



Sullivan Hill Rez & Engel  
A Professional Law Corporation

600 B Street  
Suite 1700  
San Diego, CA 92101  
T 619.233.4100  
F 619.231.4372  
sullivanhill.com

SHAIENDRA U. KULKARNI  
KULKARNI@SULLIVANHILL.COM  
619.595.3204

January 8, 2019

**VIA CERTIFIED MAIL AND ELECTRONIC MAIL**

City of Rialto  
Attn: Robert Eisenbeisz, PE  
Director of Public Works  
150 S. Palm Avenue  
Rialto, CA 92376

**Re: Construction of Frisbee Park Expansion**  
**City Project No.: CB 150304**  
Our Client: RAL Investment Corp. d/b/a Silverstrand Construction

Dear Mr. Eisenbeisz:

As you may recall, this firm represents RAL Investment Corp. d/b/a Silverstrand Construction ("Silverstrand") in connection with the public bidding procedures administered by the City of Rialto (the "City"), as owner, concerning the public works construction project commonly known as the "Construction of Frisbee Park Expansion, City Project No. CB 150304" (the "Project").

We are in receipt of and thank you for a copy of the December 24, 2018, bid protest letter issued by the third-lowest bidder for the Project, Horizons Construction Co. ("Horizons"). Therein, Horizons contends that Silverstrand's bid is not responsive to the bid specifications applicable to the Project (the "Bid Specifications") in that a) one (1) of the construction projects listed by Silverstrand for the purpose of satisfying the "relevant experience" requirements of the Bid Specifications allegedly does not comply with such requirements, and b) the "Musco lighting system" installer that Silverstrand listed in its bid is not a pre-approved subcontractor.

The purpose of this letter is to a) refute Horizons' contention that either of the above-referenced arguments render Silverstrand's bid non-responsive, and b) demand once again that the contract for the Project be awarded to Silverstrand, as the lowest responsive and responsible bidder.

I. **Silverstrand's bid is responsive to the "relevant experience" requirements of the Bid Specifications.**

Horizons contends that Silverstrand's bid is non-responsive because one of the previously-completed construction projects listed by Silverstrand in response to the "relevant experience" requirements of the Bid Specifications -- namely, the "Solar Lighting/LED Upgrades" project completed by Silverstrand for the United States Army Corps of Engineers ("USACE"), as owner (the "Solar Lighting Project") -- allegedly does not comply with the requirements of the Bid Specifications. Horizons is incorrect.

The "relevant experience" requirements of the Bid Specifications are set forth in Item # 2 of the Instructions to Bidders, which provides, in pertinent part:

Bidders shall provide sufficient evidence and references in support of successful construction of no fewer than three (3) park projects, each with a minimum construction value of \$2,500,000, constructed or substantially completed within the past five (5) years, or, successful construction of no fewer than three (3) park projects, each with a minimum construction value of \$5,000,000, constructed or substantially completed within the past ten (10) years. Reference projects shall have been constructed for local municipal clients (Cities, Counties, or Recreation & Park Districts) located within the state of California. Failure to provide such evidence shall render the bid as nonresponsive and subject to disqualification by the City.

Instructions to Bidders at p. 1.

As a threshold matter, because the completed projects listed by Silverstrand in this iteration of its bid are the exact same projects which Silverstrand previously listed in the first re-bid for the Project (*i.e.*, the first time that "relevant experience" requirements were added to the Bid Specifications for such Project), it must be noted that the City has already performed its due diligence and confirmed that the past projects listed by Silverstrand comply with the "relevant experience" requirements.

Indeed, in recommending that the Project be awarded to Silverstrand after the October 18, 2018, bid opening for the Project, the City expressly found that Silverstrand had fully complied with the "relevant experience" requirements, stating as follows:

***Contractor references verified by staff*** included park projects conducted in/for the Cities of San Diego, Brawley, Cardiff by the Sea, and Los Angeles. ***All references came back as good or better.***

See Exhibit "A," Staff Report of City of Rialto at p. 3 (emphases added). Thus, because the City has already rejected the stated ground of Horizons' bid protest, such protest is moot.

Furthermore, even accepting for the sake of argument that the Solar Lighting Project could be construed as being non-responsive to the “relevant experience” requirements of the Bid Specifications -- which, again, is *not* the case in light of the City’s express finding to the contrary -- it should be noted that the Solar Lighting Project was one (1) of **four (4)** completed projects listed by Silverstrand in its bid. As such, because the Bid Specifications only require that a bidder have completed three (3) previous projects in order to comply with the “relevant experience” requirements, Horizons’ contention that one (1) of Silverstrand’s listed projects does not comply with such requirements -- even if accepted as true for the sake of argument -- would still not render Silverstrand’s bid non-responsive.

Thus, Horizons’ bid protest as to Silverstrand’s alleged non-compliance with the “relevant experience” requirements of the Bid Specifications should be rejected.

**II. Silverstrand’s bid is also responsive to the “Musco lighting system” provisions of the Bid Specifications.**

Horizons also contends that Silverstrand’s bid is non-responsive in light of the fact that Silverstrand’s listed installer for the “Musco lighting system” is not a pre-approved subcontractor. Horizons is again incorrect.

With regard to bidders’ use of subcontractors to install the “Musco lighting system” for the Project, the Bid Specifications make clear that use of a pre-approved installer ***is not required***, providing as follows:

**Special note regarding Pre-Certification of Musco Sports lighting:** City has six (6) pre-certified installers for the Musco Sports Lighting system. It is requested, ***but not required***, that bidders select a subcontractor from this list.

Instructions to Bidders at p. 1 (*italics and second bold emphasis added*).

The Bid Specifications go on to set forth a mechanism by which non-pre-approved “Musco lighting system” installers may become approved as follows:

Any other electrical subcontractor submitted by the prime contractor to be used to install the Musco lighting system must have successfully installed the Musco systems that will be used for this Project within the last five years and must be approved by the City prior to award of bid. Bidder shall provide references identifying such Musco system installations by the subcontractor as part of the bid submittal.

Instructions to Bidders at p. 1.

Here, because Horizons' bid protest letter contends simply that "the installer that Silverstrand listed to install the Musco lights is not a pre-approved subcontractor," and because the Bid Specifications expressly provide that the use of a pre-approved installer **is not required**, Horizons' bid protest as to Silverstrand's "Musco lighting system" installer should be rejected, outright.

Furthermore, although Horizons does not contend in its bid protest letter that Silverstrand's listed "Musco lighting system" installer, PES Electric, Inc. ("PES"), is somehow unqualified apart from the fact that it is "not a pre-approved subcontractor," it must be noted that Silverstrand has provided all required documentation evidencing PES' qualifications to install the "Musco lighting system" at the Project. Such documentation includes an August 9, 2018, letter from Musco Sports Lighting, LLC ("Musco") -- *i.e.*, the manufacturer of the very lighting system in question -- which confirms that PES is qualified to serve as a "Musco lighting system" installer on the Project. See Exhibit "B," Bid Packet of Silverstrand at p. 14, August 9, 2018, letter from Musco.

Thus, Horizons' bid protest is wholly without merit, and should be rejected.

### III. **Conclusion.**

In light of the foregoing -- and in further light of Silverstrand's previous December 27, 2018, bid protest letter contesting the putative "low bid" of RC Graves Construction ("RC") -- Silverstrand hereby demands that the City award the Project to Silverstrand, as the lowest responsive and responsible bidder. Silverstrand continues to request that Silverstrand be afforded notice of any proceeding of the City and/or the City Council at which any matter concerning the potential award of the Project may be discussed, and that Silverstrand further be afforded the right to address the City and/or the City Council at any such proceeding. Silverstrand reserves all rights.

Thank you for your professional courtesy and prompt attention to this matter. Should you have any questions or comments, please let me know.

Very truly yours,

SULLIVAN HILL REZ & ENGEL, APLC

By: 

Shailendra U. Kulkarni

SUK/suk

Enclosures: Staff Report of City of Rialto; Bid Packet of Silverstrand  
CC: Ted Rigoni (*via electronic mail* [trigoni@rialtoca.gov](mailto:trigoni@rialtoca.gov))  
Rodolfo Victorio (*via electronic mail* [rvictorio@rialtoca.gov](mailto:rvictorio@rialtoca.gov))  
RAL Investment Corporation (*via electronic mail*)

# EXHIBIT A



## Legislation Details (With Text)

**File #:** CC-18-1000    **Version:** 1    **Name:**  
**Type:** Resolution    **Status:** Agenda Ready  
**File created:** 10/15/2018    **In control:** City Council  
**On agenda:** 11/13/2018    **Final action:**  
**Title:** Request City Council to Award a Construction Contract to Silverstrand Construction, Inc., in the Amount of \$15,291,479.56 for Construction of the Frisbie Park Expansion; and Authorize Phase II of the Agreement with Griffin Structures, Inc., in the Amount of \$630,165.00 for Construction Management, Inspection, and Materials Testing Services for the Frisbie Park Expansion. (ACTION)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachment 1, Existing Frisbie Park, 2. Attachment 2, Construction Contract, 3. Attachment 3 - Reference Check Table and Licenses, 4. Attachment 4 - RAL DBA SILVERSTRAND Bid, 5. Attachment 5 - Silverstrand's CO Forms, 6. Attachment 6 - SSC EXECUTED - DISCLOSURE FORM, 7. Attachment 7 - RC Construction Bid Protest, 8. Attachment 8 - Sullivan Hill Response letter, 9. Attachment 9 - Lester & Cantrell Request letter, 10. Attachment 10 - GSI fee Proposal 02-21-18, 11. Attachment 11 - GSI Proposal, RFP 18-046, 12. Attachment 12 - Phase II PSA, Griffith, 10-15-18, 13. Attachment 13 - GSI Disclosure Form, RFP 18-046

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

For City Council Meeting [November 13, 2018]

TO: Honorable Mayor and City Council

APPROVAL: Ahmad R. Ansari, Interim City Administrator

FROM: Robert G. Eisenbeisz, P.E., Public Works Director/City Engineer

Request City Council to Award a Construction Contract to Silverstrand Construction, Inc., in the Amount of \$15,291,479.56 for Construction of the Frisbie Park Expansion; and Authorize Phase II of the Agreement with Griffin Structures, Inc., in the Amount of \$630,165.00 for Construction Management, Inspection, and Materials Testing Services for the Frisbie Park Expansion. (ACTION)

**BACKGROUND:**

On July 12, 2016, the City Council awarded a Professional Services Agreement (PSA) in the amount of \$227,880 to Community Works Design Group, Inc. (CWDG) of Riverside, California, for preparation of Master Plans for expansion of Frisbie Park, and development of Joe Sampson Park.

