



**Bid No. F21-01 Indian Springs High School -CTE  
Manufacturing**

**BID OPENING**

March 4th @ 2:00pm  
SBCUSD - BOE BUILDING 777 NORTH F. 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	Tovey/ Shultz Construction INC., Lake Elsinore, CA	\$ 5,771,582.00
2	Harik Construction INC., Glendora, CA	\$ 5,987,000.00
3	Spec Construction Co. INC., Ontario, CA	\$ 6,099,450.00
4	P.H. Hagopian Contractor INC., Orange, CA	\$ 6,120,000.00
5	Angeles Contractor INC., City of Industry, CA	\$ 6,162,000.00
6	AWI Builders INC., Burbank, CA	\$ 6,474,000.00
7	PINMOR Construction, Buena Park, CA	\$ 7,108,000.00
8		
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## **Bid Cover Sheet**

**BID NO.: F21-01      DSA APP #: 04-117896    BID DUE: THURSDAY, MARCH 4, 2021 @ 2:00PM**

**PROJECT NAME: Bid No. F21-01 Indian Springs High School – CTE Manufacturing**

**PROJECT LOCATION: 650 N. Del Rosa Dr., San Bernardino, CA 92410**

**THE WORK UNDER THIS BID IS A PROJECT OF:**

**FACILITIES PLANNING AND DEVELOPMENT DEPARTMENT**

**BID PACKAGE SUBMITTAL FROM:**

**BIDDER/CONTRACTOR: Tovey/Shultz Construction, Inc.**

**BIDDER CONTACT: Alex DeLeeuw**

**BIDDER ADDRESS: 18261 Collier Ave., Unit A., Lake Elsinore, CA 92530**

**BIDDER TELEPHONE: 951-471-5677**

**BIDDER EMAIL: alex@toveyshultz.com**

**CONTENTS MUST INCLUDE: (Please Check Each Box)**

Attachments:

- |                                                          |                                                                          |
|----------------------------------------------------------|--------------------------------------------------------------------------|
| X    #1 - Bid Form                                       | X    #10 - Contractor's Certificate Regarding Workers' Compensation Form |
| X    #2 - Request for Substitution                       |                                                                          |
| X    #3 - Non-Collusion Declaration                      | X    #11 - Acknowledgement of Bidding Practices Regarding Indemnity Form |
| X    #4 - Site Visit Certification                       |                                                                          |
| X    #5 - Certification of Compliance with DVBE Policy   | X    #12 - Local Business Outreach Program (LBOP) Form                   |
| X    #6 - Designation of Subcontractors                  |                                                                          |
| X    #7 - Bid Bond Form                                  | X    #13 - COVID-19 Safety Plan                                          |
| X    #8 - Bid Guarantee Form*                            |                                                                          |
| X    #9 - Bidder References & Responsibility Information |                                                                          |

**SUBMIT BID TO:      **BID BOX in the Lobby of the  
SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT  
Board of Education Building  
777 NORTH "F" STREET  
SAN BERNARDINO, CA 92410****

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

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. F21-01 Indian Springs HS – CTE Manufacturing**

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:

Addenda Number:	Addenda Number:	Addenda Number:	Addenda Number:	Addenda Number:
1-3	B	C	D	E

3. Total Base Bid

A. Building N (\$ 2,991,596.00 )  
B. Building M (\$ 2,479,985.00 )  
C. Allowance (\$ 300,000.00 )

**TOTAL PRICE – ENTIRE JOB (Base Bid A + Base Bid B + Allowance C)**

**TOTAL CASH PURCHASE PRICE IN WORDS & NUMBERS:**

Five Million, Seven Hundred Seventy-One Thousand, Five Hundred Eighty-Two DOLLARS

(\$ 5,771,582.00 )

### **Checklist of Mandatory Bid Forms**

(For CONTRACTOR's use and reference only. Additional documents may be required so bidders should carefully review all Contract Documents and Bid Documents)

- ☒ Bid Cover Sheet
- ☒ Bid Form (Attachment 1)
- ☒ Request for Substitution (Attachment 2) (***Note:** If Substitution Request Form is not submitted then **NO** Substitutions will be allowed after the bids are opened.*)
- ☒ Non-Collusion Declaration (Attachment 3)
- ☒ Site Visit Certification (Attachment 4)
- ☒ Certification of Compliance with DVBE Policy (Attachment 5)
- ☒ Designation of Subcontractors (Attachment 6)
- ☒ Bid Bond Form (or Bid Guarantee Form if Security is other than Bid Bond)  
(Attachment 7 or Attachment 8)
- ☒ Bidder References and Responsibility Information (Attachment 9)
- ☒ Contractor's Certificate Regarding Worker's Compensation Form (Attachment 10)
- ☒ Acknowledgment of Bidding Practices Regarding Indemnity (Attachment 11)
- ☒ Local Business Outreach Program (LBOP) Form (Attachment 12)
- ☒ Covid-19 Safety Plan (Attachment 13)

# BIDS

## **NOTICE DUE TO COVID-19:**

We will be accepting bids at the District Office.

### **All bids should be submitted to:**

San Bernardino City Unified School District  
777 N. F Street, San Bernardino, Ca 92410

- If you deliver prior to bid day, please email [nellie.karbum@sbcusd.k12.ca.us](mailto:nellie.karbum@sbcusd.k12.ca.us) with a specific delivery time so that we can provide access to our facility.
- If you are mailing your bid, please notify Nellie Karbum, email [nellie.karbum@sbcusd.k12.ca.us](mailto:nellie.karbum@sbcusd.k12.ca.us).

**It is each bidder's sole responsibility to ensure its bid is timely delivered and received at the location designated as specified in the Notice Inviting Bids. Any bid received at the designated location after the scheduled closing time for receipt of bids shall be returned to the bidder unopened.**

### **On Bid Day:**

SBCUSD will maintain physical distancing measures at District sites and will **require** that members of the public wear face coverings while conducting business with the District.

***Any person exhibiting COVID-19 symptoms may not enter any SBCUSD property (i.e., fever, dry cough, shortness of breath or difficulties breathing, chills, stomach issues, muscle pain, headaches, sore throat, or loss of taste or smell)***

### **Bid Submittal Procedure:**

- We will accept bid submittals beginning 30 minutes prior to the stated bid submittal deadline.
- Bid forms received by the stipulated times will be promptly opened in public and read aloud immediately after sealed envelopes are collected at the time, date, and location stated above in the Board of Education Building (BOE), BOE Community Room

Please direct all bid submittal and bid opening questions to Nellie Karbum, Facilities Officer at [Nellie.karbum@sbcusd.k12.ca.us](mailto:Nellie.karbum@sbcusd.k12.ca.us)

Thank you for your patience and understanding.

