

# **MEYERS LANDFILL CAP PRE-QUALIFICATION QUESTIONNAIRE**

COUNTY OF EL DORADO  
ENVIRONMENTAL MANAGEMENT

AUGUST 4, 2009

**REQUEST FOR PRE-QUALIFICATION OF BIDDERS COMMENCING  
WITH FORTHCOMING PUBLIC WORK BID**

Notice is hereby given that the County of El Dorado has determined that all bidders on Meyers Landfill Cap to be undertaken by the County of El Dorado must be pre-qualified prior to submitting a Meyers Landfill Cap bid. It is mandatory that all Contractors who intend to submit a bid, fully complete the pre-qualification questionnaire, provide all materials requested herein, and be approved by the County of El Dorado to be on the final qualified Bidders list. 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 as part of 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. The last date to submit a fully completed questionnaire is August 18, 2009 at 5:00pm . Contractors are encouraged to submit pre-qualification packages as soon as possible, so that they may be notified of omissions of information to be remedied or of their pre-qualification status well in advance of the bid advertisement for this project. A mandatory site walk will be required for all qualified bidder as part of the forthcoming Public Work Bid. It is expected that this site walk will occur in late August 2009/early September 2009 time frame.

Answers to questions contained in the attached questionnaire, information about current bonding capacity, notarized statement from surety, and the most recent reviewed or audited financial statements, with accompanying notes and supplemental information, are required. The County of El Dorado will use these documents as the basis of rating Contractors in respect to the size and scope of contracts upon which each Contractor is qualified to bid. The County of El Dorado reserves the right to check other sources available. The County of El Dorado's decision will be based on objective evaluation criteria.

The County of El Dorado reserves the right to adjust, increase, limit, suspend or rescind the pre-qualification rating based on subsequently learned information. Contractors whose rating changes 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 rating.

While it is the intent of the pre-qualification questionnaire and documents required therewith to assist the County of El Dorado in determining bidder responsibility prior to bid and to aid the County of El Dorado in selecting the lowest responsible bidder, neither the fact of pre-qualification, nor any pre-qualification rating, will preclude the County of El Dorado from a post-bid consideration and determination 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 submitted under seal and marked "Meyers Landfill Cap Pre-Qualification Questionnaire" to:

The County of El Dorado  
Environmental Management  
Attn: Greg Stanton  
2850 Fairlane Ct., Bldg. C  
Placerville, CA 95667

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. However, the contents may be disclosed to third parties for purpose of verification, or investigation of substantial allegations, or in the 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 of El Dorado and provide updated accurate information in writing, under penalty of perjury.

If your organization wishes to submit questions to clarify any aspect of the RFQ, such questions should be submitted in writing to County of El Dorado, Environmental Management, Attn: Greg Stanton at the above address or by email to [greg.stanton@edcgov.us](mailto:greg.stanton@edcgov.us) no later than August 11, 2009. Questions at this stage should address the particulars of the RFQ process and general questions about the overall nature of the Project. Proposers are requested to withhold highly specific questions regarding the Project until after the Mandatory Job Walk. A response to appropriate questions will be posted to the County of El Dorado Environmental Management website at <http://www.edcgov.us/emd/admin/bids.html> . Your firm name may appear when the answer to your question is posted to the website.

The County of El Dorado 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 that the pre-qualification procedures will not be applied to a specific future public works project.

Contractors may submit pre-qualification packages during regular working hours on any day that the offices of the County of El Dorado are open. Contractors who submit a complete pre-qualification package will be notified of their qualification status no later than ten business days after submission of the information.

The County of El Dorado may refuse to grant pre-qualification where the requested information and materials are not provided, by **August 18, 2009 at 5:00pm**. There is no appeal from a refusal for an incomplete or late application, but re-application for a later project is permitted. 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 begun by the Contractor delivering written notice to the County of El Dorado of its appeal of the decision with respect to its pre-qualification rating, no later than ten business days prior to the closing time for the receipt of bids for this public works project. Without a timely appeal, the Contractor waives any and all rights to challenge the decision of the County of

El Dorado, 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 five business days after El Dorado County's receipt of the notice of appeal, and no later than five business days prior to the last date for the receipt of bids on the project. The hearing shall be an informal process conducted by a Hearing Officer to whom the Board of Supervisors of El Dorado County has delegated responsibility to hear such appeals (the Director of Environmental Management). At or prior to the hearing, the Contractor will be advised of the basis for El Dorado County's pre-qualification determination. The Contractor will be given the opportunity to present information and present reasons in opposition to the rating. Within one business day after the conclusion of the hearing, the Hearing Officer will render a decision. It is the intention of El Dorado County that the date for the submission and opening of bids will not be delayed or postponed to allow for completion of an appeal process.

