CITY OF MENLO PARK
STATE OF CALIFORNIA

CONTRACTUAL AGREEMENT

THIS AGREEMENT, made, executed, and entered into this _ _ day of April, 2019,
by and between the City of Menlo Park a Municipal Corporation, hereinafter referred to as the City, and Gruendl Inc. DBA Ray's Electric, hereinafter referred to as the Contractor.

WITNESSETH

ARTICLE 1. That for and in consideration of the payments and agreements hereinafter mentioned to be made and performed by the City, the Contractor agrees at its own cost and expense to do all the work and furnish all materials necessary to complete in a good workmanlike and substantial manner all that certain work involved and concerned with the RAPID RECTANGULAR FLASHING BEACON (RRFB) SYSTEM INSTALLATION AT 5 LOCATIONS PROJECT. Said work shall be done in manner and in accordance with the terms of the Contract as the same is defined in Article 4 herein.

ARTICLE 2. Said Contractor agrees to receive and accept the prices stated in the Contractor's Proposal to the City Council, entitled "EXHIBIT 'A,' "Proposal to the City Council" and attached hereto, as full compensation for furnishing all materials and doing all the work contemplated and embraced in this agreement; also for all loss or damage arising out of the nature of the work aforesaid, or from the acts of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work until its acceptance by the City and for all risks of every description connected with the work; also for all expenses incurred by or in consequence of the suspension or discontinuance of the work and for well and faithfully completing the work and the whole thereof, in the manner and according to the Plans and/or Drawings and the Special Provisions.

ARTICLE 3. The City hereby promises and agrees with the Contractor, to employ, and does employ, hereby, said Contractor to provide the materials and to do the work according to the terms and conditions herein contained and referred to, for the prices aforesaid, and hereby contracts to pay the same at the time, in the manner and upon the conditions above set forth; and the said parties for themselves, their heirs, executors, administrators, successors, and assigns, do hereby agree to the full performance of the covenants herein contained.

ARTICLE 4. The complete Contract consists of the following documents: Notice to Bidders, Proposal, Minority Employment Program, Agreement, Contract Provisions and Plans and/or Drawings. The rights and obligations of the parties herein are governed by all of said documents, which are to be construed as a single Contract. The decision of the City Engineer of the City of Menlo Park as to the interpretation of said Contract shall be final and binding on the parties hereto.

ARTICLE 5. It is expressly stipulated and agreed that all legal and statutory requirements relating to the execution of this Agreement and the notice inviting bids have been met. Any alleged defect or omission in the proceedings preceding the execution of this Agreement is hereby waived by the Contractor.

ARTICLE 6. It is further expressly agreed by and between the parties hereto that the work shall be completed within SIXTY (60) working days from and after the commencement of said work.
EXHIBIT "B" AFFIDAVIT OF COMPLIANCE WITH ETHICAL STANDARDS

I, Greg Gruendl, being first duly sworn, depose and say to City of Menlo Park ("Owner") that:

1. I am President [insert title or capacity] of Ray's Electric [insert entity name] ("Bidder").
2. I hereby state that I have read and understood the attached Exhibit A, "Ethical Standards for Contractors." I have examined appropriate business records, and I have made inquiry of those individuals potentially included within the definition of "Contractor" contained in Exhibit A. I have authority to make these representations on my own behalf and on behalf of the legal entity herein identified.
3. Neither (a) Bidder nor (b) any individual(s) belonging to a category identified in footnote no. 1 of Exhibit A has been convicted of any one or more of the crimes identified in Exhibit A within the past five (5) years.
4. Notwithstanding award of any contract by Owner or performance thereunder, the Owner shall have all rights and remedies described in Exhibit A.

The above assertions are true and correct and are made under penalty of perjury under the laws of the State of California.

Gruendl Inc. DBA Ray's Electric
Name of Firm

Signature

President
Title

END OF EXHIBIT B
EXHIBIT "A" ETHICAL STANDARDS FOR CONTRACTORS

1. Owner may, at its sole discretion, terminate any contract with Contractor if any of the following occurs:

   A. If Contractor does any of the following:
      i. Is convicted of operating a business in violation of any Federal, State or local law or regulation;
      ii. Is convicted of a crime punishable as a felony involving dishonesty;
      iii. Is convicted of an offense involving dishonesty or is convicted of fraud or a criminal offense in connection with: (1) obtaining; (2) attempting to obtain; or (3) performing a public contract or subcontract;
      iv. Made any false statement(s) or representation(s) with respect to the contract; or
      v. If fraudulent, criminal, or other seriously improper conduct of any officer, director, shareholder, partner, employee, or other individual associated with Contractor can be imputed to Contractor when the conduct occurred in connection with the individual's performance of duties for or on behalf of Contractor, with Contractor's knowledge, approval or acquiescence, Contractor's acceptance of the benefits derived from the conduct shall be evidence of such knowledge, approval, or acquiescence.

2. Owner may also terminate any contract with Contractor if any one or more of the following occurs:

   A. If Contractor becomes "insolvent";
   B. If Owner determines that Contractor no longer has the financial capability or business experience including, without limitation, loss of personnel deemed essential by Owner to perform successfully the terms of, or operate under, any contract with Owner; or
   C. If Owner determines that Contractor fails to submit information, or submits false information.

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1 For purposes of this document, the term "Contractor" (whether a person or a legal entity) means any of the following: an owner or co-owner of a sole proprietorship; a person who controls or who has the power to control a business entity; a general partner of a partnership; a principal in a joint venture; or a person who owns more than ten percent (10%) of the outstanding stock of a corporation and who is active in the day to day operations of that corporation.

2 For purposes of this document, the term "convicted" or "conviction" mean a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of nolo contendere within the past five (5) years.

3 For purposes of this document, the term "dishonesty" includes, without limitation, embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, failure to pay tax obligations, receiving stolen property, collusion or conspiracy.

4 For purposes of this document, Contractor is "insolvent" if it is unable to pay its debts as they become due, transfers assets in fraud of creditors, makes an assignment for the benefit of creditors, files a petition under any section or chapter of the federal Bankruptcy Code (11 U.S.C.), as amended, or under any similar law or statute of the United States or any state thereof, is adjudged bankrupt or insolvent in proceedings under such laws, or a receiver or trustee is appointed for all or substantially all of Contractor's assets.

END OF EXHIBIT A
19. Has your firm or any of its owners, officers or partners ever been convicted of a federal or state crime of fraud, theft, or any other act of dishonesty?
   □ Yes  ☒ No

20. Been unable to obtain a bond or been denied a bond for a contract?
   □ Yes  ☒ No

21. Defaulted on a contract forcing a surety to suffer a loss?
   □ Yes  ☒ No

22. Failed to complete a project within the authorized contract time?
   □ Yes  ☒ No

23. Had any mediation or arbitration on a contract initiated by the owner/public agency?
   □ Yes  ☒ No

24. Has the Contractor been fined, penalized or otherwise found to have violated any State or Federal fair employment provision or law?
   □ Yes  ☒ No

25. Has the Contractor been fined, penalized or otherwise found to have violated any prevailing wage provisions?
   □ Yes  ☒ No

Qualifications Statement Certification. The Undersigned declares under penalty of perjury that all of the responsibility information submitted with this form is true and correct and that this Declaration was executed by a duly authorized officer of the Company.

Signature ____________________________

Typed or Printed Name and Title  Greg Gruendl - President

Firm Name  Gruendl Inc. DBA Ray's Electric

Address  411 Pendleton Way, Suite B
          Oakland, CA 94621

Telephone Number  510-577-7700  Fax Number  510-577-7706

QS Contact Email Address: greg@rayselectric.net

Attachments:
- Exhibit A: Ethical Standards for Contractors
- Exhibit B: Affidavit of Compliance with Ethical Standards for Contractors
- Resumes of Project Manager, On-Site General Field Superintendent (if different), and other key personnel

Rectangular Rapid Flashing Beacon Installation 43 at 5 locations project
9. **Safety.** Has the Contractor maintained an Experience Modification Rate (EMR) of 1.25 or less, on each of the last 3 (three) years?

