

Grizzly Flats Community Services District

4765 Sciaroni Road / P.O. Box 250
Grizzly Flats, CA 95636
Ph: 530/622-9626 Fax: 530/622-4806
www.grizzlyflatscsd.com



July 18, 2024

Item F.3. Review proposals for the Clearwell Replacement Project and authorize staff to contract with the most qualified firm / Gustafson (discussion/action)

Background:

The District received \$2,530,000 in American Rescue Plan Act (ARPA) funding for the Clearwell and Water Treatment Plant Improvements Project. The District's Clearwell tank is the only remaining water storage tank following the Caldor Fire and is at risk of imminent failure due to severe corrosion.

A Request for Proposals was distributed on May 17, 2024, and two (2) proposals were received in response from Pacific Tank & Construction, Inc. and Paso Robles Tank, Inc. Upon reviewing the proposals, it appears that Pacific Tank & Construction Inc. is the lowest responsible bidder.

Recommended Motion/Action: Authorize the General Manager to execute a contract with Pacific Tank & Construction for the Clearwell Tank Replacement Project for a not-to-exceed cost of \$1,353,503.

1.2 BID FORM/ PROPOSAL

TO: Kim Gustafson, General Manager
Grizzly Flats CSD
4765 Sciaroni Rd, Grizzly Flats, CA 95636

THE UNDERSIGNED STATES AND DECLARES AS FOLLOWS:

The undersigned Bidder has carefully examined the location of the proposed work and has examined the Contract Documents entitled:

Clearwell Replacement Project

The Bidder has read the accompanying Invitation to Bid and Instructions to Bidders and has participated in the mandatory pre-bid walk-through; the Bidder hereby proposes to begin work and complete the project in accordance with the schedule and deadlines in the Contract Documents; the Bidder hereby proposes to furnish all labor, materials, tools, and equipment, and to perform all the work required, complete in place, in accordance with the Contract Documents; and the Bidder will take in full payment for such work the prices set forth in the accompanying Base Bid Schedule. The Bidder herewith submits its Base Bid as reflected on the accompanying Base Bid Schedule and submits its Alternatives Bids, as reflected on the accompanying Alternates Bid Schedules.

TOTAL BASE BID: \$ 1,353,503 _____

Contractor's License No.: 659385-A _____

Expiration Date: 11/30/24 _____

Type of license: A - General Contractor _____

Name under which license is held: Pacific Tank & Construction, Inc. _____

Status of license: CA _____

The following surety or sureties have agreed to furnish payment and faithful performance bonds to the Bidder if it is awarded the contract:

Payment Bond: JRG Surety _____

Performance Bond: JRG Surety _____

Pacific Tank & Construction Acknowledges Addenda 1,2,3,4

BID FORM

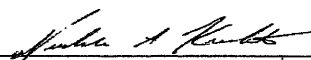
The Bidder's authorized officer identified below hereby declares that the representations in this Bid are true and correct and that these representations are made under penalty of perjury under the laws of the State of California.

Executed on July 10, 2024, at San Juan Capistrano, CA.

BIDDER

[Company/firm name] Pacific Tank & Construction

[Capacity of company or firm, e.g., corporation (include state of incorporation), sole proprietor, partnership] S Corp

[Authorized signature] 

[Name] Nicholas Kristobak

[Title] Vice President

Address: 31551 Avenida Los Cerritos

San Juan Capistrano, CA 92675

Phone No.: 949-240-7902

Fax No.: 949-240-3943

E-Mail: nkristobak@pacifictank.net

1.3 BASE BID SCHEDULE AND TOTAL PRICENAME OF BIDDER: Pacific Tank & Construction

ALLOWANCES AND UNIT PRICES FOR BASE BID

Clearwell Replacement Project

UNIT PRICE TABLE

Bid Item	Work Item Description	Unit	Quantity	Unit Price	Total Price
1	Sheeting, Shoring, Bracing	L.S.	1	\$0.00	\$0.00
2	Mobilization	L.S.	1	\$65,588	\$65,588
3	Site Preparation	L.S.	1	\$162,920	\$162,920
4	Utility Relocation	L.S.	1	\$268,549	\$268,549
5	Concrete Ringwall Foundation	L.S.	1	\$67,273	\$67,273
6	Welded Steel Tank	L.S.	1	\$533,462	\$533,462
7	Steel Tank Coatings	L.S.	1	\$251,862	\$251,862
8	Tank Disinfection, Testing, and Commissioning	L.S.	1	\$3,850	\$3,850
Total Bid Price					\$1,353,503

