

**STATE OF CALIFORNIA
THE RESOURCES AGENCY
DEPARTMENT OF WATER RESOURCES**

**CONTRACTOR'S
STATEMENT OF EXPERIENCE
AND
FINANCIAL CONDITION**

To be filed with the State of California, Department of Water Resources by Contractors proposing to bid on State Projects in accordance with provisions of the Public Contract Code.

Issue Prequalification To:

Name of Firm _____
(Name must correspond EXACTLY with Contractor's License in every detail)

Address _____
(Street address AND P. O. Box if applicable)

(City) (State) (Zip Code)

Application Submitted By (Co. Representative): _____

Telephone: _____ () _____

Date of Financial Statement _____



FILED
COURT

INSTRUCTIONS

1. *Frequency of Submission.* A new statement will be required only once each year unless a statement is specifically requested by the Department of Water Resources, or a substantial decrease in the contractor's financial resources occurs. If the Department requests additional financial information or requests submission of a new statement and the contractor does not comply with the request within thirty days a pending application or the rating based on the statement on file may at the discretion of the Department, be considered null and void and no longer in effect.
2. *Effective Period of Ratings.* Prequalification ratings based on statements of financial condition on file will remain in effect no longer than eighteen months after the as of date of the financial condition in the statement.
3. *Age of Financial Information.* The Department of Water Resources reserves the right to reject statements in which the financial condition shown is as of a date six months or more prior to the date of filing. In no event will a statement be accepted if the financial condition shown is as of a date more than one year prior to filing.
4. *Namestyle of Firm.* Financial statements shall be in the same namestyle as the firm applying for prequalification. Contractors who are a wholly or partially owned subsidiary of a larger entity and intend to use the parent company's financial statement must submit an Assumption of Responsibility Letter in which the parent company agrees to be responsible to the Department for the performance of any contracts based on the prequalification. The recommended wording of the assumption of responsibility letter is given on page 8 of this prequalification application.
5. *Number of Copies.* Submit one original copy of this statement and any attachments. Pages may be detached for preparation and photocopying.
6. *Data Required.* Applicable portions of the form and financial statement shall be completed, with schedules attached if needed. Failure to include the information called for may result in a reduced rating or no rating at all. Construction experience of the contractor for the prior three years shall be shown. Such experience is considered in establishing prequalification ratings.
7. *Affidavits.* The appropriate affidavit must be completely executed or the statement will be returned. Where a statement is submitted to obtain joint prequalification, a joint venture affidavit must be submitted to the Department at least five days prior to date of bid opening.
8. *Accountant's Certificate.* The certificate of a Certified Public Accountant is required. A suggested form of certificate is included. The accountant may submit a certificate in own words, including such qualifications as may be necessary in view of the scope of the assignment; provided. Such qualifications shall not be so extensive as to nullify the value of the statement or its usefulness to the Department of Water Resources. The certificate shall be signed and shall include license/certification number.

If the contractor's job income and expenditures are accounted on a completed contract basis and the balance sheet includes an item reflecting the excess of costs to date over billings to date, or vice versa, the elements of "Accumulated Costs" and "Billings to Date" must be shown in support of the balance sheet item.
9. *Licensing.* Attention is directed to Section 10164 of the Public Contract Code, relative to contractors' licenses on State projects where federal funds are involved. While in such cases no bid submitted or contract thereafter awarded will be invalidated by failure to the bidder to be properly licensed, payment will be dependent upon proper licensing, and any bidder or contractor not so licensed shall be subject to all legal penalties. Attention is also directed to Section 7028.15 of the Business and Professions Code regarding the penalties for submitting a bid to a public agency without proper licensing.
10. Any questions should be directed to the Contract Development Branch at (916) 653-4867. Information relating to filing this statement may be obtained at:

Department of Water Resources
Division of Engineering
Contract Development Branch
1416 Ninth Street, Room 418
Sacramento, CA 95814
Attention: Contract Coordinator
(916) 653-4867

5. Have you or your organization, or any officer or partner thereof, not completed a contract during the last ten years?

If so, give details

.....