*Note:* A contractor may be found not pre-qualified for bidding on a specific public works contract to be let by El Dorado County, or on all contracts to be let by El Dorado County until the contractor meets El Dorado County's requirements. In addition, a contractor may be found not pre-qualified for either:

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

\* \* \* \* \*

**NOTICE:** To contractors who are using subcontractors for this job, please be advised that El Dorado County **may** require, as to subcontractors, one of the following:

- The qualification of subcontractors in the following crafts or trades, following acceptance of your bid, but before the award is made:  
  
\_\_\_\_\_
- Pre-qualification of all subcontractors.
- Pre-qualification of subcontractors in certain crafts.
- Post-bid qualification review.

**CONTACT INFORMATION**

Firm Name: \_\_\_\_\_  
(as it appears on license)

Check One:  Corporation  
 Partnership  
 Sole Prop.

Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

If firm is a sole proprietor or partnership: \_\_\_\_\_

Owner(s) of Company: \_\_\_\_\_

Contractor's License Number(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## **Project Description:**

### **1.1 SITE NAME AND LOCATION**

The Meyers Landfill Site (Site) is located northeast of the town of Meyers on National Forest System lands within the United States Department of Agriculture Forest Service (Forest Service) Lake Tahoe Basin Management Unit (LTBMU), El Dorado County, California (Figure 1). The Forest Service is the lead agency pursuant to its delegated authorities under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended, and Executive Order 12580.

### **1.2 STATEMENT OF BASIS AND PURPOSE**

This decision document presents the selected remedial action for Operable Unit 1 at the Meyers Landfill Site located on National Forest System lands within the LTBMU, El Dorado County, California. On January 14, 2002, the Forest Service issued a Proposed Plan for the Site for public comment. The 2002 Proposed Plan called for capping the waste mass with an impermeable cover system and remediating the contaminated groundwater plume by installing a “pump and treat” system. Upon review of public comments, and discussions with potentially responsible parties, the Forest Service determined that additional site investigation work should be performed to fill identified data gaps and to refine the remedy selection. In 2006, the Forest Service made a determination to separate the Site into two Operable Units (OUs), OU-1, the landfill waste mass, and OU-2, the groundwater plume, to allow for the acceleration of the selection and implementation of a containment remedy for the landfill waste mass. A Supplemental Remedial Investigation/Feasibility Study (RI/FS) for OU-1 was completed in May 2007 and forms the basis of this Record of Decision (ROD).

The remedy was selected by the Forest service in accordance with CERCLA, 42 USC §9601 et seq., as amended, and the National Oil and Hazardous Substance Pollution Contingency Plan (NCP), 40 Code of Federal Regulations (CFR) Part 300. The Forest Service supported its selection with information in the administrative record for the Meyers Landfill. The remedy is consistent with the U.S. Environmental Protection Agency (EPA) presumptive remedy guidance for CERCLA municipal landfill sites (EPA 1993, 1996) and the NCP. This decision document satisfies requirements for the ROD under CERCLA. The signatures in Section 1.7 indicate approval of this ROD by the Forest Service.

### **1.3 ASSESSMENT OF THE SITE**

The Forest service has determined that the selected remedial action described in this ROD is necessary to protect public health and welfare and the environment from actual or threatened releases of hazardous substances, pollutants, or contaminants from the Site, which may present an imminent and substantial endangerment to public health or welfare, and the environment. The Forest Service has determined that the site is releasing CERCLA hazardous substances into the environment. The Forest Service has determined that the primary contaminant release and transport mechanism to underlying soils and groundwater at the Site is the leaching of contaminants from the waste by the infiltration of water (rainfall and seasonal snow melt) through the existing porous cover soils. The Forest Service has determined that if no action is taken, the Site will likely continue releasing vinyl

chloride and other contaminants into the underlying soils and groundwater and the contaminated groundwater plume may continue to expand, potentially threatening drinking water supply wells and nearby surface waters. In addition, without additional controls, erosion due to precipitation and recreational uses could result in further removal of the existing sandy soil cover and exposure of waste, giving rise to potential unacceptable exposure of contaminants to human and ecological receptors.

