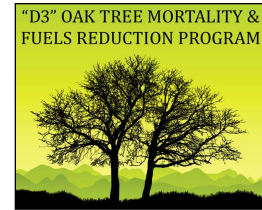




**The Resource Conservation District  
of Greater San Diego County**  
11769 Waterhill Road • Lakeside, CA 92040  
Phone: 619-749-4232 • Fax: 619-749-4327  
Website: [www.rcdsandiego.org](http://www.rcdsandiego.org)



July 1, 2010

**RE: REQUEST FOR STATEMENT OF QUALIFICATIONS FOR CONTRACTORS FUEL REDUCTION/  
TREE REMOVAL IN SAN DIEGO COUNTY**

Dear Contractor,

This letter is to notify you that the Resource Conservation District of Greater San Diego County (RCDGSDC) is opening the request for Statement of Qualifications for Contractors to provide dead, dying and diseased tree removal services in San Diego County. This Fuels Reduction project will result in numerous solicitations and contract awards for the removal of dead, dying and diseased trees on private property in specific rural areas of San Diego County over the next year. To assist in meeting the required project completion time, the RCDGSDC is pre-qualifying bidders.

Attached is the Request for Statement of Qualifications and Certification Application. This application is also available for download in PDF format from our website at [www.rcdsandiego.org](http://www.rcdsandiego.org). Please make certain to read all of the information provided in this document very carefully.

You are receiving this invitation because your information is on an interest list the RCDGSDC has established for Tree Removal/Fuel Reduction projects over the past year. If you are receiving this information in error and would like to be removed from our distribution list, please contact me.

Sincerely,

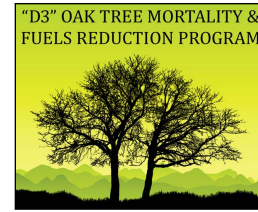
A handwritten signature in black ink that reads "Krista Burroughs". The signature is written in a cursive, flowing style.

Krista Burroughs  
**"D3" Program Manager**

**Resource Conservation District of Greater San Diego County**  
11769 Waterhill Road  
Lakeside, CA 92040  
Phone: 619-749-4232 x203  
Fax: 619-749-4327  
Email: [krista.burroughs@rcdsandiego.org](mailto:krista.burroughs@rcdsandiego.org)



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## **REQUEST FOR STATEMENT OF QUALIFICATIONS FOR CONTRACTORS FUEL REDUCTION/TREE REMOVAL IN SAN DIEGO COUNTY**

The Resource Conservation District of Greater San Diego County (RCDGSDC) is opening the request for Statement of Qualifications for Contractors to provide dead, dying and diseased tree removal services in San Diego County. This Fuels Reduction project will result in numerous solicitations and contract awards for the removal of dead, dying and diseased trees on private property in specific rural areas of San Diego County over the next year. To assist in meeting the required project completion time, the RCDGSDC is pre-qualifying bidders.

Contract awards will only be made to Contractors/Firms identified on the posted, pre-qualified list. This solicitation will remain open until further notice; however, in order to participate in bidding for **Project Area 1, expected to begin in July 2010**, responses to this request must be received by the RCDGSDC by the due date specified below.

### **REQUEST FOR STATEMENT OF QUALIFICATIONS DUE DATE**

Submit one (1) original of your **Response to the Request for Statement of Qualifications** to the RCDGSDC's office in a sealed envelope or package clearly marked on the exterior with **RFSQ "D3" Program** and the name and address of the bidder.

All submissions for Project Area 1 of contract awards must be submitted to our office by:

**Wednesday, July 14, 2010  
No later than 4:00pm PDT**

### **AWARD**

The RCDGSDC will determine which Contractors are qualified to Bid on the future Fuels Reduction contracts based on the evaluation criteria. Contractors deemed qualified will be notified in writing of upcoming solicitations. Non-qualified firms will be notified in writing.

