



SAN BERNARDINO CITY  
UNIFIED SCHOOL DISTRICT  
*Making Hope Happen*

## Bid No. - F24-04 MUSCOY ES - SITE IMPROVEMENTS

### BID OPENING

March 12, 2024 @ 2:00pm

SBCUSD - Board of Education 777 N. F St, 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	Dalke & Sons Construction Inc. <sup>Riverside, CA</sup>	3,348,680 <sup>00</sup>
2	ABNY General Engineering, Inc. <sup>Glendora, CA</sup>	3,700,000 <sup>00</sup>
3	D & M Martin Construction Inc. <sup>Highland, CA</sup>	2,967,000 <sup>00</sup>
4	Miller Construction <sup>Rancho Cucamonga, CA</sup>	3,715,000 <sup>00</sup>
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SAN BERNARDINO CITY  
UNIFIED SCHOOL DISTRICT  
*Making Hope Happen*

**BID OPENING SIGN-IN SHEET**  
**BID NUMBER: F24-04 MUSCOY ES - SITE IMPROVEMENTS**  
**March 12, 2024 @ 2:00pm**  
**BOE – Community Room**

NAME	COMPANY	PHONE	E-MAIL
Sean Macdowell	SBCUSD	909-388-6100	sean.macdowell@sbcusd.k12.ca.us
Edd Oliva	SBCUSD	909-388-6100	edd.oliva@sbcusd.k12.ca.us
Laura Brauer	SBCUSD	909-388-6100	LAURA.BRAUER@sbcusd.k12.ca.us
Sam Wahba	ABNY General Engineering	626-586-2020	Sam.Wahba@ABNYinc.com
MIKE MARTIN	D & M MARTIN	909-213-1082	MARTINCONSTRUCTION123@GMAIL.COM
Robert Tichy	Miller Construction	909-484-1009	mark@millercn.com robert@millercn.com
Austin Paiz	Dalke & Sons	951-274-9880	david.c@dalkesons.com

DOCUMENT 00 41 13

## BID COVER SHEET

BID NO.: F24-04

DSA APP #: 04-121983

BID DUE: Thursday, March 7, 2024 @ 2:00PM TUESDAY MARCH 12<sup>TH</sup>

PROJECT NAME:

F24-04 MUSCOY ES - SITE IMPROVEMENTS

PROJECT LOCATION:

Muscoy Elementary School, 2119 Blake St, San Bernardino, CA 92407

THE WORK UNDER THIS BID IS A PROJECT OF:

FACILITIES PLANNING AND DEVELOPMENT DEPARTMENT

BID PACKAGE SUBMITTAL FROM:

BIDDER/CONTRACTOR:

D & M Martin Construction, Inc. 909-213-1082

BIDDER CONTACT:

7231 Boulder Ave. #808 Highland CA 92346

BIDDER ADDRESS:

martinconstruction123@gmail.com DIR #1000005708

CA Lic#757977 'B' Exp. 1/31/2025

BIDDER TELEPHONE:

Pres/Tres: Michael Martin Sec: Suzanne Martin

BIDDER EMAIL:

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.**

**BID FORM**

To: Governing Board of **San Bernardino City Unified School District** ("District")

From: **D & M MARTIN CONSTRUCTION, INC.**  
(Proper Name of Bidder)

1. **Total Bid.** The undersigned declares that the Contract Documents including, without limitation, the Invitation to Bid, the Instructions to Bidders, and the Special Conditions have been read, and agrees and proposes to furnish all necessary labor, materials, and equipment to perform and furnish all work in accordance with the terms and conditions of the Contract Documents, including, without limitation, the Drawings and Specifications for the following project:

**F24-04 MUSCOY ES - SITE IMPROVEMENTS** ("Project" or "Contract")

and will accept in full payment for that Work the following total lump sum amount, all taxes included:

Bid Item No. 1 for Muscoy ES	\$ <u>2,967,000</u> Dollars
<b>TOTAL BASE BID</b>	\$ <u>2,967,000</u> Dollars
<small>NOTE: IF THERE ARE ALLOWANCES IDENTIFIED IN THIS BID FORM, DO <u>NOT</u> INCLUDE ANY ALLOWANCE(S) AMOUNTS IN THESE BID AMOUNTS.</small>	
<b>Total Base Bid in Words</b>	
<u>TWO MILLION NINE HUNDRED SIXTY-SEVEN THOUSAND</u>	

2. **Additive/Deductive Alternates:** n/a

**Alternate #1**

MUSCOY CLASSROOM IMPROVEMENTS - Additive:	\$ <u>548,000</u> Dollars
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Descriptions of alternates are primarily scope definitions and do not necessarily detail the full range of materials and processes needed to complete the construction

3. **Unit Price(s).** The Bidder's Base Bid includes the following unit price(s), which the Bidder must provide and the District may, at its discretion, utilize in valuing additive and/or deductive change orders: n/a
4. **Allowance(s).** The Bidder's Base Bid shall **NOT** include the following potential Allowance(s). The District will add some or all of the following Allowance(s) amount(s) to the successful bidder's Contract, at the District's discretion. Contractor shall be permitted to invoice for Work under an Allowance in the identical structure as a Change Order.

DISTRICT ALLOWANCE

\$ 60,000.00

5. **Contract Review.** The undersigned has reviewed the Work outlined in the Contract Documents and fully understands the scope of Work required in this bid, understands the construction and project management function(s) is described in the Contract Documents, and that each Bidder who is awarded a contract shall be in fact a prime contractor, not a subcontractor, to the District, and agrees that its bid, if accepted by the District, will be the basis for the Bidder to enter into a contract with the District in accordance with the intent of the Contract Documents.
6. **Requests for Clarification.** The undersigned has notified the District in writing of any discrepancies or omissions or of any doubt, questions, or ambiguities about the meaning of any of the Contract Documents, and has contacted the Construction Manager before bid date to verify the issuance of any clarifying Addenda.
7. **Contract Time.** The undersigned agrees to commence work under this Contract on the date established in the Contract Documents and to complete all work within the time specified in the Contract Documents.
8. **Contractual Provisions.** The undersigned hereby acknowledges and agrees to be bound by following provisions and all provisions in the Contract Documents:
- The liquidated damages clause of the General Conditions and Agreement.
  - The "Changes in the Work" provisions in the General Conditions that limit the permitted charges and mark-ups on change orders and on the amount of home office overhead that the successful bidder can receive from the District.
  - The "Claims" provisions in the General Conditions that delineate the required process to submit and process disputes and claims.
  - The "COVID-19" provisions in the Contract Documents related to the Contractor's staffing requirements and its compliance with all applicable and existing federal, state, and/or local statutes, orders, rules, regulations, ordinances, and/or directives relating to construction site safety in connection with COVID-19, and/or any similar virus or derivative strain.
9. **Bid Open for 90 Days.** It is understood that the District reserves the right to reject this bid and that the bid shall remain open to acceptance and is irrevocable for a period of ninety (90) days.
10. **Attachments.** The following documents are attached hereto:
- Attachment # 1 - The Bid Bond on the District's form or other security
  - Attachment # 2 - The Designated Subcontractors List
  - Attachment # 3 - The Noncollusion Declaration
  - Attachment # 4 - Iran Contracting Act Certification

11. **Addenda Acknowledgement.** Receipt and acceptance of the following addenda is hereby acknowledged:

1,2,3,4,5 No. _____, Dated <u>2-24-24</u>	No. _____, Dated _____
6 No. _____, Dated <u>3-6-24</u>	No. _____, Dated _____
No. _____, Dated _____	No. _____, Dated _____

No. _____, Dated _____	No. _____, Dated _____
<input type="checkbox"/> Or check here if <b>no</b> addenda were issued.	

