Item description/summary:

NO Acceptance of Bid for Olivehurst Spray Park

On 1/21/2022, Bids were released for request of Olivehurst Spray Park. A mandatory meeting was conducted on 01/27/2022 of which 4 contractors were present. Bids were due on Friday, 02/11/2022 of which 1 Bid was presented on 02/11/2022 at 3 PM. Bid was opened at 3:05 and total cost equated to $240,169.77 ($261,634.77 with cool deck). The Per Capita Grant awarded was roughly 172,000+. The bid amount was over $68,000+ than what the grant will cover.

Fiscal Analysis:

n/a

Employee Feedback

n/a

Sample Motion:

To not accept asking bid amount for Olivehurst Spray Park.

Prepared by: Swarnjit Boyal, Public Work Engineer
ATTACHMENT 1 – Bid Result
OLIVEHURST PUBLIC UTILITY DISTRICT
Bid Opening

Date/Time: February 11, 2002 at 3:05 p.m.
Present: Public Works Engineer and District Clerk
Location: General Manager’s Office, 1970 9th Ave, Olivehurst

Project: Oliverhurst Community Park – Splash Pad

The following bids were received:

<table>
<thead>
<tr>
<th></th>
<th>Firm Name</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
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<tr>
<td>4</td>
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<td></td>
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<tr>
<td>8</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
PROPOSAL (BID)
OLIVEHURST PUBLIC UTILITY DISTRICT

Name of BIDDER

PEAK ASSOCIATES, INC., D/B/A Unlimited

Business Address

980 Memorex Dr.
Santa Clara, CA 95050

0-408-244-9848  F-408-244-9847

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 work, the annexed proposal form of agreement, and the plans and specifications herein referred to; and he proposes and agrees, if this proposal is accepted, that he will contract with the owner in the form of the copy of the agreement annexed hereto, to provide all necessary machinery, tools, apparatus and other means of construction, and to do all the work and furnish all materials specified, in the manner and time prescribed, and according to the requirements of the owner as set forth, and that he will take in full payment therefore the following lump sum for the complete work, based on the attached hereto estimated quantities, to wit:

PROPOSAL
Contractor agrees to supply and/or to perform all the work described below and as instructed by the District Engineer in a good workman like manner for the following Lump Sum prices:

<table>
<thead>
<tr>
<th>ITEM NO.</th>
<th>DESCRIPTION</th>
<th>QUANTITY</th>
<th>UNIT OF MEASURE</th>
<th>TOTAL ITEM COST</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.01</td>
<td>Permits, Bonds, Insurance, Mobilization, set up, &amp; OSHA</td>
<td>LS</td>
<td></td>
<td>$37,714 50</td>
</tr>
<tr>
<td>1.02</td>
<td>Equipment &amp; Start-Up Cost for Full - Turnkey Spray Park at Olivehurst Community Park.</td>
<td>LS</td>
<td></td>
<td>$142,736 55</td>
</tr>
<tr>
<td>1.03</td>
<td>System Installation</td>
<td>LS</td>
<td></td>
<td>$59,718 72</td>
</tr>
</tbody>
</table>

The bidder shall set forth, in clearly legible figures, the bid price in the spaces provided in the following schedule:

<table>
<thead>
<tr>
<th>TOTAL BID AMOUNT</th>
<th>$240,169 71</th>
</tr>
</thead>
</table>

Write out figures:

two hundred forty thousand one hundred sixty nine 71/100

The said quotations include the cost of insurance, sales tax, and every other item of expense direct or indirect incident to the contract.

PROPOSAL
LIST OF SUBCONTRACTORS

(Public Contract Code Section 4104)

In compliance with the provisions of Sections 4100 et seq. of the Government Code, the undersigned hereby designates below the names and locations of the place of business of each subcontractor who shall perform work on this contract in excess of one-half of one percent of the bid price. If the Contractor fails to specify a subcontractor for any portion of the work under the contract, he shall be deemed to have agreed to perform that work himself. Any change or substitution of subcontractors shall be accomplished in strict accordance with provisions of the Government Code.

<table>
<thead>
<tr>
<th>Work to be Performed</th>
<th>Percent of Total Contract</th>
<th>Subcontractor's Name and Address</th>
<th>DIR #</th>
<th>CSLB Lic. #</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td>None</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
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<td>3.</td>
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<td>4.</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
NOTE: Additional numbered pages may be attached if needed.

