

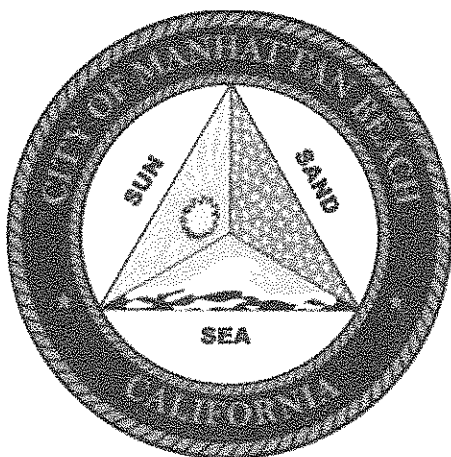


**City of Manhattan Beach**

**City Hall, 1400 Highland Avenue, Manhattan Beach, CA 90266**

**City Wide Street Light Retrofit Project**

**Bid#1237-20**



**Express Energy Services INC.**

**10610 Humbolt Street. Los Alamitos, CA 90720**

**(714) 650-8870**

### CHECKLIST FOR BIDDERS

The following information is required of all Bidders at the time of Bid submission:

<u>X</u>	Completed and Signed Bid Schedule, including cover sheet (page B-1)
<u>X</u>	Completed and Signed Contractor's Statement B-5 TO B-12
<u>X</u>	Completed References Form B-8 TO B-11
<u>X</u>	Completed Subcontractor Designation Form B-13
<u>X</u>	Completed, Signed and Notarized Bid Bond or Other Security Form SEE ATTACHED
<u>X</u>	Signed and Notarized Noncollusion Declaration Form B-16
<u>X</u>	Completed and Signed Addenda Acknowledgement Form B-17 W ATTACH SIGNED
<u>X</u>	Evidence satisfactory to the City indicating the capacity of the person(s) signing the Bid to bind the Bidder ARTICLES OF CORPORATION

Failure of the Bidder to provide all required information in a complete and accurate manner may cause the Bid to be considered non-responsive.

**BID**

**CITY OF MANHATTAN BEACH**

**CITY WIDE STREET LIGHT LED RETROFIT PROJECT [PROJECT]**

**TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF MANHATTAN BEACH:**

The undersigned, as Bidder, declares that: (1) this Bid is made without collusion with any other person and that the only persons or parties interested as principals are those named herein; (2) the undersigned has carefully examined the Contract Documents (including all Addenda) and the Project site; and (3) the undersigned has investigated and is satisfied as to the conditions to be encountered, the character, quality and quantities of Work to be performed, and the materials to be furnished. Furthermore, the undersigned agrees that submission of this Bid shall be conclusive evidence that such examination and investigation have been made and agrees, in the event the Contract be awarded to it, to execute the Contract with the City of Manhattan Beach to perform the Project in accordance with the Contract Documents in the time and manner therein prescribed, and to furnish or provide all materials, labor, tools, equipment, apparatus and other means necessary so to do, except as may otherwise be furnished or provided under the terms of the Contract Documents, for the following stated unit prices or lump-sum price as submitted on the Bid herein.

This Bid is made with the full knowledge of the kind, quantity, and quality of the materials and Work required and, if it is accepted by the City, the Bidder shall enter into a Contract and furnish the bonds, insurance, and other documents as required by the Contract Documents within ten calendar days after award of the Contract. The Bidder agrees that failure to execute and return the Contract or the required faithful performance bond, labor and materials payment bond, warranty bond, and insurance certificates to the City within the ten calendar day period shall be sufficient cause for the rescission of the award and forfeiture of the Bid Security to the City to the extent permitted by law.

Accompanying this Bid is cash, a cashier's check, a certified check or a Bid Bond in an amount equal to at least ten percent of the total aggregate Bid price based on the quantities shown and the unit prices quoted. The undersigned further agrees that, should it be awarded the Contract and thereafter fail or refuse to execute the Contract and provide the required evidence of insurance and Bonds within ten calendar days after delivery of the Contract to the undersigned, then the cash, check or Bid Bond shall be forfeited to the City to the extent permitted by law.

**CITY OF MANHATTAN BEACH**

**BID SCHEDULE FOR**

**CITY WIDE STREET LIGHT LED RETROFIT PROJECT [PROJECT]**

Bidder's Name: EXPRESS ENERGY SERVICES, INC.

Bidder's Address: 10610 HUMBOLT STREET, LOS ALAMITOS, CA. 90720

To the Honorable Mayor and Members of the City Council:

In compliance with the Notice Inviting Bids, the undersigned hereby agrees to execute the Contract to furnish all labor, materials, equipment and supplies for the Project in accordance with the Contract Documents to the satisfaction and under the direction of the City Engineer, at the following prices:

Base Bid Items as Follows:

**BID SCHEDULE:**

ITEM NO.	CODE	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	EXTENDED AMOUNT
1.		<b>Mobilization/Demobilization:</b> Movement of all labor and materials; and demobilize and provide cleanup of construction site, complete in place. (5% maximum of Total Bid Price)	LS	0 %	\$0	\$ 0
2.		<b>Traffic Control</b> (5% maximum of Total Bid Price)	LS	2%	\$4,689.81	\$4,689.81
3a.		<b>LED Street Light Fixture for Arterials</b> – GE ERL1-ERLH-ERL2 for Arterials or Equivalent (GE 82 Wattage for arterial streets 75 feet wide and above)	Each	30	\$217.12	\$6,513.70
3b.		<b>LED Street Light Fixture for Arterials</b> – GE ERL1-ERLH-ERL2 for Arterials or Equivalent (GE 71 Wattage for arterials less than 75 feet wide)	Each	118	\$181.06	\$21,365.44
4.		<b>LED Street Light Fixture for Residential Streets</b> with Adjustable Luminair/Reduced Glare/Shield/Special Material for Residential Neighborhood Consideration – GE ERL1-	Each	228	\$181.06	\$41,282.38

ITEM NO.	CODE	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	EXTENDED AMOUNT
		ERLH-ERL2 for residential streets or Equivalent				
5a.		<b>LED Street Light Fixture for Arterials for Area within 1 mile of Coast with Marine coating -</b> - GE ERL1-ERLH-ERL2 for arterials or Equivalent (GE 82 Wattage for arterial streets 75 feet wide and above)	Each	45	\$238.34	\$10,725.26
5b.		<b>LED Street Light Fixture for Arterials for Area within 1 mile of Coast with Marine coating -</b> - GE ERL1-ERLH-ERL2 for arterials or Equivalent (GE 71 Wattage for arterials less than 75 feet wide)	Each	178	\$179.66	\$31,978.95
6.		<b>LED Street Light Fixture for Residential Streets within 1 mile of Coast with Marine Coating</b> with Adjustable Luminair/Reduced Glare/Shield/Special Material for Residential Neighborhood Consideration for Area- GE ERL1-ERLH-ERL2 for residential streets or Equivalent	Each	343	\$202.28	\$69,381.60
7.		<b>Retrofit Light Fixture:</b> Furnish, Retrofit, Replace and Install New LED Lights for City Owned Street Lights	Each	942	\$56.52	\$53,243.20
8.		<b>LED Fixture Adjustment:</b> After installation, one adjustment per fixture for LED lights, to address City and community concern regarding cone of light (For appropriate adjustment, night work is included.)	Each	571	\$8.5	\$4,853.50
9.		<b>Research and Documentation:</b> Field Verify, Research, Record, Fill and Update the City Street Light Pole Information Spread Sheet. Including Structure Number, Lamp Type, Lamp Size, Pole Material, Marine Coating,	LS	1	\$2,500.00	\$2,500.00

ITEM NO.	CODE	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	EXTENDED AMOUNT
		Install Date, Wattage, Feed, Street Coverage, etc.				
	TOTAL BID SCHEDULE:				\$ _____	246,533.84

- \* All LED Fixtures should include Long Life Photocell
- \* City Street Light Map is presented in APPENDIX II
- \* City Street Light List is presented in APPENDIX III
- \* City Street Classification is presented in APPENDIX IV
- \* GE LED Roadway Lighting Features are included in APPENDIX III

**NOTE:** Estimated quantities are for the purpose of Bid comparison only; payments will be made on the basis of actual measurement of Work completed, except for lump sum (LS) and final pay (F) quantities. (S) denotes a specialty item. (F) and (S) will be specified in the "Code" Column. The Bid Price shall include, but not limited to, sales tax and all other applicable taxes and fees. See also Section 9-2 of the General Provisions.

**NOTE:** Items may be adjusted or deleted. Therefore, regardless of total actual volume (percentage) compared to estimated quantities, the unit prices provided above by the Bidder shall be applied to the final quantity when payment is calculated for these items. No adjustment in the unit prices will be allowed. The City reserves the right to not use any of the estimated quantities; and if this right is exercised, the Contractor will not be entitled to any additional compensation. Cost of all export of material shall be included in the above unit costs; no additional compensation will be granted for such expenses.

**TOTAL BID PRICE IN DIGITS:** \$ 246,533.84


**TOTAL BID PRICE IN WORDS:** Two Hundred and forty six thousand, five hundred and thirty three dollars and eighty four cents

The undersigned certifies to have a minimum of three consecutive years of current experience in the type of Work related to the Project and that this experience is in actual operation of the firm with permanent employees performing a part of the Work as distinct from a firm operating entirely by subcontracting all phases of the Work. The undersigned also certifies to be properly licensed by the State as a contractor to perform this type of Work. The undersigned possesses California Contractor's License

Number 719566, Class C10, which expires on 4/30/2021.

Signature:   
DOC RIVERS

Title: CEO Date: MAY 20, 2020

Signature:   
SUSAN RIVERS

Title: VP Date: MAY 20, 2020

**BIDDER'S PROPOSAL – CONTRACTOR'S STATEMENT**

**CITY WIDE STREET LIGHT LED RETROFIT PROJECT [PROJECT]**

Fill out all of the following information. Attach additional sheets if necessary.

