

**Bid No. F19-01 - Prop 39 EEP3- Electrical****BID OPENING**

March 7th 2019 @ 2:00pm
SBCUSD - SMART BUILDING 793 NORTH E STREET
San Bernardino, CA 92410

**Bid Results & 3 Lowest Bids Subcontractor Lists Available at
Facilities website under the procurements tab by bid number:
<http://sbcusdfacilities.com/transforming-schools/bid-opportunities>**

	CONTRACTOR (Name, City, State)	BID AMOUNT
1	RETROTEK ENERGY, VISTA, CA	\$ 2,153,040.00
2	CLEARBLUE ENERGY, SAN DIEGO, CA	\$ 2,189,802.00
3	BAKER ELECTRIC, ESCONDIDO, CA	\$ 2,355,200.00
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BID OPENING SIGN-IN SHEET

Bid No. F19-01 – Prop 39 EEP3 Mechanical & Electrical

March 7th 2019 @ 2:00pm

Smart Building 793 North E Street, San Bernardino, Ca 92410

NAME	COMPANY	PHONE	E-MAIL
Jacob Johnson	Allison Mechanical	909 478 5633	jjohnso@Allison1.net
Rachel Monaghan	IES	(805) 212-2262	rachel.monaghan@siteology.com
Shaun Ayvazi	ENCOR / Masa	949-431-9352	sayvazi@encor.net
Dylan Smith	CLEARBLUE ENERGY CORP	888-450-2232	DSMITH@CBESCO.COM
Thierry Abimaden	RAN Enterprises Inc.	(714) 242-2688	Thierry@ranent.com
Ron Howard	Petra-Tek ES	(760) 644-2458	ron@retrotekes.com
Don Gashy	NKS Mechanical	714 614-4565	DGashy@NKS Mechanical.com
Melanie Brisher	Baker Electric	760 745 2001	mbrisher@baker-electric.com

**SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT
BID COVER SHEET – ADDENDUM # 4 REVISION**

BID NO.: F19-01

BID DUE: March 7, 2019 @ 2:00 PM

PROJECT NAME: PROP 39 EEP3 – PH 2 MECHANICAL & PH 3 ELECTRICAL ENERGY MODIFICATIONS

CHECK THE BOX FOR THE BIDDING PACKAGE

(IF BIDDING FOR BOTH PROJECTS – CHECK BOTH BOXES AND ONLY ONE BID FORM IS REQUIRED)

☐

PACKAGE # 1 - HVAC

CAJON HS, INDIAN SPRINGS HS, SAN GORGONIO HS, SHANDIN HILLS MS, PACIFIC HS

☒

PACKAGE # 2 – ELECTRICAL

ARROYO VALLEY HS, PACIFIC HS, SAN BERNARDINO HS & CESAR CHAVEZ MS

THE WORK UNDER THIS BID IS A PROJECT OF: FACILITIES DEPARTMENT

BID PACKAGE: PACKAGE #2- ELECTRICAL

BIDDER/CONTRACTOR: RETRO-TEK ENERGY SERVICES, INC.

BIDDER CONTACT: BRADLEY HOWARD

BIDDER ADDRESS: 269 WOODLAND DRIVE, VISTA, CA 92083

BIDDER TELEPHONE: (760) 643-0307

BIDDER EMAIL: brad@retrotekes.com

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
- ☒ 7 – Certificate Regarding Workers' Compensation
- ☒ 8 – Acknowledgement of Bidding Practices Regarding Indemnity Form
- ☒ 9 – Local Business Outreach Program (LBOP) Form

SUBMIT BID TO: **BID BOX - PURCHASING DEPARTMENT
SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT
Smart Building
793 NORTH "E" STREET
SAN BERNARDINO, CA 92410**

NOTE: This sheet must be completed and affixed to the outside of the bid envelope.

BID FORM

SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

Project: PROP 39 EEP3 – PH 2 MECHANICAL & PH 3 ELECTRICAL ENERGY MODIFICATIONS

Project Sites: SAN BERNARDINO HS, ARROYO VALLEY HS, PACIFIC HS AND CHAVEZ HS

Bid No. F19-01

CONTRACTOR
NAME: RETRO-TEK ENERGY SERVICES, INC.

DIR
REGISTRATION
NUMBER: 1000006217

ADDRESS: 269 WOODLAND DRIVE
VISTA, CA 92083

TELEPHONE: (760) 643-0307

FAX: (760) 639-1974

EMAIL: brad@retrotekes.com

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

1. Pursuant to and in compliance with your Notice Inviting Bids and other documents relating thereto, the undersigned bidder, having familiarized himself with the terms of the contract, the local conditions affecting the performance of the contract, the cost of the work at the place where the work is to be done, with the drawings and specifications, and other contract documents, hereby proposes and agrees to perform within the time stipulated, the contract, including all of its component parts, and everything required to be performed, including its acceptance by the DISTRICT, and to provide and furnish any and all labor, materials, tools, expendable equipment, and utility and transportation services necessary to perform the contract and complete all of the work in a workmanlike manner required in connection with the construction of:

**BID NO. F19-01 PROP 39 EEP3 – PH 2 MECHANICAL &
PH 3 ELECTRICAL ENERGY MODIFICATIONS**

in the DISTRICT described above, all in strict conformance with the drawings and other contract documents on file at the Purchasing Office of said DISTRICT for amounts set forth herein.

2. Bidder acknowledges the following Addenda:

Number	Number	Number	Number	Number	Number	Number
<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u> </u>

3. **Total Base Bid – Package 1 – HVAC**

A. San Geronio HS	Base Bid (\$ <u> </u>)
B. Indian Springs HS	Base Bid (\$ <u> </u>)
C. Cajon HS	Base Bid (\$ <u> </u>)
D. Shandin Hills MS	Base Bid (\$ <u> </u>)
E. Pacific HS (Pool Heaters)	Base Bid (\$ <u> </u>)
F. Allowance	(\$ <u> 70,000.00 </u>)

TOTAL PRICE – JOB PACKAGE 1 – HVAC

(Base Bid A + Base Bid B + Base Bid C + Base Bid D + Base Bid E + Allowance F)

TOTAL CASH PURCHASE PRICE IN WORDS & NUMBERS:

_____ DOLLARS

(\$)

Total Base Bid – Package 2:

- UNIT PRICE – ATTACHMENT – COMPLETE UNIT PRICE FORMS (4 PAGES)**
ATTACHMENT AT THE END OF THIS SECTION

A. Electrical: San Bernardino HS	Base Bid (\$ <u>547,000.00</u>)
B. Electrical: Arroyo Valley HS	Base Bid (\$ <u>870,900.00</u>)
C. Electrical: Chavez MS	Base Bid (\$ <u>333,000.00</u>)

Electrical: Pacific HS (Below D-T)

D. Building B	Base Bid (\$ <u>28,350.00</u>)
E. Building C	Base Bid (\$ <u>36,090.00</u>)
F. Building D	Base Bid (\$ <u>31,340.00</u>)
G. Building E	Base Bid (\$ <u>30,395.00</u>)
H. Building F	Base Bid (\$ <u>30,270.00</u>)
I. Building G (East)	Base Bid (\$ <u>12,250.00</u>)
J. Building H (East)	Base Bid (\$ <u>11,860.00</u>)
K. Building I	Base Bid (\$ <u>17,655.00</u>)
L. Building M	Base Bid (\$ <u>11,540.00</u>)
M. Building M	Base Bid (\$ <u>SEE ABOVE "M"</u>)
N. Building N	Base Bid (\$ <u>10,040.00</u>)
O. Building O	Base Bid (\$ <u>14,900.00</u>)
P. Building P	Base Bid (\$ <u>42,400.00</u>)
Q. Building W	Base Bid (\$ <u>11,890.00</u>)
R. Building X	Base Bid (\$ <u>18,610.00</u>)
S. Building Y	Base Bid (\$ <u>8,185.00</u>)
T. Building Z	Base Bid (\$ <u>6,365.00</u>)
U. Allowance	(\$ <u>80,000.00</u>)

