

SPECIFICATION AND CONTRACT DOCUMENTS

FOR

CITY OF MANHATTAN BEACH, CALIFORNIA

**Marine Avenue Park Synthetic Turf Installation Project**



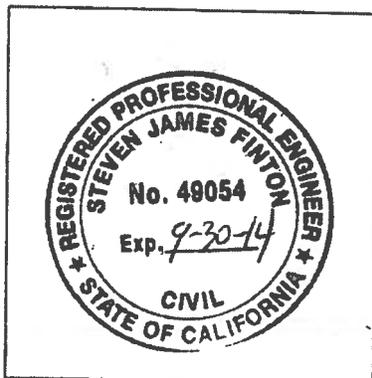
PLAN NO. D-907  
Sheets 1 to 9

Completion: By August 16, 2013

PUBLIC WORKS DEPARTMENT  
1400 Highland Avenue  
Manhattan Beach, California 90266  
[www.citymb.info](http://www.citymb.info)

**Project Manager: Ish Medrano**  
**Email: [imedrano@citymb.info](mailto:imedrano@citymb.info)**  
**Telephone: (310) 802-5357**

STAMP:



Reviewed by:

Steve Finton, City Engineer

Date

2/27/13

CITY OF MANHATTAN BEACH  
SPECIAL PROVISIONS

| <u>Section</u> | <u>Subsection</u> | <u>Description</u>   |
|----------------|-------------------|--|
| Part 1         |                   | <u>General Provisions</u>  |
|                | 1                 | Terms, Definitions Abbreviations & Symbols                         |
|                | 2                 | Scope and Control of Work  |
|                | 3                 | Changes in the Work  |
|                | 4                 | Control of Materials   |
|                | 5                 | Utilities  |
|                | 6                 | Prosecution Progress & Acceptance of Work                          |
|                | 7                 | Responsibilities of the Contractor                                 |
|                | 8                 | Facilities and Agency Personnel                                    |
|                | 9                 | Measurement and Payment  |
|                | 10                | Special Project Site Maintenance and Public Convenience and Safety |
| Part 2         |                   | <u>Construction Materials</u>                                      |
| <u>201</u>     |                   | <u>Concrete Mortar and Related Materials</u>                       |
|                | 201-1             | Portland Cement Concrete   |
|                | 201-1.1           | Requirements   |
|                | 201-1.1.1         | General  |
|                | 201-1.1.2         | Concrete Specified by Class  |
| <u>203</u>     |                   | <u>Bituminous Materials</u>  |
|                | 203-6             | Asphalt Concrete   |
|                | 203-6.1           | General  |
| <u>206</u>     |                   | <u>Miscellaneous Metal Items</u>                                   |
|                | 206-6             | Chain Link Fence   |
|                | 206-6.1           | General  |
|                | 206-6.3           | Chain Link Fabric  |
|                | * 206-7           | Valves & Fire Hydrants   |
|                | 206-7.1           | General  |
|                | 206-7.2           | Resilient Seat Gate Valves, Mueller or Approved Equal              |
|                | 206-7.3           | Valve Covers   |
|                | 206-7.4           | Corporation Stops - Mueller, Rich or Approved Equal                |
|                | 206-7.5           | Fire Hydrant Assemblies  |
| <u>207</u>     |                   | <u>Pipe</u>  |
|                | 207-2             | Reinforced Concrete Pipe   |
|                | 207-2.9           | Basis of Acceptance  |
|                | 207-2.9.2         | D-Load Test  |
|                | 207-6             | Asbestos Cement Sewer & Storm Drain Pipe                           |
|                | 207-7             | Asbestos Cement Pressure Pipe                                      |
|                | 207-8             | Vitrified Clay Pipe  |
|                | 207-8.1           | General  |
|                | 207-9             | Cast Iron and Ductile Iron Pipe                                    |
|                | 207-9.1           | General  |
|                | * 207-20          | Copper Pipe  |
| <u>208</u>     |                   | <u>Pipe Joints, Types and Materials</u>                            |
|                | *208-6            | Ductile Iron Pipe Joints   |
|                | * 208-6.1         | Rubber "O" Ring, Gasket Joints, & Ductile Iron Pipe                |
|                | *208-6.2          | Flanged and Mechanical Joints                                      |
|                | *208-6.3          | Miscellaneous Plumbing Hardware & Service Connections              |
| <u>209</u>     |                   | <u>Electrical Components (Traffic, Street Lights)</u>              |

\*Addition - Not covered in the Green Book. Retrieve the entire subsection.

SPECIAL PROVISIONS

(Continued)

| <u>Section</u> | <u>Subsection</u> | <u>Description</u>   |
|----------------|-------------------|--|
| <u>210</u>     |                   | <u>Paint and Protective Coatings</u>   |
|                | 210-1.5           | Paint and Protective Coatings  |
|                | 210-1.6           | Paint for Traffic Striping, Pavement Marking & Curb Marking                    |
|                | 210-1.6.1         | General  |
| Part 3         |                   | <u>Construction Methods</u>  |
| <u>300</u>     | 300-1.3.2(b)      | Concrete Pavement  |
|                | 300-1.3.2(c)      | Concrete Curb, Walk, Gutters, Cross Gutters, Driveways and Alley Intersections |
| <u>301</u>     |                   | <u>Treated Soils, Subgrade, Placement of Base</u>                              |
|                | 301-1.6           | Adjustment of Manhole Frame & cover Sets to Grade                              |
|                | *301-1.6.1        | Adjustment of Meter, Valve, & Survey Monument Covers                           |
|                | 301-1.7           | Payment  |
|                | 301-2             | Untreated Base   |
|                | 301-2.2           | Spreading  |
| <u>302</u>     |                   | <u>Roadway Surfacing</u>   |
|                | 302-3             | Asphalt Rubber Chip Seal or Interlayer   |
|                | 302-3.1           | Materials  |
|                | 302-3.2           | Equipment  |
|                | 302-3.3           | Mixing   |
|                | 302-3.4           | Surface Preparation  |
|                | 302-3.5           | Spreading  |
|                | 302-3.6           | Traffic Control  |
|                | 302-3.7           | Removing Loose Cover Materials   |
|                | 302-3.8           | Measurement and Payment  |
| <u>302-4</u>   |                   | <u>Emulsions - Aggregate Slurry</u>  |
|                | 302-4.2           | Mixing   |
|                | 302-4.2.1         | General  |
|                | 302-4.2.2         | Continuous Flow Mixers   |
|                | 302-4.3           | Application  |
|                | 302-4.3.1         | General  |
|                | 302-4.3.2         | Spreading  |
|                | 302-4.4           | Public Convenience and Traffic Control   |
|                | 302-4.1.1         | Sanitary Convenience   |
|                | 302-4.1.2         | Cleanup  |
|                | 302-4.5           | Measurement and Payment  |
| <u>302-5</u>   |                   | <u>AC Pavement</u>   |
|                | 302-5.1           | General  |
|                | *302-5.1.1        | Surface Preparation (AC Pavement)  |
|                | *302-5.1.2        | Traffic Signal & Loops   |
|                | 302-5.2.3         | Removal and Disposition of Materials   |
|                | 302-5.4           | Tack Coat  |
|                | 302-5.5           | Distribution and Spreading   |
|                | 302-5.6           | Rolling  |
|                | 302-5.6.1         | General  |
|                | 302-5.6.2         | Density & Smoothness   |
|                | 302-5.8           | Manholes and Valve Covers  |
|                | *302-5.8.1        | Adjust Valve Covers to Grade   |
|                | *302-5.8.2        | Measurement & Payment for Manhole & Valve Covers                               |

\*Addition - Not covered in the Green Book. Retrieve the entire subsection.

