



## Additional Materials For January 29, 2014 Meeting Not Included in Agenda Packet

1. For Addendum to the agenda; to follow Item 6

- Emailed to members January 24, 2014  
Posted Addendum  
Updated Zoo Corporation Procurement Policy
- Additional Pertinent Documents for Reference  
Original Policy Attachments A and B  
November 30, 2011 Zoo Authority Resolution

2. For Agenda Item 10

2014 Adopted meeting calendar, including possible Measure Z hearing dates, Board of Supervisors meeting dates, and August 8, 2014 County Clerk's resolution deadline.



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## **FRESNO COUNTY ZOO AUTHORITY MEETING**

**9:00 am, Wednesday, January 29, 2014**

Fresno County Employees' Retirement Association

1111 H Street, Fresno, CA 93721

(559) 457-0681

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### **ADDENDUM TO THE AGENDA**

Receive presentation on *Fresno's Chaffee Zoo Corporation Policy on the Procurement of Goods and Services, Including the Bidding & Selection Process for Construction Projects*; and direct staff to return at the next meeting with a resolution concurring with the Policy.

Placement on Agenda: **To follow Item 6**

Addendum  
To follow Item 6  
January 29, 2014

**Fresno's Chaffee Zoo Corporation**  
**Policy on the Procurement of Goods and Services,**  
**Including the Bidding & Selection Process for**  
**Construction Projects**

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## Section 1 Purpose

As a matter of best serving the needs of the Fresno County community and prudently using Measure Z Funds, Fresno's Chaffee Zoo Corporation ("ZooCorp") is adopting this policy for the procurement of goods, services and capital improvement projects. This policy is intended to provide guidance to ZooCorp representatives throughout the bidding and selection process. This policy is not intended to provide any rights, contractual or otherwise, to any person or entity. Furthermore, ZooCorp retains the right to interpret the provisions of this policy in the event of any dispute in the bidding and selection process.

The ZooCorp, on an annual basis and in consultation with Representatives of the Construction Industry, will evaluate the effectiveness and efficiency of these policies and will make changes intended to improve the procedures.

## Section 2 Definitions

**Capital Improvement Project** - Construction, reconstruction, erection, alteration, renovation, improvement, demolition, and/or repair work on a property that will enhance the property's value or increase its useful life.

**Construction Manager at Risk with Guaranteed Maximum Pricing (CM)** - A construction project delivery system where a Contractor is selected to review and participate in the production of the construction documents and who agrees upon a Guaranteed Maximum Price to perform the work.

**Contractor(s)** - A person or company that undertakes a contract to provide materials and/or labor to complete a construction project.

**Design Build (DB)** - A construction project delivery system where the design and construction aspects are contracted with a single entity.

**Disabled Veteran Business Entity (DVBE)** - A business entity certified by the California State Office of Small Business & Disabled Veteran Business Enterprise Services (OSDS) as owned by a disabled veteran.

**Goods** - Tangible materials, products and equipment not associated with a capital improvement project.

**Formal Bid Process** - Used to procure Capital Improvement Projects with an estimated cost greater than \$500,001.

**Informal Bid Process** - Used to procure minor Capital Improvement Projects with an estimated cost between \$100,001 and \$500,000.

**Local Business Entity** - Any business entity that has its primary home office located in Fresno County.

**Negotiated Process** - A procurement process where a vendor is contacted and the services and pricing is arranged without a formal or informal bidding process.



**Preferred Business Entity** - Any business certified by the State of California, OSDS, as owned by a Disabled Veteran Business or Small Business Enterprise or a Local Business Entity as defined in this document.

**Prevailing Wage** - The general prevailing rate of wages identified by the Director of the Department of Industrial Relations of the State of California pursuant to section 1770 of the Labor Code

**Representative of the Construction Industry** - A general Contractor, Trade Contractor, or labor representative with experience in the field of capital improvement construction projects.

