

<u>Agenda</u> City of Beaumont City Council Meeting Closed Session 5:00 PM Regular Session 6:00 PM

Beaumont Financing Authority Beaumont Successor Agency (formerly RDA) Beaumont Utility Authority Beaumont Parking Authority Beaumont Public Improvement Authority Community Facilities District 93-1

> 550 E. 6th Street, Beaumont, Ca **Tuesday, October 1, 2019**

Materials related to an item on this agenda submitted to the City Council after distribution of the agenda packets are available for public inspection in the City Clerk's office at 550 E. 6th Street during normal business hours.

Any person with a disability who requires accommodations in order to participate in this meeting should telephone the City Clerk's office at (951) 769-8520, at least 48 hours prior to the meeting in order to make a request for a disability related modification or accommodation.

Any one person may address the City Council on any matter not on this agenda. If you wish to speak, please fill out a "Public Comment Form" provided at the back table and give it to the City Clerk. There is a three (3) minute limit on public comments. There will be no sharing or passing of time to another person. State Law prohibits the City Council from discussing or taking actions brought up by your comments.

Page

### **CLOSED SESSION**

A Closed Session of the City Council / Beaumont Financing Authority / Beaumont Utility Authority / Beaumont Successor Agency (formerly RDA)/Beaumont Parking Authority / Beaumont Public Improvement Authority may be held in accordance with state law which may include, but is not limited to, the following types of items: personnel matters, labor negotiations, security matters, providing instructions to real property negotiators and conference with legal counsel regarding pending litigation. Any public comment on Closed Session items will be taken prior to the Closed Session. Any required announcements or discussion of Closed Session items or actions following the Closed Session with be made in the City Council Chambers.

### CALL TO ORDER

Mayor Martinez, Mayor Pro Tem Santos, Council Member Carroll, Council Member Lara, and Council Member White

- 1. Public Comments Regarding Closed Session
- Existing Litigation Pursuant to Government Code Section 54956.9(d)(1): Two Matters: (1) Serrato v. City of Beaumont, Case No. RIC 1810937; (2) Peters v. City of Beaumont et. al., Case No. RIC 1707116

- 3. Conference with Legal Counsel Regarding Pending Litigation Pursuant to Government Code Section 54956.9(d)(1): - One Case Adverse to Norton Rose: Case Number RIC 1904645
- 4. Existing Litigation Pursuant to Government Code Section 54956.9(d)(1): Urban Logic v. City of Beaumont et. al., Riverside County Superior Case No. RIC 1707201
- Conference with Legal Counsel Pursuant to Government Code Section 54956.9(d)(1): - One Matter Related to National Opiate Litigation Listing All U.S. Cities as Class Members Including Beaumont, Which Action is Titled 'In Re: National Prescription Opiate Litigation, MDL No. 2804 (N.D. Ohio)'
- Conference with Legal Counsel Regarding Anticipated/Existing Litigation - Pursuant to Government Code Section 54956.9(d)(1)and/or(2) and/or (3). (Worker's Compensation Case No. PASN-002921, COBM-0051, and COBM-0069)
- Conference with Legal Counsel Regarding Anticipated Litigation Pursuant to Government Code Section 54956.9(d)(4): - One Potential Case

Adjourn to Closed Session

### **REGULAR SESSION**

### CALL TO ORDER

Mayor Martinez, Mayor Pro Tem Santos, Council Member Carroll, Council Member Lara, and Council Member White

Report out from Closed Session: Action on any Closed Session items:

Action on any requests for excused absence: Pledge of Allegiance: Approval/Adjustments to Agenda: Conflict of Interest Disclosure:

### ANNOUNCEMENTS/RECOGNITIONS/PROCLAMATIONS/CORRESPONDENCE

### 1. National Code Enforcement Week Recognition

# PUBLIC COMMENT PERIOD (ITEMS NOT ON THE AGENDA)

Any one person may address the City Council on any matter not on this agenda. If you wish to speak, please fill out a "Public Comment Form" provided at the back table and give it to the City Clerk. There is a three (3) minute time limit on public comments. There will be no sharing or passing of time to another person. State Law prohibits the City Council from discussing or taking actions brought up by your comments.

### **CONSENT CALENDAR**

Items on the consent calendar are taken as one action item unless an item is pulled for further discussion here or at the end of action items.

Approval of all Ordinances and Resolutions to be read by title only.

2.	Ratification of Warrants dated <u>Warrants dated 08.15.2019</u> <u>Warrants dated 09.12.2019</u> <u>Warrants dated 09.19.2019</u>	9 - 55
3.	Approval of Minutes <u>CC Minutes 09.17.19</u>	57 - 62
4.	Bond Exoneration for Bond No. K08619943, K08619906 and 113447 - K. Hovnanian Homes Recommended Council Action(s):	63 - 131
	<ol> <li>Waive the full reading and adopt by title only, "A Resolution of the City of Beaumont Authorizing the Mayor to Accept the Offers of Dedication Related to Sewer Improvements";</li> <li>Approve and authorize the Mayor to sign the following documents as well as authorize the City Manager to release and exonerate all of the following bonds 45 days after the recordation of the Notice of Completion: Notice of Completion for sewer improvements Certificate of Acceptance for sewer improvements; and</li> <li>Accept maintenance bond No. LICX1166623 to replace performance bond No. 1134474 street, sewer and storm drain.</li> </ol>	
	Staff Report - Html         Attachment A - Bond exoneration application no. 1134474, and associated         improvement plans         Attachment B - Bond exoneration application no. K008619943, and associated         improvement plans         Attachment C - Bond exoneration application no. K008619906, and associated         improvement plans         Attachment D - Notice of Completion K Hov         Attachment E - Certificate of Acceptance Offer of Dedication K HOV         Attachment F - Resolution Offer of Dedication         Attachment G - Maintenance Bond No. LICX1166623, Tract 33096-12	
5	Approve Lien Polesse for William Lyon Homes, LLC for Tract Man Numbers	122 204

5. Approve Lien Release for William Lyon Homes, LLC for Tract Map Numbers133 - 29434880 and 27971-5 within the Olivewood Specific Plan ResidentialDevelopment

Recommended Council Action(s):

1. Approve the lien release for William Lyon Homes, LLC for Tract Map Numbers 34880 and 27971-5 within the Olivewood specific plan residential development.

 Staff Report - Html

 Attachment A - Release of Lien 2017-0076553

 Attachment B - DOC #2017-0076553

 Attachment C - Bond PW2018-0304

 Attachment D - Bond 17-4108

 Attachment E - Bond 17-4109

 Attachment F - Release of Lien 2017-0076554

 Attachment G - DOC #2017-0076554

 Attachment H - Bond 17-4110, 17-4112

 Attachment I - Release of Lien 2017-0076559

 Attachment J - DOC #2017-0076559

 Attachment K - Bond 2078

 Attachment L - Bond 17-4156

Attachment M - Bond 17-4157

and

6.	<b>Approval of the Pretreatment Facilities Agreement with Perricone Juices</b> Recommended Council Action(s):	295 - 352
	City Council authorize the City Manager to execute the attached Pretreatment Facilities Agreement.	
	<u>Staff Report - Html</u>	
	<u>Attachment A - Pretreatment Agreement</u>	
7.	June 2019 Preliminary Financial Reports and July 2019 Financial Reports	353 - 365
	Recommended Council Action(s):	
	Receive and file.	
	<u>Staff Report - Html</u>	
	2019-07-31 Financial Reports	
	2019-06-30 Financial Reports updated	
	C HEARINGS	
	L HEAKINGS l of all Ordinances and Resolutions to be read by title only	
Πρριονα	of an orannances and resolutions to be read by the only	
ACTIO	N ITEMS	
Approva	l of all Ordinances and Resolutions to be read by title only.	
8.	Purchase of Three 2020 Ford Explorer Police Interceptors and Lease of Two	367 - 374
	2020 Ford Explorer Police Interceptors for the Police Department	
	Recommended Council Action(s):	
	1. Authorize staff to retire and auction the listed vehicles from the	
	Police Department fleet at a cost of \$870.00;	
	2. Authorize staff to purchase three and lease two Police Vehicles in	
	the total amount of \$195,114.35 from National Auto Fleet Group;	

3. Authorize staff to purchase emergency equipment and installation for all vehicles, in the amount not to exceed \$81,000.00 from West Coast Lights and Siren.

<u>Staff Report - Html</u> <u>Attachment A - Quotes</u>

 9. Provide Direction to Staff on Establishing a Moratorium Prohibiting Self-Storage, Recreational Vehicle Storage, Vehicle Parking Facilities and Similar Uses

 Recommended Council Action(s):
 Provide direction to staff on establishing a moratorium prohibiting self-storage, recreational vehicle storage, vehicle parking facilities and similar uses.

Staff Report - Html

10. Provide Direction to Staff on the Sign Ordinance as it Pertains to Bill	l <b>boards</b> 379 -
and Digital Display Conversions	380
Recommended Council Action(s):	

1. Provide direction to staff on the sign ordinance as it pertains to billboards and digital display conversions.

### Staff Report - Html

11. Approval of Contracts for Capital Improvement Project - Council Chamber381 -Renovation; Award of Contract for Design and Installation of Audio and Video545Enhancement to Council Chambers and Overflow Areas to Enko Systems, Inc.,545in the amount of \$125,927.25; Award of Contract for Council Chamber545Renovation Construction to GV Construction, Inc., in the Amount of587,501.77; Award of Contract for Design and Build of Council ChamberFurniture to GV Construction, Inc., in the Amount of \$44,520.00545

Recommended Council Action(s):

- 1. Approve the award of contract for design and installation of audio and video enhancement to Council Chambers and overflow areas to Enko Systems, Inc., in the amount of \$125,927.25, with the authorization for the City Manager to approve any change orders up to \$5,000.00;
- 2. Approve the award of contract for Council Chamber renovation construction to GV Construction Inc., in the amount of \$87,501.77, with the authorization for the City Manager to approve any change orders up to \$5,000.00; and
- Approve the award of contract for design and build of Council Chamber furniture to GV Construction, Inc., in the amount of \$44,520.00 with the authorization for the City Manager to approve any change orders up to \$5,000.00;

Staff Report - Html

<u>Attachment A - Design and Build of Furniture - GV Construction - Contract</u> <u>Attachment B - Design and Install of AV Equipment - Enko Systems - Contract</u> <u>Attachment C - Council Chamber Reno Construction - GV Construction - Contract</u>

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Page 6 of 647

12.	City Council Approval of Change Order No. 10 for the Wastewater Treatment Plant Upgrade/Expansion in the Amount Not to Exceed \$596,031.05 Recommended Council Action(s): 1. Approval of Change Order No. 10 for the Wastewater Treatment Plant Upgrade/Expansion in the Amount Not to Exceed \$596,031.05. Staff Report - Html Attachment A - Change Order No. 10	547 - 631
13.	Wastewater Treatment Plant Expansion/Renovation and Brine Pipeline Installation Project Status Update Recommended Council Action(s): 	633 - 643
14. 15.	Set Date and Time for a FY2020-21 Budget Workshop         Recommended Council Action(s):         1. Set a date and time for a workshop to discuss the FY2020-21 budget.         Staff Report - Html         Legislative Updates and Discussion	645

- **COUNCIL REPORTS** 
  - Carroll
  - Lara
  - Martinez
  - Santos
  - White

# ECONOMIC DEVELOPMENT UPDATE

Economic Development Committee Report Out and City Council Direction

# **CITY TREASURER REPORT**

Finance and Audit Committee Report Out and Council Direction

# **CITY CLERK REPORT**

# CITY ATTORNEY REPORT

16. <u>Status of Pending Litigation</u>

# **CITY MANAGER REPORT**

FUTURE AGENDA ITEMS

### Adjournment of the City Council of the October 1, 2019 Meeting at \_\_\_\_ p.m.

The next regular meeting of the Beaumont City Council, Beaumont Financing Authority, the Beaumont Successor Agency (formerly RDA), the Beaumont Utility Authority, the Beaumont Parking Authority and the Beaumont Public Improvement Agency is scheduled for Tuesday, October 15, 2019, at 5:00 p.m. or thereafter as noted on the posted Agenda for Closed Session items in the City Council Board Room No. 5, followed by the regular meeting at 6:00 p.m. or thereafter as noted on the posted Agenda at City Hall.

Beaumont City Hall – Online <u>www.BeaumontCa.gov</u>

AGENDA ITEM NO.



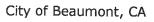
#### WARRANTS TO BE RATIFIED

Thursday, August 15, 2019

Printed Checks	102898-102979	\$ \$	115,219.70 1,387,299.60	
ACH	195-201	\$	6,268,889.81	
	A/P Total	\$	7,771,409.11	
				-
Bank Drafts	CitiBank	\$	2,127.80	Returned Sewer & Trash Payments
	Guardian	\$	20,685.67	Aug-19
	CalPERS	\$	49,857.70	743 Classic 2019/2020
		\$	44,649.46	742 Classic 2019/2020
		\$	13,482.55	25763 PEPRA 2019/2020
		\$	5,786.59	27308 PEPRA 2019/2020
	Merchant Bank	\$	247.33	Bank Deposit Bags

#### I DO HEREBY CERTIFY THIS WARRANT LIST HAS BEEN COMPILED AND PREPARED TO MEET THE DAILY OPERATIONS FOR THE FISCAL YEAR JULY 1, 2019 - JUNE 30, 2020

SIGNATURE: TITLE: CITY TREASURE SIGNATURE: TITLE: ADMINISTRATIVE SERVICES DIRECTOR





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Agenda Item No. 2. Check Report
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By Check Number

Vendor Number Bank Code: APBNK-A			Payment Date	Payment Type	Discount Amoun	t Payment Amount	: Number
3503	CITIZENS BUSINESS BANK		08/14/2019	EFT	0.00	) 198,197.62	195
Payable #	Payable Type	Post Date	Payable Descripti	on	Discount Amount Pa	yable Amount	
	Account Number		nt Name	Item Description	Distribution		
APPLICATION 8	Invoice	08/14/2019	W LYLES RETENTION	ON ESCROW	0.00	198,197.62	
	710-0000-8030-0000	CAPITA	AL IMPROVEMENT	W LYLES RETENTION	ESCROW 198	3,197.62	
3400	T.E. ROBERTS, INC		08/14/2019	EFT	0.00	796,295.22	196
Payable #	Payable Type	Post Date	Payable Descripti	on	Discount Amount Pa	vable Amount	
	Account Number		nt Name	Item Description	Distribution /		
APPLICATION 7	Invoice	08/14/2019	Brine Line Reach 2	- Contractor	0.00	796,295.22	
	710-0000-8030-0000	CAPITA	L IMPROVEMENT	Brine Line Reach 2 - C	Contractor 796	,295.22	
3396	W.M. LYLES CO.		08/14/2019	EFT	0.00	2 765 754 90	107
Payable #	Payable Type	Post Date	Payable Description		Discount Amount Pa	-,	197
	Account Number	Account	it Name	Item Description	Distribution A		
APPLICATION 8	Invoice	08/14/2019	WWTP SALT MITIO	ATION UPGRADE - CON	N 0.00	3,765,754.80	
	710-0000-8030-0000	CAPITA	L IMPROVEMENT	WWTP SALT MITIGAT		,754.80	
3394	WEKA INC		08/14/2019	EFT	0.00	1,209,091.16	109
Payable #	Payable Type	Post Date	Payable Description	on	Discount Amount Par	-///00 1120	190
	Account Number	Accoun	t Name	Item Description	Distribution A		
APPLICATION 8	Invoice	08/14/2019	Brine Line Reach 1		0.00	1,209,091.16	
	710-0000-8030-0000	CAPITA	L IMPROVEMENT	Brine Line Reach 1 - Co		.091.16	
3229	ICMA - RC		08/15/2019	EFT	0.00	1 247 00	400
Payable #	Payable Type	Post Date	Payable Descriptio		Discount Amount Pay	1,347.80	199
	Account Number	Account		Item Description	Distribution A		
PD 08/02/19	Invoice	08/14/2019	EMPLOYEE CONTR	•	0.00	1,347.80	
	100-0000-2075-0000		ED COMPENSATI	EMPLOYEE CONTRIBU		585.43	
	100-0000-2075-0000	DEFERR	ED COMPENSATI	EMPLOYEE CONTRIBU		112.37	
	100-1200-6026-0000	DEFERR	ED COMP	EMPLOYEE CONTRIBU		650.00	
2264	SEIU		08/15/2019	EFT	0.00	1 640 54	200
Payable #	Payable Type	Post Date	Payable Descriptio		Discount Amount Pay	1,640.54	200
	Account Number	Account		Item Description	Distribution A		
PD 08/02/19	Invoice	08/15/2019	EMPLOYEE DUES		0.00	1,640.54	
	100-0000-2061-0000	P.E.R.C.	DUES & INS	EMPLOYEE DUES		1,040.34 640.54	
2295	SLOVAK BARON EMPEY ML	Ι ΡΗΥ & ΡΙΝΚΝΕΥ	08/15/2019	EFT	0.00		204
Payable #	Payable Type	Post Date	Payable Description		Discount Amount Pay	177,664.67	201
	Account Number	Account		Item Description			
53789			LEGAL SERVICES	tem bescription	Distribution A		
	120-9663-7300-0000		CTUAL SERVICES	LEGAL SERVICES	0.00	1,567.50 567.50	
53790		06/30/2019	LEGAL SERVICES		0.00	4,757.50	
	120-9663-7300-0000	CONTRA	CTUAL SERVICES	LEGAL SERVICES		757.50	
53791	Invoice	06/30/2019	LEGAL SERVICES				
	120-9663-7300-0000		CTUAL SERVICES	LEGAL SERVICES	0.00	1,760.00 760.00	
<u>53792</u>	Invoice	06/30/2019	LEGAL SERVICES		-		
	120-9663-7300-0000			LEGAL SERVICES	0.00	724.17 /24.17	
<u>53793</u>	Invoice		LEGAL SERVICES				
	120-9663-7300-0000	-		FGAL SEDVICES	0.00	880.00	
52704				LEGAL SERVICES	8	80.00	
<u>53794</u>	Invoice	06/30/2019	LEGAL SERVICES		0.00	3,885.16	

# Agenda Item No. 2.

				Date Range: 08/09/2019 - 08/15/2
Vendor Number	Vendor Name 120-9663-7300-0000	Payment Date CONTRACTUAL SERVICES	Payment Type LEGAL SERVICES	Discount Amount Payment Amount Number 3,885.16
<u>53795</u>	Invoice 120-9663-7300-0000	06/30/2019 LEGAL SERVICES CONTRACTUAL SERVICES	LEGAL SERVICES	0.00 22,768.08 22,768.08
<u>53796</u>	Invoice 120-9663-7300-0000	06/30/2019 LEGAL SERVICES CONTRACTUAL SERVICES	LEGAL SERVICES	0.00 23,192.66 23,192.66
<u>53797</u>	Invoice 120-9663-7300-0000	06/30/2019 LEGAL SERVICES CONTRACTUAL SERVICES	LEGAL SERVICES	0.00 857.08
53798	Invoice 120-9663-7300-0000	06/30/2019 LEGAL SERVICES CONTRACTUAL SERVICES	LEGAL SERVICES	0.00 55.00 55.00
<u>53799</u>	Invoice 120-9663-7300-0000	06/30/2019 LEGAL SERVICES CONTRACTUAL SERVICES	LEGAL SERVICES	0.00 <b>1</b> ,650.00 1,650.00
<u>53800</u>	Invoice 120-9663-7300-0000	06/30/2019 LEGAL SERVICES CONTRACTUAL SERVICES	LEGAL SERVICES	0.00 3,800.10 3,800.10
<u>53801</u>	Invoice 120-9663-7300-0000	06/30/2019 LEGAL SERVICES CONTRACTUAL SERVICES	LEGAL SERVICES	0.00 13,045.42 13,045.42
<u>53802</u>	Invoice 120-9663-7300-0000	06/30/2019 LEGAL SERVICES CONTRACTUAL SERVICES	LEGAL SERVICES	0.00 7,500.00 7,500.00
<u>53811</u>	Invoice 120-9663-7300-0000	06/30/2019 LEGAL SERVICES CONTRACTUAL SERVICES	LEGAL SERVICES	0.00 1,725.12 1,725.12
53948	Invoice 120-9663-7300-0000	08/14/2019 LEGAL SERVICES CONTRACTUAL SERVICES	LEGAL SERVICES	0.00 3,652.30 3,652.30
<u>53949</u>	Invoice 120-9663-7300-0000	08/14/2019 LEGAL SERVICES CONTRACTUAL SERVICES	LEGAL SERVICES	0.00 82.50 82.50
<u>53950</u>	Invoice 120-9663-7300-0000	08/14/2019 LEGAL SERVICES CONTRACTUAL SERVICES	LEGAL SERVICES	0.00 1,595.00 1,595.00
<u>53951</u>	Invoice 120-9663-7300-0000	08/14/2019 LEGAL SERVICES CONTRACTUAL SERVICES	LEGAL SERVICES	0.00 2,997.50 2,997.50
<u>53953</u>	Invoice 120-9663-7300-0000	08/14/2019 LEGAL SERVICES CONTRACTUAL SERVICES	LEGAL SERVICES	0.00 10,697.50 10,697.50
<u>53954</u>	Invoice 120-9663-7300-0000	08/14/2019 LEGAL SERVICES CONTRACTUAL SERVICES	LEGAL SERVICES	0.00 440.00 440.00
<u>53955</u>	Invoice 120-9663-7300-0000	08/14/2019 LEGAL SERVICES CONTRACTUAL SERVICES	LEGAL SERVICES	0.00 9,130.00 9,130.00
<u>53956</u>	Invoice 120-9663-7300-0000	08/14/2019 LEGAL SERVICES CONTRACTUAL SERVICES	LEGAL SERVICES	0.00 14,263.33 14,263.33
<u>53958</u>	Invoice 120-9663-7300-0000	08/14/2019 LEGAL SERVICES CONTRACTUAL SERVICES	LEGAL SERVICES	0.00 4,063.05 4,063.05
<u>53959</u>	Invoice 120-9663-7300-0000	08/14/2019 LEGAL SERVICES CONTRACTUAL SERVICES	LEGAL SERVICES	0.00 39.00 39.00
<u>53960</u>	Invoice 120-9663-7300-0000	08/14/2019 LEGAL SERVICES CONTRACTUAL SERVICES	LEGAL SERVICES	0.00 444.86 444.86
<u>53961</u>	Invoice 120-9663-7300-0000	08/14/2019 LEGAL SERVICES CONTRACTUAL SERVICES	LEGAL SERVICES	0.00 3,250.40 3,250.40
<u>53962</u>	Invoice 120-9663-7300-0000	08/14/2019 LEGAL SERVICES CONTRACTUAL SERVICES	LEGAL SERVICES	0.00 17,821.44 17,821.44
<u>53963</u>	Invoice 120-9663-7300-0000	08/14/2019 LEGAL SERVICES CONTRACTUAL SERVICES	LEGAL SERVICES	0.00 7,500.00 7,500.00
<u>53966</u>	Invoice 120-9663-7300-0000	08/14/2019 LEGAL SERVICES CONTRACTUAL SERVICES	LEGAL SERVICES	0.00 13,520.00 13,520.00
3101	WRCOG	08/15/2019	EFT	0.00 118,898.00 202

Agenda Item No. 2.