**Attachment 1 - Bid Form**

SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

Project: F21-01 Indian Springs High School – CTE Manufacturing

Project Address: 650 N. Del Rosa Dr., San Bernardino, CA 92410

Bid No. F21-01

CONTRACTOR  
NAME: Tovey/Shultz Construction, Inc.

DIR  
REGISTRATION  
NUMBER: 1000004783 exp: 6/30/21

ADDRESS: 18261 Collier Ave., Unit A., Lake Elsinore, CA 92530

TELEPHONE: ( 951 ) 471-5677

FAX: ( 951 ) 639-6070

EMAIL: alex@toveyshultz.com

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. Bid Security:

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. Designated Subcontractors:

The required List of Designated Subcontractors is attached hereto.

8. Non-Collusion Declaration

The required is attached hereto.

9. Substitution Request Form:

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

10. Acceptance:

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. Notices:

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:

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**Kevin Terry , President & CEO**

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**Edward DeLeeuw, Treasurer/Secretary & Chief of Construction**

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(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. CONTRACTOR's License:

- a. The undersigned bidder shall be licensed and shall provide the following California CONTRACTOR's license information:

License Number: 549838

License expiration date: 12/31/2022

Name on License: Edward DeLeeuw

Class of License: B

DIR Registration Number: 1000004783 exp: 6/30/21

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



14. Time is of the Essence:

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. Declaration:

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.

Tovey/Shultz Construction, Inc.

Proper Name of Company

Kevin Terry, President & CEO

Name of Bidder Representative

18261 Collier Ave., Unit A

Street Address

Lake Elsinore, CA 92530

City, State, and Zip

951-471-5677


Phone Number

951-639-6070

Fax Number

alex@toveyshultz.com

E-mail



Signature of Authorized Bidder Representative

March 4, 2021

Date

Kevin Terry, President & CEO

Signatory Name & Title (Printed)

**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 blue ink**

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT****CIVIL CODE § 1189**

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 Riverside )

On March 4, 2021 before me, Frances M. Mirabella, Notary Public  
*Date Here Insert Name and Title of the Officer*

personally appeared Kevin Terry  
*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.

Signature Frances M. Mirabella  
*Signature of Notary Public*

*Place Notary Seal Above*

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_ 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

Conservator

☐ Other: \_\_\_\_\_

Signer is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

☐ Corporate Officer – Title(s): \_\_\_\_\_

☐ Partner - ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or

☐ Other: \_\_\_\_\_

Signer is Representing: \_\_\_\_\_

## Attachment 2 – Request for Substitution at Time of Bid

Request for Substitution:

NO ☒ YES ☐

Pursuant to Public Contract Code section 3400, bidder submits the following request to Substitute with the bid that is submitted. I understand that if the request to substitute is not an “or equal” or is not accepted by DISTRICT and I answer “no” I will not provide the specified item, then I will be held non-responsive and my bid will be rejected. With this understanding, I hereby request Substitution of the following articles, devices, equipment, products, materials, fixtures, patented processes, forms, methods, or types of construction:

	Specification Section	Specified Item	Requested Substituted Item	Contractor Agrees to Provide Specified Item if request to Substitute is Denied <sup>1</sup> (circle one)	DISTRICT Decision (circle one)
1.				Yes No	Grant Deny
2.				Yes No	Grant Deny
3.				Yes No	Grant Deny
4.				Yes No	Grant Deny
5.				Yes No	Grant Deny
6.				Yes No	Grant Deny
7.				Yes No	Grant Deny
8.				Yes No	Grant Deny
9.				Yes No	Grant Deny
10.				Yes No	Grant Deny
11.				Yes No	Grant Deny
12.				Yes No	Grant Deny

This Request Form must be accompanied by evidence as to whether the proposed Substitution (1) is equal in quality, service, and ability to the Specified Item; (2) will entail no change in detail, construction, and scheduling of related work; (3) will be acceptable in consideration of the required design and artistic effect; (4) will provide no cost disadvantage to the DISTRICT; (5) will require no excessive or more

<sup>1</sup> Bidder must state whether bidder will provide the Specified Item in the event the Substitution request is evaluate and denied. If bidder states that bidder will not provide the Specified Item the denial of a request to Substitute shall result in the rejection of the bidder as non-responsive. However, if bidder states that bidder will provide the Specified Item in the event that bidder's request for Substitution is denied, bidder shall execute the Agreement and provide the Specified Item(s). If bidder refuses to execute the Agreement due to the DISTRICT's decision to require the Specified Item(s) at no additional cost, bidder's Bid Bond shall be forfeited.

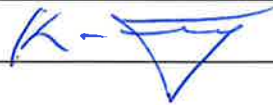
expensive maintenance, including adequacy and availability of replacement parts; (6) will require no change of the construction schedule or milestones for the Project; and, (7) CONTRACTOR agrees to pay for any DSA Fees or other Governmental Plan check costs associated with this Substitution Request. (See General Conditions Section 3.6)

The undersigned states that the following paragraphs are correct:

1. The proposed Substitution does not affect the dimensions shown on the Drawings.
2. The undersigned will pay for changes to the building design, including Architect, engineering, or other consultant design, detailing, DSA plan check or other governmental plan check costs, and construction costs caused by the requested substitution.
3. The proposed substitution will have no adverse effect on other trades, the Contract Time, or specified warranty requirements.
4. Maintenance and service parts will be available locally for the proposed substitution.
5. In order for the Architect to properly review the substitution request, within five (5) days following the opening of bids, the CONTRACTOR shall provide samples, test criteria, manufacturer information, and any other documents requested by Architect or Architect's engineers or consultants, including the submissions that would ordinarily be required under Article 3.7 for Shop Drawings along with a document which provides a side by side comparison of key characteristics and performance criteria (often known as a CSI side by side comparison chart).
6. If Substitution Request is accepted by the DISTRICT, CONTRACTOR is still required to provide a Submittal for the substituted item pursuant to Article 3.7 and shall provide required Schedule information (including schedule fragments, if applicable) for the substituted item as required under Article 8.3.2.1. The approval of the Architect, Engineer, or DISTRICT of the substitution request does not mean that the CONTRACTOR is relieved of CONTRACTOR's responsibilities for Submittals, Shop Drawings, and schedules under Article 3.7 and 8.3.2 if the CONTRACTOR is awarded the Project.

Name of Bidder: Tovey/Shultz Construction, Inc.

