BIDDERS WHO HAVE NOT REGISTERED ON THE BART PROCUREMENT PORTAL PRIOR TO SUBMITTING A BID AND DID NOT OBTAIN THE CONTRACT DOCUMENTS FOR THIS SOLICITATION EITHER ON LINE OR DIRECTLY THROUGH THE DISTRICT SECRETARY'S OFFICE IN ORDER TO BE LISTED AS AN ON-LINE PLANHOLDER FOR THIS SOLICITATION, WILL NOT BE ELIGIBLE FOR AWARD OF THIS CONTRACT.

BID

TO THE SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

FOR **M-LINE TUNNEL LIGHTING UPGRADE**, CONTRACT NO. **15AA-110**

Name of Bidder Proven Management, Inc.

Business Address 225 3rd Street
Oakland, CA 94607

Address where notification should be sent 225 3rd Street
Oakland, CA 94607

Business office number 510-671-0000 facsimile (Fax) number 510-671-1000

Email address bids@provenmanagement.com (where notification should be sent).

Please indicate how you found out about this contract: (check all that apply)

_____ Through newspaper advertisement

_____ Through BART web site

_____ Through one of the plan rooms

_X_ Through advance notice to Bidders

_____ Other (_____)

The Work to be done is located in the County of San Francisco, State of California, and is to be done in accordance with the Contract Document which include the Contract Drawings and the referenced sections of BART Facilities Standards, Standard Specifications, Release R3.1.1, dated May, 2017, and the Contract Book incorporating the General Conditions, Supplementary Conditions, Contract Specifications, and other documents as listed therein.

The undersigned, as Bidder, declares that the only person or parties interested in this Bid as principals are those named herein; that this Bid is made without collusion with any other person, firm or corporation; that the undersigned has carefully examined the location of the proposed Work, the annexed proposed form of Contract, and the Contract Documents therein referred to; and the undersigned proposes and agrees, if this Bid is accepted, that the undersigned will contract with the San Francisco Bay Area Rapid Transit District, in the form of the copy of the Contract annexed hereto, to provide all necessary labor, machinery, tools, apparatus, and other means of construction, and to do all the Work and provide all the materials specified in the Contract, in the manner and time therein prescribed, and according to the requirements of the Engineer as therein set forth, and that the undersigned will take in full payment therefor the following prices:

BID SCHEDULE

ITEM	UNIT	EST. QTY.	DESCRIPTION	UNIT PRICE	ITEM TOTAL
1	Lump Sum	1	Demolition of all the existing fluorescent walkway light fixtures, cross passage yellow light fixtures and associated wiring. Provide certificate of proper disposal.	$XXXXX	$ 702,217.00
2	Lump Sum	1	Demolition of all the existing Blue lights, White lights, train cross over area light fixtures and associated wiring. Provide certificate of proper disposal.	$XXXXX	$ 295,595.17
3	Each	2272	Provide the replacement of the existing walkway light fixtures with new LED light fixtures and additional new LED light fixtures about 25 feet from the existing light fixtures, and cross passage yellow light fixtures as shown on the Contract Drawings and Contract Documents.	$ 2,720.00	$ 6,179,840.00
4	Each	200	Provide the replacement of the blue lights, white lights with new LED lights as shown on the Contract Drawings and Contract Documents.	$ 1819.96	$ 363,992.00
5	Lump Sum	1	Provide LED light fixtures at two train cross-over areas complete with new manual switches as shown on the Contract Drawings and Contract Documents.	$XXXXX	$ 121,294.01
6	Lump Sum	1	Provide a new maintenance LED light with manual switch at each Blue Light Emergency Station as shown on the Contract Drawings and Contract Documents.	$XXXXX	$ 144,447.13
7	Linear Feet	134,000	Clean the inside of the entire walkway and cross passage yellow lights conduit system. Provide new wiring to all walkway light fixtures and cross passage yellow light fixtures in existing raceway and /or new raceway, junction boxes, pull boxes, conduit support channels as shown on the Contract Drawings and Contract Documents.	$ 7.55	$ 1,011,700.00
8	Linear Feet	134,000	Clean the inside of the entire blue lights and white lights conduit system. Provide new wiring to all blue light fixtures, white light fixtures in existing raceway and /or new raceway, as shown on the Contract Drawings and Contract Documents.	$ 7.55	$ 1,011,700.00

