

REEF-SUNSET UNIFIED SCHOOL DISTRICT
SPECIAL MEETING OF THE GOVERNING BOARD
MARCH 29, 2017 - 5:30 P.M.
DISTRICT BOARD/STAFF DEVELOPMENT ROOM
205 N. PARK AVE; AVENAL, CA 93204

The Mission of the Reef-Sunset Unified School District is to empower and inspire students for life-long learning and relational success in order to be productive members of society

REVISED

AGENDA

1. CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE:
2. PUBLIC COMMENT:
(The Governing Board welcomes and encourages public comments. Members of the public may comment on items not included on this agenda; however we ask that you limit your comments to three minutes so that as many as possible may be heard. Education Code §35145.5, Government Code §54954.3)
3. ACTION ITEM:
 - A. Approve Recommendation to Award Contract to Power Design Electric Inc. for the Playfield Lighting Projects Located at RSMS, KCES and TES
4. STUDY SESSION:
 - A. Mental Health Services for RSUSD Students:
The study session will be focused on mental health services for RSUSD students and the fiscal impact.
5. ADJOURNMENT

TO: Board of Trustees
FROM: Dr. East, Superintendent
DATE: March 29, 2017

TOPIC: Approve Recommendation to Award Contract to Power Design Electric Inc. for the Playfield Lighting Projects Located at RSMS, KCES and TES

DESCRIPTION: The district procured competitive bids for the RSMS, KCES and TES playfield lighting projects. Six contractors submitted bids. The lowest bid submitted was Power Design Electric Inc.

RECOMMENDATION: Approve as submitted.

FISCAL IMPACT: Base bid of \$311,707.00 dollars (One-Time Funds)

BID FORM

Reef Sunset Unified School District
205 North Park Avenue
Avenal, CA 93204

Dear Board Members:

The undersigned doing business under the firm name of:

Power Design Electric Inc.

hereby propose and agree to enter into a Contract, to furnish any and all labor, materials, applicable taxes, equipment and services for the completion of Work described hereinafter and in the Contract Documents:

Playfield Lighting Projects located at:

**Reef Sunset Middle School, 608 N. First Avenue, Avenal, CA
Kettleman City Elementary School, 701 General Petroleum St. Kettleman City, CA
Tamarack Elementary School. 1000 Union Avenue, Avenal, CA**

prepared by:

**S.I.M. Architects
7591 N. Ingram, Suite 101
Fresno, California 93711
Phone: (559) 448-8400
diwanaga@sim-pbk.com**

Base Bid: Total sum to provide playfield lighting located at Reef Sunset Middle School, Kettleman City Elementary, and Tamarack Elementary Schools.

Three Hundred Eleven Thousand Seven Hundred Seventy Dollars

(\$ 311,707.00)

If written notice of the Award of Contract is mailed, faxed, or delivered to the undersigned at any time before this bid is withdrawn, the undersigned shall, within ten (10) days after the date of such mailing, faxing, or delivering of such notice, execute and deliver an agreement in the form of agreement present in these Contract Documents and give Performance and Payment Bonds in accordance with the specifications and bid as accepted.

The undersigned hereby designates as the office to which such Notice of Award of Contract may be mailed, telegraphed, or delivered:

Power Design Electric Inc. PO BOX 251, Kingsburg CA 93631

Our Public Liability and Property Damage Insurance is placed with:

Federated Insurance

Our Workers' Compensation Insurance is placed with:

Farmers Insurance

Circular letters, bulletins, addenda, etc., bound with the specifications or issued during the time of bidding are included in the bid, and, in completing the Contract, they are to become a part thereof.

The receipt of the following addenda to the specifications is acknowledged:

Addendum No. N/A Date _____ Addendum No. _____ Date _____

Addendum No. _____ Date _____ Addendum No. _____ Date _____

Addendum No. _____ Date _____ Addendum No. _____ Date _____

This bid may be withdrawn at any time prior to the scheduled time for the opening of bids or any authorized postponement thereof.