**Request for Proposal (RFP)** - A request issued to suppliers of Goods used to establish pricing.

**Request for Qualifications (RFQ)** - A request issued to Service providers for a statement of qualifications.

**Services** - Intangible products associated with the design, inspection and management of Capital Improvement Projects.

**Small Business Entity** - A business entity certified by the California State Office of Small Business & Disabled Veteran Business Enterprise Services (OSDS) as a small business.

**Specialty Trade Contractor** – Appropriately licensed trade contractors that specialize in providing expertise in the construction of the theming elements of zoo exhibits and attractions.

**Trade Contractor** - Appropriately licensed specialty contractors hired by the ZooCorp, CM or Contractor to perform portions of the work.

**ZooCorp** - The Fresno Chaffee Zoo Corporation, a privately created California public benefit corporation.

### **Section 3 Summary of Procedures**

These procedures are segmented into two different types of purchases and four different levels of costs.

The following is a brief description of purchasing type and cost restrictions.

- **Procurement of Goods, Services and Specialty Trade Contractors:**  
Goods and Services costing \$100,000 or less will be procured using a negotiated process. For Goods and Services costing more than \$100,000, there will be a formal RFQ/RFP process.
- **Procurement of Capital Improvement Projects:**  
Capital Improvement Projects estimated to cost \$100,000 or less will be procured using the Negotiated Process. For projects between \$100,001 and \$500,000 the Informal Bid Process will be used and for projects over \$500,001 the Formal Bid Process will be used. Projects estimated over \$4,000,000 may use the Formal Process, the CM delivery system or the DB delivery system.



## **Section 4 Negotiated Purchases of Goods, Services and Capital Improvement Projects**

For Goods, Services and Minor Capital Improvement Projects estimated to cost between \$1 and \$100,000, ZooCorp will use the Negotiated process. ZooCorp will contact a vendor or vendors and negotiate the terms to purchase Goods, Services or perform the work on small maintenance or construction projects. No bidding will be required. ZooCorp may also choose to perform the work itself.

## **Section 5 Goods and Services**

For Goods, Services and Specialty Trade Contractors estimated to cost more than \$100,000, ZooCorp will use a formal RFP process for goods and a RFQ process for services.

ZooCorp will generally:

- Advertise in an appropriate trade publication and local newspapers announcing the RFQ/RFP.
- Contact vendors and suppliers and develop interest in these vendors to participate in the RFQ/RFP process.
- Send a RFQ/RFP to interested vendors at least 30 days prior to bid opening.
- Answer any questions and issue addenda the RFQ/RFP as needed.
- Evaluate submittals and award to the most responsible and responsive proposer.

Preference will be given to Preferred Businesses. Specifics regarding the amount of preference will be included in the RFQ.

This section does not apply to firms providing CM or DB services on capital improvement projects.

## **Section 6 Informal Bidding of Capital Improvements**

For Capital Improvement Projects estimated to cost between \$100,001 and \$500,000, ZooCorp will use an Informal Bid Process to procure construction projects. ZooCorp will develop and maintain a list of pre-approved general and Trade Contractors using the following procedure:

- In November of each year ZooCorp will announce their intention to prequalify Contractors to be included in a list that will be contacted to bid on minor Capital Improvement construction projects for the following year. The announcement will be sent to a minimum of one trade journal and one local newspaper. See Attachment A, "Announcement of Pre-qualification Procedures for Annual Pre-qualifications".
- Interested Contractors must submit a written request for the pre-qualification questionnaire via mail, email or fax.
- Each Contractor will be required to fill out and return the "Pre-Qualification Questionnaire", see Attachment B.