- Total Price – Job Package 2 – see next page**

TOTAL PRICE – JOB PACKAGE 2

(Base Bid A+ B+ C + D + E + F + G + H + I + J + K + L + M + N + O + P + Q + R + S + T + U Allowance)

TOTAL CASH PURCHASE PRICE IN WORDS & NUMBERS:

TWO MILLION ONE HUNDRED FIFTY THREE THOUSAND AND FORTY _____ DOLLARS

(\$ 2,153,040.00)

**** SEE UNIT PRICE ATTACHMENT AT THE END OF THIS SECTION**

4. Alternate Bids: N/A

5. TIME FOR COMPLETION: The DISTRICT may give a notice to proceed within ninety (90) days of the award of the bid by the DISTRICT. Once the CONTRACTOR has received the notice to proceed, the CONTRACTOR shall complete the work in the time specified in the Agreement. By submitting this bid, CONTRACTOR has thoroughly studied this Project and agrees that the time period for this Project was adequate for the timely and proper completion of the Project. Further, CONTRACTOR has included in the analysis of the time required for this Project, Rain Days, Governmental Delays, and the requisite time to complete Punch List.

In the event that the DISTRICT desires to postpone giving the notice to proceed beyond this ninety (90) day period, it is expressly understood that with reasonable notice to the CONTRACTOR, giving the notice to proceed may be postponed by the DISTRICT. It is further expressly understood by the CONTRACTOR, that the CONTRACTOR shall not be entitled to any claim of additional compensation as a result of the postponement of giving the notice to proceed.

If the CONTRACTOR believes that a postponement will cause a hardship to it, the CONTRACTOR may terminate the contract with written notice to the DISTRICT within ten (10) days after receipt by the CONTRACTOR of the DISTRICT's notice of postponement. Should the CONTRACTOR terminate the contract as a result of a notice of postponement, the DISTRICT shall have the authority to award the contract to the next lowest responsible bidder, if applicable.

It is understood that the DISTRICT reserves the right to reject any or all bids and/or waive any irregularities or informalities in this bid or in the bid process. The CONTRACTOR understands that it may not withdraw this bid for a period of ninety (90) days after the date set for the opening of bids.

6. Attached is bid security in the amount of not less than ten percent (10%) of the total bid:
Bid bond (10% of the Bid), certified check, or cashier's check (circle one)

7. The required List of Designated Subcontractors is attached hereto.

8. The required Non-Collusion Declaration is attached hereto.

9. The Substitution Request Form, if applicable, is attached hereto.

10. It is understood and agreed that if written notice of the acceptance of this bid is mailed, telegraphed, 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 contract in the form attached hereto in accordance with the bid as accepted, and that he will also furnish and deliver to the DISTRICT the Performance Bond and Payment Bond, all within **five (5) calendar days** after award of contract, and that the work under the contract shall be commenced by the undersigned bidder, if awarded the contract, by the start date provided in the DISTRICT's Notice to Proceed, and shall be completed by the CONTRACTOR in the time specified in the contract documents.
11. All notices or other correspondence should be addressed to the undersigned at the address stated below:

The names of all persons interested in the foregoing proposal as principals are as follows:

RETRO-TEK ENERGY SERVICES, INC.

(IMPORTANT NOTICE: If bidder or other interested person is a corporation, state the legal name of such corporation, as well as the names of the president, secretary, treasurer, and manager thereof; if a co-partnership, state the true names of the firm, as well as the names of all individual co-partners comprising the firm; if bidder or other interested person is an individual, state the first and last names in full.)

12. PROTEST PROCEDURES. If there is a bid protest, the grounds shall be submitted as set forth in the Instructions to Bidders.
13. The undersigned bidder shall be licensed and shall provide the following California Contractor's license information:

License Number: 794327

License expiration date: 05/31/21

Name on License: RETRO-TEK ENERGY SERVICES, INC.

Class of License: C-10

DIR Registration Number: 1000006217

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

14. Time is of the essence regarding this contract, therefore, in the event the bidder to whom the Contract is awarded fails or refuses to post the required bonds and return executed copies of the Agreement form within **five (5) calendar days** from the date of receiving the Notice of Award, the DISTRICT may declare the bidder's bid deposit or bond forfeited as damages.

15. The bidder declares that he/she has carefully examined the location of the proposed work, that he/she has examined the Contract Documents, including the Plans, General Conditions of the contract, Supplemental Conditions, Addenda, and Specifications, all other documents issued to bidders and read the accompanying instructions to bidders, and hereby proposes and agrees, if this proposal is accepted, to furnish all materials and do all work required to complete the said work in accordance with the Contract Documents, in the time and manner therein prescribed for the unit cost and lump sum amounts set forth in this Bid Form.
16. Debarment. In addition to seeking remedies for False Claims under Government Code Section 12650 et seq. and Penal Code Section 72, the District may debar a Contractor pursuant to Article 15 of the General Conditions if the Board, or the Board may designate a hearing officer who, in his or her discretion, finds the Contractor has done any of the following:
- a. Intentionally or with reckless disregard, violated any term of a contract with the District;
 - b. Committed an act or omission which reflects on the Contractor's quality, fitness or capacity to perform work for the District;
 - c. Committed an act or offense which indicates a lack of business integrity or business honesty; or,
 - d. Made or submitted a false claim against the District or any other public entity (See Government Code Sections 12650, et. seq., and Penal Code Section 72)
17. Designation of Subcontractors: In compliance with the Subletting and Subcontracting Fair Practices Act (California Public Contract Code Sections 4100 et. seq.) and any amendments thereof, each bidder shall list subcontractors on the District's form Subcontractor list. This subcontractor list shall be submitted with the bid and is a required form.
18. Bid Certification
I agree to receive service of notices at the e-mail address listed below.
- I, the below-indicated bidder, declare under penalty of perjury that the information provided and representations made in this bid are true and correct.

RETRO-TEK ENERGY SERVICES, INC.

Proper Name of Company

BRADLEY HOWARD

Name of Bidder Representative

269 WOODLAND DRIVE

Street Address

VISTA, CA 92083

City, State, and Zip

(760) 643-0307

Phone Number

(760) 639-1974

Fax Number

brad@retrotekes.com

E-mail

By:

Signature of Bidder Representative

Date: 03/06/19

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 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 signature shall be placed above.

All signatures must be made in permanent blue ink.



ATTACHMENT NO. 1 TO BID FORM

NON-COLLUSION DECLARATION TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

(Public Contract Code Section 7106)

(Prime Bidder)

The undersigned declares:

I am the GENERAL MANAGER of RETRO-TEK ENERGY SERVICES, INC.
(Title) (Name of Bidder)

the party making the foregoing bid.

The bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation. The bid is genuine and not collusive or sham. The bidder has not directly or indirectly induced or solicited any other bidder to put in a sham bid, or to refrain from bidding. The bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder. All statements contained in the bid are true. The bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof, to effectuate a collusive or sham bid, and has not paid, and will not pay, any person or entity for such purpose.

Any person executing this declaration on behalf of a bidder that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that he or she has full power to execute, and does execute, this declaration on behalf of the bidder.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration is executed on this 6TH day of MARCH 2019 at VISTA, CALIFORNIA.