By: Kevin Terry, President & CEO



DISTRICT: \_\_\_\_\_

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

**Attachment 3 - Non-Collusion Declaration**

**(To be returned with Bid Form)**

(Public Contract Code Section 7106)

(To be completed by Prime Bidder)

The undersigned declares:

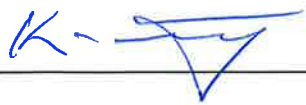
I am the President & CEO of Tovey/Shultz Construction, Inc.,  
(Title) (Name of Bidder)

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.

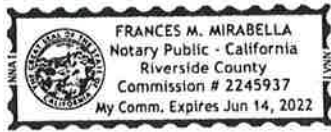
I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration is executed on this 4th day of March 20 21 at Lake Elsinore.

  
(Signature)

Kevin Terry, President & CEO  
(Name of Signatory)

State of California  
County of Riverside

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



Signature Francis M. Mirabella

**Attachment 4 - Site Visit Certification**

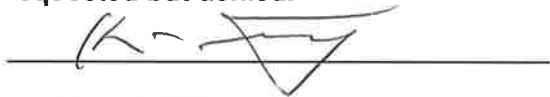
**(To be returned with Bid Form)**

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.

**\*A non-mandatory job walk was held which we did not attend, additional job walks were requested but denied.**



Signature of Bidder

Kevin Terry, President & CEO

Typed Name of Bidder

State of California }

County of San Bernardino ss

Subscribed and sworn to (or affirmed) before me on this 4th day of Mar 20 21.

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

Signature \_\_\_\_\_

*See attached  
Jurat*

(Notary Seal)



State of California  
County of Riverside

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



Signature Francis M. Mirabella

**Attachment 5 - Certification of Compliance with DVBE Policy**

**(To be returned with Bid Form)**

Bid No.: F21-01

Project: Indian Springs High School – CTE Manufacturing

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:

Name of Bidder/CONTRACTOR: Tovey/Shultz Construction, Inc.

Authorized Signature: 

Date: March 4, 2021

## **Attachment 6 -Designation of Subcontractors**

(To be returned with Bid Form)

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.

This subcontractor information must be provided at the time of submission of bid or must be provided within 24 hours after the time set for the opening of bids. Bidders who choose to provide this information within 24 hours after the time set for the opening of bids are solely responsible to ensure the DISTRICT receives this information in a timely manner. The DISTRICT is not responsible for any problems or delays associated with emails, faxes, delivery, etc. Absent a verified fax or email receipt date and time by the DISTRICT, the DISTRICT's determination of whether the information was received timely shall govern and be determinative. Bidder shall not revise or amend any other information in this form submitted at the time of bid. The information submitted at the time of bid shall govern over any conflicts, discrepancies, ambiguities or other differences in any subsequent Subcontractor Designation Forms submitted by the bidder.

**DESIGNATION OF SUBCONTRACTORS FORM**  
(To be returned with Bid Form - use additional sheets as necessary)

Scope of Work	Name of Subcontractor	Business Address	E-mail / Telephone	License Type & Number	DIR Registration Number
Rough Carpentry, Plywood Sheathing	J C FRAMING CONSTRUCTION INC	27576 COMMERCE CENTER DR TEMECULA, CA 92590	tom@jcframing.com (951) 506-1464	B, C-5 908338	1000011003
Structural Steel, Metal Fab., Railing	R N D CONTRACTORS INC	14796 JURUPA AVE #A FONTANA, CA 92337	nsauter@rndcontractorsinc.com (909) 429-8500	A, C51 898471	1000001732
Finish Carpentry, Casework	HESHCO INDUSTRIES	5260 ELMHURST ST VENTURA, CA 93003	hesh@heshcoindustries.com (805) 340-4389	C54, B 510170	1000013573
Sheet Metal	EXCLUSIVE METAL INC	3646 PRESLEY AVE RIVERSIDE, CA 92507	adriana@exclusive metals.com (951) 943-3948	C39, C43 1055390	1000537179
Acoustical Ceilings & Panels	ACOUSTICWORKS INC	382 STATE PLACE ESCONDIDO, CA 92029	ewidner@acoustic works.net (760) 480-1113	C-2 775459	1000006189
Epoxy Floor	FIDEL ACEVEDO GONZALEZ	2081 3RD ST, STE I RIVERSIDE, CA 92507	fidel@diamondcret einc.com (909) 630-3060	C15 1067348	1000701616
Shade Structure	USA SHADE & FABRIC STRUCTURES	P O BOX 3467 COPELL, TX 75019	vmarquez@usa-shade.com (214) 905-9500	B 989458	1000003533
Fire Sprinkler	J G TATE FIRE PROTECTION SYSTEMS INC	13771 DANILESON ST STE I POWAY, CA 92064	tana.borjeson@jgtate .com (858) 486-0900	C16, C10 800609	1000005084
Earthwork	F W BRADY DEVELOPMENT INC	16782 INTREPID LN HUNTINGTON BEACH, CA 92649	tiffany@bradydevelop ment.net (562) 592-2138	A, B 766223	1000009603
Concrete Paving	SUNDIAL CONCRETE CONSTRUCTORS	23535 PALOMINO DR STE 109 DIAMOND BAR, CA 91765	sundialconcreteconst @gmail.com (909) 732-4656	C-8 1009010	1000032292
Cast-In-Place Concrete, Interior Concrete	DE VRIES CONSTRUCTION	216 AVENIDA FABRICANTE STE 207 SAN CLEMENTE, CA 92672	jenn@devriescon.com (949) 364-3816	B, C-8, C50, C29 786273	1000009563
Storefront, Glazing	SLATER GLASS & MIRROR	145 EAST SAINT JOSEPH STREET ARCADIA, CA 91006	slaterglass@yahoo .com (626) 254-0614	C17 893323	1000004146
Drywall, Metal Framing, Plaster	ONDATJE CONTRACTING INC	393 W LA CADENA DR STE #6 RIVERSIDE, CA 92501	ondatjecontracting @gmail.com (951) 403-9297	C-9, C35, C33, B 1026836	1000616745

Proper Name of Bidder: Tovey/Shultz Construction, Inc.