☐ Yes ☐ No

10. **Compliance with Ethical Standards.** Has the Contractor read Exhibit “A” and executed and attached Exhibit “B”?

☐ Yes ☐ No

Contractor will be immediately disqualified if the answer to any of questions 11 through 25 is “Yes”.

11. Has your contractor’s license been revoked at any time in the last five years?

☐ Yes ☐ No

12. Has a surety firm completed a contract on your behalf, or paid for completion because your firm was default terminated by the project owner within the last five (5) years?

☐ Yes ☐ No

13. At the time of submitting this qualification form, is your firm ineligible to bid on or be awarded a public works contract, or perform as a subcontractor on a public works contract, pursuant to either Labor Code section 1777.1 or Labor Code section 1777.7?

☐ Yes ☐ No

14. At any time during the last five years, has your firm or any of its officers been convicted of a crime involving the awarding of a contract of a government construction project, or the bidding or performance of a government contract?

☐ Yes ☐ No

15. Has any California State Licensing Board license held by your firm or its Responsible Managing Employee (RME) or Responsible Managing Officer (RMO) been suspended within the last five years?

☐ Yes ☐ No

16. Was your firm in bankruptcy at any time during the last five years?

☐ Yes ☐ No

17. Has your firm or any of its owners, officers or partners ever been found liable in a civil suit or found guilty in a criminal action for making any false claim or material misrepresentation to any public agency or entity?

☐ Yes ☐ No

18. Has your firm or any of its owners, officers or partners ever been convicted of a crime involving any federal, state, or local law related to construction?

☐ Yes ☐ No
RESPONSE SHEETS

Please answer the following questions and sign the Qualification Statement certification for RECTANGULAR RAPID FLASHING BEACON (RRFB) SYSTEM INSTALLATION AT 5 LOCATIONS Project:

Contractor will be immediately disqualified if the answer to any of questions 1 through 10 is “No.”

1. Contractor possesses or will possess a valid and current State of California Contractor’s Class “A” license.
   ☑ Yes  ☐ No

2. Contractor has liability insurance policy with a policy limit of at least $1,000,000 per occurrence and $2,000,000 aggregate.
   ☑ Yes  ☐ No

3. Contractor has current workers’ compensation insurance policy as required by the Labor Code or is legally self-insured pursuant to Labor Code section 3700 et. seq.
   ☐ Yes  ☐ No

4. Contractor has completed at least 3 (three) rapid rectangular flashing beacon system installation projects for a Public Agency in the State of California in the last 5 years.
   ☑ Yes  ☐ No

5. Contractor’s Project Manager has a minimum of 10 years of construction experience managing similar rapid rectangular flashing beacon system projects. Please attach a copy of a resume of the proposed Project Manager, detailing the RRFB project descriptions, project responsibilities & relevant experience and project owner references including current contact information.
   ☐ Yes  ☐ No

6. Contractor’s Field Superintendent/Foreman has a minimum of 10 years of construction experience constructing similar rapid rectangular flashing beacon system projects. Please attach a copy of a resume of the proposed Field Supervisor/Foreman, detailing the water pump station project descriptions, project responsibilities & relevant experience and project owner references including current contact information.
   ☑ Yes  ☐ No

7. Is the Contractor committing the proposed Project Manager and Field Superintendent/Foreman, to be assigned to this project for the entire construction, start-up and close-out of the project?
   ☑ Yes  ☐ No

8. Has your organization been in business in California as a contractor under your present business name and license number for a minimum of ten years?
   ☑ Yes  ☐ No
BIDDER'S QUALIFICATION STATEMENT

All Prospective Bidders must submit the Qualification Statement (QS) herewith in a separately sealed envelope, along with the Bid Package.

Qualifications Statement Requirements: Prospective Bidders shall submit all information and forms specified in the Qualifications Statement, including the Response Sheets, Exhibits "A" and "B" and Contractor to add resumes for key personnel. Failure to provide the required responsibility information as indicated herewith shall constitute grounds for rejection of the QS.

Review of the Qualifications Statement: All information submitted for qualification evaluation will be considered official information acquired in confidence and the City will maintain its confidentiality to the extent permitted by law.

The City and/or its designee will review and evaluate the information contained in each Prospective Bidder’s QS within 5 days and notify Prospective Bidders, whether their QS is found responsive and responsible for this project. The sole and discretionary judgment of the City and/or its designee will determine if a Prospective Bidder is deemed responsible and responsive.

Protesting a Disqualification: Prospective Bidders who are disqualified for this project, may submit a protest to the City. This protest must be submitted in writing and must provide a basis or grounds for the protest. This written protest must be received by the City within 5 days of the date the City issues a disqualification notification.
IN WITNESS WHEREOF, the above-bounded party has executed this instrument on this ______ day of __________________, 20__, the name, and corporate seal if a corporation, being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.

(Corporate Seal) By: __________________________

Name: __________________________

(Acknowledgment) Title: __________________________

NOTE TO SURETY COMPANY: The following form of acknowledgment should be used. If any other form of acknowledgment is used, there must be submitted a certified copy of unrevoked resolution of authority for the attorney-in-fact.

NOTARIAL ACKNOWLEDGMENT OF ATTORNEY-IN-FACT OF SURETY

STATE OF CALIFORNIA } ss.
COUNTY OF _______ } ss.

On ____________, before me, ________________________________, a Notary Public, personally appeared ________________________________, personally known to me (or 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 they executed the same in their authorized capacity(ies), and that by their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

__________________________________________
Notary Public

(Seal)
CITY OF MENLO PARK
STATE OF CALIFORNIA

ALTERNATE FORM OF BID DEPOSIT

Note: Bidders may use this form as the Bid Deposit to accompany proposals when submitting a cashier's check or a certified check, which must accompany this form.

KNOW ALL PERSONS BY THESE PRESENTS, that we, ________________________________, as Principal, are held and firmly bound unto the City of Menlo Park, hereinafter called "City", in penal sum of ten percent (10%) OF THE TOTAL AMOUNT OF THE BID OF THE PRINCIPAL submitted to the said City for the work described below for the payment of which sum in lawful money of the United States, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

THE EXACT FORM OF THIS DEPOSIT is as hereby described as:

THE CONDITION OF THIS OBLIGATION IS SUCH that, whereas the Principal has submitted the accompanying Proposal dated ____________________, 2019, for the "RECTANGULAR RAPID FLASHING BEACON SYSTEM INSTALLATION AT 5 LOCATIONS PROJECT.

NOW, THEREFORE, if the Principal shall not withdraw said Proposal prior to the date and time for the opening of bids, and if the Principal is awarded the Contract and shall within the period specified in the Proposal after receiving notice that the Contract has been awarded and the prescribed forms are presented to him/her for signature, enter in a written Contract with the City, in accordance with the Proposal as accepted and give insurance and bond with good and sufficient surety or sureties, as may be required, for the faithful performance and proper fulfillment of such Contract and for the payment for labor and materials used for the performance of the Contract, or in the event of the withdrawal of said Proposal within the period specified or the failure to enter into such Contract and give such City bonds, within the time specified, if the Principal shall pay the City the difference between the amount specified in said Proposal and the amount for which the City may procure the required work and/or supplies, if the latter amount be in excess of the former, together with all costs incurred by the City in again calling for bids, then the above obligation shall be voided and of no effect, otherwise to remain in full force and virtue.

Principal hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Contract on the call for bids, or to the work to be performed thereunder, or the specifications accompanying the same, shall in anywise affect its obligation, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of said Contract or the call for bids, or to the work, or to the specifications.

In the event suit is brought upon this Deposit by the City and judgment is recovered, all costs incurred by the City in such suit, including a reasonable attorney's fee to be fixed by the court shall also be added to the judgment award and be payable from the funds or instrument constituting this Deposit.

