



# NORTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT

## **Prequalification Questionnaire for Prospective Bidders – ELECTRICAL BID PACKAGE 26A ONLY**

**PROJECT:** Cypress College Fine Arts Renovation

**ESTIMATED BID PHASE:** Summer 2023

**PREQUALIFICATION DUE DATE:** Friday, April 14, 2023, Before 2:00PM

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## PREQUALIFICATION PROCESS

This prequalification is for trade bid packages associated with **Cypress College Fine Arts Renovation** of the existing 1969, 3-story, 66,765 square foot Fine Arts building is a renovation project with partial state funding. The renovation will allow for the following fine arts programs to be housed within the building: Art (Painting, Drawing, Sculpture, Ceramics, 3D Art, and Jewelry making); Photography; Music; Media and Communications; Recital Hall; Galleries; and associated support spaces. The building will require full seismic rehabilitation to address both liquefaction/foundation upgrades as well as superstructure upgrades. In addition, full accessibility and fire life safety upgrades will be completed to the building to bring the entire building up to the current 2019 code requirements. As a condition of bidding, prospective bidders are required to submit to the District a completed prequalification package as specified in the "Submission of Completed Applications" section below.

Only prospective bidders meeting the "Minimum Criteria for Prequalification", as set forth in the following Application for Contractor Prequalification, will be eligible to submit a bid proposal for the above listed project. Contractor prequalification status will be verified upon submission of bid proposals. Only bids received from prequalified bidders will be accepted.

The District reserves the right to reject any or all prequalification applications, and to waive irregularities or informalities in any Application or in the prequalification process. Furthermore, the designation of a contractor as "prequalified" does not in any way waive or reduce the requirements established for the submission of a bid proposal. The District will evaluate all bid proposals for completeness and accuracy.

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## SUBMISSION OF COMPLETED APPLICATIONS

**Completed Prequalification Applications and supporting documents ("Prequalification Application(s)") must be submitted electronically by Friday, April 14, 2023 before 2:00 p.m. via the following ONLY:**

Email to [capitalprojects@cypresscollege.edu](mailto:capitalprojects@cypresscollege.edu) with c.c. to [pjhermosil@sundt.com](mailto:pjhermosil@sundt.com)

**Mailed or hand delivered Prequalification Applications will not be accepted.**

By submitting a Prequalification Application, prospective bidders agree that the District, in determining a contractor's eligibility for bidding, may consider the contractor's experience, performance under other contracts, financial condition, and other factors which could affect the contractor's performance on the Project.

A complete Prequalification Application submission will be comprised of a fully completed, signed, electronic submission containing all of the following:

1. Part I: Contractor Declaration;
2. Part II: Prequalification Questionnaire (Essential Requirements and Rated Questions);
3. Part III: Experience and References;
4. Part IV: Most recent one year of audited/reviewed financials and Certificate of Accountant;
5. Affidavit of Contractor;
6. Certificate of Insurance;
7. Verification of Workers' Compensation Insurance;
8. Surety Letter;
9. Explanations (as appropriate).

Prospective bidders must furnish **all** of the above-listed items and are solely responsible for ensuring the completeness and accuracy of information provided. Failure to comply with this requirement may cause rejection of the Prequalification Application as being non-responsive. Each Prequalification Application must be signed under penalty of perjury in the manner designated on the “Affidavit of Contractor” by an individual who has the legal authority to bind the Contractor.

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## QUESTIONS

Questions regarding this prequalification may be directed to the Construction Manager, Pamela Hermosillo via [pjhermosil@sundt.com](mailto:pjhermosil@sundt.com) and shall be received **prior to 2:00 p.m. on April 12, 2023.**

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## MANDATORY PREQUALIFICATION

Prequalification is **mandatory** for the following trades:

Bid Package #	Trade	License	Engineer’s Estimate
26A	Electrical, Low Voltage, & Audio-Visual Systems	C10	\$11,500,000

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## MINIMUM CRITERIA FOR PREQUALIFICATION

In order to pre-qualify to bid on the Project, a Contractor must meet the minimum criteria for each of the following four categories:

1. Meet all “Essential Requirements” for prequalification;
2. Meet or exceed required score on the rated questionnaire;
3. Demonstrate through reference the minimum required experience on projects;
4. Demonstrate the financial capacity to perform this Project as evidenced by the Contractor’s financial statements.

