

## **Board of Trustees Agenda Item**

**Board Meeting Date:** February 1, 2010

**Title of Item:** Award a contract pursuant to Bid Document 1239-112 – Modernization of Administration Building and General Classrooms at Foothill College

### **Background and Analysis:**

The project will upgrade and modernize three buildings at Foothill College. Administration Building 1900 renovations include upgrades to the infrastructure systems; fire sprinkler system; interior improvements including restrooms, ADA upgrades, and office space reallocation; building security; and exterior building finishes. Building 5500 general classroom renovations include exterior building foundation improvements, roof replacement, fire sprinkler system, interior improvements including finishes and partitions, building security, and exterior finishes. Building 6400 general classroom renovations include exterior wall and window additions including patching; interior improvements including finishes, casework, window additions and partitions; building security; and upgrades to the infrastructure systems. The alternate work provides for improvements to the pathways for ADA accessibility. HMC Architects prepared the construction documents and a complete set of all bid documents are on file in the Purchasing Services Department.

At its November 2, 2009 meeting, the Board of Trustees approved a list of sixteen General Contractors as pre-qualified to bid on the project. Bid 1239-112 was legally advertised on November 13 and November 20, 2009. The “Invitation to Bid” was also sent to nine (9) builder’s exchanges, and advertised in the Daily Pacific Builder, as well as posted on “BidNet” at [www.govbids.com](http://www.govbids.com). Bids were publicly opened and read on December 22, 2009 at 2PM in Purchasing Services. Ten (10) of the sixteen (16) pre-qualified contractors submitted bids. Bid results are below:

### **BID RESULTS**

<b>General Contractors</b>	<b>Total Bid Price including Alternate #1</b>
Zolman Construction and Development, Inc.	<b>\$4,743,000</b>
Ralph Larsen & Son, Inc.	\$4,877,000
Alten Construction, Inc.	\$4,899,784
John Plane Construction, Inc.	\$4,926,000
BRCO Constructors, Inc.	\$4,930,000
Gonzalves & Stronck Construction Company, Inc.	\$4,930,000
Beals Martin and Associates, Inc.	\$5,066,068
Angotti & Reilly Inc.	\$5,093,921
Barry Swenson Builder	\$5,127,000
Albay Construction Co.	\$5,391,000

Zolman Construction and Development, Inc. is a pre-qualified contractor and the District checked its listed project references during the pre-qualification process. They recently completed the E-1 Auto Technology Renovation project at De Anza. Furthermore, Zolman Construction and Development, Inc. and its listed subcontractors have each signed the “Agreement To Be Bound” of the Project Stabilization/Construction Careers Agreement between the District and the Santa Clara & San Benito Counties Building and Construction Trades Council.

The bid price submitted by Zolman Construction and Development, Inc. is within the estimated construction budget of \$5,301,421 for this project and shall be funded through Measure C.

### **Recommendation:**

Authorize the Director of Purchasing Services, Carmen Redmond, to award a contract pursuant to 1239-112 – Modernization of Administration Building and General Classrooms at Foothill College in the amount of to \$4,743,000 inclusive of Alternate #1 to Zolman Construction and Development, Inc.

Submitted by:	Carmen Redmond, Director of Purchasing Services
Additional contact names:	Charles Allen, Art Heinrich, Gina Bailey
Is backup provided?	Yes

## DOCUMENT 00 41 13

## BID PROPOSAL (REVISED)

TO: **FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT**, a California Community College District, acting by and through its Board of Trustees ("the District").

FROM: ZOLMAN CONSTRUCTION AND DEVELOPMENT, INC.  
 (Name of Bidder)  
565 BRAGATO ROAD  
 (Address)  
SAN CARLOS, CALIFORNIA 94070  
 (City, State, Zip Code)  
94-3040036  
 (Federal Tax I. D.)  
TEL: (650) 802-9901 FAX: (650) 802-9902  
 (Telephone/Fax)  
mark@zolman.com  
 (E-Mail Address of Bidder's Representative(s))  
REZA ZOLFAGHARI, JAVAD ZOLFAGHARI, MARK KASHANIAN  
 (Name(s) of Bidder's Authorized Representative(s))

### 1. Bid Proposal

In order to determine the lowest bid prices, the District will use the following formula:

Base Bid + \$65,000 Allowance, as detailed in Division 1, Section 01 21 00 + Alternate #1 = TOTAL BID PRICE.

**Base Bid Proposal Amount.** The undersigned Bidder proposes and agrees to perform the Contract including, without limitation, providing and furnishing any and all of the labor, materials, tools, equipment and services necessary to perform the Contract and complete **Modernization of Administration Building and General Classrooms** for the sum of

Four million Six hundred thirty eight thousand Dollars (\$ 4,638,000.00).

**Bid Allowance.** Allowances per Division 01, Section 01 21 00:

Allowances \$65,000

**Bid Alternate #1.** Alternates per Division 01, Section 01 23 00:

Accessible Pathway Rehabilitation as shown on Plan Sheet C-1.4

Forty thousand Dollars (\$ 40,000.00).

**TOTAL BID PRICE:**

\$ 4,743,000.00

The Bidder confirms that it has checked all of the above figures and understands that neither the District nor any of its agents, employees or representatives shall be responsible for any errors or omissions on the part of the undersigned Bidder in preparing and submitting this Bid Proposal.

