

**FILED**

**SEP 12 2007**

By The  
Office of The City Clerk



DEPARTMENT OF FINANCE  
PROCUREMENT SERVICES DIVISION

CITY OF SACRAMENTO  
CALIFORNIA

915 - I STREET  
2nd FLOOR  
SACRAMENTO, CA 95814

PHONE: 916-808-6240  
FAX: 916-808-5747

August 2, 2007

BIUNDO LANDSCAPE CONSTRUCTION INC.  
7976 KELVEDON WAY  
SACRAMENTO, CA 95829

**Subject: Emerging and Small Business Enterprise Certification**

**Congratulations!** The City of Sacramento Office of Small Business Development (OSBD) has determined that your firm meets the criteria for certification under the **Emerging and Small Business Development Program (ESBD)**.

Effective this day, your firm has been certified as a **Small Business Enterprise**. This certificate will expire **OCTOBER 31, 2010**. It is your responsibility to notify this office, within thirty (30) days, of any change in certification status of your firm. Failure to do so will result in revocation of this certification issued by this office. The City's Office of Small Business Development reserves the right to review the certification at any time for purposes of certification compliance.

Your vendor code number is **JOB5300000A**. It may be used when working with any City of Sacramento procurement or contracting project. You must notify this office within (30) days if there is a change of ownership, business name, or address. It will also be your responsibility to contact our office prior to your expiration date for a recertification application.

**Keep this letter as proof of ESBD certification.** Thank you for joining the City of Sacramento ESBD Program family. If you have any questions about your certification, please call our new number (916) 808-6747.

Sincerely,

Trevor Walton  
Program Specialist

**ATTACHMENT 2**

**CONTRACTOR NAME:** Biundo LANDSCAPE CONST. 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:

**NUEVO PARK IMPROVEMENTS (LM96)**

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 Clearing and Grubbing	1	LS	\$	\$ 3000.00
2.	Temporary Construction Fence to Install	1	LS	\$	\$ 1550.00
3.	Site Grading	1	LS	\$	\$ 12000.00
4.	Catch Basins to Construct	1	LS	\$	\$ 2800.00
5.	Play Area Catch Basin to Install	1	LS	\$	\$ 1700.00
6.	6" PVC Drain Pipe to Install	1	LS	\$	\$ 5040.00
7.	Aggregate Base to Place	1	LS	\$	\$ 3600.00
8.	Concrete Pavement to Place	1	LS	\$	\$ 22950.00
9.	12" Play Area Curb Type 1 to Install	1	LS	\$	\$ 7540.00
10.	Rubber Mat Under Swings to Install	1	LS	\$	\$ 1000.00
11.	Play Area Access Ramp to Install	1	LS	\$	\$ 2000.00
12.	Picnic Tables to Install	1	LS	\$	\$ 10400.00
13.	Benches to Install	1	LS	\$	\$ 4400.00

14.	Trash/Recycling Receptacles to Install	1	LS	\$	\$	4500.00	
15.	Modifications to Existing Irrigation System	1	LS	\$	\$	3000.00	
16.	Trees to Plant	1	LS			1000.00	
17.	Shrub and Groundcover Areas to Plant	1	LS	\$	\$	2690.00	
18.	Playground Wood Fiber	1	LS	\$	\$	10500.00	
19.	Landscape Boulders and Ledge Stone to Place	1	LS	\$	\$	4000.00	
20.	Turf Sod	1	LS	\$	\$	2400.00	
21.	Mulch to Place	1	LS	\$	\$	2500.00	
22.	Plant Establishment (30 Days)	1	LS	\$	\$	1300.00	
23.	Play Equipment to Install	1	LS	\$	\$	70000.00	
24.	Group Grill to Install	1	LS	\$	\$	1400.00	
25.	Bike Racks to Install	1	LS	\$	\$	1500.00	
26.	Accessible Drinking Fountain to Install	1	LS	\$	\$	3400.00	
27.	Fabric Shade Structure	1	LS	\$	\$	25000.00	
28.	Metal Shade Structure	1	LS	\$	\$	36000.00	
29.	Modified Curb No. 15	1	LS	\$	\$	3080.00	
30.	6" Play Area Curb	1	LS	\$	\$	3600.00	
					<b>BASE BID SUBTOTAL</b>	\$	253,950.00
<b><u>ADDITIVE ALTERNATE BID ITEMS:</u></b>							
A1	Techno Allegro X2050 Independent Play Structure	1	LS	\$	\$	19000.00	
A2	The Pointe Boulder	1	LS	\$	\$	13000.00	
					<b>ADDITIVE ALTERNATE SUBTOTAL</b>	\$	32000.00

**BASE BID PLUS ADDITIVE \$**  
**ALTERNATE TOTAL** 285,850.00

(F) – denotes final pay quantity

CONTRACTOR NAME: Bundo LANDSCAPE CONST. INC. TOTAL \$ 285,850.00

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 **SIXTY (60) WORKING DAYS plus 30-day Plant Establishment 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</u>	DATE	<u>AUG. 21<sup>st</sup> 2007</u>
Add. #	<u>2</u>	DATE	<u>AUG. 30<sup>th</sup> 2007</u>
Add. #	_____	DATE	_____

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

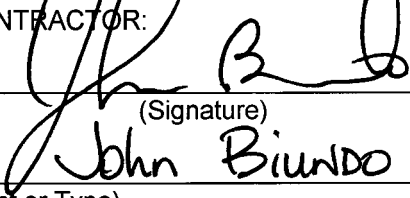
If the Bidder is a corporation, the Bid Proposal must be executed in the name of the corporation and must be signed by a duly authorized officer of the corporation.