Date Range: 08/09/2019 - 08/15/2019

спеск керогс						Da	ate Range: 08/0	9/20	19 - 08/15/2
Vendor Number Payable #	Vendor Name Payable Type	Post Date	Payment Date Payable Descripti				Payment Am yable Amount	ount	Number
	Account Number	Acco	unt Name	Item Description	Dis	tribution A	mount		
JULY 2019	Invoice	08/15/2019	JULY TUMF FEES			0.00	118,898.00		
	570-0000-2010-0000	DUE	TO WRCOG (TUMF)	JULY TUMF FEES		118,	.898.00		
1001	<b>3SI SECURITY SYSTEMS</b>		08/15/2019	Regular		0.00	64	8.00	102898
Payable #	Payable Type	Post Date	Payable Descripti	on	Discount Am	ount Pay	able Amount		
	Account Number	Accor	unt Name	Item Description		ribution A			
INV723725	Invoice	06/30/2019	SOFTWARE			0.00	648.00		
	<u>100-1230-7071-6040</u>		WARE (POLICE DEPT	SOFTWARE			648.00 648.00		
1036	ALBERT A. WEBB ASSOCI	ATES	08/15/2019	Regular		0.00	256 15	E 13	102899
Payable #	Payable Type	Post Date	Payable Description	+	Discount Amo			5.12	102899
	Account Number	Accou	Int Name	Item Description					
192922	Invoice	08/14/2019		es During Construction		ribution A			
	710-0000-7068-0000		RACTUAL SERVICE	Engineering Services D		0.00 232,	232,444.03 444.03		
<u>192923</u>	Invoice	08/14/2019	Engineering Servic	es During Const BRIN	(	0.00	12,830.34		
	710-0000-7068-0000	CONT	RACTUAL SERVICE	Engineering Services D	Ouring Con	12,	830.34		
<u>192924</u>	Invoice	08/14/2019	Engineering Servic	es During Construction	(	0.00	6.037.61		
	710-0000-7068-0000	CONT	RACTUAL SERVICE	Engineering Services D	Ouring Con	6,0	037.61		
192924-2	Invoice	08/14/2019	Engineering Servic	es During Const BRIN	(	0.00	5,143,14		
	710-0000-7068-0000		RACTUAL SERVICE	Engineering Services D		-	5,145.14 143.14		
1050	AMAZON CAPITAL SERVIC	ES	08/15/2019	Regular		0.00	30	6.71	102900
Payable #	Payable Type	Post Date	Payable Description	n	Discount Amo	unt Paya	able Amount		
	Account Number	Accou	nt Name	Item Description	Dist	ribution Ar	nount		
17HH-QXGR-C9K	Invoice	08/14/2019	OFFICE SUPPLIES	·		0.00	33.85		
	100-1200-7025-0000	-	E SUPPLIES	OFFICE SUPPLIES	· · · ·		33.85		
1KW1-WNCO-QF	Invoice	08/14/2019	OFFICE SUPPLIES		C	.00	150.59		
	100-2000-7025-0000		E SUPPLIES	OFFICE SUPPLIES			-		
	100-2030-7025-0000		E SUPPLIES	OFFICE SUPPLIES			7.53		
	100-2050-7025-0000						7.53		
			E SUPPLIES	OFFICE SUPPLIES		1	135.53		
1NMF-G6Q4-LMP	Invoice	06/30/2019	OFFICE SUPPLIES		C	.00	54.75		
	750-7000-7025-0000	OFFIC	E SUPPLIES	OFFICE SUPPLIES			54.75		
1PPW-VJYL-9P3C	Invoice	08/14/2019	OFFICE SUPPLIES		0	.00	67.52		
	100-2000-7025-0000		ESUPPLIES	OFFICE SUPPLIES	Ū	.00			
	100-2030-7025-0000		E SUPPLIES	OFFICE SUPPLIES			3.38		
	100-2050-7025-0000						3.37		
	100-2030-7023-0000	OFFICI	E SUPPLIES	OFFICE SUPPLIES			60.77		
1053	AMERICAN FORENSIC NUR	SES	08/15/2019	Regular		0.00			
Payable #	Payable Type	Post Date	Payable Descriptio	-	Discount August	0.00	56	.00	102901
	Account Number				Discount Amo				
73303			nt Name	Item Description		ibution An	nount		
72382	Invoice	08/14/2019		Nurses - Blood Analysi		.00	56.00		
	100-2050-7068-0000	CONTR	RACTUAL SERVICES	American Forensic Nurs	ses - Bloo		56.00		
1080	ARAMARK		08/15/2019	Regular		0.00	24	00	102002
Payable #	Payable Type	Post Date	Payable Descriptio	-	Discount Ameri			.99	102902
-	Account Number		nt Name		Discount Amou	•			
1608762	Invoice			Item Description		bution Am			
2000/02		08/14/2019	OFFICE SUPPLIES		0.	.00	24.99		
	100-2000-7025-0000		SUPPLIES	OFFICE SUPPLIES			1.25		
	100-2030-7025-0000		SUPPLIES	OFFICE SUPPLIES			1.25		
	100-2050-7025-0000	OFFICE	SUPPLIES	OFFICE SUPPLIES			22.49		
3722	ARCHIVESOCIAL		08/15/2019	Regular		0.00	2,388.	.00	102903

Check Report

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						Date Range: 08/	09/2019 - 08/15/2
Vendor Number Payable #	Vendor Name Payable Type Account Number	Post Date	Payment Date Payable Descript	tion	Discount Amount	nount Payment Ar Payable Amount	mount Number
7010			nt Name	Item Description		tion Amount	
7010	Invoice	06/30/2019	ARCHIVING SERV		0.00	2,388.00	
	100-1150-7068-0000		RACTUAL SERVICES	ARCHIVING SERVICES		1,592.00	
	100-2050-7068-0000	CONTR	RACTUAL SERVICES	ARCHIVING SERVICES		796.00	
1100	117070117						
1100	AUTOZONE		08/15/2019	Regular		0.00 8	21.49 102904
Payable #	Payable Type	Post Date	Payable Descript	ion	<b>Discount Amount</b>	Payable Amount	
	Account Number	Accourt	nt Name	Item Description		tion Amount	
2882002814	Invoice	08/14/2019	VEHICLE MAINTE	NANCE	0.00	30.35	
	750-7400-7037-0000	VEHICI	E MAINTENANCE	VEHICLE MAINTENANCE		30.35	
2882002881	Invoice	08/14/2019	VEHICLE MAINTE	NANCE	0.00	75.00	
	750-7900-7037-0000		E MAINTENANCE	-	- 0.00	75.83	
			E MAINTENANCE	VEHICLE MAINTENANCE	-	75.83	
2882004128	Invoice	08/14/2019	VEHICLE MAINTE	NANCE	0.00	20.46	
	100-2050-7037-0000	VEHIC	E MAINTENANCE	VEHICLE MAINTENANCE		20.46	
2882004438	Invoice	08/14/2019	VEHICLE MAINTEI	NANCE	0.00	00.00	
	100-2050-7037-0000		E MAINTENANCE	VEHICLE MAINTENANCE	0.00	82.32	
222222						82.32	
2882004878	Invoice	08/14/2019	VEHICLE MAINTEI	NANCE	0.00	33.57	
	1.00~2050-7037-0000	VEHICL	E MAINTENANCE	VEHICLE MAINTENANCE		33.57	
2882005081	Invoice	08/14/2019	VEHICLE MAINTEI	NANCE	0.00	74.24	
	100-2050-7037-0000		E MAINTENANCE	VEHICLE MAINTENANCE		74.34	
2000000000						74.34	
2882006049	Invoice	08/14/2019	VEHICLE MAINTER	NANCE	0.00	132.30	
	100-6050-7037-0000	VEHICL	E MAINTENANCE	VEHICLE MAINTENANCE		132.30	
2882006050	Invoice	08/14/2019	VEHICLE MAINTER	NANCE	0.00	40.04	
	100-6050-7037-0000		E MAINTENANCE	VEHICLE MAINTENANCE		48.01	
2222222				-		48.01	
2882999419	Invoice	08/14/2019	VEHICLE MAINTEN	NANCE	0.00	38.79	
	750-7300-7037-0000	VEHICL	E MAINTENANCE	VEHICLE MAINTENANCE		38.79	
2882999659	Invoice	08/14/2019	VEHICLE MAINTEN	ANCE	0.00	285.52	
	750-7100-7037-0000		E MAINTENANCE	VEHICLE MAINTENANCE		285.52	
						203.32	
3129	BC RENTALS, INC		08/15/2019	Regular		0.00 4	0.05 400005
Payable #	Payable Type	Post Date	Payable Description	-		Payable Amount	3.05 102905
•	Account Number	Accoun					
0040907-IN	Invoice	08/14/2019	DEPT SUPPLIES	Item Description		ion Amount	
	100-6000-7085-6041				0.00	43.05	
	100-0000-7085-0041	BLDG IV	AINT - POLICE AN	DEPT SUPPLIES		43.05	
1127	BEAUMONT DO IT BEST		00/45/2040				
			08/15/2019	Regular			9.20 102906
Payable #	Payable Type	Post Date	Payable Description		Discount Amount	Payable Amount	
171700	Account Number	Account		Item Description	Distributi	on Amount	
474791	Invoice	08/14/2019	DEPARTMENT SUP		0.00	29.08	
	700-4050-7070-0000	SPECIAL	DEPT SUPPLIES	DEPARTMENT SUPPLIES	SEWE	29.08	
475183	Invoice	08/14/2019	DEPARTMENT SUP	PLIES - SEWER	0.00	16.02	
	700-4050-7070-0000		DEPT SUPPLIES	DEPARTMENT SUPPLIES -		16.93	
470000					SEVVE	16.93	
475301	Invoice	08/14/2019	DEPARTMENT SUP	PLIES - SEWER	0.00	18.88	
	700-4050-7070-0000	SPECIAL	DEPT SUPPLIES	DEPARTMENT SUPPLIES -	SEWE	18.88	
475667	Invoice	08/14/2019	DEPARTMENT SUP	PLIES - SEWER	0.00	33.97	
	700-4050-7070-0000		DEPT SUPPLIES	DEPARTMENT SUPPLIES -		33.97	
175670					SLVVL	55.97	
<u>475673</u>	Invoice	08/14/2019	DEPARTMENT SUP		0.00	43.58	
	700-4050-7070-0000	SPECIAL	DEPT SUPPLIES	DEPARTMENT SUPPLIES -	SEWE	43.58	
475692	Invoice	08/14/2019	DEPARTMENT SUP	PLIES - SEWER	0.00	10.66	
	700-4050-7070-0000		DEPT SUPPLIES	DEPARTMENT SUPPLIES -			
ATCOLO					JLVVL	10.66	
475850	Invoice	08/14/2019	VEHICLE MAINTEN		0.00	6.10	
	750-7300-7037-0000	VEHICLE	MAINTENANCE	VEHICLE MAINTENANCE		6.10	
4420							
1136	BEAUMONT POWER EQU	IPMENT	08/15/2019	Regular	C	.00 163	3.16 102907

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Vendor Number Payable #	Vendor Name Payable Type	Post Date	Payment Date Payable Descript	Payment Type ion	Discount An Discount Amount	nount Payment Amoun Payable Amount	
	Account Number	Accou	nt Name	Item Description	Distribu	tion Amount	
<u>1887</u>	Invoice 100-6050-7090-0000	08/14/2019 EQUIP	EQUIPMENT MAI MENT SUPPLIES/M	NTENANCE EQUIPMENT MAINTEN	0.00 NANCE	29.08 29.08	
1888	Invoice 100-6050-7090-0000	08/14/2019 EQUIP	EQUIPMENT MAI MENT SUPPLIES/M	NTENANCE EQUIPMENT MAINTEN	0.00 IANCE	29.08 29.08	
<u>1889</u>	Invoice 100-6050-7090-0000	08/14/2019 EQUIP	EQUIPMENT MAII MENT SUPPLIES/M	NTENANCE EQUIPMENT MAINTEN	0.00	35.00 35.00	
<u>1890</u>	Invoice 100-6050-7090-0000	08/14/2019 EQUIP	EQUIPMENT MAII MENT SUPPLIES/M	NTENANCE EQUIPMENT MAINTEN	0.00 IANCE	35.00 35.00	
<u>1891</u>	Invoice 100-6050-7090-0000	08/14/2019 EQUIP	EQUIPMENT MAII MENT SUPPLIES/M	NTENANCE EQUIPMENT MAINTEN	0.00 IANCE	35.00 35.00	
3721			00 (45 /0040				
Payable #	BULLETPROOF IT, LLC Payable Type	Post Date	08/15/2019	Regular	_		102908
i ayable #	Account Number		Payable Descripti			Payable Amount	
05202019-2	Invoice		It Name	Item Description		tion Amount	
05202015-2	100-2050-7070-0000	06/30/2019 SPECIA	DEPT SUPPLIES	DEPT SUPPLIES	0.00	2,045.31 2,045.31	
3602	BURRTEC WASTE GROUP,	INC	08/15/2019	Regular		0.00 36.244.95	102000
Payable #	Payable Type	Post Date	Payable Description	-	Discount Amount	0.00 36,244.95 Payable Amount	102909
	Account Number		it Name	Item Description		ion Amount	
08022019-3	Invoice	08/14/2019		rvices for the WWTP	0.00		
	700-4050-7068-0000		ACTUAL SERVICES	Sludge Hauling Services		36,244.95 36,244.95	
1219	CAPIO		08/15/2019	Regular		0.00 225.00	102910
Payable #	Payable Type	Post Date	Payable Description	-	Discount Amount	Payable Amount	102310
	Account Number	Accoun	t Name	Item Description		ion Amount	
7545	Invoice	08/14/2019	MEMBERSHIP REN	•	0.00	225.00	
	100-2090-7030-0000	DUES 8	SUBSCRIPTIONS	MEMBERSHIP RENEWA		225.00	
1238	CDW GOVERNMENT, INC.		08/15/2019	Regular		0.00 2,392.08	102011
Payable #	Payable Type	Post Date	Payable Description	-		Payable Amount	102911
	Account Number	Accoun	t Name	Item Description		ion Amount	
TBQ8654	Invoice	08/14/2019	SOFTWARE		0.00	2,392.08	
	100-1230-7071-6026		ARE (BLDG B)	SOFTWARE	0.00	2,392.08	
1273	CHRISTOPHER CREWS		08/15/2019	Regular		0.00 2,110.52	102012
Payable #	Payable Type	Post Date	Payable Description	-	Discount Amount	-,	102912
	Account Number	Account	t Name	Item Description		ion Amount	_
08/19/19-08/23/	Invoice	08/14/2019	EMPLOYEE TRAINII	•	0.00		
	100-2050-7066-0000	• •		EMPLOYEE TRAINING	0.00	1,182.86 🖌 1,182.86	
00/01/10 00/07/						1,102.00	
<u>09/24/19-09/27/</u>	Invoice 100-2050-7066-0000	08/14/2019 TRAVEL	EMPLOYEE TRAINII , EDUCATION, TRA	NG EMPLOYEE TRAINING	0.00	927.66 927.66	
1282	CINTAS CORPORATION #69	10	00/15/2010	De suls :			
Payable #	Payable Type		08/15/2019	Regular		0.00 267.19	102913
rayable #		Post Date	Payable Descriptio		Discount Amount	•	
E01/010E00	Account Number	Account		Item Description	Distributi	on Amount	
5014213529	Invoice	08/14/2019	VEHICLE MAINTEN	ANCE	0.00	267.19	
	750-7300-7037-0000	VEHICLE	MAINTENANCE	VEHICLE MAINTENANCE	5	267.19	
1296	CLARK'S TOWING		00/15/2010	Degular			
Payable #		Book Dat-	08/15/2019	Regular		0.00 1,616.56	102914
i ayabic #	Payable Type	Post Date	Payable Descriptio		Discount Amount		
C2E20	Account Number	Account		Item Description		on Amount	
<u>S2539</u>	Invoice	08/14/2019	VEHICLE MAINTEN		0.00	85.00	
	100-2050-7037-0000	VEHICLE	MAINTENANCE	VEHICLE MAINTENANCE	E	85.00	
<u>S3078</u>	Invoice	06/30/2019	Bus Tow		0.00	1,531.56	
	750-7200-7037-0000		MAINTENANCE	Bus Tow	0.00	1,531.56	
						-,	

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Vendor Number 1353	Vendor Name		Payment Date	Payment Type	Discount Am		ment Amount	
Payable #	CUSTOM TROPHIES		08/15/2019	Regular		0.00		102915
rayavie #	Payable Type Account Number	Post Date	Payable Descripti		Discount Amount			
000563			nt Name	Item Description		ion Amoun	t	
00000	Invoice 100-2050-7070-0000	08/14/2019	DEPT SUPPLIES		0.00		28.01	
	100-2030-7070-0000	SPECIA	L DEPT SUPPLIES	DEPT SUPPLIES		28.03	1	
1402	DEPARTMENT OF JUSTIC	F	08/15/2019	Regular		0.00	4 3 4 5 4 5	100015
Payable #	Payable Type	Post Date	Payable Descripti	-		0.00	•	102916
	Account Number		nt Name	Item Description	Discount Amount	ion Amount		
394077	Invoice	08/14/2019	DOJ Livescan Finge		0.00		346.00	
	100-2050-7031-0000	LIVE SC	AN-FINGERPRINTI	DOJ Livescan Fingerpri		1,346.00		
					0	<b>_</b> )5 .0100		
1414	DIAMOND HILLS AUTO G	ROUP	08/15/2019	Regular	(	0.00	39.53	102917
Payable #	Payable Type	Post Date	Payable Description	on	<b>Discount Amount</b>	Payable A	mount	
	Account Number		nt Name	Item Description		on Amount		
653867	Invoice	08/14/2019	VEHICLE MAINTEN		0.00		39.53	
	<u>100-2050-7037-0000</u>	VEHICL	E MAINTENANCE	VEHICLE MAINTENANC	E	39.53	1	
1424	DIRECTV		00/15 (2010	Dec. la c				
Payable #	Payable Type	Post Date	08/15/2019 Payable Descriptio	Regular		0.00		102918
	Account Number		t Name	Item Description	Discount Amount			
36507611721	Invoice	08/14/2019	BUILDING UTILITY	item bescription		on Amount		
	100-1230-7015-0000	TELEPH		BUILDING UTILITY	0.00		108.99	
			U.I.L	DOLEDING OTHERT		108.99		
1445	DUDEK		08/15/2019	Regular	C	0.00	1,377.50	102919
Payable #	Payable Type	Post Date	Payable Description	on -	Discount Amount			102313
	Account Number	Accoun	t Name	Item Description		on Amount		
<u>20195331</u>	Invoice	08/14/2019	GROUNDWATER M	IANAGEMENT	0.00	1,3	377.50	
	700-4050-7068-0000	CONTRA	ACTUAL SERVICES	GROUNDWATER MANA	GEMENT	1,377.50		
1479	ENTENMANN-ROVIN CO		08/15/2019	Regular	a	.00	128 73	102920
Payable #	Payable Type	Post Date	Payable Descriptio	n	Discount Amount			102320
	Account Number	Account	t Name	Item Description		on Amount		
0145528-IN	Invoice	08/14/2019	EMPLOYEE UNIFOR	RM	0.00	1	28.73	
	100-2050-7065-0000	UNIFOR	MS	EMPLOYEE UNIFORM		128.73		
1499	EVIDENT		08/15/2019	Deputer				
Payable #	Payable Type	Post Date	Payable Descriptio	Regular		.00		102921
	Account Number	Account	•	Item Description	Discount Amount		nount	
146857B	Invoice	08/14/2019	DEPT SUPPLIES	nem bescription	0.00	on Amount	04 50	
	100-2050-7070-0000		DEPT SUPPLIES	DEPT SUPPLIES	0.00	94.50	94.50	
1501	FAIRVIEW FORD		08/15/2019	Regular	0.	.00	540.01	102922
Payable #	Payable Type	Post Date	Payable Descriptio	n	Discount Amount		nount	
610000	Account Number	Account		Item Description	Distributio	n Amount		
<u>619290</u>	Invoice	08/14/2019	Fairview Ford		0.00	3	60.19	
	100-2000-7037-0000		MAINTENANCE	Fairview Ford		51.46		
	<u>100-2030-7037-0000</u> 100-2050-7037-0000		MAINTENANCE	Fairview Ford		51.46		
	100-2030-7037-0000	VEHICLE	MAINTENANCE	Fairview Ford		257.27		
<u>619543</u>	Invoice	08/14/2019	Fairview Ford		0.00		83.42	
	100-2000-7037-0000		MAINTENANCE	Fairview Ford		11.92		
	<u>100-2030-7037-0000</u>		MAINTENANCE	Fairview Ford		11.92		
	100-2050-7037-0000	VEHICLE	MAINTENANCE	Fairview Ford		59.58		
621466	Invoice		VEHICLE MAINTENA	NCE	0.00	9	96.40	
	750-7300-7037-0000	VEHICLE	MAINTENANCE	VEHICLE MAINTENANCE	Ξ	96.40		
1518			00/15/0010	D I				
7370	FLYERS ENERGY		08/15/2019	Regular	0.0	00	1,504.94	102923

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#### Date Range: 08/09/2019 - 08/15/2019

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Ň	/endor Number Payable #	Vendor Name Payable Type Account Number	Post Date	Payable Descript		Discount Amount	ount Payment Amoun Payable Amount	t Number
	055 1005524			nt Name	Item Description	Distribut	ion Amount	
	CFS-1996634	Invoice	08/14/2019	FUEL CARDS		0.00	1,504.94	
		750-7100-7050-0000	FUEL		FUEL CARDS		147.40	
		750-7400-7050-0000	FUEL		FUEL CARDS		1,029.88	
		750-7600-7050-0000	FUEL		FUEL CARDS		220.36	
		750-7700-7050-0000	FUEL		FUEL CARDS		107.30	
							107100	
1	522	FOX OCCUPATIONAL		08/15/2019	Regular		0.00 455.00	0 102924
	Payable #	Payabie Type	Post Date	Payable Descript	-	<b>Discount Amount</b>		5 102924
	-	Account Number	Accou	nt Name	Item Description			
	109007	Invoice	08/14/2019	HIRING COSTS	tem Description		ion Amount	
	100007					0.00	455.00	
		100-1240-6050-0000		ITMENT AND HIRI	HIRING COSTS		185.00	
		100-1240-6050-0000		ITMENT AND HIRI	HIRING COSTS		140.00	
		100-3250-6019-0000	FIRST	AID	HIRING COSTS		90.00	
		700-4050-6019-0000	FIRST	AID	HIRING COSTS		40.00	
1	533	FRONTIER COMMUNICA	TIONS	08/15/2019	Regular	(	0.00 3.199.66	102925
	Payable #	Payable Type	Post Date	Payable Descripti	_	Discount Amount	-,	102525
		Account Number	Accou	nt Name	Item Description		on Amount	
	209-042-1999-06	Invoice	08/14/2019	PHONE UTILITIES	item beschption			
		100-1230-7015-6040		ONE (POLICE DPT)	PHONE UTILITIES	0.00	288.09	
				IONE (FOLICE DET)	PHONE UTILITIES		288.09	
	213-181-1343-03	Invoice	08/14/2019	PHONE UTILITIES		0.00	78.77	
		700-4050-7015-0000	TELEP	IONE	PHONE UTILITIES		78.77	
	323-156-8188-02	Invoice	08/14/2019	PHONE UTILITIES		0.00		
	110 000 0100 01	100-1230-7015-6060				0.00	85.98	
		100-1230-7013-8080	IELEPP	IONE (4th ST YARD	PHONE UTILITIES		85.98	
	951-769-6032-08	Invoice	08/14/2019	PHONE UTILITY		0.00	78.55	
		100-1230-7015-5400	TELEPH	IONE - SPORTS PAR	PHONE UTILITY		78.55	
	951-769-8500-01	Invoice	08/14/2019					
	221 102-0200-01			PHONE UTILITIES		0.00	1,924.88	
		100-1230-7015-6040	TELEPH	IONE (POLICE DPT)	PHONE UTILITIES		1,924.88	
	951-769-8520-01	Invoice	08/14/2019	PHONE UTILITY		0.00	267.74	
		100-1230-7015-6025	TELEPH	IONE (CITY HALL)	PHONE UTILITY		267.74	
	951-769-8530-06	Invoice	09/14/2010					
	221 / 02-0330-00		08/14/2019	PHONE UTILITIES		0.00	256.56	
		750-7000-7015-0000	TELEPH	ONE	PHONE UTILITIES		256.56	
	<u>951-769-8533-09</u>	Invoice	08/14/2019	PHONE UTILITY		0.00	62,23	
		750-7300-7015-0000	TELEPH	ONE	PHONE UTILITY		62.23	
	951-769-8539-04	Inveloe	00/14/2010				02.25	
	551-705-0555-04	Invoice	08/14/2019	PHONE UTILITIES		0.00	156.86	
		100-1230-7015-6045	TELEPH	ONE (COMM CTR)	PHONE UTILITIES		156.86	
45	50							
12	53	GALLS INC.		08/15/2019	Regular			102926
	Payable #	Payable Type	Post Date	Payable Description	on	Discount Amount	Payable Amount	
		Account Number	Accoun	t Name	Item Description		n Amount	
	BC0899076	Invoice	08/14/2019	EMPLOYEE UNIFO	RMS	0.00	550.14	
		100-2050-7065-0000	UNIFOF	RMS	EMPLOYEE UNIFORMS		550.14	
	BC0900237	Invoice	09/14/2010					
	00000207		08/14/2019	EMPLOYEE UNIFO		0.00	9.57	
		100-2050-7065-0000	UNIFOR	IMS	EMPLOYEE UNIFORMS		9.57	
	BC0903420	Invoice	08/14/2019	EMPLOYEE UNIFO	RMS	0.00	227.27	
		100-2050-7065-0000	UNIFOR	MS	EMPLOYEE UNIFORMS		227.27	
							££1,£1	
33	69	GOVERNMENT FINANCE O		0 08/15/2010	Regular	~	00	400000
	Payable #	Payable Type	Post Date		+			102927
		Account Number		Payable Descriptio		Discount Amount		
	0122420		Accoun		Item Description	Distributio	n Amount	
	<u>0133439</u>	Invoice	08/14/2019		EWAL 10/01/19-09/30/	0.00	305.00	
		100-1225-7030-0000	DUES &	SUBSCRIPTIONS	MEMBERSHIP RENEWA	L 10/01/	305.00	
_								
353	15	HD SUPPLY FACILITIES MA	INTENANCE LTD	08/15/2019	Regular	0.	00 1,348.06	102928
							,	

