



CITY OF CARMEL-BY-THE-SEA CITY COUNCIL AGENDA

Contact: 831.620.2000 www.ci.carmel.ca.us

Mayor Dale Byrne
Councilmembers Jeff Baron, Hans Buder, Bob Delves, and
Alissandra Dramov

All meetings are held in the City Council Chambers
East Side of Monte Verde Street
Between Ocean and 7th Avenues

Special Meeting Friday, June 12, 2026 3:00 PM

HYBRID MEETING ATTENDANCE OPTIONS

This meeting will be held in person and via teleconference ("hybrid"). The public is welcome to attend the meeting in person or remotely via Zoom, however, the meeting will proceed as normal even if there are technical difficulties accessing Zoom. The City will do its best to resolve any technical issues as quickly as possible. To view or listen to the meeting from home, you may also watch the live stream on the City's YouTube page at: <https://www.youtube.com/@CityofCarmelbytheSea/streams>. To participate in the meeting via Zoom, copy and paste the link below into your browser.

<https://ci-carmel-ca-us.zoom.us/j/85837076949>

Webinar ID: 858 3707 6949

Passcode: 262719

Dial in: (253) 215-8782

HOW TO OFFER PUBLIC COMMENT

The public may give public comment at this meeting in person, or use the Zoom teleconference module, provided that there is access to Zoom during the meeting. Zoom comments will be taken after the in-person comments. The public can also email comments to cityclerk@ci.carmel.ca.us. Comments must be received at least 2 hours before the meeting in order to be provided to the legislative body. Comments received after that time and up to the beginning of the meeting will be made part of the record.

PUBLIC COMMENT GUIDELINES FOR SPECIAL MEETINGS

During Special City Council Meetings, public comments are permitted on items listed on the agenda. After each item on the agenda is introduced, the Mayor will invite public comment on that item. Each speaker has 3 minutes to speak unless otherwise adjusted by the Mayor. While stating your name is optional, it helps to identify speakers in the meeting minutes. Remote or in-person participants who do not comply with the requirements of the Brown Act will be muted.

CALL TO ORDER AND ROLL CALL - 3:00 p.m.

ORDERS OF BUSINESS

Orders of Business are agenda items that require City Council discussion, debate, direction to staff, and/or action.

- 1) Receive a presentation on the executive recruitment process for a City Administrator, receive community input on desired City Administrator qualifications, and provide direction to staff
- 2) Resolution 2026-045 Establishing a Procedure for Prequalifying Contractors to Bid pursuant to California Public Contracts Code Section 20101 for the Centennial Restoration of the Harrison Memorial Library Project

ADJOURNMENT

This agenda was posted at City Hall, Monte Verde Street between Ocean Avenue and 7th Avenue, Harrison Memorial Library, located on the NE corner of Ocean Avenue and Lincoln Street, the Carmel-by-the-Sea Post Office, 5th Avenue between Dolores Street and San Carlos Street, and the City's webpage (<http://www.ci.carmel.ca.us>) in accordance with applicable legal requirements.

CORRESPONDENCE RECEIVED AFTER THE POSTING OF THE AGENDA

Any correspondence or supplemental materials related to items on this agenda that are received after the agenda has been posted will be distributed to the City Council and made available for public review at City Hall (Monte Verde Street between Ocean and Seventh Avenues) during regular business hours. Written comments emailed to the City Clerk will not be read aloud, but will be posted online with the related agenda at: <https://carmelbytheseaca.portal.civicclerk.com/>.

SPECIAL NOTICES TO PUBLIC

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at 831-620-2000 at least 48 hours prior to the meeting to ensure that reasonable arrangements can be made to provide accessibility to the meeting (28CFR 35.102-35.104 ADA Title II).



CITY OF CARMEL-BY-THE-SEA
City Council
Staff Report

June 12, 2026
ORDERS OF BUSINESS

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Marisa Bermudez, Acting Assistant City Administrator

APPROVED BY: Brandon Swanson, Acting City Administrator

SUBJECT: Receive a presentation on the executive recruitment process for a City Administrator, receive community input on desired City Administrator qualifications, and provide direction to staff

RECOMMENDATION:

Receive a presentation on the executive recruitment process for a City Administrator, receive community input on desired City Administrator qualifications, and provide direction to staff.

BACKGROUND / SUMMARY:

BACKGROUND

The City Administrator serves as the administrative head of the City of Carmel-by-the-Sea ("City") and is appointed by the City Council pursuant to Chapter 2.08 of the Carmel-by-the-Sea Municipal Code (**Attachment 1**). The City Administrator serves at the pleasure of Council and is selected based on administrative and executive ability and qualifications.

The City Administrator is responsible for the efficient administration of City operations and serves as the primary link between City Council policy direction and day-to-day municipal functions, and overall organizational leadership. The position also serves as the City Council's principal advisor on operational, financial, and organizational matters.

RECRUITMENT APPROACH

Recruitment of a City Administrator is one of the most significant responsibilities of the City Council. The City presents a highly visible and engaged community environment, with ongoing capital improvement and infrastructure investments and a strong commitment to preserving the City's historic character and unique village identity.

Cities generally use one of three approaches when recruiting a City Administrator:

1. Internal promotional recruitment
2. Human Resources–led recruitment
3. Executive recruitment firm (most common approach)

While internal or HR-led recruitments may be appropriate in certain circumstances, executive recruitment firms are the most commonly used approach among California cities for filling City Administrator positions. These firms provide specialized expertise, broader candidate outreach, confidential recruitment services, and executive-level screening and evaluation support.

Typical executive recruitment timelines range from approximately 3 to 6 months.

RECRUITMENT FIRM SELECTION PROCESS

Carmel Municipal Code Section 3.12.120 (Professional services) provides: The purchasing agent may utilize requests for qualifications and request for proposals, as desirable, when considering retention of professional services. As such, the City may solicit proposals from qualified executive recruitment firms for City Council consideration.

Staff recommends utilizing a Request for Proposals (RFP) process to identify and evaluate executive recruitment firms. An RFP provides the City with the most comprehensive information for evaluating firms by combining qualifications, municipal executive recruitment experience, recruitment methodology, candidate outreach strategies, project schedules, references, and cost proposals into a single solicitation process.

Based on staff's experience with multiple City Administrator recruitments, executive recruitment firms are generally similar in terms of cost, delivery timeline, and core service offerings. Where firms tend to differ most significantly is in the strength and depth of their direct candidate recruitment, national outreach networks, and ability to identify and evaluate highly qualified passive candidates. An RFP process allows the City to evaluate these distinctions and select the firm best positioned to support a successful recruitment.

Following selection of a recruitment firm, the consultant will assist the City Council in conducting the City Administrator recruitment process, including identifying desired candidate qualifications, outreach, screening, and presentation of qualified candidates for Council consideration.

Staff has included a sample of City of Monterey's recent City Manager recruitment firm selection process from its September 2, 2025 City Council Meeting for Council's reference. The City of Monterey staff report, item 9, is attached for reference (**Attachment 2**).

COUNCIL DIRECTION REQUESTED

Staff seeks City Council direction regarding the process for evaluating and selecting an executive recruitment firm. Potential approaches include:

- Human Resources Review and Recommendation – Similar to the City of Monterey process, City staff would review proposals from recruiting firms, evaluate qualifications, and return to the City Council with a short list of recommended firms for Council consideration and selection.
- City Council Subcommittee Review – The City Council could appoint a subcommittee to participate in proposal review and evaluation of recruitment firms, with a recommendation brought back to the full Council for consideration of the preferred firm or firms.
- Full City Council Review – All proposals could be presented directly to the City Council for review and discussion, with selection occurring during a public meeting.

Staff recommends the Human Resources Review and a short-listed recommendation approach, as it provides the most efficient and administratively streamlined process while preserving the City Council's authority to interview, evaluate, and select the final recruitment firm.

PUBLIC INPUT ON DESIRED QUALIFICATIONS

The Council has expressed a desire to receive direct input from the public regarding desired qualifications and attributes of the new City Administrator. This meeting presents an opportunity for the public to share those thoughts with Council early in the process, so participation is encouraged. Additionally, potential recruitment firms will be able to consider this feedback as part of their candidate search. This will not be the only opportunity for the public to share their thoughts on this topic with Council.

FISCAL IMPACT:

The cost of most municipal executive recruiting firms for a City Administrator recruitment ranges from \$26,000 – \$37,000. The FY 26/27 budget contains sufficient fund allocation for this purpose.

PRIOR CITY COUNCIL ACTION:

On June 4, 2026, there was a special City Council meeting and the Council gave direction at that time for an open session to be held on June 12, 2026 from 3pm to 5pm

to discuss how to proceed in regard to a recruitment process for the City Administrator.

ATTACHMENTS:

1. Carmel Municipal Code Chapter 2.08 CITY ADMINISTRATOR
2. Monterey Council Regular Meeting Agenda Packet - 9-2-2025

City of Carmel-by-the-Sea, CA
Tuesday, June 9, 2026

Title 2. Administration and Personnel

Chapter 2.08. CITY ADMINISTRATOR

[1] *For statutory provisions on the City Administrator, see Government Code § 34851 et seq. and § 36510.
Note: Ord. 77-22, codified in this chapter, was re-enacted in a City election, November 6, 1979.*

§ 2.08.010. Office Established.

The office of City Administrator is established. The City Administrator shall be selected by and appointed by the City Council on the basis of administrative and executive ability and qualifications and shall hold office for and during the pleasure of the City Council, under the provisions set forth in this chapter.

(Ord. 77-22 § 1, 1977; Code 1975 § 230)

§ 2.08.020. Eligibility.

No member of the City Council shall be eligible for appointment as City Administrator within one year following termination of service on the City Council.

(Ord. 77-22 § 1, 1977; Code 1975 § 231.1)

§ 2.08.030. Bond.

The City Administrator and any acting City Administrator shall furnish a corporate surety bond, to be approved by the City Council, in such sum as may be determined by the City Council, and shall be conditioned upon the faithful performance of the duties imposed upon the Administrator by this chapter.

The cost of such bond shall be borne by the City.

(Ord. 77-22 § 1, 1977; Code 1975 § 231.2)

§ 2.08.040. Acting Administrator – Appointment.

The City Council may also appoint an Assistant City Administrator to serve as acting Administrator during the temporary absence or disability of the City Administrator. If there is no Assistant City Administrator, the City Administrator shall file with the Mayor (or Mayor Pro Tempore) or in the Mayor/Pro Tempore's absence the City Clerk or Deputy or Assistant City Clerk, a written notice designating a qualified City employee to exercise the powers and perform the duties of the office during the Administrator's temporary absence or disability. In making such delegation, the City Administrator may specifically exclude certain powers and/or duties of the office, in which case those powers shall revert to the City Council for the period of such delegation. In the event the City Administrator's absence or disability extends beyond 60 days, the City Council may appoint an acting City Administrator of its own selection.

(Ord. 77-22 § 1, 1977; Code 1975 § 231.3)

§ 2.08.050. Compensation.

- A. The City Administrator shall receive such compensation as the City Council shall, from time to time, determine.
- B. In addition to compensation, the City Administrator shall be reimbursed for all actual and necessary expenses incurred in the performance of official duties.
- C. On termination of employment of the City Administrator by reason of involuntary removal from office, other than for willful misconduct in office, the City Administrator shall receive cash severance pay in a lump sum equal to one month's pay for each year of continuous service, or major fraction thereof, as City Administrator, up to a maximum of six months' pay, such pay to be computed at the highest salary received during service as City Administrator. Involuntary removal from service shall be construed to include voluntary termination of service immediately following a reduction in compensation not applicable to all employees of the City.

(Ord. 77-22 § 1, 1977; Code 1975 § 231.4)

§ 2.08.060. Powers and Duties.

The City Administrator shall be the administrative head of the government of the City, under the direction and control of the City Council. The Administrator shall be responsible for the efficient administration of all of the affairs of the City which are under the Administrator's control, and responsible therefor to the City Council. In addition, and not as a limitation of the general powers of the office, the Administrator shall have the duty and the powers set forth in the following:

- A. Enforcement of Laws. It shall be the duty of the City Administrator to assure that all laws and ordinances of the City are enforced and that the orders of the City Council are carried out.
- B. Fiscal and Budgetary Matters. The City Administrator shall supervise and be responsible for all fiscal and budgetary matters, advising the City Council on the financial needs of the City, current and future, and shall supervise budget preparation and control, and shall propose an annual salary plan for the City Council.
- C. Powers Over Employees. The City Administrator shall be responsible for all employee actions, including recruiting, employment, appointment, advancement, and discharge, with the exception of actions relating to the City Attorney and City Treasurer which shall be carried out by the City Council.
- D. Direction of Departments. As the head of the City's management team, the City Administrator shall be responsible for and shall provide administrative direction for the day-to-day operation of all departmental activities.
- E. Support of the City Council. The City Administrator shall be responsible to the City Council for the preparation of agendas, for the provision of all necessary clerical functions for the Council, and the maintenance of necessary records.
- F. Control of Expenditures and Purchasing. It shall be the duty of the City Administrator to supervise and control expenditures of City funds. The City Administrator shall be responsible for the purchase of all supplies and services for all departments.
- G. Public Works and Public Buildings and Grounds. The City Administrator shall exercise general supervision over all public buildings, public parks, and all other public property under the jurisdiction of the City Council. The Administrator shall review the scheduling of all public works, including street, sidewalk and storm drain projects and repairs, to assure that such projects and repairs create the minimum interference with the normal activities of the community.
- H. Additional Duties. It shall be the duty of the City Administrator to perform such other duties and to exercise such other powers as may be delegated from time to time by the City Council.

(Ord. 77-22 § 1, 1977; Ord. 78-5 § 1, 1978; Code 1975 § 232)

§ 2.08.070. Internal Relations.

- A. Council-Administrator Relations. The City Council and its members shall deal with the administrative services and department heads of the City only through the City Administrator, except for the purpose of inquiry, and neither the City Council nor any member thereof shall give orders or instructions to any subordinates of the City Administrator. The City Administrator shall take orders and instructions from the City Council only when it is sitting in a duly convened meeting, and no individual Council member shall give any orders or instructions to the City Administrator.
- B. Departmental Cooperation. It shall be the duty of all subordinate officers, including department heads, the City Attorney, the City Engineer and the City Treasurer to assist the City Administrator in administering the affairs of the City efficiently, economically and harmoniously.
- C. Attendance at Commission and Committee Meetings. The City Administrator may, and upon request of the City Council shall, attend all meetings of the Planning Commission, the Library Board, the Community and Cultural Commission, the Forest and Beach Commission, the Community Activities Recreation Commission, and any other commission, board, or committee created by the City Council. At such meetings, the City Administrator shall be recognized and heard by the presiding bodies on all matters upon which the Administrator wishes to address such body.
- D. Appeals of Commission or Committee Decisions. Notwithstanding any other provisions of this code, and consistent with State law, the City Administrator may appeal any decision of any commission, board, or committee created or appointed by the City Council. The appeal shall follow the procedures established for other appeals, except that no fee shall be required. In making such appeal, the City Administrator shall have the same rights, privileges, and responsibilities as any other appellant.

(Ord. 77-22 § 1, 1977; Ord. 98-2 § 1, 1998; Code 1975 § 234)

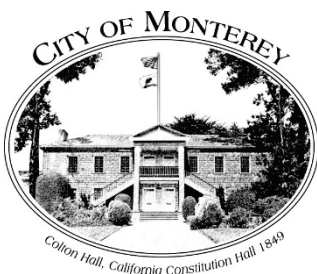
§ 2.08.080. Removal of the City Administrator.

The City Administrator serves at the pleasure of the City Council and may be removed by a four-fifths vote of the full City Council. In removing the City Administrator, the Council has absolute discretion and its action is final and conclusive and does not depend upon any findings. (Initiative Measure, November 8, 1983; Ord. 77-22 § 1, 1977; Code 1975 § 233).

§ 2.08.090. Agreements on Employment.

Nothing in this chapter shall be construed as a limitation on the power or authority of the City Council to enter into any supplemental agreement with the City Administrator to establish additional terms and conditions of employment not inconsistent with any provisions of this chapter.

(Ord. 77-22 § 1, 1977; Code 1975 § 235)



Council Chamber
580 Pacific St.
Monterey, California

CITY COUNCIL AGENDA

Council Regular Meeting and
Closed Session

Tuesday, September 2, 2025

4:00 PM

Mayor
Tyller Williamson

Councilmembers
Kim Barber, District 1
Ed Smith, District 2
Jean Rasch, District 3
Gino Garcia, District 4

City Manager
Hans Uslar

City Attorney
M. Christine Davi

HOW TO PARTICIPATE IN THIS MEETING:

- **In-Person:** At the meeting location listed above.
- **Remotely via ZoomGov webinar:**
 - On a computer or smartphone: <https://monterey-org.zoomgov.com/j/1607729333>
Zoom software must be up-to-date. For help, please use our [Zoom Meeting Instructions](#).
 - By telephone dial 833-568-8864 (Toll Free), 669-254-5252 (CA) or 646-828-7666 (NY). If one number doesn't work, please try another. Enter Webinar ID: **160 772 9333 #** If asked for participant ID, press #. To raise your hand (or lower it), dial *9. Once called upon, dial *6 to unmute.
- This meeting will also stream live for viewing only on youtube.com/cityofmonterey (~10 second delay) and on Comcast Channel 25 (up to 90 second delay).
- **Written comment:** Emailed comments to cityclerk@monterey.gov sent no later than ½ hour before the start of the meeting (sooner preferred) are not read aloud but are made available to the Council and public at monterey.gov/submitted-comments.

PUBLIC COMMENT PROCEDURES AND TIME LIMITS:

The total amount of time allocated for public comment on a particular issue and for each individual speaker is generally as follows:

1. Up to three minutes per speaker.
2. For regular City Council meetings, there are two 15-minute public comment periods, one in the afternoon and one in the evening. Speakers may only comment during one session.
3. The total time allocated for public comment:
 - a. 30 minutes per item – Public Appearance and Public Hearing items
 - b. 15 minutes per item – All other items (including, but not limited to, Consent, Closed Session, Presentations, and Requests to Agendize)

At the time an item is considered, the Mayor will ask those attending the meeting in person to line up at the podium or raise their hands, and for remote participants to use *9 on the telephone or the “raise hand” function in Zoom, if they wish to address the City Council. The maximum amount of time for each person to speak and the total amount of time allotted for each item will be determined based on the number of people indicating an interest in speaking and the amount of business to be conducted on the agenda. In exceptional circumstances and when necessary to ensure a full opportunity for public input, the Mayor may, with the legislative body's consent, adjust the amount of time allowed for public input and/or the time allotted for each speaker.

CAMPAIGN CONTRIBUTION DISCLOSURE: Pursuant to the Levine Act (Govt. Code §84308), any party to a permit, license, contract, or other entitlement before the Council is required to disclose on the record any contribution, including aggregated contributions, of more than \$500 made by the party or the party's agents within the preceding 12 months to any City official. Participants and agents are requested to make this disclosure as well. The disclosure must include the name of the party, participant, or agent, and any other person making the contribution; the name of the recipient, the amount of the contribution, and the date the contribution was made.



Council Agenda Report

Date: 9/2/2025

Item No.: 9.

FROM: Brette Neal, Human Resources Director
Prepared By: Gina Russo, Assistant Human Resources Director

SUBJECT: Receive Presentations from Selected Recruitment Firms for the City Manager Recruitment and Award of Contract to Selected Firm (Not a Project Under CEQA, Per Article 20, Section 15378 and Under General Rule Article 5, Section 15061)

RECOMMENDATION:

It is recommended that the City Council:

1. Receive presentations from selected recruitment firms for the City Manager recruitment.
2. Select a firm and award the executive recruitment contract.

VALUE DRIVERS:

Develop and retain a quality workforce – Provide sufficient resources and support to develop, retain, and recruit a high-quality city workforce.

POLICY IMPLICATIONS:

Inviting presentations from executive recruiters as part of the City Manager recruitment process promotes transparency, encourages competition, and enables informed decision-making in the selection of recruitment services.

CAMPAIGN DISCLOSURE REQUIREMENT (LEVINE ACT) APPLIES: Yes.

FISCAL IMPLICATIONS:

The total not-to-exceed costs for professional services fee and expenses are up to \$36,800. Optional services are available at additional costs which will be dependent on the selected recruiter. The cost for this recruitment will be absorbed in the Human Resources Department FY 25/26 budget.

ENVIRONMENTAL DETERMINATION:

The City of Monterey determined that the proposed action is not a project as defined by the California Environmental Quality Act (CEQA)(CCR, Title 14, Chapter 3 (“CEQA Guidelines),

Agenda Report Highlights

- City Council will hear presentations from three selected recruitment firms for the City Manager recruitment: Bob Murray & Associates, Ralph Andersen and Associates, and WBCP, Inc.
- The recruitment process aims to develop and retain a high-quality city workforce while promoting transparency and informed decision-making.
- The total cost for professional services is capped at \$36,800, with optional services available at additional costs.
- A thorough review of 14 proposals was conducted, considering qualifications, outreach, representation, and cost structure.

Article 20, Section 15378). In addition, CEQA Guidelines Section 15061 includes the general rule that CEQA applies only to activities which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Because the proposed action and this matter have no potential to cause any effect on the environment, or because it falls within a category of activities excluded as projects pursuant to CEQA Guidelines section 15378, this matter is not a project. Because the matter does not cause a direct or any reasonably foreseeable indirect physical change on or in the environment, this matter is not a project. Any subsequent discretionary projects resulting from this action will be assessed for CEQA applicability.

ALTERNATIVES CONSIDERED:

Council could decide not to hear presentations from executive recruiters and/or not award a contract.

DISCUSSION:

A request for proposal (RFP) was sent to twenty recruitment firms and posted on the City of Monterey's Procurement Portal. The Human Resources Department received and reviewed 14 responses. The review considered several factors, including qualifications and experience, broad candidate outreach and representation, and cost and fee structure. Based on an overall assessment, staff has selected three (3) firms to present their proposals to Council. Council will receive presentations from: Bob Murray & Associates, Ralph Andersen and Associates and WBCP, Inc.

Staff will be available for any questions.

BN/gr

Attachments: 1. Resolution
2. Bob Murray and Associates Proposal
3. Ralph Anderson and Associates Proposal
4. WBCP, Inc. Proposal

e: Christine Davi, City Attorney
Rafaela King, Finance Director

Writings distributed for discussion or consideration on this matter within 72 hours prior to the meeting, pursuant to Government Code § 54957.5, will be made available at the following link: <https://monterey.gov/Submitted-Comments>

RESOLUTION NO. __ - __ C.S.

A RESOLUTION OF THE COUNCIL OF THE CITY OF MONTEREY

AWARDING THE CITY MANAGER RECRUITMENT CONTRACT TO _____

WHEREAS, the City’s current City Manager will be retiring in December 2025, and a recruitment needs to be conducted to find a qualified replacement;

WHEREAS, the City Council directed staff to conduct requests for proposals, and three selected recruitment firms presented their proposals to Council at the meeting of September 2, 2025;

WHEREAS, at the meeting of September 2, 2025, the City Council selected _____ as the recruitment firm to which it would award the contract for the City Manager recruitment; and

WHEREAS, The City of Monterey determined that the proposed action is not a project as defined by the California Environmental Quality Act (CEQA)(CCR, Title 14, Chapter 3 (“CEQA Guidelines), Article 20, Section 15378). In addition, CEQA Guidelines Section 15061 includes the general rule that CEQA applies only to activities which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Because the proposed action and this matter have no potential to cause any effect on the environment, or because it falls within a category of activities excluded as projects pursuant to CEQA Guidelines section 15378, this matter is not a project. Because the matter does not cause a direct or any reasonably foreseeable indirect physical change on or in the environment, this matter is not a project. Any subsequent discretionary projects resulting from this action will be assessed for CEQA applicability.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTEREY that the above recitals are true and correct and are hereby incorporated and adopted as findings of the City Council as if fully set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTEREY that it hereby authorizes the City Manager to execute a professional services agreement with the recruitment firm of _____ to conduct the City Manager recruitment.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF MONTEREY this _____ day of _____, 202_, by the following vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:

APPROVED:

ATTEST:

Mayor of said City

City Clerk thereof



**BOB MURRAY
& ASSOCIATES**

Experts In Executive Search

A Proposal to Conduct an Executive Recruitment

for the Position of

CITY MANAGER

on behalf of the



1544 Eureka Road, Suite 180
Roseville, CA 95661
(916) 784-9080
(916) 784-1985 fax

August 20, 2025

Mayor Tylller Williamson and
Members of the City Council
City of Monterey
580 Pacific Street
Monterey, CA 93940

Submitted via email to: grusso@monterey.org

Dear Mayor Williamson and Members of the City Council:

Bob Murray & Associates is pleased to submit a proposal to conduct the City Manager recruitment for the City of Monterey. The following details our unique qualifications and describes our systematic–yet flexible–method of identifying, recruiting, and screening outstanding candidates on your behalf. Bob Murray & Associates is proud to offer straightforward, *all-in pricing*, eliminating surprises and making the experience simple and stress-free. This proposal includes information on our proven process, a timeline, and a guarantee.