6. If you have a controlling interest in any firms presently prequalified with the State of California, show names thereof

.....

7. To determine status of assets, in what other lines of business pertaining to this Financial Statement do you have a financial interest?

.....

8. List the entities you have been associated with in business as partners or joint venturers in each of the last five years

.....

9. What is the construction experience of the principal individuals of your present organization?

INDIVIDUAL'S NAME	PRESENT POSITION OR OFFICE IN YOUR ORGANIZATION	YEARS OF CONSTRUCTION EXPERIENCE	MAGNITUDE AND TYPE OF WORK	IN WHAT CAPACITY
.....
.....
.....
.....
.....
.....
.....
.....
.....
.....

If a corporation, answer this:

Capital paid in cash, \$

When incorporated

In what State

President's name

Vice President's name

Secretary's name

Treasurer's name

Other Corporate Officers:

<u>Name</u>	<u>Corporate Title</u>
.....
.....
.....
.....
.....
.....
.....
.....
.....

If a partnership, answer this:

Date of organization

State whether partnership is general, limited, or association

Name and address of each partner:

.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

APPLICATION WILL BE RETURNED IF AFFIDAVIT IS INCOMPLETE OR IMPROPERLY EXECUTED

AFFIDAVIT FOR A SOLE PROPRIETORSHIP

.....
(Type or print name of individual)
doing business as.....
(Exact Name of Owner or Proprietorship, as Indicated on Contractor's License.)

certifies and says: That I am the person submitting the attached statement of experience and financial condition; that I have read the same, and that the same is true of my own knowledge; that the statement is for the purpose of inducing the State of California Department of Water Resources to supply the submittor with drawings and specifications, and that any depository, vendor, or other agency therein named is hereby authorized to supply said Department of Water Resources with any information necessary to verify the statement; and that furthermore, should the foregoing statement at any time cease to properly and truly represent my financial condition in any substantial respect, I will refrain from further bidding on Department work until I shall have submitted a revised and corrected statement.

I certify and declare under penalty of perjury that the foregoing is true and correct.

Subscribed at State of
(City) (County)
on 20
(Date)
.....
(Applicant must sign here)

AFFIDAVIT FOR PARTNERSHIP

....., certifies and says: That I am a partner of the partnership of.....
(Type or print name of partner)
.....
(Exact Name of Partnership, as Indicated on State Contractor's License.)

that said partnership submitted the attached statement of experience and financial condition; that I have read the same and that the same is true of my own knowledge; that the statement is for the purpose of inducing the State of California Department of Water Resources to supply the submittor with drawings and specifications, and that any depository, vendor, or other agency therein named is hereby authorized to supply said Department of Water Resources with any information necessary to verify the statement; and that furthermore, should the foregoing statement at any time cease to properly and truly represent the financial condition of said firm in any substantial respect, we will refrain from further bidding on Department work until we shall have submitted a revised and corrected statement.

I certify and declare under penalty of perjury that the foregoing is true and correct.

Subscribed at State of
(City) (County)

The foregoing statement and affidavit are hereby affirmed. on 20
(Remaining members of partnership sign below) (Date)

SIGNATURE	(PRINTED NAME)	SIGNATURE
FOR:	FOR:	
LEGAL CAPACITY	NAME OF PARTNER (INDIVIDUAL OR BUSINESS)	
SIGNATURE	(PRINTED NAME)	PRINTED NAME/LEGAL CAPACITY
FOR:	FOR:	
LEGAL CAPACITY	NAME OF PARTNER (INDIVIDUAL OR BUSINESS)	NAME OF PARTNER (INDIVIDUAL OR BUSINESS)

AFFIDAVIT FOR CORPORATION

....., certifies and says: That I am
(Type or print name of officer) (Corporate capacity)
of the

(Exact Corporation Name as Indicated on State Contractor's License.)

the corporation submitting the attached statement of experience and financial condition; that I have read the same and that the same is true of my own knowledge; that the statement is for the purpose of inducing the State of California Department of Water Resources to supply the submittor with drawings and specifications, and that any depository, vendor, or other agency therein named is hereby authorized to supply said Department of Water Resources with any information necessary to verify the statement; and that furthermore, should the foregoing statement at any time cease to properly and truly represent the financial condition of said corporation in any substantial respect, it will refrain from further bidding on Department work until it shall have submitted a revised and corrected statement.