ITEM	UNIT	EST. QTY.	DESCRIPTION	UNIT PRICE	ITEM TOTAL
9	Lump Sum	1	Provide new Tunnel lighting panels at passenger stations as shown on the Contract Drawings and Contract Documents.	$XXXXX	$118,804.16
10	Linear Feet	2,000	Provide new concealed conduits and wiring from the new tunnel lighting panels to the interface boxes at the entrance of the tunnel and to the existing or new conduits in tunnel to form a complete raceway/wiring system for walkway and cross passage yellow lights as shown on the Contract Drawings and Contract Documents	$ 36.00	$72,000.00
11	Linear Feet	1,500	Provide new concealed conduits and wiring from the new tunnel lighting panels to the interface boxes at the entrance of the tunnel and to the existing or new conduits in tunnel to from a complete raceway/wiring system for blue lights and white lights as shown on the Contract Drawings and Contract Documents.	$ 36.00	$54,000.00
12	Linear Feet	26,800	Cleaning out dirt/deposits on surface of walkway lighting conduits, cross passage yellow light conduits, blue light emergency station conduits, and white light conduits.	$ 7.20	$192,960.00
13	Each	36	Provide booster Transformer for each phase to power the micro UPS as shown on the Contract Drawings and Contract Specification. Re-route power supply wires to Transformers.	$ 4119.98	$148,319.28
14	Each	25	Provide micro UPS power supply connection termination boxes with associated nameplates for identification per the existing micro UPS identification. Re-route power supply wires as directed.	$ 7200.25	$180,006.25
15	Each	100	Provide spare walkway lighting fixtures complete with driver.	$ 993.63	$99,363.00
16	Each	50	Provide spare walkway lighting drivers.	$ 103.68	$5184.00
17	Each	10	Provide spare yellow light fixtures.	$ 1035.40	$10354.00
18	Each	5	Provide spare blue lighting	$ 701.30	$3506.50
19	Each	5	Provide spare white lighting	$ 701.30	$3506.50

ITEM	UNIT	EST. QTY.	DESCRIPTION	UNIT PRICE	ITEM TOTAL
20	Linear Feet	13,400	Replace severely rusted or damaged walk way lighting conduits, cross passage yellow light conduits, blue light emergency station conduits or white light conduits. Replace damaged mounting channel or broken conduit supports and related accessories.	$ 40.32	$540,288.00
21	Lump Sum	1	Mobilization and Demobilization See Contract Specifications Section 01 71 13.	$XXXXX	$1,375,000.00
22	Allowance	1	Delay or cancellation of prior approved work days or hours by BART for any reason without advanced (3 days) notice.	$XXXXX	$ 100,000.00
23	Allowance	1	Differing site conditions	$XXXXX	$ 500,000.00
24	Allowance	1	Hazardous Material Abatement.	$XXXXX	$ 100,000.00
25	Allowance	1	Partnering Allowance using a facilitator in accordance with Supplementary Conditions SC8.3.4	$XXXXX	$ 12,500.00
26	Allowance	1	Roadway Worker Protection (RWP) training for Watchpersons or Safety Escorts	$XXXXX	$ 31,200.00
			TOTAL BID PRICE (ITEMS 1 THROUGH 26 INCLUSIVE)		$13,377,777.00

The above item totals for all Bid Items **(1 THROUGH 26)** are submitted by the Bidder for the convenience of the District. In the event of a discrepancy between the Bid unit price and the amount entered in the item total column, the Bid unit price shall govern. The District will calculate the total Bid Price based on the unit prices or lump sum prices bid, as applicable. In the event of a discrepancy between the District's calculations and the item totals for all Bid Items as submitted by the Bidder, the District's calculations shall govern.

The District reserves the right, in its sole discretion, to make no Award, or to make an Award to the lowest responsible Bidder as determined by adjusting the Bid Price for Bidders that meet the LSB Subcontractor participation goal as described in the Instructions to Bidders Paragraph 14.B.1.