Rectangular Rapid Flashing Beacon Installation at 5 locations project
ENDURANCE ASSURANCE CORPORATION

POWER OF ATTORNEY

Know all men by these presents, that ENDURANCE ASSURANCE CORPORATION, a Delaware corporation (the "Corporation"), with offices at 4 Merchantsville Road, 2nd Floor, Purchase, NY 10577, has made, constituted and appointed and by these presents, does make, constitute and appoint SUSAN M. EKLIN, MOODY, BETTY L. TOLENTINO, K. ZERRANIAN, KEVIN RE, JANET C. ROJO, VIRGINIA L. BLACK, FRANCIS E. COOK as true and lawful attorneys-in-fact, at SAN FRANCISCO, the 9th day of January, 2014, and each of them to have full power to act without the other or others, to make, execute and deliver on its behalf, as surety or co-surety, bonds and undertakings of any kind or character, to execute and deliver on its behalf as administratrix, executor, assignee, widow, assignee, creditor or otherwise, all such bonds, obligations, deeds, notes, or other instruments relating to such bonds or obligations as the Corporation shall require, upon a single bond or undertaking so made, executed and delivered shall oblige the Corporation for any portion of the penal sum therein in excess of the sum of TEN MILLION DOLLARS ($10,000,000).

Such bonds and undertakings for said purpose, when duly executed by said attorneys-in-fact, shall be binding upon the Corporation as fully and to the same extent as if signed by the President of the Corporation under its corporate seal attested by its Corporate Secretary.

This appointment is in addition to any of the powers of the attorneys-in-fact, which have been granted to the Corporation by the Resolution of the Board of Directors of the Corporation by unanimous written consent on the 9th day of January, 2014, a copy of which is exhibited under the heading entitled "Certificate".

This Power of Attorney is executed by true and lawful attorneys-in-fact, and by authority of the following resolution adopted by the Board of Directors of the Corporation by unanimous written consent on January 9, 2014, the said resolution has not been revoked, amended or repealed:

RESOLVED, that in granting powers of attorney pursuant to certain resolutions adopted by the Board of Directors of the Corporation by unanimous written consent on January 9, 2014, the signatures of such attorneys and officers shall be affixed to any such power of attorney or any certificate relating thereto, and any such power of attorney or certificate bearing such signatures or seal shall be valid and binding upon the Corporation in the future with respect to any bonds or undertakings to which it is attached.

IN WITNESS WHEREOF, the Corporation has caused these presents to be duly signed and its corporate seal to be heretofore affixed and attested this 9th day of June, 2017 at Purchase, New York.

[Corporate Seal]

MARIANNE WILBERT, SENIOR VICE PRESIDENT

ENDURANCE ASSURANCE CORPORATION

By SHARON L. SIMS, SENIOR VICE PRESIDENT

[Corporate Seal]

MARIANNE WILBERT, SENIOR VICE PRESIDENT

STATE OF NEW YORK

COUNTY OF WESTCHESTER

On the 9th day of June, 2017, personally came SHARON L. SIMS, SENIOR VICE PRESIDENT of ENDURANCE ASSURANCE CORPORATION, the Corporation described in and which executed the foregoing instrument, and who is known to me on the basis of identifying marks, to me known, who being by me duly sworn, deposes and says that he resides at 4 Merchantsville Road, Purchase, NY 10577, and that he knows the seal of said Corporation, and that he affixed his name thereto in my presence.

[Signature]

Nehemiah James Bennet, Notary Public - My Commission Expires 12/17/2019

STATE OF NEW YORK

COUNTY OF WESTCHESTER

I, CHRISTOPHER DONELAN, the PRESIDENT of ENDURANCE ASSURANCE CORPORATION, a Delaware Corporation (the "Corporation"), hereby certify:

1. That the original power of attorney of which the foregoing is a copy was duly executed on behalf of the Corporation and has not since been revoked, amended or modified, that the undersigned has deposited the foregoing copy with the original power of attorney, and that the same is a true and correct copy of the original power of attorney and of the whole instrument.

2. The following are resolutions which were adopted by the Board of Directors of the Corporation by unanimous written consent on January 9, 2014 and said resolutions have not since been revoked, amended or modified:

RESOLVED, that each of the individuals named below is authorized to make, execute, seal and deliver any and all bonds, undertakings or obligations in such corporate name and in such corporate capacity with others.

CHRISTOPHER DONELAN, SHARON L. SIMS, MARIANNE WILBERT

And be it further

RESOLVED, that each of the individuals named above is authorized to appoint attorneys-in-fact for the purpose of making, executing, sealing and delivering bonds, undertakings or obligations in such corporate name and in such corporate capacity with others.

In Witness Whereof, the President, in my hand and affixed the corporate seal this 6th day of February, 2019.

[Corporate Seal]

CHRISTOPHER DONELAN, PRESIDENT

Any reproduction is void.

Primary E-mail: claims@endurancecorp.com; court@endurancecorp.com

Notary Public: 677-674-2620

Mail Address: SSU Claims Department, 1570 Third Avenue – 11th Floor, New York, NY 10017
NOTE TO SURETY COMPANY: The following form of acknowledgment should be used. If any other form of acknowledgment is used, there must be submitted a certified copy of unrevoked resolution of authority for the attorney-in-fact.

NOTARIAL ACKNOWLEDGMENT OF ATTORNEY-IN-FACT OF SURETY

STATE OF CALIFORNIA  }  
COUNTY OF San Francisco  }

On February 6, 2019, before me, T. Le a Notary Public, personally appeared Betty L. Tolentino, personally known to me (or 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 they executed the same in their authorized capacity(ies), and that by their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

(Seal)

T. LE
COMMISSION #2172612
Notary Public - California
SAN FRANCISCO COUNTY
MY COMMISSION EXPIRES
November 19, 2020

Notary Public

RAY'S LED MAGIC
411 PENDLETON WAY
SUITE B
OAKLAND, CA 94621
IN WITNESS WHEREOF, the above-bounded parties have executed this instrument under their several seals this 6th day of February, 2019, the name and corporate seals of each corporate party being hereto affixed and these presents duly signed by its undersigned representatives, pursuant to authority of its governing body.

(Corporate Seal)

Principal
By: 

Title: President

(Acknowledgment)

Surety
By: 

Endurance Assurance Corporation

Title: Attorney-in-Fact

(Corporate Seal)

(Acknowledgment)

Gruendl, Inc. d/b/a Ray's Electric

Surety
By: 

Title: Betty L. Tomlinno, Attorney-in-Fact

(Acknowledgment)
CITY OF MENLO PARK
STATE OF CALIFORNIA

BID BOND

Note: Bidders may use this form as the Bid Bond to accompany proposals or may substitute standardized bond forms prepared by their surety. If substitute forms are submitted, the following text shall be included.

KNOW ALL PERSONS BY THESE PRESENTS, that we, Gruendl, Inc. dba Ray's Electric, as Principal, and Endurance Assurance Corporation, as Surety, are held and firmly bound unto the City of Menlo Park, hereinafter called "City", in penal sum of ten percent (10%) OF THE TOTAL AMOUNT OF THE BID OF THE PRINCIPAL submitted to the said City for the work described below for the payment of which sum in lawful money of the United States, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH that whereas the Principal has submitted the accompanying Proposal dated February 21, 2019, for the RECTANGULAR RAPID FLASHING BEACON SYSTEM INSTALLATION AT 5 LOCATIONS.

NOW, THEREFORE, if the Principal shall not withdraw said Proposal prior to the date and time for the opening of bids, and if the Principal is awarded the Contract and shall within the period specified in the Proposal after receiving notice that the Contract has been awarded and the prescribed forms are presented to him/her for signature, enter in a written Contract with the City, in accordance with the Proposal as accepted and give insurance and bond with good and sufficient surety or sureties, as may be required, for the faithful performance and proper fulfillment of such Contract and for the payment for labor and materials used for the performance of the Contract, or in the event of the withdrawal of said Proposal within the period specified or the failure to enter into such Contract and give such City bonds, within the time specified, if the Principal shall pay the City the difference between the amount specified in said Proposal and the amount for which the City may procure the required work and/or supplies, if the latter amount be in excess of the former, together with all costs incurred by the City in again calling for bids, then the above obligation shall be voided and of no effect, otherwise to remain in full force and virtue.

Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Contract on the call for bids, or to the work to be performed thereunder, or the specifications accompanying the same, shall in anywise affect its obligation under this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of said Contract or the call for bids, or to the work, or to the specifications.

In the event suit is brought upon this bond by the City and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney's fee to be fixed by the court.

RAY C. F. L. RIC
35
P. A. D. R. L. T. Y.
727 PRUDENCE WAY
SITE B
OAKLAND, CA 94621
ETHNIC CHARACTERISTICS REPORT

REPORT FOR PROJECT
Complete this form by estimating the ethnic make-up of the workforce for the project being bid.
NAME OF FIRM: Gruendl Inc. DBA Ray's Electric
PROJECT: Rectangular Flashing Beacon
DATE SUBMITTED: 2/21/2019
PERSON SUBMITTING FORM: Greg Gruendl

Be sure to include all employees in first column, not just minorities.

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<th>JOB CATEGORIES</th>
<th>TOTAL OF EMPLOYEES</th>
<th>BLACK</th>
<th>ASIAN</th>
<th>AMERICAN INDIAN</th>
<th>HISPANIC</th>
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<td>1. Officials &amp; Managers</td>
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<td>4. Field Supervisor</td>
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<td>6. Unskilled-specify trade</td>
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The data below should also be included in the figures for the appropriate occupational categories above anticipated as the workforce for this project.

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<tr>
<th>On-the-job Training</th>
<th>White Collar</th>
<th>Production</th>
<th>Hispanic</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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<td>1 women</td>
</tr>
</tbody>
</table>

The term Hispanic includes all persons of Mexican, Puerto Rican, Cuban, or Spanish origin.
Report only employees enrolled in formal on-the-job training programs.

34

Ray's Electric
11 Pendleton Way
Suite B
Oakland, CA 94621

Rectangular Rapid Flashing Beacon Installation at 5 locations project
ETHNIC CHARACTERISTICS REPORT

PERMANENT MAKE-UP OF COMPANY
NAME OF FIRM: Gruendl Inc, DBA Ray's Electric
PROJECT: Rectangular Flashing Beacons DATE SUBMITTED: 2/21/2019
NAME OF PERSON SUBMITTING FORM: Greg Gruendl

Be sure to include the total of all employees in each classification in the first column. Report the number of employees enrolled in formal on-the-job (apprenticeship) training programs in parenthesis () for each classification.

<table>
<thead>
<tr>
<th>JOB CLASSIFICATION</th>
<th>Total of All Employees</th>
<th>American-Indian or Native Alaskan</th>
<th>Asian</th>
<th>Black American or African American</th>
<th>Caucasian</th>
<th>Filipino</th>
<th>Hispanic or Latino (1)</th>
<th>Other (2)</th>
<th>Unidentified</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Officials &amp; Managers</td>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td>1</td>
<td>1</td>
<td>1</td>
<td></td>
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<tr>
<td>2. Professionals</td>
<td>6</td>
<td>1</td>
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<td>1</td>
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<tr>
<td>3. Clerical &amp; Office</td>
<td>3</td>
<td>1</td>
<td>1</td>
<td></td>
<td>1</td>
<td></td>
<td></td>
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<td>4. Field Supervisor</td>
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<td></td>
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<tr>
<td>5. Skilled-specified trade</td>
<td>36</td>
<td>0</td>
<td>4</td>
<td>2</td>
<td>1</td>
<td>0</td>
<td>29</td>
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<tr>
<td>6. Unskilled-specified trade</td>
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<tr>
<td>7. TOTAL - Items 1 thru 6</td>
<td>48</td>
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<td>6</td>
<td>3</td>
<td>4</td>
<td>2</td>
<td>31</td>
<td>1</td>
<td></td>
</tr>
</tbody>
</table>

The data below should also be included in the figures for the appropriate occupational categories above.

<table>
<thead>
<tr>
<th>Hispanic</th>
</tr>
</thead>
<tbody>
<tr>
<td>On-the-Job Training</td>
</tr>
</tbody>
</table>

The term Hispanic includes all persons of Mexican, Puerto Rican, Cuban, or Spanish origin. Report only employees enrolled in formal on-the-job training programs.
Part IV

1. Yes X No  Have you a collective bargaining agreement with a labor union or other organization? If yes, specify the union(s) or organization(s).
   IBFW Local 595, Nor Cal Labor 302, Operating Engineer Local 3, Concrete Local 300

2. Yes X No  Have you advised the labor union and/or worker organization of the company's responsibility under the non-discrimination provisions of City contracts?

3. ______ %  Approximately what percentage of your employees covered by union agreements are referred by or hired through the unions? Explain procedure for hiring balance: ____________________________

4. Yes X No  Does the company's collective bargaining agreement or other Contract understanding with a labor union (or unions) or other worker's organization include a provision for non-discrimination in employment?

5. Yes No X  Is there any labor union or worker's organization policy which prevents you from fulfilling your obligations under the non-discrimination provisions of City Contracts? If so, specify: ____________________________

6. Specify the trade(s) or craft(s) involved in this Contract: Electrical, General Labor, Equipment Operator, Stripper, Concrete Mason
   ____________________________
   ____________________________
   ____________________________

7. Use this space for additional comments on any answers you have provided and attach separate sheet if necessary.

Rectangular Rapid Flashing Beacon Installation at 5 locations project
Part II

Attach a statement of your company’s policy on equal employment opportunity to all persons without regard to race, creed, color, national origin, or ancestry, and describe what steps have been taken to implement this policy.

Part III (Circle the proper answer)

1. Yes X No Have you informed company officials and representatives regarding the non-discrimination provisions of City of Menlo Park Contracts?

2. Yes X No Have you examined your company’s practices regarding assignments, layoffs, or transfers of your employees from one job to another for evidence of a practice or employment pattern that might appear to be discriminatory and based upon race, religion or national origin? Are they non-discriminatory?

3. Yes X No Do you have educational or training programs sponsored or financed for the benefit of employees or prospective employees?
   a. ___ How many people participate in these programs?
   b. ___ How many are minorities?

4. Yes X No Does your “Help Wanted” advertisement state that you are an equal opportunity employer?

5. Yes X No Are any apprentices obtained from sources outside the employer’s workforce? If yes, have you circulated information about apprenticeship openings or opportunities to the following?
   – Yes No X State employment offices.
   – Yes No Newspaper or other media.
   – Yes No X High schools, including those in minority group areas.
   – Yes No Local trade or vocational schools, including those with minority group students.
   – Yes No Agencies and/or organization specializing in minority employment.
   – X Yes No Federal or state apprenticeship representative.

6. Yes X No If you are a prime Contractor, have all subcontractors covered by these compliance inspection reports been instructed as to their contractual obligations relating to the non-discrimination provisions of City of Menlo Park contracts? Explain: Deliver through request of quote

7. Yes No X Have all recruitment sources been advised that all qualified applicants will receive consideration for employment without regard to race, color, creed or national origin?

8. Identify (names and addresses) the employment agencies, personnel recruitment organizations, newspaper advertising or other non-union sources from which the company recruits its personnel: Indeed.com, Craigslist.com, City of Oakland Contract Compliance

Rectangular Rapid Flashing Beacon Installation at 5 locations project
Prime Contractor and each subcontractor must complete this report. Submit original of this report to: Engineering Division, 701 Laurel Street, Menlo Park, CA 94025

PROJECT: Rectangular Flashing Beacons

NAME OF FIRM: Ray's Electric PHONE: 510-577-7700

NAME OF PERSON TO CONTACT: Greg Gruendl PHONE: 510-577-7700

Check One: Prime Contractor Subcontractor

COMPLETE THE FOLLOWING:

Part I

1. Full name and address of firm: Gruendl Inc. DBA Ray's Electric
   411 Pendleton Way, Suite B
   Oakland, CA 94621

2. Name and address of principal official:

3. Name and address of principal office of company:

4. Name and address of parent company if an affiliated corporation:

5. Name and address of prime Contractor: (complete only if this report is a subcontractor’s report)

6. Signature and title of authorized representative: President

Date: 2/21/2019
CITY OF MENLO PARK

AFFIRMATIVE ACTION PROGRAM

(The lowest responsive bidder and subcontractors shall submit completed Compliance Report & Ethnic Characteristics Report within five (5) working days after notification by the City of intent to award.)