Accompanying this proposal is (cashier's check) (certified check) (bidder's bond)  (NOTE: Cross out those that do not apply) in the amount of $100,000.00 dollars, being at least ten percent (10%) of the total amount bid. Licensed in accordance with the act providing for the Registration of Contractors

Respectfully submitted:

Signature
Richard Meadernott

Title
Business Development

License Number (If applicable)
756794

Attest

980 Monzez Dr.
Santa Clara, CA 95050

Address

Date
2/10/22

______________________________
THE AMERICAN INSTITUTE OF ARCHITECTS

AIA Document A310
Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we, Playgrounds Unlimited M.A.K. Associates Inc.
as Principal, hereinafter called the Principal, and
(Here insert full name and address or legal title of Contractor)

Markel Insurance Company
as Surety, hereinafter called the Surety, are held and firmly bound unto Olivehurst Public Utility District
(Here insert full name and address or legal title of Surety)

as Obligee, hereinafter called the Obligee, in the sum of

Ten Percent (10%) of the Amount Bid

Dollars ($______________), for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind
ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by
these presents.

WHEREAS, the Principal has submitted a bid for

Spray Park at Olivehurst Community Park Project

(Here insert full name, address and description of project)

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract
with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding
or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt
payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter
such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty
hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract
with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain
in full force and effect.

Signed and sealed this 10th day of February, 2022


(Witness)

Markel Insurance Company

(Witness)

Richard McInerney (Title)
Development

Mary Bacz, Attorney-in-Fact
CALIFORNIA ALL-PURPOSE 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 San Mateo

On February 10, 2022 before me, Deborah M. Knipp, Notary Public personally appeared

Mary Baez

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document

Title or Type of Document: ___________________________ Document Date: ________________________

Number of Pages: _______ Signer(s) Other Than Named Above: ____________________________

Capacity(ies) Claimed by Signer(s)

Signer's Name:

☐ Corporate Officer — Title(s): ___________________________ 
☐ Partner — □ Limited □ General 
☐ Individual 
☐ Trustee ☑ Guardian or Conservator
☐ Other: ___________________________

Signer Is Representing: ___________________________

Signer's Name:

☐ Corporate Officer — Title(s): ___________________________ 
☐ Partner — □ Limited □ General 
☐ Individual 
☐ Trustee ☑ Guardian or Conservator
☐ Other: ___________________________

Signer Is Representing: ___________________________
JOINT LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That SureTec Insurance Company, a Corporation duly organized and existing under the laws of the State of Texas and having its principal office in the County of Harris, Texas and Markel Insurance Company (the "Company"), a corporation duly organized and existing under the laws of the State of Illinois, and having its principal administrative office in Glen Allen, Virginia, does by these presents make, constitute and appoint:

Mary Beez, Gregory D. McCartney, Sylvia McGovern

Their true and lawful agent(s) and attorney(s)-in-fact, each in their separate capacity if more than one is named above, to make, execute, seal and deliver for and on their own behalf, individually as a surety or jointly, as co-sureties, and as their act and deed any and all bonds and other undertakings in suretyship provided, however, that the penal sum of any one such instrument executed hereunder shall not exceed the sum of:

Fifteen Million and 00/100 Dollars ($15,000,000.00)

This Power of Attorney is granted and is signed and sealed under and by the authority of the following resolutions adopted by the Board of Directors of SureTec Insurance Company and Markel Insurance Company:

"RESOLVED, That the President, any Senior Vice President, Vice President, Assistant Vice President, Secretary, Assistant Secretary, Treasurer or Assistant Treasurer and each of them hereby is authorized to execute powers of attorney, and such authority can be executed by use of facsimile signature, which may be attested or acknowledged by any officer or attorney, of the company, qualifying the attorney or attorneys named in the given power of attorney, to execute on behalf of, and acknowledge as the act and deed of the SureTec Insurance Company and Markel Insurance Company, as the case may be, all bond undertakings and contracts of suretyship, and to affix the corporate seal thereto."

IN WITNESS WHEREOF, Markel Insurance Company and SureTec Insurance Company have caused their official seal to be hereunto affixed and these presents to be signed by their duly authorized officers on the 24th day of March, 2021.

SureTec Insurance Company

By: Michael C. Keimig, President

Markel Insurance Company

By: 

State of Texas
County of Harris:

On this 24th day of March, 2021 A.D., before me, a Notary Public of the State of Texas, in and for the County of Harris, duly commissioned and qualified, came THE ABOVE OFFICERS OF THE COMPANIES, to me personally known to be the individuals and officers described in, who executed the preceding instrument, and they acknowledged the execution of same, and being by me duly sworn, disposed and said that they are the officers of the said companies aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and the said Corporate Seals and their signatures as officers were duly affixed and subscribed to the said instrument by the authority and direction of the said companies, and that resolutions adopted by the Board of Directors of said Companies referred to in the preceding instrument is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed my Official Seal at the County of Harris, the day and year first above written.

