

**SBCUSD BID No. F11-02 RE-BID
HVAC UPGRADES - GROUP A**

March 25, 2013 @ 2:00pm
Board of Education, 777 North F Street, San Bernardino, CA

Bid Results & 3 Lowest Bids Subcontractor Lists Available at: Facilities website under the procurements tab by bid number:
<http://www.sbcusdfacilities.com/procurement/nib.cfm>
 C2 Planwell Website Bid Results/Info Postings: Public Planroom by bid number: www.c2repro.com

	CONTRACTOR (Name, City, State)	BASE BID (including allowances)	Alternate # 1 Ceiling Insulation @ Shandin Hills MS	Alternate # 2 Ceiling Insulation @ Serrano MS	Alternate # 3 HVAC Mechanical Screen @ Del Vallejo MS	Alternate # 4 HVAC Mechanical Screen @ Martin L. King Jr. MS
1	SEA PAC ENGINEERING, INC. LOS ANGELES, CA	\$ 3,625,000.00	\$ 245,000.00	\$ 240,000.00	\$ 30,000.00	\$ 25,000.00
2	HORIZONS CONSTRUCTION CO. INT'L, INC. ANAHEIM, CA	\$ 4,352,000.00	\$ 340,000.00	\$ 500,000.00	\$ 8,000.00	\$ 8,000.00
3	ANGELES CONTRACTOR, INC. BUENA PARK, CA	\$ 4,769,000.00	\$ 358,000.00	\$ 389,000.00	\$ 27,000.00	\$ 27,000.00
4	MS CONSTRUCTION MGMNT. GROUP DANA POINT, CA	\$ 5,046,847.00	\$ 1,750,000.00	\$ 1,980,000.00	\$ 35,000.00	\$ 35,000.00
5						
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10						

SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT
BID COVER SHEET (revised)

BID NO.:

BID D

PROJECT NAME:

THE WORK UNDER THIS BID IS A PROJECT OF:

BID PACKAGE SUBMITTAL FROM:

BIDDER/
CONTRACTOR:

BIDDER TELEPHONE
& CONTACT PERSON

CONTENTS MUST INCLUDE: (Please Check Each Box)

Attachments:

- 1 - Bidder's Non-collusion Affidavit
- 2 - Site Visit Certification
- 3 - Certification of Compliance with DVBE Policy)
- 4 - Proposed Subcontractors
- 5 - Bid Bond Form
- 6 - Bidder References & Responsibility Information

SUBMIT BID TO: **BID BOX - PURCHASING DEPARTMENT**
SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT
777 NORTH "F" STREET
SAN BERNARDINO, CA 92410

Each Bidder/Contractor must complete the information on this sheet and affix this sheet to the outside of their bid envelope by gluing or taping.

PROJECT NAME: HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools (Group A projects)

BID NUMBER: F11-02A

BID FORM

TO: SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT, acting by and through its Governing Board, herein called the "DISTRICT."

FROM: SEA PAC ENGINEERING, INC.
(Proper Name of Bidder)

1. Pursuant to and in compliance with your Notice Inviting Bids and the other documents relating thereto, the undersigned Bidder, having familiarized himself/herself with the terms of the Contract and the Contract Documents, the local conditions affecting the performance of the Contract and the cost of the work at the place where the work is to be done, hereby proposes and agrees to perform within the time stipulated, the Work of the Contract, including all of its component parts, and the furnishing of all materials and equipment required to be incorporated in and form a permanent part of the work; the furnishing of tools, equipment, supplies, transportation, utilities, facilities, labor, superintendence and services required to perform and complete the work; bonds, insurance and submittals; and including the assumption of all obligations, duties and responsibilities necessary to the successful completion of the Contract, including its acceptance by the DISTRICT, for the following Project:

PROJECT NAME: __ HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools (Group A projects)

2. ADDENDA

The undersigned has thoroughly examined any and all Addenda (if any) issued during the bid period and is thoroughly familiar with all contents thereof and acknowledges receipt of the following Addenda: *(Bidder to list all addenda)*

ADDENDUM NO. <u>00</u>	DATE RECEIVED <u>Mar 15, 2013</u>	SCHOOL <u>Group A projects (all schools)</u>
ADDENDUM NO. <u>1</u>	DATE RECEIVED <u>Mar 15, 2013</u>	SCHOOL <u>Group A projects (all schools)</u>
ADDENDUM NO. <u>2</u>	DATE RECEIVED <u>Mar 15, 2013</u>	SCHOOL <u>Group A projects (all schools)</u>
ADDENDUM NO. <u>3</u>	DATE RECEIVED <u>Mar 15, 2013</u>	SCHOOL <u>Group A projects (all schools)</u>
ADDENDUM NO. <u>4</u>	DATE RECEIVED <u>Mar 21, 2013</u>	SCHOOL <u>Group A projects (all schools)</u>
ADDENDUM NO. <u>5</u>	DATE RECEIVED <u>Mar 21, 2013</u>	SCHOOL <u>Group A projects (all schools)</u>

Note: For DSA requirements, all addenda are separated by school for clarity.

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Bid Form

HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools (Group A projects)

BID# F11-02A

ALLOWANCE: The following amount shall be added to the Base Bid. Refer to Section 01020 Allowance for description of work. \$ 250,000

3. BASE BID including Allowance (Numerical Value): \$3,625,500

BID AMOUNTS FOR GROUP A

DESCRIPTION		LUMP SUM BID AMOUNT
3.1	Martin Luther King Jr. MS	
3.1.A	BASE BID NOT INCLUDING ALLOWANCES (Amount in Numbers)	\$ 710,000
3.1.B	ALLOWANCES (Amount in Numbers)	\$ 62,500
3.1.C	TOTAL BASE BID INCLUDING ALLOWANCE (3.1.A+3.1.B) (Amount in Numbers)	\$ 772,500

3.2	Del Vallejo MS	
3.2.A	BASE BID NOT INCLUDING ALLOWANCES (Amount in Numbers)	\$ 905,500
3.2.B	ALLOWANCES (Amount in Numbers)	\$ 62,500
3.2.C	TOTAL BASE BID INCLUDING ALLOWANCE (3.2.A+3.2.B) (Amount in Numbers)	\$ 968,000

3.3	Shandin Hills MS	
3.3.A	BASE BID NOT INCLUDING ALLOWANCES (Amount in Numbers)	\$ 870,000
3.3.B	ALLOWANCES (Amount in Numbers)	\$ 62,500
3.3.C	TOTAL BASE BID INCLUDING ALLOWANCE (3.3.A+3.3.B) (Amount in Numbers)	\$ 932,500

3.4	Serrano MS	
3.4.A	BASE BID NOT INCLUDING ALLOWANCES (Amount in Numbers)	\$ 890,000
3.4.B	ALLOWANCES (Amount in Numbers)	\$ 62,500
3.4.C	TOTAL BASE BID INCLUDING ALLOWANCE (3.3.A+3.3.B) (Amount in Numbers)	\$ 952,500

3.5	Group A - Total	
3.5.A	TOTAL BASE BID INCLUDING ALLOWANCES FOR MARTIN LUTHER KING JR. MS, DEL VALLEJO MS, SHANDIN HILLS AND SERRANO MS (3.1.C+3.2.C+3.3.C+3.4C) (Amount in Numbers)	\$ 3,625,500

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Bid Form

**HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools
(Group A projects)**

BID# F11-02A

TOTAL BASE BID (including Allowance) AMOUNT IN WORDS Three millions
Six hundred Twenty five thousand Five hundred dollars

Bid Award based on Base Bid plus Alternates, taken in order below, as District funds allow.