Any false statements, inaccuracies, omissions, or failures to disclose are grounds for exclusion from bidding. If the District discovers false statements, inaccuracies, omissions, or failures to disclose by a Contractor at any time, the Contractor will be notified of the disqualification.

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## NOTIFICATION OF PREQUALIFICATION RESULTS

Contractors will be notified by mail or email of their prequalification within ten business days of submission of their prequalification Application. If the Contractor is rated as “Qualified” for Bid Package(s) on this Project, it will be eligible to submit a bid proposal for those Bid Package(s) on the Project, pursuant to all requirements and conditions of bidding. Any Contractor determined to be non-responsive or not qualified will not be eligible to re-submit a prequalification Application for the Project.

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## APPEALS

Contractors that do not prequalify as a result of their response to the Prequalification Application and/or supporting documentation will receive written notice from the District and may request an informal hearing to contest the District's decision. The request for a hearing must be received in writing within three (3) business days of receipt of the District's notice and must state the basis of the appeal. The decision reached by District as the result of any resulting hearing is final and may not be appealed. The District reserves the right to reject any or all responses to Prequalification Applications and to waive any non-material irregularities in any response received.

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## PUBLIC RECORDS

Although the names of Contractors seeking prequalification may be public information, pursuant to, without limitation, Public Contract Code section 20651.5, each Contractor's questionnaire and financial statements "shall not be public records and shall not be open to public inspection". However, the contents of Contractor's prequalification questionnaires and financial statements may be disclosed to third parties for purposes of clarification or investigation of material allegations or in any appeal process.

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## DEPARTMENT OF INDUSTRIAL (DIR) REGULATIONS AND PREVAILING WAGE

The project is a public works project and subject to prevailing wage. Each bidder submitting a proposal to complete the work, labor, material, and/or services ("Work") subject to this procurement must be a Department of Industrial Relations ("DIR") registered contractor pursuant to Labor Code §1725.5. A bidder who is not DIR registered contractor when submitting a proposal for the Work is deemed "not qualified" and the proposal of such a Bidder will be rejected for non-responsiveness.

Pursuant to Labor Code §1725.5, all subcontractors identified in a Bidder's subcontractors' list shall be DIR registered contractors as well. An affirmative and on-going obligation of the contractor under the contract documents is the contractor's verification that all subcontractors, of all tiers, are at all times during performance of the work in full and strict compliance with DIR Registration requirements. The Contractor shall not permit or allow any subcontractor of any tier to perform any work without the Contractor's verification that all such subcontractors are in full and strict compliance with DIR Registration requirements.

**PART I. CONTRACTOR DECLARATION**

Contractor (as name appears on license): \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ FAX: \_\_\_\_\_

Email: \_\_\_\_\_

**California Contractors License:**

License No(s): \_\_\_\_\_ Primary License class: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

CA Department of Industrial Relations (DIR) # \_\_\_\_\_ (see Exhibit A)

Type of Firm: (check one) Individual \_\_\_\_\_ Corporation \_\_\_\_\_ Partnership \_\_\_\_\_

Other (specify) \_\_\_\_\_

Tax I.D. No.: \_\_\_\_\_ Date Business Formed: \_\_\_\_\_

Date Incorporated (if applicable): \_\_\_\_\_ State of Incorporation: \_\_\_\_\_

<b>OWNERS, OFFICERS, AND PRINCIPALS (including Responsible Managing Officer and Responsible Managing Employee)</b>			
<i>Name</i>	<i>Years with Firm</i>	<i>Position</i>	<i>% of Ownership</i>

*If "yes" to any of the below-listed questions, explain on a separate signed page.*

Have any of the individuals listed above ever been licensed under a different name or license number? Yes \_\_\_\_\_ No \_\_\_\_\_

Have any of the individuals listed above ever had their Contractor's licenses suspended or revoked even if such suspension or revocation was stayed at any time? Yes \_\_\_\_\_ No \_\_\_\_\_

Has there been any change in the control of the Contractor's firm in the last five years? Yes \_\_\_\_\_ No \_\_\_\_\_

Are any of the individuals listed above connected with any other companies, subsidiary, parent, or affiliate? Yes \_\_\_\_\_ No \_\_\_\_\_

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## PART II. PREQUALIFICATION QUESTIONNAIRE

### Section 1A: Essential Requirements

The Contractor is disqualified if the answer to any of questions 1 through 6 in this section is “No” or the answer to any of questions 7 through 11 in this section is “Yes.”

