

BID

TO THE SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

FOR

**REFURBISH BREAKROOMS
CONTRACT NO. 17AG-140,**

Name of Bidder M Gutierrez Inc

Business Address 6050 Lowell Street, Suite 106
Oakland, CA 94608

Address where notification should be sent same

Business office number 510/540-1132 facsimile (Fax) number 510/540-1137

Email address larry.kudsk@mgtzinc.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 one of the plan rooms

Through advance notice to Bidders

Other (_____)

The Work to be done is located in the Counties of San Francisco, Alameda and Contra Costa, 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 R3.0, dated January 2013, 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	EST. QTY.	COUNTY	DESCRIPTION	ITEM TOTAL
1	Lump Sum	ALAMEDA	Cleaning, painting and bulletin board at; Fruitvale	\$ 3,100
2	Lump Sum	ALAMEDA	Cleaning, painting, ceiling tiles and bulletin board at; Coliseum	\$ 4,000
3	Lump Sum	ALAMEDA	Cleaning, painting and bulletin board at; San Leandro	\$ 2,700
4	Lump Sum	ALAMEDA	Cleaning, painting and bulletin board at; Bayfair	\$ 2,700
5	Lump Sum	ALAMEDA	Cleaning, painting, ceiling tiles and bulletin board at; Hayward	\$ 3,400
6	Lump Sum	ALAMEDA	Cleaning, painting and bulletin board at; South Hayward	\$ 5,900
7	Lump Sum	ALAMEDA	Cleaning, painting and bulletin board at; Fremont	\$ 3,500
8	Lump Sum	ALAMEDA	Cleaning, painting, ceiling tiles and bulletin board at; Castro Valley	\$ 4,700
9	Lump Sum	ALAMEDA	Cleaning, painting, ceiling tiles and bulletin board at; Dublin / Pleasanton	\$ 3,700
10	Lump Sum	ALAMEDA	Cleaning, painting and bulletin board at; MacArthur	\$ 3,700
11	Lump Sum	ALAMEDA	Cleaning, painting and bulletin board at; West Oakland	\$ 3,000
12	Lump Sum	ALAMEDA	Cleaning, painting, ceiling tiles and bulletin board at; Rockridge	\$ 3,400
13	Lump Sum	ALAMEDA	Cleaning, painting and bulletin board at; Ashby	\$ 3,500
14	Lump Sum	ALAMEDA	Cleaning, painting and bulletin board at; Downtown Berkeley	\$ 5,000
15	Lump Sum	CONTRA COSTA	Cleaning, painting and bulletin board at; Lafayette	\$ 4,000
16	Lump Sum	CONTRA COSTA	Cleaning, painting and bulletin board at; Pleasant Hill	\$ 3,200
17	Lump Sum	CONTRA COSTA	Cleaning, painting, ceiling tiles and bulletin board at; Concord	\$ 3,600
18	Lump Sum	CONTRA COSTA	Cleaning, painting, ceiling tiles and bulletin board at; Pittsburg/Bay Point	\$ 7,700
19	Lump Sum	CONTRA COSTA	Cleaning, painting, ceiling tiles and bulletin board at; El Cerrito Del Norte	\$ 5,000

ITEM	EST. QTY.	COUNTY	DESCRIPTION	ITEM TOTAL
20	Lump Sum	SAN FRANCISCO	Cleaning, painting and bulletin board at Embarcadero	\$ 4,000
21	Lump Sum	SAN FRANCISCO	Cleaning, painting and bulletin board at Montgomery	\$ 3,900
22	Lump Sum	SAN FRANCISCO	Cleaning, painting and bulletin board at Powell St.	\$ 4,300
23	Lump Sum	SAN FRANCISCO	Cleaning, painting, ceiling tiles and bulletin board at Civic Center	\$ 5,300
24	Lump Sum	SAN FRANCISCO	Cleaning, painting and bulletin board at 24th St.	\$ 3,700
25	Lump Sum	SAN FRANCISCO	Cleaning, painting and bulletin board at Glen Park	\$ 3,500
26	Lump Sum	SAN FRANCISCO	Cleaning, painting and bulletin board at Balboa Park	\$ 3,300
27	Lump Sum	SAN MATEO	Cleaning, painting and bulletin board at Colma	\$ 3,600
28	Lump Sum	SAN MATEO	Cleaning, painting, ceiling tiles and bulletin board at South San Francisco	\$ 5,500
29	Lump Sum	SAN MATEO	Cleaning, painting and bulletin board at San Bruno	\$ 4,700
30	Lump Sum	SAN MATEO	Cleaning, painting and bulletin board at Millbrae	\$ 5,900
31	Lump Sum	ALAMEDA	North Berkeley Station: Breakroom renovation per Contract Documents, typical.	\$ 66,000
32	Lump Sum	CONTRA COSTA	North Concord Station: Breakroom renovation per Contract Documents, typical.	\$ 48,000
33	Lump Sum	SAN FRANCISCO	16th St. Station: Breakroom renovation per Contract Documents, typical.	\$ 90,000
34	Allowance		Differing Site Conditions,	\$ 30,000
TOTAL BID PRICE (Inclusive 1 through 34)				\$ 357,500