12. **Bidder's License.** Bidder acknowledges that the license required for performance of the Work is as stated in the Invitation to Bid. Bidder certifies that it is, at the time of bidding, and shall be throughout the period of the contract, licensed by the State of California to do the type of work required under the terms of the Contract Documents. Bidder further certifies that it is regularly engaged in the general class and type of work called for in the Contract Documents.
13. **Labor Harmony.** The undersigned hereby certifies that Bidder is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed on the Work.
14. **DIR Registration.** Bidder shall ensure that it and its Subcontractors comply with the registration and compliance monitoring provisions of Labor Code section 1771.4, including furnishing its CPRs to the Labor Commissioner, and are registered pursuant to Labor Code section 1725.5.
15. **Prequalification.** The Bidder confirms that it has been prequalified by the District. In addition, the Bidder confirms that, if the Project has electrical, mechanical, or plumbing components that will be performed by first-tier subcontractor with the following license classifications, then those subcontractors have also been prequalified by the District: C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43, and/or C-46.
16. **SWPPP QSP.** Bidder specifically acknowledges and understands that if it is awarded the Contract, it shall perform the Work of the Project related to being the District's Qualified SWPPP (Storm Water Pollution Prevention Plan) Practitioner ("QSP") and that the Bidder is certified to be the District's QSP, as required by the current California State Water Board's Construction General Permit.
17. **General Acknowledgement.** The Bidder represents that it is competent, knowledgeable, and has special skills with respect to the nature, extent, and inherent conditions of the Work to be performed. Bidder further acknowledges that there are certain peculiar and inherent conditions existent in the construction of the Work that may create, during the Work, unusual or peculiar unsafe conditions hazardous to persons and property. Bidder expressly acknowledges that it is aware of such peculiar risks and that it has the skill and experience to foresee and to adopt protective measures to adequately and safely perform the Work with respect to such hazards.
18. **False Claims Act.** Bidder expressly acknowledges that it is aware that if a false claim is knowingly submitted (as the terms "claim" and "knowingly" are defined in the California False Claims Act, Cal. Gov. Code, §12650 et seq.), the District will be entitled to civil remedies set forth in the California False Claim Act. It may also be considered fraud and the Contractor may be subject to criminal prosecution.

Furthermore, Bidder hereby certifies to the District that all representations, certifications, and statements made by Bidder, as set forth in this bid form, are true and correct and are made under penalty of perjury.

Dated this 24<sup>TH</sup> day of FEBRUARY 20 24

Signature 

Signed by (Print Name) MICHAEL MARTIN

Title of Person Signing PRES.

Name of Bidder \_\_\_\_\_ D & M Martin Construction, Inc. 909-213-1082  
7231 Boulder Ave. #808 Highland CA 92346  
Type of Organization \_\_\_\_\_ martinconstruction123@gmail.com DIR #1000005708  
CA Lic#757977 'B' Exp. 1/31/2025  
Address of Bidder \_\_\_\_\_ Pres/Tres: Michael Martin Sec: Suzanne Martin  
Taxpayer's Identification No. of Bidder 33-0784968  
Telephone Number \_\_\_\_\_  
Fax Number N/A  
E-mail \_\_\_\_\_ Web page N/A  
Bidder's DIR Registration No.: No.: 1000005708  
Contractor's License No(s): No.: 757977 Class: B Expiration Date: 1-31-25  
No.: \_\_\_\_\_ Class: \_\_\_\_\_ Expiration Date: \_\_\_\_\_  
No.: \_\_\_\_\_ Class: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

If Bidder is a corporation, provide the following:

Name of Corporation: \_\_\_\_\_ D & M Martin Construction, Inc. 909-213-1082  
President: \_\_\_\_\_ 7231 Boulder Ave. #808 Highland CA 92346  
Secretary: \_\_\_\_\_ martinconstruction123@gmail.com DIR #1000005708  
Treasurer: \_\_\_\_\_ CA Lic#757977 'B' Exp. 1/31/2025  
Pres/Tres: Michael Martin Sec: Suzanne Martin

END OF DOCUMENT



**BID DOCUMENT**

**BID BOND (SECURITY)**

HAS BEEN EXCLUDED FROM THE PUBLIC UPLOAD OF THIS DOCUMENT. IT MAY BE VIEWED IN PERSON AT OUR OFFICE. PLEASE SCHEDULE AN APPOINTMENT WITH US IF YOU WOULD LIKE TO VIEW IN PERSON.

SBCUSD - FACILITIES DEPARTMENT

956 W 9<sup>TH</sup> ST

SAN BERNARDINO, CA 92411

909-388-6100

SEAN.MACDOWELL@SBCUSD.K12.CA.US



**DOCUMENT 00 43 36**  
**DESIGNATED SUBCONTRACTORS LIST**  
**ATTACHMENT # 2**

TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

**F24-04 MUSCOY ES - SITE IMPROVEMENTS ("Project" or "Contract")**

1. **Listed.** Bidder must list hereinafter the name and location of each subcontractor who will be employed, and the scope of Work that each will perform if the Contract is awarded to the Bidder. Bidder acknowledges and agrees that under Public Contract Code section 4100, et seq., it must clearly identify the name and location of each subcontractor who will perform work or labor or render service to the Bidder in or about the construction of the Work in an amount in excess of one-half of one percent (1/2 of 1%) of Bidder's total Bid.
2. **CSLB Number.** Bidder must provide the Contactor State License Board number ("**CSLB No.**") for all listed subcontractors.
3. **DIR Number.** Bidder must provide the Department of Industrial Relations registration number ("**DIR No.**") for all listed subcontractors.
4. **Same Scope.** If more than one subcontractor is named for the same scope of Work, state with specificity the particular scope or portion that each subcontractor will perform.
5. **No Vendors or Suppliers.** Bidder need not list entities that are only vendors or suppliers of materials.
6. **Not Listed.** As to any Work that Bidder fails to list that is in excess of one-half of one percent (1/2 of 1%) of Bidder's total Bid, Bidder agrees that it is qualified to perform that scope of Work and will perform that scope of Work, or be subjected to penalty under applicable law.
7. **Alternate Work.** If alternate bids are called for and Bidder intends to use Subcontractors different from or in addition to those Subcontractors listed for work under the base Bid, Bidder must list Subcontractors that will perform Work in an amount in excess of one half of one percent (1/2 of 1%) of Bidder's total Bid, including alternates.
8. **Prequalification.** If the Project has electrical, mechanical, or plumbing components that will be performed by subcontractors performing under the following license classification(s), then each of those subcontractors must also have been prequalified by the District: C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43, and/or C-46.
9. **DVBEs.** Bidder must indicate which, if any, of its subcontractors are disabled veteran business enterprises (DVBE) and the estimated percentage of the Work those subcontractor(s) will perform.
10. **Bidders may correct inadvertent error(s) in listing subcontractors' CSLB Nos. or DIR Nos. within twenty-four (24) hours after bid opening.**
11. **Additional Sheets.** If further space is required for the list of proposed subcontractors, additional sheets showing the required information, as indicated below, shall be attached hereto and made a part of this document and submitted with this form.

I certify and declare under penalty of perjury under the laws of the State of California that all the information listed on the following page(s) is complete, true, and correct.

Date: 3-7-24

Proper Name of Bidder: D & M MARTIN CONSTRUCTION, INC.