SPECIAL PROVISIONS

(Continued)

| <u>Section</u> | <u>Subsection</u> | <u>Description</u>  |
|----------------|-------------------|---|
| <u>302-7</u>   |                   | <u>Pavement Fabric</u>  |
|                | 302-7.2           | Placement   |
|                | 302-7.2.1         | Pavement Preparation  |
|                | 302-7.2.3         | Placing Fabric  |
| <u>303-4</u>   |                   | <u>Masonry Construction</u>   |
|                | 303-4.1           | Concrete Block Masonry  |
|                | 303-4.1.1         | General   |
|                | 303-4.2           | Brick Masonry   |
|                | 303-4.2.1         | Materials   |
| <u>303-5</u>   |                   | <u>Concrete Curbs, Walks, Gutters, X-gutters,<br/>Alley Intersections, Access Ramps &amp; Driveways</u> |
|                | 303-5.1           | Requirements  |
|                | 303-5.1.1         | General   |
|                | 303-5.6           | Curing  |
|                | 303-5.10          | Removal and Disposition of Material   |
| <u>304</u>     |                   | <u>Metal Fabrication and Construction</u>   |
|                | 304-3             | Chain Link Fence  |
|                | 304-3.2           | Fence Construction  |
|                | 304-3.3           | Installation of Gates   |
|                | 304-3.4           | Measurement and Payment   |
| <u>306</u>     |                   | <u>Underground Conduit Construction</u>   |
|                | 306-1             | Open Trench Operations  |
|                | 306-1.1.1         | General   |
|                | 306-1.1.2         | Maximum Length of Open Trench   |
|                | 306-1.1.3         | Maximum & Minimum Widths of Trench  |
|                | * 306-1.1.7       | Temporary Fencing   |
|                | 306-1.2           | Installation of Pipe  |
|                | 306-1.2.1         | Bedding   |
|                | * 306-1.2.14      | Temporary Shutdowns   |
|                | * 306-1.2.15      | Flushing, Sterilization, & Service<br>Connections   |
|                | * 306-1.2.16      | Sanitary Sewer Protection   |
|                | * 306-1.2.17      | Conveyance of Sewer Flows   |
|                | * 306-1.2.18      | Sewer Encasement at Water Mains Crossings   |
|                | 306-1.3           | Backfill and Densification  |
|                | 306-1.3.1         | General   |
|                | 306-1.3.4         | Compaction Requirements   |
|                | 306-1.5           | Trench Resurfacing  |
|                | 306-1.5.1         | Temporary Resurfacing   |
|                | 306-1.5.2         | Permanent Resurfacing   |
|                | 306-1.6           | Basis of Payment for Open Trench Installation   |
|                | 306-7             | Curb Drains   |
|                | 306-9             | Record Drawings   |
|                | 306-9.1           | Record Drawings   |
| <u>307</u>     |                   | <u>Signals, Lighting, &amp; Electrical Systems</u>  |
|                | **86-1            | General   |
|                | **86-1.04         | Warranties, Guarantees, & Instruction Sheets  |
|                | **86-1.05         | Maintaining Existing & Temporary Electrical<br>Systems  |
|                | **86-1.06         | Scheduling of Work  |
|                | **86-2            | Materials and Installation  |
|                | **86-2.02         | Removing & Replacing Improvements   |
|                | **86-2.03         | Foundations   |
|                | **86-2.04         | Standards, Steel Pedestals, & Posts   |

\*Addition - Not covered in the Green Book.

\*\*Caltrans Standard Specifications, Section 86

SPECIAL PROVISIONS  
(Continued)

| <u>Section</u> | <u>Subsection</u> | <u>Description</u>   |
|----------------|-------------------|--|
|                | **86-2.09E        | Splice Insulation  |
|                | **86-2.11         | Service  |
|                | **86-2.14A        | Materials Testing  |
|                | **86-2.16         | Painting   |
|                | **86-3            | Controller Assemblies  |
|                | **86-3.07D        | Cabinet Accessories  |
|                | **86-3.09         | Lighting Fixture   |
|                | **86-4            | Traffic Signal Faces & Fittings                              |
|                | **86-4.03         | Back Plates  |
|                | **86-4.05         | Pedestrian Signal Faces                                      |
|                | **86-7            | Removing, Reinstalling, or Salvaging<br>Electrical Equipment |
|                | **86-7.03         | Stocking & Salvaging Electrical Equipment                    |
|                | **86-8            | Payment  |
| <u>308</u>     |                   | <u>Landscape and Irrigation Installation</u>                 |
|                | 308-4             | Planting   |
|                | 308-4.5           | Tree & Shrub Planting  |
|                | * 308-4.9.6       | Hydroseeding   |
|                | 308-5             | Irrigation System Installation                               |
|                | 308-5.6           | Flushing & Testing   |
|                | 308-5.6.1         | Flushing Main Line (Irrigation)                              |
|                | 308-6             | Maintenance & Plant Establishment                            |
|                | 308-7             | Guarantee  |
|                | * 308-9           | Charts, Manuals, and Drawings                                |
|                | * 308-9.1         | As Built Drawings (Irrigation)                               |
|                | * 308-9.2         | Controller Charts  |
|                | * 308-9.3         | Manuals  |
|                | * 308-10          | Equipment to be Furnished                                    |

Appendix A - Special Provisions and Technical Specifications for Synthetic Grass

Appendix B - Geotechnical Report

Appendix C - Storm Water Pollution Prevention Plan (SWPPP)

\*Addition - Not covered in the Green Book.  
\*\*Caltrans Standard Specifications, Section 86

CITY OF MANHATTAN BEACH  
PROJECT SPECIFICATIONS

TABLE OF CONTENTS

|   | <u>Page</u> |
|---|-------------|
| Notice to Contractors   | 1           |
| Proposal Requirements   | 3           |
| Proposal  | 6           |
| Statistical Information Questionnaire   | 7           |
| Non-Collusion Affidavit   | 8           |
| Contractor's Questionnaire  | 9           |
| List of Sub-Contractors   | 10          |
| Bidder's Bond to Accompany Proposal   | 11          |
| Agreement   | 12          |
| Performance Bond  | 14          |
| Labor and Materials Bond  | 16          |
| Defective Materials, Workmanship, and Equipment Bond                                    | 18          |
| Insurance Endorsement Form No. 1 (General)  | 20          |
| Insurance Endorsement Form No. 2 (Auto)   | 22          |
| Proposed Security Deposits  | 24          |
| Progress Payment Request Form (See Sec. 9-3.2)  | 25          |
| W-9 Federal Taxpayer Identification Number  | 26          |
| Special Provisions w/ description of bid items  | 27          |
| Construction and Demolition Waste Management Plan                                       | 51          |
| Construction Materials  | 54          |
| Construction Methods  | 59          |
| Appendix A - Technical Specifications, Synthetic<br>Grass System. Materials and Methods |             |
| Appendix B - Geotechnical Report  |             |
| Appendix C - Storm Water Pollution Prevention Plan                                      |             |

CITY OF MANHATTAN BEACH  
STATE OF CALIFORNIA

**NOTICE TO CONTRACTORS**

\* \* \* \*

SEALED PROPOSALS will be received at the office of the City Clerk, City Hall, City of Manhattan Beach, California, until 11:00 a.m. on Thursday, April 4, 2013, at which time they will be publicly opened and read, for performing work as follows:

Furnish all materials, equipment, and labor as required to construct the Rehabilitation of the Marine Avenue Park Synthetic Turf Installation Project per Plan No. D-907, Sheets 1 through 9, and the Specifications prepared thereof, which are on file with the Public Works Department.

