

**BOARD OF SUPERVISORS COUNTY OF FRESNO STATE OF CALIFORNIA**

**NOTICE OF PREQUALIFICATION PROCEDURE**

Notice is hereby given that on February 13, 2020, the County of Fresno's Department of Public Works and Planning (Department) determined that all bidders for the construction of the following project must be pre-qualified prior to submitting bids, as more thoroughly detailed below:

**FRESNO COUNTY AREA 2 SHERIFF SUBSTATION**

**1129 N. ARMSTRONG AVENUE  
FRESNO, CA 93727  
Contract No.: 19-S-04**

The work to be done consists of construction of a new Sheriff Substation, a Vehicle and Evidence Storage building, a parking lot and associated site improvements. The project consists of steel-framed, single-story buildings of approximately 22,700 square feet for the Sheriff Substation and 35,520 square feet for the Vehicle and Evidence Storage building on a site of approximately 6.5 acres.

**All prospective bidders** must be pre-qualified prior to submitting bids for that public works project. It is mandatory that all Licensed Contractors who intend to submit bids fully complete the pre-qualification questionnaire, provide all materials requested therein, and be approved by the County in order to be included on the final list of qualified Bidders.

It is the intention of the County that no bid will be accepted from a Contractor that has failed to comply with these requirements. 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 comprising the Joint Venture must complete the process and be separately qualified to bid.

The last date to submit a fully completed questionnaire is:

**2:00 P.M., (1400 hours and 00 seconds)  
Thursday, March 12, 2020**

Contractors are encouraged to submit pre-qualification packages as soon as possible, so that the County may notify them at the earliest practicable date of their pre-qualification status, or of any omissions of required information from their submission package that must be remedied.

**It is currently anticipated that the Notice to Bidders for this project, along with the plans and specifications will be issued within 45 days of this prequalification notice.**

Answers to questions contained in the attached questionnaire, including information about current bonding capacity on an aggregate and per project limit, notarized statement from surety, and the most recent reviewed or audited financial statements, with accompanying

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notes and supplemental information, are required. The County will use these documents as the basis of rating Contractors with respect to the size and scope of contracts upon which each Contractor is qualified to bid. The County reserves the right to check other available sources. The County's decision will be based on objective evaluation criteria.

The County reserves the right to adjust, increase, limit, suspend or rescind the pre-qualification ratings for the project at issue, based on subsequently acquired information. Contractors whose rating changes to an extent sufficient to disqualify them will be notified and given 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 therewith to assist the County in determining bidder responsibility prior to the submission of bids and to aid the County in selecting the lowest responsible bidder, neither the fact of pre-qualification, nor any pre-qualification rating, will preclude the County 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. The pre-qualification packages should be marked "CONFIDENTIAL" and submitted under seal to Department of Public Works and Planning, Attn: Erin Haagenson, Senior Staff Analyst, Design Division, 2220 Tulare Street, 7<sup>th</sup> Floor, Fresno, CA 93721. The pre-qualification packages (questionnaire answers and financial statements) submitted by Contractors are not public records and are not open to public inspection. 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 pre-qualification status shall be public records subject to disclosure, and the first page of the questionnaire will be used for that purpose.

Each questionnaire must be signed under penalty of perjury in the manner designated at the end of the form, 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 Contractor becomes inaccurate, the Contractor must immediately notify the County and provide updated accurate information in writing, under penalty of perjury.

The County reserves the right to waive minor irregularities and omissions in the information contained in the pre-qualification application submitted, to make all final determinations, and to determine at any time, in the discretion of the Department's Director, whether these pre-qualification procedures will be applicable with respect to any future individual public works project(s).

Contractors may submit pre-qualification packages during regular working hours on any day that the offices of the County are open. Contractors who submit a complete pre-qualification package will, in most cases, be notified of their qualification status within ten (10) business days after submission of the information.

The County may refuse to grant pre-qualification status where the requested information and materials are not provided, or not provided by the deadline specified in first paragraph

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of this Notice. There is no appeal from denial of pre-qualification status when based on Contractor's submission of an incomplete or late application. The closing time for bids will not be changed in order to accommodate supplementation of incomplete submissions, or late submissions.

Where a timely and completed application results in a rating below that necessary to pre-qualify, an appeal can be made. An appeal is initiated by the Contractor delivering notice to the County of its appeal of the decision with respect to its pre-qualification rating, no later than ten (10) business days prior to the closing time for the receipt of bids for this Project. Without a timely appeal, the Contractor waives any and all rights to challenge the decision of the County, whether by administrative process, judicial process or any other legal process or proceeding. If the Contractor gives the required notice of appeal and requests a hearing, the hearing shall be conducted so that it is concluded no later than ten (10) business days after the County's receipt of contractor's Notice of Appeal. The hearing so provided shall be an informal process conducted by the Reviewing Officer selected pursuant to the authority delegated to the Director by the Fresno County Board of Supervisors. Prior to such informal hearing, the Contractor will be advised of the basis for the County's pre-qualification determination. The Contractor will be given the opportunity to present information and present reasons in opposition to the pre-qualification determination. Within three (3) business days of the conclusion of the hearing, the Reviewing Officer will render his or her decision. It is the intention of the County that 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.

*Note: If it is determined that a Contractor is not to be pre-qualified for this project, that finding will apply only to this specific project. In addition, a contractor may be found not qualified for either:*

- (1) Omission of requested information or*
- (2) Falsification of information*