September 3, 2014

TO: Santa Clara County Board of Education

FROM: Micaela Ochoa, Chief Business Officer
       Craig Wilde, Director, General Services

VIA: Jon Gundry, County Superintendent of Schools

SUBJECT: Request Approval for the Paving Work at Chandler Tripp School

Associated Goal

Goal 2: Provide support to districts, communities, schools, and students

Background

For several years, the Special Education and Head Start programs at Chandler Tripp have experienced limited available parking for parent drop off and pick up, staff, and visitors. From March 2013 through August 2013, staff worked on and developed an SCCOE five-year maintenance plan (Plan). The plan was presented to the Board of Education on November 13, 2013. A new parking lot (Project) for Chandler Tripp was identified in the Plan. The Project will convert an adjacent dirt lot into 28 new parking spaces.

Fiscal Implications

Funds have been incorporated for this purpose in the 2014-15 budget.

Requested Action

Approve Bid#B2-14-15 to Silicon Valley Paving, the lowest responsive bidder, in the amount of $130,381 for the Paving Work at Chandler Tripp School.
Paving Work - Chandler Tripp School  
Bid #: B2-14-15  
Opening Date: August 21, 2014

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Guerra Construction</th>
<th>Seward Schreder Construction</th>
<th>Silicon Valley Paving</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base Bid</td>
<td>$232,000</td>
<td>$248,000</td>
<td>$130,381</td>
</tr>
<tr>
<td>Project Completion</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Exceptions</td>
<td>None</td>
<td>None</td>
<td>None</td>
</tr>
<tr>
<td>Bid Bond</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>All Forms</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Addenda Acknowledgement</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Contractors Lic. #</td>
<td>915544</td>
<td>746525</td>
<td>732923</td>
</tr>
<tr>
<td>Sub Contractors</td>
<td>None</td>
<td>Northwest Paving</td>
<td>None</td>
</tr>
</tbody>
</table>
BID FORM
FOR
PAVING WORK
FOR
CHANDLER TRIPP SCHOOL
SANTA CLARA COUNTY OFFICE OF EDUCATION

TO: THE SANTA CLARA COUNTY OFFICE OF EDUCATION
Pursuant and in compliance with your Instructions and Conditions and all other documents relating thereto, the undersigned offerer, having familiarized himself with the terms of the contract, the local conditions affecting the performance of the contract, the cost of the work at the place where the work is being done, and with the specifications and other contract documents, hereby proposed and agrees to perform within the time stipulated, in contract, including all of its component parts, and everything required to be performed, and to provide and furnish any and all of the labor, materials, tools, expandable equipment, and all utility and transportation services necessary to perform all of the work required in connection with *BID #B2-14-15* all in strict conformity with the specifications and other contract documents, including addenda nos. ___, and ____, on file at the Office of the Purchasing Manager of the Santa Clara County SCCOE.

BASE BID
Paving Work

Other Costs – please specify: ______ - 0 - ______

Base Bid Total: $130,381.00

BID BOND
( ) CASHIER’S CHECK  ( ) CERTIFIED CHECK  (X) BIDDER’S BOND
made payable to the order of the Santa Clara County Office of Education for the sum of:

Thirteen Thousand, Thirty-Eight Dollars
($130,381.65)

Not less than 10% of the amount of bid

ADDITIONAL WORK
Additional costs will be billed at the following unit price rates:

• Labor: $95.00/HR - Operating Engineer

• Labor: $80.00/HR - Laborer

• Labor: $90.00/HR - Cement Mason Foreman

9
CONTRACTOR’S LICENSE
Licensed in accordance with the act providing for the registration of the registration of contractor’s,
License No. 732923
3/31/2015
(Expiration Date)
Silicon Valley
(Proper Name of Bidder)

THE REPRESENTATIVES MADE HEREIN ARE MADE UNDER PENALTY OF PERJURY.

NO BID IS VALID UNLESS SUBMITTED ON THIS FORM AND SIGNED BY AUTHORIZED AGENT FOR YOUR COMPANY.

SUBMITTED BY:
FIRM NAME: Silicon Valley Paving, Inc., ACCEPTED BY: ______________________
ADDRESS: P.O. Box 24558
CITY & ZIP: San Jose, CA 95159-0558
TELEPHONE: 408-286-8701
SIGNATURE: ______________________ (Authorized Agent)
NAME: Todd Sluyngstad
TITLE: President
DATE: 8/20/2014

NOTE: If bidder is a corporation, the legal name of the corporation shall be set forth above, together with the signature of authorized officers or agents and the document shall bear the corporate seal; if bidder is a partnership, the true name of the firm shall be set forth above, together with the signature of the partnership; and if bidder is an individual, his signature shall be placed above.
AFFIRMATIVE ACTION EMPLOYMENT PROGRAM

APPROVED: January 13, 1976
BY: Santa Clara County Board of Education
SECTION 12, CONTRACT COMPLIANCE

12.1 The Santa Clara County Office of Education will maintain a list of minority businesses and businesses operated by women that will ensure that such businesses receive solicitations for bids.