FOR A BID TO BE CONSIDERED, ALL ITEMS MUST BE BID.

THE DISTRICT RESERVES THE RIGHT TO REJECT ANY AND ALL BIDS.

If this Bid shall be accepted and the undersigned shall fail to contract as aforesaid and to give the two bonds in the sums to be determined as specified, with surety satisfactory to the District, **or to provide specified Certificates of Insurance** within ten (10) Days after the Bidder has received notice from the District that the Contract has been awarded, unless the District, in its discretion, allows additional time in writing for such submissions, the District may, at its option, determine that the Bidder has abandoned the Contract; thereupon this Bid and the acceptance thereof shall be null and void, and the forfeiture of such security accompanying this Bid shall occur and the same shall be the property of the District.

Accompanying this Bid is (1) Bidder's Bond in an amount equal to at least ten percent (10%) of the total Bid Price.

Receipt of the following attached Addenda is hereby acknowledged:

Addenda numbers 1, 2, 3

The Bidder, Proven Management, Inc.
(name),

hereby certifies that:

(A) Bidder is aware of the provisions of Supplementary Conditions Article SC7.1 regarding the District's Non-Discrimination Program for Subcontracting and Small Business Program for the Contract and the requirements for submission therefor; and

(B) Bidder has read the Contract Book, understands its requirements, including those for keeping records, and has asked for explanations of anything it did not understand.

((2)) Bidder holds California Contractor's license No. 749370, Classification A,B,Haz The license expiration date is 05/31/20 Bidder's current DIR Contractor's Registration Number is 1000003746 If the Bidder is a joint venture, list the California Contractor's license numbers, classifications and expiration dates and DIR Contractor's Registration Numbers for each joint venturer as follows:

(3)	Name of Joint Venturer	Contractor's License	Classification	Expiration Date	DIR Contractor's Registration
A.	n/a				
B.					
C.					

Failure to provide any joint venturer's information as required above may render the Bid non-responsive.

[Insert this paragraph if the PRIMARY scope of Work includes a conveyance system]. As described in Instructions to Bidders Paragraph 7.H., if Bidder or any Subcontractor is a certified qualified conveyance company as described in California Labor Code Section 7311.1.(a), such company shall execute the Certification of Status as Qualified Conveyance Company included in this Bid Form.

Bidder declares under penalty of perjury that the foregoing is true and correct.

Proven Management, Inc.
(4) Name of Bidder

(4) Signature of Bidder

(5)
(6) William Gilmartin III, Vice President
Print Name and Title of Person Signing

Dated August 20, 2018.

NOTES:

(1) Insert the words "cash," "cashier's check," "certified check," or "Bidder's Bond," as the case may be.
(2) If the Bidder is joint venture the Bidder may submit its valid State Contractor's license number, classification and expiration date with the Bid, but shall submit such information no later than 2:00 p.m. on Friday of the week following the date of Bid opening to the Contract Administrator at the address indicated in the Instructions to Bidders
(3) If the joint venture consists of more than three joint ventures, add additional lines as needed.

(4) If the Bidder is a joint venture, the name of the Bidder and the signature shall match the name of the joint venture and the signature as provided in the joint venture agreement and conform with the requirements in the Instructions to Bidders.

(5) If the Bidder in its Bid furnished anything not called for by these Contract Documents (a cover letter, Bidder's own form, or a notation on the Bid Form not called for by this form, for example), the Bidder is cautioned that it runs the risk that it has submitted a Bid which does not conform to the District's Contract Documents, and therefore must be rejected.

(6) Bids shall be presented under sealed cover as provided in the Instructions to Bidders.

DESIGNATION OF SUBCONTRACTORS, M/WBEs, AND LSBs PARTICIPATION FORM

To comply with the requirements of the California Subletting and Subcontracting Fair Practices Act (California Public Contract Code Section 4100 et seq.), Bidder shall list in Part I of this form the name and address of each Subcontractor to whom Bidder proposes to subcontract more than ½ of 1% of the Work, description of portion of work or services subcontracted, total dollar amount of the portions of the work or services subcontracted, whether the Subcontractor is an MBE or WBE or both, or whether the Subcontractor is an LSB, and the California Contractor license number of the Subcontractor. An inadvertent error in listing a Subcontractor's California contractor license number may be corrected by Bidder within twenty four (24) hours after the Bid opening provided the corrected contractor's license corresponds to the submitted name and location for that Subcontractor. The above list of information shall be submitted with the Bid. Other information required in Part I herein may be submitted up to 24 hours after the designated time to submit the Bid. Bidder's attention is directed to Article GC5.7.1 of the General Conditions.

