

**SECTION 2 - CONTRACTOR'S PROPOSAL**

**PROJECT MANAGER'S QUANTITY ESTIMATE  
FOR  
EASTGATE PARK POOL IMPROVEMENT PROJECT  
IFB S-1324**

	<u>ITEM</u>	<u>DESCRIPTION OF WORK</u>	<u>QTY</u>	<u>UNIT</u>
1	300-2.1	Mobilization (maximum 6%)	1	LS
2	300-2.1	Demolition / Removal & Disposal	1	LS
3	303-3.0	Concrete & Plaster	1	LS
4	303-4.1	Precast Concrete Bullnose Coping	100	EA
5	303-4.1	6" X 6" Waterline Tile	1	LS
6	303-4.1	1" X 1" Step Tile	1	LS
7	303-4.1	6" x 6" Specialty Tile	1	LS
9	304-1.1	Metal Handrails	2	EA
10	304-1.1	Metal Grab Rails (2 sets)	4	EA
11	311-2	8" Dia. Sch 40 Piping & "T" Fitting & Anti-entrapment drain grate covers	2	EA
12	311-2	ABS Recessed Pool Steps (2 sets)	2	EA
13	311-2	Skimmer Lids, Equalizer Caps, Safety Rope Hook Anchors, Fill & Return Lines ,	1	LS
8	303-5.9	Deck-O-Seal and Sand Filler	1	LS
14	315-11.4	Underwater LED Lights	4	EA
15	316-1.1.1	High Power Wash & Clean up	1	LS
16	316-2.1.1	Start-up Process 30 (Thirty) Days	1	LS

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1. *The quantities listed for each item in the Proposal Bid Sheets are supplied to give an indication of the general scope of work, but the accuracy of these figures is not guaranteed and the BIDDER shall make his own estimates from the Plans & Specifications. In case of a variation between the Unit Price and the corresponding item Total shown by the BIDDER, the Unit Price shall be considered to be the Bid. The Bidder will be paid for each item by the actual quantity required and installed on the project. The City of Garden Grove reserves the right to increase or decrease the amount of any class or portion of the work as may be deemed necessary or expedient by the Project Manager.*

## **SECTION 2 - CONTRACTOR'S PROPOSAL**

2. *The City of Garden Grove desires to construct all improvements within these Plans & Specifications. However, the CITY reserves the right to reject portions or all of the above bid items if sufficient funds are not available, or the CITY determines it is not in the CITY's best interest to award the Contract.*

**EASTGATE PARK SWIMMING POOL  
IMPROVEMENT PROJECT IN THE CITY OF GARDEN GROVE  
March 11, 2024 (Revised 04-24-24)**

**BID SCHEDULE**

ITEM NO.	DESCRIPTION	ESTIMATE	UNIT	UNIT PRICE	EXTENDED AMOUNT
1 300-2.1	Mobilization ( maximum 6%)	1	LS	\$ 9,200.00	\$ 9,200.00
2 300-2.1	Demolition, Removal, Disposal & Site Preparation of swimming pool plaster and all noted items on plans	1	LS	\$ 34,500.00	\$ 34,500.00
3 303-3.0	Furnish & Install New Concrete & White Smooth Pool Plaster	1	LS	\$ 57,500.00	\$ 57,500.00
4 303-4.1	Furnish & Install New Hancrete Manufacturer Grande White 12" x 24" x 2" Bullnose Precast Concrete Pool Coping (96 straight & 4 curved radius)	100	EA	\$ 448.50	\$ 44,850.00
5 303-4.1	Furnish, Install & Grout New Porcelain 6" x 6" Waterline Tiles (198' lf)	1	LS	\$ 11,500.00	\$ 11,500.00
6 303-4.1	Furnish, Install & Grout New Porcelain 1" x 1" X 2" Wide Step Tread Tiles (120'lf)	1	LS	\$ 5,860.00	\$ 5,860.00
7 303-4.1	Furnish, Install & Grout New 6" x 6" Porcelain Water Depth & "No Diving" Tiles (Qty. 16 & 4)	1	LS	\$ 6,900.00	\$ 6,900.00
8 303-5.9	Furnish & Install New Expansion Joint Sealant with clean washed sand filler	1	LS	\$ 5,750.00	\$ 5,750.00
9 304-1.1	Furnish, Install & Anchor Secure New SR Smith Manufacturer Stainless Steel -Commercial 3-Bend Single Piece Handrails w/ Bronze Anchor & Escutcheons	2	EA	\$ 2,300.00	\$ 4,600.00
10 304-1.1	Furnish, Install & Secure Anchor New SR Smith Manufacturer Stainless Steel Commercial Ring Grab Rails w/Bronze Anchors & Escutcheons (2-sets)	4	EA	\$ 1,725.00	\$ 6,900.00
11 311-2	Furnish & Install New 8" Diameter Main Circulation Drain Suction "T", Piping and Anti-entrapment grates (Qty-2)	1	LS	\$ 1,725.00	\$ 3,450.00
12 311-2	Furnish & Install New Pentair ABS Polymer Pool Steps (Set of 3) (Qty-2)	1	LS	\$ 1,150.00	\$ 2,300.00
13 311-2	Furnish & Install Pentair Skimmer Lids, Equalizer Drain Cap, Eyeball, Rope Hook Anchors Fill & Return Line Fittings & #8 Copper Ground Bond Wire	1	LS	\$ 10,800.00	\$ 10,800.00
14 315-1.4	Furnish & Install New Pentair Manufacturer Underwater LED Lights with Metal Ring Surround	4	EA	\$ 2,000.00	\$ 8,000.00
15 316-1.1.1	High power wash concrete & clean up	1	LS	\$ 6,900.00	\$ 6,900.00
16 316-2.1.1	Swimming Pool Start-Up Process 30 calendar days	1	LS	\$ 6,900.00	\$ 6,900.00
<b>TOTAL AMOUNT OF BID IN FIGURES \$</b>					<b>\$0 225,910.00</b>