- (1) Bidder's Name: EXPRESS ENERGY SERVICES, INC.
- (2) If the Bidder's name is a fictitious name, who or what is the full name of the registered owner? If the Bidder's name is not a fictitious name, write "N/A" in the response to this question. If you are doing business under a fictitious name, provide a copy of the filed valid Fictitious Business Name Statement.
- (3) Business Address: 10610 HUMBOLT STREET, LOS ALAMITOS, CA. 90720
- (4) Telephone: 714-650-8870 Email: docrivers@exp-energy.com
- (5) Type of Firm – Individual, Partnership, LLC or Corporation: C CORPORATION
- (6) Corporation organized under the laws of the State of: CALIFORNIA
- (7) California State Contractor's License Number and Class: 719566 C-10  
Original Date Issued: 3-01-1996 Expiration Date: 4/30/2021
- (8) DIR Contractor Registration Number: 8802
- (9) List the name and title of the person(s) who inspected the Project site for your firm:  
JOSE MARROQUIN, JACOB WILLIAMS
- (10) Number of years experience the company has as a contractor in construction work: 19
- (11) List the names, titles, addresses and telephone numbers of all individuals, firm members, partners, joint venturers, and company or corporate officers having a principal interest in this Bid:  
DOC RIVERS - CEO  
SUSAN RIVERS - VP
- (12) List all current and prior D.B.A.'s, aliases, and fictitious business names for any principal having interest in this Bid:  
NONE

- (13) List the dates of any voluntary or involuntary bankruptcy judgments against any principal having an interest in this Bid:

NONE

- (14) For all arbitrations, lawsuits, settlements and the like (in or out of court) that the company or any principal having an interest in this Bid has been involved with in the past five years:

- a. List the names, addresses and telephone numbers of contact persons for the parties:

MARTIN PEREZ -WORKERS COMP FRAUD CASE 2016

- b. Briefly summarize the parties' claims and defenses:

STATE FUND INSURANCE investigated the case and closed out the case as usual for an injury that did not occur but was reported as such.

- c. State the tribunal (e.g., Superior Court, American Arbitration Association, etc.), the matter number, and the outcome:

State Fund uses their in house attorney and settles claims independently out of court.

no court case was ever filed

- (15) Has the company or any principal having an interest in this Bid ever had a contract terminated by the owner or agency? If yes, explain.

none



- (16) Has the company or any principal having an interest in this Bid ever failed to complete a project? If yes, explain.

none

- (17) Has the company or any principal having an interest in this Bid ever been terminated for cause, even if it was converted to a "termination of convenience"? If yes, explain.

none

- (18) For projects that the company or any principal having an interest in this Bid has been involved with in the last five years, did you have any claims or actions:

- a. By you against the owner? Circle one: Yes ☐ No ☒
- b. By the owner against you? Circle one: Yes ☐ No ☒
- c. By any outside agency or individual for labor compliance?  
Circle one: Yes ☐ No ☒
- d. By Subcontractors? Circle one: Yes ☐ No ☒
- e. Are any of these claims or actions unresolved or outstanding?  
Circle one: Yes ☐ No ☒

If your answer is "yes" to any part or parts of this question, explain.

no to all the above

- (19) Has the company or any of its principals ever been debarred by any agencies? Is yes, please explain.

none

(21) For all public agency projects in excess of \$15,000.00 that you are currently working on or have worked on in the past two years, provide the following information:

**Project 1 Name/Number** 540-18 LED STREET LIGHT INSTALLATION

**Project Description** Beverly Hills Street Lighting & Controls 5500 pole lights on various streets, resi and commercial

**Approximate Construction Dates** From: 1/2019 To: 4/2019

**Agency Name:** City of Beverly Hills

**Contact Person:** Josette Descalo **Telephone:** 626-484-6366

**Address:** 345 FOOTHILL BLVD, BEVERLY HILLS, CA. 90210

**Original Contract Amount:** \$ 5,105,294.64 **Final Contract Amount:** \$ 4,665,294.64

If final amount is different from original amount, please explain (change orders, extra work, etc.).

CONTINGENCY FUNDS PER CITY OF \$500K. ACTUAL USE WAS \$4.6 MILLION

Did you or any Subcontractor, file any claims against the Agency?

Circle one: Yes No

Did the Agency file any claims against you? Circle one: Yes No

If you answered yes to either of the above two questions, please explain and indicate outcome of claims.

NONE

**Project 2 Name/Number** Contract # 6427 Street Light Retrofit Project

**Project Description** LED Street Light Conversion - 3071 Light Poles in the city

**Approximate Construction Date** From: October 2017 To: Dec 2017

**Agency Name:** CITY OF NEWPORT BEACH

**Contact Person:** Iris Lee **Telephone:** 949-644-3309

**Address:** 100 Civic Center Drive, Newport Beach, CA. 92625

**Original Contract Amount:** \$ 1,061,780 **Final Contract Amount:** \$ 1,061,780

If final amount is different from original amount, please explain (change orders, extra work, etc.).

Did you or any Subcontractor, file any claims against the Agency?

Circle one: Yes

No

Did the Agency file any claims against you? Circle one: Yes

No

If you answered yes to either of the above two questions, please explain and indicate outcome of claims.

