

CITY OF SACRAMENTO
 Department of Parks and Recreation
 Park Planning, Design and Development
 Landscape Architecture Section

Bid Proposal
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FILED

APR 04 2007

TO THE HONORABLE CITY COUNCIL
 SACRAMENTO, CALIFORNIA:

By The
 Office of The City Clerk

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:

REGENCY COMMUNITY PARK - PHASE II
LV78
REVISED MARCH 28, 2007

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:

<u>Regency Community Park - Phase II</u>					
Item No.	Item	Estimated Quantity	Unit	Unit Price	Total
1.	Site Clearing and Grubbing	1	LS	\$ 7,273	\$ 7,273
2.	Temporary Construction Fence	1	LS	\$ 11,263	\$ 11,263
3.	Erosion and Sediment Control	1	LS	\$ 10,927	\$ 10,927
4.	Site Grading	1	LS	\$ 69,881	\$ 69,881
5.	Catch Basin	4	EA	\$ 738	\$ 2,952
6.	Standard Manhole No. 3	1	EA	\$ 2,561	\$ 2,561
7.	6" PVC Gravity Drain Pipe	280	LF	\$ 14.02	\$ 3,926
8.	8" PVC Gravity Drain Pipe	275	LF	\$ 42.12	\$ 11,583
9.	10" PVC Gravity Drain Pipe	90	LF	\$ 43.65	\$ 3,928
10.	ABS Drinking Fountain Drain Pipe	30	LF	\$ 3.33	\$ 100
11.	Electrical System	1	LS	\$ 7,500	\$ 7,500
12.	Potable Water Line	1	LS	\$ 492	\$ 492
13.	Aggregate Base	88	CY	\$ 188.05	\$ 16,172
14.	Concrete Flatwork	6,995	SF	\$ 6.28	\$ 43,929

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15.	Decomposed Granite Paving	21,572	SF	\$ 1.29	\$ 27,828
16.	Concrete Mow Strip	1,073	LF	\$ 18.23	\$ 19,561
17.	6' High P.V.C. Coated Chain Link Fence	1	LS	\$ 59,390	\$ 59,390
18.	6' High P.V.C. Coated Chain Link Double Swing Maintenance Gate	2	EA	\$ 1,488	\$ 2,976
19.	6' High P.V.C. Coated Chain Link Double Swing Gate Entry at Dog Park	2	EA	\$ 3,707	\$ 7,414
20.	Fold-Down Bollard	2	EA	\$ 579	\$ 1,158
21.	Drinking Fountain w/ Dog Fountain	2	EA	\$ 4,718	\$ 9,436
22.	Play Area 8' Picnic Table	4	EA	\$ 1,577.50	\$ 6,310
23.	8' Bench w/ Back	10	EA	\$ 768.80	\$ 7,688
24.	8' Bench without Back	4	EA	\$ 595	\$ 2,380
25.	Trash Receptacle	2	EA	\$ 978	\$ 1,956
26.	Pet Waste Dispenser	2	EA	\$ 656.50	\$ 1,313
27.	Regulation Soccer Goals	1	LS	\$ 3,726	\$ 3,726
28.	Automatic Irrigation System	1	LS	\$ 146,284	\$ 146,284
29.	Booster Pump	1	LS	\$ 24,707	\$ 24,707
30.	Central Control System	1	LS	\$ 29,099	\$ 29,099
31.	Trees	1	LS	\$ 7,672	\$ 7,672
32.	Shrub and Groundcover Areas	1	LS	\$ 85,445	\$ 85,445
33.	Hydroseeding	1	LS	\$ 17,011	\$ 17,011
34.	Landscape Maintenance (90 days)	1	LS	\$ 13,843	\$ 13,843
35.	Play Area Site Clearing and Grubbing	1	LS	\$ 7,273	\$ 7,273
36.	Play Area Demolition	1	LS	\$ 2,807	\$ 2,807
37.	Scraping and Storing Turf Planting at Play Area	1	LS	\$ 1,585	\$ 1,585
38.	Play Area Site Grading	1	LS	\$ 65,488	\$ 65,488

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39.	Catch Basin at Play Area	4	EA	\$ 738	\$ 2,952
40.	Lawn Area Catch Basin at Play Area	2	EA	\$ 622	\$ 1,244
41.	Play Area Catch Basin at Play Area	1	EA	\$ 738	\$ 738
42.	Area Drain at Play Area	2	EA	\$ 738	\$ 1,476
43.	Play Area 4" PVC Gravity Drain Pipe	280	LF	\$ 11.25	\$ 2,925
44.	Play Area ABS Drinking Fountain Drain Pipe	10	LF	\$ 6	\$ 60
45.	Play Area Potable Water Line, Tap, Meter and Backflow Preventer	1	LS	\$ 6,285	\$ 6,285
46.	Play Area Aggregate Base	45	CY	\$ 188.04	\$ 8,462
47.	Play Area Concrete Flatwork	1,500	SF	\$ 6.77	\$ 10,155
48.	Play Area Concrete Mowstrip	750	LF	\$ 19.02	\$ 14,265
49.	Play Area Concrete Curb No. 15	94	LF	\$ 24.51	\$ 2,304
50.	Play Area 12" Play Area Curb	115	LF	\$ 47.00	\$ 5,406
51.	Play Area Concrete Unit Pavers	1,100	SF	\$ 28.05	\$ 30,855
52.	Play Area Recycled Plastic Header Board	620	LF	\$ 4.45	\$ 2,759
53.	Play Area Decomposed Granite Paving	5,500	SF	\$ 1.28	\$ 7,040
54.	Play Area Decomposed Granite Gravel	3,700	SF	\$.88	\$ 3,256
55.	Play Area Drinking Fountain	1	EA	\$ 4,168	\$ 4,168
56.	Play Area Single Grill	1	EA	\$ 532	\$ 532
57.	Play Area 8' Bench without Back	1	EA	\$ 622	\$ 622
58.	Play Area 6' Bench without Back	4	EA	\$ 558	\$ 2,232
59.	Play Area Bike Rack	3	EA	\$ 435.33	\$ 1,306
60.	Play Area Trash Receptacle	2	EA	\$ 681	\$ 1,362
61.	Play Area Boulders	38	EA	\$ 306.11	\$ 11,632
62.	Play Area Logs and Log Rounds	16	EA	\$ 727	\$ 11,632