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Date	Range:	08/09/	2019 -	08/15/	/2019

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Vendor Number Payable #	Vendor Name Payable Type	Post Date	Payable Descripti			Amount Pa	Payment Amoun yable Amount	t Number
<u>968792</u>	Account Number Invoice 700-4050-7070-0000	08/14/2019	INT Name DEPARTMENT SUF AL DEPT SUPPLIES	Item Description PPLIES - SEWER DEPARTMENT SUPPLIE	S - SEWE	Distribution A 0.00 1	Amount 1,348.06 ,348.06	
1643 Payable #	HUNTINGTON COURT RE Payable Type	Post Date	Payable Description		Discount		yable Amount	3 102929
<u>32166</u>	Account Number Invoice 100-2050-7068-0000	08/14/2019	nt Name Huntington Transc RACTUAL SERVICES	Item Description ription Services Huntington Transcription	on Servic	Distribution A 0.00	1 <b>mount</b> 950.18 950.18	
1679 Payable #	INTERWEST CONSULTING Payable Type	G GRP, INC. Post Date	08/15/2019 Payable Descriptio	Regular	Discount	0.00 Amount Pay		102930
51336	Account Number Invoice 100-1230-7071-0000		nt Name GIS SERVICES FOR	Item Description		Distribution A 0.00		
3732 Payable # <u>08/13/19</u>	JAVIER MARIN JR Payable Type Account Number Invoice 100-1240-7081-0000	08/14/2019	08/15/2019 Payable Description nt Name SETTLEMENT - VEH COSTS	Item Description		0.00 Amount Pay Distribution A 0.00	able Amount	102931
3726 Payable # <u>356</u> <u>357</u>	JONPAUL NELSON Payable Type Account Number Invoice 100-2030-7039-0000 Invoice 100-2030-7039-0000	08/14/2019 CODE   08/14/2019	08/15/2019 Payable Description nt Name WEED ABATEMENT ENFORCEMENT WEED ABATEMENT ENFORCEMENT	Item Description FSERVICES WEED ABATEMENT SER	RVICES	0.00	rable Amount mount 1,225.00 225.00 1,610.00	102932
2908 Payable # 05/12/19-06/13/	JULIO MARTINEZ Payable Type Account Number Invoice	Post Date	08/15/2019 Payable Descriptio nt Name TRAVEL REIMBURS	Regular n Item Description	Discount /	0.00 Amount Pay Distribution A	able Amount mount	102933
<u>69/22/13 00/13/</u>	100-1050-7035-0000		MEETINGS	TRAVEL REIMBURSEME	NT	0.00	650.38 650.38	
1770 Payable # <u>08/12/19</u>	K HOVNANIAN Payable Type Account Number Invoice 567-0000-7900-0000 569-0000-7900-0000	08/14/2019 MITIGA	08/15/2019 Payable Descriptio It Name REIMBURSE DIF FEI ITION FEE REFUND ITION FEE REFUND	Regular n Item Description ES PER AGREEMENT REIMBURSE DIF FEES PE REIMBURSE DIF FEES PE	ER AGRE	456,2		102934
1805 Payable # <u>9005929646</u>	KONICA MINOLTA BUSINE Payable Type Account Number Invoice 100-1230-7090-6026	Post Date Accoun 08/14/2019	08/15/2019 Payable Description It Name EQUIPMENT MAINT SUPPLIES/MAINT (	Item Description		Distribution An 0.00	1,126.99 able Amount nount 127.73 127.73	102935
<u>9005929731</u>	Invoice 100-1230-7090-6025 100-1230-7090-6040 100-1230-7090-6045 750-7000-7090-0000	08/14/2019 EQUIP S EQUIP S EQUIP S	PRINTER SERVICES SUPPLIES/MAINT ( SUPPLIES/MAINT ( SUPPLIES/MAINT ( MENT SUPPLIES/M	EQUIPMENT MAINTENA EQUIPMENT MAINTENA EQUIPMENT MAINTENA EQUIPMENT MAINTENA	ANCE ANCE ANCE	0.00 3 1 1	999.26 338.12 .97.58 48.61 14.95	
1806	KONICA MINOLTA PREMIE	ER FINANCE	08/15/2019	Regular		0.00	600.17	102936

Agenda Item No. 2.

спеск керог						Date Range: 08/0	9/2019 - 08/1	5/2019
Vendor Number Payable #	Vendor Name Payable Type	Post Date	Payment Date Payable Descripti	ion		nount Payment Ame Payable Amount	ount Numbe	ər
<u>391398641</u>	Account Number Invoice 100-1230-7075-6026 700-4050-7075-0000	08/14/2019 EQUIP	INT Name EQUIPMENT RENT PMENT LEASING/RE PMENT LEASING/RE	Item Description FAL EQUIPMENT RENTAL EQUIPMENT RENTAL	Distribu 0.00	tion Amount 600.17 420.12 180.05		
1806 Payable #	KONICA MINOLTA PREM Payable Type Account Number	Post Date	08/15/2019 Payable Description Int Name			Payable Amount	3.92 102937	
<u>33784245</u>	Invoice 100-1230-7090-6026 700-4050-7090-6026	08/14/2019 EQUIP		Item Description PLIES AND MAINTENANC EQUIPMENT SUPPLIES EQUIPMENT SUPPLIES	0.00 AND MAI	tion Amount 123.92 49.57 74.35		
3373	MIRIAM AVALOS		08/15/2019	Regular		0.00 400	0.11 102938	ŧ
Payable #	Payable Type Account Number		Payable Description	on Item Description	Distribut	Payable Amount tion Amount		•
<u>002</u>	Invoice 100-6050-7037-0000	08/14/2019 VEHICI	VEHICLE MAINTEN LE MAINTENANCE	IANCE VEHICLE MAINTENANC	0.00 E	400.11 400.11		
1984 Payable #	NAPA AUTO PARTS Payable Type Account Number	Post Date Accour	08/15/2019 Payable Description nt Name	Regular on Item Description		0.00 2,259 Payable Amount ion Amount	9.16 102939	
096606	Invoice 100-2050-7037-0000	08/14/2019 VEHICI	VEHICLE MAINTEN LE MAINTENANCE	IANCE VEHICLE MAINTENANCI	0.00 E	308.51 308.51		
096660	Invoice 100-2050-7037-0000	08/14/2019 VEHICI	VEHICLE MAINTEN LE MAINTENANCE	ANCE VEHICLE MAINTENANCI	0.00 E	28.00 28.00		
<u>097105</u>	Invoice 100-2000-7037-0000	08/14/2019 VEHICL	VEHICLE MAINTEN E MAINTENANCE	ANCE VEHICLE MAINTENANCI	0.00	76.19 76.19		
097161	Invoice 750-7300-7037-0000	08/14/2019 VEHICL	VEHICLE MAINTEN E MAINTENANCE	ANCE VEHICLE MAINTENANCE	0.00	8.60 8.60		
097417	Invoice 750-7300-7037-0000		VEHICLE MAINTEN E MAINTENANCE	ANCE VEHICLE MAINTENANCE	0.00	45.08 45.08		
<u>097437</u>	Credit Memo 750-7700-7037-0000	08/14/2019 VEHICL	RETURNED PARTS	RETURNED PARTS	0.00	-39.05 -39.05		
<u>097552</u>	Invoice 750-7600-7037-0000	08/14/2019 VEHICL	VEHICLE MAINTEN	ANCE VEHICLE MAINTENANCE	0.00	23.68 23.68		
<u>097616</u>	Credit Memo 750-7300-7037-0000	08/14/2019 VEHICL	RETURNED PARTS E MAINTENANCE	RETURNED PARTS	0.00	-45.08 -45.08		
097626	Invoice 100-2050-7037-0000		VEHICLE MAINTEN E MAINTENANCE	ANCE VEHICLE MAINTENANCE	0.00	141.14 141.14		
<u>097795</u>	Invoice 750-7400-7037-0000		VEHICLE MAINTEN	ANCE VEHICLE MAINTENANCE	0.00	138.45 138.45		
097858	Invoice 100-6050-7037-0000	08/14/2019 VEHICL	VEHICLE MAINTENA E MAINTENANCE	ANCE VEHICLE MAINTENANCE	0.00	25.47 25.47		
097904	Invoice 750-7400-7037-0000	08/14/2019 VEHICL	VEHICLE MAINTENA E MAINTENANCE	ANCE VEHICLE MAINTENANCE	0.00	5.06 5.06		
097919	Invoice 750-7400-7037-0000	08/14/2019 VEHICLI	VEHICLE MAINTENA E MAINTENANCE	ANCE VEHICLE MAINTENANCE	0.00	17.43 17.43		
<u>09<b>79</b>37</u>	Invoice 100-2100-7037-0000	08/14/2019 VEHICLI	VEHICLE MAINTENA E MAINTENANCE	ANCE VEHICLE MAINTENANCE	0.00	513.41 513.41		
097972	Invoice 100-2100-7037-0000	08/14/2019 VEHICLE	VEHICLE MAINTENA E MAINTENANCE	ANCE VEHICLE MAINTENANCE	0.00	7.53 7.53		
097978	Invoice 750-7300-7037-0000		VEHICLE MAINTENA E MAINTENANCE	ANCE VEHICLE MAINTENANCE	0.00	21.53 21.53		
097982	Invoice	08/14/2019	VEHICLE MAINTENA	ANCE	0.00	8.60		

# Agenda Item No. 2.

15**/20**19

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Check Report							
-						Date Range: 08/09	9/2019 - 08/15/2
Vendor Number	Vendor Name 100-2050-7037-0000	VEHICI	Payment Date E MAINTENANCE	Payment Type VEHICLE MAINTENANCE	Discount Am	ount Payment Amo 8.60	ount Number
098154	Invoice 750-7400-7037-0000	08/14/2019 VEHICI	VEHICLE MAINTEI E MAINTENANCE	NANCE VEHICLE MAINTENANCE	0.00	55.17 55.17	
098233	Invoice 100-6050-7037-0000	08/14/2019 VEHICL	VEHICLE MAINTER	NANCE VEHICLE MAINTENANCE	0.00	152.46 152.46	
098234	Invoice 750-7300-7037-0000	08/14/2019 VEHICL	VEHICLE MAINTER	NANCE VEHICLE MAINTENANCE	0.00	27.99 27.99	
098288	Invoice 750-7300-7037-0000	08/14/2019 VEHICL	VEHICLE MAINTER	NANCE VEHICLE MAINTENANCE	0.00	7.53	
<u>098<b>3</b>27</u>	Credit Memo 100-2100-7037-0000	08/14/2019 VEHICL	RETURNED PARTS E MAINTENANCE	RETURNED PARTS	0.00	-131.99 -131,99	
098654	Invoice 750-7900-7037-0000	08/14/2019 VEHICL	VEHICLE MAINTEN E MAINTENANCE		0.00	199.25 199.25	
098693	Invoice 750-7900-7037-0000	08/14/2019	VEHICLE MAINTEN		0.00	33.93 33.93	
098755	Invoice 750-7600-7037-0000	08/14/2019 VEHICL	VEHICLE MAINTEN E MAINTENANCE	VANCE VEHICLE MAINTENANCE	0.00	42.01 42.01	
098761	Invoice 750-7300-7037-0000	08/14/2019 VEHICL	VEHICLE MAINTEN E MAINTENANCE	VANCE VEHICLE MAINTENANCE	0.00	27.99	
<u>098848</u>	Invoice 750-7900-7037-0000	08/14/2019 VEHICL	VEHICLE MAINTEN E MAINTENANCE	IANCE VEHICLE MAINTENANCE	0.00	374.96 374.96	
<u>099006</u>	Invoice 750-7400-7037-0000	08/14/2019 VEHICL	VEHICLE MAINTEN E MAINTENANCE	IANCE VEHICLE MAINTENANCE	0.00	185.31 185.31	
2009	**Void** O'REULY AUTO DADTO		08/15/2019	Regular		0.00 0	0.00 102940
	O'REILLY AUTO PARTS		08/15/2019	Regular	(	0.00 1.565	.98 102941
Payable #	Payable Type	Post Date	08/15/2019 Payable Description	-		_,	.98 102941
Payable #		Post Date Accoun	Payable Description	-	iscount Amount	0.00 1,565 Payable Amount on Amount	.98 102941
	Payable Type	Account 08/14/2019	Payable Description	Item Description	iscount Amount	Payable Amount	.98 102941
Payable #	Payable Type Account Number Invoice	Accoun 08/14/2019 VEHICLI 08/14/2019	Payable Description t Name VEHICLE MAINTEN	Item Description IANCE VEHICLE MAINTENANCE	)iscount Amount Distributi	Payable Amount on Amount 30.15	.98 102941
Payable # 2678-202099	Payable Type Account Number Invoice 100-2050-7037-0000 Invoice	Account 08/14/2019 VEHICLI 08/14/2019 VEHICLI 08/14/2019	Payable Description t Name VEHICLE MAINTEN MAINTENANCE VEHICLE MAINTEN	Item Description IANCE VEHICLE MAINTENANCE IANCE VEHICLE MAINTENANCE	<b>Discount Amount</b> Distributi 0.00	Payable Amount on Amount 30.15 30.15 51.35	.98 102941
Payable # <u>2678-202099</u> <u>2678-202931</u>	Payable Type Account Number Invoice 100-2050-7037-0000 Invoice 100-2000-7037-0000 Invoice	Account 08/14/2019 VEHICLI 08/14/2019 VEHICLI 08/14/2019 VEHICLI 08/14/2019	Payable Description t Name VEHICLE MAINTEN MAINTENANCE VEHICLE MAINTEN MAINTENANCE VEHICLE MAINTEN	Item Description IANCE VEHICLE MAINTENANCE IANCE VEHICLE MAINTENANCE IANCE VEHICLE MAINTENANCE	Discount Amount Distributi 0.00 0.00	Payable Amount on Amount 30.15 30.15 51.35 51.35 4.62	.98 102941
Payable # 2678-202099 2678-202931 2678-203547	Payable Type Account Number Invoice 100-2050-7037-0000 Invoice 100-2050-7037-0000 Invoice 100-2050-7037-0000 Invoice	Account 08/14/2019 VEHICLI 08/14/2019 VEHICLI 08/14/2019 VEHICLI 08/14/2019 VEHICLI 08/14/2019	Payable Description t Name VEHICLE MAINTEN MAINTENANCE VEHICLE MAINTEN MAINTENANCE VEHICLE MAINTEN MAINTENANCE VEHICLE MAINTEN	Don E Item Description IANCE VEHICLE MAINTENANCE VEHICLE MAINTENANCE VEHICLE MAINTENANCE ANCE VEHICLE MAINTENANCE	Discount Amount Distributi 0.00 0.00 0.00	Payable Amount on Amount 30.15 30.15 51.35 51.35 4.62 4.62 340.39	.98 102941
Payable # 2678-202099 2678-202931 2678-203547 2678-203574	Payable Type Account Number Invoice 100-2050-7037-0000 Invoice 100-2050-7037-0000 Invoice 100-2050-7037-0000 Invoice 100-2050-7037-0000 Invoice	Account 08/14/2019 VEHICLI 08/14/2019 VEHICLI 08/14/2019 VEHICLI 08/14/2019 VEHICLI 08/14/2019 VEHICLI	Payable Description t Name VEHICLE MAINTEN E MAINTENANCE VEHICLE MAINTEN MAINTENANCE VEHICLE MAINTEN MAINTENANCE VEHICLE MAINTEN MAINTENANCE	Item Description IANCE VEHICLE MAINTENANCE IANCE VEHICLE MAINTENANCE VEHICLE MAINTENANCE ANCE VEHICLE MAINTENANCE ANCE	Discount Amount Distributi 0.00 0.00 0.00 0.00	Payable Amount on Amount 30.15 30.15 51.35 51.35 4.62 4.62 340.39 340.39 222.81	.98 102941
Payable # 2678-202099 2678-202931 2678-203547 2678-203574 2678-203692	Payable Type Account Number Invoice 100-2050-7037-0000 Invoice 100-2050-7037-0000 Invoice 100-2050-7037-0000 Invoice 750-7600-7037-0000 Credit Memo	Account 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019	Payable Description t Name VEHICLE MAINTEN MAINTENANCE VEHICLE MAINTEN MAINTENANCE VEHICLE MAINTEN MAINTENANCE VEHICLE MAINTEN MAINTENANCE RETURNED PARTS MAINTENANCE VEHICLE MAINTEN	Item Description Item Description IANCE VEHICLE MAINTENANCE VEHICLE MAINTENANCE VEHICLE MAINTENANCE VEHICLE MAINTENANCE ANCE VEHICLE MAINTENANCE ANCE VEHICLE MAINTENANCE	Discount Amount Distributi 0.00 0.00 0.00 0.00 0.00	Payable Amount on Amount 30.15 30.15 51.35 4.62 4.62 340.39 340.39 222.81 222.81 -113.76	.98 102941
Payable # 2678-202099 2678-202931 2678-203547 2678-203574 2678-203692 2678-203725	Payable Type Account Number Invoice 100-2050-7037-0000 Invoice 100-2050-7037-0000 Invoice 100-2050-7037-0000 Invoice 250-7600-7037-0000 Credit Memo 100-2050-7037-0000	Account 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019	Payable Description t Name VEHICLE MAINTEN MAINTENANCE VEHICLE MAINTEN MAINTENANCE VEHICLE MAINTEN MAINTENANCE VEHICLE MAINTEN MAINTENANCE RETURNED PARTS MAINTENANCE VEHICLE MAINTEN, MAINTENANCE VEHICLE MAINTEN, MAINTENANCE VEHICLE MAINTEN,	Item Description Item Description IANCE VEHICLE MAINTENANCE IANCE VEHICLE MAINTENANCE IANCE VEHICLE MAINTENANCE ANCE VEHICLE MAINTENANCE RETURNED PARTS ANCE VEHICLE MAINTENANCE	Discount Amount Distributi 0.00 0.00 0.00 0.00 0.00 0.00	Payable Amount on Amount 30.15 30.15 51.35 4.62 4.62 4.62 340.39 340.39 222.81 222.81 -113.76 -113.76 27.01	.98 102941
Payable # 2678-202099 2678-202931 2678-203547 2678-203574 2678-203692 2678-203725 2678-203812	Payable Type Account Number Invoice 100-2050-7037-0000 Invoice 100-2050-7037-0000 Invoice 100-2050-7037-0000 Invoice 750-7600-7037-0000 Credit Memo 100-2050-7037-0000 Invoice 750-7300-7037-0000	Account 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019 BUILDIN 08/14/2019	Payable Description t Name VEHICLE MAINTEN MAINTENANCE VEHICLE MAINTEN MAINTENANCE VEHICLE MAINTEN MAINTENANCE VEHICLE MAINTEN MAINTENANCE RETURNED PARTS MAINTENANCE VEHICLE MAINTEN, MAINTENANCE VEHICLE MAINTEN, MAINTENANCE VEHICLE MAINTEN,	DDN EVENICLE MAINTENANCE VEHICLE MAINTENANCE VEHICLE MAINTENANCE VEHICLE MAINTENANCE VEHICLE MAINTENANCE VEHICLE MAINTENANCE ANCE VEHICLE MAINTENANCE RETURNED PARTS ANCE VEHICLE MAINTENANCE ANCE VEHICLE MAINTENANCE	Discount Amount Distributi 0.00 0.00 0.00 0.00 0.00 0.00	Payable Amount on Amount 30.15 30.15 51.35 51.35 4.62 4.62 340.39 340.39 222.81 222.81 -113.76 -113.76 27.01 27.01 72.53	.98 102941
Payable # 2678-202099 2678-202931 2678-203547 2678-203574 2678-203692 2678-203725 2678-203812 2678-203811	Payable Type Account Number Invoice 100-2050-7037-0000 Invoice 100-2050-7037-0000 Invoice 100-2050-7037-0000 Invoice 750-7600-7037-0000 Credit Memo 100-2050-7037-0000 Invoice 750-7300-7037-0000 Invoice	Account 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019 BUILDIN 08/14/2019 VEHICLE 08/14/2019	Payable Description t Name VEHICLE MAINTEN MAINTENANCE VEHICLE MAINTEN MAINTENANCE VEHICLE MAINTEN MAINTENANCE VEHICLE MAINTEN MAINTENANCE RETURNED PARTS MAINTENANCE VEHICLE MAINTEN, MAINTENANCE VEHICLE MAINTEN, G SUPPLIES/MAI VEHICLE MAINTEN,	DDN E Construction Item Description IANCE VEHICLE MAINTENANCE VEHICLE MAINTENANCE VEHICLE MAINTENANCE VEHICLE MAINTENANCE ANCE VEHICLE MAINTENANCE RETURNED PARTS ANCE VEHICLE MAINTENANCE ANCE VEHICLE MAINTENANCE ANCE	Discount Amount Distributi 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.	Payable Amount on Amount 30.15 30.15 51.35 4.62 4.62 340.39 340.39 222.81 222.81 222.81 -113.76 -113.76 -113.76 72.53 72.53 170.42	.98 102941
Payable #         2678-202099         2678-202931         2678-203547         2678-203574         2678-203692         2678-203725         2678-203812         2678-203871         2678-204051	Payable Type         Account Number         Invoice         100-2050-7037-0000         Invoice         100-2050-7037-0000         Invoice         100-2050-7037-0000         Invoice         100-2050-7037-0000         Invoice         100-2050-7037-0000         Invoice         100-2050-7037-0000         Invoice         750-7600-7037-0000         Invoice         750-7300-7037-0000         Invoice         750-7300-7037-0000         Invoice         100-2050-7037-0000         Credit Memo         100-2050-7037-0000         Credit Memo	Account 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019	Payable Description t Name VEHICLE MAINTEN MAINTENANCE VEHICLE MAINTEN MAINTENANCE VEHICLE MAINTEN MAINTENANCE VEHICLE MAINTEN MAINTENANCE VEHICLE MAINTEN MAINTENANCE VEHICLE MAINTEN G SUPPLIES/MAI VEHICLE MAINTEN MAINTENANCE RETURNED PARTS MAINTENANCE RETURNED PARTS MAINTENANCE RETURNED PARTS MAINTENANCE RETURNED PARTS MAINTENANCE VEHICLE MAINTEN	DDN DESCRIPTION Item Description IANCE VEHICLE MAINTENANCE IANCE VEHICLE MAINTENANCE IANCE VEHICLE MAINTENANCE ANCE VEHICLE MAINTENANCE ANCE VEHICLE MAINTENANCE ANCE VEHICLE MAINTENANCE ANCE VEHICLE MAINTENANCE ANCE VEHICLE MAINTENANCE ANCE VEHICLE MAINTENANCE ANCE VEHICLE MAINTENANCE ANCE	Discount Amount Distributi 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.	Payable Amount 30.15 30.15 30.15 51.35 4.62 4.62 340.39 340.39 222.81 222.81 -113.76 -113.76 -113.76 27.01 27.01 72.53 72.53 170.42 170.42 -18.00	.98 102941
Payable #         2678-202099         2678-202931         2678-203547         2678-203574         2678-203574         2678-203574         2678-203574         2678-203574         2678-203574         2678-203574         2678-203574         2678-203574         2678-203574         2678-203574         2678-203574         2678-203574         2678-203574	Payable Type         Account Number         Invoice         100-2050-7037-0000         Invoice         100-2050-7037-0000         Invoice         100-2050-7037-0000         Invoice         100-2050-7037-0000         Invoice         100-2050-7037-0000         Invoice         750-7600-7037-0000         Invoice         750-7300-7037-0000         Invoice         750-7300-7037-0000         Invoice         100-2050-7037-0000         Invoice         750-7300-7037-0000         Invoice         100-2050-7037-0000         Invoice         100-2050-7037-0000         Invoice         100-2050-7037-0000	Account 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019 VEHICLE 08/14/2019	Payable Description t Name VEHICLE MAINTEN MAINTENANCE VEHICLE MAINTEN MAINTENANCE	DDN E CONTRACTOR DE CONTRACTOR	Discount Amount Distributi 0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.	Payable Amount on Amount 30.15 30.15 51.35 51.35 4.62 4.62 340.39 222.81 22.53 22.53 22.53 22.53 2.53	.98 102941