TOTAL BID PRICE ALL ITEMS:

One Million, Three Hundred Fifty Three Thousand, Five Hundred and Three Dollars

\$ [IN FIGURES]

Bidders Initials: NAK

1.4 BID BOND

WHEREAS WE, THE UNDERSIGNED Pacific Tank and Construction, Inc. Contractor as Principal; and The Ohio Casualty Insurance Company, as Surety, are hereby held and bound unto Grizzly Flats Community, hereinafter called Owner, in the sum of \$ 10% of the Total Amount Bid Services District which sum is equal to at least ten percent of the total amount of the Bid, payment of which sum, well and to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors, and assigns.

The condition of the above obligation is such that whereas the Principal has submitted to Owner a certain Bid, attached hereto and hereby made a part hereof, to enter into a Contract in writing, for the construction of the following public works project:

Clearwell Replacement Project

NOW, THEREFORE,

-
- (a) If the Bid is rejected, or in the alternate,
 - (b) If the Bid is accepted and the Principal shall sign and deliver a Contract, in the form of the Contract attached hereto and shall execute and deliver Performance and Payment Bonds in the forms attached hereto and shall deliver proof of insurance (all completed in accordance with the Contract Documents), and shall in all other respects perform the agreement created by the acceptance of the Bid;

Then, this obligation shall be void, otherwise the same shall remain in force and effect; it being expressly understood and agreed that the liability of the Surety for any and all default of the Principal hereunder shall be the amount of this obligation as herein stated.

The Surety, for value received, hereby stipulates and agrees that the obligations of said Surety and its bond shall be in no way impaired or affected by any extension of the time within which Owner may accept such Bid, and said Surety does hereby waive notice of any such extension.

IN WITNESS THEREOF, the above-bounded parties have executed this instrument under their several seals this 5th day of July 2024, the name and

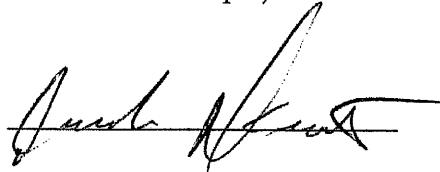
corporate seal of each corporate party being hereto affixed and those presents duly signed by its undersigned representative, pursuant to authority of its governing body.

Pacific Tank and Construction, Inc.

(Contractor as Principal)

(Seal)

By:



Nicholas KRISTOBAK

[Name]

V.P.

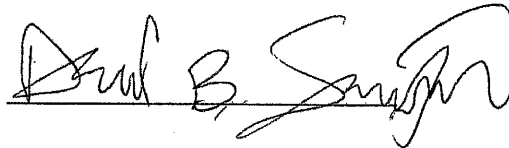
[Title]

The Ohio Casualty Insurance Company

(Surety)

(Seal)

By:



David B. Sandiford

[Name]

Attorney-in-Fact

[Title]

See Notary Attachment

BID BOND

1.5 DESIGNATION OF SUBCONTRACTORS

In compliance with Public Contract Code § 4100 et seq. each bidder shall set forth below the name, license number and business location of each subcontractor who will perform work in excess of one-half of 1% of the Contractor's total bid and the portion of the work (expressed in dollar amount) that will be performed by each subcontractor. Contractor shall also provide a description of the type of work to be performed by each subcontractor. **Under Labor Code § 1725.5, the Contractor and all subcontractors must be registered with the California Department of Industrial Relations Public Works Contractor Database.**

If the Contractor fails to specify a subcontractor for any portion of the work to be performed under the Contract, it shall be deemed to have agreed to perform such portion itself, and it shall not be permitted to subcontract that portion of the work except under the conditions hereinafter set forth.