In addition, in Part II of this form list all MBEs, WBEs, and first and second-tier LSBs not subject to the requirements of General Conditions Article GC5.7.1.

Pursuant to Sections 1725.5 and 1771.1 of the State Labor Code, all Contractors and Subcontractors must be registered with the California Department of Industrial Relations (DIR) in order to be qualified to bid on this Contract or to be listed as a Subcontractor. An inadvertent error in listing a Subcontractor who is not registered pursuant to Section 1725.5 in a Bid, may be corrected by the Bidder within twenty four (24) hours after the Bid opening if the Subcontractor registers and pays the penalty registration fee described in Section 1725.5 of the State Labor Code. Alternatively, the Subcontractor may be replaced with a registered Subcontractor pursuant to Section 4107 of the Public Contract Code.

If a firm is owned and controlled by a Minority Woman or Minority Women, then the firm may be counted towards meeting both the MBE and WBE Availability Percentages. Accordingly, both MBE and WBE boxes should be checked.

Attach additional copies of this form if more space is needed and paginate the forms (i.e., Page 1 of 13

Name and Address	MBE (Check if MBE)	WBE (Check if WBE)	LSB (check if LSB)	Description of Portion of Work or Services Subcontracted	Total Dollar Amount of Subcontracted Work or Services
I. All Subcontractors (MBEs, WBEs and Non-MBEs and Non-WBEs, and first-tier LSBs subject to the requirements of General Conditions Article GC5.7.1					
Name: McKEE and Company Electric Address: 1465 Carroll Ave. San Francisco, CA 94124 California Contractor License No. 952504 DIR Contractor Registration No. 1000056905 Phone Number: (415) 769-1461 Age of Firm: 3 Yrs Annual Gross Receipts as of last Tax Year: $ 2,500,000	X		X	Electrician Labor Materials	$3,757,482.

DESIGNATION OF SUBCONTRACTORS, M/WBEs, AND LSBs PARTICIPATION FORM

To comply with the requirements of the California Subletting and Subcontracting Fair Practices Act (California Public Contract Code Section 4100 et seq.), Bidder shall list in Part I of this form the name and address of each Subcontractor to whom Bidder proposes to subcontract more than ½ of 1% of the Work, description of portion of work or services subcontracted, total dollar amount of the portions of the work or services subcontracted, whether the Subcontractor is an MBE or WBE or both, or whether the Subcontractor is an LSB, and the California Contractor license number of the Subcontractor. An inadvertent error in listing a Subcontractor's California contractor license number may be corrected by Bidder within twenty four (24) hours after the Bid opening provided the corrected contractor's license corresponds to the submitted name and location for that Subcontractor. The above list of information shall be submitted with the Bid. Other information required in Part I herein may be submitted up to 24 hours after the designated time to submit the Bid. Bidder's attention is directed to Article GC5.7.1 of the General Conditions.

In addition, in Part II of this form list all MBEs, WBEs, and first and second-tier LSBs not subject to the requirements of General Conditions Article GC5.7.1.

Pursuant to Sections 1725.5 and 1771.1 of the State Labor Code, all Contractors and Subcontractors must be registered with the California Department of Industrial Relations (DIR) in order to be qualified to bid on this Contract or to be listed as a Subcontractor. An inadvertent error in listing a Subcontractor who is not registered pursuant to Section 1725.5 in a Bid, may be corrected by the Bidder within twenty four (24) hours after the Bid opening if the Subcontractor registers and pays the penalty registration fee described in Section 1725.5 of the State Labor Code. Alternatively, the Subcontractor may be replaced with a registered Subcontractor pursuant to Section 4107 of the Public Contract Code.