- ZooCorp will then evaluate each questionnaire and maintain a list of all Contractors that have been pre-qualified for a specific category of work.
- A Contractor may be added to ZooCorp's approved Contractors list at any time by submitting the required application.
- At least 10 calendar days prior to bid opening, all Contractors on the list for the category of work to be bid will be sent a notice inviting bids. This notice may also be advertised in a local newspaper or trade journal. This notice will describe the project in general terms, type of contractor's license required, how to obtain more detailed information about the project, and state the time and place for the submission of sealed bids.
- Sealed bids will require a listing of all proposed subcontractors if the value of their contract is greater than one half of one percent (.5%). Listed subcontractors will not be substituted without the expressed written consent of the ZooCorp.
- The ZooCorp will provide plans, specifications and/or direction on the scope of the project that will enable any competent mechanic or builders to carry out the project.
- ZooCorp will hold a public meeting to open sealed bids on the date and time specified on the notice inviting bids and award the project to the most qualified, responsible and responsive low bidder.
- A two percent (2%) bid advantage will be given to Preferred Business Enterprises. The two percent advantage is not accumulative, if a Contractor qualifies as a Preferred Business in more than one category, a maximum of a two percent advantage will be allowed.

## **Section 7 Formal Bidding of Capital Improvements**

For Capital Improvement Projects estimated to cost \$500,001 or more, ZooCorp will use the following formal bidding process:

- Develop a complete set of bid documents for the intended project.
- Obtain the required approvals from the code enforcement authorities having jurisdiction over the Fresno Chaffee Zoo.
- Announce their intention to receive sealed bids for construction of a Capital Improvement Project 30 calendar days prior to bid opening. The announcement will be sent to a minimum of one trade journal and one local newspaper twice within the 30 calendar day time period. The announcement will include the following:
  - A brief description of the project.
  - Information on how to obtain the bidding documents.
  - Information on how to obtain the pre-qualification application. (A sample of the pre-qualification application is included in this document as Attachment B.
  - The type of contractor's license required).
  - The date and time of the bid opening.
  - Requirement for the Contractor to pay the Prevailing Wage for all labor.
  - Requirement to list all subcontractors with a contract value greater than .5% at the time of the bid submission, and not substitute listed subcontractors without the expressed written consent of the ZooCorp.





- Evaluate and respond to all pre-bid questions and issue addendums as necessary.
- Publicly open bids and announce an apparent low bidder on the specified date and time.
- Evaluate bids and award the project to the most responsible, responsive and lowest bidder.
- A two percent (2%) bid advantage will be given to Preferred Business Enterprises. The two percent advantage is not accumulative, if a Contractor qualifies as a Preferred Business in more than one category, a maximum of a two percent advantage will be allowed.

## **Section 8 Construction Manager At-Risk and Design Build**

For construction projects estimated to cost over \$4,000,000, ZooCorp will evaluate each project to determine the most appropriate delivery method. Possible delivery methods include the Formal Bid Process mentioned above, the CM project delivery method or the DB project delivery method. When using the CM or DB methods, each firm will be required to meet certain selection criteria in addition to providing acceptable pricing. These requirements will be ascertained using a "Request for Qualification" (RFQ). Each firm will respond to the RFQ with a Statement of Qualifications (SOQ).

ZooCorp will announce their intention to procure a Capital Improvement Project using the CM or DB methods in one trade journal and one local newspaper 30 calendar days before submissions of the SOQ. This announcement will appear twice in this 30 day period. The announcement will specify the requirements for the bidding firms and include instructions on how to obtain the RFQ.

The RFQ provided to interested firms will describe the project, including construction budget, preconstruction phase services and construction phase services, the parties' duties and responsibilities and other terms and conditions of the project.

In making a determination with respect to the qualifications and experience of the firms, ZooCorp may request that firms show their experience and quality of work with respect to the construction of exhibits, including the artistry and constructing exhibits consistent with the animals' natural habitats. References and examples of prior work will be required. Other relevant factors will include bonding capability, insurability, safety record, experience and qualifications to perform work for a zoo or a similar operation, no conflict of interest with ZooCorp or its representatives, and commitment to pay prevailing wages. ZooCorp may also require interested firms to interview with ZooCorp representatives.

Preference will be given to Preferred Businesses. Specifics regarding the amount of preference will be included in the RFQ.

## **Section 9 Emergency Repairs**

In cases of emergency when repair or replacements are necessary, the ZooCorp may proceed at once to replace or repair any facility without adopting plans, specifications, or working details, or giving notice for bids to let contracts. The work may be done by day labor under the direction of the ZooCorp, by contractor, or by a combination of the two.