**TOTAL AMOUNT OF BID IN WORDS \$**

**NOTE: THE CONTRACTOR SHALL BE RESPONSIBLE TO REPLACE ANY AND ALL DAMAGES OCCURRED TO THE EXISTING SWIMMING POOL BOND BEAM, STEPS, BUILDING STRUCTURE, METAL FENCING, GATE, CONCRETE PAVING, GRASS / PLANTINGS, SIGNAGE, ELECTRICAL, MECHANICAL , IRRIGATION AND SITE ABOVE AND BELOW GROUND UTILITY SYSTEMS WITH THE SAME SIZE AND MANUFACTURER PRODUCT NUMBER "IN-KIND" AND NO ADDITIONAL COMPENSATION WILL BE ALLOWED.**

**LEGEND: LS= LUM SUM / LF=LINEAR FEET / EA=EACH**

17 316-3.1.1	Bid Alternate: Furnish & Install (5) Five new Pentair Bermuda Skimmers Part No. # 506362 including all fittings. Color: White	5	EA	\$ 5,500.00	\$ 27,500.00
<p>Note: Bid Alternate shall be considered if a change in the project scope or alternate materials and /or methods of construction after the project has been awarded.The contractor's Bid Alternate cost shall be listed separately from base bid and shall <u>not</u> used to determine the award of the project .</p>					

## **SECTION 2 - CONTRACTOR'S PROPOSAL**

### **ATTACHMENT "B" (BID PROPOSAL) PAGE 2 OF 4**

#### **NOTES:**

1. In case of discrepancy between the words and figures, the words shall prevail.
2. The aforementioned quantities are approximate only, being given as a basis for the comparison of bids, and the City of Garden Grove does not expressly or by implication, agree that the actual amount of work will correspond therewith, but reserves the right to increase or decrease the amount of any class or portion of work as may be deemed necessary or expedient by the Project Manager.

It is understood and agreed that:

(a) Pursuant to Section 1773.2 of the Labor Code, general prevailing wage rates established by the Director of the Department of Industrial Relations shall be posted by the Contractor at a prominent place at the site of the work.

The Federal Davis-Bacon Act prevailing wages apply to the work. If there is a difference in the minimum wage rate predetermined by the Secretary of Labor and the prevailing wage rates determined by the Director of Industrial Relations, for similar classifications of labor, the Contractor and its subcontractors shall pay not less than the highest wage rate.

(b) No verbal agreement or conversation with any officer, agent or employee of CITY, either before or after the execution of the Agreement shall affect or modify any of the terms or obligations of this Proposal.

(c) CITY will not be responsible for any errors or omissions on the part of the undersigned in making up their bid, nor will bidders be released because of errors.

(d) The undersigned is licensed in accordance with the laws of the State of California.

(e) The undersigned hereby certifies that this Proposal is genuine and is not sham or collusive, or made in the interest or on behalf of any person not herein named, and that the undersigned has not directly or indirectly induced or solicited any other bidder to put in a sham bid; or any other person, firm or corporation to refrain from bidding, that the undersigned has not in any manner sought, by collusion, to secure for itself an advantage over any other bidder and that the unit prices proposed herein shall remain fully in effect for 180 calendar days from bid opening.

I declare under penalty of perjury that all statements or representations made herein are true and correct.