Subletting or subcontracting of any portion of the work in excess of one-half of 1% of the Contractor's total bid as to which no subcontractor was designated in the original bid shall only be permitted in cases of public emergency or necessity, and then only after a finding reduced to writing as a public record of the County setting forth the facts constituting the emergency or necessity.

Subcontractor (name and location)	Description of Subcontractor Work	Subcontractor License Type and #	Estimated Portion of Work (in \$\$)
M-3 Construction	Civil, Piping, Mechanical	A - 323961	\$550,000
Skyway	Coatings	C33-1061244	\$260,000

Subcontractor (name and location)	Description of Subcontractor Work	Subcontractor License Type and #	Estimated Portion of Work (in \$\$)
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
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_____	_____	_____	_____
_____	_____	_____	_____

1.6 EXPERIENCE QUALIFICATIONS AND REGISTRATION

The Bidding Contractor and all of its Subcontractors must be registered with the California Department of Industrial Relations Public Works Contractor Database, pursuant to Labor Code § 1725.5.

The Bidder has been engaged in the contracting business, under the present business name for 32 years. Experience in work of a nature similar to that covered in the Bid extends over a period of 32 years.

The Bidder, as a contractor, has never failed to satisfactorily complete a contract awarded to it, except as follows:

The following contracts have been satisfactorily completed in the last three years for the persons, firm or entity indicated: (Bidder may provide additional experience statements).

<u>Year</u>	<u>Owner</u>	<u>Type of Work</u>	<u>Contract Amount</u>
Please see attached reference list			
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

The following is a list of plant and equipment owned by the Bidder, which is definitely available for use on the proposed work as required. (Bidder may provide additional list of plant and equipment available).

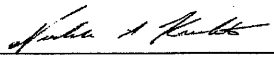
<u>Quantity</u>	<u>Name, Type and Capacity</u>	<u>Condition</u>	<u>Location</u>
1	35T Crane	Good	Shandon, CA
1	Tool Trailer	Good	Shandon, CA

Executed on July 10, 2024 at San Juan Capistrano, CA

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

BIDDER

Pacific Tank & Construction (Company/firm name)

 (Authorized signature)

Nicholas Kristobak (Name)

Vice President (Title)

1.7 NON-COLLUSION DECLARATION*

NON-COLLUSION DECLARATION TO BE EXECUTED

BY

BIDDER AND SUBMITTED WITH BID

The undersigned declares:

I am the Vice President of Pacific Tank & Construction, the party making the foregoing bid for the Clearwell Replacement PROJECT.

The bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation. The bid is genuine and not collusive or sham. The bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid. The bidder has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or to refrain from bidding. 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. All statements contained in the bid are true. The bidder has not, directly or indirectly, submitted its bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof, to effectuate a collusive or sham bid, and has not paid, and will not pay, any person or entity for such purpose.

Any person executing this declaration on behalf of a bidder that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that he or she has full power to execute, and does execute, this declaration on behalf of the bidder. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on 7/10/24 [date], at San Juan Capistrano [city], CA [state].

By: Nicholas Kristobak

Title: Vice President

*Note: Public Contracts Code 7106 requires this non-collusion declaration be submitted with a bid for any public works contract of a public entity.

DECLARATION

NON-COLLUSION

1.8 CERTIFICATION OF NON-DISCRIMINATION

1. During the performance of this contract, contractor and its subcontractors shall not unlawfully discriminate against any employee or applicant for employment because of race, religion, color, national origin, ancestry, physical handicap, medical condition, marital status, age (over 40) or sex. Contractors and subcontractors shall insure that the evaluation and treatment of their employees and applicants for employment are free of such discrimination. Contractors and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Government Code § 12900 et seq.) and the applicable regulations promulgated thereunder (California Administrative Code, Title 2, § 7285.0 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code, § 12900, set forth in Chapter 5 of Division 4 of Title 2 or the California Administrative Code are incorporated into this contract by reference and made a part hereof as if set forth in full. Contractor and its subcontractor shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement.