#### **1.4 DESCRIPTION OF THE REMEDY**

The selected remedial action described in this ROD addresses potential risks to human health and the environment posed by the Meyers Landfill OU-1. The major components of the selected remedy, Meyers Landfill Cover System Remedy Alternative 3 and Sewer Option 3, include the following:

- Installation of a multilayer cap and cover system to isolate and eliminate direct contact with refuse, reduce or eliminate erosion and surface water infiltration through the waste mass, and reduce or eliminate potential surface contaminant migration. The cover system includes a passive landfill gas (LFG) venting system to control LFG migration.
- The relocation of waste from above and east of the South Tahoe Public Utilities District (STPUD) sewer line and consolidation into the main waste mass. This will result in the sewer line being located outside the boundary of the waste disposal area and the footprint of the cover system.
- Implementation of institutional controls to safeguard the integrity of the multi layer cap and cover system and associated monitoring systems. Institutional controls to protect human health and the environment and the integrity of the remedy, as specified in a future Land Use Control Remedial Design (LUC RD), will consist of prohibitions on groundwater use at the Site and on-site activities and use that could threaten short-term and long-term remedy integrity.
- Long-term post-closure monitoring and maintenance that includes groundwater monitoring, perimeter landfill gas migration monitoring.

The CERCLA investigation, evaluation, and planning for the Site have resulted in the selection of a Site-specific remedy, with associated land use controls, that prevent unacceptable exposure and protect the human health, welfare and the environment. Containment of the landfill waste will prevent direct exposure to the waste and reduce infiltration and production of leachate. The Forest Service will ensure that institutional controls and future land use will be compatible with the Selected Remedy.

This ROD does not address remedial actions that may be necessary to address any groundwater contamination that may continue to be emanating from the waste disposal area after the implementation of the OU-1 remedy. Neither does it address the groundwater plume Operable Unit. The full extent of groundwater contamination and vinyl chloride impacts to groundwater are still being defined and will be further characterized as part of the Supplemental OU-2 RI/FS. There will be a second and final Operable Unit ROD for the site. This second OU ROD will address OU-2, the groundwater plume, and any response action that may be required to address groundwater contamination that may continue to be emanating from the waste disposal area. If groundwater remediation is required in the future, the groundwater remediation system will be designed in a manner that would provide for integrity of the selected OU-1 remedy.

## 1.5 STATUTORY DETERMINATIONS

The Forest Service has determined that the selected remedy is protective of human health, welfare, and the environment, complies with federal and state requirements that are applicable or relevant and appropriate to the remedial action, and is cost effective. The selected remedy uses permanent solutions and satisfies the statutory requirements of CERCLA and the NCP.

In light of the large volume of the waste, the relative heterogeneity of the landfill contents, and the absence of identified hot spots of contamination, treatment of the buried refuse, the principal source of contamination, was not deemed practical or cost effective. Therefore, this remedy does not satisfy the statutory preference for treatment as a principal element. Remedial options, including excavation of the landfill with consolidation and off-site disposal were not formally reevaluated in the Supplemental RI/FS for OU-1. This was primarily because of the high cost associated with excavation and off-site disposal, potential uncertainties regarding the landfill contents, the lack of suitable areas for consolidation, and the potential for large-scale excavation and backfilling to damage surrounding sensitive environments near Saxon Creek.

For these reasons, and in accordance with EPA guidance on presumptive remedies, a containment technology was selected as the preferred alternative for the Site. Containment technologies, as used by the EPA, refer to remedies that contain or encapsulate waste, rather than treat or destroy waste. Therefore, placement of a multilayer landfill cap is considered a containment technology.

Because the remedy leaves potentially hazardous substances, pollutants, or contaminants in the landfill at concentrations above levels that allow for unlimited use and unrestricted exposure, the Forest Service will conduct five-year reviews in accordance with CERCLA Section 121(c). The reviews will ensure that the remedy continues to provide adequate protection of human health and the environment.