# Agenda Item No. 2. Date Range: 08/09/2019 - 08/15/2019

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Check Report						Date Range: 08/09	9/2019 - 08/15/20
Vendor Number	Vendor Name 750-7400-7037-0000	VEHIC	Payment Date	Payment Type VEHICLE MAINTENANG		nount Payment Amo 168.80	
<u>2678-204479</u>	Invoice 750-7300-7037-0000	08/14/2019 VEHIC	VEHICLE MAINTE	NANCE VEHICLE MAINTENANG	0.00 Ce	323.22 323.22	
<u>2678-205041</u>	Invoice 750-7300-7037-0000	08/14/2019 VEHIC	VEHICLE MAINTE	NANCE VEHICLE MAINTENANC	0.00 Ce	72.53 72.53	
2678-206036	Invoice 750-7400-7037-0000	08/14/2019 VEHIC	VEHICLE MAINTE	NANCE VEHICLE MAINTENANC	0.00 CE	108.66 108.66	
2 <b>678-20603</b> 7	Invoice 750-7600-7037-0000	08/14/2019 VEHIC	VEHICLE MAINTE	NANCE VEHICLE MAINTENANC	0.00 CE	21.46 21.46	
2678-206742	Invoice 100-6050-7037-0000	08/14/2019 VEHIC	VEHICLE MAINTE	NANCE VEHICLE MAINTENANC	0.00 E	31.01 31.01	
2023 Payable #	**Void** P&P UNIFORMS RIV Payable Type Account Number	Post Date Accou	08/15/2019 08/15/2019 Payable Descripti nt Name	Regular Regular ion Item Description			0.00 102942 2.79 102943
420191/4	Invoice 100-2050-7065-0000	06/30/2019 UNIFC	EMPLOYEE UNIFO DRMS	RMS EMPLOYEE UNIFORMS	0.00	52.79 52.79	
2026 Payable # P 101322	PACIFIC ALARM SERVICE Payable Type Account Number Invoice	Post Date Accou 08/14/2019	08/15/2019 Payable Descripti nt Name SECURITY SERVICE	Item Description		Payable Amount tion Amount	2.50 102944
_	100-6000-7087-6045		NTY - COMMUNITY	SECURITY SERVICES	0.00	193.50 193.50	
<u>R 148961</u>	Invoice 100-6000-7087-6026	08/14/2019 SECUR	SECURITY SERVICE	SECURITY SERVICES	0.00	57.50 57.50	
<u>R 148962</u>	Invoice 700-4050-7087-007A	08/14/2019 SECUR	SECURITY SERVICE	SECURITY SERVICES	0.00	171.00 171.00	
<u>R 148964</u>	Invoice 700-4050-7087-005X	08/14/2019 SECUR	SECURITY SERVICE	SECURITY SERVICES	0.00	156.00 156.00	
<u>R 148965</u>	Invoice 100-6000-7087-6040	08/14/2019 SECUR	SECURITY SERVICE	SECURITY SERVICES	0.00	107.50 107.50	
<u>R 148966</u>	Invoice 100-6000-7087-6040	08/14/2019 SECUR	SECURITY SERVICE ITY - POLICE DEPT	S SECURITY SERVICES	0.00	55.50 55.50	
<u>R 148969</u>	Invoice 700-4050-7087-005X	08/14/2019 SECUR	SECURITY SERVICE	S SECURITY SERVICES	0.00	131.50 131.50	
2039 Payable # 2030178986	PARKHOUSE TIRE, INC. Payable Type Account Number Invoice 100-2000-7037-0000	08/14/2019	08/15/2019 Payable Descriptiont Name VEHICLE MAINTEN E MAINTENANCE	Item Description	Discount Amount Distribut 0.00	Payable Amount ion Amount 660.01	03 102945
2030179558	Invoice 100-6050-7037-0000	08/14/2019	VEHICLE MAINTEN E MAINTENANCE		0.00	660.01 525.02 525.02	
2065 Payable #	PITNEY BOWES INC-CTR Payable Type	Post Date	08/15/2019 Payable Descriptic	Regular on	Discount Amount	Payable Amount	42 102946
1013597257	Account Number Invoice 100-2050-7075-0000	08/14/2019	It Name EQUIPMENT RENT, MENT LEASING/RE	Item Description AL EQUIPMENT RENTAL	Distributi 0.00	ion Amount 160.42 160.42	
2074	PRE-PAID LEGAL SERVICES	INC	08/15/2019	Regular	(	0.00 789.1	12 102947
Payable #	Payable Type	Post Date	Payable Description	m	Discount Amount	Payable Amount	LL 1V434/
PD 07/19/19-08/	Account Number Invoice 100-0000-2045-0000	Accoun 08/14/2019 PRE PA	t Name OPTIONAL EMPLOY	Item Description (EE BENEFIT	Distributi 0.00	on Amount 789.12	

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Date Range: 08/09/2019 - 08/15/2019

check Report						Date Range: 08/09/20	)19 - 08/15/
Vendor Number 2098	Vendor Name QUILL CORPORATON		Payment Date 08/15/2019	<b>Payment Type</b> Regular		unt Payment Amount	Number 102948
Payable #	Payable Type	Post Date	Payable Description	on	Discount Amount	Payable Amount	
	Account Number	Accou	int Name	Item Description	Distributio		
8814598	Invoice	08/15/2019	OFFICE SUPPLIES		0.00	182.41	
	100-1200-7025-0000	OFFIC	E SUPPLIES	OFFICE SUPPLIES		182.41	
8838913	Invoice	08/15/2019	OFFICE SUPPLIES		0.00	1 127 64	
	100-1150-7025-0000		E SUPPLIES	OFFICE SUPPLIES	0.00	1,132.64	
	100-1200-7025-0000		E SUPPLIES	OFFICE SUPPLIES		33.98	
	100-1225-7025-0000		E SUPPLIES	OFFICE SUPPLIES		487.04	
	700-4050-7025-0000		E SUPPLIES	OFFICE SUPPLIES		90.61	
6674.002				OFFICE SOFFLIES		521.01	
8871003	Invoice	08/15/2019	OFFICE SUPPLIES		0.00	313.66	
	700-4050-7025-0000	OFFIC	E SUPPLIES	OFFICE SUPPLIES		313.66	
8936759	Invoice	08/15/2019	OFFICE SUPPLIES		0.00	323.20	
	750-7000-7025-0000	OFFIC	E SUPPLIES	OFFICE SUPPLIES	0.00	323.20	
9029190	Inveien	00/15/2010					
3023130	Invoice	08/15/2019	OFFICE SUPPLIES	055105 011551150	0.00	58.16	
	100-2050-7025-0000	OFFICI	E SUPPLIES	OFFICE SUPPLIES		58.16	
9032156	Invoice	08/15/2019	OFFICE SUPPLIES		0.00	103.41	
	100-2000-7025-0000	OFFICI	E SUPPLIES	OFFICE SUPPLIES		5.17	
	100-2030-7025-0000	OFFICI	E SUPPLIES	OFFICE SUPPLIES		5.17	
	100-2050-7025-0000	OFFICI	E SUPPLIES	OFFICE SUPPLIES		93.07	
3423	RDO EQUIPMENT CO.		08/15/2019	Regular	0.0	0 856.50	102949
Payable #	Payable Type	Post Date	Payable Descriptio	in	Discount Amount P	avable Amount	
	Account Number	Accour	nt Name	Item Description	Distribution		
W22367	Invoice	08/15/2019	VEHICLE MAINTEN	ANCE	0.00	856.50	
	700-4050-7037-0000	VEHIC	E MAINTENANCE	VEHICLE MAINTENANO	CE	856.50	
3734	REDLANDS PLUMBING		08/15/2019	Regular	0.0	0 120.00	102950
Payable #	Payable Type	Post Date	Payable Descriptio	n	Discount Amount P		
	Account Number	Accour	nt Name	Item Description	Distribution		
RCT 926895	Invoice	08/15/2019	80% REFUND ON C	ANCELLED PERMIT BLD	0.00	120.00	
	100-0000-4310-0000	BUILDI	NG PERMITS AND I	80% REFUND ON CANC		120.00	
						120100	
3731	RIVERSIDE COUNTY TRAN	SPORTATION COM	MI 08/15/2019	Regular	0.0	0 498.16	102951
Payable #	Payable Type	Post Date	Payable Descriptio	n	Discount Amount P		102331
	Account Number	Accour	nt Name	Item Description	Distribution		
08/13/19	Invoice	06/30/2019	REFUND OF STA CL	AIM FOR PROJECT 17-3	0.00	498.16	
	760-000-4672-0000	ARTICL	E 4 - CAPITAL	REFUND OF STA CLAIM		498.16	
						450.10	
1113	RYAN M. WESTBROOK IN	C	08/15/2019	Regular	0.0	0 861.00	102052
Payable #	Payable Type	Post Date	Payable Description	0	Discount Amount P		102952
	Account Number	Accour	it Name	Item Description	Distribution		
678374	Invoice	08/14/2019	PROFESSIONAL SER		0.00	801.00	
	100-2000-7068-0000		ACTUAL SERVICES	PROFESSIONAL SERVIC		801.00	
COACEC						801.00	
<u>680656</u>	Invoice	08/14/2019	ANIMAL CARE SERV		0.00	60.00	
	100-2000-7068-0000	CONTR	ACTUAL SERVICES	ANIMAL CARE SERVICE	S	60.00	
2227							
2237 Develop #	SAN DIEGO REGIONAL TR/		08/15/2019	Regular	0.0		102953
Payable #	Payable Type	Post Date	Payable Description	n i	Discount Amount Pa	ayable Amount	
10001	Account Number			Item Description	Distribution	Amount	
46031	Invoice	08/15/2019	EMPLOYEE TRAININ	-	0.00	576.00	
	100-2050-7066-0000	TRAVEL	, EDUCATION, TRA	EMPLOYEE TRAINING		576.00	
2222							
2238	SAN GORGONIO MEMORI	AL HOSPITAL	08/15/2019	Regular	0.00	-,	102954
Payable #	Payable Type	Post Date	Payable Description		Discount Amount Pa	ayable Amount	
00111	Account Number	Accoun		Item Description	Distribution		
0010578353-000	Invoice	08/15/2019	EMPLOYEE MEDICA	LSERVICES	0.00	1,593.05	
	100-2050-6019-0000	FIRST A	ID	EMPLOYEE MEDICAL SE	RVICES	1,593.05	

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Check Report						AGENO Date Range: 08/09	a item ino. 9/2019-08/15/2
Vendor Number	Vendor Name		Payment Date	Payment Type	Discount An	nount Payment Ame	
3716	SCCI, INC		08/15/2019	Regular			0.00 102955
Payable #	Payable Type	Post Date	Payable Descript	ion	Discount Amount	Payable Amount	
470/00	Account Number		int Name	Item Description	Distribu	tion Amount	
172652	Invoice	08/15/2019	EMPLOYEE EDUC		0.00	250.00	
	700-4050-7066-0000	TRAVI	EL, EDUCATION, TRA	EMPLOYEE EDUCATION	N	250.00	
3633	SCOTT D. VANN		08/15/2019	Regular		0.00 32	1.59 102956
Payable #	Payable Type	Post Date	Payable Descript	ion	<b>Discount Amount</b>	Payable Amount	
71080	Account Number		int Name	Item Description	Distribu	tion Amount	
<u>51859</u>	Invoice	08/15/2019	VEHICLE MAINTE		0.00	321.59	
	750-7600-7037-0000	VEHIC	LE MAINTENANCE	VEHICLE MAINTENANC	Έ	321.59	
2261	SEAN THUILLIEZ		08/15/2019	Regular		0.00 4	5.68 102957
Payable #	Payable Type	Post Date	Payable Descript	ion	<b>Discount Amount</b>	Payable Amount	
	Account Number	Accou	nt Name	Item Description		tion Amount	
08/09/19	Invoice	08/15/2019	REIMBUSEMENT	FOR FOOD DURING INVE	0.00	45.68	
	100-2050-7070-0000	SPECIA	AL DEPT SUPPLIES	REIMBUSEMENT FOR F	OOD DU	45.68	
2281	SHRED-IT		08/15/2019	Regular		0.00 210	.70 102958
Payable #	Payable Type	Post Date	Payable Descripti	-		Payable Amount	.70 102958
	Account Number	Accou	nt Name	Item Description		tion Amount	
8127798409	Invoice	08/15/2019	PROFESSIONAL SE	RVICES	0.00	210.70	
	100-1200-7068-0000	CONT	RACTUAL SERVICES	PROFESSIONAL SERVICE	ES	210.70	
3498	SKM ENGINERRING LLC		08/15/2019	Regular		0.00 20.715	10 100050
Payable #	Payable Type	Post Date	Payable Descripti	-		Payable Amount	.13 102959
	Account Number	Accou	nt Name	Item Description		ion Amount	
17838	Invoice	06/30/2019	Integrated service	s to upgrade existing SC	0.00	20,715.13	
	700-4050-7068-0000	CONTE	RACTUAL SERVICES	Intergrated services to u	upgrade	20,715.13	
2311	SOUTHERN CALIFORNIA E	DISON	08/15/2019	Regular		0.00 31.662	.38 102960
Payable #	Payable Type	Post Date	Payable Descripti	-	Discount Amount		.55 102500
	Account Number	Accourt	nt Name	Item Description		ion Amount	
08/15/19	Invoice	08/15/2019	ELECTRIC UTILITY		0.00	29,809.16	
	100-3250-7010-0000	UTILITI		ELECTRIC UTILITY		11,589.78	
	100-3250-7010-003X		ES (IA 3)	ELECTRIC UTILITY		2,789.67	
	<u>100-3250-7010-004X</u> 100-3250-7010-006B		ES (IA 4)	ELECTRIC UTILITY		42.92	
	100-3250-7010-008B		ES (IA 6B)	ELECTRIC UTILITY		2,795.53	
	100-3250-7010-007A		ES (IA 7A) ES (IA 7B)	ELECTRIC UTILITY		10.79	
	100-3250-7010-008A		ES (IA 78) ES (IA 8A)	ELECTRIC UTILITY ELECTRIC UTILITY		74.86	
	100-3250-7010-008C		ES (IA 8C)	ELECTRIC UTILITY		480.99 509.00	
	100-3250-7010-011A		ES (IA 11A)	ELECTRIC UTILITY		158.10	
	100-3250-7010-014B	UTILITI	ES (IA 14B)	ELECTRIC UTILITY		35.28	
	100-3250-7010-014X	UTILITI	ES (IA 14)	ELECTRIC UTILITY		1,455.79	
	100-3250-7010-018X	UTILITI	ES (IA 18)	ELECTRIC UTILITY		119.66	
	<u>100-3250-7010-019C</u>	UTILITI	ES (IA 19C)	ELECTRIC UTILITY		2,783.46	
	100-3250-7010-06A1		ES (IA 6A1)	ELECTRIC UTILITY		763.16	
	100-6000-7010-6045		ES - COMMUNITY	ELECTRIC UTILITY		6,039.21	
	100-6050-7010-0000	UTILITI		ELECTRIC UTILITY		128.77	
Transa	100-6050-7010-06A1		ES IA 6A1	ELECTRIC UTILITY		32.19	
7590224263	Invoice 500-0000-8030-0000	08/14/2019 INFRAS	LINE EXTENSION R TRUCTURE IMPRO	ISER METER & SERVICE LINE EXTENSION RISER N	0.00	1,853.22	
					VILIEN	1,853.22	
3735 Payable #	STEVEN MEHLMAN	Deat Dett	08/15/2019	Regular		0.00 24.9	59 102961
r ayaule #	Payable Type Account Number	Post Date	Payable Descriptio		Discount Amount		
06/25/19	Invoice	Accoun 08/15/2019	TRAVEL REIMURSE	Item Description		on Amount	
	100-1150-7035-0000		VEETINGS	TRAVEL REIMURSEMENT	0.00 r	24.59	
		LOCAL		TO A CENTROLOGICAL		24.59	

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U U	песк кероп						Date Range: 08/09/20	19 - 08/15/2
	<b>endor Number</b> 407	<b>Vendor Name</b> THE GAS COMPANY		Payment Date 08/15/2019	<b>Payment Type</b> Regular		.00 Payment Amount	Number 102962
	Payable #	Payable Type	Post Date	Payable Descripti	on	Discount Amount		LOLDOL
		Account Number	Accou	int Name	Item Description		n Amount	
	05789544425 08/	Invoice	08/15/2019	GAS UTILITY		0.00	69.73	
		100-6000-7010-6045	UTILII	TIES - COMMUNITY	GAS UTILITY	0.00	69.73	
	0071000007 (00)	Invoice	09/15/2010	CAS CONSTANT				
	09712228007 08/		08/15/2019	GAS COMPANY		0.00	18.45	
		100-6000-7010-6025	UTILI	TIES - CITY HALL	GAS COMPANY		18.45	
	10552230004 08/	Invoice	08/15/2019	GAS UTILITY		0.00	24.65	
		750-7300-7010-0000	UTILIT	TIES	GAS UTILITY		24.65	
	15382227021 08/	Invoice	08/15/2019	GAS UTILITY		0.00	40,30	
		750-7000-7010-0000	UTILIT		GAS UTILITY	0.00	40.30	
							40.30	
24	116	THE PRESS-ENTERPRISE		08/15/2019	Regular	0.	00 196.80	102963
	Payable #	Payable Type	Post Date	Payable Description	-	Discount Amount		102505
		Account Number	Accou	nt Name	Item Description	Distributio		
	0011295445	Invoice	08/15/2019	ADVERTISING		0.00	43.20	
		100-1150-7020-0000	ADVE	RTISING	ADVERTISING	0.00	43.20	
	0011296046	Invoice	08/15/2019					
	0011230040	100-1350-7020-0000		ADVERTISING RTISING		0.00	93.60	
				(TISING	ADVERTISING		93.60	
	0011298359	Invoice	08/15/2019	ADVERTISING		0.00	60.00	
		100-1350-7020-0000	ADVER	RTISING	ADVERTISING		60.00	
	~							
24	30	TIME WARNER CABLE		08/15/2019	Regular	0.0	-,	102964
	Payable #	Payable Type	Post Date	Payable Descriptic	n	Discount Amount F	Payable Amount	
		Account Number		nt Name	Item Description	Distribution	n Amount	
	0241971072519	Invoice	08/15/2019	PHONE SERVICES		0.00	1,909.53	
		100-1230-7015-0000	TELEPI	HONE	PHONE SERVICES		1,909.53	
28	72	TRY COMMUNICATIONS		00/15/0010	-			
20		TPX COMMUNICATIONS	Deat Deats	08/15/2019	Regular	0.0		102965
	Payable #	Payable Type	Post Date	Payable Descriptio		Discount Amount P		
	11225/060-0	Account Number		nt Name	Item Description	Distribution	Amount	
	118854969-0	Invoice	08/15/2019	PHONE UTILITY		0.00	441.91	
		100-1230-7015-6040	TELEPH	HONE (POLICE DPT)	PHONE UTILITY		441.91	
24	56	TURF STAR, INC.		00/15/2010	De suls :			
2-1	Payable #	Payable Type	Post Date	08/15/2019	Regular	0.0		102966
	i uyubic ir	Account Number		Payable Descriptio nt Name		Discount Amount P		
	7072358-00	Invoice	08/15/2019	EQUIPMENT MAIN	Item Description	Distribution		
	,0,2,30 00	100-6050-7090-0000				0.00	437.86	
					EQUIPMENT MAINTEN	ANCE	437.86	
	7074892-00	Invoice	08/15/2019	EQUIPMENT MAIN		0.00	137.17	
		100-6050-7090-0000	EQUIPI	MENT SUPPLIES/M	EQUIPMENT MAINTEN	ANCE	137.17	
373	20	TIMIN CRADUUCS						
57.	Payable #	TWIN GRAPHICS	Dent Dete	08/15/2019	Regular	0.0		102967
	rayable #	Payable Type Account Number	Post Date	Payable Descriptio		Discount Amount P		
	1440	Invoice		nt Name	Item Description	Distribution	Amount	
	1440	100-2050-7025-0000	08/15/2019	OFFICE SUPPLIES		0.00	711.15	
		100-2030-7025-0000	OFFICE	SUPPLIES	OFFICE SUPPLIES		711.15	
245	57	TYLER WORKS - TECHNOLO	OGIES	08/15/2019	Regular		0	
	Payable #	Payable Type	Post Date	Payable Description	Regular	0.0		102968
		Account Number		it Name		Discount Amount Pr		
		Invoice	08/15/2019	SOFTWARE MONTH	Item Description	Distribution		
		100-1230-7071-0000	SOFTW		SOFTWARE MONTHLY F	0.00	50.00	
			501100			LL	50.00	
246	51	UNDERGROUND SERVICE	ALERT	08/15/2019	Regular	0.0	0 225.00	102060
					Darrar	0.0	0 235.80 :	102303