2. This contractor shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under the contract.

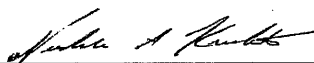
THE UNDERSIGNED CERTIFIES THAT CONTRACTOR WILL COMPLY WITH THE ABOVE REQUIREMENTS.

CONTRACTOR OR

SUBCONTRACTOR NAME: Pacific Tank & Construction

CERTIFIED BY:

NAME: Nicholas Kristobak TITLE: Vice President

SIGNATURE:  DATE: 7/10/24

CLAUSE

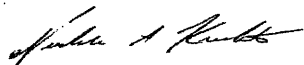
NON-DISCRIMINATION

1.9 CERTIFICATION OF NON-SEGREGATED FACILITIES

A certification of non-segregated Facilities, as required by the May 9, 1967, order (32 F.R. 7439, May 19, 1967) on Elimination of Segregated Facilities, by the Secretary of Labor, must be submitted prior to the award of a subcontract exceeding \$10,000 which is not exempt from the provisions of the Equal Opportunity clause. The certification may be submitted either for each subcontract or for all subcontracts during a period (i.e. quarterly, semiannually, or annually).

NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

DATE 7/10/24



(Signature of Bidder or Prospective Contractor)

31551 Avendia Los Cerritos, San Juan Capistrano, CA 92675

Address (including Zip Code)

CERTIFICATION

NON-SEGREGATION

1.10 CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

Name of Company/Entity: Pacific Tank & Construction

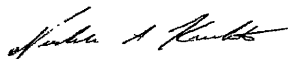
The prospective participant certifies under penalty of perjury to the best of its knowledge and belief that it and its principals and subcontractors:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by a government entity (Federal, State, or local).
- (b) Have not within a three year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraphs (a) and (b) of this certification;
- (d) Have no more than one final unappealable finding of contempt of court by a federal court issued against them within the immediately preceding two year period because of 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;
- (e) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this proposal or termination of the award. In addition, under 18 USC § 1001, a false statement may result in a fine of up to \$ 10,000 or imprisonment for up to five (5) years, or both.

Nicholas Kristobak / Vice President

Name and Title of Authorized Representative (Typed/printed)



7/10/24

Signature of Authorized Representative

Date

I am unable to certify to the above statements. My explanation is below.

[RESERVED FOR EXPLANATION OF INABILITY TO CERTIFY TO SECTION 1.10]

1.2 BID FORM/ PROPOSAL

TO: Kim Gustafson, General Manager
Grizzly Flats CSD
4765 Sciaroni Rd, Grizzly Flats, CA 9563

THE UNDERSIGNED STATES AND DECLARES AS FOLLOWS:

The undersigned Bidder has carefully examined the location of the proposed work and has examined the Contract Documents entitled:

Clearwell Replacement Project

The Bidder has read the accompanying Invitation to Bid and Instructions to Bidders and has participated in the mandatory pre-bid walk-through; the Bidder hereby proposes to begin work and complete the project in accordance with the schedule and deadlines in the Contract Documents; the Bidder hereby proposes to furnish all labor, materials, tools, and equipment, and to perform all the work required, complete in place, in accordance with the Contract Documents; and the Bidder will take in full payment for such work the prices set forth in the accompanying Base Bid Schedule. The Bidder herewith submits its Base Bid as reflected on the accompanying Base Bid Schedule and submits its Alternatives Bids, as reflected on the accompanying Alternates Bid Schedules.

TOTAL BASE BID: \$ 1,586,922.00

Contractor's License No.: CA CSLB # 784971

Expiration Date: 11/30/2024

Type of license: Class A, C33, C51

Name under which license is held: Shane P. Womble

Status of license: Active

The following surety or sureties have agreed to furnish payment and faithful performance bonds to the Bidder if it is awarded the contract:

Payment Bond: Arch Insurance Company

Performance Bond: Arch Insurance Company


The Bidder's authorized officer identified below hereby declares that the representations in this Bid are true and correct and that these representations are made under penalty of perjury under the laws of the State of California.