4. ALTERNATES: (If applicable) The following amounts shall be added to the Base Bid at the DISTRICT's option. Refer to Section 01030 Alternates for description of work.

Alternate 1 (Add) 245,000
Alternate 2 (Add) 240,000
Alternate 3 (Add) \$ 300,000
Alternate 4 (Add) \$ 25,000

5. UNIT COST: The following shall be used at District's option. Refer to Section 01040:

Unit Cost #1 \$ 20/SF
Unit Cost #2 \$ 20/SF

6. TIME FOR COMPLETION: The aggregate sum total work of each individual prime Contractor to the DISTRICT comprises the entire "Project" and shall be commenced and completed in conformance with the Project Construction Schedule. The entire Project shall be completed by Tuesday, October 22, 2013 or within one hundred fifty (150) consecutive calendar days after Notice to Proceed, whichever occurs last. Bidder acknowledges liability for liquidated damages in the amount as stipulated herein for each calendar day of delay.

7. DISTRICT'S RIGHT TO REJECT: It is understood that the DISTRICT reserves the right to reject this bid and that the bid shall remain open to acceptance and is irrevocable for a period of **one hundred twenty (120) days**.
8. BID SECURITY: The required bid security in the amount of not less than ten percent (10%) of the bid is attached hereto.
9. PROPOSED SUBCONTRACTORS: The required list of proposed subcontractors is attached hereto. Bidder understands and acknowledges that all subcontractors providing goods and services in excess of \$100,000.00 must be bonded in accordance with the Subletting and Subcontracting Fair Practices Act. (Refer to Notice Information for Bidders)
10. SITE VISIT CERTIFICATION: The required Site Visit Certification is attached hereto.

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Bid Form

HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools
(Group A projects)

BID# F11-02A

11. DVBE CERTIFICATION: The required Certification of Compliance with DVBE Policy is attached hereto.
12. CRIMINAL BACKGROUND CHECK CERTIFICATION: The required Criminal Background Check Certification will be submitted prior to Contractor commencing work on the project in accordance with the Information for Bidders.
13. FAITHFUL PERFORMANCE AND PAYMENT BOND: It is understood and agreed that if written notice of the acceptance of this bid is mailed, FAXED, or delivered to the undersigned after the opening of the bid, and within the time this bid is required to remain open, or at any time thereafter before this bid is withdrawn, the undersigned will execute and deliver to the DISTRICT a fully executed Form of Agreement (Contract) in the form attached hereto in accordance with the bid as accepted, and that it will also furnish and deliver to the DISTRICT six (6) executed copies of a Faithful Performance Bond and a separate Payment Bond as specified, and certificates of insurance, all within ten (10) calendar days (or as soon as possible) after Notice of Contract Award. Bidder further agrees that the work under the Contract will be commenced by the Bidder, if awarded the Contract, on the date to be stated in the DISTRICT's "Notice to Proceed" and will be completed within the time specified in the Contract documents.
14. PROPER ADDRESS: Notice of Award of Contract or other correspondence should be addressed to the undersigned at the address stated below.

SEA PAC ENGINEERING, INC.
 3325 Wilshire Blvd., Suite 305
 Los Angeles, CA 90010

15. NAME(S) OF PRINCIPALS: Principals of the Bidder's company are:

JOHN LEE - President

(IMPORTANT NOTICE: If Bidder is a corporation, state legal name of corporation, as well as names of the president, secretary treasurer, and general manager thereof; if a partnership, state true name of firm, also names of all individual partners composing firm; if an individual, state names in full.)

16. The undersigned bidder declares that the bidder is licensed in the State of California as required by the Business and Professional Code in accordance with the act providing for registration of Contractors and the documentation of licensure is as follows:

	License No.	Classification	Expiration Date
1.	674701	A, B, C-20, C-36	December 31, 2013

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HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools
 (Group A projects)

BID# F11-02A

2. _____
3. _____
4. _____
5. _____

If the bidder is a joint venture, each member of the joint venture must include the above information.

Bidder certifies that the above-mentioned license(s) entitle(s) Bidder to provide the work required by the Contract, that such license will be in full force and effect throughout the duration of work under this Contract, and that any and all subcontractors to be employed for the work will have appropriate licenses.

17. FORFEITURE OF SECURITY: In the event the Bidder to whom the Notice of Award of Contract is given fails or refuses to post the required bonds and return executed copies of the Form of Agreement with all required attachments within ten (10) calendar days from the date of the Notice of Award, the DISTRICT may declare the Bidder's bid deposit or bond forfeited as liquidated damages
18. ASSIGNMENT OF RIGHTS, TITLE AND INTEREST IN CAUSES OF ACTION: Pursuant to Section 4552 of the Government code, in submitting a bid to the DISTRICT, the bidder offers and agrees that if the bid is accepted, it will assign to DISTRICT all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Section 15) or under the Cartwright Act (Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, materials, or services by the bidder for sale to the purchasing body pursuant to the bid. Such assignment shall be made and become effective at the time the purchasing body tenders final payment to the bidder.
19. IRCA: The bidder hereby certifies that it is, and at all times during the performance of work hereunder will be, in full compliance with the provisions of the Immigration Reform and Control Act of 1986 ("IRCA") in the hiring of its employees and the bidder shall indemnify, hold harmless and defend the DISTRICT against any and all actions, proceedings, penalties or claims arising out of the bidder's failure to comply strictly with the IRCA.
20. FINANCIAL STATEMENTS: It is understood and agreed that if requested by the DISTRICT, the Bidder will furnish a notarized financial statement, references and other information required by the DISTRICT sufficiently comprehensive to permit an appraisal of bidder's ability to perform the work of the Contract.
21. LIQUIDATED DAMAGES: The undersigned hereby warrants that all work shall be completed by Tuesday, October 22, 2013 or within one hundred fifty (150) **consecutive calendar days after Notice to Proceed**, whichever occurs last. The entire Project shall be completed Time is of the essence. The undersigned agrees that failure to complete the work or any scheduled activity within the time set forth herein will result in the

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Bid Form

HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools
(Group A projects)

BID# F11-02A

imposition of liquidated damages for each consecutive calendar day of delay, per site, in the amount of One thousand DOLLARS (\$ 1,000.00).

See also Section 01325 Work Sequence and Phasing for additional, interim milestone requirements and liquidated damages.

In addition to Liquidated Damages listed above, each Contractor shall refer to the General Requirements Section of the Specifications for the Construction Progress Schedule and Work Sequence & Phasing documents for the durations of individual activities, and associated interim Liquidated Damages requirements contained within total project time. The above-specified liquidated damages will be assessed if any individual activity duration exceeds the time indicated for that activity on the Construction Progress Schedule.

22. **CHANGE ORDER REQUESTS:** Bidder understands and agrees that all change order requests must be submitted in the form set forth in the Contract Documents. The amount of allowable charges submitted pursuant to a change order shall be limited to the charges allowed by the Conditions of the Contract. Indirect costs, consequential and incidental costs, project management costs, extended home office and field office overhead, administrative costs and profit and other charges not specifically authorized by the Contract Conditions will not be allowed.

The undersigned declares and certifies under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

SEA PAC ENGINEERING, INC.

Name of Corporation, Partnership or Sole Proprietor


3325 WILSHIRE BLVD., SUITE 305, LOS ANGELES, CA 90010

Address

Telephone: 213-487-6130

JOHN LEE

Proper Name of Bidder Empowered to Sign On Behalf of the Corporation, Partnership or Sole Proprietor


Signature of Bidder

NOTE: If bidder is a corporation, the legal name of the corporation shall be set forth above together with the signature of authorized officers of agents and the document shall bear the corporate seal; if bidder is a partnership, the true name of the firm shall be set forth

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Bid Form

HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools (Group A projects)

BID# F11-02A

above together with the signature of the partner or partners authorized to sign contracts on behalf of the partnership; and if bidder is an individual, his or her name and signature shall be placed above.