I certify and declare under penalty of perjury that the foregoing is true and correct.

Subscribed at State of
(City) (County)

on 20
(Date)

.....
(Corporate officer must sign here)
NOTE - Use full corporate name and attach corporate seal.

AFFIDAVIT FOR JOINT VENTURE

....., certifies and says: That their firm is a participating party
(Type or print name)

IN THE JOINT VENTURE OF
(Exact Name of Joint Venture as Indicated on Contractor's License.)

that said joint venture submitted the attached statement of experience and financial condition; that each party to this joint venture has read the same and that the same is true of its own knowledge; that the statement is for the purpose of inducing the State of California Department of Water Resources to supply the submittor with drawings and specifications, and that any depository, vendor, or other agency therein named is hereby authorized to supply said Department of Water Resources with any information necessary to verify the statement; and that furthermore, should the foregoing statement at any time cease to properly and truly represent the financial condition of said firm in any substantial respect, it will refrain from further bidding on Department work until it shall have submitted a revised and corrected statement.

I certify and declare under penalty of perjury that the foregoing is true and correct.

Subscribed at State of
(City) (County)

on 20
(Date)

THE FORGOING STATEMENT AND AFFIDAVIT ARE
HEREBY AFFIRMED (ALL PARTIES TO JOINT VENTURE
MUST SIGN).

.....
(Signature)

.....
(Typed/Printed name and legal capacity)

for
(name of participating individual or business)

(Signature) (Typed/printed name and legal capacity) (Name of participating individual or business)

(Signature) (Typed/printed name and legal capacity) (Name of participating individual or business)

ATTACH COPY OF CONTRACTOR'S COMPLETE FINANCIAL STATEMENT

CERTIFICATE OF ACCOUNTANT

I (WE) HAVE **EXAMINED** THE FINANCIAL STATEMENT OF _____ AS OF _____

MY (OUR) EXAMINATION WAS MADE IN ACCORDANCE WITH GENERALLY ACCEPTED AUDITING STANDARDS, AND ACCORDINGLY INCLUDED SUCH TESTS OF THE ACCOUNTING RECORDS AND SUCH OTHER AUDITING PROCEDURES AS WE CONSIDERED NECESSARY IN THE CIRCUMSTANCES.

IN MY (OUR) OPINION, THE ACCOMPANYING FINANCIAL STATEMENT INCLUDED ON PAGES _____ TO _____, INCLUSIVE, SET FORTH FAIRLY THE FINANCIAL CONDITION OF _____

AS OF _____, IN CONFORMITY WITH GENERALLY ACCEPTED ACCOUNTING PRINCIPLES APPLIED ON A BASIS CONSISTENT WITH THAT OF THE PRECEDING YEAR.

OR

I (WE) HAVE **REVIEWED** THE ACCOMPANYING FINANCIAL STATEMENT OF _____ AS OF _____

ALL INFORMATION INCLUDED IN THE FINANCIAL STATEMENT IS THE REPRESENTATION OF THE MANAGEMENT (OWNERS) OF THE COMPANY.