**3. Acknowledgment of Bid Amendments.** The Bidder confirms that this Bid Proposal incorporates and is inclusive of, all items or other matters contained in Bid Amendments issued by or on behalf of the District.

Amendment to the Bid Document No's. 1 & 2<sup>& 3</sup> have been received and acknowledged and incorporate the following Architectural Addendum No's. 1 and 2 into the Bid Documents. R.Z. (initial)

**4. Documents Accompanying Bid.** The Bidder has submitted with this Bid Proposal the following: (a) Bid Security; (b) Proposed Subcontractors Form; and (c) Non-Collusion Affidavit. The Bidder acknowledges that if this Bid Proposal and the foregoing documents are not fully in compliance with applicable requirements set forth in the Notice to Contractors Calling for Bids, the Instructions to Bidders and in each of the foregoing documents, the Bid Proposal may be rejected as non-responsive.

**5. Award of Contract.** If the Bidder submitting this Bid Proposal is awarded the Contract, the undersigned will execute and deliver to the District the Agreement in the form attached hereto within five (5) working days after notification of award of the Contract. Concurrently with delivery of the executed Agreement to the District, the Bidder awarded the Contract shall deliver to the District: (a) Certificates of Insurance evidencing all insurance coverages required under the Contract Documents; (b) the Performance Bond; (c) the Labor and Material Payment Bond; (d) the Certificate of Workers' Compensation Insurance; and (e) the Drug-Free Workplace Certificate. Failure of the Bidder awarded the Contract to strictly comply with the preceding may result in the District's rescission of the award of the Contract and/or forfeiture of the Bidder's Bid Security. In such event, the District may, in its sole and exclusive discretion elect to award the Contract to the responsible Bidder submitting the next lowest Bid Proposal, or to reject all Bid Proposals.

**6. Contractor's License.** The undersigned Bidder is currently and duly licensed in accordance with the California Contractors License Law, California Business & Professions Code §§7000 et seq., under the following classification(s) B bearing License Number(s) 540399, with expiration date(s) of 9/30/2010. The Bidder certifies that: (a) it is duly licensed, in the necessary class(es), for performing the Work of the Contract Documents; (b) that such license shall be in full force and effect throughout the duration of the performance of the Work under the Contract Documents; and (c) that all Subcontractors providing or performing any portion of the Work shall be so properly licensed to perform or provide such portion of the Work.

**7. Acknowledgment and Confirmation.** The undersigned Bidder acknowledges its receipt, review and understanding of the Drawings, the Specifications and other Contract Documents pertaining to the proposed Work. The undersigned Bidder certifies that the Contract Documents are, in its opinion, adequate, feasible and complete for providing, performing and constructing the Work in a sound and suitable manner for the use specified and intended by the Contract Documents. The undersigned Bidder certifies that it has, or has available, all necessary equipment, personnel, materials, facilities and technical and financial ability to complete the Work for the amount bid herein within the Contract Time and in accordance with the Contract Documents.

By:  (Signature)

(Corporate Seal)

REZA ZOLFAGHARI, Ph.D.  
(Typed or Printed Name)

Title: EXEC. VICE PRESIDENT

END OF DOCUMENT

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Department of Consumer Affairs  
**Contractors State License Board**

**Contractor's License Detail - License # 540399**



**DISCLAIMER:** A license status check provides information taken from the CSLB license database. Before relying on this information, you should be aware of the following limitations.

CSLB complaint disclosure is restricted by law ([B&P 7124.6](#)). If this entity is subject to public complaint disclosure, a link for complaint disclosure will appear below. Click on the link or button to obtain complaint and/or legal action information.

Per [B&P 7071.17](#), only construction related civil judgments reported to the CSLB are disclosed.

Arbitrations are not listed unless the contractor fails to comply with the terms of the arbitration.

Due to workload, there may be relevant information that has not yet been entered onto the Board's license database.

**License Number:** 540399

**Extract Date:** 12/23/2009

ZOLMAN CONSTRUCTION AND DEVELOPMENT INC

**Business Information:** 3417 STACEY COURT  
MT VIEW, CA 94040

Business Phone Number: (650) 802-9901

**Entity:** Corporation

**Issue Date:** 09/01/1988

**Expire Date:** 09/30/2010

**License Status:** This license is current and active. **All information below should be reviewed.**

CLASS	DESCRIPTION
B	<u>GENERAL BUILDING CONTRACTOR</u>
C27	<u>LANDSCAPING</u>
C39	<u>ROOFING</u>
C10	<u>ELECTRICAL</u>

**Classifications:**

**CONTRACTOR'S BOND**

This license filed Contractor's Bond number **16426** in the amount of **\$12,500** with the bonding company

AMERICAN CONTRACTORS INDEMNITY COMPANY.

**Effective Date:** 01/01/2007

**Bonding:**

Contractor's Bonding History

**BOND OF QUALIFYING INDIVIDUAL**

1. The Responsible Managing Officer (RMO) JAVAD ZOLFAGHARI certified that he/she owns 10 percent or more of the voting stock/equity of the corporation. A bond of qualifying individual is **not** required.

**Effective Date:** 11/24/1993

This license has workers compensation insurance with the  
STATE COMPENSATION INSURANCE FUND

**Policy Number:** 1142934

**Workers' Compensation:**

**Effective Date:** 11/01/1992

**Expire Date:** 11/01/2010

Workers' Compensation History

Personnel listed on this license (current or disassociated) are listed on other licenses.



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