB Contractor Number:	
CA DIR Registration Number:	

CONTACT INFORMATION

FOR DESIGN-BUILD ENTITY

The primary and secondary contacts for the Design-Build Entity will be the key contacts for all communications related to this RFQ and subsequent SOQ.

Firm Name:	
Primary Representative Name:	
Primary Representative Title	
Phone Number:	
Email Address:	
Secondary Representative Name:	
Secondary Representative Title:	
Phone Number:	
Email Address:	

**RFQ 5-4319
FORM A
TRANSMITTAL**

FOR GENERAL CONTRACTOR (if different from Design-Build Entity)

Firm Name:	
Principal Office Street Address:	
City, ST, Zip	
Primary Representative Name:	
Primary Representative Title	
Phone Number:	
Email Address:	
CA CSLB Contractor Number:	
CA DIR Registration Number:	

FOR PRINCIPAL ENGINEERING FIRM (if different from Design-Build Entity)

Firm Name:	
Principal Office Street Address:	
City, ST, Zip	
Primary Representative Name:	
Primary Representative Title	
Phone Number:	
Email Address:	

FOR DESIGN FIRM(S) (if different from Design-Build Entity)

Firm Name:	
Principal Office Street Address:	
City, ST, Zip	
Primary Representative Name:	
Primary Representative Title	
Phone Number:	
Email Address:	

NOTE: Attach additional pages for additional Design-Build team members as necessary

ADDENDA ACKNOWLEDGEMENT

Offeror hereby acknowledges that it has received and read the following Addenda:

Addendum Nos.: _____ Signature: _____

CERTIFICATION

The undersigned is/are a legally authorized representative(s) of the Design-Build Entity, and hereby certify that I am/we are submitting this Statement of Qualifications; I am/we are duly authorized to sign this Statement of Qualifications on behalf of the above-named firm; that the statement has been checked for errors and omissions; I/we have read all the answers herein and know all of their contents; and that all information set forth in this Statement of Qualifications and all attachments hereto are, to the best of my/our knowledge, true, accurate, current and complete as of its submission date.

I/We certify that this Design-Build Entity is NOT on the U.S. Comptroller General's list of ineligible firms for federally financed and assisted construction, materials, equipment contracts or services.

The undersigned hereby represents that this statement of qualifications shall remain valid for a period of not less than 180 days from the date of submittal.

The undersigned certifies and declares under penalty of perjury under the laws of the State of California, that the foregoing is true and correct and that this declaration was executed in _____ County, California, on _____ (Date)

DESIGN-BUILD ENTITY SIGNATURE(S): No Statement of Qualifications shall be accepted which has not been signed in ink in the appropriate space below. Select the appropriate legal structure for execution of the certification.

1. If Design-Build Entity is an **INDIVIDUAL**, sign here (include a notarized affidavit attesting to the authenticity of said signature):

Printed Name: _____ Title: _____

Signature: _____ Date : _____

RFQ 5-4319
FORM A
TRANSMITTAL

2. If Design-Build Entity is a **PARTNERSHIP** or **JOINT VENTURE**, all general Partners or members shall sign here (include a notarized affidavit attesting to the authenticity of said signatures).

Partnership/Joint Venture Name: _____

Member/Partner Name: _____ Title: _____

Member/Partner Signature: _____

Date: _____

Member/Partner Name: _____ Title: _____

Member/Partner Signature: _____

Date: _____

Member/Partner Name: _____ Title: _____

Member/Partner Signature: _____

Date: _____

3. If Design-Build Entity is a **CORPORATION**, the duly authorized officer(s) shall sign as follows:

The undersigned certify that they are respectively _____ (Title) and _____ (Title) of the corporation named below; that they are designated to sign this SOQ Transmittal Cover Page by resolution (attach a certified copy, with corporate seal, if applicable, notarized as to its authenticity or Secretary's certificate of authorization) for and on behalf of the below named CORPORATION, and that they are authorized to execute same for and on behalf of said CORPORATION.

Corporation Name: _____

Printed Name: _____ Title: _____

Signature: _____ Date _____

Printed Name: _____ Title: _____

Signature: _____ Date _____

RFQ 5-4319
FORM A
TRANSMITTAL

4. If Respondent is an **OTHER legal entity**, an authorized representative of the entity shall sign here (include a notarized affidavit attesting to the authenticity of said signatures).

