

Olivehurst Public Utility District



Agenda Item Staff Report

Meeting Date: 02/17/2022

Item description/summary:

NO Acceptance of Bid for Olivehurst Spray Park

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

Fiscal Analysis:

n/a

Employee Feedback

n/a

Sample Motion:

To not accept asking bid amount for Olivehurst Spray Park.

Prepared by: Swarnjit Boyal, Public Work Engineer

ATTACHMENT 1 – Bid Result

OLIVEHURST PUBLIC UTILITY DISTRICT

Bid Opening

Date/Time: February 11, 2002 at 3:05 p.m.

Present: Public Works Engineer and District Clerk

Location: General Manager's Office, 1970 9th Ave, Olivehurst



Project: Olivehurst Community Park – Splash Pad

The following bids were received:

1) M.A.K Associates, Inc. DBA Playgrounds Unlimited \$240,169.77
2)
3)
4)
5)
6)
7)
8)

PROPOSAL (BID)

OLIVEHURST PUBLIC UTILITY DISTRICT

Name of BIDDER MAK. Associates, Inc. DBA ^{Playgrounds} Unlimited

Business Address 980 Memorex Dr.

Santa Clara, CA 95050

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

The undersigned, as BIDDER, declares that the only persons or parties interested in this proposal as principals are those named herein; that this proposal is made without collusion with any other person, firm or corporation; that he has carefully examined the location of the work, the annexed proposal form of agreement, and the plans and specifications therein referred to; and he proposes and agrees, if this proposal is accepted, that he will contract with the owner in the form of the copy of the agreement annexed hereto, to provide all necessary machinery, tools, apparatus and other means of construction, and to do all the work and furnish all materials specified, in the manner and time prescribed, and according to the requirements of the owner as set forth, and that he will take in full payment therefore the following lump sum for the complete work, based on the attached hereto estimated quantities, to wit:

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

ITEM NO.	DESCRIPTION	QUANTITY	UNIT OF MEASURE	TOTAL ITEM COST
1. GENERAL (All Labor, Equipment, Delivery, Applicable taxes and Fees are to be included in Material Cost)				
1.01	Permits, Bonds, Insurance, Mobilization, set up, & OSHA		LS	\$ 37,714 ⁵⁰
1.02	Equipment & Start-Up Cost for Full - Turnkey Spray Park at Olivehurst Community Park.		LS	\$ 142,736 ⁵⁵
1.03	System Installation		LS	\$ 59,718 ⁷²

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

	TOTAL BID AMOUNT	\$ 240,169 ⁷⁷
Write out	two hundred forty thousand one	
figures:	hundred sixty nine + ⁷⁷ /100	

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

LIST OF SUBCONTRACTORS

(Public Contract Code Section 4104)

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

Work to be Performed	Percent of Total Contract	Subcontractor's Name and Address	DIR #	CSLB Lic. #
1.		NONE		
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				

NOTE: Additional numbered pages may be attached if needed.

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

Respectfully submitted:

Signature

Richard Mc Dermott
Business Development

Title

756794
License Number (if applicable)

Attest _____

980 Memorex Dr.
Santa Clara, CA 95050
Address

2/10/22
Date

THE AMERICAN INSTITUTE OF ARCHITECTS



AIA Document A310

Bid Bond

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

as Principal, hereinafter called the Principal, and

Markel Insurance Company
(Here insert full name and address or legal title of Surety)

a corporation duly organized under the laws of the State of Illinois
as Surety, hereinafter called the Surety, are held and firmly bound unto Olivehurst Public Utility District
(Here insert full name and address or legal title of Owner)

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

Ten Percent (10%) of the Amount Bid Dollars (\$-----),

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

WHEREAS, the Principal has submitted a bid for

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

Spray Park at Olivehurst Community Park Project

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

Signed and sealed this 10th day of February, 2022

Playground Unlimited M.A.K. Associates, Inc.
(Principal) (Seal)

(Witness)

Richard McElmorth Business Development
(Title)

Markel Insurance Company
(Surety) (Seal)

(Witness)

Mary Bacz
(Title)
Mary Bacz, Attorney-in-Fact

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 San Mateo)

On February 10, 2022 before me, Deborah M. Knipp, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Mary Baez
Name(s) of Signer(s)

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

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

WITNESS my hand and official seal.



