

FILED

Shade Comfort Inc

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

JUN 06 2007
By The
Office of The City Clerk

Bid Proposal
Page 1 of 3

CONTRACTOR NAME: SHADE COMFORTS, INC

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:

NORTHGATE PARK SHADE STRUCTURE – LX36

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:

Item No.	Item	Estimated Quantity	Unit	Unit Price	Total
1.	Site Preparation	1	LS	\$	\$ 17,812
2.	Temporary Construction Fence	1	LS	\$	\$ 688
3.	Canopy Materials	1	LS	\$	\$ 41,979.98
4.	Canopy Installation	1	LS	\$	\$ 5,500
BASE BID TOTAL					\$ 65,979.98

(F) – denotes final pay quantity

CONTRACTOR NAME: SHADE COMFORTS, INC TOTAL \$ 65,979.98

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 thirty (30) **WORKING DAYS, PLUS LANDSCAPE MAINTENANCE PERIOD**. 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 QUOTATION</u>	DATE	<u>6-5-07</u>
Add. #	<u>2 TOP VIEW</u>	DATE	<u>6-5-07</u>
Add. #	<u>3 FRONT VIEW</u>	DATE	<u>6-5-07</u>
	# 4 COLUMN HEIGHTS	6/5/07	→ #7 STATE FIRE MARSHAL
	# 5 POLYTEX 230 SAMPLE	"	POLYTEX
	# 6 TRICO WARRANTY	"	#8 SBE CERTIFICATE
			#9 POLYTEX 230 CHART

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:

(\$ 6,598.00) not less than ten percent (10%) of amount Bid Proposal

\$6,598.00 CERTIFIED CHECK
CASHIER'S CHECK
BID BOND
MONEY ORDER
OTHER SECURITY

CONTRACTOR: SHADE COMFORTS, INC

By William P. Moore
(Signature)

WILLIAM P. MOORE
(Print or Type)

Title PRESIDENT

Address 77 SOLANO SQUARE, STE 238
BENICIA, CA 94510

Telephone No. 707-746-5080

Fax No. 707-746-5189

EMAIL ADDRESS bill@shadecomforts.com

Date 6-5-07

Contractor's License No. 881893

Expiration Date 8-31-2008

Tax I.D. Nos.- Fed. 47-0959288

City of Sacramento Business Operation Tax Certificate No.
(City will not award contract if Certificate Number is missing.)

ENTITY: CORPORATION
Type CLASS: C61/DO3

State 2784826

152646

CERTIFIED SMALL BUSINESS #0043188

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: <u>SHADE COMFORTS, INC</u>	Bid Amount: <u>\$65,977,98</u>	Date: <u>6-5-07</u>	
Business Entity or Subcontractor Name and Location	Indicate EBE or SBE (subject to verification)	Items of Work and/or Description of Work or Service Subcontracted or Materials to be provided to complete contract	Estimated Dollar Value of Work / Services Provided
<u>SHADE COMFORTS, INC - BENICIA</u>	<u>SBE</u>	<u>PRIME CONTRACTOR + VENDOR</u>	<u>\$51,742</u>
<u>BLACKBURN CONSULTING - SACRAMENTO</u>	<u>SBE</u>	<u>GEO-TECH ANALYSIS</u>	<u>5,000</u>
<u>PRO-TECH - FAIR OAKS, CA</u>	<u>SBE</u>	<u>CONCRETE PUMPING</u>	<u>700</u>
<u>AG SCHMIDT - CONCORD, CA</u>	<u>N/A</u>	<u>PROFESSIONAL ENGINEER</u>	<u>1,800</u>
<u>TEMP-A-FENCE - N.HIGHLANDS</u>	<u>N/A</u>	<u>SECURITY FENCING</u>	<u>688</u>
<u>WRW - BENICIA, CA</u>	<u>N/A</u>	<u>DRILLING/DEBRIS REMOVAL</u>	<u>1,800</u>
<u>CAMPBELL STEEL SUPS - CARMICHAEL</u>	<u>N/A</u>	<u>CONCRETE REINFORCE</u>	<u>600</u>
<u>HANFORD READY MIX - ELK GROVE</u>	<u>N/A</u>	<u>CONCRETE READY MIX</u>	<u>2,000</u>
<u>DELTA CRANE - STOCKTON, CA</u>	<u>N/A</u>	<u>CRANE SERVICES</u>	<u>1,000</u>
<u>UNITED RENTALS - SACRAMENTO</u>	<u>N/A</u>	<u>EQUIPMENT RENTALS</u>	<u>650</u>
<u>TOTAL</u>			<u>\$65,980</u>

EBE AND SBE CERTIFICATION STATEMENTS ARE DUE BY THE CLOSE OF BUSINESS TWO DAYS AFTER BID OPENING

**DECLARATION OF COMPLIANCE
Equal Benefits Ordinance**

SHADE COMFORTS, INC
Name of Contractor
17 SOLANO SQUARE, STE 238
BENICIA, CA 94510
Address

The above named contractor ("Contractor") hereby declares and agrees as follows:

1. I have read and understand the Requirements of the Non-Discrimination In Employee Benefits Code (the "Requirements") provided to me by the City of Sacramento

("City") in connection with the City's request for proposals or other solicitations for the performance of services, or for the provision of commodities, under a City contract or agreement ("Contract").

2. As a condition of receiving the City Contract, I agree to fully comply with the Requirements, as well as any additional requirements that may be specified in the City's Non-Discrimination in Employee Benefits Code codified at Chapter 3.54 of the Sacramento City Code (the "Ordinance").

3. I understand, to the extent that such benefits are not preempted or prohibited by federal or state law, employee benefits covered by the Ordinance, are any of the following:

- a. Bereavement Leave
- b. Disability, life, and other types of insurance
- c. Family medical leave
- d. Health benefits
- e. Membership or membership discounts
- f. Moving expenses
- g. Pension and retirement benefits
- h. Vacation
- i. Travel benefits
- j. Any other benefit offered to employees

I agree that should I offer any of the above listed employee benefits, that I will offer those benefits, without discrimination between employees with spouses and employees with domestic partners, and without discrimination between the spouses and domestic partners of such employees.

4. I understand that I will not be considered to be discriminating in the provision or application of employee benefits under the following conditions or circumstances:

**DECLARATION OF COMPLIANCE
Equal Benefits Ordinance**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that I am authorized to bind the Contractor to the provisions of this Declaration.

William P. Moore
Signature of Authorized Representative

6-5-07
Date

WILLIAM P. MOORE
Print Name

PRESIDENT, SHADE COMFORTS, INC
Title

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:**

C61/D03 AWNINGS 8/31/2008

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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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

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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

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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 BENICIA, CA, on 6-5-07
(Location) (Date)

Signature: W. Moore

Print name: WILLIAM P. MOORE

Title: 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.

DATE BID OPENED 6-6-07
EMPLOYEE INITIALS J.M.
MARK ONE BOX FOR EACH ITEM ONLY

BID SECURITY
 NONE REQUIRED
 PROPERLY STOWED

BID DEPOSIT TYPE
 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 _____

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DATE ADOPTED: June 8, 2004