**SECTION 2 - CONTRACTOR'S PROPOSAL**

**ATTACHMENT "B"  
(BID PROPOSAL) PAGE 3 OF 4**

THE HONORABLE MAYOR AND CITY COUNCIL  
CITY OF GARDEN GROVE  
11222 ACACIA PARKWAY  
GARDEN GROVE, CALIFORNIA 92840

To: THE HONORABLE MAYOR AND CITY COUNCIL

The undersigned having carefully examined the Plans and Specifications for: Furnish All Labor, Material and Equipment for the Eastgate Park Swimming Pool

Renovation Project located at 12001 Saint Mark Street, Garden Grove CA, per the bid specifications, HEREBY PROPOSE to finish all labor, materials, equipment and transportation, and do all the work required to complete work in accordance with the Plans and Specifications for the sum price of:

It is understood and agreed that:

(a) No verbal agreement or conversation with any officer, agent, or employee of CITY, either before or after the execution of the Agreement, shall affect or modify any of the terms or obligations of this Proposal.

(b) CITY will not be responsible for any errors or omissions on the part of the undersigned in making up his bid, nor will bidders be released on account of errors.

(c) The undersigned hereby certifies that this Proposal is genuine and is not sham or collusive, or made in the interest or in behalf of any person not herein named, and that the undersigned has not directly or indirectly induced or solicited any other bidder to put in a sham bid, or any other person, firm, or corporation to refrain from bidding, and that the undersigned has not in any manner sought, by collusion, to secure for himself an advantage over any other bidder.

(d) The undersigned is licensed in accordance with the laws of the State of California.

Check below where appropriate:

☐ Partnership: That \_\_\_\_\_ are partners, doing business under the firm name of \_\_\_\_\_, and that the co-partnership makes the accompanying proposal.

☒ Corporation: That Daniel McCullah of Ultimate Pool Remodeling Inc. make the accompanying proposal.

**SECTION 2 - CONTRACTOR'S PROPOSAL**

**ATTACHMENT "B"  
(BID PROPOSAL) PAGE 4 OF 4**

☐ Individual: That \_\_\_\_\_ is the bidder and makes the accompanying proposal.

Ultimate Pool Remodeling Inc.  
\_\_\_\_\_  
Company Name

231 E. Alessandro Blvd., #A 398  
\_\_\_\_\_  
Address

Riverside, CA 92508  
\_\_\_\_\_  
City - State - Zip Code

951-686-1330  
\_\_\_\_\_  
Telephone

C-53 #924161  
\_\_\_\_\_  
California Contractors License Number

Daniel McCullah  
\_\_\_\_\_  
Bidder's Name (Please Print)

  
\_\_\_\_\_  
Authorized Signature

### **SECTION 3 - DESIGNATION OF SUBCONTRACTORS/REFERENCES**

1. The undersigned certifies that the sub-bids of the following listed subcontractors have been used in making up this bid, and that the subcontractors listed will be used for the work for which they bid, subject to the approval of the Community Services Manager, and in accordance with the applicable provisions of the Specifications.

Bidder's Full and Legal Name Daniel McCullah No Subcontractors \_\_\_\_\_

#### **PART I**

The bidder shall list all subcontractors (both DBE and non-DBE) in pursuant to Public Contract Code Sections §4104 of California Public Contract Code. This listing is required in addition to listing DBE Subcontractors elsewhere in the proposal. Photocopy this form for additional firms.

Firm Name/LICENSE NUMBER Address/ City, State, ZIP	Phone/ Fax	Annual Gross Receipts	Description of items of Work to be Performed
Name No Subcontractors	Phone	<input type="checkbox"/> < \$1 million <input type="checkbox"/> < \$5 million <input type="checkbox"/> < \$10 million <input type="checkbox"/> < \$15 million <input type="checkbox"/> > \$15 million	
Address	Fax		
City State ZIP			
Name	Phone	<input type="checkbox"/> < \$1 million <input type="checkbox"/> < \$5 million <input type="checkbox"/> < \$10 million <input type="checkbox"/> < \$15 million <input type="checkbox"/> > \$15 million	
Address	Fax		
City State ZIP			
Name	Phone	<input type="checkbox"/> < \$1 million <input type="checkbox"/> < \$5 million <input type="checkbox"/> < \$10 million <input type="checkbox"/> < \$15 million <input type="checkbox"/> > \$15 million	
Address	Fax		
City State ZIP			
Name	Phone	<input type="checkbox"/> < \$1 million <input type="checkbox"/> < \$5 million <input type="checkbox"/> < \$10 million <input type="checkbox"/> < \$15 million <input type="checkbox"/> > \$15 million	
Address	Fax		
City State ZIP			
Name	Phone	<input type="checkbox"/> < \$1 million <input type="checkbox"/> < \$5 million <input type="checkbox"/> < \$10 million <input type="checkbox"/> < \$15 million <input type="checkbox"/> > \$15 million	
Address	Fax		
City State ZIP			

## PART II

The bidder shall list all subcontractors who provided a quote or bid but were not selected to participate as a subcontractor on this project. This is required for compliance with Public Contract Code Sections §4104 of California Public Contract Code. Photocopy this form for additional firms.