12.2 The Santa Clara County Office of Education will maintain a list of minority and woman consultants and will ensure that they are afforded equal opportunity for contracts.

12.3 The Santa Clara County Office of Education will notify its vendors, suppliers, and other contractors of its affirmative action program.

12.4 The Santa Clara County Office of Education will require the inclusion of the following equal opportunity clauses as a condition of all contracts in excess of $10,000.

During the performance of this contract, the contractor agrees as follows:

12.4.1 The contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and a selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.

12.4.2 The contractor will, in all solicitation or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, creed, color, physical handicap, sex, or national origin.

12.4.2 The contractor will show evidence of compliance with all provision of executive Order 11246, as amended, and of the rules, regulations, and relevant orders of the Secretary of Labor.

12.4.3 In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contractor may be declared ineligible for further contracts with this office.
CERTIFICATE OF NONDISCRIMINATION BY SELLER

As a supplier of goods or services to the Santa Clara County Office of Education, the firm listed below certifies that it does not discriminate in its employment with regard to race, religion, creed, sex, national origin, or handicap; that it is in compliance with all Federal, State, and local directives and executive orders regarding nondiscrimination in employment; and that it agrees to demonstrate positively and aggressively the principal of equal opportunity in employment.

We agree specifically:

1. To establish or observe employment policies which affirmatively promote opportunities for minority persons at all job levels.

2. To communicate this policy to all persons concerned, including all company employees, outside recruiting services (especially those serving minority communities), and the minority communities at large.

2. To take affirmative steps to hire minority employees within the company.

FIRM NAME: Silicon Valley Paving, Inc.

TITLE OF OFFICER SIGNING: President

SIGNATURE: [Signature]

DATE: 8/21/2014
SANTA CLARA COUNTY OFFICE OF EDUCATION
1290 RIDDER PARK DRIVE
SAN JOSE, CA95131-2398
(408) 453-6860

BIDDING QUESTIONNAIRE

The Santa Clara County Office of Education is continually looking for ways to improve its bidding procedures. Your assistance would be greatly appreciated. Please complete this questionnaire and return it with your bid. If you will not be bidding, please fold in three, staple and return to address above.

(Check all answers that apply)

1. How did you learn about this particular bid? MARK E. Sorenson PED
   with Underwood & Rosenblum, Inc.
   Personal contact from us? Andy Borsah

   Other-please specify: N/A

2. If you do not plan to bid, please explain why: N/A
   ________ Quantity too high/low.
   ________ Cannot meet the specifications of the bid.
   ________ Not enough time allowed to complete bid requirements
   ________ Cannot meet the delivery date or the completion date.
   ________ Cannot handle the order at this time.
   ________ Bid and/or Performance Bond requirements too high.

3. Do you have any suggestions on how to improve our bid process and/or the specifications? Not at this time.

4. Name of Your Company: Silicon Valley Paving, Inc.
5. This Bid Number: B2-14-15
6. Title of Proposal: Paving Work for Chandler Tripp School
7. By and Title: Forrest Williams, Project Manager
8. Comments: Not at this time.
CONTRACTOR'S CERTIFICATE

REGARDING WORKER'S COMPENSATION

Labor Code Section 3700.

"Every employer except the State and all political subdivisions or institutions thereof, shall secure the payment of compensation in one or more of the following ways:

(a) By being insured against liability to pay compensation in one or more insurers duly authorized to write compensation insurance in this State.

(b) By securing from the Director of Industrial Relations a certificate of consent to self-insure, which may be given upon furnishing proof satisfactory to the Director of Industrial Relations of ability to self-insure and to pay any compensation that may become due to his or her employees."

I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

Signature: ____________________________

[Signature]

Teddy Sylngstad
President

(In accordance with Article 5 (commencing at Section 1860), Chapter 1, Part 7, Division 2 of the Labor Code, the above certificate must be signed and filed with the awarding body prior to performing any work under this contract.)
DESIGNATION OF SUBCONTRACTORS

In compliance with the Subletting and Subcontracting Fair Practices Act (Chapter 2, commencing at Section 41007), Division 5, Title 1 of the Government Code of the State of California, and any amendments thereof, each bidder shall set forth below: (a) the name and the location of the place of business of each subcontractor who will perform work or labor or render service to the prime contractor in or about the construction of the work or improvement to be performed under this contract or a subcontractor licensed by the State of California who, under subcontract to the prime contractor, specially fabricates and installs a portion of the work or improvement according to detailed drawings contained in the plans and specifications in an amount in excess of one-half of one percent of the prime contractor’s total bid; and (b) the portion of the work which will be done by each subcontractor under this act. The prime contractor shall list only one subcontractor for each such portion as is defined by the prime contractor in this bid.