Entity Name: _____

Printed Name: _____ Title: _____

Signature: _____ Date _____

5. If the Design-Build Entity is a **FIRM THAT HAS NOT YET BEEN FORMED**, all entities and other parties proposed to comprise such Design-Build Entity shall sign here (include a notarized affidavit attesting to the authenticity of said signatures), the individual signatories making the certification described above on behalf of such entities/parties:

Proposed Design-Build Entity Name: _____

On Behalf of Proposed Member/Partner Name: _____

Printed Name: _____ Title: _____

Signature: _____ Date _____

On Behalf of Proposed Member/Partner Name: _____

Printed Name: _____ Title: _____

Signature: _____ Date _____

On Behalf of Proposed Member/Partner Name: _____

Printed Name: _____ Title: _____

Signature: _____ Date _____

On Behalf of Proposed Member/Partner Name: _____

Printed Name: _____ Title: _____

Signature: _____ Date _____

RFQ 5-4319
FORM B
PROJECT TEAM INFORMATION

1. GENERAL CONTRACTOR INFORMATION

General Contractor Legal Name:	
Principal Office Street Address:	
City, ST, Zip	
Phone Number	
General Contractor Legal Structure:	<input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Joint Venture <input type="checkbox"/> Other (Specify):
Date of Formation or Incorporation:	
Under the Laws of Which State:	
CA CSLB Contractor Number:	
CA DIR Registration Number:	

A. If the General Contractor is a **corporation**, provide all the following information as of the date of issuance of this RFQ for each person who is either (a) an officer of the corporation (president, vice president, secretary, treasurer), or (b) the owner of at least 10% of the corporation's stock.

Name	Position/Title	Years with Corporation	% Ownership
	CEO		
	President		
	Secretary		
	Treasurer		

PROJECT TEAM INFORMATION

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 years immediately before the date of issuance of this RFQ.

For this information, "owner" and "partner" refer 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.

NOT A PUBLIC RECORD

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

B. If the General Contractor is a ***sole proprietorship***, complete the following:

Owner Name	Years as Owner

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 years (immediately before the date of issuance of this RFQ.)

For this information, "owner" and "partner" refer 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.

NOT A PUBLIC RECORD

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

PROJECT TEAM INFORMATION

- C.** If the General Contractor is a ***joint venture, partnership, or other legal entity (other than corporation)***, provide all the following information as of the date of issuance of this RFQ for each member of the joint venture, each partner or each other legal entity member who owns ten percent (10%) or more of the firm.

Name of Individual or Entity	Principal Contact Name	Position	Years with JV/ Partnership/ Association	% Ownership/ Interest

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 years immediately before the date of issuance of this RFQ.

For this information, "owner" and "partner" refer 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.

NOT A PUBLIC RECORD

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

- D.** Has there been any change in ownership of the General Contractor at any time during the last three (3) years immediately before the date of issuance of this RFQ? A corporation whose shares are publicly traded is not required to answer this question but must check the "Publicly Traded" box.

☐ Yes

☐ No

☐ Publicly Traded

If "yes," explain on a separate page.

RFQ 5-4319
FORM B
PROJECT TEAM INFORMATION

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

☐ Yes

☐ No

If "yes," include information about other firms if one firm owns 50 percent or more of another, or if an owner, partner, or officer of your firm holds a similar position in another firm.

F. Are any corporate officers, partners or owners connected to any other design or construction firms?

☐ Yes

☐ No

If "yes," include information about other firms if an owner, partner, or officer of your firm holds a similar position in another firm.

G. List all license numbers, classifications and expiration dates of the California contractor's licenses held by the General Contractor, including any licenses or registration with the California Department of Industrial Relations required in accordance with SB 854:

License Number	Trade Classification	Date Issued	Expiration Date

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

License Number	Trade Classification	Qualifying Individual Name

PROJECT TEAM INFORMATION

- I. Has the General Contractor changed names or license numbers in the past five (5) years immediately before the date of issuance of this RFQ?

☐ Yes

☐ No

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

- J. 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 immediately before the date of issuance of this RFQ?

☐ Yes

☐ No

If "yes," explain on a separate page.

- K. Provide surety information for General Contractor.

