

**SECTION 00400
BID PROPOSAL
(FORM A)**

To: Otay Water District
2554 Sweetwater Springs Boulevard
Spring Valley, California 91978-2004

Project Title: **OPERATIONS YARD PROPERTY ACQUISITION IMPROVEMENTS (CIP P2537)**

Bidder: Montgomery Construction Services, Inc.

Address: 123 Worthington Street Suite 205, Spring Valley, CA 91977

Date: September 17, 2015

Bidder's contract person for additional information on this Proposal:

Name: Clifford Montgomery Telephone: (619) 578-2538

Contractor's license number and class: 928118 (A,B,C-12) Expiration date: 01/31/2017

BIDDER'S DECLARATION AND UNDERSTANDING

The undersigned, hereinafter called the "Bidder," declares that the only persons or parties interested in this proposal are those named herein, that this proposal is, in all respects, fair and without fraud, that it is made without collusion with any official of the District, and that the proposal is made without any connection or collusion with any person submitting another proposal on this contract.

The Bidder further declares that the Contract Documents for the construction of the project were carefully reviewed, including materials and equipment, conditions of work involved, and including the fact that the description of the quantities of work and materials, as included herein, is brief and is intended only to indicate the general nature of the work and to identify the said quantities with the detailed requirements of the Contract Documents, and that this proposal is made according to the provisions and under the terms of the Contract Documents, which documents are hereby made a part of this proposal.

Submission of this proposal shall be conclusive evidence that the Bidder has investigated the availability of all equipment and materials required for the work specified and is satisfied that deliveries of equipment and materials can be scheduled so as to complete the work in all respects within the completion times specified herein.

The Bidder understands and agrees that if a contract is awarded, the employees of Bidder and Bidder's subcontractors shall be paid wages which are no less than the prevailing wage rates as determined by the California Department of Industrial Relations pursuant to the California Labor Code. The Bidder who is awarded the contract shall post at the job site a copy of the prevailing rates of per diem wages as determined by the California Department of Industrial Relations at the job site.

The Bidder understands that the District reserves the right to reject any and all bids and to waive any information in the bidding.

CONTRACT EXECUTION AND BONDS

After receiving the Notice of Award (NOA), the Bidder shall comply with the terms set forth in Section 00100, Article 23. The Bidder will, to the extent of this proposal, furnish all machinery, tools, apparatus, other means of construction, and do the work and furnish all the materials necessary to complete all work as specified or indicated in the contract documents.

If awarded a contract by the District's Board of Directors, the Bidder shall sign the contract in the blank space(s) provided therefore. If the Bidder is a sole proprietor, the true name of the fictitious business shall be set forth above, if operating under a fictitious name, together with the signature of the sole proprietor. If the Bidder is a partnership, the true name of the partnership shall be set forth above, together with the signature of the general partner authorized to sign contracts on behalf of the partnership. If the bidder is a corporation, the legal name of the corporation shall be set forth above, together with the signature of the president and secretary of the corporation. If the Bidder is another entity, the true name of the entity shall be set forth above, together with the signature of two senior officials authorized to sign contracts on behalf of the entity.

CONTRACT COMPLETION TIME

The Bidder further agrees to begin work and to complete the construction, in all respects, for which the proposal is accepted within **ONE HUNDRED AND TWENTY (120)** calendar days from the date stated in the Notice to Proceed.

LIQUIDATED DAMAGES

Failure of the Contractor to complete the work within the time allowed will result in damages being sustained by the District. Such damages are, and will continue to be, impracticable and extremely difficult to determine. For each consecutive calendar day that the contractor fails to substantially complete all work in excess of the time period specified for the completion of the work, as may be adjusted in accordance with these contract documents, the contractor shall pay the District, or have withheld from monies due it, liquidated damages in the sum of **ONE THOUSAND DOLLARS (\$1,000)** per calendar day.

By execution of the contract, the Contractor and District agree that these liquidated damages and amounts are not unreasonable under the circumstances that exist at that time the invitations for bid were requested and at the time the contract was entered into and that the amount specified above per calendar day is the minimum value of the costs of actual damage caused by the failure of the contractor to complete the work within the allotted time. The liquidated damages shall not be construed as a penalty, and may be deducted from payments due the contractor if such delay occurs.

ADDENDA

The Bidder hereby acknowledges that he has received Addenda numbers 1 , 2 , _____, _____, _____, to these Contract Documents by inserting the number of each Addendum in the spaces provided above.

SALES AND USE TAXES

The bidder agrees that all sales and use taxes are included in the stated bid prices for the work, unless provision is made herein for the Bidder to separately itemize the estimated amount of sales tax.