Xenia Chavez
Notary Public, State of Texas
Notary ID# 12911765-9
My Commission Expires
SEPTEMBER 10, 2024

By: Xenia Chavez, Notary Public

My Commission expires 9/10/2024

We, the undersigned Officers of SureTec Insurance Company and Markel Insurance Company do hereby certify that the original POWER OF ATTORNEY of which the foregoing is a full, true and correct copy is still in full force and effect and has not been revoked.

IN WITNESS WHEREOF, we have hereunto set our hands, and affixed the Seals of said Companies, on the 10th day of February, 2022.

SureTec Insurance Company

By: M. Brent Beatty, Assistant Secretary

Markel Insurance Company

By: Andrew Marquis, Assistant Secretary

Any Instrument issued in excess of the penalty stated above is totally void and without any validity.

510355

For verification of the authority of this Power you may call (713) 313-0600 on any business day between 8:00 AM and 5:00 PM CST.
M.A.K. Associates Inc.
980 Memorex Drive
Santa Clara CA 95050
408-244-9848
License: 758794
DIR#: 1000008376

Proposal
Proposal: 220061
Date: 02/10/2022

Client: City of Olivehurst
1970 9th Ave.
PO Box 670
Olivehurst CA 95961

Attn: Swarnjil Boyal
Salesperson: Rich MacDermott

Project: Olivehurst Community Park Spray Park
1970 9th Ave.
Olivehurst CA 95961

Email: sboyal@cpud.org
Email: mac67@comcast.net
Phone: 530-681-0736
Phone: 408-244-9848

Special Instructions:
Prevailing wage rates are required.

Scope of Work | Extended Price
--- | ---
1 Permits, Bonds, Ins., Mobilization, Set up & OSHA | 37,714.50
Bid Item #1: Provide all costs to pull project permits, permit costs, protective fencing and mobilization, to include project supervision, per diem, travel time and hotel fees.

2 Water play equipment & Start up | 114,585.00
Bid Item #2: Supply the owner designed Water Odyssey water play equipment, to include start-up of the system, all water, sewer and electrical connections. Provide all labor and materials, such as trenching, piping and wire, for the above noted utilities.

3 Concrete Slab and Walkway | 28,151.55
Bid Item #2: Provide all labor and material to place 36' square concrete pad, for water play area, and approx. 200sf of new concrete walkway, to have #4 rebar reinforcement 18" on center each way. All concrete to be standard gray concrete with light to medium broom finish. Concrete to be placed directly over existing grade. There shall be no aggregate base beneath the concrete slab. Clear and grub existing turf and remove from the site. Couture the edge of the concrete with the spoils generated from the spray equipment footings and any other leftover soil.

4 System Installation | 59,718.72
Bid Item #3: Installation only of the Water Odyssey water play equipment, per proposal dated 2/8/22. Installation includes the installation only of the materials as they are provided by the manufacture, excavation, installation & backfill of the water features & its piping, manifold assembly, drain and placement of equipment cabinet.

5 Add Alt #1: Provide Kool Deck Surfacing | 21,465.00
Additive Alternate #1: Provide all labor and materials to place Kool Deck textured surfacing, over newly placed concrete, for new water play area.

Page 1

Initial: ____________________
### Scope of Work

<p>| | |</p>
<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
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</tbody>
</table>

### Extended Price

<table>
<thead>
<tr>
<th>Proposal Total:</th>
<th>$261,634.77</th>
</tr>
</thead>
</table>

### Terms & Conditions

By signing below you acknowledge and agree to our Contract; Exclusions, Conditions, & Payment Terms which are to be included in, and supersede any additional contracts or sub-contract agreements made separately based on this "Estimate". The values shown above represent a specific scope; no other work should be assumed to be included, (related or unrelated), unless specifically noted in the text of the above line items. Unless otherwise specified above we Exclude Responsibility for: material delivery &/or off loading equipment, removal of packaging accumulated by equipment supplied by others, project security, landscape & hardscape repair based on access route to site, delays or returns due to layout conflicts, missing or damaged components & hardware, removal of spoils from job site, locating underground; utilities, pipes, obstructions in work area, conditions unforeseen and/or not disclosed at time of estimate, permits, engineering, material testing, soil samples, play equipment certifications. PGU is a non union contractor; we are experienced with State & Federal prevailing wage and certified payroll requirements from DIR/DOL and will process when applicable. Union Agreements, including PLA's, are the responsibility of others and not to be included in our contracts. Conditions: Grades; stable, compacted, & workable, (rough grade to taken + or - one tenth of one inch), adequate access to work site provided for workmen, materials, tools, & equipment. Estimate good for 9 Days. Payment Terms: Material balance due on delivery / Installation balance due upon completion of project.

