



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Katy Allen
Jane Light

SUBJECT: EAST SAN JOSÉ CARNEGIE
BRANCH LIBRARY PROJECT

DATE: 11-26-07

Approved

Date

11/29/07

COUNCIL DISTRICT: 3

SNI: 5 Wounds/
Brookwood
Terrace

RECOMMENDATION

Report on bids and award of contract for the East San José Carnegie Branch Library project to the lowest responsive bidder, Farotte Construction Co., Inc., for the base bid and Add Alternate Nos. 1-5 in the amount of \$6,772,488, and approval of a contingency in the amount of \$813,000.

OUTCOME

Approval of this construction contract to Farotte Construction Co., Inc. will allow the East San José Carnegie Branch Library project to be built and occupied for use by the community. In addition to the base bid, staff recommends award of Add Alternates 1 through 5 as part of the contract due to the favorable price for each submitted by the low bidders. Approval of the contingency will provide funding for any unanticipated work necessary for the completion of the project with a historical building.

EXECUTIVE SUMMARY

The purpose of this memorandum is to report on bids and award a contract to the lowest responsive bidder, Farotte Construction Co., Inc for the base bid of the project.

BACKGROUND

The East San José Carnegie Branch Library is the 14th library to be constructed using Branch Libraries Bond Projects funds. The project is in accordance with the Branch Facility Master Plan approved by Council in September 2000. The new library will be built on the existing East San José Carnegie Branch Library site at the corner of East Santa Clara and 23rd Street. The current library site is approximate 0.57 acres of City of San José owned and leased land from San José

Unified School District. The Library is surrounded by residential properties to the East, South and West and commercial retail and the Portuguese Community Center to the North along East Santa Clara Street (map attached).

The project will construct a new single-story library addition and renovate the 100 years old Historical Carnegie Library that has a main floor and basement. The new library building will have a total of 8,380 square foot of public space, housing various reading areas, a tech center, a new Internet Café area, children and adult collection spaces and a community meeting room. In response to community input, the new library addition is designed with the floor raised five feet above the street level to match the floor of the existing historical structure for ease of library operations. Unstable soil conditions along with close proximity of the new addition to the existing historical building necessitate a special foundation design and soil treatment. During the design phase, the consultants had to perform additional geotechnical surveys and prepare special specifications for a soil amendment due to site liquefaction. This prolonged the design phase and delayed the project six months. The site will be developed to include a parking lot accommodating 21 vehicles and on street parking stalls along 23rd Street. Construction is scheduled to begin in February 2008 with completion in fall 2009.

The East San José Carnegie Branch Library project has been designed and will be constructed, to achieve the equivalency of a LEED Certified level.

In addition to the base bid scope of work there are five add alternates bid items:

| <u>No.</u> | <u>Add Alternate Description:</u> | <u>Engineer's Estimate</u> |
|------------|--|----------------------------|
| 1. | New Historical Door, Interior Decorative Doors, and Refinishing Existing Windows | \$16,000 |
| 2. | Signage | \$83,000 |
| 3. | Freestanding, movable shelving units C2,G2, G3 and D1 | \$62,000 |
| 4. | Composite Building Panels for five Pop-out windows | \$41,000 |
| 5. | MDF wood panels wrapping inside five pop-out windows | <u>\$15,000</u> |
| | TOTAL | \$217,000 |

ANALYSIS

Bids were opened on Sept. 27, 2007 with the following results:

| <u>Contractor</u> | <u>Base Bid + 5 Alternates</u> | <u>Variance Amount</u> | <u>Over/(Under) Percent</u> |
|--|------------------------------------|----------------------------|---------------------------------|
| Hagensen Pacific (San José) | \$8,140,000 | 198,000 | 3 |
| Engineer's Estimate | 7,942,000 | | 0.0 |
| Cal Pacific Construction (San José) | 7,739,000 | (203,000) | (3) |

| | | | |
|---|-----------|-------------|------|
| Sausal Corporation (San Leandro) | 7,585,870 | (356,130) | (5) |
| John Plane Construction, Inc. (Brisbane) | 6,999,000 | (943,000) | (12) |
| BRCO Constructors (Loomis) | 6,921,000 | (1,021,000) | (13) |
| Ralph Larsen and Son, Inc. (San Mateo) | 6,524,000 | (1,418,000) | (18) |
| Farotte Construction Company Inc. (Gilroy) | 6,611,514 | (1,330,486) | (17) |
| Lyncon Construction Inc. (San José) | 6,405,520 | (1,536,476) | (19) |

| <u>Contractor</u> | <u>Add Alt.</u> <u>No.1</u> | <u>Add Alt.</u> <u>No.2</u> | <u>Add Alt.</u> <u>No.3</u> | <u>Add</u> <u>Alt.</u> <u>No.4</u> | <u>Add</u> <u>Alt.</u> <u>No.5</u> |
|-------------------------------|--------------------------------|--------------------------------|--------------------------------|--|--|
| Hagensen Pacific | 75,000 | 97,918 | 62,096 | 55,000 | 20,000 |
| Cal Pacific Construction | 33,000 | 72,500 | 48,000 | \$29,100 | \$18,300 |
| Sausal Corporation | 7,800 | 95,000 | 76,000 | 8,500 | 21,500 |
| John Plane Construction | 66,000 | 91,000 | 58,000 | 46,000 | 12,000 |
| BRCO Constructor | 150,000 | 90,000 | 60,000 | 40,000 | 10,000 |
| Ralph Larsen & Son, Inc. | 75,000 | 98,000 | 60,000 | 25,000 | 20,000 |
| Farotte Construction Co.,Inc. | 15,700 | 93,000 | 42,500 | 5,302 | 4,432 |
| Lyncon Construction, Inc. | 90,000 | 89,000 | 60,000 | 28,000 | 25,000 |
| Engineer's Estimate | 16,000 | 83,000 | 62,000 | 41,000 | 15,000 |

The five lowest bids submitted by Lyncon Construction, Inc. (Lyncon), Farotte Construction Co, Inc. (Farotte), Ralph Larsen & Sons, Inc. (Ralph Larsen), BRCO Constructors and John Plane Construction, Inc., are more than ten percent below the Engineer's Estimate. The reasons might be attributed to the fact that the estimating consultant provided the estimate based on a steady trend of high cost of constructions experienced over the past several years. The market has since changed due to the recent economic environment. During August, there seemed to be a favorable bidding climate possibly due to fewer school bond projects and a slow down of residential construction. In addition, several general contractors who have worked with the City previously and are familiar with library construction projects helped secure favorable bid results.

Bid Protest

After the bid opening, staff received several bid protest letters and responses from Ralph Larsen, Farotte and Lyncon on October 2, 3, and 4, 2007 respectively.

The second low bidder, Farotte, and the third low bidder, Ralph Larsen, protest bid of the low bidder, Lyncon, on the ground that it is not responsive because the contractor did not properly complete the Subcontractor Listing form. Ralph Larsen also protests the bid of Farotte on the same ground. After careful analysis, staff has determined that the bid protest against Lyncon has merit and the one against Farotte is without merit. Accordingly, staff recommends rejecting the Lyncon's bid and awarding the construction contract to Farotte.

1. Protest of Lyncon's Bid

Farotte correctly asserts that Lyncon's bid is not responsive because it failed to identify the "Location of the Place of Business" of several subcontractors. Bidders were instructed to designate subcontractors in accordance with Section 2-1.15A of the City's Standard Specifications. Section 2-1.15A requires contractors to identify "the name and the location of the place of business of each subcontractor who will perform . . ." any portion of work in excess of ½ of 1% of the bid amount. These subcontractor listing requirements are consistent with those required in the California Public Contract Code. The purpose of these requirements is to protect subcontractors from bid shopping.

Responsiveness is generally determined from the face of the bid without outside investigation or information. On its face, Lyncon's bid is non-responsive because it fails to identify the location of the place of business of some of the listed subcontractors as required by Section 2-1.15A. The location of the place of business helps to properly identify the named subcontractor.

Lyncon argues that the California attorney general has opined that a public agency may accept the bid of a contractor that omits the locations of the place of business of the listed subcontractors. However, the question to which the attorney general was responding involved a contractor that had not provided the required "location" information but had identified in its bid the license number of each listed subcontractor, thus giving an alternative way of easily identifying the named subcontractors. Lyncon did not provide in its bid any similar alternative identifying information. Moreover, even if Lyncon had provided such information, the attorney general opines that a public entity "may" decide to accept the bid. The attorney general did not opine that a public entity "must" accept the bid.

Lyncon's bid is non-responsive solely based on the failure to provide the locations of some named subcontractors. However, staff has other concerns with Lyncon's bid. The Subcontractor Listing form provided by the City listed likely portions of subcontractor work for the project. Ralph Larsen and Farotte assert that Lyncon failed to list subcontractors for various portions of listed subcontractor work, such as plumbing, security, low voltage, metal decking, signage, flooring, carpeting, and tile work.

On its face, Lyncon's bid appears to be responsive. Lyncon was not required to list any subcontractors for work involving less than ½ of 1% of its bid amount. And, pursuant to Section 2-1.15B, Lyncon's failure to specify a subcontractor for any portion of work involving an amount in excess of ½ of 1% means that Lyncon agrees to self-perform such work.

In its response to the bid protest, Lyncon confirms that many of the subtrades for which it did not list a subcontractor involve amounts that are less than ½ of 1 percent of the bid amount. However, Lyncon also responds that for some subtasks for which it did not list a subcontractor it intends to use a subcontractor that was listed for another portion of work. For example, Lyncon listed Facilities Systems of San José as the subcontractor for the "HVAC" (heating, ventilation, air conditioning) portion of work. The subcontractor listing form provided by the City specifically identified "HVAC" as one of the portions of work. It also specifically identified "plumbing" as another separate portion of work. Although Lyncon did not identify any subcontractor for the "plumbing" portion of work, it asserts in its response to the bid protest that it intends to use Facilities Systems to perform the plumbing work.