ATTACHMENTS TO BE COMPLETED AND SUBMITTED BY BIDDER:

To be submitted with Bid Form. Refer to Notice Inviting Bids.

1. Bidder's Noncollusion Affidavit
2. Site Visit Certification
3. Certification of Compliance with DVBE Policy
4. Proposed Subcontractors
5. Bid Bond
6. Bidder References and Responsibility Information

To be Submitted with Executed Contract (Agreement) by Successful Bidder.

1. Certificate Regarding Worker's Compensation
2. Drug-Free Work Place Certification
3. Statement of Intent to Meet DVBE Participation Goal
4. Faithful Performance Bond Form
5. Payment Bond Form
6. Vendor Tax Information
7. Certification of Non-Utilization of Asbestos Material
8. Prime/General Contractor Information
9. Contractor Prevailing Wage Compliance Certification
10. Guarantee
11. Criminal Records Checks Certification Forms

PROJECT NAME: HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools (Group A projects)
BID NUMBER: F11-02A

ATTACHMENT NO. 4 TO BID FORM

PROPOSED SUBCONTRACTORS

In compliance with the Subletting and Subcontracting Fair Practices Act (Public Contract Code commencing at Section 4100) and any amendments thereof, each Bidder shall set forth below:

- (a) The name and the location of the place of business of each subcontractor who will perform work or labor or render service to a prime contractor in or about the construction of the work or improvement, or a subcontractor licensed by the State of California, who, under subcontract to a prime contractor, specially fabricates and installs a portion of the work or improvement according to the Contract Documents in an amount in excess of one-half of 1 percent of the prime contractor's total bid.

Any information requested by the officer, department, board or commission concerning any subcontractor who the prime contractor is required to list under this subdivision, other than the subcontractor's name, description of work, and location of business, may be submitted by the prime contractor up to 24 hours after the deadline established by the officer, department, board or commission for receipt of bids by prime contractors.

- (b) The portion of the work which will be done by each subcontractor.

The prime contractor shall list only one subcontractor for each such portion as is defined by the prime contractor in this bid.

If a prime contractor fails to specify a subcontractor or if a prime contractor specifies more than one subcontractor for the same portion of work to be performed under the contract in excess of one-half of 1 percent of the prime contractor's total bid, he shall be deemed to have agreed that he is fully qualified and licensed to perform that portion himself per the requirements of the Information for Bidders, and that he shall perform that portion himself.

No prime contractor whose bid is accepted shall:

- (a) Substitute any subcontractor,
- (b) Permit any subcontractor to be voluntarily assigned or transferred or allow it to be performed by anyone other than the original subcontractor listed in the original bid, or
- (c) Sublet or subcontract any portion of the work in excess of one-half of one percent of the prime contractor's total bid as to which his original bid did not designate a subcontractor, except as authorized in the Subletting and Subcontracting Fair Practices Act.

Subletting or subcontracting of any portion of the work in excess of one-half of one percent of the prime contractor's total bid as to which no subcontractor was designated in the original bid shall only be permitted in cases of public emergency or necessity, and then only after a finding reduced to writing as a public record of the authority awarding this contract setting forth the facts constituting the emergency or necessity.

SBCUSD:

Attachment No. 4 to Bid Form

HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools (Group A projects)

BID# F11-02A

A prime contractor violating any of the provisions of Public Contract Code Section 4100 et seq. shall be deemed to be in violation of this contract and the DISTRICT may exercise the option, at its own discretion, of (1) canceling the contract or (2) assessing the prime contractor a penalty in an amount of not more than ten percent (10%) of the amount of the subcontract involved.

Prime Contractors bidding this work shall require, pursuant to Public Contract code article 4108, all subcontractors providing labor and materials in excess of \$100,000.00 to supply an original signature and fully executed 100% Faithful Performance and 100% Payment Bond. All prime contractors bidding on this work must specify this requirement for subcontractor bonds in their written or published request for subcontractor bids. Failure to comply with this requirement shall not preclude contractor from complying with the subcontractor bonding requirements.

Bonds are required for each specification section or combination of sections which exceed(s) the limit listed above.

The practice of issuing separate purchase orders and/or subcontracts for the purpose of circumventing the subcontractor bonding requirement shall not serve to exempt the Contractor from these requirements.

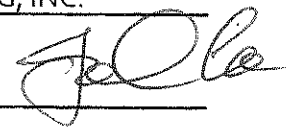
No payments, except for a reimbursement payment to the Prime Contractor for the cost of the Prime Contractor's own Faithful Performance and Payment Bonds, shall be made to the Prime Contractor until the Prime Contractor provides the aforementioned subcontractor bonds to the DISTRICT..

DESIGNATION OF SUBCONTRACTORS

Portion of Work	Subcontractor Name	Phone Number & Address of Business	License No
Fire Alarm Electric	MG electric	213 926-4362 Torrance, CA	944990
Abatement Asbestos	Eagle contracting	562-587-2865 El monte, CA	970089
Roofing	Aurora Roofing & Repair	(626) 310-4009 Rosemead, CA	981541
metal/stl steel	GBS Co.	(213) 820-6413 LA, CA	743194
Fire alarm			
Plumbing & Plumbing General work	Sea Pac	213 4876130 3325 Wilshire LA, CA	674701
HVAC	AIRSPACE Digital Solutions	323 727 7500 Metabell ca	953818

SEA PAC ENGINEERING, INC.
NAME OF BIDDER

Signature: JOHN LEE



SBCUSD:

Attachment No. 4 to Bid Form

HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools (Group A projects)

BID# F11-02A

Title: President

SBCUSD:

Attachment No. 4 to Bid Form

HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools (Group A projects)

BID# F11-02A

4 of 4

PROJECT NAME: HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools (Group A projects)

BID NUMBER: F11-02A

BID FORM

TO: SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT, acting by and through its Governing Board, herein called the "DISTRICT."

FROM: Horizons Construction Co. Int'l, Inc.
(Proper Name of Bidder)

1. Pursuant to and in compliance with your Notice Inviting Bids and the other documents relating thereto, the undersigned Bidder, having familiarized himself/herself with the terms of the Contract and the Contract Documents, the local conditions affecting the performance of the Contract and the cost of the work at the place where the work is to be done, hereby proposes and agrees to perform within the time stipulated, the Work of the Contract, including all of its component parts, and the furnishing of all materials and equipment required to be incorporated in and form a permanent part of the work; the furnishing of tools, equipment, supplies, transportation, utilities, facilities, labor, superintendence and services required to perform and complete the work; bonds, insurance and submittals; and including the assumption of all obligations, duties and responsibilities necessary to the successful completion of the Contract, including its acceptance by the DISTRICT, for the following Project:

PROJECT NAME: __ HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools (Group A projects)

2. ADDENDA

The undersigned has thoroughly examined any and all Addenda (if any) issued during the bid period and is thoroughly familiar with all contents thereof and acknowledges receipt of the following Addenda: *(Bidder to list all addenda)*

ADDENDUM NO. <u>00</u>	DATE RECEIVED <u>2/9/12</u>	SCHOOL <u>All 4 Schools</u>
ADDENDUM NO. <u>1</u>	DATE RECEIVED <u>1/27/12</u>	SCHOOL <u>All 4 Schools</u>
ADDENDUM NO. <u>2</u>	DATE RECEIVED <u>2/8/12</u>	SCHOOL <u>Shandin Hills, Vallejo</u>
ADDENDUM NO. <u>3</u>	DATE RECEIVED <u>2/9/12</u>	SCHOOL <u>Shandin Hills, Vallejo</u>
ADDENDUM NO. <u>4</u>	DATE RECEIVED <u>2/27/13</u>	SCHOOL <u>Shandin Hills, Vallejo</u>
ADDENDUM NO. <u>5</u>	DATE RECEIVED <u>3/19/13</u>	SCHOOL <u>Shandin Hills, Vallejo</u>

Note: For DSA requirements, all addenda are separated by school for clarity.