### Proposal Accepted by:

<table>
<thead>
<tr>
<th>Print Name:</th>
<th>Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$261,634.77</td>
</tr>
</tbody>
</table>

(signature)
February 01, 2021

OLIVEHURST COMMUNITY PARK – SPRAY PARK

Addendum 1

To All Bidders,

The following questions have been brought to OPUD attention at the mandatory meeting and we wanted to share with all the bidders present regarding responses in order for everyone to be aware, refreshed, and up-to-date. Please see questions below along with remark in green.

1.) Where is the storm drain?
   
   A: There isn’t one. We don’t need one as everything goes to the sewer. The concrete pad needs be designed to go collect the water and enter drains within the pad to be collected and enter the sewer system just on the other side of the fence. The piping from the pad and sewer capturing features to the sewer manhole needs to be included in the bid. See attached drawing in bids for request of 3 sewer drains (Parts number W200).

2.) Where is the control box going?
   
   A: Goal is to have it as close as possible to the fence nearest the pool.

3.) Is there a certain place that you want the control box?
   
   A: Close to the fence nearest the pool.

4.) Where is there access to the property?
   
   A: We will make access. We have gates that can be opened to allow for access. Please contact the front office at OPUD and notify Engineer prior to conducting any work at a minimum 24 hours.
Q: Will we need permits?

A: Yes. Any permits (i.e. electrical, plumbing, etc.) you will need will be obtained through the County. Check with the County.

Q: What is the start date? June?

A: We would like to have this completed for summer use. Hoping to have it done by the 1st week of June. Work can start beginning once approved contract is signed and formalized after selection of chosen bidder.

Q: Will the equipment be provided or do we have to get it from the contractor?

A: See the bid documents. All information and specs are in there.

Q: The system normally has a computer program. Are you sure you don’t want it locked up in the gated pool area?

A: The control box is lockable. We have the same models at 2 of our other spray parks and have not had any problems with tampering. See the bid specs.

Q: Where is the water connection?

A: The backflow near the pool. This was shown to all contractors at the mandatory meeting.

Q: Was there an engineer’s estimate for the project?

A: No

Regards,

Swarnjit Boyal

Swarnjit Boyal,
Public Works Engineer
February 08, 2022

OLIVEHURST COMMUNITY PARK - SPRAY PARK

Addendum 2

To All Bidders,

The following question has been brought to OPUD attention via request for information. We wanted to share with all the bidders present regarding responses in order for everyone to be aware, refreshed, and up-to-date. Please see questions below along with remark in green. There is also an update to bid opening time marked in red.

1.) Not covered in the Walk Thru was whether the connections (WATER AND ELECTRICAL) do they have dedicated connections or shared connection doesn't even mention in your RFB. Please let me know as soon as you can.

A: There's going to be a shared connection for water and electrical, just on the other side of the pool fence, identified at the mandatory meeting.

2.) Bids will be opened at 3:05 PM, Friday, FEBURARY 11TH, 2022.

Regards,

Swarnjit Boyal

Swarnjit Boyal,
Public Works Engineer
FOUNTAIN PEOPLE, INC.

This is to certify that

Joe Mendes

Successfully completed 8 hours of classroom training and has been awarded

Water Odyssey Installer Certification

Given this day 11/03/10 at Water Odyssey installer workshop training.

Signature

Signature

Signature
February 10, 2022

RE: Olivehurst Community Park Spray Park Reference List

Luke Trimble Park, Reedley
Steve Dovali Construction
8461 East Olive Ave., Fresno, CA 93737
O-559-255-7603
F-559-456-2843

Graceada Park Splash Pad, Modesto
Modesto Neighborhoods, Inc.
920 13th St., Suite 1, Modesto, CA 95334
modestoneighborhoods@gmail.com

Hellyer Park Renovation, San Jose
Goodland Landscape Construction
2455 Nagee Rd., Tracy, CA
O-209-835-9956
F-209-835-9554

If you have any questions please feel free to call me @ 408-639-5096.

Sincerely,

[Signature]
Richard P. MacDermott
Business Development
Olivehurst Public Utility District

Project Reference Evaluation Sheet

Please complete information below and remit to: Swarnjit Boyal, Engineer
Email: sboyal@opud.org  Fax: (530) 743-0323

Project: OPUD Spray Park Installation  Owner: Olivehurst Public Utility District

Contractor: Playgrounds Unlimited

The contractor named above listed you as a reference, please rate each category below with a score from 1 to 10 with 1 being least satisfied and 10 being most satisfied. Note: the contractor must receive a minimum score of 70% on this sheet to qualify for award of this contract.