Bonding Company./Surety Name:	
Surety Agent name:	
Surety Agent Street Address:	
City, ST, Zip	
Phone Number	

- L. Provide all other sureties (name and full address) that have written bonds for the General Contractor during the last five (5) years immediately before the date of issuance of this RFQ. Include the periods during which each wrote the bonds.

Surety Company Name	Street Address City, State, Zip	Periods of Coverage

RFQ 5-4319
FORM B
PROJECT TEAM INFORMATION

2. PRINCIPAL ENGINEERING FIRM INFORMATION

Principal Engineering Firm Legal Name:	
Principal Office Street Address:	
City, ST, Zip	
Phone Number	
Principal Engineering Firm Legal Structure:	<input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Joint Venture <input type="checkbox"/> Other (Specify):
Date of Formation or Incorporation:	
Under the Laws of Which State:	
Name of Principal Engineer:	
License Number of Principal Engineer:	

Is the Principal Engineering Firm different from that of the General Contractor?

- ☐ Yes. Answer all questions below.
☐ No. Proceed to Question H.

A. If the Principal Engineering Firm is a **corporation**, provide all the following information as of the date of issuance of this RFQ for each person who is either (a) an officer of the corporation (president, vice president, secretary, treasurer), or (b) the owner of at least 10% of the corporation's stock.

Name	Position/Title	Years with Corporation	% Ownership
	CEO		
	President		
	Secretary		
	Treasurer		

RFQ 5-4319
FORM B
PROJECT TEAM INFORMATION

B. If the Principal Engineering Firm is a ***sole proprietorship***, complete the following:

Owner	Years as Owner

C. If the Principal Engineering Firm is a ***joint venture, partnership, or other legal entity (other than corporation)***, provide all the following information as of the date of issuance of this RFQ for each member of the joint venture, each partner or each other legal entity member who owns 10 per cent or more of the firm (*attach additional pages if necessary*).

Name of Individual or Entity	Principal Contact Name	Position	Years with JV/ Partnership/ Association	% Ownership/ Interest

D. Has there been any change in ownership of the Principal Engineering Firm at any time during the last three (3) years immediately before the date of issuance of this RFQ? A corporation whose shares are publicly traded is not required to answer this question but must check the "Publicly Traded" box.

☐ Yes ☐ No ☐ Publicly Traded

If "yes," explain on a separate page.

E. Is the Principal Engineering Firm a subsidiary, parent, holding company or affiliate of another design or construction firm? Include information about other firms if one firm owns 50 percent or more of another, or if an owner, partner, or officer of your firm holds a similar position in another firm.

☐ Yes ☐ No

If "yes," include information about other firms if one firm owns 50 percent or more of another, or if an owner, partner, or officer of your firm holds a similar position in another firm.

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FORM B
PROJECT TEAM INFORMATION

F. Has any corporate officers, partners or owners of the Principal Engineering Firm worked for any other engineering or architectural firms in the past five (5) years (immediately before the date of issuance of this RFQ):? Include information about other firms if an owner, partner, or officer of your firm holds a similar position in another firm.

☐ Yes

☐ No

If "yes," explain on a separate page.

G. Has the Principal Engineering Firm changed names in the past five (5) years (immediately before the date of issuance of this RFQ)?

☐ Yes

☐ No

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

H. Provide the following information for all known Engineers and Architects who will be working on the design for this PROJECT: *(attach additional pages if necessary)*

Engineer/Architect	Discipline	License Number	Years in Practice

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FORM B
PROJECT TEAM INFORMATION

3. INFORMATION ABOUT THE OTHER DESIGN FIRMS, IF ANY

A. For each of the Other Design Firms, if any, provide the information below.

Name of Other Design Firm:	
Element of Design to be Performed:	

Provide the following information for all known Engineers and Architects of this Other Design Firm who will be working on the design for this Project.

Engineer/Architect	Discipline	License Number	Years in Practice

B. For each of the Other Design Firms, if any, provide the information below.

Name of Other Design Firm:	
Element of Design to be Performed:	

Provide the following information for all known Engineers and Architects of this Other Design Firm who will be working on the design for this Project.

Engineer/Architect	Discipline	License Number	Years in Practice

Attach additional pages for additional Other Design Firms if necessary.