As the premier public sector executive search firm specializing in positions that report directly to elected boards/councils, we understand the unique dynamics, high expectations, and political acumen required of leaders in these critical roles. We don't just fill positions—we ensure the candidates we present to City of Monterey are well-aligned with your organization's goals, values, and culture. Our team is composed of experienced executive recruiters and former public-sector executives—professionals who are passionate about public service and attuned to current trends in government leadership. With over 34 years of experience and a network of more than 40,000 professionals and organizations, we've built a strong reputation for delivering exceptional candidates and achieving repeat success with our clients.

Bob Murray & Associates recognizes that we work at the pleasure of the City Council and our job is to facilitate the Council in finding the City's next City Manager. Our best practice is to establish a strong partnership with the Council, to ensure the placement of a City Manager who is ideally suited to its needs. In developing this collaborative approach, we will seek the opportunity to meet with the council members individually to discuss their expectations for the City's new City Manager. The feedback received from the council members will be essential in providing guidance when recruiting and screening candidates for the position.

Current and recent recruitments we have completed similar in scope to your upcoming search include the following:

2025

Eugene, OR (City Manager) - *current*
 Davis, CA (City Manager) - *current*
 Folsom, CA (City Manager)
 Live Oak, CA (City Manager)
 Oakdale, CA (City Manager)
 Dallas County, TX (Assistant County Administrator)
 Fowler, CA (City Manager)
 Louisville, CO (City Manager)

2024

Vernon, CA (City Administrator)
 Folsom, CA (City Manager)
 Murrieta, CA (City Manager)
 Aliso Viejo, CA (City Manager)
 Hayward, CA (City Manager)
 Manhattan Beach, CA (City Manager)
 Emeryville, CA (City Manager)
 Reno, NV (City Manager)
 Clovis, CA (City Manager)
 Clayton, CA (City Manager)
 Vancouver, WA (City Manager)
 Orinda, CA (City Manager)
 Pinole, CA (City Manager)
 Novato, CA (City Manager)
 Saratoga, CA (City Manager)
 Sparks, NV (City Manager)
 Salinas, CA (City Manager)
 Pacific Grove, CA (City Manager)
 Marin County, CA (County Administrator)

2023

Auburn, CA (City Manager)
 Desert Hot Springs, CA (City Manager)
 Downey, CA (City Manager)
 Merced, CA (City Manager)
 Moraga, CA (Town Manager)
 Piedmont, CA (City Administrator)
 Rio Vista, CA (City Manager)
 San Bruno, CA (City Manager)
 San Marino, CA (City Manager)
 San Rafael, CA (City Manager)
 San Ramon, CA (City Manager)
 Santa Clara, CA (City Manager)
 South Gate, CA (City Manager)

Ventura, CA (City Manager)
Winters, CA (City Manager)
Yountville, CA (Town Manager)

We are also very familiar with the region as we have recently completed the following recruitments in your area:

2025

Monterey County, CA (Public Defender) - *current*
Marina, CA (Assistant City Manager) - *current*
Monterey Peninsula Regional Park District, CA (General Manager)
Monterey County, CA (Assistant Director of Social Services)

2024

Pacific Grove, CA (City Manager)
Pacific Grove, CA (Police Chief)
Salinas, CA (City Manager)
CSU Monterey Bay, CA (Chief of Police)
Monterey County, CA (County Counsel)
Salinas, CA (Chief of Police)

2023

Monterey County, CA (Human Resources Director)
Monterey Regional Waste Management District, CA (Assistant Director of Operations)
Monterey County Water Resources Agency, CA (General Manager)

2022

Monterey County, CA (County Administrative Officer)

We work as a team on every search at Bob Murray & Associates. Your Project Lead would be Valerie Gaeta Phillips, Gary Phillips, or Stephanie Dietz, who would not only direct and supervise the project team from beginning to end but also serve as the Recruiter for the project as well.

To learn first-hand about the quality of our services and why the majority of our engagements come from repeat and referred clients, we invite you to contact the references listed on page 15 of the attached proposal.

We look forward to your favorable consideration of our qualifications. Please do not hesitate to contact us at (916) 784-9080 with any questions.

Sincerely,



Valerie Gaeta Phillips
President, Bob Murray & Associates

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THE RECRUITMENT PROCESS

Bob Murray & Associates' recruiters are specialists in finding positive placements and providing security and fairness to candidates and clients while ensuring the integrity of the search process. Outlined below are the steps in our proven recruitment process, refined through our 34+ years of experience in executive recruiting.

STEP 1 DEVELOP THE CANDIDATE PROFILE

Our understanding of the City of Monterey's needs will be key to a successful search. Ms. Gaeta Phillips, Mr. Phillips, or Ms. Deitz will meet virtually with the City and key stakeholders to learn as much as possible about the ideal candidate for the City Manager position. Key stakeholders often include:

- Council/Board Members - up to five virtual one-on-one meetings with the Recruiter
- Internal Stakeholders (e.g. Department Heads) - up to two virtual group meetings with the Recruiter
- External Stakeholders (e.g. Chamber of Commerce, Community Groups) - one virtual one-on-one or group meeting with the Recruiter

Internal and External Stakeholders

We find that many of our clients value a recruitment process that opens the opportunity for employees, community members, business leaders, and organization representatives to provide input regarding the ideal candidate. Our recruiters are skilled in virtually facilitating group staff meetings, forums for the business community, and/or town hall meetings that provide for equitable involvement from a variety of constituencies.

If the City of Monterey desires, we will work with the City to create a customized virtual community and/or staff input process. *Please note: Virtual facilitation of stakeholder meetings is included in the professional fee. On-site Recruiter facilitation is available for an additional fee - please refer to "Costs and Guarantee" on page 7 for pricing information.*

Online Stakeholder Surveys

Sometimes clients are seeking input from a wider range of stakeholders—such as community members, business leaders, and organization representatives—online surveys are ideal to solicit input regarding qualities of the ideal candidate. Our experienced recruiters excel at crafting targeted, thoughtful, open-ended questions and can design a customized survey, providing a link for easy sharing on your website. After closing, your dedicated Recruitment Coordinator will send you the survey

response data for your review and analysis. This proposal includes one Online Survey. Additional Online Surveys are available under Optional Services (please refer to page 7).

We want to become familiar with the values and culture of the organization, as well as to understand the current and future issues, challenges, and opportunities in the City of Monterey.

Ms. Gaeta Phillips, Mr. Phillips, or Ms. Deitz will review and help define the City's wish-list regarding the ideal candidate's personality, management style, knowledge, skills, and abilities and will work with the City to identify expectations regarding education and experience. The City and Ms. Gaeta Phillips, Mr. Phillips, or Ms. Deitz will discuss compensation, benefits, and other key information necessary to ensure that outstanding candidates are attracted to this opportunity. The profile we develop together at this stage will drive subsequent recruitment efforts.

STEP 2 DESIGN/DISTRIBUTE BROCHURE AND ADVERTISEMENTS

Ms. Gaeta Phillips, Mr. Phillips, or Ms. Deitz and your dedicated Recruitment Coordinator will use the candidate profile developed with the City of Monterey to create a professional recruitment brochure, with the assistance of our professional graphic designer. The four-page, full-color brochure will describe the community, organization, position, ideal candidate, and compensation and will include pictures provided by the City of Monterey that you feel best represent your organization and your community.

Upon your approval, Ms. Gaeta Phillips, Mr. Phillips, or Ms. Deitz will send the brochure by email (and postal mail if desired) to a targeted audience, personally inviting potential candidates to apply for the City Manager position. We will also place the recruitment brochure on our [website](#), which attracts over 11,000 unique hits weekly and is a trusted resource for candidates seeking executive and professional positions. Two sample brochures are included in this proposal package for your reference.

Ms. Gaeta Phillips, Mr. Phillips, or Ms. Deitz will also design an effective advertising campaign appropriate for the City Manager recruitment. Our broadest outreach comes through our active social media involvement on LinkedIn as well as our monthly newsletter where upcoming and current positions are featured. Sources such as *Western City Magazine*, PublicCEO, and the Careers in Government website will be used to reach an extensive local government audience, while position-specific postings will be chosen to attract candidates who have built their careers in and are committed to the City Manager field.

Suggested City Management-specific advertising sources for the City of Monterey's search include:

- League of California Cities
- International City/County Management Association
- California City Management Foundation
- National League of Cities

Bob Murray & Associates does not typically place ads with job aggregators or general job posting sites such as CareerBuilder, Monster, or Indeed, as we have found that the broad reach of these sites does not necessarily lead to quality candidates for executive and professional positions.

Reaching Diverse Candidates

Bob Murray & Associates, a woman- and minority-owned business, is **proud of its commitment to attracting and placing diverse candidates**. Nearly 50% of our last 100 placements were women; Hispanic placements 25%; African American placements 13%; Asian placements 21%; and Native American placements at 1%. Not only do we place advertisements with websites designed to attract minority and female candidates, but our President, Valerie Phillips, is a member herself of many diversity-focused organizations including the Local Government Hispanic Network, the League of Women in Government, the Professional Women's Network, Mexican Professionals, and Women Leading Government. She networks frequently with fellow members to gain insight into which potential candidates are leaders in their field.

Ms. Gaeta Phillips, Mr. Phillips, or Ms. Deitz will seek to reach candidates in communities and organizations with demographic profiles and populations served like that of the City of Monterey, to maximize the potential for individuals from a wide variety of backgrounds, cultures, and life experiences to be considered for the City Manager position.

STEP 3 RECRUIT CANDIDATES

The strongest candidates are often those who are successful and content in their current positions and need to be sold on a new opportunity. Our extensive network of contacts, developed through **over 2,100 successful placements**, is a primary source for identifying and obtaining referrals for these candidates. Our in-house database of 40,000 current and former executive and professional candidates is a valuable resource that can only be built over time—time that we have invested into perfecting our process for finding the right candidates for our clients. Our aggressive outreach efforts are focused on phone calls to personally invite potential applicants, answer questions, and allay any reservations, and these efforts are essential to the success of the City Manager recruitment.

STEP 4 SCREEN CANDIDATES

Following the closing date for the recruitment, Ms. Gaeta Phillips, Mr. Phillips, or Ms. Deitz will screen all resumes we have received, using the criteria established in the candidate profile as a basis upon which to narrow the field of candidates. Internal candidates receive sensitive consideration, and your Recruiter will discuss with the City how the City of Monterey wishes to proceed with these candidates.

STEP 5 CONDUCT PRELIMINARY INTERVIEWS

Your Recruiter will personally interview the top 10 to 15 candidates from the resume screening, with the goal of determining which candidates have the greatest potential to succeed in your organization. To reduce travel-related expenses to our clients and increase efficiency in the search process, these interviews are typically conducted via Zoom, Teams, or other convenient videoconferencing applications.

STEP 6 SEARCH PUBLIC RECORDS

Under the direction of Ms. Gaeta Phillips, Mr. Phillips, or Ms. Deitz, your dedicated Recruitment Coordinator will conduct a review of published print and online articles for each recommended candidate. Sources include Lexis-Nexis™, Google, social media, and our contacts in the field. This will alert Ms. Gaeta Phillips, Mr. Phillips, or Ms. Deitz to any further detailed inquiries we may need to make before our recommendations are finalized.

STEP 7 MAKE RECOMMENDATIONS

Based on our findings during the preliminary interview process, Ms. Gaeta Phillips, Mr. Phillips, or Ms. Deitz will meet with the City virtually or on site to share the complete applicant list and recommend a limited number of candidates for your further consideration. Your Recruiter will make specific recommendations and will help facilitate discussions regarding the candidate pool, but the final determination of interviewees will be up to you.

We typically recommend 6-8 candidates that we feel best match your expectations and prepare a detailed report on each candidate. This virtual "Recommended Finalist" eBook is provided to each member of the decision-making body and includes:

- Candidate list with Recommended Finalists identified in *Group 1* and *Group 2* (primary and secondary recommendations), as well as *Internal* candidates
- Summary of experience and education for each Recommended Finalist candidate
- Complete cover letter and resume for each Recommended Finalist candidate

- List of *Other Applicants* (those who did not meet minimum qualifications or were otherwise unsuitable, based on our screening process)

Bob Murray & Associates maintains all search records for a period of seven (7) years following each recruitment, and we are happy to forward cover letters and resumes for each applicant by postal mail or email as soon as the recruitment closes to new applications.

STEP 8 FACILITATE PANEL INTERVIEWS

Our years of experience will be invaluable as we help you develop an interview process that objectively assesses the qualifications of each candidate. We will work with the City of Monterey to craft and implement an interview approach that fits your needs. This may include panel and/or individual interviews by the City; key stakeholders, community/employee interview panels; writing and presentation samples; meet-and-greets; or other specialized process elements your Recruiter helps the City of Monterey to design.

Ms. Gaeta Phillips, Mr. Phillips, or Ms. Deitz will be present on-site during the panel interviews to facilitate as necessary during the process and to guide discussion to consensus regarding final candidates. Bound interview books will be provided for each interview panel member containing:

- Recruitment brochure with candidate profile
- Interview schedule
- Suggested interview questions
- Experience summary, cover letter, resume, and rating form for each candidate
- Ranking forms for use during the panel interview process

We will work closely with your staff to coordinate and schedule interviews. Our goal is to ensure that each candidate has a positive experience, as the way the entire process is conducted will influence the final candidates' perception of your organization.

STEP 9 CONDUCT BACKGROUND AND REFERENCE CHECKS

Ms. Gaeta Phillips, Mr. Phillips, or Ms. Deitz and your Recruitment Coordinator will conduct detailed reference checks for up to two (2) final candidates. To gain an accurate and honest appraisal of the candidates' strengths and weaknesses, we will talk candidly with people who have direct knowledge of their work and management style. In addition to gaining a 360-degree view of candidates from the perspective of their supervisors, subordinates and peers for the past several years, we will make a point of speaking confidentially to individuals who may have further insight into a candidate's abilities but who may not be on their preferred list of contacts.

Your Recruitment Coordinator will work with the two (2) final candidates and our professional backgrounding firm, HireRight, to conduct credit, civil litigation, and motor vehicle record checks and verify candidates' degrees.

STEP 10 ASSIST IN NEGOTIATIONS

We recognize the critical importance of successful negotiations and can serve as your representative during this process. Ms. Gaeta Phillips, Mr. Phillips, or Ms. Deitz know what other organizations have done to put deals together with great candidates and what the current market is like for City Manager positions in organizations like the City of Monterey's. Ms. Gaeta Phillips, Mr. Phillips, or Ms. Deitz will be available to advise you regarding current approaches to difficult issues, such as housing and relocation. We will represent your interests and advise the chosen candidate and you regarding salary, benefits, and employment agreements, with the goal of putting together a deal that results in the appointment of your chosen candidate. With our proven experience and vested interest in a positive outcome, we can turn a very difficult aspect of the recruitment into one that is straightforward and agreeable for all parties involved.

COMPLETE ADMINISTRATIVE ASSISTANCE

We receive many unsolicited testimonials each year from clients and candidates alike noting our prompt, considerate, accurate, and professional service during the search process. Throughout the recruitment, in time intervals that suit the City of Monterey, we will provide you with updates on the status of the search and attend to all administrative details on your behalf.

Candidates receive immediate acknowledgement of their applications, as well as personal phone calls and/or emails (as appropriate) advising them of their status at each critical point in the recruitment. Candidates who receive preliminary or final interviews and are not chosen to move forward in the interview process will receive personal calls from your Recruiter on behalf of the City of Monterey.

It is our internal company standard that all inquiries from clients and candidates receive a response within the same business day whenever possible, and certainly within 24 hours if the inquiry is received during the work week. Your Recruiter will be available to the City of Monterey by office phone, cell phone, and email at any time to ensure a smooth and stress-free recruitment process.

COSTS AND GUARANTEE

PROFESSIONAL FEE AND EXPENSES

The **all-inclusive professional services fee** for conducting the City Manager recruitment on behalf of the City of Monterey is **\$35,000**. Services provided for in this fee consist of all steps outlined in this proposal, including design and distribution of the recruitment brochure, advertising, marketing and promotion, administrative support, public records research, comprehensive background reporting on the final candidates, postage, technology, and two (2) days of on-site meetings. This proposal is valid for 60 days from the date of the proposal.

*Optional Services are listed below and are in addition to the professional services fee. Expense reimbursement for **Consultant travel** related to additional on-site meeting days is billed at the actual rate (airfare/mileage, lodging) and is the responsibility of the City of Monterey.*

The professional fee does not limit the amount of time invested by Bob Murray & Associates in promoting a successful outcome for this project. In fact, our mission for this project is to ensure we assist in identifying the right candidate for the City of Monterey. Therefore, your Recruiter will contact the City at the first anniversary of the placement to confirm an effective transition has occurred.

Optional Services

- **Additional virtual stakeholder meetings:** \$250/meeting
- **Additional on-site meeting days:** \$1,500/day/Consultant, plus travel expenses
- **Online Surveys:** \$500/each (includes preparing recommended questions, preparing and sharing the survey link, closing the survey, and sending the survey response data for your review and analysis)
- **Additional background checks:** \$300/candidate
- **Additional reference checks:** \$500/candidate
- **Additional hires:** \$9,000/candidate

GUARANTEE

In the event a candidate recommended by our firm resigns or is terminated within the first 12 months of employment, Bob Murray & Associates will provide the City of Monterey with professional services to secure a replacement. Services will be provided at no cost, aside from the following *reimbursable* expenses incurred on the City of Monterey's behalf during the new search:

- Brochure design and distribution (\$695 reprint only, \$1,275 edit/reflow/reprint)(*if needed*)
- Advertising actual costs (estimated at \$2,975)
- Public records search for all new candidates (\$500)
- Background Checks (\$300/candidate)
- Reference Checks (\$500/candidate)
- Consultant travel reimbursement (if travel is needed)
- *Plus any applicable Optional Services, if desired*

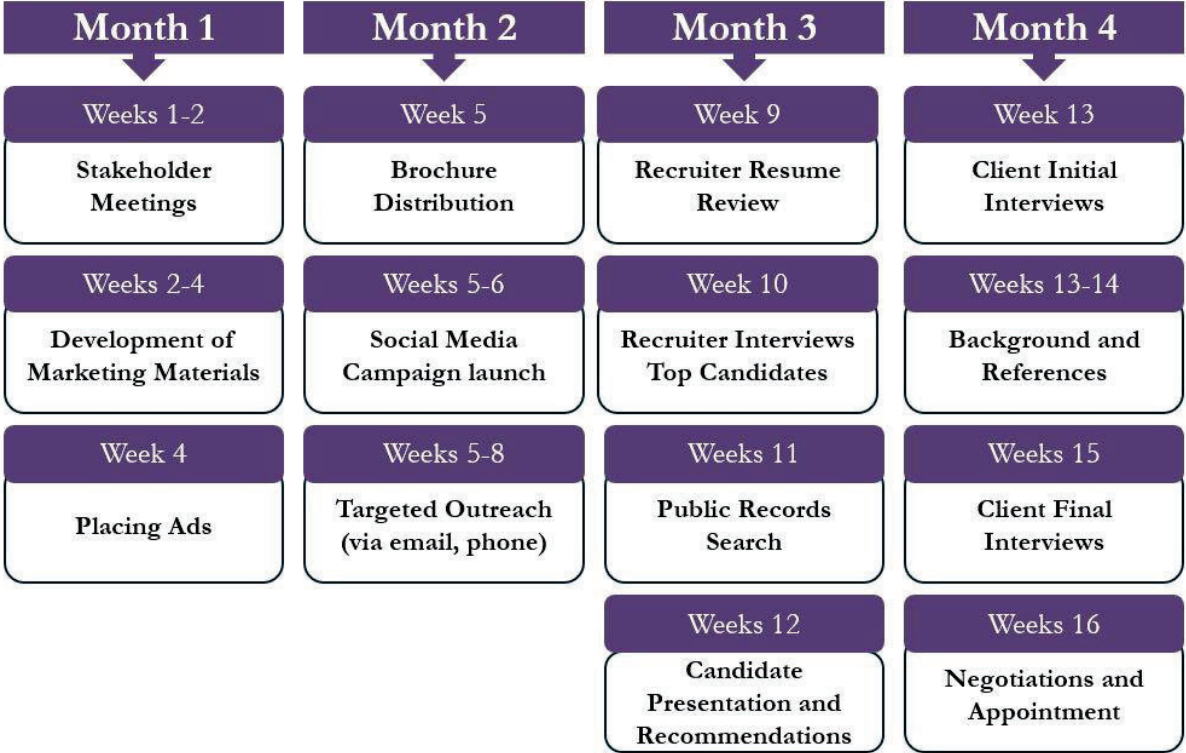
In the event that a placement is not made from the initial recruitment, Bob Murray & Associates will provide professional services to conduct one additional recruitment. Services will be provided at no cost. However, the City of Monterey will be responsible for the *reimbursable* expenses as noted above.

We are confident in our ability to recruit outstanding candidates and do not expect the City to find it necessary to exercise this provision of our proposal.

RECRUITMENT SCHEDULE

We are prepared to start work on this assignment upon receipt of a signed professional services agreement or other written, authorized notification. A full search can be completed in 13-16 weeks from the date of initial meetings with our client.

The final recruitment schedule will be determined in collaboration with City of Monterey. A typical timeline of tasks and events is included here for reference.



FIRM PROFILE

OUR STAFF

Bob Murray & Associates is a small firm focusing exclusively on executive search services. We have a team of seventeen (17):

- Bob Murray, *Founder*
- Valerie Gaeta Phillips, *President*
- Gary Phillips, *Executive Vice President*
- Joel Bryden, *Vice President*
- Yasmin Beers, *Senior Executive Recruiter*
- Adele Fresé, *Senior Executive Recruiter*
- Stacy Stevenson, *Senior Executive Recruiter*
- Jon Lewis, *Executive Recruiter*
- Stephanie Dietz, *Executive Recruiter*
- Melanie Richardson, *Executive Recruiter*
- Jeff Mori, *Executive Recruiter*
- Michael Ishii, *Executive Recruiter*
- Ian Schmutzler, *Executive Recruiter*
- Alexandria Kopack, *Recruitment and Operations Manager*
- Kathy Lolas, *Senior Recruitment Coordinator*
- Grace Marshall, *Senior Recruitment Coordinator*
- Steph Souza, *Recruitment Coordinator*

Please see your lead recruiter's biography below: (delete anyone not named)

VALERIE GAETA PHILLIPS, PRESIDENT AND RECRUITER



Ms. Gaeta Phillips has over 18 years of recruiting experience, including more than a decade of recent experience in executive search for public, private, and startup companies nationwide. Since joining Bob Murray & Associates, Valerie has completed over 160 searches in a diverse range of fields, including city and general management, planning, finance, human resources, transportation, communication and public relations, community and economic development, information technology, parks and recreation, and operations. She has recruited at all levels of municipal and non-profit organizations, from technicians and engineers to Executive Directors and Chief Executive Officers.

Valerie is valued for her passion for finding and retaining the most outstanding candidates for even the most difficult or untraditional assignments and for her commitment to her clients' success; she is also active in a variety of industry organizations and in diversity-focused associations. Valerie is called upon often to serve

as an expert speaker on topics such as managing one's online reputation, diversity issues in municipal and non-profit leadership, and how to identify a positive placement for the organizational culture.

Ms. Gaeta Phillips, along with Executive Vice President Gary Phillips, has a passion for helping people, evidenced by fundraising, sponsorship, and involvement in raising awareness for organizations such as Autism Speaks, the UC Davis M.I.N.D. Institute, and the Northern California Special Olympics.

GARY PHILLIPS, EXECUTIVE VICE PRESIDENT AND RECRUITER



Since joining Bob Murray & Associates, Mr. Phillips has completed over 125 searches for executives and professionals in a wide variety of fields including animal services, city and general management, planning, legal counsel, cyber security, and human resources. Gary's clients have ranged from municipal government to non-profit and private sector organizations, and he has sourced outstanding candidates for positions from the level of division managers up to City Managers, Executive Directors, and General Managers.

Gary started his career with a New York-based Fortune 100 company and quickly became a Senior Manager, building and running a large customer service organization that eventually expanded to 13 countries in Europe. He proceeded to hold senior leadership positions in several Fortune 500 companies, with noted successes such as building an organization from two to 250 employees worldwide and growing a company from 800 to 1200 employees.

As part of an executive acquisition and recruiting team, Gary helped build a start-up enterprise software company in San Francisco, recruiting top-notch talent and building a world-class organization. He has maintained customer relationships in the public sector and the private sector, including medical and financial institutions. He prides himself on finding key talent and offering the best customer service to his clients.

Mr. Phillips, along with Ms. Gaeta-Phillips, is involved in his community as a soccer coach, as an organizer of fundraisers for Autism Speaks and the UC Davis M.I.N.D. Institute, and as a sponsor of the Northern California Special Olympics. Mr. Phillips received his Associate of Science degree and completed additional coursework at Rochester Institute of Technology, NY.

STEPHANIE DIETZ, EXECUTIVE RECRUITER



Stephanie Dietz brings over 20 years of municipal and public agency experience to Bob Murray and Associates. Stephanie retired as the City Manager for the City of Merced, a City with a population of nearly 100,000 and the newest University of California campus. She served as the Chief Executive Officer overseeing more than 500 employees who provided services within the areas of Police, Fire, Development and Inspection Services, Engineering, Public Works, Parks & Recreation, Arts & Culture, Housing, and the Office of Neighborhood Safety.

