CABRILLO COMMUNITY COLLEGE DISTRICT

INFORMAL BIDDING
QUALIFICATIONS APPLICATION INSTRUCTIONS

Cabrillo Community College District ("District") has adopted the California Uniform Construction Cost Accounting Procedures pursuant to Public Contract Code §22000. The District has also implemented Informal Bidding procedures pursuant to Public Contract Code §22034. The following provide bidders with a description of the Informal Bidding procedures adopted by the District, the building trades subject to Informal Bidding procedures and instructions for completing the accompanying Qualifications Application.

1 Uniform Construction Cost Accounting and Informal Bidding.

1.1 Accounting Procedures. By action of the District’s Board of Trustees on September 12, 2005, the District elected to become subject to the procedures established by the California Uniform Construction Cost Accounting Commission ("Commission") in the Cost Accounting Policies and Procedures Manual ("Accounting Procedures"). These procedures include specific requirements for maintaining records of labor and materials costs incurred by the District for projects completed by the District’s internal employee staff and for projects completed by contractors to the District. The Accounting Procedures impose certain requirements on the District with respect to specific methods for maintaining cost records, but no extraordinary requirements are imposed on bidders/contractors to the District performing work under the Informal Bidding procedures.

1.2 Informal Bidding. By adopting the Accounting Procedures, the District is authorized by Public Contract Code §22034 to enact specific procedures to implement the Informal Bidding permitted under Section 22034. Informal Bidding procedures were enacted by action of the District’s Board of Trustees on September 12, 2005.

1.2.1 Projects Subject to Informal Bidding Procedures. Pursuant to Public Contract Code §22034 and the Informal Bidding procedures enacted by the District, the projects subject to Informal Bidding procedures will be those designated by the District with an estimated construction cost value between Forty-Five Thousand Dollars ($45,000) and One Hundred Seventy-Five Thousand Dollars ($175,000).

1.2.2 Informal Bidding Qualifications. Under the Informal Bidding procedures enacted by the District, the District will annually engage in a qualifications process by: (a) establishing categories of trade contracting services for the ensuing calendar year; (b) soliciting bidders’ responses to the Qualifications Application; (c) evaluation of responses to the Qualifications Application; and (d) placement of bidders deemed qualified, in accordance with applicable standards set forth in the Qualifications Application, in categories of trade contracting services.

1.2.3 Notice of Informal Bidding. Over the ensuing calendar year, as the District develops a project suitable for the Informal Bidding procedures by Bidders deemed qualified to participate in the Informal Bidding procedures, the District will provide such Bidders with notice of the availability of such a project for Informal Bidding. Notices of Informal Bidding will conform to the requirements set forth in Public Contract Code §22034, including a description of the project in general terms, how to obtain additional information relating to the project and the date/time/place for submission of bid proposals.
2 Qualifications Application.
2.1 Purpose of Qualifications Application ("Application"). The Application is a part of the process for the District’s selection of Bidders in specific trade categories to provide construction services for projects bid under the District’s Informal Bidding procedures.
2.2 District Modifications to the Application. The District expressly reserves the right to modify any portion of the Application or these Instructions, at any time.
2.3 No Oral Clarifications/Modifications. The District will not provide any oral clarifications or modifications to these Instructions, the Application or the requirements thereof; no employee, officer, agent or representative of the District is authorized to provide oral clarifications or modifications to the Application. No Respondent shall rely on any oral clarification or modification to the Application or these Instructions.
2.4 Public Records. Except for materials deemed Trade Secrets (as defined in California Civil Code §3426.1) and materials specifically marked “Confidential” or “Proprietary,” all materials submitted in response to the Application are deemed property of the District and public records upon submission to the District. The foregoing notwithstanding, the District may reject for non-responsiveness a Response to the Application which indiscriminately notes that its Response to the Application or portions thereof are “Trade Secret” “Confidential” or “Proprietary” and exempt from disclosure as a public record. The District is not liable or responsible for the disclosure of Responses to the Application, or portions thereof, deemed to be public records, including those exempt from disclosure if disclosure is by law, by an order of a court of competent jurisdiction, or which occurs through inadvertence, mistake or negligence on the part of the District or its agents or representatives. If the District is required to defend or otherwise respond to any action or proceeding wherein request is made for the disclosure of the contents of any portion of a Response to the Application deemed exempt from disclosure hereunder, by submitting a Response to the Application, each Respondent agrees to defend, indemnify and hold harmless the District in any action or proceeding from and against any liability, including without limitation attorneys’ fees arising there from. The party submitting materials sought by any other party shall be solely responsible for the cost and defense in any action or proceeding seeking to compel disclosure of such materials; the District’s sole involvement in any such action shall be that of a stakeholder, retaining the requested materials until otherwise ordered by a court of competent jurisdiction.
2.5 Errors/Discrepancies/Clarifications to the Application. If a Respondent encounters errors or discrepancies in the Application or portions thereof, the Respondent shall immediately notify the District’s Director of Purchasing & Contracts, in writing, of such error or discrepancy. Any Respondent seeking clarification of any portion of the Application shall submit the requested clarification in writing to the District’s Director of Purchasing & Contracts or designee at 6500 Soquel Drive, Aptos, CA 95003. Responses of the District to any requested clarification will be in writing.

3 Response to the Application.
3.1 Submission of Response to the Application.
The District will consider only fully completed Applications. The completed Applications must be submitted in accordance with applicable provisions of the Qualifications Application.
3.1.1 Prospective bidders for the District’s informally bid projects may obtain the Application from the District’s Director of Purchasing & Contracts or designee, at any time during the District’s working days and working hours. Over the ensuing calendar year, the District will accept completed Applications for review at any time and will notify Respondents submitting a completed Application of the Respondent’s Qualification status in accordance with Paragraph 4 hereof. If a Respondent is deemed “Qualified” for the trade category(ies) for which the
Respondent has requested qualification, the “Qualified” status shall be for the balance of the calendar year in which the “Qualified” status of the Respondent is determined. Notwithstanding a Respondent's “Qualified” status, each Respondent must re-submit the then current Application issued by the District for determination of the Respondent’s “Qualified” status for subsequent calendar years.

