

OCT - 5 2005

By The
 Office of The City Clerk

TO THE HONORABLE CITY COUNCIL
 SACRAMENTO, CALIFORNIA:

In compliance with the Contract Documents, the undersigned hereby proposes to furnish all required labor, materials, supervision, transportation, equipment, services, taxes and incidentals required for:

**LINDEN PARK
 (PN: LW61)**

in the City and County of Sacramento, California.

The Work is to be done in strict conformity with the Contract Documents now on file in the Office of the City Clerk, for the following sum:

J M S & ASSOCIATES

Item No.	Item	Estimated Quantity	Unit	Unit Price	Total
1.	Site Clearing and Grubbing	1	LS	\$ 6818.00	\$ 6818.00
2.	Temporary Construction Fence to Install	1	LS	\$ 4995.00	\$ 4995.00
3.	Erosion and Sediment Control	1	LS	\$ 4601.00	\$ 4601.00
4.	Site Grading and Construction Staking	1	LS	\$ 69884.50	\$ 69884.50
5.	Catch Basin to Construct	5	EA	\$ 1799.00	\$ 8995.00
6.	Area Drain to Construct	4	EA	\$ 787.00	\$ 3148.00
7.	Play Area Drain to Construct	1	EA	\$ 1900.00	\$ 1900.00
8.	8" PVC Solid Drain Line to Place	1,215	LF	\$ 19.15	\$ 23267.25
9.	10" PVC Solid Drain Line to Place	80	LF	\$ 26.25	\$ 2100.00
10.	12" PVC Solid Drain Line to Place	191	LF	\$ 34.44	\$ 6578.04
11.	Solid Drain Line, 24" RCP to Place	10	LF	\$ 86.04	\$ 860.40
12.	Domestic Water Service Line, Meter and Backflow Preventer to Install	1	LS	\$ 5345.50	\$ 5345.50
13.	Aggregate Base to Place	81	CY	\$ 81.57	\$ 6607.17
14.	Concrete Pavement to Construct	6,536	SF	\$ 5.34	\$ 34902.24
15.	6" Concrete Play Area Curb to Construct	200	LF	\$ 28.11	\$ 5622.00

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CITY OF SACRAMENTO
 Department of Parks and Recreation
 Park Planning, Design and Development Division

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16.	Concrete Mowband to Construct	596	LF	\$ 17.15	\$ 10221.40
17.	Play Area Ramp to Construct	1	EA	\$ 1237.00	\$ 1237.00
18.	Asphalt Pavement to Place	150	SF	\$ 14.34	\$ 2151.00
19.	City Standard Commercial Driveway to Construct	1	LS	\$ 4070.00	\$ 4070.00
20.	Curb and Gutter to Construct	30	LF	\$ 98.38	\$ 2951.40
21.	Equipment Pad, Fence and Gate to Construct	1	LS	\$ 7118.00	\$ 7118.00
22.	Drinking Fountain with Sump to Install	1	LS	\$ 5151.00	\$ 5151.00
23.	Tot Age Play Structure to Install	1	LS	\$26129.00	\$ 26129.00
24.	Tot Age Swing to Install	1	LS	\$ 3309.00	\$ 3309.00
25.	Accessible Spring Platform to Install	1	LS	\$ 1757.50	\$ 1757.50
26.	Stationary Cycle to Install	1	LS	\$ 2090.00	\$ 2090.00
27.	Wood Fiber to Place	1	LS	\$ 6701.55	\$ 6701.55
28.	Bench to Install	4	EA	\$ 1060.00	\$ 4240.00
29.	Trash Receptacle to Install	1	EA	\$ 521.75	\$ 521.75
30.	Fold-Down Bollard to Install	2	EA	\$ 389.00	\$ 778.00
31.	Automatic Irrigation System to Install	1	LS	\$74060.00	\$ 74060.00
32.	Irrigation Controller to Install	1	LS	\$16265.00	\$ 16265.00
33.	Booster Pump to Install	1	LS	\$15100.00	\$ 15100.00
34.	Electrical to Install	1	LS	\$15030.00	\$ 15030.00
35.	Trees to Plant (15 Gallon)	156	EA	\$ 53.50	\$ 8346.00
36.	Trees to Plant (48" Box)	1	EA	\$ 1582.00	\$ 1582.00
37.	Shrub and Groundcover Areas to Plant	1	LS	\$ 1962.00	\$ 1962.00
38.	Turf Hydroseeding	1	LS	\$29044.00	\$ 29044.00
39.	Wildflower Mix Hydroseeding	1	LS	\$ 6072.00	\$ 6072.00