Addendum No. <u>2</u>	<u>2/8/12</u>	<u>MLK, Serrano</u>
Addendum No. <u>3</u>	<u>2/9/12</u>	<u>MLK, Serrano</u>
Addendum No. <u>4</u>	<u>2/27/13</u>	<u>MLK, Serrano</u>
Addendum No. <u>5</u>	<u>3/19/13</u>	<u>MLK, Serrano</u>

SBCUSD

Bid Form

HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools (Group A projects)

BID# F11-02A

ALLOWANCE: The following amount shall be added to the Base Bid. Refer to Section 01020 Allowance for description of work. _____

3. BASE BID including Allowance (Numerical Value): _____

BID AMOUNTS FOR GROUP A

DESCRIPTION		LUMP SUM BID AMOUNT
3.1	Martin Luther King Jr. MS	
3.1.A	BASE BID NOT INCLUDING ALLOWANCES (Amount in Numbers)	\$ 739,000
3.1.B	ALLOWANCES (Amount in Numbers)	\$ 62,500
3.1.C	TOTAL BASE BID INCLUDING ALLOWANCE (3.1.A+3.1.B) (Amount in Numbers)	\$ 796,500

3.2	Del Vallejo MS	
3.2.A	BASE BID NOT INCLUDING ALLOWANCES (Amount in Numbers)	\$ 1,000,000
3.2.B	ALLOWANCES (Amount in Numbers)	\$ 62,500
3.2.C	TOTAL BASE BID INCLUDING ALLOWANCE (3.2.A+3.2.B) (Amount in Numbers)	\$ 1,062,500

3.3	Shandin Hills MS	
3.3.A	BASE BID NOT INCLUDING ALLOWANCES (Amount in Numbers)	\$ 934,000
3.3.B	ALLOWANCES (Amount in Numbers)	\$ 62,500
3.3.C	TOTAL BASE BID INCLUDING ALLOWANCE (3.3.A+3.3.B) (Amount in Numbers)	\$ 996,500

3.4	Serrano MS	
3.4.A	BASE BID NOT INCLUDING ALLOWANCES (Amount in Numbers)	\$ 1,434,000
3.4.B	ALLOWANCES (Amount in Numbers)	\$ 62,500
3.4.C	TOTAL BASE BID INCLUDING ALLOWANCE (3.3.A+3.3.B) (Amount in Numbers)	\$ 1,496,500

3.5	Group A - Total	
3.5.A	TOTAL BASE BID INCLUDING ALLOWANCES FOR MARTIN LUTHER KING JR. MS, DEL VALLEJO MS, SHANDIN HILLS AND SERRANO MS (3.1.C+3.2.C+3.3.C+3.4C) (Amount in Numbers)	\$ 4,352,000

SBCUSD

Bid Form

**HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools
(Group A projects)**

BID# F11-02A

TOTAL BASE BID (including Allowance) AMOUNT IN WORDS Four Million
Three Hundred Fifty-Two Thousand

Bid Award based on Base Bid plus Alternates, taken in order below, as District funds allow.

4. ALTERNATES: (If applicable) The following amounts shall be added to the Base Bid at the DISTRICT's option. Refer to Section 01030 Alternates for description of work.

Alternate 1 (Add) ~~\$ 225,000.00~~ MTE \$ 340,000
Alternate 2 (Add) ~~\$ 228,000.00~~ MTE \$ 500,000
Alternate 3 (Add) \$ 8,000.00
Alternate 4 (Add) \$ 8,000.00

5. UNIT COST: The following shall be used at District's option. Refer to Section 01040:

Unit Cost #1 48 \$/sq ft
Unit Cost #2 48 \$/sq ft

6. TIME FOR COMPLETION: The aggregate sum total work of each individual prime Contractor to the DISTRICT comprises the entire "Project" and shall be commenced and completed in conformance with the Project Construction Schedule. The entire Project shall be completed by Tuesday, October 22, 2013 or within one hundred fifty (150) consecutive calendar days after Notice to Proceed, whichever occurs last. Bidder acknowledges liability for liquidated damages in the amount as stipulated herein for each calendar day of delay..
7. DISTRICT'S RIGHT TO REJECT: It is understood that the DISTRICT reserves the right to reject this bid and that the bid shall remain open to acceptance and is irrevocable for a period of **one hundred twenty (120) days**.
8. BID SECURITY: The required bid security in the amount of not less than ten percent (10%) of the bid is attached hereto.
9. PROPOSED SUBCONTRACTORS: The required list of proposed subcontractors is attached hereto. Bidder understands and acknowledges that all subcontractors providing goods and services in excess of \$100,000.00 must be bonded in accordance with the Subletting and Subcontracting Fair Practices Act. (Refer to Notice Information for Bidders)
10. SITE VISIT CERTIFICATION: The required Site Visit Certification is attached hereto.

SBCUSD

Bid Form

HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools
(Group A projects)

BID# F11-02A

11. DVBE CERTIFICATION: The required Certification of Compliance with DVBE Policy is attached hereto.
12. CRIMINAL BACKGROUND CHECK CERTIFICATION: The required Criminal Background Check Certification will be submitted prior to Contractor commencing work on the project in accordance with the Information for Bidders.
13. FAITHFUL PERFORMANCE AND PAYMENT BOND: It is understood and agreed that if written notice of the acceptance of this bid is mailed, FAXED, or delivered to the undersigned after the opening of the bid, and within the time this bid is required to remain open, or at any time thereafter before this bid is withdrawn, the undersigned will execute and deliver to the DISTRICT a fully executed Form of Agreement (Contract) in the form attached hereto in accordance with the bid as accepted, and that it will also furnish and deliver to the DISTRICT six (6) executed copies of a Faithful Performance Bond and a separate Payment Bond as specified, and certificates of insurance, all within ten (10) calendar days (or as soon as possible) after Notice of Contract Award. Bidder further agrees that the work under the Contract will be commenced by the Bidder, if awarded the Contract, on the date to be stated in the DISTRICT's "Notice to Proceed" and will be completed within the time specified in the Contract documents.
14. PROPER ADDRESS: Notice of Award of Contract or other correspondence should be addressed to the undersigned at the address stated below.

1173 N. Patt St. Anaheim, CA 92801

15. NAME(S) OF PRINCIPALS: Principals of the Bidder's company are::

Hatem Ibrahim, President

Kinan Kotrash, V. President

(IMPORTANT NOTICE: If Bidder is a corporation, state legal name of corporation, as well as names of the president, secretary treasurer, and general manager thereof; if a partnership, state true name of firm, also names of all individual partners composing firm; if an individual, state names in full.)

16. The undersigned bidder declares that the bidder is licensed in the State of California as required by the Business and Professional Code in accordance with the act providing for registration of Contractors and the documentation of licensure is as follows:

	License No.	Classification	Expiration Date
1.	<u>825022</u>	<u>A & B</u>	<u>09/30/2013</u>

SBCUSD

Bid Form

HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools (Group A projects)

BID# F11-02A

2. _____
3. _____
4. _____
5. _____

If the bidder is a joint venture, each member of the joint venture must include the above information.