A bidder shall not submit a bid unless the bidder's contractor's license number appears clearly on the bid, the license expiration date and class are stated, and the bid contains a statement that the representations made therein are made under penalty of perjury. Any bid submitted by a contractor who is not licensed pursuant to Business and Professions Code section 7028 .15 shall be considered nonresponsive and shall be rejected. Any bid not containing the above information, or a bid containing information which is subsequently proven false, may be considered nonresponsive and may be rejected.

NOTE: Each bid must give the full business address of the bidder and be signed by bidder with bidder's usual signature. Bids by partnerships must furnish the full name of all partners and must be signed in the partnership name by a general partner with authority to bind the partnership in such matters, followed by the signature and designation of the person signing. The name of the person signing shall also be typed or printed below the signature. Bids by corporations must be signed with the legal name of the corporation, followed by the name of the state of incorporation and by the signature and designation of the chairman of the board, president or any vice president, and then followed by a second signature by the secretary, assistant secretary, the chief financial officer or assistant treasurer. All persons signing must be authorized to bind the corporation in the matter. The name of each person signing shall also be typed or printed below the signature. Satisfactory evidence of the authority of the officer signing on behalf of a corporation shall be furnished.

The undersigned declares under penalty of perjury under the laws of the State of California that the representations made in this bid are true and correct.

Print or Type Name Robert Glover

Title President/ Secretary

Name of Company as Licensed Power Design Electric Inc.

Business Address PO BOX 251
Kingsburg, CA 93631

DIR Registration No.: 1000001983

Telephone Number 559-897-2599

Contractor License No. 851246

Class and Expiration Date 12/31/2017

State of Incorporation, if Applicable California

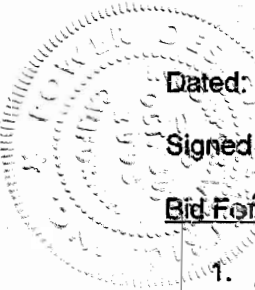
Evidence of authority to bind corporation is attached.

Dated: March 21st, 2017

Signed *Robert Glover* President

Bid Form Requirements to be included with bid:

- 1. Bid Form signed
- 2. DIR Registration
- 3. Sub-Contractor List if applicable
- 4. Non-Collusion Affidavit
- 5. Bid Bond
- 6. Fingerprint Notice



DESIGNATION OF SUBCONTRACTORS

Each bidder shall set forth below the name and the location of the place of business of each subcontractor and the license number of each subcontractor who will perform work or labor or render service to the Contractor in or about the construction of the Work or improvement, or to 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 of 1 percent (0.5%) of the bidder's total bid, and the portion of the Work which will be done by each subcontractor.

Failure to provide this information in a legible manner may result in the rejection of an otherwise acceptable bid.

If the Contractor fails to specify a subcontractor for any portion of the Work to be performed under the Contract in excess of one-half of 1 percent (0.5%) of the Contractor's total bid, the Contractor shall be deemed to have agreed to perform such portion itself, and shall not be permitted to subcontract that portion of the Work except under the conditions hereinafter set forth.

Subletting or subcontracting of any portion of the Work as to which no subcontractor was designated in the original bid shall only be permitted in cases of public emergency or necessity, and then only after a finding reduced to writing as a public record of the legislative body of the Owner.

NOTE: Reproduce page two of this section for additional listings needed beyond the length of this form.