A REVIEW CONSISTS PRINCIPALLY OF INQUIRIES OF COMPANY PERSONNEL AND ANALYTICAL PROCEDURES APPLIED TO FINANCIAL DATA. IT IS SUBSTANTIALLY LESS IN SCOPE THAN AN EXAMINATION IN ACCORDANCE WITH GENERALLY ACCEPTED AUDITING STANDARDS. THE OBJECTIVE OF WHICH IS THE EXPRESSION OF AN OPINION REGARDING THE FINANCIAL STATEMENTS TAKEN AS A WHOLE ACCORDINGLY, I (WE) DO NOT EXPRESS SUCH AN OPINION.

BASED ON MY (OUR) REVIEW, WITH THE EXCEPTION OF THE MATTER(S) DESCRIBED IN THE FOLLOWING PARAGRAPH(S), I AM (WE ARE) NOT AWARE OF ANY MATERIAL MODIFICATIONS THAT SHOULD BE MADE TO THE ACCOMPANYING FINANCIAL STATEMENTS IN ORDER FOR THEM TO BE IN CONFORMITY WITH GENERALLY ACCEPTED ACCOUNTING PRINCIPLES.

NOTE: THE STATE OF CALIFORNIA
DEPARTMENT OF WATER RESOURCES
DOES NOT ACCEPT
COMPILED OR "IN-HOUSE"
FINANCIAL STATEMENTS.

(Accountant must sign here)

(Print name and address of firm)

Telephone: _____ License No. _____ p Certified Public Accountant

Special note to Accountant:

The above Certificate of Accountant must not be made by any individual who is a member or who is in the regular employ of the individual, partnership, corporation, or joint venture submitting this statement.

STATE OF CALIFORNIA

GENERAL STATEMENT OF BANK CREDIT

Department of Water Resources
Division of Engineering
Contract Development Branch
1416 9th Street (95814), Room 418
P. O. Box 942836
Sacramento, CA 94236-0001

(Date)

Bank Reference # _____

In connection with the prequalification of

_____, a contractor,
(Name of Contractor)

under Section 10160 et seq. of the Public Contract Code to perform contracts with the State of California, Department of Water Resources, we hereby declare that said contractor has been extended a line of credit in a total amount not less than \$_____, and that such credit **will not be withdrawn or reduced without notice to the Department of Water Resources.**

This letter is signed with the understanding that it is a document to be used by the State of California, Department of Water Resources only for the purpose of determining the financial resources of said contractor available for use in performing work under contracts which may be awarded to it by the Department during the term of its prequalification.

This General Statement of Bank Credit supersedes and replaces any General Statement of Bank Credit from the same Bank which may have been filed with the current Contractor's Statement of Experience and Financial Condition and will EXPIRE with the Annual Contractor's Statement of Experience and Financial Condition for which the line of credit was issued.

(Name of Bank)

(Address)

(By)

(Name and Title)

(Phone)

PLEASE NOTE: The above form may be used to augment your Working Capital when completed by your bank; or one with the same provisions may be issued on the bank's own letterhead.

[LETTERHEAD OF PARENT COMPANY]

[Date]

Department of Water Resources
State of California
Division of Engineering
Contract Development Branch
1416 Ninth Street, (95814) Room 418
Post Office Box 942836
Sacramento, California 94236-0001

Attention: Contract Coordinator
Contract Development Branch

Reference: [Name of Subsidiary]
Contractor's Statement of Experience and Financial Condition
Assumption of Responsibility

Dear Madam or Sir:

[Name of Subsidiary], a California corporation, is a wholly-owned subsidiary of [Name of Parent Company], a _____ corporation. This is to confirm that if [Name of Subsidiary] is prequalified with the Department of Water Resources (DWR) and if [Name of Subsidiary] is awarded a contract pursuant to such prequalification, [Name of Parent Company] will assure the performance of [Name of Subsidiary] obligations under such contract and will indemnify and hold DWR harmless from and against any liability and expense which may be incurred by the DWR as a result of the failure of [Name of Subsidiary] to fully perform such contract.

This is to confirm that [Name of Parent Company] is prepared to support [Name of Subsidiary] with necessary financing, expertise and equipment required to fulfill any commitment undertaken by [Name of Subsidiary] with DWR.