Executed on July 10, 2024, at Hemet, CA.

BIDDER

[Company/firm name] Paso Robles Tank, Inc

[Capacity of company or firm, e.g., corporation (include state of incorporation), sole proprietor, partnership] CA Corporation

[Authorized signature] 

[Name] Shane P. Wombles

[Title] President | Secretary

Address: 3883 Wentworth Drive Hemet, CA 92545

PO BOX 2810 Hemet, CA 92546

Phone No.: 951-925-5022

Fax No.: _____

E-Mail: swombles@pasoroblestank.com
bids@pasoroblestank.com

1.3 BASE BID SCHEDULE AND TOTAL PRICE

NAME OF BIDDER: Paso Robles Tank, Inc

ALLOWANCES AND UNIT PRICES FOR BASE BID

Clearwell Replacement Project

UNIT PRICE TABLE

Bid Item	Work Item Description	Unit	Quantity	Unit Price	Total Price
1	Sheeting, Shoring, Bracing	L.S.	1	\$11,500	\$11,500
2	Mobilization	L.S.	1	\$53,000	\$53,000
3	Site Preparation	L.S.	1	\$184,000	\$184,000
4	Utility Relocation	L.S.	1	\$534,750	\$534,750
5	Concrete Ringwall Foundation	L.S.	1	\$165,600	\$165,600
6	Welded Steel Tank	L.S.	1	\$396,072	\$396,072
7	Steel Tank Coatings	L.S.	1	\$235,000	\$235,000
8	Tank Disinfection, Testing, and Commissioning	L.S.	1	\$7,000	\$7,000
Total Bid Price					\$1,586,922

TOTAL BID PRICE ALL ITEMS:

One Million Five Hundred Eighty-Six Thousand and nine Hundred
 \$ [IN FIGURES] *Twenty Two Dollars*

Bidders Initials: *PR*

ALTERNATES BID SCHEDULE

1.4 BID BOND

WHEREAS WE, THE UNDERSIGNED Paso Robles Tank, Inc., Contractor as Principal; and Arch Insurance Company, as Surety, are hereby held and bound unto Grizzly Flats Community Services District, hereinafter called Owner, in the sum of \$ Ten Percent (10%) of the Amount Bid which sum is equal to at least ten percent of the total amount of the Bid, payment of which sum, well and to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors, and assigns.

The condition of the above obligation is such that whereas the Principal has submitted to Owner a certain Bid, attached hereto and hereby made a part hereof, to enter into a Contract in writing, for the construction of the following public works project:

Clearwell Replacement Project

NOW, THEREFORE,

- (a) If the Bid is rejected, or in the alternate,
- (b) If the Bid is accepted and the Principal shall sign and deliver a Contract, in the form of the Contract attached hereto and shall execute and deliver Performance and Payment Bonds in the forms attached hereto and shall deliver proof of insurance (all completed in accordance with the Contract Documents), and shall in all other respects perform the agreement created by the acceptance of the Bid;

Then, this obligation shall be void, otherwise the same shall remain in force and effect; it being expressly understood and agreed that the liability of the Surety for any and all default of the Principal hereunder shall be the amount of this obligation as herein stated.

The Surety, for value received, hereby stipulates and agrees that the obligations of said Surety and its bond shall be in no way impaired or affected by any extension of the time within which Owner may accept such Bid, and said Surety does hereby waive notice of any such extension.

IN WITNESS THEREOF, the above-bounded parties have executed this instrument under their several seals this 3rd day of July 2024, the name and

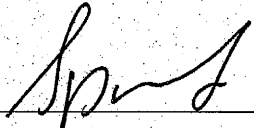
BID BOND

corporate seal of each corporate party being hereto affixed and those presents duly signed by its undersigned representative, pursuant to authority of its governing body.

Paso Robles Tank, Inc.