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40.	Erosion Control Hydroseeding	1	LS	\$ 3518.00	\$ 3518.00
41.	Bark Mulch to Place	41,450	SF	\$.73	\$ 30258.50
42.	Landscape Maintenance (90 Days)	1	LS	\$ 3373.00	\$ 3373.00
43.	Truncated Domes to Install	1	LS	\$ 787.00	\$ 787.00

BASE BID SUBTOTAL \$469448.20

ADDITIVE ALTERNATE BID ITEMS:

A1	Shade Shelter, Two Picnic Tables, Two Accessible Picnic Tables, One Trash Receptacle and Concrete Pad at Shade Structure to Construct	1	LS	\$	\$
				43412.00	43412.00
A2	Accessible Picnic Table, Trash Receptacle and Concrete Pad at Accessible Picnic Table to Construct	1	LS	\$	\$
				3798.00	3798.00
A3	Picnic Table and Concrete Pad at Picnic Table to Construct	1	LS	\$	\$
				3047.00	3047.00
A4	Volleyball Posts and Net to Install	1	LS	\$ 1135.00	\$ 1135.00
A5	Landscape Boulders to Place	13	TON	\$ 377.00	\$ 4901.00
A6	Cobblestone to Place	5	CY	\$ 191.00	\$ 955.00
A7	Bicycle Rack and Concrete Pad to Place	1	LS	\$ 2518.00	\$ 2518.00
A8	Rock Climber, Play Area Curb, Play Area Drain and Concrete Pavement to Construct	1	LS	\$	\$
				13168.00	13168.00

ADDITIVE ALTERNATE SUBTOTAL \$ 72934.00

**BASE BID PLUS ADDITIVE
 ALTERNATE TOTAL** \$ 542382.20

(F) – denotes final pay quantity

CONTRACTOR NAME: JMS & Associates **TOTAL \$** 542382.20

If awarded the Agreement, the undersigned agrees to sign said Agreement and furnish the necessary surety bonds and insurance certificates within ten (10) days after receipt of the notice of award of Agreement, and to begin work within fifteen (15) days after receipt of the Notice to Proceed by the City.

It is understood that this Bid Proposal is based upon completion of the Work within a period of **ONE HUNDRED AND EIGHTY (180) CALENDAR DAYS**. The undersigned agrees that all underground work for this project will be completed before the rainy season begins. The Contractor shall refer to Section 1.2 Completion Time of the Special Provisions for calculation of the completion date.

In determining the amount bid by each bidder, the City shall disregard mathematical errors in addition, subtraction, multiplication, and division that appear obvious on the face of the Proposal. When such a mathematical error appears on the face of the Proposal, the City shall have the right to correct such error and to compute the total amount bid by said bidder on the basis of the corrected figure or figures.

When an item price is required to be set forth in the Proposal, and the total for the item set forth separately does not agree with a figure which is derived by multiplying the item price times the Engineer's estimate of the quantity of work to be performed for said item, the item price shall prevail over the sum set forth as the total for the item unless, in the sole discretion of the City, such a procedure would be inconsistent with the policy of the bidding procedure. The total paid for each such item of work shall be based upon the item price and not the total price. Should the Proposal contain only total price for the item and the item price is omitted, the City shall determine the item price by dividing the total price for the item by the Engineer's estimate of the estimated quantities of work to be performed as items of work.

