

BID FORM

ADDENDUM NO. 2

TO THE SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

FOR

**PROCUREMENT OF NINETEEN (19) ESCALATOR CONTROLLER AND TWENTY (20) ESCALATOR
POWER SAVER FOR O & K ESCALATOR
CONTRACT NO. 15LN-210.**

Name of Bidder 3P MOTOR CONTROLS

Business Address 2023 E. CEDAR ST., TEMPE AZ 85281

Address where notification should be sent SAME

Business office number (480) 268-2393 facsimile (Fax) number (480) 268-2395

Email address CWHEELER@3PMOTORCONTROLS.COM (where notification should be sent).

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

Through news-paper advertisement

Through BART web site

Through advance notice to Bidders

Other (_____)

The Work is to be performed in accordance with the Contract Documents which include the Contract Drawings, and the Contract Book incorporating the General Conditions, Supplementary Conditions, Technical 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 requirements for the materials, 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 do all the Work, furnish and deliver all the materials specified in the Contract, in the manner and time therein prescribed, and according to the requirements of the District's Representative as therein set forth, and that the undersigned will take in full payment therefor the following prices:

BID SCHEDULE

ITEM	DESCRIPTION	UNIT	EST. QTY.	UNIT PRICE	ITEM TOTAL
1.	Furnish and complete Acceptance Test for Prototype Controller	EACH	1	\$ 44,694	\$ 44,694
2.	Escalator Controller	EACH	18	\$ 8,194	\$ 147,492
3.	Furnish and complete Acceptance Test for Prototype Power Saver - 35A	EACH	1	\$ 78,850	\$ 78,850
4.	Furnish and complete Acceptance Test for Prototype Power Saver - 65A	EACH	1	\$ 78,850	\$ 78,850
5.	Escalator Power Saver - 35A	EACH	12	\$ 2,000	\$ 24,000
6.	Escalator Power Saver - 65A	EACH	7	\$ 2,200	\$ 15,400
7.	O & M Manual, As-Built Drawings	LUMP SUM	1	XXXXX	\$ 4,200
8.	Additional Environmental Testing	ALLOWANCE	1	XXXXX	\$ 20,000.00
9.	Unanticipated Provision	ALLOWANCE	1	XXXXX	\$ 20,000.00
TOTAL AMOUNT BID FOR ITEMS 1 THROUGH 9 INCLUSIVE					\$ 433,486

The above item totals for all Bid Items 1 through 9 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 are eligible for the Small Business Program preference 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 required Performance Bond in the sum 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⁾ CASHIER'S CHECK in an amount equal to at least 10 percent of the total Bid.

Receipt of the following attached Addenda is hereby acknowledged:

Addenda numbers _____

The Bidder, 3P Motor Controls
(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 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.

NOTE:

ALL SMALL BUSINESS BIDDERS THAT SEEK TO BE ELIGIBLE FOR THE SMALL BUSINESS PREFERENCE AS DESCRIBED IN PARAGRAPH 7.H OF THE INSTRUCTIONS TO BIDDERS SHALL COMPLETE THE FOLLOWING DECLARATION:

<p><u>DECLARATION OF ELIGIBILITY FOR SMALL BUSINESS PREFERENCE</u></p> <p>IN ORDER FOR BIDDER TO BE ELIGIBLE FOR THE SMALL BUSINESS PREFERENCE, BIDDER, _____, HEREBY CERTIFIES THAT IT IS [Enter Name of Proposer]</p> <p>CURRENTLY CERTIFIED AS A SMALL BUSINESS BY THE CALIFORNIA DEPARTMENT OF GENERAL SERVICES (DGS), CERTIFICATION NO. _____.</p> <p>BY SUBMISSION OF ITS BID, THE ABOVE-REFERENCED SMALL BUSINESS BIDDER HEREBY CONFIRMS THAT IT MEETS ALL OF THE DGS ELIGIBILITY REQUIREMENTS TO QUALIFY AS A SMALL BUSINESS.</p>

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

3P Motor Controls, LLC
(2) Name of Bidder

Charles Wheeler
(2) Signature of Bidder

Charles Wheeler OWNER
(4) Print Name and Title of Person Signing

Dated 1/21, 2014

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 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.
- (3) 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.
- (4) Bids shall be presented under sealed cover as provided in the Instructions to Bidders.

DESIGNATION OF SUBSUPPLIERS AND M/WBE PARTICIPATION FORM

All first-tier Subsuppliers to be used must be listed on this form regardless of dollar value of each transaction.

Bidder shall list in this form the name and address of each Subsupplier to whom Bidder proposes to subcontract, description of work, total dollar amount of the portions of the work or services subcontracted and whether the Subsupplier is an MBE or WBE.

Identify Total Dollar Amount of Subcontracted Work or Services for Base Bid and for each Additive Bid Items A, B, and C as described in Paragraph 14.B of the Instructions to Bidders and as provided in the Column below.

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)	Description of Portion of Work or Services Subcontracted	Total Dollar Amount of Subcontracted Work or Services
All Subsuppliers (MBEs, WBEs and Non-MBEs and Non-WBEs)				
Name: _____ _____ Address: _____ _____ Phone Number: _____ Age of Firm: _____ Annual Gross Receipts as of last Tax Year: \$ _____			<i>No Subsuppliers</i> 	
Name: _____ _____ Address: _____ _____ Phone Number: _____ Age of Firm: _____ Annual Gross Receipts as of last Tax Year: \$ _____				

Name and Address	MBE (Check if MBE)	WBE (Check if WBE)	Description of Portion of Work or Services Subcontracted	Total Dollar Amount of Subcontracted Work or Services
Name: _____ _____ Address: _____ _____ _____ Phone Number: _____ Age of Firm: _____ Annual Gross Receipts as of last Tax Year: \$ _____				
Name: _____ _____ Address: _____ _____ _____ Phone Number: _____ Age of Firm: _____ Annual Gross Receipts as of last Tax Year: \$ _____				
Name: _____ _____ Address: _____ _____ _____ Phone Number: _____ Age of Firm: _____ Annual Gross Receipts as of last Tax Year: \$ _____				

(Attention is directed to General Conditions Article P7.11, Fair Employment Practices.)
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. 15LN-210

**PROCUREMENT OF CONTROLLERS AND POWER SAVERS
FOR O & K ESCALATORS**

3P Motor Controls LLC
Name of Bidder

By: Charles Wheeler
Signature of Bidder

Charles Wheeler OWNER
Print Name and Title of Person Signing

2023 E. Cedar St. Tempe AZ 85281
Business Address

6401 E. Hummingbird, Scottsdale AZ 85253
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 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 Subsupplier whose Subcontract exceeds \$100,000 and 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 Government Code Section 82015 and implementing regulations adopted by the Fair Political Practices Commission.

BP Motor Controls LLC

Name of Firm

Charles Wheeler

Signature

11/21/2014

Date

Charles Wheeler owner

Print Name and Title