



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

March 25, 2013 @ 3:15pm  
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](http://www.c2repro.com)

	CONTRACTOR (Name, City, State)	BASE BID (including allowances)	Alternate # 1 HVAC Upgrade to Snack Bar Kitchen @ Richardson Prep HI MS	Alternate # 2 Multi-Purpose Room Protective Screen @ Golden Valley MS
1	RAN ENTERPRISES, INC. HUNTINGTON BEACH, CA	\$ 2,095,000.00	\$ 32,500.00	\$ 19,000.00
2	NKS MECHANICAL CONTRACTING, INC. ANAHEIM, CA	\$ 2,492,309.00	\$ 75,000.00	\$ 9,500.00
3	HORIZONS CONSTRUCTION CO. INT'L, INC. ANAHEIM, CA	\$ 2,498,000.00	\$ 48,000.00	\$ 28,000.00
4	MS CONSTRUCTION MGMNT. GROUP DANA POINT, CA	\$ 2,524,000.00	\$ 143,399.00	\$ 31,000.00
5	ROSETTI CONSTRUCTION ONTARIO, CA	\$ 2,574,003.00	\$ 34,656.00	\$ 6,630.00
6	ANGELES CONSTRUCTION, INC. BUENA PARK, CA	\$ 2,633,000.00	\$ 73,000.00	\$ 27,000.00
7	WOODCLIFF CORPORATION LOS ANGELES, CA	\$ 2,960,000.00	\$ 155,000.00	\$ 45,000.00
8				
9				
10				

PROJECT NAME: HVAC Upgrades at Arrowview, Golden Valley, and Richardson Prep. Middle Schools (Group B projects)

BID NUMBER: F11-02B

### BID FORM

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

FROM: RAV ENTERPRISES 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 Arrowview, Golden Valley, and Richardson Prep. Middle Schools (Group B 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>4</u>	DATE RECEIVED <u>3/19/2013</u>	SCHOOL <u>Richardson Prep M/S</u>
ADDENDUM NO. <u>3</u>	DATE RECEIVED <u>3/27/2013</u>	SCHOOL <u>Richardson Prep M/S</u>
ADDENDUM NO. <u>2</u>	DATE RECEIVED <u>2/19/2012</u>	SCHOOL <u>Richardson Prep M/S</u>
ADDENDUM NO. <u>1</u>	DATE RECEIVED <u>1/22/2012</u>	SCHOOL <u>Richardson Prep M/S</u>
ADDENDUM NO. <u>3</u>	DATE RECEIVED <u>3/18/2013</u>	SCHOOL <u>Golden Valley M/S</u>
ADDENDUM NO. <u>2</u>	DATE RECEIVED <u>2/27/2013</u>	SCHOOL <u>Golden Valley M/S</u>
ADDENDUM NO. <u>1</u>	DATE RECEIVED <u>1/22/2012</u>	SCHOOL <u>Golden Valley M/S</u>
ADDENDUM NO. <u>5</u>	DATE RECEIVED <u>3/19/2013</u>	SCHOOL <u>ARROWVIEW M/S</u>

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

ADDENDUM NO <u>4</u>	DATE RECEIVED <u>2/27/2013</u>	SCHOOL <u>ARROWVIEW M/S</u>
ADDENDUM No <u>3</u>	DATE RECEIVED <u>2/13/2012</u>	SCHOOL <u>ARROWVIEW M/S</u>
ADDENDUM No <u>2</u>	DATE RECEIVED <u>2/10/2012</u>	SCHOOL <u>ARROWVIEW M/S</u>
ADDENDUM No <u>1</u>	DATE RECEIVED <u>1/29/2012</u>	SCHOOL <u>ARROWVIEW M/S</u>
ADDENDUM <u>00</u>	DATE RECEIVED <u>4/13/12</u>	<u>All schools group B</u>

SBCUSD:

Bid Form

HVAC Upgrades at Arrowview, Golden Valley, and Richardson Prep. Middle Schools (Group B projects)  
BID# F11-02B