Please find attached a set of forms to be completed in response to the City of Menlo Park's Affirmative Action Program. A copy of Resolution No. 2340, which sets out the Affirmative Action Program and suggested Guidelines, is available at the Office of the City Engineer. Included in each set are the following:

1. Compliance Report, which requires the bidder to answer certain questions on the status of his/her company concerning equal employment opportunities.

2. Ethnic make-up of the bidder's firm is also required. These forms are to be filled out for two separate situations and are to be submitted with the Compliance Report. One form is for the racial make-up of the company; and the other is for the estimated racial make-up of the work force on the proposed job.

The lowest responsive bidder and subcontractors shall submit the following documents within five (5) working days after notification by the City of intent to award.)

Minority Employment Program:

a) A Compliance Report.

b) A copy of the bidder's statement outlining the company's policy of equal opportunity employment and the steps taken to implement this policy, including or accompanied by a certificate of non-discrimination (your company form).


If there are any questions regarding the Compliance Report, please call the Engineering Division at (650) 330-6740.

RAY'S ELECTRIC
411 PENDLETON WAY
SUITE B
OAKLAND, CA 94621

Rectangular Rapid Flashing Beacon Installation at 5 locations project
DEBARMENT AND SUSPENSION CERTIFICATION

The bidder, under penalty of perjury, certifies that, except as noted below, they or any person associated therewith in the capacity of owner, partner, director, officer, manager (please check if applicable):

[X] Is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any state or federal agency;

[X] Has not been suspended, debarred, voluntarily excluded or determined ineligible by any state or federal agency within the past three (3) years;

[X] Does not have a proposed debarment pending; and

[X] 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 three (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:

____________________________________________________________________________________

Note: Providing false information may result in criminal prosecution or administrative sanction. The above certification is part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Certification.

By my signature on this Proposal I certify, under penalty of perjury under the laws of the State of California, that the foregoing questionnaire and statements of Public Contract Code Sections 10162, 10232 and 10265.1 are true and correct and that the bidder has complied with the requirements of Section 8103 of the Fair Employment and Housing Commission Regulations (Chapter 5, Title 2 of the California Administrative Code). By my signature on this Proposal I further certify, under penalty of the perjury under the laws of the State of California that the Non-Collusion Affidavit, and the Debarment and Suspension Certification are true and correct.

Date: 2/21/2019 __________________________ (Type or print name)

Greg Gruendl

Signature of Bidder

Business Address (Street Address, City, State & Zip Code):
411 Pendleton Way, Suite B
Oakland, CA

Business Phone: (510) 577-7700
Fax No.: (510) 577-7706

Rectangular Rapid Flashing Beacon Installation at 5 locations project
CALIFORNIA JURAT WITH AFFIANT STATEMENT

☐ See Attached Document (Notary to cross out lines 1–6 below)
☐ See Statement Below (Lines 1–6 to be completed only by document signer[s], not Notary)

1. 
2. 
3. 
4. 
5. 
6. ____________________________  
   ____________________________
   ____________________________
   ____________________________

Signature of Document Signer No. 1 ____________________________  
Signature of Document Signer No. 2 (if any) ____________________________

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 ALAMEDA

Subscribed and sworn to (or affirmed) before me on this 6th day of FEBRUARY, 2019,  
by GREGORY C. BRUNEL,  
(1)  
(proved to me on the basis of satisfactory evidence to be the person who appeared before me).

Signature of Notary Public ____________________________

Seal  
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: AFFIDAVIT OR NONRENEWAL Document Date: 6 FEB 2019
Number of Pages: 1  
Signer(s) Other Than Named Above: ____________________________

Item #5910
AFFIDAVIT OF NONCOLLUSION

TITLE 23, UNITED STATES CODE, SECTION 112 NONCOLLUSION
AND PUBLIC CONTRACT CODE SECTION 7106

In accordance 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 on 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.

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

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

AFFIDAVIT OF NON-COLLUSION

State of California

County of Alameda

"I, Greg Grunwald, being first duly sworn, deposes and says that he or she is the party making the foregoing bid that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly 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 conferred 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 on anyone interested in the proposed Contract; that all statements contained in this 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."

Subscribed and sworn to before me this 1/21/2019

Notary Public

Rectangular Rapid Flashing Beacon Installation at 5 locations project

RAY'S ELECTRIC
411 PENDLETON WAY
SUITE B
OAKLAND, CA 94621
REGISTRATION OF CONTRACTORS

Before submitting bids, Contractors shall be licensed in accordance with the provisions of the State Contractors' License Law, Business and Professions Code 7000 et seq. as amended. Pursuant to California Labor Code section 1771.4, the project that is the subject and purpose of this contract is subject to prevailing wage compliance monitoring by the California Department of Industrial Relations.

Pursuant to California Labor Code section 1771.1, by execution below, the Bidder and its Subcontractors certify that they are registered and qualified to perform public work pursuant to section 1725.5 of the California Labor Code, subject to limited legal exceptions.

SIGNED BY REPRESENTATIVE OF BIDDER
PUBLIC CONTRACT CODE SECTION 10285.1 STATEMENT

In accordance 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. These offenses include 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 accordance 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 safety regulation?

YES ______ NO X ______

If the answer is yes, explain the circumstances in the following space:

________________________________________________________

________________________________________________________

PUBLIC CONTRACT CODE SECTION 10232 STATEMENT

In accordance 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.

WORKERS COMPENSATION REQUIREMENT

The Contractor hereby states that he is aware of the provisions of Section 3700 of the Labor Code, which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and he agrees to comply with such provisions before commencing the performance of the work of this Contract.

RAY'S ELECTRIC
411 PENDLETON WAY
SUITE B
OAKLAND, CA 94621

Rectangular Rapid Flashing Beacon Installation at 5 locations project
EQUAL EMPLOYMENT OPPORTUNITY CERTIFICATION

The bidder Ray's Electric proposed subcontractor ALL, hereby certifies that he has X, has 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, he has 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 required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7(b) (1)), and must be submitted by bidders and proposed subcontractors only in connection with contracts and subcontracts, which are subject to the equal opportunity clause. Contracts and subcontracts which are exempt from the equal opportunity clause are set forth in 41 CFR 60-1.5. (Generally only contracts or subcontracts of $10,000 or under are exempt.)

Currently, Standard Form 100 (EO-1) is the only report required by the Executive Orders or their implementing regulations.

Proposed prime contractors and subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note that 41 CFR 60-1.7(b) (1) prevents the award of contracts and subcontracts unless such contractor submits a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor.

I declare under penalty of perjury that the foregoing information is true and correct.

Dated: 2/21, 2019

Bidder's Signature

NOTE: THIS CERTIFICATE MUST BE COMPLETED AND RETURNED BY THE BIDDER EITHER WITH THE BID PROPOSAL AT THE TIME OF THE BID OPENING OR BY THE SUCCESSFUL BIDDER, WITHIN 4 WORKING DAYS FOLLOWING THE BID OPENING.
2. Title of Project: Upper Broadway Road Diet

Owner: Ishart Jahan

Address: 250 Franklin, Oakland CA

Telephone No.: 510-238-6606

Engineer in Charge: Ishart Jahan

Date Accepted: Feb 20

3. Title of Project: Maitland Dr RRFB System

Owner: City of Alameda

Address: 950 West Mall Square RM 110 Alameda, CA 94501

Telephone No.: 510-747-7400

Engineer in Charge: Trung Nguyen

Date Accepted: Sep. 28, 2018

Reference is hereby made to the following bank or banks as to the financial responsibility of the bidder:

Name of Bank Address

Bank of the West 2121 Broadway Oakland, CA 94549

Reference is hereby made to the following surety companies as to the financial responsibility and general reliability of the bidder:

Company: Insurance Services Arthur J. Gallagher

Address: 3697 Mt. Diablo Blvd #300 Lafayette CA, 94549

Company: ___________________________

Address: ___________________________
PRINCIPAL PERSONS WITH INTEREST IN PROPOSAL

The names of all persons interested in the foregoing Proposal as principals are as follows:

IMPORTANT NOTICE. If bidder or other interested person is a corporation, state legal name of corporation, also names of the president, secretary, treasurer, and manager thereof; if a co-partnership, state true name of firm, also names of all individual copartners composing firm; if bidder or other interested person is an individual, state first and last names in full.