On May 9, 2017, the City Council made several decisions governing the Frisbie Park Expansion project. First, Council approved the Master Plan for Frisbie Park, which identified in concept, the amenities that the park is to provide to the Rialto community. Second, Council approved the Second Amendment to the Professional Services Agreement with CWDG for Phase II Final Engineering,

Landscape Design, and Project Management Services for the Frisbie Park Expansion project. That action authorized CWDG to initiate final design and engineering activities leading to completion of construction documents for the project. Lastly, Council approved an additional appropriation in the amount of \$789,322, to accommodate the Phase II design and engineering work by CWDG. Following this approval, CWDG initiated final design of the plans and specifications for the project.

On November 14, 2017, the City Council approved a third amendment with CWDG, to address existing ADA path of travel deficiencies within existing portions of the park, which were outside of the scope of the park expansion and redevelopment project. The work included in that amendment would bring the remaining approximately 13.2 acres of the existing park into compliance with ADA and California Building Code (CBC) path of travel requirements.

Additionally, the third amendment also required CWDG to evaluate existing park facility conditions, including dugouts, backstops and fencing, for recommendations regarding replacement and/or compatibility with the expansion project, but excluded general renovation of the remaining portions of the park.

On February 27, 2018, the City Council approved an agreement with Griffin Structures and Phase I of the agreement included a constructability review of the construction documents and general bid-phase support services. Such an independent review is customary for complex, large or otherwise challenging projects, and generally leads to projects that more closely adhere to project scope, construction delivery schedule, and a reduction of unforeseen conditions affecting project budget.

On June 26, 2018, the City Council authorized release of Request for Bids for construction of the Frisbie Park Expansion. On August 2, 2018, the City received eleven (11) bids for the project. Staff conducted a thorough review of those bids, and identified that the three (3) apparent lowest bidders, and three (3) of the remaining bidders, all had errors or inconsistencies in their bids. Based on this evaluation, staff recommended that all project bids be rejected and authorize the project to be re-advertised.

On August 28, 2018, the City's Council rejected all bids and authorized re-bid of the Frisbie Park Expansion project.

#### **ANALYSIS/DISCUSSION:**

On September 13, 2018, the City released RFB No. 19-024 for Expansion of Frisbie Park, published the Notice Inviting Bids in the *San Bernardino County Sun*; the City of Rialto website, and provided the construction documents to various plan rooms and posted the project on Planet Bids.

The proposed park contains work both southerly and northerly of Easton Street, which bisects the park (see **Attachment 1** for an exhibit of the park). Additionally, although the entire project includes expansion, re-development and renovation, the bid and construction documents call for one complete bid (base bid only).

On October 18, 2018, the City received eleven (11) bids, tabulated in **Table 1** below, for each bidder:

**Table 1**

Company	Location	Type of Firm	Bid Amount
Silverstrand Construction, Inc.	Chino, CA	Corporation	\$ 15,291,479.56
RC Graves Construction Services, Inc.	Rialto, CA	Corporation	\$ 15,780,000.00
CS Legacy Construction, Inc.	Ontario, CA	Corporation	\$ 16,209,864.00
Los Angeles Engineering, Inc.	Covina, CA	Corporation	\$ 16,431,000.00
Access Pacific, Inc.	Pasadena, CA	Corporation	\$ 16,502,381.39
Horizons Construction Company International, Inc.	Orange, CA	Corporation	\$ 16,511,000.00
Environmental Construction, Inc.	Woodland Hills, CA	Corporation	\$ 16,518,599.00
KASA Construction, Inc.	Chino, CA	Corporation	\$ 16,688,000.00
Ohno Construction Company	Fontana, CA	Partnership	\$ 16,694,000.00
Riverside Construction Company, Inc.	Riverside, CA	Corporation	\$ 16,800,000.00
Morillo Construction, Inc.	Pasadena, CA	Corporation	\$ 17,887,100.00

Of note, the written bid total (in words) did not exactly match the summed total for the bid submitted by Access Pacific, Inc. Staff re-totaled Access Pacific's bid and determined the amount numerically indicated in their bid was the correct amount as listed above. This discrepancy in the bid documents for Access Pacific did not affect the overall order of bids.

All eleven (11) of the prime construction company bidders attended the mandatory pre-bid meeting, held on September 27, 2018, at Frisbie Park. A significant number of subcontractors and materials suppliers also attended the meeting. During the five (5) week advertisement period, bidders submitted questions requesting clarification or qualification of the project, and all questions were addressed via the two Addendums posted on PlanetBids.

Following the bid opening, Public Works staff independently reviewed each bid for completeness of required information, individual work item amounts and base bid and additive bid totals. The lowest three bids were further evaluated, checking prime and subcontractor licenses, Department of Industrial Relations (DIR) registration, presence or absence of State actions against prime or subs, insurance coverage, previous project references, and other items.

After detailed review of the bids, Silverstrand Construction Company, Inc., of Chino, California (Silverstrand), was determined to be the lowest responsive and responsible bidder for the project. The engineer's estimated cost range to construct the site improvements for Frisbie Park, is \$16M to \$18M. As noted, staff reviewed the bid, references, and contractor's licenses, and found Silverstrand to be properly licensed and qualified.

Contractor references verified by staff included park projects conducted in/for the Cities of San Diego, Brawley, Cardiff by the Sea, and Los Angeles. All references came back as good or better.

Staff recommends awarding the site improvements contract to Silverstrand Construction, Inc., for the Frisbie Park Expansion project, in the amount of \$15,291,479.56. The City's standard Construction Agreement is included as **Attachment 2**. The Contractor's license and reference check is included as **Attachment 3**. Silverstrand's bid, unit pricing, and Disclosure Form are attached as **Attachments 4, 5 and 6**, respectively.

RC Graves Construction Services, Inc. the apparent second (2<sup>nd</sup>) low bidder, submitted a bid protest by a letter dated October 26, 2018. This bid protest primarily centered on two items, 1) Silverstrand's omission of State Department of Industrial Relations (DIR) licensing numbers for the listed subcontractors; and 2) Silverstrand's non-listing of a specialty contractor for the Skate Park portion of the project. In response, City staff checked and verified that Silverstrand and all of its subcontractors

have current and valid state Contractors State Licensing Board (CSLB) licenses and DIR registration.

For the second item, staff conferred with the City attorney's office and verified that Silverstrand will be required to complete the Skate Park portion of the park work using their own forces, and with appropriate city construction oversight and work controls, the work will be done to City standards and approval. Further, the plans noted specialty subcontractors were required for the Skate Park work; however, the project's Specifications and Bid Schedule did not reflect this requirement. Since contract documents order of precedence stipulates that the Specifications take precedence over the plans, this requirement can be waived by the City.

Additionally, with City Attorney's office concurrence, RC Construction's October 26, 2018 bid protest letter was forwarded to Silverstrand, and Silverstrand's legal representatives, Sullivan Hill, provided a response letter, dated November 1, 2018. Further, RC Construction's legal Counsel, Lester & Cantrell, LLP, provided a follow-up letter to the City, dated November 2, 2018, requesting a response from the City Attorney prior to the scheduled November 13, 2018 City Council meeting. RC Construction's bid protest letter, Silverstrand's response letter, and the follow-up request letter by Silverstrand's legal representatives are attached to this staff report (**Attachment Nos. 7, 8 & 9, respectively**). The City Attorney's office has reviewed all three of the letters, as well as Silverstrand's bid proposal and the project specifications, and concurs with the determination that Silverstrand's bid substantially conforms to the call for bids and that any deviations are considered inconsequential and did not provide any unfair competitive advantage to Silverstrand. As such, the City Attorney's office concurs with staff's determination that the deviations in Silverstrand's bid may be waived as minor irregularities and that the contract may be awarded to Silverstrand.

The revised tentative milestone schedule for the project is as follows:

Contract award: .....	November 13, 2018
Begin construction: .....	January 2019
Complete construction: .....	May 2020

Chapter 2.47 of the Rialto Municipal Code provides local preference to firms located in Rialto for non-construction contracts; however, as a general law city, Rialto must award construction contracts to the lowest responsive and responsible bidder, thus the provisions of Chapter 2.47 do not apply.

The park project also requires the procurement of prefabricated restroom/storage, and concessions/office/storage buildings. Public Works is completing this procurement through a future separate request for Council approval authorizing the purchase of the proposed new buildings for the Project.