Bidder certifies that the above-mentioned license(s) entitle(s) Bidder to provide the work required by the Contract, that such license will be in full force and effect throughout the duration of work under this Contract, and that any and all subcontractors to be employed for the work will have appropriate licenses.

17. FORFEITURE OF SECURITY: In the event the Bidder to whom the Notice of Award of Contract is given fails or refuses to post the required bonds and return executed copies of the Form of Agreement with all required attachments within ten (10) calendar days from the date of the Notice of Award, the DISTRICT may declare the Bidder's bid deposit or bond forfeited as liquidated damages
18. ASSIGNMENT OF RIGHTS, TITLE AND INTEREST IN CAUSES OF ACTION: Pursuant to Section 4552 of the Government code, in submitting a bid to the DISTRICT, the bidder offers and agrees that if the bid is accepted, it will assign to DISTRICT all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Section 15) or under the Cartwright Act (Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, materials, or services by the bidder for sale to the purchasing body pursuant to the bid. Such assignment shall be made and become effective at the time the purchasing body tenders final payment to the bidder.
19. IRCA: The bidder hereby certifies that it is, and at all times during the performance of work hereunder will be, in full compliance with the provisions of the Immigration Reform and Control Act of 1986 ("IRCA") in the hiring of its employees and the bidder shall indemnify, hold harmless and defend the DISTRICT against any and all actions, proceedings, penalties or claims arising out of the bidder's failure to comply strictly with the IRCA.
20. FINANCIAL STATEMENTS: It is understood and agreed that if requested by the DISTRICT, the Bidder will furnish a notarized financial statement, references and other information required by the DISTRICT sufficiently comprehensive to permit an appraisal of bidder's ability to perform the work of the Contract.
21. LIQUIDATED DAMAGES: The undersigned hereby warrants that all work shall be completed by Tuesday, October 22, 2013 or within one hundred fifty (150) **consecutive calendar days after Notice to Proceed**, whichever occurs last. The entire Project shall be completed Time is of the essence. The undersigned agrees that failure to complete the work or any scheduled activity within the time set forth herein will result in the

SBCUSD

Bid Form

HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools
(Group A projects)

BID# F11-02A

imposition of liquidated damages for each consecutive calendar day of delay, per site, in the amount of One thousand DOLLARS (\$ 1,000.00).

See also Section 01325 Work Sequence and Phasing for additional, interim milestone requirements and liquidated damages.

In addition to Liquidated Damages listed above, each Contractor shall refer to the General Requirements Section of the Specifications for the Construction Progress Schedule and Work Sequence & Phasing documents for the durations of individual activities, and associated interim Liquidated Damages requirements contained within total project time. The above-specified liquidated damages will be assessed if any individual activity duration exceeds the time indicated for that activity on the Construction Progress Schedule.

22. CHANGE ORDER REQUESTS: Bidder understands and agrees that all change order requests must be submitted in the form set forth in the Contract Documents. The amount of allowable charges submitted pursuant to a change order shall be limited to the charges allowed by the Conditions of the Contract. Indirect costs, consequential and incidental costs, project management costs, extended home office and field office overhead, administrative costs and profit and other charges not specifically authorized by the Contract Conditions will not be allowed.

The undersigned declares and certifies under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Horizons Construction Co. Int'l, Inc.

Name of Corporation, Partnership or Sole Proprietor

1173 N. Patt St. Anaheim, CA 92801

Address

Telephone: (714)626-0000

Kinan Kotrash

Proper Name of Bidder Empowered to Sign On Behalf of the Corporation, Partnership or Sole Proprietor


Signature of Bidder

NOTE: If bidder is a corporation, the legal name of the corporation shall be set forth above together with the signature of authorized officers of agents and the document shall bear the corporate seal; if bidder is a partnership, the true name of the firm shall be set forth

SBCUSD

Bid Form

HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools (Group A projects)

BID# F11-02A

above together with the signature of the partner or partners authorized to sign contracts on behalf of the partnership; and if bidder is an individual, his or her name and signature shall be placed above.

ATTACHMENTS TO BE COMPLETED AND SUBMITTED BY BIDDER:

To be submitted with Bid Form. Refer to Notice Inviting Bids.

1. Bidder's Noncollusion Affidavit
2. Site Visit Certification
3. Certification of Compliance with DVBE Policy
4. Proposed Subcontractors
5. Bid Bond
6. Bidder References and Responsibility Information

To be Submitted with Executed Contract (Agreement) by Successful Bidder.

1. Certificate Regarding Worker's Compensation
2. Drug-Free Work Place Certification
3. Statement of Intent to Meet DVBE Participation Goal
4. Faithful Performance Bond Form
5. Payment Bond Form
6. Vendor Tax Information
7. Certification of Non-Utilization of Asbestos Material
8. Prime/General Contractor Information
9. Contractor Prevailing Wage Compliance Certification
10. Guarantee
11. Criminal Records Checks Certification Forms

PROJECT NAME: HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools (Group A projects)
BID NUMBER: F11-02A

ATTACHMENT NO. 4 TO BID FORM

PROPOSED SUBCONTRACTORS

In compliance with the Subletting and Subcontracting Fair Practices Act (Public Contract Code commencing at Section 4100) and any amendments thereof, each Bidder shall set forth below:

- (a) The name and the location of the place of business of each subcontractor who will perform work or labor or render service to a prime contractor in or about the construction of the work or improvement, or a subcontractor licensed by the State of California, who, under subcontract to a prime contractor, specially fabricates and installs a portion of the work or improvement according to the Contract Documents in an amount in excess of one-half of 1 percent of the prime contractor's total bid.

Any information requested by the officer, department, board or commission concerning any subcontractor who the prime contractor is required to list under this subdivision, other than the subcontractor's name, description of work, and location of business, may be submitted by the prime contractor up to 24 hours after the deadline established by the officer, department, board or commission for receipt of bids by prime contractors.

- (b) The portion of the work which will be done by each subcontractor.

The prime contractor shall list only one subcontractor for each such portion as is defined by the prime contractor in this bid.

If a prime contractor fails to specify a subcontractor or if a prime contractor specifies more than one subcontractor for the same portion of work to be performed under the contract in excess of one-half of 1 percent of the prime contractor's total bid, he shall be deemed to have agreed that he is fully qualified and licensed to perform that portion himself per the requirements of the Information for Bidders, and that he shall perform that portion himself.

No prime contractor whose bid is accepted shall:

- (a) Substitute any subcontractor,
- (b) Permit any subcontractor to be voluntarily assigned or transferred or allow it to be performed by anyone other than the original subcontractor listed in the original bid, or
- (c) Sublet or subcontract any portion of the work in excess of one-half of one percent of the prime contractor's total bid as to which his original bid did not designate a subcontractor, except as authorized in the Subletting and Subcontracting Fair Practices Act.

Subletting or subcontracting of any portion of the work in excess of one-half of one percent of the prime contractor's total bid as to which no subcontractor was designated in the original bid shall only be permitted in cases of public emergency or necessity, and then only after a finding reduced to writing as a public record of the authority awarding this contract setting forth the facts constituting the emergency or necessity.

SBCUSD:

HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools (Group A projects)

BID# F11-02A

Attachment No. 4 to Bid Form

A prime contractor violating any of the provisions of Public Contract Code Section 4100 et seq. shall be deemed to be in violation of this contract and the DISTRICT may exercise the option, at its own discretion, of (1) canceling the contract or (2) assessing the prime contractor a penalty in an amount of not more than ten percent (10%) of the amount of the subcontract involved.