If the Proposal contains neither the item price nor the total price for the item, then it shall be deemed incomplete and the Proposal shall be disregarded.

The undersigned has examined the location of the proposed Work, the local conditions at the place where the Work is to be done, is familiar with the Contract Documents and is familiar and expressly agrees to the liquidated damages provision of the Contract Documents. The undersigned has checked carefully all of the foregoing figures and understands that the City of Sacramento will not be responsible for any errors or omissions on the part of the undersigned in making up this Bid Proposal.

The Master Plan for this project will be presented at the City Council meeting in September. Therefore, the possibility exists that these Construction Documents may undergo revisions. In the event of necessary revisions to the Construction Documents, the undersigned will be asked to make bid revisions.

Enclosed is Bid Proposal Guarantee, as required, consisting of a bidder's bond or other acceptable security for not less than ten percent (10%) of the amount Bid Proposal.

The undersigned agrees that all addenda received and acknowledged herein shall become a part of and be included in this Bid Proposal. This Bid Proposal includes the following addenda:

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Add. # _____ DATE _____
 Add. # _____ DATE _____
 Add. # _____ DATE _____

NOTE: State whether your concern is a corporation, a co-partnership, private individual, or individuals doing business under a firm name.

If the Bidder is a corporation, the Bid Proposal must be executed in the name of the corporation and must be signed by a duly authorized officer of the corporation.

If the Bidder is a partnership, the Bid Proposal must be executed in the name of the partnership and one of the partners must subscribe their signature thereto as the authorized representative of the partnership.

AMOUNT OF BID PROPOSAL GUARANTEE ENCLOSED:

(\$ 10%) not less than ten percent (10%) of amount Bid Proposal

_____ CERTIFIED CHECK
 _____ CASHIER'S CHECK
X _____ BID BOND
 _____ MONEY ORDER
 _____ OTHER SECURITY

CONTRACTOR:
 By [Signature]
 (Signature)
 John M. Slover

 (Print or Type)

Title Owner
 Address 1630 Lotus Rd.
Placerville, CA 95667
 Telephone No. 530-621-4815
 Fax No. 530-621-4869
 Date 10/05/05

Contractor's License No. 615956 Type A / C-27

Expiration Date 03/31/07

Tax I.D. Nos. - Fed. 33-0441646 State 377-4592-4

City of Sacramento Business Operation Tax Certificate No. 125125

(City will not award contract if Certificate Number is missing.)

BID OPENED 10-5-05
 AGYEE INITIALS DM
 ONE BOX FOR EACH ITEM ONLY

BID SECURITY	<input type="checkbox"/> NONE REQUIRED
	<input type="checkbox"/> PROPERLY SIGNED
BID DEPOSIT TYPE	
<input checked="" type="checkbox"/> BID BOND	
<input type="checkbox"/> CALIF. BANK CASHIER'S CHECK	
<input type="checkbox"/> CERTIFIED CHECK	
<input type="checkbox"/> CASH	
<input type="checkbox"/> CALIF. BANK MONEY ORDER	
AFTER AWARD OF BID	
<input type="checkbox"/> SECURITY RETURNED	
<input type="checkbox"/> SECURITY ACCEPTED	

EMPLOYEE INITIALS _____

MINIMUM QUALIFICATIONS QUESTIONNAIRE

Sacramento City Code section 3.60.020 authorizes the Sacramento City Council to adopt standard minimum qualifications for bidders on competitively bid public works construction projects, and requires, among other provisions, that a bidder meet such minimum qualifications at the time of bid opening to be considered responsible. On June 8, 2004, the City Council adopted Resolution No. 2004-433 establishing these standard minimum qualifications. Pursuant to City Code section 3.60.020, a bidder failing to meet these minimum qualifications at the time of bid opening shall not be considered a responsible bidder.