BID LIST REQUIREMENTS AND UNDERSTANDING

Bids are to be submitted for the entire work. All bid items must be filled out, and extension carried out as appropriate. A blank space will be considered non responsive, if zero is intended then a "0" must be entered for both unit price and amount. In case of discrepancy between the unit and lump sum prices and in the total amounts set forth in extension, the unit and lump sum price shall prevail. For purposes of comparison, the total bid amount of the bid will be the total of the base bid plus additive bid item(s). In the event the total bid amount does not agree with the sum of the total amounts for each item, the unit and lump sum price bid for each item along with its corrected/uncorrected total amount extension, shall govern. The total bid amount will be corrected accordingly, and the contractor shall be bound by said correction. The Bidder further agrees to accept as full payment for the work specified herein, the amounts computed below based on the following lump sum and unit price amounts, it being expressly understood that the unit prices are independent of the exact quantities involved. The Bidder agrees that the lump sum amounts and unit price amounts represent a true measure of the labor, material, and equipment required to perform the work, including all allowances for overhead and profit. If so requested by the District, the contractor shall substantiate any price or prices with additional detailed price breakdown.

During or after the award of the contract, the District reserves the right to increase or diminish the amount of any item of work or item(s) as may be deemed necessary. The unit prices shall remain unchanged for the duration of this contract even if the unit quantities are decreased by any amount or increased up to 150%. The District also reserves the right to delete any bid item(s) in its entirety.

Quantities for lump sum items are shown as "LS" under the unit column and shown as one (1), however all required work for that item is inclusive. For example, a lump sum item, for potholing may involve several potholes in order to perform the required work, and the unit price of that lump sum item shall remain unchanged for the duration of this contract.

If Bidder uses add/deduct items, the Bidder will be required to identify the specific item(s) being changed and amount(s) for each in order to be considered a responsive bidder. In case of discrepancy between the Change Amount and the Adjusted Bid Item Amount, the Change Amount shall prevail.

THE UNDERSIGNED DECLARES UNDER PENALTY OF PURJURY under the laws of the State of California that the representations made in this Bid are true and correct.

The Bidder is a (circle one):

Principal

Corporation

Partnership*

LLC

Proprietorship

Named: Montgomery Construction Services, Inc.

Address:

123 Worthington Street Suite 205, Spring Valley, CA 91977

Name: Clifford Montgomery

Title: President

Contractor's License No.: 928118

Class of License: A, B, C-12

Expiration Date: January 31, 2017

Treasury I.D.: 26-3444366

Corporate Seal: _____

*If the Bidder is a partnership, all partners must sign on a separate piece of paper, which must be attached to the Bid.

OPERATIONS YARD PROPERTY ACQUISITION IMPROVEMENTS (CIP P2537)

BID LIST

Bid items are described in the Specifications, Section 01010 – Summary of Work, and the Contract Documents.

ITEM NO.	DESCRIPTION	QTY	UNIT	UNIT PRICE	AMOUNT
1	Mobilization / Demobilization	1	LS	--	\$ 27,989.46
2	Surveying	1	LS	--	\$ 8,358.90
3	Stormwater Management	1	LS	--	\$ 2,019.60
4	Traffic Control	1	LS	--	\$ 2,958.12
5	Site Demolition and Clearing	1	LS	--	\$ 17,247.03
6	Excess Material Excavation, Removal and Disposal and Subgrade Preparation	1	LS	--	\$ 76,905.92
7	Stormwater Conveyance	1	LS	--	\$ 37,887.52
8	Imported Granular Fill	1	LS	--	\$ 23,120.75
9	Imported Aggregate Base	1	LS	--	\$ 17,640.45
10	Asphalt Concrete Pavement	1	LS	--	\$ 79,477.87
11	Pavement Striping and Wheel Stops	1	LS	--	\$ 1,189.60
12	Ground Cover	1	LS	--	\$ 20,545.21
13	Chain Link Fence and Gate	1	LS	--	\$ 26,883.33
14	Area Lighting, Electric Power and Control Equipment	1	LS	--	\$ 57,480.78
15	Sheeting, Shoring and Bracing	1	LS	--	\$ 1,751.51

UNIT PRICE AND ALLOWANCE ITEMS NOT INCLUDED IN THE CONTRACT DOCUMENTS BUT INCLUDED IN THE CONTRACT SCOPE FOR THE OPERATIONS YARD PROPERTY ACQUISITION IMPROVEMENTS.

Note: Quantities are an estimate for the purposes of comparing Bids only. Payment of these items will be based on actual quantities furnished, installed, disposed or constructed in accordance with the Contract Documents

16	Unknown or Unidentified Excavation, Removal and Disposal of Unsuitable Soils (Unit Price Item)	500	CY	\$ 36.31	\$ 18,155.87
17	Excavation, Removal and Disposal of Unknown or Unidentified Buried Rocks (Allowance Item)	1	LS	Allowance	\$10,000.00
18	Unknown or Unidentified Utilities (Allowance Item)	1	LS	Allowance	\$10,000.00
19	Pavement Repairs/Replacement (Allowance Item)	1	LS	Allowance	\$10,000.00

SUBTOTAL ITEMS NOS. 1 THROUGH 19: \$ 449,611.92

ADDITIONS OR DEDUCTIONS *	CHANGE (+) or (-)	ADJUSTED BID ITEM AMOUNT
Addition (+) or Deduction (-) to Bid Item _____	\$	\$
Addition (+) or Deduction (-) to Bid Item _____	\$	\$
Addition (+) or Deduction (-) to Bid Item _____	\$	\$

*** Note Regarding Use of Addition (+) or Deduction (-) Items Above:**
 Provision is made for the Bidder to include an addition or deduction in the Bid, if so desired, to reflect any last minute adjustments in prices. The addition or deduction, if made, will be applied to the Bid Items listed. **It is the Bidders responsibility to identify any ADDITIONS OR DEDUCTIONS with a (+) or (-), accordingly.**
Should the bidder elect not adjust his bid, the bidder shall enter the words "NONE" for each of the Addition/Deduction blocks above.