Gruendl Inc. DBA Ray's Electric
Greg Gruendl - President & Treasurer
Carlos Franco - Secretary
Stuart Gruendl - Director

BIDDER'S FINANCIAL RESPONSIBILITY, TECHNICAL ABILITY & EXPERIENCE

THE LOW BIDDER MUST, UPON REQUEST, FURNISH EVIDENCE OF FINANCIAL RESPONSIBILITY AND ABILITY TO PERFORM THE WORK INCLUDED IN THIS PROPOSED CONTRACT. SUCH EVIDENCE MAY INCLUDE, BUT NOT BE LIMITED TO, A FINANCIAL STATEMENT AS OF THE DATE OF BID; A STATEMENT, WITH REFERENCES, OF THREE COMPLETED PROJECTS OF A SCOPE & PRICE SIMILAR TO THAT INCLUDED HEREIN; A STATEMENT OF THE LAST THREE PROJECTS PERFORMED REGARDLESS OF THEIR CHARACTER; AND SUCH OTHER INFORMATION WHICH WILL ENABLE THE DIRECTOR OF PUBLIC WORKS TO JUDGE THE BIDDER'S RESPONSIBILITY, EXPERIENCE, SKILL AND BUSINESS STANDING.

The bidder has been engaged in the contracting business under State License No. 662725 for a period of 31 years and has the following DIR Registration No. 000005610.

The bidder's three most recently completed Contracts are:

1. Title of Project: King and Emerson Safe Route to School
Owner: Reeve Battle
Address: 1947 Center Street, Berkeley CA
Telephone No.: 510-981-6400
Engineer in Charge: Reeve Battle
Date Accepted: April 28, 2017

Rectangular Rapid Flashing Beacon Installation at 5 locations project
<table>
<thead>
<tr>
<th>Item No(s)</th>
<th>Contractor's License No.</th>
<th>Class</th>
<th>Exp. Date</th>
<th>DIR Registration No.</th>
<th>Address</th>
<th>Tel</th>
<th>Dollar Amount &amp; Percent of Total Bid</th>
<th>Description of portion of work subcontracted</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.</td>
<td>________________________</td>
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<td>9.</td>
<td>________________________</td>
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<td>$ ( % )</td>
<td></td>
</tr>
</tbody>
</table>

Rectangular Rapid Flashing Beacon Installation at 5 locations project
### SUBCONTRACTORS

**DESIGNATION OF SUBCONTRACTORS:** Each Bidder shall set forth below the name, business address, telephone number and State of California Contractor's license number, class, and expiration date of each subcontractor who will perform work or labor or render service to the Contractor in or about the construction of the work or improvement to be performed under these Contract Documents. The Bidder shall also list the proposal item number(s) to be done, in whole or in part, by each subcontractor and the total amount of each subcontractor's work in dollars and as a percentage of the total bid amount. The Bidder's attention is directed to Section 8-1.01, "Subcontracting", of the Standard Specifications.

Per sections 4100-4114 of the Public Contracts Code, the Bidder shall list the name, California Contractor license number, address and telephone number of each subcontractor to whom the Bidder proposes to subcontract portions of the work in the excess of 0.5% of the total Contract, or $10,000, whichever is greater.

**NOTE:** No contractor or subcontractor may work on a public works project unless registered with the Department of Industrial Relations pursuant to section 1725.5 of the Labor Code, subject to limited legal exceptions under Labor Code section 1771.1.

<table>
<thead>
<tr>
<th>Item No(s).</th>
<th>Contractor's License No.</th>
<th>Class</th>
<th>Exp. Date</th>
<th>DIR Registration No.</th>
<th>Address</th>
<th>Tel</th>
<th>Dollar Amount &amp; Percent of Total Bid</th>
<th>Description of portion of work subcontracted</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,2,7,8,9,10,12,13,18,19,20,21</td>
<td>374600</td>
<td>A</td>
<td>5/31/2019</td>
<td>100000306</td>
<td>43650 Osgood Road, Fremont CA. 94539</td>
<td>(510) 656-2840</td>
<td>$34,820.00 (11.6%)</td>
<td>Stripes and Signs</td>
</tr>
<tr>
<td>2</td>
<td>_ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>_ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>_ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _ _</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---

Rectangular Rapid Flashing Beacon Installation at 5 locations project
The undersigned declares, by their signature in the proposal documents, that the bidder has checked carefully all of the above figures and understands that the City shall not be responsible for any errors or omissions on the part of the undersigned in making up this bid.

**ADDENDA ACKNOWLEDGEMENT AND INFORMATION**

The undersigned acknowledges receipt of Addendum number 1 through 1 inclusively.

The undersigned acknowledges that the TOTAL price listed in the Item Price Schedule above represents the proposed Contract Price for all of the work described in the Plans and Specifications for this project.

**CONTRACTOR:** Ray's Electric

**SIGNATURE:** [Signature]

**PRINT NAME:** Greg Gruendl

**TITLE:** President

**DATE:** 2/21/2019

---

RAY'S ELECTRIC
411 PENDLETON WAY
SUITE B
OAKLAND, CA 94621

Rectangular Rapid Flashing Beacon Installation at 5 locations project
<table>
<thead>
<tr>
<th>Item No.</th>
<th>Section No.</th>
<th>Estimated Quantity</th>
<th>Unit of Measure</th>
<th>Item Description</th>
<th>Item Price (In Figures)</th>
<th>Total (In Figures)</th>
</tr>
</thead>
<tbody>
<tr>
<td>17</td>
<td>73</td>
<td>4</td>
<td>EA</td>
<td>Install Detectable Warning Surface on Existing Curb Ramp</td>
<td>$500.00</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>18</td>
<td>84</td>
<td>210</td>
<td>LF</td>
<td>12&quot; White Line Striping</td>
<td>$6.00</td>
<td>$1,260.00</td>
</tr>
<tr>
<td>19</td>
<td>84</td>
<td>600</td>
<td>LF</td>
<td>24&quot; White Line Striping</td>
<td>$12.00</td>
<td>$7,200.00</td>
</tr>
<tr>
<td>20</td>
<td>84</td>
<td>18</td>
<td>SF</td>
<td>Pavement Marking</td>
<td>$10.00</td>
<td>$180.00</td>
</tr>
<tr>
<td>21</td>
<td>56</td>
<td>1</td>
<td>LS</td>
<td>Roadside Signs</td>
<td>$5,000.00</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>22</td>
<td>13</td>
<td>1</td>
<td>LS</td>
<td>Waste Management</td>
<td>$1,000.00</td>
<td>$1,000.00</td>
</tr>
</tbody>
</table>

**ALTERNATE BID ITEMS TOTAL**  
(Bid Items 12-22) $164,640.00

**Notes:**  
(S) Specialty Items - As defined in Section 8-1.01, "Subcontracting," of the Standard Specifications.

(Abbreviations: LF=linear feet, SF=square feet, SY=square yards, CY=cubic yards, TN=tons, LS=lump sum, EA=each)

**BASIS OF BID (Written):** One hundred thirty six thousand three hundred seventy six dollars and no/100

**Notes:**  
- The Contract will be compared and awarded on the basis of the Total Base Bid price. The City reserves the right to remove, fully or in part, the Alternate Bid from the contract at its own discretion.  
- The City reserves the right to reject all bids for any reason whatsoever.  
- The estimate of construction quantities set forth herein is approximate only, being given as a basis for the comparison of bids. The City does not expressly or by implication agree that the actual amount of work will correspond therewith, and reserves the right to change the amount of any class or portion of the work or to omit portions of the work as may be deemed necessary or expedient by the Engineer in accordance with the Special Provisions.  
- The City reserves the right to increase or decrease quantities as deemed necessary.
**PROPOSAL TO THE CITY OF MENLO PARK**