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						Date kange	: 08/09/20	19 - 08/15/2019
Vendor Number	Vendor Name		Payment Date			ount Payme		Number
Payable #	Payable Type	Post Date	Payable Descript	ion	Discount Amount	Payable Amo	ount	
	Account Number	Accou	nt Name	Item Description	Distribut	ion Amount		
<u>18dsbfee3689</u>	Invoice	08/14/2019	DIG ALERT - SEWI	ĒR	0.00	9	7.10	
	700-4050-7068-0000	CONTI	RACTUAL SERVICES	DIG ALERT - SEWER		97.10		
720190048	Invoice	08/14/2019	DIG ALERT - SEWI	:p	0.00	10	0.70	
	700-4050-7068-0000		RACTUAL SERVICES	DIG ALERT - SEWER	0.00		8.70	
	700 4000 7000 0000	CONT	INACIOAL SERVICES	DIG ALERT - SEVVER		138.70		
2472	UPS		08/15/2019	Regular		0.00	66 50	102070
Payable #	Payable Type	Post Date	Payable Descripti	-	<b>Discount Amount</b>			102970
	Account Number		nt Name	Item Description		ion Amount	ount	
000087R790319		08/15/2019	SHIPPING SERVIC	•				
55555111155545	700-4050-7025-0000		E SUPPLIES	SHIPPING SERVICES	0.00		5.50	
	100 1000 1010 0000	orrice	5077 1125	SHIFFING SERVICES		66.50		
2484	VERIZON		08/15/2019	Regular		0.00	2,758.75	102971
Payable #	Payable Type	Post Date	Payable Descripti	-	<b>Discount Amount</b>			1029/1
	Account Number		nt Name	Item Description		ion Amount	unt	
9834920087	Invoice	08/15/2019	PHONE UTILITY	item beschipten	0.00		75	
	100-1230-7015-0000	TELEPH		PHONE UTILITY	0.00	2,758	5.75	
	700-4050-7015-0000	TELEPH		PHONE UTILITY		2,284.14		
	100 1000 7010 0000	i LLLFI	IONE	PHONE OTIENT		474.61		
2490	VERIZON BUSINESS SERV	ICE	08/15/2019	Regular		0.00	1,560.07	102072
Payable #	Payable Type	Post Date	Payable Descripti	-	<b>Discount Amount</b>			102372
	Account Number	Accour	nt Name	Item Description		on Amount	unt	
71184648	Invoice	08/15/2019	PHONE UTILITY	item beschption	0.00		07	
	100-1230-7015-6040		ONE (POLICE DPT)	PHONE UTILITY	0.00	1,560 1,560.07	.07	
						1,500.07		
2516	VOHNE LICHE KENNELS IN	NC	08/15/2019	Regular	I	0.00	125.00	102973
Payable #	Payable Type	Post Date	Payable Description	on	Discount Amount	Pavable Amo		2010/0
	Account Number	Accour	nt Name	Item Description		on Amount		
<u>15876</u>	Invoice	08/15/2019	PHONE UTILITY	•	0.00	125	00	
	100-2080-7066-0000	TRAVE	, EDUCATION, TRA	PHONE UTILITY		125.00	.00	
2517	VOYAGER		08/15/2019	Regular	(	0.00	40,602.39	102974
Payable #	Payable Type	Post Date	Payable Description	on	Discount Amount	Payable Amo	unt	
	Account Number	Accoun	it Name	Item Description	Distributi	on Amount		
869065003930	Invoice	08/15/2019	FUEL CARDS		0.00	40,602	.39 🧹	
	100-2000-7050-0000	FUEL		FUEL CARDS		753.03		
	100-2030-7050-0000	FUEL		FUEL CARDS		157.26	V	
	100-2050-7050-0000	FUEL		FUEL CARDS		11,420.45		
	100-2100-7050-0000	FUEL		FUEL CARDS		193.92		
	100-2150-7050-0000	FUEL		FUEL CARDS		482.54		
	100-3250-7050-0000	FUEL		FUEL CARDS		1,698.16		
	100-6050-7050-0000	FUEL		FUEL CARDS		4,897.29		
	700-4050-7050-0000	FUEL		FUEL CARDS		1,640.08		
	750-7000-7050-0000	FUEL		FUEL CARDS		144.12		
	750-7100-7050-0000	FUEL		FUEL CARDS		2,349.93		
	750-7300-7050-0000	FUEL		FUEL CARDS				
	750-7400-7050-0000	FUEL		FUEL CARDS		585.28		
	750-7600-7050-0000	FUEL		FUEL CARDS		7,606.27		
	750-7700-7050-0000	FUEL		FUEL CARDS		1,798.59		
	750-7800-7050-0000	FUEL		FUEL CARDS		3,556.00		
	750-7900-7050-0000	FUEL				1,433.20		
	750-8100-7050-0000	FUEL		FUEL CARDS		783.72		
	750-8200-7050-0000	FUEL		FUEL CARDS		752.33		
	100 0200 7030-0000	FUEL		FUEL CARDS		350.22		
2538	WEST COAST LIGHTS & SIF	RENS	08/15/2019	Regular	0	.00	172 52	102075
		-			U		123.53	1023/2

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•						Date Kang	ge: 08/09/201	19 - 08/15/2
Vendor Number	Vendor Name		Payment Date	Payment Type	Discount An	nount Paym	ent Amount	Number
Payable #	Payable Type	Post Date	Payable Descripti	on	Discount Amount			
	Account Number	Accou	nt Name	Item Description		tion Amount		
18622	Invoice	08/15/2019	VEHICLE MAINTEN	ANCE	0.00	1	23.53	
	<u>100-2100-7037-0000</u>	VEHIC	LE MAINTENANCE	VEHICLE MAINTENANC	CE	123.53		
3599	WESTERN MUNICIPAL WA		08/15/2019	Regular		0.00	40 740 00	
Payable #	Payable Type	Post Date	Payable Description	•	Discount Amount		13,748.90	102976
	Account Number		nt Name	Item Description	Discount Amount	rayable An tion Amount	nount	
<u>RI3289</u>	Invoice	08/15/2019	BRINE LINE CHARG				40.00	
	700-4050-7089-0000		LINE MAINTENANC		0.00	=0);	48.90	
		DAINE	CINE MAINTENANC	BRINE LINE CHARGE AU	39 2019	13,748.90		
2540	WESTERN RIVERSIDE COU	NTY REGIONAL CO	NS 08/15/2019	Regular		0.00	37,053.94	102977
Payable #	Payable Type	Post Date	Payable Description	on	<b>Discount Amount</b>			102577
	Account Number	Accou	nt Name	Item Description		tion Amount	lount.	
JULY 2019	Invoice	08/15/2019	JULY MSHCP FEES	•	0.00		53.94	
	570-0000-2005-0000	DUE TO	O WRCRCA (MSHCP	JULY MSHCP FEES		37,053.94		
2911			00/05/0000					
Payable #	WILMINGTON TRUST, N.A. Payable Type		08/15/2019	Regular		0.00	2,000.00	102978
rayable #	• •	Post Date	Payable Descriptio		Discount Amount		ount	
20190726-66208-	Account Number		nt Name	Item Description		tion Amount		
20130720-00204-		08/15/2019	CFD 93-1 IA-8C 20:		0.00		00.00	
	250-0000-7051-0000	TRUST	EE FEES	CFD 93-1 IA-8C 2017A		2,000.00		
3457	ZONAR SYSTEMS		08/15/2019	Regular		0.00	486.00	102070
Payable #	Payable Type	Post Date	Payable Descriptio	m	<b>Discount Amount</b>			102575
	Account Number	Accour	it Name	Item Description		ion Amount	ount.	
51415094	Invoice	08/14/2019	Zonar- Electronic D	ata Inspection Collecti	0.00		36.00	
	750-7100-7068-0000	CONTR	ACTUAL SERVICES	ELECTRONIC DATA INSP	ECTION	51.16		
	750-7400-7068-0000	CONTR	ACTUAL EXPENSES	ELECTRONIC DATA INSP	ECTION	127.88		
	750-7600-7068-0000	CONTR	ACTUAL SERVICES	ELECTRONIC DATA INSP	ECTION	76.74		
	750-7700-7068-0000	CONTR	ACTUAL SERVICES	ELECTRONIC DATA INSP	ECTION	76.74		
	750-7800-7068-0000	CONTR	ACTUAL SERVICES	ELECTRONIC DATA INSP	ECTION	25.58		
	750-7900-7068-0000	CONTR	ACTUAL SERVICES	ELECTRONIC DATA INSP	ECTION	25.58		
	750-8000-7068-0000	CONTR	ACTUAL SERVICES	ELECTRONIC DATA INSP	ECTION	25.58		
	750-8100-7068-0000	CONTR	ACTUAL SERVICES	ELECTRONIC DATA INSP	ECTION	51.16		
	750-8200-7068-0000	CONTR	ACTUAL SERVICES	ELECTRONIC DATA INSP		25.58		

Bank Code APBNK Summary						
	Payable	Payment				
/pe	Count	Count	D			

Payment Type	Count	Count	Discount	Payment
Regular Checks	186	80	0.00	1,502,519.30
Manual Checks	0	0	0.00	0.00
Voided Checks	0	2	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	37	8	0.00	6,268,889.81
	223	90	0.00	7,771,409.11

# All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	186	80	0.00	1,502,519.30
Manual Checks	0	0	0.00	0.00
Voided Checks	0	2	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	37	8	0.00	6,268,889.81
	223	90	0.00	7,771,409.11

# **Fund Summary**

Fund	Name	Period	Amount
999	POOLED CASH	8/2019	7,771,409.11
			7,771,409.11

AGENDA ITEM NO.



#### WARRANTS TO BE RATIFIED

Thursday, September 12, 2019

Printed Checks	103236-103289	\$	641,148.15	FV 19/20
EFT	206-208	\$	223,476.97	
	A/P Total	\$	864,625.12	1119/20
	A/F I'diai	-	804,023.12	=
Voided Check	103138	\$	1,000.00	Panter's Hardwood Floors Inc.
Bank Drafts	Merchant BankCard (Cardpointe)	\$	139.61	Utility payment chargeback
	MG Trust	\$	45,890.83	Deferred Comp 457 PD 8/16/19
		\$	4,821.02	Deferred Comp 401A PD 8/16/19
		\$	22,946.54	Deferred Comp 457 PD 8/30/19
		\$	3,087.19	Deferred Comp 401A PD 8/30/19
		\$	1,248.54	457 FICA PD 8/16/19
		\$	1,163.01	457 FICA PD 8/30/19
	CALPers	\$	48.361.07	Classic 743 2019/2020
		\$		Classic 742 2019/2020
		\$	-	PEPRA 27308 2019/2020
		\$		PEPRA 25763 2019/2020
	Guardian	\$	20,437.73	September 2019
Wires				
** 11 65		\$	5,093.12	Transfer for August Credit Card Fees
		\$		Transfer for July Credit Card Fees
		-		•

#### I DO HEREBY CERTIFY THIS WARRANT LIST HAS BEEN COMPILED AND PREPARED TO MEET THE DAILY OPERATIONS FOR THE FISCAL YEAR JULY 1, 2019 - JUNE 30, 2020

20 Por
SIGNATURE; Da Hunt
TITLE: CITY TREASURER
SIGNATURE: ALPHA
TITLE: ADMINISTRATIVE SERVICES DIRECTOR
TILE: ADMINISTRATIVE SERVICES DIRECTOR

City of Beaumont, CA

# **Check Report**

By Check Number

Date Range: 09/06/2019 - 09/12/2019

Vendor Number Bank Code: APBNK-AI	Vendor Name P Bank		Payment Date	Payment Type	Discount An	nount Payme	nt Amount	Number
1637 Payable #	HOUSTON & HARRIS PCS, Payable Type Account Number	Post Date	09/12/2019 Payable Descriptiont Name	EFT on Item Description	Discount Amount	0.00 Payable Ame tion Amount	3,004.00 ount	206
<u>19-22142</u>	Invoice 710-0000-8030-0000	09/11/2019	SPECIAL DEPT SUP	•	0.00		0.00	
<u>19-22151</u>	Invoice 700-4050-7068-0000	09/11/2019 CONTF	ON CALL SEWER C	LEANING, VIDEO & EME ON CALL SEWER CLEAN	0.00 IING, VID	1,56 1,564.00	4.00	
3229	ICMA - RC		09/12/2019	EFT		0.00	968.97	207
Payable #	Payable Type	Post Date	Payable Description	on	<b>Discount Amount</b>	Payable Am	ount	
	Account Number	Accour	nt Name	Item Description	Distribu	tion Amount		
PD 8/30/19	Invoice	09/11/2019	EMPLOYEE BENEFI		0.00	96	8.97	
	<u>100-0000-2075-0000</u> 100-0000-2075-0000		RED COMPENSATI RED COMPENSATI	EMPLOYEE BENEFIT PD EMPLOYEE BENEFIT PD		856.60 112.37		
3101	WRCOG		09/12/2019	EFT		0.00	219.504.00	208
Payable #	Payable Type	Post Date	Payable Descriptio		Discount Amount			200
	Account Number		nt Name	Item Description		tion Amount	burre	
9/9/19	Invoice	09/11/2019	AUGUST 2019 TUN		0.00	219,50	4.00	
	570-0000-2010-0000		O WRCOG (TUMF)	AUGUST 2019 TUMF FE		219,504.00		
1042	ALL PURPOSE RENTALS		09/12/2019	Regular		0.00	336.64	103236
Payable #	Payable Type	Post Date	Payable Description	วท	<b>Discount Amount</b>	Payable Amo	ount	
	Account Number	Accour	nt Name	Item Description	Distribu	tion Amount		
<u>38691</u>	Invoice	09/11/2019	EQUIPMENT RENT	ALS - STREETS	0.00	23	7.41	
	100-3250-7075-0000	EQUIPI	MENT LEASING/RE	EQUIPMENT RENTALS -	STREETS	237.41		
38713	Invoice	09/11/2019	EQUIPMENT RENT	ALS - STREETS	0.00	9	9.23	
	100-3250-7075-0000	EQUIP	MENT LEASING/RE	EQUIPMENT RENTALS -	STREETS	99.23		
3753	ALLIANCE ENVIRONMENT	AL & COMPLIANCE	, II 09/12/2019	Regular		0.00	1,000.00	103237
Payable #	Payable Type	Post Date	Payable Description	on	<b>Discount Amount</b>	Payable Amo	ount	
	Account Number	Accour	nt Name	Item Description	Distribu	tion Amount		
6115	Invoice	09/11/2019	SPECIAL DEPT SUP	PLIES	0.00	50	0.00	
	100-2050-7070-0000	SPECIA	L DEPT SUPPLIES	SPECIAL DEPT SUPPLIES	S	500.00		
6125	Invoice	09/11/2019	SPECIAL DEPT SUP	PLIES	0.00	500	D.00	
	100-2050-7070-0000	SPECIA	L DEPT SUPPLIES	SPECIAL DEPT SUPPLIES	5	500.00		
1050	AMAZON CAPITAL SERVIC	ES	09/12/2019	Regular		0.00	29.89	103238
Payable #	Payable Type	Post Date	Payable Description	on	<b>Discount</b> Amount	Payable Amo	ount	
	Account Number	Accour	nt Name	Item Description	Distribu	tion Amount		
1PLG-Q364-Y7RF	Invoice	09/11/2019	OFFICE SUPPLIES		0.00	2	9.89	
	100-1350-7025-0000	OFFICE	SUPPLIES	OFFICE SUPPLIES		29.89		
3756	ANN RENTERIA		09/12/2019	Regular		0.00	218.44	103239
Payable #	Payable Type	Post Date	Payable Description	on	<b>Discount Amount</b>	Payable Amo	ount	
	Account Number	Accour	nt Name	Item Description	Distribu	tion Amount		
05-010201-04	Invoice	09/11/2019	REIMBURSE OVER	PAYMENT ON ACCOUN	0.00	21	8.44	
	100-0000-1400-0000	A/R - U	ITILITIES	REIMBURSE OVER PAYN	VENT ON	218.44		
3757	ARASELI LEON LARA		09/12/2019	Regular		0.00	40.00	103240

Agenda Item No. 2.

Date Range: 09/06/2019 - 09/12/2019

Check Report							Date Kange	2:09/06/201	19 - 09/12/20
Vendor Number Payable #	Vendor Name Payable Type Account Number	Post Date Account	Payable Description	Payment Type on Item Description		t Amount	ount Payme Payable Am ion Amount		Number
0.0700044.04				item bescription				0.00	
<u>RCT#924184</u>	Invoice	09/11/2019	REFUND DEPOSIT			0.00		0.00	
	100-0000-4590-0000	BUILDIN	IG RENTAL	REFUND DEPOSIT			40.00		
3717	ARCHITEKTON		09/12/2019	Regular			0.00	3,150.00	1022/1
		Post Date	Payable Description	-	Discours		Payable Am	,	103241
Payable #	Payable Type				Discouri			ount	
	Account Number	Accoun		Item Description			ion Amount		
<u>1155</u>	Invoice	09/11/2019	Design and constru	0		0.00	-	0.00	
	500-0000-8990-0000	CAPITA	LOUTLAY	Design and construction	n drawin		3,150.00		
2765			09/12/2019	Pogular			0.00	10 12	103242
3755	ASHLEIGH BLACK			Regular	Discourse				105242
Payable #	Payable Type	Post Date	Payable Descriptio		Discourt		Payable Am	ount	
	Account Number	Accoun		Item Description			ion Amount		
07-008528-05	Invoice	09/11/2019	REIMBURSE CREDI			0.00		0.12	
	100-0000-1400-0000	A/R - U	TILITIES	REIMBURSE CREDIT ON	ACCOU		10.12		
3548	P. P. FROST COMPANY INC		09/12/2019	Regular			0.00	9,650.00	102242
	B.R. FROST COMPANY INC.	Post Date	Payable Description	-	Discours		Payable Am		103243
Payable #	Payable Type				Discouri		-	ount	
	Account Number	Account		Item Description			ion Amount		
<u>1124</u>	Invoice	09/11/2019		IDERS & LOCATE HOLES	_	0.00		0.00	
	700-4050-7068-0000	CONTRA	ACTUAL SERVICES	REPAIR MEDIA DIVIDER	IS & LOCA		9,650.00		
3129	DO DENITALS INC		09/12/2019	Regular			0.00	221.24	103244
	BC RENTALS, INC	Best Date	Payable Description	-	Discourse		Payable Am		105244
Payable #	Payable Type	Post Date	•		Discourt			ount	
	Account Number	Accoun		Item Description			ion Amount		
0041873-IN	Invoice	09/11/2019	STREET MAINTENA			0.00		1.34	
	100-3250-7070-0000	SPECIAL	DEPT SUPPLIES	STREET MAINTENANCE	SUPPLIE		321.34		
1127			00/12/2010	Bogular			0.00	122 75	103245
	BEAUMONT DO IT BEST HO		09/12/2019	Regular	Discourse				105245
Payable #	Payable Type	Post Date	Payable Description		Discoun		Payable Am	ount	
17000	Account Number	Accoun		Item Description			ion Amount		
476829	Invoice	09/11/2019	DEPARTMENT SUP			0.00		3.38	
	100-3250-7070-0000	SPECIAL	DEPT SUPPLIES	DEPARTMENT SUPPLIES	S – STREE		3.38		
476833	Invoice	09/11/2019	DEPARTMENT SUP	PLIES - SEWER		0.00	2	1.79	
	700-4050-7070-0000	SPECIAL	DEPT SUPPLIES	DEPARTMENT SUPPLIES	S - SEWE		21.79		
170050	Invelop	09/11/2019	SPECIAL DEPT SUP			0.00	2	2 10	
<u>476956</u>	Invoice				-	0.00		2.10	
	100-6000-7070-6025		EPT EXP - UTT HAL	SPECIAL DEPT SUPPLIES	>		22.10		
<u>476962</u>	Invoice	09/11/2019	DEPARTMENT SUP	PPLIES - STREETS		0.00	1	.7.91	
	100-3250-7070-0000	SPECIAL	. DEPT SUPPLIES	DEPARTMENT SUPPLIES	S – STREE		17.91		
477352	Invoice	09/11/2019	DEPARTMENT SUP	PLIES - STREETS		0.00	6	8.57	
	100-3250-7070-0000		DEPT SUPPLIES	DEPARTMENT SUPPLIES	S – STREE	0.00	68.57		
1160	<b>BIG TIME DESIGN</b>		09/12/2019	Regular			0.00	912.64	103246
Payable #	Payable Type	Post Date	Payable Description	on	Discount	t Amount	Payable Am	ount	
	Account Number	Account	t Name	Item Description		Distribut	ion Amount		
3672	Invoice	09/11/2019	UNIFORM			0.00	91	2.64	
	100-1050-7065-0000	UNIFOR		UNIFORM			23.70		
	100-1200-7065-0000	UNIFOR		UNIFORM			94.80		
	100-1200-7065-0000	UNIFOR		UNIFORM			24.70		
							24.70 94.80		
	100-1225-7065-0000	UNIFOR		UNIFORM					
	100-1350-7065-0000	UNIFOR		UNIFORM			75.10		
	100-1550-7065-0000	UNIFOR		UNIFORM			50.40		
	100-3100-7065-0000	UNIFOR		UNIFORM			191.64		
	100-3250-7065-0000	UNIFOR	MS	UNIFORM			23.70		
	700-4050-7065-0000	UNIFOR	MS	UNIFORM			23.70		
	750-7000-7065-0000	UNIFOR	MS	UNIFORM			189.60		
	750-7200-7065-0000	UNIFOR	MS	UNIFORM			120.50		

Agenda Item No. 2.