Date: March 4, 2021

Name & Title of Bidder Representative: Kevin Terry, President & CEO

Signature of Bidder Representative: 

Address: 18261 Collier Ave., Unit A., Lake Elsinore, CA 92530

Phone: 951-471-5677

**DESIGNATION OF SUBCONTRACTORS FORM**  
(To be returned with Bid Form - use additional sheets as necessary)

Scope of Work	Name of Subcontractor	Business Address	E-mail / Telephone	License Type & Number	DIR Registration Number
Visual Display Boards, Tackboards	BRETT BENDER WALL COVERING INC	12223 HIGHLAND AVE. 106 RANCHO CUCAMONGA, CA 91739	bebwallcovering@aol.com (909) 466-3733	C33, C-61 574362	1000050158
Plumbing, Utilities	FAIRCHILD PLUMBING & MECHANICAL INC	P O BOX 3727 ONTARIO, CA 91761	matt@fairchildplbg.com (909) 391-4646	C16 ,C36, A 606705	1000003485
Electrical, Fire Alarm	DANIEL'S ELECTRICAL CONSTRUCTION CO INC	10881 BUSINESS DRIVE FONTANA, CA 92337	tom@danielselectric.com(909) 427-9000	C10 467288	1000000290
Doors & Hardware	MULVIHILL ENTERPRISES INC	P O BOX 3063 BEAUMONT, CA 92223	jack@m-e-i.biz (951) 845-1837	B, C-5, C-6, C61/D16, C61/D28 931643	1000001515
Painting	TRI-COUNTY FLOORS	P.O. BOX 62411 1 LEAGUE IRVINE, CA 92602	mk@tctopfloor.com (714) 616-3194	C33, C15, C61/D38 1056098	1000629469
Insulation	DITTEMORE INSULATION CONTRACTORS INC	805 E CERRITOS AVENUE ANAHEIM, CA 92805	terri@dittemore.net (714) 289-7095	C-2, C35 750723	1000001566
Roof Membrane, Rigid Insulation	ROSSCRETE ROOFING INC	PO BOX 691 RIALTO, CA 92377	rosscrete@aol.com (909) 356-1091	C39 738539	1000012631
HVAC	AIRE-MASTERS AIR CONDITIONING	12556 MC CANN DRIVE SANTA FE SPRINGS, CA 90670	cthompson@aire masters-ac.com (562) 944-6302	C20, B 315631	1000001582
Demolition	J M M DEMOLITION	11483 FLOYD CIRCLE BEAUMONT, CA 92223	joe.jmmdemolition@yahoo.com (951) 543-5004	C21 977650	1000008411

Proper Name of Bidder: Tovey/Shultz Construction, Inc.

Date: March 4, 2021

Name & Title of Bidder Representative: Kevin Terry, President & CEO

Signature of Bidder Representative: \_\_\_\_\_

Address: 18261 Collier Ave., Unit A., Lake Elsinore, CA 92530

Phone: 951-471-5677

## Bid Cover Sheet

BID NO.: F21-01 DSA APP #: 04-117896 BID DUE: THURSDAY, MARCH 4, 2021 @ 2:00PM

PROJECT NAME: Bid No. F21-01 Indian Springs High School – CTE Manufacturing

PROJECT LOCATION: 650 N. Del Rosa Dr., San Bernardino, CA 92410

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

**BID PACKAGE SUBMITTAL FROM:**

BIDDER/CONTRACTOR: Harik Construction, Inc.  
BIDDER CONTACT: Chuck Mustapha  
BIDDER ADDRESS: 175 W. Arrow Highway, Glendora, CA 91740  
BIDDER TELEPHONE: 626-859-0011  
BIDDER EMAIL: chuckm@harikconstruction.com

**CONTENTS MUST INCLUDE: (Please Check Each Box)**

Attachments:

- |                                                                                         |                                                                                                         |
|-----------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> #1 - Bid Form                                       | <input checked="" type="checkbox"/> #10 - Contractor's Certificate Regarding Workers' Compensation Form |
| <input checked="" type="checkbox"/> #2 - Request for Substitution                       | <input checked="" type="checkbox"/> #11 - Acknowledgement of Bidding Practices Regarding Indemnity Form |
| <input checked="" type="checkbox"/> #3 - Non-Collusion Declaration                      | <input checked="" type="checkbox"/> #12 - Local Business Outreach Program (LBOP) Form                   |
| <input checked="" type="checkbox"/> #4 - Site Visit Certification                       | <input checked="" type="checkbox"/> #13 - COVID-19 Safety Plan                                          |
| <input checked="" type="checkbox"/> #5 - Certification of Compliance with DVBE Policy   |                                                                                                         |
| <input checked="" type="checkbox"/> #6 - Designation of Subcontractors                  |                                                                                                         |
| <input checked="" type="checkbox"/> #7 - Bid Bond Form                                  |                                                                                                         |
| <input type="checkbox"/> #8 - Bid Guarantee Form*                                       |                                                                                                         |
| <input checked="" type="checkbox"/> #9 - Bidder References & Responsibility Information |                                                                                                         |

SUBMIT BID TO: **BID BOX in the Lobby of the**  
**SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT**  
**Board of Education Building**  
**777 NORTH "F" STREET**  
**SAN BERNARDINO, CA 92410**

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

**Attachment 1 - Bid Form**

SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

Project: F21-01 Indian Springs High School – CTE Manufacturing

Project Address: 650 N. Del Rosa Dr., San Bernardino, CA 92410

Bid No. F21-01

CONTRACTOR  
NAME:

Harik Construction, Inc.

DIR  
REGISTRATION  
NUMBER:

1000002780

ADDRESS:

175 W. Arrow Highway  
Glendora, CA 91740

TELEPHONE:

(626 ) 859-0011

FAX:

(619 ) 310-9694

EMAIL:

chuckm@harikconstruction.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. F21-01 Indian Springs HS – CTE Manufacturing**

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:

Addenda Number:	Addenda Number:	Addenda Number:	Addenda Number:	Addenda Number:
1, 2, 3	B, C, D, E			

3. Total Base Bid

A. Building N (\$ 2,160,000.00)  
B. Building M (\$ 3,527,000.00)  
C. Allowance (\$ 300,000.00)

**TOTAL PRICE – ENTIRE JOB (Base Bid A + Base Bid B + Allowance C)**

**TOTAL CASH PURCHASE PRICE IN WORDS & NUMBERS:**

five million nine hundred eighty-seven thousand  
\_\_\_\_\_ DOLLARS  
(\$ 5,987,000.00)



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. Bid Security:

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. Designated Subcontractors:

The required List of Designated Subcontractors is attached hereto.

8. Non-Collusion Declaration

The required is attached hereto.

9. Substitution Request Form:

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

10. Acceptance:

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. Notices:

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:

Harik Construction, Inc.

Chaker Mustapha, President

Chaker Mustapha, Secretary

(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. CONTRACTOR's License:

- a. The undersigned bidder shall be licensed and shall provide the following California CONTRACTOR's license information:

License Number:

598592

License expiration date:

7/31/2022

Name on License:

Harik Construction, Inc.

Class of License:

B

DIR Registration Number:

1000002780

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

14. Time is of the Essence:

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. Declaration:

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.

Harik Construction, Inc.