### **QUESTIONS**

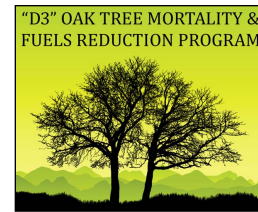
Questions and requests for clarification related to definition or interpretation of this RFSQ must be requested in writing by email (preferred), fax or mail prior to the date the responses are due. Submit all inquiries to:

**Krista Burroughs**  
*D3 Program Manager/Contracts Coordinator*

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## REQUEST FOR STATEMENT OF QUALIFICATIONS FOR CONTRACTORS FUEL REDUCTION/TREE REMOVAL IN SAN DIEGO COUNTY INSTRUCTIONS TO BIDDERS

### 1. PROJECT BACKGROUND

The RCD is currently preparing numerous solicitations in response to the receipt of Federal grant funding for the removal of dead, dying and diseased trees in targeted areas of San Diego County. The RCDGSDC will use the list of pre-qualified contractors generated from this RFSQ to solicit for upcoming contracts over the next 18 months.

**Because of the threat of spreading the Goldspotted Oak Borer (GSOB), once a bidder is selected, but before the contract is awarded, they will be required to provide the RCDGSDC with an acceptable “Oak Disposal Plan” that specifies how and where oak logs, limbs and other slash will be disposed of. The Plan will include the statement that no oak trees cut under this contract will be left on private property (unless previously arranged by the RCDGSDC) and the oak, in any form, which is removed under this contract, will not be sold, bartered, exchanged, traded or otherwise given away for firewood or any other purpose.**

### 2. THE PROCESS

The RCDGSDC will utilize this Request for Statement of Qualifications (RFSQ) to pre-qualifying Contractors eligible to participate in bidding future contracts for dead, dying and diseased tree removal on private properties in specific areas of San Diego County. Those contractors determined qualified by passing ALL of the evaluation criteria will receive written notification of qualification by the RCDGSDC. Firms failing to pass ALL of the evaluation criteria will receive written notification identifying evaluation criteria that they failed and will not eligible to participate in bidding future contracts as specified above.

### 3. PROPOSED SCHEDULE OF EVENTS (Estimated)

Issue Request for Statement of Qualifications	June 30, 2010
Questions and requests for clarification deadline	July 8, 2010
Statement of Qualifications Deadline ( <i>Project Area 1 only</i> )	July 14, 2010 by 4:00 pm PDT
Notification to Firms Found Acceptable ( <i>qualified and responsible</i> ) and Firms Found Unacceptable ( <i>failed to meet RCDGSDC requirements</i> )	June 19, 2010
Pre-qualified Contractors/Firms will be notified of future solicitations	As They Occur

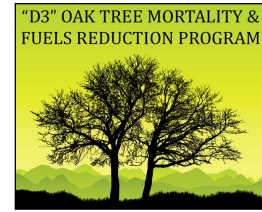
### 4. SUBMITTALS AND QUALIFICATION

Contractors/Firms will submit an original and two (2) copies of the Statement of Qualifications. The Statement of Qualifications shall be on the forms or in the format contained in Attachment 1, including all supporting documentation requested in Attachment 1.

- A. Qualifications will be judged on a pass/fail basis. The Statements of Qualifications, as submitted will be categorized as:
  - i. Acceptable. (qualified and responsible)
  - ii. In all or other cases, Unacceptable. (fails to meet RFSQ requirements)



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- B. The RCDGSDC reserves the right to request clarification and/or hold discussions requesting additional information or clarifications from a firm if necessary. Such clarifications or additional information shall be submitted by the firm as a modification to the Statement of Qualifications. The request of such clarification from one Contractor/Firm does not obligate it to seek similar clarification from any other Contractor/Firm.
- C. Each Statement of Qualifications will be evaluated based on the information submitted in the Statement of Qualifications plus any other additional information developed by the RCDGSDC. The RCDGSDC further reserves the right to require interviews. The interviews, if required, will be for the purpose of assisting the RCDGSDC in determining whether or not the Contractor/Firm meets the qualification criteria outlined herein.

**5. DISCLAIMER**

This RFSQ does not commit the RCDGSDC to establish a list of qualified Contractors/Firms, to pay costs incurred in the preparation of a response, or to procure or contract for any services. The RCDGSDC reserves the right to accept or reject any or all Statements of Qualifications received as a result of this RFSQ, or to seek clarification with any qualified source or to cancel in part or in its entirety this RFSQ if it is in the best interest of the RCDGSDC.

