

SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT

Contractor Prequalification Procedures

I. INTRODUCTION

For any public project, as defined in subdivision (c) of Section 22002 of the Public Contract Code, for which the District (1) uses the lease-leaseback project delivery method or (2) uses funds received pursuant to the Leroy F. Greene School Facilities Act of 1998 (Chapter 12.5 (commencing with Section 17070.10) of Part 10 of Division 1 of Title 1 of the Education Code) or any funds from any future state school bond for a public project that involves a projected expenditure of one million dollars (\$1,000,000) or more, the Board shall require that prospective general contractors and, if utilized, prospective electrical, mechanical and/or plumbing first-tier subcontractors holding C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43, and/or C-46 licenses (collectively, "Contractors") complete and submit a standardized prequalification questionnaire and financial statement, verified under oath.

The Board hereby separately adopts a uniform system of rating Contractors on the basis of the completed questionnaires and financial statements.

II. PREQUALIFICATION PROCEDURES

The information provided in response to the prequalification questionnaire shall be verified under oath in the manner in which civil law pleadings are verified. The questionnaires and financial statements shall not be public records and shall not be open to public inspection. (Public Contract Code § 20111.6)

The prequalification process is open through December 31, 2017, and Contractors may submit the prequalification questionnaire and financial statement at any time during the calendar year. In order to be prequalified in time to bid or propose on a particular project, however, Contractors must submit the prequalification questionnaire and financial statement no later than ten (10) business days before the date fixed for public opening of sealed bids or submission of proposals for the project and must be deemed prequalified by the District no later than five (5) business days before the date fixed for public opening of sealed bids or submitted proposals for the project. (Public Contract Code § 20111.6)

III. APPEAL PROCEDURES

Contractors will be allowed to appeal a negative prequalification determination in accordance with California Public Contract Code section 20101(d). There is no appeal from a finding that a Contractor is not prequalified because of a failure to submit required information, but re-application is permitted. A Contractor may appeal the District's decision with respect to the Contractor's request for prequalification by giving written notice to the District no later than five (5) business days after receipt of notice of its prequalification status. Contractor should submit all evidence that it believes supports a finding that the District's determination should be changed. Without a timely appeal, the Contractor waives any and all rights to challenge the decision of the District, whether by administrative or judicial process or any other legal process or proceeding.

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The District hereby establishes a Contractor Prequalification Appeals Panel (“Appeals Panel”) consisting of the following three members, or their designee(s):

1. Assistant Superintendent of Business Services
2. Director of Maintenance and Operations
3. Director of Support Services

In response to a timely appeal, the Appeals Panel shall provide the Contractor with a written explanation of the Contractor’s disqualification and any supporting evidence. Within three (3) business days from receipt of the Appeals Panel’s written explanation, Contractor may submit a written request for reconsideration by the Appeals Panel.

The sole issue before the Appeals Panel shall be the scoring of a Contractor. The decision of the Appeals Panel shall be the District’s final administrative decision. The date for submission and opening of bids or submitted proposals for a specific project will not be delayed or postponed to allow for completion of an appeal process.

IV. **RENEWAL OF PREQUALIFICATION STATUS**

Prequalification shall be valid for one calendar year following the date of initial prequalification. Each prequalified Contractor shall be required to renew their prequalified status every calendar year by submitting a new prequalification questionnaire and financial statement to the District.