Signature: *Michael Martin*

Print Name: MICHAEL MARTIN

Title: PRES.

Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.: <u>520857</u>
BERTINO MKT. INC.	CASEWORK	COLTON	DIR No.: <u>1000006947</u>
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.: <u>853357</u>
FISCHER INC.	PLUMBING	SAN BERNARDINO	DIR No.: <u>1000000857</u>
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.: <u>571581</u>
CONTINENTAL FLOORING, INC.	FLOORING	RANCHO CUCAMONGA	DIR No.: <u>1000002449</u>
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.: <u>691828</u>
ENKO SYSTEMS, INC.	LOW VOLTAGE	SAN BERNARDINO	DIR No.: <u>1000001947</u>
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.: <u>1042300</u>
CREATIVE PAVING SOLUTIONS	PAVEMENT COATINGS	GLENDALE	DIR No.: <u>1000059798</u>
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.: <u>456836</u>
TERRA PAVE, INC.	ASPHALT PAVING	WHITTIER	DIR No.: <u>1000000807</u>
			If DVBE, % of Work:

D & M MARTIN

Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.: 349815
RCB AND SONS, INC.	LANDSCAPING	RIVERSIDE	DIR No.: 1000006636
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.: 745223
JOHN A. MORROW, INC.	FENCING	HESTERIA	DIR No.: 1000001676
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.: 492369
GMAT, INC.	BI-FOLD GLASS DOOR	COLTON	DIR No.: 1000017098
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.: 667261
ROBERTSON INDUSTRIES, INC.	RUBBER SAFETY SURFACING	TEMPE, AZ	DIR No.: 1000002700
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.: 792079
PACIFIC WEST INDUSTRIES, INC.	HVAC	ANAHEIM	DIR No.: 1000002299
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.: 849044
FIELD TURF COMMERCIAL	ARTIFICIAL TURF	CALHOUN, GA	DIR No.: 1000004625
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.: 394741
MEL SMITH ELECTRIC	ELECTRICAL	STANTON	DIR No.: 1000001784
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.:
			DIR No.:
			If DVBE, % of Work:

Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.:
			DIR No.:
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.:
			DIR No.:
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.:
			DIR No.:
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.:
			DIR No.:
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.:
			DIR No.:
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.:
			DIR No.:
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.:
			DIR No.:
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.:
			DIR No.:
			If DVBE, % of Work:

END OF DOCUMENT

**DOCUMENT 00 43 40**  
**NONCOLLUSION DECLARATION**  
**Public Contract Code § 7106**  
**ATTACHMENT # 3**

TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

The undersigned declares:

I am the PRESIDENT [PRINT YOUR TITLE]

of D & M MARTIN CONSTRUCTION, INC. [PRINT FIRM NAME]

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 false or sham bid. The bidder has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else 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 that the foregoing is true and correct and that this declaration is executed on the following date:

Date: 3-7-24

Proper Name of Bidder: D & M MARTIN CONSTRUCTION, INC.

City, State: HIGHLAND CA

Signature: Michael Martin

Print Name: MICHAEL MARTIN

Title: PRESIDENT

END OF DOCUMENT

**DOCUMENT 00 43 50**  
**IRAN CONTRACTING ACT CERTIFICATION (Public Contract Code § 2204)**  
**ATTACHMENT # 4**

**F24-04 MUSCOY ES - SITE IMPROVEMENTS ("Project" or "Contract")**

Pursuant to Public Contract Code (PCC) section 2204, an Iran Contracting Act certification is required for solicitations of goods or services of one million dollars (\$1,000,000) or more.

Bidder shall complete **ONLY ONE** of the following three paragraphs.

☐ 1. Bidder's Total Base Bid is less than one million dollars (\$1,000,000).

**OR**

☒ 2. Bidder's Total Base Bid is one million dollars (\$1,000,000) or more, but Bidder is **not** on the current list of persons engaged in investment activities in Iran created by the California Department of General Services ("DGS") pursuant to Public Contract Code § 2203(b), and Bidder is not a financial institution extending twenty million dollars (\$20,000,000) or more in credit to another person, for 45 days or more, if that other person will use the credit to provide goods or services in the energy sector in Iran and is identified on the current list of persons engaged in investment activities in Iran created by DGS.

**OR**

☐ 3. Bidder's Total Base Bid is one million dollars (\$1,000,000) or more, but the District has given prior written permission to Bidder to submit a proposal pursuant to PCC 2203(c) or (d). **A copy of the written permission from the District is included with Bid.**

I certify that I am duly authorized to legally bind the Bidder to this certification, that the contents of this certification are true, and that this certification is made under the laws of the State of California.

Date:

2-24-24

Proper Name of Bidder:

D & M. MARTIN CONSTRUCTION, INC.

Signature:



Print Name:

MICHAEL MARTIN

Title:

PRES.

END OF DOCUMENT

DOCUMENT 00 41 13

## **BID COVER SHEET**

BID NO.: F24-04 DSA APP #: 04-121983

BID DUE: Thursday, March 7, 2024 @ 2:00PM

PROJECT NAME:  
F24-04 MUSCOY ES - SITE IMPROVEMENTS

PROJECT LOCATION:  
Muscoy Elementary School, 2119 Blake St, San Bernardino, CA 92407

THE WORK UNDER THIS BID IS A PROJECT OF:

**FACILITIES PLANNING AND DEVELOPMENT DEPARTMENT**

BID PACKAGE SUBMITTAL FROM:

BIDDER/CONTRACTOR: DALKE & SONS CONSTRUCTION, INC.

BIDDER CONTACT: Barry Dalke, Vice President

BIDDER ADDRESS: 4585 Allstate Drive, Riverside, CA 92501

BIDDER TELEPHONE: (951) 274-9880

BIDDER EMAIL: barry@dalkeandsons.com

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.**



**BID FORM**

To: Governing Board of **San Bernardino City Unified School District** ("District")

From: **DALKE & SONS CONSTRUCTION, INC.**

(Proper Name of Bidder)

1. **Total Bid.** The undersigned declares that the Contract Documents including, without limitation, the Invitation to Bid, the Instructions to Bidders, and the Special Conditions have been read, and agrees and proposes to furnish all necessary labor, materials, and equipment to perform and furnish all work in accordance with the terms and conditions of the Contract Documents, including, without limitation, the Drawings and Specifications for the following project:

**F24-04 MUSCOY ES - SITE IMPROVEMENTS** ("Project" or "Contract")

and will accept in full payment for that Work the following total lump sum amount, all taxes included:

Bid Item No. 1 for Muscoy ES	\$ <u>3,348,680</u> Dollars
<b>TOTAL BASE BID</b>	\$ <u>3,348,680</u> Dollars
<small>NOTE: IF THERE ARE ALLOWANCES IDENTIFIED IN THIS BID FORM, DO <b>NOT</b> INCLUDE ANY ALLOWANCE(S) AMOUNTS IN THESE BID AMOUNTS.</small>	
<b>Total Base Bid in Words</b>	
<u>Three million, three hundred forty-eight thousand, six hundred eighty —</u>	

2. **Additive/Deductive Alternates:** n/a

**Alternate #1**

MUSCOY CLASSROOM IMPROVEMENTS - Additive:	\$ <u>498,890</u> Dollars
---	---------------------------

Descriptions of alternates are primarily scope definitions and do not necessarily detail the full range of materials and processes needed to complete the construction

3. **Unit Price(s).** The Bidder's Base Bid includes the following unit price(s), which the Bidder must provide and the District may, at its discretion, utilize in valuing additive and/or deductive change orders: n/a
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DISTRICT ALLOWANCE