Proper Name of Company

Chaker Mustapha

Name of Bidder Representative

175 W. Arrow Highway

Street Address

Glendora, CA 91740

City, State, and Zip

626-859-0011

Phone Number

619-310-9694

Fax Number

chuckm@harikconstruction.com

E-mail

  
Signature of Authorized Bidder Representative

March 1, 2021

Date

Chaker Mustapha, President

Signatory Name & Title (Printed)

**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 blue ink**

## Attachment 2 – Request for Substitution at Time of Bid

Request for Substitution:

NO ☒

YES ☐

Pursuant to Public Contract Code section 3400, bidder submits the following request to Substitute with the bid that is submitted. I understand that if the request to substitute is not an “or equal” or is not accepted by DISTRICT and I answer “no” I will not provide the specified item, then I will be held non-responsive and my bid will be rejected. With this understanding, I hereby request Substitution of the following articles, devices, equipment, products, materials, fixtures, patented processes, forms, methods, or types of construction:

	Specification Section	Specified Item	Requested Substituted Item	Contractor Agrees to Provide Specified Item if request to Substitute is Denied <sup>1</sup> (circle one)	DISTRICT Decision (circle one)
1.	None			Yes No	Grant Deny
2.				Yes No	Grant Deny
3.				Yes No	Grant Deny
4.				Yes No	Grant Deny
5.				Yes No	Grant Deny
6.				Yes No	Grant Deny
7.				Yes No	Grant Deny
8.				Yes No	Grant Deny
9.				Yes No	Grant Deny
10.				Yes No	Grant Deny
11.				Yes No	Grant Deny
12.				Yes No	Grant Deny

This Request Form must be accompanied by evidence as to whether the proposed Substitution (1) is equal in quality, service, and ability to the Specified Item; (2) will entail no change in detail, construction, and scheduling of related work; (3) will be acceptable in consideration of the required design and artistic effect; (4) will provide no cost disadvantage to the DISTRICT; (5) will require no excessive or more

<sup>1</sup> Bidder must state whether bidder will provide the Specified Item in the event the Substitution request is evaluate and denied. If bidder states that bidder will not provide the Specified Item the denial of a request to Substitute shall result in the rejection of the bidder as non-responsive. However, if bidder states that bidder will provide the Specified Item in the event that bidder's request for Substitution is denied, bidder shall execute the Agreement and provide the Specified Item(s). If bidder refuses to execute the Agreement due to the DISTRICT's decision to require the Specified Item(s) at no additional cost, bidder's Bid Bond shall be forfeited.


expensive maintenance, including adequacy and availability of replacement parts; (6) will require no change of the construction schedule or milestones for the Project; and, (7) CONTRACTOR agrees to pay for any DSA Fees or other Governmental Plan check costs associated with this Substitution Request. (See General Conditions Section 3.6)

The undersigned states that the following paragraphs are correct:

1. The proposed Substitution does not affect the dimensions shown on the Drawings.
2. The undersigned will pay for changes to the building design, including Architect, engineering, or other consultant design, detailing, DSA plan check or other governmental plan check costs, and construction costs caused by the requested substitution.
3. The proposed substitution will have no adverse effect on other trades, the Contract Time, or specified warranty requirements.
4. Maintenance and service parts will be available locally for the proposed substitution.
5. In order for the Architect to properly review the substitution request, within five (5) days following the opening of bids, the CONTRACTOR shall provide samples, test criteria, manufacturer information, and any other documents requested by Architect or Architect's engineers or consultants, including the submissions that would ordinarily be required under Article 3.7 for Shop Drawings along with a document which provides a side by side comparison of key characteristics and performance criteria (often known as a CSI side by side comparison chart).
6. If Substitution Request is accepted by the DISTRICT, CONTRACTOR is still required to provide a Submittal for the substituted item pursuant to Article 3.7 and shall provide required Schedule information (including schedule fragments, if applicable) for the substituted item as required under Article 8.3.2.1. The approval of the Architect, Engineer, or DISTRICT of the substitution request does not mean that the CONTRACTOR is relieved of CONTRACTOR's responsibilities for Submittals, Shop Drawings, and schedules under Article 3.7 and 8.3.2 if the CONTRACTOR is awarded the Project.

Name of Bidder: Harik Construction, Inc.

By: Chaker Mustapha



DISTRICT: \_\_\_\_\_

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

**Attachment 3 - Non-Collusion Declaration**

(To be returned with Bid Form)

(Public Contract Code Section 7106)

(To be completed by Prime Bidder)

The undersigned declares:

I am the President of Harik Construction, 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 1st day of March 20 21 at Glendora, CA.

  
(Signature)

Chaker Mustapha  
(Name of Signatory)

**Attachment 4 - Site Visit Certification**

**(To be returned with Bid Form)**

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

Chaker Mustapha

Typed Name of Bidder

State of California }

County of San Bernardino ss

Subscribed and sworn to (or affirmed) before me on this 1st day of Mar 2021,

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

Signature



(Notary Seal)





**Attachment 5 - Certification of Compliance with DVBE Policy**

**(To be returned with Bid Form)**

Bid No.: F21-01

Project: Indian Springs HS - CTE Manufacturing

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: April 6, 2021

The bidder/CONTRACTOR agrees to comply with the above DISTRICT DVBE policy:

Name of Bidder/CONTRACTOR: Harik Construction, Inc.

Authorized Signature: 

Date: March 1, 2021

## **Attachment 6 -Designation of Subcontractors**

**(To be returned with Bid Form)**

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.

This subcontractor information must be provided at the time of submission of bid or must be provided within 24 hours after the time set for the opening of bids. Bidders who choose to provide this information within 24 hours after the time set for the opening of bids are solely responsible to ensure the DISTRICT receives this information in a timely manner. The DISTRICT is not responsible for any problems or delays associated with emails, faxes, delivery, etc. Absent a verified fax or email receipt date and time by the DISTRICT, the DISTRICT's determination of whether the information was received timely shall govern and be determinative. Bidder shall not revise or amend any other information in this form submitted at the time of bid. The information submitted at the time of bid shall govern over any conflicts, discrepancies, ambiguities or other differences in any subsequent Subcontractor Designation Forms submitted by the bidder.

