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PROPOSAL FORM

To: Peralta Community College District ("District" or "Owner")

From: _____
(Proper Name of Bidder)

The undersigned declares that proposer has read and understands the Contract Documents, and agrees and proposes to furnish all necessary labor, materials, and equipment to perform and furnish all work in accordance with the terms and conditions of the Contract Documents, including, without limitation, the Request for Proposal, Appendices A through I, and Exhibits A through I for the following project known as:

2118 Milvia Street Project

The total Not to Exceed Budget for this project is \$65,400,000. This NTE Budget includes the following items:

- a. Collaboration and Design Phase Services (Collaboration, Design, and Preconstruction Fees)
- b. Estimated Direct Construction Costs (EDCC) (inclusive of direct construction costs, FF&E and General Requirements)
- c. General Conditions (inclusive of Construction Administration Fees) during Construction
- d. Overhead & Profit during Construction
- e. Performance & Payment Bonds during Construction
- f. Insurance during Construction
- g. DBE's Design/Estimating Contingency
- h. DBE's Construction Contingency
- i. Escalation

DBE will accept payment for the work as follows:

1. Price Proposal: Collaboration, Design, GMP and Agency Approvals (Lump Sum Cost)

- a. This Lump Sum Cost includes all Collaboration and Design Related Services, Pre-Construction Services, GMP Development/Approval, Agency Approvals and all related costs, fees, insurance, etc.; no bonding is required at this phase and none should be priced.

_____ Dollars
\$ _____

2. Price Proposal: General Conditions (Lump Sum Cost)

- a. This Lump Sum Cost includes all DBE Management (General Contractor, Architect of Record, Engineers of Record, Consultants, etc. and all other Supervisory and Administrative Staff as required to support the project, including all items as identified in Article 8 of the Design-Build Form of Agreement and Specification Section 01 14 10.

_____ Dollars
\$ _____

3. Price Proposal: Construction Overhead and Profit (Percentage and Dollar Amount)

- a. The stated percentage will be used to calculate the DBE's overhead and profit at time of GMP.
- b. The stated dollar amount must be calculated based on the stated percentage and will be used to develop the DBE's overall Price Proposal for Scoring of the RFP.
- c. Overhead and Profit shall be calculated based on the sum of the DBE's EDCC and DBE's General Conditions.

_____ Percent % _____ dollars

4. Price Proposal: DBE's Payment & Performance Bond Rate (Percentage and Dollar Amount)

- a. The stated percentage will be used to calculate the DBE's Payment & Performance Bond cost at time of GMP.
- b. The stated dollar amount must be calculated based on the stated percentage and will be used to develop the DBE's overall Price Proposal for Scoring of the RFP.
- c. Payment and Performance Bond's shall be calculated based on the sum of the DBE's EDCC, DBE's General Conditions, and DBE's Overhead & Profit

_____ Percent % _____ dollars

5. Price Proposal: Insurance Rate (Percentage and Dollar Amount)

- a. The stated percentage will be used to calculate the DBE's Insurance cost at time of GMP.
- b. The stated dollar amount must be calculated based on the stated percentage and will be used to develop the DBE's overall Price Proposal for Scoring of the RFP.
- c. Insurance cost shall be calculated based on the sum of the DBE's EDCC, DBE's General Conditions, DBE's Overhead & Profit, and DBE's Payment & Performance Bond cost)

_____ Percent % _____ dollars

Total Price Proposal

1. The DBE's Total Price Proposal (Sum of Items 1 through 5 above to be used for scoring the Price Proposal Section of the RFP)

\$ _____ Dollars

Design-Build Entity Staffing included in General Conditions:

- | | |
|---|---------------|
| 1. General Contractor – Project Manager | _____hrs/week |
| 2. General Contractor – Design Manager | _____hrs/week |
| 3. General Contractor – Superintendent | _____hrs/week |
| 4. AOR – Project Manager | _____hrs/week |
| 5. AOR – Lead Architect | _____hrs/week |
| 6. Structural Engineer of Record | _____hrs/week |
| 7. Mechanical Engineer of Record | _____hrs/week |
| 8. Electrical Engineer of Record | _____hrs/week |
| 9. Plumbing Engineer of Record | _____hrs/week |
| 10. Other: | _____hrs/week |
| 11. Other: | _____hrs/week |
| 12. Other: | _____hrs/week |
| 13. Other: | _____hrs/week |
| 14. Other: | _____hrs/week |
| 15. Other: | _____hrs/week |