All bidders must demonstrate compliance with the minimum qualifications established by Resolution No. 2004-433 by completing all of the questions contained in this questionnaire. If a bidder answers "yes" to any single question, fails to submit a fully completed questionnaire, or submits false information, this will result in a determination that the minimum qualifications are not met, and the bidder shall not be considered a responsible bidder for purposes of bidding on this contract. If two or more entities submit a bid on a contract as a Joint Venture, each entity within the Joint Venture must separately meet these minimum qualifications for the Joint Venture to be considered a responsible bidder.

The City of Sacramento ("City") shall make its determination on the basis of the submitted questionnaire, as well as any relevant information that is obtained from others or as a result of investigation by the City. While it is the intent of this questionnaire to assist the City in determining whether bidders possess the minimum qualifications necessary to submit bids on the City's competitively bid public works construction contracts, the fact that a bidder submits a questionnaire demonstrating that it meets these minimum qualifications shall not in any way limit or affect the City's ability to: (1) review other information contained in the bid submitted by the bidder, and additional relevant information, and determine whether the contractor is a responsive and/or responsible bidder; or (2) establish pre-qualification requirements for a specific contract or contracts.

By submitting this questionnaire, the bidder consents to the disclosure of its questionnaire answers: (i) to third parties for purposes of verification and investigation; (ii) in connection with any protest, challenge or appeal of any action taken by the City; and (iii) as required by any law or regulation, including without limitation the California Public Records Act (Calif. Gov't Code sections 6250 et seq.). Each questionnaire must be signed under penalty of perjury in the manner designated at the end of the form, by an individual who has the legal authority to bind the bidder submitting the questionnaire. If any information provided by a bidder becomes inaccurate, the bidder shall immediately notify the City and provide updated accurate information in writing, under penalty of perjury.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2004-433

DATE ADOPTED: June 8, 2004

QUESTIONNAIRE

NOTICE: All of the following questions regarding "your firm" refer to the firm (corporation, partnership or sole proprietor) submitting this questionnaire, as well as any firm(s) with which any of your firm's owners, officers, or partners are or have been associated as an owner, officer, partner or similar position within the last five years.

The firm submitting this questionnaire shall not be considered a responsible bidder if the answer to any of these questions is "yes", or if the firm submits a questionnaire that is not fully completed or contains false information.

1. **Classification & Expiration Date(s) of California Contractor's License Number(s) held by firm:**

615956 - A / C-27 - 03/31/07

2. Has a contractor's license held by your firm and/or any owner, officer or partner of your firm been revoked at anytime in the last five years?

Yes No

3. Within the last five years, has a surety firm completed a contract on your firm's behalf, or paid for completion of a contract to which your firm was a party, because your firm was considered to be in default or was terminated for cause by the project owner?

Yes No

4. At the time of submitting this minimum qualifications questionnaire, is your firm ineligible to bid on or be awarded a public works contract, or perform as a subcontractor on a public works contract, pursuant to either California Labor Code section 1777.1 (prevailing wage violations) or Labor Code section 1777.7 (apprenticeship violations)?

Yes No

5. At any time during the last five years, has your firm, or any of its owners, officers or partners been convicted of a crime involving the awarding of a contract for a government construction project, or the bidding or performance of a government contract?

Yes No

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2004-433

DATE ADOPTED: June 8, 2004

6. Answer either subsection A or B, as applicable:

A. Your firm has completed three or more **government** construction contracts in Sacramento County within the last five years: Within those five years, has your firm **been assessed** liquidated damages on three or more **government construction** contracts in Sacramento County for failure to complete contract work on time?

NOTE: If there is a pending administrative or court action challenging the assessment of liquidated damages on a government contract within the last five years, you need not include that contract in responding to this question.

Yes

No

Not applicable

OR

B. Your firm has not completed at least three **government** construction contracts in Sacramento County within the last five years: Within the last three years, has your firm been assessed liquidated damages on three or more government construction contracts for failure to complete contract work on time?