No bid will be received unless it is made on a proposal form furnished by the Engineer. Each bid must be accompanied by (cash, certified or cashier's check, or bidder's bond) made payable to the City of Manhattan Beach for an amount equal to at least ten percent (10%) of the amount bid, such guaranty to be forfeited should the bidder to whom the contract is awarded fail to enter into the contract.

Notice is hereby given that the Director of the Department of Industrial Relations, State of California, has ascertained the prevailing rates of per diem wages as evidenced in most recent edition of State of California, Department of Transportation, Business, Transportation and Housing Agency, General Prevailing Wage Rates Schedule, in the locality in which the work is to be done, for each craft or type of workman or mechanic needed to execute the contract in accordance with the provisions of Section 1770 to 1781 of the Labor Code; said prevailing rates are on file in the Office of the City Clerk and are incorporated herein by reference.

In accordance with Section 1776 of the Labor Code as amended, the Contractor shall submit a certified copy of the complete project payroll record to the Engineer, prior to final acceptance of the contract work.

The Contractor shall, in the performance of the work and improvements, conform to the Labor Code and other laws of the State of California and the laws of the Federal Government of the United States applicable thereto.

The Contractor's attention is directed to Section 14311.5 of the Government Code concerning projects involving federal funds and failure of bidder or Contractor to be properly licensed.

All bids are to be compared on the basis of the Engineer's Estimate of the quantities of work to be done. The City reserves the right to delete any bid item(s) prior to award if it is in the City's best interests to do so.

No contract will be awarded to a Contractor who has not been licensed in accordance with the provisions of Chapter 9, Division III, of the Business and Professions Code.

Each bidder shall also submit with his proposal a List of Subcontractors and Contractor's Questionnaire as required in the contract documents.

Plans may be seen and forms of proposal, bonds, contract, and specifications may be obtained at the City of Manhattan Beach City Hall, 1400 Highland Avenue, Manhattan Beach, California. A non-refundable deposit for the plans and specifications may be charged as determined by the Engineer.

The special attention of prospective bidders is called to Section I, PROPOSAL REQUIREMENTS, for full direction as to bidding, etc.

The City of Manhattan Beach reserves the right to reject any or all bids.

Dated:



3-7-13

LIZA TAMURA, City Clerk  
City of Manhattan Beach



PART 1

PROPOSAL REQUIREMENTS

Proposal Requirements

(a) General Information

The City Clerk of the City of Manhattan Beach, California, will receive at its office at the City Hall, 1400 Highland Avenue, Manhattan Beach, California, until 11:00 a.m. on Thursday, April 4, 2013, sealed proposals for:

Furnish all materials, equipment, and labor as required to construct the Rehabilitation of the Marine Avenue Park Synthetic Turf Installation Project per Plan No. D-907, Sheets 1 through 9, and the Specifications prepared thereof, which are on file with the Public Works Department.

(b) Examination of Plans, Specifications, Special Provisions, and Site of Work

The Bidder is required to examine carefully the site of work and the proposal plans, specifications, and contract forms for the work contemplated, and it will be assumed that the bidder has investigated and is satisfied as to the conditions to be encountered, as to the character, quality, and quantities of work to be performed and materials to be furnished, and as to the requirements agreed that submission of a proposal shall be considered prima facie evidence that the bidder has made such examination.

(c) Proposal Form

All proposals must be made upon blank forms to be obtained from the Public Works Department in the City Hall. All proposals must give the prices proposed, both in writing and figures, and must be signed by the bidder, with his address. If the proposal is made by an individual, his name and post office address must be shown. If made by firm or partnership, the name and post office address of each member of the firm or partnership must be shown. If made by corporation, the proposal must show the name of the state under the laws of which the corporation was chartered and the names, titles, and business addresses of the president, secretary, and treasurer. Each bidder shall also submit with his proposal a List of Subcontractors and Contractor's Questionnaire as required and referred to in the contract documents.

(d) Rejection of Proposals Containing Alterations, Erasures or Irregularities

Proposals may be rejected if they show any alterations of form, additions not called for, conditional or alternative bids, incomplete bids, erasures, or irregularities of any kind.

Each Contractor shall base his bid on furnishing and installing all items exactly as shown on the contract drawings and as described in the contract specifications. The successful Contractor will not be authorized to make any materials substitutions or changes in plans and/or specifications on his own initiative, but in each and every instance must procure written authorization from the Engineer before installing any work in variance with the contract requirements.

(e) Interpretation of Contract Documents

If any person contemplating submitting a bid on this project is in doubt as to the true meaning of any part of the plans, specifications, or other sections of the contract documents, he may submit to the Engineer a written request for interpretation thereof. The person submitting the request will be responsible for its prompt delivery. Any interpretation of the contract documents including the plans and specifications will be made by addendum duly issued or delivered by the Engineer to each person receiving a set of said documents. The Engineer will not be responsible for any other explanations or interpretations of the contract documents.

(f) Bidder's Guaranty

All bids shall be presented under sealed cover and shall be accompanied by cash, cashier's check, certified check, or bidder's bond, made payable to the City of Manhattan Beach, for an amount equal to at least ten percent (10%) of the amount of said bid, and no bid shall be considered unless such cash, cashier's check, certified check, or bidder's bond is enclosed therewith.

(g) Award of Contract

The award of the contract, if it be awarded\*, will be to the lowest responsible bidder whose proposal complied with all the requirements described. The award, if made, will be made within sixty ( 60 ) days after the opening of the bids. All bids will be compared on the basis of the Engineer's estimate of quantities of work to be done. \*See Paragraph (k) below.

(h) Execution of Contract

The contract shall be signed by the successful bidder and returned, together with the contract bonds, within ten (10) days, not including Sundays, after the bidder has received notice that the contract has been awarded. No proposal shall be considered binding upon the City until the execution of the contract.

Failure to execute a contract and file acceptable bonds as provided herein within ten (10) days, not including Sundays, after the bidder has received notice that the contract has been awarded, shall be just cause for the annulment of the award and the forfeiture of the proposal guaranty.

(i) Return of Bidder's Guaranties

Within ten (10) days after the award of the contract, the City Clerk will return the proposal guaranties accompanying such proposals which are not to be considered in making the award. All other proposal guaranties will be held until the contract has been finally executed, after which they will be returned to the respective bidders whose proposals they accompany.

(j) Contractor's Questionnaire

The Contractor shall complete the questionnaire form that accompanies the proposal and submit the information with his proposal.

(k) Owner's Right to Award Contract

The Owner reserves the right to reject any or all bids, to waive any irregularities or informalities and to award contract as may best serve the interests of the City of Manhattan Beach.