TOTAL ITEMS NOS. 1 THROUGH 19: \$ 449,611.92

TOTAL ITEMS NOS. 1 THROUGH 19 IN WORDS IS: Four Hundred Forty Nine Thousand Six Hundred Eleven Dollars And Ninety Two Cents

Bid evaluations shall be based upon bid items 1 through 19. District reserves the right to implement any alternative bid items.

SURETY

If the Bidder is awarded a construction contract pursuant to this proposal, the surety who provides the Performance Bond and the Labor and Materials Bond will be

Developers Surety and Idemnity Company whose address is

17771 Cowan, Suite 100 Irvine CA 92614
Street City State Zip

BIDDER

The name of the Bidder submitting this proposal is Montgomery Construction Services, Inc.

doing business at 123 Worthington Street Suite 205, Spring Valley, CA 91977
Street City State Zip

which is the address to which all communications concerned with this proposal and with the contract shall be sent. The names of the principal officers of the corporation submitting this proposal, or of the partnership, or of the entity, or of all persons interested in this proposal as principals are as follows:

Clifford K. Montgomery/ President _____

Patricia A. Montgomery/ Corporate Secretary _____

The Bidder swears under penalty of perjury that all information provided by the Bidder is true and correct.

IF A SOLE PROPRIETOR OR PARTNERSHIP, SIGN HERE:

IN WITNESS hereto the undersigned has set his (its) hand this

_____ day of _____ 20__.

Name of Firm

Signature

Title

IF CORPORATION, SIGN HERE:

IN WITNESS WHEREOF the undersigned corporation has caused this instrument to be executed and its seal affixed by its duly authorized officers this 17th day of September 2015.

(SEAL)

Montgomery Construction Services, Inc.
Name of Corporation

By Clifford K. Montgomery

Clifford K. Montgomery
President

By Patricia A. Montgomery

Patricia A. Montgomery
Secretary

IF OTHER ENTITY, SIGN HERE:

IN WITNESS hereto the undersigned has set his (its) hand
This _____ day of _____ 20____.

Name of Entity

By _____

Title

By _____

Title

Attest _____

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SECTION 00410
BID BOND
(FORM B)

BOND NO N/A

AMOUNT: \$ 50,000.00

Know all men by these presents, that Montgomery Construction Services, Inc.

as Principal, and Developers Surety and Indemnity Company

a corporation duly organized under the laws of the State of Iowa

having its principal place of business at 17771 Cowan, Suite 100, Irvine CA 92614

in the State of CA, and authorized to do business in the State of California, as

Developers Surety and Indemnity Company

Surety, are held and firmly bound unto Otay Water District, hereinafter "Obligee", in the penal

sum of fifty thousand dollars and no/100

Dollars (\$ 50,000.00), for the payment of which we bind ourselves, our

heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS BOND IS SUCH THAT:

Whereas the Principal is herewith submitting his or its bid proposal for Contractor Services, said bid proposal, by reference thereto, being hereby made a part hereof.

Now, therefore, if the bid proposal submitted by the Principal is accepted, and the contract awarded to the Principal, and if the Principal shall execute the proposed contract and shall furnish such Performance Bond and Labor and Materials Bond as required by the Contract Documents, insurance certificates and policies, certification of worker's compensation insurance and other required documents within the time fixed by the Contract Documents, then this obligation shall be void. If the Principal shall fail to execute the proposed contract, furnish the required bonds and other required documents within the time specified in the Contract Documents, the Surety hereby agrees to pay to the Obligee the penal sum as liquidated damages.

Signed and sealed this 14th day of September, 2015

Montgomery Construction Services, Inc
PRINCIPAL

By Clifford K. Montgomery
Clifford Montgomery, president

Developers Surety and Indemnity Company
SURETY

By Kevin J. Jackson
Attorney-in-fact Kevin J. Jackson

ACKNOWLEDGMENT

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 Orange

On 09/14/2015 before me, Noe Guerrero, Notary Public
(insert name and title of the officer)

personally appeared Kevin J. Jackson
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.