Lyncon argues that there is no requirement to separately list the "specific" scope of work performed by any particular contractor. However, Section 2-1.15A does require the contractor to identify the portion of work to be performed by a listed subcontractor. Although many mechanical subcontractors perform both "HVAC" and "plumbing" work, the term "HVAC" is not typically understood to include plumbing, and both involve different contractor licenses. Indeed, Facilities Systems quoted the HVAC and plumbing work separately. Staff is concerned that Lyncon apparently submitted a bid intending to subcontract work that they would otherwise be required to self perform pursuant to Section 2-1.15B. The "electrical," "security" and "low voltage" portions of work raise similar issues and concerns.

Although staff has various concerns with Lyncon's bid, its recommendation to reject the bid as not being responsive is based upon Lyncon's failure to comply with the requirement to identify "the name and the location of the place of business of each subcontractor who will perform . . ." any portion of work in excess of ½ of 1% of the bid amount.

2. Protest of Farotte's Bid

Ralph Larsen argues that the second low bid submitted by Farotte is not responsive because it failed to list a shelving subcontractor. On its face, Farotte's bid is responsive. Farotte did not identify any subcontractor for the "Library Shelving" portion of work, which means that either the work is less than ½ of 1 percent of the bid amount or that Farotte will have to self-perform this work. In its response to the bid protest, Farotte indicates that the subcontractor bid on the shelving work was less than ½ of 1 percent of the bid amount.

Staff recommends rejecting the bid protest and awarding the construction contract for the East Carnegie Branch Library to Farotte.

Council Policy provides for a standard contingency of ten percent on public works projects involving the construction of a building. Staff recommends to increase the contingency to 12 percent to reflect the scope of this project that includes a new building addition and renovation of a 100 years old historical building that may require extensive repairs due to unforeseen conditions once construction starts.

EVALUATION AND FOLLOW-UP

The construction period is 18 months. The project will be completed in fall 2009. At this time, no other issue needs to be followed up with Council.

POLICY ALTERNATIVES

Not applicable

PUBLIC OUTREACH/INTEREST

- ✓ **Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater; **(Required: Website Posting)**
- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

This item meets Criterion 1: Requires Council action on the use of public funds equal to \$1 million or greater. To solicit contractors this project was listed on the City's Internet Bid Line and advertised in the *San José Post Record*. Bid packages for all Department of Public Works construction projects were provided to various contractor organizations and builder's exchanges.

This award memo is also posted on the City's website for the December 18, 2007 Council Agenda.

In addition, community participation in the design effort through various community participation meetings for this branch Library was solicited through flyers at the existing nearby branches and mailers to the nearby residents.

COORDINATION

This project and memorandum have been coordinated with the Departments of Planning, Building and Code Enforcement, Historical Preservation Commission, City Manager’s Budget Office and the City Attorney’s Office.

FISCAL/POLICY ALIGNMENT

This project is consistent with the Council-approved Budget Strategy to continue with capital investments that spur construction spending in our local economy. The expansion of this library will also assist in meeting the General Plan goal of providing .59 square feet of library space per capita.

COST SUMMARY/IMPLICATIONS

1. COST OF PROJECT:

| | |
|--------------------------------|--------------------|
| Project Delivery | \$1,537,512 |
| Construction | 6,772,488 |
| Contingency (12%) | 812,699 |
| Public Art | 125,000 |
| TOTAL PROJECT COSTS | \$9,247,699 |
| Prior Year Expenditures | (\$1,169,936) |
| REMAINING PROJECT COSTS | \$8,077,763 |

2. COST ELEMENTS OF CONSTRUCTION CONTRACT:

| | |
|--------------------|-------------|
| Lump Sum Contract: | \$6,772,488 |
|--------------------|-------------|

3. SOURCE OF FUNDING: 472 - Branch Libraries Bond Projects Fund

4. OPERATING COST: The new East San José Carnegie Branch will have a net annual operating and maintenance impact of \$199,000 starting in 2009-2010.

BUDGET REFERENCE

The table below identifies the fund and appropriations proposed to fund the contract recommended as part of this memorandum and remaining project costs, including project delivery, construction, and contingency costs.

HONORABLE MAYOR AND CITY COUNCIL

11-26-07

Subject: East San José Carnegie Branch Library Project

Page 8

| Fund # | Appn. # | Appn. Name | RC # | Total Appn. | Amt. For Contract | 2007-2008 Adopted Budget | Last Budget Action (Date, Ord. No.) |
|---------------------------------|---------|-------------------------------|--------|--------------------|--------------------|--------------------------|-------------------------------------|
| Remaining Project Costs | | | | \$8,077,763 | | | |
| Total Funding Available | | | | | | | |
| 472 | 5155 | East San José Carnegie Branch | 135625 | \$7,970,000 | \$6,772,488 | Page V-266 | 10/16/07, Ord. No. 28143 |
| Funding in future years of CIP* | | | | \$108,000 | | | |
| Total Funding Available | | | | \$8,078,000 | \$6,772,488 | | |

*A total of \$108,000 is budgeted for this facility in 2008-2009.

CEQA

CEQA: Exempt, PP07-107

Historical Preservation Permit No. HP07-005



KATY ALLEN
Director, Public Works Department



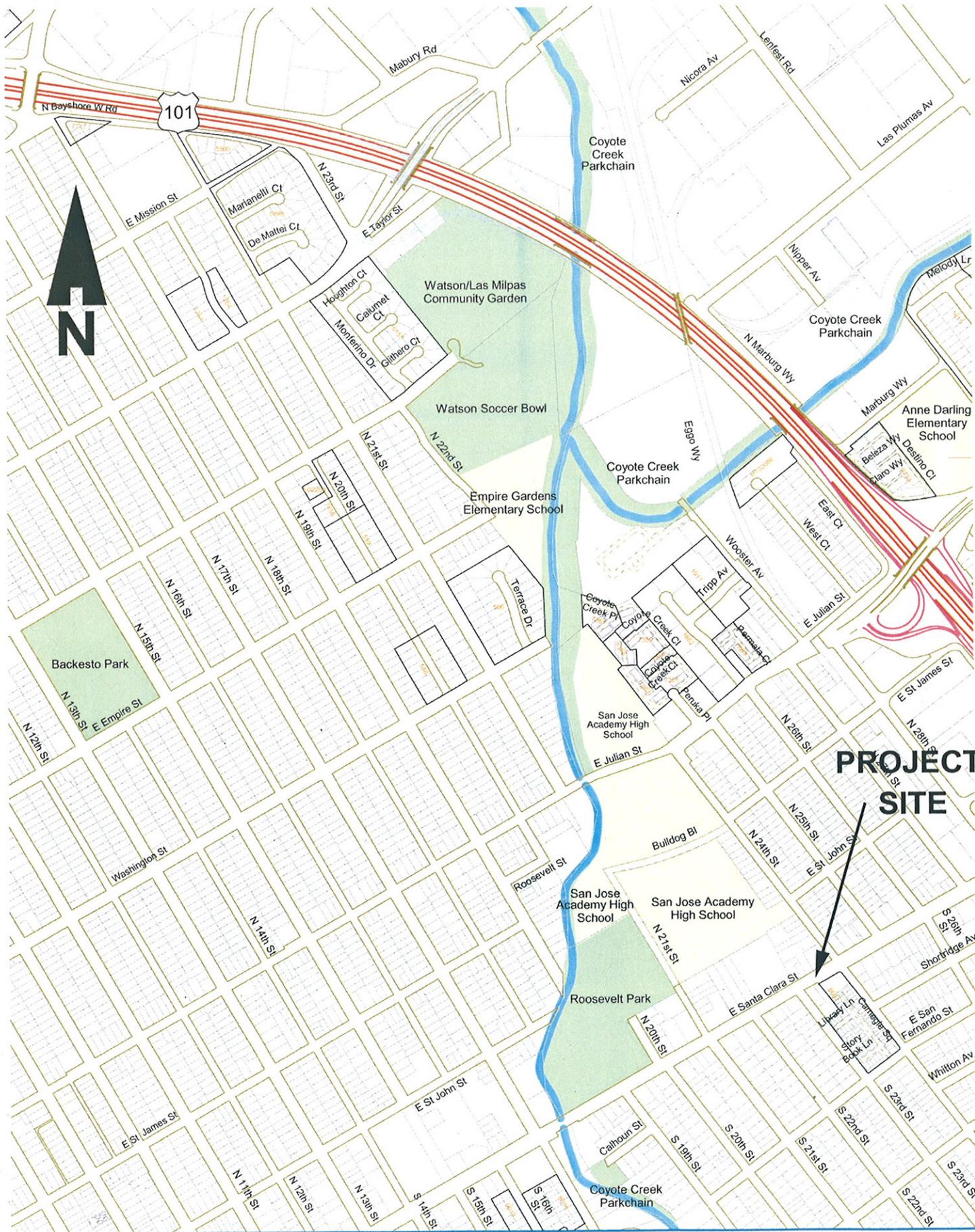
JANE LIGHT
Library Director

For questions please contact DAVID SYKES, ASSISTANT DIRECTOR, PUBLIC WORKS DEPARTMENT, at 408-535-8300.

Attachments

KJ:RR:dT/ng

EC Br Award Memo L. Const 12-11-07



CARNEGIE BRANCH LIBRARY Location Map

Not to Scale

BERLINER COHEN

ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING
PROFESSIONAL CORPORATIONS

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ELEVENTH FLOOR
SAN JOSE, CALIFORNIA 95113-2233

TELEPHONE: (408) 286-5800
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October 29, 2007

VIA HAND DELIVERY

Glen Schwarzbach, Esq.
City Attorney
Office of City Attorney
200 East Santa Clara Street
San Jose, CA 95113-1905

Re: East San Jose Carnegie Branch Library - Bid Protest
Our File No.: 16719-001

Dear Mr. Schwarzbach:

Our office represents Lyncon Construction, Inc. ("Lyncon"), the lowest responsive bidder on the above-captioned project.