Sincerely,

ACCEPTED FOR DWR BY:

[Officer of Corporation]
[Name of Parent Company]

Title and Date

ADDITIONAL INFORMATION REQUIRED FOR PREQUALIFICATION WITH THE

DEPARTMENT OF WATER RESOURCES

Check the type of work in which you are experienced

General Contracting-Heavy		*Other Contractors							
TYPE OF WORK	MARK WITH (X)	D E S I G N	M A N U F A C T U R E	I N S T A L L A T I O N					
1 All Classes of Construction									
2 Clearing and Grubbing									
3 Excavation									
4 Tunnel									
5 Levee and Flood Control									
6 Sewer and Water Lines									
7 Road Work									
8 Bridge									
9 Grading and Paving									
10 Pipeline									
11 Marine									
Building Construction		Electrical							
1 General					1 Motors and Generators				
2 Structural					2 Transformers				
3 Electrical					3 Power Circuit Breakers				
4 Mechanical					4 Switchgear				
5					5 Control Boards				
					6 Cables 230 kV				
					7 Station Batteries				
					8				
Drilling		Mechanical							
1 Diamond Core					1 Pumps				
2 Wells					2 Turbines				
3 Foundations					3 Governors				
4					4 Gates				
					5 Valves				
					6 Cranes and Gantries				
					7				

*Contractors must be licensed in accordance with the California Contractors License Law.

DEPARTMENT OF WATER RESOURCES

Questionnaire for "Other Contractors" (Design – Manufacture – Fabrication – Installation)

INSTRUCTIONS: **Firms** intending to participate in design, manufacturing, fabricating, and installing contracts will be required to submit the following data. Such data shall be provided on a **separate** form attached to this statement using the paragraph numbering shown below.

For each General Category checked, a separate set of answers to these questions will be required. This questionnaire will be submitted **only once** and will be updated, if necessary, as required by the Department of Water Resources. Additional information may be required from your firm for particular projects.

A.– Design*

1. Submit an Organization Chart of your firm.
2. Describe the major design projects completed by your firm in the last five years. (Describe system or equipment designed, owner, where equipment is installed, and approximate cost of project covered by this design.)
3. List consulting firms engaged by your company within the past five years. List the specific projects on which they were employed and the nature of their services.
4. Give the location of your design offices.
5. List the number of engineers, technicians and draftsmen employed by your company and submit a brief resume of the experience of your supervisory personnel.
6. List any additional information you believe is important.

B.– Fabrication or Manufacture

1. Describe the major contracts completed in the last five years. (Describe equipment and ratings, location of installation, owner, and contract amount.)
2. How long has your firm been engaged in this type of manufacturing or fabrication?
3. Give location of major plant facilities.
4. Briefly describe each plant's capabilities, type manufacturing, crane sizes, size and description of major machine tools, etc. Pictures are desirable.
5. List the firms you normally engage to perform work, which is not within your capability. (Painting, castings, galvanizing, machining, etc.)
6. List sources or suppliers of major components.
7. List additional information you believe is important.

C.– Quality Control

1. Describe in detail your quality control program.
 - a. What is your procedure to insure that articles furnished to you have met specification requirements?
 - b. Describe the material testing facilities, which are available in your plant and those used outside your plant.
 - c. Describe how inspection records are maintained and what records are available to the Department
2. Submit your quality control manual.