Prime Contractors bidding this work shall require, pursuant to Public Contract code article 4108, all subcontractors providing labor and materials in excess of \$100,000.00 to supply an original signature and fully executed 100% Faithful Performance and 100% Payment Bond. All prime contractors bidding on this work must specify this requirement for subcontractor bonds in their written or published request for subcontractor bids. Failure to comply with this requirement shall not preclude contractor from complying with the subcontractor bonding requirements.

Bonds are required for each specification section or combination of sections which exceed(s) the limit listed above.

The practice of issuing separate purchase orders and/or subcontracts for the purpose of circumventing the subcontractor bonding requirement shall not serve to exempt the Contractor from these requirements.

No payments, except for a reimbursement payment to the Prime Contractor for the cost of the Prime Contractor's own Faithful Performance and Payment Bonds, shall be made to the Prime Contractor until the Prime Contractor provides the aforementioned subcontractor bonds to the DISTRICT..

SBCUSD:

HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools (Group A projects)
BID# F11-02A

Attachment No. 4 to Bid Form

DESIGNATION OF SUBCONTRACTORS

Portion of Work	Subcontractor Name	Phone Number & Address of Business	License No
Electrical	Mikes Electric	7437 Gaviota, Van Nuys, CA (818) 744-4661	518691
Fire Alarm	Quick Response	3142 Paseo Diosa San Juan Capistrano, CA (949) 412-7196	783832
HVAC	Aramco Mechanical	561 W. Covina, San Dimas (909) 592-8422	799823
Asbestos	CASTLEROCK ENV.	10010 Painter Ave. Santa Fe Springs, CA (562) 941-9244	776105
Roofing	Bell Roof Co.	636 S. 1st. San Bernardino, CA (909) 885-6863	119946
HVAC	Air Design Solutions	403 S. Mantebello Blvd. Mantebello, CA (323) 727-8200	953818
Insulation	MD Insulation	(626) 579-4691 9702 Klingerman St. South El Monte, CA	623669

Horizons Construction Co. Int'l, Inc.
NAME OF BIDDER

Signature: 

SBCUSD:

HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools (Group A projects)

BID# F11-02A

Attachment No. 4 to Bid Form

Title: V. President

SBCUSD:

HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools (Group A projects)

BID# F11-02A

Attachment No. 4 to Bid Form

PROJECT NAME: HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools (Group A projects)

BID NUMBER: F11-02A

BID FORM

TO: SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT, acting by and through its Governing Board, herein called the "DISTRICT."

**FROM: Angeles Contractor, Inc.
(Proper Name of Bidder)**

1. Pursuant to and in compliance with your Notice Inviting Bids and the other documents relating thereto, the undersigned Bidder, having familiarized himself/herself with the terms of the Contract and the Contract Documents, the local conditions affecting the performance of the Contract and the cost of the work at the place where the work is to be done, hereby proposes and agrees to perform within the time stipulated, the Work of the Contract, including all of its component parts, and the furnishing of all materials and equipment required to be incorporated in and form a permanent part of the work; the furnishing of tools, equipment, supplies, transportation, utilities, facilities, labor, superintendence and services required to perform and complete the work; bonds, insurance and submittals; and including the assumption of all obligations, duties and responsibilities necessary to the successful completion of the Contract, including its acceptance by the DISTRICT, for the following Project:

PROJECT NAME: __ HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools (Group A projects)

2. **ADDENDA**

The undersigned has thoroughly examined any and all Addenda (if any) issued during the bid period and is thoroughly familiar with all contents thereof and acknowledges receipt of the following Addenda: *(Bidder to list all addenda)*

ADDENDUM NO. <u>00</u>	DATE RECEIVED <u>3/11/13</u>	SCHOOL <u>MLK, DV, SH, Serrano</u>
ADDENDUM NO. <u>1</u>	DATE RECEIVED <u>3/11/13</u>	SCHOOL <u>MLK, DV, SH, Serrano</u>
ADDENDUM NO. <u>2</u>	DATE RECEIVED <u>3/11/13</u>	SCHOOL <u>MLK, DV, SH, Serrano</u>
ADDENDUM NO. <u>3</u>	DATE RECEIVED <u>3/11/13</u>	SCHOOL <u>MLK, DV, SH, Serrano</u>
ADDENDUM NO. <u>4</u>	DATE RECEIVED <u>3/11/13</u>	SCHOOL <u>MLK, DV, SH, Serrano</u>
ADDENDUM NO. <u>5</u>	DATE RECEIVED <u>3/21/13</u>	SCHOOL <u>MLK, DV, SH, Serrano</u>

Note: For DSA requirements, all addenda are separated by school for clarity.

SBCUSD

Bid Form

HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools (Group A projects)

BID# F11-02A

ALLOWANCE: The following amount shall be added to the Base Bid. Refer to Section 01020 Allowance for description of work. \$ 250,000⁰⁰

3. BASE BID including Allowance (Numerical Value): \$ 4,769,000⁰⁰

BID AMOUNTS FOR GROUP A

DESCRIPTION		LUMP SUM BID AMOUNT
3.1	Martin Luther King Jr. MS	
3.1.A	BASE BID NOT INCLUDING ALLOWANCES (Amount in Numbers)	\$ 745,000
3.1.B	ALLOWANCES (Amount in Numbers)	\$ 62,500
3.1.C	TOTAL BASE BID INCLUDING ALLOWANCE (3.1.A+3.1.B) (Amount in Numbers)	\$ 807,500

3.2	Del Vallejo MS	
3.2.A	BASE BID NOT INCLUDING ALLOWANCES (Amount in Numbers)	\$ 1,212,000
3.2.B	ALLOWANCES (Amount in Numbers)	\$ 62,500
3.2.C	TOTAL BASE BID INCLUDING ALLOWANCE (3.2.A+3.2.B) (Amount in Numbers)	\$ 1,274,500

3.3	Shandin Hills MS	
3.3.A	BASE BID NOT INCLUDING ALLOWANCES (Amount in Numbers)	\$ 782,000
3.3.B	ALLOWANCES (Amount in Numbers)	\$ 62,500
3.3.C	TOTAL BASE BID INCLUDING ALLOWANCE (3.3.A+3.3.B) (Amount in Numbers)	\$ 844,500

3.4	Serrano MS	
3.4.A	BASE BID NOT INCLUDING ALLOWANCES (Amount in Numbers)	\$ 1,186,000
3.4.B	ALLOWANCES (Amount in Numbers)	\$ 62,500
3.4.C	TOTAL BASE BID INCLUDING ALLOWANCE (3.3.A+3.3.B) (Amount in Numbers)	\$ 1,248,500

3.4	Group A - Total	
3.2.A	TOTAL BASE BID INCLUDING ALLOWANCES FOR MARTIN LUTHER KING JR. MS, DEL VALLEJO MS, SHANDIN HILLS AND SERRANO MS (3.1.C+3.2.C+3.3.C+3.4.C) (Amount in Numbers)	\$ 4,769,000

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Bid Form

HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools
(Group A projects)

BID# F11-02A

TOTAL BASE BID (including Allowance) AMOUNT IN WORDS _____

Four Millions Seven hundred sixty-nine thousands and _____ dollars

Bid Award based on Base Bid plus Alternates, taken in order below, as District funds allow.

4. ALTERNATES: (If applicable) The following amounts shall be added to the Base Bid at the DISTRICT's option. Refer to Section 01030 Alternates for description of work.