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 B

<u>DESCRIPTION</u>		<u>LUMP SUM BID AMOUNT</u>
3.1	<b>Arrowview MS</b>	
3.1.A	BASE BID NOT INCLUDING ALLOWANCES (Amount in Numbers)	\$ 408,000. <sup>00</sup>
3.1.B	ALLOWANCES (Amount in Numbers)	\$ 50,000
3.1.C	TOTAL BASE BID INCLUDING ALLOWANCE (3.1.A+3.1.B) (Amount in Numbers)	\$ 458,000. —

3.2	<b>Golden Valley MS</b>	
3.2.A	BASE BID NOT INCLUDING ALLOWANCES (Amount in Numbers)	\$ 728,000. <sup>00</sup>
3.2.B	ALLOWANCES (Amount in Numbers)	\$ 75,000
3.2.C	TOTAL BASE BID INCLUDING ALLOWANCE (3.2.A+3.2.B) (Amount in Numbers)	\$ 803,000. <sup>00</sup>

3.3	<b>Richardson Prep MS</b>	
3.3.A	BASE BID NOT INCLUDING ALLOWANCES (Amount in Numbers)	\$ 764,000. <sup>00</sup>
3.3.B	ALLOWANCES (Amount in Numbers)	\$ 70,000
3.3.C	TOTAL BASE BID INCLUDING ALLOWANCE (3.3.A+3.3.B) (Amount in Numbers)	\$ 834,000. <sup>00</sup>

3.4	<b>Group B - Total</b>	
3.4.A	TOTAL BASE BID INCLUDING ALLOWANCES FOR ARROWVIEW MS, GOLDEN VALLEY MS, AND RICHARDSON PREP MS (3.1.C+3.2.C+3.3.C) (Amount in Numbers)	\$ 2,095,000. <sup>00</sup>

TOTAL BASE BID (including Allowance) AMOUNT IN WORDS TWO MILLIONS  
AND NINETY FIVE THOUSAND DOLLARS

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

SBCUSD:

Bid Form

HVAC Upgrades at Arrowview, Golden Valley,  
and Richardson Prep. Middle Schools (Group B projects)

BID# F11-02B

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) \$ 32,500.<sup>00</sup> =

Alternate 2 (Add) \$ 19,000.<sup>00</sup> =

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

Unit Cost #1 \$ 22.<sup>00</sup> S.F.

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.
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

SBCUSD:

Bid Form

HVAC Upgrades at Arrowview, Golden Valley,  
and Richardson Prep. Middle Schools (Group B projects)  
BID# F11-02B

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.

RAN ENTERPRISES INC

17621 SAMPSON LANE, HUNTINGTON BEACH, CA 92647

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

RAN ENTERPRISES INC

Roger Abinoder, President and secretary

Thierry Abinoder, Treasurer

(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>818754</u>	<u>B and C20</u>	<u>4/30/2013</u>
2.	<u>                    </u>	<u>                    </u>	<u>                    </u>
3.	<u>                    </u>	<u>                    </u>	<u>                    </u>
4.	<u>                    </u>	<u>                    </u>	<u>                    </u>
5.	<u>                    </u>	<u>                    </u>	<u>                    </u>

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

SBCUSD

Bid Form

HVAC Upgrades at Arrowview, Golden Valley,  
and Richardson Prep. Middle Schools (Group B projects)  
BID# F11-02B

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 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.

SBCUSD

Bid Form

---

HVAC Upgrades at Arrowview, Golden Valley,  
and Richardson Prep. Middle Schools (Group B projects)  
BID# F11-02B

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.

RAN ENTERPRISES INC  
Name of Corporation, Partnership or Sole Proprietor

17621 SAMPSON Lane, Huntington Beach, CA 92647  
Address

Telephone: 714-842-8688

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

[Signature]  
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 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

SBCUSD

Bid Form

HVAC Upgrades at Arrowview, Golden Valley,  
and Richardson Prep. Middle Schools (Group B projects)  
BID# F11-02B

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 Arrowview, Golden Valley,  
and Richardson Prep. Middle Schools (Group B projects)**  
**BID NUMBER :F11-02B**

## **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 Arrowview, Golden Valley,  
and Richardson Prep. Middle Schools (Group B projects)  
BID# F11-02B**

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..