**DESIGNATION OF SUBCONTRACTORS FORM**  
(To be returned with Bid Form - use additional sheets as necessary)

Scope of Work	Name of Subcontractor	Business Address	E-mail / Telephone	License Type & Number	DIR Registration Number
Demo	DSI	COBONA, CA		936886 C61	1000002162
Site Concrete	BUILDING R.C. Construction	RIALTO, CA		716719 C8	1000002662
Landscaper/Irrigation	HARDY	DIAMOND BAR, CA		905954 C27	1000042805
Steel	MELVIN W.I.	Ontario, CA		1036078 C51	1000057374
Casework	BERNOL OMEGA	MENTONE, CA		667339 C6	1000533886
Insulation	MD Insulation	South EL MONTE, CA		623669 C2	1000026754
Roofing	Stone Roofing	AZUSA, CA		159149 C39	100001595
Doors, & Hardware	Contractor's Door Supply	San Clemente, CA		996525 C61	1000013428
Storefront/ Glazing	Slater	ARCADIA, CA		893323 C17	1000004146
Gypsum Board	R.E. Drywall	Industry, CA		584494 C9	1000003963
<del>Paint</del>	<del>Simmons and Wood</del>	<del>LAKESIDE, CA</del>		<del>272910</del>	<del>100000488</del>
Daint	Simmons and Wood	LAKESIDE, CA		272910 C33	100000488
Fire Sprinkler	J.G. TATE	Poway, CA		800609 C16	1000005084

Proper Name of Bidder: Harik Construction, Inc.

Date: March 1, 2021

Name & Title of Bidder Representative: Chaker Mustapha, President

Signature of Bidder Representative: 

Address: 175 W. Arrow Highway, Glendora, CA 91740

Phone: 626-859-0011

**DESIGNATION OF SUBCONTRACTORS FORM**  
(To be returned with Bid Form - use additional sheets as necessary)

Scope of Work	Name of Subcontractor	Business Address	E-mail / Telephone	License Type & Number	DIR Registration Number
Plumbing	MPT Miller	<del>San Antonio</del> Covina, CA		720581 C36	1000001568
HVAC	AIR DESIGN	Montebello, CA		953818 C20	1000004802
Electrical	RYAN Electric	Ontario, CA		790924 C10	1000000794
Rebar	Upland Contracting	Ontario, CA		481317 C50	1000002198
<del>PAINTING</del>	<del>PAINTING</del>	<del>PAINTING</del>		<del>PAINTING</del>	<del>PAINTING</del>
SHEET METAL	EXCLUSIVE METAL	RIVERSIDE, CA		1055390 C43	1000537179
Acoustic Ceiling	HAMILTON	San Bernardino, CA		789546 C2	1000039442
EPOXY FLOOR	ALPHA Composite	Upland, CA		844977 C33	1000450280

Proper Name of Bidder: Harik Construction, Inc.

Date: March 1, 2021

Name & Title of Bidder Representative: Chaker Mustapha, President

Signature of Bidder Representative: 

Address: 175 W. Arrow Highway, Glendora, CA 91740

Phone: 626-859-0011

**DESIGNATION OF SUBCONTRACTORS FORM**  
(To be returned with Bid Form - use additional sheets as necessary)

Scope of Work	Name of Subcontractor	Business Address	E-mail / Telephone	License Type & Number	DIR Registration Number

Proper Name of Bidder: Harik Construction, Inc.

Date: March 1, 2021

Name & Title of Bidder Representative: Chaker Mustapha, President

Signature of Bidder Representative: 

Address: 175 W. Arrow Highway, Glendora, CA 91740

Phone: 626-859-0011

## **Bid Cover Sheet**

**BID NO.: F21-01**      **DSA APP #: 04-117896**    **BID DUE: THURSDAY, MARCH 4, 2021 @ 2:00PM**

**PROJECT NAME: Bid No. F21-01 Indian Springs High School – CTE Manufacturing**

**PROJECT LOCATION: 650 N. Del Rosa Dr., San Bernardino, CA 92410**

**THE WORK UNDER THIS BID IS A PROJECT OF:**  
**FACILITIES PLANNING AND DEVELOPMENT DEPARTMENT**

**BID PACKAGE SUBMITTAL FROM:**

**BIDDER/CONTRACTOR:** Spec Construction Co Inc.  
**BIDDER CONTACT:** Chaz De La Fosse  
**BIDDER ADDRESS:** 1870 S. Carlos Avenue  
**BIDDER TELEPHONE:** 909-9474602  
**BIDDER EMAIL:** info@specconstructionco.com

**CONTENTS MUST INCLUDE: (Please Check Each Box)**

**Attachments:**

- |                                                                                         |                                                                                                         |
|-----------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> #1 - Bid Form                                       | <input checked="" type="checkbox"/> #10 - Contractor's Certificate Regarding Workers' Compensation Form |
| <input checked="" type="checkbox"/> #2 - Request for Substitution                       | <input checked="" type="checkbox"/> #11 - Acknowledgement of Bidding Practices Regarding Indemnity Form |
| <input checked="" type="checkbox"/> #3 - Non-Collusion Declaration                      | <input checked="" type="checkbox"/> #12 - Local Business Outreach Program (LBOP) Form                   |
| <input checked="" type="checkbox"/> #4 - Site Visit Certification                       | <input checked="" type="checkbox"/> #13 - COVID-19 Safety Plan                                          |
| <input checked="" type="checkbox"/> #5 - Certification of Compliance with DVBE Policy   |                                                                                                         |
| <input checked="" type="checkbox"/> #6 - Designation of Subcontractors                  |                                                                                                         |
| <input checked="" type="checkbox"/> #7 - Bid Bond Form                                  |                                                                                                         |
| <input type="checkbox"/> #8 - Bid Guarantee Form* <b>N/A</b>                            |                                                                                                         |
| <input checked="" type="checkbox"/> #9 - Bidder References & Responsibility Information |                                                                                                         |

**SUBMIT BID TO:**      **BID BOX in the Lobby of the**  
**SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT**  
**Board of Education Building**  
**777 NORTH "F" STREET**  
**SAN BERNARDINO, CA 92410**

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

**Attachment 1 - Bid Form**

SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT

Project: F21-01 Indian Springs High School – CTE Manufacturing

Project Address: 650 N. Del Rosa Dr., San Bernardino, CA 92410

Bid No. F21-01

CONTRACTOR  
NAME: Spec Construction Co Inc.

DIR  
REGISTRATION  
NUMBER: 1000007706

ADDRESS: 1870 S. Carlos Avenue , Ontario, CA 91761

TELEPHONE: ( 909 ) 947-4601

FAX: ( 909 ) 947-4602

EMAIL: info@speconstructionco.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. F21-01 Indian Springs HS – CTE Manufacturing**

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:

Addenda Number:	Addenda Number:	Addenda Number:	Addenda Number:	Addenda Number:
1, 2, 3	A, B, C, D, E			

3. Total Base Bid

A. Building N (\$ 2,000,000)  
B. Building M (\$ 4,099,450)  
C. Allowance (\$ 300,000.00)

**TOTAL PRICE – ENTIRE JOB (Base Bid A + Base Bid B + Allowance C)**

**TOTAL CASH PURCHASE PRICE IN WORDS & NUMBERS:**

Six million ninety Nine thousand  
four hundred fifty DOLLARS  
(\$ 6,099,450)



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. Bid Security:

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. Designated Subcontractors:

The required List of Designated Subcontractors is attached hereto.