Firm Name/ Address/ City, State, ZIP	Phone/ Fax	Annual Gross Receipts	Description of items of Work to be Performed
Name No Subcontractors	Phone	<input type="checkbox"/> < \$1 million <input type="checkbox"/> < \$5 million <input type="checkbox"/> < \$10 million <input type="checkbox"/> < \$15 million <input type="checkbox"/> > \$15 million	
Address	Fax		
City State ZIP			
Name	Phone	<input type="checkbox"/> < \$1 million <input type="checkbox"/> < \$5 million <input type="checkbox"/> < \$10 million <input type="checkbox"/> < \$15 million <input type="checkbox"/> > \$15 million	
Address	Fax		
City State ZIP			
Name	Phone	<input type="checkbox"/> < \$1 million <input type="checkbox"/> < \$5 million <input type="checkbox"/> < \$10 million <input type="checkbox"/> < \$15 million <input type="checkbox"/> > \$15 million	
Address	Fax		
City State ZIP			
Name	Phone	<input type="checkbox"/> < \$1 million <input type="checkbox"/> < \$5 million <input type="checkbox"/> < \$10 million <input type="checkbox"/> < \$15 million <input type="checkbox"/> > \$15 million	
Address	Fax		
City State ZIP			



#### **SECTION 4 – AFFIDAVIT TO ACCOMPANY PROPOSAL**

CERTIFICATION WITH REGARD TO THE PERFORMANCE OF PREVIOUS CONTRACTS OR SUBCONTRACTS SUBJECT TO THE EQUAL EMPLOYMENT OPPORTUNITY CLAUSE AND THE FILING OF REQUIRED REPORTS

The bidder   X  , proposed subcontractor       , hereby certifies that he has   X  , has not       , participated in a previous contract or subcontract subject to the equal opportunity clause, as required by Executive Orders 10925, 11114, or 11246, and that he has   X  , has not       , filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administrating agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the applicable filing requirements.

By:   Daniel McCullah    
                    President                      
(Title)

Date:   04/25/24  

Note: The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7 (b) (1)), and must be submitted by bidders and proposed subcontractors only in connection with contracts and subcontracts, which are subject to the equal opportunity clause. Contracts and subcontracts which are exempt from the equal opportunity clause are set forth in 41 CFR 60-1.5. (Generally, only contracts or subcontracts of \$10,000 or under are exempt.)

Currently, Standard Form 100 (EEO-1) is the only report required by the Executive Orders or their implementing regulations.

Proposed prime contractors and subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note that 41 CFR 60-1.7 (b) (1) prevents the award of contracts and subcontracts unless such contractor submits a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor

(THE BIDDER'S EXECUTION ON THE SIGNATURE PORTION OF THIS PROPOSAL SHALL ALSO CONSTITUTE AN ENDORSEMENT AND EXECUTION OF THOSE CERTIFICATIONS WHICH ARE A PART OF THIS PROPOSAL)

### EQUAL EMPLOYMENT OPPORTUNITY CERTIFICATION

The bidder Ultimate Pool Remodeling Inc.

[proposed subcontractor.] hereby certifies that he/she/it has, has not, participated in a previous contract or subcontract subject to the Equal Opportunity clauses, as required by Executive Orders 10925, 11114, or 11246, and that, where required, he/she/it has filed with the Joint

Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the applicable filing requirements.

Note: The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7(b) (1)), and must be submitted by bidders and proposed subcontractors only in connection with contracts and subcontracts which are subject to the equal opportunity clause. Contracts and subcontracts which are exempt from the equal opportunity clause are set forth in 41 CFR 60-1.5. (Generally only contracts or subcontracts of \$ 10,000 or under are exempt.)

Currently, Standard Form 100 (EEO-I) is the only report required by the Executive Orders or their implementing regulations. ([eeoc.gov/employers/eeol\\_survey/index.cfm](http://eeoc.gov/employers/eeol_survey/index.cfm))

Proposed prime contractors and subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note that 41 CFR 60-1.7(b) (1) prevents the award of contracts and subcontracts unless such contractor submits a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor.