Signature Deborah M. Knipp
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document

Title or Type of Document: _____ Document Date: _____
Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

JOINT LIMITED POWER OF ATTORNEY

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

Mary Baez, Gregory D. McCartney, Sylvia McGovern


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

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

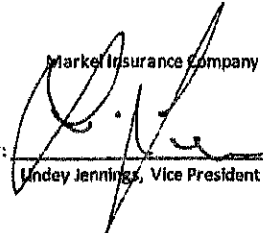
This Power of Attorney is granted and is signed and sealed under and by the authority of the following Resolutions adopted by the Board of Directors of SureTec Insurance Company and Markel Insurance Company:

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

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

SureTec Insurance Company
By: 
Michael C. Keimig, President

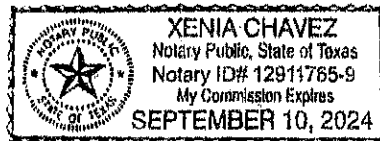



Markel Insurance Company
By: 
Lindsey Jennings, Vice President

State of Texas
County of Harris:

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

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

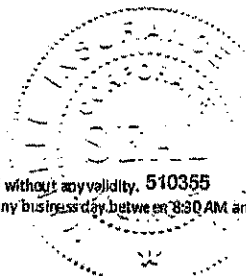


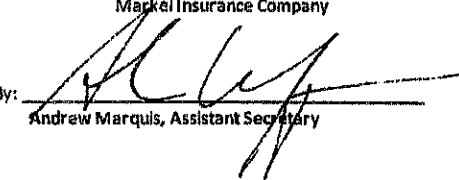
By: 
Xenia Chavez, Notary Public
My commission expires 9/10/2024

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

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

SureTec Insurance Company
By: 
M. Brent Beaty, Assistant Secretary



Markel Insurance Company
By: 
Andrew Marquis, Assistant Secretary

Any instrument issued in excess of the penalty stated above is totally void and without any validity. 510355
For verification of the authority of this Power you may call (713) 812-0800 on any business day between 8:30 AM and 5:00 PM CST.



www.playgroundsunlimited.net

M.A.K. Associates Inc.
 980 Memorex Drive
 Santa Clara CA 95050
 408-244-9848
 License: 756794
 DIR#: 1000008376

Proposal

Proposal: 220061
 Date: 02/10/2022

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

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

Attn: Swarnjit Boyal

Email: sboyal@opud.org

Phone: 530-681-0736

Salesperson: Rich MacDermott

Email: rmac67@comcast.net

Phone: 408-244-9848

Special Instructions:

Prevailing wage rates are required.

Scope of Work

Extended Price

<p>1 Permits, Bonds, Ins., Mobilization, Set up & OSHA Bid Item #1: Provide all costs to pull project permits, permit costs, protective fencing and mobilization, to include project supervision, per diem, travel time and hotel fees.</p> <p>2 Water play equipment & Start up Bid Item #2: Supply the owner designed Water Odyssey water play equipment, to include start-up of the system, all water, sewer and electrical connections. Provide all labor and materials, such as trenching, piping and wire, for the above noted utilities.</p> <p>3 Concrete Slab and Walkway Bid Item #2: Provide all labor and material to place 36' square concrete pad, for water play area, and approx. 200sf of new concrete walkway, to have #4 rebar reinforcement 18" on center each way. All concrete to be standard gray concrete with light to medium broom finish. Concrete to be placed directly over existing grade. There shall be no aggregate base beneath the concrete slab. Clear and grub existing turf and remove from the site. Couture the edge of the concrete with the spoils generated from the spray equipment footings and any other leftover soil.</p> <p>4 System Installation Bid Item #3: Installation only of the Water Odyssey water play equipment, per proposal dated 2/8/22. Installation includes the installation only of the materials as they are provided by the manufacture, excavation, installation & backfill of the water features & its piping, manifold assembly, drain and placement of equipment cabinet.</p> <p>5 Add Alt #1: Provide Kool Deck Surfacing Additive Alternate #1: Provide all labor and materials to place Kool Deck textured surfacing, over newly placed concrete, for new water play area.</p>	<p>37,714.50</p> <p>114,585.00</p> <p>28,151.55</p> <p>59,718.72</p> <p>21,465.00</p>
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Proposal: 220061
Date: 02/10/2022

Scope of Work	Extended Price
Proposal Total:	\$261,634.77

Terms & Conditions

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

Print Name: _____

Date: _____

Proposal Accepted by: _____

(signature)

\$261,634.77

OLIVEHURST PUBLIC UTILITY DISTRICT

Our mission is to provide high quality services to enhance our community's quality of life.