We write to address the various other prime contractors' bid protests and to establish why the contract for the East San Jose Carnegie Branch Library should be awarded to Lyncon Construction, Inc. as the lowest responsive bidder.

The bid protests by Farotte Construction, Inc ("Farotte") and Ralph Larsen & Sons, Inc. ("Ralph Larsen") are an obvious attempt to use the provisions of the Public Contract Code to obtain a competitive advantage *for themselves*, rather than to benefit the general public. Contrary to the assertions of Farotte and Ralph Larsen, however, Lyncon has complied fully with the requirements of the Subletting and Subcontracting Fair Practices Act (Public Contract Code Sections 4100-4114). The statutes require the bidder on a public project to designate in the bid the name of each subcontractor that will perform work exceeding one half of 1 percent of the prime contractor's total bid. Public Contract Code Section 4104. Failure to specify a

Glen Schwarzbach, Esq.
October 29, 2007

subcontractor means that the prime contractor itself will perform that work. Public Contract Code Section 4106.

As required by the Public Contract Code, Lyncon *has listed all of the subcontractors who will be performing work exceeding one half of 1 percent* of the prime contractor's total bid. Lyncon's total bid was \$6,405,524. The threshold for listing subcontractors, therefore, is \$32,027.62. In all cases where a subcontractor is performing work in excess of that threshold, Lyncon has listed the subcontractor who will perform the work, as shown on Lyncon's List of Subcontractors, attached as Exhibit "A".

As a preliminary matter, Farotte claimed that Lyncon's low bid should be rejected because it did not list the address of each subcontractor. The attorney general, however, has opined that a public agency may accept the bid of a contractor who lists the names of each subcontractor but omits the locations of their place of business. Opinion of Bill Lockyer, 86 Ops Cal Atty Gen 90 (2003).

Each of the issues raised by the unsuccessful bidders will be addressed below:

1. Alleged Failure to List Plumbing Subcontractor.

Lyncon's bid was based, in part, on the bid submitted by Facilities Systems of San Jose. Facilities Systems is listed on line 30 of Lyncon's List of Subcontractor under HVAC. Facilities Systems, however, is also doing the plumbing work as shown on Facilities Systems' bid attached as Exhibit "B". There is no requirement under the Public Contract Code to separately list the specific scope of performed by any particular subcontractor -- it is only necessary to identify the subcontractor, which Lyncon had done. All that is required is a list of the name and location (discussed above) "of each subcontractor who will perform work or labor or render service to the prime contractor..."

2. Alleged Failure to List Shelving Subcontractor.

There are two types of shelving on this project (a) wood; and (b) metal. Lyncon is splitting this scope of work between two subcontractors - JM Cabinetmaker and Ross McDonald, Co. Inc. JM Cabinetmaker is installing the wood shelving as indicated in the bid attached as Exhibit "C". As required, JM is listed on line 22 of Lyncon's List of Subcontractor under Casework/Millwork. Contrary to the assertion of Farotte Construction, however, JM does not need a C-61 License to install wood shelving. Lyncon planned, and still plans, to subcontract the metal shelving to a separate subcontractor, Ross McDonald, Co. Inc., whose bid in the amount of \$22,980 is attached as Exhibit "D".¹ Since Ross McDonald's subcontract is less than one half of 1 percent of Lyncon's total bid, it was not necessary to list Ross McDonald as a subcontractor. Ross McDonald does need a C-61 License to install the metal cabinets and has such a license.

¹ Please note that Lyncon only plans to accept the metal shelving portion of Ross' bid.

3. Alleged Failure to List a Signage Subcontractor.

Lyncon plans to obtain the signs from Ellis & Ellis, its supplier. The Public Contract Code does not require the prime contractor to list suppliers. Ellis & Ellis' bid is attached as Exhibit "E" and is broken down into materials costs, including sales tax, and includes a separate charge for estimated installation. Lyncon will install the signage itself. Therefore, it was not necessary to list Ellis & Ellis as a subcontractor, since there is no requirement of listing suppliers. Public Contract Code Section 4104(a) (1) (must list a subcontractor who "specially fabricates and installs..." which is not the case here.)

4. Alleged Failure to List Flooring and Carpeting Subcontractors.

These two categories are discussed together because both scopes of work are included in the bid of a single contractor, B.T. Mancini Co., Inc., which Lyncon did include in its List of Subcontractors (see Exhibit "A", Item 25.1). B.T. Mancini's bid is attached as Exhibit "F" and clearly shows its scope includes both the flooring and carpeting.

5. Alleged Failure to List Tile & Stone Subcontractor.

The amount of the subcontract for tile and stone work is \$19,350 as shown in Giallo Tile & Stone's bid attached as Exhibit "G". This subcontract amount is well below the one half of 1 percent threshold for listing a subcontractor under the Subletting and Subcontracting Fair Practices Act.

6. Alleged Failure to List Acoustical Treatments Subcontractor.

The amount of the subcontract for acoustical treatment work is \$10,870 as shown in Dudley Acoustics, Inc.'s bid attached as Exhibit "H".² This subcontract amount is also well below the one half of 1 percent threshold for listing a subcontractor under the Subletting and Subcontracting Fair Practices Act.

7. Alleged Failure to List Security and Low Voltage Subcontractors.

The security portion and the low voltage portion of this project are included in the scope of work submitted by the electrical subcontractor, Clark Electric Corporation, which Lyncon listed on line 31 of its List of Subcontractors. A copy of the bid submitted by Clark Electric is attached as Exhibit "I" and shows that its scope includes all the electrical, including the security and low voltage. Again, there is no requirement under the Public Contract Code to separately list the specific scope of performed by any particular subcontractor – it is only necessary to identify the subcontractor, which Lyncon had done.

² Please note that Lyncon only plans to accept the acoustical portion of Dudley's bid.

Glen Schwarzbach, Esq.
October 29, 2007

8. Alleged Failure to List the Metal Decking Subcontractor.

The scope of work for the metal decking is included in the bid submitted by the structural steel subcontractor, Kwan Wo, who is listed on line 10 of Lyncon's List of Subcontractors. A copy of Kwan Wo's bid is attached as Exhibit "J" and shows the metal decking is included in its scope of work.

9. Alleged Failure to List the Wood Flooring Subcontractor.

The amount of the subcontract for wood flooring is \$24,500 as shown in Joe Wang Carpet & Flooring's bid attached as Exhibit "K". This subcontract amount is also well below the one half of 1 percent threshold for listing a subcontractor under the Subletting and Subcontracting Fair Practices Act.

As you can see based on the enclosed information and bid documents, the subcontractors have either been listed *where required* or fall below the one half of 1 percent threshold and *need not be listed*. Based on the foregoing, Lyncon is the lowest responsive bidder and the contract should be awarded to it.

Finally, to the extent the City believes Lyncon has not listed a subcontractor who should have been listed, the Public Contract Code gives the City the authority to award the contract and assess a penalty against the prime contractor of not more than 10 percent of the amount of the subcontract involved. Again, if the City believes a technical violation exists, the remedy that would best serve the *public interest* would be the assessment of the 10 percent penalty. Lyncon did not bid on three other public works projects because it believed it would be the lowest bidder on this project, and Lyncon has the resources available to begin this project when the notice to proceed is issued.

Please feel free to call me if you have any questions regarding the bid process. We look forward to receiving notification that the contract for the East San Jose Carnegie Branch Library has been awarded to Lyncon Construction as the lowest responsive bidder.

Very truly yours,

BERLINER COHEN



ROBERT L. CHORTEK

E-Mail: robert.chortek@berliner.com

RLC:de

Enclosures

cc: Mike Bergstrom, w/encs.

EXHIBIT A

BID OPENING
CITY OF SAN JOSE
OFFICE OF THE CITY CLERK

RECEIVED
San Jose City Clerk
2007 SEP 27 P 2:57
City Clerk
Time Stamp

BASE BID 6,405,924.00
ALT NO. 1 90,000.00
ALT NO. 2 89,000.00
ALT NO. 3 60,000.00
ALT NO. 4 28,000.00
ALT NO. 5 25,000.00
TOTAL BID _____

BID DATE: Thursday, September 27, 2007
Project Manager: Agatha Ng -- 535-8350

EAST SAN JOSE CARNEGIE BRANCH LIBRARY

BIDDER'S NAME: Syncon Construction

Bond Cashier's Check _____

ADDENDUMS INCLUDED YES NO _____

NON-COLLUSION AFFIDAVIT YES NO _____

LIST OF SUBCONTRACTORS

Designation of Subcontractors shall be as required in Section 2-1.15A of the City of San Jose Standard Specifications, July 1992.