1. Does the Contractor possess a valid and current California Contractor’s license applicable to the Project?

\_\_\_\_\_ Yes      \_\_\_\_\_ No

2. Has the Contractor attached a Certificate of Insurance demonstrating a valid insurance policy with a policy limit of at least \$1,000,000 per occurrence and \$2,000,000 aggregate, or has attached a letter from its insurer that such policy limits will be secured in the event that the Contractor is awarded the Project?

\_\_\_\_\_ Yes      \_\_\_\_\_ No

3. Has the Contractor attached verification of a current workers’ compensation insurance policy as required by the Labor Code or is legally self-insured pursuant to Labor Code sections 3700 et. seq.?

\_\_\_\_\_ Yes      \_\_\_\_\_ No      \_\_\_\_\_ Exempt (Contractor has no employees)

4. Has the Contractor attached a letter from an admitted surety insurer (approved by the California Department of Insurance, NOT by the Contractor’s agent or broker) authorized to issue bonds in the State of California, which states that the Contractor has a current available bonding capacity to cover this Project?

\_\_\_\_\_ Yes      \_\_\_\_\_ No

5. Does the Contractor have an Experience Modification Rate (“EMR”) for California workers’ compensation insurance of 1.25 or less? **NOTE:** Proof of EMR rate from the Workers’ Compensation Insurance Rating Bureau (“WCIRB”), in the form of an experience modification worksheet, with effective date within the previous 12 months, must be included with the Application.

\_\_\_\_\_ Yes      \_\_\_\_\_ No

6. Is the Contractor currently registered and in good-standing with the California Department of Industrial Relations for public works projects?

\_\_\_\_\_ Yes      \_\_\_\_\_ No

7. Has the Contractor defaulted on a contract that caused a surety to suffer a loss on either a performance or payment bond in the past five years?  
\_\_\_\_\_ Yes    \_\_\_\_\_ No
8. In the past ten years, has the Contractor had one or more of its construction contracts terminated due to contractor fault, prior to completion of the project?  
\_\_\_\_\_ Yes    \_\_\_\_\_ No
9. Has the Contractor's firm, or any owner, officer, or principal (including Responsible Managing Officer/Responsible Managing Employee) of the Contractor's firm declared bankruptcy or been placed in receivership within the past five years?  
\_\_\_\_\_ Yes    \_\_\_\_\_ No
10. Has the Contractor's firm, or any owner, officer, or principal (including Responsible Managing Officer/Responsible Managing Employee) of the Contractor's firm ever been found guilty of or liable for violating any federal, state, or local statute, regulation, or ordinance regarding a construction contract?  
\_\_\_\_\_ Yes    \_\_\_\_\_ No
11. Has there been any occasion in the last five years in which the Contractor or the Contractor's firm was required to pay back wages AND penalties for failure to comply with California's prevailing wage laws? (Note: This question does not pertain to violations by a subcontractor.)  
\_\_\_\_\_ Yes    \_\_\_\_\_ No

**Section 1B: Rated Questions**

1. Number of years of experience in public works construction? \_\_\_\_\_ Years
2. Number of years of experience in public works education construction? \_\_\_\_\_ Years
3. Number of years of experience as a prime contractor? \_\_\_\_\_ Years
4. Does the Contractor's business entity have a physical office location within the County of Orange? \_\_\_\_\_ Yes \_\_\_\_\_ No
5. The District is committed to local hiring on its construction projects. What percentage of Orange County residents can you commit to employ on this Project? \_\_\_\_\_ Percent

