Riverside County
Perris, California

PREQUALIFICATION
FOR

SPECIFICATION NO. 1400S

SKY CANYON SEWER 36 INCH EXPANSION PROJECT

Work Order No. 419110

Paul D. Jones, II, P.E. - General Manager

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Eastern Municipal Water District

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SPECIFICATION NO. 1400S
Sky Canyon Sewer 36 Inch Expansion Project

PUBLIC INVITATION TO PREQUALIFY FOR CONSTRUCTION

REQUEST FOR PREQUALIFICATION: General Contractors (hereinafter called “Contractor”) interested in submitting proposals for construction of the project listed above are invited to prequalify. The prequalification documents, must be completed and submitted for consideration. Contractors who have not been prequalified for the Sky Canyon Sewer 36 Inch Expansion Project will not be eligible to bid on the noted project.

DISTRICT intends to enter into a written agreement with a successful pre-qualified General Contractor to complete the construction of the Sky Canyon Sewer 36 Inch Expansion Project located along Sky Canyon Drive within the French Valley area. It is assumed that the Pre-qualified Contractors will install all pipelines, appurtenances, coordinate services and will be responsible for complete, integrated, and fully operational facility.

Due to the special requirements of the project and the special nature of this project, DISTRICT has determined that prequalification of the prospective General Contractors is necessary to ensure that General Contractors have the requisite experience and financial liquidity to complete a job of this magnitude and complexity. Prospective General Contractors who execute and deliver this prequalification package to DISTRICT shall be bound by all terms contained in the prequalification package.

Joint ventures shall be composed of not more than two single General Contractors. A Request for Prequalification shall be completed by each General Contractor in the joint venture and shall be submitted as a single package along with an executed “Joint Venture Statement of Intent” (Attachment A) completed and signed by both firms.

MINIMUM QUALIFICATION REQUIREMENTS:

Contractors must demonstrate the satisfactory completion, as a Class A - General Engineering Contractor or a Class C-34 Pipeline, of at least three (3) similar sewer pipeline projects, involving rehabilitations or new construction, within the last ten (10) years or as specified, as follows:

A. Contract Type: Public Works
B. Construction Type: Sewer Pipeline
C. Material: 5,000 LF or greater of 24” diameter or larger gravity sewer by open cut methods
D. Other: Experience must include construction of at least one (1) project within the past ten (10) years requiring hard rock excavation of at least 2,500 cubic yards by drilling, ripping and/or blasting method(s).

E. Other: Experience must include construction of at least one (1) project within the past ten (10) years requiring trench excavation at depths of at least 30’ for a minimum of 1,000 LF in length.

Contractors failing to meet these minimum requirements will be rejected and will not be prequalified. In addition, each Contractor will be evaluated utilizing the factors listed on the prequalification rating chart made a part of this package.

The Contractor shall provide a reference for each of its similar projects. The District will be contacting each reference to determine the Contractors ability to perform the work in a satisfactory manner.

**SCOPE OF WORK:** Construction, Testing, and Startup of the Sky Canyon Sewer 36 Inch Expansion Project.

- **Description of Work:** The Work includes the installation of approximately 6,670 linear feet of 36 inch diameter sewer along Sky Canyon Drive. The proposed pipeline will receive flows diverted from an existing 24 inch sewer along Hunter Road, which is currently operating near capacity. This project involves deep construction in a geologically complex region, two (2) trenchless pipe installations along the alignment, by-pass pumping, and dewatering.

  The Contractor is responsible to comply with the requirements of CEQA, such as, the District’s mitigation monitoring and reporting program (recommended mitigation measures) as proposed in the final adopted Mitigated Negative Declaration/Initial Study to prevent any environmental impacts related to the project scope.

  Additional requirements for equipment to be provided by the General Contractor will be set forth in the Detailed Provisions of the forthcoming Project Contract Documents. The Contractor is also required to furnish complete detailed shop drawings and the necessary engineering services specified or as needed.

**INSURANCE:** At all times during the life of this contract, Contractor and his subcontractors shall procure and maintain Commercial Liability, Automobile Liability, Workers Compensation, Equipment Floater and Builders Risk.