BIDDER (GENERAL CONTRACTOR): Lyncon Construction Inc. (page 1)

| | | | |
|-----|-------------------------|-----------------|-----------------------------|
| 1. | | | ASEBSTOS ABATEMENT |
| 2. | <i>Ferna</i> | <i>Mc. Veen</i> | DEMOLITION (Bldg. and Site) |
| 3. | <i>Tri Valley</i> | | EARTHWORK |
| 4. | | | PAVING |
| 5. | <i>Dr. B. Trenching</i> | <i>San Jose</i> | SITE UTILITIES |
| 6. | <i>Martina</i> | <i>Campbell</i> | IRRIGATION / LANDSCAPING |
| 7. | <i>BTI</i> | <i>Burbank</i> | SITE CONCRETE/Hardscape |
| 8. | | | BUILDING CONCRETE |
| 9. | <i>Alomillo</i> | <i>Vallejo</i> | REBAR |
| 10. | <i>Kwan Wo</i> | | STRUCTURAL STEEL |
| 11. | | | MISC. IRON |
| 12. | | | ROOF DECK |
| 12. | <i>Alcal</i> | <i>Hayward</i> | ROOFING |
| 14. | | | ALUMINUM WINDOWS |
| 15. | <i>AAA</i> | <i>San Jose</i> | GLASS / GLAZING |
| 16. | <i>Alcal</i> | <i>Hayward</i> | INSULATION |
| 17. | <i>A. Herra</i> | <i>Hayward</i> | LATH PLASTER |
| 18. | <i>Bob Allen</i> | <i>San Jose</i> | FRAMING / DRYWALL |

~~ADD A VE BIDDING STATEMENT~~

BIDDER (GENERAL CONTRACTOR): Lyncon Construction Inc. (page 2)

| | NAME OF SUBCONTRACTOR | LOCATION OF PLACE OF BUSINESS | PORTION OF WORK |
|-----|-----------------------|-------------------------------|-----------------------|
| 19. | | | SHEET METAL |
| 20. | | | DOORS AND HARDWARE |
| 21. | | | FLOORING |
| 22. | <i>J.M.</i> | <i>McKingsville</i> | CASEWORK/MILLWORK |
| 23. | <i>R. Proor</i> | | PAINTING |
| 24. | | | CARPET |
| 25. | | | TILE / STONE WORK |
| 26. | | | ACOUSTICAL TREATMENT |
| 27. | <i>Residential</i> | <i>Sacramento</i> | FIRE PROTECTION |
| 28. | | | SECURITY |
| 29. | | | PLUMBING |
| 30. | <i>Joe. Long</i> | <i>SJ.</i> | HVAC |
| 31. | <i>Clark</i> | <i>Santa Clara</i> | ELECTRICAL |
| 32. | | | LOW VOLTAGE |
| 33. | | | AUDIO VISUAL |
| 34. | | | SIGNAGE |
| 35. | | | LIBRARY SHELVING |
| 36. | | | BOOK DETECTION SYSTEM |
| 37. | | | CANOPIES / TRELLIS |
| | | | (Others) |

LIST OF SUBCONTRACTORS (CONT.)

BIDDER (GENERAL CONTRACTOR): Lyncon Construction Inc. (page 3)

| | NAME OF SUBCONTRACTOR | LOCATION OF PLACE OF BUSINESS | PORTION OF WORK |
|------|--|-------------------------------|--------------------------|
| 38. | | | Chain Link Fence |
| 39. | | | Ceiling Systems |
| 40. | Local Masonry | Mt. View | CMU wall |
| | | | |
| | | | |
| 2.4 | Fudo | San Mateo | Soil Stabilization |
| | | | |
| | | | |
| | | | |
| 25.1 | BT Man line Bay Area Floor | S.J. | Carpet / Resilient Floor |
| 25.2 | | | wood floor |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

EXHIBIT B

FACILITY SYSTEMS MECHANICAL CONTRACTORS INC.

Mailing Address: P.O. Box 16640, San Jose, CA 95158-8640

140 Lewis Road, Suite 6, San Jose, CA 95111

Lic. No. 465070

(408) 226-6060 • FAX (408) 226-6071

TO: ESTIMATING DEPT:

9/27/07

RE: East San Jose

Carnegie Library

Gentlemen,

Our quotation includes the following Scope of Work per plans and specifications.
Addendums #1 & #2 Noted.

SECTION 07600 Flashing & Sheet Metal

DIVISION 15 - MECHANICAL

- 15010 Mechanical General Provisions AS APPLIES
- 15015 Electric Motors AS APPLIES
- 15050 Basic Mechanical Materials & Methods AS APPLIES
- 15060 Hangers & Supports AS APPLIES
- 15071 Mechanical vibration & Seismic Controls
- 15075 Mechanical Identification
- 15081 Duct Insulation
- 15183 Refrigerant Piping
- 15550 Breaching Chimneys & Stacks
- 15671 Condensing Units
- 15783 Ductless Split System Air Conditioning Unit
- 15770 Packaged Heating & Cooling Units
- 15815 Metal Ducts
- 15820 Duct Accessories
- 15835 Air Handling Units - Custom
- 15838 Power Ventilators
- 15840 Air Terminal Units
- 15855 Diffusers, Registers, and Grilles
- 15900 HVAC Instrumentations & Controls
- 15950 Testing, Adjusting & Balancing
- 15960 Variable Frequency Drives
- 15995 Mechanical System Commissioning

OUR QUOTE \$653,412.00

Sheet Metal • Heating • Air Conditioning • Plumbing • Process Piping
Clean Rooms • Free Estimates • Service Contracts

- SECTION 15083 Pipe Insulation**
15110 Valves
15121 Pipe Expansion Fittings & Loops
15122 Meters & Gauges
15140 Domestic Water Piping
15150 Sanitary Waste & Vent Piping
15194 Fuel Gas Piping
15410 Plumbing Fixtures
15415 Drinking Fountains
15430 Plumbing Specialties
15441 Domestic Water Pumps
15486 Gas Fired Water Heaters

OUR QUOTE \$ 118,120.00

EXCLUSIONS:

1. Cut, patch & paint.
2. Structural supports.
3. Fire Protection.
4. Firestopping.
5. Overtime.
6. Permits, fees & bond.

If you have any questions, please call.

Sincerely,

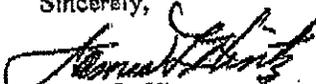
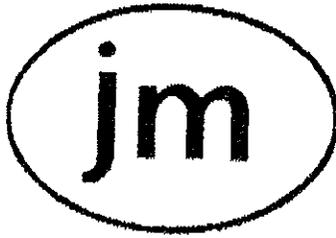

James L. Hintz

EXHIBIT C



Cabinetmaker

P. O. Box 2789
 McKinleyville, CA
 95519-2789
 Office (707) 839-0916
 Fax (707) 839-4955
 Cal. Cont. Lis. 580647

SCOPE LETTER

EAST SAN JOSE CARNEGIE BRANCH LIBRARY

SECTION 06400 -- ARCHITECTURAL WOODWORK

JM Cabinetmaker is an Award Winning Member and Licensee of the Woodwork Institute. Recent projects completed include Tully Branch Library, San Jose for Ralph Larsen & Son, General Contractor.

We will be submitting a bid on the items listed below, which we believe will complete Specification Section 06400.

| <u>ROOM / ITEM</u> | <u>PLAN REFERENCE</u> | <u>SUMMARY</u> |
|---|------------------------------|---|
| Children's Computer Table | 21/A908 | Table w/ 4 CPU Slings |
| Check-out Counter | 13/A907 | Plastic Laminate |
| Friends | 4/A907 | Wood Veneer Upper & Lower, Solid Surface Top |
| Copy Print Station | 5/A907 | P. Lam. Case w/ Locks Solid Surface Top w/ Sink |
| Staff Lounge | 16/A907 | P. Lam. Upper & Lower, Refrig. Enclosure, Solid Surface Top w/ Sink |
| <i>Fireplace Surround</i> <u>Not Included</u> | 23/A907 | |
| Work Station | 23/A907 | P. Lam. Lower w/ Solid Surface Top |
| Work Room | 3/A907 | P. Lam. Work Top with Integral Legs (files below by others) |
| Check In (2 Required) | 2/A907 | Solid Surface Tops with Steel Legs & Support Frame |
| Open Shelves (at Check In) | 24/A907 | P. Lam. Open Upper Cab. |
| Community Room | 1/A907 | P. Lam. Upper, Lower, & Tall w/ Locks, Solid Surface Top with Sink. |

September 26, 2007

SCOPE LETTER (CONTINUED)

| ROOM / ITEM | PLAN REFERENCE | SUMMARY |
|------------------------------------|-----------------------|---|
| AV Cabinet in Languages | 15/A907 | Tall case w/ Diffuser & Slat Wall |
| Teen Room | 22/A907 | CPU Cabs. w/ CPU Slings, & Solid Surface Top |
| Tech Room | 14/A907 | P. Lam. Case w/ Locks, Solid Surface Top |
| Toilet (2 Required) | 121 / 122 | Solid Surface Tops with Integral Sinks |
| C1 Units | 5/A908 | Wood Veneer w/ Fixed Metal Dividers, P. Lam. Top, & Slat Wall |
| C3 Units | 3/A908 | Tall Wood Veneer Shelf Units |
| P1 Units | 1/A908 | Wood Shelves w/ P. Lam. Top |
| TA Unit | Uncertain? | Will Bid as G2 / G3 Units |
| Slat Wall | A/908 | Short & Tall as Detailed |
| End Panels -EPO1, EPO2, EPO3, EPO4 | A/908 | As Detailed |
| Steel Shelving Tops | A/908 | As Detailed |

Note: Next 4 Items are Additive Alternate #3

| | | |
|-------------------------|---------|-------------------|
| D1 Units (Add. Alt. #3) | 12/A908 | CD Racks |
| C2 Units (Add. Alt. #3) | 11/A908 | Gondola |
| G2 Units (Add. Alt. #3) | 2/A908 | Canted Book Shelf |
| G3 Units (Add. Alt. #3) | 4/A908 | Canted Book Shelf |



Cabinetmaker

P. O. Box 2789
McKinleyville, CA
95519-2789
Office (707) 839-0916
Fax (707) 839-4955
Cal Cont. Lis 580647

Date: 9 / 27 / 07

To: BIDDING GENERAL CONTRACTORS

Job: EAST SAN JOSE CARNEGIE BRANCH LIBRARY

Section: 06400 ARCHITECTURAL WOODWORK (See Scope Letter of 9/26/07)

Total Price F. O. B. Shop

7.25 % Sales Tax: Yes / No

Included

Delivery: F. O. B. / Included

Included

Installation: Yes / No

Included

W. I. Certification: Yes / No

Included

Total : \$147,000.00

For Additive Alternate #3, Add \$66,000

Terms of Sale: Net receipt of goods

1. Addenda #1 and #2 noted.
2. All work to plans and specifications, taxed, delivered, and installed.
- 3.

Upon Acceptance: Terms of sale binding to BOTH parties:

Buyer: _____

Signature: *Jack Coats*

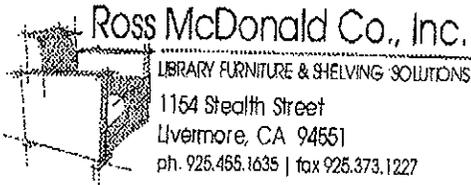
Title: _____

Date: 9/27/07



Cabinetmaker

EXHIBIT D



September 27, 2007

Lyncon Construction
2055 Junction Ave Ste 138
San Jose, CA 95131

Fax: 408-715-9547

Re: **East San Jose Carnegie Branch Library (Expansion/Reno)**
Section 11054
Steel Shelving only -

\$22,980 ✓

End Panels & Canopy Tops
EP1, EP2, EP3 (OPAC) EP4 -

\$14,860 ✓

} **\$37,840**

Section 06400

Fixed Specialty Shelving including Slatwall above:
C1, P1, C3 -

\$37,300

Slatwall SW01, SW02 -

\$5,100

} **42,400**

Alternate 3: Movable Specialty Shelving

C2, D1, A2, A3 -

\$52,960 3

The Ross McDonald Company is bidding the above-referenced project.