For 20 years, Stephanie garnered experience across city and county governments, along with the University of California, specializing in public finance and budgeting, human resources, labor relations, strategic planning, public safety, water management, redistricting, and leading city-initiated sales tax and charter ballot initiatives. Her professional career saw great success, with projects that included the construction of a new municipal airport terminal, the award of several state and federal grants to construct 850 affordable housing units, and the annexation of UC Merced. Throughout her professional career, she has been responsible for recruiting and retaining executive-level leaders who reflect the culture of their communities while fostering a spirit of innovation.

Stephanie serves on the Merced Irrigation District Board, on the Merced College Foundation Board, and as an Advisory Board Member for the Central California Small Business Development Center. In 2023, Stephanie was recognized by the California State Assembly as Woman of the Year for her innovative solutions in affordable housing and transportation and her pioneering spirit as the first female City Manager for the City of Merced. Stephanie also volunteers on the boards of several local non-profits that support youth sports and local FFA chapters, ensuring students have the community support needed to be successful.

Stephanie holds a Bachelor of Arts in Liberal Arts with a Minor in Mathematics from California State University, Fresno, and a Master of Arts in English from National University.

CORPORATION

Bob Murray & Associates was founded in May 2000 and operated under the corporation name MBN Services, Inc. until June 2014; our new corporation name is GVP Ventures, Inc., incorporated in California in 2014. Contact information for the corporation and the firm is as follows:

GVP Ventures, Inc. OR Bob Murray & Associates
1544 Eureka Road, Ste. 180
Roseville, CA 95661
(916) 784-9080
apply@bobmurrayassoc.com

Our corporation and firm are financially sound (and have been so since 2000), with documentation from our accountant available to your organization prior to final execution of a professional service agreement. We have never been involved in any litigation, aside from our personnel serving as expert witnesses when called to do so.

PROFESSIONAL ASSOCIATIONS

Our firm, represented by either our President or our Executive Vice President, are involved in the following organizations to remain engaged with current and future issues relevant to the work we conduct on behalf of clients like City of Monterey:

- California Special Districts Association
- California City Management Foundation (CCMF)
- Engaging Local Government Leaders (ELGL)
- International City/County Management Association (ICMA)
- International Network of Asian Public Administrators (I-NAPA)
- League of California Cities
- League of Women in Government
- Municipal Management Association of Northern California (MMANC)
- Municipal Management Association of Southern California (MMASC)
- National Forum for Black Public Administrators (NFBPA)

Members of our leadership team not only attend events sponsored by these associations but are also frequently called upon to serve as panel members and to provide specialized lectures regarding industry-specific issues. Recent and upcoming speaking engagements and trainings provided by our staff include:

- "Role of the Chief" class, annually presented by Jon Lewis on behalf of the California Police Chiefs Association;
- MMANC and MMASC annual mock interviews;
- Annual League of California Cities Booth; and
- Annual League of California Cities City Manager's Conference (City Manager hosted event).

REFERENCES

Clients and candidates are the best testament to our ability to conduct quality searches. Clients for whom Bob Murray & Associates has recently conducted similar searches are listed below:

CLIENT: City of Ventura, CA
POSITION: City Manager
POSITION: Assistant City Manager
REFERENCE: Mayor Joe Schroeder
(805) 654-7800

CLIENT: City of Folsom, CA
POSITION: City Manager
REFERENCE: Mayor Mike Kozlowski
(916) 458-2512

CLIENT: City of Salinas, CA
POSITION: City Manager
REFERENCE: Ms. Marina Horta-Gallegos, Human Resources Director
(831) 758-7417

We appreciate the City of Monterey's consideration of our proposal and look forward to working with you.





5800 Stanford Ranch Road
Suite 410
Rocklin, California 95765
916.630.4900

August 25, 2025

Mayor Tyller Williamson and
Members of the City Council
City of Monterey
580 Pacific Street
Monterey, California 93940

Via Email: grusso@monterey.org

RE: Proposal - City Manager Recruitment Services

Dear Mayor Williamson and Members of the City Council:

We are pleased to submit this Proposal to recruit for the position of City Manager for the City of Monterey. We will facilitate this recruitment process and professionally add value to the entire recruitment and selection process.

As a former City Manager with over 35 years of experience, including 20 years serving as a City Manager in different communities, Mr. Fred Wilson is highly qualified to lead this search and is available to start the project and attend on-site client meetings, as necessary. Mr. Wilson has completed over 30 City Manager recruitments with Ralph Andersen & Associates.

Our proposal outlines the firm's experience in conducting City Manager recruitments, the methodology/work plan and timeline to accomplish the search tasks, and the cost to conduct a comprehensive search process. If selected, Mr. Wilson will be available to begin work on this project within 10 days (or sooner) after the City provides a contract or an official notice to proceed.

We are proud of how we market and represent our clients. All of the design and graphics of our marketing material are done in-house so we can control the quality and production timing. To see samples of our recruitment brochures and learn how we market our clients digitally, please visit the Career Opportunities page of our website at www.ralphandersen.com.

Should you need any clarification, please feel free to call Mr. Wilson at (916) 630-4900 (office) or (714) 421-3258 (cell). Additionally, I am also available to respond to any questions, as needed. I am best reached at (916) 804-2885 (cell).

Thank you very much for your consideration of this proposal.

Respectfully Submitted,

Heather Renschler
President/CEO

Qualifications of the Firm

Executive Summary

Attracting top talent has never been more complex and Ralph Andersen & Associates is highly qualified to assist City of Monterey with recruiting its new City Manager. *We have conducted more successful executive recruitments than any other recruitment firm since 1972.* From helping the City Council create a competency-based interview framework for the new City Manager, including assessing candidates and attracting top human capital, our search professionals offer an unparalleled depth of experience, national reach, and knowledge.

The City has requested our proposal to assist in the identification and recruitment of a highly qualified group of candidates for the new City Manager. In particular, the City is seeking a firm with a strong national presence and professional experience to clearly assess the City's needs and formulate a strategy to **deliver results**.

At Ralph Andersen & Associates, we believe that gaining a complete understanding of our client's specific objectives and priorities is essential prior to launching any search assignment. This process includes the identification and incorporation of a variety of vital details such as the candidate's desired skills and experience as well as the critical "soft skills" related to temperament, personality, management philosophy, and other factors that will ultimately determine the candidate's "fit" with the organization.

We begin each search by working closely with the City's leadership, stakeholders, staff, and, if desired, the community to ensure a complete picture of the desired candidate pool is developed. Our team-oriented approach, matched with this 360-degree perspective, means we ensure that a complete understanding of the organization's mission and culture translates into those specific traits and characteristics necessary to ensure the selected candidate is successful in the position.

We understand that the City expects aggressive, personalized outreach to identify a diverse and highly qualified applicant pool and a selection process that includes comprehensive candidate reports based on thorough reference and background checks. We will begin with the desired characteristics and build a recruitment strategy that is tailored to meet the City's specific needs. The resulting outreach and advertising campaign will incorporate the extensive use of personal outreach to recruit a highly qualified group of candidates.

Ralph Andersen & Associates serves a nationwide clientele focused on local government and maintains a virtual presence with its consultants and staffing located in California and in other states throughout the nation. The firm's mailing address is 5800 Stanford Ranch Road, Suite 410, Rocklin, California 95765; phone number (916) 630-4900; Email: info@ralphandersen.com.

The principals of the firm are Heather Renschler, President/CEO, and Robert Burg, Executive Vice President. Both Ms. Renschler and Mr. Burg are legally able to bind the firm.

The primary contact for this recruitment will be:

Mr. Fred Wilson, Senior Consultant
Ralph Andersen & Associates
Office: (916) 630-4900
Cell: (714) 421-3258
Email: fred@ralphandersen.com

Why Choose Ralph Andersen & Associates?

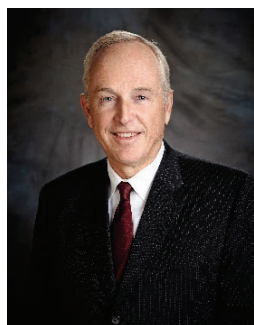
Ralph Andersen & Associates, a California Corporation, has been providing executive search and management consulting services since 1972. As such, the executive recruitment techniques used by Ralph Andersen & Associates have been developed and used successfully with hundreds of clients for more than 52 years.

With Ralph Andersen & Associates, there is an entire team behind every recruitment. Our firm takes a multi-disciplined, team approach to executive search. Successful outreach relies heavily on person-to-person contact to identify outstanding potential candidates and, in the evaluation phase, to gain a complete understanding of the background, experience, and management style of the top candidates. By drawing on the combined expertise of our associates and our network of professional contacts, we address outreach from a wide variety of perspectives and find unique ways to identify and recruit the best and brightest.

Project Staffing

The reputation of the search firm and personal commitment of the recruiters define the difference between the success and failure of any given recruitment. Ralph Andersen & Associates' search professionals are acknowledged leaders in the field and possess a broad range of skills and experience in the areas of local government management, executive search, and related disciplines. The City of Monterey will have Mr. Fred Wilson, Senior Consultant of Ralph Andersen & Associates, as the Project Director on this engagement. Mr. Wilson will have all the resources and full support of our firm fully dedicated to ensuring the highest quality outcome during this important recruitment process.

Fred Wilson, Project Director



Mr. Wilson, Senior Consultant with Ralph Andersen & Associates, brings more than 35 years of experience as a local government executive, including 21 years serving as City Manager in two California cities. Working in full-service cities, he brings a strong background in identifying and recruiting top quality executive staff. His skills in identifying, recruiting, and retaining high quality employees and talent management, coupled with succession planning, have contributed significantly to the successes of those organizations. This experience gives Mr. Wilson a unique perspective to identifying high quality candidates that "fit" the organization.

Since joining Ralph Andersen & Associates, Mr. Wilson has completed many successful recruitments and brings a vast network of contacts throughout the region. He has successfully completed searches for executives and professionals for local government organizations including City Managers, Community Development Directors, Public Works Directors, Finance Directors, and other General Managers. Mr. Wilson's clients have found his knowledge of city management, experience working with City Council members, and expertise in recruitment and selection an asset. As a long-tenured local government executive, Mr. Wilson has extensive experience in all aspects of governance including organizational development, succession planning, municipal finance, community development, information technology, and general management. His experience includes serving in multiple leadership roles in various organizations including the League of California Cities and has been active on various advisory boards throughout his career.

Mr. Wilson holds a Bachelor of Science degree in Urban Planning from Cal Poly Pomona, and a Master's degree in Public Administration from California State University, Northridge.

Mr. Wilson may be reached at (916) 630-4900 or directly on his cell at (714) 421-3258 or via email at fred@ralphandersen.com.

Paraprofessional and Support Staff

Paraprofessionals, graphics, and support staff will provide administrative support to the consultant team on recruitment assignments. These may include Ms. Diana Haussmann, Ms. Christen Sanchez, Ms. Hannah Jones, and Ms. Karen AllGood.



Relevant Experience

Ralph Andersen & Associates conducts a wide array of searches in the public sector. Our experience spans populations of all sizes, from the largest in the country to small and mid-size municipalities. While we have a strong focus in California, we also conduct recruitments on a national scale.

It is important to note that Ralph Andersen & Associates previously assisted the City with the placement of City Manager Hans Uslar in 2018.

Expansive network of City Manager Searches – We have one of the strongest track records of conducting City Manager searches. The following listing represents contracts that were awarded to Ralph Andersen & Associates and staffed by a member of our search team from 2020 to Present. Searched conducted by Mr. Wilson are noted with an *.

- Artesia, CA – City Manager (2022) and (2024) *
- Barstow, CA – City Administrator (2021) *
- Calabasas, CA – City Manager (2021)
- California City, CA – City Manager (2022) *
- Calistoga, CA – Assistant City Manager (2024)
- Carpinteria – City Manager (2023) *
- Cerritos, CA – City Manager (2023) *
- Colma, CA – City Manager (2023)
- Commerce, CA – City Manager (Partial Search) (2024) *
- Compton, CA – City Manager (2022 & 2024) *
- Coronado, CA
 - Assistant City Manager (2022)
 - City Manager (2021)
 - Deputy City Manager (Current Search)
- Costa Mesa – Assistant City Manager (2023) *
- Eastvale, CA – City Manager (2022) *
- El Segundo, CA – City Manager (2022)
- Emeryville, CA – City Manager (2022) *
- Encinitas, CA – City Manager (2020)
- Fairfax, CA – Town Manager (2021)
- Foster City, CA – City Manager (2022) *
- Goleta, CA
 - Assistant City Manager (2024)
 - City Manager (2022)

- Grand Terrace, CA – City Manager (2021) *
- Gustine, CA – City Manager (2022) *
- Highland, CA – City Manager (2024) *
- La Palma, CA – City Manager (2020 & Current Search) *
- La Verne, CA – City Manager (2022) *
- Laguna Beach, CA – City Manager (2024) *
- Loma Linda, CA – Assistant City Manager (2025) *
- Los Altos, CA – City Manager (2021) *
- Los Banos, CA – City Manager (Current Search) *
- Mill Valley, CA – City Manager (2020 & 2022)
- Modesto, CA – Deputy City Manager (2022 & 2023)
- Montebello, CA – City Manager (2023) *
- Nevada City, CA – City Manager (2022)
- Norco, CA – City Manager (2022) *
- Oakland, CA – City Administrator (2020 & 2023)
- Ojai, CA – City Manager (2024)
- Palm Desert, CA – City Manager (2021)
- Palm Springs, CA – Assistant City Manager (2021)
- Palos Verdes Estates, CA – City Manager (2023)
- Pismo Beach, CA – City Manager (2023) *
- Riverside, CA – City Manager (2022) *
- San Bernardino, CA – City Manager (2025) *
- Santa Monica, CA – City Manager (2021)
- Sierra Madre, CA – City Manager (2021) *
- Stockton, CA – Deputy City Manager II (Two Placements) (2020)
- Solvang, CA – City Manager (2023) *
- South Pasadena, CA – City Manager (2025) *
- Upland, CA – City Manager (2021) *
- Watsonville, CA – City Manager (2024) *
- West Hollywood, CA – City Manager (Current Search)
- Whittier, CA – City Manager (2025) *
- Yorba Linda, CA – City Manager (Current Search) *

Work Plan

Summary of Our Search Process

The successful search process relies heavily on person-to-person contact to identify outstanding potential candidates and, in the evaluation phase, to gain a complete understanding of the background, experience, and management style of the top candidates. The executive recruitment techniques used by Ralph Andersen & Associates have been developed and used successfully with hundreds of clients for more than 53 years.

- Developing a comprehensive position profile based upon information obtained in various meetings with the City Council, Human Resources staff, and other designated City staff and stakeholders.
- Reviewing current compensation and recommending changes based upon market and competitive conditions, if desired by the City.
- Extensive **personal outreach**, via telephone and through internet technology, to qualified candidates throughout California, the Western Region, and selectively beyond, if desired.
- A marketing strategy that uses selected advertising to supplement the extensive candidate identification process, uses the Internet and social media, and also uses our already established professional contacts throughout the region.
- A screening process that narrows the field of candidates to those that most closely match the needs of the City and is based on screening interviews with the top candidates. Candidates' education, experience, and credentials are matched to the criteria established in the position profile.
- Delivering a product in the form of a search report that recommends a top group of candidates and provides the City with detailed information about their backgrounds and experience.
- Conduct final background and verifications, including references, on the top candidate.
- Assist in negotiations of offer of employment.
- Close out the search and notify all candidates not selected.

Ralph Andersen & Associates has an outstanding reputation for being thorough and professional in the approach it takes in recruitment. Each candidate's match with the position is based on the individual's own set of professional experiences, management style, education and credentials, and overall fit with the organization and executive leadership.

Search Work Plan

This section describes the usual steps in the search for a new City Manager for the City of Monterey. This recruitment will be under the direction of Mr. Fred Wilson, Project Director/Search Consultant.

Task 1 – Review Project Management Approach

The Project Director, Mr. Wilson, will begin work on this project within 10 days (or sooner) after the City provides a contract or, alternatively, an official notice to proceed. The first task will include established individual and/or group meetings with the City Council, Human Resources, or key City staff, as appropriate, to finalize the recruiting and selection process (preference to be done using Zoom Video Technologies application). This will include discussion of the project management for this search, review of the work plan, confirmation of timing, and communication methods. Working

collaboratively with the City Council, Human Resources, and key City staff, this task will result in a more definitive timetable.

As part of our overall approach to this project, the Project Director will deliver regular updates (typically done orally) throughout each stage of the search. In addition, Mr. Wilson will be highly accessible and responsive to client requests and inquiries.

Task 2 – Develop Position Profile

The position profile for the City Manager is the guide for the entire search process. The development of the profile includes the collection of technical information and recruitment criteria.

Technical Information

Mr. Wilson will conduct video meetings with the City Council, Human Resources, key staff members, and others as directed by the City to gain an understanding of the experience and professional background requirements desired in the City Manager. These meetings will also help the Project Director gain an understanding of the work environment and the issues facing the City of Monterey. In-person meetings can be arranged with sufficient advance notice.

Recruitment Criteria

The recruitment criteria are those personal and professional characteristics and experiences desired in the City Manager. The criteria should reflect the goals and priorities of the City of Monterey.

Subsequent to the development and adoption of the candidate profile, the technical information and recruitment criteria will be documented in an information brochure prepared by Ralph Andersen & Associates. The brochure will be reviewed by the City in draft format, revised as appropriate, and published for use throughout the search.

Optional Service (Community Survey) – The City Council may desire obtaining input from the Community on the qualities they would like to see in the new City Manager. To facilitate Community input, the Project Director can conduct an on-line survey. Additionally, our process can allow for email comments to Ralph Andersen & Associates relative to the desired qualities of the next City Manager. See Cost Section for more details on pricing.

Task 3 – Outreach and Recruiting

This task is among the most important of the entire search. It is the focus of the activities of the Project Director and includes specific outreach and recruiting activities briefly described below.

Outreach

An accelerated outreach and advertising campaign will be developed. It will include the placement of ads in publications such as *Western City Magazine*, *International City/County Management Association (ICMA)*, and other professional publications. Specific Internet sites related to government will be used as a method of extending the specific outreach in a short period of time.

Additionally, the advertisement and the full text of the position profile (the recruitment brochure) will be placed on Ralph Andersen & Associates' website, which is accessed by a large number of qualified candidates. This method of outreach to potential applicants provides a confidential source that is monitored by many key level executives on an on-going basis.

Candidate Identification

Ralph Andersen & Associates will use their extensive contacts to focus the recruiting effort. In making these contacts, the Project Director will target those individuals who meet the

criteria set by the City. Each of the candidates identified through the recruiting efforts will be sent an information brochure. Candidates will also be contacted directly to discuss the position and to solicit their interest in being considered.

Both the outreach and recruiting activities will result in applications and resumes from interested candidates. As they are received, resumes will be acknowledged, and candidates will be advised of the general timing of the search process. The following tasks involve the actual selection process, once all resumes have been received.

Task 4 – Candidate Evaluation

This task will be conducted following the application closing date. It includes the following specific activities:

Screening

All of the applications will be carefully reviewed. Those that meet the recruitment criteria and minimum qualifications will be identified and subject to a more detailed evaluation. This evaluation will include consideration of such factors as professional experience, and size and complexity of the candidate's current organization as compared to the candidate profile.

Preliminary Research and Internet Review

The research staff of Ralph Andersen & Associates, under the direction of the Project Director, will conduct preliminary research and internet review for those candidates identified as the most qualified as a result of the screening process. This level of research will be done on a limited number of candidates to learn more about each candidate's public profile and related information that is available on the internet.

Preliminary Interviews via Video Technology

The Project Director will conduct preliminary interviews with the top group of candidates identified through the screening and preliminary research and Internet review processes. The interviews are extensive and designed to gain additional information about the candidates' experience, management style, and "fit" with the recruitment criteria. Interviews will be conducted using video technology.

The screening portion of the candidate evaluation process typically reduces a field of applicants to approximately four (4) to six (6) individuals. Those individuals will be reviewed with the City prior to proceeding with the individual interviews.

Task 5 – Search Report

After completing Task 4, all documentation will be supplied to the City electronically. No hard copies will be supplied to the City for any phase of this search engagement. Mr. Wilson will prepare detailed information for review including resumes uploaded to a file sharing system (i.e., OneDrive or ShareFile). Mr. Wilson will conduct a video conference call or in-person meeting with the City Council or other designated representative to review the search report on the top candidates. The report divides all of the candidates into four groups including 1) the top group of candidates that are recommended to be interviewed via video by the City Council; 2) a backup group to the first group; 3) no further consideration group; and 4) lacks minimum qualifications. The search report will include candidate resumes and cover letters. The results of preliminary media research will be included. This meeting will result in a confirmed group of top candidates for the City to further consider.

Important to note, we typically do not conduct references on all of the finalist candidates. The more standard process is to do a partial background on the top 2-3 candidates with various verifications, internet search, and limited references (outside of current employer). References for current employers are often not released by candidates until the final stage of the search process when they are assured of being the candidate of choice. Verifications such as credit check, DMV Report, and civil/criminal are typically conducted once a contingent offer is made to the selected candidate unless

the finalist candidate(s) gives explicit approval and sign a release to proceed. Education checks are conducted before the slate of candidates interviews with the City Council.

The results of the Search Report will be a confirmed group of finalist candidates that the City Council will interview.

Task 6 – Selection

The final selection process will vary depending upon the desires of the City Council. The typical services provided by Ralph Andersen & Associates in the selection process are described briefly below:

- Mr. Wilson will coordinate the selection process for the finalist group of candidates. This includes handling logistical matters with candidates and with the City.
- Ralph Andersen & Associates will prepare an electronic interview booklet (uploaded to a file sharing program such as OneDrive or ShareFile) that includes the resume, cover letter, and preliminary media research for each candidate. In addition, this electronic information will contain suggested questions and areas for discussion based upon the recruitment criteria. Electronic copies of the interview booklet will be provided in advance of the candidate interviews. No hard copies of material will be provided. Should the City desire hard copies, it will be the responsibility of the City to produce and distribute all hard copy materials needed.
- Mr. Wilson will facilitate the Interviews to assist the City through the selection process. This assistance will include an initial orientation, candidate introductions, and facilitation of discussion of candidates after all interviews have been completed.
- Additionally, verifications will be made on the top two candidates and will include education verifications, Department of Motor Vehicle check, and credit check. Due to legislation, criminal checks (“Ban the Box”) are only permissible when a contingent offer of employment is made. The results of these verifications will be discussed with the City at the appropriate time.
- Reference checks will be conducted on the top candidate. The results of these reference checks will be discussed with the City Council at the appropriate time during a closed session.
- As needed, the Project Director is available to provide assistance to the City Council in the final selection as may be desired. This assistance may include providing or obtaining any additional information desired to assist in making the final selection decision.

Task 7 – Negotiation

The Project Director is available to assist the City Council in negotiating a compensation package with the selected candidate. This includes recommendations on setting compensation levels.

Additionally, if desired by the City Council, Ralph Andersen & Associates will coordinate with the City Attorney to prepare a draft employment agreement and work with the City Council on the finalization of this document. As required by the Brown Act, the employment agreement for the new City Manager will be required to be approved and voted on in a public meeting at a regularly scheduled City Council meeting.

Task 8 – Close Out

After the City has reached agreement with the individual selected for the position, the Project Director will close out the search. These activities will include advising all of the finalist candidates of the status of the search by telephone.

Project Timing

We anticipate a timeframe of approximately 90 - 120 days (or less) from the execution of the agreement between the City and Ralph Andersen & Associates to when the finalists are presented for an interview. Negotiation with the top candidate will take an additional week after finalist interviews.

A brief overview of the recruitment schedule is presented below (schedule does not include transition time by Selected Candidate to join the City).

Task	Estimated Week of Completion
Task 1 – Review Project Management Approach	Week One
Task 2 – Develop Position Profile and Recruitment Brochure	Week One – Week Two
Task 3 – Outreach and Recruiting	Week Two – Seven
Task 4 – Candidate Evaluation	Ongoing Throughout Process (typically more focused during Week Six and Week Seven)
Task 5 – Search Report	Week Eight – Week Nine
Task 6 – Selection	Week Nine - Week Ten
Task 7 – Negotiation	Week Ten – Week Eleven
Task 8 – Close Out	Week Twelve

Project Cost

The recruitment effort for a new City Manager for the City of Monterey will be a comprehensive search process with a focus in California and the Western Region. The review of resumes and qualifications will be conducted on all candidates that submit giving the City the ability to select from a broad field of qualified candidates. The professional services fee to perform this search will be a **fixed fee of \$33,000** for recruitment services and all related expenses.

***Note** – Expenses included in this fixed fee include such items as advertising, consultant interaction (anticipated to be done primarily through videoconferencing except for finalist interviews), clerical, graphic design, research, and long-distance telephone charges. On top candidates, Internet and Lexis/Nexis searches will be conducted. Additionally, education verifications, DMV check, wants and warrants, civil and criminal litigation search, and credit check will be conducted on the top two candidates. Detailed reference checks will be conducted on the top candidate.

Invoicing for Services – Ralph Andersen & Associates will bill the fixed fee to the City in four installments as follows:

- Following kick-off and finalization of recruitment brochure - \$9,900
- After the closing date - \$9,900
- After finalist interviews - \$9,900
- Upon placement - \$3,300

Progress payments will be due upon receipt.