**Project 3 Name/Number** AGR-6401 Street Lightin Conversion Project

**Project Description** City of Orange - 2470 pole lights converted to LED fixtures

**Approximate Construction Dates** From: Sept 2018 To: Nov 2018

**Agency Name:** City of Orange

**Contact Person:** Taylor Abernathy **Telephone:** 714-744-2225

**Address:** 300 E. Chapman Avenue, Orange, CA. 92866

**Original Contract Amount:** \$ 934,619.97 **Final Contract Amount:** \$ 934,619.97

If final amount is different from original amount, please explain (change orders, extra work, etc.).

Did you or any Subcontractor, file any claims against the Agency?

Circle one: Yes

No

Did the Agency file any claims against you? Circle one: Yes

No

If you answered yes to either of the above two questions, please explain and indicate outcome of claims.

**Project 4 Name/Number** 105-19 Wells Park Improvements

**Project Description** 14 new construction 5ft deep pole lights and LED fixtures. trench underground

**Approximate Construction Dates** From: May 2020 To: May 2020

Agency Name: City of El Cajon

Contact Person: Senan Kachi Telephone: 619-441-6209

Address: 200 Civic Centery Way, El Cajon, CA. 92020

Original Contract Amount: \$ 143,325.52 Final Contract Amount: \$ 143,325.52

If final amount is different from original amount, please explain (change orders, extra work, etc.).

Did you or any Subcontractor, file any claims against the Agency?

Circle one: Yes ☒ No

Did the Agency file any claims against you? Circle one: Yes ☒ No

If you answered yes to either of the above two questions, please explain and indicate outcome of claims.

**Project 5 Name/Number** 17-29 Intersection LED Safety Lights Conversion Project

**Project Description** Express Energy C31 Traffic control license - Install LED lights on pole

**Approximate Construction Dates** From: Nov 2017 To: Nov 2017

**Agency Name:** City of Buena Park

**Contact Person:** David Jacobs **Telephone:** 714-562-3672

**Address:** 6500 Beach Blvd, Buena Park, CA. 90622

**Original Contract Amount:** \$ 181,879.16 **Final Contract Amount:** \$ 181,879.16

If final amount is different from original amount, please explain (change orders, extra work, etc.).

Did you or any Subcontractor, file any claims against the Agency?

Circle one: Yes ☒ No

Did the Agency file any claims against you? Circle one: Yes ☒ No

If you answered yes to either of the above two questions, please explain and indicate outcome of claims.

Project 6 Name/Number Energy Efficient Lighting Retrofit - Street Lighting

Project Description HID to LED Street Light Fixture conversion 700 poles

Approximate Construction Dates From: Sept 2017 To: Oct 2017

Agency Name: City of Downey

Contact Person: Mohammad Mostakhkami Telephone: 562-869-7331

Address: 11111 Brookshire Ave, Downey, CA. 90241

Original Contract Amount: \$ 358,504.92 Final Contract Amount: \$ 358,504.92

If final amount is different from original amount, please explain (change orders, extra work, etc.).

Did you or any Subcontractor, file any claims against the Agency?

Circle one: Yes No

Did the Agency file any claims against you? Circle one: Yes No

If you answered yes to either of the above two questions, please explain and indicate outcome of claims.

[Continue to Next Page]

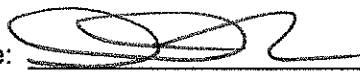
Upon request of the City, the Bidder shall furnish evidence showing a notarized financial statement, financial data, construction experience, or other additional information.

Failure to provide truthful answers to the questions above or in the following References Form may result in the Bid being deemed non-responsive.

Urban Runoff Certification. The Bidder certifies to the City that he/she has trained his/her employees and Subcontractors, if any, for Urban Runoff management and has included sufficient sums in the Bid Price to cover such costs of training as stipulated in the most current Regional Water Quality Control Board requirements, including the Municipal Separate Storm Sewer System NPDES Permit. The Contractor is responsible for all clean up and payment of all fines levied as a result of any illegal discharge (as defined in NPDES permit) occurring as a result of the Contractor's Work and/or operations.

I, the undersigned, certify and declare that I have read all the foregoing answers to the Bidder's Proposal – Contractor's Statement and know their contents. The matters stated in the Bidder's Proposal – Contractor's Statement answers are true of my own knowledge and belief, except as to those matters stated on information and belief, and as to those matters I believe them to be true. I declare under penalty of perjury under the laws of the State of California that the foregoing is correct.

Company

Signature: 

Name: DOC RIVERS

Title: CEO

Date: MAY 20, 2020

Signature: 

Name: SUSAN RIVERS

Title: VP

Date: MAY 20, 2020

**DESIGNATION OF SUBCONTRACTORS**  
[Public Contract Code Section 4104]

**CITY WIDE STREET LIGHT LED RETROFIT PROJECT [Project]**

List all Subcontractors who will perform Work or labor or render service to the Contractor in or about the construction of the Work or improvement, or a Subcontractor licensed by the State of California who, under subcontract to the Contractor, specially fabricates and installs a portion of the Work or improvement according to detailed drawings contained in the Plans and Specifications, in an amount in excess of one-half percent of the Contractor's total Bid or, in the case of bids or offers for the construction of streets or highways, including bridges, in excess of one-half percent of the Contractor's total Bid or \$10,000.00, whichever is greater. If all Subcontractors do not fit on this page, attach another page listing all information for all other Subcontractors.

