



City of
Los Banos
At the Crossroads of California

520 J Street Los Banos, CA 93635

Charles Bergson, P.E.
Public Works Dir/City Engineer
Telephone (209) 827-7056
<http://www.losbanos.org>

3/25/24
Letter # 001

Notice of Intent to Award
Northgate Sewer Lift Station Emergency Power Improvements Project
Project No.: 24-WC-0003

Notice is hereby given that the City of Los Banos intends to award a contract to:
Strategic Mechanical Inc.

The proposed award is the result of the department's invitation for bid listed below:

Northgate Sewer Lift Station Emergency Power Improvements Project

This notice constitutes compliance with the State Contracting Manual sections 5.65 A and 6.10 A. Any protests concerning this proposed award must be filed with the City of Los Banos Department of Public Works, 411 Madison Ave., Los Banos, CA 93635 by 5:00 PM on April 1, 2024.

The copy of the lowest bidder's proposal can be found at the following link:
<https://losbanos.org/news/advertisement-for-bids-construction-of-northgate-sewer-lift-station-emergency-power-improvements/>

Bid Form

TO: City of Los Banos
520 J Street
Los Banos, CA 93635

In compliance with the Advertisement for Bids the undersigned, as bidder, hereby offers to provide to the Owner, in accordance with the terms and conditions in the provisions set forth in the Contract Documents the stated total bid amount quoted on this Bid Form for the work of

Northgate Sewer Lift Station Emergency Power Improvements

Total Bid Amount: \$ 266,000

Two Hundred Sixty-Six Thousand
(Total Bid Amount in Written Form)

The undersigned certifies under penalty of perjury under the laws of the State of California and the United States of America, that the above quotation constitutes a bona-fide offer for the work, that undersigned is a duly authorized representative of the company listed, that the quotation is in no way sham or collusive, and that the executed Agreement between the bidder and Owner constitutes acceptance of bidder's total bid for the work stated in the Contract Documents. The undersigned has read the General Provisions, Special Provisions, and Technical Specifications in these Contract Documents. The undersigned further certifies, under penalty of perjury that the Non-Collusion Affidavit required by Title 23 United States Code, Section 112 and Public Contract Code Section 7106; and the Title 49 Code of Federal Regulations, Part 29 Debarment and Suspension Certification are true and correct.

The undersigned acknowledges receipt of the following addenda: 1

Signature: Chad Petty Date: 3/21/24

Print Name: Chad Petty Title: President

Name of Business: Strategic Mechanical Inc

Doing business as: (Circle One): An Individual A Partnership A Corporation

Business Address: 4661 E Commerce Ave Fresno CA 93725

Telephone No.: 559-291-1952 Fax No.: 559-291-1805

E-Mail Address: estimating@strategicmech.com

License Number: 834679 Class & Expiration Date: B, C2, C4, C10, C16, C20, C23, C36, C38, C42, C43, C51, C60 3/31/26

List of Subcontractors

As of March 1, 2015, Contractors (and sub-contractors) wishing to bid on public works contracts shall be registered with the State Division of Industrial Relations and certified to bid on Public Works contracts. Please register at: <https://www.dir.ca.gov/Public-Works/Contractor-Registration.html>

In accordance with Title 49, Section 26.11 of the Code of Federal Regulations, and Section 4104 of the Public Contract Code of the State of California, as amended, the following information is required for each sub-contractor who will perform work amounting to more than one half of one percent (0.5%) of the Total Base Bid of \$10,000 (whichever is greater). **Photocopy this form for additional firms.**

Project: **Northgate Sewer Lift Station Emergency Power Improvements**

The following work will be performed (or provided) by the following subcontractors, and coordinated by bidder:

Bid Item No.	Description of Work to be Performed	Percent of Total Contract	Subcontractor's License No.	DIR Registration No.	Subcontractor's Name and Address
6	Concrete Demo	1.4%	621866	1000006246	Kroeker Inc 4627 S Chestnut Ave Fresno CA 93725

Equal Employment Opportunity

Contractor hereby certifies that bidder and subcontractors

- ☒ Have
☐ Have Not

participated in a previous contract or subcontract subject to the equal opportunity clauses, as required by Executive Orders 10925, 11114, or 11246, and that, where required, have filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the applicable filing requirements.

Note: The above certification is part of the bid. Signing this bid on the signature portion thereof shall also constitute signature of these certifications.

Non-Collusion Affidavit
PUBLIC CONTRACT CODE 7106

In conformance with Title 23 United States Code Section 112 and Public Contract Code 7106 the bidder declares that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

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 to an additional sheet of paper and include with the bid.