Additionally, Public Works requests approval of the Phase II scope of the agreement with Griffin Structures, Inc. (GSI), covering necessary Construction Management, Inspection, and Materials Testing Services. To date, under the Phase I scope, GSI has provided an independent review of the final construction documents, and is ready and able to take over the construction lead for the work, upon Council approval and execution of the Phase II portion of their scope, following award of the construction contract to Silverstrand Construction. **Attachments 10, 11, 12 & 13** cover's Griffin's proposal for construction management and inspection services; scope and fee for the professional services; agreement covering those professional services; and City Disclosure Form.

#### **ENVIRONMENTAL IMPACT:**

Construction of the Project is subject to state environmental review pursuant to the California

Environmental Quality Act (CEQA). The City, acting as the lead agency pursuant to CEQA, is preparing an Initial Study and a Mitigated Negative Declaration (MND) for the Project. The MND will be approved by the City, and a Notice of Determination recorded with the County Clerk, before a Notice to Proceed is issued to the selected contractor.

### **GENERAL PLAN CONSISTENCY:**

Approval of this action complies with the following City of Rialto Guiding Principles, General Plan Goals and Policies:

*Our City government will lead by example, and will operate in an open, transparent, and responsive manner that meets the needs of the citizens and is a good place to do business.*

**Goal 2-24: Take advantage of opportunities to increase and enhance open spaces throughout Rialto.**

**Goal 2-27: Provide a variety of park facilities that meet the diverse needs and interests of the community.**

Policy 2-27.1: Establish a Master Plan for Parks and Recreation that achieves a park ratio of 3.0 acres per 1,000 residents, evenly distributes park facilities throughout the community, and contains strategies for funding facilities and maintenance.

Policy 2-27.2: Plan for and designate adequate funding to maintain new and existing parks and facilities.

### **LEGAL REVIEW:**

The City Attorney has been directly consulted in the preparation of, and has reviewed and approved, the staff report.

### **FINANCIAL IMPACT:**

#### **Operating Budget Impact**

The proposed action will affect the Operating Budget once the park construction is completed. City Maintenance and Operations is assessing the annual costs of the additional park areas that will be included within the overall park maintenance program. The annual costs for this park will be offset somewhat by the reduction of the current costs for maintenance and repair of existing park facilities that are to be replaced/upgraded, and by a reduction of other miscellaneous maintenance activities that take place in portions of the existing park that are not currently developed, but will be as part of the project.

#### **Capital Improvement Budget Impact:**

The following **Table 2** is a summary of the funding for construction of the Frisbie Park Expansion, with funding from General Fund of \$3.5 Million, and Park Development Impact Funds of \$16.5 Million.

**Table 2- Funding Summary- Frisbie Park Expansion**

**Sources of Funds**

<b>Frisbie Park Expansion - Project No 150304</b>	<b>Prior Years Budget</b>	<b>Adjusted FY2019 Budget</b>	<b>Adjusted Budget</b>	<b>Actuals</b>
General Funds	\$ 1,043,917	\$ 2,502,600	\$ 3,546,517	\$ 924,751
Park DIF	\$ 100,000	\$ 16,467,500	\$ 16,567,500	\$ 133,877
<b>Total Sources of Funds</b>	<b>\$ 1,143,917</b>	<b>\$ 18,970,100</b>	<b>\$ 20,114,017</b>	<b>\$ 1,058,628</b>

**Uses of Funds**

<b>Joe Sampson Park Development- Project No 150303</b>	<b>Current Budget</b>	<b>Adjusted FY2019 Budget</b>	<b>Adjusted Budget</b>	<b>Actuals</b>	<b>% of Total Budget</b>
01 DESIGN	\$ 1,028,917	\$ -	\$ 1,028,917	\$ 887,678	5%
04 ADMINISTRATION	\$ 45,000	\$ -	\$ 45,000	\$ 96,199	0%
13 OVERHEAD ALLOCATION	\$ 10,000	\$ 30,000	\$ 40,000	\$ 576	0%
15 CONSTRUCTION SUPPORT		\$ 100,000	\$ 100,000	\$ 14,850	0%
16 CONSTRUCTION MANAGEMENT	\$ 60,000	\$ 640,000	\$ 700,000	\$ 59,325	3%
<i>Construction:</i>					
05 CONSTRUCTION	\$ -	\$ 15,697,500	\$ 15,697,500	\$ -	
22 CONSTRUCTION	\$ -	\$ 2,502,600	\$ 2,502,600	\$ -	
<b>Subtotal Construction</b>	<b>\$ -</b>	<b>\$ 18,200,100</b>	<b>\$ 18,200,100</b>	<b>\$ -</b>	<b>90%</b>
<b>Total Uses of Funds</b>	<b>\$ 1,143,917</b>	<b>\$ 18,970,100</b>	<b>\$ 20,114,017</b>	<b>\$ 1,058,628</b>	<b>100%</b>

The award of contract to Silverstrand Construction, Inc., in the amount of \$15,291,479.56 for construction of the Frisbie Park Expansion project, will be paid from the Park Development Impact Fund Account No. 210-500-4760-3001-150304-22.

Award of the Phase II contract to Griffin Structures, Inc., in the Amount of \$630,165.00 for Construction Management, Inspection, and Materials Testing Services, Frisbie Park Expansion, will be paid from the General Fund Capital Account No. 210-500-4760-3001-150304-16.

**Licensing**

A City Business License fee in the amount of \$15,345.00 will be paid by the City as part of an interoffice transfer, prior to issuance of the Notice to Proceed.

Griffin Structures, Inc. currently possesses a valid city Business License.

Professional fees (based on the incremental increase Gross Receipts) for Phase II work by Griffin Structures in the amount of \$710.00, will be paid through the project account.

**RECOMMENDATION:**

Staff recommends that the City Council:

- Award a Contract to Silverstrand Construction, Inc., in the Amount of \$15,291,479.56 for the Construction of Frisbie Park Expansion.
- Authorize the Phase II Scope of the agreement with Griffin Structures, Inc., in the Amount of \$630,165.00 for Construction Management, Inspection, and Materials Testing Services, Frisbie Park Expansion, City Project No. 150304.

# EXHIBIT B



**RAL Investment Corporation dba  
SILVERSTRAND Construction**

**SBA HUBzone Owned Firm**

Keith Adamek, Vice President ■ (858) 444-1963

11696 Sorrento Valley Road, Suite 200, San Diego, CA. 92121

(858) 444-1963 ■ fax: (858) 369-7971 ■

[keith@ssbuild.com](mailto:keith@ssbuild.com) ■ [www.SSCBUILD.com](http://www.SSCBUILD.com)

ENCLOSED:

**City of Rialto**  
**Construction of Frisbie Park Expansion**  
**City Project No. CB 150304**

**SUBMITTED:**

**19<sup>th</sup> December 2018 ■ 3:00 PM**

CITY OF RIALTO  
RECEIVED  
CITY CLERK  
2018 DEC 19 PM 2:53



Submitted To:  
**ATTN: City Clerk**  
City of Rialto  
290 W. Rialto Ave  
Rialto, CA 92376

# BID DOCUMENTS

**Bid Opening Date: December 19, 2018**

Only the following listed documents, identified in the lower right corner as "Bid Forms" shall be fully executed and submitted with the Bid at the time of opening of Bids.

Bid (Proposal) ✓  
Bid Schedules ✓  
Schedule of Values ✓  
List of Subcontractors ✓  
Non-collusion Declaration ✓  
Worker's Compensation Certificate ✓  
Non-Discrimination Certification ✓  
Debarment and Suspension Certification ✓  
Disclosure of Lobbying Activities ✓  
Bidder's General Information ✓  
Bid Bond (Bid Security Form) ✓  
Public Contract Code Section 10285.1 Statement ✓  
Public Contract Code Section 10162 Questionnaire ✓  
Public Contract Code Section 10232 Statement ✓  
Compliance with Clean Air and Water Acts Certification ✓  
City of Rialto "Disclosure Form" ✓

**Failure of a Bidder to fully execute and submit all of the listed documents with the Bid will render a Bid as non-responsive and subject to rejection.**

## BID PROPOSAL

**BID TO: CITY OF RIALTO, CALIFORNIA**

The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with the City in the form included in the Contract Documents (as defined in Article 4 of the Agreement) to perform the Work as specified or indicated in said Contract Documents entitled:

### **CONSTRUCTION OF FRISBIE PARK EXPANSION CITY PROJECT NO. 150304 RFB 19-056**

Bidder accepts all of the terms and conditions of the Contract Documents, including without limitation those in the Notice Inviting Bids and the Instructions to Bidders dealing with the disposition of the Bid Security.

This Bid will remain open for the period stated in the Notice Inviting Bids, unless otherwise required by law. Bidder will enter into an Agreement within the time and in the manner required in the Instructions to Bidders, and will furnish the insurance certificates, Payment Bond, Performance Bond, and all Permits required by the Contract Documents.

Bidder has examined copies of all the Contract Documents, including the following Addenda (receipt of which is hereby acknowledged):

Number <u>0001</u>	Date <u>12/06/2018</u>
Number <u>0002</u>	Date <u>12/12/2018</u>
Number _____	Date _____
Number _____	Date _____
Number _____	Date _____
Number _____	Date _____
Number _____	Date _____

Bidder has familiarized itself with the nature and extent of the Contract Documents, the Work, the site, the locality where the Work is to be performed, the legal requirements (federal, state, and local laws, ordinances, rules, and regulations), and the conditions affecting cost, progress, or performance of the Work, and has made such independent investigations as Bidder deems necessary.