<table>
<thead>
<tr>
<th>Category</th>
<th>Score (1-10)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Communication — How well did the contractor communicate with you?</td>
<td></td>
</tr>
<tr>
<td>Change Orders — Do you feel that any/all change orders proposed by the contractor were warranted?</td>
<td></td>
</tr>
<tr>
<td>Was the construction site kept clean and orderly?</td>
<td></td>
</tr>
<tr>
<td>Was the construction site kept safe?</td>
<td></td>
</tr>
<tr>
<td>Did the contractor and work crew perform work in a safe manner?</td>
<td></td>
</tr>
<tr>
<td>Did the contractor do a similar type of project for you?</td>
<td></td>
</tr>
<tr>
<td>Was the contractor pleasant to work with? (i.e. were they frequently confrontational or did they listen to suggestions and requests respectfully)</td>
<td></td>
</tr>
<tr>
<td>Did the contractor complete the project on time?</td>
<td></td>
</tr>
<tr>
<td>Were there any liquidated damages paid by the contractor? (no = 10 and</td>
<td></td>
</tr>
<tr>
<td>What is your overall score for the contractor's performance on the project?</td>
<td></td>
</tr>
</tbody>
</table>
PROPOSAL (BID)
OLIVEHURST PUBLIC UTILITY DISTRICT

Name of BIDDER

MAK. Associates, Inc. P.O.A. Unlimited

Business Address

980 Memorex Dr.
Santa Clara, CA 95050

O- 408-244-9848 F- 408-244-9847

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 work, the annexed proposal form of agreement, and the plans and specifications therein referred to; and he proposes and agrees, if this proposal is accepted, that he will contract with the owner in the form of the copy of the agreement annexed hereto, to provide all necessary machinery, tools, apparatus and other means of construction, and to do all the work and furnish all materials specified, in the manner and time prescribed, and according to the requirements of the owner as set forth, and that he will take in full payment therefore the following lump sum for the complete work, based on the attached hereto estimated quantities, to wit:
Contractor agrees to supply and/or to perform all the work described below and as instructed by the District Engineer in a good workman like manner for the following Lump Sum prices:

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<th>UNIT OF MEASURE</th>
<th>TOTAL ITEM COST</th>
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</thead>
<tbody>
<tr>
<td>1. GENERAL (All Labor, Equipment, Delivery, Applicable taxes and Fees are to be included in Material Cost)</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td>System Installation</td>
<td>LS</td>
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<td>$59,718.72</td>
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<td></td>
<td>Add Att. Kool Deck</td>
<td>LS</td>
<td></td>
<td>$21,465.00</td>
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The bidder shall set forth, in clearly legible figures, the bid price in the spaces provided in the following schedule:

| TOTAL BID AMOUNT | 261,634.77 |

Write out figures: two hundred sixty one thousand six hundred thirty four dollars and 77/100

The said quotations include the cost of insurance, sales tax, and every other item of expense direct or indirect incident to the contract.
LIST OF SUBCONTRACTORS

(Public Contract Code Section 4104)

In compliance with the provisions of Sections 4100 et seq. of the Government Code, the undersigned hereby designates below the names and locations of the place of business of each subcontractor who shall perform work on this contract in excess of one-half of one percent of the bid price. If the Contractor fails to specify a subcontractor for any portion of the work under the contract, he shall be deemed to have agreed to perform that work himself. Any change or substitution of subcontractors shall be accomplished in strict accordance with provisions of the Government Code.

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<th>Work to be Performed</th>
<th>Percent of Total Contract</th>
<th>Subcontractor's Name and Address</th>
<th>DIR #</th>
<th>CSLB Lic. #</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
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<td>9.</td>
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</tbody>
</table>
NOTE: Additional numbered pages may be attached if needed.

Accompanying this proposal is (cashier's check) (certified check) (bidder's bond) (NOTE: Cross out those that do not apply) in the amount of $10,000 dollars, being at least ten percent (10%) of the total amount bid. Licensed in accordance with the act providing for the Registration of Contractors.

Respectfully submitted:

Signature

[Signature]

Title

[Title]

License Number (if applicable)

Attest


980 Memorex Dr.
Santa Clara, CA 95050
Address

2/10/22
Date

PROPOSAL
THE AMERICAN INSTITUTE OF ARCHITECTS

AIA Document A310

Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we Playgrounds Unlimited M.A.K. Associates Inc. 

as Principal, hereinafter called the Principal, and 

Markel Insurance Company 

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

bound unto Olivehurst Public Utility District 

as Surety, hereinafter called the Surety, are held and firmly by these presents.

