

BID PROPOSAL

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| Project: | San Luis Rey/Pablo Tac Campus Modernization, Increment 1 & 2 |
| Project Number: | #809-705 |
| Bid Package Number: | SLR-04 |
| Bid Number: | 2023-21-035B |
| Bid Package Description: | Demo & Abatement |

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|---|--|---|
| Bidder Name | _____ | |
| Bidder Representative(s) | Name and Title _____ | |
| | Name and Title _____ | |
| Bidder Representative(s) Contact Information | Email Address(es) _____ | Phone/Fax (_____) _____ Telephone |
| | _____ | (_____) _____ Fax |
| Bidder Mailing Address | Address _____ | |
| | City/State/Zip Code _____ | |
| California Contractors' License | Number _____ | |
| | Classification(s) and Expiration Date _____ | |

1. Bid Proposal.

- 1.1 Bid Proposal Amount. The undersigned Bidder proposes and agrees to furnish and install the Work including, without limitation, providing and furnishing any and all labor, materials, tools, equipment and services necessary to complete, in a workmanlike manner in accordance with the Contract Documents, all of the Work described as: **“Pablo Tac Elementary School” Campus Modernization Increment 1 & 2, Bid Package No. SLR-04**, for the sum of:

\$, , .

_____ Dollars

(in words; printed or typed)

The Bidder confirms that it has checked all of the above figures and understands that neither the District nor any of its agents, employees or representatives shall be responsible for any assumptions, errors or omissions on the part of the undersigned Bidder in preparing and submitting this Bid Proposal. The Bid Proposal Amount includes all Allowances set forth in Paragraph 1.2 below (as identified in Division 01). The undersigned Bidder further acknowledges that if the District reasonably determines that insurance premium costs for the Bidder and/or any Subcontractor are incorporated into the foregoing proposed price, the Bid Proposal may be rejected by the District for non-responsiveness.

Allowance. The Bidder and District acknowledge that the Bid Proposal Price set forth above

includes an Allowance Amount in the aggregate amount of _____ Dollars (\$_____), which is allocated as follows:

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Although included in the Bid Proposal Price, Allowances belong solely to the District and shall be expended only upon written direction by the District, to be granted or denied in its sole discretion. Any Allowance amount not fully consumed shall belong solely to the District and shall be refunded to the District by a deductive change order. By submitting this Bid Proposal, the Bidder confirms that the Bid Price proposed in Paragraph 1.1 is inclusive of all Allowances.

1.2 Unit Price Items. If applicable, the Bidder's price proposals for Unit Price Items are set forth in the form of a Composite Unit Price Item Proposal attached to the **Supplemental Conditions** at Attachment A and attached hereto. Although the Unit Price Items may be considered in the determination of the lowest Bid Proposal Amount, Unit Price Items will not form the basis for the District's Contract Price for any Contract awarded. During performance of the Work, the District may elect to add or delete any Unit Price Item set forth in Attachment A. If the District elects to add or delete any Unit Price Item set forth below, the debit or credit for such Unit Price Item shall be in accordance with the Unit Prices set forth in Attachment A hereto.

1.3 Acknowledgment of Bid Addenda. The Bidder confirms that this Bid Proposal incorporates and is inclusive of, all items or other matters contained in Bid Addenda, if any, issued by or on behalf of the District.

_____ **Addenda Nos.** _____ received, acknowledged
(initial) and incorporated into this Bid Proposal.

1.4 Alternate Bid Items. The Bidder's proposed pricing for each Alternate Bid Item, if any, is set forth in the accompanying form of Alternate Bid Items Proposal, Attachment B to the Supplemental Conditions and attached hereto. Failure of a Bidder to propose pricing for each Alternate Bid Item set forth in the accompanying Alternate Bid Items Proposal, Attachment B hereto, will result in the Bid Proposal being deemed non-responsive and rejected.