# *City of Rialto*

## *California*

**Addendum Number 1**  
**Request for Bids No. 19-056**  
**Construction of Frisbie Park Expansion**  
**City Project No. 150304**

To all prospective Bidders under specifications for Request for Bids (RFB) No. 19-056, the Construction of Frisbie Park Expansion, which are to be received by the City of Rialto, California, until **3:00 P.M. on Wednesday, December 19, 2018**. Prospective Bidders shall acknowledge the following additional information, as part of their Bid:

**Plans:**

1. Replace the existing Plan sheet No. 1, Title Sheet, with the new sheet appended to this Addendum. Add Plan sheet No. 40B, Frisbie Sewer Line, to the Plans. The replacement Title Sheet has a delta 1 note added thereon. The new plan sheet 40B depicts the information needed to install the parallel, independent sewer lateral system, cleanouts and stub out. This park sewer lateral system will connect the new softball—concessions and restroom prefabricated buildings, to the new sewer mainline to be installed within Easton Street, by others. This sewer lateral system is in addition to the independent sewer septic system already a part of the plans and special provisions. The two plan sheets are a part of the project, and are appended to this Addendum No. 1.
2. A request for a copy of the digital files for the project has been received by the City. Such files would be for purposes of allowing bidders to undertake their own limited earthwork and quantity takeoffs only. The digital file attached to this Addendum consists of such information. The City makes no warranty, expressed or implied, as to the veracity of such quantity take off information, and bidders acknowledge and understand their assumption of risk by the use of any such supplemental information. This information is not a formal part of the bid documents and is being provided only as a courtesy. The software needed to make use of the digital file is commercially available; the City is unable to provide such software for bidders to make use of the data, should any Bidder choose to do so.

**Specifications:**

1. Add the following paragraph to the Notice Inviting Bids:

**N-15 ADDRESS AND MARKING OF BIDS:** The envelope enclosing the Bid shall be sealed and addressed to the City of Rialto, and shall be delivered or mailed to the **Office of the City Clerk, 290 W. Rialto Avenue, Rialto, CA 92376**. The envelope shall be plainly marked in the upper left hand corner with the name and address of the Bidder and shall bear the words "Bid For....." followed by the title of the project and the

**335 W. Rialto Avenue, Rialto, California 92376**

meeting, only firms/ teams who plan to bid as a prime contractor were required to attend and to sign the attendance sheet. Subcontractors who did not attend the meeting may partner with any prime firm that did. A copy of the meeting agenda and attendance list is attached.

2. To clarify a question raised at the mandatory pre-bid meeting, the City will issue no cost plan check and encroachment permits to the prime contractor and all of its subcontractors, for all submittals for this project, covering City permits only. When making submittals, please include the name of the project: (Frisbie Park Expansion), project number: (150304), RFB 19-056, street address of the project: (1901 N. Acacia Avenue, Rialto CA 92376), and identify that the work is being undertaken for the City's park expansion project. The payment of such fees, by the City, does not relieve the contractor from any other costs for materials, labor, tools, equipment and incidentals needed to complete the Contract work per the Bid Documents. Permits from other agencies remain the responsibilities of the contractor and its subcontractors in full.
3. The City has considered and will not accept as qualifying those prime contractors who only possess a California State License Board Class B License. Prime contractors must already have a California CSLB Class A license, at time of bid, to bid on the project.
4. While there is no change to the date, time and place for delivery of Bids, Bidders are reminded that Bids shall be submitted no later than 3:00 pm, December 19, 2018, to the City Clerk, City of Rialto, 290 W. Rialto Avenue, Rialto, CA 92376. Bids delivered after the referenced 3:00 pm delivery date will not be opened, and will be rejected.

Date: December 5, 2018

BY ORDER OF THE CITY OF RIALTO

  
\_\_\_\_\_  
Robert G. Eisenbeisz, PE,  
Director of Public Works, City of Rialto

**Attachments:**

- Agenda and attendance list; 12-5-18 Mandatory Frisbie Park Expansion meeting
- Plan sheet No. 1, Title Sheet, and 40B, Frisbie Sewer Line (lateral system)
- Electronic file, for quantity take off purposes only

12/18/2018

RAL Investment Corp Mail - Bid Clarification



Jorge Cardenas <jorge@ysscbuild.com>

## Bid Clarification

1 message

CustomerCare@planetbids.com <CustomerCare@planetbids.com>  
To: bids@sscbuild.com

Wed, Dec 12, 2018 at 5:18 PM

*This is an automated email notification. Please do not reply.*

Dear RAL Investment Corporation:

This is a notification pertaining to **Construction of Frisbie Park Expansion (RFB 19-056)**, with a bid due date of December 19, 2018 3:00 PM (Pacific).

To all Bidders,

The Addendum issued on 12/6/18 was mistakenly entitled Addendum 3. All bidders shall acknowledge Addendum 3 as Addendum 1. Earlier today the City issued Addendum 2. To date, only two addenda have been issued and shall be acknowledged on Bid form page 2.

Please visit the [BID BOARD](#) for more information.

Thank you,  
City of Rialto



# *City of Rialto*

## *California*

**Addendum Number 2**  
**Request for Bids No. 19-056**  
**Construction of Frisbie Park Expansion**  
**City Project No. 150304**

To all prospective Bidders under specifications for Request for Bids (RFB) No. 19-056, the Construction of Frisbie Park Expansion, which are to be received by the City of Rialto, California, until **3:00 P.M. on Wednesday, December 19, 2018**. Prospective Bidders shall acknowledge the following additional information, as part of their Bid:

**Specifications:**

**Question-Comment:** On **Section 32 92 00 – TURF GRASS, FINE GRADING, SOIL PREPARATION & TURF PLANTING**, can the components of the soil amendment be identified, along with a price, so that all bidders have the same information within which to base their bid for this portion of the work?

**Response:** the following pertains to soil amendments associated with Specifications **Section 32 92 00**:

- 1) Specification **Section 32 92 00** applies only to the new turf areas located south of Easton Street; all other turf areas within the project site will receive the standard soil preparation and amendments outlined in Specification **Section 32 90 00**; Accordingly, eliminate text referencing ~~(NON-TURF-AREA)~~ from the heading of **Part 3.03 SOIL PREPARATION**, within Specification **Section 32 90 00**.
- 2) Due to regulatory issues with the State of California, the magnesium product specified within Specifications **Section 32 92 00** shall be substituted as follows:
  - Eliminate: ~~Concentrated Slow Release Magnesium – 36% – Pro Mag Agrium at 4.23 lbs/ 1,000 sf~~
  - Replace with: Magnesium sulfate – 9.8% at 41.36 LB/ 1,000 SF
- 3) Remove reference to “sq. ft.” from the Liquid Microbe product quantity; the correct application is 0.5 gallons per acre;
- 4) Under Post-Plant fertilizer:
  - a) Eliminate ~~THI Nitro 23-0-0-7 at 1 gal. per 1,000 sf;~~
  - b) Replace with UAN 32 at 270 gallons every 21 days during 120 day grow-in period

Eco Fert Bid for PRZ fertilizer components, South Park areas only.

	Fertilizer Component	Unit of Measure	Quantity	Rounded	Unit Price	Total Cost
	Liquid Nitrogen 23-0-7	GA	92.3	110	\$ 11	\$ 1,210
	THI Soil Conditioner-White Powder	YD	14.8	15	\$ 900	\$ 13,500
X	Gran Magnesium Sulfate 9.8 %	LB	3,817.0	3800	\$ 0.40	\$ 1,501
	Liq. Pot 0-0-25	GA	184.6	165	\$ 25.40	\$ 4,191
X	Gran Pot 0-0-50	LB	184.6	200	\$ 0.76	\$ 151
	Liquid Phos- 10-15-0	GA	170.8	165	\$ 23	\$ 3,795
X	Gran Phos. 11-52-0	LB	255.7	250	\$ 0.58	\$ 144
	Naxit Sodium Blocker	GA	35.0	35	\$ 21	\$ 735
	Liquid 100% Kelp	GA	1.1	5	150	\$ 750
	Liquid Microbes Food	GA	5.4	10	\$ 113	\$ 1,130
	Granule Microbes Starter	LB	1,846.1	1846	\$ 0.75	\$ 1,385
X	Liquid UAN 32%	GA	580.0	580	\$ 3.28	\$ 1,902
	Seed Innoculant wettable powder	LB	0.5	1	\$ 390	\$ 390
					Old Price	\$ 30,784
						\$ 2,100
						\$ 32,884

The Xs identify items that are agricultural products that many local ag stores can supply. These items must be listed with the % of nutrients as shown above. Substitutes must mention which products they are replacing with what product and send a sample to the lab for strength comparison.

Key: GA: Gallon; LB: pound; YD: yards

All quantities above are for a one-time application, except for the Liquid UAN, which is to be applied at approximately 97 gallons per each of the six applications, or approx. 580 gallons total applied.

In conformance with the current statutory requirements of California Labor Code Section 1860, et seq., the undersigned confirms the following as its certification:

I am aware of the provisions of Section 3700 of the Labor Code, which require every employer to be insured against liability for worker's compensation, or to undertake self-insurance in accordance with the provisions, before commencing the performance of the Work of this Contract.

To all the foregoing, and including all Bid Schedule(s), List of Subcontractors, Non-collusion Affidavit, Bidder's General Information, and Bid Bond contained in these Bid Forms, said Bidder further agrees to complete the Work required under the Contract Documents within the Contract Time stipulated in said Contract Documents, and to accept in full payment therefor the Contract Price based on the Lump Sum or Unit Bid Price(s) named in the aforementioned Bidding Schedule(s).

