

PROJECT 15-42

**CITY OF BEVERLY HILLS
PROJECT ADMINISTRATION
345 FOOTHILL ROAD
BEVERLY HILLS, CALIFORNIA 90210**

REQUEST FOR PREQUALIFICATION OF BIDDERS AND PREQUALIFICATION INSTRUCTIONS FOR:

**POLICE FACILITY INTERIOR REMODEL
(PARTIAL ADMINISTRATION, RECORDS & TRAFFIC BUREAUS)**

Notice is hereby given that the City of Beverly Hills ("CITY") has determined that all bidders for the construction of the Police Facility Interior Remodel ("Project") must be pre-qualified prior to submitting a bid on that Project. It is mandatory that all Contractors who intend to submit a bid, fully complete the prequalification questionnaire, provide all materials requested herein, and be approved by the CITY 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 **2:00 PM Friday, August 21, 2015**. Contractors are encouraged to submit prequalification packages as soon as possible, so that they may be notified of omissions of information to be remedied or of their prequalification status in advance of the prequalification deadline for this Project.

Answers to questions contained in the attached questionnaire are required. The CITY will use these documents as the basis of rating Contractors with respect to whether each Contractor is qualified to bid on the Project, and reserves the right to check other sources available. The CITY's decision will be based on objective evaluation criteria.

The CITY reserves the right to adjust, increase, limit, suspend or rescind the prequalification rating based on subsequently learned information. Contractors whose rating changes sufficiently to disqualify them will be notified, and given an opportunity for a hearing consistent with the hearing procedures described below for appealing a prequalification rating.

While it is the intent of the prequalification questionnaire and documents required therewith to assist the CITY in determining bidder responsibility prior to bid and to aid the CITY in selecting the lowest responsible bidder, neither the fact of prequalification, nor any prequalification rating, will preclude the CITY 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 prequalification packages should be submitted under seal to the **Office of the City Clerk, City of Beverly Hills, 455 North Rexford Drive, Room 290, Beverly Hills, CA 90210**. The following should be clearly marked on the outside of the package "**CONFIDENTIAL PREQUALIFICATION STATEMENT FOR THE POLICE FACILITY INTERIOR REMODEL PROJECT**"

The prequalification packages 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 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.

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 CITY and provide updated accurate information in writing, under penalty of perjury.

The CITY reserves the right to waive minor irregularities and omissions in the information contained in the prequalification application submitted, and to make all final determinations. The CITY may also determine at any time that the prequalification process will be suspended for the Project and the Project will be bid without prequalification.

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

The CITY may refuse to grant prequalification where the requested information and materials are not provided by the due date indicated above. There is no appeal from a refusal for an incomplete or late application, but re-application for a later project is permitted. Neither the closing time for submitting prequalification packages for this Project will be changed in order to accommodate supplementation of incomplete submissions, or late submissions, unless requested by the CITY in its sole discretion.

In addition to a contractor's failure to be pre-qualified pursuant to the scoring system set forth in the prequalification package, a contractor may be found not prequalified for either omission of or falsification of, any requested information.

Where a timely and completed application results in a rating below that necessary to pre-qualify, an appeal can be made by the unsuccessful Contractor. An appeal is begun by the Contractor delivering notice to the CITY of its appeal of the decision with respect to its prequalification rating, no later than two business days following notification that it is not pre-qualified. The notice of appeal shall include an address where the Contractor wishes to receive notice of the appeal hearing. Without a timely appeal, the Contractor waives any and all rights to challenge the decision of the CITY, whether by administrative process, judicial process or any other legal process or proceeding.

If the Contractor gives the required notice of appeal, a hearing shall be conducted no earlier than five business days after the CITY's receipt of the notice of appeal and not later than five business days prior to the date of the Notice Inviting Bids for this Project. Prior to the hearing, the Contractor shall, in writing, be advised of the basis for the City's pre-qualification determination.

The hearing shall be conducted by a panel consisting of three members of the Capital Assets Department senior management staff (the "Appeals Panel"). The Appeals Panel shall consider any evidence presented by the Contractor, whether or not the evidence is presented in compliance with formal rules of evidence. The Contractor will be given the opportunity to present evidence, information and arguments as to why the Contractor believes it should be pre-qualified. Within one day after the conclusion of the hearing, the Appeals Panel will render a written determination as to whether the Contractor is pre-qualified. It is the intention of the CITY that the date for the submission and opening of bids will not be delayed or postponed to allow for completion of an appeal process.