CONTRACTOR'S PROPOSAL

To the City Council of the City of Manhattan Beach:

The undersigned declares that he has carefully examined the location of the proposed work, that he has examined the plans and specifications and read the accompanying proposal requirements, and hereby proposes to furnish all materials and do all the work required to complete said work prior to the end of the workday of August 16, 2013\* in accordance with Drawing No. D-907, Sheets 1 to 9, Specifications and Special Provisions, for the unit price or lump sum as set forth in the following schedule:

\*Refer to General Provisions Section 6-7 for detailed description.

| ITEM  | DESCRIPTION                                    | QUANTITY | UNIT | UNIT PRICE | TOTAL COST |
|---|--|----------|------|------------|------------|
| <b>Marine Avenue Park Synthetic Turf Installation Project</b> |  |          |      |            |            |
| <b>Section 1 - Site Prep</b>                                  |  |          |      |            |            |
| 1   | Mobilization - G&A                             | 1        | LS   | \$ 43,550  | \$ 43,550  |
| 2   | Storm Water Pollution Control (SWPP)           | 1        | LS   | 6540       | 6540       |
| 3   | Construction access/entrance                   | 1        | LS   | 2000       | 2000       |
| 4   | Cap and remove - existing/irrigation lines     | 1        | LS   | 3570       | 3570       |
| 5   | Remove existing trees                          | 20       | EA   | 177        | 3540       |
| 6   | Demo existing/conflicting curbs/drains/boxes   | 1        | LS   | 1100       | 1100       |
| 7   | Disposal - Demo & Export all organics off-site | 72200    | SF   | .34        | 24,548     |
| 8   | Construction surveying                         | 1        | LS   | 4000       | 4000       |
| 9   | Cut/fill/export - balance field                | 72200    | SF   | .36        | 25,992     |
| 10  | Rough Grade                                    | 72200    | SF   | .17        | 12,274     |
| 11  | Temporary facilities                           | 1        | LS   | 1140       | 1140       |
| 12  | Construction clean-up                          | 1        | LS   | 2000       | 2000       |
| 13  | Geo-fabric - (Mirafi 140N )                    | 72200    | SF   | .17        | 12,274     |
| 14  | Pre-fabricated drain collection system         | 1        | LS   | 28,000     | 28,000     |
| 15  | 6" permeable base coarse system                | 1950     | CY   | 44.40      | 86,580     |
| 16  | HDPE trench drains (or CPEP) - sizes per plan  | 904      | LF   | 44.50      | 40,228     |
| 17  | Connection to existing storm drain system      | 1        | LS   | 4542       | 4542       |
| 18  | Construct concrete curbing                     | 1128     | LF   | 13         | 14,664     |
| 19  | Synthetic ledger/nailer (trex material)        | 1128     | LF   | 4.5        | 5076       |

| ITEM  | DESCRIPTION  | QUANTITY | UNIT | UNIT PRICE | TOTAL COST |
|---|--|----------|------|------------|------------|
| <b>Marine Avenue Park Synthetic Turf Installation Project</b> |  |          |      |            |            |
| <b>Section 1 - Site Prep Continued</b>                        |  |          |      |            |            |
| 20  | Waterproof existing cmu west wall                              | 1        | LS   | \$ 3248    | \$ 3248    |
| 21  | Re-stabilize or relay natural turf at park entry               | 1        | LS   | 2178       | 2178       |
| 22  | Sport accessory anchors/footings (2 extra)                     | 4        | EA   | 560        | 2240       |
| 23  | Set new quick-coupler irrigation system (valves/bxs)           | 6        | EA   | 2100       | 12,600     |
| 24  | Install power/outlet (WP) where required                       | 1        | LS   | 1280       | 1280       |
| 25  | Patch/repair concrete after outlet install                     | 1        | LS   | 1280       | 1280       |
| 26  | Light pole access hatch adjustments                            | 1        | LS   | 1280       | 1280       |
| 27  | Re-route 4" water line off and around the field                | 1        | LS   | \$ 23,400  | \$ 23,400  |
| SUBTOTAL ITEMS 1 - 27   |  |          |      |            | \$ 369,124 |
| <b>Section 2 - Site Prep Continued</b>                        |  |          |      |            |            |
| 28  | Turf system (approved weight/ht & infill per spec)             | 72200    | SF   | \$ 3.7     | \$ 267,140 |
| 29  | Soccer lines & markings  | 1        | LS   | 3700       | 3700       |
| 30  | Mid-field logos - 1 only                                       | 1        | LS   | 7300       | 7300       |
| 31  | Additional logos - smaller off field                           | 2        | EA   | 275        | 550        |
| 32  | Maintenance equipment/groomer                                  | 1        | LS   | 8950       | 8950       |
| 33  | Field Service Maintenance Program (twice annually for 4 years) | 1        | LS   | 4200       | 4200       |
| 34  | 1" shock pad (Poly-Foam by PolyGreen)                          | 72200    | SF   | \$ 1.06    | \$ 76,532  |
| SUBTOTAL ITEMS 28 - 34  |  |          |      |            | \$ 368,372 |
| TOTAL BID, ITEMS 1 - 34                                       |  |          |      |            | \$ 737,496 |

Total Bid Cost:

\$ 737,496

Total Bid Cost in Writing: \$ SEVEN HUNDRED THIRTY-SEVEN

THOUSAND, FOUR HUNDRED NINETY-SIX DOLLARS

The undersigned represents that this is a balanced bid and that the overhead and profit have been evenly distributed.

*Douglas E. Cusick*  
Signed

The undersigned further agrees that in case of default in executing the required contract, with necessary bonds, within ten (10) days, not including Sunday, after having received notice that the contract is ready for signature, the proceeds of the check or bond accompanying his bid shall become the property of the City of Manhattan Beach.

Licensed in accordance with an act providing for the registration of Contractors, License No. 747934.

*Douglas E. Cusick*  
Signature of Bidder

Vice President  
Title

(If an individual, so state. If a firm or co-partnership, state the firm name and give the names of all individuals copartners composing the firm. If a corporation, state legal name of corporation, also names of president, secretary, treasurer, and manager thereof.)

Asphalt Fabric & Engineering, Inc.  
(Name of Company or Corporation)

2683 Lime Ave.  
(Address)

Signal Hill                      CA 90755  
(City)                                      (State) (Zip)

Dated: April 4, 2013.

**STATISTICAL INFORMATION ON CONTRACTOR**

**Marine Avenue Park Synthetic Turf Installation Project**

**Firm/Organization Information Form**

**INSTRUCTIONS:** All proposers or bidders responding to this solicitation must return this form for proper consideration of their proposal or bid. **The information requested below is for statistical purposes only.** On final analysis and consideration of award, a proposer/bidder will be selected without regard to gender, race, creed, or color. Categories listed below are based upon those described in 49 CFR §23.5.