Brochure – A full-color electronic brochure will be developed for the recruitment of the city manager. All pictures will be the responsibility of the City. The City will also be responsible for ensuring that there are no copyright restrictions on the photographs supplied to Ralph Andersen & Associates and that the City will agree to pay any and all related charges or fines if a copyright violation is incurred either during the search itself or subsequently.

Optional Service (Community Survey) – Should the City choose to conduct a Community Survey with summarized results this would be conducted for an additional \$3,800.

Exception – Any candidate travel is the full responsibility of the City.

Guarantee

Ralph Andersen & Associates offers the industry-standard guarantee on our full search services. If the City Manager resigns or is dismissed for cause within a one-year period after appointment, we will conduct another search free of all professional services charges. The City of Monterey would be expected to reimburse all expenses incurred.

If a placement is not made in the first outreach effort, the Consultant will conduct a second outreach effort with no charge for Professional Services. The City of Monterey would be expected to pay for all incurred expenses.



RECRUITMENT SERVICES



THE CITY OF
MONTEREY

CITY MANAGER

AUGUST 22, 2025

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I. COVER LETTER.....

AUGUST 22, 2025

Gina Russo
Assistant Human Resources Director
735 Pacific Street, Suite B
Monterey, CA 93940



RE: City of Monterey – City Manager Recruiting Services

It is our pleasure to submit this proposal for recruitment services to secure your ideal candidate to serve as the City Manager of the City of Monterey. **WBCP has worked on many City Manager recruitments, and we look forward to the opportunity to partner with your organization on this critical position!**

We trust our proposal will showcase our client-focused recruitment process and will act as a testament that we are passionate about what we do to make our clients happy.

WBCP, Inc. was selected, through a national request for proposal process, as the single-awarded vendor for executive recruitment services through a national competitive process conducted by the National Association of Counties (NACo) under the Public Promise Procurement (PPP) program. This cooperative purchasing agreement, with San Diego County serving as the Lead Public Agency (LPA), allows public sector organizations across the U.S. to satisfy competitive procurement requirements and contract directly with WBCP—without the delays or added costs of a traditional RFP process. The PPP/LPA partnership ensures that organizations can engage WBCP quickly, compliantly, and with confidence in the value and quality of service delivered. **Learn more here:** <https://wbcpinc.com/naco>.

It has been proven that great employees are looking for great employers, not just a paycheck. WBCP provides a broader perspective to recruitment services – going beyond securing the ideal candidate – we brand your organization as an employer of choice. We use eye-catching marketing materials, innovative search practices, and responsive and respectful communications with your applicants and stakeholders. **Additionally, we guarantee this placement for 12 months, and we provide a fair and equal recruitment process that also focuses on attracting ethnic and gender-diverse applicant pools.**

WBCP is talented at working with you to identify the strengths, challenges, and opportunities of this job, the ideal candidate, and your community and organizational culture. WBCP will work with your stakeholders to design a recruitment strategy that will include a customized engagement process. We will have a series of meetings, discussions, stakeholder interviews, and survey(s) to get to know you, the organization, the community, the culture, and the staff whom the future City Manager will lead.

My team and I have extensive knowledge of the California candidate marketplace and strong relationships with many clients in your region, including **Monterey One Water, County of Monterey, County of Santa Cruz, the County of San Benito, the County of Fresno, and the City of San Jose**. WBCP also has deep experience within the Monterey region, having partnered with both the County of Monterey and Monterey One Water on numerous recruitments over the years. This local experience gives us a nuanced understanding of the area's landscape, stakeholder expectations, and community values. In addition, WBCP has a proven record of success recruiting City Managers across California, positioning us to deliver a highly effective and tailored search for the City of Monterey. With our regional connections and statewide expertise, we are confident in our ability to attract and secure the right leader for this critical role.

We have exceptional experience successfully recruiting for similar positions, with several recruitments including, but not limited to:

- **City Manager, City of Santa Monica, CA**
- **City Manager, City of Parlier, CA**
- **City Manager, City of Pasadena, CA**
- **City Manager, City of Santa Rosa, CA**
- **City Manager, City of Ventura, CA**
- **City Manager, City of Port Hueneme, CA**
- **City Manager, City of Oxnard, CA**

To see a full list of our clients and successful recruitments, visit: <https://tinyurl.com/8vjk7w3>

We have over two decades of experience in public sector executive search services and have provided direct search services through WBCP since 2004. WBCP's executive recruiters are all highly personable and have unique backgrounds that make them well-equipped to take on your recruitments, as you will read their biographies in this proposal. WBCP now has offices in California, Oregon, Washington, Texas, and North Carolina.

I. COVER LETTER.....

Recruiting top talent has become the number-one topic among administrators. New and innovative recruitment strategies are critical to identifying and securing candidates with a deep understanding of how to assess and meet community needs and address future challenges. WBCP understands the complexity of community leadership, and we are prepared to provide a thorough, complete, and fair recruitment process to provide a diverse applicant pool. **Upon our 2024 year-end review, we found that over the last three years 63% of our placed candidates came from diverse backgrounds.** In fact, we are often selected and told that we bring a larger, more qualified and diverse groups of candidates than they have ever received from past professional recruiters.

Clients also choose our firm over others because of our ability to work with your support staff and stakeholder group (including boards, appointed/elected officials, and engaged constituents), manage all details of a recruitment process, and secure great candidates. Our dedication and commitment to the client are complemented by our deep understanding and ability to effectively navigate challenging political climates.

Our clients have great things to say about the quality of the service we provide and the amazing candidates we find them, In fact, many of our clients are return customers. Please feel comfortable reaching out to these organizations to get their feedback directly.

Lastly, we love what we do, and we are passionate about finding exceptional candidates who are also passionate about serving others. WBCP's staff are driven and desire to exceed client expectations. I appreciate your consideration in retaining our services and hope to have an opportunity to work with you in the future.

Best Regards,



Wendi Brown | Founder/President, WBCP, INC.
wendi@wbcpinc.com | 541-664-0376
www.wbcpinc.com

DIVERSITY

63%

of WBCP candidates
placed in positions
come from a diverse
background

II. BACKGROUND & QUALIFICATIONS..... ATTACHMENT 2

Principal: Wendi Brown, President/CEO

Company Legal Name: WBCP, Inc. (W. Brown Creative Partners)

Tax ID: 81-5454037

Website: www.wbcpinc.com

Phone: 866-929-WBCP (9227) / 541-664-0376

Address:

- **Oregon (3 offices including WBCP, Inc. Headquarters):** 213 E Main St., Rogue River, OR, 97537; City of Grants Pass and City of Tigard
- **California (5 offices):** San Jose, Gilroy, Roseville, Los Angeles and Santa Barbara
- **Washington:** City of Seattle
- **Texas:** City of Dallas



WOMEN OWNED

WBCP is a 100% women-owned business, an S Corporation, not part of a parent company, and is a registered small business through the US Small Business Administration (SBA). WBCP is registered to do business in all states we serve, and files and pays California S Corporation and personal income tax to the State of California.

BUSINESS HISTORY

WBCP, Inc. has been in business since 2004, and serves nonprofit and public sector organizations. WBCP offers a variety of services, including: partial and full service search services for individual contributor, supervisor, management and executive management positions; human resources consulting: organizational development, training, classification and compensation studies, analysis and assessments, etc.

II. BACKGROUND QUALIFICATIONS..... ATTACHMENT 2

WBCP has over 20 years of experience providing search services for public sector and non-profit organizations. We have successfully secured professionals and provided other consulting services in **California, Arizona, Colorado, Idaho, Nevada, New York, Oregon, Texas, Utah, and Washington.**

Cities of: Anaheim (CA), Arcata (CA), Ashland (OR), Astoria (CA), Atwater (CA), Berkeley (CA), Boulder City (NV), Calistoga (CA), Central Point (OR), Ceres (CA), Chandler (AZ), Colfax (CA), Corte Madera (CA), Culver City (CA), Davis (CA), Dunsmuir (CA), Duvall (WA), Fort Worth (TX), Fremont (CA), Fresno (CA), Garibaldi (OR), Gold Hill (OR), Grants Pass (OR), Hemet (CA), Hubbard (OR), Independence (OR), Irvine (CA), Laguna Beach (CA), Larkspur (CA), Lincoln (CA), Livermore (CA), Livingston (CA), Long Beach (CA), Medford (OR), Milpitas (CA), Napa (CA), Novato (CA), Oakland (CA), Orinda (CA), Oxnard (CA), Palo Alto (CA), Park City (UT), Pasadena (CA), Petaluma (CA), Phoenix (AZ), Phoenix (OR), Pismo Beach (CA), Port Hueneme (CA), Portola Valley (CA), Redding (CA), Riverside (CA), Rochester (NY), Rocklin (CA), Rogue River (OR), Roseville (CA), Sacramento (CA), San Francisco (CA), San Rafael (CA), Santa Maria (CA), Santa Monica (CA), Santa Paula (CA), Santa Rosa (CA), Solvang (CA), Sonoma (CA), South Pasadena (CA), Sutter Creek (CA), Talent (OR), Truckee (CA), Ventura (CA), Vernon (CA), Victorville (CA), West Hollywood (CA), Windsor (CA).

Counties of: Alameda (CA), Colusa (CA), Contra Costa (CA), Del Norte (CA), El Paso (CO), Fresno (CA), Humboldt (CA), Jackson (OR), King (WA), Lake (CA), Lane (OR), Los Angeles (CA), Marin (CA), Mariposa (CA), Mendocino (CA), Merced (CA), Mono (CA), Napa (CA), Nevada (CA), Orange (CA), Placer (CA), Riverside (CA), Sacramento (CA), San Benito (CA), San Bernardino (CA), San Diego (CA), San Francisco (CA), San Joaquin (CA), San Luis Obispo (CA), San Mateo (CA), Santa Barbara (CA), Santa Clara (CA), Santa Cruz (CA), Shasta (CA), Solano (CA), Sonoma (CA), Stanislaus (CA), Tehama (CA), Tuolumne (CA), Yolo (CA), Yuba (CA).

Local and National Councils, Boards, and Districts: Bear Valley Community Services District, Boulder Creek Fire Protection District, California Prison Industry Authority (CALPIA), Cosumnes Community Services District, Hass Avocado Board (HAB), Jackson County Fire District 5, Los Angeles County Employees Retirement Association (LACERA), Mendocino County Air Quality Management District, Metropolitan Transportation Commission (MTC), Modesto Irrigation District, Monterey One Water, Nevada Irrigation District, Newark Chamber of Commerce, North American Blueberry Council/U.S. Highbush Blueberry Council (NABC/USHBC), Oakland Housing Authority, Olivehurst Public Utility District, Orange County Employees Retirement System (OCERS), Placer County Transportation Planning Agency (PCTPA), Port of Long Beach (CA), Rogue Valley Sewer Services, Sacramento Area Flood Control Agency (SAFCA), Sacramento Area Sewer District, Sacramento Employment & Training Agency (SETA), Sacramento Public Library Authority, Sacramento Suburban Water District, San Benito Council of Governments, San Benito County Water District, San Joaquin County Employees' Retirement Association (SJCERA), San Joaquin Tributaries Authority, San Rafael Sanitation District (SRSD), San Ramon Valley Fire Protection District, Sonoma County Library, South Coast Air Quality Management District, Tri-City Mental Health Authority (TCMHA), Truckee-Donner Public Utility District (TDPUD), Tuolumne Utilities District, Valley Water, West Basin Municipal Water District.

Nonprofit and Joint Powers Authorities (JPAs): California Corrections, California Municipal Utilities Association (CMUA), Center Point, Central California Legal Services (CCLS), Community Food Bank, Community Works, Dogs for Better Lives/Dogs for the Deaf, Downtown Streets Team, East Bay Regional Communications Systems Authority, First 5 (Alameda County, California Association, Fresno, Santa Barbara County, San Mateo), Futures Without Violence (Family Violence Protect Fund), Gold Coast Health, Greater Richmond Interfaith Program (GRIP), LA Public Media, Latino Public Broadcasting, Los Angeles Unified School District (LAUSD), Northern Valley Catholic Social Service (NVCSS), Options Recovery, Radio Bilingüe, Sacramento County Superior Court, Sacramento Public Library Authority (SPLA), Santa Barbara Superior Court, Santa Cruz County Animal Services Authority, Teton County Joint Housing Authority (TCJHA), Transitions-Mental Health Association, Valley Consortium for Medical Education (VCME), Water Forum, West Angeles Church of God in Christ.

Private Organizations: CDS Publications, Central California Truck and Trailer, Morton & Pitalo, NAVA, SWEED, Tekmanagement, Touchstone Accounting.

Consulting services (classification and compensation services, competency modeling, job description development, job family development, job analysis): City of Fremont (CA), City of Medford (OR), City of Santa Maria (CA), City of Santa Paula (CA), County of Humboldt (CA), County of Mariposa (CA), County of Santa Barbara (CA), and County of San Luis Obispo (CA).

II. BACKGROUND & QUALIFICATIONS.....

INDUSTRIES

- Organizational Leadership
- Economic Development
- Facilities & Operations
- Financial, Administrative Services, Accounting, Auditing
- Health & Human Services, Housing, Unhoused
- HR, Risk, Labor/Employee Relations
- Information Technology
- Legal, Counsel, Clerk
- Library
- Marketing, Communications, PR
- Parks & Rec, Community Services, Arts
- Planning, Environmental, Community Development, Building, Transit
- Public Safety
- Public Works, Transportation, Engineering

BELOW IS A LIST OF SIMILAR RECRUITMENTS WBCP HAS MANAGED:

ORGANIZATIONAL LEADERSHIP

- City Manager, City of Atwater, CA
- City Manager, City of Boulder City, NV
- City Manager, City of Ceres, CA
- City Manager, City of Colfax, CA
- City Manager, City of Dunsmuir, CA
- City Manager, City of Garibaldi, OR
- City Manager, City of Gold Hill, OR
- City Manager, City of Independence, OR
- City Manager, City of Oxnard, CA
- City Manager, City of Pasadena, CA
- City Manager, City of Parlier, CA (active)
- City Manager, City of Petaluma, CA
- City Manager, City of Phoenix, OR
- City Manager, City of Port Hueneme, CA
- City Manager, City of Santa Maria, CA
- City Manager, City of Santa Rosa, CA
- City Manager, City of Santa Monica, CA (active)
- City Manager, City of Sonoma, CA
- City Manager, City of Talent, OR
- City Manager, City of Tillamook, OR (active)
- City Manager, City of Ventura, CA
- City Administrator, City of Duvall, WA
- City Administrator, City of Hubbard, OR
- City Administrator, City of Rogue River, OR
- Town Manager, Town of Truckee, CA
- Town Manager, Town of Windsor, CA
- Town Manager, Town of Portola Valley, CA (active)
- Assistant City Manager (Municipal Services), City of Sacramento, CA
- Assistant City Manager (Public Safety), City of Sacramento, CA
- Deputy City Manager, City of Long Beach, CA
- Chief Executive Officer, CalPIA (California Prison Authority), CA
- Chief Executive Officer, Downtown Streets Team, CA
- Chief Executive Officer, Newark Chamber of Commerce, CA
- Chief Executive Officer, San Joaquin County Employees' Retirement Association (SJCERA), CA
- Chief Executive Officer, San Joaquin Tributaries Authority, CA
- County Executive Officer, County of Shasta, CA
- County Administrative Officer, San Benito County, CA

II. BACKGROUND & QUALIFICATIONS.....

ORGANIZATIONAL LEADERSHIP (CON'T)

- ACAO – Assistant County Administrator, County of San Joaquin, CA
- ACAO/HR Director, County of Mariposa, CA
- ACEO – Assistant County Administrative Officer, County of Santa Barbara, CA
- ACEO – Assistant County Executive Officer, County of Napa, CA
- General Manager, Bear Valley Community Services District, CA
- General Manager, Los Angeles Public Media, CA
- General Manager, Olivehurst Public Utility District, CA
- General Manager, Radio Bilingüe, CA
- General Manager, San Benito County Water District, CA
- General Manager, Santa Cruz County Animal Services Authority, CA
- General Manager, Tuolumne Utilities District, CA
- Chief Operating Officer, Futures Without Violence, CA
- Chief Operating Officer, WBCP Inc., OR
- Chief Operating Officer – IT and Administrative Services, Valley Water, CA
- Chief Operating Officer – Water Utility Enterprise, Valley Water, CA
- Chief Operating Officer/Executive Director, Valley Consortium of Medical Education, CA
- Assistant General Manager Water Operations, Modesto Irrigation District, CA
- Executive Director, California Municipal Utilities Association (CMUA), CA
- Executive Director, First 5 Association of California, CA
- Executive Director, Water Forum, CA
- Executive Director, San Benito Council of Governments, CA
- Executive Director, Placer County Transportation Planning Agency, CA
- Executive Director, Teton County Joint Housing Authority, ID
- Executive Director, Arts Commission, County of Santa Barbara, CA
- Executive Director, Latino Public Broadcasting, CA
- Executive Director, Northern Valley Catholic Social Service, Redding, CA
- Executive Director, Greater Richmond Interfaith Program, CA
- Executive Director, Options Recovery Services, CA
- Executive Director, Sacramento Employment and Training Agency (SETA), CA
- Executive Director, Pacific Gateway Workforce Innovation Network (PGWIN), City of Long Beach, CA
- Executive Director, Tri-City Mental Health Authority, CA
- Executive Director, First 5 Fresno, CA
- Executive Director, First 5 Santa Barbara County, CA
- Executive Director – Police Accountability Board, City of Rochester, NY
- Executive Director, San Joaquin Tributaries Authority, CA
- Assistant Executive Director, First 5 San Mateo, CA
- Chief Animal Control Officer, City of Sacramento, CA
- Chief Deputy Director, ISD, County of Los Angeles, CA
- Vice President/Business Development Director, WBCP Inc., OR
- Executive Vice President, Center Point, CA

[Check out our full list of recruitments here: https://tinyurl.com/8vjkk7w3](https://tinyurl.com/8vjkk7w3)

IIBACKGROUND & QUALIFICATIONS..... RECRUITING WITH DIVERSITY IN MIND

Since partnering with the country's largest network of diversity job boards, **we have seen a 21% increase in diverse applicants and a 13% increase in diverse candidates placed in positions with our clients.** This demonstrates WBCP's dedication to expanding outreach and removing barriers to apply, ensuring access to a highly qualified and diverse applicant pool.

600 Diversity Job Boards:

When you post a job with WBCP, it is automatically shared across 600 diversity job boards, maximizing reach and ensuring access to a wide and inclusive pool of talent. We also utilize the largest diversity database with over 160 million resumes and 15,000 community based organization contacts to expand our search.

LinkedIn:

As LinkedIn recruiters, we have access to over 1 Billion profiles, allowing us to evaluate candidates' backgrounds, education, experience, licensure, and more.

AI:

WBCP also leverages AI tools to gather additional information to effectively reach future applicants and candidates contact information for emails and phone numbers.

WBCP understands the complexities of meeting the needs of a diverse community, and we provide a thorough, complete, and fair recruitment process.



Streamline and Satisfy the RFP Process to receive recruiting on demand. Reach out to WBCP today for more information.



Scan to learn more!



II. BACKGROUND & QUALIFICATIONS.....

WHY CHOOSE WBCP

Proven Expertise:

- **Over 20 Years in Business and 100+ Years of Experience:** With over a century of combined experience, our recruitment professionals excel in public service sectors, including cities, counties, utilities, special districts, joint powers authorities, and non-profits. Our proven track record ensures expertise tailored to your needs.
- **100% Success Rate:** In 2024, we achieved a 100% success rate, successfully filling every position we managed including partial and full scope services from engineering, planning, finance, health and human services, legal, legislative, hard-to-fill civil service positions, and many more! We deliver results no matter what the challenge.

Employer Recognition: WBCP has been recognized as Oregon’s TOP 100 EMPLOYERS.

HR Teams Trust Us: We simplify the recruitment process, managing every detail so HR teams can focus on other priorities. From sourcing candidates to scheduling interviews and providing updates, our seamless approach saves time, reduces stress, and ensures results.

Strategic Marketing and Advertising: Our marketing team designs targeted campaigns using diverse, cost-effective channels powered by AI. These campaigns maximize reach while staying within budget and include:

- **Diverse Applicant Pools:** Access to over 600 diversity-focused job boards, 15,000 diversity affiliations, and 120 million resumes ensures diversity is integral to our process.
- **LinkedIn Recruiter Expertise:** With access to 230 million U.S. profiles, we connect you with top-tier talent.
- **AI-Driven Talent Acquisition:** Advanced AI strategies enhance efficiency and uncover new candidate engagement opportunities.

Trusted Partners and Culture Cultivators: We go beyond finding candidates by building trust with your team and stakeholders. Our tailored strategies align top talent with your organizational culture, ensuring a collaborative and thoughtful recruitment process.

Recruiting with Competencies: Ensures a fair, measurable, and effective hiring process. This strategic approach helps identify the client’s needs and then assesses candidates on the critical skills and behaviors for success.

Benefits:

- **Fairness:** Focuses on role-specific competencies.
- **Measurability:** Provides objective evaluation criteria.
- **Better Matches:** Aligns talent with organizational and cultural needs.
- **Equitable:** Reduces bias with standardized assessments.

Recruiting with competencies delivers high-quality, measurable solutions that ensure the best candidates for your team’s success and cultural alignment.

Timely and effective background and

Reference Checks: WBCP partners with a trusted third party for thorough background checks and relies on a 30-year public safety veteran, retired as a police chief, and an expert in employee investigations, to conduct expert reference verifications. This ensures accuracy, professionalism, and confidence in every hiring decision.

Guaranteed Satisfaction: We stand behind our work with a 12-24 month guarantee. If the initial placement doesn’t work out, we will conduct a replacement search at no additional consulting fee, ensuring lasting value for your investment.

III. GUARANTEE..... ATTACHMENT 2

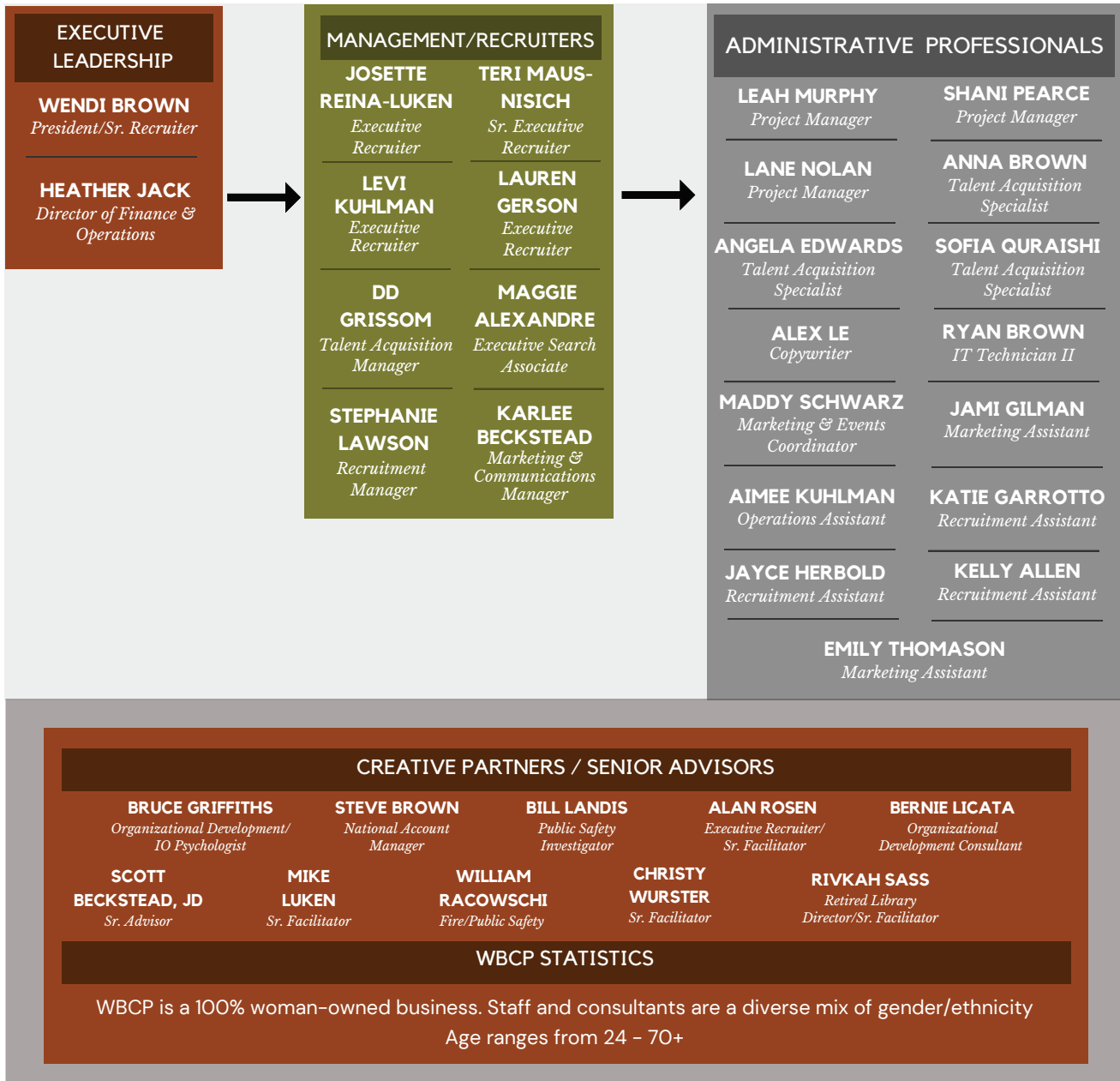
WBCP Inc. provides either a placement guarantee, or a replacement guarantee as determined by the recruitment outcome and defined below:

Successful Placement Guarantee: We guarantee a successful placement and will provide continued consulting services for one additional recruitment at no extra consulting fee. The client will be responsible for any direct expenses.