### **PART I. ESSENTIAL REQUIREMENTS FOR QUALIFICATION**

**Contractor will be immediately disqualified if the answer to any of questions 1 through 5 is “No.”<sup>1</sup>**

**Contractor will be immediately disqualified if the answer to any of questions 6, 7, 8 or 9 is “Yes.”<sup>2</sup> If the answer to question 8 is “Yes,” and if debarment would be the sole reason for denial of pre-qualification, any pre-qualification issued will exclude the debarment period.**

**Contractor will need to show specific experience with landfill cover system construction or landfill closure experience within the state of California. To obtain more specific information about this project, the 100% design documents and the ROD can be downloaded from the following web link:**

<http://www.fs.fed.us/r5/lbmu/projects/meyers/index.shtml>

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<sup>1</sup> A “no” answer to Question 4 will not be disqualifying if the contractor is exempt from complying with Question 4, for reasons explained in footnote 7.

<sup>2</sup> A contractor disqualified solely because of a “Yes” answer given to question 6, 7, or 9 may appeal the disqualification and provide an explanation of the relevant circumstances during the appeal procedure.



1. Contractor possesses a valid and current California Contractor's license for the project or projects for which it intends to submit a bid.  
 Yes       No
2. Contractor has a liability insurance policy with a policy limit of at least \$1,000,000 per occurrence and \$2,000,000 aggregate.  
 Yes       No
3. Contractor has current workers' compensation insurance policy as required by the Labor Code or is legally self-insured pursuant to Labor Code section 3700 et. seq.  
 Yes       No       Contractor is exempt from this requirement, because it has no employees
4. Have you attached your latest copy of a reviewed or audited financial statement with accompanying notes and supplemental information.<sup>3</sup>  
 Yes       No

**NOTE: A financial statement that is not either reviewed or audited is not acceptable. A letter verifying availability of a line of credit may also be attached; however, it will be considered as supplemental information only, and is not a substitute for the required financial statement.**

5. Have you attached a notarized statement from an admitted surety insurer (approved by the California Department of Insurance) and authorized to issue bonds in the State of California, which states: (a) that your current bonding capacity is sufficient for the project for which you seek pre-qualification if you are seeking pre-qualification for a single project; or (if you are seeking pre-qualification valid for a year) (b) your current available bonding capacity?<sup>4</sup>  
 Yes       No

**NOTE: Notarized statement must be from the surety company, not an agent or broker.**

6. Has your contractor's license been revoked at any time in the last five years?  
 Yes       No
7. Has a surety firm completed a contract on your behalf, or paid for completion because your firm was default terminated by the project owner within the last five (5) years?  
 Yes       No

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<sup>3</sup> Public Contract Code section 20101(e) exempts from this requirement a contractor who has qualified as a small business pursuant to Government Code section 14837(d)(1), if the bid is "no more than 25 per cent of the qualifying amount provided in section 14837(d)(1)." As of January 1, 2001, the qualifying amount is \$10 million, and 25 per cent of that amount, therefore, is \$2.5 million.

<sup>4</sup> An additional notarized statement from the surety may be requested by *El Dorado County* at the time of submission of a bid, if this pre-qualification package is submitted more than 60 days prior to submission of the bid.

8. At the time of submitting this pre-qualification form, is your firm ineligible to bid on or be awarded a public works contract, or perform as a subcontractor on a public works contract, pursuant to either Labor Code section 1777.1 or Labor Code section 1777.7?

Yes       No

If the answer is “Yes,” state the beginning and ending dates of the period of debarment:

\_\_\_\_\_

9. At any time during the last five years, has your firm, or any of its owners or officers been convicted of a crime involving the awarding of a contract of a government construction project, or the bidding or performance of a government contract?

Yes       No

**PART II. ORGANIZATION, HISTORY, ORGANIZATIONAL PERFORMANCE, COMPLIANCE WITH CIVIL AND CRIMINAL LAWS**

**A. Current Organization and Structure of the Business**

**For Firms That Are Corporations:**

- 1a. Date incorporated: \_\_\_\_\_  
 1b. Under the laws of what state: \_\_\_\_\_  
 1c. Provide all the following information for each person who is either (a) an officer of the corporation (president, vice president, secretary, treasurer), or (b) the owner of at least ten per cent of the corporation’s stock.