**ITEM PRICE SCHEDULE**

1. **Base Bid Items (Crane Street and Middlefield Road):**

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Section No.</th>
<th>Estimated Quantity</th>
<th>Unit of Measure</th>
<th>Item Description</th>
<th>Item Price (In Figures)</th>
<th>Total (In Figures)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>11</td>
<td>1</td>
<td>LS</td>
<td>Mobilization</td>
<td>$6,000.00</td>
<td>$6,000.00</td>
</tr>
<tr>
<td>2</td>
<td>10</td>
<td>1</td>
<td>LS</td>
<td>Traffic Control</td>
<td>$20,000.00</td>
<td>$20,000.00</td>
</tr>
<tr>
<td>3</td>
<td>86</td>
<td>1</td>
<td>LS</td>
<td>RRFB System Installation at Crane Street</td>
<td>$38,000.00</td>
<td>$38,000.00</td>
</tr>
<tr>
<td>4</td>
<td>86</td>
<td>1</td>
<td>LS</td>
<td>RRFB System Installation at Linfield Drive and Middlefield Road</td>
<td>$60,000.00</td>
<td>$60,000.00</td>
</tr>
<tr>
<td>5</td>
<td>73</td>
<td>128</td>
<td>SF</td>
<td>Curb Ramp</td>
<td>$32.00</td>
<td>$4,096.00</td>
</tr>
<tr>
<td>6</td>
<td>73</td>
<td>18</td>
<td>LF</td>
<td>Curb and Gutter</td>
<td>$75.00</td>
<td>$1,350.00</td>
</tr>
<tr>
<td>7</td>
<td>84</td>
<td>65</td>
<td>LF</td>
<td>12&quot; White Line Striping</td>
<td>$6.00</td>
<td>$390.00</td>
</tr>
<tr>
<td>8</td>
<td>84</td>
<td>165</td>
<td>LF</td>
<td>24&quot; White Line Striping</td>
<td>$12.00</td>
<td>$1,980.00</td>
</tr>
<tr>
<td>9</td>
<td>84</td>
<td>156</td>
<td>SF</td>
<td>Pavement Marking</td>
<td>$10.00</td>
<td>$1,560.00</td>
</tr>
<tr>
<td>10</td>
<td>56</td>
<td>1</td>
<td>LS</td>
<td>Roadside Signs</td>
<td>$2,000.00</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>11</td>
<td>13</td>
<td>1</td>
<td>LS</td>
<td>Waste Management</td>
<td>$1,000.00</td>
<td>$1,000.00</td>
</tr>
</tbody>
</table>

**BASE BID TOTAL**

(Bid Items 1-11) $133,376.00

2. **Alternate Bid Items (Oak Grove Avenue, Ravenswood Avenue, and Santa Cruz Avenue):**

<table>
<thead>
<tr>
<th>Item No.</th>
<th>Section No.</th>
<th>Estimated Quantity</th>
<th>Unit of Measure</th>
<th>Item Description</th>
<th>Item Price (In Figures)</th>
<th>Total (In Figures)</th>
</tr>
</thead>
<tbody>
<tr>
<td>12</td>
<td>11</td>
<td>1</td>
<td>LS</td>
<td>Mobilization</td>
<td>$7,000.00</td>
<td>$7,000.00</td>
</tr>
<tr>
<td>13</td>
<td>10</td>
<td>1</td>
<td>LS</td>
<td>Traffic Control</td>
<td>$30,000.00</td>
<td>$30,000.00</td>
</tr>
<tr>
<td>14</td>
<td>86</td>
<td>1</td>
<td>LS</td>
<td>RRFB System Installation at Alma Street and Ravenswood Avenue</td>
<td>$39,000.00</td>
<td>$39,000.00</td>
</tr>
<tr>
<td>15</td>
<td>86</td>
<td>1</td>
<td>LS</td>
<td>RRFB System Installation at Santa Cruz Avenue and Johnson Street</td>
<td>$35,000.00</td>
<td>$35,000.00</td>
</tr>
<tr>
<td>16</td>
<td>86</td>
<td>1</td>
<td>LS</td>
<td>RRFB System Installation at Oak Grove Avenue</td>
<td>$37,000.00</td>
<td>$37,000.00</td>
</tr>
</tbody>
</table>

Rectangular Rapid Flashing Beacon Installation at 5 locations project
The Bidder shall set forth for each quantified item of work a unit price and a total for the item, and for each lump sum item a total for the item, all in clearly legible figures in the respective spaces provided for this purpose. In the case of unit basis items, the amount set forth under the “Total” column shall be the extension of the item price bid on the basis of the estimated quantity for the item. Failure to provide the required information, or if information provided is subsequently proved false, the Proposal shall be considered as non-responsive and shall be grounds for rejection of the bid.

In case of conflict between an item price in words and the price in figures, the price in words shall prevail. In case of discrepancy between an item unit price and the total set forth for a unit basis item, the item unit price shall prevail. However, if the amount set forth as an item unit price is ambiguous, illegible or uncertain for any cause, or is omitted, or is the same amount as the entry in the “Total” column, then the amount set forth in the “Total” column for the item shall prevail and shall be divided by the estimated quantity for the item, and the price thus obtained shall be the item unit price.

The bidding contractor’s attention is directed to Section 9-1.1 of the Special Provisions regarding payment for work or requirements not specifically included in the Pay Item Price Schedule.
Bids are required for the entire work. The amount of the bid for comparison purposes will be the total of all items. The total of unit basis items will be determined by extension of the item price bid on the basis of the estimated quantity set forth for the item.

The Bidder shall set forth for each item of work, in clearly legible figures, an item price and a total for the item in the respective spaces provided for this purpose. In the case of unit basis items, the amount set forth under the “Total” column shall be the extension of the item price bid on the basis of the estimated quantity for the item.

In case of discrepancy between an item price and total set forth for the item, the item price shall prevail, provided however, if the amount set forth as an item price is ambiguous, unintelligible or uncertain for any cause, or is omitted, or in the case of unit basis items, is the same amount as the entry in the “Total” column, then the amount set forth in the “Total” column for the item shall prevail in accordance with the following:

1. As to lump sum items, the amount set forth in the “Total” column shall be the item price.
2. As to unit basis items, the amount set forth in the “Total” column shall be divided by the estimated quantity for the item and the price thus obtained shall be the item price.

Failure to provide the required information, or if information provided is subsequently proved false, the Proposal shall be considered as non-responsive and shall be grounds for rejection of the bid.

After acceptance of this Proposal and award of the Contract, if the undersigned should fail to contract as aforesaid or should fail to give the “Performance” Surety Bond in the sum of one hundred percent (100%) of the Contract bid, along with Bonds as required in Section 3-2 of these Special Provisions, along with the Certificate of Insurance covering public liability and property damage in the amounts specified in the Agreement portion of these Contractual documents, to the City of Menlo Park within 12 days, not including Sundays and legal holidays, after the Bidder has received notice from the City that the Contract has been awarded, the City may, at its option, determine that the bidder has abandoned the Contract, thereupon this Proposal and the acceptance thereof shall be null and the forfeiture of such security accompanying this Proposal shall operate and the same shall become the property of the City of Menlo Park.