**6. PROPRIETARY INFORMATION**

All Statements of Qualifications become the property of the RCDGSDC. All Statements of Qualification become matters of public record and are available under the terms of the State of California's Official Records Act upon Notification of Award. By submission of a Statement of Qualification, vendors agree that the material contained in the Statement of Qualification proposal may be released to the general public.

**7. REQUIRED CONTENTS OF THE STATEMENT OF QUALIFICATIONS**

Each Statement of Qualifications shall include a completed Certification Application included as Attachment 1. In addition, responders must provide all the supplemental and additional information as described in the application and must adhere to the format in Attachment 1. Statements of Qualifications should be concise but comprehensive and shall not include promotional material.

**A. INSTRUCTIONS FOR EXPERIENCE CERTIFICATION APPLICATION (ATTACHMENT 1)**

**i. General**

Responses to this RFSQ should be submitted on the forms included as Attachment 1 hereto and/or provided as a separate submittal where indicated below.

**ii. Experience**

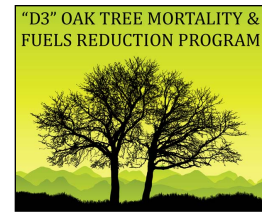
The Contractor/Firm must provide information for three (3) Fuel Reduction/Tree Removal projects within the past five (5) years in the appropriate section of Attachment 1.

**iii. References**

- a. The RCDGSDC must receive three favorable references on which the Contractor/Firm has provided service in the past as provided in response to the Experience section of this RFSQ. The Contractor/Firm is responsible for providing current contact names, and telephone numbers, as a part of its statement of qualifications. The RCDGSDC will make no more than two attempts to contact any reference. The inability to contact a reference will be treated as an unfavorable reference for evaluation purposes.



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- b. The Firm will be disqualified if it receives a *majority of unfavorable* responses from such sources. An unfavorable response is any response where the respondent states either that the service which it received was substandard and/or that they would not engage the company to perform Fuel Reduction services again in the future.

**B. RESUMES OF OWNERS/OFFICERS/BUSINESS MANAGERS**

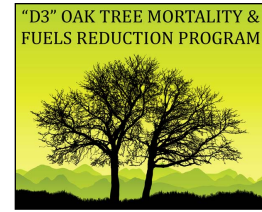
Companies responding to this RFSQ *must* submit resumes of the owner(s), principal shareholders (owners of more than 15% of outstanding shares), directors, business or branch managers. These resumes must demonstrate experience within the industry, or in closely related industries, which demonstrate experience in Fuel Reduction contracts of similar size and scope of those anticipated for award by the RCDGSDC, and otherwise demonstrate the fitness and fiscal integrity needed to manage such projects.

**C. FINANCIAL STATEMENTS OF FIRM AND OWNERS AND/OR PRINCIPAL SHAREHOLDERS**

- i. The Company submitting a Statement of Qualification in response to this RFSQ *must* include a *current* Balance Sheet, and a Profit and Loss Statement for its last fully completed accounting year, with Balance Sheets reflecting its opening and closing positions for that fiscal year. These financial statements may either be Independently Audited by a C.P.A. or accounting firm, or they may be certified under penalty of perjury under the laws of the California as accurately reflecting the financial position of the firm. The financial statements of firm owners and/or principal shareholders (owners of more than 15% of outstanding shares) must also be submitted.
- ii. If the Company is a Sole Proprietor Schedule C of Tax Return documents has to be submitted
- iii. While no specific ratios need to be met to qualify, these financial statements *must* reflect sound business practices, the payment of minimum wages to employees or certified payroll if applicable, payment of all taxes and benefits as may be due to employees, and make reasonable allowances for expenses and depreciation. No provider of Fuel Reduction services will be found qualified if its debt to equity ratio suggests, as determined at the sole discretion of the RCDGSDC, that the company would be incapable of financing and/or completing performance under the contract. The provider of these Fuel Reduction services and/or its owners and/or shareholders must be able to demonstrate to the RCDGSDC that it/they is/are in a position to sustain and ongoing business *without* award of any contract by the RCDGSDC.
- iv. Contractors shall not be required to pay prevailing wages to employees, as per California Labor code wherein 'public work' is defined by Labor Code section 1720(a) (113). In pertinent part, that statute provides, "'public works' means: ...Construction, alteration, demolition, installation or repair work done under contract and paid for in whole or in part out of public funds ... ." While this project is paid for by public funds (federal), as a tree removal project, it does not meet the definition of 'public works' as noted above.