DESIGN-BUILD ENTITY MINIMUM REQUIREMENTS

The Design-Build Entity is automatically disqualified if the answer to any of questions 1 through 5 is “No”.

1. Does the General Contractor possess a valid and current California Class “A” General Engineering Contractor’s License for this Project for which the Design-Build Entity intends to submit a proposal?

☐ Yes

☐ No

2. Refer to Exhibit B – Insurance Requirements of this RFQ regarding insurance requirements for this Project. Is the Design-Build Entity able to obtain (or has) insurance in the limits stated in the insurance requirements?

☐ Yes

☐ No

3. Do the General Contractor and each proposed subcontractor have current workers’ compensation insurance coverage as required by the Labor Code or are legally self-insured pursuant to Labor Code section 3700 et. seq.?

☐ Yes

☐ No

4. Is the Design-Build Entity able to obtain performance and payment bonds in the required amounts for the Project, which is expected to involve a construction contract cost?

☐ Yes

☐ No

If “Yes”, provide surety information for Design-Build Entity.

Bonding Company./Surety Name:	
Surety Agent name:	
Surety Agent Street Address:	
City, ST, Zip	
Phone Number	

5. Has the financial information required in Section II. Statement of Qualification Content, Paragraph A.3.C. ‘Financial Capability’, been provided?

☐ Yes

☐ No

The Design-Build Entity is automatically disqualified if the answer to any of questions 6 through 12 is “Yes”.

DESIGN-BUILD ENTITY MINIMUM REQUIREMENTS

6. Has any contractor license held by the General Contractor or any member of the proposed Design-Build Team been revoked or suspended without a successful appeal for reinstatement, within the last five (5) years immediately before the issuance of this RFQ?

☐ Yes☐ No

7. Within the last five (5) year immediately before the issuance of this RFQ, has a surety firm completed a contract or paid for completion of a contract on behalf of the General Contractor or any member of the Design-Build Team?

☐ Yes☐ No

8. At the time of submitting this SOQ, is the General Contractor or any member of the Design-Build Team ineligible to bid on or be awarded a public works contract with OCTA or any other public agency, for any reason, including as a result of a voluntary settlement agreement?

☐ Yes☐ No

9. At the time of submitting this SOQ, is the General Contractor or any member of the Design-Build Team ineligible to bid on or be awarded a public works contract pursuant to either Labor Code section 1777.1 or Labor Code section 1777.7?

☐ Yes☐ No

10. At any time during the last five (5) years immediately before the issuance of this RFQ, has the General Contractor or any member of the Design-Build Team 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

11. Has any professional license, credential or registration held by any architect who will provide services been revoked or suspended at any time in the last five (5) years immediately before the issuance of this RFQ?

☐ Yes☐ No

12. Has any professional license, credential or registration held by any engineer who will provide services been revoked or suspended at any time in the last five years immediately before the issuance of this RFQ?

☐ Yes☐ No

DESIGN-BUILD ENTITY MINIMUM REQUIREMENTS

The Design-Build Entity is automatically disqualified if the answer to any of questions 13 through 16 are "No".

13. Do all architects, lead design engineers, and the principal engineer who are expected to work on the Project possess current California professional licenses for the services which they intend to provide?

☐ Yes☐ No

14. Pursuant to Public Contract Code Section 22164(c), the Design-Build Entity and all subcontractors hereby agree to use a "skilled and trained workforce" to perform all work on the Project that falls within an "apprentice able occupation" in the building and construction trades.

☐ Yes - the Design-Build Entity and all subcontractors will use a "skilled and trained workforce."☐ No

15. Has the Principal Engineering Firm that will design the Project, completed the design of at least 3 projects within the last five (5) years before issuance of this RFQ?

For the purpose of this question, the design work must be 100% complete and construction is either in progress or completed.

☐ Yes☐ No

16. Has the General Contractor that will construct the Project, completed the construction of at least three projects with a final project value of at least \$10 million (in current dollars) within the last five (5) years before issuance of this RFQ?

For the purpose of this question, the construction work is 100% complete and the project has passed the start-up, testing, and commissioning for all facility system components.

☐ Yes☐ No

NOTE: Offeror must provide supporting project information as requested in Section II. Statement of Qualification Content, paragraph A.4., "Design-Build Entity and Team Experience". Failure to provide the required information will result in a "No" response to questions 15 and 16.