D.– Laboratory and Testing Facilities

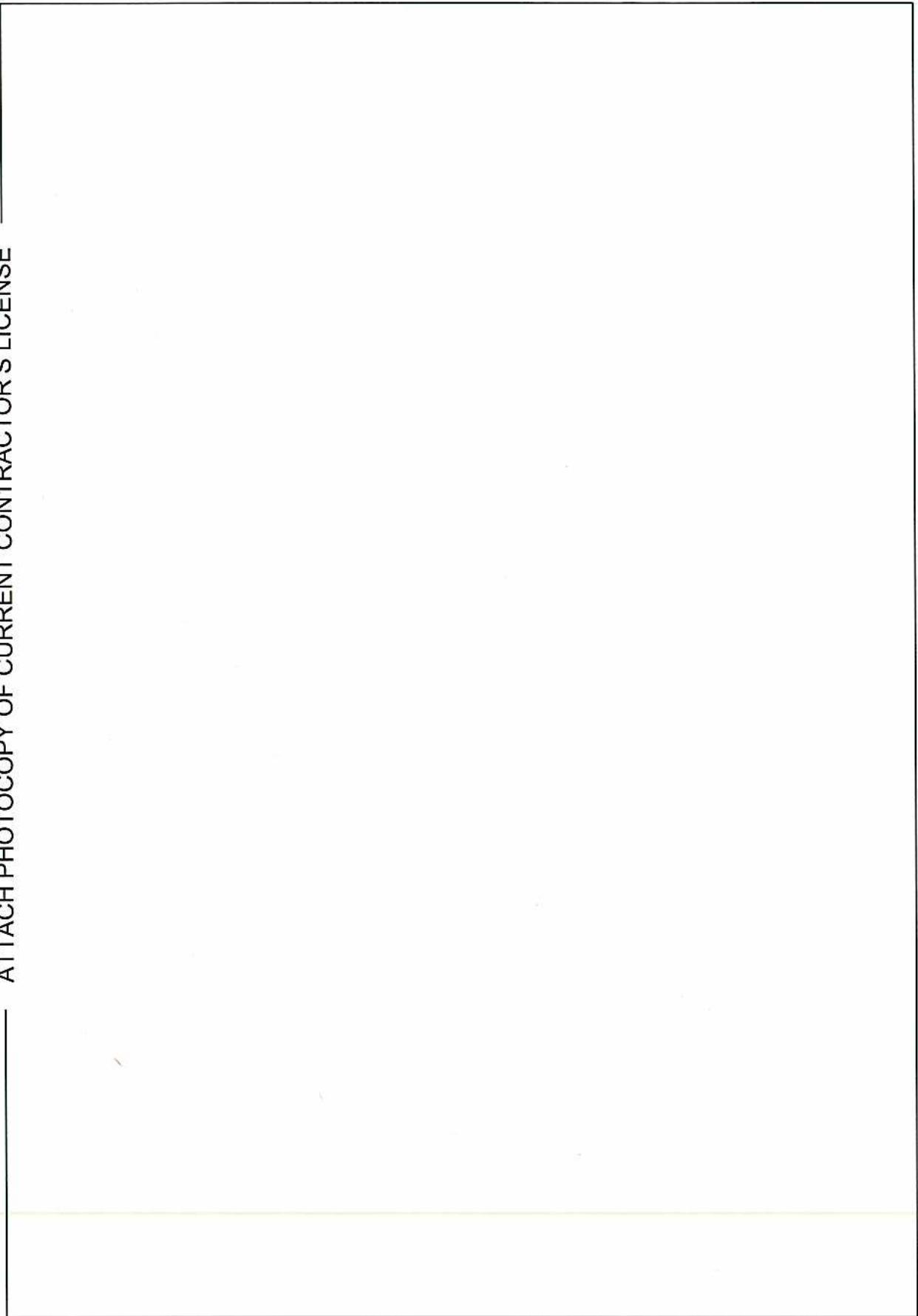
1. Describe laboratory and model testing facilities and give their location.
2. Describe equipment testing facilities and give their location.
3. What testing, if any, is normally contracted out? Describe and list firms engaged.

E.– Field Installation and Service

1. Describe how you install or erect the product you manufacture, i.e., subcontract, furnish erection engineers, install by own crews, etc.
2. Describe the training program regarding operation and maintenance, which is available to the Department.
3. Location of maintenance shops and parts storage warehouses.