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D. INSURANCE

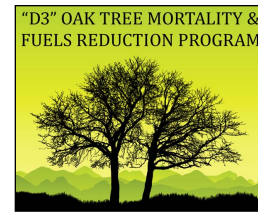
- i. **The Statement of Qualifications must contain written confirmation from a surety firm or broker/insurance agent acceptable to the RCDGSDC.** The Certification Application must include a letter of commitment by broker/insurance agent stating that they will insure your firm in accordance with the RCDGSDC's insurance requirements, in the amounts and form set forth in Attachment 2, Insurance Requirements.
- ii. Ability to finance initial costs. Initial costs are defined as those **cost incurred during the first 60 days of the contract.** This will include all start-up costs.

E. Examination of Public Documents and Records Relating to the provider of Fuel Reduction services and/or its Owner(s) and/or Principal Shareholders (Greater than 15%)

- i. The RCDGSDC *will* undertake its own investigation of public records relating to the provider of Fuel Reduction services and/or its owner(s) and /or its principal shareholders. At a minimum, this will include an examination of all recorded documents maintained by the Assessor/Recorder/County Clerk for the County of San Diego of the provider of custodial service's principal operation and/or where it performs its major contracts; all documents maintained by the California Secretary of State including, but not limited to, corporate records, records of judgment liens on personnel property, and recorded security interests; and all other records maintained by regulatory agencies relating to the Contractor/Firm.
- ii. It is the position of the RCDGSDC that no provider of Fuel Reduction services and/or its owner(s) and/or its principal shareholders, which on a regular and consistent basis, is involved in litigation which result in judgments against it which remain unsatisfied or for which enforcement procedures have been required; or which, on a regular and consistent basis is delinquent on payment of its state and federal taxes, or which has all or essentially all of its assets encumbered by priority security interest, is sufficiently stable to provide consistent and reliable Fuel Reduction services for the RCDGSDC.
- iii. Therefore, as an *absolute* requirement for successful qualification, the provider Fuel Reduction services and/or its owner(s) and/or its principal shareholders, shall have no more than three recorded tax liens, or unsatisfied judgments, in the *four years* preceding the date of submittal of its Statement of Qualifications, as reflected in the County and State public records, nor shall an excessive (defined as more than 50%) of its assets be encumbered by prior U.C.C.-1 filings. This is an *absolute* requirement and the County has no interest in the reasons for these filings or their ostensible validity. If they are not valid, it is as important that, the provider of custodial services and/or its owner(s) and/or its principal shareholders have not taken any action to expunge them as that they were filed or recorded in the first place.



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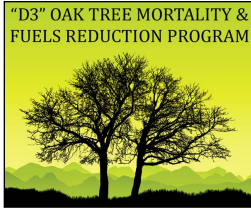
**8. EVALUATION CRITERIA**