DESIGN-BUILD ENTITY MINIMUM REQUIREMENTS

17. Experience Modification Rate (EMR). **The Design-Build Entity is automatically disqualified if the three-year average EMR exceeds 1.0.**

A. Provide the required EMR Rate for the General Contractor that has performed work in California. List the General Contractor's EMR (California workers' compensation insurance rate) for each of the past three premium years and calculate the three-year average.

	Premium Year	EMR
Most recent available year		
Previous year		
Year prior to previous year		
	Three-year average EMR	

B. Provide the required Interstate EMR Rate for the General Contractor that has not performed work in California. If your firm has not performed work in California during at least the three most recent years, you must list below your firm's Interstate Experience Modification Rate for each of the past three premium years and calculate the three-year average.

You must also attach to this submittal documentation clearly showing an Interstate Experience Modification Rate for each of the past three premium years.

Leave the following table empty if you have performed work in California during the three most recent years.

	Premium Year	EMR
Most recent available year		
Previous year		
Year prior to previous year		
	Three-year average Interstate EMR	

DESIGN-BUILD ENTITY MINIMUM REQUIREMENTS

For questions 18 through 20: The average total recordable injury and illness rate (also known as OSHA Incidence Rate) and average lost work rate (also known as the Lost Workday Incidence Rate) for the most recent three-year period must not exceed the applicable statistical standards for its business category. As an alternative, a Design-Build Entity may be deemed to have an acceptable safety record in those categories if the Design-Build Entity is a party to an alternative dispute resolution system as provided for in Section 3201.5 of the Labor Code. Should none of these requirements be met, then the Design-Build Entity is automatically disqualified.

18. List the General Contractor's total recordable injury/illness rate for each of the past three premium years; include the applicable statistical standard for that year of the appropriate category; and, calculate the three-year average.

	Premium Year	Average Total recordable injury/illness rate	Applicable statistical standard for that year	Applicable business category (describe category)
Most recent available year				
Previous year				
Year prior to previous year				
	Three-year average:			

19. List the General Contractor's lost work rate for each of the past three premium years, and include the applicable statistical standard for that year of the appropriate category; calculate the three-year average.

	Premium Year	Average Total recordable injury/illness rate	Applicable statistical standard for that year	Applicable business category (describe category)
Most recent available year				
Previous year				
Year prior to previous year				
	Three-year average:			

20. Is your firm a party to an alternative dispute resolution system as provided for in Section 3201.5 of the Labor Code?

☐ Yes

☐ No

If "yes," attach a separate page describing how your firm is a party to an alternative dispute resolution system.

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FORM D

GENERAL CONTRACTOR QUESTIONS

Provide the following information about the General Contractor that will construct the Project. If the General Contractor is itself the Design-Build Entity, then provide all information requested as it relates to the Design-Build Entity itself.

Name of General Contractor:

1. How many years has the General Contractor been licensed in California under their present business name and license number?

☐ 10 years or more ☐ 8 to 9 years ☐ 6 to 7 years ☐ 5 years or less

Failure to provide documentation for a “Yes” answer to Questions 2 and 3 may result in immediate Design-Build Entity disqualification.

2. Is the General Contractor currently the debtor in a bankruptcy case?

☐ Yes ☐ No

If “yes,” provide a copy of the bankruptcy petition, showing the case number, and the date on which the petition was filed.

3. Was the General Contractor in bankruptcy at any time during the last five (5) years immediately before the issuance of this RFQ? This question refers *only* to a bankruptcy action that was *not* described in answer to question 2, above.

If “yes,” provide a copy of the bankruptcy petition, showing the case number and the date on which the petition was filed, and a copy of the Bankruptcy Court’s discharge order, or of any other document that ended the case, if no discharge order was issued.

Failure to provide an explanation for “Yes” answer to Questions 4 to 14 may result in immediate Design-Build Entity disqualification.

4. At any time in the last five (5) years immediately before the issuance of this RFQ has the General Contractor been assessed and paid liquidated damages of more than \$50,000 on a construction contract with either a public or private owner?

☐ Yes ☐ No

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

5. Has the General Contractor ever defaulted on a construction contract?

☐ Yes ☐ No

If “yes,” explain on a separate page.

