



**NOTICE OF REQUEST FOR PREQUALIFICATION
QUESTIONNAIRES FROM FIRMS and CONTRACTORS
INTERESTED IN A FORTHCOMING PUBLIC WORK
PROJECT**

Notice is hereby given that the City of Oxnard is seeking to prequalify firms / contractors for an upcoming public work project entitled: *Colonia Skatepark, Specification No. PW 23-35 ("Project")*. The Project includes designing and constructing a competition level (Olympic quality) skatepark on approximately 2.6 acres (113,256 sq-ft) using the Design Build solicitation process and awarding a single contract to a prequalified firm or firm/contractor.

Prequalification is required for this Project. It is mandatory that all firms/contractors who intend to submit a response or bid for the Project fully complete this prequalification questionnaire and provide all materials requested herein (collectively, the "Prequalification Packet") by February 29, 2024 by 2:00 p.m.

Contractors are encouraged to submit their Prequalification Packet early, so that they may be notified of requests for clarifications as may be needed prior to the publication of the Final Qualified Bidders List.

All interested firms/contractors that are prequalified by the City for this Project will be included on the final qualified bidders' list, which will be published on **March 14, 2024 at 2:00 p.m.** Only firms/contractors on the final qualified bidders list will be able to respond / bid for the design and construction portion of this Project. No bid will be accepted from a firm/contractor that has failed to comply with the requirements herein.

The Prequalification Packet should be in a sealed envelope and marked "CONFIDENTIAL PREQUALIFICATION PACKAGE" and submitted to the City Clerk at the following location:

City of Oxnard
Attn: City Clerk
300 West Third St, 4th Floor
Oxnard, California 93030

Firms / contractors may submit a Prequalification Packet during regular working hours on any day that the offices of the City of Oxnard are open. Firms/Contractors who submit a complete Prequalification Packet will be notified of their qualification status no later than ten (10) Working Days after submission of the information.

The City of Oxnard reserves the right to waive minor irregularities and omissions in the information contained in the Prequalification Packet.

Each Prequalification Packet 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 firm / contractor on whose behalf that person is signing. If any information provided by a firm / contractor becomes inaccurate, the firm / contractor must immediately notify the City of Oxnard and provide updated accurate information in writing, under penalty of perjury.

OBTAINING PREQUALIFICATION DOCUMENTS. All Contractors must be plan holders of record to submit a Prequalification Packet to the City, which entails purchasing copies of the prequalification documents at CyberCopy's Plan Room, located at <https://www.cybercopyplanroom.com/jobs/public>.

Answers to questions contained in the questionnaire, information about current bonding capacity, and the most recent financial statements (Balance Sheet, the income statement, cash flow statement, profit/loss statement), with accompanying notes and supplemental information, are required. The City of Oxnard 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 City of Oxnard reserves the right to check other sources available. The City of Oxnard's decision will be based on objective evaluation criteria as stated in the Prequalification Package.

The City of Oxnard reserves the right to adjust, increase, limit, suspend or rescind the Prequalification 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 prequalification rating.

The Prequalification Packet submitted by firms / 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 firms / 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.

The City of Oxnard will not accept or consider prequalification questionnaires that are submitted after February 29, 2024 at 2:00 p.m. There is no appeal from a refusal to consider a late submission or incomplete submission. The closing time for

submission of the Prequalification Packet will not be changed in order to accommodate supplementation of incomplete submissions, or late submissions.

Where a timely and completed Prequalification Packet results in a rating below that necessary to prequalify, an appeal can be made. The protesting Firm/Contractor may dispute the City's determination with respect to its prequalification rating by emailing a request for an administrative hearing to the Public Works Director, Michael Wolfe, at michael.wolfe@oxnard.org and copying on that same email Renee Hatcher at renee.hatcher@oxnard.org. The email should include the following title "REQUEST FOR ADMINISTRATIVE HEARING TO APPEAL DENIAL OF PREQUALIFICATION." The City must receive the request by 5:00 p.m. of the third Calendar Day following the date that Contractor was notified of their prequalification status, or if City Hall is closed on that Calendar Day, on the next Calendar Day that City Hall is open.

Upon receipt of the appeal request, the Public Works Director or his or her designee shall set the date of the hearing and shall email the protesting Firm/Contractor a notice that specifies the location, date and time of the hearing and applicable hearing procedures that must be followed. The hearing shall be an informal process conducted by a panel to which the Public Works Director has delegated responsibility to hear such appeals (the "Appeals Panel"). At or prior to the hearing, the Firm/Contractor will be advised of the basis for the City's prequalification determination. The Firm/Contractor will be given the opportunity to present information and present reasons in opposition to the rating. The decision of the Appeals Panel shall be final. It is the intention of the City of Oxnard that the date for the Request for Proposals / Bids and submission and opening of bids will not be delayed or postponed to allow for completion of an appeal process.

The procedures and time limits set forth are mandatory and are Firms/Contractors sole and exclusive remedy in event of an appeal. The Contractor's failure to fully comply with these procedures constitutes a waiver of any right to further pursue the appeal, including filing a California Government Code claim or initiating any other legal proceedings.

Note: A Firm/Contractor may be found not prequalified for bidding on a the olympic skatepark public works contract to be let by the City of Oxnard, if the firm/contractor has undertaken the following:

- (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 City of Oxnard **may** require, as to subcontractors, one of the following:

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