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:

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

_____	CERTIFIED CHECK
_____	CASHIER'S CHECK
<u>X</u>	BID BOND
_____	MONEY ORDER
_____	OTHER SECURITY

CONTRACTOR:  
By   
(Signature)  
John Biundo  
(Print or Type)

Title PRESIDENT  
Address 7976 KENNEDON WAY  
SACRAMENTO, CA 95829  
Telephone No. 916 682-2198  
Fax No. 916 682-9091  
EMAIL ADDRESS JBiundo7976@yahoo.com  
Date 9-12-07

Contractor's License No. 662476 Type C-12, C-27

Expiration Date 4-30-08  
Tax I.D. Nos. - Fed. 20-0585648 State 417-8788-8  
City of Sacramento Business Operation Tax Certificate No. 115196  
(City will not award contract if Certificate Number is missing.)



**ATTACHMENT 4**

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

**SCHEDULE OF UNIT PRICE** (revised 8/30/07)

**PROJECT NAME: NUEVO PARK IMPROVEMENTS**  
**CITY PROJ. NO: LM96**

**CONTRACTOR:**

**ADDRESS:**

**PHONE NO:**

Item No.	Item Description	Estimated Quantity	Unit	Unit Price	Item Total
1	Site Clearing and Grubbing	1	LS		
2	Temporary Construction Fence to Install	310'	LS	5.00	1550.00
3	Site Grading	1	LS		12000.00
4	Catch Basin to Construct	2	EA	1400.00	2800.00
5	Play Area Catch Basin to Construct	1	EA	1700.00	1700.00
6	6" PVC Drain Pipe to Install	180	LF	28.00	5040.00
7	Aggregate Base to Place	40	CY	90.00	3600.00
8	Concrete Pavement to Place	3400	SF	6.75	22950.00
9	12" Play Area Curb Type 1 to Install	290	LF	26.00	7540.00
10	Rubber Mat Under Swing to Install	1	EA	1000.00	1000.00
11	Play Area Access Ramp to Install	1	LS		2000.00
12	Picnic Tables to Install	8	EA	1300.00	10400.00
13	Benches to Install	4	EA	1100.00	4400.00
14	Trash/Recycling Receptacles to Install	6	EA	750.00	4500.00
15	Modifications to Existing Irrigation System	1	LS		3000.00
16	Trees to Plant	10	EA	100.00	1000.00
17	Shrub and Groundcover Areas to Plant		LS		2690.00
18	Playground Wood Fiber	300	CY	35.00	10500.00
19	Landscape Boulders and Ledge Stone to Place		LS		4000.00
20	Turf Sod	3000	SF	.80¢	2400.00
21	Mulch to Place	50	CY	50.00	2500.00
22	Plant Establishment (30 Days)		LS		1300.00
23	Play Equipment to Install		LS		70000.00
24	Group Grill to Install		EA		1400.00

**ATTACHMENT 4**

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

**SCHEDULE OF UNIT PRICE** (revised 8/30/07)

**PROJECT NAME: NUEVO PARK IMPROVEMENTS**

**CITY PROJ. NO: LM96**

**CONTRACTOR:**

**ADDRESS:**

**PHONE NO:**

Item No.	Item Description	Estimated Quantity	Unit	Unit Price	Item Total
25	Bike Racks to Install	3	EA	500.00	1500.00
26	Accessible Drinking Fountain to Install	1	LS		3400.00
27	Fabric Shade Structure	1	LS		25,000.00
28	Metal Shade Structure	1	LS		36,000.00
29	Modified Curb No. 15	110	LF	28.00	3080.00
30	6" Play Area Curb	120	LF	30.00	3600.00
	<b>ADDITIVE ALTERNATES</b>				
A1	Techno Allegro X2050 Independent Play Structure		LS		19,000.00
A2	The Pointe Boulder		LS		13,000.00

## 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 in order to bid. On July 31, 2007, the City Council adopted Resolution No. 2007-574 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 for purposes of bidding on the subject project.

All bidders must demonstrate compliance with the minimum qualifications established by Resolution No. 2007-574 by completing all of the questions contained in this questionnaire. Bidder responses shall be limited to those operating business units, offices, branches and/or subsidiary divisions of the bidder that will be involved with the performance of any project work if awarded the contract. 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 qualified 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 qualified 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.

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: 2007-574

DATE ADOPTED: July 31, 2007

## QUESTIONNAIRE

**NOTICE:** For firms that maintain other operating business units, offices, branches and/or subsidiary divisions that will not be involved with the performance of any project work if the firm is awarded the contract, references hereafter to "your firm" shall mean only those operating business units, offices, branches and/or subsidiary divisions that will be involved with the performance of any project work.

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:**

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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

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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: 2007-574

DATE ADOPTED: July 31, 2007

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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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: 2007-574

DATE ADOPTED: July 31, 2007

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 the project 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 in Sacramento County?

**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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**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: 2007-574

DATE ADOPTED: July 31, 2007

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 the project 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 in Sacramento County?

**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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FOR CITY CLERK USE ONLY

RESOLUTION NO.: 2007-574

DATE ADOPTED: July 31, 2007

**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 SACRAMENTO on 9-10-07  
(Location) (Date)  
Signature: [Handwritten Signature]  
Print name: John Biundo  
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	<u>9-12-07</u>
EMPLOYEE INITIALS	<u>JMB</u>
MARK ONE BOX FOR EACH ITEM ONLY	
BID SECURITY	
<input type="checkbox"/>	NONE REQUIRED
<input checked="" 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	_____
DATE	_____

**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: 2007-574

DATE ADOPTED: July 31, 2007