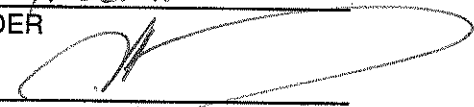
SBCUSD:

HVAC Upgrades at Arrowview, Golden Valley,  
and Richardson Prep. Middle Schools (Group B projects)  
BID# F11-02B

Attachment No. 4 to Bid Form

**DESIGNATION OF SUBCONTRACTORS**

Portion of Work	Subcontractor Name	Phone Number & Address of Business	License No
Electrical, Fire Alarm Plumbing, steel	UC Elective	24849 Tornado Drive Moreno Valley, CA 909-221-9182	814643
Insulation, Signage	MCEC INC	(626) 447-7300 900 West 10th St. AZUSA, CA 91006	715347
EMS	RUSSELL SIBLER	205 S. PUENTE ST BREA CA 92821	960159
Roofing	BELL ROOF CO. INC	636 S. I ST. S.B. CA. 92410	119946
Asbestos and Lead Abatement	Universal ABATEMENT SERVICES INC	310-562-8992 1450 S. Burlington Ave Los Angeles, CA	710086
Test and Balance.	LOS Angeles Air Balance	909-931-1114 1848 W. 11th St. #10 Upland, CA 91786	625772

**RAW ENTERPRISES INC**  
 NAME OF BIDDER  
 Signature: 

**SBCUSD:**  
 HVAC Upgrades at Arrowview, Golden Valley,  
 and Richardson Prep. Middle Schools (Group B projects)  
 BID# F11-02B

Attachment No. 4 to Bid Form

Title: President and Secretary

SBCUSD:

HVAC Upgrades at Arrowview, Golden Valley,  
and Richardson Prep. Middle Schools (Group B projects)  
BID# F11-02B

Attachment No. 4 to Bid Form

PROJECT NAME: HVAC Upgrades at Arrowview, Golden Valley, and Richardson Prep. Middle Schools (Group B projects)

BID NUMBER: F11-02B

### BID FORM

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

FROM: NKS Mechanical Contracting 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 Arrowview, Golden Valley, and Richardson Prep. Middle Schools (Group B 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>0</u>	DATE RECEIVED	<u>Feb 13, 12</u>	SCHOOL	<u>Arrow, Richard, Golden Vly</u>
ADDENDUM NO.	<u>1</u>	DATE RECEIVED	<u>Feb 27, 12</u>	SCHOOL	<u>Arrow, Richard, Golden Vly</u>
ADDENDUM NO.	<u>2</u>	DATE RECEIVED	<u>Feb 10, 27, 2012</u>	SCHOOL	<u>Arrow, Richard, Golden Vly</u>
ADDENDUM NO.	<u>3</u>	DATE RECEIVED	<u>Feb 13, 2012</u>	SCHOOL	<u>Arrow View MS</u>
ADDENDUM NO.	<u>3</u>	DATE RECEIVED	<u>Feb 27, 2013</u>	SCHOOL	<u>Richardson Schools</u>
ADDENDUM NO.	<u>3</u>	DATE RECEIVED	<u>Mar 13, 13</u>	SCHOOL	<u>Golden Valley</u>

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

Addendum	4	Date Date Received	Feb 27, 13	School	Arrow View
Addendum	4	Date Received	Mar 19, 13	School	Richardson
Addendum	5	Date Received	Mar 19, 13	School	Arrow View

SBCUSD:

Bid Form

HVAC Upgrades at Arrowview, Golden Valley, and Richardson Prep. Middle Schools (Group B projects)  
BID# F11-02B