GENERAL MANAGER
John C. Tillotson

February 01, 2021

OLIVEHURST COMMUNITY PARK – SPRAY PARK

Addendum 1

To All Bidders,

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

1.) : Where is the storm drain?

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

2.) Where is the control box going?

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

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

A: Close to the fence nearest the pool.

4.) Where is there access to the property?

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

Q: Will we need permits?

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

Q: What is the start date? June?

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

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

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

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

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

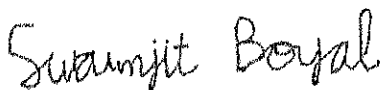
Q: Where is the water connection?

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

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

A: No

Regards,



Swarnjit Boyal,
Public Works Engineer

OLIVEHURST PUBLIC UTILITY DISTRICT

Our mission is to provide high quality services to enhance our community's quality of life.



GENERAL MANAGER
John C. Tillotson

February 08, 2022

OLIVEHURST COMMUNITY PARK – SPRAY PARK

Addendum 2

To All Bidders,

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

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

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

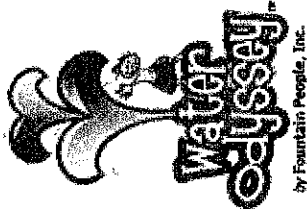
- 2.) Bids will be opened at 3:05 PM, Friday, FEBURARY 11TH, 2022.

Regards,

Swarnjit Boyal

Swarnjit Boyal,
Public Works Engineer

FOUNTAIN PEOPLE, INC.



This is to certify that

Joe Mendes

Successfully completed 8 hours of classroom training and has been awarded

Water Odyssey Installer Certification

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

[Signature]
Signature

[Signature]
Signature

[Signature]
Signature



980 Memorex Dr.
Santa Clara, CA 95050
(408) 244-9848 Fax (408) 244-9847
Lic. #756794

February 10, 2022

RE: Olivehurst Community Park Spray Park Reference List

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

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

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

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

Sincerely,



Richard P. MacDermott
Business Development

Olivehurst Public Utility District

Project Reference Evaluation Sheet

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

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

Contractor:

Playgrounds Unlimited

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

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

PROPOSAL (BID)

OLIVEHURST PUBLIC UTILITY DISTRICT

Name of BIDDER MAK. Associates, Inc. DBA ^{Playgrounds} Unlimited

Business Address 980 Memorex Dr.

Santa Clara, CA 95050

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

The undersigned, as BIDDER, declares that the only persons or parties interested in this proposal as principals are those named herein; that this proposal is made without collusion with any other person, firm or corporation; that he has carefully examined the location of the work, the annexed proposal form of agreement, and the plans and specifications therein referred to; and he proposes and agrees, if this proposal is accepted, that he will contract with the owner in the form of the copy of the agreement annexed hereto, to provide all necessary machinery, tools, apparatus and other means of construction, and to do all the work and furnish all materials specified, in the manner and time prescribed, and according to the requirements of the owner as set forth, and that he will take in full payment therefore the following lump sum for the complete work, based on the attached hereto estimated quantities, to wit:

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

ITEM NO.	DESCRIPTION	QUANTITY	UNIT OF MEASURE	TOTAL ITEM COST
1. GENERAL (All Labor, Equipment, Delivery, Applicable taxes and Fees are to be included in Material Cost)				
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1.02	Equipment & Start-Up Cost for Full - Turnkey Spray Park at Olivehurst Community Park.		LS	\$ 142,736 ⁵⁵
1.03	System Installation		LS	\$ 59,718 ⁷²

Add Alt. Kool Deck LS \$21,465⁰⁰

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

	TOTAL BID AMOUNT	\$ 261,634 ⁷⁷
Write out	two hundred sixty one thousand six	
figures:	hundred thirty four + ⁷⁷ /100	

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

LIST OF SUBCONTRACTORS

(Public Contract Code Section 4104)

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

Work to be Performed	Percent of Total Contract	Subcontractor's Name and Address	DIR #	CSLB Lic. #
1.		None		
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				

NOTE: Additional numbered pages may be attached if needed.