If a firm is owned and controlled by a Minority Woman or Minority Women, then the firm may be counted towards meeting both the MBE and WBE Availability Percentages. Accordingly, both MBE and WBE boxes should be checked.

Attach additional copies of this form if more space is needed and paginate the forms (i.e., Page 2 of 2)

Name and Address	MBE (Check if MBE)	WBE (Check if WBE)	LSB (check if LSB)	Description of Portion of Work or Services Subcontracted	Total Dollar Amount of Subcontracted Work or Services
I. All Subcontractors (MBEs, WBEs and Non-MBEs and Non-WBEs, and first-tier LSBs subject to the requirements of General Conditions Article GC5.7.1					
Name: Yolanda's Construction Administration and Traffic Control Address: 280 Newhall Street San Francisco, CA 94124 California Contractor License No. 965284 DIR Contractor Registration No. 1000008028 Phone Number: (415) 647-2682 Age of Firm: 6 + Years Annual Gross Receipts as of last Tax Year: $ 2,000,000	X	X	X	Cleaning (Partial) Watchperson	$200,000.

DESIGNATION OF SUBCONTRACTORS, M/WBEs, AND LSBs PARTICIPATION FORM

To comply with the requirements of the California Subletting and Subcontracting Fair Practices Act (California Public Contract Code Section 4100 et seq.), Bidder shall list in Part I of this form the name and address of each Subcontractor to whom Bidder proposes to subcontract more than ½ of 1% of the Work, description of portion of work or services subcontracted, total dollar amount of the portions of the work or services subcontracted, whether the Subcontractor is an MBE or WBE or both, or whether the Subcontractor is an LSB, and the California Contractor license number of the Subcontractor. An inadvertent error in listing a Subcontractor's California contractor license number may be corrected by Bidder within twenty four (24) hours after the Bid opening provided the corrected contractor's license corresponds to the submitted name and location for that Subcontractor. The above list of information shall be submitted with the Bid. Other information required in Part I herein may be submitted up to 24 hours after the designated time to submit the Bid. Bidder's attention is directed to Article GC5.7.1 of the General Conditions.

In addition, in Part II of this form list all MBEs, WBEs, and first and second-tier LSBs not subject to the requirements of General Conditions Article GC5.7.1.

Pursuant to Sections 1725.5 and 1771.1 of the State Labor Code, all Contractors and Subcontractors must be registered with the California Department of Industrial Relations (DIR) in order to be qualified to bid on this Contract or to be listed as a Subcontractor. An inadvertent error in listing a Subcontractor who is not registered pursuant to Section 1725.5 in a Bid, may be corrected by the Bidder within twenty four (24) hours after the Bid opening if the Subcontractor registers and pays the penalty registration fee described in Section 1725.5 of the State Labor Code. Alternatively, the Subcontractor may be replaced with a registered Subcontractor pursuant to Section 4107 of the Public Contract Code.

If a firm is owned and controlled by a Minority Woman or Minority Women, then the firm may be counted towards meeting both the MBE and WBE Availability Percentages. Accordingly, both MBE and WBE boxes should be checked.

Attach additional copies of this form if more space is needed and paginate the forms (i.e., Page __ of ___)

Name and Address	MBE (Check if MBE)	WBE (Check if WBE)	LSB (check if LSB)	Description of Portion of Work or Services Subcontracted	Total Dollar Amount of Subcontracted Work or Services
I. All Subcontractors (MBEs, WBEs and Non-MBEs and Non-WBEs, and first-tier LSBs subject to the requirements of General Conditions Article GC5.7.1					
Name:_____ _____ Address:_____ _____ California Contractor License No. _____ DIR Contractor Registration No. _____ Phone Number:_____ Age of Firm:_____ Annual Gross Receipts as of last Tax Year: $_____					

DESIGNATION OF SUBCONTRACTORS, M/WBEs, AND LSBs PARTICIPATION FORM

To comply with the requirements of the California Subletting and Subcontracting Fair Practices Act (California Public Contract Code Section 4100 et seq.), Bidder shall list in Part I of this form the name and address of each Subcontractor to whom Bidder proposes to subcontract more than ½ of 1% of the Work, description of portion of work or services subcontracted, total dollar amount of the portions of the work or services subcontracted, whether the Subcontractor is an MBE or WBE or both, or whether the Subcontractor is an LSB, and the California Contractor license number of the Subcontractor. An inadvertent error in listing a Subcontractor's California contractor license number may be corrected by Bidder within twenty four (24) hours after the Bid opening provided the corrected contractor's license corresponds to the submitted name and location for that Subcontractor. The above list of information shall be submitted with the Bid. Other information required in Part I herein may be submitted up to 24 hours after the designated time to submit the Bid. Bidder's attention is directed to Article GC5.7.1 of the General Conditions.