\$ 60,000.00

5. **Contract Review.** The undersigned has reviewed the Work outlined in the Contract Documents and fully understands the scope of Work required in this bid, understands the construction and project management function(s) is described in the Contract Documents, and that each Bidder who is awarded a contract shall be in fact a prime contractor, not a subcontractor, to the District, and agrees that its bid, if accepted by the District, will be the basis for the Bidder to enter into a contract with the District in accordance with the intent of the Contract Documents.
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8. **Contractual Provisions.** The undersigned hereby acknowledges and agrees to be bound by following provisions and all provisions in the Contract Documents:
- The liquidated damages clause of the General Conditions and Agreement.
  - The "Changes in the Work" provisions in the General Conditions that limit the permitted charges and mark-ups on change orders and on the amount of home office overhead that the successful bidder can receive from the District.
  - The "Claims" provisions in the General Conditions that delineate the required process to submit and process disputes and claims.
  - The "COVID-19" provisions in the Contract Documents related to the Contractor's staffing requirements and its compliance with all applicable and existing federal, state, and/or local statutes, orders, rules, regulations, ordinances, and/or directives relating to construction site safety in connection with COVID-19, and/or any similar virus or derivative strain.
9. **Bid Open for 90 Days.** It is understood that the District reserves the right to reject this bid and that the bid shall remain open to acceptance and is irrevocable for a period of ninety (90) days.
10. **Attachments.** The following documents are attached hereto:
- Attachment # 1 - The Bid Bond on the District's form or other security
  - Attachment # 2 - The Designated Subcontractors List
  - Attachment # 3 - The Noncollusion Declaration
  - Attachment # 4 - Iran Contracting Act Certification
11. **Addenda Acknowledgement.** Receipt and acceptance of the following addenda is hereby acknowledged:

No. <u>1</u> , Dated <u>1/18/2024</u>	No. <u>2</u> , Dated <u>1/19/2024</u>
No. <u>3</u> , Dated <u>1/23/2024</u>	No. <u>4</u> , Dated <u>2/15/2024</u>
No. <u>5</u> , Dated <u>2/20/2024</u>	No. <u>6</u> , Dated <u>3/4/2024</u>

No. _____, Dated _____	No. _____, Dated _____
<input type="checkbox"/> Or check here if <b>no</b> addenda were issued.	

12. **Bidder's License.** Bidder acknowledges that the license required for performance of the Work is as stated in the Invitation to Bid. Bidder certifies that it is, at the time of bidding, and shall be throughout the period of the contract, licensed by the State of California to do the type of work required under the terms of the Contract Documents. Bidder further certifies that it is regularly engaged in the general class and type of work called for in the Contract Documents.
13. **Labor Harmony.** The undersigned hereby certifies that Bidder is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed on the Work.
14. **DIR Registration.** Bidder shall ensure that it and its Subcontractors comply with the registration and compliance monitoring provisions of Labor Code section 1771.4, including furnishing its CPRs to the Labor Commissioner, and are registered pursuant to Labor Code section 1725.5.
15. **Prequalification.** The Bidder confirms that it has been prequalified by the District. In addition, the Bidder confirms that, if the Project has electrical, mechanical, or plumbing components that will be performed by first-tier subcontractor with the following license classifications, then those subcontractors have also been prequalified by the District: C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43, and/or C-46.
16. **SWPPP QSP.** Bidder specifically acknowledges and understands that if it is awarded the Contract, it shall perform the Work of the Project related to being the District's Qualified SWPPP (Storm Water Pollution Prevention Plan) Practitioner ("QSP") and that the Bidder is certified to be the District's QSP, as required by the current California State Water Board's Construction General Permit.
17. **General Acknowledgement.** The Bidder represents that it is competent, knowledgeable, and has special skills with respect to the nature, extent, and inherent conditions of the Work to be performed. Bidder further acknowledges that there are certain peculiar and inherent conditions existent in the construction of the Work that may create, during the Work, unusual or peculiar unsafe conditions hazardous to persons and property. Bidder expressly acknowledges that it is aware of such peculiar risks and that it has the skill and experience to foresee and to adopt protective measures to adequately and safely perform the Work with respect to such hazards.
18. **False Claims Act.** Bidder expressly acknowledges that it is aware that if a false claim is knowingly submitted (as the terms "claim" and "knowingly" are defined in the California False Claims Act, Cal. Gov. Code, §12650 et seq.), the District will be entitled to civil remedies set forth in the California False Claim Act. It may also be considered fraud and the Contractor may be subject to criminal prosecution.

Furthermore, Bidder hereby certifies to the District that all representations, certifications, and statements made by Bidder, as set forth in this bid form, are true and correct and are made under penalty of perjury.

Dated this 12th day of March 20 24

Signature 

Signed by (Print Name) Barry Dalke

Title of Person Signing Vice President

Name of Bidder DALKE & SONS CONSTRUCTION, INC.

Type of Organization Corporation

Address of Bidder 4585 Allstate Drive, Riverside, CA 92501

Taxpayer's Identification No. of Bidder 33-0466455

Telephone Number (951) 274-9880

Fax Number (951) 274-0319

E-mail barry@dalkeandsons.com Web page www.dalkeandsons.com

Bidder's DIR Registration No.: No.: 1000003081

Contractor's License No(s): No.: 612500 Class: B, C10 Expiration Date: 2/28/2025

No.: \_\_\_\_\_ Class: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

No.: \_\_\_\_\_ Class: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

If Bidder is a corporation, provide the following:

Name of Corporation: DALKE & SONS CONSTRUCTION, INC.

President: Troy Dalke

Secretary: Calvin Dake Jr.,

Treasurer: Calvin Dalke Jr.

END OF DOCUMENT



## DALKE & SONS CONSTRUCTION, INC.

### Corporation Certificate

State of California                     )  
   )  
County of Riverside                     )

I HEREBY CERTIFY that during a meeting of the Board of Directors of **DALKE & SONS CONSTRUCTION, INC.** a corporation existing under the Laws of the State of California, held on November 4, 2019, the following resolution was duly passed and adopted:

"Resolved, that **Troy Dalke**, as **President**, **Barry Dalke**, **Todd Dalke**, **Calvin Dalke Jr.**, as **Vice President** of the corporation, be and is hereby authorized to execute all Bids, Contract Documents and Permits for this corporation and that his execution thereof and with the Corporation Seal affixed, shall be the official act and deed of this Corporation."

I further certify that said resolution is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the corporation this 4<sup>th</sup>, day of November 2019.

A handwritten signature in blue ink, appearing to read "Troy Dalke", written over a horizontal line.

Troy Dalke, President

A handwritten signature in blue ink, appearing to read "Calvin Dalke, Jr.", written over a horizontal line.