We are familiar with the aspects of our section and will be bidding per plans and specifications. We acknowledge Addenda 1-2. Our bid includes material, delivery, installation and sales tax.

We are signatory to the Northern California Carpenter's Union and maintain current California Contractor's License No. 314333 appropriate for this work. We are also bondable for our portion of this work. However, bonding costs are not included in our bid price

Please don't hesitate to call if you have any questions regarding this section.

Best regards,
ROSS McDONALD COMPANY, INC.

Robert Schmidt
Robert Schmidt

EXHIBIT E

Ellis & Ellis

SIGN SYSTEMS

FAX Transmittal

To: All General Contractors

Date: 9-27-2007

Firm Name:

Sent By: Jorge Diaz -916-569-3537

Fax Number sent to:

Originating fax number: 916.924.3133

We are Transmitting 5 pages including cover page

Comments: Please accept our bid for the signage portion of the East San Jose Carnegie Library. Sign type 34(item 26) has no detail for construction and is a custom sign for this specific project. Item 26 has a budgetary cost of \$20,000.00 for the construction of this sign type into the overall quote amount which could result in the overall amount of the quote to be lower. * We have worked on other San Jose city libraries with direct contact with city personnel and are knowledgeable with the sign package for this project. Other libraries are: Tully branch, Almaden branch, Vineland branch, Hillview branch, Edanvale branch, biblioteca branch, Ellington branch.

If you have any questions give me a call 569-3537 or my cell 869-3684.

thank you, Jorge Diaz

Original will not follow unless otherwise requested.

Ellis & Ellis Sign Systems

1111 Joellis Way
Sacramento, CA 95815

PHONE – 916.924.1936 FAX – 916.924.3133

Ellis & Ellis
 1111 Joellis Way
 Sacramento, CA 95815

916/924-1939
 916-924-3133 Fax

Quotation No. 33837

Please Reference Above Quotation Number On All Correspondence

| | | | |
|---------------|--|----------------|--|
| Client | Accounts Payable All General Contractors | Ship To | Shipping & Receiving General Contractor East San Jose Carnegie Branch Libra San Jose, CA 95136 |
|---------------|--|----------------|--|

ALL 01

| | | | |
|--|-----------------------|--|---------------------------|
| Phone 000-000-0000 | FAX 00-0000 | Phone 000-000-0000 | FAX |
| Estimated Delivery 11-12 Weeks | Ship Installed | Terms Progress Billing | F.O.B. Destination |
| Project East San Jose Carnegie Branch Library | | Quoted By Jorge Diaz / Jorge Diaz | Date 09/25/2007 |

| Item | Qty. | Description | Unit Price | Extension |
|------|------|--|------------|------------|
| 1. | 1 | Sign Type 1 Flat cut out 1/2" Thick aluminum letters assorted letter heights, at exterior book drops. | \$850.00 | \$850.00 |
| 2. | 1 | Sign type 2A Accessible Building Information, vinyl w/ ISA | \$20.00 | \$20.00 |
| 3. | 1 | Sign type 3 insert holder | \$80.00 | \$80.00 |
| 4. | 1 | Sign Type 4 Stock OPEN neon sign | \$325.00 | \$325.00 |
| 5. | 1 | Sign Type 5A Material Detection info sign | \$75.00 | \$75.00 |
| 6. | 3 | Sign type 5B EMERGENCY EXIT ONLY, MEN'S, WOMEN'S | \$95.00 | \$285.00 |
| 7. | 5 | Sign type 6 Flag mount | \$120.00 | \$600.00 |
| 8. | 8 | Sign type 7 4" x 1/2" flat cut out aluminum words copy varies | \$484.00 | \$3,872.00 |
| 9. | 1 | Sign type 7 4" x 1/2" flat cut out aluminum word COMMUNITY ROOM | \$525.00 | \$525.00 |
| 10. | 3 | Sign type 7B FCO aluminum letters 6-1/2" x 1/2" | \$699.00 | \$2,097.00 |
| 11. | 1 | Sign type 9 18" x 18" x 1/4" aluminum plaque with screen print copy. STANDARD sign type. | \$575.00 | \$575.00 |
| 12. | 1 | Sign type 10 14" x 18" x 1/4" aluminum with screen print copy. STANDARD. | \$575.00 | \$575.00 |
| 13. | 3 | Sign type 12 Secondary Collections ID | \$390.00 | \$1,170.00 |
| 14. | 14 | Sign type 13 Insert holder | \$80.00 | \$1,120.00 |
| 15. | 4 | Sign type 16 Primary Room ID | \$405.00 | \$1,620.00 |

Ellis & Ellis
1111 Joells Way
Sacramento, CA 95815

916-924-1939
916-924-3133 Fax

Quotation No. 33837

Please Reference Above Quotation Number On All Correspondence

Page 2

| Client | | Accounts Payable | Ship To | Shipping & Receiving | |
|--------|------|--|---------------------------------|----------------------|-------------|
| | | All General Contractors | | General Contractor | |
| Item | Qty. | Description | | Unit Price | Extension |
| 16. | 16 | Sign type 17 Secondary room ID | | \$55.00 | \$880.00 |
| 17. | 2 | Sign type 18 Evacuation map, Occupancy map | | \$300.00 | \$600.00 |
| 18. | 9 | Sign type 19 includes 4 UNISEX restroom door signs @ 75.00 each and 5 tactile EXIT signs @ 50.00 each. | | \$61.00 | \$549.00 |
| 19. | 4 | Sign type 20 Secondary Restroom ID | | \$390.00 | \$1,560.00 |
| 20. | 4 | Sign type 21 Insert holder | | \$355.00 | \$1,420.00 |
| 21. | 1 | Sign type 23 | | \$225.00 | \$225.00 |
| 22. | 1 | Sign type 25 Primary Internet Cafe ID | | \$2,200.00 | \$2,200.00 |
| 23. | 2 | Sign type 27 | | \$4,400.00 | \$8,800.00 |
| 24. | 2 | Sign type 29 Tertiary Display ID | | \$390.00 | \$780.00 |
| 25. | 2 | Sign type 32 Insert holder | | \$390.00 | \$780.00 |
| 26. | 1 | Sign type 34 CUSTOM Childrens sign | BUDGET for undefined sign type. | \$20,000.00 | \$20,000.00 |
| 27. | 2 | Sign type 38 Secondary Display ID explore discover on curved pipe | | \$1,700.00 | \$3,400.00 |
| 28. | 1 | Sign type 39 Secondary collections ID | | \$390.00 | \$390.00 |
| 29. | 6 | Sign type 42 Tertiary Collections ID | | \$80.00 | \$480.00 |
| 30. | 1 | Sign type 49 insert holder | | \$390.00 | \$390.00 |
| 31. | 1 | Sign type 51 Teens | | \$800.00 | \$800.00 |
| 32. | 1 | Sign type 63 Primary Building ID 12" x 2" rail mounted LIBRARY 2,025.00 8-1/4" x 1/2" flat cut out EAST SAN JOSE CARNEGIE BRANCH 1,612.00 | | \$3,700.00 | \$3,700.00 |

Continued On Next Page

Ellis & Ellis
 1111 Joellis Way
 Sacramento, CA 95815

Quotation No. 33837

Please Reference Above Quotation Number On All Correspondence

916-924-1939
 916-924-3133 Fax

Page 3

| <i>Client</i> | | <i>Ship To</i> | <i>Shipping & Receiving</i> | |
|--------------------------------|-------------|---|---|--------------------|
| Accounts Payable | | | General Contractor | |
| All General Contractors | | | | |
| <i>Item</i> | <i>Qty.</i> | <i>Description</i> | <i>Unit Price</i> | <i>Extension</i> |
| 33. | 1 | Sign type 64 | \$225.00 | \$225.00 |
| 34. | 2 | Sign type 65 | \$225.00 | \$450.00 |
| 35. | 1 | Sign type 66 | \$225.00 | \$225.00 |
| 36. | 1 | Sign type 67 | \$1,600.00 | \$1,600.00 |
| 37. | 1 | Sign type 68 | \$225.00 | \$225.00 |
| 38. | 1 | Sign lype 69 construction sign, 8' x 8' on posts | \$1,500.00 | \$1,500.00 |
| | | | Subtotal | \$64,968.00 |
| | | | 8.250 % Sales Tax | \$5,359.86 |
| | | | Estimated Crating & Shipping | \$0.00 |
| | | | Estimated Installation | \$13,184.00 |
| | | | Quote Total | \$83,511.86 |

Quotation Notes & Comments

THIS QUOTE WILL BE ADDED TO THE CONTRACT AS AN EXHIBIT.
 this bid is based on Addendum #1
 install based on prevailing wage, by non-union installers.