## **Section 10 Bid Splitting**

It shall be unlawful to split or separate into smaller work orders or projects any project for the purpose of evading the provisions of these procedures requiring work to be done by contract after competitive bidding.

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## Attachment A

### **ANNOUNCEMENT OF PRE-QUALIFICATION PROCECURES AND OPEN DATES FOR ANNUAL PRE-QUALIFICATION**

Notice is hereby given that on \_\_\_\_\_, 2011, the ZooCorp determined that all bidders on capital improvement projects to be undertaken by the ZooCorp must be pre-qualified prior to submitting bids. It is mandatory that all Licensed Contractors who intend to submit bids fully complete the pre-qualification questionnaire, provide all materials requested herein, and be approved by ZooCorp to be on the final 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 on a project as 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.

Pre-qualification applications may be submitted in November of each year and in January of the following year a new list of qualified contractors will be publicized.

Answers to questions contained in the attached questionnaire, 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 notes and supplemental information, are required. ZooCorp 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. ZooCorp reserves the right to check other sources available. ZooCorp's decision will be based on objective evaluation criteria.

Pre-qualification approval will remain valid for one (1) calendar year from the date of notice of qualification, except that ZooCorp reserves the right during that calendar year to adjust, increase, limit, suspend or rescind the pre-qualification ratings based on subsequently learned information and after giving notice of the proposed action to the Contractor and 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 ZooCorp in determining bidder responsibility prior to the submission of bids and to aid ZooCorp in selecting the lowest responsible bidder, neither the fact of pre-qualification, nor any pre-qualification rating, will preclude ZooCorp 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. Contractors are encouraged to submit pre-qualification packages as soon as possible, so that they may be notified of pre-qualification status well in advance of upcoming projects.

The pre-qualification packages should be submitted under seal and marked "CONFIDENTIAL" to:

Capital Improvements Contracting Officer  
Fresno Chaffee Zoo  
894 W Belmont Ave.  
Fresno CA 93728

## Attachment A

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.

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

ZooCorp 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 future projects.

**Note:** A contractor may be found not pre-qualified for bidding on a specific contract to be let by ZooCorp, or on all contracts to be let by ZooCorp until the contractor meets ZooCorp'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 the ZooCorp **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:

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- ☐ Pre-qualification of all subcontractors.
- ☐ Pre-qualification of subcontractors in certain crafts.
- ☐ Post-bid qualification review.

Attachment B

**PRE-QUALIFICATION  
QUESTIONNAIRE**

## Attachment B

### CONTACT INFORMATION

Firm Name: \_\_\_\_\_ Check One: ☐ Corporation  
(as it appears on license) ☐ Partnership  
☐ Sole Prop.

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

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

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

If firm is a sole proprietor or partnership:

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

Contractor's License Number(s):

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## Attachment B

### PART I. ESSENTIAL REQUIREMENTS FOR QUALIFICATION

**Contractor will be immediately disqualified if the answer to any of questions 1 through 5 is "no."**

**Contractor will be immediately disqualified if the answer to any of questions 6 through 9 is "yes."**

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?  
☐ 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?  
☐ 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

## Attachment B

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



## Attachment B

### 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 #

## Attachment B

- 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.**

## Attachment B

☐ 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:

\_\_\_\_\_

\_\_\_\_\_

## Attachment B

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.
- 
- 

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?

## Attachment B

☐ 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.

\* \* \* \* \*

**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

## Attachment B

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:

\_\_\_\_\_

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.

\_\_\_\_\_

## Attachment B

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?

## Attachment B

**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?

\_\_\_\_\_

32. List your firm's Experience Modification Rate (EMR) (California workers' compensation insurance) 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: \_\_\_\_\_

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



## Attachment B

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.