(Signature)

BRADLEY HOWARD

(Name)

ATTACHMENT NO. 2 TO BID FORM

SITE VISIT CERTIFICATION

I certify that I have visited the site(s) of the proposed work and have fully acquainted myself with the conditions relating to construction and labor. I fully understand the facilities, difficulties and restrictions associated with the execution of the work under contract.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

I fully indemnify **SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT**, the ARCHITECT, the PROGRAM MANAGER, the CONSTRUCTION MANAGER and all of their respective officers, agents, employees and consultants from any damage or omissions, related to conditions that could have been identified during my visit to the site.



Signature of Bidder

BRADLEY HOWARD, GENERAL MANAGER

Typed Name of Bidder

State of California }
County of San Bernardino }ss

Subscribed and sworn to (or affirmed) before me on this _____ day of _____, 20

By _____, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature _____

(Notary Seal)

See attached California
All-Purpose Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Diego

On 3/7/2019 before me, H. Kristine Murray
Date Here Insert Name and Title of the Officer

personally appeared Bradley J. Howard
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Place Notary Seal Above



OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Attachment No 2 To Bid From

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

ATTACHMENT NO. 3 TO BID FORM

CERTIFICATION OF COMPLIANCE WITH DVBE POLICY

Bid No.: F19-01

Project: PROP 39 EEP3- PHASE 3 ELECTRICAL ENERGY MODIFICATIONS

Policy No.: 3323 Disabled Veteran Business Enterprises

Project agreements for the construction and/or modernization of school facilities which are approved for funding by the State Allocation Board shall include the following language:

1. As required by the Education Code Section 17076.11, this Board has a participation goal for Disabled Veteran Business Enterprises of three percent, per year, of the overall dollar amount of funds allocated to the District by the State Allocation Board pursuant to the Leroy F. Greene School Facilities Act of 1998 for construction or modernization and expended each year by the District.
2. At the time of execution of a contract, the Contractor will provide a statement to the District of anticipated participation of Disabled Veteran Business Enterprises in the contract. Prior to, and as a condition for final payment under any contract for such project, the Contractor shall provide appropriate documentation to the District identifying the amount paid to Disabled Veteran Business Enterprises in conjunction with the Contract, so that the District can assess its success at meeting this goal.
3. The Superintendent or designee shall devise a process for the implementation of this policy as defined in the Education Code and shall make any necessary revision to keep the policy current with State legislation.

Tentative Board Date: _____

The bidder/contractor agrees to comply with the above District DVBE policy:

Bidder/Contractor: RETRO-TEK ENERGY SERVICES, INC.

Signature:  _____

Date: 03/06/19

ATTACHMENT NO. 4 TO BID FORM

DESIGNATION OF SUBCONTRACTORS

In compliance with the Subletting and Subcontracting Fair Practices Act (California Public Contract Code Sections 4100 et. seq.) and any amendments thereof, each bidder shall set forth below: (a) the name, license number, and location of the place of business of each subcontractor who will perform work or labor or render service to the contractor, who will perform work or labor or work or improvement to be performed under this contract, or a subcontractor licensed by the State of California who, under subcontract to the contractor, specially fabricates and installs a portion of the work or improvements according to detailed drawings contained in the plans and specifications in an amount in excess of one-half of one percent of the contractor's total bid; and (b) the portion and description of the work which will be done by each subcontractor under this Act. The contractor shall list only one subcontractor for each such portion as is defined by the contractor in this bid. All subcontractors shall be properly licensed by the California State Licensing Board.

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

No contractor whose bid is accepted shall (a) substitute any subcontractor, (b) permit any subcontractor to be voluntarily assigned or transferred or allow the relevant portion of the work 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 contractor's total bid where the 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 contractor's total bid where 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.

All subcontractors (of any tier) performing any portion of the Work must comply with the Labor Code sections 1725.5 and 1771.1 and must be properly and currently registered with the California Department of Industrial Relations and qualified to perform public works pursuant to Labor Code section 1725.5 throughout the duration of the Project.

NOTE: If alternate bids are called for and bidder intends to use different or additional subcontractors on the alternates, a separate list of subcontractors must be provided for each such alternate.

DESIGNATION OF SUBCONTRACTORS FORM

Scope of Work	Name of Subcontractor	Business Address	E-mail / Telephone	License Type & Number	DIR Registration Number
NONE					

Proper Name of Bidder: RETRO-TEK ENERGY SERVICES, INC.

Date: 03/06/19

Name: BRADLEY HOWARD, GENERAL MANAGER

Signature of Bidder Representative:

Address: 269 WOODLAND DRIVE, VISTA, CA 92083

Phone: (760) 643-0307

**SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT
BID COVER SHEET – ADDENDUM # 4 REVISION**

BID NO.: F19-01

BID DUE: March 7, 2019 @ 2:00 PM

PROJECT NAME: PROP 39 EEP3 – PH 2 MECHANICAL & PH 3 ELECTRICAL ENERGY MODIFICATIONS

CHECK THE BOX FOR THE BIDDING PACKAGE

(IF BIDDING FOR BOTH PROJECTS – CHECK BOTH BOXES AND ONLY ONE BID FORM IS REQUIRED)

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PACKAGE # 1 - HVAC

CAJON HS, INDIAN SPRINGS HS, SAN GORGONIO HS, SHANDIN HILLS MS, PACIFIC HS

☒

PACKAGE # 2 – ELECTRICAL

ARROYO VALLEY HS, PACIFIC HS, SAN BERNARDINO HS & CESAR CHAVEZ MS

THE WORK UNDER THIS BID IS A PROJECT OF: FACILITIES DEPARTMENT

BID PACKAGE: Package # 2 - Electrical
BIDDER/CONTRACTOR: Clear Blue Energy Corp
BIDDER CONTACT: Aaron Abood
BIDDER ADDRESS: 17150 Via Del Campo Suite 203, San Diego, CA 92127
BIDDER TELEPHONE: 888-450-2232
BIDDER EMAIL: aaron@cbesco.com

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)
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SUBMIT BID TO: **BID BOX - PURCHASING DEPARTMENT**
SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT
Smart Building
793 NORTH "E" STREET
SAN BERNARDINO, CA 92410

NOTE: This sheet must be completed and affixed to the outside of the bid envelope.

BID FORM

SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

Project: PROP 39 EEP3 – PH 2 MECHANICAL & PH 3 ELECTRICAL ENERGY MODIFICATIONS

Project Sites: Arroyo Valley HS, San Bernardino HS, Pacific HS, & Cesar Chavez MS

Bid No. F19-01

CONTRACTOR
NAME: Clear Blue Energy Corp

DIR
REGISTRATION
NUMBER: 1000039375

ADDRESS: 17150 Via Del Campo Suite 203
San Diego, CA 92127

TELEPHONE: (888) 450-2232

FAX: (866) 458-5062

EMAIL: aaron@cbesco.com

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

1. Pursuant to and in compliance with your Notice Inviting Bids and other documents relating thereto, the undersigned bidder, having familiarized himself with the terms of the contract, the local conditions affecting the performance of the contract, the cost of the work at the place where the work is to be done, with the drawings and specifications, and other contract documents, hereby proposes and agrees to perform within the time stipulated, the contract, including all of its component parts, and everything required to be performed, including its acceptance by the DISTRICT, and to provide and furnish any and all labor, materials, tools, expendable equipment, and utility and transportation services necessary to perform the contract and complete all of the work in a workmanlike manner required in connection with the construction of:

**BID NO. F19-01 PROP 39 EEP3 – PH 2 MECHANICAL &
PH 3 ELECTRICAL ENERGY MODIFICATIONS**

in the DISTRICT described above, all in strict conformance with the drawings and other contract documents on file at the Purchasing Office of said DISTRICT for amounts set forth herein.