**TYPE OF BUSINESS ENTITY:** Corporation  
(Corporation, Partnership, Joint Venture, Sole Proprietorship, etc.)

**TOTAL NUMBER OF EMPLOYEES IN FIRM** (including owners): 52

**CULTURAL/ETHNIC COMPOSITION OF FIRM:** (Owners, Partners, Associate Partners, Managers, Staff, etc.).

**Please break down the total number of employees in your firm into the following categories:**

|                                | OWNERS/PARTNERS/<br>ASSOCIATE PARTNERS | MANAGERS | STAFF |
|--------------------------------|--|----------|-------|
| Black/African American         |  |          |       |
| Hispanic/Latin American        |  | 2        | 40    |
| Asian American                 |  |          |       |
| American Indian/Alaskan Native |  |          |       |
| All Others                     | 3                                      | 2        | 5     |

Based upon the categories above, please indicate the total number of men and women in your firm:

|       |   |   |    |
|-------|---|---|----|
| Men   | 3 | 2 | 39 |
| Women |   | 2 | 6  |

**PERCENTAGE OF OWNERSHIP IN FIRM** Please indicate by percentage (%) how the ownership of the firm is distributed:

|       | Black/African American | Hispanic/Latin American | Asian American | American Indian/Alaskan Native | All Others |
|-------|------------------------|-------------------------|----------------|--------------------------------|------------|
| Men   | 0 %                    | 0 %                     | 0 %            | 0 %                            | 100 %      |
| Women | 0 %                    | 0 %                     | 0 %            | 0 %                            | %          |

**CERTIFICATION AS MINORITY, WOMEN, DISADVANTAGED, AND DISABLED VETERANS BUSINESS ENTERPRISE** Is your firm currently certified as a minority, women-owned, disadvantaged or disabled veterans business enterprise by a public agency? (If yes, complete the following and attach a copy of your notice of certification.) YES \_\_\_\_\_ NO

Agency \_\_\_\_\_ Expiration Date \_\_\_\_\_

**FIRM NAME:** Asphalt, Fabric & Engineering, Inc.

**SIGNED:** [Signature] **TITLE:** Vice President

**DATE:** 4/4/13

NON-COLLUSION AFFIDAVIT TO BE EXECUTED BY BIDDER AND  
SUBMITTED WITH BID  
Marine Avenue Park Synthetic Turf Installation Project

State of California )  
County of Los Angeles ) ss.

I, Douglas E. Coulter, being first duly sworn, deposes and says that he

or she is Vice President of Asphalt Fabric Engineering 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 conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

Bidder Asphalt Fabric Engineering, Inc.  
By Douglas E. Coulter  
Title Vice President  
Organization \_\_\_\_\_  
Address 2683 Lime Ave, Signal Hill, CA 90755

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_  
20\_\_\_\_

*See attached  
Notary Form*

[Notarial Seal] \_\_\_\_\_

Notary Public in and for the State of \_\_\_\_\_

My commission expires \_\_\_\_\_





CONTRACTOR'S QUESTIONNAIRE

TO THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA:

Re: Marine Avenue Park Synthetic Turf Installation Project

Submitted by Asphalt, Fabric & Engineering, Inc.

Principal Office \_\_\_\_\_

Telephone (562) 997-4129

Type of Firm: Corporation [checked] Co-Partnership \_\_\_\_\_

Individual \_\_\_\_\_

Contractor's License No. 747934

If a corporation, answer these questions:

Date of incorporation January 22, 1998
State of incorporation CA
President's name William Goldsmith
Vice President's name Douglas Coulter
Secretary or Clerk's name \_\_\_\_\_
Treasurer's name Joseph Salamone

If a co-partnership, answer these questions:

Date of organization \_\_\_\_\_
Name and Address of all partners \_\_\_\_\_

Number of years experience as a Contractor in construction work

List the major construction projects your organization has underway as of this date:

- City of LA - MLK Recreation Ctr Synthetic Turf Sports Field Phone: (213) 847-4809
Eastside Union School District - Elementary School #5 Phone: (661) 702-2222
City of LA - Rancho Park Golf Course Phone: (213) 202-2681
Chino Valley Church Phone: (909) 213-3788

List the major projects your organization has completed in the past five years.

- See attached. Phone:
Phone:
Phone:
Phone:

Have you or your firm or any principal in your firm ever been adjudged bankrupt in any voluntary or involuntary bankruptcy proceeding? NO

If so, when? \_\_\_\_\_

NOTE: If requested by the City, the bidder shall furnish a notarized financial statement, financial data, or other information and references sufficiently comprehensive to permit an appraisal of his current financial condition.

# BID REVIEW

## MARINE AVE PARK - NEW SYNTHETIC TURF FIELD

### PRE-QUALIFICATION REVIEW

(Bidder)

| Pre-Qualification Questions - Yes/No verification   | Asphalt Fabric | Notes |
|---|----------------|-------|
| 1 Are you a Single Contract Responsibility as prescribed per specifications                               |                |       |
| 2 Do you have (15) acceptable installations of full-size football or soccer fields (min 70,000 sf)        |                |       |
| 3 As a Contractor, have you been in business – under its current name – for past five years               |                |       |
| 4 Turf installation team experience: do you have min fifteen (15) installs of 15' wide manufactured rolls |                |       |
| 5 Contractor has Submitted typed data for projects by foreman w/Owner's contacts & phone no.              |                |       |
| 6 Contractor Pre-Qual Submittal contains a complete list of the last 5 projects of Foreman and PM         |                |       |
| 7 Supplier/installer holds in good standing, a CA Builders License and/or a California (D-12) license     |                |       |
| 8 Contractor has verified supervisory personnel to be on site, competent in synthetic grass systems       |                |       |
| 9 Contractor has verified intent to meet the balance of Project Qualification requirements per specs      |                |       |
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**Asphalt, Fabric, & Engineering Inc. (AFEI)  
Constructed Synthetic Turf Fields**