EVALUATION CRITERIA	PASS	FAIL
<b>LTOA LICENSE</b>	SOQ indicates LTOA license holder and relationship to contractor	SOQ does not provide LTOA license information
<b>EXPERIENCE</b>	SOQ demonstrates 2 years of recent (within the last 3 years) Contractor and/or LTOA experience of projects similar in scope of work.	SOQ demonstrates inadequate experience providing similar size and scope of work. Experience was more than 3 years ago. Experience is not of similar scope.
<b>REFERENCES</b>	SOQ provides 3 acceptable <i>favorable</i> references from a minimum of three clients for whom contractor has provided similar work within the last 3 years. If LTOA is not an employee of Company, references must be provided for both Company and LTOA. References must be able to assess Contractor's ability to perform based on direct experience.	3 acceptable favorable references not provided in SOQ, or cannot be verified from the information submitted.
<b>COMPLIANCE WITH FEDERAL, STATE AND LOCAL LAWS, CODES AND ORDINANCES</b>	<u>CONTRACTOR:</u> SOQ indicates no complaints, citations, or notice of violations for any Federal, State and Local laws, codes and ordinances in the past five years.	Contractor received one or more complaints, citations, or notice of violations within the past five years and reasonable explanation not provided. Contractor shows pattern of consistent complaints, citations, or violations within the past five years.
	<u>LTOA:</u> SOQ indicates no complaints, citations, or notice of violations for any Federal, State and Local laws, codes and ordinances in the past five years.	LTOA received one or more complaints, citations, or notice of violations within the past five years and reasonable explanation not provided. LTOA shows pattern of consistent complaints, citations, or violations within the past five years.
	<u>SUBCONTRACTOR(S):</u> SOQ indicates no complaints, citations, or notice of violations for any Federal, State and Local laws, codes and ordinances in the past five years.	Subcontractor(s) received one or more complaints, citations, or notice of violations within the past five years and reasonable explanation not provided. Subcontractor(s) shows pattern of consistent complaints, citations, or violations within the past five years.
<b>SAFETY POLICIES AND TRAINING REQUIREMENTS</b>	No OSHA or Cal OSHA complaints, citations or violations in the past five years. Employees provided general safety training. Above records are available for County review.	OSHA or Cal OSHA complaints, citations or violations received in the past five years and explanation not provided. Contractor or Subcontractor does not maintain safety training records or general employee safety training records. Records are not available for RCDGSDC review.



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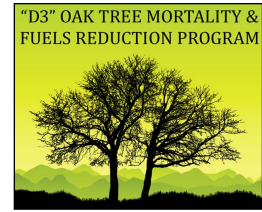
<p><b>EQUIPMENT</b></p>	<p>SOQ demonstrates sufficient equipment inventory to meet requirements of performing the work specified. All contractors must provide equipment as specified in the FIRE EQUIPMENT REQUIREMENTS FOR COUNTY OF SAN DIEGO CONTRACTED FUELS PROJECTS, with said document incorporated as a part of all final contracts.</p>	<p>SOQ does not provide equipment inventory list, or equipment is insufficient to perform the work specified.</p>
<p><b>INSURANCE + WORKERS COMPENSATION AND LIABILITY INSURANCE CERTIFICATES</b></p>	<p>Provided as identified in Section 7-D of the Instructions to Bidders and Attachment 2.</p>	<p>Did not provide as identified in 7-D of the Instructions to Bidders and Attachment 2.</p>

**Statements made in the Certification Application may be subject to verification and/or confirmation by the RCDGSDC. Failure to pass all Evaluation Criteria, in addition to not being able to obtain Insurance in the dollar limits stated herein or failing the RCDGSDC's determination of financial strength, will result in your firm being determined non-responsive with no further consideration for award. The RCDGSDC's determination of the firm being deemed non-responsive shall be conclusive.**

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# “D3” DEAD, DYING & DISEASED OAK TREE MORTALITY & FUELS REDUCTION PROGRAM

## STATEMENT OF QUALIFICATIONS OF CONTRACTORS Certification Application ATTACHMENT 1

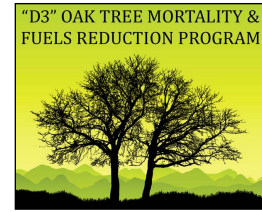
INSTRUCTIONS: Please complete each item accurately. Type or print clearly. Do not leave any spaces blank on the application. If a question is not applicable to your business, insert “N/A” in the space provided. Whenever the space is insufficient to answer a question completely, attach additional sheets as necessary. Use the question number to identify any answer continued on an additional sheet. This form must be submitted with your SOQ package.