WHEREAS, the Principal has submitted a bid for Spray Park at Olivehurst Community Park Project

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 10th day of February, 2022


Richard Matson, Business Development 

Markel Insurance Company 

Mary Baez, Attorney-in-Fact

AIA DOCUMENT A310 • BID BOND • AIA © • FEBRUARY 1970 ED • THE AMERICAN INSTITUTE OF ARCHITECTS, 1735 N.Y. AVE., N.W., WASHINGTON, D.C. 20006
CALIFORNIA ALL-PURPOSE 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 San Mateo

On February 10, 2022 before me, Deborah M. Knipp, Notary Public
personally appeared

Mary Baez

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature: ____________________________
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document
Title or Type of Document: ____________________________ Document Date: ____________________________
Number of Pages: __________ Signer(s) Other Than Named Above: ____________________________

Capacity(ies) Claimed by Signer(s)
Signer's Name: ____________________________

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

Signer Is Representing: ____________________________

Signer's Name: ____________________________

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

Signer Is Representing: ____________________________
JOINT LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That SureTec Insurance Company, a Corporation duly organized and existing under the laws of the State of Texas and having its principal office in the County of Harris, Texas and Markel Insurance Company (the "Company"), a corporation duly organized and existing under the laws of the state of Illinois, and having its principal administrative office in Glen Allen, Virginia, does by these presents make, constitute and appoint:

Mary Baez, Gregory D. McCartney, Sylvia McGovern

Their true and lawful agent(s) and attorney(s)-in-fact, each in their separate capacity if more than one is named above, to make, execute, seal and deliver for and on their own behalf, individually as a surety or jointly, as co-sureties, as their act and deed any and all bonds and other undertakings in suretyship provided, however, that the penal sum of any one such instrument executed hereunder shall not exceed the sum of:

Fifteen Million and 00/100 Dollars ($15,000,000.00)

This Power of Attorney is granted and is signed and sealed under and by the authority of the following Resolutions adopted by the Board of Directors of SureTec Insurance Company and Markel Insurance Company:

"RESOLVED, That the President, any Senior Vice President, Vice President, Assistant Vice President, Secretary, Assistant Secretary, Treasurer or Assistant Treasurer and each of them hereby is authorized to execute powers of attorney, and such authority can be executed by use of facsimile signature, which may be attested or acknowledged by any officer or attorney of the company, qualifying the attorney or attorneys named in the given power of attorney, to execute in behalf of, and acknowledge as the act and deed of the SureTec Insurance Company and Markel Insurance Company, as the case may be, all bond undertakings and contracts of suretyship, and to affix the corporate seal thereto."

IN WITNESS WHEREOF, Markel Insurance Company and SureTec Insurance Company have caused their official seal to be hereunto affixed and these presents to be signed by their duly authorized officers on the 24th day of March, 2021.

SureTec Insurance Company

By: Michael C. Keldig, President

Markel Insurance Company

By: Lindsay Jeannette, Vice President

State of Texas
County of Harris:

On this 24th day of March, 2021 A.D., before me, a Notary Public of the State of Texas, in and for the County of Harris, duly commissioned and qualified, came THE ABOVE OFFICERS OF THE COMPANIES, to me personally known to be the individuals and officers described in, who executed the preceding instrument, and they acknowledged the execution of same, and being by me duly sworn, disposed and said that they are the officers of the said companies aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and the said Corporate Seals and their signatures as officers were duly affixed and subscribed to the said instrument by the authority and direction of the said companies, and that Resolutions adopted by the Board of Directors of said Companies referred to in the preceding instrument is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed my Official Seal at the County of Harris, the day and year first above written.

XENIA CHAVEZ
Notary Public, State of Texas
Notary ID# 12917765-9
My Commission Expires SEPTEMBER 10, 2024

We, the undersigned Officers of SureTec Insurance Company and Markel Insurance Company do hereby certify that the original POWER OF ATTORNEY of which the foregoing is a full, true and correct copy is still in full force and effect and has not been revoked.

IN WITNESS WHEREOF, we have hereunto set our hands, and affixed the Seals of said Companies, on the 10th day of February, 2022.

SureTec Insurance Company

By: M. Brooks Beatty, Assistant Secretary

Markel Insurance Company

By: Andrew Marquis, Assistant Secretary

Any instrument based in excess of the penalty stated above is totally void and without any validity. 510355

For verification of the authority of this Power you may call (713) 212-0800 on any business day between 8:00 AM and 5:00 PM CST.
## Proposal

**Proposal:** 220061  
**Date:** 02/10/2022

### Client: City of Olivehurst  
1970 9th Ave.  
PO Box 670  
Olivehurst CA 95961

### Project: Olivehurst Community Park Spray Park  
1970 9th Ave.  
Olivehurst CA 95961

### Attn: Swarnjit Boyal  
Email: sboyal@opud.org  
Phone: 530-681-0736

### Salesperson: Rich MacDermott  
Email: mac87@comcast.net  
Phone: 408-244-9848

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### Special Instructions:

- Prevailing wage rates are required.