***If Yes to any of the below-listed questions, explain on a separate signed page.***

6. Has a claim and or other complaint ever been filed against the Contractor's California Contractors License with the California Contractors State License Board in the last five years? \_\_\_\_\_ Yes \_\_\_\_\_ No
7. Has the Contractor's firm, or any owner, officer, or principal (including Responsible Managing Officer/Responsible Managing Employee) of the Contractor's firm, ever been unable to obtain a bond or been denied a bond for a construction contract in the last five years? \_\_\_\_\_ Yes \_\_\_\_\_ No
8. In the last years, has the Contractor's firm ever been required to pay liquidated or actual damages under a construction contract? \_\_\_\_\_ Yes \_\_\_\_\_ No
9. Has any judgment ever been entered against the Contractor's firm concerning work on a construction project within the past 10 years? \_\_\_\_\_ Yes \_\_\_\_\_ No
10. Has the Contractor's firm ever been involved in arbitration and/or litigation related to payment or performance on a construction project within the past 10 years? \_\_\_\_\_ Yes \_\_\_\_\_ No
11. In the last 10 years, has any surety made any payments on behalf of the Contractor's firm to satisfy any claims made against a payment or performance bond issued on behalf of the Contractor in connection with a construction project? \_\_\_\_\_ Yes \_\_\_\_\_ No
12. Has the Contractor ever submitted a claim for damages against a public agency? \_\_\_\_\_ Yes \_\_\_\_\_ No
13. Has the Occupational Safety and Health Administration (OSHA or Cal-OSHA) cited and assessed penalties against the Contractor for any "serious," "willful," or "repeat" violations of its safety or health regulations in the past five years? (Note: If the Contractor has filed an appeal of a citation, and the Occupational Safety and Health Appeals Board has not yet ruled on the appeal, information about this need not be included.) \_\_\_\_\_ Yes \_\_\_\_\_ No



14. Has the EPA or any Air Quality Management District or any Regional Water Quality Control Board cited and assessed penalties against either the Contractor or the owner of a project in the past five years? (Note: If the Contractor has filed an appeal of a citation, and the appropriate appeals board has not yet ruled on the appeal, information about this need not be included.)  
\_\_\_\_\_Yes\_\_\_\_\_No

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### PART III. EXPERIENCE & REFERENCES

List references for at least one (1) Division of the State Architect (DSA) (public school district/community college district) or Office of Statewide Health Planning and Development (OSHPD) contract completed within the past five years, having a total contract value of at least 80% of the engineer's estimate and consisting of work comparable in scope and complexity to the Project Bid Package(s) submitting on. (Contracts should have a final contract amount of \$9.2M or greater and reflect Electrical, Low Voltage, and Audio-Visual scope.) Note: Projects involving private K-12, private colleges, and universities **are not applicable DSA projects** due to limited DSA review and oversight of the project.

AND

List references for at least (1) contract completed within the past five years, having a total contract value of at least 80% of the engineer's estimate and consisting of work comparable in scope and complexity to the Project Bid Package(s) submitting on. (Contracts should have a final contract amount of \$9.2M or greater and reflect Electrical, Low Voltage, and Audio-Visual scope.)

(Continued on next page)

<b>Project 1:</b>			
Name of Project:			
DSA Application #:			
Type of Construction/Project Description:			
Start Date:		Completion Date:	
Contract Value:		Change Order Amount:	
Owner Contact:		Contact Number:	
Architect Contact:		Contact Number:	
DSA Inspector:		Contact Number:	
Project Completed on Time (Yes/No)? <i>If no, please explain on a separate signed page</i>			
Project Completed on Budget (Yes/No)? <i>If no, please explain on a separate signed page</i>			
Contract completed without owner dispute (Yes/No)? <i>If no, please explain on a separate signed page</i>			

<b>Project 2:</b>			
Name of Project:			
DSA Application #:			
Type of Construction/Project Description:			
Start Date:		Completion Date:	
Contract Value:		Change Order Amount:	
Owner Contact:		Contact Number:	
Architect Contact:		Contact Number:	
DSA Inspector:		Contact Number:	
Project Completed on Time (Yes/No)? <i>If no, please explain on a separate signed page</i>			
Project Completed on Budget (Yes/No)? <i>If no, please explain on a separate signed page</i>			
Contract completed without owner dispute (Yes/No)? <i>If no, please explain on a separate signed page</i>			