2. Bidder acknowledges the following Addenda:

Number 1	Number 2	Number 3	Number 4	Number 5	Number 6	Number
_____	_____	_____	_____	_____	_____	_____

3. **Total Base Bid – Package 1 – HVAC**

A. San Gorgonio HS	Base Bid (\$ _____)
B. Indian Springs HS	Base Bid (\$ _____)
C. Cajon HS	Base Bid (\$ _____)
D. Shandin Hills MS	Base Bid (\$ _____)
E. Pacific HS (Pool Heaters)	Base Bid (\$ _____)
F. Allowance	(\$ _____ 70,000.00 _____)

TOTAL PRICE – JOB PACKAGE 1 – HVAC

(Base Bid A + Base Bid B + Base Bid C + Base Bid D + Base Bid E + Allowance F)

TOTAL CASH PURCHASE PRICE IN WORDS & NUMBERS:

_____ DOLLARS

(\$ _____)

Total Base Bid – Package 2:

- **UNIT PRICE – ATTACHMENT – COMPLETE UNIT PRICE FORMS (4 PAGES)**
ATTACHMENT AT THE END OF THIS SECTION

A. Electrical: San Bernardino HS	Base Bid (\$ <u>531,655.00</u>)
B. Electrical: Arroyo Valley HS	Base Bid (\$ <u>820,719.00</u>)
C. Electrical: Chavez MS	Base Bid (\$ <u>325,406.00</u>)

Electrical: Pacific HS (Below D-T)

D. Building B	Base Bid (\$ <u>31,114.00</u>)
E. Building C	Base Bid (\$ <u>39,564.00</u>)
F. Building D	Base Bid (\$ <u>31,767.00</u>)
G. Building E	Base Bid (\$ <u>31,406.00</u>)
H. Building F	Base Bid (\$ <u>31,534.00</u>)
I. Building G (East)	Base Bid (\$ <u>12,878.00</u>)
J. Building H (East)	Base Bid (\$ <u>13,174.00</u>)
K. Building I	Base Bid (\$ <u>18,849.00</u>)
L. Building M Building Q	Base Bid (\$ <u>23,688.00</u>)
M. Building M	Base Bid (\$ <u>15,377.00</u>)
N. Building N	Base Bid (\$ <u>12,692.00</u>)
O. Building O	Base Bid (\$ <u>13,605.00</u>)
P. Building P	Base Bid (\$ <u>29,634.00</u>)
Q. Building W	Base Bid (\$ <u>14,534.00</u>)
R. Building X	Base Bid (\$ <u>20,162.00</u>)
S. Building Y	Base Bid (\$ <u>16,839.00</u>)
T. Building Z	Base Bid (\$ <u>19,181.00</u>)
U. Allowance	(\$ <u>80,000.00</u>)
V. Building A	Base Bid (\$ <u>24,761.00</u>)
W. Exterior	Base Bid (\$ <u>31,263.00</u>)

- **Total Price – Job Package 2 – see next page**

TOTAL PRICE – JOB PACKAGE 2

(Base Bid A+ B+ C+ D+ E+ F+ G+ H+ I+ J+ K+ L+ M+ N+ O+ P+ Q+ R+ S+ T+ U Allowance) + V + W)

TOTAL CASH PURCHASE PRICE IN WORDS & NUMBERS:

Two million one hundred eighty-nine thousand

eight hundred two 0/100 DOLLARS

(\$ 2,189,802.00)

**** SEE UNIT PRICE ATTACHMENT AT THE END OF THIS SECTION**

4. Alternate Bids: N/A

5. **TIME FOR COMPLETION:** The DISTRICT may give a notice to proceed within ninety (90) days of the award of the bid by the DISTRICT. Once the CONTRACTOR has received the notice to proceed, the CONTRACTOR shall complete the work in the time specified in the Agreement. By submitting this bid, CONTRACTOR has thoroughly studied this Project and agrees that the time period for this Project was adequate for the timely and proper completion of the Project. Further, CONTRACTOR has included in the analysis of the time required for this Project, Rain Days, Governmental Delays, and the requisite time to complete Punch List.

In the event that the DISTRICT desires to postpone giving the notice to proceed beyond this ninety (90) day period, it is expressly understood that with reasonable notice to the CONTRACTOR, giving the notice to proceed may be postponed by the DISTRICT. It is further expressly understood by the CONTRACTOR, that the CONTRACTOR shall not be entitled to any claim of additional compensation as a result of the postponement of giving the notice to proceed.

If the CONTRACTOR believes that a postponement will cause a hardship to it, the CONTRACTOR may terminate the contract with written notice to the DISTRICT within ten (10) days after receipt by the CONTRACTOR of the DISTRICT's notice of postponement. Should the CONTRACTOR terminate the contract as a result of a notice of postponement, the DISTRICT shall have the authority to award the contract to the next lowest responsible bidder, if applicable.

It is understood that the DISTRICT reserves the right to reject any or all bids and/or waive any irregularities or informalities in this bid or in the bid process. The CONTRACTOR understands that it may not withdraw this bid for a period of ninety (90) days after the date set for the opening of bids.

6. Attached is bid security in the amount of not less than ten percent (10%) of the total bid:

Bid bond (10% of the Bid), certified check, or cashier's check (circle one)

7. The required List of Designated Subcontractors is attached hereto.
8. The required Non-Collusion Declaration is attached hereto.
9. The Substitution Request Form, if applicable, is attached hereto.

10. It is understood and agreed that if written notice of the acceptance of this bid is mailed, telegraphed, 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 contract in the form attached hereto in accordance with the bid as accepted, and that he will also furnish and deliver to the DISTRICT the Performance Bond and Payment Bond, all within **five (5) calendar days** after award of contract, and that the work under the contract shall be commenced by the undersigned bidder, if awarded the contract, by the start date provided in the DISTRICT's Notice to Proceed, and shall be completed by the CONTRACTOR in the time specified in the contract documents.

11. All notices or other correspondence should be addressed to the undersigned at the address stated below:

The names of all persons interested in the foregoing proposal as principals are as follows:

Legal Name: Clear Blue Energy Corp

President: Paul Santina

Secretary: Jim Kelly

Treasurer: Paul Santina

Manager: Jim Kelly (seal)

(IMPORTANT NOTICE: If bidder or other interested person is a corporation, state the legal name of such corporation, as well as the names of the president, secretary, treasurer, and manager thereof; if a co-partnership, state the true names of the firm, as well as the names of all individual co-partners comprising the firm; if bidder or other interested person is an individual, state the first and last names in full.)

12. PROTEST PROCEDURES. If there is a bid protest, the grounds shall be submitted as set forth in the Instructions to Bidders.

13. The undersigned bidder shall be licensed and shall provide the following California Contractor's license information:

License Number: 951112
License expiration date: 8/31/20
Name on License: Clear Blue Energy Corp
Class of License: C-10
DIR Registration Number: 1000039375

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

14. Time is of the essence regarding this contract, therefore, in the event the bidder to whom the Contract is awarded fails or refuses to post the required bonds and return executed copies of the Agreement form within **five (5) calendar days** from the date of receiving the Notice of Award, the DISTRICT may declare the bidder's bid deposit or bond forfeited as damages.