Portion of Work	Name of Subcontractor & Phone No.	Location of Subcontractor	License Number
N/A			

**NON COLLUSION DECLARATION
TO BE EXECUTED BE BIDDER AND SUBMITTED WITH BID**

Reef Sunset Unified School District

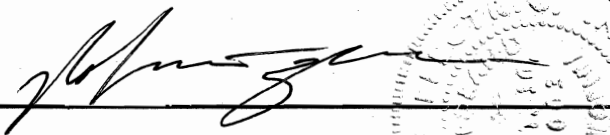
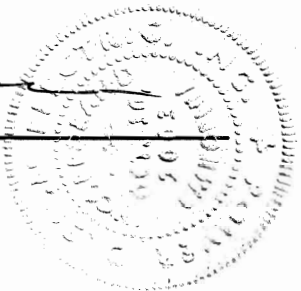
Project: **Playfield Lighting Projects located at Reef Sunset Middle School,
Kettleman City Elementary, and Tamarack Elementary Schools.**

I, Robert Glover, declare that I am the President/Secretary of

Power Design Electric Inc., the party making the foregoing bid, that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

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

Date: March 21st, 2017

INDEPENDENT CONTRACTOR STUDENT CONTACT FORM

Contractor Name: Power Design Electric Inc.
 Supervisor/Foreman Name: Robert Glover
 Start Date: May 01, 2017
 Completion Date: June 19, 2017
 Location of Work: Reef Sunset United School District
 Hours of Work: 8:00 am - 4:30 pm
 Length of Time on Grounds: 8 hours
 Number of Employees on the Job: Three

Yes No
 Employees will have more than limited contact with students. Explain:

If yes, the following steps will be taken to ensure student safety (check):

- A physical barrier will be installed at the worksite to limit contact with pupils.
- Employees will be continually monitored and supervised by an employee who has not been convicted of a violent or serious felony.

Name of Supervising Employee: _____

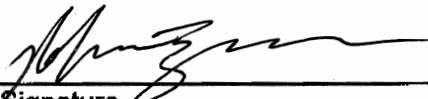
Date of Department of Justice verification that supervising employee has not been convicted of a violent or serious felony: _____

Name of employee who is the custodian of the Department of Justice verification information: _____

- Employees will be surveilled by Owner's personnel.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Dated: 03/21/2017



 Signature

Typed Name: Robert Glover

Title: President

Note: This document must be executed and submitted with the executed Agreement between Owner and Contractor.



AmTrust Surety
An AmTrust Financial Company

Developers Surety and Indemnity Company
Indemnity Company of California
CorePointe Insurance Company
17771 Cowan Suite 100 • Irvine, California 92614 • (949) 263-3300
www.AmTrustSurety.com

BID BOND

BOND NO. N/A

KNOW ALL MEN BY THESE PRESENTS,

That we POWER DESIGN ELECTRIC, INC.

as Principal, and INDEMNITY COMPANY OF CALIFORNIA a corporation

authorized to transact a general surety business in the State of CALIFORNIA as Surety, are held and firmly

bound unto REEF SUNSET UNITED SCHOOL DISTRICT

(hereinafter called the Obligee)

in the full and just sum of TEN PERCENT OF THE BID

Dollars, (\$ 10% OF BID) for the payment whereof in lawful money of the United States, we bind ourselves, our

heirs, administrators, executors, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the said PRINCIPAL has submitted the accompanying bid for
PLAYFIELD LIGHTING PROJECTS AT REEF SUNSET MIDDLE SCHOOL, KETTLEMAN CITY ELEMENTARY
AND TAMARACK ELEMENTARY SCHOOLS

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, or in the event of the failure of the Principal to enter such Contract, 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 16TH day of MARCH, 2017 YEAR

POWER DESIGN ELECTRIC, INC.

Principal

INDEMNITY COMPANY OF CALIFORNIA

Surety

By:

LORI ANNE SAUBERT

Attorney-in-Fact

**POWER OF ATTORNEY FOR
DEVELOPERS SURETY AND INDEMNITY COMPANY
INDEMNITY COMPANY OF CALIFORNIA
PO Box 19725, IRVINE, CA 92623 (949) 263-3300**

KNOW ALL BY THESE PRESENTS that except as expressly limited, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, do each hereby make, constitute and appoint:

Scott Carlson, Bruce A. Blayney, Lori Anne Saubert, Mercedes Ornelas, jointly or severally

as their true and lawful Attorney(s)-in-Fact, to make, execute, deliver and acknowledge, for and on behalf of said corporations, as sureties, bonds, undertakings and contracts of suretyship giving and granting unto said Attorney(s)-in-Fact full power and authority to do and to perform every act necessary, requisite or proper to be done in connection therewith as each of said corporations could do, but reserving to each of said corporations full power of substitution and revocation, and all of the acts of said Attorney(s)-in-Fact, pursuant to these presents, are hereby ratified and confirmed.