Signature:  Date: 04/25/24

Print Name: Daniel McCullah

Title: President

### **Equal Employment Opportunity Clause**

During the performance of this contract, the Contractor agrees as follows:

- (a) The Contractor shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, or handicap.
- (b) The Contractor shall take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, national origin, or handicap. Such action shall include, but not be limited to, (1) employment, (2) upgrading, (3) demotion, (4) transfer, (5) recruitment or recruitment advertising, (6) layoff or termination, (7) rates of pay or other forms of compensation, and (8) selection for training, including apprenticeship.
- (c) The Contractor shall post in conspicuous places available to employees and applicants for employment the notices to be provided by the Contracting Officer that explain this clause.
- (d) The Contractor shall, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin, or handicap.
- (e) The Contractor shall send, to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, the notice to be provided by the Contracting Officer advising the labor union or workers' representative of the Contractor's commitments under this clause, and post copies of the notice in conspicuous places available to employees and applicants for employment.
- (f) The Contractor shall comply with Executive Order 11246, as amended, and the rules, regulations, and orders of the Secretary of Labor.
- (g) The Contractor shall furnish all information and reports required by Executive Order 11246, as amended, Section 503 of the Rehabilitation Act of 1973, as amended, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto. The Contractor shall permit access to its books, records, and accounts by the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
- (h) In the event of a determination that the Contractor is not in compliance with this clause or any rule, regulation, or order of the Secretary of Labor, this contract may be canceled, terminated, or suspended in whole or in part, and the Contractor may be declared ineligible for further Government contracts, or Federally assisted construction contracts under the procedures authorized in Executive Order 11246, as amended. In addition, sanctions may be imposed and remedies invoked against the Contractor as provided in Executive Order 11246, as amended, the rules, regulations, and orders of the Secretary of Labor, or as otherwise provided by law.
- (i) The Contractor shall include the terms and conditions of this clause in every subcontract or purchase order unless exempted by the rules, regulations, or orders of the Secretary of Labor issued under Executive Order 11246, as amended, so that these terms and conditions will be binding upon each subcontractor or vendor. The Contractor shall take such action with respect to any subcontract or purchase order as the Secretary of Housing and Urban Development or the Secretary of Labor may direct as a means of enforcing such provisions, including sanctions for noncompliance; provided that if the Contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction, the Contractor may request the United States to enter into the litigation to protect the interests of the United States.
- (j) Compliance with the requirements of this clause shall be to the maximum extent consistent with, but not in derogation of, compliance with section 7(b) of the Indian Self-Determination and Education Assistance Act and the Indian Preference clause of this contract.

## **PUBLIC CONTRACT CODE**

### **Public Contract Code Section 10285.1 Statement**

In conformance with Public Contract Code Section 10285.1 (Chapter 376, Stats. 1985), the bidder hereby declares

Under penalty of perjury under the laws of the State of California that the bidder has       , has not X been convicted within the preceding three years of any offenses referred to in that section, including any charge of fraud, bribery, collusion, conspiracy, or any other act in violation of any state or Federal antitrust law in connection with the bidding upon, award of, or performance of, any community services contract, as defined in Public Contract Code Section 1101, with any public entity, as defined in Public Contract Code Section 1100, including the Regents of the University of California or the Trustees of the California State University. The term "bidder" is understood to include any partner, member, officer, director, responsible managing officer, or responsible managing employee thereof, as referred to in Section 10285.1.

Note: The bidder must place a checkmark after "has" or "has not" in one of the blank spaces provided. The above Statement is part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Statement. Bidders are cautioned that making a false certification may subject the certifier to criminal prosecution.

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### **Public Contract Code Section 10162 Questionnaire**

In conformance with Public Contract Code Section 10162, the Bidder shall complete, under penalty of perjury, the following questionnaire:

Has the bidder, any officer of the bidder, or any employee of the bidder who has a proprietary interest in the bidder, ever been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of a violation of law or a safety regulation?

Yes        No X

If the answer is yes, explain the circumstances in the following space.

### **Public Contract Code 10232 Statement**

In conformance with Public Contract Code Section 10232, the Contractor, hereby states under penalty of perjury, that no more than one final unappealable finding of contempt of court by a federal court has been issued against the Contractor within the immediately preceding two-year period because of the Contractor's failure to comply with an order of a federal court which orders the Contractor to comply with an order of the National Labor Relations Board.

Note: The above Statement and Questionnaire are part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Statement and Questionnaire.

Bidders are cautioned that making a false certification may subject the certifier to criminal prosecution.

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**Noncollusion Affidavit**  
(Title 23 United States Code Section 112 and  
Public Contract Code Section 7106)

[NAME OF CONTRACT] EASTGATE PARK SWIMMING POOL IMPROVEMENT PROJECT

To the City of Garden Grove  
*DEPARTMENT OF COMMUNITY SERVICES.*

In conformance with Title 23 United States Code Section 112 and California Public Contract Code 7106 the bidder declares 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.

Note: The above Noncollusion Affidavit is part of the Bidder's Proposal. By signing the Proposal, the Bidder has also signed this Noncollusion Affidavit.