### PART III. RECENT CONSTRUCTION PROJECTS COMPLETED

36. Contractor shall provide information about its six most recently completed public works projects and its three largest completed private projects within the last three years.<sup>1</sup> Names and references must be current and verifiable. Use separate sheets of paper that contain all of the following information:

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

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

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

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):

<sup>1</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.

## Attachment B

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

Description of Project, Scope of Work Performed:

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

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

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

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

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

\* \* \* \* \*

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.

Dated:

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

BEFORE THE FRESNO COUNTY ZOO AUTHORITY  
STATE OF CALIFORNIA

RESOLUTION REQUIRING  
ADHERENCE TO CURRENT  
FRESNO CHAFFEE ZOO BID  
POLICIES AS A CONDITION OF  
RECIPT OF MEASURE Z  
FUNDS

IN THE MATTER OF THE  
FRESNO CHAFFEE ZOO BID POLICIES

WHEREAS, At the November 4, 2004 general election, Fresno County voters approved "Save Our Zoo" Measure Z by 73.4% of the vote, and

WHEREAS, Measure Z is a one-tenth of one percent sales tax for ten years with all net proceeds dedicated exclusively to the Fresno Chaffee Zoo, and

WHEREAS, a minimum of two-thirds of Measure Z funding is reserved for construction of capital improvement projects in the Fresno Chaffee Zoo, and

WHEREAS, the Zoo Authority may approve or disapprove the Fresno Chaffee Zoo's request for funding for a capital improvement project, and

WHEREAS, the Fresno Chaffee Zoo may use contractors to design and construction capital improvement projects which are funded by Measure Z, and

WHEREAS, the Zoo Authority is charged with oversight of the general administration of Measure Z funds and with requiring that the Fresno Chaffee Zoo enter into appropriate contracts to expend Measure Z funds as provided in Measure Z, and

WHEREAS, the Fresno Chaffee Zoo adopted policies for the procurement of bids and services, and

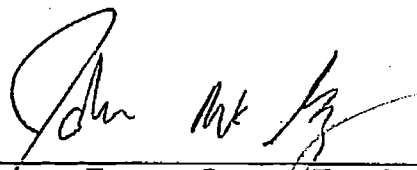
WHEREAS, the Zoo Authority concurs with the Fresno Chaffee Zoo policies on procurement.

NOW, THEREFORE BE IT RESOLVED that:

1. As a condition of receipt of Measure Z funds for construction of capital improvement projects within the Zoo, the Fresno Chaffee Zoo shall follow the "Fresno's Chaffee Zoo Corporation Policy on the Procurement of Goods and Services, Including the Bidding & Selection Process for Construction Projects" (attached hereto as Exhibit A) whenever it procures goods or services.
2. If the Fresno Chaffee Zoo wishes to change in any way the "Fresno's Chaffee Zoo Corporation Policy on the Procurement of Goods and Services, Including the Bidding & Selection Process for Construction Projects" attached hereto as Exhibit A, the Fresno Chaffee Zoo shall first provide such changes to the Zoo Authority and seek comment on same.
3. If the Fresno Chaffee Zoo contracts for goods and services in a manner which does not comply with the policy attached hereto as Exhibit A, or changes such policy without approval of the Zoo Authority, the Zoo Authority may deny the appropriation of Measure Z funds on this basis.

THE FOREGOING was PASSED and ADOPTED by the following vote of the Fresno County Zoo Authority this 20th day of November, 2011, to-wit:

AYES:  
NOES:  
ABSENT:

  
Vice Chairman, Fresno County Zoo Authority

11-30/2011

# Fresno County Zoo Authority 2014 Adopted Meeting Calendar

January						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

February						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

March						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

April						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

May						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

June						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

July						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

August						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

September						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

October						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

November						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

December						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

## Fresno County Holidays

January 1	New Year's Day	May 6	Memorial Day	November 11	Veterans Day
January 20	Martin Luther King Day	July 4	Independence Day	November 27	Thanksgiving Day
February 17	Presidents' Day	September 1	Labor Day	November 28	County Holiday
March 31	César Chávez Day, observed	November 4	Election Day	December 25	Christmas Day