1. The undersigned has reviewed the Work outlined in the Contract Documents and fully understands the scope of Work required in this Proposal, understands the construction and project management function(s) is described in the Contract Documents, and that each proposer who is awarded a contract shall be in fact a prime contractor, not a subcontractor, to the District, and agrees that its Proposal, if accepted by the District, will be the basis for the proposer to enter into a contract with the District in accordance with the intent of the Contract Documents.
2. The undersigned has notified the District in writing of any discrepancies or omissions or of any doubt, questions, or ambiguities about the meaning of any of the Contract Documents, and has contacted the Construction Manager before bid date to verify the issuance of any clarifying Addenda.
3. The undersigned agrees to commence work under this Contract on the date established in the Contract Documents and to complete all work within the time specified in the Contract Documents.
4. The liquidated damages clause of the General Conditions and Agreement is hereby acknowledged.
5. It is understood that the District reserves the right to reject this proposal and that the bid shall remain open to acceptance and is irrevocable for a period of ninety (120) days.
6. The following executed documents are attached hereto:
 - Exhibit A – Certification of RFP
 - Exhibit B – RFP Acknowledgement and Signature Form
 - Exhibit C – Proposal Form (This Form)
 - Exhibit D-1 – Non-Collusion Declaration
 - Exhibit D-2 – Iran Contract Act Certification
 - Exhibit E – Stipend Agreement
 - Exhibit F – Non-Disclosure Agreement
 - Exhibit G – SLBE/SELBE Program and Self Certification (as applicable)
 - Exhibit H – Bond Accompanying Proposal
 - Exhibit I – Proposer Certifications
7. Proposer acknowledges that the license required for performance of the Work is an A or B license.
8. Proposer hereby certifies that proposer is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed on the Work.
9. Proposer specifically acknowledges and understands that if it is awarded the Contract, that it shall perform the Work of the Project while complying with all requirements of the Department of Industrial Relations.

10. Proposer hereby certifies that its proposal includes sufficient funds to permit proposer to comply with all local, state or federal labor laws or regulations during the Project, including payment of prevailing wage, and that proposer will comply with the provisions of Labor Code section 2810(d) if awarded the Contract.
11. Proposer agrees to comply with all requirements of the Project Labor Agreement.
12. The Proposer represents that it is competent, knowledgeable, and has special skills with respect to the nature, extent, and inherent conditions of the Work to be performed. Proposer further acknowledges that there are certain peculiar and inherent conditions existent in the construction of the Work that may create, during the Work, unusual or peculiar unsafe conditions hazardous to persons and property.
13. Proposer expressly acknowledges that it is aware of such peculiar risks and that it has the skill and experience to foresee and to adopt protective measures to adequately and safely perform the Work with respect to such hazards.
14. Proposer expressly acknowledges that it is aware that if a false claim is knowingly submitted (as the terms "claim" and "knowingly" are defined in the California False Claims Act, Gov. Code, § 12650 et seq.), the District will be entitled to civil remedies set forth in the California False Claim Act. It may also be considered fraud and the Contractor may be subject to criminal prosecution.
15. The undersigned Proposer certifies that it is, at the time of proposing, and shall be throughout the period of the Contract, licensed by the State of California to do the type of work required under the terms of the Contract Documents and registered as a public works contractor with the Department of Industrial Relations. Proposer further certifies that it is regularly engaged in the general class and type of work called for in the Contract Documents.

Furthermore, Proposer hereby certifies to the District that all representations, certifications, and statements made by Proposer, as set forth in this Proposal, are true and correct and are made under penalty of perjury.

Dated this _____ day of _____ 20 _____

Name of Proposer: _____

Type of Organization: _____

Signed by: _____

Title of Signer: _____

Address of Proposer: _____

Taxpayer Identification No. of Proposer: _____

Telephone Number: _____

Email: _____ web Page: _____

Contractor's License No(s): No.: _____ Class: _____ Expiration Date: _____

No.: _____ Class: _____ Expiration Date: _____

No.: _____ Class: _____ Expiration Date: _____

Public Works Contractor Registration No.: _____

END OF DOCUMENT