<b>Project 3:</b>			
Name of Project:			
DSA Application #:			
Type of Construction/Project Description:			
Start Date:		Completion Date:	
Contract Value:		Change Order Amount:	
Owner Contact:		Contact Number:	
Architect Contact:		Contact Number:	
DSA Inspector:		Contact Number:	
Project Completed on Time (Yes/No)? <i>If no, please explain on a separate signed page</i>			
Project Completed on Budget (Yes/No)? <i>If no, please explain on a separate signed page</i>			
Contract completed without owner dispute (Yes/No)? <i>If no, please explain on a separate signed page</i>			

<b>Project 4:</b>			
Name of Project:			
DSA Application #:			
Type of Construction/Project Description:			
Start Date:		Completion Date:	
Contract Value:		Change Order Amount:	
Owner Contact:		Contact Number:	
Architect Contact:		Contact Number:	
DSA Inspector:		Contact Number:	
Project Completed on Time (Yes/No)? <i>If no, please explain on a separate signed page</i>			
Project Completed on Budget (Yes/No)? <i>If no, please explain on a separate signed page</i>			
Contract completed without owner dispute (Yes/No)? <i>If no, please explain on a separate signed page</i>			

List the present and all prior sureties who have provided a bond to Contractor in the last five years.

SURETY HISTORY		
Company & Address	Contact Name & Phone	Largest Bond

Single Project Bond Limit: \_\_\_\_\_

Aggregate Bond Capacity: \_\_\_\_\_

Total Value of Work in Progress: \_\_\_\_\_

Current Bond Rating: \_\_\_\_\_

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## PART IV. FINANCIAL RATING

All prospective bidders must meet the engineer's estimate (see listing in Prequalification advertisement for each package) when evaluating the lesser of:

- Five times working capital (current assets minus current liabilities), OR
- Net worth (assets less liabilities, plus available letter of credit confirmed by bank letter), OR
- Annual Revenue times 30%

Prospective bidders shall provide each of the documents listed below in order to be deemed financially qualified to bid on this Project. Failure to complete or to provide the information requested may result in disqualification.

### **A. Audited/Reviewed Financial Statements**

The prospective bidder must submit the most recent one year of independently audited/reviewed financials including balance sheet, income statement, statement of cash flows, and notes to the financials. (A compilation or income tax return will be accepted only for maximum \$250,000 contract award.)

### **B. Certificate of Accountant**

The certificate of an accountant licensed by the State of California will be required in all cases. A suggested form of a certificate for both an audit and a review is attached (Attachment 1). The accountant may submit a certificate in his/her own words provided it does not include qualifications too extensive as to nullify the value of the statement or its usefulness to the District.

### **C. General Letter of Credit (optional)**

A Letter of Credit may be included in determining the Net Worth (assets less liabilities) of the contractor for the purposes of prequalification with the District. A suggested letter format is attached (Attachment 2). Banks may issue a Letter of Credit on its own letterhead, provided that the letter contains the same provisions, is addressed to the District, and bears an original signature.

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**AFFIDAVIT OF CONTRACTOR**

The submitter of the foregoing answers and statements of experience and financial condition has read the same and the matters stated therein are true of his or her own knowledge. The submitter may be required to provide the District with any information necessary to verify information in this Application. Should the information in the Application at any time cease to accurately and completely represent the submitter in any substantial respect, the submitter will refrain from further bidding on the Project.

Attached is a certified copy of the minutes of the corporation indicating that the person whose signature appears below has authority to bind the corporation. For other types of organization, provide evidence in a form and substance acceptable to the District (such as a Power of attorney) that the person whose signature appears below has authority to bind the Contractor.

**AFFIDAVIT OF AN INDIVIDUAL FOR A SOLE PROPRIETORSHIP:**

I, \_\_\_\_\_, an individual,  
doing business as \_\_\_\_\_  
hereby declare, by signing this affidavit, the foregoing statements to be true and correct and are made under penalty of perjury under the laws of the State of California.

**PARTNERSHIP AFFADAVIT:**

I, \_\_\_\_\_,  
a partner of \_\_\_\_\_,  
hereby declare, by signing this affidavit, the foregoing statements to be true and correct and are made under penalty of perjury under the laws of the State of California.