Name	Position	Years with Co.	% Ownership	Social Security #

- 1d. Identify every construction firm that any person listed above has been associated with (as owner, general partner, limited partner or officer) at any time during the last five years.

**NOTE: For this question, “owner” and “partner” refer to ownership of ten per cent or more of the business, or 10 per cent or more of its stock, if the business is a corporation.**

Person’s Name	Construction Firm	Dates of Person’s Participation with Firm

**For Firms That Are Partnerships:**

- 1a. Date of formation: \_\_\_\_\_
- 1b. Under the laws of what state: \_\_\_\_\_
- 1c. Provide all the following information for each partner who owns 10 per cent or more of the firm.

Name	Position	Years with Co.	% Ownership	Social Security #

- 1d. Identify every construction company that any partner has been associated with (as owner, general partner, limited partner or officer) at any time during the last five years.  
**NOTE: For this question, “owner” and “partner” refer to ownership of ten per cent or more of the business, or ten per cent or more of its stock, if the business is a corporation.**

Person’s Name	Construction Company	Dates of Person’s Participation with Company

**For Firms That Are Sole Proprietorships:**

- 1a. Date of commencement of business. \_\_\_\_\_
- 1b. Social security number of company owner. \_\_\_\_\_
- 1c. Identify every construction firm that the business owner has been associated with (as owner, general partner, limited partner or officer) at any time during the last five years.  
**NOTE: For this question, “owner” and “partner” refer to ownership of ten per cent or more of the business, or ten per cent or more of its stock, if the business is a corporation.**

Person’s Name	Construction Company	Dates of Person’s Participation with Company

**For Firms That Intend to Make a Bid as Part of a Joint Venture:**

- 1a. Date of commencement of joint venture. \_\_\_\_\_

- 1b. Provide all of the following information for each firm that is a member of the joint venture that expects to bid on one or more projects:

Name of firm	% Ownership of Joint Venture

**B. History of the Business and Organizational Performance**

2. Has there been any change in ownership of the firm at any time during the last three years?  
**NOTE: A corporation whose shares are publicly traded is not required to answer this question.**

Yes       No

If “yes,” explain on a separate signed page.

3. Is the firm a subsidiary, parent, holding company or affiliate of another construction firm?  
**NOTE: Include information about other firms if one firm owns 50 per cent or more of another, or if an owner, partner, or officer of your firm holds a similar position in another firm.**

Yes       No

If “yes,” explain on a separate signed page.

4. Are any corporate officers, partners or owners connected to any other construction firms.  
**NOTE: Include information about other firms if an owner, partner, or officer of your firm holds a similar position in another firm.**

Yes       No

If “yes,” explain on a separate signed page.

5. State your firm’s gross revenues for each of the last three years:

\_\_\_\_\_

6. How many years has your organization been in business in California as a contractor under your present business name and license number? \_\_\_\_\_ years

7. Is your firm currently the debtor in a bankruptcy case?

Yes       No

If “yes,” please attach a copy of the bankruptcy petition, showing the case number, and the date on which the petition was filed.

8. Was your firm in bankruptcy at any time during the last five years? (This question refers only to a bankruptcy action that was not described in answer to question 7, above)

Yes       No

If “yes,” please attach a copy of the bankruptcy petition, showing the case number and the date on which the petition was filed, and a copy of the Bankruptcy Court’s discharge order, or of any other document that ended the case, if no discharge order was issued.

**Licenses**

9. List all California construction license numbers, classifications and expiration dates of the California contractor licenses held by your firm:

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10. If any of your firm’s license(s) are held in the name of a corporation or partnership, list below the names of the qualifying individual(s) listed on the CSLB records who meet(s) the experience and examination requirements for each license.

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11. Has your firm changed names or license number in the past five years?

Yes       No

If “yes,” explain on a separate signed page, including the reason for the change.

12. Has any owner, partner or (for corporations:) officer of your firm operated a construction firm under any other name in the last five years?

Yes       No

If “yes,” explain on a separate signed page, including the reason for the change.

13. Has any CSLB license held by your firm or its Responsible Managing Employee (RME) or Responsible Managing Officer (RMO) been suspended within the last five years?

Yes       No

If “yes,” please explain on a separate signed sheet.

