2020 PREQUALIFICATION APPLICATION

November 8, 2019
PART A.  2020 Instructions and Appeal Process

PREQUALIFICATION FOR GENERAL CONTRACTORS AND MECHANICAL, ELECTRICAL AND PLUMBING SUBCONTRACTORS

FOR STATE-FUNDING ELIGIBLE PROJECTS UNDER THE SAN FRANCISCO UNIFIED SCHOOL DISTRICT

INSTRUCTIONS & APPEAL PROCESS

In accordance with Section 20111.6 of the Public Contract Code, Notice is hereby given that the San Francisco Unified School District (“District”) has determined that all Contractors submitting bids to perform as either a General (Prime) Contractor, or Electrical, Mechanical, and Plumbing (MEP) Subcontractors involving projected contracts of one million dollars ($1,000,000) or more must be pre-qualified prior to submitting bids on certain projects. Notification of which projects are subject to pre-qualification will be included in the applicable bid documents.

For projects subject to pre-qualification, MEP Subcontractors are contractors pursuant to Section 7058 of the Business and Professions Code holding a C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43, or C-46 license.

2020 Timeline:
New applications (PART B) will be accepted November 8, 2019 through January 31, 2020 and if approved, will be valid for one calendar year until December 31, 2020, at which time a new pre-qualification period shall commence. Prequalification renewals (PART D) will only be accepted for contractors and subcontractors prequalified from the 2019 Prequalification Process.

This prequalification packet includes a questionnaire and financial statement, to be verified under oath. The District will use the information and documentation required by the packet to prequalify general contractors and mechanical, electrical and plumbing subcontractors in accordance with applicable law.

The District reserves the right to request that Contractor(s) update prequalification forms on an annual basis. The District also reserves the right to revoke, suspend or rescind the prequalification status of a Contractor due to changes in Contractor’s status or the failure of a Contractor to update its status or information, as required.

Bids for construction projects will not be accepted unless a Contractor and MEP Subcontractors are on the 2020 Qualified Bidders List.

The District reserves the right to use some or all of the information provided in this form for evaluation purposes.

While it is the intent of the prequalification questionnaire and documents required therewith to assist the District in determining bidder responsibility prior to the submission of bids, neither prequalification,
or prequalification 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.

For information regarding the prequalification process and to secure the District’s Prequalification documents, please contact Fe Bongolan, Contracts Administrator via e-mail at BongolanF@sfusd.edu or visit web site: http://www.sfusd.edu/en/doing-business-with-sfusd/current-rfps-rfqs-and-rfis.html.

I. PREQUALIFICATION PROCESS

The following process will govern the conduct of Contractor Prequalification for the District projects. A Contractor who submits prequalification responses thereby consents to and will comply with the procedures outlined below and as set forth in greater detail in this document.

A. Submittal: On or before January 31, 2020, all prospective licensed Contractors who wish to Pre-qualify for work shall submit a complete Contractor Prequalification Questionnaire and Certification (“Questionnaire”) in a sealed envelope to: San Francisco Unified School District Contracts Administrator 135 Van Ness Ave, Room 208 San Francisco, CA 94102 Attn: Fe Bongolan

or PDF by email to: BongolanF@sfusd.edu

Prequalification materials will only be accepted in accordance with the requirements of the law. The District reserves the right to request, receive, and evaluate supplemental information after the above time and date at its sole discretion.

Contractor shall complete the prequalification process and timely submit all documents as indicated in the Questionnaire. All information requested in the Questionnaire must be provided in order to be considered “responsive” to the requirements of prequalification. The Questionnaire shall be submitted as one package – it shall not be submitted “piecemeal.” Contractors shall submit one (1) completed Questionnaire with required attachments in “hard copy” format (i.e., 8-1/2” x 11” paper) in a sealed envelope. Any questions regarding this package should be directed to Fe Bongolan, Contracts Administrator via email at BongolanF@sfusd.edu. Submission of an incomplete and/or unclear Questionnaire may result in a determination that the Contractor is non-responsive and/or not qualified.