Name under which Subcontractor is Licensed and Registered	CSLB License Number(s) and Class(es)	DIR Contractor Registration Number	Address and Phone Number	Type of Work (e.g., Electrical)	Percentage of Total Bid (e.g., 10%)*
N	O	N	E		

\*The percentage of the total Bid shall represent the "portion of the work" for the purposes of Public Contract Code Section 4104(b).

Bond No. N/A

**BID BOND**

**CITY WIDE STREET LIGHT LED RETROFIT PROJECT [PROJECT]**

KNOW ALL PERSONS BY THESE PRESENTS that:

WHEREAS the City of Manhattan Beach ("City"), has issued an invitation for Bids for the Work described as follows: Project No. 1237-20; Citywide Street Light LED Retrofit Project

WHEREAS Express Energy Services, Inc., 10610 Humbolt Street, Los Alamitos, CA 90720

*(Name and address of Bidder)*

("Principal"), desires to submit a Bid to City for the Work.

WHEREAS, Bidders are required to furnish a form of Bidder's security with their Bids.

NOW, THEREFORE, we, the undersigned Principal, and \_\_\_\_\_

Merchants Bonding Company (Mutual), P.O. Box 14498, Des Moines, IA 50306

*(Name and address of Surety)*

("Surety"), a duly admitted surety insurer under the laws of the State of California, as Surety, are held and firmly bound unto the City in the penal sum of Ten percent of the total bid amount Dollars (\$ 10.0% of bid amount),

being not less than ten percent of the total Bid price, in lawful money of the United States of America, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH THAT, if the hereby bounded Principal is awarded the Contract for the Work by the City and, within the time and in the manner required by the bidding specifications, enters into the written form of Contract included with the bidding specifications, furnishes the required Bonds (one to guarantee faithful performance and the other to guarantee payment for labor and materials), and furnishes the required insurance coverage, then this obligation shall become null and void; otherwise, it shall be and remain in full force and effect.

In case suit is brought upon this instrument, Surety further agrees to pay all court costs incurred by the City in the suit and reasonable attorneys' fees in an amount fixed by the court. Surety hereby waives the provisions of Civil Code Section 2845.

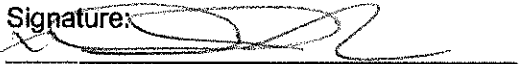


IN WITNESS WHEREOF, this instrument has been duly executed by Principal and Surety, on the date set forth below, the name of each corporate party being hereto affixed and these presents duly signed by its undersigned representative(s) pursuant to authority of its governing body.

Dated: May 19, 2020

**"Principal"**

Name: Express Energy Services, Inc.  
Address: 10610 Humbolt Street  
Los Alamitos, CA 90720  
Telephone No.: (714)650-8870

Signature: 

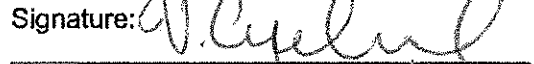
Print Name: DOUG RIVERS  
Title: CEO  
Date: MAY 20, 2020

Signature: 

Print Name: SUSAN M RIVERS  
Title: VP  
Date: MAY 20, 2020

**"Surety"**

Company Name: Merchants Bonding Company (Mutual)  
Address: P.O. Box 14498  
Des Moines, IA 50306  
Telephone No.: (515)243-8171

Signature: 

Print Name: Vanessa Copeland  
Title: Attorney-in-fact  
Date: May 19, 2020

**NOTE:** *This Bond must be dated, all signatures must be notarized, and evidence of the authority of any person signing as attorney-in-fact must be attached.*

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached and not the truthfulness, accuracy, or validity of that document.

State of California )

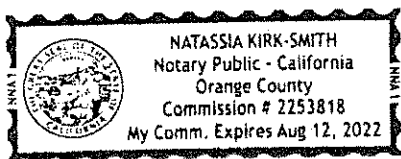
County of Orange )

On 5-19-20 before me, Natassia Kirk-Smith, Notary Public,

personally appeared Vanessa Copeland

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.



Place Notary Seal Above

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: Natassia Kirk-Smith  
Signature of Notary Public

## OPTIONAL

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

### Description of Attached Document

Type or Title of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

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

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

Signer's Name: Vanessa Copeland

- ☐ Individual
- ☐ Corporate Officer – Title(s): \_\_\_\_\_
- ☐ Partner: ☐ Limited ☐ General
- ☒ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: \_\_\_\_\_

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

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

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

- ☐ Individual
- ☐ Corporate Officer – Title(s): \_\_\_\_\_
- ☐ Partner: ☐ Limited ☐ General
- ☐ Attorney in Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: \_\_\_\_\_

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

**MERCHANTS**  
**BONDING COMPANY**  
**POWER OF ATTORNEY**

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations of the State of Iowa (herein collectively called the "Companies") do hereby make, constitute and appoint, individually,

Eric Lowey; Jennifer Grenrod; Kevin Cathcart; Mark Richardson; Michael Castaneda; Teresa I Jackson; Vanessa Copeland

their true and lawful Attorney(s)-in-Fact, to sign its name as surety(ies) and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

This Power-of-Attorney is granted and is signed and sealed by facsimile under and by authority of the following By-Laws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on April 23, 2011 and amended August 14, 2015 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 16, 2015.