Each such policy of insurance shall be issued by insurance carriers that are rated no less than A-, Class VIII or better by the A. M. Best Company and licensed to transact insurance business in the State of California. An Aggregate limit (cap), Professional Employer Organization (PEO), or Self Insurance Plan is not acceptable.
**PREVAILING WAGE REQUIREMENTS:** This project is subject to the provisions of the California Labor Code. The Director of Industrial Relations has ascertained the general prevailing rates of wages and the general prevailing rates for legal holiday and overtime work in Riverside County. The Public Works Requirements under the California Administrative Code, Title 8, Group 3, Section 16100 shall apply, which include:

1. All applicable requirements of sections 1771, 1774-1776, 1813, and 1815
2. The appropriate number of apprentices are on the job site, as set forth in Labor Code Section 1777.5
3. Workers' compensation coverage, set forth in Labor Code Sections 1860 and 1861
4. To keep accurate records of the work performed on the public works project, as set forth in Labor Code Section 1812
5. Inspection of payroll records pursuant to Labor Code Section 1776, and as set forth in Section 16400 (e) of these regulations
6. Cost Proposals for Operations and Maintenance services
7. Other requirements imposed by law

**Public Works Contractor Registration.** This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

All bidders must provide a Contractor Registration Extract (pdf) with your bid showing active registration from the Public Works Contractor Registration online registration website: [https://cadir.secure.force.com/ContractorSearch](https://cadir.secure.force.com/ContractorSearch)

Pursuant to Section 1771.1 of the Labor Code, no contractor or subcontractor shall be qualified to bid on, be listed in a bid proposal, or engage in the performance of any contract for public work unless currently registered with the Department of Industrial Relations to perform public work pursuant to Section 1725.5 of the Labor Code.

*It shall not be a violation of this section for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Sections 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded.*

No contractor or subcontractor may be awarded a contract for public work on a public works project unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5.

All contractors and subcontractors must furnish electronic certified payroll records directly to the Labor Commissioner (aka Division of Labor Standards Enforcement). Additionally, the awarded Contractor shall submit certified payroll records to the District.
In addition, awarded Contractor must post jobsite notices prescribed by regulations.

**TIME OF COMPLETION / CONSTRUCTION COST:** The advertisement of the Notice Inviting Bids for Project construction is anticipated to occur in the fourth quarter of 2020 or first quarter of 2021. The Project construction duration is anticipated to be 540 days. The preliminary bonding is $9million - $13million.

**INSTRUCTIONS:**

1. Any General Contractor who wishes to submit a proposal for the Sky Canyon Sewer 36 inch Expansion Project is required to complete, execute, and submit as follows:

   **Five (5) Flash Drives in smart PDF format**

   Only those Contractors who wish to submit prime proposals on the noted Specifications need to submit prequalification.

   This Prequalification Package is only available electronically. Interested General Contractors may obtain a copy as follows:

   On our website at [www.emwd.org](http://www.emwd.org). To view and download these documents, navigate to **Doing Business, Construction** and select **Construction Bid Opportunities**. If obtaining the prequalification package online, complete the Plan Holder Registration form to receive email notification of addenda issued.

2. **Questions due by July 31, 2020:** Specific questions regarding the project or the prequalification process shall be submitted in writing by 5:00 p.m. to Mr. Scott Lopian c/o Teresa Appelt; EMAIL: lopians@emwd.org cc: appeltt@emwd.org. Questions received after this time may not receive a response from the District.

**SUBMISSION OF COMPLETED PREQUALIFICATION PACKAGE:** The time and date to submit five (5) Flash Drives (electronic copy in smart PDF) of a fully completed questionnaire is no later than:

   **August 28, 2020**

   **Note:** Failure to submit five (5) Flash Drives (electronic copy in smart PDF) and/or incomplete packages are grounds for immediate disqualification.
The prequalification packages shall be submitted under seal and marked as follows:

**CONFIDENTIAL - REQUEST FOR PREQUALIFICATION**
Sky Canyon Sewer 36 Inch Expansion Project

Eastern Municipal Water District, Field Engineering, Attn: Teresa Appelt

Regular or Express mail: P.O. Box 8300, Perris, CA 92572-8300
UPS or Federal Express: 2270 Trumble Road, Perris, CA 92570

DUE TO COVID-19, COMPLETED PREQUALIFICATION PACKAGES IN FLASH DRIVE FORMAT MUST BE MAILED PER THE INSTRUCTIONS ABOVE. HARD COPIES AND HAND DELIVERIES WILL NOT BE ACCEPTED.

COMPLETED PREQUALIFICATION PACKAGE CAN NOT BE SUBMITTED ELECTRONICALLY VIA E-MAIL OR FTP SITE

NOTIFICATION OF PREQUALIFICATION STATUS: Upon completion of the prequalification process, all General Contractors who submitted a prequalification package shall be notified of their status, in writing, on or about:

**September 21, 2020**

3. Separate performance and payment bonds, each for 100 percent of the contract amount, will be required. Contractors wishing to prequalify shall identify their anticipated surety companies.

4. The Request for Prequalification document shall be completed in full. All forms shall be in searchable PDF format. The rating sheets are for information only, and shall be completed by the District. All sections (including instructions and forms) included in this document shall be submitted.

Where space provided for responses is inadequate, prospective Contractors should supplement the answers with additional referenced attachments as necessary.