OR

Replacement Guarantee: If a candidate selected and appointed by the client leaves their position for any reason before completing **12 months** of service, WBCP will provide consulting services at no additional cost to secure a replacement. The client will be responsible for any direct expenses. This guarantee applies to one replacement within one year of the candidate’s departure.

IV. ORGANIZATIONAL CHART.....



V. WBCP KEY STAFF..... ATTACHMENT 2

WENDI BROWN
*Lead Consultant/
Sr. Executive
Recruiter*



I am the President of WBCP, with over 20 years of experience in marketing and advertising and combine this with my background in recruiting to successfully place hard-to-fill, management, and executive positions. My team and I are passionate about helping organizations improve their recruitment services, place great talent, conduct department assessments, redesign antiquated processes, revise job descriptions, conduct salary and benchmark studies, and more. I have worked in various industries – advertising and public relations, national real estate franchisor, global manufacturing – and I have worked with nonprofit and public sector organizations since 1999. Formerly, I was an internal Human Resources Consultant for the County of Orange, California, providing countywide communications, human resources, executive search, and recruiter training services to the Assistant Chief Executive Office/Human Resources Director and, at that time, 25 decentralized departments, with 17,000 employees, serving a community of 300,000. I have a Bachelor’s of Science in Business Administration with an emphasis in Marketing from Colorado Technical University; have earned several certificates in Project Management, Global Business, Marketing, and Human Resources; and working toward a Master’s in Management at Southern Oregon University

TERRI MAUS-NISICH
Sr. Executive Recruiter



Terri Maus-Nisich holds a pivotal role as one of our Senior Executive Recruiters, leveraging her extensive background as a distinguished leader in local government. With a local government career spanning over 40 years, Terri’s journey includes transformative roles within the County of Santa Barbara, where she ascended from Parks Director to Assistant County Executive Officer, overseeing vital municipal and health/human service departments. Her remarkable impact encompasses leadership in Homeless Services, Communications, and Emergency Management, driving community engagement, disaster recovery, and support for vulnerable populations. Before her tenure in Santa Barbara, Terri spent 15 years with the City of Santa Clarita in roles ranging from analyst to Deputy City Manager. Throughout her remarkable career, Terri prioritized strategic planning, organizational development, and innovative problem-solving, garnering numerous awards. She holds a Bachelor’s Degree from UC Santa Barbara, a Masters of Public Administration from Cal State Northridge, and a graduate certificate from Harvard University’s JFK School of Government.

V. WBCP KEY STAFF.....

LAUREN GERSON
Executive Recruiter



Lauren Gerson is a seasoned Executive Recruiter at WBCP, where she draws on over 15 years of experience in career services, customer relations, and operations. Her recruiting expertise extends across various industries, with notable success in health and human services, utilities, and finance. Lauren has helped organizations across multiple states fill hard-to-hire positions at every level, from individual contributors to executives. Lauren’s diverse professional journey began in operations and events management, where she honed her expertise in human resources, business management, and regulatory compliance. She later transitioned to career services, and prior to joining WBCP, worked with a career coaching company helping job-seekers better leverage their skills and overcome barriers to employment. Lauren holds a Bachelor's degree in Philosophy from Whittier College. She brings a unique perspective to her role, and is committed to making a positive impact both professionally and personally. With her unwavering dedication and client-centric focus, Lauren continues to drive success and excellence in executive recruitment at WBCP.

LEVI KUHLMAN
Executive Recruiter



Levi Kuhlman is an Executive Recruiter at WBCP, and an experienced professional with a multifaceted career spanning across executive recruitment, real estate, and entrepreneurship. He has worked extensively with local municipalities, special districts, and not-for-profit organizations across the Western region, with a focus in California, Oregon, and Idaho. Levi has conducted many successful recruitments in various industries including planning, rent stabilization and housing, engineering, finance, city management, transportation and transit, community development, building and safety, public safety, risk management, and information technology. Levi serves as a skilled and diplomatic liaison, earning a reputation for his personalized approach to recruiting. Before joining the ranks of WBCP, he advocated on behalf of tenants, landlord, and clients. With a diverse skill set and a commitment to excellence, Levi continues to make significant contributions to WBCP, his clients, and broadening the professional community one recruitment at a time.

JOSETTE REINA-LUKEN
Executive Recruiter



Josette, an Executive Recruiter at WBCP, specializes in government finance and the water industry with nearly 30 years of experience. Her career began in IT, managing software implementations and leading training and sales teams. After earning her MBA, she transitioned to municipal agencies, holding various management positions, including Administrative Manager and Financial Manager. With expertise in budgeting, strategic planning, and organizational development, Josette has made significant contributions to the agencies she’s served. She holds a Bachelor’s Degree in Political Science/Public Administration from the University of South Florida, an MBA from the University of Phoenix, and certificates in Human Resources from the California State University and Leadership from the University of Davis.

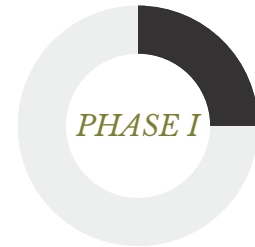
REVIEW OTHER EMPLOYEES & CONSULTANT PARTNERS ON OUR WEBSITE:
WWW.WBCPINC.COM/WBCP-TEAM

VI. RECRUITMENT STRATEGY / PHASES..... ATTACHMENT 2

WBCP knows how to customize your search strategy to meet your unique recruitment needs. We customize your recruitment based on the specific needs, target audience, and challenges for each recruitment; however, below is a baseline approach for most recruitments.

CLIENT & STAKEHOLDER MEETINGS

We require the Client and/or Search Committee, and other stakeholders identified by the Client, be involved in the initial and final phases of this recruitment. These are critical phases to ensure we obtain a clear sense of the priorities and the successful hire of the right candidate. WBCP will meet with various stakeholders as warranted by the Client and the level of the position in the organization. These meetings will allow us an opportunity to gather information and gain knowledge about the organization, community, and unique aspects of the recruitment to design the ideal candidate professional profile, advertising materials, and strategic approach



FEEDBACK OUTCOME / TIMELINE DEVELOPMENT

Following the Client/stakeholder meetings, we will develop a detailed timeline for the recruitment along with a proposed advertising plan for approval.

CREATIVE DEVELOPMENT

Immediately following the client feedback activities, we will draft the competencies for the recruitment and advertising material/recruitment brochure for the Client’s review. This information will summarize what was learned from Client-related interviews and will be used to advertise the opening.

MARKETING STRATEGY & IMPLEMENTATION

WBCP will execute a customized marketing/ad plan once the job announcement is created. An ad plan could include the following (based on assumptions), and will be customized based on information gathered in Phase I:

DIGITAL ADVERTISING WITH DIVERSITY IN MIND

WBCP utilizes digital advertising to obtain diverse applicant pools, leveraging local and national job boards, associations, and social media. In partnership with a diversity platform, our postings reach up to 600 local employment and diversity websites, connecting across 15,000+ community organizations and niche sites, tapping into a job bank of 2 million resumes. Upon our 2024 year-end review, we found that over the last three years 63% of our placed candidates came from diverse backgrounds.



EMAIL & DIRECT MAIL ADVERTISING

In addition to tapping into WBCP’s existing pool of potential applicants, we have the capability to access various professional lists. We actively seek out additional lists through associations, contacts, and other strategic channels.

SOURCING/HEADHUNTING

WBCP employs a proactive approach by reaching out to targeted individuals and cultivating new connections through referrals from reputable sources. As a LinkedIn recruiter, we harness the power of over 350 million profiles to identify and engage with ideal candidates. Additionally, WBCP utilizes cutting-edge AI tools for precise Boolean searches, enabling us to uncover niche candidates effectively.

COMMUNICATION WITH CLIENT

We will provide weekly updates on the progress of this search unless the client prefers more or less frequent communications. We tailor our communications in accordance with our Client’s needs.

VI. RECRUITMENT STRATEGY / PHASES.....

RESUME ASSESSMENT

WBCP will review resumes as they are received and/or at the close of the recruitment. Those candidates determined to be the most highly qualified will be selected for a screening interview.

SCREENING INTERVIEWS / REPORT TO CLIENT

WBCP does not restrict the number of applicants or candidates to be screened. Rather, we interview candidates who meet our ideal candidate criteria; frequently this group amounts to 20 candidates, or on average 20% of the applicant pool. Following the completion of the phone screen interviews, we will develop a report/recommended shortlist of candidates, which includes: resumes, cover letters, and a one-page profile summary of candidates' professional history, including a brief overview of WBCP's assessment and the results of their phone screen. We will meet with the selection committee/Client to review this report and select candidates for interviews. In this meeting, we will review the recruitment plan and discuss the final stages of the selection process.



COMMUNICATION WITH CANDIDATES

WBCP will take responsibility for communicating with the applicants/candidates during each phase of the search process and Client should refer any inquiries from potential or existing applicants directly to WBCP.

SELECTION PROCESS

WBCP will design and administer an appropriate final selection process based on the needs of the Client (tailored to the need and recruitment). WBCP will facilitate the invitation and coordination of these meetings/interviews and provide additional assessment tools/recommendations such as interview questions, writing and presentation exercises, problem solving scenarios, etc.

COMMUNICATION WITH CLIENT

Following the interviews and the Client's top candidate(s) selection, we will assist the Client with facilitating a thorough background and reference check. A typical approach includes a review of federal, state, and local criminal background checks and academic verification by a licensed background agency. Reference checks are conducted over the phone by a senior consultant and a final report is provided to the Client. References are completed on candidate(s) being considered after initial/panel interviews.



NEGOTIATIONS

Once the client reviews and is comfortable with the findings in the background and reference report, we are available to assist with negotiations on compensation, benefits, start date, and other transition details.

VII. SCOPE OF WORK.....

- Facilitate initial kick-off meeting with Client and other meetings that may include Executive Leadership, staff, community, and other stakeholders to assist with identifying the ideal candidate profile.
- Assist Client hiring authority/stakeholders in modifying the job description (as needed), and develop a recruitment announcement, marketing materials, and advertising plan for the recruitment.
- Attend all other meetings and engagements as needed or identified by the Client.
- Implement advertising plan including: publication, headhunting, direct mail, and other online and email marketing efforts.
- Provide timely updates and progress reports to the client regarding search services; every two weeks or as Client identifies is needed.
- Preliminary internet searches will be conducted on recommended candidates.
- Coordinate interview panel(s) as needed, or coordinate this process with Client.
- Receive and review applicants and screen those applicants to identify top candidates. Top screened paper applicants will be video/phone screened by recruiter to identify the key competencies (technical and interpersonal) to assist in identifying the top group of candidates who will be recommended at the Client/WBCP shortlist meeting.
- Facilitate shortlist meeting with Client – review and select candidates who will be invited to interview.
- Coordinate invitations to candidates.
- Develop interview questions and other selection details to meet specific needs and identify key competencies of candidates.
- Facilitate interviews with panel(s).
- Background and reference checks will be conducted with candidates who are identified as final candidates after initial Client interviews have been conducted. Background checks will be conducted in accordance with local law and typically include the following: criminal (local, state, and federal), education, credit, social security. References will be conducted based on a 360-degree perspective and will include staff, peers, and superiors. Onsite background services are available at an additional fee (see fees for details)
- Facilitate offer and negotiations with selected candidate; as directed by Client.

VIII. RECRUITMENT TIMELINE.....

*BELOW IS A SAMPLE OF AN EXECUTIVE SEARCH TIMELINE THAT
WBCP WILL CUSTOMIZE FOR THIS RECRUITMENT*

Week 1:

- Secure services with search firm, WBCP, Inc.
 - WBCP can schedule a Kickoff meeting as soon as we are selected.
- WBCP: review search parameters and recruiting processes with Client
 - Interview with hiring authority and other stakeholders for competencies
 - Identification of advertising venues and ideal candidate prospects
 - Calls, meetings, or coordination with other stakeholders for information gathering

Weeks 1 + 2:

- Develop and approvals: recruitment process, deadlines, ad plan and strategy, recruitment timeline and brochure
- Print coordination (if applicable)

Weeks 2 + 3:

- **OPEN RECRUITMENT AND AD PLAN:** Implement marketing plan and direct mail (if applicable)
- Secure panel member calendars
- Timeline may be extended if direct mail piece is included (i.e., print/postage)
- Finalize panel members and interview logistics and invitations to panel members

Weeks 4, 5, + 6:

- Receive applications –Collect and source applicants will continue until recruitment closes

Weeks 7 + 8:

- **CLOSE RECRUITMENT AND ADVERTISING**
- Conduct initial phone screen to identify shortlist of candidates
- Preliminary check on shortlist candidates (Google search)
- Candidate profiles developed and short list recommendations to client

Weeks 9 + 10:

- **MEETING – Client confirms selection of candidates to be advanced to panel interviews**
- Finalize questions, presentation, in-basket (as determined)
- Coordinates invitations with selected top candidates (shortlist)
- Produce panel candidate interview packets

Weeks 10 + 11:

- WBCP facilitates interview process – Interview process will be customized based on client and community needs:
 - **Day 1: Panel Interviews Conducted; Day 2: 2nd Interviews with executive leaders;**
 - 3rd interviews may be scheduled as needed with Boards/Commissions, etc.;
 - As needed schedule staff and/or community discussions/meetings

Week 12:

- WBCP conducts background and reference checks (backgrounds may be conducted by Client if current contract exists)
- WBCP conducts full reference checks for candidate(s) selected for Board/Commission interviews; or when Client is interested in making an offer

NEGOTIATIONS / HIRE:

- Hire date to accommodate possible candidate relocation
- Client (WBCP available to assist in process) conducts offer and facilitates salary negotiations with preferred candidate

IX. REFERENCES.....

1-City of Santa Monica, California

Similar Positions Filled:

- City Manager

Contact Information:

- Michael Arnoldus, Human Resources Manager - Michael.Arnoldus@santamonica.gov | 310-458-8613
- Dana Brown, Director of Human Resources - Dana.Brown@santamonica.gov

2-City of Pasadena, California

Similar Positions Filled:

- City Manager

Contact Information:

- Tiffany Jacobs-Quinn, Human Resources Director - tjacobsquinn@cityofpasadena.net | 626-744-4126

3-City of Tillamook, Oregon

Similar Positions Filled:

- City Manager

Contact Information:

- Aaron Burris, Mayor - aburris@tillamookor.gov | 503-812-3257

4-City of Santa Rosa, California

Similar Positions Filled:

- City Manager

Contact Information:

- Maraskeshia Smith, City Manager - cmoffice@srcity.org | 513-256-1673
- Chris Rogers, Mayor - crogers@srcity.org | 707-543-3017

X. MARKETING MATERIAL EXAMPLES.....

*Click below to see our marketing samples for similar positions. To see all of our brochures, visit: wbcpinc.com/closed-jobs-private/ and use the password: wbcp202510**

- [City Manager, City of Santa Monica, CA](#)
- [Town Manager, Town of Truckee, CA](#)
- [City Manager, City of Boulder City, NV](#)
- [City Manager, City of Colfax, CA](#)
- [City Manager, City of Petaluma, CA](#)
- [City Manager, City of Santa Rosa, CA](#)
- [City Manager, City of Pasadena, CA](#)
- [City Manager, City of Oxnard, CA](#)
- [City Manager, City of Sonoma, CA](#)
- [City Manager, City of Port Hueneme, CA](#)

XI. COST SHEET/TIMELINE POLICY..... ATTACHMENT 2

WBCP will not limit the number of hours we work on a recruitment, rather we charge a flat rate and will spend the time necessary to ensure we are successful. Consulting fees will be billed in thirds at the beginning (open for applications and advertising campaign launched), middle (shortlist selection), and end of the recruitment process (selection made and background/ references concluded).

**SERVICE COST PER RECRUITMENT
CITY MANAGER**

Description of Services/Deliverables:	Inclusive Rate per Recruitment:
Consulting Services: Phases I-IV in the proposal's recruitment strategy/phases section.	\$28,900
Expenses Include: Travel to client location (up to 2 trips); document shipping fees/delivery charges to facilitate virtual meetings, panel packet content; fees for background and reference checks; may include fee for one additional consultant to travel (and related expenses) and facilitate an additional panel for one day (\$700/day); brochure/graphic design (\$950); marketing and advertising which may include: print and postage (if applicable); online job boards; social media; sourcing; and may include flat fee pricing for: LinkedIn \$395, InMails \$300, Circa Diversity Job Boards \$295, Zoom Info \$299. These expenses will be billed based on what is expended and based on the needs of the client/recruitment.	Up to \$7,900 (direct expenses not-to-exceed)

Additional Cost

Upon request, WBCP can coordinate candidate travel and related expenses. Since this service falls outside of the standard scope of work, clients who choose this option should anticipate an estimated travel reimbursement of up to \$1,500 per non-local candidate. This estimate typically covers lodging, primary transportation, and/or a stipend.

Timeline Policy

To ensure the success and efficiency of our recruitment services, the following policies regarding cost and timelines are in place:

1. **Timeline Development:** Timelines provided to our clients are valid for **10 business days**. If a timeline is not secured or confirmed within this period, it may no longer be available. In such cases, the timeline may be reassigned to another client, and a revised timeline will be provided.
2. **Work Performed Out of Scope:** To deliver optimal results, adherence to agreed-upon dates and times for critical recruitment milestones (e.g., shortlist meeting and interview dates) is required. Any changes to these timelines after the recruitment process has commenced may result in:
 - a. **Forfeiture of the Recruitment Guarantee:** Deviating from the agreed timeline will void the recruitment services guarantee.
 - b. **Additional Charges:** Adjustments to timelines will incur additional fees, billed at our standard hourly rate.

Proposal Negotiations

While our standard pricing reflects the value and quality of our recruitment services, we recognize that each client's needs are unique. As such, we are open to discussing pricing options and also offer flexible partial search services that can be tailored to meet your specific requirements.

XII. OTHER.....

INSURANCE

WBCP and its sub-consultants have reviewed the contractual agreement and the Insurance Requirements. If selected, WBCP will execute said agreement and will provide the required insurance documents. WBCP will submit certificates of insurance as evidence of the required coverage limits. Insurance policies include: liability, errors and omissions, workers compensation, and vehicle insurance.

CONFIDENTIALITY SAFEGUARDS

Confidentiality is paramount in the work we do. We ensure that the client and candidate information we receive, and conversations with our client (and certainly discussions in closed session) are kept confidential. There are several physical safeguards we have in place including: locked and alarmed office space, password, and encryption protected information on our computers and servers, multiple backup systems. As information is shared with our client, we discuss the importance of confidentiality and why it is important to the candidates they are considering but also brands the organization appropriately. We also ask candidates who are interviewed to keep candidate information confidential, as they may see or meet a candidate during the process. We emphasize that confidentiality is not just until the recruitment is completed, and a candidate is hired, confidentiality is in perpetuity. Leaked information is not a reputation that a client wants to receive, as this could deter future applicants from applying.

ORGANIZATIONAL DIVERSITY STATEMENT

WBCP embraces cross-cultural diversity and we are committed to equitable treatment and elimination of discrimination in all its forms at all organizational levels and throughout all consulting practices, including search services. We strive to reach diverse groups of people to inform them of leadership opportunities. Upon our 2024 year-end review, we found that over the last three years, 70% of our applicants and 63% of our placed candidates came from diverse backgrounds. We will make extensive efforts to attract a qualified applicant pool that represents a broad range of gender and ethnically diverse individuals.

FORCE MAJEURE

Client agrees that WBCP, Inc. is not responsible for any events or circumstances beyond its control (e.g., including but not limited to war, riots, embargoes, strikes, and/or Acts of God) that prevent WBCP, Inc. from meeting its obligations under this Agreement.

Wendi Brown, President

AUGUST 22, 2025

Date

Client, Title

Date



CITY OF CARMEL-BY-THE-SEA
City Council
Staff Report

June 12, 2026
ORDERS OF BUSINESS

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Brian Pierik, City Attorney

APPROVED BY: Brandon Swanson, Acting City Administrator

SUBJECT: Resolution 2026-045 Establishing a Procedure for Prequalifying Contractors to Bid pursuant to California Public Contracts Code Section 20101 for the Centennial Restoration of the Harrison Memorial Library Project

RECOMMENDATION:

Motion to adopt Resolution 2026-045 (**Attachment 1**) Establishing a Procedure for Prequalifying Contractors to Bid pursuant to California Public Contracts Code Section 20101 for the Centennial Restoration of the Harrison Memorial Library Project.

BACKGROUND / SUMMARY:

The City Harrison Memorial Library (“Library”) is both a major contributor to and symbol of the special and highly distinctive quality of life and aesthetics found in the City.

On April 11, 2025, the City and the Carmel Public Library Foundation (“CPLF”), a 501(c)(3) nonprofit organization, entered in an Agreement for project commonly known as the Centennial Restoration of the Harrison Memorial Library (“Project”) with the Project being funded by the CPLF.

On July 16, 2025, the City and Moore Ruble Yudell Architects (“MRY”) entered into a Professional Services Agreement whereby MRY shall provide architectural services relating to the Project.

The Project is estimated to cost \$15 million and requires specific skills and capabilities due to the nature and extent of the restoration work required for the Project.

A. General Rules Regarding Bidding

If the City wants to award a contract to a general contractor for a public works project that exceeds \$5000, then the contract must be awarded to the lowest responsible bidder. Public Contract Code (PCC) Section 20162. The process for selecting the lowest responsible bidder includes the following determinations:

- 1. Which bidder is the lowest monetary amount.

- 2. Whether or not the lowest monetary bidder submitted a responsive bid. A responsive bid must conform to the material terms of the bid package. Responsiveness is determined from the face of the bid, not based on information submitted after bids were opened. If there is an irregularity on the bid which impacts the amount of the bid (such as an arithmetic error) or gives a competitive advantage to a bidder, then such an irregularity may not be waived by the City. Valley Crest Landscape (1996) 41 CA 4th 1432, 1440-1441. Per the direction of the City Council on June 2, 2026, the City Attorney sent to Shari Carlet language to add to the City’s bid documents that includes rules to be applied for the City to correct an arithmetic error in a bid.

- 3. Whether or not the lowest bidder with a responsive bid is responsible. A responsible bidder is one who is able to perform the contract if awarded. To be considered responsible, the bidder must demonstrate the attributes of trustworthiness, quality, fitness, capacity, and experience to satisfactorily perform the public works contract. PCC Section 1103. As long as the lowest bidder is responsible and has submitted a responsive bid, the contract, if awarded, must be awarded to that low bidder even though there may be other contractors who are more qualified than the low bidder.

If the City rejects a bid on the ground that the lowest bidder is not a “responsible” bidder, then as held in the case of Inglewood-Los Angeles County Civi Ctr. Auth. V. Superior Court (1972) 7 Cal. 3d 861, 871, that bidder is entitled to an opportunity to rebut any adverse evidence, and is permitted to present evidence that he is qualified to perform the contract:

“We hold that prior to awarding a public works contract to other than the lowest bidder, a public body must notify the low monetary bidder of any evidence reflecting upon his responsibility received from others of adduced as a result of independent investigation, afford him an opportunity to rebut such adverse evidence, and permit him to present evidence that he is qualified to perform the contract. We do not believe, however, that due process compels a quasi-judicial proceedings prior to rejection of the low monetary bidder as a nonresponsible bidder.”

B. Pre-Qualification of Prospective Bidders

California Public Contracts Code (“PCC”) Section 20101 (d) authorizes cities to prequalify contractors that want to bid on a specific public works project. The Resolution (Attachment 1) is intended to apply to a specific public works project, namely the Centennial Restoration of the Harrison Memorial Library Project.

1. Model Forms Prepared by California Department of Industrial Relations (DIR)

Pursuant to PCC, Section 20101 (a), the Department of Industrial Relations (“DIR”), in consultation with affected public agencies, cities and counties, the construction industry, the surety industry and other interested parties, has issued Model Forms for Pre-Qualification of Contractors Seeking to Bid on Public Works Projects including bidding for a specific public works project (“Model Forms”).

The Model Forms are linked here <https://www.dir.ca.gov/prequal.htm> and are also attached to the Resolution.

All page references below are to the page numbers in the Model Forms. The Resolution (**Attachment 1**) has attached Exhibits A through H (**Attachments 2-9**) as described below:

- A. Cover page (i), Table of Contents (ii) and Overview of PCC Section 20101 Model Forms (pages 1-5) (**Attachment 2**).
- B. Model Pre-Qualification Questionnaire (Model Forms pages 6-20) (**Attachment 3**).
- C. A List of Scorable Questions and the Scoring Instructions (Model Forms pages 21-34) (**Attachment 4**).
- D. Model Interview Questions (Model Forms pages 35-37) (**Attachment 5**).
- E. Instructions for Public Agencies Re: Interview Questions (Model Forms pages 38-40) (**Attachment 6**).
- F. Request for Pre-Qualification of Bidders Commencing with Forthcoming Public Work Bid Specific Project (Model Forms pages 41-44) (**Attachment 7**).
- G. Request for Pre-Qualification of Bidders Commencing with Forthcoming Public Work Bid Annual (Model Forms pages 45-48) (**Attachment 8**).
- H. Sources for Verification of Information Given by Contractors (Model Forms pages 49-53) (**Attachment 9**).