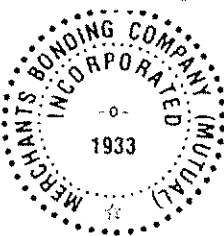
"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof."

"The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner-Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 4th day of March, 2020.



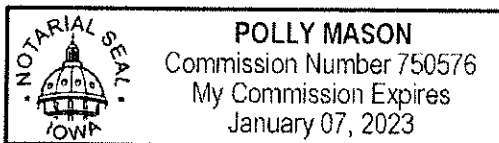
MERCHANTS BONDING COMPANY (MUTUAL)  
MERCHANTS NATIONAL BONDING, INC.

By

*Larry Taylor*  
President

STATE OF IOWA  
COUNTY OF DALLAS ss.

On this 4th day of March, 2020, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument are the Corporate Seals of the Companies, and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.

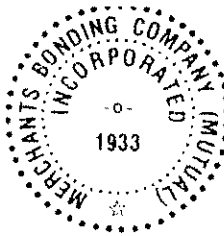


*Polly Mason*  
Notary Public

(Expiration of notary's commission  
does not invalidate this instrument)

I, William Warner, Jr., Secretary of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 19th day of May, 2020.



*William Warner Jr.*  
Secretary

# ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

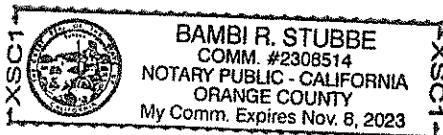
State of California

County of Orange } SS.

On May 20, 2020, before me, BAMBI R STUBBE, Notary Public,

personally appeared DONALD B RIVERS AND SUSAN RIVERS, 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.

Bambi R Stubbe

PLACE NOTARY SEAL IN ABOVE SPACE

NOTARY'S SIGNATURE

## OPTIONAL INFORMATION

The information below is optional. However, it may prove valuable and could prevent fraudulent attachment of this form to an unauthorized document.

### CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

- ☒ INDIVIDUAL(S)  
☐ CORPORATE OFFICER \_\_\_\_\_ TITLE(S)  
☐ PARTNER(S)  
☐ ATTORNEY-IN-FACT  
☐ GUARDIAN/CONSERVATOR  
☐ SUBSCRIBING WITNESS  
☐ OTHER: \_\_\_\_\_

### DESCRIPTION OF ATTACHED DOCUMENT

Bid Bond Results form

TITLE OR TYPE OF DOCUMENT

3

NUMBER OF PAGES

5/20/2020

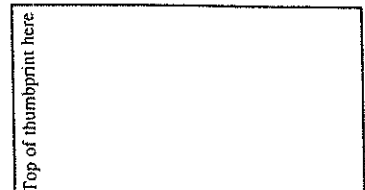
DATE OF DOCUMENT

### SIGNER (PRINCIPAL) IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

RIGHT  
THUMBPRINT  
OF  
SIGNER

OTHER



**NONCOLLUSION DECLARATION FORM  
TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID  
[Public Contract Code Section 7106]**

**CITY WIDE STREET LIGHT LED RETROFIT PROJECT [PROJECT]**

The undersigned declares:

I am the CEO of EXPRESS ENERGY, the party making the foregoing Bid.

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 his or her 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 MAY 20 TH [date], at LOS ALAMITOS [city], CA [state].

Signature: 

Printed Name: DOC RIVERS

Date: MAY 20TH, 2020

Signature: 

Printed Name: SUSAN RIVERS

Date: MAY 20TH, 2020

**This form must be notarized.**

# ALL-PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

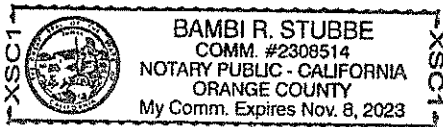
State of California

County of Orange } SS.

On May 20, 2020, before me, BAMBI R STUBBE, Notary Public,

personally appeared DONALD RIVERS AND SUSAN RIVERS, 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.

Bambi R Stubbe

PLACE NOTARY SEAL IN ABOVE SPACE

NOTARY'S SIGNATURE

## OPTIONAL INFORMATION

The information below is optional. However, it may prove valuable and could prevent fraudulent attachment of this form to an unauthorized document.

### CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

- ☒ INDIVIDUAL (S)  
☐ CORPORATE OFFICER \_\_\_\_\_ TITLE(S)  
☐ PARTNER(S)  
☐ ATTORNEY-IN-FACT  
☐ GUARDIAN/CONSERVATOR  
☐ SUBSCRIBING WITNESS  
☐ OTHER: \_\_\_\_\_

### DESCRIPTION OF ATTACHED DOCUMENT

Noncollusion Declaration Form  
TITLE OR TYPE OF DOCUMENT

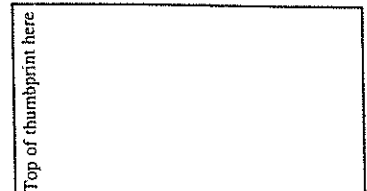
1  
NUMBER OF PAGES

5/20/2020  
DATE OF DOCUMENT

SIGNER (PRINCIPAL) IS REPRESENTING:  
NAME OF PERSON(S) OR ENTITY(IES)

RIGHT  
THUMBPRINT  
OF  
SIGNER

OTHER





Top of thumbprint here

**ADDENDA ACKNOWLEDGMENT FORM**

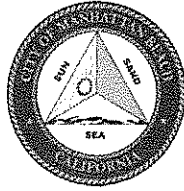
**CITY WIDE STREET LIGHT LED RETROFIT PROJECT [PROJECT]**

Bidder's Name: EXPRESS ENERGY SERVICES, INC.

The Bidder shall signify receipt of all Addenda here, if any:

<b>Addendum Number</b>	<b>Date Received</b>	<b>Signature</b>
1	3/24/2020	
2	4/22/2020	

If there are more Addenda than there is room in the chart above, attach another page acknowledging receipt of the Addenda.



# CITY OF MANHATTAN BEACH

## ADDENDUM NO. 1

### REQUEST FOR BID (RFB)

#### City Wide Street Light LED Retrofit Project

Issued on March 24, 2020

Please note the following revisions to the Request for Bid document for the City Wide Street Light LED Retrofit Project. *A signed copy of this addendum must be attached to the bid.*

1. **Change in Bid Opening Date/Time**

The City of Manhattan Beach has proclaimed a Local State of Emergency during the Coronavirus (COVID-19) Pandemic and to protect the health and safety of the public, City Hall and other facilities are currently closed to the public until April 30, 2020. Therefore, the Bid Opening Date/Time have been extended. Replace the second sentence of the first paragraph of the Notice Inviting Bids with the following:

The City will receive such Bids at the City Clerk's office, City Hall, 1400 Highland Avenue, Manhattan Beach, California 90266 up to 11:00 a.m. on Thursday, May 21, 2020, at which time they will be publicly opened and read aloud.

1. **Clarification on Section 6-7.2 Working Day**

The Contractor shall not perform any work pertaining to the project during the week of Thanksgiving November 23rd to November 27th, 2020, and between December 14th, 2020 and January 1st, 2021.

This Addendum is approved by:

PREM KUMAR, PE, CITY ENGINEER

3/24/20

DATE

**A SIGNED COPY OF THIS ADDENDUM MUST BE ATTACHED TO THE BID.**

I hereby acknowledge that the information contained in this addendum has been included in the bid submitted for this project.

DOC RIVERS - CEO

MAY 19, 2020

COMPANY NAME

SIGNATURE

DATE





# CITY OF MANHATTAN BEACH

## ADDENDUM NO. 2

### REQUEST FOR BID (RFB) City Wide Street Light LED Retrofit Project

**Issued on April 22, 2020**

Please note the following revisions to the Request for Bid document for the City Wide Street Light LED Retrofit Project. *A signed copy of this addendum must be attached to the bid.*

1. **Revised Bid Schedule (Pages B-2, B-3 and B-4).**

Replace pages B-2, B-3 and B-4 of the Bid Documents with pages B-2, B-3 and B-4 (labeled "Revised – Addendum #2").

Note that quantity of Bid Item No. 3 has been subdivided into Bid Items 3a and 3b, revised to 30 LED fixtures of 82-Wattage for arterial streets 75 feet wide and above, and 118 LED fixtures of 71-Wattage for arterials less than 75 feet wide.

Quantity of Bid Item No. 5 has been subdivided into Bid Items 5a and 5b, revised to 45 LED fixtures of 82-Wattage for arterial streets 75 feet wide and above, and 178 LED fixtures of 71-Wattage for arterials less than 75 feet wide.

Add Bid Item No. 8, "**LED Fixture Adjustment:** After installation, one adjustment per fixture for LED lights, to address City and community concern regarding cone of light (For appropriate adjustment, night work is included.)" with total quantity of 571.

Revise content of Bid Item No.9, revised to read "**Research and Documentation:** Field Verify, Research, Record, Fill and Update the City Street Light Pole Information Spread Sheet Including Structure Number, Lamp Type, Lamp Size, Pole Material, Marine Coating, Install Date, Wattage, Feed, Street coverage, etc."

Add note to read "All LED Fixtures should include Long Life Photocell".

This Addendum is approved by:



\_\_\_\_\_  
PREM KUMAR, PE, CITY ENGINEER

4/27/20

\_\_\_\_\_  
DATE

**A SIGNED COPY OF THIS ADDENDUM MUST BE ATTACHED TO THE BID.**

I hereby acknowledge that the information contained in this addendum has been included in the bid submitted for this project.