Bidders are cautioned that making a false Certification may subject the Bidder to criminal prosecution.

Signature:  Date: 04/25/24

Print Name: Daniel McCullah

Title: President

**SECTION 4 B - QUESTIONNAIRE TO GENERAL CONTRACTORS**

1. Has any person or group threatened you with subcontractor boycotts, union boycotts, or other sanctions to attempt to convince you to use the services or abide by the rules of one or more bid depositories?

Yes ( )

No (X)

2. If the answer to No. 1 is "yes," please explain the following details:

(a) Date(s):

(b) Name of person or group:

(c) Job involved (if applicable):

(d) Nature of threats:

(e) Additional comments:  
(Use additional paper if necessary)

We declare under penalty of perjury that the foregoing is true and correct.

Dated this \_\_\_\_\_ 25th \_\_\_\_\_ day of \_\_\_\_\_ April \_\_\_\_\_, 20 24 \_\_\_\_\_.

Ultimate Pool Remodeling Inc.

\_\_\_\_\_  
Name of Company

By \_\_\_\_\_ Daniel McCullah \_\_\_\_\_

\_\_\_\_\_  
President

\_\_\_\_\_  
Title

**SECTION 4 B - QUESTIONNAIRE TO GENERAL CONTRACTORS (Continued)****QUESTIONNAIRE REGARDING BIDDERS**

Number of years engaged in the contracting business under present business name 16.

List of last three contracts performed which show experience in work of a nature similar to that covered in this proposal. If none, so indicate.

<u>Year</u>	<u>Type of Work</u>	<u>Contract Amt.</u>	<u>Location</u>	<u>For whom Performed &amp; Phone Number</u>
2023	Remodel of pool and decking	998,500.00	Temecula, CA	TVUSD 951-695-7300
2023	Remodel of swimming pool	114,800.00	Moreno Valley, CA	MVUSD 951-571-4850
2022	Remodel of swimming pool	170,570.00	Garden Grove, CA	GGUSD 951-739-5600

**REFERENCES:**

Following are the names, addresses and telephone numbers of firms or agencies with which you may confirm the past performances of the company in performing work of a similar nature and scope:

Firm/Address	Type of Work	Contact Person Telephone No.	Contract Amount
Temecula Valley High School 31555 Rancho Vista Road, Temecula	Remodel of pool and decking	Scott Kasper (951) 506-7924	998,500.00
Valley View High School 13135 Nason St., Moreno Valley	Remodel of swimming pool	Cirilo Velasquez (951) 492-6509	114,800.00
Santiago High School 1395 E Foothill Pkwy, Corona	Remodel of swimming pool	Jerry Hills (714) 352-1853	170,570.00
Oasis Community 29100 Midway Summit Rd., Menifee	Remodel of swimming pool	Denise Bertine (951) 301-7466	110,160.00
Camp Round Meadow 41011 Jenks Lake Rd., Angelus Oaks	Remodel of swimming pool	Fernando Sarmiento (909) 340-6051	86,000.00

Bidder's Name: Daniel McCullah

Authorized Signature: 

Date:

State of California Contractor's License No. C-53 #924161

10/27/2008

Contractor's License Expiration Date 10/31/2024

DIR Registration Number and Expiration Date 1000053642

06/30/2025



**SECTION 4 C - CONTRACTOR'S QUESTIONNAIRE**

1. List any lawsuit(s) filed against you or your firm over the past ten (10) years for breach or non-performance of contract:  
None

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2. List the results of any lawsuit(s): None

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3. List any claim(s) filed by subcontractors against you or your firm over the past ten (10) years:\_\_\_\_  
None

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4. List the results of each claim: None

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5. List any disciplinary action and the ultimate disposition within the past ten (10) years taken against you or your firm by the State Contractor's License Board: None

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6. List projects similar to the type applied for herein which you have worked on and how recently the project was performed:

2023	Remodel of pool and decking	Temecula, CA	TVUSD
2023	Remodel of swimming pool	Moreno Valley, CA	MVUSD
2022	Remodel of swimming pool	Garden Grove, CA	GGUSD

**I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE, COMPLETE, ACCURATE, AND CORRECT.**

Dated: 04/25/2024



Contractor's Signature

Accompanying this Bid is Bidder's Bond

(NOTICE: INSERT THE WORDS "CASH (\$ \_\_\_\_\_)," "CASHIER'S CHECK,"  
"CERTIFIED CHECK," OR "BIDDER'S BOND," AS THE CASE MAY BE.)

in amount equal to at least ten percent of the total of the bid.