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63.	Play Area Playground Wood Fiber	90	CY	\$ 42.40	\$ 3,816
64.	Play Area Playground Sand	25	CY	\$ 46.40	\$ 1,160
65.	Play Area Rubber Mat Under Swings	1	EA	\$ 882.00	\$ 882
66.	Play Area Synthetic Safety Surfacing	700	SF	\$ 17	\$ 11,900
67.	Play Area Rock Seating Wall	215	LF	\$ 168.78	\$ 36,288
68.	Play Area Automatic Irrigation System	1	LS	\$ 134,203	\$ 134,203
69.	Play Area Trees	1	LS	\$ 3,980	\$ 3,980
70.	Play Area Shrub and Groundcover Areas	1	LS	\$ 16,590	\$ 16,590
71.	Play Area Turf Sod Planting	6,400	SF	\$.10	\$ 640
72.	Play Area Irrigated Native Grass / Wildflower / Hydroseeding	2,700	SF	\$.61	\$ 1,647
73.	Play Area Landscape Maintenance (90 Days)	1	LS	\$ 1,202	\$ 1,202
74.	Steel Structures and Metal Fabrications	1	LS	\$ 1,039,963	\$ 1,039,963
75.	Play Area Junction Box	1	EA	\$ 487	\$ 487
76.	Play Area Water Feature	1	LS	\$ 11,232	\$ 11,232
77.	Play Equipment	1	LS	\$ 25,622	\$ 25,622
78.	Play Area Jug Filler	1	EA	\$ 1,272	\$ 1,272
79.	Play Area Access Ramp Type 1	1	EA	\$ 2,772	\$ 2,772
80.	Play Area Access Ramp Type 2	1	EA	\$ 2,561	\$ 2,561
81.	Play Area Transfer Curb	1	LS	\$ 11,683	\$ 11,683
82.	Play Area Chamfered Curb	1	LS	\$ 3,844	\$ 3,844
83.	Truncated Dome	1	LS	\$ 915	\$ 915
BASE BID TOTAL				\$	\$ 1,255,164

ADDITIVE ALTERNATE BID ITEMS:

A1.	Concrete Headwall Transition, Guardrail, 48" RCP Pipes, Keystone Wall, Channel Bottom Pavement, and Concrete Flatwork at Bridge Crossing	1	LS	\$ 68,451	\$ 68,451
A2	Concrete Mow Strip (at west side of park where noted on plans)	390	LF	\$ 22.17	\$ 6,646
ADDITIVE ALTERNATE SUBTOTAL					\$ 77,097
BASE BID PLUS ADDITIVE ALTERNATE TOTAL					\$ 1,332,261

(F) – denotes final pay quantity

CONTRACTOR NAME: PARK WEST LANDSCAPE TOTAL \$ 1,332,261

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 **TWO HUNDRED AND TEN (210) 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.

The Landscape Architect's order of preference will be as follows: base bid first, followed by additive alternates in chronological order, based on funds available.

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.

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:

Add. #	<u>1</u>	DATE	<u>3/21/07</u>
Add. #	<u>2</u>	DATE	<u>3/28/07</u>
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:

(\$ 75,000,000.00) not less than ten percent (10%) of amount Bid Proposal

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

CONTRACTOR:
By Rodger Preston

(Signature)
RODGER PRESTON

(Print or Type)

Title DEPARTMENT PRESIDENT
Address 42000 OSGOOD ROAD #100
FREMONT CA 94539
Telephone No. 510-674-9040
Fax No. 510-674-9044
EMAIL ADDRESS RODGER@PARKWESTLANDSCAPE.COM
Date 4/4/07

Contractor's License No. 441362 Type A, B & C-27
Expiration Date 6/30/07
Tax I.D. Nos.- Fed. 95-3814677 State CA
City of Sacramento Business Operation Tax Certificate No. # 143833
(City will not award contract if Certificate Number is missing.)

DATE BID OPENED <u>4-4-07</u>
EMPLOYEE INITIALS <u>V.M.</u>
MARK ONE BOX FOR EACH ITEM ONLY
BID SECURITY
() NONE REQUIRED
<input checked="" type="checkbox"/> PROPERLY SIGNED
BID DEPOSIT TYPE
<input checked="" type="checkbox"/> BID BOND
() CALIF. BANK CASHIER'S CHECK
() CERTIFIED CHECK
() CASH
() CALIF. BANK MONEY ORDER
AFTER AWARD OF BID
() SECURITY RETURNED
() SECURITY ACCEPTED
EMPLOYEE INITIALS _____
DATE _____

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:

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

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2004-433

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

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2004-433

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 FREMONT, CA, on 4/4/07.
(Location) (Date)

Signature: Rodger Preston

Print name: RODGER PRESTON

Title: DIVISION PRESIDENT

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.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2004-433

DATE ADOPTED: June 8, 2004

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.

* 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 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: THANK WEST LANDSCAPE, INC.
 BY: [Signature]
 Title: Sr. Mgr.
 Date: 4/9/07

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.