5. All information submitted for the prequalification process shall become the sole property of DISTRICT. The questionnaires and financial information are not public records and shall not be subject to review or inspection by outside individuals or organizations. However, the names of Contractors applying for prequalification are public records.

6. All General Contractors submitting the prequalification form must be licensed in the state of California, at the time the prequalification forms are submitted to DISTRICT, with the following licenses and certifications:

- **CLASS A - GENERAL ENGINEERING CONTRACTOR** or **CLASS C-34 – PIPELINE CONTRACTOR**

General Contractors who fail to meet the license classifications listed above will not be considered for prequalification.
7. Each Contractor submitting a request for prequalification will be evaluated utilizing the factors listed on the prequalification rating chart, which has been provided to each Contractor seeking prequalification. A prequalification committee appointed by DISTRICT will determine the rating of each Contractor on the various items contained on the prequalification rating chart. Certain factors listed on the prequalification rating chart will be given greater weighting by DISTRICT as indicated on the prequalification rating chart.

8. All questions within the prequalification document must be answered and shall be verified under oath by the General Contractor by execution and notarization of the verification included at the end of the document. Incomplete prequalification documents and those which do not include the executed and notarized verification form, may be considered non-responsive. The DISTRICT, at its discretion, may require supplemental information from prospective General Contractors for incomplete information.

9. Upon completion of the prequalification process, all prospective Contractors who have prequalified and all prospective Contractors who have failed to prequalify will be notified, in writing.

10. Prospective Contractors that are not prequalified shall have **five (5) working days** after being notified to deliver a written notice to appeal DISTRICT’s decision. Prospective Contractors who fail to deliver this written request to DISTRICT within the date specified above expressly waive the right to appeal the decision of DISTRICT. Written notification shall be submitted to:

    **Scott Lopian, c/o Teresa Appelt, Field Engineering**
    
    FAX: 951-928-6111 or email to lopians@emwd.org and appeltt@emwd.org

11. In the event a prospective Contractor has made a written request to obtain DISTRICT’s basis for disqualification and any supporting evidence within the **five (5) day period**, DISTRICT will provide this information to the prospective Contractor.

12. Prospective Contractors shall have **five (5) working days** from receipt of DISTRICT’s letter explaining the basis for the disqualification and any supporting evidence to rebut this evidence and to present any evidence to DISTRICT explaining why the prospective Contractor should be found qualified. This evidence will be evaluated by DISTRICT and the prospective Contractor who has provided it will be notified of the result, in writing.

    Prospective Contractors who fail to submit this evidence within the **five (5) working day period** expressly waive the right to contest DISTRICT’s decision.

13. If any prospective Contractor fails to meet the **five (5) working day** deadlines provided above, the proposed prequalification rating may be adopted by DISTRICT without any further proceedings.
14. The decision made by DISTRICT following review of any rebutting evidence submitted by any prospective Contractor shall be the final decision of DISTRICT unless DISTRICT notifies the prospective Contractor that it will allow a hearing, at DISTRICT’s sole discretion.

15. DISTRICT reserves the right to require prospective Contractors to clarify any information provided or to require prospective Contractors to submit additional information determined necessary by DISTRICT to evaluate prequalification for any Contractor.

16. Contractors who are not pre-qualified shall not be entitled to propose on the project.

17. Prospective Contractors understand and acknowledge that DISTRICT will be relying upon the truthfulness of all information contained in the prequalification document in evaluating each prospective General Contractor. Each prospective General Contractor warrants and represents that all information contained in the prequalification document is true and adequate as stated.

In the event DISTRICT subsequently discovers that any information provided by any prospective Contractor is inaccurate or misleading, this shall be a separate and independent ground for disqualification of the prospective General Contractor.

Prospective Contractors disqualified on this basis will not be allowed to submit a proposal on the project.

18. Upon execution below, each prospective Contractor acknowledges they have carefully read and understood all terms of the prequalification process and agree to be bound by all of these terms. In the event any action or proceeding is commenced to interpret, enforce, or invalidate any of the terms of this Agreement, jurisdiction and venue shall lie only in the State Courts in the County of Riverside. The parties hereby expressly agree that this is the correct jurisdiction and venue for resolution of all disputes arising with respect to the prequalification process. In the event any Contractor commences any action or proceeding challenging any prequalification decision made by DISTRICT, and the decision made by DISTRICT is subsequently upheld, the Contractor challenging the decision shall pay all attorneys’ fees, expert fees and costs, and court costs incurred by DISTRICT and the Engineer in addition to all other relief provided by law.

This is not a solicitation of proposals. No guarantees, expressed or implied, are made that the above schedule will be followed, that the Projects will be constructed as described, or that the Projects will be constructed at all. DISTRICT reserves the right to change or delete the Projects. Contractors responding to this invitation do so at their own risk and option and therefore, assume full responsibility for all associated costs.
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BY  
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