

ANNOUNCEMENT OF PRE-QUALIFICATION PROCEDURES FOR CONSTRUCTION CONTRACTORS

Notice is hereby given by the **NEVADA JOINT UNION HIGH SCHOOL DISTRICT** ("District") that prime or general contractors and mechanical, electrical and plumbing ("MEP") subcontractors (as defined in Public Contract Code section 20111.6) planning to participate in bidding on certain public projects to be undertaken by the District, must be pre-qualified prior to submitting bids for such public projects. Pursuant to Public Contract Code Section 20111.6 bidders on all public projects using funds received pursuant to the Leroy F. Greene School Facilities Act of 1998 or any funds from any future state school bond that involves a projected public project expenditure of one million dollars (\$1,000,000) or more, must be pre-qualified.

Pre-qualification applications are available through a link on the District's website, www.njuhsd.com, under the top tab, Measure B.

Timeline: In order to submit a valid bid for any project requiring pre-qualification, prospective bidders must follow instructions in the bidding documents and submit a pre-qualification questionnaire, a financial statement, and a standardized bidding form at least ten (10) business days prior to the date fixed for the public opening of sealed bids. All prospective bidders must be deemed pre-qualified to bid at least five (5) business days prior to that date.

This pre-qualification process includes Pre-qualification Questionnaire consisting of: (1) Pre-qualification, (2) General Requirements, (3) History and Performance, (4) Recent Construction Projects and (5) Finish, to be verified under oath. The District will use the information and documentation from the pre-qualification questionnaire and pre-qualification interview questions to pre-qualify general contractors, MEP subcontractors and selected subcontractors in accordance with Public Contract Code section 20111.6.

Questionnaire: Incomplete questionnaires may be electronically returned to the applicant for completion. "You" or "Yours" as used herein refers to the prospective bidders' firm and any of its owners, officers, principals and qualifying individuals. Any references to owners, officer, principals or partners herein shall include any qualifying individuals including any RME or RMO. If two or more business entities submit a bid on a project as a Joint Venture, or expect to submit a bid as part of a Joint Venture, each entity within the Joint Venture must be separately qualified to bid.

Each questionnaire must be signed under penalty of perjury in the manner designated at the end of online questionnaire, by an individual who has the

legal authority to bind the contractor on whose behalf that person is signing. If any information provided by a prospective bidder becomes inaccurate, the prospective bidder must immediately notify the District and provide updated accurate information in writing, under penalty of perjury. Each prospective bidder shall have a duly authorized owner, officer or principal complete the questionnaire and verify the truth of the information provided therein and in the financial statement.

Financial Statement: Financial statements uploaded with the pre-qualification application shall not be prepared by any individual who is in the regular employ of the firm submitting the statement, nor by any individual or entity who has more than a ten percent (10%) financial interest in the firm's business. If the individual or entity that prepared a financial statement submitted with the pre-qualification application has any financial interest in the firm's business, the firm shall notify the District of such financial interest in a separate signed statement accompanying the pre-qualification application.

Submission: Prospective bidders are encouraged to submit pre-qualification applications as soon as possible, so that they may be notified of pre-qualification status well in advance of the bid process.

The information obtained from prospective bidders through this process are not public records and are not open to public inspection. All such information provided will be kept confidential to the extent permitted by law, although the contents may be disclosed to third parties for the purpose of verification, investigation of substantial allegations, and in the process of any subsequent proceedings. State law requires that the names of contractors applying for pre-qualification status shall be public records subject to disclosure.

Evaluation by the District: The District will evaluate the information provided and issue each submitting prospective bidder a rating of "Prequalified" or "Not Prequalified." The District's decision will be based on the information provided, references, and such additional outside information as the District in its discretion deems reasonable and necessary to obtain. The District may, but is not obligated to, investigate the truth of any statements or information provided by a prospective bidder in response hereto.