The names of all persons interested in the foregoing bid as principals are as follows:

## IMPORTANT NOTICE

*If bidder or other interested person is a corporation, state legal name of corporation, also names of the president, secretary, treasurer, and manager thereof; if a co-partnership, state true name of firm, also names of all individual copartners composing firm; if bidder or other interested person is an individual, state first and last names in full.*

Ultimate Pool Remodeling Inc.

Daniel McCullah, President

Candis McCullah, Secretary

Licensed in conformance with an act providing for the registration of Contractors,

License No. #924161 Classification(s) C-53

## **ADDENDA** -

This Bid is submitted with respect to the changes to the contract included in addenda number/s #1 and #2, #3

(Fill in addenda numbers if addenda have been received and insert, in this Bid, any Project Manager's Estimate sheets that were received as part of the addenda.)

By my signature on this bid I certify, under penalty of perjury under the laws of the State of California, that the foregoing questionnaire and statements of Public Contract Code Sections 10162, 10232 and 10285.1 are true and correct and that the bidder has complied with the requirements of Section 8103 of the Fair Employment and Housing Commission Regulations (Chapter 5, Title 2 of the California Administrative Code). By my signature on this Bid I further certify, under penalty of perjury under the laws of the State of California and the United States of America, that the Non collusion Affidavit required by Title 23 United States Code, Section 112 and Public Contract Code Section 7106; and the Title 49 Code of Federal Regulations, Part 29 Debarment and Suspension Certification are true and correct.

Date: 04/25/2024



Daniel McCullah

President

Signature and Title of Bidder

Business Address 231 E. Alessandro Blvd. #A 398, Riverside, CA 92508

Place of Business \_\_\_\_\_

Place of Residence \_\_\_\_\_



# PHILADELPHIA INSURANCE COMPANIES

## BID OR PROPOSAL BOND

KNOW ALL MEN BY THESE PRESENTS, That we,

**Ultimate Pool Remodeling, Inc.**

of **231 E. Alessandro Blvd Suite A Riverside, CA 92508**

(hereinafter called the Principal) as Principal, and PHILADELPHIA INDEMNITY INSURANCE COMPANY, with its principal office at One Bala Plaza, Suite 100 in the City of Bala Cynwyd, Pennsylvania (hereinafter called the Surety), as Surety, are held and firmly bound unto

of **City of Garden Grove 11222 Acacia Parkway Garden Grove, CA 92840**

(hereinafter called the Oblige) in the penal sum of  
**10% of Bid amount**

Dollars **10% of Bid amount** lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, and assigns.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas, the Principal has submitted the accompanying bid dated **4/22/24** for

**City of Garden Grove Eastgate Swimming Pool Remodel**

NOW, THEREFORE, if the Oblige shall make any award according to the terms of said bid and the Principal shall enter into a contract with said Oblige in accordance with the terms of said bid and give bond for the faithful performance thereof within the time specified; or if no time is specified within thirty days after the date of said award; or if the Principal shall, in the case of failure so to do, indemnify the Oblige against any loss the Oblige may suffer directly arising by reason of such failure, not exceeding the penalty of this bond, then this obligation shall be null and void; otherwise to remain in full force and virtue.

Signed, sealed and dated: **April 22, 2024**

**Ultimate Pool Remodeling, Inc.**

(Principal)

By: **Daniel McCullah, President**

PHILADELPHIA INDEMNITY INSURANCE COMPANY

By:

**Jeffery Suckiel**

Attorney-in-Fact

**Bid Bond**

**PHILADELPHIA INDEMNITY INSURANCE COMPANY**

One Bala Plaza, Suite 100  
Bala Cynwyd, PA 19004-0950

**Power of Attorney**

KNOW ALL PERSONS BY THESE PRESENTS: That **PHILADELPHIA INDEMNITY INSURANCE COMPANY** (the Company), a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, does hereby constitute and appoint **Curtis Barton, James Barton, Jeffery M. Suckiel, and Jeffrey Nathan Morris of Alkeme Insurance Services, Inc dba Venture Pacific Insurance Services, Inc.**, its true and lawful Attorney-in-fact with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an amount not to exceed **\$50,000,000**.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of **PHILADELPHIA INDEMNITY INSURANCE COMPANY** on the 14<sup>th</sup> of November, 2016.

**RESOLVED:** That the Board of Directors hereby authorizes the President or any Vice President of the Company: (1) Appoint Attorney(s) in Fact and authorize the Attorney(s) in Fact to execute on behalf of the Company bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and to attach the seal of the Company thereto; and (2) to remove, at any time, any such Attorney-in-Fact and revoke the authority given. And, be it

**FURTHER RESOLVED:** That the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

IN TESTIMONY WHEREOF, **PHILADELPHIA INDEMNITY INSURANCE COMPANY** HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 5<sup>TH</sup> DAY OF MARCH, 2021.