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FORM D

GENERAL CONTRACTOR QUESTIONS

6. In the last five (5) years immediately before the issuance of this RFQ has the General Contractor been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason?

☐ Yes ☐ No

If "yes," explain on a separate page. State the name of the organization debarred, the name of the person within your firm who was associated with that organization, the year of the event, the owner of the project, and the basis for the action.

The following two questions refer only to disputes between contractors and owners of projects. You need not include information about disputes with suppliers, other contractors, or subcontractors. You need not include information about "pass-through" disputes in which the actual dispute is between a subcontractor and a project owner.

7. In the past five (5) years immediately before the issuance of this RFQ has any claim, dispute or lawsuit in excess of \$50,000 been **filed in court or arbitration against** the General Contractor concerning their work on a construction project?

☐ Yes ☐ No

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

8. In the past five (5) years immediately before the issuance of this RFQ has the General Contractor made any claim, dispute or lawsuit in excess of \$50,000 against a project owner concerning work on a project or payment for a contract and filed that claim in court or arbitration?

☐ Yes ☐ No

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

9. At the time of submitting this SOQ, does the General Contractor or any first- or second-tier subcontractor or supplier anticipated to be utilized on this Project by the General Contractor currently have an unresolved Stop Notice filed on any OCTA or other public agency projects?

- ☐ No
- ☐ Yes, one unresolved Stop Notice
- ☐ Yes, two or more unresolved Stop Notices

If "yes," explain on a separate page. Identify the year of the event, the owner, the project and the detailed explanation for the Stop Notice.

GENERAL CONTRACTOR QUESTIONS

10. In the last five (5) years immediately before the issuance of this RFQ has any insurance carrier, or any form of insurance, refused to renew the insurance policy for the General Contractor due to non-payment or contractor losses?

☐ Yes ☐ No

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

11. During the last five (5) years immediately before the issuance of this RFQ, has the General Contractor ever been denied bond coverage by a surety company, or has there ever been a period of time when your firm had no surety bond in place during a public construction project when one was required?

☐ Yes ☐ No

If yes, provide details on a separate page indicating the date when your firm was denied coverage and the name of the company or companies which denied coverage; and the period during which you had no surety bond in place.

12. Has the General Contractor **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 private or public agency or entity?

☐ Yes ☐ No

If "yes," explain on a separate page, including identifying who was found liable or guilty, the court and case number, the name of the public entity, the civil or criminal verdict, the date and the basis for the finding.

13. Has the General Contractor or its principals **ever** been convicted of a crime involving any federal, state, or local law related to construction?

☐ Yes ☐ No

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

14. Has the General Contractor or its principals ever been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty?

☐ Yes ☐ No

If "yes," identify on a separate page the person or persons convicted, the year, the court (the county if a state court; the City or location of the federal court), the case number, the crimes, and the grounds for conviction.

GENERAL CONTRACTOR QUESTIONS

15. Has CAL OSHA or any other state OSHA agency cited and assessed penalties against the General Contractor or its principals for any "serious," "willful" or "repeat" violations of its safety or health regulations in the past five (5) years? If General Contractor has filed an appeal of a citation, and the state's Occupational Safety and Health Appeals Board has not yet ruled on the appeal, General Contractor need not include information about it.

☐ Yes ☐ No

If "yes," attach a separate page describing all citations, including information about the dates of the citations, the nature of the violation, the project on which the citation(s) was or were issued, and the amount of penalty paid, if any. If any citation was appealed to the Occupational Safety and Health Appeals Board and a decision has been issued, state the case number and the date of the decision.

16. Has the Federal Occupational Safety and Health Administration cited and assessed penalties against the General Contractor or its principals in the past five (5) years immediately before the issuance of this RFQ? If General Contractor has filed an appeal of a citation and the Appeals Board has not yet ruled on the appeal, or if there is a court appeal pending, General Contractor need not include information about the citation.

☐ Yes ☐ No

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

17. Has the EPA, any Air Quality Management City or any Regional Water Quality Control Board cited and assessed penalties against either the General Contractor, its principals or the owner of a project on which the preceding parties were performing on a contract in the past five (5) years? If an appeal of a citation has been filed and the Appeals Board has not yet ruled on the appeal, or if there is a court appeal pending, you need not include information about the citation.