The undersigned, as Bidder, declares that the only persons or parties interested in this Proposal as principals are those named herein; that this Proposal is made without collusion with any other person, firm or corporation; that he has carefully examined the location of the proposed work, the annexed proposed form of Contractual Agreement, and the Plans and Specifications therein referred to; that he proposes and agrees if this Proposal is accepted, that he will contract with the City of Menlo Park, in the form of the copy of the Contractual Agreement annexed hereto, to provide all necessary machinery, tools, apparatus and other means of construction, and to do all the work and furnish all the materials specified in the Contract, in the manner and time therein prescribed and according to the requirements of the Engineer as therein set forth, and that he will accept in full payment therefore the following unit prices, to wit:

RAY'S ELECTRIC
411 PENDLETON WAY
SUITE B
OAKLAND, CA 94621

Rectangular Rapid Flashing Beacon Installation at 5 locations project
PROPOSAL TO CITY COUNCIL EXHIBIT "A"

CITY OF MENLO PARK
STATE OF CALIFORNIA

FOR

RECTANGULAR RAPID FLASHING BEACON SYSTEM AT 5 LOCATIONS

NAME OF BIDDER: Gruendl Inc. DBA Ray's Electric
BUSINESS ADDRESS: 411 Pendleton Way, Suite B
CITY, STATE, ZIP: Oakland, CA 94621
LICENSE NO.: 682725 CLASS: A & C10 EXP. DATE: 12/13/2019
TAX I.D. NO.: 94-3106593
DIR REGISTRATION NO.: 1000005610
TELEPHONE NO: (510) 577-7700 FAX NO: (510) 577-7708
EMAIL: greg@rayselectric.net

HOW DID YOU HEAR ABOUT THIS PROJECT City of Menlo Park Website

The work for which this Proposal is submitted is for construction in accordance with the Contract Documents, including the Special Provisions, the Agreement, the project Plans described below, and the State of California Department of Transportation Standard Specifications, May 2006 Edition. The Contract Book shall be used in conjunction with the above documents, and the State of California Department of Transportation Labor Surcharge and Equipment Rental Rates, and the State Department of Industrial Relations General Prevailing Wage Rates current at the bid opening date.

The project Plans for the work to be done are titled RECTANGULAR RAPID FLASHING BEACON SYSTEM AT 5 LOCATIONS PROJECT and are incorporated in the Special Provisions.

The work to be done consists of removing existing In Road Warning Light Systems and furnishing and installing a rectangular rapid flashing beacon system at 5 locations, signing and striping improvements, and curb ramp reconstruction at various locations and other incidentals as necessary to complete the work shown on the plans and as specified on these special provisions.

A Bidder's Bond, in an amount and of a form described under Paragraph 1 of the Proposal Requirements Section of these Provisions shall accompany this Proposal. The project shall be awarded to the lowest responsible bidder who meets all of the Proposal Requirements, and the requirements of the Contract Documents.
State of California
County of _________Alameda_____

On 3/18/19 before me, Matthew D. Valera, notary public, personally appeared ________Gregory Cowen________,

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 of Notary Public

**************************************************************************************

Description of Attached Document (OPTIONAL)

Title of Type of Document__________________________________________________________
Number of Pages ________________________________________________________________
Date of Document ________________________________________________________________
NOTARIAL ACKNOWLEDGMENT OF PRINCIPAL

STATE OF CALIFORNIA  }  ss.
COUNTY OF Alameda  }

On March 18, 2017, before me, Matthew D. Valera, a Notary Public, personally appeared Greg Grundel, personally known to me (or 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 they executed the same in their authorized capacity(ies), and that by their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

(Seal)
ARTICLE 7. In entering into a public works contract or a subcontract to supply goods, services, or materials pursuant to a public works contract, the contractor or subcontractor offers and agrees to assign to the awarding body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, services, or materials pursuant to the public works contract or the subcontract. This assignment shall be made and become effective at the time the awarding body tenders final payment to the contractor, without further acknowledgment by the parties.

ARTICLE 8. Waivers of a breach or default under this Agreement shall not constitute a continuing waiver or a waiver of a subsequent breach of the same or any other provision of this Agreement.

ARTICLE 9. In the event that any term or portion of this Agreement is held invalid by a court of competent jurisdiction, the Agreement shall be construed as not containing that term or portion, and the remainder of this Agreement shall remain in full force and effect.

ARTICLE 10. The interpretation, validity, and enforcement of this Agreement shall be governed by and construed under the laws of the State of California. Any suit, claim, or legal proceeding of any kind relating to this Agreement shall be filed and heard in a court of competent jurisdiction in the County of San Mateo.

IN WITNESS WHEREOF, the parties have executed this instrument the year and date first above written.

CITY OF MENLO PARK
A Municipal Corporation

[Signatures]

William L. McClure, City Attorney

ATTEST:

[Signature]

Judi A. Herren, City Clerk

CONTRACTOR (NAME): Gruendl Inc DBA Ray's Electric

By [Signature]

Title President
THIS ADDENDUM MUST BE SIGNED AND RETURNED WITH YOUR BID. FAILURE TO INCLUDE AND ACKNOWLEDGE THE ADDENDUM MAY RESULT IN THE BID BEING REJECTED AS NOT RESPONSIVE.

Instructions: The bidder must sign this addendum in the space provided below and enclose one signed copy with the bid. Failure to enclose this signed copy with the bid proposal shall not relieve the bidder of his obligation to incorporate these changes to this proposal.

Modification to Section 2 – Proposal Requirement and Conditions

2-1.3 REQUIRED LICENSE FOR PRIME CONTRACTOR

Section 2-1.04 is revised (from BLANK) to read as follows:

The Prime Contractor on this project ("Contractor") shall possess a valid A or C-27 C-10 license issued pursuant to Chapter 9, Division 3 of the California Business & Professions Code, which are currently active and in good standing.

Attention is directed to the prohibitions and penalties pertaining to unlicensed contractors as provided in Business and Professions Code Sections 7028.15(a) and 7031.

Approved by:

Angela R. Olaeso,
Senior Transportation Engineer

Acknowledgement (signature required below):

BIDDER'S SIGNATURE
Greg Gruendl
BIDDER'S NAME
President
BIDDER'S TITLE
Gruendl Inc. DBA COMPANY
RAY'S ELECTRIC

DATE
2/13/2019

RECEIVED
FEB 13 2019
RAY'S ELECTRIC
PROPOSAL INSTRUCTIONS

The Bidder's attention is directed to all the provisions of Section 2, "Proposal Requirements and Conditions," of the Standard Specifications, dated May 2006, of the State of California, Department of Transportation, except that the Bidders security shall be made payable to the City of Menlo Park as stated below.

1. All bidders shall use the forms labeled Bid Proposal packet received with project files link or provided under the miscellaneous bids webpage. This Bid Proposal forms, should be presented under sealed cover, shall be accompanied by a Bidder's Bond executed by an admitted surety insurer, made payable to the City of Menlo Park. The form of Bidder's Bond to be used will be found following the signature page of the Proposal. The Bidder's Bond shall be at least 10% of the bid amount. As an alternative to the Bidder's Bond, cash, cashier's check or certified check payable to the City and in an amount equal to at least 10% of the bid amount may be used. A WHITE XEROX COPY of the Bidder's Bond shall be acceptable if all signatures and notary on the Xerox copy are original. The City will not be responsible for any oral interpretations to Bidders with respect to any of the work embraced herein.

2. A statement of Experience and Financial Responsibility shall accompany the Proposal. A form for this statement will be found as part of the Proposal to the City Council which follows these Proposal requirements.

3. If bidder is:
   a. An individual doing business in his or her own name, sign name only.
   b. An individual using a firm name, sign name as an individual DBA (doing business as). For example: "John Doe, an individual doing business as XYZ Company."
   c. A co-partnership, sign name as shown in this example: "XYZ Co., by John Doe, Copartner." Also, give the names of all individual copartners composing the firm.
   d. A corporation, sign name with your title as in this example: "XYZ Co., by John Doe, President." Also, state legal name of corporation, names of the president, secretary, treasurer and manager of corporation. Affix seal of corporation.

4. The business address of the bidder must be filled in completely on the Proposal, giving the address of the firm in the case of the partnership or corporation, not the address of the partner or official signing this Proposal.

5. The spaces provided on the Proposal for State of California Contractor's license number and classification must be filled in completely.

6. To assure recognition, write the words "Proposal, etc." plainly on the envelope.

7. The attention of all bidders is directed to the "Proposal to The City Council" regarding discrepancies found in bidder's Price Schedule.

RAY'S ELECTRIC
411 PENDLETON WAY
SUITE B
OAKLAND, CA 94621

Rectangular Rapid Flashing Beacon Installation at 5 locations project