8. Non-Collusion Declaration

The required is attached hereto.

9. Substitution Request Form:

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

10. Acceptance:

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. Notices:

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:

The President - Chaz De La Fosse

The Vice President - Jasen De La Fosse

(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. CONTRACTOR's License:

- a. The undersigned bidder shall be licensed and shall provide the following California CONTRACTOR's license information:

License Number: 419626

License expiration date: 08-31-2021

Name on License: Spec Construction Co Inc.

Class of License: A,B,C-4,C-8,C-9,C10,C-15,C-17,C-20,C-33,C-35,C-36,C-39

DIR Registration Number: 1000007706

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

14. Time is of the Essence:

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. Declaration:

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.

Spec Construction Co Inc.

Proper Name of Company

Chaz De La Fosse

Name of Bidder Representative

1870 S. Carlos Avenue

Street Address

Ontario, Ca 91871

City, State, and Zip

909-947-4601

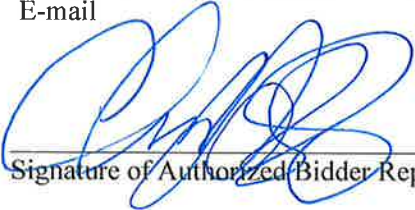
Phone Number

909-947-4602

Fax Number

info@speconstructionco.com

E-mail



Signature of Authorized Bidder Representative

02-23-2021

Date

Chaz De La Fosse / President

Signatory Name & Title (Printed)

**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 blue ink**

## Attachment 2 – Request for Substitution at Time of Bid

Request for Substitution:

NO ☒

YES ☐

Pursuant to Public Contract Code section 3400, bidder submits the following request to Substitute with the bid that is submitted. I understand that if the request to substitute is not an “or equal” or is not accepted by DISTRICT and I answer “no” I will not provide the specified item, then I will be held non-responsive and my bid will be rejected. With this understanding, I hereby request Substitution of the following articles, devices, equipment, products, materials, fixtures, patented processes, forms, methods, or types of construction:

	Specification Section	Specified Item	Requested Substituted Item	Contractor Agrees to Provide Specified Item if request to Substitute is Denied <sup>1</sup> (circle one)	DISTRICT Decision (circle one)
1.				Yes No	Grant Deny
2.				Yes No	Grant Deny
3.				Yes No	Grant Deny
4.				Yes No	Grant Deny
5.				Yes No	Grant Deny
6.				Yes No	Grant Deny
7.				Yes No	Grant Deny
8.				Yes No	Grant Deny
9.				Yes No	Grant Deny
10.				Yes No	Grant Deny
11.				Yes No	Grant Deny
12.				Yes No	Grant Deny

This Request Form must be accompanied by evidence as to whether the proposed Substitution (1) is equal in quality, service, and ability to the Specified Item; (2) will entail no change in detail, construction, and scheduling of related work; (3) will be acceptable in consideration of the required design and artistic effect; (4) will provide no cost disadvantage to the DISTRICT; (5) will require no excessive or more

<sup>1</sup> Bidder must state whether bidder will provide the Specified Item in the event the Substitution request is evaluate and denied. If bidder states that bidder will not provide the Specified Item the denial of a request to Substitute shall result in the rejection of the bidder as non-responsive. However, if bidder states that bidder will provide the Specified Item in the event that bidder’s request for Substitution is denied, bidder shall execute the Agreement and provide the Specified Item(s). If bidder refuses to execute the Agreement due to the DISTRICT’s decision to require the Specified Item(s) at no additional cost, bidder’s Bid Bond shall be forfeited.

expensive maintenance, including adequacy and availability of replacement parts; (6) will require no change of the construction schedule or milestones for the Project; and, (7) CONTRACTOR agrees to pay for any DSA Fees or other Governmental Plan check costs associated with this Substitution Request. (See General Conditions Section 3.6)

The undersigned states that the following paragraphs are correct:

1. The proposed Substitution does not affect the dimensions shown on the Drawings.
2. The undersigned will pay for changes to the building design, including Architect, engineering, or other consultant design, detailing, DSA plan check or other governmental plan check costs, and construction costs caused by the requested substitution.
3. The proposed substitution will have no adverse effect on other trades, the Contract Time, or specified warranty requirements.
4. Maintenance and service parts will be available locally for the proposed substitution.
5. In order for the Architect to properly review the substitution request, within five (5) days following the opening of bids, the CONTRACTOR shall provide samples, test criteria, manufacturer information, and any other documents requested by Architect or Architect's engineers or consultants, including the submissions that would ordinarily be required under Article 3.7 for Shop Drawings along with a document which provides a side by side comparison of key characteristics and performance criteria (often known as a CSI side by side comparison chart).
6. If Substitution Request is accepted by the DISTRICT, CONTRACTOR is still required to provide a Submittal for the substituted item pursuant to Article 3.7 and shall provide required Schedule information (including schedule fragments, if applicable) for the substituted item as required under Article 8.3.2.1. The approval of the Architect, Engineer, or DISTRICT of the substitution request does not mean that the CONTRACTOR is relieved of CONTRACTOR's responsibilities for Submittals, Shop Drawings, and schedules under Article 3.7 and 8.3.2 if the CONTRACTOR is awarded the Project.

Name of Bidder: N/A

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

DISTRICT: \_\_\_\_\_

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

**Attachment 3 - Non-Collusion Declaration**

**(To be returned with Bid Form)**

(Public Contract Code Section 7106)

(To be completed by Prime Bidder)

The undersigned declares:

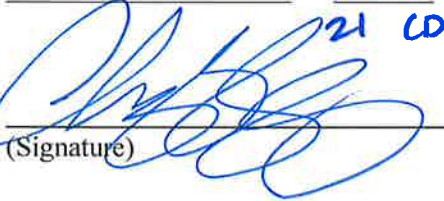
I am the President of Spec Construction Co Inc.,  
(Title) (Name of Bidder)

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 23rd day of February 20 20 at Ontario, CA.