2. Submittals Required of Prospective Bidders

In order to become eligible to bid on the Project, a contractor must submit a standardized questionnaire, financial statement, and complete statement of experience to the City. The forms for the questionnaire (Exhibit B), financial statement (Part I, Question 4, page 8 of Exhibit B), and statement of experience (Part III, pages 19-20 of Exhibit B) will be based on the Model Forms.

3. Ratings of Prospective Contractors

Upon receiving the forms submitted by the prospective contractors, the Public Works Director, or designee, will rate prospective contractors in accordance with the rating system that is set forth in the List of Scorable Questions and the Scoring Instructions (Model Forms pages 21-34) attached as Exhibit "C" and incorporated herein by reference ("Rating System"). The Rating System will be applied uniformly and objectively to all prospective contractors which have submitted properly completed documents in accordance with the Resolution.

The Rating System shall also include Ratings for Experience as set forth in Section 6 of the Resolution which reads as follows:

A. For pre-qualification for a single project that may require specific skills and capabilities, the Model Forms state that public agencies may choose to score contractors for the number of similar projects completed and the degree of similarity between past projects and the planned project.

B. The DIR does not suggest any scoring for this aspect of the pre-qualification process because of the numerous possible variations in both the type of project to be built and the points of similarity between the pending project and past projects that may be significant to the public agency.

C. The City hereby establishes the following scoring ratings for experience:

(1) Number of Similar Projects. 5 points for each similar project up to a maximum score of 25 points.

(2) Degree of Similarity Between Past Project and the Planned Project. Maximum score 25 points.

(3) Scoring. A combined score of less than 35 points based on number of similar projects and degree of similarity disqualifies the contractor from bidding on the Project.

4. Appeal Procedures

PCC Section 20101 (d) provides that any public entity requiring prospective bidders on a public works project to prequalify pursuant to this section shall establish a process that will allow prospective bidders to dispute their proposed prequalification rating prior to the closing time for receipt of bids.

PCC Section 20101 (d) provides that the appeal process shall include the following:

(1) Upon request of the prospective bidder, the public entity shall provide

notification to the prospective bidder in writing of the basis for the prospective bidder's disqualification and any supporting evidence that has been received from others or adduced as a result of an investigation by the public entity.

(2) The prospective bidder shall be given the opportunity to rebut any evidence used as a basis for disqualification and to present evidence to the public entity as to why the prospective bidder should be found qualified.

(3) If the prospective bidder chooses not to avail itself of this process, the proposed prequalification rating may be adopted without further proceedings. The Appeals Procedures shall be as stated in the Notice (Exhibit F). The Appeals Panel will be appointed by the City Administrator or designee. The decision of the Appeals Panel shall be final and there shall be no further appeal from that decision.

5. City Administrator Authority

The Resolution provides that City Administrator shall have the authority to modify the Model Forms and the Appeals Procedure by Memorandum to the City Clerk so long as the modifications are consistent with the requirements of PCC Section 20101 and are posted on City website.

C. Recommendation

Due to the fact that the Project is estimated to cost \$15 million and requires specific skills and capabilities due to the nature and extent of the restoration work required for the Project, the recommendation is that the City Council adopt the Resolution (**Attachment 1**) Establishing a Procedure for Prequalifying Contractors to bid pursuant to California Public Contracts Code Section 20101 for the Centennial Restoration of the Harrison Memorial Library Project

FISCAL IMPACT:

The fiscal impact will include costs associated with the administration of the pre-qualification process.

PRIOR CITY COUNCIL ACTION:

April 11, 2025: Based upon City Council approval, the City and the Carmel Public Library Foundation ("CPLF), a 501(c)(3) nonprofit organization, entered in an Agreement for project commonly known as the Centennial Restoration of the Harrison Memorial Library ("Project") with the Project being funded by the CPLF.

July 16, 2025: Based upon City Council approval, the City and Moore Ruble Yudell Architects ("MRY") entered into a Professional Services Agreement whereby MRY shall provide architectural services relating to the Project.

ATTACHMENTS:

1. Resolution 2026-045
2. EXHIBIT A - DIR Model Forms Cover Page, Table of Contents and Overview
3. EXHIBIT B - Model Pre-Qualification Questionnaire
4. EXHIBIT C - A List of Scorable Questions and th Scoring Instructions
5. EXHIBIT D - Model Intereview Questions
6. EXHIBIT E - Instructions for Public Agencies Re Interview Questions
7. EXHIBIT F - Request for Pre-Qualification of Bidders Commencing with Forthcoming Public Work Bid for Specific Project
8. EXHIBIT G - Request for Pre-Qualification of Bidders Commencing with Forthcoming Public Work Bid Annual
9. EXHIBIT H - Sources for Verification of Information Given by Contractors

**CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL**

RESOLUTION NO. 2026-045

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
ESTABLISHING A PROCEDURE FOR PREQUALIFYING CONTRACTORS TO BID
PURSUANT TO CALIFORNIA PUBLIC CONTRACTS CODE SECTION 20101 FOR THE
CENTENNIAL RESTORATION OF THE HARRISON MEMORIAL LIBRARY PROJECT**

WHEREAS, the City Council of the City of Carmel-by-the-Sea ("City") finds as follows:

SECTION 1: Findings.

- A. The City Harrison Memorial Library ("Library") is both a major contributor to and symbol of the special and highly distinctive quality of life and aesthetics found in the City.
- B. On April 11, 2025, the City and the Carmel Public Library Foundation ("CPLF"), a 501(c)(3) nonprofit organization, entered in an Agreement for project commonly known as the Centennial Restoration of the Harrison Memorial Library ("Project") with the Project being funded by the CPLF.
- C. On July 16, 2025, the City and Moore Ruble Yudell Architects ("MRY") entered into a Professional Services Agreement whereby MRY shall provide architectural services relating to the Project.
- D. The Project is estimated to cost \$15 million and requires specific skills and capabilities due to the nature and extent of the restoration work required for the Project.
- E. California Public Contracts Code ("PCC") Section 20101 (c) authorizes cities to prequalify contractors to bid on public works projects on a quarterly basis which is valid for one calendar year following the date of initial prequalification. This Resolution is not intended to apply to the annual prequalification for all public works projects in the City.
- F. California Public Contracts Code ("PCC") Section 20101 (d) authorizes cities to prequalify contractors that want to bid on a specific public works project. This Resolution is intended to apply to a specific public works project, namely the Centennial Restoration of the Harrison Memorial Library Project.
- G. It is in the public interest for the City to adopt procedures that will help ensure that the Project is constructed by a contractor of the highest quality at the best possible price.
- H. Accordingly, it is in the public interest for the City to implement a program for prequalifying contractors seeking to make bids on the Project.
- I. Pursuant to PCC, Section 20101 (a), the Department of Industrial Relations ("DIR"), in consultation with affected public agencies, cities and counties, the construction industry, the surety industry and other interested parties, has issued Model Forms for

Pre-Qualification of Contractors Seeking to Bid on Public Works Projects including bidding for a specific public works project (“Model Forms”). The Model Forms are linked here <https://www.dir.ca.gov/prequal.htm> All page references are to the page numbers in the Model Forms.

- (1) Cover page (i) , Table of Contents (ii) and Overview of PCC Section 20101 Model Forms (pages 1-5). Collectively attached as Exhibit A.
- (2) Model Pre-Qualification Questionnaire (Model Forms pages 6-20). Attached as Exhibit B.
- (3) A List of Scorable Questions and the Scoring Instructions (Model Forms pages 21-34). Attached as Exhibit C.
- (4) Model Interview Questions (Model Forms pages 35-37). Attached as Exhibit D.
- (5) Instructions for Public Agencies Re: Interview Questions (Model Forms pages 38-40). Attached as Exhibit E.
- (6) Request for Pre-Qualification of Bidders Commencing with Forthcoming Public Work Bid Specific Project (Model Forms pages 41-44) Attached as Exhibit F.
- (7) Request for Pre-Qualification of Bidders Commencing with Forthcoming Public Work Bid Annual (Model Forms pages 45-48) Attached as Exhibit G.
- (8) Sources for Verification of Information Given by Contractors (Model Forms pages 49-53). Attached as Exhibit H.

SECTION 2: Submittals Required of Prospective Bidders. To become eligible to bid on the Project, a contractor must submit a standardized questionnaire, financial statement, and complete statement of experience to the City. The forms for the questionnaire (Exhibit B), financial statement (Part I, Question 4, page 8 of Exhibit B), and statement of experience (Part III, pages 19-20 of Exhibit B) will be based on the Model Forms.

SECTION 3: Penalty of Perjury. In accordance with PCC Section 20101(a), all documents submitted by a prospective contractor will be submitted under penalty of perjury pursuant to California law.

SECTION 4: Confidentiality. Pursuant to PCC Section 20101(a), the questionnaires and financial statements submitted by prospective contractors pursuant to this Resolution will not be public records and will not be subject to public inspection.

SECTION 5: Ratings. Upon receiving the forms submitted by the prospective contractors, the Public Works Director, or designee, will rate prospective contractors in accordance with the rating system that is set forth in the List of Scorable Questions and the Scoring Instructions (Model Forms pages 21-34) attached as Exhibit “C” and incorporated herein by reference (“Rating System”). The Rating System will be applied uniformly and objectively to all prospective contractors which have submitted properly completed documents in accordance

with this Resolution. The Rating System shall also include Ratings for Experience as set forth in Section 6 of this Resolution.

SECTION 6: Ratings for Experience.

- A. For pre-qualification for a single project that may require specific skills and capabilities, the Model Forms state that public agencies may choose to score contractors for the number of similar projects completed and the degree of similarity between past projects and the planned project.
- B. The DIR does not suggest any scoring for this aspect of the pre-qualification process because of the numerous possible variations in both the type of project to be built and the points of similarity between the pending project and past projects that may be significant to the public agency.
- C. The City hereby establishes the following scoring ratings for experience:
 - (1) Number of Similar Projects. 5 points for each similar project up to a maximum score of 25 points.
 - (2) Degree of Similarity Between Past Project and the Planned Project. Maximum score 25 points.
 - (3) Scoring. A combined score of less than 35 points based on number of similar projects and degree of similarity disqualifies the contractor from bidding on the Project.

SECTION 7: Model Interview Questions. The City Administrator or designee shall utilize the Model Interview Questions included in the DIR Model forms (Model Forms pages 35-37). Exhibit D. Model Interview Questions are to be included in the package given to the contractors for information only.

SECTION 8: Instructions for Public Agencies Re: Interview Questions. The City Administrator or designee shall utilize the Instructions for Public Agencies Re: Interview Questions included in the DIR Model forms ((Model Forms pages 38-40). Exhibit E.

SECTION 9: Request for Pre-Qualification of Bidders Commencing With Forthcoming Public Work Bid. The City Administrator or designee shall cause to be issued a notice with a Request for Pre-Qualification of Bidders Commencing With Forthcoming Public Work Bid ("Notice") included in the DIR Model Forms modified as appropriate by the City Administrator or designee for the Project (Model Forms pages 41-44). Exhibit F.

SECTION 10: Subcontractors.

- A. PCC Section 20101 provides that an awarding agency may prequalify or disqualify a subcontractor and further that disqualification of a contractor by an awarding agency does not disqualify an otherwise prequalified contractor.
- B. The Notice include the following language on the last page of the Model Form: "To contractors who are using subcontractors for this job, please be advised that the

City **may** require, as to subcontractors, one of the following” with these choices (“Choices”):

- (1) The qualification of subcontractors in the following crafts or trades, following acceptance of your bid, but before the bid is made:

-
- (2) Pre-qualification of all subcontractors
 - (3) Pre-qualification of subcontracts in certain crafts
 - (4) Post-bid qualification review

- C. The City Administrator or designee is authorized to select, or not select, one of the Choices set forth in Section 10 b of this Resolution.

SECTION 11: Unqualified Contractors. Nothing contained within this Resolution, or otherwise, will require the City to rate, or consider, contractors who have submitted documents that are materially false, substantially incomplete, or are untimely. Any contractor who submits such documents will be deemed to have waived its right to be considered for bidding on the Project.

SECTION 12: Appeal Procedures.

- A. PCC Section 20101 (d) provides that any public entity requiring prospective bidders on a public works project to prequalify pursuant to this section shall establish a process that will allow prospective bidders to dispute their proposed prequalification rating prior to the closing time for receipt of bids.
- B. PCC Section 20101 (d) provides that the appeal process shall include the following:
 - (1) Upon request of the prospective bidder, the public entity shall provide notification to the prospective bidder in writing of the basis for the prospective bidder's disqualification and any supporting evidence that has been received from others or adduced as a result of an investigation by the public entity.
 - (2) The prospective bidder shall be given the opportunity to rebut any evidence used as a basis for disqualification and to present evidence to the public entity as to why the prospective bidder should be found qualified.
 - (3) If the prospective bidder chooses not to avail itself of this process, the proposed prequalification rating may be adopted without further proceedings.
- C. The Appeals Procedures shall be as stated in the Notice (Exhibit F). The Appeals Panel will be appointed by the City Administrator or designee. The decision of the Appeals Panel shall be final and there shall be no further appeal from that decision.

D. Other than for appeals by prospective bidders to dispute their proposed prequalification rating as provided in the Notice, there shall be no appeals of any decisions by the City Administrator or designee authorized by this Resolution.

SECTION 13: Exhibits. Exhibits A to H attached hereto are hereby incorporated by this reference as though set forth in full.

SECTION 14: City Administrator Authority. The City Administrator shall have the authority to modify the Model Forms and the Appeals Procedure by Memorandum to the City Clerk so long as the modifications are consistent with the requirements of PCC Section 20101 and are posted on City website.

SECTION 15: Severability. The City declares that, should any provision, section; paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this Resolution shall remain in full force and effect.

SECTION 16: Effective Date. This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 12th day of June, 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dale Byrne, Mayor

Nova Romero, MMC, City Clerk

APPROVED AS TO FORM:

Brian A. Pierik, City Attorney

LIST OF EXHIBITS

- (1) Cover page (i) , Table of Contents (ii) and Overview of PCC Section 20101 Model Forms (pages 1-5). Collectively attached as Exhibit A.
- (2) Model Pre-Qualification Questionnaire (Model Forms pages 6-20). Attached as Exhibit B.
- (3) A List of Scorable Questions and the Scoring Instructions (Model Forms pages 21-34). Attached as Exhibit C.
- (4) Model Interview Questions (Model Forms pages 35-37). Attached as Exhibit D.
- (5) Instructions for Public Agencies Re: Interview Questions (Model Forms pages 38-40). Attached as Exhibit E.
- (6) Request for Pre-Qualification of Bidders Commencing with Forthcoming Public Work Bid (Model Forms pages 41-44 for specific public works project). Attached as Exhibit F.
- (7) Request for Pre-Qualification of Bidders Commencing with Forthcoming Public Work Bid (Model Forms pages 45-48 annual pre-qualification). Attached as Exhibit G.
- (8) Sources for Verification of Information Given by Contractors (Model Forms pages 49-53). Attached as Exhibit H.

PRE-QUALIFICATION OF CONTRACTORS SEEKING TO BID ON PUBLIC WORKS PROJECTS:

*The 1999 State Legislation and the
Model Forms Created by the
Department of Industrial Relations*



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INTRODUCTION AND OVERVIEW OF THE 1999 LAW AND ITS APPLICATION

I. IMPORTANT PROVISIONS OF THE 1999 LAW

In 1999, the Legislature enacted a law that allows many public agencies to require licensed contractors that wish to bid for public works jobs to “pre-qualify” for the right to bid on a specific public works project, or on public works project undertaken by a public agency during a specified period of time. Public Contract Code section 20101 has the relevant provisions; it was enacted as part of Assembly Bill 574.

The law applies to all cities, counties, and special districts but does not apply to K-12 school districts (which have similar authority to create pre-qualification procedures, described in Public Contract Code section 20111.5, which was enacted in 1997).¹

The law does not require any public agency to adopt a pre-qualification system. Instead, it authorizes every public agency to adopt a pre-qualification system, and describes certain requirements that must be met (described below), if a public agency chooses to adopt such a system.

In fact, the 1999 law allows a public agency to establish two different kinds of pre-qualification procedures for public works projects. The law allows a public agency to establish a pre-qualification procedure linked to a single project (Section 20101[d]). Or, the public agency may adopt a procedure by which a contractor may qualify to bid on projects which are put out for bid by that agency for a period of one year after the date of initial pre-qualification. (Section 20101[c]).

The law requires every public agency that creates either kind of pre-qualification procedure to:

(1) use a “standardized questionnaire and financial statement in a form specified by the public entity”(Section 20101[a]);

(2) adopt and apply a uniform system of rating bidders on objective criteria, on the basis of the completed questionnaires and financial statements (Section 20101[b]);

(3) create an appeal procedure, by which a contractor that is denied pre-qualification may seek a reversal of that determination. (Section 20101[d]).

II. ROLE OF THE DEPARTMENT OF INDUSTRIAL RELATIONS

AB 574 required the Department of Industrial Relations (DIR) to “develop model guidelines for rating bidders, and draft the standardized questionnaire.” It required DIR to “consult with affected public agencies, cities and counties, the construction industry, the surety industry, and other interested parties.”

¹ Community College Districts also have specific authority to carry out prequalification procedures, in Public Contract Code section 20651.5, enacted in 1998. Community College Districts may also be covered by AB 574, since they are not specifically exempted.

From January through October 2000, DIR held a series of meetings in Sacramento with representatives of public agencies and other interested parties. Each meeting was attended by more than 25 representatives of interested parties. All told, more than 60 people participated in at least one such meeting, and most representatives participated in more than one. Contractors, public agencies both large and small, and associations of each were well represented throughout the series of meetings. DIR's initial draft of a questionnaire was revised after each meeting, and each revised draft was discussed at the next meeting, leading to additional revisions. Eventually, there was widespread consensus that the model questionnaire provided in this package offers a system of rating bidders based on objective criteria, and a useful and appropriate series of questions.

In addition, DIR, in compliance with the 1999 legislation, created model guidelines for rating bidders. The model rating system also is included in this package.

III. AN OVERVIEW OF THE DOCUMENTS IN THIS PACKAGE

Included in this package are:

1. A model questionnaire to be sent to contractors. The questionnaire includes spaces for answers to be provided by the contractors, with the forms to be returned to the public agency.² As required by the legislation, the information provided to the public agency by the contractors, other than the names, addresses and contractor license numbers of the contractors applying – is to be kept confidential
2. A model scoring system, for rating the answers given by the contractors and by the references. Note: the documents provided here by DIR are designed to collect the information that a public agency will need to carry out a pre-qualification procedure, and the DIR has proposed a rating system. Each public agency, however, is free to devise its own “uniform system of rating prospective bidders . . . based on objective criteria.” That is, each public agency may determine its own scoring system and its own passing scores for different portions of the questionnaire and for the interviews.
3. A model series of questions to be used by representatives of the public agency when interviewing persons who are identified by contractors as their “references” – owners of projects that have been completed by each contractor in the recent past.
4. DIR's suggestions for procedures to be used for conducting the reference interviews.
5. Two alternative forms: model announcements of pre-qualification procedures. Each is a summary and explanation of the pre-qualification procedure, prepared primarily for licensed contractors, although available for the general public as well. There are two slightly different versions of this document: one explains the pre-qualification procedure linked to a single project,³

² The documents included in this package can be found at the Department of Industrial Relations web site, www.dir.ca.gov. Click on “Data bases.”

³ The explanation included in this document assumes that the prequalification procedure is taking place after the RFP or project announcement is published. A public agency may choose, instead, to have the prequalification

while the other explains the procedure of pre-qualification valid for a year and for more than one project.

6. A list of sources of information that may be used by a public agency to verify the accuracy of many of the answers given by the contractors to the questions on the questionnaire.⁴

IV. APPEAL PROCEDURE

Section 20101(d) requires every public agency that requires prospective bidders to prequalify pursuant to this law to establish “a process that will allow prospective bidders to dispute their proposed prequalification rating prior to the closing time for receipt of bids.” The appeal process must include written notification by the public agency of the basis for the prospective bidder’s disqualification “and any supporting evidence that has been received from others or adduced as a result of an investigation by the public entity.” (section 20101[d][1]). The prospective bidder must be given an opportunity to rebut any evidence used as a basis for disqualification and to present evidence to the public entity as to why the prospective bidder should be found qualified.” (section 20101[d][2]). The law does not describe the appeal procedure in any additional detail; each public agency is free to adopt its own procedures, as long as the statutory requirements are met. As an example, while Part I of the model questionnaire includes nine “Essential Requirements for Qualification,” a public agency may choose to allow contractors to appeal a disqualification based solely on an answer to a question in Part I.

DIR has devised two different schedules for appeal procedures. One schedule would be used in a system for prequalification for a single project. The sequence of steps in this appeal procedure are scheduled to allow for an appeal decision at least four business days prior to the submission for bids for the single project. The other schedule for an appeal is applicable to a system in which prospective bidders seek prequalification valid for one year, without a link to the bidding on a specific project. These two appeal sequences are described in the explanation to contractors (the two documents referred to in paragraph 5, above).

Each public agency should be certain that it distributes to licensed contractors only the description that is appropriate for the prequalification procedures that are in use.

There are a number of laws and court decisions that affect the nature of an appeal hearing provided by a public agency. Each public agency should consult its own attorneys for advice in this area.

procedure start and end prior to the solicitation of bids for the specific project. If that is the case, the public agency would have to modify the document offered here to explain the sequence of events.

⁴ **A CAUTIONARY NOTE:** The information that will be given to public agencies by contractors seeking pre-qualification is provided under oath, with the understanding that the intentional providing of false information is, in itself, grounds for disqualification. We expect that the information given should be and will be accepted at face value in most instances. Our list of sources of information available to the public is provided for use in the few instances in which a public agency reviewing the answers given in a questionnaire has specific reason to believe that one or more answers should be verified in this manner.

V. APPLICATION OF THE PUBLIC RECORDS ACT

AB 574 provides that “The questionnaires and financial statements shall not be public records and shall not be open to public inspection; however, records of the names of contractors applying for prequalification status shall be public records subject to disclosure” under the Public Records Act. (Section 20101[a]). The model questionnaire forms provided by DIR indicate that the cover page of each questionnaire is a public record, and that all other pages of the questionnaire are not public records.

VI. WHAT ARE THE LAW’S PROVISIONS REGARDING PREQUALIFICATION OF SUBCONTRACTORS?

Public agencies are not required to pre-qualify sub-contractors, nor are public agencies prohibited from doing so. Section 20101(f) says:

Nothing in this section shall preclude the awarding agency from prequalifying or disqualifying a subcontractor. The disqualification by an awarding agency does not disqualify an otherwise prequalified [general] contractor.

MODEL PRE-QUALIFICATION QUESTIONNAIRE

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):

PART I. ESSENTIAL REQUIREMENTS FOR QUALIFICATION

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

Contractor will be immediately disqualified if the answer to any of questions 6, 7, 8 or 9 is “yes.”⁶ If the answer to question 8 is “yes,” and if debarment would be the sole reason for denial of pre-qualification, any pre-qualification issued will exclude the debarment period.

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.⁷
 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

⁵ A “no” answer to Question 4 will not be disqualifying if the contractor is exempt from complying with Question 4, for reasons explained in footnote 7.

⁶ A contractor disqualified solely because of a “Yes” answer given to question 6, 7, or 9 may appeal the disqualification and provide an explanation of the relevant circumstances during the appeal procedure.

⁷ Public Contract Code section 20101(e) exempts from this requirement a contractor who has qualified as a small business pursuant to Government Code section 14837(d)(1), if the bid is “no more than 25 per cent of the qualifying amount provided in section 14837(d)(1).” As of January 1, 2001, the qualifying amount is \$10 million, and 25 per cent of that amount, therefore, is \$2.5 million.

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?⁸

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
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

⁸ An additional notarized statement from the surety may be requested by *Public Entity* at the time of submission of a bid, if this pre-qualification package is submitted more than 60 days prior to submission of the bid.

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 #

- 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.

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:

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?

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

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.

- 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:

- 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?

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

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.

- 36. Provide the **name, address and telephone number** of the apprenticeship program (approved by the California Apprenticeship Council) from whom you intend to request the dispatch of apprentices to your company for use on any public work project for which you are awarded a contract by *[Public Entity]*.

- 37. If your firm operates its own State-approved apprenticeship program:

- (a) Identify the craft or crafts in which your firm provided apprenticeship training in the past year.
- (b) State the year in which each such apprenticeship program was approved, and attach evidence of the most recent California Apprenticeship Council approval(s) of your apprenticeship program(s).
- (c) State the number of individuals who were employed by your firm as apprentices at any time during the past three years in each apprenticeship and the number of persons who, during the past three years, completed apprenticeships in each craft while employed by your firm.