| Project Location   | Type of Field                              | Contact   | Phone                      | Contract Amount | SQFT    | Turf System Installed | Date Installed |
|--|--|---|----------------------------|-----------------|---------|-----------------------|----------------|
| City of LA- MLK Recreation Center<br>3916 S. Western Ave., Los Angeles, CA 90062   | Recreation Center                          | Daniel Tse, Construction Manager                              | (213) 847-4809             | \$350,000.00    | 15,000  | Astroturf             | Mar-13         |
| City of Santa Fe Springs-Clarke Estate Enhancement Project<br>10211 Pioneer Blvd., Santa Fe Springs, CA                                | Courtyard                                  | Robert Garcia, Project Manager                                | (562) 868-0511<br>ext 7545 | \$68,780.65     | 6,000   | Astroturf             | Feb-13         |
| Palos Verdes Peninsula USD - Palos Verdes H. S.<br>600 Cloyden Road, Palos Verdes Estates, CA  | Baseball Field                             | Garcia Bentley Construction<br>Bruce                          | (310) 505-4273             | \$56,987.00     | 6,835   | Astroturf             | Jan-13         |
| Perris UHSD - Pinacate Middle School<br>1990 South "A" Street, Perris, CA. 92570   | Heavy use playfield                        | Nature Tech Landscaping<br>Anthony Labriola - Project Manager | (951) 684-8808             | \$47,000.00     | 8,100   | TigerTurf             | Jul-12         |
| Primus Sports Performance<br>20431 James Bay Cir., Lake Forest, CA 92630   | Indoor baseball/lacrosse training facility | Frank Rizzo<br>Co-owner / trainer                             | (949) 916-3544             | \$41,029.00     |         | Challenger Sports     | Jun-12         |
| University of California - Riverside<br>3401 Walkins, Riverside, CA 92521  | NCAA Division 1 Soccer field               | UC Riverside<br>Mike Miller - Assoc VC, Facilities            | (951) 827-3658             | \$544,243.00    | 86,505  | TigerTurf             | Jul-11         |
| Santa Monica Catholic High School<br>1030 Lincoln Blvd., Santa Monica, CA. 90403   | Football practice field                    | Michele Rice<br>Asst. Principal-Student Services              | (310) 394-3701<br>xt. 1444 | \$14,328.00     | 15,000  | Shaw/Sportexe         | Apr-11         |
| City of Redondo Beach - Aviation Field<br>1935 Manhattan Beach Blvd., Redondo Beach, CA  | Soccer field                               | South Bay Sports LLC<br>Dennis Fox                            | (310) 798-6270             | \$138,467.00    | 103,500 | ITS/Sprinturf         | Nov-10         |
| LAUSD / South Region Middle School #2<br>3620 Gage Avenue, Bell, CA. 90201   | Soccer field                               | S.J. Amoroso Construction<br>Jay Rivas - Project Manager      | (714) 433-2326             | \$304,921.00    | 69,776  | TigerTurf             | Jul-10         |
| Alliance Schools - Merkin Middle School<br>2023 S. Union Avenue, Los Angeles, CA.  | Heavy use playfield                        | Donna Jacobson - Principal                                    | (213) 748-0141             | \$31,926.00     | 4,080   | TigerTurf             | Apr-10         |
| Arena Soccer Parks - Orange<br>2190 N. Canal St., Orange, CA. 92865  | Arena soccer fields                        | Chester Holt<br>Facility Manager                              | (714) 974-1993             | \$98,000.00     | 22,575  | TigerTurf             | Dec-09         |
| Cardinal Newman Catholic High School<br>50 Ursuline Road, Santa Rosa, CA. 95403  | Baseball field                             | Mike Trussdell<br>President                                   | (707) 546-6570<br>xl.102   | \$555,468.00    | 145,000 | TigerTurf             | Sep-09         |
| Redlands USD - Citrus Valley HS<br>800 W. Pioneer Ave., Redlands, CA. 992374   | Heavy use playfield                        | RUSD - Brian Hardy<br>Facilities/Planning - Director          | (909) 748-6730             | \$41,186.00     | 7,200   | TigerTurf             | Aug-09         |
| City of Los Angeles - Recreation & Parks Division<br>Rancho Cienega Park / Dorsey High School<br>5001 Rodeo Rd., Los Angeles, CA 90016 | Stadium field<br>Football                  | Dept of Recreation & Parks<br>Larry Newson                    | (213) 485-3755             | \$1,395,962.25  | 99,134  | TigerTurf             | Jun-09         |
| PUC Schools - Lakeview Charter Academy<br>11465 Kagel Canyon St., Lakeview Terrace, CA.  | Heavy use playfield                        | Eddie Torres<br>Reg. Operations Manager                       | (818) 559-7699             | \$65,520.00     | 11,655  | TigerTurf             | Jun-09         |
| Home Depot Center - ESPN<br>American Soccer Tennis Assoc. (ASTO)<br>18400 Avalon Blvd., Carson, CA. 90706                              | Professional Soccer/Tennis field           | Kyle Walters<br>Vice President - Operations                   | (310) 630-2000             | \$3,840.00      |         | TigerTurf             | Apr-09         |

|  |   |   |                          |              |         |           |        |
|--|---|---|--------------------------|--------------|---------|-----------|--------|
| West Valley Family YMCA<br>18810 Vanowen St., Reseda, CA. 91335                                | Arena soccer field                        | Josh Berg<br>Sport Coordinator                                  | (818) 774-2840           | \$72,030.00  | 12,250  | TigerTurf | Feb-09 |
| Beverly Hills USD - Hawthorne ES<br>624 Rexford Drive, Beverly Hills, CA. 90210                | Heavy use playfield                       | Beverly Hills USD<br>Jim Fahney - Director - M&O                | 310) 551-5100<br>x1.2375 | \$117,096.00 | 30,000  | TigerTurf | Jan-09 |
| Home Depot Center - Athletes' Performance<br>18400 Avalon Blvd., Ste 800, Carson CA. 90706     | Elite Athletic Training Facility          | Athletes' Performance<br>Stuart Gill - General Manager          | (310) 630-2290           | \$60,000.00  | 16,000  | TigerTurf | Dec-08 |
| Huntington Beach High School<br>1905 Main St., Huntington Beach, CA. 992648                    | Sub-base/Drainage                         |   |                          |              |         |           | Nov-08 |
| Palos Verdes Peninsula USD - Palos Verdes H. S.<br>600 Cloyden Road, Palos Verdes Estates, CA  | Stadium field<br>Football/soccer/lacrosse | Hermosa Design Center<br>Johnnie Morgan<br>Construction Manager | (310) 418-9900           | \$969,595.40 | 82,000  | TigerTurf | Sep-08 |
| American Martyrs School<br>1701 Laurel Ave., Manhattan Beach, CA. 90266                        | Sub-base/Drainage                         |   |                          |              |         |           | Aug-08 |
| Westminster High School<br>14325 Goldenwest, Westminster, CA. 92683                            | Sub-base/Drainage                         |   |                          |              |         |           | Jul-08 |
| LAUSD/City of Los Angeles - Vista Hermosa Park<br>100 North Toluca St., Los Angeles, CA. 90026 | Soccer field                              | Precision Surfacing, Inc.<br>Matt Brown                         | (209) 267-0633           |              | 83,000  | TigerTurf | Jul-08 |
| Loyola Marymount University<br>1 LMU Drive, Los Angeles, CA. 90045                             | Sub-base/Drainage                         |   |                          |              |         |           | Jun-08 |
| El Camino College<br>16007 Crenshaw Blvd., Torrance, CA. 90506                                 | Sub-base/Drainage                         |   |                          |              |         |           | Apr-08 |
| Granada Hills Charter HS - Baseball field<br>10535 Zelzah Avenue, Granada Hills, CA. 91344     | Baseball field<br>Foul territory area     | Chris Davis<br>Director - Activities & Athletics                | (818) 360-2361<br>x1.336 | \$18,450.00  | 8,200   | Astroturf | Dec-07 |
| PUC Schools - Santa Rosa Middle School<br>3839 Eagle Rock Blvd., Los Angeles, CA. 90065        | Heavy use playfield                       | PUC Schools - Eddie Torres<br>Reg. Operations Manager           | (818) 559-7699           | \$29,888.00  | 6,500   | TigerTurf | Dec-07 |
| Edison High School - Soccer Field<br>21400 Magnolia St., Huntington Beach, CA 92646            | Soccer field                              | Huntington Beach UHSD<br>Bruce Belcher                          | (714) 319-9219           | \$671,888.00 | 107,198 | TigerTurf | Nov-07 |
| County of Los Angeles - Bassett Park<br>510 N. Vineland Ave., La Puente, CA. 991746            | Soccer fields<br>Sub-base/drainage        | County of Los Angeles<br>Dept. of Parks & Recreation            |                          |              |         | Domo Turf | Nov-07 |
| ProSports Club - Performance Center<br>9911 Willows Road 3100, Redmond, WA. 98052              | Indoor training field                     | Roger Davidson<br>Manager                                       | (425) 885-5566           |              | 10,000  | TigerTurf | Oct-07 |
| San Bernardino City Schools - Del Vallejo MS<br>1885 E. Lynwood Dr., San Bernardino, CA. 92404 | Sub-base/Drainage                         |   |                          |              |         |           | Aug-07 |
| Kaiser High School<br>11155 Almond Ave., Fontana, CA. 92337                                    | Sub-base/Drainage                         |   |                          |              |         |           | May-07 |
| Playa Vista Little League (PVL)<br>13098 Culver Blvd., Los Angeles, CA. 90001                  | Sub-base/Drainage                         |   |                          |              |         |           | Sep-06 |