(Seal)



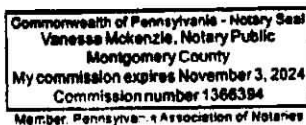
*John Glomb*

John Glomb, President & CEO  
Philadelphia Indemnity Insurance Company

On this 5<sup>th</sup> day of March, 2021 before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn said that he is the therein described and authorized officer of the **PHILADELPHIA INDEMNITY INSURANCE COMPANY**; that the seal affixed to said instrument is the Corporate seal of said Company; that the said Corporate Seal and his signature were duly affixed.

Notary Public:

*Vanessa McKenzie*



residing at:

Bala Cynwyd, PA

My commission expires:

November 3, 2024

I, Edward Sayago, Corporate Secretary of **PHILADELPHIA INDEMNITY INSURANCE COMPANY**, do hereby certify that the foregoing resolution of the Board of Directors and the Power of Attorney issued pursuant thereto on the 5<sup>th</sup> day March, 2021 are true and correct and are still in full force and effect. I do further certify that John Glomb, who executed the Power of Attorney as President, was on the date of execution of the attached Power of Attorney the duly elected President of **PHILADELPHIA INDEMNITY INSURANCE COMPANY**.

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 22nd day of April, 2024.



*Edward Sayago*

Edward Sayago, Corporate Secretary  
**PHILADELPHIA INDEMNITY INSURANCE COMPANY**



BIDDER/CONTRACTOR/CONSULTANT STATEMENT  
REGARDING INSURANCE COVERAGE  
(Submit with IFB Package)

This signed document must be included with your bid/proposal package in order for your bid/proposal to be considered complete!

BIDDER/CONTRACTOR/CONSULTANT HEREBY CERTIFIES that he/she has reviewed and understands the insurance coverage requirements specified in the attached Insurance Requirements Checklist.

Should we/I be awarded the contract, we/I certify that we/I can meet the specified requirements for insurance, including insurance coverage of the subcontractors, and agree to name the **City/Successor Agency/Sanitary District** and other additional insureds as per the agreement for the work specified and we/I will comply with the provisions of Section 3700 of the Labor Code, which require every employer to be insured against liability for worker's compensation or to undertake self-insurance in accordance with the provisions of that code, before commencing the performance of the work specified.

Ultimate Pool Remodeling Inc

Please Print (Person, Firm, or Corporation)



Signature of Authorized Representative

Daniel McCullah President

Please Print (Name & Title of Authorized Representative)

04/25/2024

Date

(951) 686-1330

Phone Number

daniel@ultimatepoolremodeling.com

Email Address

Please note that the City of Garden Grove is now contracted with EBIX for insurance certificate management and review services. EBIX will collect the insurance requirements in the contract on behalf of the City. If you are awarded the contract, you will be contacted by EBIX regarding the insurance requirements listed in this bid in the sample contract. Please forward all insurance documents to EBIX directly per their instructions when contacted.

NOTE: All insurance certificates and endorsements must be received by or sent to EBIX within ten (10) City working days of the original request or the City reserves the right to proceed with the next lowest responsible bidder or the next highest scoring proposer in the process. Please do not send any insurance documents to the City but please use the following email address to send insurance documents to Ebix directly: [ggcity@ebix.com](mailto:ggcity@ebix.com).

04/25/2024



## STATEMENT OF COMPLIANCE

The undersigned Proposer declares that the bid submitted to Furnish all Labor, Material, Tools and Equipment for the Furnish all Labor, Material, Tools, Equipment and Incidentals for the EASTGATE PARK POOL IMPROVEMENTS Project, per the bid specifications as described in, and in response to City of Garden Grove IFB No. S-1324 was prepared in strict compliance with the instructions, conditions and terms listed in the IFB, Scope of Work/Bid Specifications and Sample Agreement, with exceptions listed below, if applicable. At least one box for each item must be checked.

### IFB Instructions and Terms & Conditions (Check One)

☒

No Exceptions Taken

☐

Exceptions Taken

### Scope of Work/Bid Specifications (Check One)

☒

No Exceptions Taken

☐

Exceptions Taken

### Draft Agreement/Insurance Requirements (Check One)

☒

No Exceptions Taken

☐

Exceptions Taken

If any exceptions are taken, this Statement of Compliance shall include a narrative that identifies each item to which the Proposer is taking exception or is recommending change, including the suggested rewording of the contractual obligations or suggested change in IFB, and identifies the reasons for submitting the proposed exception or change. When available, please reference specific line item numbers as provided in the RFP. The City reserves the right to rule as non-responsive and reject any bids that are not accompanied with the required documentation as described above.

  
Signature

04/25/2024

Date

Daniel McCullah (President)  
Printed Name and Title

Daniel McCullah  
Name of Proposer