NOTE: If there is a pending administrative or court action challenging an assessment of liquidated damages on a government contract within the last three years, you need not include that contract in responding to this question.

Yes

No

Not applicable

7. In the last three years has your firm been debarred from bidding on, or completing, any government agency or public works construction contract for any reason?

NOTE: If there is a pending administrative or court action challenging a debarment, you need not include that debarment in responding to this question.

Yes

No

8. Has CAL OSHA assessed a total of three or more penalties against your firm for any "serious" or "willful" violation occurring on construction projects performed in Sacramento County at any time within the last three years?

NOTE: If there is a pending administrative or court action appealing a penalty assessment, you need not include that penalty assessment in responding to this question.

Yes

No

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DATE ADOPTED: June 8, 2004

9. Answer either subsection A or B, as preferred:

A. In the last three years has your firm had a three year average Workers' Compensation experience modification rate exceeding 1.1?

Yes No

OR

B. In the last three years has your firm had a three-year average incident rate for total lost workday cases exceeding 10?

NOTE: Incident rates represent the number of lost workday cases per 100 full-time workers and is to be calculated as: $(N/EH) \times 200,000$, where

N = number of lost workday cases (as defined by the U.S. Dept. of Labor, Bureau of Labor Statistics)
EH = total hours worked by all employees during the calendar year
200,000 = base for 100 equivalent full-time working (working 40 hours per week, 50 weeks per year)

Yes No

10. In the past three years, has the federal EPA, Region IX or a California Air Quality Management District or Regional Water Quality Control Board assessed penalties three or more times, either against your firm, or against an owner for a violation resulting in whole or in part from any action or omission by your firm on a project on which your firm was a contractor?

NOTE: If there is a pending administrative or court action appealing a penalty assessment, you need not include that penalty assessment in responding to this question.

Yes No

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DATE ADOPTED: June 8, 2004

11. In the past three years, has the federal EPA, Region IX or a California Air Quality Management District or Regional Water Quality Control Board assessed a single penalty of \$100,000 or more, either against your firm, or against an owner for a violation resulting in whole or in part from any action or omission by your firm on a project on which your firm was the contractor?

NOTE: If there is a pending administrative or court action appealing a penalty assessment, you need not include that penalty assessment in responding to this question.

Yes No

12. In the past three years, have civil penalties been assessed against your firm pursuant to California Labor Code 1777.7 for violation of California public works apprenticeship requirements, three or more times?

NOTE: If there is a pending administrative or court action appealing a penalty assessment, you need not include that penalty assessment in responding to this question.

Yes No

13. In the past three years, has a public agency in California withheld contract payments or assessed penalties against your firm for violation of public works prevailing wage requirements, three or more times?

NOTE: If there is a pending administrative or court action appealing a withholding or penalty assessment, you need not include that withholding or penalty assessment in responding to this question.

Yes No

14. Has your firm been assessed penalties for violation of public works prevailing wage requirements in California, in an aggregate amount for the past three years of \$50,000 or more?

NOTE: If there is a pending administrative or court action appealing a penalty assessment, you need not include that penalty assessment in responding to this question.

Yes No

FOR CITY CLERK USE ONLY


RESOLUTION NO.: 2004-433

DATE ADOPTED: June 8, 2004

VERIFICATION AND SIGNATURE

I, the undersigned, certify and declare that I have read all the foregoing answers to this Minimum Qualifications Questionnaire, and know their contents. The matters stated in these Questionnaire answers are true of my own knowledge and belief, except as to those matters stated on information and belief, and as to those matters I believe them to be true. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signed at Placerville, CA, on 10/05/05
(Location) (Date)

Signature: 
Print name: John M. Slover
Title: Owner

NOTE: If two or more entities submit a bid on a contract as a Joint Venture, each entity within the Joint Venture must submit a separate Minimum Qualifications Questionnaire.