15. The bidder declares that he/she has carefully examined the location of the proposed work, that he/she has examined the Contract Documents, including the Plans, General Conditions of the contract, Supplemental Conditions, Addenda, and Specifications, all other documents issued to bidders and read the accompanying instructions to bidders, and hereby proposes and agrees, if this proposal is accepted, to furnish all materials and do all work required to complete the said work in accordance with the Contract Documents, in the time and manner therein prescribed for the unit cost and lump sum amounts set forth in this Bid Form.
16. Debarment. In addition to seeking remedies for False Claims under Government Code Section 12650 et seq. and Penal Code Section 72, the District may debar a Contractor pursuant to Article 15 of the General Conditions if the Board, or the Board may designate a hearing officer who, in his or her discretion, finds the Contractor has done any of the following:
- a. Intentionally or with reckless disregard, violated any term of a contract with the District;
 - b. Committed an act or omission which reflects on the Contractor's quality, fitness or capacity to perform work for the District;
 - c. Committed an act or offense which indicates a lack of business integrity or business honesty; or,
 - d. Made or submitted a false claim against the District or any other public entity (See Government Code Sections 12650, et. seq., and Penal Code Section 72)
17. Designation of Subcontractors: In compliance with the Subletting and Subcontracting Fair Practices Act (California Public Contract Code Sections 4100 et. seq.) and any amendments thereof, each bidder shall list subcontractors on the District's form Subcontractor list. This subcontractor list shall be submitted with the bid and is a required form.
18. Bid Certification
I agree to receive service of notices at the e-mail address listed below.
- I, the below-indicated bidder, declare under penalty of perjury that the information provided and representations made in this bid are true and correct.

Clear Blue Energy Corp

Proper Name of Company

Paul Santina

Name of Bidder Representative

17150 Via Del Campo Suite 203

Street Address

San Diego, CA 92127

City, State, and Zip

888-450-2232

866-458-5062

Phone Number

Fax Number

aaron@cbesco.com

E-mail

By:

Signature of Bidder Representative

Date:

3/1/19

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 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 signature shall be placed above.

All signatures must be made in permanent blue ink.

ATTACHMENT NO. 1 TO BID FORM

NON-COLLUSION DECLARATION TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

(Public Contract Code Section 7106)

(Prime Bidder)

The undersigned declares:

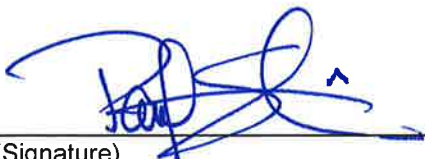
I am the CEO of Clear Blue Energy Corp
(Title) (Name of Bidder)

the party making the foregoing bid.

The bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation. The bid is genuine and not collusive or sham. The bidder has not directly or indirectly induced or solicited any other bidder to put in a sham bid, or to refrain from bidding. The bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder. All statements contained in the bid are true. The bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof, to effectuate a collusive or sham bid, and has not paid, and will not pay, any person or entity for such purpose.

Any person executing this declaration on behalf of a bidder that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that he or she has full power to execute, and does execute, this declaration on behalf of the bidder.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration is executed on this 1st day of March 2019 at San Diego, CA.


(Signature)

Paul Santina
(Name)

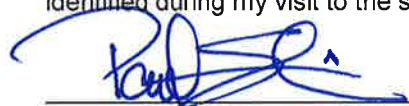
ATTACHMENT NO. 2 TO BID FORM

SITE VISIT CERTIFICATION

I certify that I have visited the site(s) of the proposed work and have fully acquainted myself with the conditions relating to construction and labor. I fully understand the facilities, difficulties and restrictions associated with the execution of the work under contract.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

I fully indemnify **SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT**, the ARCHITECT, the PROGRAM MANAGER, the CONSTRUCTION MANAGER and all of their respective officers, agents, employees and consultants from any damage or omissions, related to conditions that could have been identified during my visit to the site.



Signature of Bidder

Paul Santana, CEO

Typed Name of Bidder

State of California }
County of ~~San Bernardino~~ } ss
San Diego

Subscribed and sworn to (or affirmed) before me on this 1st day of March, 20 19

By Paul Santana, CEO, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature 

(Notary Seal)



ATTACHMENT NO. 3 TO BID FORM

CERTIFICATION OF COMPLIANCE WITH DVBE POLICY

Bid No.: F19-01 Prop 39 EEP3

Project: PH3 - Electrical Energy Modifications

Policy No.: 3323 Disabled Veteran Business Enterprises

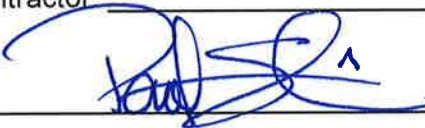
Project agreements for the construction and/or modernization of school facilities which are approved for funding by the State Allocation Board shall include the following language:

1. As required by the Education Code Section 17076.11, this Board has a participation goal for Disabled Veteran Business Enterprises of three percent, per year, of the overall dollar amount of funds allocated to the District by the State Allocation Board pursuant to the Leroy F. Greene School Facilities Act of 1998 for construction or modernization and expended each year by the District.
2. At the time of execution of a contract, the Contractor will provide a statement to the District of anticipated participation of Disabled Veteran Business Enterprises in the contract. Prior to, and as a condition for final payment under any contract for such project, the Contractor shall provide appropriate documentation to the District identifying the amount paid to Disabled Veteran Business Enterprises in conjunction with the Contract, so that the District can assess its success at meeting this goal.
3. The Superintendent or designee shall devise a process for the implementation of this policy as defined in the Education Code and shall make any necessary revision to keep the policy current with State legislation.

Tentative Board Date: 3/19/19

The bidder/contractor agrees to comply with the above District DVBE policy:

Bidder/Contractor: Clear Blue Energy Corp

Signature: 

Date: 3/1/19

ATTACHMENT NO. 4 TO BID FORM

DESIGNATION OF SUBCONTRACTORS

In compliance with the Subletting and Subcontracting Fair Practices Act (California Public Contract Code Sections 4100 et. seq.) and any amendments thereof, each bidder shall set forth below: (a) the name, license number, and location of the place of business of each subcontractor who will perform work or labor or render service to the contractor, who will perform work or labor or work or improvement to be performed under this contract, or a subcontractor licensed by the State of California who, under subcontract to the contractor, specially fabricates and installs a portion of the work or improvements according to detailed drawings contained in the plans and specifications in an amount in excess of one-half of one percent of the contractor's total bid; and (b) the portion and description of the work which will be done by each subcontractor under this Act. The contractor shall list only one subcontractor for each such portion as is defined by the contractor in this bid. All subcontractors shall be properly licensed by the California State Licensing Board.

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

No contractor whose bid is accepted shall (a) substitute any subcontractor, (b) permit any subcontractor to be voluntarily assigned or transferred or allow the relevant portion of the work 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 contractor's total bid where the 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 contractor's total bid where 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.

All subcontractors (of any tier) performing any portion of the Work must comply with the Labor Code sections 1725.5 and 1771.1 and must be properly and currently registered with the California Department of Industrial Relations and qualified to perform public works pursuant to Labor Code section 1725.5 throughout the duration of the Project.

NOTE: If alternate bids are called for and bidder intends to use different or additional subcontractors on the alternates, a separate list of subcontractors must be provided for each such alternate.

