

BID FORM AND PROPOSAL

To: Governing Board of the Oxnard Union High School District ("District" or "Owner")

From: Staples Construction Company, Inc.
(Proper Name of Bidder)

The undersigned declares that Bidder has read and understands the Contract Documents, including, without limitation, the Notice to Bidders and the Instructions to Bidders, and agrees and proposes to furnish all necessary labor, materials, and equipment to perform and furnish all work in accordance with the terms and conditions of the Contract Documents, including, without limitation, the Drawings and Specifications of

Bid No. 628 for the following project known as:

New Del Sol Soils Management Project

("Project" or "Contract") and will accept in full payment for that Work the following total lump sum amount, all taxes included:

<p><u>EIGHT HUNDRED SEVENTEEN THOUSAND,</u> dollars \$ <u>817,050.00</u> BASE BID <u>FIFTY DOLLARS</u></p> <p><i>Bidder acknowledges and agrees that the Base Bid accounts for any and all costs.</i></p>

- A. The undersigned has reviewed the Work outlined in the Contract Documents and fully understands the scope of Work required in this Proposal, understands the construction and project management function(s) is described in the Contract Documents, and that each Bidder who is awarded a contract shall be in fact a prime contractor, not a subcontractor, to the District, and agrees that its Proposal, if accepted by the District, will be the basis for the Bidder to enter into a contract with the District in accordance with the intent of the Contract Documents.
- B. The undersigned has notified the District in writing of any discrepancies or omissions or of any doubt, questions, or ambiguities about the meaning of any of the Contract Documents, and has contacted the Construction Manager before bid date to verify the issuance of any clarifying Addenda.
- C. The undersigned agrees to commence work under this Contract on the date established in the Contract Documents and to complete all work within the time specified in the Contract Documents.

- D. The liquidated damages clause of the General Conditions and Agreement is hereby acknowledged.
- E. It is understood that the District reserves the right to reject this bid and that the bid shall remain open to acceptance and is irrevocable for a period of ninety (90) days.
- F. The following documents are attached hereto:
 - Bid Bond on the District's form or other security
 - Designated Subcontractors List
 - Site Visit Certification
 - Non-Collusion Declaration
 - Iran Contracting Act Certification
- G. Receipt and acceptance of the following Addenda is hereby acknowledged:

No. <u>1</u> , Dated <u>07.23.20</u>	No. _____, Dated _____
No. <u>2</u> , Dated <u>08.04.20</u>	No. _____, Dated _____
No. _____, Dated _____	No. _____, Dated _____

- H. Bidder acknowledges that the license required for performance of the Work is a B license.
- J. Bidder hereby certifies that Bidder is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed on the Work.
- K. Bidder specifically acknowledges and understands that if it is awarded the Contract, that it shall perform the Work of the Project while complying with all requirements of the Department of Industrial Relations.
- L. Bidder hereby certifies that its bid includes sufficient funds to permit Bidder to comply with all local or state labor laws or regulations during the Project, including payment of prevailing wage, and that Bidder will comply with the provisions of Labor Code section 2810(d) if awarded the Contract
- M. Bidder agrees to comply with all requirements of the Project Labor Agreement.
- N. Bidder represents that it is competent, knowledgeable, and has special skills with respect to the nature, extent, and inherent conditions of the Work to be performed. Bidder further acknowledges that there are certain peculiar and inherent conditions existent in the construction of the Work that may create, during the Work, unusual or peculiar unsafe conditions hazardous to persons and property.
- O. Bidder expressly acknowledges that it is aware of such peculiar risks and that it has the skill and experience to foresee and to adopt protective measures to adequately and safely perform the Work with respect to such hazards.