3.1.2 Location for Submission of Response to the Application. Responses to the Application shall be submitted to:

**Cabrillo College Purchasing & Contracts Department**
*Attention: Gale Stevens*
**6500 Soquel Drive Bldg. 2030, Aptos, CA 95003**

3.1.3 Application Response Costs. All costs and expenses incurred by a Respondent to prepare and submit a Response to the Application shall be borne solely and exclusively by the Respondent.

3.2 Application Response Contents/Format.

3.2.1 Response to the Application. All materials submitted in response to the Application shall be on 8 ½” x 11” paper, preferably in portrait orientation. Each Response to the Application must conform to the following described format and must include the content described below. Failure of a Respondent to submit its Response to the Application in a format and with content conforming to the following requirements will be a basis for the District’s rejection of the Application.

3.2.2 Additional Materials. Respondents are not prohibited, but are discouraged, from submitting materials in addition to those specifically responding to the matters noted in the Application.

3.2.3 Copies of Response to the Application. Each Respondent shall submit one (1) hard copy of their respective Responses to the Application.

3.2.4 Application Response Format. Each Response to the Application shall include the following items, in the order noted below:

3.2.4.1 Cover Sheet. Identify the submittal as the Response to the Application and an identification of the firm submitting the Application Response. The Cover Sheet should be bound with other materials responding to the Application.

3.2.5 Application Response Contents.

3.2.5.1 Application. Complete the Application to these Instructions.

3.2.5.2 Relevant Project Experience. Provide additional details of the Projects within the immediately preceding eighteen (18) months which reflect the skills, experience and other qualifications of the Respondent to successfully complete projects under the Informal Bidding procedures.

3.2.5.3 Insurance Certificates. Provide copies of Certificates of Insurance for the Respondent; required Certificates of Insurance and minimum coverage amounts for each policy of insurance are as set forth below. At all times the Contractor shall obtain and maintain the following insurance policies with the minimum coverage amount indicated below.
<table>
<thead>
<tr>
<th>Required Insurance Policy</th>
<th>Minimum Respondent Coverage Amount</th>
<th>Minimum Design Consultant Coverage Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Workers Compensation</td>
<td>In accordance with law</td>
<td>In accordance with law</td>
</tr>
<tr>
<td>Employers Liability</td>
<td>One Million Dollars ($1,000,000)</td>
<td>One Million Dollars ($1,000,000)</td>
</tr>
<tr>
<td>Comprehensive General Liability (including property damage and automobile liability)</td>
<td>One Million Dollars ($1,000,000) per occurrence/ Two Million Dollars ($2,000,000) aggregate</td>
<td>One Million Dollars ($1,000,000) per occurrence/ Two Million Dollars ($2,000,000) aggregate</td>
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</tbody>
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4 NOTIFICATION OF PRE-QUALIFICATION RESULTS

Bidders timely submitting Responses to the Application will be notified by email of their pre-qualification within thirty (30) calendar days after submission of responses to the Application.

5 CONFIDENTIALITY

The completed Pre-Qualification Applications (questionnaire answers) submitted by Bidders are not public records and are not open to public inspection. All information provided will be kept confidential to the extent permitted by law provided, however, the District expressly reserves the right to disclose information set forth in a Bidder’s completed Pre-Qualification Application for purpose of verification and investigation of information provided. The District is not liable or responsible for the disclosure of such records, including those exempt from disclosure if disclosure is deemed required by law, by an order of Court, or which occurs through inadvertence, mistake or negligence on the part of the District or its employees, officers, agents or representatives. If the District is required to defend or otherwise respond to any action or proceeding wherein request is made for the disclosure of the contents of any portion of a Pre-Qualification Application deemed exempt from disclosure hereunder, the Bidder submitting the materials sought by such action or proceeding agrees to defend, indemnify and hold harmless the District in any action or proceeding from and against any liability, including without limitation attorneys’ fees arising there from. The party submitting materials sought by any other party shall be solely responsible for the cost and defense in any action or proceeding seeking to compel disclosure of such materials; the District’s sole involvement in any such action shall be that of a stakeholder, retaining the requested materials until otherwise ordered by a court of competent jurisdiction. The identities of the prospective Bidders submitting a Pre-Qualification Application and the District’s determination of whether a prospective bidder is deemed “qualified” are matters of public record and subject to disclosure.

6 WAIVER OF IRREGULARITIES

The District reserves the right to waive minor irregularities and omissions in Responses to the Application.
7 APPEAL OF QUALIFICATION DETERMINATION

Where a timely and completed Response to the Application results in a rating below that necessary for a Bidder to be deemed qualified, an appeal can be made. An appeal is begun by the Contractor by submitting a written notice to the Vice President, Administrative Services for the District at 6500 Soquel Drive, Bldg. 2030, Aptos, CA 95003 of its appeal of the decision with respect to its Qualification rating, no later than five (5) working days after the late date for submission of Response to the Application. The written appeal shall set forth, in detail, all grounds for the appeal, including without limitation all facts, supporting documentation, legal authorities and argument in support of the grounds for the appeal. Any matters not set forth in the written appeal shall be deemed waived. All factual contentions must be supported by competent, admissible and credible evidence.

Without a timely appeal, made according to the above instructions, Bidders waive any and all rights to challenge the decision of the District, whether by administrative process, judicial process or any other legal process or proceeding.