EXPRESS ENERGY SERVICES, INC. DOC RIVERS -CEO

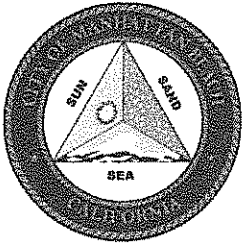


MAY 19, 2020

\_\_\_\_\_  
COMPANY NAME

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE



## **City of Manhattan Beach**

1400 Highland Avenue, Manhattan Beach, CA 90266  
Phone: (310) 802-5000 Fax: (310) 802-5001 TDD: (310) 546-3501

### **BID#1237-20 City Wide Street Light Retrofit Project**

Thank you for your submittal.

Due to the COVID-19 pandemic, the City Clerk's Office will open the bids after 24 hours of contactless document isolation. During this period, the bids will be secured in the Management Services Office.

**If you wish to view the bid opening, please follow the information below:**

The bid opening will be held via a live Zoom meeting on  
Friday, May 22, 2020, at 11:00 AM.

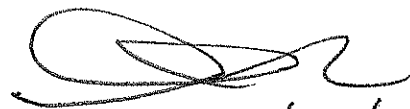
#### **Zoom Meeting Information**

Join the meeting via the internet:

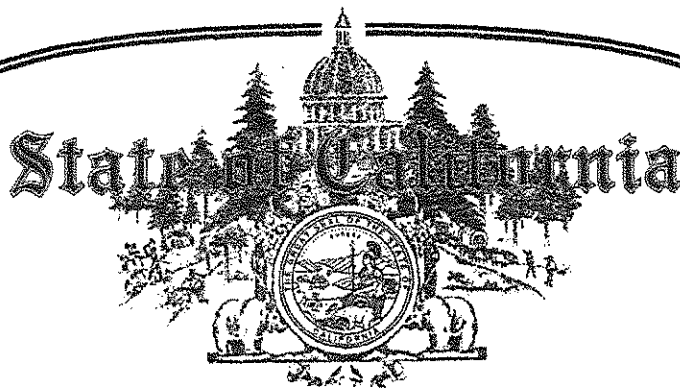
Direct URL: <https://comb.zoom.us/j/99418021888>  
Meeting ID: 994-1802-1888

Join the meeting via phone (voice only):

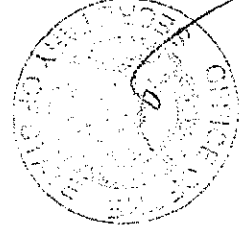
Phone Number: (669)900-6833  
Meeting ID: 994-1802-1888

  
5/20/2020

Fire Department Address: 400 15<sup>th</sup> Street, Manhattan Beach, CA 90266  
Police Department Address: 420 15<sup>th</sup> Street, Manhattan Beach, CA 90266  
Public Works Department Address: 3621 Bell Avenue, Manhattan Beach, CA 90266  
Visit the City of Manhattan Beach website at [www.citymb.info](http://www.citymb.info)



2242357



**SECRETARY OF STATE**

I, *BILL JONES*, Secretary of State of the State of California, hereby certify:

That the attached transcript of 2 page(s) has been compared with the record on file in this office, of which it purports to be a copy, and that it is full, true and correct.



**IN WITNESS WHEREOF**, I execute this certificate and affix the Great Seal of the State of California this day of

JAN 08 2001

*Bill Jones*

Secretary of State

2242357

**ENDORSED-FILED**  
In the Office of the Secretary of State  
of the State of California

JAN 08 2001

**ARTICLES OF INCORPORATION  
EXPRESS ENERGY SERVICES, INC.**

  
BILL JONES, Secretary of State

The undersigned, being over the age of eighteen years, in order to form a corporation pursuant to the provisions of the Corporate Code, hereby certifies as follows:

**I. NAME**

The name of the corporation, hereinafter referred to as the "Corporation" is Express Energy Services, Inc.

**II. PERIOD OF EXISTENCE**

The period during which the corporation shall continue is perpetual.

**III. INITIAL AGENT**

The name and address of the initial agent for service of process is Dan Duchanin, Esq., 4266 Atlantic Ave., Long Beach, CA 90807.

**IV. PURPOSE**

The purpose of the corporation is to engage in any lawful act or activity for which a corporation may be organized under the General Corporation Law of California other than the banking business, the trust company business or the practice of a profession permitted to be incorporated by the California Corporations Code.

**V. SHARES**

The corporation is authorized to issue only one class of shares, having a total number of 10,000 shares. All or any part of said shares may be issued by the corporation from time to time and for such consideration as may be determined upon or fixed by the Board of Directors, as provided by law.

**VI. DIRECTORS**

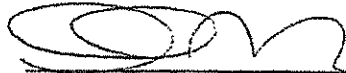
The liability of directors of the corporation for monetary damages shall be eliminated to the fullest extent permissible under California law.


**VII. NO PREFERENCES, PRIVILEGES, RESTRICTIONS**

No distinction shall exist between the shares of the corporation or the holders thereof.

**EXECUTION**

IN WITNESS WHEREOF, the undersigned, who are the incorporators have executed these Articles of Incorporation on 12-25, 2000.

  
\_\_\_\_\_  
Donald R. Rivers

  
\_\_\_\_\_  
Susan M. Rivers