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

NPDES/MS4 Compliance Certification

All construction projects within the City limits must comply with the National Pollutant Discharge Elimination System (NPDES) storm water regulation adopted by the EPA and the Phase II Small Municipal Separate Storm Sewer System (MS4) General Permit requirements, regardless of size.

The City is required under these permits to provide information to Contractors performing work within City limits about training opportunities to assist in managing potential pollutants from construction –related activities, selection, installation, implementation, and maintenance of Best Management Practices (BMPs), as well as overall program compliance. The City has provided such information and helpful links on their website at <http://www.losbanos.org/city-government/departments/public-works/>, under the Storm Water Management Plan tab.

The Bidder acknowledges that they are aware of the necessity to be in compliance with the NPDES and MS4 permits while working within City limits, and that information regarding such is available on the City's website.

Note: The above certifications are part of the bid. Signing this bid on the signature portion thereof shall also constitute signature of these certifications.

Experience

Bidder shall identify three (3) most recently completed projects similar to work described in these Contract Documents.

	1	2	3
Project Title	Cresthills Sewer LS Rehab	Goshen CSD Harvest and Road 64	Well #17 Elec System Upgrade
Public Agency	City of Los Banos (GC: WM Lyles)	Smee Homes Inc (GC: Floyd Johnston Construction)	City of Tulare
Address	411 Madison Ave Los Banos, CA 93635	444 N Prospect St Ste A Porterville CA 93257	411 E Kern Ave Tulare, CA 93274
Telephone No.	209-827-7056	559-788-0525	559-684-4209
Engineer in Charge	Provost & Pritchard Consulting	AW Engineering	Rose Sing and Associates Inc
Project Value (\$)	\$141,400	\$324,600	\$212,598
Date Accepted	10/18/23	9/26/23	1/27/20
Claims Filed?*	No	No	No

* If yes, please explain below:

[illegible]

**Bid Schedule
For
NORTHGATE SEWER LIFT STATION EMERGENCY POWER IMPROVEMENTS**

Bidder agrees to perform all the work described in the Contract Documents for the following unit and lump sum prices and understands that the quantity of work shown is approximate only. The schedule shall be completed by the bidder with the unit and lump sum prices entered in numerals. The extensions shall be made by the bidder. In case of discrepancy between the unit prices and the extension thereof, the unit price shall be considered as correct when evaluating bids.

ITEM NO.	ITEM	QUANTITY AND UNIT		UNIT PRICE	AMOUNT
1	Mobilization/Demobilization	1	LS	\$ 6,300	\$ 6,300
2	Demolition (Removal: € Controls)	1	LS	\$ 28,900	\$ 28,900
3	Electrical (Controls, Wiring & Appurtenances), F&I	1	LS	\$ 190,600	\$ 190,600
4	Electrical (Standby Generator), F&I	1	LS	\$ 6,900	\$ 6,900
5	Electrical Fees	1	LS	\$ 1,300	\$ 1,300
6	Remove Concrete (Lift Station Site)	1,932	SF	\$ 3.0021	\$ 5,800
7	Minor Concrete (Lift Station Site), F&I	675	SF	\$ 38.815	\$ 26,200
TOTAL:				\$ 266,000	

Note: The representations made herein are made under penalty of perjury. Any information contained in the bid which is proven false shall be considered nonresponsive and this bid shall be rejected.



CONTRACTORS
STATE LICENSE BOARD
ACTIVE LICENSE



License Number **834679**

Entity **CORP**

Business Name **STRATEGIC MECHANICAL INC**

Classification(s) **B C-2 C-4 C10 C16 C20 C23 C36
C38 C42 C43 C51 C60**

Expiration Date **03/31/2026**

www.cslb.ca.gov





ADDENDUM NO. 1
March 18, 2024

NORTHGATE SEWER LIFT STATION EMERGENCY POWER IMPROVEMENTS

ITEM NO. 1:

SHEET E2.1 OF PLANSET

Drawing E2.1 has updates to amperage and voltage shown in the single line diagram.

ITEM NO. 2:

RESPONSE TO QUESTIONS & CLARIFICATIONS

1. Would the City of Los Banos have objection to moving the ATS onto pipe supports on the side of the existing pump control pedestal.

Response: The City of Los Banos would like for bids to be based on project plans.

2. It was noticed that there is a requirement for the prime bidder to have a Class A license. Given that this project is a prime electrical project, would a Class B or C-10 license be sufficient?

Response: A Class B or C10 license is acceptable.

3. Is there an engineer's estimate for the project?

Response: The estimate for the project is \$270,000,000 to \$370,000.