### BACKGROUND

1. Company name (DBA) \_\_\_\_\_
2. Company address \_\_\_\_\_
3. How long has company done business at this address? \_\_\_\_\_
4. Business addresses during the past five years \_\_\_\_\_
5. Owner(s) \_\_\_\_\_
6. San Diego or local manager(s) \_\_\_\_\_
7. Number of employees in San Diego County \_\_\_\_\_
8. Contractor’s License Number \_\_\_\_\_
9. Licensed LTOA Name \_\_\_\_\_
10. LTOA License Number \_\_\_\_\_
11. Licensed LTOA Relationship \_\_\_\_\_
12. Identify proposed subcontractors/partners/etc. to be used to meet requirements of this solicitation (more than one may be listed). You will complete a more detailed Designation of Subcontractors form for individual bids. *Attach separate sheet if necessary.*  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



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**EXPERIENCE**

13. Please provide detailed information on a minimum of three (3) Fuel Reduction/Tree Removal projects completed within the past five (5) years. Additional sheets can be attached if needed.

PROJECT 1

Project Name: \_\_\_\_\_

Project Location: \_\_\_\_\_ Project Dates: \_\_\_\_\_

Project Size (acres): \_\_\_\_\_ Total Value of Project: \$\_\_\_\_\_

Client: \_\_\_\_\_

Client Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Scope of Services/Work Performed: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_

PROJECT 2

Project Name: \_\_\_\_\_

Project Location: \_\_\_\_\_ Project Dates: \_\_\_\_\_

Project Size (acres): \_\_\_\_\_ Total Value of Project: \$\_\_\_\_\_

Client: \_\_\_\_\_

Client Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Scope of Services/Work Performed: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_

PROJECT 3

Project Name: \_\_\_\_\_

Project Location: \_\_\_\_\_ Project Dates: \_\_\_\_\_

Project Size (acres): \_\_\_\_\_ Total Value of Project: \$\_\_\_\_\_

Client: \_\_\_\_\_

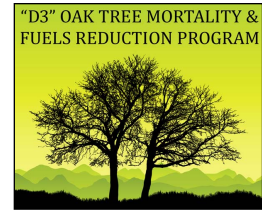
Client Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Scope of Services/Work Performed: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_



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14. Do Contractor/ Subcontractor employees have experience with Fuel Reduction projects?  
 Yes       No
15. Do Contractor/ Subcontractor employees have experience with the Forest Practice Act?  
 Yes       No

**REFERENCES**

16. Please provide three references from which the Contractor has provided service of similar scope in the past three years. If the LTOA is not an employee of the Contractor, please provide three separate references for the LTOA. References will be checked by the RCDGSDC. Please make certain all information provided is current and correct.

REFERENCE 1

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
 Company: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_  
 Relationship: \_\_\_\_\_

REFERENCE 2

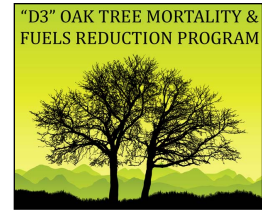
Name: \_\_\_\_\_ Title: \_\_\_\_\_  
 Company: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_  
 Relationship: \_\_\_\_\_

REFERENCE 3

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
 Company: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_  
 Relationship: \_\_\_\_\_



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17. Has Contractor been awarded contracts by local government within the last three years?  
 Yes       No

If so, give a brief description. Include level of government (e.g. City, County, Port District, School District, etc.) Department(s) issuing contract(s) and contract date(s).

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**COMPLIANCE WITH LAWS/ REGULATIONS**

18. In the last five years has Contractor, its owner(s), officer(s), director(s), manager(s) or employees been under investigation, had a complaint lodged against, or received a citation or notice of violation from any Federal, State or Local Agency?  
 Yes       No

If yes, for each instance, please provide a detailed description of the investigation (i.e. date, nature, outcome, and whether a citation/violation was received).

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19. In the last five years has LTOA been under investigation, had a complaint lodged against, or received a citation or notice of violation from any Federal, State or Local Agency?  
 Yes       No

If yes, for each instance, please provide a detailed description of the investigation (i.e. date, nature, outcome, and whether a citation/violation was received).