**Disputes**

14. At any time in the last five years has your firm been assessed and paid liquidated damages after completion of a project under a construction contract with either a public or private owner?

Yes       No

If yes, explain on a separate signed page, identifying all such projects by owner, owner’s address, the date of completion of the project, amount of liquidated damages assessed and all other information necessary to fully explain the assessment of liquidated damages.

15. In the last five years has your firm, or any firm with which any of your company’s owners, officers or partners was associated, been debarred, disqualified, removed or otherwise

prevented from bidding on, or completing, any government agency or public works project for any reason?

**NOTE: "Associated with" refers to another construction firm in which an owner, partner or officer of your firm held a similar position, and which is listed in response to question 1c or 1d on this form.**

Yes       No

If "yes," explain on a separate signed page. State whether the firm involved was the firm applying for pre-qualification here or another firm. Identify by name of the company, the name of the person within your firm who was associated with that company, the year of the event, the owner of the project, the project and the basis for the action.

16. In the last five years has your firm been denied an award of a public works contract based on a finding by a public agency that your company was not a responsible bidder?

Yes       No

If "yes," explain on a separate signed page. Identify the year of the event, the owner, the project and the basis for the finding by the public agency.

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**NOTE: The following two questions refer only to disputes between your firm and the owner of a project. You need not include information about disputes between your firm and a supplier, another contractor, or subcontractor. You need not include information about "pass-through" disputes in which the actual dispute is between a sub-contractor and a project owner. Also, you may omit reference to all disputes about amounts of less than \$50,000.**

17. In the past five years has any claim **against** your firm concerning your firm's work on a construction project been **filed in court or arbitration?**

Yes       No

If "yes," on separate signed sheets of paper identify the claim(s) by providing the project name, date of the claim, name of the claimant, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim (pending or, if resolved, a brief description of the resolution).

18. In the past five years has your firm made any claim against a project owner concerning work on a project or payment for a contract and **filed that claim in court or arbitration?**

Yes       No

If "yes," on separate signed sheets of paper identify the claim by providing the project name, date of the claim, name of the entity (or entities) against whom the claim was filed, a brief description of the nature of the claim, the court in which the case was filed and a brief description of the status of the claim (pending, or if resolved, a brief description of the resolution).

\* \* \* \* \*

19. At any time during the past five years, has any surety company made any payments on your firm's behalf as a result of a default, to satisfy any claims made against a

performance or payment bond issued on your firm's behalf, in connection with a construction project, either public or private?

Yes       No

If "yes," explain on a separate signed page the amount of each such claim, the name and telephone number of the claimant, the date of the claim, the grounds for the claim, the present status of the claim, the date of resolution of such claim if resolved, the method by which such was resolved if resolved, the nature of the resolution and the amount, if any, at which the claim was resolved.

20. In the last five years has any insurance carrier, for any form of insurance, refused to renew the insurance policy for your firm?

Yes       No

If "yes," explain on a separate signed page. Name the insurance carrier, the form of insurance and the year of the refusal.

### **Criminal Matters and Related Civil Suits**

21. Has your firm or any of its owners, officers or partners ever been found liable in a civil suit or found guilty in a criminal action for making any false claim or material misrepresentation to any public agency or entity?

Yes       No

If "yes," explain on a separate signed page, including identifying who was involved, the name of the public agency, the date of the investigation and the grounds for the finding.

22. Has your firm or any of its owners, officers or partners ever been convicted of a crime involving any federal, state, or local law related to construction?

Yes       No

If "yes," explain on a separate signed page, including identifying who was involved, the name of the public agency, the date of the conviction and the grounds for the conviction.

23. Has your firm or any of its owners, officers or partners ever been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty?

Yes       No

If "yes," identify on a separate signed page the person or persons convicted, the court (the county if a state court, the district or location of the federal court), the year and the criminal conduct.

### **Bonding**

24. Bonding capacity: Provide documentation from your surety identifying the following:

Name of bonding company/surety: \_\_\_\_\_

Name of surety agent, address and telephone number: \_\_\_\_\_

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25. If your firm was required to pay a premium of more than one per cent for a performance and payment bond on any project(s) on which your firm worked at any time during the last three years, state the percentage that your firm was required to pay. You may provide an explanation for a percentage rate higher than one per cent, if you wish to do so.
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26. List all other sureties (name and full address) that have written bonds for your firm during the last five years, including the dates during which each wrote the bonds:
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- 
- 

27. During the last five years, has your firm ever been denied bond coverage by a surety company, or has there ever been a period of time when your firm had no surety bond in place during a public construction project when one was required?