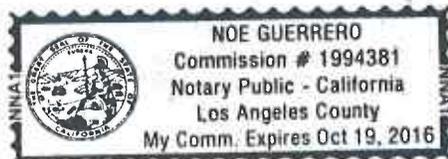
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)



**POWER OF ATTORNEY FOR
DEVELOPERS SURETY AND INDEMNITY COMPANY
INDEMNITY COMPANY OF CALIFORNIA**
PO Box 19725, IRVINE, CA 92623 (949) 263-3300

KNOW ALL BY THESE PRESENTS that except as expressly limited, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, do each hereby make, constitute and appoint:

Kevin J. Jackson, Noe Guerrero, Thomas M. Cimino, Beverly McCoy, Regan James, jointly or severally

as their true and lawful Attorney(s)-in-Fact, to make, execute, deliver and acknowledge, for and on behalf of said corporations, as sureties, bonds, undertakings and contracts of suretyship giving and granting unto said Attorney(s)-in-Fact full power and authority to do and to perform every act necessary, requisite or proper to be done in connection therewith as each of said corporations could do, but reserving to each of said corporations full power of substitution and revocation, and all of the acts of said Attorney(s)-in-Fact, pursuant to these presents, are hereby ratified and confirmed.

This Power of Attorney is granted and is signed by facsimile under and by authority of the following resolutions adopted by the respective Boards of Directors of DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, effective as of January 1st, 2008.

RESOLVED, that a combination of any two of the Chairman of the Board, the President, Executive Vice-President, Senior Vice-President or any Vice President of the corporations be, and that each of them hereby is, authorized to execute this Power of Attorney, qualifying the attorney(s) named in the Power of Attorney to execute, on behalf of the corporations, bonds, undertakings and contracts of suretyship; and that the Secretary or any Assistant Secretary of either of the corporations be, and each of them hereby is, authorized to attest the execution of any such Power of Attorney;

RESOLVED, FURTHER, that the signatures of such officers may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures shall be valid and binding upon the corporations when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached.

IN WITNESS WHEREOF, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA have severally caused these presents to be signed by their respective officers and attested by their respective Secretary or Assistant Secretary this November 21, 2013.

By: *Daniel Young*
Daniel Young, Senior Vice-President

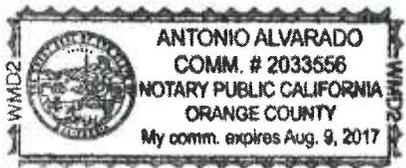
By: *Mark J. Lansdon*
Mark J. Lansdon, Vice-President



State of California
County of Orange

On November 21, 2013 before me, Antonio Alvarado, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Daniel Young and Mark J. Lansdon
Name(s) of Signer(s)



Place Notary Seal Above

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 *Antonio Alvarado*
Antonio Alvarado, Notary Public

CERTIFICATE

The undersigned, as Secretary or Assistant Secretary of DEVELOPERS SURETY AND INDEMNITY COMPANY or INDEMNITY COMPANY OF CALIFORNIA, does hereby certify that the foregoing Power of Attorney remains in full force and has not been revoked and, furthermore, that the provisions of the resolutions of the respective Boards of Directors of said corporations set forth in the Power of Attorney are in force as of the date of this Certificate.

This Certificate is executed in the City of Irvine, California, this 14th day of September, 2015.

By: *Cassie J. Berrisford*
Cassie J. Berrisford, Assistant Secretary

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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 Sept 17, 2015 before me, Kathy J. Davis, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Clifford K. Montgomery
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 [Handwritten 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: _____

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**SECTION 00440
LIST OF SUBCONTRACTORS
(FORM E)**

The Bidder shall identify all proposed subcontractors and subconsultants who will be performing work that has a value in excess of one-half (0.5) of one (1) percent of the total amount of this proposal. The Bidder certifies that the following subcontracting firms or businesses will be awarded subcontracts for the indicated portions of the work in the event that the Bidder is awarded the contract.

The Bidder shall identify the type of work the subcontractor shall perform; include the specific bid item(s) that the subcontractor(s) will perform work on; and state the percent (%) of the bid item that the subcontractor will perform.

TYPE OF WORK:

_____ Surveying _____

2 _____ 86% _____
Bid Item Percent

_____ J & B Engineers, Surveyors _____
Name

13670 Danielson Street Suite G _____ Poway, CA 92064 _____
Street City

License No. /Type 29118 / RCE _____

TYPE OF WORK:

_____ Fine Grading, Aggregate Base, Asphalt Concrete _____

9,10 _____ 85% For Item 9 / 79% For Item 10 _____
Bid Item Percent

_____ RAP Engineering, Inc. _____
Name

503 E. Mission Road _____ San Marcos, CA 92069 _____
Street City

License No. /Type 880956 / A _____

TYPE OF WORK:

_____ _____
Bid Item Percent

_____ _____
Name

_____ _____
Street City

License No. /Type _____

TYPE OF WORK:

Bid Item _____ Percent _____

Name _____

Street _____ City _____

License No. /Type _____

TYPE OF WORK:

Bid Item _____ Percent _____

Name _____

Street _____ City _____

License No. /Type _____

TYPE OF WORK:

Bid Item _____ Percent _____

Name _____

Street _____ City _____

License No. /Type _____

BIDDER: _____

Signature: _____

Date: _____

**SECTION 00450
LIST OF REFERENCES
(FORM F)**

A minimum of five (5) project references are required for the Contractor and a minimum of three (3) project references are required for the Project Manager to be assigned to the subject work. The referenced projects must have been completed within the past five (5) years and be similar in scope including type, size, duration, value, etc. to the aforementioned project. Bidder's failure to provide current reference contact information could impact District's ability to check references. Lack of valid references could delay award of a contract to Bidder and jeopardize award.