2. Documents Accompanying Bid Proposal. The Bidder has submitted with this Bid Proposal the following:

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| Bid Security | DIR Registration Verification |
| Composite Unit Price Proposal | Statement of Bidder's Qualifications |
| Alternate Bid Items Proposal | Non-Collusion Declaration |
| Subcontractors List | Cover page & Table of Contents <u>only</u> of Bidder's IIPP (Injury & Illness Prevention Program) |

The Bidder acknowledges that if this Bid Proposal and the foregoing documents are not fully in compliance with applicable requirements set forth in the Call for Bids, the Instructions for Bidders

and in each of the foregoing documents, the Bid Proposal may be rejected as non-responsive.

3. Award of Contract. If the Bidder submitting this Bid Proposal is awarded the Contract, the undersigned will execute and deliver to the District the Agreement in the form attached hereto within Fifteen (15) calendar days after notification of award of the Contract. Concurrently with delivery of the executed Agreement to the District, the Bidder awarded the Contract shall deliver to the District: (i) Certificates of Insurance evidencing all insurance coverages required under the Contract Documents;(ii) Performance Bond; (iii) Labor and Material Payment Bond; (iv) Drug-Free Workplace Certificate; and (v) the Roof Financial Disclosure Certificate, if required. Failure of the Bidder awarded the Contract to strictly comply with the preceding may result in the District's rescinding award of the Contract and/or forfeiture of the Bidder's Bid Security. In such event, the District may, in its sole and exclusive discretion elect to award the Contract to the responsible Bidder submitting the next lowest priced Bid Proposal or to reject all Bid Proposals.
4. Contractors' License. The Bidder certifies that: (i) it is possesses a valid and in good standing Contractors' License, in the necessary class(es), for performing the Work as set for in the Call for Bids; (ii) that such license shall be in full force and effect throughout the duration of the performance of the Work; and (iii) that all Subcontractors providing or performing any portion of the Work are properly licensed to perform their respective portions of the Work at the time of submitting this Bid Proposal and will remain so properly licensed at all times during their performance of the Work.
5. Agreement to Bidding Requirements and Attorney's Fees. The undersigned Bidder acknowledges and confirms its receipt, review and agreement with, the contractual requirements set forth in this Bid Proposal and the Contract Documents. By executing this Bid Proposal herein below, the Bidder expressly acknowledges and agrees that if the Bidder institutes any legal or equitable proceedings in connection with this Bid Proposal and the District is named as a party thereto, the prevailing party(ies) shall recover from the other party(ies), as costs, all attorneys' fees and costs incurred in connection with any such proceeding, including any appeal arising therefrom. This provision shall constitute a binding attorneys' fee agreement in accordance with and pursuant to California Civil Code § 1717 which shall be enforceable against the Bidder and the District. This attorneys' fee provision shall be solely limited to legal or equitable proceedings arising out of a bid protest or the bidding process and shall not extend to or have any force and effect on the Contract for the Work or to modify the terms of the Contract Documents for the Work.
6. Acknowledgment and Confirmation. The undersigned Bidder acknowledges its receipt, review and understanding of the Drawings, the Specifications and other Contract Documents pertaining to the proposed Work. The undersigned Bidder certifies that the Contract Documents are, in its opinion, adequate, feasible and complete for providing, performing and constructing the Work in a sound and suitable manner for the use specified and intended by the Contract Documents. The undersigned Bidder certifies that it has, or has available, all necessary equipment, personnel, materials, facilities and technical and financial ability to complete the Work for the amount bid herein within the Contract Time and in accordance with the Contract Documents.

By: _____
(Signature of Bidder's Authorized Officer
or Representative)

(Typed or Printed Name)

Title: _____

BIDDER SHALL ATTACH TO ITS BID PROPOSAL

ATTACHMENT A TO SUPPLEMENTAL CONDITIONS: COMPOSITE UNIT PRICE BID PROPOSAL

AND

ATTACHMENT B TO SUPPLEMENTAL CONDITIONS: ALTERNATE BID ITEMS PROPOSAL