		, igeniaa item ite.			
		Da	te Range: 09/06/201	9 - 09/12/2019	
Payment Date	Payment Type	Discount Amount	Payment Amount	Number	
09/12/2019	Regular	0.00	929.00	103247	
Payable Description	n	Discount Amount Pay	able Amount		

Account Number Account Name **Item Description Distribution Amount** 09/11/2019 **Bio Tox Blood Draw Analysis** 0.00 630.00 100-2050-7068-0000 CONTRACTUAL SERVICES Bio Tox Blood Draw Analysis 630.00 09/11/2019 **Bio Tox Blood Draw Analysis** 0.00 299.00 100-2050-7068-0000 CONTRACTUAL SERVICES Bio Tox Blood Draw Analysis 299.00

09/12/2019 Regular 0.00 225.00 103248 **Payable Type** Post Date Payable Description Discount Amount Payable Amount Account Number Account Name **Item Description Distribution Amount** Invoice 09/11/2019 DUES AND SUBSCRIPTIONS 0.00 225.00 100-1200-7030-0000 **DUES & SUBSCRIPTIONS** DUES AND SUBSCRIPTIONS 225.00

CITY OF BANNING 09/12/2019 Regular 0.00 72.89 103249 Discount Amount Payable Amount **Payable Type** Post Date Payable Description Account Number Account Name **Item Description Distribution** Amount 09/11/2019 SHARED TRAFFIC SIGNAL UTILITY @ HS W 0.00 72.89 100-3250-7010-0000 UTILITIES SHARED TRAFFIC SIGNAL UTILIT 72.89

CONTRON 09/12/2019 Regular 0.00 803.40 103250 Payable # **Payable Type** Post Date **Payable Description** Discount Amount Payable Amount Account Number Account Name **Item Description Distribution Amount** 11965 Invoice 09/11/2019 EQUIPMENT SUPPLIES/MAINT 0.00 803.40 700-4050-7090-002X EQUIPMENT SUPPLIES/M EQUIPMENT SUPPLIES/MAINT 803.40

3641 ERIC ARROYO 09/12/2019 Regular 0.00 495.00 103251 Payable # Payable Type Post Date **Payable Description** Discount Amount Payable Amount Account Number Account Name **Item Description Distribution Amount** 2018 Invoice 09/11/2019 **RISK AND HUMAN RESOURCES** 0.00 495.00 **RISK AND HUMAN RESOURCES** 100-1240-6050-0000 RECRUITMENT AND HIRI 495.00

1533 FRONTIER COMMUNICATIONS 09/12/2019 Regular 0.00 78.64 103252 Payable # **Payable Type** Post Date **Payable Description** Discount Amount Payable Amount Account Number Account Name **Item Description Distribution Amount** 09/11/2019 **TELEPHONE UTILITY** 951-769-6032-08 Invoice 0.00 78.64 100-1230-7015-6040 TELEPHONE (POLICE DPT) TELEPHONE UTILITY 78.64

3572 Payable #	HECTOR ALVARADO Payable Type P	Post Date	09/12/2019 Payable Description	Regular	Discount Amount	0.00 Payable Am	2,120.00	103253
r ayabic <del>n</del>	Account Number		t Name	Item Description		tion Amount	ount	
1058		09/11/2019	Bus Washing Servi	-	0.00		0.00	
· · · · ·	750-7100-7068-0000		ACTUAL SERVICES	VEHICLE MAINTENANCI		200.00		
	750-7400-7068-0000	CONTR	ACTUAL EXPENSES	VEHICLE MAINTENANCI	E	450.00		
	750-7600-7068-0000	CONTR	ACTUAL SERVICES	VEHICLE MAINTENANCI		390.00		
	750-7700-7068-0000	CONTR	ACTUAL SERVICES	VEHICLE MAINTENANCI	E	300.00		
	750-7800-7068-0000	CONTR	ACTUAL SERVICES	VEHICLE MAINTENANCI	2	100.00		
	750-7900-7068-0000	CONTR	ACTUAL SERVICES	VEHICLE MAINTENANCI	Ξ	100.00		
	750-8000-7068-0000	CONTR	ACTUAL SERVICES	VEHICLE MAINTENANCI	Ē	100.00		
	750-8100-7068-0000	CONTR	ACTUAL SERVICES	VEHICLE MAINTENANCI	Ē	320.00		
	750-8200-7068-0000	CONTR	ACTUAL SERVICES	VEHICLE MAINTENANCI	E	160.00		
1624	HIGH TECH IRRIGATION, INC.		09/12/2019	Regular		0.00	784.41	103254
Payable #	,	Post Date	Payable Description	0	Discount Amount			10010
	Account Number	Accoun	t Name	Item Description	Distribu	ition Amount		
<u>591207</u>	Invoice 0	08/19/2019	SPECIAL DEPARTN	IENT SUPPLIES	0.00	78	4.41	
	100-3250-7070-0000	SPECIA	L DEPT SUPPLIES	SPECIAL DEPARTMENT	SUPPLIES	784.41		
1679	INTERWEST CONSULTING GR	RP, INC.	09/12/2019	Regular		0.00	5,628.73	103255

**Check Report** 

1161

1219

1285

3653

Vendor Number

Payable #

<u>38414</u>

38526

Payable #

Payable #

74105-54930 9/1

7694

Vendor Name

Payable Type

Invoice

Invoice

CAPIO

Invoice

BIO-TOX LABORATORIES

Post Date

Agenda Item No. 2.

Date Range: 09/06/2019 - 09/12/2019

Check Report						Date Range: 09/	06/201	.9 - 09/12/20:
Vendor Number Payable #	Vendor Name Payable Type Account Number	Post Date Account	Payment Date Payable Descriptio	Payment Type on Item Description	Discount Amount	ount Payment A Payable Amount tion Amount		Number
<u>51928</u>	Invoice 100-2150-7063-0000	09/11/2019	FY19-20 PO for Pla HECK FEES		0.00 neck Servi	5,628.73 5,628.73		
3758	JOSHUA MARTIN		09/12/2019	Regular		0.00	9.00	103256
Payable #	Payable Type	Post Date	Payable Description	n		Payable Amount		
	Account Number	Account		Item Description		tion Amount		
<u>RCT# 932339</u>	Invoice	09/11/2019	REIMBURSE OVER	REIMBURSE OVER PAY	0.00	9.00 9.00		
	750-0000-4684-0000	FIXED K	OUTE BUS PASSES	REIIVIDURSE OVER PAT		9.00		
1770	K HOVNANIAN		09/12/2019	Regular		0.00 135,	578.56	103257
Payable #	Payable Type	Post Date	Payable Description	on	Discount Amount	Payable Amount		
	Account Number	Account	t Name	Item Description	Distribu	tion Amount		
<u>9/11/19</u>	Invoice	09/11/2019		DIF FEES AUGUST 2019	0.00	135,578.56		
	<u>567-0000-7900-0000</u> 569-0000-7900-0000		TION FEE REFUND TION FEE REFUND	REIMBURSE PARK DIF F REIMBURSE PARK DIF F		61,343.10 74,235.46		
1805	KONICA MINOLTA BUSINE	SS SOLUTIONS	09/12/2019	Regular		0.00	314.28	103258
Payable #	Payable Type	Post Date	Payable Description	n	Discount Amount	Payable Amount		
	Account Number	Account	t Name	Item Description	Distribu	tion Amount		
<u>33990130</u>	Invoice	09/11/2019	EQUIPMENT RENT		0.00	314.28		
	100-1230-7075-6026	-	IENT LEASING/RE	EQUIPMENT RENTAL		220.00		
	700-4050-7075-0000	EQUIPN	IENT LEASING/RE	EQUIPMENT RENTAL		94.28		
1806		DEIMANCE	09/12/2019	Regular		0.00	500 17	103259
Payable #	KONICA MINOLTA PREMIE Payable Type	Post Date	Payable Description	-	Discount Amount	Payable Amount		103233
гауаме т	Account Number	Accoun		Item Description		tion Amount		
393745427	Invoice	09/11/2019	EQUIPMENT RENT	-	0.00	600.17		
	100-1230-7075-6026	EQUIPN	IENT LEASING/RE	EQUIPMENT RENTAL		420.12		
	700-4050-7075-0000	EQUIPN	IENT LEASING/RE	EQUIPMENT RENTAL		180.05		
			00/10/0010				54.56	400050
1850 Devel-bla #	LESLIE'S SWIMMING POOL	SUPPLIES Post Date	09/12/2019 Payable Description	Regular	Discount Amount	0.00 Payable Amount		103260
Payable #	Payable Type Account Number	Accoun		Item Description		tion Amount		
01062-01-005063		09/11/2019	SPECIAL DEPT SUP		0.00	21.96		
01004 01 000000	100-6150-7070-0000		DEPT SUPPLIES	SPECIAL DEPT SUPPLIE		21.96		
1070			09/12/2019	Regular		0.00 1.	101 25	103261
1979 Payable #	MUTUAL OF OMAHA Payable Type	Post Date	Payable Description	-	Discount Amount	Payable Amount		103201
r ayabie n	Account Number		t Name	Item Description		tion Amount		
F-01056732	Invoice	09/11/2019	CONTRACUTAL SE		0.00	75.00		
	100-1240-7068-0000	CONTRA	ACTUAL SERVICES	CONTRACUTAL SERVIC	ES	75.00		
F-01056733	Invoice	09/11/2019	CONTRACTUAL SE	RVICES	0.00	908.75		
	100-1240-7068-0000	CONTRA	ACTUAL SERVICES	CONTRACTUAL SERVIC	ES	908.75		
F-01056734	Invoice	09/11/2019	CONTRACTUAL SE	RVICES	0.00	207.50		
	100-1240-7068-0000		ACTUAL SERVICES	CONTRACTUAL SERVIC	CES	207.50		
2009	O'DEULY AUTO DARTS		09/12/2019	Regular		0.00	5/ 27	103262
Payable #	O'REILLY AUTO PARTS Payable Type	Post Date	Payable Description	-	Discount Amount	Payable Amount		TOJZOZ
r ayabic n	Account Number		t Name	Item Description		tion Amount		
2678-209597	Invoice	08/30/2019	VEHICLE MAINTEN		0.00	54.37		
	100-3250-7037-0000		E MAINTENANCE	VEHICLE MAINTENANO	CE	54.37		
2026			00/10/2010	Pogular		0.00	E0 95	102263
2026 Pavable #	PACIFIC ALARM SERVICE	Post Date	09/12/2019 Payable Description	Regular	Discount Amount	0.00 Payable Amount		103263
Payable #	Payable Type Account Number		t Name	Item Description		tion Amount		
<u>R 150016</u>	Invoice	09/11/2019	SECURITY SERVICE		0.00	59.85		
<u></u>	700-4050-7087-0000		TY SERVICES	SECURITY SERVICES	2100	59.85		

Agenda Item No. 2

		Agenda henrito. 2.				
		Da	te Range: 09/06/201	19 - 09/12/2019		
Payment Date	Payment Type	Discount Amount	Payment Amount	Number		
09/12/2019	Regular	0.00	1,000.00	103264		
Payable Description	on	Discount Amount Pay	able Amount			
t Name	Item Description	Distribution Ar	nount			

Account Name 09/11/2019 Goods 0.00 1,000.00 CONTRACTUAL SVC - CITY Goods 1,000.00

2072	POLYDYNE, INC.		09/12/2019	Regular		0.00	5,745.57	103265
Payable #	Payable Type	Post Date	Payable Descripti	on	<b>Discount Amount</b>	Payable Amou	unt	
	Account Number	Accou	nt Name	Item Description	Distribut	ion Amount		
1383974	Invoice	09/11/2019	CHEMICALS & SU	PPLIES	0.00	5,745.	57	
	700-4050-7070-0000	SPECIA	AL DEPT SUPPLIES	CHEMICALS & SUPPLIE	s	5,745.57		

3652	PRUDENTIAL OVERALL S	UPPLY	09/12/2019	Regular		0.00	259.38	103266
Payable #	Payable Type	Post Date	Payable Descript	tion	<b>Discount Amount</b>	Payable Amou	int	
	Account Number	Αςςοι	unt Name	Item Description	Distribut	ion Amount		
22851314	Invoice	09/11/2019	Prudential Unifo	rms	0.00	60.	94	
	700-4050-7065-0000	UNIFO	ORMS	UNIFORM MAINTENA	NCE	60.94		
22851316	Invoice	09/11/2019	Prudential Unifo	rms	0.00	68.	75	
	100-3250-7065-0000	UNIFO	ORMS	UNIFORM MAINTENA	NCE	68.75		
22855406	Invoice	09/11/2019	Prudential Unifo	rms	0.00	60.	94	
	700-4050-7065-0000	UNIFO	ORMS	UNIFORM MAINTENA	NCE	60.94		
22855408	Invoice	09/11/2019	Prudential Unifo	rms	0.00	68.	75	
	100-3250-7065-0000	UNIFO	ORMS	UNIFORM MAINTENA	NCE	68.75		

2104	RAMONA HUMANE SOCI	ETY INC	09/12/2019	Regular		C	0.00	5,735.68	103267
Payable #	Payable Type	Post Date	Payable Descripti	on	Discount	Amount	Payable Amo	unt	
	Account Number	Accou	nt Name	Item Description		Distributio	on Amount		
COB073119	Invoice	09/11/2019	Ramona Humane	Society - Sheltering Serv		0.00	5,735	.68	
	100-2000-7068-0000	CONT	RACTUAL SERVICES	Ramona Humane Socie	ty - Shelt		5,735.68		

3514	RECYCLED AGGREGATE N	ATERIALS CO, INC	09/12/2019	Regular		0.00	800.00	103268
Payable #	Payable Type	Post Date	Payable Descript	ion	Discount Amou	int Payable	Amount	
	Account Number	Accoun	it Name	Item Description	Distr	ibution Amou	nt	
336952	Invoice	09/11/2019	DEPARTMENT SU	PPLIES - STREETS	0.	.00	640.00	
	100-3250-7070-0000	SPECIA	L DEPT SUPPLIES	DEPARTMENT SUPPLIES	- STREE	640.0	00	
337031	Invoice	09/11/2019	DEPARTMENT SU	PPLIES - STREETS	0.	.00	160.00	
	100-3250-7070-0000	SPECIA	L DEPT SUPPLIES	DEPARTMENT SUPPLIES	- STREE	160.0	00	

2135	RESOURCE BUILDING MA	TERIALS	09/12/2019	Regular		0.00	150.85	103269
Payable #	Payable Type	Post Date	Payable Descripti	ion	Discount Amount	Payable Amo	unt	
	Account Number	Accou	nt Name	Item Description	Distributi	ion Amount		
2685332	Invoice	09/11/2019	SPECIAL DEPT SUI	PPLIES	0.00	37	.71	
	100-6050-7070-5400	SPEC	DEPT EXP - SPORTS	SPECIAL DEPT SUPPLIES		37.71		
2685381	Invoice	09/11/2019	SPECIAL DEPT SUI	PPLIES	0.00	56	57	
	100-6050-7070-5400	SPEC	DEPT EXP - SPORTS	SPECIAL DEPT SUPPLIES		56.57		
2685410	Invoice	09/11/2019	SPECIAL DEPT SUI	PPLIES	0.00	56	57	
	100-6050-7070-5400	SPECI	DEPT EXP - SPORTS	SPECIAL DEPT SUPPLIES		56.57		

3759	RICHARD TORRES		09/12/2019	Regular		0.00	41.62	103270
Payable #	Payable Type	Post Date	Payable Description	on	<b>Discount Amount</b>	Payable Amount	:	
	Account Number	Accoun	t Name	Item Description	Distribut	ion Amount		
06-011527-02	Invoice	09/11/2019	REIMBURSE OVER	PAYMENT ON ACCOUN	0.00	41.62	2	
	100-0000-1400-0000	A/R - U	TILITIES	REIMBURSE OVER PAYN	MENT ON	41.62		
2196	ROBERTSON'S		09/12/2019	Regular		0.00 1,	461.15	103271

**Check Report** Vendor Number

Payable #

10514-2

2032

Vendor Name

Payable Type

Invoice

Account Number

100-6000-7068-6025

PANTER'S HARDWOOD FLOORS INC

Post Date

Agenda Item No. 2.

Date Range: 09/06/2019 - 09/12/2019

Check Report						D	ate Range: 09/06/2	2019 - 09/12/20
Vendor Number Payable #	Vendor Name Payable Type Account Number	Post Date Accoun	Payment Date Payable Descriptic t Name		Discount		t Payment Amou ayable Amount Amount	nt Number
<u>453825</u>	Invoice 500-0000-7068-0000	09/11/2019 CONTR/	SPECIAL DEPT SUP	PLIES SPECIAL DEPT SUPPLIES	S	0.00	460.00 460.00	
<u>491024</u>	Invoice 100-3250-7070-0000	09/11/2019 SPECIAI	CONCRETE DEPT SUPPLIES	CONCRETE		0.00	569.15 569.15	
<u>499011</u>	Invoice 100-3250-7070-0000	09/11/2019 SPECIAI	CONCRETE . DEPT SUPPLIES	CONCRETE		0.00	432.00 432.00	
2243	SANTA ANA WATERSHED	PROJECT AUTHORIT	Y 09/12/2019	Regular		0.00	) 16,796.0	0 103272
Payable #	Payable Type Account Number	Post Date Accoun	Payable Description	n Item Description		Amount Pa Distribution	ayable Amount Amount	
<u>9401</u>	Invoice 700-4050-7022-0000	09/11/2019		IG PROGRAM FY19/20 BASIN MONITORING PF		0.00	16,796.00 5,796.00	
2257	SCOTT FAZEKAS & ASSOCI	ATES, INC.	09/12/2019	Regular		0.00	,	5 103273
Payable #	Payable Type	Post Date	Payable Descriptio				yable Amount	
<u>20681</u>	Account Number Invoice 100-2150-7063-0000	Accoun 09/11/2019 PLAN C	t Name FY 19-20 PO for Pla HECK FEES	Item Description In Check Services FY 19-20 PO for Plan Ch		Distribution 0.00	Amount 1,870.00 1,870.00	
<u>20736</u>	Invoice 100-2150-7063-0000	09/11/2019 PLAN C	FY 19-20 PO for Pla HECK FEES	in Check Services FY 19-20 PO for Plan Ch	neck Serv	0.00	26,834.15 5,834.15	
20745	Invoice 100-2150-7063-0000	09/11/2019 Plan C	FY 19-20 PO for Pla HECK FEES	in Check Services FY 19-20 PO for Plan Ch	neck Serv	0.00	4,125.00 4,125.00	
2289 Payable #	SIMPLIFILE Payable Type Account Number	Post Date Accoun	09/12/2019 Payable Descriptic t Name	Regular m Item Description		0.00 Amount Pa Distribution	ayable Amount	00 103274
CATWAQ-083120	Invoice 100-1200-7068-0000 100-3100-7068-0000		CONTRACTUAL SER ACTUAL SERVICES ACTUAL SERVICES	RVICES CONTRACTUAL SERVICE CONTRACTUAL SERVICE		0.00	956.00 528.00 428.00	
3031	SMARTHIRE		09/12/2019	Regular		0.00	) 207.9	0 103275
Payable #	Payable Type Account Number	Post Date Accoun	Payable Descriptio	-		Amount Pa Distribution	ayable Amount Amount	
<u>47350</u>	Invoice 100-1240-6050-0000	09/11/2019	RECRUITMENT TMENT AND HIRI	RECRUITMENT		0.00	207.90 207.90	
3554	STAR FLEET FILTRATION, II	NC	09/12/2019	Regular		0.00	) 546.0	00 103276
Payable #	Payable Type	Post Date	Payable Descriptio				ayable Amount	
32081	Account Number Invoice	Accoun 09/11/2019	EQUIP MAINT FOR	Item Description		Distribution . 0.00	546.00	
22001	700-4050-7090-0000		AENT SUPPLIES/M	EQUIP MAINT FOR WW	/ FILTERS	0.00	546.00	
3246	STURGEON ELECTRIC CALI	FORNIA, LLC	09/12/2019	Regular		0.00	) 195,167.9	2 103277
Payable #	Payable Type	Post Date	Payable Description	n	Discount	Amount Pa	yable Amount	
	Account Number	Accoun		Item Description		Distribution		
<u>570465</u>	Invoice 500-0000-8030-0000 500-0000-8030-0000		I-10/OAK VALLEY P TRUCTURE IMPRO TRUCTURE IMPRO	ARKWAY TRAFFIC SIGN I-10/OAK VALLEY I-10/OAK VALLEY PARKY	WAY TRA		195,167.92 1,609.24 3,558.68	
2395	TERMINIX COMMERCIAL		09/12/2019	Regular		0.00	) 75 (	0 103278
2393 Payable #	Payable Type	Post Date	Payable Descriptio	*	Discount		yable Amount	N 100270
-	Account Number	Accoun	t Name	Item Description		Distribution		
<u>388964660</u>	Invoice <u>100-6000-7068-6040</u>	09/11/2019 CONTR/	CONTRACTUAL SER ACTUAL SVC- POLI	RVICES CONTRACTUAL SERVIC	ES	0.00	75.00 75.00	
2407	THE GAS COMPANY		09/12/2019	Regular		0.00	) 77.0	3 103279

Agenda Item No. 2.

Date Range: 09/06/2019 - 09/12/2019

Check Report							Date Ran	ge: 09/06/20	19 - 09/12/20
Vendor Number Payable #	Vendor Name Payable Type Account Number	Post Date	Payment Date Payable Descripti nt Name	Payment Type on Item Description		t Amount	ount Payn Payable A tion Amount		Number
<u>057 895 4442 5 9</u>		09/11/2019	GAS UTILITY IES - COMMUNITY	GAS UTILITY		0.00	77.03	77.03	
3181 Payable #	THE PUN GROUP LLP Payable Type Account Number	Post Date Accourt	09/12/2019 Payable Descripti nt Name	Regular on Item Description	Discount		0.00 Payable Ai tion Amount		103280
112151	Invoice 100-1225-7068-0000	09/11/2019 CONTF	AUDITING SERVIC	ES AUDITING SERVICES		0.00		400.00	
2429 David I. a. i	THYSSENKRUPP ELEVATOR		09/12/2019	Regular			0.00	1,225.00	103281
Payable #	Payable Type Account Number	Post Date	Payable Description		Discount		Payable Ar		
5001133882	Invoice	09/11/2019	nt Name BUILDING SUPPLIE	Item Description			ion Amount		
2001122885	100-6000-7085-6045		MAINT- COMMUNI	BUILDING SUPPLIES/M	IAINT	0.00	1,2 1,225.00	225.00	
2457 Payable #	TYLER WORKS - TECHNOLO Payable Type	DGIES Post Date	09/12/2019 Payable Description	Regular	Discount		0.00 Pavable Ar		103282
rayable #	Account Number		nt Name	Item Description	Discount		ion Amount	nount	
025-270360	Invoice	09/11/2019	SOFTWARE	Rem Description		0.00		50.00	
	1.00-1230-7071-0000	SOFTW		SOFTWARE		0100	50.00	50.00	
2484 Payable #	VERIZON Payable Type	Post Date	09/12/2019 Payable Description	Regular	Discount		0.00 Reveble Ar	1,596.42	103283
Γαγαώε π	Account Number		nt Name	Item Description	Discount		Payable Ar ion Amount	nount	
9836914327	Invoice	09/11/2019	TRANSIT TABLETS	tern beschption		0.00		596.42	
	750-7200-7015-0000	TELEPH		TRANSIT TABLETS		0.00	1,596.42		
3422 Payable #	WAXIE SANITARY SUPPLY Payable Type	Post Date	09/12/2019 Payable Description	Regular	Discount		0.00 Payable Ar		103284
	Account Number	Accour	nt Name	Item Description	Discount		ion Amount	nount	
78439312	Invoice 700-4050-7085-0000	09/11/2019 BUILDI	BUILDING SUPPLIE NG SUPPLIES/MAI	S/MAINT BUILDING SUPPLIES/M	IAINT	0.00	79.07	79.07	
78505656	Invoice 100-6000-7085-6040	09/11/2019 BLDG N	BUILDING SUPPLIE MAINT - POLICE DE	S/MAINT BUILDING SUPPLIES/M	IAINT	0.00	1 149.65	49.65	
3248	WEBB MUNICIPAL FINANC	E, LLC	09/12/2019	Regular			0.00	49,773.75	103285
Payable #	Payable Type	Post Date	Payable Description	on	Discount		Payable An	nount	
	Account Number		nt Name	Item Description			ion Amount		
<u>20190427</u>	Invoice 250-0000-7068-0000	09/11/2019 CONTR	CFD ADMINISTRAT	TION & SPECIAL TAX CO CFD ADMINISTRATION	& SPECIA	0.00	49,7 49,773.75	73.75	
3599 Payable #	WESTERN MUNICIPAL WA <sup>.</sup> Payable Type	TER DISTRICT Post Date	09/12/2019 Payable Description	Regular on	Discount		0.00 Payable An	13,748.90 nount	103286
<u>RI3258</u>	Account Number Invoice	Accour 09/11/2019	nt Name BRINE LINE MAINT	Item Description		Distribut 0.00	ion Amount 13.7	48.90	
	700-4050-7089-0000		LINE MAINTENANC	BRINE LINE MAINTENA	NCE		13,748.90	10100	
2540 Payable #	WESTERN RIVERSIDE COUN Payable Type	NTY REGIONAL CO Post Date	NS 09/12/2019 Payable Description	Regular	Discount		0.00 Payable An	78,048.00	103287
T alfable in	Account Number		nt Name	Item Description	Discourt		ion Amount	nount	
<u>9/9/19</u>	Invoice 570-0000-2005-0000	09/11/2019 DUE TO	AUGUST 19 MSHC WRCRCA (MSHCP	•	ES	0.00		48.00	
2546	WILLDAN ENGINEERING		09/12/2019	Regular			0.00	37,242.53	103288
Payable #	Payable Type	Post Date	Payable Description	on	Discount	Amount	Payable An	nount	
	Account Number		nt Name	Item Description			ion Amount		
002-21337	Invoice 100-2150-7067-0000	09/11/2019 INSPEC	FY 19-20 PO for In: TIONS	sepction Services FY 19-20 PO for Insepc	tion Servi	0.00	27,9 27,900.00	00.00	

# Agenda Item No. 2. Date Range: 09/06/2019 - 09/12/2019

Check Report						Date Rang	e: 09/06/201	.9 - <mark>09/12/2</mark> 0
Vendor Number	Vendor Name		Payment Date	Payment Type	Discount Amo	unt Paym	ent Amount	Number
002-21338	Invoice	09/11/2019	FY19-20 Willdan F	O for Plan Check Servic	0.00	9,3	42.53	
	100-2150-7063-0000	PLAN	CHECK FEES	FY19-20 Willdan PO for Pla	an Ch	9,342.53		
2559	YORK INSURANCE SERVI	CES GROUP, INC	09/12/2019	Regular	(	0.00	9,216.25	103289
Payable #	Payable Type	Post Date	Payable Descripti	on D	iscount Amount	Payable An	nount	
	Account Number	Accou	int Name	Item Description	Distributi	on Amount		
500018992	Invoice	09/11/2019	CONTRACTUAL SE	RVICES	0.00	9,2	16.25	
	<u>100-1240-7068-0000</u>	CONT	RACTUAL SERVICES	CONTRACTUAL SERVICES		9,216.25		
		Bonk	Code APBNK Summa	<b>M</b> 4				
		Dalik		avment				

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	75	54	0.00	641,148.15
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	4	3	0.00	223,476.97
-	79	57	0.00	864,625.12

# All Bank Codes Check Summary

	Payable	Payment		
Payment Type	Count	Count	Discount	Payment
Regular Checks	75	54	0.00	641,148.15
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	4	3	0.00	223,476.97
	79	57	0.00	864,625.12

# **Fund Summary**

Fund	Name	Period	Amount
999	POOLED CASH	9/2019	864,625.12
			864,625.12

AGENDA ITEM NO.