(Contractor as Principal)

(Seal)

By: 

Shane P. Wombles

[Name]

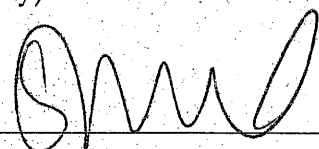
President / Secretary

[Title]

Arch Insurance Company

(Surety)

(Seal)

By: 

Shaunna Rozelle Ostrom

[Name]

Attorney-in-Fact

[Title]

1.5 DESIGNATION OF SUBCONTRACTORS

In compliance with Public Contract Code § 4100 et seq. each bidder shall set forth below the name, license number and business location of each subcontractor who will perform work in excess of one-half of 1% of the Contractor's total bid and the portion of the work (expressed in dollar amount) that will be performed by each subcontractor. Contractor shall also provide a description of the type of work to be performed by each subcontractor. Under Labor Code § 1725.5, the Contractor and all subcontractors must be registered with the California Department of Industrial Relations Public Works Contractor Database.

If the Contractor fails to specify a subcontractor for any portion of the work to be performed under the Contract, it shall be deemed to have agreed to perform such portion itself, and it shall not be permitted to subcontract that portion of the work except under the conditions hereinafter set forth.

Subletting or subcontracting of any portion of the work in excess of one-half of 1% of the Contractor's total bid as to which no subcontractor was designated in the original bid shall only be permitted in cases of public emergency or necessity, and then only after a finding reduced to writing as a public record of the County setting forth the facts constituting the emergency or necessity.

Subcontractor (name and location)	Description of Subcontractor Work	Subcontractor License Type and #	Estimated Portion of Work (in \$\$)
<i>Canyon Springs Enterprises Tehuacala, CA</i>	<i>Civil, All work, not to include Tank or Tank paint</i>	<i>CA CSLB# 206747 Class A</i>	<i>\$ 915,000.00</i>
<i>Apache Industrial United, Inc Houston, TX</i>	<i>Interior/Exterior Coating Service</i>	<i>CA CSLB# 1061244 C-33</i>	<i>\$242,000.00</i>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

1.6 EXPERIENCE QUALIFICATIONS AND REGISTRATION

The Bidding Contractor and all of its Subcontractors must be registered with the California Department of Industrial Relations Public Works Contractor Database, pursuant to Labor Code § 1725.5.

The Bidder has been engaged in the contracting business, under the present business name for 20+ years. Experience in work of a nature similar to that covered in the Bid extends over a period of 20+ years.

The Bidder, as a contractor, has never failed to satisfactorily complete a contract awarded to it, except as follows:

The following contracts have been satisfactorily completed in the last three years for the persons, firm or entity indicated: (Bidder may provide additional experience statements).

<u>Year</u>	<u>Owner</u>	<u>Type of Work</u>	<u>Contract Amount</u>
<u>2023</u>	<u>San Antonio Water Co</u>	<u>120,000-gallon WST</u>	<u>\$448,270.00</u>
<u>2022</u>	<u>Coachella Valley Water District</u>	<u>One (1) New 6.5MG WST</u>	<u>\$3,729,499.00</u>
<u>2021</u>	<u>Central Contra Costa SD</u>	<u>Two (2) 3.1MG Recycled Tanks</u>	<u>\$4,378,200.00</u>
<u>2020</u>	<u>City of Livermore</u>	<u>One (1) 155'D WST</u>	<u>\$5,870,000.00</u>

*Please see attached for an additional list of completed projects *

The following is a list of plant and equipment owned by the Bidder, which is definitely available for use on the proposed work as required. (Bidder may provide additional list of plant and equipment available).


<u>Quantity</u>	<u>Name, Type and Capacity</u>	<u>Condition</u>	<u>Location</u>
	*Please refer to attached Equipment List *		

Executed on July 10, 2024, at Hemet, CA

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

BIDDER

Paso Robles Tank, Inc (Company/firm name)

 (Authorized signature)

Shane P. Wombles (Name)

President | Secretary (Title)

1.7 NON-COLLUSION DECLARATION*


NON-COLLUSION DECLARATION TO BE EXECUTED
BY
BIDDER AND SUBMITTED WITH BID

The undersigned declares:

I am the President & Secretary of Paso Robles Tank, Inc, the party making the foregoing bid for the Clearwell Replacement PROJECT.

The bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation. The bid is genuine and not collusive or sham. The bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid. The bidder has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or to refrain from bidding. 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. All statements contained in the bid are true. The bidder has not, directly or indirectly, submitted its bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof, to effectuate a collusive or sham bid, and has not paid, and will not pay, any person or entity for such purpose.

Any person executing this declaration on behalf of a bidder that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that he or she has full power to execute, and does execute, this declaration on behalf of the bidder. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on 07/10/24 [date], at Hemet [city], CA [state].

By: 

Title: Shane P. Wombles, President | Secretary - Paso Robles Tank, Inc.

*Note: Public Contracts Code 7106 requires this non-collusion declaration be submitted with a bid for any public works contract of a public entity.

DECLARATION

NON-COLLUSION

1.8 CERTIFICATION OF NON-DISCRIMINATION

1. During the performance of this contract, contractor and its subcontractors shall not unlawfully discriminate against any employee or applicant for employment because of race, religion, color, national origin, ancestry, physical handicap, medical condition, marital status, age (over 40) or sex. Contractors and subcontractors shall insure that the evaluation and treatment of their employees and applicants for employment are free of such discrimination. Contractors and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Government Code § 12900 et seq.) and the applicable regulations promulgated thereunder (California Administrative Code, Title 2, § 7285.0 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code, § 12900, set forth in Chapter 5 of Division 4 of Title 2 or the California Administrative Code are incorporated into this contract by reference and made a part hereof as if set forth in full. Contractor and its subcontractor shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement.

2. This contractor shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under the contract.

THE UNDERSIGNED CERTIFIES THAT CONTRACTOR WILL COMPLY WITH THE ABOVE REQUIREMENTS.

CONTRACTOR OR

SUBCONTRACTOR NAME: Paso Robles Tank, Inc

CERTIFIED BY:

NAME: Shane P. Wombles TITLE: President | Secretary

SIGNATURE:  DATE: July 10, 2024

CLAUSE


NON-DISCRIMINATION

1.9 CERTIFICATION OF NON-SEGREGATED FACILITIES

A certification of non-segregated Facilities, as required by the May 9, 1967, order (32 F.R. 7439, May 19, 1967) on Elimination of Segregated Facilities, by the Secretary of Labor, must be submitted prior to the award of a subcontract exceeding \$10,000 which is not exempt from the provisions of the Equal Opportunity clause. The certification may be submitted either for each subcontract or for all subcontracts during a period (i.e. quarterly, semiannually, or annually).

NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

DATE July 10, 2024



(Signature of Bidder or Prospective Contractor)

3883 Wentworth Drive Hemet, CA 92545

Address (including Zip Code)

1.10 CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

Name of Company/Entity: Paso Robles Tank, Inc.

The prospective participant certifies under penalty of perjury to the best of its knowledge and belief that it and its principals and subcontractors:

- (a) **Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by a government entity (Federal, State, or local).**
- (b) **Have not within a three year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;**
- (c) **Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraphs (a) and (b) of this certification;**
- (d) **Have no more than one final unappealable finding of contempt of court by a federal court issued against them within the immediately preceding two year period because of 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;**
- (e) **Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.**

I understand that a false statement on this certification may be grounds for rejection of this proposal or termination of the award. In addition, under 18 USC § 1001, a false statement may result in a fine of up to \$ 10,000 or imprisonment for up to five (5) years, or both.

Shane P. Wombles, President | Secretary - Paso Robles Tank, Inc

Name and Title of Authorized Representative (Typed/printed)



July 10, 2024

Signature of Authorized Representative

Date

I am unable to certify to the above statements. My explanation is below.

[RESERVED FOR EXPLANATION OF INABILITY TO CERTIFY TO SECTION 1.10]