DESIGNATION OF SUBCONTRACTORS FORM

[illegible]

Proper Name of Bidder: **Clear Blue Energy Corp**

Date: 3/1/19

Name: Paul Santina

Signature of Bidder Representative:

Address: 17150 Via Del Campo Suite 203, San Diego, CA 92127

Phone: 888-450-2232

**SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT
BID COVER SHEET – ADDENDUM # 4 REVISION**

BID NO.: F19-01

BID DUE: March 7, 2019 @ 2:00 PM

PROJECT NAME: PROP 39 EEP3 – PH 2 MECHANICAL & PH 3 ELECTRICAL ENERGY MODIFICATIONS

CHECK THE BOX FOR THE BIDDING PACKAGE

(IF BIDDING FOR BOTH PROJECTS – CHECK BOTH BOXES AND ONLY ONE BID FORM IS REQUIRED)

☐

PACKAGE # 1 - HVAC

CAJON HS, INDIAN SPRINGS HS, SAN GORGONIO HS, SHANDIN HILLS MS, PACIFIC HS

☒

PACKAGE # 2 – ELECTRICAL

ARROYO VALLEY HS, PACIFIC HS, SAN BERNARDINO HS & CESAR CHAVEZ MS

THE WORK UNDER THIS BID IS A PROJECT OF: FACILITIES DEPARTMENT

BID PACKAGE: Package #2 - Electrical
BIDDER/CONTRACTOR: Baker Electric, Inc.
BIDDER CONTACT: Melanie Bisher
BIDDER ADDRESS: 1298 Pacific Oaks Place, Escondido, CA 92029
BIDDER TELEPHONE: 760-745-2001
BIDDER EMAIL: mbisher@baker-electric.com

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
- ☒ 7 – Certificate Regarding Workers' Compensation
- ☒ 8 – Acknowledgement of Bidding Practices Regarding Indemnity Form
- ☒ 9 – Local Business Outreach Program (LBOP) Form

SUBMIT BID TO: **BID BOX - PURCHASING DEPARTMENT**
SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT
Smart Building
793 NORTH "E" STREET
SAN BERNARDINO, CA 92410

NOTE: This sheet must be completed and affixed to the outside of the bid envelope.

BID FORM

SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

Project: PROP 39 EEP3 – PH 2 MECHANICAL & PH 3 ELECTRICAL ENERGY MODIFICATIONS

Project Sites: PH3-Package #2: Arroyo Valley High School, Pacific High School, San Bernardino High School, Cesar Chavez Middle School

Bid No. F19-01

CONTRACTOR
NAME:

Baker Electric, Inc.

DIR
REGISTRATION
NUMBER:

1000000466

ADDRESS:

1298 Pacific Oaks Place

Escondido, CA 92029

TELEPHONE:

() 760-745-2001

FAX:

() 760-745-0321

EMAIL:

mbisher@baker-electric.com

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

1. Pursuant to and in compliance with your Notice Inviting Bids and other documents relating thereto, the undersigned bidder, having familiarized himself with the terms of the contract, the local conditions affecting the performance of the contract, the cost of the work at the place where the work is to be done, with the drawings and specifications, and other contract documents, hereby proposes and agrees to perform within the time stipulated, the contract, including all of its component parts, and everything required to be performed, including its acceptance by the DISTRICT, and to provide and furnish any and all labor, materials, tools, expendable equipment, and utility and transportation services necessary to perform the contract and complete all of the work in a workmanlike manner required in connection with the construction of:

**BID NO. F19-01 PROP 39 EEP3 – PH 2 MECHANICAL &
PH 3 ELECTRICAL ENERGY MODIFICATIONS**

in the DISTRICT described above, all in strict conformance with the drawings and other contract documents on file at the Purchasing Office of said DISTRICT for amounts set forth herein.

2. Bidder acknowledges the following Addenda:

Number	Number	Number	Number	Number	Number	Number
<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>

3. **Total Base Bid – Package 1 – HVAC**

A. San Geronio HS	Base Bid (\$ _____)
B. Indian Springs HS	Base Bid (\$ _____)
C. Cajon HS	Base Bid (\$ _____)
D. Shandin Hills MS	Base Bid (\$ _____)
E. Pacific HS (Pool Heaters)	Base Bid (\$ _____)
F. Allowance	(\$ 70,000.00)

TOTAL PRICE – JOB PACKAGE 1 – HVAC

(Base Bid A + Base Bid B + Base Bid C + Base Bid D + Base Bid E + Allowance F)

TOTAL CASH PURCHASE PRICE IN WORDS & NUMBERS:

_____ DOLLARS

(\$ _____)

Total Base Bid – Package 2:

- **UNIT PRICE – ATTACHMENT – COMPLETE UNIT PRICE FORMS (4 PAGES)**
ATTACHMENT AT THE END OF THIS SECTION

A. Electrical: San Bernardino HS	Base Bid (\$ <u>574,831.39</u>)
B. Electrical: Arroyo Valley HS	Base Bid (\$ <u>874,678.67</u>)
C. Electrical: Chavez MS	Base Bid (\$ <u>382,220.70</u>)

Electrical: Pacific HS (Below D-T)

D. Parking Lot/Site	Base Bid (\$ <u>26,262.38</u>)
E. Building A	Base Bid (\$ <u>23,538.43</u>)
F. Building B	Base Bid (\$ <u>30,024.67</u>)
G. Building C	Base Bid (\$ <u>39,710.56</u>)
H. Building D	Base Bid (\$ <u>33,405.72</u>)
I. Building E	Base Bid (\$ <u>32,089.53</u>)
J. Building F	Base Bid (\$ <u>31,807.56</u>)
K. Building G	Base Bid (\$ <u>13,994.02</u>)
L. Building H	Base Bid (\$ <u>14,172.10</u>)
M. Building I	Base Bid (\$ <u>18,482.82</u>)
N. Building M	Base Bid (\$ <u>15,361.00</u>)
O. Building N	Base Bid (\$ <u>17,133.34</u>)
P. Building O	Base Bid (\$ <u>15,339.03</u>)
Q. Building P	Base Bid (\$ <u>30,210.70</u>)
R. Building Q	Base Bid (\$ <u>27,356.67</u>)
S. Building W	Base Bid (\$ <u>15,202.56</u>)
T. Building X	Base Bid (\$ <u>21,781.40</u>)
U. Building Y	Base Bid (\$ <u>15,987.41</u>)
V. Building Z	Base Bid (\$ <u>21,609.34</u>)
W. Allowance	(\$ <u>80,000.00</u>)

- **Total Price – Job Package 2 – see next page**

TOTAL PRICE – JOB PACKAGE 2

(Base Bid A+ B+ C+ D+ E+ F+ G+ H+ I+ J+ K+ L+ M+ N+ O+ P+ Q+ R+ S+ T+ U Allowance)

TOTAL CASH PURCHASE PRICE IN WORDS & NUMBERS:

Two Million, Three Hundred Fifty Five Thousand, Two Hundred _____ DOLLARS

(\$ 2,355,200.00)

**** SEE UNIT PRICE ATTACHMENT AT THE END OF THIS SECTION**

4. Alternate Bids: N/A

5. TIME FOR COMPLETION: The DISTRICT may give a notice to proceed within ninety (90) days of the award of the bid by the DISTRICT. Once the CONTRACTOR has received the notice to proceed, the CONTRACTOR shall complete the work in the time specified in the Agreement. By submitting this bid, CONTRACTOR has thoroughly studied this Project and agrees that the time period for this Project was adequate for the timely and proper completion of the Project. Further, CONTRACTOR has included in the analysis of the time required for this Project, Rain Days, Governmental Delays, and the requisite time to complete Punch List.

In the event that the DISTRICT desires to postpone giving the notice to proceed beyond this ninety (90) day period, it is expressly understood that with reasonable notice to the CONTRACTOR, giving the notice to proceed may be postponed by the DISTRICT. It is further expressly understood by the CONTRACTOR, that the CONTRACTOR shall not be entitled to any claim of additional compensation as a result of the postponement of giving the notice to proceed.

If the CONTRACTOR believes that a postponement will cause a hardship to it, the CONTRACTOR may terminate the contract with written notice to the DISTRICT within ten (10) days after receipt by the CONTRACTOR of the DISTRICT's notice of postponement. Should the CONTRACTOR terminate the contract as a result of a notice of postponement, the DISTRICT shall have the authority to award the contract to the next lowest responsible bidder, if applicable.