This Power of Attorney is granted and is signed by facsimile under and by authority of the following resolutions adopted by the respective Boards of Directors of DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA, effective as of January 1st, 2008.

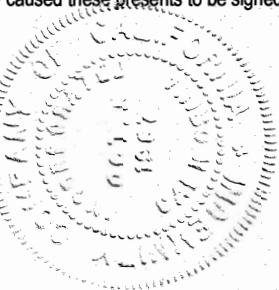
RESOLVED, that a combination of any two of the Chairman of the Board, the President, Executive Vice-President, Senior Vice-President or any Vice President of the corporations be, and that each of them hereby is, authorized to execute this Power of Attorney, qualifying the attorney(s) named in the Power of Attorney to execute, on behalf of the corporations, bonds, undertakings and contracts of suretyship; and that the Secretary or any Assistant Secretary of either of the corporations be, and each of them hereby is, authorized to attest the execution of any such Power of Attorney;

RESOLVED, FURTHER, that the signatures of such officers may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures shall be valid and binding upon the corporations when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached.

IN WITNESS WHEREOF, DEVELOPERS SURETY AND INDEMNITY COMPANY and INDEMNITY COMPANY OF CALIFORNIA have severally caused these presents to be signed by their respective officers and attested by their respective Secretary or Assistant Secretary this 6th day of February, 2017.

By: *Daniel Young*
Daniel Young, Senior Vice-President

By: *Mark Lansdon*
Mark Lansdon, Vice-President



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

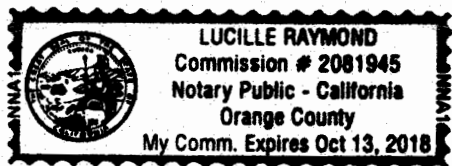
On February 6, 2017 before me, Lucille Raymond, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Daniel Young and Mark Lansdon
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 *Lucille Raymond*
Lucille Raymond, Notary Public



Place Notary Seal Above

CERTIFICATE

The undersigned, as Secretary or Assistant Secretary of DEVELOPERS SURETY AND INDEMNITY COMPANY or INDEMNITY COMPANY OF CALIFORNIA, does hereby certify that the foregoing Power of Attorney remains in full force and has not been revoked and, furthermore, that the provisions of the resolutions of the respective Boards of Directors of said corporations set forth in the Power of Attorney are in force as of the date of this Certificate.

This Certificate is executed in the City of Irvine, California, this 16 day of MARCH, 2017

By: *Cassie J. Berrisford*
Cassie J. Berrisford, Assistant Secretary



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

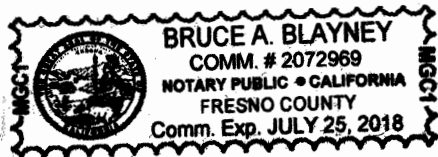
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of FRESNO
On 3-16-2017 before me, Bruce A. Blayney Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Lori Anne Saubert
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 Bruce A. Blayney
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: _____

Legal Name	Registration Number	County	City	Registration Date	Expiration Date
POWER DESIGN ELECTRIC INC	1000001983	FRESNO	KINGSBURG	05/31/2016	06/30/2017

MINUTES OF FIRST MEETING OF
THE BOARD OF DIRECTORS OF
POWER DESIGN ELECTRIC, INC.
A California Corporation

The first meeting of the Board of Directors of POWER DESIGN ELECTRIC, INC., a California Corporation, was held at the Law Offices of Michael M. Buettner located at 1509 Draper Street, Kingsburg, California, at the hour of 2:00 o'clock p.m. on December 12, 2003, in accordance with the foregoing Waiver of Notice and Consent thereto signed by the all of the Directors.