Calvin Dalke, Jr., Secretary -- Vice President

**DOCUMENT 00 43 36**  
**DESIGNATED SUBCONTRACTORS LIST**  
**ATTACHMENT # 2**

TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

**F24-04 MUSCOY ES - SITE IMPROVEMENTS ("Project" or "Contract")**

1. **Listed.** Bidder must list hereinafter the name and location of each subcontractor who will be employed, and the scope of Work that each will perform if the Contract is awarded to the Bidder. Bidder acknowledges and agrees that under Public Contract Code section 4100, et seq., it must clearly identify the name and location of each subcontractor who will perform work or labor or render service to the Bidder in or about the construction of the Work in an amount in excess of one-half of one percent (1/2 of 1%) of Bidder's total Bid.
2. **CSLB Number.** Bidder must provide the Contactor State License Board number ("CSLB No.") for all listed subcontractors.
3. **DIR Number.** Bidder must provide the Department of Industrial Relations registration number ("DIR No.") for all listed subcontractors.
4. **Same Scope.** If more than one subcontractor is named for the same scope of Work, state with specificity the particular scope or portion that each subcontractor will perform.
5. **No Vendors or Suppliers.** Bidder need not list entities that are only vendors or suppliers of materials.
6. **Not Listed.** As to any Work that Bidder fails to list that is in excess of one-half of one percent (1/2 of 1%) of Bidder's total Bid, Bidder agrees that it is qualified to perform that scope of Work and will perform that scope of Work, or be subjected to penalty under applicable law.
7. **Alternate Work.** If alternate bids are called for and Bidder intends to use Subcontractors different from or in addition to those Subcontractors listed for work under the base Bid, Bidder must list Subcontractors that will perform Work in an amount in excess of one half of one percent (1/2 of 1%) of Bidder's total Bid, including alternates.
8. **Prequalification.** If the Project has electrical, mechanical, or plumbing components that will be performed by subcontractors performing under the following license classification(s), then each of those subcontractors must also have been prequalified by the District: C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43, and/or C-46.
9. **DVBEs.** Bidder must indicate which, if any, of its subcontractors are disabled veteran business enterprises (DVBE) and the estimated percentage of the Work those subcontractor(s) will perform.
10. **Bidders may correct inadvertent error(s) in listing subcontractors' CSLB Nos. or DIR Nos. within twenty-four (24) hours after bid opening.**
11. **Additional Sheets.** If further space is required for the list of proposed subcontractors, additional sheets showing the required information, as indicated below, shall be attached hereto and made a part of this document and submitted with this form.

I certify and declare under penalty of perjury under the laws of the State of California that all the information listed on the following page(s) is complete, true, and correct.

Date: 3/12/2024

Proper Name of Bidder: DALKE & SONS CONSTRUCTION, INC.

Signature: 

Print Name: Barry Dalke

Title: Vice President

Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.: <u>456836</u>
<u>Tera Pave</u>	<u>Asphalt</u>	<u>Whittier</u>	DIR No.: <u>100000807</u>
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.: <u>870586</u>
<u>Wolverine Fence</u>	<u>Fencing, Handball, Futsal court</u>	<u>La Habra</u>	DIR No.: <del>100000545</del> <u>1000004678</u>
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.: <u>595709</u>
<del>BEA AP</del> <u>KAR Const.</u>	<u>Concrete</u>	<u>Ontario</u>	DIR No.: <u>100000930</u>
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.: <u>351557</u>
<u>Borkon Painting</u>	<u>Painting</u>	<u>Anaheim</u>	DIR No.: <u>1000002552</u>
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.: <u>394741</u>
<u>Mel Smith Electrical</u>	<u>Electrical</u>	<u>Stanton</u>	DIR No.: <u>1000001784</u>
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.: <u>954859</u>
<u>Ironclad</u>	<u>Grading &amp; Site Demo</u>	<u>Riverside</u>	DIR No.: <u>1000001508</u>
			If DVBE, % of Work:



Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.: <i>667261</i>
<i>Robinson's Reg. Surfaces</i>	<i>Playground Surfacing</i>	<i>Tempe, AZ</i>	DIR No.: <i>1000002700</i>
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.: <i>571581</i>
<i>Continental Flooring</i>	<i>Flooring</i>	<i>Rancho Cucamonga</i>	DIR No.: <i>1000002449</i>
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.: <i>957421</i>
<i>McKernan</i>	<i>Doors &amp; Glazing</i>	<i>Redlands</i>	DIR No.: <i>1000002082</i>
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.: <i>1000195</i>
<i>K.E. Rodgers</i>	<i>Plumbing &amp; Storm Drain</i>	<i>Redlands</i>	DIR No.: <i>1000033832</i>
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.: <i>7954052</i>
<i>Dave Bang Associates</i>	<i>Playground Structures</i>	<i>Tustin</i>	DIR No.: <i>1000002974</i>
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.: <i>349815</i>
<i>RCB &amp; Sons</i>	<i>Landscape &amp; Synthetic Turf</i>	<i>Riverside</i>	DIR No.: <i>1000006636</i>
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.: <i>375584</i>
<i>Couts Heating &amp; Cooling</i>	<i>Corona</i>	<i>HVAC</i>	DIR No.: <i>1000001611</i>
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.: <i>657695</i>
<i>Artco</i>	<i>Playground Installers</i>	<i>Orange</i>	DIR No.: <i>1000001641</i>
			If DVBE, % of Work:

<b>Subcontractor Name</b>	<b>Portion of Work (Scope)</b>	<b>Location of Business</b>	<b>CSLB No.:</b>
			<b>DIR No.:</b>
			<b>If DVBE, % of Work:</b>
<b>Subcontractor Name</b>	<b>Portion of Work (Scope)</b>	<b>Location of Business</b>	<b>CSLB No.:</b>
			<b>DIR No.:</b>
			<b>If DVBE, % of Work:</b>
<b>Subcontractor Name</b>	<b>Portion of Work (Scope)</b>	<b>Location of Business</b>	<b>CSLB No.:</b>
			<b>DIR No.:</b>
			<b>If DVBE, % of Work:</b>
<b>Subcontractor Name</b>	<b>Portion of Work (Scope)</b>	<b>Location of Business</b>	<b>CSLB No.:</b>
			<b>DIR No.:</b>
			<b>If DVBE, % of Work:</b>
<b>Subcontractor Name</b>	<b>Portion of Work (Scope)</b>	<b>Location of Business</b>	<b>CSLB No.:</b>
			<b>DIR No.:</b>
			<b>If DVBE, % of Work:</b>
<b>Subcontractor Name</b>	<b>Portion of Work (Scope)</b>	<b>Location of Business</b>	<b>CSLB No.:</b>
			<b>DIR No.:</b>
			<b>If DVBE, % of Work:</b>
<b>Subcontractor Name</b>	<b>Portion of Work (Scope)</b>	<b>Location of Business</b>	<b>CSLB No.:</b>
			<b>DIR No.:</b>
			<b>If DVBE, % of Work:</b>
<b>Subcontractor Name</b>	<b>Portion of Work (Scope)</b>	<b>Location of Business</b>	<b>CSLB No.:</b>
			<b>DIR No.:</b>
			<b>If DVBE, % of Work:</b>

END OF DOCUMENT

**BID DOCUMENT**

**BID BOND (SECURITY)**

HAS BEEN EXCLUDED FROM THE PUBLIC UPLOAD OF THIS DOCUMENT. IT MAY BE VIEWED IN PERSON AT OUR OFFICE. PLEASE SCHEDULE AN APPOINTMENT WITH US IF YOU WOULD LIKE TO VIEW IN PERSON.

SBCUSD - FACILITIES DEPARTMENT

956 W 9<sup>TH</sup> ST

SAN BERNARDINO, CA 92411

909-388-6100

SEAN.MACDOWELL@SBCUSD.K12.CA.US

**DOCUMENT 00 43 40**  
**NONCOLLUSION DECLARATION**  
**Public Contract Code § 7106**  
**ATTACHMENT # 3**

TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

The undersigned declares:

I am the Vice President [PRINT YOUR TITLE]

of DALKE & SONS CONSTRUCTION, INC. [PRINT FIRM NAME]

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 false or sham bid. The bidder has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else 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 that the foregoing is true and correct and that this declaration is executed on the following date:

Date: 3/11/2024

Proper Name of Bidder: DALKE & SONS CONSTRUCTION, INC.