Dated: 12/19/2018

Bidder: RAL Investment Corporation dba Silverstrand Construction

By:

  
(Signature)

Title: Vice President

**BID SCHEDULE**  
**Revised November 27, 2018**  
**LUMP SUM BID for the Construction of:**  
**FRISBIE PARK EXPANSION**  
**CITY PROJECT NO. 150304**

**BID NO. 19-056**

**DECEMBER 2018**

Pursuant to the Invitation to Bid, the undersigned hereby proposes and agrees that on award by the City under this Bid, and in accordance with the provisions therein stated, to execute a Contract, with necessary bonds, to furnish and install any and all labor, materials, transportation, and services for **CONSTRUCTION OF FRISBIE PARK EXPANSION, PROJECT NO. 150304**, in accordance with the Scope of Work and Specifications therefor adopted and on file with the City within the time hereinafter set forth and at the prices named in this Bid as follows:

Total of Bid Breakdown items must equal the lump sum Bid below. See Section 2, Work Details, for a work breakdown itemization.

<u>WORK</u>	<u>LUMP SUM</u>
1. Project Start-Up	\$ 1,107,518.00
2. Clear and Grub - Demolition	\$ 369,039.00
3. Structure Demolition	\$ 22,189.00
4. Street Improvements (Easton Street, Eucalyptus Avenue & Acacia Avenue)	\$ 73,776.00
5. Earthwork	\$ 858,412.00
6. Drainage	\$ 684,627.00
7. On-Site Utilities (S)	\$ 379,206.00
8. Lighting/Electrical (S)	\$ 1,759,449.00
9. Site Furnishings (S)	\$ 717,654.00
10. Hardscape	\$ 2,969,490.00
11. Parking Lots	\$ 377,264.00
12. Fences (incl. ballfields), Railings and Walls	\$ 1,490,497.00
13. Play and Exercise Areas (surfacing & equip) (S)	\$ 774,957.00
14. Skate Park (S)	\$ 450,481.00
15. Multi-Use Courts (S)	\$ 286,162.00
16. Restroom/Storage Facility (S)	\$ 33,535.00
17. Concessions/Office Facility (S)	\$ 16,767.00
18. North Restroom Renovation	\$ 35,547.00

CONSTRUCTION OF FRISBIE PARK EXPANSION  
CITY PROJECT NO. CB 150304  
DECEMBER 2018

19.	Shade Shelters and Trellis Structures (S)	\$	1,091,505.00
20.	Electrical Enclosure (S)	\$	46,315.00
21.	Irrigation	\$	666,264.00
22.	Landscape	\$	698,117.00
23.	PRZ Turf Areas	\$	178,851.00

Total Amount of Base Bid in Figures \$ 15,087,622.00

Total Amount of Base Bid in Words: Fifteen million, eighty seven thousand, six hundred twenty two and 00/100 Dollars and Zero Cents

(s) = Specialty Work Item; see full description within Section 2-3.2 of the Greenbook

#### Optional Work Item

##### WORK

##### LUMP SUM

Two-Year Park Maintenance Period \$ \$159,889.00

Total Amount of Base Bid in Figures \$ \$159,889.00

Total Amount of Base Bid in Words: One hundred and fifty nine thousand, eight hundred and eighty nine and 00/100 Dollars and Zero Cents

**Bidder Note:** The determination of lowest bid for this project will be based solely on the Total Amount of Base Bid. However, bidders are also required to submit a price for the Optional Work item. Bidder pricing for the Optional Two-Year Park Maintenance Period is to allow the City to determine, at its sole discretion, if it wishes to include this Optional Work Item within the Project. The City may, in its sole discretion, choose to exercise its right to include the optional Two-Year Park Maintenance Period at the time it awards the base bid, at a later time up until the completion of the Project, or, may choose not to exercise its right to have the Optional Work done through its contract at all.

**IN WITNESS WHEREOF CONTRACTOR** executed this Proposal as of date set forth on Page C-1:

BY:

  
(Signature)

ATTEST BY:



TITLE:

Vice President  
(Contractor)

TITLE:

CFO

## **SPECIAL NOTES APPLICABLE TO THE BID SCHEDULE**

### **SPECIAL NOTE:**

In the event of any "missing" bid items or scope of work not otherwise included or identified in the Bid Schedule, but indicated or required by the Plans and Specifications, the Contractor shall prosecute the work as required by the Plans and Specifications, and payment for any "missing" bid items or scope of work shall be included in the various bid items of work, and no additional payment will be allowed therefore. The Bidder's signature hereunder acknowledges the Bidder's responsibility to comprehensively review the Plans and Specifications and to include all costs associated with the required scope of work in the various bid items of work.

RAL Investment Corporation dba Silverstrand Construction

Name of Bidder or Firm

  
Signature



August 9, 2018

Mr. Keith Adamek, Vice President  
Silverstrand Construction  
11696 Sorrento Valley Road, Suite  
200 San Diego, CA 92121

Dear Silverstrand Construction:

This is to certify that PES Electric has installed Musco product previously two times.

The first installation they did, the product shipped in 2016 and was at Alyce Gereaux Park in Brawley, CA. This was our full system from the base to the pole and fixtures. This was Musco metal halide product.

In 2018, PES Electric did an LED fixture retrofit on existing poles at Camp Pendleton's Area 14 football field.

Please feel free to contact me should you need further information. Thank you.

Karin Anderson  
Field Sales Representative  
San Diego, Orange and Imperial Counties  
Musco Sports Lighting LLC  
Phone: 760-798-3162  
[karin.anderson@musco.com](mailto:karin.anderson@musco.com)

# **INFORMATION REQUIRED OF BIDDER** **LIST OF SUBCONTRACTORS**

As required under Section 4100, et seq., of the Public Contract Code, the Bidder shall list below the name, business address, California Contractor license number, and public works contractor registration number (DIR number) of each subcontractor who will perform Work under this Bid in excess of one-half of one percent of the Contractor's Total Bid Price, or \$10,000.00, whichever is greater, and shall also list the portion of the Work which will be done by such subcontractor. After the opening of Bids, no changes or substitutions will be allowed except as otherwise provided by law. The listing of more than one subcontractor for each item of Work to be performed with the words "and/or" will not be permitted. Failure to comply with this requirement will render the Bid as non-responsive and may cause its rejection. Use additional pages if necessary.

**Special Notes:** The Prime Contractor shall perform not less than 50% of the Work identified in this Bid. In the event a Bidder lists subcontractors who will perform Work under this Bid in excess of 50% of the Work identified in this Bid, the Bid shall be considered non-responsive.

Bidders shall list the total % of Work to be performed by the Prime Contractor here: 62.7  
(Shall not be less than 50%)

Work to be Performed	Contractor's CSLB License # and DIR #	Percent of Total Contract	Subcontractor's Name and Address
1 Skate park	CSLB: 799795 A,B,C-27 1000016308-DIR	2.2	California Skateparks Inc. 273 N. Barron Ave Upland, CA 91786
2 Electric and Lighting	CSLB: 581935 C-10 1000033302-DIR	10.3	PES Electric Inc. 4603 Del Monte Ave San Diego, CA 92107
3 Fence	CSLB: 615318 C-13 1000005719-DIR	6.0	Westbrook Fence Inc. P.O. Box 90-10 San Bernardino, CA 92427
4 Playground Equipment Install/Stack Shelving and Telling Stairs	CSLB: 967975 B,C,G,I,D-11,D-10 1000002374-DIR	4.0	Tot Lot Inc. 14688 El Matino St. Fontana, CA 92335
5 Landscaping PRZ Irrigation	CSLB: 994916 C-27 1000050598-DIR	8.9	Zuniga Scapes Inc. 24099 Postal Ave, Ste. 201 Menlo Park, CA 94023
6 Play and Exercise Area (Surface...)	CSLB: 667261 C-61,D-12 1000002700-DIR	15	Robertson Industries Inc. (Tot Turf) 24114 W 12th St, #5 Tempe, AZ 85281

# **INFORMATION REQUIRED OF BIDDER** **LIST OF SUBCONTRACTORS**

As required under Section 4100, et seq., of the Public Contract Code, the Bidder shall list below the name, business address, California Contractor license number, and public works contractor registration number (DIR number) of each subcontractor who will perform Work under this Bid in excess of one-half of one percent of the Contractor's Total Bid Price, or \$10,000.00, whichever is greater, and shall also list the portion of the Work which will be done by such subcontractor. After the opening of Bids, no changes or substitutions will be allowed except as otherwise provided by law. The listing of more than one subcontractor for each item of Work to be performed with the words "and/or" will not be permitted. Failure to comply with this requirement will render the Bid as non-responsive and may cause its rejection. Use additional pages if necessary.

**Special Notes:** The Prime Contractor shall perform not less than 50% of the Work identified in this Bid. In the event a Bidder lists subcontractors who will perform Work under this Bid in excess of 50% of the Work identified in this Bid, the Bid shall be considered non-responsive.