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DRUG-FREE WORKPLACE POLICY AND AFFIDAVIT

**BID PROPOSAL MAY BE DECLARED NONRESPONSIVE IF THIS FORM (COMPLETED) IS NOT ATTACHED.
Pursuant to City Council Resolution CC90-498 dated 6/26/90 the following is required.**

The undersigned contractor certifies that it and all subcontractors performing under this Agreement will provide a drug-free workplace by:

1. Publishing a "Drug-Free Workplace" statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the contractor's workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Establishing a Drug-Free Awareness Program to inform employees about:
 - a. The dangers of drug abuse in the workplace.
 - b. The contractor's policy of maintaining a drug-free workplace.
 - c. Any available drug counseling, rehabilitation, and employee assistance program.
 - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
3. Notify employees that as a condition of employment under this Agreement, employees will be expected to:
 - a. Abide by the terms of the statement.
 - b. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace.
4. Making it a requirement that each employee to be engaged in the performance of the Agreement be given a copy on the "Drug-Free Workplace" statement.
5. Taking one of the following appropriate actions, within thirty (30) days of receiving notice from an employee or otherwise receiving such notice, that said employee has received a drug conviction for a violation occurring in the workplace:
 - a. Taking appropriate disciplinary action against such an employee, up to and including termination; or
 - b. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement or other appropriate agency.

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* I certify that no person employed by this company, corporation, or business has been convicted of any criminal drug statute violation on any job site or project where this company, corporation or business was performing was within three years of the date of my signature below.


EXCEPTION: _____
Date Violation Type Place of Occurrence

If additional space is required use back of this form.

* The above statement will also be incorporated as a part of each subcontract agreement for any and all subcontractors selected for performance on this project.

IN THE EVENT THIS COMPANY, CORPORATION, OR BUSINESS IS AWARDED THIS CONSTRUCTION AGREEMENT, AS A RESULT OF THIS BID; THE CONTRACTOR WITH HIS/HER SIGNATURE REPRESENTS TO THE CITY THAT THE INFORMATION DISCLOSED IN THIS DOCUMENT IS COMPLETE AND ACCURATE. IT IS UNDERSTOOD AND AGREED THAT FALSE CERTIFICATION IS SUBJECT TO IMMEDIATE TERMINATION BY THE CITY.

The Representations Made Herein On This Document Are Made Under Penalty Of Perjury.

CONTRACTOR'S NAME: JMS & Associates
BY:  Owner Date: 10/05/05
Signature Title

Effects of violations: a. Suspension of payments under the Agreement. b. Suspension or termination of the Agreement. c. Suspension or debarment of the contractor from receiving any Agreement from the City of Sacramento for a period not to exceed five years.

THIS FORM MUST BE SUBMITTED WITH THE SEALED BID PROPOSAL

CITY OF SACRAMENTO SUBCONTRACTOR and ESBE PARTICIPATION VERIFICATION

To be eligible for award of this contract, the bidder shall list any business entity used to attain the ESBE goal. Additionally, all other subcontractors who perform work, labor, or render service in an amount in excess of one-half of 1 percent of the total bid amount shall be listed. In the case of bids for the construction of streets and highways, including bridges, subcontractors whose subcontract value exceeds one-half (0.5) of one percent of the total bid or ten thousand dollars (\$10,000), whichever is greater, shall be listed. Estimated dollar values shall be provided for all work / services listed. The inclusion of false information or the omission of required information will render the bid non-responsive. **READ THE ABOVE REQUIREMENT CAREFULLY**

Name of Prime Contractor: Business Entity or Subcontractor Name and Location	JMS & Associates	EBE/SBE Indicate EBE or SBE (subject to verification)	Bid Amount: 469,448.20	Date: 10/05/05	Estimated Dollar Value of Work / Services Provided
Youngs Construction - Orangevale, CA		-	Concrete		63,285
Dornbier Electric - El Dorado, CA		-	Electrical		9,467
AAA Hydroseeding - Shingle Springs, CA		-	Hydroseeding		8,383
Parati of California - Rocklin, CA		-	Staking		7,000

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