City, State: Riverside, California

Signature: 

Print Name: Barry Dalke

Title: Vice President

END OF DOCUMENT

**CALIFORNIA ACKNOWLEDGMENT**

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 3/11/2024 before me, Cindy Jackson, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared Barry Dalke  
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.



Place Notary Seal and/or Stamp Above

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 Cindy Jackson  
Signature of Notary Public

**OPTIONAL**

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: Non-Collusion Declaration - San Bernardino USD Muscoy ES, Site Improvements

Document Date: 3/11/2024 Number of Pages: 1

Signer(s) Other Than Named Above: NO OTHER SIGNERS

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: Barry Dalke  
☒ Corporate Officer – Title(s): Vice President  
☐ Partner – ☐ Limited ☐ General  
☐ Individual ☐ Attorney in Fact  
☐ Trustee ☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_  
Signer is Representing: Dalke & Sons Construction

Signer's Name: \_\_\_\_\_  
☐ Corporate Officer – Title(s): \_\_\_\_\_  
☐ Partner – ☐ Limited ☐ General  
☐ Individual ☐ Attorney in Fact  
☐ Trustee ☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_  
Signer is Representing: \_\_\_\_\_

**DOCUMENT 00 43 50**  
**IRAN CONTRACTING ACT CERTIFICATION (Public Contract Code § 2204)**  
**ATTACHMENT # 4**

**F24-04 MUSCOY ES - SITE IMPROVEMENTS ("Project" or "Contract")**

Pursuant to Public Contract Code (PCC) section 2204, an Iran Contracting Act certification is required for solicitations of goods or services of one million dollars (\$1,000,000) or more.

Bidder shall complete **ONLY ONE** of the following three paragraphs.

☐ 1. Bidder's Total Base Bid is less than one million dollars (\$1,000,000).

**OR**

☒ 2. Bidder's Total Base Bid is one million dollars (\$1,000,000) or more, but Bidder is **not** on the current list of persons engaged in investment activities in Iran created by the California Department of General Services ("DGS") pursuant to Public Contract Code § 2203(b), and Bidder is not a financial institution extending twenty million dollars (\$20,000,000) or more in credit to another person, for 45 days or more, if that other person will use the credit to provide goods or services in the energy sector in Iran and is identified on the current list of persons engaged in investment activities in Iran created by DGS.

**OR**

☐ 3. Bidder's Total Base Bid is one million dollars (\$1,000,000) or more, but the District has given prior written permission to Bidder to submit a proposal pursuant to PCC 2203(c) or (d). **A copy of the written permission from the District is included with Bid.**

I certify that I am duly authorized to legally bind the Bidder to this certification, that the contents of this certification are true, and that this certification is made under the laws of the State of California.

Date: 3/12/2024

Proper Name of Bidder: DALKE & SONS CONSTRUCTION, INC.

Signature: 

Print Name: Barry Dalke

Title: Vice President

END OF DOCUMENT

DOCUMENT 00 41 13

## BID COVER SHEET

BID NO.: F24-04

DSA APP #: 04-121983

BID DUE: Thursday, March 7, 2024 @ 2:00PM

PROJECT NAME:

F24-04 MUSCOY ES - SITE IMPROVEMENTS

PROJECT LOCATION:

Muscoy Elementary School, 2119 Blake St, San Bernardino, CA 92407

THE WORK UNDER THIS BID IS A PROJECT OF:

FACILITIES PLANNING AND DEVELOPMENT DEPARTMENT

BID PACKAGE SUBMITTAL FROM:

BIDDER/CONTRACTOR: ABNY General Engineering Inc.

BIDDER CONTACT: Sam Wahba

BIDDER ADDRESS: 1302 Indian Springs Dr, Glendora, CA 91741

BIDDER TELEPHONE: 626-586-2020

BIDDER EMAIL: SamWahba@abnyinc.com

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.**



**BID FORM**

To: Governing Board of **San Bernardino City Unified School District** ("District")

From: ABNY General Engineering Inc.  
(Proper Name of Bidder)

1. **Total Bid.** The undersigned declares that the Contract Documents including, without limitation, the Invitation to Bid, the Instructions to Bidders, and the Special Conditions have been read, and agrees and proposes to furnish all necessary labor, materials, and equipment to perform and furnish all work in accordance with the terms and conditions of the Contract Documents, including, without limitation, the Drawings and Specifications for the following project:

**F24-04 MUSCOY ES - SITE IMPROVEMENTS** ("Project" or "Contract")

and will accept in full payment for that Work the following total lump sum amount, all taxes included:

Bid Item No. 1 for Muscoy ES	\$ <u>3,700,000</u> Dollars
<b>TOTAL BASE BID</b>	\$ <u>3,700,000</u> Dollars
<b>NOTE: IF THERE ARE ALLOWANCES IDENTIFIED IN THIS BID FORM, DO <u>NOT</u> INCLUDE ANY ALLOWANCE(S) AMOUNTS IN THESE BID AMOUNTS.</b>	
<b>Total Base Bid in Words</b>	
<u>Three Million Seven Hundred Thousand Dollars</u>	

2. **Additive/Deductive Alternates:** n/a

**Alternate #1**

<b>MUSCOY CLASSROOM IMPROVEMENTS - Additive:</b>	\$ <u>1,300,000</u> Dollars
--	-----------------------------

Descriptions of alternates are primarily scope definitions and do not necessarily detail the full range of materials and processes needed to complete the construction

3. **Unit Price(s).** The Bidder's Base Bid includes the following unit price(s), which the Bidder must provide and the District may, at its discretion, utilize in valuing additive and/or deductive change orders: n/a
4. **Allowance(s).** The Bidder's Base Bid shall **NOT** include the following potential Allowance(s). The District will add some or all of the following Allowance(s) amount(s) to the successful bidder's Contract, at the District's discretion. Contractor shall be permitted to invoice for Work under an Allowance in the identical structure as a Change Order.

**DISTRICT ALLOWANCE**

\$ 60,000.00

5. **Contract Review.** The undersigned has reviewed the Work outlined in the Contract Documents and fully understands the scope of Work required in this bid, understands the construction and project management function(s) is described in the Contract Documents, and that each Bidder who is awarded a contract shall be in fact a prime contractor, not a subcontractor, to the District, and agrees that its bid, if accepted by the District, will be the basis for the Bidder to enter into a contract with the District in accordance with the intent of the Contract Documents.
6. **Requests for Clarification.** The undersigned has notified the District in writing of any discrepancies or omissions or of any doubt, questions, or ambiguities about the meaning of any of the Contract Documents, and has contacted the Construction Manager before bid date to verify the issuance of any clarifying Addenda.
7. **Contract Time.** The undersigned agrees to commence work under this Contract on the date established in the Contract Documents and to complete all work within the time specified in the Contract Documents.
8. **Contractual Provisions.** The undersigned hereby acknowledges and agrees to be bound by following provisions and all provisions in the Contract Documents:
- The liquidated damages clause of the General Conditions and Agreement.
  - The "Changes in the Work" provisions in the General Conditions that limit the permitted charges and mark-ups on change orders and on the amount of home office overhead that the successful bidder can receive from the District.
  - The "Claims" provisions in the General Conditions that delineate the required process to submit and process disputes and claims.
  - The "COVID-19" provisions in the Contract Documents related to the Contractor's staffing requirements and its compliance with all applicable and existing federal, state, and/or local statutes, orders, rules, regulations, ordinances, and/or directives relating to construction site safety in connection with COVID-19, and/or any similar virus or derivative strain.
9. **Bid Open for 90 Days.** It is understood that the District reserves the right to reject this bid and that the bid shall remain open to acceptance and is irrevocable for a period of ninety (90) days.
10. **Attachments.** The following documents are attached hereto:
- Attachment # 1 - The Bid Bond on the District's form or other security
  - Attachment # 2 - The Designated Subcontractors List
  - Attachment # 3 - The Noncollusion Declaration
  - Attachment # 4 - Iran Contracting Act Certification