Bidders shall list the total % of Work to be performed by the Prime Contractor here: 62.7  
(Shall not be less than 50%)

Work to be Performed	Contractor's CSLB License # and DIR #	Percent of Total Contract	Subcontractor's Name and Address
1 Mult.-Use Courts	CSLB: 747624 A 1000014837-DIR	1.7	Coast Concepts Inc. P.O. Box 710277 San Jose, CA 95107
2			
3 Asphalt Striping	CSLB: 630366 A 1000004798-DIR	2.7	Onyx Paving Company Inc. 2896 E. La Cresta Ave Anaheim, CA 92806
4			
5			
6			

# **INFORMATION REQUIRED OF BIDDER** **LIST OF SUBCONTRACTORS**

As required under Section 4100, et seq., of the Public Contract Code, the Bidder shall list below the name, business address, California Contractor license number, and public works contractor registration number (DIR number) of each subcontractor who will perform Work under this Bid in excess of one-half of one percent of the Contractor's Total Bid Price, or \$10,000.00, whichever is greater, and shall also list the portion of the Work which will be done by such subcontractor. After the opening of Bids, no changes or substitutions will be allowed except as otherwise provided by law. The listing of more than one subcontractor for each item of Work to be performed with the words "and/or" will not be permitted. Failure to comply with this requirement will render the Bid as non-responsive and may cause its rejection. Use additional pages if necessary.

**Special Notes:** The Prime Contractor shall perform not less than 50% of the Work identified in this Bid. In the event a Bidder lists subcontractors who will perform Work under this Bid in excess of 50% of the Work identified in this Bid, the Bid shall be considered non-responsive.

Bidders shall list the total % of Work to be performed by the Prime Contractor here: \_\_\_\_\_  
(Shall not be less than 50%)

Work to be Performed	Contractor's CSLB License # and DIR #	Percent of Total Contract	Subcontractor's Name and Address
1			
2			
3			
4			
5			
6			

**NON-COLLUSION DECLARATION TO BE EXECUTED BY BIDDER  
AND SUBMITTED WITH BID**

The undersigned declares:

I am the Vice President of RAL Investment Corporation dba Silverstrand Construction, the  
(Title of Officer) (Firm/Company)  
party making the foregoing bid.

The bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation. The bid is genuine and not collusive or sham. The bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid. 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 to refrain from bidding. The bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix 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. All statements contained in the bid are true. 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, to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof, to effectuate a collusive or sham bid, and has not paid, and will not pay, any person or entity for such purpose.

Any person executing this declaration on behalf of a bidder that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that he or she has full power to execute, and does execute, this declaration on behalf of the bidder.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on

12/19/2018, at San Diego, CA  
(Date) (City) (State)

  
Signature

## WORKER'S COMPENSATION CERTIFICATE

(AS REQUIRED BY SECTION 1861  
OF THE CALIFORNIA LABOR CODE)

I am aware of the provisions of Section 3700 of the California Labor Code, which require every employer to be insured against liability for worker's compensation, or to undertake self-insurance in accordance with the provisions of said Code, and I will comply with such provisions before commencing the performance of the Work of this Contract.

Contractor RAL Investment Corporation dba Silverstrand Construction

By Keith Adamek



Title Vice President

### **NON-DISCRIMINATION CERTIFICATION**

As suppliers of goods or services to the City of Rialto, the firm listed below certifies that it does not discriminate in its employment with regard to age/handicap, race, color, religion, sex, or national origin; that it is in compliance with all federal, state, and local directives and executive orders regarding non-discrimination in employment; and that it agrees to demonstrate positively and aggressively the principle of equal employment 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 to the minority communities at large.
3. To take affirmative steps to hire minority employees within the company.

FIRM RAL Investment Corporation dba Silverstrand Construction

NAME OF PERSON SIGNING Keith Adamek

TITLE OF PERSON SIGNING Vice President

DATE 12/19/2018

Please include any additional information available regarding equal opportunity employment programs now in effect within your company.

---

---

---

---

## DEBARMENT AND SUSPENSION CERTIFICATION

### TITLE 49, CODE OF FEDERAL REGULATIONS, PART 29

The bidder, under penalty of perjury, certifies that, except as noted below, he/she or any other person associated therewith in the capacity of owner, partner, director, officer, and manager:

- Is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;
- Has not been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past 3 years;
- Does not have a proposed debarment pending; and
- Has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

If there are any exceptions to this certification, insert the exceptions in the following space.


Exceptions will not necessarily result in denial of award, but will be considered in determining bidder responsibility. For any exception noted above, indicate below to whom it applies, initiating agency, and dates of action.

Notes: Providing false information may result in criminal prosecution or administrative sanctions.

The above certification is part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Certification.

# DISCLOSURE OF LOBBYING ACTIVITIES

COMPLETE THIS FORM TO DISCLOSE LOBBYING ACTIVITIES PURSUANT TO 31 U.S.C. 1352

<b>1. Type of Federal Action:</b> <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance		<b>2. Status of Federal Action:</b> <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award		<b>3. Report Type:</b> <input type="checkbox"/> a. initial <input type="checkbox"/> b. material change  <b>For Material Change Only:</b> year _____ quarter _____ date of last report _____	
<b>4. Name and Address of Reporting Entity</b> <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____ if known		<b>5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:</b>			
<b>6. Federal Department/Agency:</b> Congressional District, if known _____		<b>7. Federal Program Name/Description:</b> CFDA Number, if applicable _____			
<b>8. Federal Action Number, if known:</b>		<b>9. Award Amount, if known:</b>			
<b>10. a. Name and Address of Lobby Entity</b> (If individual, last name, first name, MI)		<b>b. Individuals Performing Services</b> (including address if different from No. 10a) (last name, first name, MI)			
(attach Continuation Sheet(s) if necessary)					
<b>11. Amount of Payment (check all that apply)</b> \$ _____ <input type="checkbox"/> actual <input type="checkbox"/> planned		<b>13. Type of Payment (check all that apply)</b> <input type="checkbox"/> a. retainer <input type="checkbox"/> b. one-time fee <input type="checkbox"/> c. commission <input type="checkbox"/> d. contingent fee <input type="checkbox"/> e. deferred <input type="checkbox"/> f. other, specify _____			
<b>12. Form of Payment (check all that apply):</b> <input type="checkbox"/> a. cash <input type="checkbox"/> b. in-kind; specify: nature _____ value _____					
<b>14. Brief Description of Services Performed or to be performed and Date(s) of Service, including officer(s), employee(s), or member(s) contacted, for Payment Indicated in Item 11:</b>  (attach Continuation Sheet(s) if necessary)					
<b>15. Continuation Sheet(s) attached:</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>					
<b>16. Information requested through this form is authorized by Title 31 U.S.C. Section 1352. This disclosure of lobbying reliance was placed by the tier above when his transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to Congress semiannually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.</b>					
<b>Federal Use Only:</b>		Signature:  Print Name: <u>Keith Adamek</u> Title: <u>Vice President</u> Telephone No.: <u>858-444-1963</u> Date: <u>12/19/2018</u> Authorized for Local Reproduction Standard Form - LLL			

Standard Form LLL Rev. 09-12-97



RAL Investment Corporation dba Silverstrand Construction, has not in the past, or will in the future participate in any lobbying activities.

Kind Regards,

A handwritten signature in blue ink, appearing to read "Keith Adamek", with a long horizontal flourish extending to the right.

Keith Adamek  
Vice President

**Silverstrand Construction**  
10065 Old Grove Road STE. 200  
San Diego, CA. 92131  
Direct: 858-444-1963  
Fax: 858-369-7971  
Cell: 858-220-9731

## **INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES**

This disclosure form shall be completed by the reporting entity, whether subawardee or prime federal recipient, at the initiation or receipt of covered federal action or a material change to previous filing pursuant to title 31 U.S.C. Section 1352. The filing of a form is required for such payment or agreement to make payment to lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress an officer or employee of Congress or an employee of a Member of Congress in connection with a covered federal action. Attach a continuation sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered federal action for which lobbying activity is and/or has been secured to influence, the outcome of a covered federal action.
2. Identify the status of the covered federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last, previously submitted report by this reporting entity for this covered federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District if known. Check the appropriate classification of the reporting entity that designates if it is or expects to be a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the first tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in Item 4 checks "Subawardee" then enter the full name, address, city, State and zip code of the prime federal recipient. Include Congressional District, if known.
6. Enter the name of the federal agency making the award or loan commitment. Include at least one organization level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the federal program name or description for the covered federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans and loan commitments.
8. Enter the most appropriate federal identifying number available for the federal action identification in item 1 (e.g., Request for Proposal (RFP) number, Invitation for Bid (IFB) number, grant announcement number, the contract grant or loan award number, the application/proposal control number assigned by the federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered federal action where there has been an award or loan commitment by the Federal agency, enter the federal amount of the award/loan commitments for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influenced the covered federal action.  
(b) Enter the full names of the individual(s) performing services and include full address if different from 10 (a). Enter Last Name, First Name and Middle Initial (MI).
11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.
12. Check the appropriate box(es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.
13. Check the appropriate box(es). Check all boxes that apply. If other, specify nature.

14. Provide a specific and detailed description of the services that the lobbyist has performed or will be expected to perform and the date(s) of any services rendered. Include all preparatory and related activity not just time spent in actual contact with federal officials. Identify the federal officer(s) or employee(s) contacted or the officer(s) employee(s) or Member(s) of Congress that were contacted.
15. Check whether or not a continuation sheet(s) is attached.
16. The certifying official shall sign and date the form, print his/her name title and telephone number.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instruction, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, D.C. 20503.  
SF-LLL-Instructions Rev. 06-04-90«ENDIF»

## BIDDER'S GENERAL INFORMATION

The Bidder shall furnish the following information. Failure to complete all Items will cause the Bid to be non-responsive and may cause its rejection.

