BID

TO THE SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

FOR MacArthur Station Site Hardening, CONTRACT NO. 79HZ-110.

Name of Bidder Shimmick Construction Company, Inc.

Business Address 8701 Edgewater Drive, Suite 202
Oakland, CA 94621

Address where notification should be sent Same as above

Business office number 510-777-5000 facsimile (Fax) number 510-777-5099

Email address jganem@shimmick.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

__X__Through advance notice to Bidders

_____Other (_____)

The Work to be done is located in the County of Alameda, State of California, and is to be done in accordance with the Contract Documents which include the Contract Drawings and the referenced sections of BART Facilities Standards, Standard Specifications, Release 3.0, 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

BID ITEM	DESCRIPTION	UNIT	QTY.	UNIT PRICE	ITEM TOTAL
1	Asbestos and Lead Abatement Work	LS	1	565,000.-	565,000.-
2	Acoustical Panel Suspended Ceiling	LS	1	515,000.-	515,000.-
3	Lighting System	LS	1	110,000.-	110,000.-
4	Specialty Communication Systems Work	LS	1	980,000.-	980,000.-
5	General Electrical and Communication Systems Work	LS	1	893,500.-	893,500.-
6	Allowance for Partnering	Allowance	1	XXXXXX	$ 10,000.00
7	Allowance for Operating System Access Delays	Allowance	1	XXXXXX	$ 50,000.00
8	Allowance for Differing Site Conditions	Allowance	1	XXXXXX	$ 250,000.00
9	Allowance for SC9.4, District Review of Notice of Potential Claim	Allowance	1	XXXXXX	$ 20,000.00
10	Allowance for Cost of Safety Monitors	Allowance	1	XXXXXX	$ 63,000.00
11	Allowance for Temporary CCTV Cameras	Allowance	1	XXXXXX	$ 20,000.00
	TOTAL BID PRICE (ITEMS 1 THROUGH 11 INCLUSIVE)				$3,476,500.-

Note:

For description of the Bid Schedule Items, refer to Contract Specifications Section 01 20 00, Price and Payment Procedures.

The above item totals for all Bid Items (1 THROUGH 11) 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.

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, 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 10 percent of the total Bid Price.

Receipt of the following attached addenda is hereby acknowledged:

Addenda numbers 1

The Bidder, Shimmick Construction Company, Inc.
(name),

hereby certifies that:

(2) Bidder holds California Contractor's license No. 594575, Classification A, B, C10, C13, C51, HAZ. The license expiration date is 5-31-16. 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. N/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.

Shimmick Construction Company, Inc.
(4) Name of Bidder

(4) Signature of Bidder

(5)
(6) Jeffrey C. Lesseman, Executive VP
Print Name and Title of Person Signing

Dated June 9, 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.

DESIGNATION OF SUBCONTRACTORS 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 the name and address of each Subcontractor to whom Bidder proposes to subcontract more than 1/2 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, and the California Contractor license number of the Subcontractor. Bidder's attention is directed to General Conditions Article GC5.7.1.

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

Name and Address	Description of Portion of Work or Services Subcontracted	Total Dollar Amount of Subcontracted Work or Services
List all Subcontractors subject to the requirement of General Conditions Article GC5.7.1		
Name: Performance Contracting, Inc. Address: 1080 Marina Village Parkway, Alameda, CA 94501 California Contractor License No. 474795 Phone Number: (510) 214-1444 Age of Firm: 30 years Annual Gross Receipts as of last Tax Year: $ 943,828,000.	Acoustical Panel Suspended Ceiling	$470,000.-
Name: Janus Corporation Address: 1081 Shary Circle Concord, CA 94518 California Contractor License No. 572682 Phone Number: (925) 969-9200 Age of Firm: 25 years Annual Gross Receipts as of last Tax Year: $ 22,907,000	Abatement	$275,000.-
Name: Ojo Technologies Address: 103 Hammond Ave. Fremont, CA 94539 California Contractor License No. 891252 Phone Number: (510) 249-9540 Age of Firm: 11 years Annual Gross Receipts as of last Tax Year: $ 4,900,000	CCTV / Access Control	$780,000.-

Name and Address	Description of Portion of Work or Services Subcontracted	Total Dollar Amount of Subcontracted Work or Services
Name:_____ _____ Address:_____ _____ California Contractor License No. _____ Phone Number:_____ Age of Firm:_____ Annual Gross Receipts as of last Tax Year: $_____		
Name:_____ _____ Address:_____ _____ California Contractor License No. _____ Phone Number:_____ Age of Firm:_____ Annual Gross Receipts as of last Tax Year: $_____		
Name:_____ _____ Address:_____ _____ California Contractor License No. _____ Phone Number:_____ Age of Firm:_____ Annual Gross Receipts as of last Tax Year: $_____		
Name:_____ _____ Address:_____ _____ California Contractor License No. _____ Phone Number:_____ Age of Firm:_____ Annual Gross Receipts as of last Tax Year: $_____		

NONCOLLUSION DECLARATION

(To be executed by Bidder and submitted with Bid)

Jeffrey C. Lessman declares that he or she is Executive VP of Shimmick Construction Co., 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: June 9, 2014

Shimmick Construction Company, Inc.
Jeffrey C. Lessman, Executive VP
Name of Bidder

Signature of Bidder

(Attention is directed to General Conditions Article GC7.1.2, 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. 79HZ-110

MacArthur Station Site Hardening

Shimmick Construction Company, Inc.
Name of Bidder

By: _____
Signature of Bidder

Jeffrey C. Lessman, Executive VP
Print Name and Title of Person Signing

8201 Edgewater Drive, #202, Oakland, CA 94621
Business Address

8201 Edgewater Drive, #202, Oakland, CA 94621
Place of Residence

(Applicable to Contractors and Subcontractors of any tier seeking a Subcontract exceeding $100,000. Bidder's attention is directed to Supplementary Conditions Article SC10.15.)

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION - LOWER TIER COVERED TRANSACTIONS

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact BART Procurement Department, telephone 510-464-6550, for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is disbarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List by contacting BART Procurement Department, telephone 510-464-6550, for assistance.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under Paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION - LOWER TIER COVERED TRANSACTIONS

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Date: June 9, 2014

Shimmick Construction Company, Inc.
Name of Proposer

By: _____
Signature of Proposer

Jeffrey C. Lessman, Executive VP
Print Name and Title of Person Signing

(Bidder's attention is directed to Paragraph 6.I of the Instructions to Bidders and Supplementary Conditions Article SC10.25 of the Contract, Certification Regarding Lobbying. The Certification shall be executed by the Bidder and by applicable Subcontractors or sub-suppliers of any tier receiving an amount in excess of $100,000 and submitted by the Bidder either with the Bid or within the time frame specified in the Instructions to Bidders or before commencement of Subcontract work, as specified in the Instructions to Bidders.)

CERTIFICATION REGARDING LOBBYING

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of a Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the Award documents for all sub-awards at all tiers (including Subcontracts, subgrants, and contracts under grants, loans and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance is placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Shimmick Construction Company, Inc.
Name of Firm

By: Jeffrey C. Lessman
Please print name of signator:

Title: Executive Vice President

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 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.

Shimmick Construction Company, Inc.
Name of Firm

Signature Date

Jeffrey C. Lessman, Executive VP
Print Name and Title