The above item totals for all Bid Items **1 THROUGH 34** 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 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) bid 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 01

The Bidder, M Gutierrez 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 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. 991789, Classification B. The license expiration date is 4/30/2016. If the Bidder is a joint venture, list the California Contractor's license numbers, classifications and expiration dates for each joint venturer as follows:

(3)	Name of Joint Venturer	Contractor's License	Classification	Expiration Date
A.	_____	_____	_____	_____
B.	_____	_____	_____	_____
C.	_____	_____	_____	_____

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

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

M Gutierrez Inc
(4) Name of Bidder
(4) Signature of Bidder
(5) Larry Kudsk, Corporate Secretary
(6) Print Name and Title of Person Signing

Dated October 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 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 PM 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.

NOTE:

ALL SMALL BUSINESS BIDDERS THAT SEEK TO BE ELIGIBLE FOR THE SMALL BUSINESS PREFERENCE AS DESCRIBED IN PARAGRAPH 7.1 OF THE INSTRUCTIONS TO BIDDERS SHALL COMPLETE THE FOLLOWING DECLARATION:

DECLARATION OF ELIGIBILITY FOR SMALL BUSINESS PREFERENCE

IN ORDER FOR BIDDER TO BE ELIGIBLE FOR THE SMALL BUSINESS PREFERENCE, BIDDER,
_____, **HEREBY CERTIFIES THAT IT IS**

[Enter Name of Proposer]

CURRENTLY CERTIFIED AS A SMALL BUSINESS BY THE CALIFORNIA DEPARTMENT OF GENERAL SERVICES (DGS), CERTIFICATION NO. _____.

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.

DESIGNATION OF SUBCONTRACTORS AND M/WBE 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 1/2 of 1% of the Work, and description, and total dollar amount of the portions of the work or services subcontracted, whether the Subcontractor is an MBE or WBE. 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 and WBEs not subject to the requirements of General Conditions Article GC5.7.1.

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
1. All Subcontractors (MBEs, WBEs and Non-MBEs and Non-WBEs) subject to the requirements of General Conditions Article GC5.7.1				
Name: <u>R & S Glazing</u> Address: <u>5353 Napa Valley Hwy</u> <u>American Canyon</u> <u>94503</u> Phone Number: <u>7072577111</u> Age of Firm: <u>10</u> Annual Gross Receipts as of last Tax Year: \$ _____			Glass	10,000
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
ii. All MBEs and WBEs not subject to the requirements of General Conditions Article GC5.7.1 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: \$ _____				

NONCOLLUSION DECLARATION

(To be executed by Bidder and submitted with Bid)

Larry Kudsk, declares that he or she is Corp Secretary of M Gutierrez Inc
(Bidder's Name) (Title) (Company's Name)

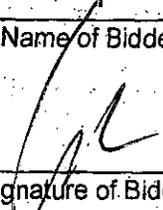
the party making the foregoing Bid, that the Bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the Bid is genuine and not collusive or sham; that the Bidder has not directly or indirectly colluded, conspired, 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: October 21, 2014

M Gutierrez Inc

Name of Bidder


Signature of Bidder

(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.

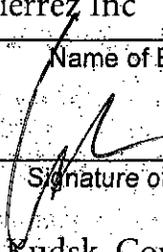
CONTRACT NO. 17AG-140

REFURBISH BREAKROOMS

M Gutierrez Inc

Name of Bidder

By



Signature of Bidder

Larry Rudsk, Corp Secretary

Print Name and Title of Person Signing

6050 Lowell St, Suite 106 Oakland CA 94608

Business Address

Berkeley CA

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.

M Gutierrez Inc

Name of Firm

Signature

Date

Larry Kudsk, Corp Secretary

Print Name and Title