1. BIDDER/CONTRACTOR'S Name and Street Address:  
RAL Investment Corporation dba Silverstrand Construction  
10065 Old Grove Road, Suite 200  
San Diego, CA 92131  
Telephone Number: ( 858 ) 444-1963  
Facsimile Number: ( 858 ) 396-7971  
E-Mail: keith@sscbuild.com  
Tax Identification Number: 20-1129811
2. TYPE OF FIRM  
☐ Individual ☐ Partnership ☒ Corporation (State CA )  
☒ Minority Business Enterprise (MBE)  
☐ Women Business Enterprise (WBE)  
☒ Small Disadvantaged Business (SDB)  
☐ Veteran Owned Business  
☐ Disabled Veteran Owned Business
- 3.a CONTRACTOR'S LICENSE: Primary Classification A, B, C-61/D34  
State License Number(s) 927409  
Supplemental License Classifications \_\_\_\_\_
- 3b. Contractor's Department of Industrial Relations (DIR) # 1000016529
4. BUSINESS LICENSE: ☐ Yes ☒ No License No.: \_\_\_\_\_
5. Surety Company and Agent who will provide the required Bonds on this Contract:  
Name of Surety The Hanover Insurance Group  
Address 440 West Lincoln Street  
Worcester, MA 01653-0002  
Surety Company Cavignac & Associates POC: Jase Hamilton  
Telephone Numbers: Agent ( 619 ) 744-0562 Surety ( 619 ) 744-0562

## BIDDER'S GENERAL INFORMATION (Continued)

6. List the names and addresses of the principal members of the firm or names and titles of the principal officers of the corporation or firm:

<u>Ricardo Lopez</u>	<u>President/CEO</u>
<u>Alec Lopez</u>	<u>CFO</u>
<u>Keith Adamek</u>	<u>Vice President</u>

7. Number of years experience as a contractor in this specific type of construction work: 8 Years

8. List at least three related projects completed to date:

a. Owner City of Brawley - Public Works Division Address 180 S. Western Ave. Brawley, CA 92227  
Contact Darlene Morgan Class of Work Park Renovation, Splash Pad, Sports Field Lighting  
Project Engineer/EE, Consultant to City of Brawley  
Phone \_\_\_\_\_ Contract Amount \$2,544,750.00  
Project Alyce Gereuax Park Renovation Date Completed June, 2017  
Contact Person See Above Telephone number (858) 752-7905  
City of San Diego

b. Owner - Public Works Division Address 9573 Chesapeake Drive, San Diego, CA 92123  
Contact Ken Write - Class of Work Park Renovation, Habitat Restoration, Walking Trails  
Associate Engineer - Civil  
Phone \_\_\_\_\_ Contract Amount \$2,691,339.09  
Project Sunset Cliffs Natural Park Date Completed Substantially Completed  
Contact Person See Above Telephone number (619) 804-8554 KAWright@sandiego.gov  
State of California -

c. Owner Dept of Parks and Recreation Address 1416 9th St., Sacramento, CA 95814  
Contact Venkat Reddy - Class of Work Campsite Renovation, Landscaping/Walking  
Project Manger/Civil Engineer Trails - Bid/Build Lifeguard Towers  
Phone \_\_\_\_\_ Contract Amount \$4,282,386.00  
San Elijo State Beach/Park -  
Project Replace main Lifeguard Tower Date Completed Substantially Completed  
Contact Person See Above Telephone number (714)493-2575 vreddy@veeare.com

9. Name of Project Manager/Superintendent: Joe Ortiz - General Superintendent

10. Name(s) of person(s) who inspected job site: Dave Hopper - Project Manager/Inspector - LRM Industries

## BIDDER'S GENERAL INFORMATION (Continued)

6. List the names and addresses of the principal members of the firm or names and titles of the principal officers of the corporation or firm:

<u>Ricardo Lopez</u>	<u>President/CEO</u>
<u>Alec Lopez</u>	<u>CFO</u>
<u>Keith Adamek</u>	<u>Vice President</u>

7. Number of years experience as a contractor in this specific type of construction work: 8 years

8. List at least three related projects completed to date:

- a. US Army Corps of Engineers  
Owner Los Angeles District Address 915 Wishire Blvd, Los Angeles, CA 90017  
Contact Randi Elder Class of Work Civil, Sports Track/Dog Park lighting, Planting and Irritation  
Phone (760) 380-4387 Contract Amount \$4,000,000  
Project Solar Lighting/LED Upgrades Date Completed August, 2017  
Contact Person See Above Telephone number randi.l.elder@usace.army.mil
- b. Owner \_\_\_\_\_ Address \_\_\_\_\_  
Contact \_\_\_\_\_ Class of Work \_\_\_\_\_  
Phone \_\_\_\_\_ Contract Amount \_\_\_\_\_  
Project \_\_\_\_\_ Date Completed \_\_\_\_\_  
Contact Person \_\_\_\_\_ Telephone number \_\_\_\_\_
- c. Owner \_\_\_\_\_ Address \_\_\_\_\_  
Contact \_\_\_\_\_ Class of Work \_\_\_\_\_  
Phone \_\_\_\_\_ Contract Amount \_\_\_\_\_  
Project \_\_\_\_\_ Date Completed \_\_\_\_\_  
Contact Person \_\_\_\_\_ Telephone number \_\_\_\_\_

9. Name of Project Manager/Superintendent: Joe Ortiz - General Superintendent

10. Name(s) of person(s) who inspected job site: Dave Hopper - Project Manager/Inspector - LRM Industries

## BID BOND

### KNOW ALL MEN BY THESE PRESENTS,

That RAL Investment Corporation, 10065 Old Grove Road, Ste. 200, San Diego, CA 92131 as Principal, and  
The Hanover Insurance Company, 440 LINCOLN STREET, WORCESTER, MA 01653 - 0002 as Surety,  
are held and firmly bound unto the City of Rialto, California, hereinafter called the "City" in the sum of:

Ten Percent of the Total Amount Bid (10% of the Total Amount Bid) dollars  
(not less than 10 percent of the total amount of the bid)

for the payment of which sum, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

**WHEREAS**, said Principal has submitted a Bid to said City to perform the Work required under the Bid Schedule(s) of the City's Contract Documents entitled:

### CONSTRUCTION OF FRISBIE PARK EXPANSION CITY PROJECT NO. 150304


**NOW THEREFORE**, if said Principal is awarded a Contract by said City, and within the time and in the manner required in the "Notice Inviting Bids" and the "Instructions to Bidders" enters into a written Agreement on the Form of Agreement included with said Contract Documents, furnishes the required Certificates of Insurance, and furnishes the required Performance Bond and Payment Bond, then this obligation shall be null and void, otherwise it shall remain in full force and effect. In the event suit is brought upon this Bond by said City, and City prevails, said Surety shall pay all costs incurred by said City in such suit, including a reasonable attorney's fee to be fixed by the court.

**SIGNED AND SEALED**, this 13th day of December, 2018.

**EXECUTED FOR THE PRINCIPAL:**

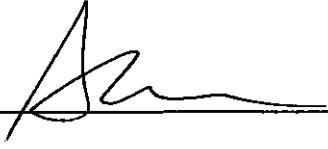
RAL Investment Corporation

By

  
\_\_\_\_\_  
Signature  
(NOTARIZED)

Print Name and Title:

Alec Lopez, CFO

By   
\_\_\_\_\_  
Signature  
(NOTARIZED)

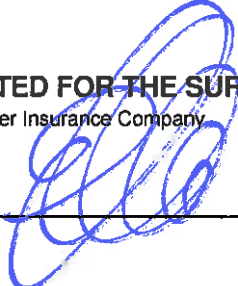
Print Name and Title:

  
\_\_\_\_\_

**EXECUTED FOR THE SURETY:**

The Hanover Insurance Company

By

  
\_\_\_\_\_  
Signature  
(NOTARIZED)

Print Name and Title:

Erin Greene, Attorney-in-Fact

THE HANOVER INSURANCE COMPANY  
MASSACHUSETTS BAY INSURANCE COMPANY  
CITIZENS INSURANCE COMPANY OF AMERICA

POWER OF ATTORNEY

THIS Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

KNOW ALL PERSONS BY THESE PRESENTS:

That THE HANOVER INSURANCE COMPANY and MASSACHUSETTS BAY INSURANCE COMPANY, both being corporations organized and existing under the laws of the State of New Hampshire, and CITIZENS INSURANCE COMPANY OF AMERICA, a corporation organized and existing under the laws of the State of Michigan, (hereinafter individually and collectively the "Company") does hereby constitute and appoint,

**Jeffrey W. Cavnac, James P. Schabarum II, Jase Hamilton, Erin Greene and/or Brittany Aceves**

Of Cavnac & Associates of San Diego, CA each individually, if there be more than one named, as its true and lawful attorney(s)-in-fact to sign, execute, seal, acknowledge and deliver for, and on its behalf, and as its act and deed any place within the United States, any and all surety bonds, recognizances, undertakings, or other surety obligations. The execution of such surety bonds, recognizances, undertakings or surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company, in their own proper persons. Provided however, that this power of attorney limits the acts of those named herein; and they have no authority to bind the Company except in the manner stated and to the extent of any limitation stated below:

**Any such obligations in the United States, not to exceed Twenty Million and No/100 (\$20,000,000) in any single instance**

That this power is made and executed pursuant to the authority of the following Resolutions passed by the Board of Directors of said Company, and said Resolutions remain in full force and effect:

RESOLVED: That the President or any Vice President, in conjunction with any Vice President, be and they hereby are authorized and empowered to appoint Attorneys-in-fact of the Company, in its name and as it acts, to execute and acknowledge for and on its behalf as surety, any and all bonds, recognizances, contracts of indemnity, waivers of citation and all other writings obligatory in the nature thereof, with power to attach thereto the seal of the Company. Any such writings so executed by such Attorneys-in-fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company in their own proper persons.