CONTRACTOR

Project Title: San Diego Fire Station No. 45 Year Completed: 2015

Type of Project Commercial / Heavy Civil Contract Amount: \$ 685,000.00

Company Name: Echo Pacific Construction

Address: 2066 Aldergrove Avenue, Escondido, CA 92029

Contact Person: Eddy Espinoza Tel: (760) 737-3003

Project Title: Skyline Temporary Fire Station Year Completed: 2015

Type of Project Commercial / Heavy Civil Contract Amount: \$ 361,970.22

Company Name: City of San Diego

Address: 1010 Second Avenue Suite 1400, San Diego, CA 92101

Contact Person: Clementina Giordano Tel: (619) 533-3481

Project Title: Willie James Jones Apartments Year Completed: 2015

Type of Project Commercial Contract Amount: \$ 158,000.00

Company Name: Emmerson Construction, Inc.

Address: 5993 Avenida Encinas Suite 101, Carlsbad, CA 92008

Contact Person: Susan Hamm Tel: (760) 456-6020

Project Title: Ocean View Church Year Completed: 2014

Type of Project Commercial Contract Amount: \$ 128,304.00

Company Name: Zigman & Shields

Address: 3276 Rosecrans Suite 300, San Diego, CA 92110

Contact Person: Josh Zigman Tel: (619) 758-7700

Project Title: San Diego Airport Year Completed: 2013

Type of Project Commercial Contract Amount: \$ 233,720.00

Company Name: Stronghold Engineering

Address: 2000 Market Street, Riverside, CA 92501

Contact Person: Patrick Walls Tel: (951) 684-9303

Project Title: _____ Year Completed: _____

Type of Project _____ Contract Amount: \$ _____

Company Name: _____

Address: _____

Contact Person: _____ Tel: _____

Project Title: _____ Year Completed: _____

Type of Project _____ Contract Amount: \$ _____

Company Name: _____

Address: _____

Contact Person: _____ Tel: _____

PROJECT MANAGER

Project Manager: Clifford Montgomery

Project Title: San Diego Fire Station No. 45 Year Completed: 2015

Type of Project Commercial / Heavy Civil Contract Amount: \$ 685,000.00

Company Name: Echo Pacific Construction

Address: 2066 Aldergrove Avenue, Escondido, CA 92029

Contact Person: Eddy Espinoza Tel: (760) 737-3003

Project Title: Skyline Temporary Fire Station Year Completed: 2015

Type of Project Commercial / Heavy Civil Contract Amount: \$ 361,970.22

Company Name: City of San Diego

Address: 1010 Second Avenue Suite 1400, San Diego, CA 92101

Contact Person: Clementina Giordano Tel: (619) 533-3481

Project Title: Willie James Jones Apartments Year Completed: 2015

Type of Project Commercial Contract Amount: \$ 158,000.00

Company Name: Emmerson Construction, Inc.

Address: 5993 Avenida Encinas Suite 101, Carlsbad, CA 92008

Contact Person: Susan Hamm Tel: (760) 456-6020

BIDDER: Montgomery Construction Services, Inc.

Signature: Clifford R. Montgomery

Date: September 17, 2015

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**SECTION 00460
COMPANY BACKGROUND QUESTIONNAIRE
(FORM G)**

Company Name: Montgomery Construction Services, Inc.

Person Completing Form (Print): Clifford Montgomery

Signature: *Clifford K. Montgomery* Date: September 17, 2015

Title: President Phone Number: (619) 578-2538

IMPORTANT: Falsifying information or failure to provide known information could jeopardize or delay award of a contract.

1. COMPANY HISTORY

	Yes	No
1. Have there been any previous changes to the company name or changes in ownership that have occurred within the past ten (10) years?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Has any owner or officer of the company operated as a contractor under any other name or license number in the last ten (10) years?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Have there been any previous changes to the company's license number(s) in the past ten (10) years?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Is your company a subsidiary, parent, holding company or affiliate of another construction company?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If 'Yes' to any of the above provide details for each on the lines below including, but not limited to, previous company name and/or number, date of name change, date of change in ownership.

2. COMPANY FINANCIAL RECORD

	Yes	No
1. Was your company in bankruptcy at any time during the last ten (10) years or currently filing for bankruptcy?		✓

If 'Yes' to the above provide details on the lines below including, but not limited to, case number, bankruptcy court, and the date the petition was filed.