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

Respectfully submitted:

Signature

Richard, McDermodt
Business Development

Title

756794

License Number (if applicable)

Attest _____

980 Memorex Dr.
Santa Clara, CA 95050

Address

2/10/22

Date

THE AMERICAN INSTITUTE OF ARCHITECTS



AIA Document A310

Bid Bond

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

as Principal, hereinafter called the Principal, and

Markel Insurance Company
(Here insert full name and address or legal title of Surety)

a corporation duly organized under the laws of the State of Illinois
as Surety, hereinafter called the Surety, are held and firmly bound unto Olivehurst Public Utility District
(Here insert full name and address or legal title of Owner)

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

Ten Percent (10%) of the Amount Bid _____ Dollars (\$-----),
for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind
ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by
these presents.

WHEREAS, the Principal has submitted a bid for _____
(Here insert full name, address and description of project)

Spray Park at Olivehurst Community Park Project

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

Signed and sealed this 10th day of February, 2022

(Witness)

Playground Unlimited M.A.K. Associates, Inc.
(Principal) (Seal)

Richard McElmurtre, Business Development
(Signature)

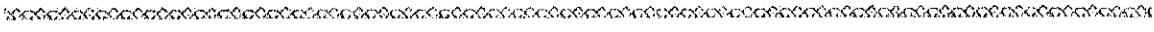
Markel Insurance Company
(Surety) (Seal)

Jenna M. Ross
(Witness)

Mary Bacz
(Title)
Mary Bacz, Attorney-in-Fact

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 San Mateo)

On February 10, 2022 before me, Deborah M. Knipp, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Mary Baez
Name(s) of Signer(s)

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

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

WITNESS my hand and official seal.



Signature Deborah M. Knipp
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document

Title or Type of Document: _____ Document Date: _____
Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

JOINT LIMITED POWER OF ATTORNEY

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

Mary Baez, Gregory D. McCartney, Sylvia McGovern

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


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

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

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

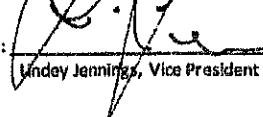
IN WITNESS WHEREOF, Markel Insurance Company and SureTec Insurance Company have caused their official seal to be hereunto affixed and these presents to be signed by their duly authorized officers on the 24th day of March, 2021.

SureTec Insurance Company

By: 
Michael C. Kelmig, President



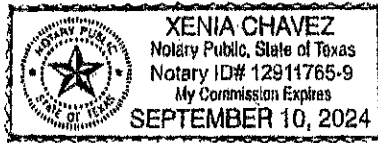
Markel Insurance Company

By: 
Lindsey Jennings, Vice President

State of Texas
County of Harris:

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

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



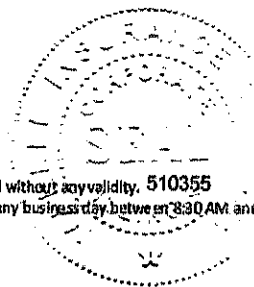
By: 
Xenia Chavez, Notary Public
My commission expires 9/10/2024

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

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

SureTec Insurance Company

By: 
M. Brent Beatty, Assistant Secretary



Markel Insurance Company

By: 
Andrew Marquis, Assistant Secretary



www.playgroundsunlimited.net

M.A.K. Associates Inc.

980 Memorex Drive
 Santa Clara CA 95050
 408-244-9848
 License: 756794
 DIR#: 1000008376

Proposal

Proposal: 220061
 Date: 02/10/2022

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

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

Attn: Swarnjit Boyal

Email: sboyal@opud.org

Phone: 530-681-0736

Salesperson: Rich MacDermott

Email: rmac67@comcast.net

Phone: 408-244-9848

Special Instructions:

Prevailing wage rates are required.