RESOLVED: That any and all Powers of Attorney and Certified Copies of such Powers of Attorney and certification in respect thereto, granted and executed by the President or Vice President in conjunction with any Vice President of the Company, shall be binding on the Company to the same extent as if all signatures therein were manually affixed, even though one or more of any such signatures thereon may be facsimile. (Adopted October 7, 1981 – The Hanover Insurance Company; Adopted April 14, 1982 – Massachusetts Bay Insurance Company; Adopted September 7, 2001 – Citizens Insurance Company of America)

IN WITNESS WHEREOF, THE HANOVER INSURANCE COMPANY, MASSACHUSETTS BAY INSURANCE COMPANY and CITIZENS INSURANCE COMPANY OF AMERICA have caused these presents to be sealed with their respective corporate seals, duly attested by two Vice Presidents, this 14th day of May, 2018.

The Hanover Insurance Company  
Massachusetts Bay Insurance Company  
Citizens Insurance Company of America

John C. Roche, EVP and President

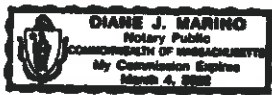


The Hanover Insurance Company  
Massachusetts Bay Insurance Company  
Citizens Insurance Company of America

James H. Kaviecki, Vice President

THE COMMONWEALTH OF MASSACHUSETTS )  
COUNTY OF WORCESTER ) ss.

On this 14th day of May, 2018 before me came the above named Vice Presidents of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, to me personally known to be the individuals and officers described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, respectively, and that the said corporate seals and their signatures as officers were duly affixed and subscribed to said instrument by the authority and direction of said Corporations.



Diane J. Marino, Notary Public  
My Commission Expires March 4, 2022

I, the undersigned Vice President of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, hereby certify that the above and foregoing is a full, true and correct copy of the Original Power of Attorney issued by said Companies, and do hereby further certify that the said Powers of Attorney are still in force and effect.

GIVEN under my hand and the seals of said Companies, at Worcester, Massachusetts, this day of

DEC 13 2018

CERTIFIED COPY

Theodore G. Martinez, Vice President

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT****CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )

County of San Diego )On 12/13/18 before me, Joyce Rivera, Notary Public  
Date Here Insert Name and Title of the Officerpersonally appeared Erin Greene  
Name(s) of Signer(s)

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 [Signature]  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

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

Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

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

Signer Is Representing: \_\_\_\_\_

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

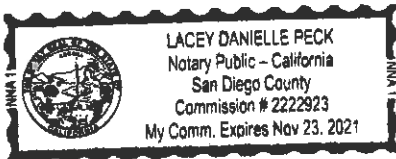
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
 County of San Diego )  
 On 12-18-18 before me, Lacey Peck - Notary Public  
 Date Here Insert Name and Title of the Officer  
 personally appeared Alex Lopez  
 Name(s) of Signer(s)

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 [Signature]  
 Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: Bid Bond Document Date: \_\_\_\_\_  
 Number of Pages: 1 Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: Alex Lopez  
☒ Corporate Officer — Title(s): CEO  
☐ Partner — ☐ Limited ☐ General  
☐ Individual ☐ Attorney in Fact  
☐ Trustee ☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: HAL Investment Corporation

Signer's Name: \_\_\_\_\_  
☐ Corporate Officer — Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Individual ☐ Attorney in Fact  
☐ Trustee ☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )

County of San Diego )

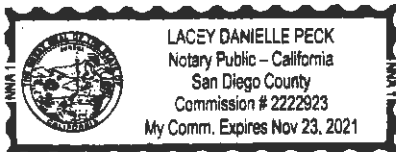
On 12-18-18 before me, Lacey Peck Notary Public,  
Date Here Insert Name and Title of the Officer

personally appeared Alan Lopez  
Name(s) of Signer(s)

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 [Signature]  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: Bid Bond Document Date: \_\_\_\_\_  
Number of Pages: 1 Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: Alan Lopez  
☒ Corporate Officer — Title(s): Vice President  
☐ Partner — ☐ Limited ☐ General  
☐ Individual ☐ Attorney in Fact  
☐ Trustee ☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer's Name: \_\_\_\_\_  
☐ Corporate Officer — Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Individual ☐ Attorney in Fact  
☐ Trustee ☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: RAL Investment Corporation Signer Is Representing: \_\_\_\_\_

### **Public Contract Code Section 10285.1 Statement**

In conformance with Public Contract Code Section 10285.1 (Chapter 376, Stats. 1985), the bidder hereby declares under penalty of perjury under the laws of the State of California that the bidder **has** \_\_\_\_, **has not** **x** been convicted within the preceding three years of any offenses referred to in that section, including any charge of fraud, bribery, collusion, conspiracy, or any other act in violation of any state or Federal antitrust law in connection with the bidding upon, award of, or performance of, any public works contract, as defined in Public Contract Code Section 1101, with any public entity, as defined in Public Contract Code Section 1100, including the Regents of the University of California or the Trustees of the California State University. The term "bidder" is understood to include any partner, member, officer, director, responsible managing officer, or responsible managing employee thereof, as referred to in Section 10285.1.

**Note:** The bidder must place a check mark after "has" or "has not" in one of the blank spaces provided. The above Statement is part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Statement. Bidders are cautioned that making a false certification may subject the certifier to criminal prosecution.

### **Public Contract Code Section 10162 Questionnaire**

In conformance with Public Contract Code Section 10162, the Bidder shall complete, under penalty of perjury, the following questionnaire:

Has the bidder, any officer of the bidder, or any employee of the bidder who has a proprietary interest in the bidder, ever been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of a violation of law or a safety regulation?

Yes \_\_\_\_\_ No   x  

If the answer is **yes**, explain the circumstances in the following space.

**(THIS PAGE INTENTIONALLY LEFT BLANK)**

### **Public Contract Code Section 10232 Statement**

In conformance with Public Contract Code Section 10232, the Contractor, hereby states under penalty of perjury, that no more than one final unappealable finding of contempt of court by a federal court has been issued against the Contractor within the immediately preceding two year period because of the Contractor's failure to comply with an order of a federal court which orders the Contractor to comply with an order of the National Labor Relations Board.

Note: The above Statement and Questionnaire are part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Statement and Questionnaire.

Bidders are cautioned that making a false certification may subject the certifier to criminal prosecution.

## **Compliance with Clean Air and Water Acts**

During the performance of this contract, the contractor and all subcontractors shall comply with the requirements of the Clean Air Act, as amended, 42 USC 1857 et seq., the Federal Water Pollution Control Act, as amended, 33 USC 1251 et seq., and the regulations of the Environmental Protection Agency with respect thereto, at 40 CFR Part 15, as amended.

In addition to the foregoing requirements, all nonexempt contractors and subcontractors shall furnish to the owner, the following:

1. A stipulation by the contractor or subcontractors, that any facility to be utilized in the performance of any non exempt contract or subcontract, is not listed on the List of Violating Facilities issued by the Environmental Protection Agency (EPA) pursuant to 40 CFR 15.20.
2. Agreement by the contractor to comply with all the requirements of Section 114 of the Clean Air Act, as amended, (42 USC 1857c-8) and Section 308 of the Federal Water Pollution Control Act, as amended, (33 USC 1318) relating to inspection, monitoring, entry, reports and information, as well as all other requirements specified in said Section 114 and Section 308, and all regulations and guidelines issued there under.
3. A stipulation that as a condition for the award of the contract, prompt notice will be given of any notification received from the Director, Office of Federal Activities, EPA, indicating that a facility utilized, or to be utilized for the contract, is under consideration to be listed on the EPA List of Violating Facilities.
4. Agreement by the contractor that he will include, or cause to be included, the criteria and requirements in paragraph (1) through (4) of this section in every nonexempt subcontract and requiring that the contractor will take such action as the government may direct as a means of enforcing such provisions.

**Note:** Signing this Proposal on the signature portion thereof shall also constitute the Contractor's agreement to comply with the stipulations identified herein this Compliance with Clean Air and Water Acts.

Bidders are cautioned that making a false certification may subject the certifier to criminal prosecution.



## CITY OF RIALTO

### DISCLOSURES REQUIRED BY PERSONS OR ENTITIES CONTRACTING WITH THE CITY OF RIALTO

Pursuant to Rialto Municipal Code section 2.48.145, all persons or business entities supplying any goods or services to the City of Rialto shall disclose whether such person or entity is related to any officer or employee of the City by blood or marriage within the third degree which would subject such officer or employee to the prohibition of California Government Sections 87100 et. seq., Fair Political Practices Commission Regulation Section 18702, or Government Code Section 1090.

By submitting this proposal, or supplying any goods or services to the City, the undersigned hereby attests under penalty of perjury, personally or on behalf of the entity submitting this proposal or supplying any goods or services to the City, as well the entity's officers, representatives and the undersigned, that it/they have no relationship, as described above, or financial interests, as such term is defined in California Government Section 87100 et. seq., Fair Political Practices Commission Regulation Section 18702, or Government Code Section 1090, with any City of Rialto elected or appointed official or employee, except as specifically disclosed immediately below:

**Vendor/Contractor/Consultant:** RAL Investment Corporation dba Silverstrand Construction

**City of Rialto Official/  
Employee Name(s)**

N/A

**The nature of the relationship with the  
person listed is:**

N/A

**By:**

**Name:**

Keith Adamek

**Title:**

Vice President

01180.0001/427275.1

11/27/17