---

### Scope of Work

<table>
<thead>
<tr>
<th>Description</th>
<th>Extended Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Permits, Bonds, Ins., Mobilization, Set up &amp; OSHA</td>
<td>37,714.50</td>
</tr>
<tr>
<td>Bid Item #1: Provide all costs to pull project permits, permit costs, protective fencing and mobilization, to include project supervision, per diem, travel time and hotel fees.</td>
<td></td>
</tr>
<tr>
<td>2. Water play equipment &amp; Start up</td>
<td>114,585.00</td>
</tr>
<tr>
<td>Bid Item #2: Supply the owner designed Water Odyssey water play equipment, to include start-up of the system, all water, sewer and electrical connections. Provide all labor and materials, such as trenching, piping and wire, for the above noted utilities.</td>
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</tr>
<tr>
<td>3. Concrete Slab and Walkway</td>
<td>28,151.55</td>
</tr>
<tr>
<td>Bid Item #2: Provide all labor and material to place 36’ square concrete pad, for water play area, and approx. 200sf of new concrete walkway, to have #4 rebar reinforcement 18” on center each way. All concrete to be standard gray concrete with light to medium broom finish. Concrete to be placed directly over existing grade. There shall be no aggregate base beneath the concrete slab. Clear and grub existing turf and remove from the site. Couture the edge of the concrete with the spoils generated from the spray equipment footings and any other leftover soil.</td>
<td></td>
</tr>
<tr>
<td>4. System Installation</td>
<td>59,718.72</td>
</tr>
<tr>
<td>Bid Item #3: Installation only of the Water Odyssey water play equipment, per proposal dated 2/8/22. Installation includes the installation only of the materials as they are provided by the manufacture, excavation, installation &amp; backfill of the water features &amp; its piping, manifold assembly, drain and placement of equipment cabinet.</td>
<td></td>
</tr>
<tr>
<td>5. Add Alt #1: Provide Kool Deck Surfacing</td>
<td>21,465.00</td>
</tr>
<tr>
<td>Additive Alternate #1: Provide all labor and materials to place Kool Deck textured surfacing, over newly placed concrete, for new water play area.</td>
<td></td>
</tr>
</tbody>
</table>

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**Initial:** ______________
Scope of Work

Extended Price

Proposal Total: $261,634.77

Terms & Conditions
By signing below you acknowledge and agree to our Contract; Exclusions, Conditions, & Payment Terms which are to be included in, and supersede any additional contracts or sub-contract agreements made separately based on this "Estimate". The values shown above represent a specific scope; no other work should be assumed to be included, (related or unrelated), unless specifically noted in the text of the above line items. Unless otherwise specified above we Exclude Responsibility for: material delivery &/or off loading equipment, removal of packaging accumulated by equipment supplied by others, project security, landscape & hardscape repair based on access route to site, delays or returns due to layout conflicts, missing or damaged components & hardware, removal of spoils from job site, locating underground; utilities, pipes, obstructions in work area, conditions unforeseen and/or not disclosed at time of estimate, permits, engineering; material testing, soil samples, play equipment certifications. PGU is a non union contractor, we are experienced with State & Federal prevailing wage and certified payroll requirements from DIR/DOL and will process when applicable. Union Agreements, including PLA's, are the responsibility of others and not to be included in our contracts. Conditions: Grades; stable, compacted, & workable, (rough grade to taken + or - one tenth of one inch), adequate access to work site provided for workmen, materials, tools, & equipment. Estimate good for 9 Days. Payment Terms: Material balance due on delivery / Installation balance due upon completion of project.

Print Name: ____________________________ Date: ________________

Proposal Accepted by: ____________________________ (signature)

Initial: ____________________________
February 01, 2021

OLIVEHURST COMMUNITY PARK -- SPRAY PARK

Addendum 1

To All Bidders,

The following questions have been brought to OPUD attention at the mandatory meeting and we wanted to share with all the bidders present regarding responses in order for everyone to be aware, refreshed, and up-to-date. Please see questions below along with remark in green.

1.) Where is the storm drain?

   A: There isn’t one. We don’t need one as everything goes to the sewer. The concrete pad needs be designed to go collect the water and enter drains within the pad to be collected and enter the sewer system just on the other side of the fence. The piping from the pad and sewer capturing features to the sewer manhole needs to be included in the bid. See attached drawing in bids for request of 3 sewer drains (Parts number W200).

2.) Where is the control box going?