Sign type 34 has no detail for construction. This is a custom sign for this specific project. Item 26 has a budgetary cost of \$20,000.00 for the construction of this sign type into the overall quote amount which could result in the overall amount of the quote to be lower.

* We have worked on other San Jose city libraries with direct contact with city personnel and are knowledgeable with the sign package for this project.

Other libraries are: Tully branch, Almaden branch, Vineland branch, Hillview branch, Edarvale branch, biblioteca branch, Ellington branch.

This Quotation is issued subject to the terms and conditions as printed on the Conditions Included in this Quotation herein unless otherwise specifically agreed herein.

Submitted By:

Date:

Accepted By:

Date:



Department of Public Works
CITY FACILITIES ARCHITECTURAL SERVICES

September 7, 2007

**ADDENDUM NO. 1
FOR THE
EAST SAN JOSE CARNEGIE BRANCH LIBRARY**

Notice is hereby given that the following revisions, additions and/or deletions are hereby made of, and incorporated into plans and specifications for the **EAST SAN JOSE CARNEGIE BRANCH LIBRARY PROJECT**.

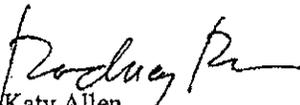
GENERAL:

Please find attached Addenda No. 1 with modified Project Manual and Drawings. Drawings are issued in sketch form, 8 1/2" x 11". A complete listing of all modified Project Manual and Drawings sheets is included in the attached documentation.

INSTRUCTIONS TO BIDDER:

The bidder must sign this addendum in the space provided below and return one signed copy of THIS SHEET ONLY with the bid. Failure to return this signed copy with the bid documents shall not relieve the bidder of the obligation to include this addendum with the bid proposal.

APPROVED BY:


Katy Allen
Director of Public Works

| | | |
|--|----------------------|----------------|
| <u>Jorge DIAZ</u> | <u>Ellis + Ellis</u> | <u>9/27/07</u> |
| Bidder's Name | <u>Sign Systems</u> | Date |
| <u> Project manager</u> | | |
| Signature & Title of Bidder | | |

EXHIBIT F

**B.T. Mancini Co., Inc.**

876 S. Milpitas Blvd.

P.O. Box 361930

Milpitas, Ca. 95036-1930

408-942-7900 / Fax: 408-945-1360

www.btmancini.com

CA Contractors Lic. #229210
NV Contractors Lic. #0010497**TO:**

Prospective Bidder

Date: September 27, 2007

NAME OF JOB: East San Jose Carnegie Library

ATTN: Estimator

LOCATION: San Jose, CA

PLANS BY:

DATE OF PLANS:

We propose to (furnish , furnish and install , install only) the following for the above project in accordance with the following terms and conditions and those appearing on the reverse side of this sheet.

Scope of Work:

1. Carpet Tile: Interface "Amplified II" and "Psychedelic II" loop carpet tile installed glue-down direct.
2. Linoleum Tile: Forbo Dual 20"x20" tile in a 3-color pattern installed with resilient base.
3. Layout line for the arcs must be provided by the architect.
4. Rubber Base: Burke or equal 4" straight and cove base with pre-molded outside corners.
5. This proposal includes **13 hours** of minor floor prep.
6. All work during regular working hours. Expected completion before 03/31/09.
7. Subfloor condition must be installation ready.
8. Addenda 1 and 2 have been reviewed for this proposal.

Exclusions:

1. Demolition and removals, Cleaning and filling of saw cuts, and schluter metal transitions.
2. Major floor prep, leveling, grinding, and moisture sealing.
3. Ceramic tile, sealed or stained concrete, Terrazzo floors.
4. Stair treads or risers, wood flooring, and walk-off mats.
5. Final cleaning, waxing, vacuum, or protection.

Base Bid**\$ 47,985.00****QUOTATION ACCEPTANCE:**

This quotation, unless otherwise noted, will remain in effect for 30 days from the above date. Upon acceptance by the Buyer and credit approval by the B.T. Mancini Co., Inc. this instrument shall constitute a binding contract. In the event the Buyer elects to issue his own purchase order or contract based on this quotation, the conditions contained herein shall be deemed to be incorporated in said purchase order or contract. This proposal expressly limits acceptance to the terms of The General Conditions of Sale contained herein. No terms additional or different from the General Conditions will be accepted, including, but not limited to, any terms which establish a "condition precedent" to the Buyer making payment to the Seller other than any "condition precedent" already contained in this proposal.

The undersigned hereby accepts this proposal and states that he has read the General Conditions of Sale on the reverse side.

Accepted _____
(Herein referred to as the "Buyer")

B.T. MANCINI CO., INC.

By _____

By _____
Ed Book

_____ Date _____

_____ Date _____

EXHIBIT G

GIALLO TILE & STONE

4817 Myrtle Ave Ste.G
Sacramento, Ca. 95841

Off. 916-334-TILE (8453)
Fax 916-670-1683

Lic. #830769

Project: Carnegie Library
San Jose, CA

9/25/07

General Contactor:
Lyncon Construction Co Inc

Attr: Estimating
Fax (408) 715-9547

Bid / Proposal

Specification

Floors: Dal Fabrique Series, Color "Gris Linen" 12"x12", base 3"x12" SBN
Walls: Dal 2 1/8"x8 1/2" D790 Artic White w/ SBN trim
Accent: Dal K060 concentric Circles Multi-Black
Base: A3481, 4" high 8 1/2" wide to match wall tile.
Thresholds: Schluter metal edge "Reno"
Rooms: 108 Toilet Floor & base only.
121 Mens Floors and walls to 6' aff.
122 Womens Floors and Walls to 6' aff.
124 Janitors Floors no base or wall tile.

All wall tile installed horizontally
All tile thinset. Addendas 1 & 2 noted.

Qualifications

Material & Labor prices subject to review after ninety days.
This proposal to be part of any contract
All floor and wall tile to be thin-set installation over properly prepared substrates by others.
Tile work area to be dedicated to Giallo Tile & Stone during normal business hours
contractor to supply acceptable clean out area within immediate location of job site
Accessibility to install exterior tile to be provided by owner/builder.

GIALLO TILE & STONE

4817 Myrtle Ave Ste.G
Sacramento, Ca. 95841

Off. 916-334-TILE (8453)
Fax 916-670-1683

Lic. #830769

Exclusions

Cement board, sealants, hot mops, caulking, thresholds, mock-ups, shop drawings, extreme site demolition & preparation, waterproofing, testing, expansion joints, Sunday work, epoxy grout, environmental controls, crack isolation membrane, as-builts

Warranty:

Giallo Tile And Stone Installation warranty is as follows:

For the period of one year from date of completion Giallo Tile And Stone guarantees our work to be free of defects in workmanship and material.

This warranty is void by the following: Abuse, misuse, accidental damage, ordinary wear and tear, modification and/or repairs by others, unknown construction defects and acts of nature.

Giallo Tile And Stone requests first opportunity to repair or make corrections in the event any such repairs or corrections are necessary.

Giallo Tile And Stone will in no way be held liable for damage(s) to any person or property and/or the temporary inability to use warranted areas until completion of the covered repairs or defects.

Requests for repairs or corrections shall be made in writing to Giallo Tile And Stone.

19,350.00

Total

19,350.00



Edward Fahmer
Giallo Tile & Stone

EXHIBIT H

DUDLEY ACOUSTICS, INC.



424 LANO STREET
SAN JOSE, CA 95125-1244

Acoustical Ceiling & Wall Treatments

Lic.# 355721

Phone (408) 292-3961

Fax (408) 297-5253

E-mail dudleyinc@sbcglobal.net

SEPTEMBER 27, 2007

TO: LYNCON CONSTRUCTION

ATTN: WINDY TENGARA

PROJECT: CARNEGIE LIBRARY

RE: SUSPENDED ACOUSTICAL & METAL CEILINGS
FABRIC WRAPPED WALL PANELS.

ACT: FURNISH & INSTALL ARMSTRONG CIRRUS SECOND LOOK III 2' x 4' REGULAR CEILING
TILE #511 IN ARMSTRONG SUPRA PINE 9/16" HEAVY DUTY GRID SYSTEM.

~~BID: \$24,010.00~~

SUSPENDED METAL CEILING: FURNISH & INSTALL "CEILINGS PLUS" 2' x 4' METAL PANEL
CEILING SYSTEM. BID INCLUDES MOCK-UP.

~~BID: \$37,125.00~~

WC-1,2,&3: FURNISH & INSTALL "WALL TECHNOLOGIES" A-108 SQ. EDGE FABRIC WRAPPED
WALL PANELS IN ROOMS #110, 111 AND 131.

BID: \$10,870.00

ADDENDUM #1 9-7-07 NOTED.
#2 9-24-07 NOTED.

BID IS PER PLANS DATED 9-6-07.
BID INCLUDES TAXES.

SINCERELY,

TODD FOSTER, PROJECT MANAGER
DUDLEY ACOUSTICS, INC.