38. At any time during the last five years, has your firm been found to have violated any provision of California apprenticeship laws or regulations, or the laws pertaining to use of apprentices on public works?

NOTE: You may omit reference to any incident that occurred prior to January 1, 1998, if the violation was by a subcontractor and your firm, as general contractor on a project, had no knowledge of the subcontractor’s violation at the time they occurred.

Yes No

If “yes,” provide the date(s) of such findings, and attach copies of the Department’s final decision(s).

PART III. RECENT CONSTRUCTION PROJECTS COMPLETED

39. 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.⁹ 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):

⁹ 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.

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 the attached Financial Statement and know their contents. The matters stated in the questionnaire answers and all information in the Financial Statement 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)

A LIST OF THE SCORABLE QUESTIONS AND THE SCORING INSTRUCTIONS

A LIST OF THE SCORABLE QUESTIONS AND THE SCORING INSTRUCTIONS

The scorable questions arise in three different areas:

- (I) History of the business and organizational performance;
- (II) Compliance with occupational safety and health laws, workers' compensation and other labor legislation; and
- (III) Completion of recent projects and quality of performance.

The interview questions (interviews by the public agency of project managers on projects completed recently by the contractor) are included in group III. In a pre-qualification procedure for a single project, this last category would also include a scoring of the number of recently completed projects that are similar to the project on which pre-qualification is at issue. However, scoring linked to the similarity of past projects would **probably not be possible or useful** if the public agency as part of a procedure to pre-qualify contractors for an extended period.

Note: Not all questions in the questionnaire are scorable; some questions simply ask for information about the contractor firm's structure, officers and history. This document includes only those questions that are "scorable." The question numbers in this document are the numbers used in the questionnaire. Thus, the questions included here begin with question number 6, and there are a few breaks in the numerical sequence.

The Scores Needed for Prequalification

To prequalify, a contractor would be required to have a passing grade within each of the three large categories referred to above.

For Section I, "History of the business and organizational performance," DIR recommends use of a passing score of **57** on this portion of the questionnaire (of a maximum score of 76 on this portion of the questionnaire).

For Section II, Compliance with occupational safety and health laws, workers' compensation and other labor legislation DIR recommends use of a passing score of **38** on this portion of the questionnaire (of a maximum score of 53 points on this portion of the questionnaire).

Section III, Completion of recent projects and quality of performance, includes a series of interview questions, and may also include questions about recently completed (public or private) construction projects. For the interview questions, DIR recommends that a public agency interview project managers for the owners of two completed projects. DIR recommends a scoring system that would allow a maximum score of 120 points for each interview. For these questions, DIR recommends qualification for a contractor whose score on each of two interviews is 72 points or more; a denial of pre-qualification

for a contractor whose score on either interview is less than 55 points; and an additional interview with another reference if the score resulting from one interview is between 55 points and 72 points.

DIR makes no recommendation about how to score a contractor's answers about recently completed past projects. Because of the wide range of projects that a public agency may be planning, and the similarly wide range in the skills, abilities, and experience that a public agency will consider most important for a pending project, it is impossible to propose a useful model scoring system to apply to the answers given about a contractor's completed projects.

Questions about History of the Business and Organizational Performance

(16 questions)

1. How many years has your organization been in business in California as a contractor under your present business name and license number? _____ years

3 years or more = 2 points

4 years = 3 points 5 years = 4 pts.

6 years or more = 5 points

2. Is your firm currently the debtor in a bankruptcy case?

Yes No

“No” = 3 points“ “Yes” = 0 points

3. Was your firm in bankruptcy 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

“No” = 3 points“ “Yes” = 0 points

4. 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

No = 5 points Yes = 0 points

5. 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

No projects with liquidated damages of more than \$50,000, or one project with liquidated damages = 5 points.

Two projects with liquidated damages of more than \$50,000 = 3 points

Any other answer: no points

6. 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

No = 5 points Yes = 0 points

7. 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?
 Yes No

No = 5 points Yes = 0 points

* * * * *

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.

8. 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 the firm's average gross revenue for the last three years was less than \$50 million, scoring is as follows:

*5 points for either "No" or "Yes" indicating 1 such instance.
3 points for "Yes" indicating 2 such instances.
0 points for "Yes" if more than 2 such instances.*

If your firm's average gross revenue for the last three years was more than \$50 million, scoring is as follows:

*5 points for either "No" or "Yes" indicating 1, 2, or 3 such instances.
3 points for "Yes" indicating either 4 or 5 such instances.
0 points for "Yes" if more than 5 such instances.*

9. 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 your firm's average gross revenues for the last three years was less than \$50 million scoring is as follows:

*5 points for either "No" or "Yes" indicating 1 such instance.
3 points for "Yes" indicating 2 such instances.
0 points for "Yes" if more than 2 such instances.*

If your firm's average gross revenues for the last three years was more than \$50 million, scoring is as follows:

*5 points for either "No" or "Yes" indicating 1, 2, or 3 such instances.
3 points for "Yes" indicating either 4 or 5 such instances.
0 points for "Yes" if more than 5 such instances.*

10. 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

***5 points for either "No" or "Yes" indicating 1 such claim.
3 points for "Yes" indicating no more than 2 such claims
Subtract five points for "Yes" if more than 2 such claims***

11. 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

***5 points for either "No" or "Yes" indicating 1 such instance.
3 points for "Yes" indicating 2 such instances.
0 points for "Yes" or if more than 2 such instances.***

12. 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

No = 5 points Yes = subtract 5 points

13. 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

No = 5 points Yes = subtract 5 points

14. 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

No = 5 points Yes = subtract 5 points

15. 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.

_____ %

*5 points if the rate is no more than one per cent
3 points if the rate was no higher than 1.10 per cent.
0 points for any other answer.*

16. During the last five years, has your firm ever been denied bond credit 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

No = 5 points Yes = 0 points

**Questions about compliance with safety, workers compensation,
prevailing wage and apprenticeship laws.**

(11 questions)

1. 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 the firm’s average gross revenues for the last three years was less than \$50 million, scoring is as follows:

*5 points for either “No” or “Yes” indicating 1 such instance.
3 points for “Yes” indicating 2 such instances.
0 points for “Yes” if more than 2 such instances.*

If the firm’s average gross revenues for the last three years was more than \$50 million, scoring is as follows:

*5 points for either “No” or “Yes” indicating 1, 2, or 3 such instances.
3 points for “Yes” indicating either 4 or 5 such instances.
0 points for “Yes” if more than 5 such instances.*

2. 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 appropriate appeals Board has not yet ruled on your appeal, you need not include information about it.

Yes No

If yes, attach a separate signed page describing each citation.

If the firm's average gross revenues for the last three years was less than \$50 million, scoring is as follows:

5 points for either "No" or "Yes" indicating 1 such instance.

3 points for "Yes" indicating 2 such instances.

0 points for "Yes" or if more than 2 such instances.

If the firm's average gross revenues for the last three years was more than \$50 million, scoring is as follows:

5 points for either "No" or "Yes" indicating 1, 2, or 3 such instances.

3 points for "Yes" indicating either 4 or 5 such instances.

0 points for "Yes" if more than 5 such instances.

3. 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?

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 the firm's average gross revenues for the last three years was less than \$50 million, scoring is as follows:

5 points for either "No" or "Yes" indicating 1 such instance.

3 points for "Yes" indicating 2 such instances.

0 points for "Yes" or if more than 2 such instances.

If the firm's average gross revenues for the last three years was more than \$50 million, scoring is as follows:

5 points for either "No" or "Yes" indicating 1, 2, or 3 such instances.

3 points for "Yes" indicating either 4 or 5 such instances.

0 points for "Yes" if more than 5 such instances.

4. How often do you require documented safety meetings to be held for construction employees and field supervisors during the course of a project?

*3 points for an answer of once each week or more often.
0 points for any other answer*

5. 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.

NOTE: An Experience Modification Rate is issued to your firm annually by your workers’ compensation insurance carrier.

*5 points for three-year average EMR of .95 or less
3 points for three-year average of EMR of more than .95 but no more than 1.00
0 points for any other EMR*

6. 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

*5 points for either “No” or “Yes” indicating 1 such instance.
0 points for any other answer.*

7. Has there been more than one occasion during the last five years on 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?

Yes No

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.

If your firm's average gross revenues for the last three years was less than \$50 million, scoring is as follows:

5 points for either "No," or "Yes" indicating either 1 or 2 such instance.

3 points for "Yes" indicating 3 such instances.

0 points for "Yes" and more than 3 such instances.

If your firm's average gross revenues for the last three years was more than \$50 million, scoring is as follows:

5 points for either "No" or "Yes" indicating no more than 4 such instances.

3 points for "Yes" indicating either 5 or 6 such instances.

0 points for "Yes" and more than 6 such instances.

8. During the last five years, has there been more than one occasion on 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 your firm's average gross revenues for the last three years was less than \$50 million, scoring is as follows:

5 points for either "No," or "Yes" indicating either 1 or 2 such instance.

3 points for "Yes" indicating 3 such instances.

0 points for "Yes" and more than 3 such instances.

If your firm's average gross revenues for the last three years was more than \$50 million, scoring is as follows:

5 points for either "No" or "Yes" indicating no more than 4 such instances.

3 points for "Yes" indicating either 5 or 6 such instances.

0 points for "Yes" and more than 6 such instances.

9. Provide the **name, address and telephone number** of the apprenticeship program sponsor(s) (approved by the California Division of Apprenticeship Standards) that will provide apprentices to your company for use on any public work project for which you are awarded a contract by *[Public Entity]*.
-
-

***5 points if at least one approved apprenticeship program is listed.
0 points for any other answer.***

10. If your firm operates its own State-approved apprenticeship program:
- (a) Identify the craft or crafts in which your firm provided apprenticeship training in the past year.
 - (b) State the year in which each such apprenticeship program was approved, and attach evidence of the most recent California Apprenticeship Council approval(s) of your apprenticeship program(s).
 - (c) State the number of individuals who were employed by your firm as apprentices at any time during the past three years in each apprenticeship and the number of persons who, during the past three years, completed apprenticeships in each craft while employed by your firm.

5 points if one or more persons completed an approved apprenticeship while employed by your firm.

0 points if no persons completed an approved apprenticeship while employer by your firm.

11. At any time during the last five years, has your firm been found to have violated any provision of California apprenticeship laws or regulations, or the laws pertaining to use of apprentices on public works?

NOTE: You may omit reference to any incident that occurred prior to January 1, 1998 if the violation was by a subcontractor and your firm, as general contractor on a project, had no knowledge of the subcontractor's violation at the time they occurred.

Yes No.

If yes, provide the date(s) of such findings, and attach copies of the Department's final decision(s).

If your firm's average gross revenues for the last three years was less than \$50 million, scoring is as follows:

5 points for either "No," or "Yes" indicating either 1 or 2 such instance.

3 points for "Yes" indicating 3 such instances.

0 points for "Yes" and more than 3 such instances.

If your firm's average gross revenues for the last three years was more than \$50 million, scoring is as follows:

5 points for either "No" or "Yes" indicating no more than 4 such instances.

3 points for "Yes" indicating either 5 or 6 such instances.

0 points for "Yes" and more than 6 such instances.

Questions concerning recent construction projects completed:
(one question, plus 11 interview questions)

The following question to be scored only where a public agency is undertaking a pre-qualification procedure valid for a single project only.

- 1. 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.¹⁰ 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):

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: _____

* * * * *

¹⁰ 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.

Scoring of previous projects completed:

For pre-qualification for a single project that may require specific skills and capabilities, public agencies may choose to score contractors for the number of similar projects completed, and the degree of similarity between past projects and the planned project. DIR has not suggested any scoring for this aspect of the pre-qualification process, because of the numerous possible variations in both the type of project to be built and the points of similarity between the pending project and past projects that may be significant to the public agency.

MODEL INTERVIEW QUESTIONS

MODEL INTERVIEW QUESTIONS

The following questions will be used to interview randomly selected contacts from at least two completed projects. *[Public Entity]* will conduct the interviews. No action on the contractor's part is necessary. These questions are included on the package given to the contractor for information only.

The highest possible score is 120 Points. A score less than 55 points disqualifies a contractor from bidding on projects that are proposed by *[Public Entity]*. A score of between 56 and 72 indicates *the Public Entity* should conduct an interview of another contact, that is, a manager of another completed project. A score of 72 or higher on each of two interviews is sufficient for pre-qualification.

First, please give a brief description of the project.

1. Are there any outstanding stop notices, liens, or claims by the contractor that are currently unresolved on contracts for which notices of completion were recorded more than 120 days ago? (1 point for each is deducted from overall score; maximum amount to be deducted is 5 points)
2. On a scale of 1-10, with 10 being the best, did the contractor provide adequate personnel? (Max. 10 points)
3. On a scale of 1-10, with 10 being the best, did the contractor provide adequate supervision? (Max. 10 points)
4. On a scale of 1-10, with 10 being the best, was there adequate equipment provided on the job? (Max. 10 points)
5. On a scale of 1-10, with 10 being the best, was the contractor timely in providing reports and other paperwork, including change order paperwork and scheduling updates? (Max. 10 points)
6. On a scale of 1-10, with 10 being the best, did the contractor adhere to the project schedule that your [agency] [business] approved? (Max. 10 points)
7. Was the project completed on time? (10 points if the answer is "Yes").
Or, if the answer is "no," on a scale of 1-10, with 10 being the best, to what extent was the contractor responsible for the delay in completion?
8. On a scale of 1-10, with 10 being the best, rate the contractor on the timely submission of reasonable cost and time estimates to perform change order work. (Max. 10 points)

9. On a scale of 1-10, with 10 being the best, rate the contractor on how well the contractor performed the work after a change order was issued, and how well the contractor integrated the change order work into the existing work. (Max. 10 points).
10. On a scale of 1-10, with 10 being the best, rate how has the contractor been performing in the area of turning in Operation & Maintenance manuals, completing as-built drawings, providing required training and taking care of warranty items? (Max. 10 points)
11. On a scale of 1-10, with 10 being the best, rate the contractor on whether there were an unusually high number of claims, given the nature of the project, or unusual difficulty in resolving them. (Max. 10 points)
12. On a scale of 1-10, with 10 being the highest, rate the contractor with respect to timely payments by the contractor to either subcontractors or suppliers. (If the person being interviewed knows of no such difficulties, the score on this question should be “10.”)
13. On a scale of 1-10, with 10 being the best, how would you rate the quality of the work overall? (Max. 10 points)

**INSTRUCTIONS FOR PUBLIC
AGENCIES RE:
INTERVIEW QUESTIONS**

INSTRUCTIONS FOR PUBLIC AGENCIES
Re: Interview Questions

The following is meant to assist the public agency to conduct the interviews of the managers of projects previously completed (that is, the people who supervised the projects for the project owners) by the contractor wishing to pre-qualify. The interview questions allow qualitative review of work performance for contractors who choose to bid and pre-qualify for public works contracts. The interview questions will be used to examine randomly selected contacts from at least two completed past projects.

In each question, the person being interviewed is asked to rate a certain aspect of contractor's performance, using a scale of 1 to 10. The highest possible score is 120 points. A score of less than **55** points disqualifies the contractor from bidding on projects that are proposed by the public agency. A score of **72 points or more** on each interview is sufficient for a contractor to qualify on this portion of the prequalification process. If the scores resulting from an interview are between 55 and 72, the public agency should conduct another interview to collect additional information.

It is possible that the score given to any interview answer may be challenged in an appeal. For that reason, be sure to: (a) ask the person being interviewed for specific information or details, to explain or substantiate the numerical answer given; and (b) take written notes of the information provided.

Selection of the Interviewer:

- (a) The public agency should select an individual who is at least moderately well informed about public works construction.
- (b) The individual should be unbiased during the interview; this is to ensure accurate implementation of the interview questions.
- (c) The individual should not use examples or deviate from the questions unless the project manager is unclear and prompts further explanation. The interviewer should offer additional explanation of the questions only if he/she is sure of the intent of the question in the interview.

Locating the respondent to interview:

- (a) The interviewer should attempt to contact a project manager of a past project for the interview. The interviewer should be aware that for one interview to be completed, there may be a need to interview multiple individuals. That is, the interviewer may have to contact multiple individuals, such as the project manager concerning the building process, and a financial manager for warranty items, assessed liens, and the like.
- (b) Once reached, the interviewer should review the information contained in the questionnaire of the past project with the project manager. That is, review who is being interviewed and why (purposes of pre-qualifying for public works), the past project type, completion date, and other pertinent information to ensure that the project manager is sure of the project he/she is asked to review.

Interview Length:

- (a) The interview should take 8-12 minutes, under normal circumstances.
- (b) The interviewer, when contacting the project manager, should convey the expected time which it takes to conduct the interview. This is to ensure the individual is not discouraged from taking part in the interview

Conducting the interviews:

- (a) The interview should examine at least two separate past projects listed in the questionnaire.
- (b) After the interview is scored, the interviewer should compare the interview score with the same contractor's score on the written questionnaire. If the ratings (overall scores) are far apart, the interviewer should conduct at least one/two more interviews to determine how past performance should be weighted.
- (c) While conducting the interview, the interviewer should be consistent with the way the questions are presented. That is, if the interviewer changes the way questions are presented during the review, it could potentially change the way the respondent answers the questions and jeopardize the overall scoring.

**REQUEST FOR
PRE-QUALIFICATION OF
BIDDERS COMMENCING
WITH FORTHCOMING
PUBLIC WORK BID**

**REQUEST FOR PRE-QUALIFICATION OF BIDDERS COMMENCING
WITH FORTHCOMING PUBLIC WORK BID
[Pre-qualification procedure begun at the same time as RFP]**

Notice is hereby given that [Public Entity] has determined that all bidders on [Name of specific project] to be undertaken by the [Public Entity] must be pre-qualified prior to submitting a bid on that project. It is mandatory that all Contractors who intend to submit a bid, fully complete the pre-qualification questionnaire, provide all materials requested herein, and be approved by [Public Entity] to be on the final qualified 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 as part of 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. The last date to submit a fully completed questionnaire is mm/dd/yy. [35 days prior to the bid closing date]. Contractors are encouraged to submit pre-qualification packages as soon as possible, so that they may be notified of omissions of information to be remedied or of their pre-qualification status well in advance of the bid advertisement for this project.

Answers to questions contained in the attached questionnaire, information about current bonding capacity, notarized statement from surety, and the most recent reviewed or audited financial statements, with accompanying notes and supplemental information, are required. [Public Entity] 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. [Public Entity] reserves the right to check other sources available. [Public Entity's] decision will be based on objective evaluation criteria.

[Public Entity] reserves the right to adjust, increase, limit, suspend or rescind the pre-qualification 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 pre-qualification rating.

While it is the intent of the pre-qualification questionnaire and documents required therewith to assist [Public Entity] in determining bidder responsibility prior to bid and to aid [Public Entity] in selecting the lowest responsible bidder, neither the fact of pre-qualification, nor any pre-qualification rating, will preclude [Public Entity] from a post-bid consideration and determination of whether a bidder has the quality, fitness, capacity and experience to satisfactorily perform the proposed work, and has demonstrated the requisite trustworthiness.

The pre-qualification packages should be submitted under seal and marked "CONFIDENTIAL" to _____ [address].

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. However, the contents may be disclosed to third parties for purpose of verification, or investigation of substantial allegations, or in the appeal hearing. State law requires that the names of contractors applying for pre-qualification status shall be public records subject to disclosure, and the first page of the questionnaire will be used for that purpose.

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 *[Public Entity]* and provide updated accurate information in writing, under penalty of perjury.

[Public Entity] 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 specific future public works project.

Contractors may submit pre-qualification packages during regular working hours on any day that the offices of *Public Entity* are open. Contractors who submit a complete pre-qualification package will be notified of their qualification status no later than ten business days after submission of the information.

[Public Entity] may refuse to grant pre-qualification where the requested information and materials are not provided, or not provided by mm/dd/yy *[date specified in first paragraph – 35 days before bid closing]* There is no appeal from a refusal for an incomplete or late application, but re-application for a later project is permitted. The closing time for bids will not be changed in order to accommodate supplementation of incomplete submissions, or late submissions.

Where a timely and completed application results in a rating below that necessary to pre-qualify, an appeal can be made. An appeal is begun by the Contractor delivering notice to *[Public Entity]* of its appeal of the decision with respect to its pre-qualification rating, no later than ten business days prior to the closing time for the receipt of bids for this public works project. Without a timely appeal, the Contractor waives any and all rights to challenge the decision of *[Public Entity]*, 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 five business days after *Public Entity's* receipt of the notice of appeal, and no later than five business days prior to the last date for the receipt of bids on the project. The hearing shall be an informal process conducted by a panel to whom the *[governing body of Public Entity]* 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 *[Public Entity's]* pre-qualification determination. The Contractor will be given the opportunity to present information and present reasons in opposition to the rating. Within one day after the conclusion of the hearing, the Appeals Panel will render its decision. It is the intention of *[Public Entity]* that the date for the submission and opening of bids will not be delayed or postponed to allow for completion of an appeal process.

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

Pre-qualification of all subcontractors.

Pre-qualification of subcontractors in certain crafts.

Post-bid qualification review.

**ANNOUNCEMENT OF
PRE-QUALIFICATION
PROCEDURES AND OPEN
DATES FOR ANNUAL
PRE-QUALIFICATION**

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

Notice is hereby given that on _____, 2000, the _____ [Public Entity] determined that all bidders on public works to be undertaken by the [Public Entity] must be pre-qualified prior to submitting bids for public works. 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 [Public Entity] 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 four times each year: (1) from January 1 through January 10; (2) from April 1 through April 10; (3) from July 1 through July 10; and (4) from October 1 through October 10. Contractors who submit a complete pre-qualification package will be notified by first class mail of their qualification status, such notice to be mailed no later than fifteen business days after submission of the information.

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. [Public Entity] 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. [Public Entity] reserves the right to check other sources available. [Public Entity'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 [Public Entity] 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 [Public Entity] in determining bidder responsibility prior to the submission of bids and to aid [Public Entity] in selecting the lowest responsible bidder, neither the fact of pre-qualification, nor any pre-qualification rating, will preclude [Public Entity] 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 _____ [address].

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. State law requires that the names of contractors applying for pre-qualification status shall be public records subject to disclosure, and the first page of the questionnaire will be used for that purpose.

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 *[Public Entity]* and provide updated accurate information in writing, under penalty of perjury.

[Public Entity] 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.

A contractor who has submitted a completed application form, and who receives a rating of “not qualified” from *[Public Entity]* may appeal that determination. There is no appeal from a finding that a contractor is not pre-qualified because of a failure to submit required information, but re-application during one of the designated time periods is permitted. A contractor may appeal *[Public Entity’s]* decision with respect to its request for pre-qualification, and request a hearing, by giving notice to *[Public Entity]* 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 *[Public Entity]*, 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 *Public Entity’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 Public Entity]* 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 *[Public Entity’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.

Note: A contractor may be found not pre-qualified for bidding on a specific public works contract to be let by *Public Agency*, or on all contracts to be let by *Public Agency* until the contractor meets *Public Agency’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 *Public Entity* 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:

Pre-qualification of all subcontractors.

Pre-qualification of subcontractors in certain crafts.

Post-bid qualification review.

SOURCES FOR VERIFICATION OF INFORMATION GIVEN BY CONTRACTORS

SOURCES FOR VERIFICATION OF INFORMATION GIVEN BY CONTRACTORS

A CAUTIONARY NOTE: *The information that will be given to public agencies by contractors seeking pre-qualification is provided under oath, with the understanding that the intentional providing of false information is, in itself, grounds for disqualification. We expect that the information given should be and will be accepted at face value. The following information is provided for use in the few instances in which a public agency reviewing the answers given in a questionnaire has specific reason to believe that one or more answers should be verified by reference to publicly available information.*

Information about a contractor's license(s) **(Questionnaire Part I, question 6, and Part II, questions 6 and 9-13)**

Names and addresses of licensed contractors, information about the type of license(s) issued and the dates when licenses were issued (and certain other information), are available from the Contractors' State Licensing Board (CSLB), 9821 Business Park Drive, Sacramento, CA 95827. Telephone number 800-321-2752. The CSLB web site for public information is: www.CSLB.ca.gov.

Information about workers' compensation insurance **(Part I, question 3 and Part II, questions 32-33)**

Every workers' compensation insurance carrier issues to each of its insured businesses a Certificate of Insurance. The contractor should be willing to provide a copy upon request.

Each contractor's Experience Modification Rate for the year should be stated in a letter to the contractor from the contractor's workers' compensation insurance carrier.

Some large companies are legally self-insured for workers' compensation, with the consent and authorization of the Department of Industrial Relations. The names of companies that are legally self-insured are available from the Department's Office of Self-Insurance Plans, Workers' Compensation, 2265 Watt Avenue, Suite 1, Sacramento, CA 95825; (916) 483-3392.

The names of each business's current and recent workers' compensation insurance carriers are available from the Workers' Compensation Insurance Reporting Bureau (WCIRB), 575 Market Street, San Francisco, telephone (415) 777-0777. WCIRB is not a public agency but it provides information to the public. It will provide the names of the current and recent workers' compensation insurance carriers of every employer in California, in response to a written request, for a fee of \$8 for every year for which you seek information.