Yes       No

If yes, provide details on a separate signed sheet indicating the date when your firm was denied coverage and the name of the company or companies which denied coverage; and the period during which you had no surety bond in place.

**C. Compliance with Occupational Safety and Health Laws and with Other Labor Legislation Safety**

28. Has CAL OSHA cited and assessed penalties against your firm for any “serious,” “willful” or “repeat” violations of its safety or health regulations in the past five years?

**NOTE: If you have filed an appeal of a citation, and the Occupational Safety and Health Appeals Board has not yet ruled on your appeal, you need not include information about it.**

Yes       No

If “yes,” attached a separate signed page describing the citations, including information about the dates of the citations, the nature of the violation, the project on which the citation(s) was or were issued, the amount of penalty paid, if any. If the citation was



appealed to the Occupational Safety and Health Appeals Board and a decision has been issued, state the case number and the date of the decision.

29. Has the federal Occupational Safety and Health Administration cited and assessed penalties against your firm in the past five years?

**NOTE: If you have filed an appeal of a citation and the Appeals Board has not yet ruled on your appeal, or if there is a court appeal pending, you need not include information about the citation.**

Yes       No

If "yes," attach a separate signed page describing each citation.

30. Has the EPA or any Air Quality Management District or any Regional Water Quality Control Board cited and assessed penalties against either your firm or the owner of a project on which your firm was the contractor, in the past five years?

**NOTE: If you have filed an appeal of a citation and the Appeals Board has not yet ruled on your appeal, or if there is a court appeal pending, you need not include information about the citation.**

Yes       No

If "yes," attach a separate signed page describing each citation.

31. How often do you require documented safety meetings to be held for construction employees and field supervisors during the course of a project?

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32. List your firm's Experience Modification Rate (EMR) (California workers' compensation insurance) and Recordable Injury Rate (RIR) for each of the past three premium years:

**NOTE: An Experience Modification Rate is issued to your firm annually by your workers' compensation insurance carrier.**

Current year:                    EMR                    RIR  
\_\_\_\_\_

Previous year: \_\_\_\_\_

Year prior to previous year: \_\_\_\_\_

If your EMR for any of these three years is or was 1.00 or higher you may, if you wish, attach a letter of explanation.

33. Within the last five years has there ever been a period when your firm had employees but was without workers' compensation insurance or state-approved self-insurance?

Yes       No

If "yes," please explain the reason for the absence of workers' compensation insurance on a separate signed page. If "No," please provide a statement by your current workers'

compensation insurance carrier that verifies periods of workers' compensation insurance coverage for the last five years. (If your firm has been in the construction business for less than five years, provide a statement by your workers' compensation insurance carrier verifying continuous workers' compensation insurance coverage for the period that your firm has been in the construction business.)

### **Prevailing Wage and Apprenticeship Compliance Record**

34. Has there been more than one occasion during the last five years in which your firm was required to pay either back wages or penalties for your own firm's failure to comply with the **state's** prevailing wage laws?

NOTE: This question refers only to your own firm's violation of prevailing wage laws, not to violations of the prevailing wage laws by a subcontractor.

Yes       No

If "yes," attach a separate signed page or pages, describing the nature of each violation, identifying the name of the project, the date of its completion, the public agency for which it was constructed; the number of employees who were initially underpaid and the amount of back wages and penalties that you were required to pay.

35. During the last five years, has there been more than one occasion in which your own firm has been penalized or required to pay back wages for failure to comply with the **federal** Davis-Bacon prevailing wage requirements?

Yes       No

If "yes," attach a separate signed page or pages describing the nature of the violation, identifying the name of the project, the date of its completion, the public agency for which it was constructed; the number of employees who were initially underpaid, the amount of back wages you were required to pay along with the amount of any penalty paid.

36. Provide the **name, address and telephone number** of the apprenticeship program (approved by the California Apprenticeship Council) from whom you intend to request the dispatch of apprentices to your company for use on any public work project for which you are awarded a contract by *[El Dorado County]*.