PRESENT at said meeting were both of the Directors of the Corporation as well as Attorney Michael M. Buettner.

The President presided as Chairman of the meeting and noted that the Incorporator had adopted certain resolutions and taken certain actions, as more particularly set out in a writing of action taken without a meeting. The Secretary thereupon read said writing and all of the actions taken by the Incorporator were ratified, confirmed and approved, and the Secretary was instructed to insert said writing into the minute book of the corporation.

The Chairman noted that it was necessary to consider certain other matters in order to place this corporation on a fully operating basis.

The Chairman noted to the meeting that the By-Laws had been adopted by the action of the Incorporator, and presented to the meeting the form of By-Laws so adopted. A discussion followed. The following resolution was adopted:

RESOLVED, that the By-Laws presented to, and discussed at this meeting be, and hereby are, adopted as and for the By-Laws of this corporation; and

RESOLVED FURTHER, that the Secretary of the corporation be, and hereby is, directed to certify such By-Laws as having been adopted at this meeting and to insert the By-Laws so certified in the minute book of the corporation, and to see that a copy of said By-Laws, similarly certified, is kept at the principal office of the transaction of this corporation, in accordance with Section 502 of the California Corporations Code.

The next order of business was the designation of the principal offices of the corporation. A general discussion followed. Thereafter, the following resolution was duly adopted:

RESOLVED, that 163 Fifth Avenue, Kingsburg, California 93631, be, and the same hereby is, designated and fixed as the principal office for the transaction of business of the corporation in the County of Fresno, State of California.

RESOLVED FURTHER, that the Secretary of this corporation be, and hereby is, authorized and directed to place the address of said principal office in the By-Laws of this corporation by inserting same in the margin opposite Article I thereof.

The Chairman then presented to the Board for its approval a proposed form of share certificate for the corporation. The following resolution was adopted:

RESOLVED, that the form of share certificate presented to this Board is adopted for use by this corporation, and the Secretary is directed to insert a copy of that form of share certificate in the corporation's minute book immediately following the minutes of this meeting.

The Chairman pointed out that ROBERT GLOVER had been named as the initial Agent for Service of Process in the Articles of Incorporation. Thereafter, the following resolution was adopted:

RESOLVED, that ROBERT GLOVER be named as Agent for Service of Process and the officers of this corporation, or any of them, are instructed to

FINGERPRINTING NOTICE AND ACKNOWLEDGMENT
(Education Code Section 45125.2)

Note: This document must be executed and submitted with the bid.

Business entities entering into contracts with the Owner for the construction, reconstruction, rehabilitation or repair of a facility must comply with Education Code sections 45125 .1 and 45125 .2. Such entities are responsible for ensuring full compliance with the law and should therefore review all applicable statutes and regulations. The following information is provided simply to assist such entities with compliance with the law.

1. If your employee(s) will have more than limited contact with students, then you must take one or more of the following steps:
 - a. Install a physical barrier at the worksite to limit contact with pupils.
 - b. Have an employee, who the Department of Justice has ascertained has not been convicted of a violent or serious felony, continually monitor and supervise employees. The entity shall verify in the Independent Contractor Student Contact Form to the Owner that the employee charged with monitoring and supervising its employees has no such convictions. (See attached.)
 - c. Arrange for surveillance by personnel, with Owner approval.

If one or more of these steps is taken, you are not required to comply with Education Code section 45125.1.

2. If you are providing the services in an emergency or exceptional situation, you are not required to comply with Education Code section 45125.2. An "emergency or exceptional" situation is one in which pupil health or safety is endangered or when repairs are needed to make a facility safe and habitable. Owner shall determine whether an emergency or exceptional situation exists.

I have read the foregoing and agree to comply with the requirements of Education Code §§ 45125.1 and 45125.2 as applicable.

Dates: March 21st, 2017



Signature

Name: Robert Glover

Title: President