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 B**

<b><u>DESCRIPTION</u></b>		<b><u>LUMP SUM BID AMOUNT</u></b>
3.1	<b>Arrowview MS</b>	
3.1.A	BASE BID NOT INCLUDING ALLOWANCES (Amount in Numbers)	\$ 558,086. <sup>00</sup>
3.1.B	ALLOWANCES (Amount in Numbers)	\$ 50,000
3.1.C	TOTAL BASE BID INCLUDING ALLOWANCE (3.1.A+3.1.B) (Amount in Numbers)	\$ 608,086. <sup>00</sup>

3.2	<b>Golden Valley MS</b>	
3.2.A	BASE BID NOT INCLUDING ALLOWANCES (Amount in Numbers)	\$ 914,917. <sup>00</sup>
3.2.B	ALLOWANCES (Amount in Numbers)	\$ 75,000
3.2.C	TOTAL BASE BID INCLUDING ALLOWANCE (3.2.A+3.2.B) (Amount in Numbers)	\$ 989,917. <sup>00</sup>

3.3	<b>Richardson Prep MS</b>	
3.3.A	BASE BID NOT INCLUDING ALLOWANCES (Amount in Numbers)	\$ 824,306. <sup>00</sup>
3.3.B	ALLOWANCES (Amount in Numbers)	\$ 70,000
3.3.C	TOTAL BASE BID INCLUDING ALLOWANCE (3.3.A+3.3.B) (Amount in Numbers)	\$ 894,306. <sup>00</sup>

3.4	<b>Group B - Total</b>	
3.4.A	TOTAL BASE BID INCLUDING ALLOWANCES FOR ARROWVIEW MS, GOLDEN VALLEY MS, AND RICHARDSON PREP MS (3.1.C+3.2.C+3.3.C) (Amount in Numbers)	\$ 2,492,309.

TOTAL BASE BID (including Allowance) AMOUNT IN WORDS Two Million  
Four hundred ninety two thousand three hundred nine  
Dollars.

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

SBCUSD:

Bid Form

HVAC Upgrades at Arrowview, Golden Valley,  
and Richardson Prep. Middle Schools (Group B projects)  
BID# F11-02B

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)           \$ 75,000.00
- Alternate 2 (Add)           \$ 9,500.00
5. UNIT COST: The following shall be used at District's option. Refer to Section 01040:
- Unit Cost #1           \$ 30.00 per 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.
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

SBCUSD:

Bid Form

**HVAC Upgrades at Arrowview, Golden Valley,  
and Richardson Prep. Middle Schools (Group B projects)  
BID# F11-02B**

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.

5753 E. Santa Ana Cyn. Rd., Anaheim CA 92807

---

---

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

Namir Shmara

---

---

---

(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>865725</u>	<u>B</u>	<u>Oct 31, 2013</u>
2.	<u>865725</u>	<u>C20</u>	<u>Oct 31, 2013</u>
3.	<u>                    </u>	<u>                    </u>	<u>                    </u>
4.	<u>                    </u>	<u>                    </u>	<u>                    </u>
5.	<u>                    </u>	<u>                    </u>	<u>                    </u>

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

SBCUSD

Bid Form

---

HVAC Upgrades at Arrowview, Golden Valley,  
and Richardson Prep. Middle Schools (Group B projects)  
**BID# F11-02B**



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 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.

SBCUSD

Bid Form

---

HVAC Upgrades at Arrowview, Golden Valley,  
and Richardson Prep. Middle Schools (Group B projects)  
**BID# F11-02B**

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.

NKS Mechanical Contracting Inc.

\_\_\_\_\_  
Name of Corporation, Partnership or Sole Proprietor

5753 E. Santa Ana Cyn. Rd., Anaheim CA 92807

\_\_\_\_\_  
Address

Telephone: 714 281 5123

Namir Shmara

\_\_\_\_\_  
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 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

SBCUSD

Bid Form

\_\_\_\_\_  
HVAC Upgrades at Arrowview, Golden Valley,  
and Richardson Prep. Middle Schools (Group B projects)  
**BID# F11-02B**

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 Arrowview, Golden Valley,  
and Richardson Prep. Middle Schools (Group B projects)**  
**BID NUMBER :F11-02B**