3. CIVIL COURT ACTIONS

	Yes	No
1. Has your company, or any owner or officer of your company, ever been found liable in a civil suit?		✓
2. Have there been any judgments against your company or any owner or officer of your company within the past ten (10) years?		✓
3. In the past ten (10) years, has your company or any owner or officer of your company made any claim in excess of \$50,000 against a project owner and filed that claim in court or arbitration?		✓
4. In the past ten (10) years, have there been any claims in excess of \$50,000 that have been filed in court or arbitration against your company?		✓

If 'Yes' to any of the above provide details for each on the lines below including, but not limited to, project name, date of the claim, name of the claimant, name of the entity (or entities) against whom the claim was filed, brief description of the claim, the court and case number, if applicable, brief description of the status (i.e. pending, resolved, a description of the resolution, etc.).

4. CRIMINAL ACTIONS

	Yes	No
1. Has your company or any owner or officer of your company ever been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty?		✓
2. Has your company or any owner or officer of your company ever been found guilty in a criminal action for making any false claim or material misrepresentation to any public agency or entity?		✓
3. Has any state or local agency taken any disciplinary action against your company or any owner or officer of your company?		✓

If 'Yes' to any of the above provide details for each on the lines below including, but not limited to, the person or persons convicted, the name of the victim, the date of conviction, the court and case number, the crime and year convicted.

5. CONTRACT AWARD

	Yes	No
1. Has your company ever been denied an award of a public works contract based on a finding by a public agency that your company was not a responsible bidder?		✓
2. In the past ten (10) years, has your company or any owner or officer of your company been listed on the Excluded Parties List System (EPLS), debarred, disqualified, removed or otherwise prevented from bidding on, or completing, any government agency or public works project for any reason?		✓

If 'Yes' to any of the above provide details for each on the lines below including, but not limited to, year of the event, the owner, the project, entity denying the award, the basis for the finding by the public agency, name of the organization debarred.

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**SECTION 00470
COMPANY SAFETY QUESTIONNAIRE
(FORM H)**

Company Name: Montgomery Construction Services, Inc.

Person Completing Form (Print): Clifford K. Montgomery

Signature: *Clifford K. Montgomery* Date: September 17, 2015

Title: President Phone Number: (619) 578-2538

IMPORTANT: Falsifying information or failure to provide known information could jeopardize or delay award of a contract.

SAFETY PERFORMANCE

1. List your company's Interstate Experience Rating Modifier (ERM) for the three most recent years.

<u>20 13</u>	<u>N/A</u>
<u>20 14</u>	<u>N/A</u>
<u>20 15</u>	<u>N/A</u>

2. List your company's number of injuries/illnesses from your OSHA 300 logs for the three most recent years.

	<u>20 13</u>	<u>20 14</u>	<u>20 15</u>
a. Fatalities	<u>0</u>	<u>0</u>	<u>0</u>
b. OSHA recordable incidents	<u>0</u>	<u>0</u>	<u>0</u>
c. Lost work day incidents	<u>0</u>	<u>0</u>	<u>0</u>
d. Total lost work days	<u>0</u>	<u>0</u>	<u>0</u>
e. Total hours worked	<u>1,509</u>	<u>7,853</u>	<u>9,026</u>

3. Please provide copies of the following upon award:

Check if Available

- | | |
|---|-------------------------------------|
| a. OSHA 300 logs for the most recent three years and current year-to-date | <input checked="" type="checkbox"/> |
| b. Verification of ERM from your insurance carrier | <input checked="" type="checkbox"/> |
| c. Injury/Illness Report | <input checked="" type="checkbox"/> |
| d. Complete written Safety Program | <input checked="" type="checkbox"/> |
| e. Training Plans | <input checked="" type="checkbox"/> |
| f. Training Certificates for Employees | <input checked="" type="checkbox"/> |
| g. Emergency Response Training | <input checked="" type="checkbox"/> |

Primary contractors must submit all information requested on No. 3 (a-g) to the District. Subcontractors must submit information (a-c) to the District and d-g to the primary contractor and should be made available to the District upon request.

4. Company Safety Contact

a. Name: Clifford K. Montgomery

b. Phone: (619) 578-2538

SAFETY PROGRAM

1. SAFETY PROGRAM DOCUMENTATION

Circle One

a. Do you have a written safety program manual? Yes No

Last revision date 06/15/2015

b. Do you have a written safety field manual? Yes No

c. Are all workers given a booklet that contains work rules, responsibilities and other appropriate information? Yes No

2. POLICY AND MANAGEMENT SUPPORT

a. Do you have a safety policy statement from an officer of the company? Yes No

b. Do you have a disciplinary process for enforcement of your safety program? Yes No

c. Does management set corporate safety goals? Yes No

d. Does executive management review:

- Accident reports?
- Inspection reports?
- Safety statistics?

e. Do you safety pre-qualify subcontractors? Yes No

f. Do you have a written policy on accident reporting and investigation? Yes No

g. Do you have a light-duty, return-to-work policy? Yes No

h. Is safety part of your supervisor's performance evaluation? Yes No

i. Do you have a personal protective equipment (PPE) policy? Yes No

j. Do you have a written substance abuse program? Yes No
If yes, check which apply:

- | | |
|---|--|
| <input type="checkbox"/> Pre-employment testing | <input checked="" type="checkbox"/> Return to duty testing |
| <input checked="" type="checkbox"/> Random testing | <input checked="" type="checkbox"/> Disciplinary process |
| <input type="checkbox"/> Reasonable cause testing | <input type="checkbox"/> Alcohol Testing |
| <input checked="" type="checkbox"/> Post accident testing | <input type="checkbox"/> National Institute on Drug Abuse |
| <input type="checkbox"/> Panel Screen | |

k. Does each level of management have assigned safety duties and responsibilities? Yes No

3. TRAINING AND ORIENTATION

Circle One

- a. Do you conduct safety orientation training for each employee? Yes No
- b. Do you conduct site safety orientation for every person new to the job? Yes No
- c. Does your safety program require safety training meetings for each supervisor (foreman and above)? How often? Yes No
 Weekly Monthly Quarterly Annually
- d. Do you hold tool box/tailgate safety meetings focused on your specific work operations/exposures? Yes No
 Weekly Daily
- e. Do you require equipment operation/certification training? Yes No

4. ADMINISTRATION AND PROCEDURES

- a. Does your written safety program address administrative procedures? Yes No

If yes, check which apply:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Pre-project/task planning | <input checked="" type="checkbox"/> Emergency procedures |
| <input checked="" type="checkbox"/> Record keeping | <input checked="" type="checkbox"/> Audits/inspections |
| <input checked="" type="checkbox"/> Safety committees | <input checked="" type="checkbox"/> Accident investigations/reporting |
| <input checked="" type="checkbox"/> HAZCOM | <input checked="" type="checkbox"/> Training documentation |
| <input checked="" type="checkbox"/> Substance abuse prevention | <input checked="" type="checkbox"/> Hazardous work permits |
| <input checked="" type="checkbox"/> Return-to work | <input checked="" type="checkbox"/> Subcontractor prequalification |

- b. Do you have project safety committees? Yes No
- c. Do you conduct job site safety inspections? How often? Yes No
 Daily Weekly Monthly
- d. Do these inspections include a routine safety inspection of equipment (e.g. scaffold, ladders, fire extinguishers, etc.)? Yes No
- e. Do you investigate accidents? How are they reported? Yes No
- | | |
|---|---|
| <input checked="" type="checkbox"/> Total company | <input type="checkbox"/> By superintendent |
| <input type="checkbox"/> By project | <input type="checkbox"/> By project manager |
| <input type="checkbox"/> By foreman | <input checked="" type="checkbox"/> In accordance with OSHA |
- f. Do you discuss safety at all preconstruction and progress meetings? Yes No
- g. Do you perform rigging and lifting checks prior to lifting? Yes No
- For personnel For equipment Heavy lifts (more than 10,000 lbs)

5. WORK RULES

Circle One

a. Do you periodically update work rules?

Yes No

When was the last update? 06/15/2015

b. What work practices are addressed by your work rules? Check all that apply.

- | | |
|---|---|
| <input checked="" type="checkbox"/> CPR/first aid | <input checked="" type="checkbox"/> Access-entrances/stairs |
| <input checked="" type="checkbox"/> Barricades, signs, and signals | <input checked="" type="checkbox"/> Respiratory protection |
| <input checked="" type="checkbox"/> Blasting | <input checked="" type="checkbox"/> Material handling/storage |
| <input checked="" type="checkbox"/> Communications | <input checked="" type="checkbox"/> Temporary heat |
| <input checked="" type="checkbox"/> Compressed air and gases | <input checked="" type="checkbox"/> Vehicle Safety |
| <input checked="" type="checkbox"/> Concrete work | <input checked="" type="checkbox"/> Traffic control |
| <input checked="" type="checkbox"/> Confined-space entry | <input checked="" type="checkbox"/> Site visitor escorting |
| <input checked="" type="checkbox"/> Cranes/rigging and hoisting | <input checked="" type="checkbox"/> Public protection |
| <input checked="" type="checkbox"/> Electrical grounding | <input checked="" type="checkbox"/> Equipment guards and grounding |
| <input checked="" type="checkbox"/> Environmental controls and
Occupational health | <input checked="" type="checkbox"/> Monitoring Equipment |
| <input checked="" type="checkbox"/> Emergency procedures | <input checked="" type="checkbox"/> Flammable material handling/storage |
| <input checked="" type="checkbox"/> Fire protection and prevention | <input checked="" type="checkbox"/> Site sanitation |
| <input checked="" type="checkbox"/> Floor and wall openings | <input checked="" type="checkbox"/> Trenching and excavating |
| <input checked="" type="checkbox"/> Fall protection | <input checked="" type="checkbox"/> Lockout/Tagout |
| <input checked="" type="checkbox"/> Housekeeping | <input checked="" type="checkbox"/> Energized/pressurized equipment |
| <input checked="" type="checkbox"/> Ladders and scaffolds | <input checked="" type="checkbox"/> Personal protective equipment |
| <input checked="" type="checkbox"/> Mechanical equipment | <input checked="" type="checkbox"/> Tools, power and hand |
| <input checked="" type="checkbox"/> Welding and cutting (hot work) | <input checked="" type="checkbox"/> Electrical power lines |
| | <input checked="" type="checkbox"/> Other _____ |

6. OSHA INSPECTIONS

a. Have you been inspected by OSHA in the last three years?