Alternate 1 (Add) \$ 358,000⁰⁰
Alternate 2 (Add) \$ 389,000⁰⁰
Alternate 3 (Add) \$ 27,000⁰⁰
Alternate 4 (Add) \$ 27,000⁰⁰

5. UNIT COST: The following shall be used at District's option. Refer to Section 01040:

Unit Cost #1 \$11.^{xx}/100
Unit Cost #2 \$13.^{xx}/100

6. TIME FOR COMPLETION: The aggregate sum total work of each individual prime Contractor to the DISTRICT comprises the entire "Project" and shall be commenced and completed in conformance with the Project Construction Schedule. The entire Project shall be completed by Tuesday, October 22, 2013 or within one hundred fifty (150) consecutive calendar days after Notice to Proceed, whichever occurs last. Bidder acknowledges liability for liquidated damages in the amount as stipulated herein for each calendar day of delay.

7. DISTRICT'S RIGHT TO REJECT: It is understood that the DISTRICT reserves the right to reject this bid and that the bid shall remain open to acceptance and is irrevocable for a period of **one hundred twenty (120) days**.
8. BID SECURITY: The required bid security in the amount of not less than ten percent (10%) of the bid is attached hereto.
9. PROPOSED SUBCONTRACTORS: The required list of proposed subcontractors is attached hereto. Bidder understands and acknowledges that all subcontractors providing goods and services in excess of \$100,000.00 must be bonded in accordance with the Subletting and Subcontracting Fair Practices Act. (Refer to Notice Information for Bidders)

10. SITE VISIT CERTIFICATION: The required Site Visit Certification is attached hereto.

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Bid Form

HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools
(Group A projects)

BID# F11-02A

- 11. DVBE CERTIFICATION: The required Certification of Compliance with DVBE Policy is attached hereto.
- 12. CRIMINAL BACKGROUND CHECK CERTIFICATION: The required Criminal Background Check Certification will be submitted prior to Contractor commencing work on the project in accordance with the Information for Bidders.
- 13. FAITHFUL PERFORMANCE AND PAYMENT BOND: It is understood and agreed that if written notice of the acceptance of this bid is mailed, FAXED, or delivered to the undersigned after the opening of the bid, and within the time this bid is required to remain open, or at any time thereafter before this bid is withdrawn, the undersigned will execute and deliver to the DISTRICT a fully executed Form of Agreement (Contract) in the form attached hereto in accordance with the bid as accepted, and that it will also furnish and deliver to the DISTRICT six (6) executed copies of a Faithful Performance Bond and a separate Payment Bond as specified, and certificates of insurance, all within ten (10) calendar days (or as soon as possible) after Notice of Contract Award. Bidder further agrees that the work under the Contract will be commenced by the Bidder, if awarded the Contract, on the date to be stated in the DISTRICT's "Notice to Proceed" and will be completed within the time specified in the Contract documents.
- 14. PROPER ADDRESS: Notice of Award of Contract or other correspondence should be addressed to the undersigned at the address stated below.

8461 Commonwealth Avenue, Buena Park, CA 90621

- 15. NAME(S) OF PRINCIPALS: Principals of the Bidder's company are::

Young Kang - Pres., Sec., Treasurer & Gen. Manager of Angeles Contractor, Inc.

(IMPORTANT NOTICE: If Bidder is a corporation, state legal name of corporation, as well as names of the president, secretary treasurer, and general manager thereof; if a partnership, state true name of firm, also names of all individual partners composing firm; if an individual, state names in full.)

- 16. The undersigned bidder declares that the bidder is licensed in the State of California as required by the Business and Professional Code in accordance with the act providing for registration of Contractors and the documentation of licensure is as follows:

	License No.	Classification	Expiration Date
1.	<u>858483</u>	<u>A, B, C9, C10, C15, C33, C54</u>	<u>5/31/13</u>

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Bid Form

HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools
(Group A projects)

BID# F11-02A

2. _____
3. _____
4. _____
5. _____

If the bidder is a joint venture, each member of the joint venture must include the above information.

Bidder certifies that the above-mentioned license(s) entitle(s) Bidder to provide the work required by the Contract, that such license will be in full force and effect throughout the duration of work under this Contract, and that any and all subcontractors to be employed for the work will have appropriate licenses.

17. **FORFEITURE OF SECURITY:** In the event the Bidder to whom the Notice of Award of Contract is given fails or refuses to post the required bonds and return executed copies of the Form of Agreement with all required attachments within ten (10) calendar days from the date of the Notice of Award, the DISTRICT may declare the Bidder's bid deposit or bond forfeited as liquidated damages
18. **ASSIGNMENT OF RIGHTS, TITLE AND INTEREST IN CAUSES OF ACTION:** Pursuant to Section 4552 of the Government code, in submitting a bid to the DISTRICT, the bidder offers and agrees that if the bid is accepted, it will assign to DISTRICT all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Section 15) or under the Cartwright Act (Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, materials, or services by the bidder for sale to the purchasing body pursuant to the bid. Such assignment shall be made and become effective at the time the purchasing body tenders final payment to the bidder.
19. **IRCA:** The bidder hereby certifies that it is, and at all times during the performance of work hereunder will be, in full compliance with the provisions of the Immigration Reform and Control Act of 1986 ("IRCA") in the hiring of its employees and the bidder shall indemnify, hold harmless and defend the DISTRICT against any and all actions, proceedings, penalties or claims arising out of the bidder's failure to comply strictly with the IRCA.
20. **FINANCIAL STATEMENTS:** It is understood and agreed that if requested by the DISTRICT, the Bidder will furnish a notarized financial statement, references and other information required by the DISTRICT sufficiently comprehensive to permit an appraisal of bidder's ability to perform the work of the Contract.
21. **LIQUIDATED DAMAGES:** The undersigned hereby warrants that all work shall be completed by Tuesday, October 22, 2013 or within one hundred fifty (150) **consecutive calendar days after Notice to Proceed**, whichever occurs last. The entire Project shall be completed Time is of the essence. The undersigned agrees that failure to complete the work or any scheduled activity within the time set forth herein will result in the

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Bid Form

HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools
(Group A projects)

BID# F11-02A

imposition of liquidated damages for each consecutive calendar day of delay, per site, in the amount of One thousand DOLLARS (\$ 1,000.00).

See also Section 01325 Work Sequence and Phasing for additional, interim milestone requirements and liquidated damages.

In addition to Liquidated Damages listed above, each Contractor shall refer to the General Requirements Section of the Specifications for the Construction Progress Schedule and Work Sequence & Phasing documents for the durations of individual activities, and associated interim Liquidated Damages requirements contained within total project time. The above-specified liquidated damages will be assessed if any individual activity duration exceeds the time indicated for that activity on the Construction Progress Schedule.

22. **CHANGE ORDER REQUESTS:** Bidder understands and agrees that all change order requests must be submitted in the form set forth in the Contract Documents. The amount of allowable charges submitted pursuant to a change order shall be limited to the charges allowed by the Conditions of the Contract. Indirect costs, consequential and incidental costs, project management costs, extended home office and field office overhead, administrative costs and profit and other charges not specifically authorized by the Contract Conditions will not be allowed.

The undersigned declares and certifies under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Angeles Contractor, Inc.

Name of Corporation, Partnership or Sole Proprietor

8461 Commonwealth Avenue, Buena Park, CA 90621

Address

Telephone: (714) 443-3655

Young Kang

Proper Name of Bidder Empowered to Sign On Behalf of the Corporation, Partnership or Sole Proprietor

Signature of Bidder

NOTE: If bidder is a corporation, the legal name of the corporation shall be set forth above together with the signature of authorized officers or agents and the document shall bear the corporate seal; if bidder is a partnership, the true name of the firm shall be set forth

SBCUSD

Bid Form

HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools (Group A projects)

BID# F11-02A

above together with the signature of the partner or partners authorized to sign contracts on behalf of the partnership; and if bidder is an individual, his or her name and signature shall be placed above.