#### WARRANTS TO BE RATIFIED

Thursday, September 19, 2019

Printed Checks EFT	103290-103386 209-211 A/P Total	\$	1,142,888.46 6,210.31 1,149,098.77	FY 19/20 FY 19/20
Voided Check	103184	\$	2,120.00	Daniel William Dopp
Bank Drafts	MG Trust	\$ \$ \$	4,577.59	Deferred Comp 457 PD 09/13/19 Deferred Comp 401A PD 09/13/19 FICA PD 09/13/19
	CalPERS	\$ \$ \$	142.44	25763 PEPRA 27308 PEPRA 742 Classic
Payroll	Paychex	\$	498,812.89	PD 09/13/19

#### I DO HEREBY CERTIFY THIS WARRANT LIST HAS BEEN COMPILED AND PREPARED TO MEET THE DAILY OPERATIONS FOR THE FISCAL YEAR JULY 1, 2019 - JUNE 30, 2020

SIGNATURE ۷ TITLE: CITY TREASURER SIGNATURE: TITLE: ADMINISTRATIVE SERVICES DIRECTOR





# Agenda Item No. 2. Check Report

By Check Number

Date Range: 09/13/2019 - 09/19/2019

Vendor Number Bank Code: APBNK-A	Vendor Name P Bank		Payment Date	Payment Type	Discount An	nount Paymen	it Amount	Number
1637	HOUSTON & HARRIS PCS	, INC	09/19/2019	EFT		0.00	1,300.00	209
Payable #	Payable Type	Post Date	Payable Description	on	<b>Discount Amount</b>		,	205
	Account Number	Accou	unt Name	Item Description		tion Amount		
19-22182	Invoice	09/19/2019	ON CALL SEWER C	LEANING, VIDEO & EME			00	
<u> </u>	700-4050-7068-0000		RACTUAL SERVICES	ON CALL SEWER CLEAN		1,300.00	.00	
						1,300.00		
3229	ICMA - RC		09/19/2019	EFT		0.00	1.666.47	210
Payable #	Payable Type	Post Date	Payable Description		Discount Amount		_,	210
	Account Number		Int Name	Item Description		•	unt	
PD 09/13/19	Invoice	09/18/2019	EMPLOYEE CONTR	•		tion Amount		
1003/13/23	16-5				0.00	_,	.47	
	100-0000-2075-0000		RRED COMPENSATI	EMPLOYEE CONTRIBUT		904.10		
	100-0000-2075-0000		RRED COMPENSATI	EMPLOYEE CONTRIBUT		112.37		
	100-1200-6026-0000	DEFE	RRED COMP	EMPLOYEE CONTRIBUT	TIONS	650.00		
0004								
2264	SEIU		09/19/2019	EFT		0.00	3,243.84	211
Payable #	Payable Type	Post Date	Payable Descriptio	n	Discount Amount	Payable Amou	int	
	Account Number	Accou	int Name	Item Description	Distribut	tion Amount		
PD 08/30/19-09/	Invoice	09/18/2019	EMPLOYEE DUES		0.00	3,243.	.84	
	100-0000-2061-0000	P.E.R.	C. DUES & INS	EMPLOYEE DUES		3,243.84		
1417	DIANA FUQUAY		09/18/2019	Regular		0.00	2,445.05	103290
Payable #	Payable Type	Post Date	Payable Descriptio	-	<b>Discount Amount</b>	Pavable Amou		100200
	Account Number	Accou	int Name	Item Description		tion Amount		
FINAL CHECK 2	Invoice	09/18/2019	SICK AND VACATIO	•	0.00		05	
	100-0000-2105-0000		OLL SUSPENSE	SICK AND VACATION H		2,445.	05	
	100 0000 2200 0000	17111		SICKAND VACATION IN	0013	2,445.05		
1417	DIANA FUQUAY		09/18/2019	Regular		0.00	1,262.22	102201
Payable #	Payable Type	Post Date	Payable Descriptio	•	Discount Amount			102291
	Account Number		nt Name	Item Description			int	
FINAL CHECK	Invoice	09/18/2019	REGULAR HOURS	item bescription		tion Amount	~~	
CINAL CITLON					0.00	1,262.	22	
	100-0000-2105-0000	PAIR	OLL SUSPENSE	REGULAR HOURS		1,262.22		
3523			00/10/2010	De su la s				
Payable #	72 HOUR LLC	Dect Dete	09/19/2019	Regular			9,844.36	103292
rayable #	Payable Type	Post Date	Payable Descriptio		Discount Amount		nt	
000.000.00	Account Number		nt Name	Item Description	Distribut	ion Amount		
02369368	Invoice	09/19/2019		n Car and 2 patrol vehi	0.00	44,922.	18	
	100-2050-8060-0000	VEHIC	LES	Purchase of 1 Admin Ca	r and 2 p	44,922.18		
02401294	Invoice	09/19/2019	Purchase of1 Admir	1 Car and 2 patrol vehi	0.00	44,922.:	18	
	100-2050-8060-0000	VEHIC		Purchase of 1 Admin Ca	r and 2 p	44,922.18		
						.,		
3684	ADAM HUIE		09/19/2019	Regular		0.00	512.22	103203
Payable #	Payable Type	Post Date	Payable Description	-	Discount Amount			103233
•	Account Number		nt Name	Item Description		ion Amount		
71519	Invoice	09/18/2019	PROFESSIONAL SER		0.00			
<u>,</u>	700-4050-7068-0000		RACTUAL SERVICES	PROFESS	0.00	512.2	22	
	100-4050-7008-0000	CONT	ACTORE SERVICES	PROFESS		512.22		
1036	ALBERT A. WEBB ASSOCIA	TES	09/19/2019	Pogular		0.00		40005 -
Payable #	Payable Type	Post Date		Regular			7,844.02	103294
i ujuvic n	Account Number		Payable Description		Discount Amount		ητ	
102556			nt Name	Item Description		ion Amount		
<u>193556</u>	Invoice	09/19/2019		s During Construction	0.00	394,481.2		
	710-0000-7068-0000	CONT	RACTUAL SERVICE	Engineering Services Du	uring Con	394,481.27 😁	•	
193557	Invoice	09/19/2019	Engineering Service	s During Const BRIN	0.00	6,774.7	75	
	710-0000-7068-0000	CONT	RACTUAL SERVICE	Engineering Services Du		6,774.75	-	
				J J	0	-,		

#### Agenda Item No. 2. Range: 09/13/2019 - 09/19/2019

Check Report						Date Range: 09/13/20	)19 - 09/19/201
Vendor Number <u>193558</u>	Vendor Name Invoice 710-0000-7068-0000	09/19/2019 CONTR	Payment Date Engineering Servic ACTUAL SERVICE	Payment Type ces During Construction Engineering Services D	0.00	nount Payment Amount 3,557.52 3,557.52	Number
<u>193558-2</u>	Invoice 710-0000-7068-0000	09/19/2019 CONTR	Engineering Servic ACTUAL SERVICE	es During Const BRIN Engineering Services D	0.00 During Con	3,030.48 3,030.48	
3762 Payable #	ALICIA GALBRAITH Payable Type Account Number	Post Date Accourt	09/19/2019 Payable Description It Name	Regular on Item Description		0.00 100.00 Payable Amount tion Amount	103295
<u>RCT 933652</u>	Invoice 100-0000-4590-0000	09/18/2019 BUILDI	DEPOSIT REFUND NG RENTAL	DEPOSIT REFUND	0.00	100.00 100.00	
1053 Payabie #	AMERICAN FORENSIC NUF Payable Type Account Number	Post Date	09/19/2019 Payable Description			Payable Amount	103296
72445	Invoice 100-2050-7068-0000	09/19/2019	nt Name American Forensic ACTUAL SERVICES	Item Description Nurses - Services American Forensic Nur	0.00	tion Amount 56.00 🛩 56.00	
3661 Payable # 19295	ARROWHEAD GROUP INC Payable Type Account Number Invoice	Post Date Accoun 09/19/2019	09/19/2019 Payable Descriptions t Name	Item Description	Distribu	Payable Amount tion Amount	103297
20022	100-6050-7068-5999 Invoice		Backflow Testing a ACT SVC - ALL PAR Backflow Testing a	Backflow Testing and R	0.00 Repair 0.00	304.99 304.99 5,880.00	
20519	<u>100-6050-7068-5999</u> Invoice		ACT SVC - ALL PAR Backflow Testing a	Backflow Testing and R		5,880.00 2,516.71	
1086	100-6050-7068-5999		ACT SVC - ALL PAR	Backflow Testing and R	lepair	2,516.71	
Payable #	ARROWHEAD RADIOLOGY Payable Type Account Number Invoice 100-2050-6019-0000	Post Date Accoun 09/18/2019 FIRST A	EMPLOYEE MEDIC	Item Description	Distribut 0.00	0.00 35.00 Payable Amount tion Amount 35.00 35.00	103298
3769 Payable # 06-002331-09	ASHLEY MULCAHY Payable Type Account Number Invoice 100-0000-1400-0000	Post Date Accoun 09/18/2019 A/R - U	REIMBURSE CREDI	Regular on Item Description T ON FINALED UTILITY REIMBURSE CREDIT ON	Distribut 0.00	0.00 15.37 Payable Amount tion Amount 15.37 15.37	103299
1098 Payable # <u>137326</u>	AUTOMATED GATE SERVIC Payable Type Account Number Invoice 100-6000-7090-6040	ES, INC Post Date Account 09/18/2019	09/19/2019 Payable Descriptic	Regular on Item Description	Discount Amount	0.00 146.50	103300
1109 Payable # 1280837350 09/1	BANK OF HEMET Payable Type Account Number Invoice 100-6050-8040-0000	Post Date Account 09/19/2019 EQUIPM	BATWING LAWNM	Item Description	Discount Amount Distribut 0.00	0.00 3,726.94 Payable Amount ion Amount 3,726.94 3,726.94	103301
1111 Payable # GOR0010578353	BANNING MEDICAL SERVIC Payable Type Account Number Invoice 100-2050-6019-0000	ES Post Date Account 09/18/2019 FIRST AI	EMPLOYEE MEDICA	Item Description	Discount Amount Distribut 0.00		103302
1127	BEAUMONT DO IT BEST HO	ME CENTER	09/19/2019	Regular		0.00 182.39	103303

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Vendor Number Payable #	Vendor Name Payable Type	Post Date	Payable Description				ount Payr Payable A	nent Amouni mount	t Number
	Account Number	Accoun	it Name	Item Description		Distribut	tion Amount	:	
453698	Credit Memo	09/18/2019	RETURNED GOODS	S		0.00		-30.00	
	100-3250-7070-0000	SPECIA	L DEPT SUPPLIES	RETURNED GOODS			-30.00		
1100000							50.00		
476078	Invoice	09/19/2019	DEPARTMENT SUP	PPLIES - SEWER		0.00		37.68	
	700-4050-7070-0000	SPECIA	L DEPT SUPPLIES	DEPARTMENT SUPPLIES	5 - SEWE		37.68	1	
476998	Invoice	09/18/2019	OFFICE SUPPLIES			0.00		40.00	
11 4224						0.00		19.66	
	750-7000-7025-0000	OFFICE	SUPPLIES	OFFICE SUPPLIES			19.66	i	
476999	Invoice	09/18/2019	DEPT SUPPLIES			0.00		13.55	
	100-6050-7070-0000	SPECIA	L DEPT SUPPLIES	DEPT SUPPLIES			13.55		
a <b>11</b> 111 a at a							10.00		
477151	Invoice	09/18/2019	BUILDING SUPPLIE	S & MAINTENANCE		0.00		84.90	
	100-6000-7085-6025	BLDG N	AINT - CITY HALL	BUILDING SUPPLIES & N	MAINTEN		84.90		
477220	Invoice	09/18/2019		S & MAINTENANCE		0.00		10.44	
17 Three W	100-6000-7085-6045					0.00		10.44	
	100-0000-7085-004.5	BLDG IV	IAINT- COMMUNI	BUILDING SUPPLIES & N	VIAINTEN		10.44		
477241	Invoice	09/18/2019	BUILDING SUPPLIE	S & MAINTENANCE		0.00		14.62	
	100-6000-7085-6040	BLDG N	IAINT - POLICE DE	BUILDING SUPPLIES & N	AINTEN		14.62		
1770.40							14.02		
477242	Invoice	09/18/2019		S & MAINTENANCE		0.00		12.60	
	100-6000-7085-6025	BLDG N	1AINT - CITY HALL	BUILDING SUPPLIES & N	AINTEN		12.60		
477255	Invoice	09/18/2019	DEPT SUPPLIES			0.00		18.94	
	100-6050-7070-5400		EPT EXP - SPORTS	DEPT SUPPLIES		0.00	0.47	10.34	
							9.47		
	100-6050-7070-5500	SPEC DE	EPT EXP - STEWAR	DEPT SUPPLIES			9.47		
4495									
1136	BEAUMONT POWER EQUI	PMENT	09/19/2019	Regular			0.00	149.70	103304
Payable #	Payable Type	Post Date	Payable Description	n	Discount	Amount	Payable Ar	nount	
	Account Number	Account	t Name	Item Description		Distribut	ion Amount		
2197	Invoice	09/18/2019	EQUIPMENT SUPPI	LIES & MAINTENANCE		0.00		10.00	
	100-6050-7090-0000	EQUIPIN	IENT SUPPLIES/M	EQUIPMENT SUPPLIES &	MAINT		10.00		
2210									
2219	Invoice	09/18/2019		LIES & MAINTENANCE		0.00	1	.32.17	
	100-6050-7090-0000	EQUIPM	IENT SUPPLIES/M	EQUIPMENT SUPPLIES &	& MAINT		132.17		
2258	Invoice	09/18/2019	EQUIPMENT SUPPL	LIES & MAINTENANCE		0.00		7.53	
	100-6050-7090-0000		IENT SUPPLIES/M		. MAINT	0.00	7.53	7.55	
		EQUIN		EQUIFICIENT SOFFEILS 6	X WIATINT		7.55		
1140	BEAUMONT SAFE & LOCK		09/19/2019	Deculor					
		Deat Deta		Regular			0.00		103305
Payable #	Payable Type	Post Date	Payable Descriptio		Discount	Amount	Payable An	nount	
	Account Number	Account		Item Description		Distributi	on Amount		
71700	Invoice	09/18/2019	DEPT SUPPLIES			0.00		3.23	
	100-6050-7070-0000	SPECIAL	DEPT SUPPLIES	DEPT SUPPLIES			3.23		
71871	Invoice	09/18/2019	VEHICLE MAINTEN			0.00		10.00	
<u>7 2.01 az</u>	100-2050-7037-0000					0.00		19.00	
	100-2030-7037-0000	VEHICLE	MAINTENANCE	VEHICLE MAINTENANCE	_		119.00		
0.7.0									
3763	BECK M.D., MARK J.		09/19/2019	Regular		(	0.00	150.25	103306
Payable #	Payable Type	Post Date	Payable Descriptio	n	Discount	Amount	Payable An	nount	
	Account Number	Account	Name	Item Description		Distributi	on Amount		
A 31-10578353	Invoice	09/18/2019	EMPLOYEE MEDICA	AL SERVICES		0.00	1	50.25	
	100-2050-6019-0000	FIRST AI	D	EMPLOYEE MEDICAL SEI	RVICES		150.25		
1148	BEDON CONSTRUCTION, IN		09/19/2019	Regular			0.00	2 022 75	102207
Payable #	Payable Type	Post Date	Payable Descriptio	-	Discount			2,827.75	103307
i ujusic n			• •		Discount,		Payable Am	nount	
76495	Account Number	Account		Item Description			on Amount		
26485	Invoice	09/19/2019	filter fabric for grav			0.00	2,8	27.75	
	100-6050-7070-019A	SPEC DE	PT EXP - IA 19A	Goods			2,827.75		
3575	BEHRENS AND ASSOCIATES	S, INC	09/19/2019	Regular		C	0.00	862.00	103308
									-

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Vendor Number Payable #	Vendor Name Payable Type Account Number	Post Date Accour	Payment Date Payable Description Name	Payment Type on Item Description	Discount A		Payment Amount able Amount	t Number
<u>RI11319</u>	Invoice 710-0000-8030-0000	09/19/2019 CAPITA	8 FEET HIGH STC-2 L IMPROVEMENT	25 BLANKET RENTAL 8 FEET HIGH STC-25 B		0.00	862.00 862.00	
3602 Payable #	BURRTEC WASTE GROUP, Payable Type	Post Date	09/19/2019 Payable Descriptio		Discount A	0.00 mount Pay	46,119.39 able Amount	103309
09052019-2	Account Number Invoice 700-4050-7068-0000	09/19/2019	It Name Sludge Hauling Ser ACTUAL SERVICES	Item Description vices for the WWTP SLUDGE HAULING	D	istribution Ar 0.00 46,:	<b>nount</b> 46,119.39 119.39	
1242 Payable #	CED Payable Type Account Number	Post Date Accoun	09/19/2019 Payable Descriptic It Name	Regular on Item Description		0.00 mount Pays istribution Ar	able Amount	103310
0954-473401.2	Invoice 100-3250-7070-0000	09/19/2019 SPECIA	DEPARTMENT SUP L DEPT SUPPLIES	PLIES - ELECTRICAL DEPARTMENT SUPPLIE		0.00	767.18 767.18	
1302 Payable #	CLINICAL LABORATORY OI Payable Type Account Number	Post Date Accoun	Payable Description	Item Description		0.00 nount Paya istribution Ar	able Amount	103311
970429	Invoice 700-4050-7068-0000	09/19/2019 CONTR/	WWTP Laboratory ACTUAL SERVICES	Testing Services WWTP Laboratory Test	ting Servic	0.00 5,7	5,724.00 724.00	
1310 Payable #	COLONIAL LIFE Payable Type Account Number	Post Date Accoun	09/19/2019 Payable Descriptio t Name	Regular on Item Description		0.00 nount Paya stribution An	able Amount	103312
CD 08/02/19-08/	Invoice 100-0000-2051-0000	09/18/2019 COLONI	OPTIONAL EMPLOY AL INS-WITHHOL	YEE INSURANCE OPTIONAL EMPLOYEE	INSURAN	0.00 5	591.76 91.76	
3653 Payable # <u>11970</u>	CONTRON Payable Type Account Number Invoice 700-4050-7068-0000	Post Date Accoun 09/19/2019		Item Description ES FOR SCADA WW SYS	Di	0.00 nount Paya stribution An 0.00	nount 758.40	103313
<u>11971</u>	Invoice 700-4050-7068-0000	09/19/2019		TECHNICAL SERVICES F ES FOR SCADA WW SYS TECHNICAL SERVICES F		0.00	/58.40 848.40 448.40	
1364 Payable # <u>09/05/19</u>	DANIEL LEE Payable Type Account Number Invoice	Post Date Account 09/18/2019	09/19/2019 Payable Descriptio t Name DEPT SUPPLIES REI	Item Description		0.00 nount Paya stribution An 0.00	ble Amount	103314
1237	100-2050-7070-0000	SPECIAL	DEPT SUPPLIES	DEPT SUPPLIES REIMBU	URSEMEN		49.73	
Payable #	DANIEL WILLIAM DOPP Payable Type Account Number Invoice 100-2030-7039-0000	Post Date Account 09/18/2019 CODE Ef	09/19/2019 Payable Descriptio t Name PROFESSIONAL SER NFORCEMENT	Item Description	Di	0.00 nount Paya stribution Am 0.00 3		103315
1473 CHECK 2	Invoice 100-2030-7039-0000	09/18/2019 CODE EI	PROFESSIONAL SER	IVICES PROFESSIONAL SERVIC	ES	0.00 1,7	1,760.00 60.00	
1395 Payable #	DENNIS JANDA, INC. Payable Type Account Number	Post Date Account	09/19/2019 Payable Descriptio Name	Regular n Item Description		0.00 Nount Paya Stribution Am	ble Amount	103316
<u>13610</u>	Invoice 500-0000-7068-0000	09/19/2019 CONTRA	Amend Contract An	nount Amend Contract Amou	nt	0.00	150.00 50.00	
1402	DEPARTMENT OF JUSTICE		09/19/2019	Regular		0.00	1,675.00	103317