- P. Bidder expressly acknowledges that it is aware that if a false claim is knowingly submitted (as the terms "claim" and "knowingly" are defined in the California False Claims Act, Gov. Code, § 12650 et seq.), the District will be entitled to civil remedies set forth in the California False Claim Act. It may also be considered fraud and the Contractor may be subject to criminal prosecution.
- Q. The undersigned Bidder certifies that it is, at the time of bidding, and shall be throughout the period of the Contract, licensed by the State of California to do the type of work required under the terms of the Contract Documents and registered as a public works contractor with the Department of Industrial Relations. Bidder further certifies that it is regularly engaged in the general class and type of work called for in the Contract Documents.
- R. **Bidder acknowledges that the New Del Sol High School Requires import soils.**
- S. **Contractor shall provide adequate procedures for the COVID 19 PANDEMIC. Contractor shall provide procedures within their submitted IIPP addressing such issue.**

36. **Stockpile Scope and Requirements**

- Contractor shall place soils in layers not to exceed 24" for stockpiling. Contractor shall provide SWPPP management, dust control and sweep maintenance for a duration not exceeding 6 months at that time the maintenance of the stockpile will be turned over to the General Contractor of the New Del Sol Project.
- Topsoil normally should not be placed on slopes steeper than 2H:1V or on sandy or silty slopes steeper than 3H:1V. Additionally, topsoil should not be placed on frozen, extremely wet, or smooth slopes, aboveground vegetation, including litter, should not be mixed or otherwise incorporated into the topsoil prior to excavation. Do not mix organic material such as wood bark or fiber, grass hay or grain straw in topsoil.
- The topsoil shall be placed into stockpiles at locations designated on the plans. Stockpiles should be treated with temporary soil stabilization and erosion control measures as per Stormwater Pollution Prevention Plan (SWPPP). Topsoil stockpile height should not exceed three meters (10 feet) at any point.
- When stockpiling topsoil, mound soil no higher than 1.3 m (4 feet) high for less than 1 year. Cover to prevent soil erosion and contamination by weeds. Supply Soil binders shall be nontoxic to plant and animal life.
- Protection of stockpiles is a year-round requirement. Stockpiles are not to be located in areas of concentrated flows of stormwater or drainage ways. Stockpiles are to be located a minimum of 50 feet away from all drainage inlets.
- Apply a temporary soil stabilization and erosion control treatment to the exposed topsoiled areas to protect the topsoil prior to permanent seeding.
- Soil binders may be applied to disturbed soil areas or soil stockpiles requiring short-term protection. Soil binders consist of applying and maintaining polymeric or lignin sulfonate soil stabilizers or emulsions, may be used to stabilize stockpiles. A variety of soil binders are available for use. Prior to use, the manufacturers' specifications should be reviewed and compared to the site-specific conditions. In selecting a soil binder, the following criteria should be considered: availability of product; ease of cleanup; degradability (how the product degrades and what its by-products are); length of drying time; erosion control effectiveness; longevity; mode of application and availability of application equipment; and water quality impact.
- Apply soil binders per manufacturer's specifications.

- Soil binders should be nontoxic to plant and animal life.
- Soil binders shall not be applied to frozen soil or areas with standing water.
- Soil binders should not be applied during or immediately before rainfall.
- Avoid over-spray onto hardscaped areas.
- Check protected areas to ensure proper coverage and re-apply soil binder as needed, or implement additional BMPs.
- Leave surrounding areas in a roughened condition to reduce erosion and facilitate establishment of permanent vegetation. The roughening establishes safe sites for seed to germinate and grow.
- Periodically, and after each storm event or snow melt, inspect, repair, and reseed if necessary to control erosion and loss of topsoil.
- Procedures for periodic maintenance apply to both temporary soil stabilization or permanent seeding application as applies.

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

Dated this 5th day of August 2020

Name of Bidder: Staples Construction Company, Inc.