11. **Addenda Acknowledgement.** Receipt and acceptance of the following addenda is hereby acknowledged:

No. <u>1</u> , Dated <u>01/18/2024</u>	No. <u>4</u> , Dated <u>02/15/2024</u>
No. <u>2</u> , Dated <u>01/19/2024</u>	No. <u>5</u> , Dated <u>02/20/2024</u>
No. <u>3</u> , Dated <u>01/23/2024</u>	No. <u>6</u> , Dated <u>03/04/2024</u>

No. _____, Dated _____	No. _____, Dated _____
<input type="checkbox"/> Or check here if <b>no</b> addenda were issued.	

12. **Bidder's License.** Bidder acknowledges that the license required for performance of the Work is as stated in the Invitation to Bid. Bidder certifies that it is, at the time of bidding, and shall be throughout the period of the contract, licensed by the State of California to do the type of work required under the terms of the Contract Documents. Bidder further certifies that it is regularly engaged in the general class and type of work called for in the Contract Documents.
13. **Labor Harmony.** The undersigned hereby certifies that Bidder is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed on the Work.
14. **DIR Registration.** Bidder shall ensure that it and its Subcontractors comply with the registration and compliance monitoring provisions of Labor Code section 1771.4, including furnishing its CPRs to the Labor Commissioner, and are registered pursuant to Labor Code section 1725.5.
15. **Prequalification.** The Bidder confirms that it has been prequalified by the District. In addition, the Bidder confirms that, if the Project has electrical, mechanical, or plumbing components that will be performed by first-tier subcontractor with the following license classifications, then those subcontractors have also been prequalified by the District: C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43, and/or C-46.
16. **SWPPP QSP.** Bidder specifically acknowledges and understands that if it is awarded the Contract, it shall perform the Work of the Project related to being the District's Qualified SWPPP (Storm Water Pollution Prevention Plan) Practitioner ("QSP") and that the Bidder is certified to be the District's QSP, as required by the current California State Water Board's Construction General Permit.
17. **General Acknowledgement.** The Bidder represents that it is competent, knowledgeable, and has special skills with respect to the nature, extent, and inherent conditions of the Work to be performed. Bidder further acknowledges that there are certain peculiar and inherent conditions existent in the construction of the Work that may create, during the Work, unusual or peculiar unsafe conditions hazardous to persons and property. Bidder expressly acknowledges that it is aware of such peculiar risks and that it has the skill and experience to foresee and to adopt protective measures to adequately and safely perform the Work with respect to such hazards.
18. **False Claims Act.** Bidder expressly acknowledges that it is aware that if a false claim is knowingly submitted (as the terms "claim" and "knowingly" are defined in the California False Claims Act, Cal. Gov. Code, §12650 et seq.), the District will be entitled to civil remedies set forth in the California False Claim Act. It may also be considered fraud and the Contractor may be subject to criminal prosecution.

Furthermore, Bidder hereby certifies to the District that all representations, certifications, and statements made by Bidder, as set forth in this bid form, are true and correct and are made under penalty of perjury.

Dated this 12<sup>th</sup> day of March 20 24

Signature 

Signed by (Print Name) Sam Wahba

Title of Person Signing President

Name of Bidder ABNY General Engineering Inc.

Type of Organization Corporation

Address of Bidder 1302 Indian Springs Dr, Glendora, CA 91741

Taxpayer's Identification No. of Bidder 45-4761930

Telephone Number 626-586-2020

Fax Number 626-380-4944

E-mail Samwahba@abnyinc.com Web page N/A

Bidder's DIR Registration No.: No. 1000002354

Contractor's License No(s): No. 979357 Class: A,B Expiration Date: 12/31/2024

No.: \_\_\_\_\_ Class: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

No.: \_\_\_\_\_ Class: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

If Bidder is a corporation, provide the following:

Name of Corporation: ABNY General Engineering Inc.

President: Sam Wahba

Secretary: Sam Wahba

Treasurer: Sam Wahba

END OF DOCUMENT

**BID DOCUMENT**

**BID BOND (SECURITY)**

HAS BEEN EXCLUDED FROM THE PUBLIC UPLOAD OF THIS DOCUMENT. IT MAY BE VIEWED IN PERSON AT OUR OFFICE. PLEASE SCHEDULE AN APPOINTMENT WITH US IF YOU WOULD LIKE TO VIEW IN PERSON.

SBCUSD - FACILITIES DEPARTMENT

956 W 9<sup>TH</sup> ST

SAN BERNARDINO, CA 92411

909-388-6100

SEAN.MACDOWELL@SBCUSD.K12.CA.US

**DOCUMENT 00 43 36**  
**DESIGNATED SUBCONTRACTORS LIST**  
**ATTACHMENT # 2**

TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID


**F24-04 MUSCOY ES - SITE IMPROVEMENTS ("Project" or "Contract")**

1. **Listed.** Bidder must list hereinafter the name and location of each subcontractor who will be employed, and the scope of Work that each will perform if the Contract is awarded to the Bidder. Bidder acknowledges and agrees that under Public Contract Code section 4100, et seq., it must clearly identify the name and location of each subcontractor who will perform work or labor or render service to the Bidder in or about the construction of the Work in an amount in excess of one-half of one percent (1/2 of 1%) of Bidder's total Bid.
2. **CSLB Number.** Bidder must provide the Contactor State License Board number ("**CSLB No.**") for all listed subcontractors.
3. **DIR Number.** Bidder must provide the Department of Industrial Relations registration number ("**DIR No.**") for all listed subcontractors.
4. **Same Scope.** If more than one subcontractor is named for the same scope of Work, state with specificity the particular scope or portion that each subcontractor will perform.
5. **No Vendors or Suppliers.** Bidder need not list entities that are only vendors or suppliers of materials.
6. **Not Listed.** As to any Work that Bidder fails to list that is in excess of one-half of one percent (1/2 of 1%) of Bidder's total Bid, Bidder agrees that it is qualified to perform that scope of Work and will perform that scope of Work, or be subjected to penalty under applicable law.
7. **Alternate Work.** If alternate bids are called for and Bidder intends to use Subcontractors different from or in addition to those Subcontractors listed for work under the base Bid, Bidder must list Subcontractors that will perform Work in an amount in excess of one half of one percent (1/2 of 1%) of Bidder's total Bid, including alternates.
8. **Prequalification.** If the Project has electrical, mechanical, or plumbing components that will be performed by subcontractors performing under the following license classification(s), then each of those subcontractors must also have been prequalified by the District: C-4, C-7, C-10, C-16, C-20, C-34, C-36, C-38, C-42, C-43, and/or C-46.
9. **DVBES.** Bidder must indicate which, if any, of its subcontractors are disabled veteran business enterprises (DVBE) and the estimated percentage of the Work those subcontractor(s) will perform.
10. **Bidders may correct inadvertent error(s) in listing subcontractors' CSLB Nos. or DIR Nos. within twenty-four (24) hours after bid opening.**
11. **Additional Sheets.** If further space is required for the list of proposed subcontractors, additional sheets showing the required information, as indicated below, shall be attached hereto and made a part of this document and submitted with this form.