☐ Yes ☐ No

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

18. Do you require documented safety meetings to be held for construction employees and field supervisors during the course of a project? (select one)

☐ Yes, at least once per week
☐ Yes, every two weeks
☐ Yes, less than every two weeks

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FORM D

GENERAL CONTRACTOR QUESTIONS

19. Within the last five (5) years immediately before the issuance of this RFQ 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 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 years. (If your firm has been in the construction business for less than five years, provide a statement by your workers' compensation insurance.

20. In the past five (5) years immediately before the issuance of this RFQ has the General Contractor been assessed any penalties and/or liquidated damages in excess of \$15,000 due to the failure to pay prevailing wage or failure to submit Certified Payroll Reports?

☐ No
☐ Yes, one penalty has been assessed
☐ Yes, two or more penalties have been assessed

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

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

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

22. At any time during the last five (5) years immediately before the issuance of this RFQ, has the General Contractor been found to have violated any provision of California apprenticeship laws or regulations, or the laws pertaining to use of apprentices on public works?

☐ Yes ☐ No

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

Date of Findings:

PRINCIPAL ENGINEER QUESTIONS

Provide the following information about the Principal Engineering Firm (“Firm”) that will design the Project. If the Principal Engineering Firm is itself the Design-Build Entity, then provide all information requested as it relates to the Design-Build Entity itself.

Name of Principal Engineering Firm:

Name of Principal Engineer:

1. How many years has the Principal Engineer been licensed and practicing in California?

☐ 15 years or more ☐ 10 to 14 years ☐ Less than 10 years

Failure to provide documentation for a “Yes” answer to Questions 2 and 3 may result in immediate Design-Build Entity disqualification.

2. Is the Firm currently the debtor in a bankruptcy case?

☐ Yes ☐ No

If “yes,” provide a copy of the bankruptcy petition, showing the case number, and the date on which the petition was filed.

3. Was the firm in bankruptcy at any time during the last five (5) years immediately before the issuance of this RFQ? This question refers *only* to a bankruptcy action that was *not* described in answer to question 2, above.

If “yes,” provide a copy of the bankruptcy petition, showing the case number and the date on which the petition was filed, and a copy of the Bankruptcy Court’s discharge order, or of any other document that ended the case, if no discharge order was issued.

Failure to provide an explanation for “Yes” answer to Questions 4 to 6 may result in immediate Design-Build Entity disqualification.

4. At any time in the last five (5) years immediately before the issuance of this RFQ has the firm or Principal Engineer been debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason?

☐ Yes ☐ No

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

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FORM E
PRINCIPAL ENGINEER QUESTIONS

5. In the past five (5) years immediately before the issuance of this RFQ has any claim, dispute or lawsuit in excess of \$50,000 been **filed in court or arbitration against** the Firm or Principal Engineer concerning its design work on a construction project?

☐ Yes ☐ No

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

6. In the past five (5) years immediately before the issuance of this RFQ has the firm or Principal Engineer made any claim, dispute or lawsuit in excess of \$50,000 against a project owner concerning work on a project or payment for a contract and filed that claim in court or arbitration?

☐ Yes ☐ No

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

7. In the last five (5) years immediately before the issuance of this RFQ has any insurance carrier, or any form of insurance, refused to renew the insurance policy for the Firm or Principal Engineer due to non-payment or losses?

☐ Yes ☐ No

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

8. Within the last five (5) years immediately before the issuance of this RFQ has there ever been a period when the 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 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 years.

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FORM E
PRINCIPAL ENGINEER QUESTIONS

9. Has the firm or Principal Engineer **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 private or public agency or entity?

☐ Yes ☐ No

If "yes," explain on a separate page, including identifying who was found liable or guilty, the court and case number, the name of the public entity, the civil or criminal verdict, the date and the basis for the finding.

10. Has the firm or Principal Engineer **ever** been convicted of a crime involving any federal, state, or local law related to the provision of design or engineering related services?

☐ Yes ☐ No

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

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

☐ Yes ☐ No

If "yes," identify on a separate page the person or persons convicted, the year, the court (the county if a state court; the City or location of the federal court), the case number, the crimes, and the grounds for conviction.

12. Has the California Department of Consumer Affairs, or an equivalent agency in any other state, taken any disciplinary action against the firm or Principal Engineer?

☐ Yes ☐ No

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