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20. In the last five years has any Subcontractor that Contractor used on any job or any Subcontractor that Contractor plans to use on this job, been under investigation, had a complaint lodged against, or received a citation or notice of violation from any Federal, State or Local Agency?  
 Yes       No

If yes, for each instance, please provide a detailed description of the investigation (i.e. date, nature, outcome, and whether a citation/violation was received).

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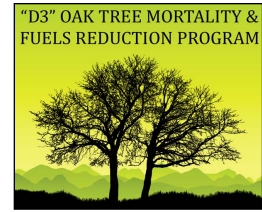
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**The Resource Conservation District  
of Greater San Diego County**  
 11769 Waterhill Road • Lakeside, CA 92040  
 Phone: 619-749-4232 • Fax: 619-749-4327  
 Website: [www.rcdsandiego.org](http://www.rcdsandiego.org)



**SAFETY PROGRAM**

21. Please describe Contractor’s safety policies and training and record retention requirements.

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**EQUIPMENT**

22. Identify equipment inventory and availability to meet requirements of the work specified for a single project. All contractors must provide equipment as specified in the FIRE EQUIPMENT REQUIREMENTS FOR COUNTY OF SAN DIEGO CONTRACTED FUELS PROJECTS, with said document incorporated as a part of all final contracts. Please contact the RCDGSDC for a copy of these requirements.

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**SIGNATURES**

All owner(s) must sign in ink. No digital signatures or stamps accepted.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

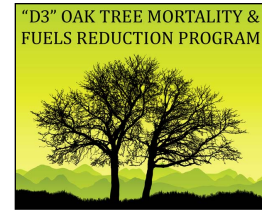
\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

**End of Certification Application**



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# “D3” DEAD, DYING & DISEASED OAK TREE MORTALITY & FUELS REDUCTION PROGRAM

## STATEMENT OF QUALIFICATIONS OF CONTRACTORS

### Insurance Information for Contractors

#### ATTACHMENT 2

Without limiting Contractor’s indemnification obligations to RCDGSDC, Contractor shall provide at its sole expense and maintain for the duration of this contract, or as may be further required herein, insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder and the results of the work by the Contractor, his agents, representatives, employees or subcontractors.

#### 1. Minimum Scope of Insurance

Coverage shall be at least as broad as:

- A. Commercial General Liability, Occurrence form, Insurance Services Office form CG0001.
- B. Automobile Liability covering all owned, non owned, hired auto Insurance Services Office form CA0001.
- C. Workers’ Compensation, as required by State of California and Employer’s Liability Insurance.

#### 2. Minimum Limits of Insurance

Contractor shall maintain limits no less than:

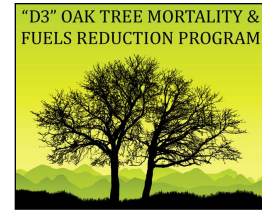
- A. Commercial General Liability including Premises, Operations, Products and Completed Operations, Contractual Liability, and Independent Contractors Liability: \$1,000,000 per occurrence for bodily injury, personal injury and property damage. The General Aggregate limit shall be \$2,000,000.
- B. Automobile Liability: \$1,000,000 each accident for bodily injury and property damage.
- C. Employer’s Liability: \$1,000,000 each accident for bodily injury or disease.

#### 3. Deductibles and Self-Insured Retentions

Any deductible or self-insured retention must be declared to and approved by the RCDGSDC. At the option of the RCDGSDC, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the RCDGSDC, agents, employees and volunteers of the RCDGSDC; or the Contractor shall provide a financial guarantee satisfactory to the RCDGSDC guaranteeing payment of losses and related investigations, claim administration, and defense expenses.



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#### **4. Other Insurance Provisions**

The general liability and automobile liability policies are to contain, or be endorsed to contain the following provisions:

A. Additional Insured Endorsement

Any general liability policy provided by Contractor shall contain an additional insured endorsement applying coverage to the RCDGSDC and its officers, agents, employees and volunteers of the RCDGSDC, individually and collectively.

B. Primary Insurance Endorsement

For any claims related to this Contract, the Contractor's insurance coverage shall be primary insurance as respects the RCDGSDC and its officers, agents, employees and volunteers of the RCDGSDC, individually and collectively. Any insurance or self-insurance maintained by the RCDGSDC, its officers, officials, employees, or volunteers shall be excess of the Contractor's insurance and shall not contribute with it.