\$61,135
Acoustical treatment



EXHIBIT I



**Clark Electric
Corporation**

3469 Victor Street
Santa Clara, CA 95054-2119
Tel: (408) 988-4358
Fax: (408) 988-4350
E-Mail: clarkete@shcglobal.net
Cont. License #679683

September 27, 2007

PROPOSAL

Ms. Wendy Tenggara
Lyncon Construction
2055 Junction Avenue, Suite 138
San Jose, CA 95131

Re: #5657LYN
East San Jose Carnegie Library

Dear Ms. Tenggara:

Clark Electric submits a total bid of **\$819,558.00** for the East San Jose Carnegie Library Electrical Project. This bid includes straight time electrical labor and materials, job reference: 5657LYN ; located at San Jose Carnegie Library, 1102 East Santa Clara Street, San Jose, California, 95116. The scope of work includes the following:

Supply and installation of electrical services as shown on Gould Evans Drawings, Dated September 7, 2007:

- A001 (Demolition), E0.0, E1.0, E3.0, E3.1, E4.0, E4.1, E5.0, F5.1, E6.0, E6.1, E7.0, E7.1, E8.0, E8.1, E8.2, E8.3, E9.0, E9.1.
- The following are included in this quote:
 - Power.
 - Trenching.
 - Fire alarm.
 - Communications.
 - Lighting.
 - Temporary power.
 - Concrete for the light pole bases.
 - Security.
 - Public Address.
 - Assisted Listening.
 - Audio Visual.
- Acknowledgement of Addendum #1 and Addendum #2.

QUALIFICATIONS: Any work not specifically covered in Clark Electric Corporation's proposed Scope of Work will require a Change Order.

Ms. Wendy Tenggara
Lyncon Construction
September 27, 2007
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EXCLUSIONS:

- Permits.
- Bonding.
- Overtime labor.
- Concrete work, except for the light poles.
- Painting.
- Patching.
- Backing.
- HVAC Controls.
- PG&E costs.
- Fire rated plywood and paint.
- Fire Alarm Central Station Monitoring.
- Any work not specifically listed in Clark Electric Corporation's proposed Scope of Work.
- Clark Electric will not be held liable for liquidated damage costs if the damages are due to any cause other than our own actions.

INSURANCE: Attached is a sample of a Certificate of Liability Insurance with Additional Insured. Any fees imposed by our insurance company for changes to these certificates are the responsibility of **Lyncon Construction.**

NOTE: Per the California Code of Regulations, Section 209.0, all of our electricians are State certified.

This bid is valid for thirty days from the date of this document. Our Terms of Payment are Net Thirty Days from the date of the invoice. Please note, a service charge of one and a half percent (1.5 %) per month, but not to exceed the highest amount lawfully allowed by contract in this state, will be made on all past due accounts.

Work may not commence, nor material be ordered, until a "hard copy" authorized signature and purchase order have been received by the Clark Electric office. Any changes to the Scope of Work detailed in this proposal require a Change Order signed by an authorized person including a Purchase Order Number.

Ms. Wendy Tenggara
Lyncon Construction
September 27, 2007
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Please call if you have any questions regarding this proposal or if you need any additional information. Also, please include our Work Order Number, 5657LYN, on all correspondence regarding this project.

We appreciate the opportunity of working with Lnycon Construction, and we look forward to developing a mutually rewarding relationship.

Sincerely,

Clark Electric Corporation

By:



Virgil D. Clark
Vice President

VDC:ev

DEC. 5. 2006 3:48PM

| | | |
|--|---|--|
| ACORD | | DATE (MM/DD/YYYY) 12/05/06 |
| PRODUCER INSURED'S COPY FEDERATED MUTUAL INSURANCE COMPANY 5701 W. Tuley Boulevard Glendale, AZ 85308 Phone: 1-888-333-4949 Home Office: Owatonna, MN 55060 | THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. | |
| INSURED CLARK ELECTRIC CORPORATION 3469 VICTOR ST SANTA CLARA CA 95054 | COMPANIES AFFORDING COVERAGE | |
| | COMPANY A | FEDERATED MUTUAL INSURANCE COMPANY OR FEDERATED SERVICE INSURANCE COMPANY |
| | COMPANY B | |
| | COMPANY C | |
| | 311-516-9 | COMPANY D |

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN. THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| CO LTR | TYPE OF INSURANCE | POLICY NUMBER | POLICY EFFECTIVE DATE (MM/DD/YY) | POLICY EXPIRATION DATE (MM/DD/YY) | UNITS |
|--------|--|---------------|----------------------------------|-----------------------------------|---|
| A | <input checked="" type="checkbox"/> GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> OWNER'S & CONTRACTOR'S PROT | 9801153 | 11/01/06 | 11/01/07 | GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 PERSONAL & ADV INJURY \$ 1,000,000 EACH OCCURRENCE \$ 1,000,000 FIRE DAMAGE (any and all) \$ 100,000 MED EXP (any one person) ? |
| A | <input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS | 9801153 | 11/01/06 | 11/01/07 | COMBINED SINGLE LIMIT \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE \$ AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EACH ACCIDENT \$ AGGREGATE \$ |
| A | <input type="checkbox"/> DAMAGE LIABILITY <input type="checkbox"/> ANY AUTO | | | | AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EACH ACCIDENT \$ AGGREGATE \$ EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 |
| A | <input checked="" type="checkbox"/> EXCESS LIABILITY <input checked="" type="checkbox"/> UMBRELLA FORM <input type="checkbox"/> OTHER THAN UMBRELLA FORM | 9370611 | 11/01/06 | 11/01/07 | WC STATUTE (Per person) \$ (Per accident) \$ EL DISEASE - POLICY LIMIT \$ EL DISEASE - EA EMPLOYEE \$ |
| | <input type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY THE PROPRIETOR/PARTNER/EXECUTIVE OFFICERS ARE: <input type="checkbox"/> INCL <input type="checkbox"/> EXCL <input type="checkbox"/> OTHER | | | | |

SAMPLE

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS

This copy is not to be reproduced for issuance of certificates.

Replace your current list of Certificateholders with the attached list.

PLEASE REVIEW THE LIST AND INFORM US OF ANY CHANGES WHICH SHOULD BE MADE

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL _____ DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES

AUTHORIZED REPRESENTATIVE

[Signature]

PRESIDENT, ACORD CORPORATION 1988

MAY 26 2008 3:49PM

Printed Internal Copy - fonts and format may vary from original.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED BY CONTRACT ENDORSEMENT

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART
OWNERS AND CONTRACTORS COVERAGE PART

- A. WHO IS AN INSURED for "bodily injury" and "property damage" liability is amended to include:
Any person or organization other than a joint venture, for which you have agreed by written contract to procure bodily injury or property damage liability insurance, arising out of operations performed by you or on your behalf; however, this additional insurance does not apply to:
 - 1. An employee, association of employees or labor union, except with respect to work performed by or for you for such employee, association of employees or labor union under direct contract between you as contractor and such employee, association of employees or labor union as owners;
 - 2. Any railroad company except with respect to work performed by or for you for such railroad company under direct contract or agreement between you and such railroad company; or
 - 3. Any person or organization whose profession, business or occupation is that of an architect, surveyor or engineer with respect to liability arising out of the preparation or approval of maps, drawings, opinions, reports, surveys, change orders, designs, specifications or the performance of any other professional services by such person or organization;
 - 4. Any of your Subcontractors, or any partner, officer, agent or employee of such Subcontractor.
- B. The Coverage extended to any additional insured by this endorsement is limited to, and subject to all terms, conditions, and exclusions of the Coverage part to which this endorsement is attached.
In addition Coverage shall not exceed the terms and conditions that are required by the terms of the written agreement to add any insured, or to procure insurance.
- C. The limits of insurance applicable to such insurance shall be the lesser of the limits required by the agreement between the parties or the limits provided by this policy.
- D. Additional exclusions. The insurance afforded to any person or organization as an insured under this endorsement does not apply:
 - 1. To "bodily injury" or "property damage" which occurs prior to the date of your contract with such person or organization;
 - 2. To "bodily injury" or "property damage" included within the "products/completed operations hazard";
 - 3. To "bodily injury" or "property damage" arising out of the sole negligence of any person or organization that would not be an insured except for this endorsement.

SAMPLE

Includes copyrighted material of Insurance Services Office, Inc. with its permission.

CG-F-48 (06-92)

Policy Number:

Transaction Effective Date:

6 Sheets including cover sheet



Clark Electric
CA. Contractors License 679683
3469 Victor Street
Santa Clara, CA 95054-2319
Tel. (408) 988-4358
Fax. (408) 988-4350

COMPANY NAME: Lyncoq Construction

FAX NUMBER: (408) 215-9542

ATTENTION: Wendy Tenggara

FROM: Virgil Clark

DATE: September 27, 2007

COMMENTS: East San Jose Carnegie Library

Please call if you have any
questions or if you need any
additional information.

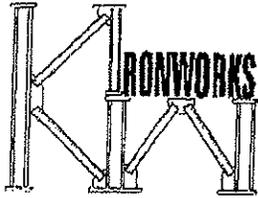
Good Luck!

Virgil Clark

FACSIMILE COVER SHEET

If you do not receive all sheets of this transmission, or if it is not legible, please call (408) 988-4358.

EXHIBIT J



Kwan Wo Ironworks Inc.