Pre-qualification approval will remain valid for one (1) calendar year or for the selected project per the bidding documents from the date of notice of qualification, except that the District reserves the right during that calendar year to adjust, increase, limit, suspend or rescind the pre-qualification ratings based on subsequently learned information and after giving notice of the proposed action to the prospective bidder and an opportunity for a hearing

consistent with the hearing procedures described below for appealing a pre-qualification determination.

While it is the intent of the pre-qualification questionnaire and documents required herein to assist the District in determining bidder responsibility prior to the submission of bids and to aid the District in selecting the lowest responsible bidder, neither the fact of pre-qualification, nor any pre-qualification rating, will preclude the District from a post-bid consideration and determination on a specific project of whether a bidder has the quality, fitness, capacity and experience to satisfactorily perform the proposed work, and has demonstrated the requisite trustworthiness.

Appeal: A prospective bidder who has timely submitted a completed application form, and who receives a rating of "Not Prequalified" from the District may appeal that determination. There is no appeal from a finding that a prospective bidder is not pre-qualified because of a late application or a failure to submit required information. A prospective bidder may appeal the District's decision with respect to its request for pre-qualification, by giving written notice to the District no later than five (5) business days after receipt of notice of its qualification status.

Envelope containing appeal shall be marked "PRE-QUALIFICATION APPEAL" and sent to:

NJUHSD Superintendent
11645 Ridge Road
Grass Valley, CA 95945

Unless a prospective bidder files a timely appeal, the prospective bidder waives any and all rights to challenge the qualification decision of the District, whether by administrative process, judicial process or any other legal process or proceeding. The District reserves the right to resolve appeals before or after bid opening or award of any contract. The date for submission and opening of bids for a specific project and any subsequent contract award will not be delayed or postponed to allow for completion of an appeal process.

After receipt of a request for appeal, the District will provide the prospective bidder any supporting evidence that has been received from others or adduced as a result of an investigation by the District. The appealing prospective bidder will be provided an opportunity to rebut any evidence. The District, in its sole discretion, may conduct a hearing regarding the prospective bidder's timely appeal. If such a hearing is conducted, the prospective bidder consents to the District's Superintendent, or his or her designee, to act as the hearing officer.

Bidding: Bids will not be accepted from any prospective bidder that did not complete the pre-qualification process in a timely manner. Omission of requested information, falsification of information, or failing to use the online pre-qualification process provided by the District may result in a finding of “not pre-qualified”.

MEP subcontractors (licensed pursuant to Section 7058 of the Business and Professions Code, specifically contractors holding C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43, and C-46 licenses) must also meet pre-qualification requirements on all projects using funds received pursuant to the Leroy F. Greene School Facilities Act of 1998 or any funds from any future state school bond that involves a projected expenditure of one million dollars (\$1,000,000) or more. If a project includes electrical, mechanical, or plumbing components that will be performed by MEP subcontractors, a list of prequalified general contractors and MEP subcontractors will be made available by the District to all bidders at least five (5) business days prior to the dates fixed for the public opening of sealed bids.

If a general contractor uses any MEP subcontractor required for any project, such MEP subcontractor must be prequalified pursuant to these pre-qualification forms and requirements. If a MEP subcontractor in any general contractor bid is not pre-qualified, that bid will not be accepted.

Prospective bidders are warned that a project may have specific requirements that differ or are in addition to being properly prequalified pursuant to these documents. A determination that a contractor or MEP subcontractor is prequalified pursuant to these documents does not automatically mean a contractor or MEP subcontractor meets all of the requirements of a specific project. Prospective bidders are instructed to carefully review the requirements for each project before submitting a bid.

The District reserves the right to amend the pre-qualification process at any time. The District reserves the right to waive minor irregularities and omissions in the information contained in the pre-qualification questionnaire submitted and to make all final determinations. Additionally, a determination by the District that a prospective bidder is pre-qualified does not amount to a final determination that such prospective bidder is responsible or responsive for purposes of bid evaluation. The District may, in accordance with applicable law reject a pre-qualified contractor’s bid, and the District may additionally reject all bids if it determines such action is in the best interest of the public.