

**PALOMAR COMMUNITY COLLEGE DISTRICT  
REQUEST FOR PRE-QUALIFICATION OF GENERAL/PRIME CONTRACTORS  
FOR VARIOUS CONSTRUCTION PROJECTS - FISCAL YEAR 2009-10**

**NOTICE IS HEREBY GIVEN** that the Palomar Community College District (hereinafter "District"), acting through its Governing Board, is seeking to prequalify state of California licensed general/prime contractors who wish to compete for the award of various construction contracts during the District's fiscal year (FY) July 1, 2009 through June 30, 2010, valued at more than \$250,000.

The District anticipates that a variety of projects may bid during the time period, including, but not limited to the following:

<b>PALOMAR COMMUNITY COLLEGE DISTRICT PROJECTS (Partial list)</b>		
<u>Name of Project</u>	<u>Estimated Bid Advertisement</u>	<u>Estimated Project Amount</u>
New Construction: Industrial Technology Center	Late October 2009	14M
Addition & Remodel: Theatre	February, 2010	10M
Retrofit: Escondido Center North Wing	March, 2010	3M
New Construction: Multi-Media Lab & Planetarium	December, 2009	7M

It is mandatory that all licensed general/prime contractors who intend to submit bids fully complete the pre-qualification questionnaire, provide all materials requested, and be approved by the District to be on the final Bidder's list for projects during FY 2009-10. No bid will be accepted from a General/Prime Contractor that has failed to comply with these requirements, although the District reserves the right to prequalify a specific pool of contractors for specific work that may be required if the pool of prequalified contractors is not deemed sufficient by the District.

Interested Contractors can obtain the prequalification questionnaire and related instructions from the District's website at <http://www.palomar.edu/businessservices/Contractor%20PreQual.html>. Also, copies of the documents may be obtained at the District's Contract Services' office located at 1140 West Mission Road, Room A3, San Marcos, CA 92069, Monday through Friday, 9:00 AM to noon or 1:00 PM to 4:30 PM. In order to be considered for the District's 2009-10 contractor pool, 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.

Each application must conform and be responsive to the standard application provided by the District. Any deviation from the standard application form or failure to provide the required information may be considered non-responsive and grounds for disqualification and rejection of the application. The Governing Board of Palomar Community College District 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 public works project.

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. District 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. District reserves the right to check other sources available. District's decision will be based on objective evaluation criteria.

Responses to the pre-qualification application and questionnaire and any financial information submitted for pre-qualification evaluation are not public records and not open to public inspection. The District will maintain the confidentiality of these records to the extent permitted by law. In the event a third party requests these confidential records, the District will notify the affected contractor, and it shall be the contractor's responsibility to defend the District in any action to compel disclosure of the contract's confidential information.

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

While it is the intent of the pre-qualification questionnaire and documents required therewith to assist District in determining bidder responsibility prior to the submission of bids and to aid District in selecting the lowest responsible bidder, neither the fact of pre-qualification, nor any pre-qualification rating, will preclude District 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.

Pre-qualification approval will remain valid for until June 30, 2010 from the date of notice of qualification, except that District reserves the right during that time period 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.

A contractor who has submitted a completed application form, and who receives a rating of "not qualified" from District may appeal that determination. A contractor may appeal District's decision with respect to its request for pre-qualification, and request a hearing, by giving notice to District no later than ten business days after receipt of notice of its qualification status. Unless a Contractor files a timely appeal, the Contractor waives any and all rights to challenge the qualification decision of District, whether by administrative process, judicial process or any other legal process or proceeding.

If the Contractor gives the required notice of appeal and requests a hearing, the hearing shall be conducted so that it is concluded no later than ten business days after District's receipt of its Notice of Appeal. The hearing so provided shall be an informal process conducted by a panel to whom the [*governing body of District*] has delegated responsibility to hear such appeals (the "Appeals Panel"). At or prior to the hearing, the Contractor will be advised of the basis for District's pre-qualification determination. The Contractor will be given the opportunity to present information and present reasons in opposition to the pre-qualification determination. At the conclusion of the hearing or no later than one day after completion of the hearing, the Appeals Panel will render its decision. The date for submission and opening of bids for a specific project will not be delayed or postponed to allow for completion of an appeal process.

Direct submittal process inquiries to: Eileen Poole, Contracts Specialist, at 760-744-1150, ext 2697/ [epoole@palomar.edu](mailto:epoole@palomar.edu) or Debbi Claypool, Business Services Technician – Contracts, at 760-744-1150, ext. 2129/ [dclaypool@palomar.edu](mailto:dclaypool@palomar.edu).

BY THE ORDER OF THE GOVERNING BOARD OF THE  
PALOMAR COMMUNITY COLLEGE DISTRICT

Mark Evilsizer, M.A., Secretary  
Palomar Community College District  
San Diego County, California

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