Scope of Work

Extended Price

<p>1 Permits, Bonds, Ins., Mobilization, Set up & OSHA Bid Item #1: Provide all costs to pull project permits, permit costs, protective fencing and mobilization, to include project supervision, per diem, travel time and hotel fees.</p> <p>2 Water play equipment & Start up Bid Item #2: Supply the owner designed Water Odyssey water play equipment, to include start-up of the system, all water, sewer and electrical connections. Provide all labor and materials, such as trenching, piping and wire, for the above noted utilities.</p> <p>3 Concrete Slab and Walkway Bid Item #2: Provide all labor and material to place 36' square concrete pad, for water play area, and approx. 200sf of new concrete walkway, to have #4 rebar reinforcement 18" on center each way. All concrete to be standard gray concrete with light to medium broom finish. Concrete to be placed directly over existing grade. There shall be no aggregate base beneath the concrete slab. Clear and grub existing turf and remove from the site. Couture the edge of the concrete with the spoils generated from the spray equipment footings and any other leftover soil.</p> <p>4 System Installation Bid Item #3: Installation only of the Water Odyssey water play equipment, per proposal dated 2/8/22. Installation includes the installation only of the materials as they are provided by the manufacture, excavation, installation & backfill of the water features & its piping, manifold assembly, drain and placement of equipment cabinet.</p> <p>5 Add Alt #1: Provide Kool Deck Surfacing Additive Alternate #1: Provide all labor and materials to place Kool Deck textured surfacing, over newly placed concrete, for new water play area.</p>	<p>37,714.50</p> <p>114,585.00</p> <p>28,151.55</p> <p>59,718.72</p> <p>21,465.00</p>
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Proposal: 220061
Date: 02/10/2022

Scope of Work	Extended Price
Proposal Total:	\$261,634.77

Terms & Conditions

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

Print Name: _____

Date: _____

Proposal Accepted by: _____
(signature)

\$261,634.77

OLIVEHURST PUBLIC UTILITY DISTRICT

Our mission is to provide high quality services to enhance our community's quality of life.



GENERAL MANAGER
John C. Tillotson

February 01, 2021

OLIVEHURST COMMUNITY PARK – SPRAY PARK

Addendum 1

To All Bidders,

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

1.) : Where is the storm drain?

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

2.) Where is the control box going?

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

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

A: Close to the fence nearest the pool.

4.) Where is there access to the property?

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

Q: Will we need permits?

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

Q: What is the start date? June?

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

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

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

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

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

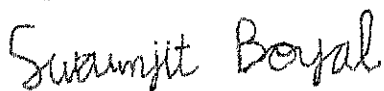
Q: Where is the water connection?

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

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

A: No

Regards,



Swarnjit Boyal,
Public Works Engineer

OLIVEHURST PUBLIC UTILITY DISTRICT

Our mission is to provide high quality services to enhance our community's quality of life.



GENERAL MANAGER
John C. Tillotson

February 08, 2022

OLIVEHURST COMMUNITY PARK – SPRAY PARK

Addendum 2

To All Bidders,

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

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

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

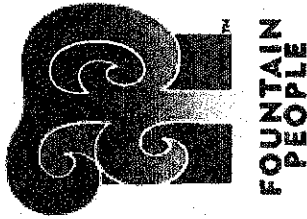
- 2.) Bids will be opened at 3:05 PM, Friday, FEBURARY 11TH, 2022.

Regards,

Swarnjit Boyal

Swarnjit Boyal,
Public Works Engineer

FOUNTAIN PEOPLE, INC.



This is to certify that

JOE MENDES

Successfully completed 8 hours of classroom training and has been awarded

Water Odyssey Installer Certification

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

[Signature]
Signature

[Signature]
Signature

[Signature]
Signature



980 Memorex Dr.
Santa Clara, CA 95050
(408) 244-9848 Fax (408) 244-9847
Lic. #756794

February 10, 2022

RE: Olivehurst Community Park Spray Park Reference List

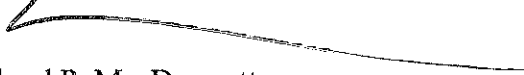
Luke Trimble Park, Reedley
Steve Dovali Construction
8461 East Olive Ave., Fresno, CA 93737
O-559-255-7603
F-559-456-2843

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

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

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

Sincerely,



Richard P. MacDermott
Business Development

Olivehurst Public Utility District

Project Reference Evaluation Sheet

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

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

Contractor:

Playgrounds Unlimited

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

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