Yes No

b. Were these inspections in response to complaints?

Yes No

c. Have you been cited as a result of these inspections?

Yes No

If yes, describe the citations:



...Dedicated to Community Service

2554 SWEETWATER SPRINGS BOULEVARD, SPRING VALLEY, CALIFORNIA 91978-2004
TELEPHONE: 670-2222, AREA CODE 619

www.otaywater.gov

September 24, 2015

Sent via electronic mail and USPS
Project No.: P2537-001102

Clifford Montgomery
Montgomery Construction Services, Inc.
123 Worthington Street, Suite 205
Spring Valley, CA 91977

Subject: Operations Yard Property Acquisition Improvements (CIP P2537);
Bid Proposal - Subcontractor Certification

Dear Mr. Montgomery:

The Otay Water District (District) has reviewed your bid proposal for the Operations Yard Property Acquisition Improvements (CIP P2537) submitted on September 17, 2015. The District has discovered that in Section 00440, List of Subcontractors - Form E, Page 00440-2, the Bidder, Signature, and Date lines are blank at the bottom of this page. Please provide certification that the two subcontractors and the information provided for each subcontractor listed in Form E are correct and the indicated work will be awarded in the event that you are awarded the contract. A copy of the submitted Form E is attached for your reference. Note that the District will not entertain changes to these subcontractors at this time.

Please do not hesitate to contact me at 619-670-2209 if you have any questions. Your timely response to this letter is greatly appreciated.

Sincerely,
OTAY WATER DISTRICT

A handwritten signature in blue ink that reads "Stephen Beppler".

Stephen Beppler, PE
Senior Civil Engineer

SB:jf

Attachment: Copy of Submitted Form E

cc: Rod Posada
Bob Kennedy

**SECTION 00440
LIST OF SUBCONTRACTORS
(FORM E)**

The Bidder shall identify all proposed subcontractors and subconsultants who will be performing work that has a value in excess of one-half (0.5) of one (1) percent of the total amount of this proposal. The Bidder certifies that the following subcontracting firms or businesses will be awarded subcontracts for the indicated portions of the work in the event that the Bidder is awarded the contract.

The Bidder shall identify the type of work the subcontractor shall perform; include the specific bid item(s) that the subcontractor(s) will perform work on; and state the percent (%) of the bid item that the subcontractor will perform.

TYPE OF WORK:

_____ Surveying _____

2 _____ 86% _____
Bid Item Percent

_____ J & B Engineers, Surveyors _____
Name

13670 Danielson Street Suite G _____ Poway, CA 92064 _____
Street City

License No. /Type 29118 / RCE _____

TYPE OF WORK:

_____ Fine Grading, Aggregate Base, Asphalt Concrete _____

9,10 _____ 85% For Item 9 / 79% For Item 10 _____
Bid Item Percent

_____ RAP Engineering, Inc. _____
Name

503 E. Mission Road _____ San Marcos, CA 92069 _____
Street City

License No. /Type 880956 / A _____

TYPE OF WORK:

_____ Bid Item _____ Percent _____

_____ Name _____

_____ Street _____ City _____

License No. /Type _____

TYPE OF WORK:

Bid Item _____ Percent _____

Name _____

Street _____ City _____

License No. /Type _____

TYPE OF WORK:

Bid Item _____ Percent _____

Name _____

Street _____ City _____

License No. /Type _____

TYPE OF WORK:

Bid Item _____ Percent _____

Name _____

Street _____ City _____

License No. /Type _____

BIDDER: _____

Signature: _____

Date: _____

09/25/2015

Stephen Beppler
Senior Civil Engineer
Otay Water District
2554 Sweetwater Springs Blvd
Spring Valley, CA 91978

Re: Operations Yard Property Acquisition Improvements

Dear Stephen Beppler:

This letter is to inform you that subcontractors listed on Form E and submitted on September 17th, 2015 by Montgomery Construction Services, Inc. with the signature and date line blank will be awarded subcontracts to perform the work for the scope they are listed for. Along with this letter you will find Form E, provided with the addition of the signature and date needed, with the subcontractor's information unchanged. This letter and signed Form E is to certify that the information initially provided is true and correct and no changes will be made.

Sincerely,



Clifford J. Montgomery
PM

TYPE OF WORK:

Bid Item _____ Percent _____

Name _____

Street _____ City _____

License No. /Type _____

TYPE OF WORK:

Bid Item _____ Percent _____

Name _____

Street _____ City _____

License No. /Type _____

TYPE OF WORK:

Bid Item _____ Percent _____

Name _____

Street _____ City _____

License No. /Type _____

BIDDER: Montgomery Construction Services, Inc.

Signature: Clifford K. Montgomery

Date: 09/24/2015