B. District’s Review Information submitted in the Questionnaire, including but not limited to the reviewed financial statements, shall not be public information and shall not be open to public inspection, to the extent allowed by law. Contractors that have submitted a Questionnaire shall receive written notification of their prequalification status. All 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 an appeal hearing. State law requires that the names of contractors applying for prequalification status shall be public records subject to disclosure, and the first page of the questionnaire will be used for that purpose. The District reserves the right to reject all Questionnaires or to waive irregularities in any Questionnaire received, to make all final determinations, and to determine at any time that the prequalification procedures will not be applied to a future public works project.

C. Non-responsive A Contractor’s Questionnaire may be deemed nonresponsive if:

1. The Questionnaire is not submitted on time.
2. Contractor does not provide all requested information.
3. The Questionnaire is not signed under penalty of perjury by individuals whom have the authority to bind the Contractor on whose behalf they are signing.
4. Information contained in the Questionnaire is not updated under penalty of perjury when it is no longer accurate.
5. Any information provided by the Contractor is misleading or inaccurate in its responses to the Questionnaire (e.g., financial resources are overstated; previous violations of law are not accurately reported). Even after a Contractor has been determined to be qualified, the District reserves the right to revoke that determination at any subsequent time, to terminate any Contract awarded, and to cease making payments if it determines that any information provided by the Contractor was incomplete, misleading, inaccurate or false in any material manner.

II. QUALIFICATION CRITERIA

As detailed herein, each potential Contractor must provide specific information that will be reviewed and scaled by the District. Certain qualifications are essential. Any potential Contractor who cannot satisfy all PART I “Essential Criteria”, regardless of the ranking or ability to meet other criteria, will not be prequalified:

As stated above, each Contractor must satisfy all PART I, regardless of its ranking or ability to meet other criteria or the Contractor will not prequalify for District work. The Questionnaire also contains questions for which a numerical score will be given for specific answer(s). A Contractor must receive a minimum score of 88 points, regardless of its ability to meet other criteria, or the Contractor will not be eligible for state funded District work. Even if a Contractor meets the Essential Criteria and receives at least the minimum number of points, the District reserves the right to find the Contractor ineligible to bid on other grounds.

The District will use some or all of the criteria set forth in the Questionnaire in qualifying each Contractor. The District reserves the right to modify the criteria and to add or delete criteria at its sole discretion at any time prior to opening the prequalification Questionnaires.
III. APPEALING A QUALIFICATION FINDING

Unless a Contractor files a timely appeal, the Contractor 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. There is no appeal from a finding that a Contractor is not prequalified because of a failure to submit required information. The date for submission and opening of bids for a specific project will not be delayed or postponed to allow for completion of an appeal process.

Contractor may appeal the District’s decision as follows:

Prior to disqualification from the prequalification program, District will issue a Letter of Concern stating the issues which may lead to ineligibility. Contractors may request a Prequalification Administrative Review with authorized personnel from the District’s Facilities Department. Prior to the meeting the Contractor will be given the method for scoring the questionnaire and the reasons for concern. **Requests for the Prequalification Administrative Review may be submitted in writing from the prospective bidder to the District within five (5) working days from receipt of the Letter of Concern.** Prequalification approval will not be restored without a favorable ruling following the Prequalification Administrative Review.

Following a Prequalification Administrative Review, if the applicant is dissatisfied with the final decision, a written appeal may be submitted to the Chief Facilities Officer. **This written appeal must be requested within ten (10) working days following the Prequalification Administrative review referenced above.** The Chief Facilities Officer will appoint a senior Department officer to investigate this appeal. This officer will be independent of the prequalification decision process, will investigate the appeal, and make a recommendation to the Chief Facilities Officer, whose decision will be final.