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37. If your firm operates its own State-approved apprenticeship program:

(a) Identify the craft or crafts in which your firm provided apprenticeship training in the past year.

- (b) State the year in which each such apprenticeship program was approved, and attach evidence of the most recent California Apprenticeship Council approval(s) of your apprenticeship program(s).
- (c) State the number of individuals who were employed by your firm as apprentices at any time during the past three years in each apprenticeship and the number of persons who, during the past three years, completed apprenticeships in each craft while employed by your firm.

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38. At any time during the last five years, has your firm been found to have violated any provision of California apprenticeship laws or regulations, or the laws pertaining to use of apprentices on public works?

**NOTE: You may omit reference to any incident that occurred prior to January 1, 1998, if the violation was by a subcontractor and your firm, as general contractor on a project, had no knowledge of the subcontractor’s violation at the time they occurred.**

Yes       No

If “yes,” provide the date(s) of such findings, and attach copies of the Department’s final decision(s).

**PART III. RECENT LANDFILL CAP CONSTRUCTION PROJECTS COMPLETED**

39. Contractor shall provide information about its three (or more) most recently completed landfill cap projects, three recently completed public works projects and its three largest completed private projects within the last three years .<sup>5</sup>

**In responding to this question, please include within your response, your experience for one or all of the following: installation of landfill caps, preparation of Remedial Action Workplans, and performing CQA for landfill cap installation projects.** Please indicate which of the two parts of this project you are submitting pre-qualifications for: installation of landfill caps, or performing CQA for landfill cap installation projects.

**As to each project identified in response to this question, please provide information on the on-site supervisor and construction crews (project team) for these jobs, and provide information on their availability to perform this project.**

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<sup>5</sup> If you wish, you may, using the same format, also provide information about other projects that you have completed that are similar to the project(s) for which you expect to bid.

**Please provide** names and references that are current and verifiable, and have experience working with the “project team you are proposing” for this work.

Please provide information that your project team has OSHA 40-hour HAZWOPER training and provide your company health & safety record for the last three years.

In response to this question, please provide specific information that shows that Contractor has experience in design, construction, and quality control/quality assurance activities as they relate to landfill final cover system construction and landfill closure, including but not limited to:

- Installation of geo-synthetic cover system (geomembranes, geotextiles, geocomposites) and, landfill gas collection and control systems, landfill storm water conveyances and controls, etc.
- Construction management, quality assurance/quality control (QA/QC) of landfill closure and cover system construction projects
- Waste Consolidation
- CERCLA experience relevant to this project, CERCLA Remedial action experience, with Landfill closures and landfill caps
- Landfill specific work in California

Lastly, in responding to this question, please provide information about your California Engineering and construction licenses, and experience you have working with the California Department of Toxic Substances Control (DTSC), Regional Water Quality Control Board (RWQCB), Environmental Protection Agency (EPA), and the Forest Service.

In responding to this question, use separate sheets of paper that, in addition to the foregoing information, contain all of the following information:

Project Name: \_\_\_\_\_

Location: \_\_\_\_\_

Owner: \_\_\_\_\_

California Regulatory Agency(ies) worked with \_\_\_\_\_

Agency Contacts: \_\_\_\_\_

Owner Contact (name and current phone number): \_\_\_\_\_

Architect or Engineer: \_\_\_\_\_

Architect or Engineer Contact (name and current phone number): \_\_\_\_\_

\_\_\_\_\_

Construction Manager (name and current phone number):

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Description of Project, Scope of Work Performed:

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Total Value of Construction (including change orders): \_\_\_\_\_

Original Scheduled Completion Date: \_\_\_\_\_

Time Extensions Granted (number of days): \_\_\_\_\_

Actual Date of Completion: \_\_\_\_\_

40. For this Landfill CAP project, what do you see as the biggest risk factors for completing the work on time and under budget and your plan for minimizing/responding to those factors/issues?

\* \* \* \* \*

I, the undersigned, certify and declare that I have read all the foregoing answers to this prequalification questionnaire and know their contents. The matters stated in the questionnaire answers are true of my own knowledge and belief, except as to those matters stated on information and belief, and as to those matters I believe them to be true. I declare under penalty of perjury under the laws of the State of California, that the foregoing is correct.

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Date)