In addition, in Part II of this form list all MBEs, WBEs, and first and second-tier LSBs not subject to the requirements of General Conditions Article GC5.7.1.

Pursuant to Sections 1725.5 and 1771.1 of the State Labor Code, all Contractors and Subcontractors must be registered with the California Department of Industrial Relations (DIR) in order to be qualified to bid on this Contract or to be listed as a Subcontractor. An inadvertent error in listing a Subcontractor who is not registered pursuant to Section 1725.5 in a Bid, may be corrected by the Bidder within twenty four (24) hours after the Bid opening if the Subcontractor registers and pays the penalty registration fee described in Section 1725.5 of the State Labor Code. Alternatively, the Subcontractor may be replaced with a registered Subcontractor pursuant to Section 4107 of the Public Contract Code.

If a firm is owned and controlled by a Minority Woman or Minority Women, then the firm may be counted towards meeting both the MBE and WBE Availability Percentages. Accordingly, both MBE and WBE boxes should be checked.

Attach additional copies of this form if more space is needed and paginate the forms (i.e., Page __ of ___)

Name and Address	MBE (Check if MBE)	WBE (Check if WBE)	LSB (check if LSB)	Description of Portion of Work or Services Subcontracted	Total Dollar Amount of Subcontracted Work or Services
I. All Subcontractors (MBEs, WBEs and Non-MBEs and Non-WBEs, and first-tier LSBs subject to the requirements of General Conditions Article GC5.7.1					
Name:_____ _____ Address:_____ _____ California Contractor License No. _____ DIR Contractor Registration No. _____ Phone Number:_____ Age of Firm:_____ Annual Gross Receipts as of last Tax Year: $_____					

Name and Address	MBE (Check if MBE)	WBE (Check if WBE)	LSB (check if 1st or 2nd Tier LSB)	Description of Portion of Work or Services Subcontracted	Total Dollar Amount of Subcontracted Work or Services
II. All MBEs, WBEs and first and second-tier LSBs not subject to the requirements of General Conditions Article GC5.7.1					
Name:_____ _____ Address:_____ _____ DIR Contractor Registration No. _____ Phone Number:_____ Age of Firm:_____ Annual Gross Receipts as of last Tax Year: $_____			1st_____ 2nd_____		
Name:_____ _____ Address:_____ _____ DIR Contractor Registration No. _____ Phone Number:_____ Age of Firm:_____ Annual Gross Receipts as of last Tax Year: $_____			1st_____ 2nd_____		
Name:_____ _____ Address:_____ _____ DIR Contractor Registration No. _____ Phone Number:_____ Age of Firm:_____ Annual Gross Receipts as of last Tax Year: $_____			1st_____ 2nd_____		

Name and Address	MBE (Check if MBE)	WBE (Check if WBE)	LSB (check if 1st or 2nd Tier LSB)	Description of Portion of Work or Services Subcontracted	Total Dollar Amount of Subcontracted Work or Services
II. All MBEs, WBEs and first and second-tier LSBs not subject to the requirements of General Conditions Article GC5.7.1					
Name:_____ _____ Address:_____ _____ DIR Contractor Registration No. _____ Phone Number:_____ Age of Firm:_____ Annual Gross Receipts as of last Tax Year: $_____			1st_____ 2nd_____		
Name:_____ _____ Address:_____ _____ DIR Contractor Registration No. _____ Phone Number:_____ Age of Firm:_____ Annual Gross Receipts as of last Tax Year: $_____			1st_____ 2nd_____		
Name:_____ _____ Address:_____ _____ DIR Contractor Registration No. _____ Phone Number:_____ Age of Firm:_____ Annual Gross Receipts as of last Tax Year: $_____			1st_____ 2nd_____		

(Attention is directed to Instructions to Bidders Paragraph 7.B.7 Local Verification Declaration.
Bidder shall submit this form with the Bid, but no later than Friday of the week of Bid opening, for each LSB listed in the Bid.)