   A: Goal is to have it as close as possible to the fence nearest the pool.

3.) Is there a certain place that you want the control box?

   A: Close to the fence nearest the pool.

4.) Where is there access to the property?

   A: We will make access. We have gates that can be opened to allow for access. Please contact the front office at OPUD and notify Engineer prior to conducting any work at a minimum 24 hours.
Q: Will we need permits?

A: Yes. Any permits (i.e. electrical, plumbing, etc.) you will need will be obtained through the County. Check with the County.

Q: What is the start date? June?

A: We would like to have this completed for summer use. Hoping to have it done by the 1st week of June. Work can start beginning once approved contract is signed and formalized after selection of chosen bidder.

Q: Will the equipment be provided or do we have to get it from the contractor?

A: See the bid documents. All information and specs are in there.

Q: The system normally has a computer program. Are you sure you don’t want it locked up in the gated pool area?

A: The control box is lockable. We have the same models at 2 of our other spray parks and have not had any problems with tampering. See the bid specs.

Q: Where is the water connection?

A: The backflow near the pool. This was shown to all contractors at the mandatory meeting.

Q: Was there an engineer’s estimate for the project?

A: No

Regards,

Swarnjot Boyal

Swarnjot Boyal,
Public Works Engineer
February 08, 2022

OLIVEHURST COMMUNITY PARK – SPRAY PARK

Addendum 2

To All Bidders,

The following question has been brought to OPUD attention via request for information. We wanted to share with all the bidders present regarding responses in order for everyone to be aware, refreshed, and up-to-date. Please see questions below along with remark in green. There is also an update to bid opening time marked in red.

1.) Not covered in the Walk Thru was whether the connections (WATER AND ELECTRICAL) do they have dedicated connections or shared connection doesn’t even mention in your RFQ. Please let me know as soon as you can.

A: There’s going to be shared connection for water and electrical, just on the other side of the pool fence, identified at the mandatory meeting.

2.) Bids will be opened at 3:05 PM, Friday, FEBURARY 11TH, 2022.

Regards,

Swamjit Boyal

Swamjit Boyal,
Public Works Engineer
FOUNTAIN PEOPLE, INC.

This is to certify that

Joe Mendes

Successfully completed 8 hours of classroom training and has been awarded

Water Odyssey Installer Certification

Given this day -11/03/10- at -Water Odyssey installer workshop training-

Signature

Signature

Signature
February 10, 2022

RE: Olivehurst Community Park Spray Park Reference List

Luke Trimble Park, Reedley
Steve Dovali Construction
8461 East Olive Ave., Fresno, CA 93737
O: 559-255-7603
F: 559-456-2843

Graceada Park Splash Pad, Modesto
Modesto Neighborhoods, Inc.
920 13th St., Suite 1, Modesto, CA 95334
modestoneighborhoods@gmail.com

Hellyer Park Renovation, San Jose
Goodland Landscape Construction
2455 Nagee Rd., Tracy, CA
O: 209-835-9956
F: 209-835-9554

If you have any questions please feel free to call me @ 408-639-5096.

Sincerely,

Richard P. MacDermott
Business Development
Olivehurst Public Utility District

Project Reference Evaluation Sheet

Please complete information below and remit to: Swarnjit Boyal, Engineer  
Email: sboyal@opud.org  
Fax: (530) 743-0323

Project: OPUD Spray Park Installation  
Owner: Olivehurst Public Utility District

Contractor: Playgrounds Unlimited

The contractor named above listed you as a reference, please rate each category below with a score from 1 to 10 with 1 being least satisfied and 10 being most satisfied. Note: the contractor must receive a minimum score of 70% on this sheet to qualify for award of this contract.

<table>
<thead>
<tr>
<th>Category</th>
<th>Score (1-10)</th>
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<tbody>
<tr>
<td>Communication — How well did the contractor communicate with you?</td>
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<tr>
<td>Change Orders — Do you feel that any/all change orders proposed by the contractor were warranted?</td>
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</tr>
<tr>
<td>Was the construction site kept clean and orderly?</td>
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<tr>
<td>Was the construction site kept safe?</td>
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<tr>
<td>Did the contractor and work crew perform work in a safe manner?</td>
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<tr>
<td>Did the contractor do a similar type of project for you?</td>
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<tr>
<td>Was the contractor pleasant to work with? (i.e. were they frequently confrontational or did they listen to suggestions and requests respectfully)</td>
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<tr>
<td>Did the contractor complete the project on time?</td>
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<tr>
<td>Were there any liquidated damages paid by the contractor? (no = 10 and</td>
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</tr>
<tr>
<td>What is your overall score for the contractor's performance on the project?</td>
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</tbody>
</table>