|   |                                       |   |                            |              |         |               |        |
|---|---------------------------------------|---|----------------------------|--------------|---------|---------------|--------|
| Granada Hills Charter High School<br>10535 Zetrah Avenue, Granada Hills, CA. 91344  | John Elway Stadium<br>Football/soccer | Chris Davis<br>Director - Activities & Athletics    | (818) 360-2361<br>xt. 336  | \$841,261.00 | 106,606 | ITS/Sprinturf | Aug-06 |
| Westside Neighborhood School<br>5401 Beethoven St., Los Angeles, CA. 90066  | Heavy use playfield                   | Dominica Johnson<br>Facilities & School Events Mgr. | (310) 574-8650<br>xt. 3319 |              | 2,500   | Forevergreen  | Aug-06 |
| Pasadena City College<br>1570 E. Colorado Blvd., Pasadena, CA. 91106  | Stadium field<br>Sub-base/drainage    |   |                            |              |         |               | Jul-06 |
| Adat Ari El Children's School<br>12020 Burbank Blvd., Valley Village, CA. 91607   | Sub-base/Drainage                     |   |                            |              |         |               | Jul-06 |
| Reedley High School<br>740 West North Ave., Reedley, CA. 93654  | Sub-base/Drainage                     |   |                            |              |         |               | Jul-06 |
| Orange Cove High School<br>1700 Anchor Ave., Orange Cove, CA. 92646   | Sub-base/Drainage                     |   |                            |              |         |               | Jul-06 |
| City of Redding - Redding Soccer Park<br>9800 Old Oregon Trail, Redding, CA. 96003  | Soccer fields                         |   |                            |              |         | A-Turf        | Jun-06 |
| CSU - Fullerton (Irvine Campus)<br>Orange County Great Park<br>7320 Trabuco Rd., Irvine, CA. 92618  | Sub-base/Drainage                     |   |                            |              |         |               | Jun-06 |
| County of San Diego - Sweetwater Regional Park<br>Sweetwater Valley Little League Fields<br>3321 Conduit Road, Bonita, CA. 91902  | Little League<br>Baseball fields      |   |                            |              |         | ITS/Sprinturf | Feb-05 |
| University of California - Los Angeles<br>Le Conte Ave & Westwood Blvd.<br>Westwood, CA. 90024  | Spaulding Field                       |   |                            |              |         | Sprinturf     | Jun-06 |
| City of Los Angeles - Recreation & Parks Division<br>Dodger Dream Foundation (DDF)<br>Whigley Field at Evergreen Recreation Center<br>204 N. Evergreen Ave., Los Angeles, CA. 90033 | Baseball field                        |   |                            |              |         | ITS/Sprinturf | May-06 |
| Beverly Hills USD - Beverly Hills High School<br>255 S. Lasky Drive, Beverly Hills, CA. 90212   | Stadium field<br>Football/soccer      | Beverly Hills USD<br>Jim Fahey<br>Director - M&O    | (310) 551-5100<br>xt.2375  | \$800,000.00 | 117,000 | ITS/Sprinturf | Apr-06 |
| Paloma Valley High School<br>31375 Bradley Rd., Menifee, CA. 92584  | Sub-base/Drainage                     |   |                            |              |         |               | Apr-06 |
| Palisades Charter High School<br>15777 Bowdoin St., Pacific Palisades, CA. 90272  | Sub-base/Drainage                     |   |                            |              |         |               | Apr-06 |
| Stanford University - Practice field<br>450 Serra Mall, Stanford, CA. 94305   | Sub-base/Drainage                     |   |                            |              |         | A-Turf        | Feb-06 |
| Central USD - Deran Koligian Stadium<br>4200 N Grantland, Fresno, CA 93722  | Stadium field<br>Sub-base/drainage    |   |                            |              |         | ITS/Sprinturf | Feb-06 |
| Montclair College Preparatory School<br>8071 Sepulveda Blvd., Van Nuys, CA. 91402   | Football practice field               |   |                            | \$214,000.00 | 25,000  | Forevergreen  | Aug-05 |

|  |                                    |   |                |              |         |              |        |
|--|------------------------------------|---|----------------|--------------|---------|--------------|--------|
| City of Laguna Niguel<br>Chapparosa Park - Stadium Field<br>25191 Chapparosa Park Road, Laguna Niguel, CA.                       | Soccer field                       | Nick Renn<br>Deputy Public Works Director/<br>Asst. City Engineer | (949) 362-4341 | \$237,000.00 | 75,000  | AstroTurf    | Apr-05 |
| Campbell Hall Episcopal School<br>4533 Laurel Canyon Blvd., N. Hollywood, CA. 91607  | Stadium field<br>Football/soccer   | Cesar Cespedes<br>Operations - Maintenance Supervisor             | (818) 505-5365 | \$463,000.00 | 101,000 | Forevergreen | Apr-05 |
| County of San Diego - Sweetwater Regional Park<br>Sweetwater Valley Little League Fields<br>3321 Conduit Road, Bonita, CA. 91902 | Little League<br>Baseball fields   |   |                | \$102,606.00 |         | Forevergreen | Feb-05 |
| Concordia University - Practice field<br>1530 Concordia, Irvine, CA. 92612   | Soccer practice field              | Don Ebert<br>Former Men's Head Soccer Coach                       |                | \$200,000.00 | 30,000  | Forevergreen | May-04 |
| Chaminade College Preparatory<br>7500 Chaminade Ave., West Hills, CA. 91304  | Stadium field<br>Sub-base/drainage |   |                |              |         | Forevergreen | Jun-03 |
| Concordia University - Stadium field<br>1530 Concordia, Irvine, CA. 92612  | Stadium field<br>Sub-base/drainage | Don Ebert<br>Former Men's Head Soccer Coach                       |                |              |         | FieldTurf    | Jan-02 |

BIDDER'S BOND TO ACCOMPANY PROPOSAL

KNOW ALL MEN BY THESE PRESENTS,

That we, Asphalt, Fabric & Engineering, Inc., as principal, and U.S. Specialty Insurance Company, as surety are held and firmly bound unto the City of Manhattan Beach in the sum of

One Hundred Ten Thousand Dollars and 00/100 Dollars, (\$110,000.00), to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors or assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH,

That if the certain proposal of the above bounden Asphalt, Fabric & Engineering, Inc. to construct Marine Avenue Park Synthetic Turf Installation Project

dated \_\_\_\_\_ is accepted by the City of Manhattan Beach, and if the above bounden Asphalt, Fabric & Engineering, Inc.,

his heirs, executors, administrators, successors and assigns, shall duly enter into and execute a contract for such construction, and shall execute and deliver the two bonds described within ten days (not including Sunday) from the date of the mailing of a notice to the above bounden Asphalt, Fabric & Engineering, Inc. by and from the said City of Manhattan Beach that said contract is ready for execution, then this obligation shall become null and void; otherwise it shall be and remain in full force and virtue; provided, however, that if Principal shall, prior to the mailing of a notice of being awarded the contract notify City of its unwillingness to perform under its bid submittal or request relief from its bid without legal justification, City shall be relieved of any obligation to formally award the contract to Principal and City's rights hereunder shall not be affected by its failure to formally award the contract.

IN WITNESS WHEREOF, we hereunto set our hands and seals this day of

April 2, 2013.

Asphalt, Fabric & Engineering, Inc.