**CORPORATE AFFADAVIT:**

I, \_\_\_\_\_, the  
\_\_\_\_\_ of \_\_\_\_\_  
(Title of Corporate Officer) (Full Corporate Name)  
hereby declare, by signing this affidavit, the foregoing statements to be true and correct and are made under penalty of perjury under the laws of the State of California.

**Executed this \_\_\_\_\_ Day of \_\_\_\_\_, 2022,**

**City of \_\_\_\_\_, County of \_\_\_\_\_,**

**State of \_\_\_\_\_.**

**Signature of Applicant \_\_\_\_\_**

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**ATTACHMENT 1A: CERTIFICATE OF ACCOUNTANT**

**FOR AN AUDIT OF A FINANCIAL STATEMENT COMPLETE THIS CERTIFICATE**

STATE OF \_\_\_\_\_

We have examined the Financial Statement of \_\_\_\_\_ as of \_\_\_\_\_. Our examination was made in accordance with generally accepted auditing standards, and accordingly included such tests of the accounting records and such other auditing procedures, as we considered necessary in the circumstances.

In our opinion, the accompanying financial statement included on pages \_\_to, inclusive, sets forth fairly the financial condition of \_\_\_\_\_ as of \_\_\_\_\_, in conformity with generally accepted accounting principles.

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(Print Name of Firm)

(Accountant must sign here)

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(Telephone No.)

(License No.)

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**Special Note to Accountant:**

The above Certificate of Accountant shall not be made by any individual who is in the regular employ of the individual, partnership or corporation submitting the statement; nor by any individual who is a member of the firm with more than a 10 percent financial interest.



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**ATTACHMENT 1B: CERTIFICATE OF ACCOUNTANT**

**FOR A REVIEW OF A FINANCIAL STATEMENT COMPLETE THIS CERTIFICATE**

I (we) have reviewed the accompanying financial statement of \_\_\_\_\_ as of \_\_\_\_\_. The information included in the financial statement is the representation of the management of the above firm.

Based on (our) review, with the exception of the matter (s), described in the following paragraph (s), (we are) not aware of any material modifications that should be made to the accompanying financial statements, in order for them to be in conformity with generally accepted accounting principles.

NOTE THIS REVIEW CONSISTS PRINCIPALLY OF INQUIRIES OF MANAGEMENT AND APPROPRIATE ANALYTICAL PROCEDURES APPLIED TO THIS FINANCIAL DATA. IT IS SUBSTANTIALLY LESS IN SCOPE THAN AN EXAMINATION IN ACCORDANCE WITH GENERALLY ACCEPTED AUDITING STANDARDS, THE OBJECTIVE OF WHICH IS THE EXPRESSION OF AN OPINION REGARDING THE FINANCIAL STATEMENTS TAKEN AS A WHOLE. ACCORDINGLY, WE HAVE NOT EXPRESSED SUCH AN OPINION.

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(Print Name of Firm)

(Accountant must sign here)

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(Telephone No.)

(License No.)

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**Special Note to Accountant:**

The above Certificate of Accountant shall not be made by any individual who is in the regular employ of the individual, partnership or corporation submitting the statement; nor by any individual who is a member of the firm with more than a 10 percent financial interest.

**ATTACHMENT 2: GENERAL LETTER OF CREDIT**

TO: North Orange County Community College District 1830 W.  
Romneya Drive  
Anaheim, CA 92801-1819

ATTN: Purchasing Department

SUBJECT: **GENERAL LETTER OF CREDIT**

Reference is made to the prequalification of \_\_\_\_\_(Name of Contractor).

Under the direction of the Board of Trustees pertaining to the construction, alteration, and maintenance of North Orange County Community College District facilities, we certify that the above-named Contractor has been extended an unqualified line of credit not to exceed \$ \_\_\_\_\_, and that such credit will not be withdrawn or reduced without 30 days written notice to the District.

It is understood that this Letter of Credit is to be used by the District solely for determining the financial resources of the Contractor for purposes of determining prequalification.

Bank No. Code \_\_\_\_\_

\_\_\_\_\_  
(Name of Bank)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(City)

By: \_\_\_\_\_

\_\_\_\_\_  
(Please type or print name & title)