ATTACHMENTS TO BE COMPLETED AND SUBMITTED BY BIDDER:

To be submitted with Bid Form. Refer to Notice Inviting Bids.

1. Bidder's Noncollusion Affidavit
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3. Certification of Compliance with DVBE Policy
4. Proposed Subcontractors
5. Bid Bond
6. Bidder References and Responsibility Information

To be Submitted with Executed Contract (Agreement) by Successful Bidder.

1. Certificate Regarding Worker's Compensation
2. Drug-Free Work Place Certification
3. Statement of Intent to Meet DVBE Participation Goal
4. Faithful Performance Bond Form
5. Payment Bond Form
6. Vendor Tax Information
7. Certification of Non-Utilization of Asbestos Material
8. Prime/General Contractor Information
9. Contractor Prevailing Wage Compliance Certification
10. Guarantee
11. Criminal Records Checks Certification Forms

SBCUSD

Bid Form

HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools
(Group A projects)

BID# F11-02A

PROJECT NAME: HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools (Group A projects)
BID NUMBER: F11-02A

ATTACHMENT NO. 4 TO BID FORM

PROPOSED SUBCONTRACTORS

In compliance with the Subletting and Subcontracting Fair Practices Act (Public Contract Code commencing at Section 4100) and any amendments thereof, each Bidder shall set forth below:

- (a) The name and the location of the place of business of each subcontractor who will perform work or labor or render service to a prime contractor in or about the construction of the work or improvement, or a subcontractor licensed by the State of California, who, under subcontract to a prime contractor, specially fabricates and installs a portion of the work or improvement according to the Contract Documents in an amount in excess of one-half of 1 percent of the prime contractor's total bid.

Any information requested by the officer, department, board or commission concerning any subcontractor who the prime contractor is required to list under this subdivision, other than the subcontractor's name, description of work, and location of business, may be submitted by the prime contractor up to 24 hours after the deadline established by the officer, department, board or commission for receipt of bids by prime contractors.

- (b) The portion of the work which will be done by each subcontractor.

The prime contractor shall list only one subcontractor for each such portion as is defined by the prime contractor in this bid.

If a prime contractor fails to specify a subcontractor or if a prime contractor specifies more than one subcontractor for the same portion of work to be performed under the contract in excess of one-half of 1 percent of the prime contractor's total bid, he shall be deemed to have agreed that he is fully qualified and licensed to perform that portion himself per the requirements of the Information for Bidders, and that he shall perform that portion himself.

No prime contractor whose bid is accepted shall:

- (a) Substitute any subcontractor,
- (b) Permit any subcontractor to be voluntarily assigned or transferred or allow it to be performed by anyone other than the original subcontractor listed in the original bid, or
- (c) Sublet or subcontract any portion of the work in excess of one-half of one percent of the prime contractor's total bid as to which his original bid did not designate a subcontractor, except as authorized in the Subletting and Subcontracting Fair Practices Act.

Subletting or subcontracting of any portion of the work in excess of one-half of one percent of the prime contractor's total bid as to which no subcontractor was designated in the original bid shall only be permitted in cases of public emergency or necessity, and then only after a finding reduced to writing as a public record of the authority awarding this contract setting forth the facts constituting the emergency or necessity.

SBCUSD:

Attachment No. 4 to Bid Form

HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools (Group A projects)

BID# F11-02A

A prime contractor violating any of the provisions of Public Contract Code Section 4100 et seq. shall be deemed to be in violation of this contract and the DISTRICT may exercise the option, at its own discretion, of (1) canceling the contract or (2) assessing the prime contractor a penalty in an amount of not more than ten percent (10%) of the amount of the subcontract involved.

Prime Contractors bidding this work shall require, pursuant to Public Contract code article 4108, all subcontractors providing labor and materials in excess of \$100,000.00 to supply an original signature and fully executed 100% Faithful Performance and 100% Payment Bond. All prime contractors bidding on this work must specify this requirement for subcontractor bonds in their written or published request for subcontractor bids. Failure to comply with this requirement shall not preclude contractor from complying with the subcontractor bonding requirements.

Bonds are required for each specification section or combination of sections which exceed(s) the limit listed above.

The practice of issuing separate purchase orders and/or subcontracts for the purpose of circumventing the subcontractor bonding requirement shall not serve to exempt the Contractor from these requirements.

No payments, except for a reimbursement payment to the Prime Contractor for the cost of the Prime Contractor's own Faithful Performance and Payment Bonds, shall be made to the Prime Contractor until the Prime Contractor provides the aforementioned subcontractor bonds to the DISTRICT.

DESIGNATION OF SUBCONTRACTORS

Portion of Work	Subcontractor Name	Phone Number & Address of Business	License No
Abatement	Eagle Contracting	562-249-8131 El Monte, CA 91732	970089
Demolition			
Steel	SPC	710-61-6938 Gardena, CA 90247	957437
Rough Carpentry	Infinity	951-940-6450 Perris, CA 92570	615947
Roofing	Letner	714-633-0030 Orange, CA	689961
Insulation			

Angeles Contractor, Inc.

NAME OF BIDDER

Signature: 

SBCUSD:

HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools (Group A projects)

BID# F11-02A

Attachment No. 4 to Bid Form

DESIGNATION OF SUBCONTRACTORS

Portion of Work	Subcontractor Name	Phone Number & Address of Business	License No
Acoustic Ceiling Insulation Tectum	K.O Acoustics	951-682- 6123 Riverside, CA 92507	756877
Plumbing	PCI	951-928-2211 Perris, CA 92571	533268
HVAC	The Sun group	949-476-3133 Costa Mesa, CA	947719
Electrical	Kee Electric	323-766-1200 Montrose, CA 91320 91020	902913
Fire Alarm	Enko Systems	909-885-1771 San Bernardino, CA	691828

Angeles Contractor, Inc.
NAME OF BIDDER

Signature: 

SBCUSD:

HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools (Group A projects)

BID# F11-02A

Attachment No. 4 to Bid Form

DESIGNATION OF SUBCONTRACTORS

Portion of Work	Subcontractor Name	Phone Number & Address of Business	License No
Drywall & Framing	Demarcus ⁴ ₅	951-901-9624 Riverside, CA 92506	P09952
Painting ^y			

Angeles Contractor, Inc.

NAME OF BIDDER

Signature: _____

Attachment No. 4 to Bid Form

SBCUSD:

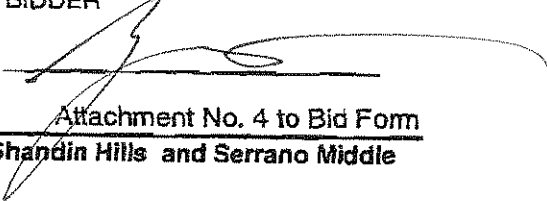
HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shardin Hills and Serrano Middle Schools (Group A projects)

BID# F11-02A

DESIGNATION OF SUBCONTRACTORS

Portion of Work	Subcontractor Name	Phone Number & Address of Business	License No

Angeles Contractor, Inc.
NAME OF BIDDER

Signature: 

SBCUSD:
HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools (Group A projects)
BID# F11-02A

Attachment No. 4 to Bid Form

Title: President

SBCUSD:

Attachment No. 4 to Bid Form

HVAC Upgrades at Dr. Martin Luther King Jr., Del Vallejo, Shandin Hills and Serrano Middle Schools (Group A projects)