This Addendum forms a part of the Proposal Documents and will be incorporated into the Contract Documents, as applicable. All other conditions of the Contract Documents remain unchanged. The following changes, additions, or deletions as set forth herein shall apply to the Contract Documents and shall be made a part thereof and shall be subject to all the requirements thereof as through originally shown and/or specified.

Proposals shall be submitted in accordance with this Addendum. All consultants **MUST** acknowledge receipt of this Addendum by signing and returning this Addendum with your Proposal.

(Signatures on following page)

City of Los Banos
Public Works Department
411 Madison Ave. Los Banos, CA 93635

Addendum No. 1

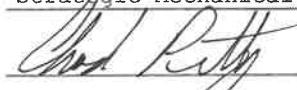
City of Los Banos



By: Jelene de Melo
Admin Coordinator

Firm Name: Strategic Mechanical Inc

By:



Title:

Chad Petty, President

Date:

3/21/24

Bid Bond

We, _____ Strategic Mechanical, Inc.

as Contractor, and Western Surety Company

as Surety, jointly and severally, bind ourselves, our heirs, representatives, successors and

assigns, as set forth herein, to the **City of Los Banos** (herein called "Owner") for payment

of the penal sum of ten percent of amount bid****

Dollars (\$10% of amount bid**),*

lawful money of the United States. Contractor has submitted the accompanying bid proposal

for the construction of: **Northgate Sewer Lift Station Emergency Power Improvements**

If the Contractor is awarded the contract and enters into a written agreement, in the form prescribed by the Owner, at the price designated by Bid Schedule, and files a payment bond and performance bond with the Owner, or substitute security in lieu thereof, in the time and manner specified by the Owner, and carries all insurance in type and amount which conforms to the General Provisions, Special Provisions, and Technical Specifications in these Contract Documents and furnishes required certificates and endorsements thereof, then this obligation shall be null and void; otherwise it shall remain in full force and effect.

Forfeiture of this bond, or any deposit made in lieu thereof, shall not preclude the Owner from seeking all other remedies provided by law to cover losses sustained as a result of the Contractor's failure to do any of the foregoing.

Contractor and Surety agree that if the Owner is required to engage the services of an attorney in connection with the enforcement of this bond, each shall pay Owner's reasonable attorney's fees incurred with or without suit.

Executed on March 13, 2024

(Seal if Corporation)

Strategic Mechanical, Inc.

Contractor

By:

Title

[SIGNATURE SHEET CONTINUES ONTO NEXT PAGE]

Any claims under this bond may be addressed to:

Western Surety Company (name and address of Surety)

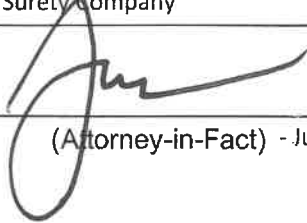
910 Pleasant Grove Blvd. Suite 120-347 Roseville, CA 95678

DiBuduo and DeFendis Insurance Brokers, LLC (name and address of Surety's agent for service of
process in California, if different from above)

6873 N West Ave #101, Fresno, CA 93711

559-432-0222 (phone number of Surety's agent in California)

(Attach Acknowledgment)

Western Surety Company
Surety
By  (Attorney-in-Fact) - Justin Smit

Notice: No substitution or revision to this bond form will be accepted. Sureties must be authorized to do business in and have an agent for service of process in California.

All bond forms must be acknowledged before a Notary Public by both the Contractor and the Surety. Attorneys-in-fact who sign bond forms must file with each bond a certified and effective dated copy of their power of attorney.

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

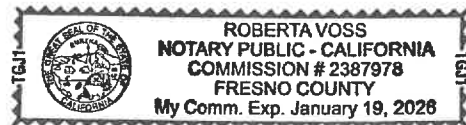
County of Fresno

On March 13, 2024 before me, Roberta Voss Notary Public
(insert name and title of the officer)

personally appeared Justin Smit
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

Roberta Voss

(Seal)

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Roberta Voss, Justin Smit, Individually

of Fresno, CA, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 18th day of October, 2021.



WESTERN SURETY COMPANY

A handwritten signature in black ink, reading "Paul T. Bruflat".

Paul T. Bruflat, Vice President

State of South Dakota }
County of Minnehaha } ss

On this 23rd day of June, 2021, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

March 2, 2026



A handwritten signature in black ink, reading "M. Bent".

M. Bent, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 13th day of March, 2024.



WESTERN SURETY COMPANY

A handwritten signature in black ink, reading "L. Nelson".

L. Nelson, Assistant Secretary

Authorizing By-Law

ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.