I certify and declare under penalty of perjury under the laws of the State of California that all the information listed on the following page(s) is complete, true, and correct.

Date: 03-12-2024

Proper Name of Bidder: ABNY General Engineering Inc.

Signature: 

Print Name: Sam Wahba

Title: President

Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.: <u>1007195</u>
R.E. Shultz Construction	Play ground Equipment Installation	1767 N Batavias Orange CA 92865	DIR No.: <u>1000033385</u>
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.: <u>667261</u>
Robertsons Recreational Surfaces	Playground Surfacing	2140 E Cedar St Tempe AZ 85281	DIR No.: <u>1000002700</u>
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.: <u>849044</u>
Field Turf USA INC.	Synthetic Turf	175 N Industrial Blvd NE Calhoun GA 30701	DIR No.: <u>1000004625</u>
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.: <u>799983</u>
El Camino Asphalt	Asphalt Paving	784 N Lemon St Orange CA 92867	DIR No.: <u>1000026445</u>
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.: <u>760168</u>
Shayden Design Asphalt Inc.	Asphalt coating and Striping	P.O. BOX 285 ALPINE CA 91903	DIR No.: <u>1000395044</u>
			If DVBE, % of Work:
Subcontractor Name	Portion of Work (Scope)	Location of Business	CSLB No.:
			DIR No.:
			If DVBE, % of Work:



<b>Subcontractor Name</b>	<b>Portion of Work (Scope)</b>	<b>Location of Business</b>	<b>CSLB No.:</b>
			<b>DIR No.:</b>
			<b>If DVBE, % of Work:</b>
<b>Subcontractor Name</b>	<b>Portion of Work (Scope)</b>	<b>Location of Business</b>	<b>CSLB No.:</b>
			<b>DIR No.:</b>
			<b>If DVBE, % of Work:</b>
<b>Subcontractor Name</b>	<b>Portion of Work (Scope)</b>	<b>Location of Business</b>	<b>CSLB No.:</b>
			<b>DIR No.:</b>
			<b>If DVBE, % of Work:</b>
<b>Subcontractor Name</b>	<b>Portion of Work (Scope)</b>	<b>Location of Business</b>	<b>CSLB No.:</b>
			<b>DIR No.:</b>
			<b>If DVBE, % of Work:</b>
<b>Subcontractor Name</b>	<b>Portion of Work (Scope)</b>	<b>Location of Business</b>	<b>CSLB No.:</b>
			<b>DIR No.:</b>
			<b>If DVBE, % of Work:</b>
<b>Subcontractor Name</b>	<b>Portion of Work (Scope)</b>	<b>Location of Business</b>	<b>CSLB No.:</b>
			<b>DIR No.:</b>
			<b>If DVBE, % of Work:</b>
<b>Subcontractor Name</b>	<b>Portion of Work (Scope)</b>	<b>Location of Business</b>	<b>CSLB No.:</b>
			<b>DIR No.:</b>
			<b>If DVBE, % of Work:</b>
<b>Subcontractor Name</b>	<b>Portion of Work (Scope)</b>	<b>Location of Business</b>	<b>CSLB No.:</b>
			<b>DIR No.:</b>
			<b>If DVBE, % of Work:</b>

<b>Subcontractor Name</b>	<b>Portion of Work (Scope)</b>	<b>Location of Business</b>	<b>CSLB No.:</b>
			<b>DIR No.:</b>
			<b>If DVBE, % of Work:</b>
<b>Subcontractor Name</b>	<b>Portion of Work (Scope)</b>	<b>Location of Business</b>	<b>CSLB No.:</b>
			<b>DIR No.:</b>
			<b>If DVBE, % of Work:</b>
<b>Subcontractor Name</b>	<b>Portion of Work (Scope)</b>	<b>Location of Business</b>	<b>CSLB No.:</b>
			<b>DIR No.:</b>
			<b>If DVBE, % of Work:</b>
<b>Subcontractor Name</b>	<b>Portion of Work (Scope)</b>	<b>Location of Business</b>	<b>CSLB No.:</b>
			<b>DIR No.:</b>
			<b>If DVBE, % of Work:</b>
<b>Subcontractor Name</b>	<b>Portion of Work (Scope)</b>	<b>Location of Business</b>	<b>CSLB No.:</b>
			<b>DIR No.:</b>
			<b>If DVBE, % of Work:</b>
<b>Subcontractor Name</b>	<b>Portion of Work (Scope)</b>	<b>Location of Business</b>	<b>CSLB No.:</b>
			<b>DIR No.:</b>
			<b>If DVBE, % of Work:</b>
<b>Subcontractor Name</b>	<b>Portion of Work (Scope)</b>	<b>Location of Business</b>	<b>CSLB No.:</b>
			<b>DIR No.:</b>
			<b>If DVBE, % of Work:</b>
<b>Subcontractor Name</b>	<b>Portion of Work (Scope)</b>	<b>Location of Business</b>	<b>CSLB No.:</b>
			<b>DIR No.:</b>
			<b>If DVBE, % of Work:</b>

END OF DOCUMENT

**DOCUMENT 00 43 40**  
**NONCOLLUSION DECLARATION**  
**Public Contract Code § 7106**  
**ATTACHMENT # 3**

TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

The undersigned declares:

I am the President [PRINT YOUR TITLE]

of ABNY General Engineering Inc. [PRINT FIRM NAME]

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 false or sham bid. The bidder has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else 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 that the foregoing is true and correct and that this declaration is executed on the following date:

Date: 03-12-2024

Proper Name of Bidder: ABNY General Engineering Inc.

City, State: Glendora, California

Signature: 

Print Name: Sam Wahba

Title: President

END OF DOCUMENT

**DOCUMENT 00 43 50**  
**IRAN CONTRACTING ACT CERTIFICATION (Public Contract Code § 2204)**  
**ATTACHMENT # 4**

**F24-04 MUSCOY ES - SITE IMPROVEMENTS ("Project" or "Contract")**

Pursuant to Public Contract Code (PCC) section 2204, an Iran Contracting Act certification is required for solicitations of goods or services of one million dollars (\$1,000,000) or more.

Bidder shall complete **ONLY ONE** of the following three paragraphs.

☐ 1. Bidder's Total Base Bid is less than one million dollars (\$1,000,000).

**OR**

☒ 2. Bidder's Total Base Bid is one million dollars (\$1,000,000) or more, but Bidder is **not** on the current list of persons engaged in investment activities in Iran created by the California Department of General Services ("DGS") pursuant to Public Contract Code § 2203(b), and Bidder is not a financial institution extending twenty million dollars (\$20,000,000) or more in credit to another person, for 45 days or more, if that other person will use the credit to provide goods or services in the energy sector in Iran and is identified on the current list of persons engaged in investment activities in Iran created by DGS.


**OR**

☐ 3. Bidder's Total Base Bid is one million dollars (\$1,000,000) or more, but the District has given prior written permission to Bidder to submit a proposal pursuant to PCC 2203(c) or (d). **A copy of the written permission from the District is included with Bid.**

I certify that I am duly authorized to legally bind the Bidder to this certification, that the contents of this certification are true, and that this certification is made under the laws of the State of California.

Date: 03-12-2024

Proper Name of Bidder: ABNY General Engineering Inc.

Signature: 

Print Name: Sam Wahba

Title: President

END OF DOCUMENT