  
(Signature)

Chaz De La Fosse  
(Name of Signatory)

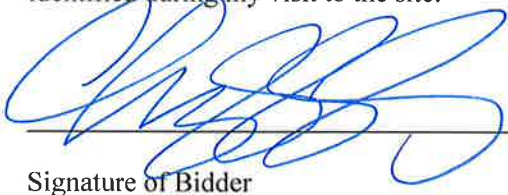
**Attachment 4 - Site Visit Certification**

**(To be returned with Bid Form)**

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

Chaz De La Fosse

Typed Name of Bidder

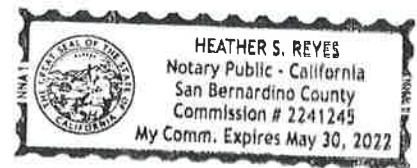
State of California        }  
County of San Bernardino   ss

Subscribed and sworn to (or affirmed) before me on this 3<sup>rd</sup> day of March, 2021.

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

Signature 

(Notary Seal)





**Attachment 5 - Certification of Compliance with DVBE Policy**

**(To be returned with Bid Form)**

Bid No.: F21-01

Project: Indian Springs High School - CTE Manufacturing

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: 04-06-2021

The bidder/CONTRACTOR agrees to comply with the above DISTRICT DVBE policy:

Name of Bidder/CONTRACTOR: Chaz DE La Fosse

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

Date: 02-23-2021

## **Attachment 6 -Designation of Subcontractors**

(To be returned with Bid Form)

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.

This subcontractor information must be provided at the time of submission of bid or must be provided within 24 hours after the time set for the opening of bids. Bidders who choose to provide this information within 24 hours after the time set for the opening of bids are solely responsible to ensure the DISTRICT receives this information in a timely manner. The DISTRICT is not responsible for any problems or delays associated with emails, faxes, delivery, etc. Absent a verified fax or email receipt date and time by the DISTRICT, the DISTRICT's determination of whether the information was received timely shall govern and be determinative. Bidder shall not revise or amend any other information in this form submitted at the time of bid. The information submitted at the time of bid shall govern over any conflicts, discrepancies, ambiguities or other differences in any subsequent Subcontractor Designation Forms submitted by the bidder.

**DESIGNATION OF SUBCONTRACTORS FORM**  
**(To be returned with Bid Form - use additional sheets as necessary)**

Scope of Work	Name of Subcontractor	Business Address	E-mail / Telephone	License Type & Number	DIR Registration Number
Insulation	Dittemore	805 E Cerritos Anaheim CA	714.289.7095 info@dittemore.net	750723 C2	1000001566
Fire Sprinkler	JPI Devmt	41205 Golden Gate Munroville CA	951.973.7680 bidding@jpi.net	778930 A10	100000801
Drywall	ondatje	393 La Cadena #6 Riverside CA	951.403.9297 ondatjecontracting@gmail.com	1026836	1000616745
Rollup Doors	overhead Door Company of IE	12401 S. La Cadena Colton CA	909.783.3131 Ryan@iehd.com	492369 C61	100017098
LandScape	Southern CA LandScape	8036 Banana Fontana CA	909.850.3522 SOCAL915@AOL.com	753861 C27	1000001528
Flooring	Riccardi	780 E. Francis H Ontario CA	909.923.0929 john@riccardi.com	929568 C45	1000001778
Demo	Janus	2025 tandem Norco CA	951.479.0700 kelly@januscorp.com	572682 A	1000000894
Epoxy Floor	Specialty Flooring	7525 Jurupa #E Riverside CA	951.727.8743 bid@specialtyflooring.com	933657	1000380822
HVAC	FMS Heat & Air	185 W. 4th St. Beaumont CA	951.845.1999 isaiah@fmsnet.net	761887 C20	1000002063
Painting	Gayton	355 W. Carroll Glendora	626.963.2173 kyle@gaytonpainting.com	407196	1000002746
Plumbing	KE Rodgers	530 Texas St. Redlands CA	1000195 dawnpeer@gmail.com	451.845.1244	1000033832
Structural Steel	Inland Steel	26062 5th St. San Bernardino	inlandsteel@yahoo.com 909.889.2747	422686	1000017028
Sheet metal	United Contractors	334 W Oak San Bernardino	909.888.7400 john@unitedcontractors.com	416125	1000001724

CD

Proper Name of Bidder: Spec Construction Co Inc.

Date: 02-23-2021

Name & Title of Bidder Representative: Chaz De La Fosse / president

Signature of Bidder Representative: 

Address: 1870 S. Carlos Avenue, Ontario, CA 91761

Phone: 909-947-4601



# DESIGNATION OF SUBCONTRACTORS FORM

(To be returned with Bid Form - use additional sheets as necessary)

Scope of Work	Name of Subcontractor	Business Address	E-mail / Telephone	License Type & Number	DIR Registration Number
Roof	Commercial Roofing	11735 Golding Arcadia CA	626-359-5354 lorge@CommerRoof.com	591222	1000000838
Electrical	Ryan Electric	1340 W. Princeton Ontario CA	909-465-0434 ryanelectric@verizon.net	790924	1000000794
Framing	JC Framing	27516 Commerce Ctr Dr. 107 Temecula	951-506-1464 Tona@JCFraming.com	9108338	1000011003
Wallcovering	Brett Bender	12223 Highland 106-538 R. Cucamonga	909-463-4222 Brett@BBB.com	574362	1000050158 CD
Shade Structure	USA Shade	1085 N Main St. Orange CA	800-966-5005 pabrechr@usa-shade.com	989458	1000003533
Doors + Hardware	Mulvihill	P.O. Box 3063 Beaumont CA	951-845-1837 Jack@m-e-i.biz	931643	1000001575
Fences	Fence Works	15555 Main St. D4 Hesperia CA	760-949-3443 Fenceworksjohn@hotmail.com	745223	1000001670
Rebar	Quality Rebar	P.O. Box 501877 San Diego CA	858-611-3934 info@QualityRebar.com	818593	100000745
Sheet metal	Valencia	10576 Lex Ave Pacoima CA	818-896-5005 valen@sheetmetal@outlook.com	500855	1000000054
T-Bar	Southcoast Acoustical	14980 Hilton Fontana CA	909-428-2600 brds@SouthcoastAcoustical.com	738787	1000377799
Plumber	Pipe Constructors	1680 Illinois #12 Perris CA	951-928-2211 estimating@pipeconstructors.com	818593 583268	1000000745 1000001254 S
Glazing	Sun Pacific	747 Grand Ave Spring Valley CA	619-504-2198 william@SunPacific.com	777178	1000001254 1000001254
Grading	Ironclad	3410 La Sierra F30 Riverside	951-742-5162 brds@ironclad.com	954859	1000001508

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[illegible]

Proper Name of Bidder: Spec Construction Co Inc.

Date: **02-23-2021**

Name & Title of Bidder Representative: Chaz De La Fosse / president

Signature of Bidder Representative:

Address: 1870 S. Carlos Avenue, Ontario, CA 91761

Phone: **909-947-4601**