1363 Armstrong Ave.
San Francisco, CA 94124

Phone: (415) 822-9628
Fax: (415) 822-9068

License No: 643621
Proposal No: 07119
Date: 9/27/07
Page: 1 of 3

Proposal

To: «Company»
Address: «Address 1»
«City», «State» «Postal Code»
Phone: «Work Phone» Fax: «Fax Phone»

WBE/MBE Certified by SF Redevelopment Agency
Signatory to Ironworkers Local Union #377

Project: East San Jose Carnegie Branch Library, San Jose

A. SCOPE OF COVERAGE (Base Bid):

1. Furnish & install the following items with associated plates and bolts as shown on **structural** drawings:
 - a. Primed or bared-finish structural steel as per S2.0, S2.1, S2.2, S2.3;
 - b. **Galvanized** steel support at pop-out window as per 9,11/S3.2;
 - c. **Galvanized** canopy framing as per 4,8,11/S5.5, 1,2/A310;
 - d. Primed door track bracing as per 9,17/S5.5, ASD-011;
 - e. Primed braced frames as per S5.1, S5.2, S5.3.
2. Furnish & install the following items as shown on **architectural / landscape** drawings:
 - a. **Galvanized** ship ladder at basement as per A100;
 - b. **Galvanized** gates G1, G2, and G3 as per A101, L1.0, A800, 4,5/L4.1, 1/L4.2;
 - c. **Galvanized** railing at ramp and stair as per A101, A701, 3/L4.1, 1/A200
(exclude stainless steel handrail; refer to optional add item);
 - d. Infill existing guardrail at stair #3 as per A101, A701, 3/A200;
 - e. Fill and grind existing guardrail at stair #4 as per A101, A701;
 - f. **Galvanized** ship ladder to roof as per A101 (note 25), 27/A901 (exclude roof hatch);
 - g. Primed angle support at roof curb as per A102, 26/A901;
 - h. **Galvanized** "T" and "L" steel at coping of parapet as per A102, 1,2/A310, 1,2/A311, 13/A901, 1,2/A904;
 - i. Primed edge angle support at roof opening as per A102, 27/A901, 14,15/A904;
 - j. Primed plate support at louver L1 & L2 as per 2,3/A200, A801, 8/A901;
 - k. Primed tube steel frame at window #2 as per 3/A200, A801, 7/A902;
 - l. Primed tube steel frame at window #6 as per 4/A200, A801, 18,20/A903;
 - m. **Galvanized** channel support at sink countertop as per 2/A500, 11/A909;
 - n. Primed angle L4x4 support at storefront sill of community room as per 21/A600, 11/A906;
 - o. Primed tube steel post at security entry as per 24/A601.
3. Furnish **F.O.B.** job site the following items:
 - a. All embed anchor / items related to our works;
 - b. **Galvanized** pipe bollards at transformer area as per A002 (exclude concrete infill);
 - c. Primed angle L1x1 at window #6 as per 4/A200, A801, 20/A903;
 - d. Primed steel brackets at cantilever work surface as per 13,22/A907, 27/A909.

B. BID DOCUMENTS REFERENCED:

1. Addendum: #1, #2.
2. Architectural Drawings: As per drawing list in G001, dated 9/6/07.
3. Structural Drawings: As per drawing list in G001, dated 9/6/07.
4. Specification Section: 05120 Structural Steel, 05500 Metal Fabrications, 05700 Ornamental Metals.

C. NOTES AND CONDITIONS:

1. Our price is good for 30 days from date of our proposal, or days as specified in the bidding documents.
2. If there is an extreme increase cost for steel material, we need to be compensated for the increased cost through change order for the entire length of the project.
3. Our price includes only bared or primed or galvanized finish (whichever applies per plan and specification).
4. Controlling lines and levels must be provided by G.C. for our field measurements and installations.
5. Temporary electric power is provided for and including hookup of electric welding machines and small tools at no cost to Kwan Wo.
6. Site conditions must be all well prepared and demolished by G.C. to accommodate steel erection.
7. Additional splices at steel members, other than those indicated on plans, shall be considered extra cost.
8. Adequately level, graded and firm compacted roads for access, egress and movement of erection equipment throughout the project site are furnished by others at no cost to Kwan Wo in order that steel erection may be accomplished in the safest and most expeditious manner possible.
9. Our price is based upon work performed in a continuous manner -- regular 40 hours, five (5) day work week, Monday through Friday. Premium time and shift work shall be considered extra cost.
10. This proposal, as written, must be incorporated as a part of the sub-contract document in any resulting contract.
11. This proposal automatically supersedes our previous proposal(s) of the same job prevailing by their date, if any.
12. All steel railing and stair are locally manufactured in our shop based on construction drawings.

D. OUR PRICE EXCLUDES:

1. Specification Section: 05310 Steel Deck, 05400 Cold-Formed Metal Framing, 05581 Column Covers, 05810 Expansion Joint Cover Assemblies;
2. Deck support at column as per 18/S0.50 (refer to section 05310);
3. Channel support at low partition as per 1/A900 (not shown);
4. Angle at window detail as per 1,5,18/A903;
5. Steel frame and legs as per 02/A907 (no detail);
6. Demolition, Removal, Modification, Rectification, and/or Reinstallation of existing items;
7. Shoring, Waling, Structural Supporting Platform, Patch up, Grout and Grouting;
8. Digging and concrete work for fence post;
9. Stair tread safety nosing (U.O.N.); Warning tapes; Wood top rail for guardrail;
10. Materials, Drilling, and Installing of all inclined seismic epoxy adhesive anchors;
11. Materials and/or installations of all Wood-to-steel fasteners, Nuts & Washers for Nailer bolts & Welded studs, Simpson hardware, and Anchor bolts (Except those for steel column templates);
12. Material and installation of Temporary Perimeter Safety Cables at all locations;
13. Materials, installations and welding of all gauge metals/sheet metals, Light gage stud framing, Metal deck and accessories (Hoisting, Shear studs, Deck supports, Closures, Flashing, Trimming, etc.), Siding, Standing seam metal roofing, Unistrut systems, Suspended T-bar ceiling and supports, Stainless steel, Aluminum, Alloys, Copper, Brass, Bronze, Cast Iron, Cast Steel, Wrought Iron, FRP, Re-bar, wood, and other non-ferrous items;
14. All Frames, Fabric, and attachments at Chain-link Fences, Chain-link Gates, and Chain-link Guardrails;
15. Special Inspection Fee, Testing & Laboratory fee, Registered Surveyor, 3rd party charges / expenses;
16. Installation of embedded items, Rebar welding, and Core drilling;
17. Finish paint; Primer on galvanized items; Powder coating; Epoxy primer; Blast-cleaning; Fireproofing;
18. Paint/primer removals at steel members for metal deck and shear stud welding;
19. Unloading, Hoisting, Equipments, and Traffic control for FOB items;
20. Unloading, Hoisting, Equipments, Materials, Fasteners and Safety provisions for all other trades;
21. Hazardous material abatement, including all testing, monitoring, removals and disposal of hazardous materials (i.e. Asbestos, Lead based paint, etc.). General Contractor/Owner shall certify that hazardous materials have been abated prior to our commencing work;
22. All electrical components and hardware for metal gates (i.e. Locks, Intercoms, Panic hardware, operators, etc.);
23. Doors, Windows, Louvers, Lintel and Frames for the same;
24. Sumps, Drains, Grates, Downspouts, and Supports for the same (U.O.N.);
25. Sleeves, Pipes, Holes and Reinforcements at steel members for Electrical and Mechanical penetrations;
26. Ventilation or Evacuation of welding fumes;
27. Reference to Demolition, Civil, Mechanical, Plumbing, Fire Fighting, Telecom, and Electrical Drawings;
28. Bonds and Permits; All site insurances & sub-contractor's liabilities for condominium project;
29. Waiver of Subrogation endorsement;
30. All items or work not specified on this proposal.

E. PRICING:

Base bid: **Four Hundred Sixty-Eight Thousand Dollars** (\$468,000.00)

Payment Schedule: 10% Upon shop drawing submittal, 90% Progress Payment

Optional Add Item:

- 1. Furnish & install steel metal deck Add \$ 130,000.00
- 2. Furnish & install Temporary Perimeter Safety Cable at metal deck area (to be dismantled by others). Add \$ 24,000.00
- 3. Furnish & install stainless steel handrail at ramp and stair as per A101, A701 Add \$ 55,000.00

| | |
|---|---|
| <p>ACCEPTANCE OF PROPOSAL The above prices, specification and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.</p> <p>Authorized Signature: _____</p> <p>Date of Acceptance: _____</p> | <p>KWAN WO IRONWORKS INC. This proposal may be withdrawn by us if not accepted within 30 days.</p> <p>Authorized Signature: <u>Stephen Tsoy</u> Stephen Tsoy (Ext. 33)</p> <p>Date of Authorization: <u>September 27, 2007</u></p> |
|---|---|

If you should have any questions, please call Jahja Lieman at (415) 822-9628 Ext. 29.

MISC ALLOW

597,000
30,000

577,000
FBM

545,000

EXHIBIT K

Joe Wang Carpet & Flooring

116-A Starlite Street South San Francisco, CA94080
 Tel: (650) 636-1508 Fax: (650) 636-1511
 License # 651496 LBEMBE/ (HRC) # 41-124-45497

Proposal submitted to:

All Bidders
Carnegie Branch Library Project
 Job name:
 Address: 1102 E Santa Clara Street San Jose, CA95116
 Bidding Date: 27-Sep-2007 Time: 3:00PM
 Attention: Estimator
 Phone: Fax:

Estimator: Joe Wang Cell: 415-573-6889
 Phone #: 650-636-1508 Fax: 650-636-1511

We hereby submit specifications and estimates as below:

| Section NO. | Item Descriptions | Base Bid (\$) | Remark |
|--|---|--------------------|--------|
| 9685 | Carpet Tiles Material and Labor | \$6,800.00 | |
| 9657 / 9653 | Resilient Flooring and Base Material and Labor | \$46,000.00 | |
| 9644 | Wood Flooring - Solid Wood Douglas Fir (Direct Glue Down Install) Material and Labor | \$24,500.00 | |
| | Base Bid Total: | \$77,300.00 | |
| <p>Exclude : Wood Base, Threshold, Floor Cleaning & Wax, Repair Sub-floor, New Underlayment, Floor-leveling, Remove Existing Floor and Gibe, Vapor Emission Control, Heating System (Gas or Electric)</p> <p>Remark: We request material purchase 50% deposit of the Quotation Amount or joint check Agreement accept by our suppliers.</p> <p>Expire Date: Note: This Proposal may be withdrawn after 60 days.</p> <p>ACCEPTANCE OF PROPOSAL: The above prices and conditions are satisfactory and hereby ACCEPTED, you are authorized to do the work as specified.</p> | | | |
| General Contractor: | | | |
| Authorized Signature: By _____ | | Date: _____ | |