**Information about whether surety insurance carriers
are “admitted” to do business in California**
(Part I, question 5)

The California Department of Insurance will verify whether an insurance carrier is “admitted” to issue insurance policies within the State. The Department has a “Hot-Line” number – 800-927-4357, and a web-site from which the information is available: www.insurance.ca.gov

Information on disqualification from bidding on public contracts
(Part I, question 8 and Part II, question 15)

Information on the identities of contractors that have been disqualified from bidding on public works contracts is available from the California Labor Commissioner, Division of Labor Standards Enforcement, 455 Golden Gate Avenue, San Francisco, telephone (415) 703-4810.

Information available from the Secretary of State about corporations
(Part II, questions 1a-1d, 2-4)

The California Secretary of State has certain current and historical information about all corporations that operate in California: dates of incorporation, articles of incorporation, the name of the original incorporators, the names of the corporate officers (who are not necessarily the corporate stockholders) and an agent for service of process for the corporation. This information is available from the Secretary of State upon written request. (Secretary of State, Business Programs Division, 1500 Eleventh Street, Sacramento, CA 95814. Telephone (916) 653-2121 or 653-1239). The Secretary of State does not ordinarily have a listing of the names of initial stockholders or current stockholders, and that information is generally not available in any public record.

**Information available from County Clerks about
partnerships and sole proprietorships**
(Part I, questions 1a-1d,2-4)

Every business, including a partnership, that operates under a “fictitious name” (for example, “Ajax Sheet Metal Contractors” or “Smith Brothers Electrical Contractors”) is required to file with the County Clerk in the county in which its home office is located a “Fictitious Business Name” statement. This statement will indicate the owner of the business, if the business is a sole proprietorship, and the names of partners, if the business is a partnership. The information is available to the public from the County Clerk upon request. A written request may be necessary.

**Information about bankruptcy proceedings
(Part II, questions 7 and 8)**

Bankruptcy petitions, which include the names of the person or business that is seeking protection from the Bankruptcy Court, are available for public inspection at the office of the Clerk of each Bankruptcy Court (which are federal courts). In California, Bankruptcy Courts are located in Sacramento, Modesto, Fresno, San Francisco, Oakland, San Jose, Los Angeles, Santa Ana, Riverside, and San Diego. Most documents filed in court in bankruptcy proceedings are available for public inspection, at the Bankruptcy Court clerk's office. Some information on bankruptcy filings may also be available from commercial enterprises that collect and sell information from public records). In addition some information about bankruptcy cases filed August 1990 and later is available on-line through the "PACER" (Public Access to Court Electronic Records) system. To obtain information from PACER, you must register with the system, and pay a fee for the materials obtained. Call 1-800-676-6856 or you may register online at <http://pacer.psc.uscourts.gov/>.

**Information about civil suits and arbitration cases
(Part II, questions 14, 17 and 18)**

Each court keeps records of every civil suit filed in that court, and of the judgments that are issued after trials. However, the exact terms of pre-trial settlements are generally not recorded in court files. Documents related to disputes submitted to arbitration are generally not available for public inspection. Public agencies, however, are required to disclose the terms of such settlements, when documents are requested under the California Public Records Act.

**Information about criminal convictions
(Part I, question 9, and Part II, questions 21, 22, and 23)**

Criminal convictions are a matter of public record. Each courthouse (in both the federal and state court systems) has an index of its own criminal records. In addition, a few data collection businesses have collected criminal conviction information from public records throughout the state, and the collected information about particular individuals or businesses is available for sale from these private businesses.

**Information about Federal court civil and criminal cases
(Part I, question 9)**

Information about federal criminal cases (filed August 1991 and later) and civil cases (filed August 1990 and later) is available on-line through the "PACER" (Public Access to Court Electronic Records) system. To obtain information from PACER, you must register with the system, and pay a fee for the materials obtained. Call 1-800-676-6856 or you may register online at <http://pacer.psc.uscourts.gov/>.

**Information about citations issued for violation of
industrial safety and health laws**
(Part II, questions 28 and 29)

Information about citations issued by both the federal Occupational Safety and Health Administration and the California Division of Occupational Safety and Health (Cal OSHA) are available on a web-site maintained by federal OSHA, <http://www.osha.gov>. At that web site, click on "Library." On the Library page, click on "Statistics and Inspection Data." Next, click on "Establishment Search." When the next screen appears, enter the name of the contractor about whom you seek information in the "Establishment" window. In the "Process" window, enter the number 999999. Click on California in the "State" window. In the "Inspection Date" window, enter "1990." Then click the submit button.

Information about prevailing wage law violations
(Part II, question 34)

Information about recent prevailing wage law violations is available from the Division of Labor Standards Enforcement, at 2424 Arden Way, Suite 360, Sacramento, CA 95825. A model letter asking for such information is enclosed.

**Citations from either Air Quality or Water Quality Board
for violations of regulations**
(Part II, question 30)

Information about citations issued by the California Air Resources Board is available from that agency under the Public Records Act. Their address is 2020 L Street, Sacramento, CA 95814, or Post Office Box 2815, Sacramento, 95812. In addition, Regional Air Quality Management Districts and Regional Water Quality Control Boards throughout the state may issue citations for violation of air quality or water quality standards. Consult the appropriate board in your area for information about how to gather appropriate information.

**Information about state-approved apprenticeship plans
and violations of state apprenticeship laws**
(Part II, questions 36-38)

Information about violations of state apprenticeship laws can be obtained from the Division of Apprenticeship Standards, 455 Golden Gate Avenue, 8th Floor, Post Office Box 420603, San Francisco, CA 94142.

MODEL INTERVIEW QUESTIONS

MODEL INTERVIEW QUESTIONS

The following questions will be used to interview randomly selected contacts from at least two completed projects. *[Public Entity]* will conduct the interviews. No action on the contractor's part is necessary. These questions are included on the package given to the contractor for information only.

The highest possible score is 120 Points. A score less than 55 points disqualifies a contractor from bidding on projects that are proposed by *[Public Entity]*. A score of between 56 and 72 indicates *the Public Entity* should conduct an interview of another contact, that is, a manager of another completed project. A score of 72 or higher on each of two interviews is sufficient for pre-qualification.

First, please give a brief description of the project.

1. Are there any outstanding stop notices, liens, or claims by the contractor that are currently unresolved on contracts for which notices of completion were recorded more than 120 days ago? (1 point for each is deducted from overall score; maximum amount to be deducted is 5 points)
2. On a scale of 1-10, with 10 being the best, did the contractor provide adequate personnel? (Max. 10 points)
3. On a scale of 1-10, with 10 being the best, did the contractor provide adequate supervision? (Max. 10 points)
4. On a scale of 1-10, with 10 being the best, was there adequate equipment provided on the job? (Max. 10 points)
5. On a scale of 1-10, with 10 being the best, was the contractor timely in providing reports and other paperwork, including change order paperwork and scheduling updates? (Max. 10 points)
6. On a scale of 1-10, with 10 being the best, did the contractor adhere to the project schedule that your [agency] [business] approved? (Max. 10 points)
7. Was the project completed on time? (10 points if the answer is "Yes").
Or, if the answer is "no," on a scale of 1-10, with 10 being the best, to what extent was the contractor responsible for the delay in completion?
8. On a scale of 1-10, with 10 being the best, rate the contractor on the timely submission of reasonable cost and time estimates to perform change order work. (Max. 10 points)

9. On a scale of 1-10, with 10 being the best, rate the contractor on how well the contractor performed the work after a change order was issued, and how well the contractor integrated the change order work into the existing work. (Max. 10 points).
10. On a scale of 1-10, with 10 being the best, rate how has the contractor been performing in the area of turning in Operation & Maintenance manuals, completing as-built drawings, providing required training and taking care of warranty items? (Max. 10 points)
11. On a scale of 1-10, with 10 being the best, rate the contractor on whether there were an unusually high number of claims, given the nature of the project, or unusual difficulty in resolving them. (Max. 10 points)
12. On a scale of 1-10, with 10 being the highest, rate the contractor with respect to timely payments by the contractor to either subcontractors or suppliers. (If the person being interviewed knows of no such difficulties, the score on this question should be “10.”)
13. On a scale of 1-10, with 10 being the best, how would you rate the quality of the work overall? (Max. 10 points)

**INSTRUCTIONS FOR PUBLIC
AGENCIES RE:
INTERVIEW QUESTIONS**

INSTRUCTIONS FOR PUBLIC AGENCIES
Re: Interview Questions

The following is meant to assist the public agency to conduct the interviews of the managers of projects previously completed (that is, the people who supervised the projects for the project owners) by the contractor wishing to pre-qualify. The interview questions allow qualitative review of work performance for contractors who choose to bid and pre-qualify for public works contracts. The interview questions will be used to examine randomly selected contacts from at least two completed past projects.

In each question, the person being interviewed is asked to rate a certain aspect of contractor's performance, using a scale of 1 to 10. The highest possible score is 120 points. A score of less than **55** points disqualifies the contractor from bidding on projects that are proposed by the public agency. A score of **72 points or more** on each interview is sufficient for a contractor to qualify on this portion of the prequalification process. If the scores resulting from an interview are between 55 and 72, the public agency should conduct another interview to collect additional information.

It is possible that the score given to any interview answer may be challenged in an appeal. For that reason, be sure to: (a) ask the person being interviewed for specific information or details, to explain or substantiate the numerical answer given; and (b) take written notes of the information provided.

Selection of the Interviewer:

- (a) The public agency should select an individual who is at least moderately well informed about public works construction.
- (b) The individual should be unbiased during the interview; this is to ensure accurate implementation of the interview questions.
- (c) The individual should not use examples or deviate from the questions unless the project manager is unclear and prompts further explanation. The interviewer should offer additional explanation of the questions only if he/she is sure of the intent of the question in the interview.

Locating the respondent to interview:

- (a) The interviewer should attempt to contact a project manager of a past project for the interview. The interviewer should be aware that for one interview to be completed, there may be a need to interview multiple individuals. That is, the interviewer may have to contact multiple individuals, such as the project manager concerning the building process, and a financial manager for warranty items, assessed liens, and the like.
- (b) Once reached, the interviewer should review the information contained in the questionnaire of the past project with the project manager. That is, review who is being interviewed and why (purposes of pre-qualifying for public works), the past project type, completion date, and other pertinent information to ensure that the project manager is sure of the project he/she is asked to review.

Interview Length:

- (a) The interview should take 8-12 minutes, under normal circumstances.
- (b) The interviewer, when contacting the project manager, should convey the expected time which it takes to conduct the interview. This is to ensure the individual is not discouraged from taking part in the interview

Conducting the interviews:

- (a) The interview should examine at least two separate past projects listed in the questionnaire.
- (b) After the interview is scored, the interviewer should compare the interview score with the same contractor's score on the written questionnaire. If the ratings (overall scores) are far apart, the interviewer should conduct at least one/two more interviews to determine how past performance should be weighted.
- (c) While conducting the interview, the interviewer should be consistent with the way the questions are presented. That is, if the interviewer changes the way questions are presented during the review, it could potentially change the way the respondent answers the questions and jeopardize the overall scoring.

**REQUEST FOR
PRE-QUALIFICATION OF
BIDDERS COMMENCING
WITH FORTHCOMING
PUBLIC WORK BID**

**REQUEST FOR PRE-QUALIFICATION OF BIDDERS COMMENCING
WITH FORTHCOMING PUBLIC WORK BID
[Pre-qualification procedure begun at the same time as RFP]**

Notice is hereby given that [Public Entity] has determined that all bidders on [Name of specific project] to be undertaken by the [Public Entity] must be pre-qualified prior to submitting a bid on that project. It is mandatory that all Contractors who intend to submit a bid, fully complete the pre-qualification questionnaire, provide all materials requested herein, and be approved by [Public Entity] to be on the final qualified 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 as part of 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. The last date to submit a fully completed questionnaire is mm/dd/yy. [35 days prior to the bid closing date]. Contractors are encouraged to submit pre-qualification packages as soon as possible, so that they may be notified of omissions of information to be remedied or of their pre-qualification status well in advance of the bid advertisement for this project.

Answers to questions contained in the attached questionnaire, information about current bonding capacity, notarized statement from surety, and the most recent reviewed or audited financial statements, with accompanying notes and supplemental information, are required. [Public Entity] 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. [Public Entity] reserves the right to check other sources available. [Public Entity's] decision will be based on objective evaluation criteria.

[Public Entity] reserves the right to adjust, increase, limit, suspend or rescind the pre-qualification 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 pre-qualification rating.

While it is the intent of the pre-qualification questionnaire and documents required therewith to assist [Public Entity] in determining bidder responsibility prior to bid and to aid [Public Entity] in selecting the lowest responsible bidder, neither the fact of pre-qualification, nor any pre-qualification rating, will preclude [Public Entity] from a post-bid consideration and determination of whether a bidder has the quality, fitness, capacity and experience to satisfactorily perform the proposed work, and has demonstrated the requisite trustworthiness.

The pre-qualification packages should be submitted under seal and marked "CONFIDENTIAL" to _____ [address].

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. However, the contents may be disclosed to third parties for purpose of verification, or investigation of substantial allegations, or in the appeal hearing. State law requires that the names of contractors applying for pre-qualification status shall be public records subject to disclosure, and the first page of the questionnaire will be used for that purpose.

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 *[Public Entity]* and provide updated accurate information in writing, under penalty of perjury.

[Public Entity] 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 specific future public works project.

Contractors may submit pre-qualification packages during regular working hours on any day that the offices of *Public Entity* are open. Contractors who submit a complete pre-qualification package will be notified of their qualification status no later than ten business days after submission of the information.

[Public Entity] may refuse to grant pre-qualification where the requested information and materials are not provided, or not provided by mm/dd/yy *[date specified in first paragraph – 35 days before bid closing]* There is no appeal from a refusal for an incomplete or late application, but re-application for a later project is permitted. The closing time for bids will not be changed in order to accommodate supplementation of incomplete submissions, or late submissions.

Where a timely and completed application results in a rating below that necessary to pre-qualify, an appeal can be made. An appeal is begun by the Contractor delivering notice to *[Public Entity]* of its appeal of the decision with respect to its pre-qualification rating, no later than ten business days prior to the closing time for the receipt of bids for this public works project. Without a timely appeal, the Contractor waives any and all rights to challenge the decision of *[Public Entity]*, 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 five business days after *Public Entity's* receipt of the notice of appeal, and no later than five business days prior to the last date for the receipt of bids on the project. The hearing shall be an informal process conducted by a panel to whom the *[governing body of Public Entity]* 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 *[Public Entity's]* pre-qualification determination. The Contractor will be given the opportunity to present information and present reasons in opposition to the rating. Within one day after the conclusion of the hearing, the Appeals Panel will render its decision. It is the intention of *[Public Entity]* that the date for the submission and opening of bids will not be delayed or postponed to allow for completion of an appeal process.

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

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

**ANNOUNCEMENT OF
PRE-QUALIFICATION
PROCEDURES AND OPEN
DATES FOR ANNUAL
PRE-QUALIFICATION**

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

Notice is hereby given that on _____, 2000, the _____ [Public Entity] determined that all bidders on public works to be undertaken by the [Public Entity] must be pre-qualified prior to submitting bids for public works. 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 [Public Entity] 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 four times each year: (1) from January 1 through January 10; (2) from April 1 through April 10; (3) from July 1 through July 10; and (4) from October 1 through October 10. Contractors who submit a complete pre-qualification package will be notified by first class mail of their qualification status, such notice to be mailed no later than fifteen business days after submission of the information.

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. [Public Entity] 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. [Public Entity] reserves the right to check other sources available. [Public Entity'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 [Public Entity] 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 [Public Entity] in determining bidder responsibility prior to the submission of bids and to aid [Public Entity] in selecting the lowest responsible bidder, neither the fact of pre-qualification, nor any pre-qualification rating, will preclude [Public Entity] 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 _____ [address].

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. State law requires that the names of contractors applying for pre-qualification status shall be public records subject to disclosure, and the first page of the questionnaire will be used for that purpose.

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 *[Public Entity]* and provide updated accurate information in writing, under penalty of perjury.

[Public Entity] 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.

A contractor who has submitted a completed application form, and who receives a rating of “not qualified” from *[Public Entity]* may appeal that determination. There is no appeal from a finding that a contractor is not pre-qualified because of a failure to submit required information, but re-application during one of the designated time periods is permitted. A contractor may appeal *[Public Entity’s]* decision with respect to its request for pre-qualification, and request a hearing, by giving notice to *[Public Entity]* 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 *[Public Entity]*, 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 *Public Entity’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 Public Entity]* 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 *[Public Entity’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.

Note: A contractor may be found not pre-qualified for bidding on a specific public works contract to be let by *Public Agency*, or on all contracts to be let by *Public Agency* until the contractor meets *Public Agency’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 *Public Entity* 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:

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

**SOURCES FOR VERIFICATION
OF INFORMATION GIVEN
BY CONTRACTORS**

**SOURCES FOR VERIFICATION OF INFORMATION
GIVEN BY CONTRACTORS**

A CAUTIONARY NOTE: *The information that will be given to public agencies by contractors seeking pre-qualification is provided under oath, with the understanding that the intentional providing of false information is, in itself, grounds for disqualification. We expect that the information given should be and will be accepted at face value. The following information is provided for use in the few instances in which a public agency reviewing the answers given in a questionnaire has specific reason to believe that one or more answers should be verified by reference to publicly available information.*

**Information about a contractor's license(s)
(Questionnaire Part I, question 6, and Part II, questions 6 and 9-13)**

Names and addresses of licensed contractors, information about the type of license(s) issued and the dates when licenses were issued (and certain other information), are available from the Contractors' State Licensing Board (CSLB), 9821 Business Park Drive, Sacramento, CA 95827. Telephone number 800-321-2752. The CSLB web site for public information is: www.CSLB.ca.gov.

**Information about workers' compensation insurance
(Part I, question 3 and Part II, questions 32-33)**

Every workers' compensation insurance carrier issues to each of its insured businesses a Certificate of Insurance. The contractor should be willing to provide a copy upon request.

Each contractor's Experience Modification Rate for the year should be stated in a letter to the contractor from the contractor's workers' compensation insurance carrier.

Some large companies are legally self-insured for workers' compensation, with the consent and authorization of the Department of Industrial Relations. The names of companies that are legally self-insured are available from the Department's Office of Self-Insurance Plans, Workers' Compensation, 2265 Watt Avenue, Suite 1, Sacramento, CA 95825; (916) 483-3392.

The names of each business's current and recent workers' compensation insurance carriers are available from the Workers' Compensation Insurance Reporting Bureau (WCIRB), 575 Market Street, San Francisco, telephone (415) 777-0777. WCIRB is not a public agency but it provides information to the public. It will provide the names of the current and recent workers' compensation insurance carriers of every employer in California, in response to a written request, for a fee of \$8 for every year for which you seek information.

**Information about whether surety insurance carriers
are “admitted” to do business in California**
(Part I, question 5)

The California Department of Insurance will verify whether an insurance carrier is “admitted” to issue insurance policies within the State. The Department has a “Hot-Line” number – 800-927-4357, and a web-site from which the information is available: www.insurance.ca.gov

Information on disqualification from bidding on public contracts
(Part I, question 8 and Part II, question 15)

Information on the identities of contractors that have been disqualified from bidding on public works contracts is available from the California Labor Commissioner, Division of Labor Standards Enforcement, 455 Golden Gate Avenue, San Francisco, telephone (415) 703-4810.

Information available from the Secretary of State about corporations
(Part II, questions 1a-1d, 2-4)

The California Secretary of State has certain current and historical information about all corporations that operate in California: dates of incorporation, articles of incorporation, the name of the original incorporators, the names of the corporate officers (who are not necessarily the corporate stockholders) and an agent for service of process for the corporation. This information is available from the Secretary of State upon written request. (Secretary of State, Business Programs Division, 1500 Eleventh Street, Sacramento, CA 95814. Telephone (916) 653-2121 or 653-1239). The Secretary of State does not ordinarily have a listing of the names of initial stockholders or current stockholders, and that information is generally not available in any public record.

**Information available from County Clerks about
partnerships and sole proprietorships**
(Part I, questions 1a-1d,2-4)

Every business, including a partnership, that operates under a “fictitious name” (for example, “Ajax Sheet Metal Contractors” or “Smith Brothers Electrical Contractors”) is required to file with the County Clerk in the county in which its home office is located a “Fictitious Business Name” statement. This statement will indicate the owner of the business, if the business is a sole proprietorship, and the names of partners, if the business is a partnership. The information is available to the public from the County Clerk upon request. A written request may be necessary.

**Information about bankruptcy proceedings
(Part II, questions 7 and 8)**

Bankruptcy petitions, which include the names of the person or business that is seeking protection from the Bankruptcy Court, are available for public inspection at the office of the Clerk of each Bankruptcy Court (which are federal courts). In California, Bankruptcy Courts are located in Sacramento, Modesto, Fresno, San Francisco, Oakland, San Jose, Los Angeles, Santa Ana, Riverside, and San Diego. Most documents filed in court in bankruptcy proceedings are available for public inspection, at the Bankruptcy Court clerk's office. Some information on bankruptcy filings may also be available from commercial enterprises that collect and sell information from public records). In addition some information about bankruptcy cases filed August 1990 and later is available on-line through the "PACER" (Public Access to Court Electronic Records) system. To obtain information from PACER, you must register with the system, and pay a fee for the materials obtained. Call 1-800-676-6856 or you may register online at <http://pacer.psc.uscourts.gov/>.

**Information about civil suits and arbitration cases
(Part II, questions 14, 17 and 18)**

Each court keeps records of every civil suit filed in that court, and of the judgments that are issued after trials. However, the exact terms of pre-trial settlements are generally not recorded in court files. Documents related to disputes submitted to arbitration are generally not available for public inspection. Public agencies, however, are required to disclose the terms of such settlements, when documents are requested under the California Public Records Act.

**Information about criminal convictions
(Part I, question 9, and Part II, questions 21, 22, and 23)**

Criminal convictions are a matter of public record. Each courthouse (in both the federal and state court systems) has an index of its own criminal records. In addition, a few data collection businesses have collected criminal conviction information from public records throughout the state, and the collected information about particular individuals or businesses is available for sale from these private businesses.

**Information about Federal court civil and criminal cases
(Part I, question 9)**

Information about federal criminal cases (filed August 1991 and later) and civil cases (filed August 1990 and later) is available on-line through the "PACER" (Public Access to Court Electronic Records) system. To obtain information from PACER, you must register with the system, and pay a fee for the materials obtained. Call 1-800-676-6856 or you may register online at <http://pacer.psc.uscourts.gov/>.

**Information about citations issued for violation of
industrial safety and health laws**
(Part II, questions 28 and 29)

Information about citations issued by both the federal Occupational Safety and Health Administration and the California Division of Occupational Safety and Health (Cal OSHA) are available on a web-site maintained by federal OSHA, <http://www.osha.gov>. At that web site, click on "Library." On the Library page, click on "Statistics and Inspection Data." Next, click on "Establishment Search." When the next screen appears, enter the name of the contractor about whom you seek information in the "Establishment" window. In the "Process" window, enter the number 999999. Click on California in the "State" window. In the "Inspection Date" window, enter "1990." Then click the submit button.

Information about prevailing wage law violations
(Part II, question 34)

Information about recent prevailing wage law violations is available from the Division of Labor Standards Enforcement, at 2424 Arden Way, Suite 360, Sacramento, CA 95825. A model letter asking for such information is enclosed.

**Citations from either Air Quality or Water Quality Board
for violations of regulations**
(Part II, question 30)

Information about citations issued by the California Air Resources Board is available from that agency under the Public Records Act. Their address is 2020 L Street, Sacramento, CA 95814, or Post Office Box 2815, Sacramento, 95812. In addition, Regional Air Quality Management Districts and Regional Water Quality Control Boards throughout the state may issue citations for violation of air quality or water quality standards. Consult the appropriate board in your area for information about how to gather appropriate information.

**Information about state-approved apprenticeship plans
and violations of state apprenticeship laws**
(Part II, questions 36-38)

Information about violations of state apprenticeship laws can be obtained from the Division of Apprenticeship Standards, 455 Golden Gate Avenue, 8th Floor, Post Office Box 420603, San Francisco, CA 94142.

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(Part I, question 3 and Part II, questions 32-33)**

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Some large companies are legally self-insured for workers' compensation, with the consent and authorization of the Department of Industrial Relations. The names of companies that are legally self-insured are available from the Department's Office of Self-Insurance Plans, Workers' Compensation, 2265 Watt Avenue, Suite 1, Sacramento, CA 95825; (916) 483-3392.

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(Part I, questions 1a-1d,2-4)

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(Part I, question 9)**

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(Part II, question 34)

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for violations of regulations**
(Part II, question 30)

Information about citations issued by the California Air Resources Board is available from that agency under the Public Records Act. Their address is 2020 L Street, Sacramento, CA 95814, or Post Office Box 2815, Sacramento, 95812. In addition, Regional Air Quality Management Districts and Regional Water Quality Control Boards throughout the state may issue citations for violation of air quality or water quality standards. Consult the appropriate board in your area for information about how to gather appropriate information.

**Information about state-approved apprenticeship plans
and violations of state apprenticeship laws**
(Part II, questions 36-38)

Information about violations of state apprenticeship laws can be obtained from the Division of Apprenticeship Standards, 455 Golden Gate Avenue, 8th Floor, Post Office Box 420603, San Francisco, CA 94142.