C. Notice of Cancellation

Each required insurance policy shall be endorsed to state that coverage shall not be canceled by either party, except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the County at the address shown in section of Contract entitled "Notices".

#### **5. Severability of Interest Clause**

Coverage applies separately to each insured, except with respect to the limits of liability, and that an act or omission by one of the named insureds shall not reduce or avoid coverage to the other named insureds.

### **GENERAL PROVISIONS**

#### **6. Qualifying Insurers**

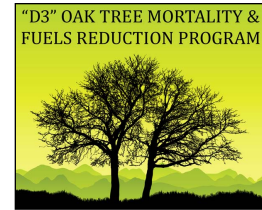
All required policies of insurance shall be issued by companies which have been approved to do business in the State of California by the State Department of Insurance, and which hold a current policy holder's alphabetic and financial size category rating of not less than A-, VII according to the current Best's Key Rating guide, or a company of equal financial stability that is approved in writing by RCDGSDC.

#### **7. Evidence of Insurance**

Prior to commencement of this Contract, but in no event later than the effective date of the Contract, Contractor shall furnish the RCDGSDC with certificates of insurance and amendatory endorsements effecting coverage required by this clause. Contractor shall furnish certified copies of the actual required insurance policies within thirty days after commencement of Contract. Thereafter, copies of renewal policies, certificate and amendatory endorsements shall be furnished to RCDGSDC within thirty days of the expiration of the term of any required policy. Contractor shall permit RCDGSDC at all reasonable times to inspect any policies of insurance which Contractor has not delivered to RCDGSDC.



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## **8. Failure to Obtain or Maintain Insurance; RCDGSDC's Remedies**

Contractor's failure to provide insurance specified or failure to furnish certificates of insurance, amendatory endorsements and certified copies of policies, or failure to make premium payments required by such insurance, shall constitute a material breach of the Contract, and RCDGSDC may, at its option, terminate the Contract for any such default by Contractor.

## **9. No Limitation of Obligations**

The foregoing insurance requirements as to the types and limits of insurance coverage to be maintained by Contractor, and any approval of said insurance by the RCDGSDC are not intended to and shall not in any manner limit or qualify the liabilities and obligations otherwise assumed by Contractor pursuant to the Contract, including, but not limited to, the provisions concerning indemnification.

## **10. Review of Coverage**

RCDGSDC retains the right at any time to review the coverage, form and amount of insurance required herein and may require Contractor to obtain insurance reasonably sufficient in coverage, form and amount to provide adequate protection against the kind and extent of risk which exists at the time a change in insurance is required.

## **11. Self-Insurance**

Contractor may, with the prior written consent of RCDGSDC, fulfill some or all of the insurance requirements contained in this Contract under a plan of self-insurance. Contractor shall only be permitted to utilize such self-insurance if in the opinion of the RCDGSDC, Contractor's (i) net worth, and (ii) reserves for payment of claims of liability against Contractor, are sufficient to adequately compensate for the lack of other insurance coverage required by this Contract. Contractor's utilization of self-insurance shall not in any way limit liabilities assumed by Contractor under the Contract.

## **12. Subcontractors' Insurance**

Contractor shall require that any and all Subcontractors hired by Contractor are insured in accordance with this Contract. If any Subcontractors coverage does not comply with the foregoing provisions, Contractor shall defend and indemnify the RCDGSDC from any damage, loss, cost or expense, including attorney fees, incurred by RCDGSDC as a result of Subcontractors failure to maintain required coverage.

## **13. Waiver of Subrogation**

Contractor and RCDGSDC release each other, and their respective authorized representatives, from any Claims (as defined in the Article entitled "Indemnity" of the Contract), but only to the extent that the proceeds received from any policy of insurance carried by RCDGSDC or Contractor, other than any self-insurance, covers any such Claim or damage. Included in any policy or policies of insurance provided by Contractor hereunder shall be a standard waiver of rights of Subrogation against RCDGSDC by the insurance company issuing said policy or policies.

**End of Document**