LOCAL VERIFICATION DECLARATION FORM

Name of Business McKee and Company Electric

Principal Place of Business (address) 1465 Carroll Ave.

City, State, Zip San Francisco, CA 94124 County San Francisco

Length of time located at the above address 14R

CA Department of General Services (DGS) Small Business (SB) Cert. ID: 2011165

Check all that apply:

X SB

_____ Disabled Veterans Business Enterprise (DVBE)

_____ Lesbian, Gay, Bisexual, Transgender Business Enterprise (LGBTBE)

Email accounting@mckeeselectric.com Phone 415-757-0119

Only DGS certified SBs located in Alameda, Contra Costa, or San Francisco counties may be verified as Local SBs.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct, is within my personal knowledge and if called upon to testify, I could testify competently thereto. Executed on August 21, 2018.

[1] _____
Signature of Local Small Business Representative

Steven McKee CEO
Print Name and Title of the Person Signing

---

[1] If the Subcontractor is a joint venture, the name and signature shall match the name and signature as provided in the joint venture agreement and shall conform with the requirements in the Instructions to Bidders.

NONCOLLUSION DECLARATION

(To be executed by Bidder and submitted with Bid)

William Gilmartin III, declares that he or she is Vice President of Proven Management, Inc.
(Bidder's Name) (Title) (Company's Name)

the party making the foregoing Bid, that the 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 colluded, conspired, connived, or agreed with any Bidder or anyone else to put in a 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 conference with anyone to fix to 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, 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 its Bid Price or any breakdown thereof, 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 certify (or declare) under penalty or perjury under the laws of the State of California that the foregoing is true and correct.

Date: 08/20/2018

Proven Management, Inc.
Name of Bidder

Signature of Bidder
William Gilmartin III, Vice President

(Attention is directed to General Conditions Article GC7.1.2
Fair Employment Practices, State Fair Employment and Housing Act.)

FAIR EMPLOYMENT PRACTICES CERTIFICATION

TO THE SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

The undersigned in submitting a Bid for performing the following work by contract, hereby certifies that it has or will meet the standards of affirmative compliance with the Fair Employment Practices Requirements of the Contract.

CONTRACT NO. 15AA-110
M-LINE TUNNEL LIGHITNG UPGRADE

Proven Management, Inc.
Name of Bidder

By: _____
Signature of Bidder

William Gilmartin III, Vice President
Print Name and Title of Person Signing

225 3rd Street, Oakland, CA 94607
Business Address

San Mateo, California
Place of Residence

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

CERTIFICATION REGARDING FINANCIAL CONTRIBUTIONS

(Submit with Bid)

Certification to be executed by Bidder and each proposed first-tier Subcontractor or subsupplier whose Subcontract exceeds $100,000. Make additional copies of the Certification as necessary.

Bidder must use its best efforts to collect the Certification from each first-tier Subcontractor or subsupplier whose Subcontract exceeds $100,000 and to submit such Certifications along with its own to the District on the Bid date.

Bidder is advised that all Certifications must be submitted on the Bid date unless there is reasonable cause for delay; however, Bidder is cautioned that unless all Certifications are submitted within five (5) Days after the date Bids are due, the Bid may be considered non-responsive. See Instructions to Bidders for submitting Certifications after the Bid due date.

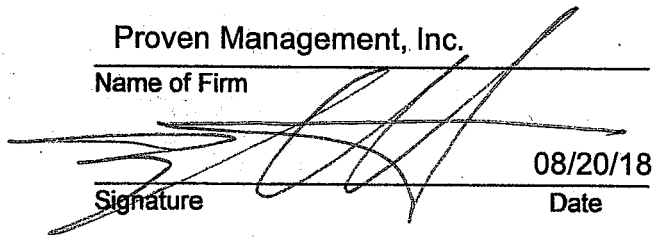
The undersigned certifies that:

1. It will not make any monetary or in-kind contribution (including loans) to any BART Director, or any candidate for Director, in excess of $1,000 from the date Bids are opened by the District until the Award of the Contract.