*James E. ...*

U.S Specialty Insurance Company

*Khoe Tran*

-11- Khoi Tran, Attorney-In-Fact

POWER OF ATTORNEY

AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS: That American Contractors Indemnity Company, a California corporation, Texas Bonding Company, an assumed name of American Contractors Indemnity Company, United States Surety Company, a Maryland corporation and U.S. Specialty Insurance Company, a Texas corporation (collectively, the "Companies"), do by these presents make, constitute and appoint:

Paul S. Dito, Ariel T. Heredia, Denise Lopez, Chris Theveny, Khoi Tran, or Maricela Lares of Orange, California

its true and lawful Attorney(s)-in-fact, each in their separate capacity if more than one is named above, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include riders, amendments, and consents of surety, providing the bond penalty does not exceed \*\*\*\*\*Three Million\*\*\*\*\* Dollars (\$ \*\*3,000,000.00\*\* ).

This Power of Attorney shall expire without further action on March 18, 2015. This Power of Attorney is granted under and by authority of the following resolutions adopted by the Boards of Directors of the Companies:

Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

Attorney-in-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings, including any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts, and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

Be it Resolved, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, The Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 3rd day of October, 2011.

AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY

Corporate Seals



By:

[Signature]
Daniel P. Aguilar, Vice President

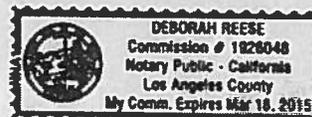
State of California

County of Los Angeles SS:

On this 3rd day of October, 2011, before me, Deborah Reese, a notary public, personally appeared Daniel P. Aguilar, Vice President of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature 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] (Seal)

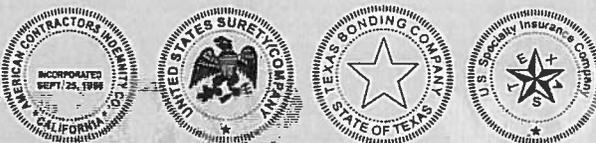


I, Jeannie Lee, Assistant Secretary of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Los Angeles, California this 2ND day of APRIL, 2013.

Corporate Seals

Bond No. 1000801526-40
Agency No. 9007



[Signature]
Jeannie Lee, Assistant Secretary

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Los Angeles

On 04-03-13 before me, Loretta A. Cisneros, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared Douglas E. Coulter  
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: Loretta A. Cisneros  
Signature of Notary Public

Place Notary Seal and/or Stamp Above

## OPTIONAL

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

### Description of Attached Document

Title or Type of Document: Bond #1000801526-40

Document Date: April 2, 2013

Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

### Capacity(ies) Claimed by Signer(s)

Signer's Name: Douglas E. Coulter

Signer's Name: \_\_\_\_\_

Corporate Officer — Title(s): \_\_\_\_\_

Corporate Officer — Title(s): \_\_\_\_\_

Individual

Individual

Partner —  Limited  General

Partner —  Limited  General

Attorney in Fact

Attorney in Fact

Trustee

Trustee

Guardian or Conservator

Guardian or Conservator

Other: \_\_\_\_\_

Other: \_\_\_\_\_

Signer Is Representing: Asphalt, Fabric Eng. Inc.

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT OF SIGNER  
Top of thumb here

RIGHT THUMBPRINT OF SIGNER  
Top of thumb here

State of California )  
County of ORANGE )

# CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

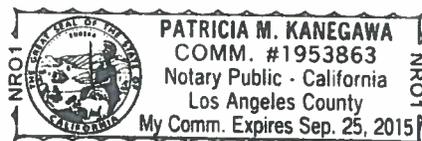
On APRIL 2, 2013 before me, PATRICIA M. KANEGAWA, NOTARY PUBLIC,  
(here insert name and title of the officer)

personally appeared KHOI TRAN

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

(Seal)

## OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

### Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of BOND 1000801526-40

containing \_\_\_\_\_ pages, and dated \_\_\_\_\_.

The signer(s) capacity or authority is/are as:

- Individual(s)  
 Attorney-in-Fact  
 Corporate Officer(s) \_\_\_\_\_  
Title(s)

- Guardian/Conservator  
 Partner - Limited/General  
 Trustee(s)  
 Other: \_\_\_\_\_

representing: U.S. SPECIALTY INSURANCE COMPANY  
Name(s) of Person(s) or Entity(ies) Signer is Representing

### Additional Information

#### Method of Signer Identification

Proved to me on the basis of satisfactory evidence:  
 form(s) of identification     credible witness(es)

Notarial event is detailed in notary journal on:

Page # \_\_\_\_\_ Entry # \_\_\_\_\_

Notary contact: \_\_\_\_\_

#### Other

- Additional Signer(s)     Signer(s) Thumbprint(s)  
 \_\_\_\_\_

**CITY OF MANHATTAN BEACH**  
**A G R E E M E N T**

THIS AGREEMENT, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, by and between the CITY OF MANHATTAN BEACH, a municipal corporation, hereinafter referred to as "CITY" and Asphalt, Fabric and Eng., Inc., hereinafter referred to as "CONTRACTOR". City and Contractor hereby agree as follows:

1. That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the City, and under the conditions expressed in the three bonds, bearing even date with these presents, and hereunto annexed, the Contractor agrees with the City, at his own proper cost and expense, to do all the work and furnish all the materials, except such as are mentioned in the Specifications to be furnished by said City, necessary to complete in a good, workmanlike and substantial manner the improvements for the:

Marine Avenue Park Synthetic Turf Installation Project

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in accordance with the specifications and Special Provisions therefor, and also in accordance with the Specifications entitled "Standard Specifications for Public Works Construction, Latest Edition" and all supplements thereto, which said Special Provisions and Standard Specifications are hereby specially referred to and by such reference made a part hereof.

Said work to be done as shown upon the following plans:

Plan No. D-907 , Sheets 1 to 9

2. Said Contractor agrees to receive and accept the following prices 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 of Manhattan Beach 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 work, and for well and faithfully completing the work, and the whole thereof, in the manner and according to the Plans and Specifications, and requirements of the Engineer under them, to wit:

Total Cost: \$ 737,496<sup>00</sup>

Total Cost In Writing: Seven Hundred thirty-seven, four hundred ninety-six Dollars

3. The complete contract consists of the following documents: This Agreement, Notice to Contractors, the accepted bid, the completed Plans, Specifications and detailed drawings, Performance Bond, Labor and Materials Bond, and Defective Materials, Workmanship and Equipment Bond.

All rights and obligations of City and Contractor are fully set forth and described in the contract documents.

All of the above named documents are intended to cooperate so that any work called for in one and not mentioned in the other, or vice versa, is to be executed the same as if mentioned in all said documents.

A G R E E M E N T  
(Continued)

4. The said City hereby promises and agrees with the said Contractor to employ, and does hereby employ the 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.

5. It is further expressly agreed by and between the parties hereto that should there be any conflict between the terms of this instrument and the bid or proposal of said Contractor, then this instrument shall control and nothing herein shall be considered as an acceptance of the said terms of said proposal conflicting herewith.

IN WITNESS WHEREOF, the City has by action of its City Council authorized this Agreement to be executed for and on behalf of the City by its Mayor and attested by its City Clerk, and the Contractor has caused the same to be executed by his duly authorized officer.

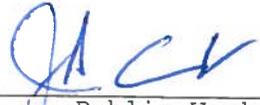
Contractor  
By   
Its Vice President

and  
By   
Its Secretary

2683 Lime Avenue  
Address  
Signal Hill, CA 90755

ATTEST: CITY OF MANHATTAN BEACH

City Clerk David N. Carmany, City Manager

The foregoing agreement is hereby approved by me as to form   
Public Works Approval

City Attorney