If a prime contractor fails to specify a subcontractor or if a prime contractor specifies more than one subcontractor for the same portion of the work to be performed under the contract in excess of one-half of one percent of the prime contractor’s total bid, he shall be deemed to have agreed that he is fully qualified to perform that portion himself, and that he shall perform that portion himself.

No prime contractor whose bid is accepted shall (a) substitute any subcontractor, (b) permit any subcontract to be voluntarily assigned or transferred or allow it to be performed by any on other than the original subcontractor listed in the original bid, or (c) sublet or subcontract any portion of the work in excess of one-half of one percent of the prime contractor’s total bid as to which his original bid did not designate a subcontractor, except as authorized in the Subletting and Subcontracting Fair Practices Act. Subletting or subcontracting of any portions of the work in excess of one-half of one percent of the prime contractor’s total bid as to which no subcontractor was designated in the original bid shall only be permitted in cases of public emergency or necessity, and only after finding reduced to writing as a public record of the authority awarding this contract setting forth the facts constituting the emergency or necessity.

<table>
<thead>
<tr>
<th>PORTION OF WORK</th>
<th>SUBCONTRACTOR</th>
<th>LOCATION &amp; PLACE OF BUSINESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Silicon Valley Paving, Inc.

CONTRACTOR’S NAME

SIGNATURE
Todd Sylngstad, President
NONCOLLUSION DECLARATION

(To Be Executed By Bidder and Submitted With Bid)

I, Todd Slynstad, declare as follows:

That I am the President of Silicon Valley Paving, Inc., the party making the attached bid; that the attached bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and further, that 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, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 21st day of August, 2014, at San Jose, Santa Clara County, California.

Authority: Public Contract Code 7106
CCP 2015.5

Todd Slynstad, President
BID BOND

BOND NO. Bid Bond

Premium included in Performance Bond

KNOW ALL MEN BY THESE PRESENTS,

That we SILICON VALLEY PAVING, INC.
as Principal, and DEVELOPERS SURETY AND INDEMNITY COMPANY a corporation

authorized to transact a general surety business in the State of IOWA as Surety, are held and firmly

bound unto SANTA CLARA COUNTY OFFICE OF EDUCATION

(hereinafter called the Obligee)

in the full and just sum of Ten Percent (10%) of The Total Amount Bid.

Dollars, ($ --10% of Bid-- ) for the payment whereof in lawful money of the United States, we bind ourselves, our

heirs, administrators, executors, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the said PRINCIPAL has submitted the accompanying bid for

Chandler Tripp Parking Lot Project

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a
Contract with the Obligee in accordance with the terms of such bid, or in the event of the failure of the Principal to enter
such Contract, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the
amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party
to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and
effect.

Signed and Sealed this 18th day of August 2014.

SILICON VALLEY PAVING, INC.

Todd Svingstad, President

Developers Surety and Indemnity Company

By Jody A. Johnson, Attorney-in-Fact

ID-1186 (Bid Bond) (REV. 7/13)
California Acknowledgment Form

State of California
County of Santa Clara } ss.

On 8/20/2014 before me, Therese Diaz, Notary Public
personally appeared Todd Slyngstad

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary

THERERE DIAZ
Commission # 19/70341
Notary Public - California
Santa Clara County
My Comm Expires Mar 21, 2016

Notes

Please provide information about the document that this form is attached to.
***This is not required under California State notary public law***
POWER OF ATTORNEY FOR
DEVELOPERS SURETY AND INDEMNITY COMPANY
INDEMNITY COMPANY OF CALIFORNIA
PO Box 19725, IRVINE, CA 92623 (949) 263-3300

KNOW ALL BY THESE PRESENTS that except as expressly limited, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, do each hereby make, constitute and appoint:

***Jody A. Johnson, Joseph Quillon Gibson, jointly or severally***

as their true and lawful Attorney(s)-In-Fact, to make, execute, deliver and acknowledge, for and on behalf of said corporations, as sureties, bonds, undertakings and contracts of suretyship giving and granting unto said Attorney(s)-In-Fact full power and authority to do and to perform every act necessary, requisite or proper to be done in connection therewith as each of said corporations could do, but reserving to each of said corporations full power of substitution and revocation, and all of the acts of said Attorney(s)-In-Fact, pursuant to these presents, are hereby ratified and confirmed.