* An affiliate company may be used to fulfill any portion of the design requirements. However, if an affiliate is used, an affiliate agreement shall be submitted for approval. An outline of the information required to be in the affiliate agreement may be obtained from the Department of Water Resources.

ATTACH PHOTOCOPY OF CURRENT CONTRACTOR'S LICENSE



BIDDING INFORMATION

1. A contractor who has prequalified and who desires drawings, specifications and bid forms should make a request in writing or may request plans and bid forms by telephone to the Department of Water Resources, P. O. Box 942836, Room 418, Sacramento, CA 94236, (916) 653-4867.
2. Two or more contractors who have prequalified by filing separate statements and who wish to combine their assets for bidding on a single project may do so by filing a Statement of Joint Venture provided by the Department. Such Statement will be valid only for the specific project mentioned therein. Should the contractors desire to continue to bid jointly, a joint prequalification statement should be filed for the joint venture. Attention is called to the "Contractors' License Law" with respect to the license requirements for joint venturers.

RATING FORMULA

Prequalification ratings by the Department are based on ten times working capital; subject to adjustment upon consideration of experience and performance factors.

Working capital may be augmented by submission of Statement of Bank Credit in a form prescribed by the Department.

PREQUALIFICATION LAW

(As of January 1, 2002)

10160. The department may require from prospective bidders answers to questions contained in a standard form of questionnaire and financial statement including a complete statement of the prospective bidder's financial ability and experience in performing public works. When completed, the questionnaire and financial statement shall be verified under oath by the bidder in the manner in which pleadings in civil actions are verified. Whenever prequalification is required of any bidder on a contract, it shall be required for all prospective bidders to that contract.

10163. The department shall adopt and apply a uniform system of rating bidders, on the basis of the standard questionnaires and financial statements, in respect to the size of the contracts upon which each bidder is qualified to bid. When bids for more than one project are to be received at the same bid opening, the department may permit a bidder to submit bids for each project within such bidders's prequalification rating, even though such rating is insufficient to permit the bidder to be awarded the contract for each project bid upon.

In no event shall any bidder be awarded a contract if such contract award would result in the bidder having under contract work for which prequalification is required in excess of that authorized by his prequalification rating. In determining whether an award of a contract would result in a bidder having under contract work in excess of that authorized by his prequalification rating, the department may use its estimated cost of such contract rather than the amount of the bidder's bid. If the department determines that a bidder would be awarded the contract for two or more projects but cannot be awarded the contract for all such projects because of the inadequacy of his prequalification rating, the department shall determine which of the bids of such bidder are to be accepted and the contract awarded thereon and which of the bids of such bidder are to be disregarded. In making its decision the department shall be guided by the combination of contract awards which will result in the lowest total cost for the projects involved.

10164. In all state projects where federal funds are involved, no bid submitted shall be invalidated by the failure of the bidder to be licensed in accordance with the laws of this state. However, at the time the contract is awarded, the contractor shall be properly licensed in accordance with the laws of this state. The contract shall not be awarded unless the state agency has verified that the contractor has a valid license in the appropriate classification for the work performed. Any bidder or contractor not so licensed shall be subject to all legal penalties imposed by law, including, but not limited to, any appropriate disciplinary action by the Contractors State License Board. The department shall include a statement to that effect in the standard form of prequalification questionnaire and financial statement. Failure of the bidder to obtain proper and adequate licensing for an award of a contract shall constitute a failure to execute the contract as provided in Section 10181 and shall result in the forfeiture of the security of the bidder.

10165. The questionnaires and financial statements are not public records and are not open to public inspection.

10166. The department shall furnish to each bidder a standard proposal form, which, when filled out and executed may be submitted as his bid. Bids not presented on forms so furnished shall be disregarded. The department shall not furnish proposal forms to any person who is required to submit and has not submitted a questionnaire and financial statement for prequalification at least FIVE days prior to the date fixed for publicly opening sealed bids and been prequalified for at least ONE day prior to that date.

Printed By
DWR Printing Production
Services