## **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 Arrowview, Golden Valley,  
and Richardson Prep. Middle Schools (Group B projects)**  
**BID# F11-02B**

**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 Arrowview, Golden Valley,  
and Richardson Prep. Middle Schools (Group B projects)  
BID# F11-02B

Attachment No. 4 to Bid Form

### DESIGNATION OF SUBCONTRACTORS

Portion of Work	Subcontractor Name	Phone Number & Address of Business	License No
Plumbing and Piping	SJL Mechanical	310 327 1114	671165
Electrical	Imperial Electric	909 946 4343	694815
Asbestos	Eagle Contracting Inc	5622498131	970089
Roofing	Vance & Associates	714 688 7150	168933
Air Balance	Precision Air Balance	714 630 3796	633805
Structural Steel	PDC Associates	818 530 6869	504944
Ceilings and Framing	Ocians One Interior	562 413 7322	846603
Fire Alarm	ENKO	909 885 7771	691828
Fire Alarm	Simplex	909 987 7546	968851

NKS Mechanical Contracting Inc  
 \_\_\_\_\_  
 NAME OF BIDDER

Signature: \_\_\_\_\_

Attachment No. 4 to Bid Form

SBCUSD:  
 HVAC Upgrades at Arrowview, Golden Valley,  
 and Richardson Prep. Middle Schools (Group B projects)  
 BID# F11-02B

Title: President

SBCUSD:

HVAC Upgrades at Arrowview, Golden Valley,  
and Richardson Prep. Middle Schools (Group B projects)  
BID# F11-02B

Attachment No. 4 to Bid Form

PROJECT NAME: HVAC Upgrades at Arrowview, Golden Valley, and Richardson Prep. Middle Schools (Group B projects)

BID NUMBER: F11-02B

### 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)

- 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 Arrowview, Golden Valley, and Richardson Prep. Middle Schools (Group B 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>2/13/12</u>	SCHOOL	<u>All Schools</u>
ADDENDUM NO.	<u>1</u>	DATE RECEIVED	<u>1/27/12</u>	SCHOOL	<u>All Schools</u>
ADDENDUM NO.	<u>2</u>	DATE RECEIVED	<u>2/10/12</u>	SCHOOL	<u>Arrowview Richardson</u>
ADDENDUM NO.	<u>3</u>	DATE RECEIVED	<u>2/13/12</u>	SCHOOL	<u>Arrowview</u>
ADDENDUM NO.	<u>4</u>	DATE RECEIVED	<u>2/27/13</u>	SCHOOL	<u>Arrowview</u>
ADDENDUM NO.	<u>5</u>	DATE RECEIVED	<u>3/19/13</u>	SCHOOL	<u>Arrowview</u>

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

Addendum No.	<u>2</u>	<u>1 1 "</u>	<u>2/27/13</u>	<u>"</u>	<u>Golden Valley</u>
	<u>1 1</u>	<u>3 "</u>	<u>3/19/13</u>	<u>"</u>	<u>Golden Valley</u>
	<u>1 1</u>	<u>3 "</u>	<u>2/27/13</u>	<u>"</u>	<u>Richardson</u>
	<u>1 1</u>	<u>4 "</u>	<u>3/19/13</u>	<u>"</u>	<u>Richardson</u>

SBCUSD:

Bid Form

HVAC Upgrades at Arrowview, Golden Valley,  
and Richardson Prep. Middle Schools (Group B projects)

BID# F11-02B



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) \$ 2,498,000

BID AMOUNTS FOR GROUP B

<u>DESCRIPTION</u>		<u>LUMP SUM BID AMOUNT</u>
3.1	<b>Arrowview MS</b>	
3.1.A	BASE BID NOT INCLUDING ALLOWANCES (Amount in Numbers)	\$ 610,000
3.1.B	ALLOWANCES (Amount in Numbers)	\$ 50,000
3.1.C	TOTAL BASE BID INCLUDING ALLOWANCE (3.1.A+3.1.B) (Amount in Numbers)	\$ 660,000