2. It understands that the term "contribution" shall have the same meaning as defined in California Government Code Section 82015 and implementing regulations adopted by the Fair Political Practices Commission.

3. If Bidder is awarded the Contract, the undersigned shall continue to comply with this prohibition for three (3) months following Award of the Contract.

Proven Management, Inc.
Name of Firm



08/20/18
Signature Date

William Gilmartin III, Vice President
Print Name and Title

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

CERTIFICATION REGARDING FINANCIAL CONTRIBUTIONS

(Submit with Bid)

Certification to be executed by Bidder and each proposed first-tier Subcontractor or subsupplier whose Subcontract exceeds $100,000. Make additional copies of the Certification as necessary.

Bidder must use its best efforts to collect the Certification from each first-tier Subcontractor or subsupplier whose Subcontract exceeds $100,000 and to submit such Certifications along with its own to the District on the Bid date.

Bidder is advised that all Certifications must be submitted on the Bid date unless there is reasonable cause for delay; however, Bidder is cautioned that unless all Certifications are submitted within five (5) Days after the date Bids are due, the Bid may be considered non-responsive. See instructions to Bidders for submitting Certifications after the Bid due date.

The undersigned certifies that:

1. It will not make any monetary or in-kind contribution (including loans) to any BART Director, or any candidate for Director, in excess of $1,000 from the date Bids are opened by the District until the Award of the Contract.

2. It understands that the term "contribution" shall have the same meaning as defined in California Government Code Section 82015 and implementing regulations adopted by the Fair Political Practices Commission.

3. If Bidder is awarded the Contract, the undersigned shall continue to comply with this prohibition for three (3) months following Award of the Contract.

McKEE and Company Electric

Name of Firm

M. Thomas Digitally signed by M. Thomas DN: C=US, E=mike@mckeeselectric.com, O=McKEE Electric, CN=M. Thomas Date: 2018.08.07 14:20:46-07'00' 8/7/18

Signature Date

Michael Thomas Project Manager

Print Name and Title

ADDENDUM A

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
MAJOR PROJECTS PROJECT STABILIZATION AGREEMENT
AGREEMENT TO BE BOUND

The undersigned, as a Contractor or Subcontractor ("Contractor") on a Project covered by the San Francisco Bay Area Rapid Transit District Major Projects Project Stabilization Agreement ("Project"), for and in consideration of the award to it of a contract to perform work on said Project, and in further consideration of the mutual promises made in the Major Projects Project Stabilization Agreement ("Agreement"), a copy of which was received and is acknowledged, hereby:

1. Accepts and agrees to be bound by the terms and conditions of the Agreement, together with any and all amendments and supplements now existing or which are later made to said Agreement.

2. Certifies that it has no commitments or agreements which would preclude its full and complete compliance with the terms and conditions of said Agreement;

3. Agrees to secure from any Contractor (as defined in said Agreement) which is or becomes a Subcontractor (of any tier) to it, and from any successors, a duly executed Agreement To Be Bound in form identical to this document.

4. By executing this Agreement To Be Bound, the undersigned party subscribes to, adopts and agrees to be bound by the written terms of the legally established trust agreements and plans for the provision of fringe benefits that accrue to the undersigned's employees, as set forth in Article 15 of the Agreement, pursuant to the applicable Master Labor Agreement, as they may from time to time be amended, specifying the detailed basis upon which contributions are to be made into, and benefits made out of, such trust funds and ratifies and accepts the trustees appointed by the parties to such trust funds. Contractor agrees to execute a separate Subscription Agreement(s) for each trust fund that requires such a document.

This document shall constitute a subscription agreement, to the extent of the terms of the letter.

Date: 08/20/2018 Company Name: Proven Management, Inc.

Name of Prime Contractor or

Higher Level Subcontrator: Proven Management, Inc.

Signature: _____ Print Name: William Gilmartin III

Title: Vice President Contractor's License #: 749370

Motor Carrier Permit (CA) #: n/a CA Public Works Contractor Registration #: 1000003746