This Power of Attorney is granted and is signed by facsimile under and by authority of the following resolutions adopted by the respective Boards of Directors of DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, effective as of January 1st, 2008.

RESOLVED, that a combination of any two of the Chairman of the Board, the President, Executive Vice-President, Senior Vice-President or any Vice-President of the corporations be, and that each of them hereby is, authorized to execute this Power of Attorney, qualifying the attorney(s) named in the Power of Attorney to execute, on behalf of the corporations, bonds, undertakings and contracts of suretyship, and that the Secretary or any Assistant Secretary of either of the corporations be, and each of them hereby is, authorized to attest the execution of any such Power of Attorney;

RESOLVED, FURTHER, that the signatures of such officers may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures shall be valid and binding upon the corporations when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached.

IN WITNESS WHEREOF, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA have severally caused these presents to be signed by their respective officers and attested by their respective Secretary or Assistant Secretary this November 21, 2013.

By: [Signature]
Daniel Young, Senior Vice-President

By: [Signature]
Mark J. Lansdon, Vice-President

State of California
County of Orange

On November 21, 2013 before me, Antonio Alvarado, Notary Public

here insert name and title of the officer

personally appeared Daniel Young and Mark J. Lansdon

Name(s) of Signer(s)

Place Notary Seal Above

[Signature]
Antonio Alvarado, Notary Public

WITNESS my hand and official seal.

CERTIFICATE

The undersigned, as Secretary or Assistant Secretary of DEVELOPERS SURETY AND INDEMNITY COMPANY or INDEMNITY COMPANY OF CALIFORNIA, does hereby certify that the foregoing Power of Attorney remains in full force and has not been revoked and, furthermore, that the provisions of the resolutions of the respective Boards of Directors of said corporations set forth in the Power of Attorney are in force as of the date of this Certificate.

This Certificate is executed in the City of Irvine, California, this 18th day of August 2014.

By: [Signature]
Cassie J. Berrisford, Assistant Secretary

ID-1383(Rv11/13)
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Shasta

On August 18, 2014 before me, Kara Alan Yowell, Notary Public, personally appeared Jody A. Johnson

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Kara Alan Yowell

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Bid Bond

Document Date: August 18, 2014

Number of Pages: 2

Signer(s) Other Than Named Above: Todd Sylngstad

Capacity(ies) Claimed by Signer(s)

Signer’s Name: Jody A. Johnson

☐ Corporate Officer — Title(s):
☐ Individual
☐ Partner — ☐ Limited ☐ General
☒ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: 

Signer is Representing:

☐ Corporate Officer — Title(s):
☐ Individual
☐ Partner — ☐ Limited ☐ General
☑ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: 

Signer is Representing:
ADDENDUM #1
FOR
PAVING WORK
FOR
CHANDLER TRIPP SCHOOL
SANTA CLARA COUNTY OFFICE OF EDUCATION

This Addendum forms a part of the Proposal Documents for above subject project and modifies the original project specifications as noted below. Acknowledge receipt of this Addendum in your proposal response. Failure to do so may subject your response to disqualification. The following revisions have been made to the above referenced proposal document:

ITEM NO. 1.1:  Add: Grading Note #3 on sheet T1 Title Sheet states: “Protective fencing and/or barriers shall be provided when necessary to protect adjacent properties during grading operation”. The contractor shall add a meshing to this protective fencing for this project.

ITEM NO. 1.2:  Add: Work shall commence by Friday, September 19, 2014 and shall be completed by no later than Friday, October 17, 2014

ITEM NO. 1.3:  Clarify: The contractor shall control site construction dust per Construction Note #5 per sheet T1 Title Sheet.

ITEM NO. 1.4:  Clarify: The contractor shall coordinate with the City of San Jose for the use of water for dust control.

++ END OF ADDENDUM ONE ++

A. D. Bursch CPM
Purchasing Manager

CC: Mark Sorenson/Craig Wilde/Bid File
PREVAILING WAGE AND
RELATED LABOR REQUIREMENTS CERTIFICATION

PROJECT/CONTRACT NO.: Chandler Tripp Parking Lot Project/B2-14-15
("District") Santa Clara County Office of Education and Silicon Valley Paving, Inc
("Contractor").

I hereby certify that I will conform to the State of California Public Works Contract
requirements regarding prevailing wages, benefits, on-site audits with 48-hours notice,
payroll records, and apprentice and trainee employment requirements, for all Work on the
above Project including, without limitation, the labor compliance program, if this Project
is subject to a labor compliance program.

Date: 8/27/14
Proper Name of Contractor: Silicon Valley Paving, Inc.
Signature: [Signature]
Print Name: Todd Slyngstad
Title: President