3.2	<b>Golden Valley MS</b>	
3.2.A	BASE BID NOT INCLUDING ALLOWANCES (Amount in Numbers)	\$ 817,000
3.2.B	ALLOWANCES (Amount in Numbers)	\$ 75,000
3.2.C	TOTAL BASE BID INCLUDING ALLOWANCE (3.2.A+3.2.B) (Amount in Numbers)	\$ 892,000

3.3	<b>Richardson Prep MS</b>	
3.3.A	BASE BID NOT INCLUDING ALLOWANCES (Amount in Numbers)	\$ 876,000
3.3.B	ALLOWANCES (Amount in Numbers)	\$ 70,000
3.3.C	TOTAL BASE BID INCLUDING ALLOWANCE (3.3.A+3.3.B) (Amount in Numbers)	\$ 946,000

3.4	<b>Group B - Total</b>	
3.4.A	TOTAL BASE BID INCLUDING ALLOWANCES FOR ARROWVIEW MS, GOLDEN VALLEY MS, AND RICHARDSON PREP MS (3.1.C+3.2.C+3.3.C) (Amount in Numbers)	\$ 2,498,000

TOTAL BASE BID (including Allowance) AMOUNT IN WORDS Two Million  
Four Hundred Ninety Eight Thousand Dollars

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

SBCUSD:

Bid Form

HVAC Upgrades at Arrowview, Golden Valley,  
and Richardson Prep. Middle Schools (Group B projects)  
BID# F11-02B

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) \_\_\_\_\_ \$ 48,000.<sup>00</sup>  
Alternate 2 (Add) \_\_\_\_\_ \$ 28,000.<sup>00</sup>

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

Unit Cost #1 \_\_\_\_\_ \$ 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.
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

SBCUSD:

Bid Form

HVAC Upgrades at Arrowview, Golden Valley,  
and Richardson Prep. Middle Schools (Group B projects)  
BID# F11-02B

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 &amp; B</u>	<u>09/30/2013</u>
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

SBCUSD

Bid Form

HVAC Upgrades at Arrowview, Golden Valley,  
 and Richardson Prep. Middle Schools (Group B projects)  
**BID# F11-02B**

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 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.

SBCUSD

Bid Form

---

HVAC Upgrades at Arrowview, Golden Valley,  
and Richardson Prep. Middle Schools (Group B projects)  
**BID# F11-02B**

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 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

SBCUSD

Bid Form

HVAC Upgrades at Arrowview, Golden Valley,  
and Richardson Prep. Middle Schools (Group B projects)  
BID# F11-02B

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 Arrowview, Golden Valley,  
and Richardson Prep. Middle Schools (Group B projects)  
BID NUMBER :F11-02B

## 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 Arrowview, Golden Valley,  
and Richardson Prep. Middle Schools (Group B projects)  
BID# F11-02B

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
Electrical	Mike's Electric	7437 Caviota, San Luis Obispo, CA (818) 744-4661	518691
Fire Alarm	Quick Response	3142 Paseo Diosa San Juan Capistrano, CA (949) 412-7196	783832
<del>HVAC</del>	<del>Aramco Mechanical</del>	<del>861 W. Corning, San Dimas, CA (909) 592-8422</del>	<del>799523</del>
Asbestos	Castlerock Env.	10040 Printer Ave. Santa Fe Springs, CA (562) 941-9244	776105
Roof	Bell Roof Co.	636 South I St. San Bernardino, CA (909) 885-6863	119946
HVAC	Air Design Solutions	403 S. Monteblanco Blvd Montebello, CA (323) 727-5208	953818
Insulation	ROD Insulations	9702 Khyngan St South El Monte, CA (626) 579-4691	623668

Horizons Construction Co. Intl, Inc.  
NAME OF BIDDER

Signature: \_\_\_\_\_

Attachment No. 4 to Bid Form

SBCUSD:

HVAC Upgrades at Arrowview, Golden Valley,  
and Richardson Prep. Middle Schools (Group B projects)  
BID# F11-02B

Title: V. President