Type of Organization: General Contractor

Signed by: David Staples

Title of Signer: President

Address of Bidder: 1501 Eastman Ave., Ventura, CA 93003

Taxpayer Identification No. of Bidder: 77-0404451

Telephone Number: (805) 658-8786

E-mail: david@staplesconstruction.com

Contractor's License No(s): No.: 710039 Class: A Expiration Date: 07.31.21

No.: 710039 Class: B Expiration Date: 07.31.21

No.: _____ Class: _____ Expiration Date: _____

Public Works Contractor Registration No.: 1000004387

END OF DOCUMENT

DESIGNATED SUBCONTRACTORS LIST
(Public Contact Code Sections 4100-4114)

Bidder acknowledges and agrees that it must clearly set forth below the name, location and California contractor license number of each subcontractor who will perform work or labor or render service to the Bidder in or about the construction of the Work or who will specially fabricate and install a portion of the Work according to detailed drawings contained in the plans and specifications in an amount in excess of one-half of one percent (0.5%) of Bidder's total Base Bid and the kind of Work that each will perform. Vendors or suppliers of materials only do not need to be listed.

Bidder acknowledges and agrees that, if Bidder fails to list as to any portion of Work, or if Bidder lists more than one subcontractor to perform the same portion of Work, Bidder must perform that portion itself or be subjected to penalty under applicable law. In case more than one subcontractor is named for the same kind of Work, state the portion of the kind of Work that each subcontractor will perform.

If alternate bid(s) is/are called for and Bidder intends to use subcontractors different from or in addition to those subcontractors listed for work under the Base Bid, Bidder must list subcontractors that will perform Work in an amount in excess of one half of one percent (0.5%) of Bidder's total Base Bid plus alternate(s).

If further space is required for the list of proposed subcontractors, attach additional copies of page 2 showing the required information, as indicated below.

Subcontractor Name: ACACIA ENVIRONMENTAL
CA Cont. Lic. #: 813236 Location: SANTA BARBARA
Portion of Work: SOIL BINDER

Subcontractor Name: _____
CA Cont. Lic. #: _____ Location: _____
Portion of Work: _____

Subcontractor Name: _____
CA Cont. Lic. #: _____ Location: _____
Portion of Work: _____

Subcontractor Name: _____
CA Cont. Lic. #: _____ Location: _____
Portion of Work: _____

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Portion of Work: _____

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CA Cont. Lic. #: _____ Location: _____

Portion of Work: _____

Subcontractor Name: _____

CA Cont. Lic. #: _____ Location: _____

Portion of Work: _____

Subcontractor Name: _____

CA Cont. Lic. #: _____ Location: _____

Portion of Work: _____

Date: _____ 08.05.20 _____

Proper Name of Bidder: _____ Staples Construction Company, Inc. _____

Signature: _____  _____

Print Name: _____ David Staples _____

Title: _____ President _____

END OF DOCUMENT

**NON-COLLUSION DECLARATION
(Public Contract Code Section 7106)**

The undersigned declares:

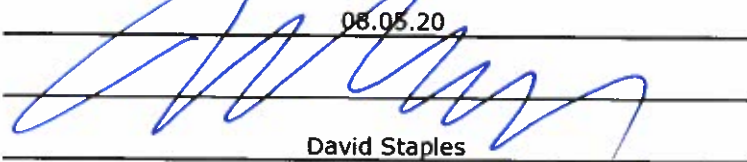
I am the President of
[Title]
Staples Construction Company, Inc., the party making the foregoing bid.
[Name of Firm]

The bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation. The bid is genuine and not collusive or sham. The bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid. The bidder has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or to refrain from bidding. The bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder. All statements contained in the bid are true. The bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof, to effectuate a collusive or sham bid, and has not paid, and will not pay, any person or entity for such purpose.

Any person executing this declaration on behalf of a bidder that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that he or she has full power to execute, and does execute, this declaration on behalf of the bidder.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on 08.05.20,
[Date]

at Ventura, CA.
[City] [State]

Date: 08.05.20
Signature: 
Print Name: David Staples
Title: President

END OF DOCUMENT