It is understood that the DISTRICT reserves the right to reject any or all bids and/or waive any irregularities or informalities in this bid or in the bid process. The CONTRACTOR understands that it may not withdraw this bid for a period of ninety (90) days after the date set for the opening of bids.

6. Attached is bid security in the amount of not less than ten percent (10%) of the total bid:
Bid bond (10% of the Bid), certified check, or cashier's check (circle one)
7. The required List of Designated Subcontractors is attached hereto.
8. The required Non-Collusion Declaration is attached hereto.
9. The Substitution Request Form, if applicable, is attached hereto.

10. It is understood and agreed that if written notice of the acceptance of this bid is mailed, telegraphed, 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 contract in the form attached hereto in accordance with the bid as accepted, and that he will also furnish and deliver to the DISTRICT the Performance Bond and Payment Bond, all within **five (5) calendar days** after award of contract, and that the work under the contract shall be commenced by the undersigned bidder, if awarded the contract, by the start date provided in the DISTRICT's Notice to Proceed, and shall be completed by the CONTRACTOR in the time specified in the contract documents.
11. All notices or other correspondence should be addressed to the undersigned at the address stated below:

The names of all persons interested in the foregoing proposal as principals are as follows:

Baker Electric, Inc.

Ted N. Baker - President and Secretary

Mark Baker - Treasurer

Kent Baker - Chairman

George England - Vice President

(IMPORTANT NOTICE: If bidder or other interested person is a corporation, state the legal name of such corporation, as well as the names of the president, secretary, treasurer, and manager thereof; if a co-partnership, state the true names of the firm, as well as the names of all individual co-partners comprising the firm; if bidder or other interested person is an individual, state the first and last names in full.)

12. **PROTEST PROCEDURES.** If there is a bid protest, the grounds shall be submitted as set forth in the Instructions to Bidders.
13. The undersigned bidder shall be licensed and shall provide the following California Contractor's license information:

License Number: 161756

License expiration date: 8/31/2019

Name on License: Baker Electric, Inc.

Class of License: C10 / C46 / B

DIR Registration Number: 1000000466

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

14. Time is of the essence regarding this contract, therefore, in the event the bidder to whom the Contract is awarded fails or refuses to post the required bonds and return executed copies of the Agreement form within **five (5) calendar days** from the date of receiving the Notice of Award, the DISTRICT may declare the bidder's bid deposit or bond forfeited as damages.

Baker Electric, Inc. DIR Registration

Legal Name	Registration Number	County	City	License Type/Number(s)	Current Status	Registration Date	Expiration Date
BAKER ELECTRIC, INC	1000000466	SAN DIEGO	ESCONDIDO	CSLB:161756	Active	05/08/2018	06/30/2019

CSLB #



CONTRACTORS
STATE LICENSE BOARD
ACTIVE LICENSE



License Number
161756

Entity
CORP

Registration Name
BAKER ELECTRIC INC

License Class
C10 C46 B

Expiration Date
08/31/2019

www.cslb.ca.gov



15. The bidder declares that he/she has carefully examined the location of the proposed work, that he/she has examined the Contract Documents, including the Plans, General Conditions of the contract, Supplemental Conditions, Addenda, and Specifications, all other documents issued to bidders and read the accompanying instructions to bidders, and hereby proposes and agrees, if this proposal is accepted, to furnish all materials and do all work required to complete the said work in accordance with the Contract Documents, in the time and manner therein prescribed for the unit cost and lump sum amounts set forth in this Bid Form.
16. Debarment. In addition to seeking remedies for False Claims under Government Code Section 12650 et seq. and Penal Code Section 72, the District may debar a Contractor pursuant to Article 15 of the General Conditions if the Board, or the Board may designate a hearing officer who, in his or her discretion, finds the Contractor has done any of the following:
- a. Intentionally or with reckless disregard, violated any term of a contract with the District;
 - b. Committed an act or omission which reflects on the Contractor's quality, fitness or capacity to perform work for the District;
 - c. Committed an act or offense which indicates a lack of business integrity or business honesty; or,
 - d. Made or submitted a false claim against the District or any other public entity (See Government Code Sections 12650, et. seq., and Penal Code Section 72)
17. Designation of Subcontractors: In compliance with the Subletting and Subcontracting Fair Practices Act (California Public Contract Code Sections 4100 et. seq.) and any amendments thereof, each bidder shall list subcontractors on the District's form Subcontractor list. This subcontractor list shall be submitted with the bid and is a required form.
18. Bid Certification
I agree to receive service of notices at the e-mail address listed below.
- I, the below-indicated bidder, declare under penalty of perjury that the information provided and representations made in this bid are true and correct.

Baker Electric, Inc.

Proper Name of Company

George England - Vice President

Name of Bidder Representative

1298 Pacific Oaks Place

Street Address

Escondido, CA 92029

City, State, and Zip

760-745-2001

Phone Number

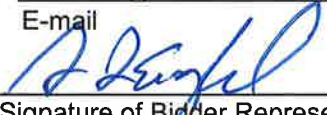
760-745-0321

Fax Number

mbisher@baker-electric.com

E-mail

By:


Signature of Bidder Representative
George England - Vice President

Date: 3/6/2019

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 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 signature shall be placed above.

All signatures must be made in permanent blue ink.

**ACTIONS TAKEN WITHOUT A MEETING BY
DIRECTORS OF
BAKER ELECTRIC, INC.**

The undersigned, being all the Directors of BAKER ELECTRIC, INC., a duly organized and existing California ("Corporation"), acting pursuant to Sections 307(b) of the California General Corporation Law and the Bylaws of the Corporation, now in full force and effect, do hereby consent to, adopt, ratify and approve the following resolutions with the same effect as if duly adopted at a meeting of the Corporation's Board of Directors, and direct the Secretary of the Corporation to place a copy hereof in the Corporation's book of minutes:

WHEREAS, it is necessary and desirable to authorize specific persons to execute contract documents on behalf of the Corporation, and to have such persons provide a sample of their true and genuine signature; it is

RESOLVED, that the following persons are authorized to execute contract documents on behalf of the Corporation

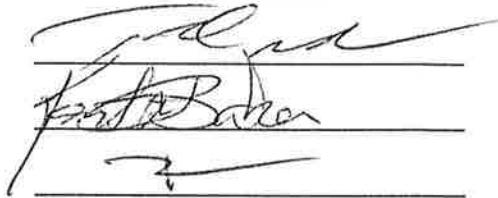
Name

Signature

Theodore N. Baker

Kent N. Baker

Brian L. Miliate



WHEREAS, it is necessary and desirable to authorize specific persons to execute bid submittals on behalf of the Corporation, and to have such persons provide a sample of their true and genuine signature; it is

RESOLVED, that the following persons are authorized to execute bid submittals on behalf of the Corporation

Name

Signature

Theodore N. Baker

Kent N. Baker



Name


Signature

Brian L. Miliate

Keith T. Fleming

George L. England Jr.

James A. Gagnon



IN WITNESS WHEREOF, the undersigned, being all the Directors of BAKER ELECTRIC, INC., have executed this Action Taken Without a Meeting, effective as of July ____ . 2016.

DIRECTORS:


Theodore N. Baker, Director


Kent N. Baker, Director


Mark N. Baker, Director



ATTACHMENT NO. 1 TO BID FORM

NON-COLLUSION DECLARATION TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

(Public Contract Code Section 7106)

(Prime Bidder)

The undersigned declares:

I am the Vice President of Baker Electric, Inc.,
(Title) (Name of Bidder)

the party making the foregoing bid.

The bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation. The bid is genuine and not collusive or sham. The bidder has not directly or indirectly induced or solicited any other bidder to put in a sham bid, or to refrain from bidding. The bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder. All statements contained in the bid are true. The bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof, to effectuate a collusive or sham bid, and has not paid, and will not pay, any person or entity for such purpose.

Any person executing this declaration on behalf of a bidder that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that he or she has full power to execute, and does execute, this declaration on behalf of the bidder.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration is executed on this 6 day of March 2019 at Escondido, CA.


(Signature)

George England - Vice President
(Name)

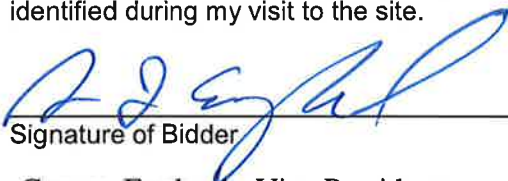
ATTACHMENT NO. 2 TO BID FORM

SITE VISIT CERTIFICATION

~~I certify that I have visited the site(s) of the proposed work and have fully acquainted myself with the conditions relating to construction and labor. I fully understand the facilities, difficulties and restrictions associated with the execution of the work under contract.~~

~~I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.~~

~~I fully indemnify **SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT**, the ARCHITECT, the PROGRAM MANAGER, the CONSTRUCTION MANAGER and all of their respective officers, agents, employees and consultants from any damage or omissions, related to conditions that could have been identified during my visit to the site.~~



Signature of Bidder

George England - Vice President

Typed Name of Bidder

Per Jeff Bowling on March 5th, 2019, Project Manager for San Bernardino City Unified School District, this site visit was Non-Mandatory. We understand the facilities, difficulties, and restrictions associated with the execution of the work under contract.

State of California }
County of San Bernardino } ss

Subscribed and sworn to (or affirmed) before me on this _____ day of _____, 20

By _____, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature _____

(Notary Seal)

*See attached California
Jurat with Affiant Statement*

CALIFORNIA JURAT WITH AFFIANT STATEMENT**GOVERNMENT CODE § 8202**

- ☒ See Attached Document (Notary to cross out lines 1–6 below)
☐ See Statement Below (Lines 1–6 to be completed only by document signer[s], *not* Notary)

1 _____
2 _____
3 _____
4 _____
5 _____
6 _____

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of San Diego

Subscribed and sworn to (or affirmed) before me
on this 6 day of March, 2019,
by George England
(1) _____

(and (2) _____),
Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence
to be the person(s) who appeared before me.



Signature Tina McGilvery
Signature of Notary Public

Seal
Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

ATTACHMENT NO. 3 TO BID FORM

CERTIFICATION OF COMPLIANCE WITH DVBE POLICY

Bid No.: F19-01

Project: Prop 39 EEP3 - PH 2 Mechanical & PH 3 Electrical Energy Modifications

Policy No.: 3323 Disabled Veteran Business Enterprises

Project agreements for the construction and/or modernization of school facilities which are approved for funding by the State Allocation Board shall include the following language:

1. As required by the Education Code Section 17076.11, this Board has a participation goal for Disabled Veteran Business Enterprises of three percent, per year, of the overall dollar amount of funds allocated to the District by the State Allocation Board pursuant to the Leroy F. Greene School Facilities Act of 1998 for construction or modernization and expended each year by the District.
2. At the time of execution of a contract, the Contractor will provide a statement to the District of anticipated participation of Disabled Veteran Business Enterprises in the contract. Prior to, and as a condition for final payment under any contract for such project, the Contractor shall provide appropriate documentation to the District identifying the amount paid to Disabled Veteran Business Enterprises in conjunction with the Contract, so that the District can assess its success at meeting this goal.
3. The Superintendent or designee shall devise a process for the implementation of this policy as defined in the Education Code and shall make any necessary revision to keep the policy current with State legislation.

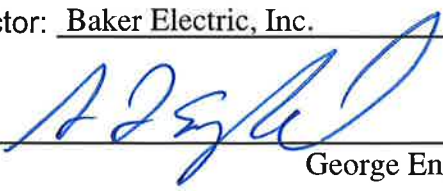
Tentative

Tentative Board Date: Board Meeting: 3/19/2019

The bidder/contractor agrees to comply with the above District DVBE policy:

Bidder/Contractor: Baker Electric, Inc.

Signature: _____


George England - Vice President

Date: 3/6/2019

ATTACHMENT NO. 4 TO BID FORM

DESIGNATION OF SUBCONTRACTORS

In compliance with the Subletting and Subcontracting Fair Practices Act (California Public Contract Code Sections 4100 et. seq.) and any amendments thereof, each bidder shall set forth below: (a) the name, license number, and location of the place of business of each subcontractor who will perform work or labor or render service to the contractor, who will perform work or labor or work or improvement to be performed under this contract, or a subcontractor licensed by the State of California who, under subcontract to the contractor, specially fabricates and installs a portion of the work or improvements according to detailed drawings contained in the plans and specifications in an amount in excess of one-half of one percent of the contractor's total bid; and (b) the portion and description of the work which will be done by each subcontractor under this Act. The contractor shall list only one subcontractor for each such portion as is defined by the contractor in this bid. All subcontractors shall be properly licensed by the California State Licensing Board.

If a contractor fails to specify a subcontractor; or if a contractor specifies more than one subcontractor for the same portion of work to be performed under the contract in excess of one-half of one percent of the contractor's total bid, the CONTRACTOR shall be deemed to have agreed that the CONTRACTOR is fully qualified to perform that portion, and that the CONTRACTOR alone shall perform that portion.

No contractor whose bid is accepted shall (a) substitute any subcontractor, (b) permit any subcontractor to be voluntarily assigned or transferred or allow the relevant portion of the work 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 contractor's total bid where the 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 contractor's total bid where 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.

All subcontractors (of any tier) performing any portion of the Work must comply with the Labor Code sections 1725.5 and 1771.1 and must be properly and currently registered with the California Department of Industrial Relations and qualified to perform public works pursuant to Labor Code section 1725.5 throughout the duration of the Project.

NOTE: If alternate bids are called for and bidder intends to use different or additional subcontractors on the alternates, a separate list of subcontractors must be provided for each such alternate.

DESIGNATION OF SUBCONTRACTORS FORM

[illegible]

Proper Name of Bidder: **Baker Electric, Inc.**

Date: 3/6/2019

Name: George England - Vice President

Signature of Bidder Representative:

Address: 1298 Pacific Oaks Place, Escondido, CA 92029

Phone: 760-745-2001

Printed on: 3/7/2019 11:11:32 AM

To verify most current certification status go to: <https://www.caleprocure.ca.gov>

Office of Small Business & DVBE Services

Certification ID: 5092**Legal Business Name:**

G & C EQUIPMENT CORPORATION

Doing Business As (DBA) Name 1:

G & C EQUIPMENT CORPORATION

Doing Business As (DBA) Name 2:**Address:**

P O BOX 5419

GARDENA

CA 90249

Email Address:

gene@gandccorp.com

Business Web Page:<http://www.gandccorp.com>**Business Phone Number:**

310/515-6715

Business Fax Number:

310/515-5046

Business Types:

Non-Manufacturer

Certification Type	Status	From	To
DVBE	Approved	11/05/2018	11/30/2020
SB	Approved	01/11/2018	11/30/2020

Stay informed! KEEP YOUR CERTIFICATION PROFILE UPDATED!

-LOG IN at [CaleProcure.CA.GOV](https://www.caleprocure.ca.gov)

Questions?

Email: OSDSHELP@DGS.CA.GOV

Call OSDS Main Number: 916-375-4940

707 3rd Street, 1-400, West Sacramento, CA 95605