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Vendor Number	Vendor Name		Payment Date	Payment Type	Discount Ar	nount Payment Ar	nount Number
Payable #	Payable Type Account Number	Post Date Accoun	Payable Description	• •	Discount Amoun	Payable Amount	
400095	Invoice 100-2050-7031-0000	09/19/2019 LIVE SC.	DOJ Livescan Finge AN-FINGERPRINTI	erprinting DOJ Livescan Fingerprint	0.00 ting	) 1,675.00 1,675.00	
1414 Payable #	DIAMOND HILLS AUTO G Payable Type Account Number	ROUP Post Date Accoun	09/19/2019 Payable Descriptic t Name	Regular on Item Description		0.00 5 Payable Amount	56.92 103318
44241	Invoice 100-2050-7037-0000	09/18/2019 VEHICL	VEHICLE MAINTEN E MAINTENANCE	ANCE VEHICLE MAINTENANCE	0.00	220.00 220.00	
655226	Invoice 100-2050-7037-0000	09/18/2019 VEHICLE	VEHICLE MAINTEN E MAINTENANCE	ANCE VEHICLE MAINTENANCE	0.00	321.80 321.80	
655226CM	Credit Memo 100-2050-7037-0000	09/18/2019 VEHICLE	VEHICLE MAINTEN MAINTENANCE	ANCE VEHICLE MAINTENANCE	0.00	-88.09 -88.09	
655248	Invoice 100-2050-7037-0000	09/18/2019 VEHICLE	VEHICLE MAINTEN MAINTENANCE	ANCE VEHICLE MAINTENANCE	0.00	103.21 103.21	
1441 Payable #	DOWN TO EARTH LAND C Payable Type	CLEARING SOLUTION Post Date	S 09/19/2019 Payable Descriptio		Discount Amount	0.00 3,3 Payable Amount	75.00 103319
40419000119	Account Number Invoice 100-2030-7039-0000	Account 09/18/2019 CODE El	t Name WEED ABATEMENT NFORCEMENT	Item Description I SERVICES WEED ABATEMENT SERV	0.00	tion Amount 724.50 724.50	
40419000319	Invoice 100-2030-7039-0000	09/18/2019 CODE EI	WEED ABATEMENT	FSERVICES WEED ABATEMENT SERV	0.00 /ICES		
414120029	Invoice 100-2030-7039-0000	09/18/2019 CODE EI	WEED ABATEMENT	SERVICES WEED ABATEMENT SERV	0.00 /ICES	153.00 153.00	
<u>41412003119</u>	Invoice 100-2030-7039-0000	09/18/2019 CODE Ef	WEED ABATEMENT	SERVICES WEED ABATEMENT SERV	0.00 /ICES	144.50 144.50	
<u>41414203819</u>	Invoice 100-2030-7039-0000	09/18/2019 CODE EN	WEED ABATEMENT	SERVICES WEED ABATEMENT SERV	0.00 /ICES	669.50 669.50	
415092014	Invoice 100-2030-7039-0000	09/18/2019 CODE EN	WEED ABATEMENT	SERVICES WEED ABATEMENT SERV	0.00 VICES	144.50 144.50	
415122019	Invoice 100-2030-7039-0000	09/18/2019 CODE EN	WEED ABATEMENT	SERVICES WEED ABATEMENT SERV	0.00 VICES	144.50 144.50	
41528202219	Invoice 100-2030-7039-0000		WEED ABATEMENT	SERVICES WEED ABATEMENT SERV	0.00 ICES	144.50 144.50	
41530103019	Invoice 100-2030-7039-0000		WEED ABATEMENT	SERVICES WEED ABATEMENT SERV	0.00 ICES	143.00 143.00	
41722000919	Invoice 100-2030-7039-0000		WEED ABATEMENT	SERVICES WEED ABATEMENT SERV	0.00 ICES	189.50 189.50	
41722004119	Invoice 100-2030-7039-0000		WEED ABATEMENT	SERVICES WEED ABATEMENT SERV	0.00 ICES	188.00 188.00	
418031010	Invoice 100-2030-7039-0000		WEED ABATEMENT	SERVICES WEED ABATEMENT SERV	0.00 ICES	144.50 144.50	
41804300219	Invoice 100-2030-7039-0000		WEED ABATEMENT IFORCEMENT	SERVICES WEED ABATEMENT SERV	0.00 ICES	144.50 144.50	
41812100319	Invoice 100-2030-7039-0000		WEED ABATEMENT IFORCEMENT	SERVICES WEED ABATEMENT SERV	0.00 ICES	143.00 143.00	
41812202819	Invoice 100-2030-7039-0000		WEED ABATEMENT IFORCEMENT	SERVICES WEED ABATEMENT SERV	0.00 ICES	189.50 189.50	
1479	ENTENMANN-ROVIN CO		09/19/2019	Regular		0.00 52	0.34 103320

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Vendor Number Payable #	Vendor Name Payable Type Account Number	Post Date Accour	Payment Date Payable Description Name	Payment Type on Item Description	Discount Amount	iount Payment Amou Payable Amount tion Amount	nt Number
<u>0146524-IN</u>	Invoice 100-2050-7065-0000	09/18/2019 UNIFO	EMPLOYEE UNIFO		0.00	520.34 520.34	
1501 Payable #	FAIRVIEW FORD Payable Type Account Number	Post Date Accour	09/19/2019 Payable Description It Name	Regular on Item Description		0.00 1,207.5 Payable Amount tion Amount	02 103321
<u>627960</u>	Invoice 100-2000-7037-0000 100-2030-7037-0000 100-2050-7037-0000	VEHICL	Fairview Ford E MAINTENANCE E MAINTENANCE E MAINTENANCE	Fairview Ford Fairview Ford Fairview Ford	0.00	63.61 9.09 9.09 45.43	
<u>C63579</u>	Invoice 100-2000-7037-0000 100-2030-7037-0000 100-2050-7037-0000	VEHICL	Fairview Ford E MAINTENANCE E MAINTENANCE E MAINTENANCE	Fairview Ford Fairview Ford Fairview Ford	0.00	940.59 134.37 134.37 671.85	
<u>C63714</u>	Invoice 100-2000-7037-0000 100-2030-7037-0000 100-2050-7037-0000	VEHICL	Fairview Ford E MAINTENANCE E MAINTENANCE E MAINTENANCE	Fairview Ford Fairview Ford Fairview Ford	0.00	203.72 29.10 29.10 145.52	
1519 Bruchle #	FORD MOTOR CREDIT CO.		09/19/2019	Regular		,	3 103322
Payable # 1692521	Payable Type Account Number Invoice	Post Date Accoun 09/19/2019	Payable Description t Name Ford Motor Credit	Item Description	Distribut	Payable Amount ion Amount	
1052321	<u>100-2050-8060-0000</u>	VEHICL		Ford Motor Credit	0.00	2,224.03 2,224.03	
1522 Payable #	FOX OCCUPATIONAL Payable Type Account Number	Post Date Accoun	09/19/2019 Payable Descriptio t Name	Regular on Item Description	Discount Amount	0.00 85.0 Payable Amount ion Amount	0 103323
<u>110576</u>	Invoice 100-6050-6019-0000 750-7200-6019-0000	09/18/2019 FIRST A FIRST A		AL SERVICES EMPLOYEE MEDICAL SE EMPLOYEE MEDICAL SE	0.00 ERVICES	85.00 45.00 40.00	
1533 Payable #	FRONTIER COMMUNICATI Payable Type	ONS Post Date	09/19/2019 Payable Descriptic	Regular			1 103324
213-180-1992-06	Account Number Invoice 100-1230-7015-6045	Accoun 09/18/2019	• •	Item Description	Discount Amount Distributi 0.00	Payable Amount ion Amount 175.98 175.98	
<u>951-769-5188-04</u>		09/18/2019	PHONE UTILITY ONE (COMM CTR)	PHONE UTILITY	0.00	392.81 392.81	
<u>951-769-8533-09</u>	Invoice 750-7300-7015-0000	09/18/2019 TELEPH	PHONE UTILITY ONE	PHONE UTILITY	0.00	61.98 61.98	
<u>951-769-8534-04</u>	Invoice 700-4050-7015-0000	09/18/2019 TELEPH	PHONE UTILITY ONE	PHONE UTILITY	0.00	353.74 353.74	
1554 Payable # <u>1079129</u>	GALLADE CHEMICAL,INC. Payable Type Account Number Invoice	Post Date Account 09/19/2019	09/19/2019 Payable Descriptic t Name CHEMICALS FOR W	Item Description	Discount Amount		3 103325
1557	700-4050-7070-0000 GAREWAL		09/19/2019	CHEMICALS FOR WWTF	(		0 103326
Payable #	Payable Type Account Number	Post Date Account	Payable Descriptio t Name	n Item Description	Discount Amount Distributi	Payable Amount on Amount	
77	Invoice 100-2030-7039-0000	09/18/2019 CODE E	PROFESSIONAL SEF	VICES PROFESSIONAL SERVICE	0.00	440.00 440.00	
3348	GOVERNMENTJOBS.COM,	INC	09/19/2019	Regular	c	0.00 26,858.40	103327

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Vendor Number Payable #	Vendor Name Payable Type Account Number	Post Date	Payment Date Payable Descript Int Name		Discount An		Payment Amount able Amount	Number
INV-10470	Invoice 100-1230-7071-6025	09/19/2019	NeoGov Software WARE (CITY HALL)	•	D,	0.00	26,858.40 858.40	
1624	HIGH TECH IRRIGATION, IN	IC.	09/19/2019	Regular		0.00	1,457.93	103328
Payable #	Payable Type Account Number	Post Date Accou	Payable Descripti Int Name	ion Item Description		nount Pay stribution Ar	able Amount nount	
<u>598226-1</u>	Invoice 100-6050-7070-5999	09/19/2019 SPEC	DEPT SUPPLIES DEPT EXP - ALL PAR	DEPT SUPPLIES		0.00 1,4	1,457.93 <del>1</del> 57.93	
1628 Payable #	HINDERLITER, de LLAMAS, Payable Type	& ASSOC Post Date	09/19/2019 Payable Descripti	Regular i <b>on</b>	Discount An	0.00 nount Paya	2,783.84 able Amount	103329
	Account Number		int Name	Item Description	Di	stribution Ar	nount	
0031983-IN	Invoice 100-1200-7068-0000	09/18/2019 CONT	SALES TAX 3RD QI RACTUAL SERVICES	UARTER SALES TAX 3RD QUART	ΓER	0.00 2,7	2,783.84 783.84	
1643	HUNTINGTON COURT REP	ORTERS & TRANS	CRI 09/19/2019	Regular		0.00	830.08	103330
Payable #	Payable Type	Post Date	Payable Descripti	on	Discount Am	nount Paya	able Amount	
	Account Number		nt Name	Item Description		stribution Ar		
<u>32289</u>	Invoice 100-2050-7068-0000	09/19/2019 CONT	Transcription Serv RACTUAL SERVICES	rices Transcription Services		0.00 ٤	830.08 330.08	
3725	JEREMY HARRIS		09/19/2019	Regular		0.00	78.00	103331
Payable #	Payable Type	Post Date	Payable Descripti	on	Discount Am	nount Paya	able Amount	
	Account Number	Accou	nt Name	Item Description	Dis	stribution An	nount	
09/11/19	Invoice	09/18/2019		VIMERCIAL B LICENSE RE		0.00	78.00	
	<u>100-2050-7066-0000</u>	TRAVE	L, EDUCATION, TRA	DMV FEE FOR COMME	RCIAL B L		78.00	
3764	JESSE REYES		09/19/2019	Regular		0.00	40.00	103332
Payable #	Payable Type	Post Date	Payable Descripti	on	Discount Am	nount Paya		
	Account Number	Accou	nt Name	Item Description	Dis	stribution An	nount	
<u>RCT 933346</u>	Invoice 100-0000-4590-0000	09/18/2019 BUILD	DEPOSIT REFUND ING RENTAL	DEPOSIT REFUND		0.00	40.00 40.00	
3765	JULIE TRUJILLO		09/19/2019	Regular		0.00	150.00	103333
Payable #	Payable Type	Post Date	Payable Description	0	Discount Am			105555
	Account Number	Accou	nt Name	Item Description		tribution An		
<u>03<b>-01016</b>0-04</u>	Invoice 100-0000-1400-0000	09/18/2019 A/R - U	REIMBURSE PARTI JTILITIES	AL CREDIT ON UTILITY A REIMBURSE PARTIAL C	REDIT ON	0.00	150.00 50.00	
1805	KONICA MINOLTA BUSINE		09/19/2019	Regular		0.00	1,131.07	10222/
Payable #	Payable Type	Post Date	Payable Description	-	Discount Am			103334
	Account Number	Accou	nt Name	Item Description		tribution Am		
9006020947	Invoice	09/18/2019	PRINTER SERVICES	5		0.00	1,131.07	
	100-1230-7090-6025		SUPPLIES/MAINT (	EQUIPMENT MAINTEN	-		93.97	
	100-1230-7090-6040		SUPPLIES/MAINT (	EQUIPMENT MAINTEN			88.83	
	<u>100-1230-7090-6045</u> 750-7000-7090-0000		SUPPLIES/MAINT ( MENT SUPPLIES/M	EQUIPMENT MAINTEN EQUIPMENT MAINTEN			55.87 92.40	
						2	52,70	
1806	KONICA MINOLTA PREMIE		09/19/2019	Regular		0.00	1,481.92	103335
Payable #	Payable Type Account Number	Post Date	Payable Description		Discount Am			
394493993	Invoice	09/18/2019	nt Name EQUIPMENT RENT	Item Description	DIS	tribution Am 0.00		
	100-1230-7075-6025		MENT LEASING/RE	EQUIPMENT RENTAL			1,481.92 70.48	
	100-1230-7075-6040		MENT LEASING/RE	EQUIPMENT RENTAL			70.48	
	100-1230-7075-6045	EQUIP	MENT LEASING/RE	EQUIPMENT RENTAL		3	70.48	
	750-7000-7075-0000	EQUIP	MENT LEASING/RE	EQUIPMENT RENTAL		3	70.48	
3379	LAW OFFICES BURKE, WILL	IAMS & SORENSE	N, 09/19/2019	Regular		0.00	10,015.00	103336

**Check Report** Vendor Number

Payable #

244833

Payable #

<u>2450650</u>

Payable #

Payable #

09/09/19

Payable #

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01-000152-01

<u>34279</u>

RCT 931532

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3610

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3766

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					Ag	enda l	tem No.
							19 - 09/19/20
Vendor Name		Payment Date	Payment Type	Discount An	nount Paymen	t Amount	Number
Payable Type	Post Date	Payable Description	on	Discount Amount			
Account Number	Αςςοι	int Name	Item Description		ition Amount		
Invoice	09/18/2019	LEGAL SERVICES		0.00	10,015.	00	
120-9663-7300-0000	CONT	RACTUAL SERVICES	LEGAL SERVICES		10,015.00		
LEWIS BRISBOIS BISGAARI	D & SMITH LLP	09/19/2019	Regular		0.00	90.00	103337
Payable Type	Post Date	Payable Description	on	<b>Discount Amount</b>	Payable Amou	int	
Account Number	Accou	int Name	Item Description		tion Amount		
Invoice	09/18/2019	LEGAL SERVICES		0.00	90.	00	
120-9663-7300-0000	CONT	RACTUAL SERVICES	LEGAL SERVICES		90.00		
LYNN BROUSSEAU		09/19/2019	Regular		0.00	40.00	103338
Payable Type	Post Date	Payable Description	on	<b>Discount Amount</b>	Payable Amou	nt	
Account Number	Accou	int Name	Item Description	Distribu	tion Amount		
Invoice	09/18/2019	DEPOSIT REFUND		0.00	40.	00	
100-0000-4590-0000	BUILD	ING RENTAL	DEPOSIT REFUND		40.00		
MARCEDES CASHMER		09/19/2019	Regular		0.00	25.73	103339
Payable Type	Post Date	Payable Descriptic	on	Discount Amount	Payable Amou	nt	
Account Number	Accou	nt Name	Item Description	Distribut	tion Amount		
Invoice	09/18/2019	DEPT SUPPLIES REI	IMBURSEMENT	0.00	25.	73	
100-2050-7070-0000	SPECI	AL DEPT SUPPLIES	DEPT SUPPLIES REIMB	URSEMEN	25.73		
MARK THOMAS & COMPA	NY, INC	09/19/2019	Regular		0.00	3,910.50	103340
Payable Type	Post Date	Payable Descriptic	n	Discount Amount	Payable Amou	nt	
Account Number		nt Name	Item Description	Distribut	tion Amount		
Invoice	09/19/2019		TING SERVICES AMEND	0.00	3,910.	50	
<u>500-0000-7068-0000</u>	CONT	RACTUAL SERVICE	DESIGN & CONSULTING	5 SERVICE	3,910.50		
MICHAEL HOWELL		09/19/2019	Regular		0.00		103341
Payable Type	Post Date	Payable Descriptio	n	Discount Amount	Payable Amou	nt	
Account Number		nt Name	Item Description	Distribut	tion Amount		
Invoice	09/18/2019		ER PAYMENT ON UTILIT	0.00	21.2	22	
100-0000-1400-0000	A/R - 1	JTILITIES	REIMBURSE OF OVER P	AYMENT	21.22		
MOBILE HOMES ACCEPTAR	NCE CORP	09/19/2019	Regular		0.00	425.61	103342

Payable #	Payable Type	Post Date	Payable Descripti	on	Discount Amour	t Payable Amour		103342
	Account Number	Accour	nt Name	Item Description	Distrib	ution Amount		
<u>216910</u>	Invoice 700-4050-7075-0000	09/19/2019 EQUIPI	MONTHLY RENTAL	FEE FOR WWTP OFFICE MONTHLY RENTAL FEE	0.0 FOR WW	0 425.6 425.61	51	

3186	MWH CONSTRUCTORS INC	2	09/19/2019	Regular		0.00 25	50,548.77	103343
Payable #	Payable Type	Post Date Payable Description			Discount Amount	Payable Amou	int	
	Account Number	Accoun	it Name	Item Description	Distribu	tion Amount		
19-30504503-06	Invoice	09/19/2019	CONSTRUCTION N	ANAGEMENT FOR WW	0.00	85,962	23	
	710-0000-7068-0000	CONTR	ACTUAL SERVICE	CONSTRUCTION MANA	AGEMENT	85,962.23		
19-30505107-06	Invoice	09/19/2019	BRINE LINE INSTA	LLATION CONSTRUCTIO	0.00	164.586.	54	
	710-0000-8030-0000	CAPITA	L IMPROVEMENT	BRINE LINE INSTALLATI	ION CONS	164,586.54		
1984	NAPA AUTO PARTS		09/19/2019	Regular		0.00	192.07	103344
Payable #	Payable Type	Post Date	Payable Descripti	on	<b>Discount Amount</b>	Payable Amou	Int	
	Account Number	Accoun	t Name	Item Description		tion Amount		
101450	Invoice	09/18/2019	DEPT SUPPLIES		0.00	41.	45	
	700-4050-7070-0000	SPECIA	L DEPT SUPPLIES	DEPT SUPPLIES		41.45		
102163	Invoice	09/18/2019	VEHICLE MAINTEN	ANCE	0.00	8.	60	

102163	Invoice	09/18/2019	VEHICLE MAINTEN	NANCE	0.00	
	100-2050-7037-0000	VEHIC	CLE MAINTENANCE	VEHICLE MAINTENANCE		
102238	Invoice	09/18/2019	VEHICLE MAINTEN	VANCE	0.00	
	100-2050-7037-0000	VEHIC	CLE MAINTENANCE	VEHICLE MAINTENANCE		2
102518	Invoice	09/18/2019	VEHICLE MAINTER	VANCE	0.00	

8.60

26.92

26.92

69.33

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Date Range: 09/13/2019 - 09/19/2019 Vendor Number Vendor Name Payment Date Payment Type Discount Amount Payment Amount Number 100-2050-7037-0000 VEHICLE MAINTENANCE VEHICLE MAINTENANCE 69.33 103001 Invoice 09/18/2019 VEHICLE MAINTENANCE 0.00 19.92 100-2050-7037-0000 VEHICLE MAINTENANCE VEHICLE MAINTENANCE 19.92 103003 09/18/2019 Invoice VEHICLE MAINTENANCE 0.00 25.85 VEHICLE MAINTENANCE 100-2050-7037-0000 VEHICLE MAINTENANCE 25.85 3630 NGAO EVE YANG 09/19/2019 Regular 0.00 40.00 103345 Payable # **Payable Type** Post Date **Payable Description** Discount Amount Pavable Amount Account Number Account Name **Item Description Distribution Amount** RCT 932467 09/18/2019 DEPOSIT REFUND Invoice 0.00 40.00 100-0000-4590-0000 **BUILDING RENTAL** DEPOSIT REFUND 40.00 2009 **O'REILLY AUTO PARTS** 09/19/2019 Regular 0.00 548.07 103346 Payable # Payable Type Post Date **Payable Description** Discount Amount Payable Amount Account Number Account Name **Item Description Distribution Amount** 09/18/2019 2678-211420 Invoice VEHICLE MAINTENANCE 0.00 213.98 100-2050-7037-0000 VEHICLE MAINTENANCE VEHICLE MAINTENANCE 213.98 09/18/2019 2678-212153 Invoice VEHICLE MAINTENANCE 0.00 55.77 100-2050-7037-0000 VEHICLE MAINTENANCE VEHICLE MAINTENANCE 55.77 09/18/2019 VEHICLE MAINTENANCE 2678-212207 Invoice 0.00 53.09 100-2050-7037-0000 VEHICLE MAINTENANCE VEHICLE MAINTENANCE 53.09 2678-212416 Invoice 09/18/2019 VEHICLE MAINTENANCE 0.00 72.94 VEHICLE MAINTENANCE 100-2050-7037-0000 VEHICLE MAINTENANCE 72.94 2678-212436 Invoice 09/18/2019 VEHICLE MAINTENANCE 0.00 27.26 100-2050-7037-0000 VEHICLE MAINTENANCE VEHICLE MAINTENANCE 27.26 2678-212533 09/18/2019 VEHICLE MAINTENANCE Invoice 0.00 8.26 100-2050-7037-0000 VEHICLE MAINTENANCE VEHICLE MAINTENANCE 8.26 2678-212559 Invoice 09/18/2019 VEHICLE MAINTENANCE 0.00 31.24 100-2050-7037-0000 VEHICLE MAINTENANCE VEHICLE MAINTENANCE 31 24 09/18/2019 2678-212669 Invoice VEHICLE MAINTENANCE 0.00 47.70 100-2050-7037-0000 VEHICLE MAINTENANCE VEHICLE MAINTENANCE 47.70 2678-212760 Invoice 09/18/2019 VEHICLE MAINTENANCE 0.00 18.05 100-2050-7037-0000 VEHICLE MAINTENANCE VEHICLE MAINTENANCE 18.05 2678-215439 09/18/2019 VEHICLE MAINTENANCE Invoice 0.00 19.78 100-2050-7037-0000 VEHICLE MAINTENANCE VEHICLE MAINTENANCE 19.78 2032 PANTER'S HARDWOOD FLOORS INC 09/19/2019 Regular 0.00 19.300.00 103347 Payable # **Payable Type** Post Date **Payable Description** Discount Amount **Payable Amount** Account Number Account Name Item Description **Distribution Amount** 10525 Invoice 09/19/2019 Goods 0.00 19,300.00 100-6000-7068-6025 CONTRACTUAL SVC - CITY Goods 19,300.00 3768 PHILIP SAMUELS 09/19/2019 Regular 0.00 42.83 103348 Payable # Payable Type Post Date Payable Description Discount Amount Payable Amount Account Number Account Name Item Description **Distribution Amount** 07-072759-02 Invoice 09/18/2019 REIMBURSE CREDIT ON UTILITY ACCOUNT 0.00 42.83 100-0000-1400-0000 A/R - UTILITIES REIMBURSE CREDIT ON UTILITY 42.83 2074 PRE-PAID LEGAL SERVICES INC 09/19/2019 Regular 0.00 776.17 103349 Pavable # Payable Type Post Date **Payable Description** Discount Amount Payable Amount Account Number Account Name **Item Description** Distribution Amount PD 08/16/19-09/ 09/18/2019 OPTIONAL EMPLOYEE INSURANCE Invoice 0.00 776.17 100-0000-2045-0000 PRE PAID LEGAL **OPTIONAL EMPLOYEE INSURAN** 776.17 2079 **PRO-PIPE & SUPPLY** 09/19/2019 Regular 0.00 371.71 103350

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Vendor Number Payable #	Vendor Name Payable Type	Post Date	Payment Date Payable Description			nount Payment Amo t Payable Amount	unt Number
<u>5183116</u>	Account Number Invoice 100-6050-7070-0000	Account 09/19/2019 SPECIAL	t Name DEPT SUPPLIES . DEPT SUPPLIES	Item Description	Distribu 0.00	ution Amount 371.71 371.71	
3652 Payable #	PRUDENTIAL OVERALL SU Payable Type Account Number	PPLY Post Date Account	09/19/2019 Payable Descriptic	Regular on Item Description		0.00 241 Payable Amount	.67 103351
22859013	Invoice	09/19/2019	Prudential Uniform	•	0.00		
	750-7100-7065-0000	UNIFOR		UNIFORM MAINTENAN		13.70	
	750-7400-7065-0000	UNIFOR	-	UNIFORM MAINTENAN		27.16	
	750-7600-7065-0000	UNIFOR		UNIFORM MAINTENAN		28.73	
	750-7700-7065-0000	UNIFOR		UNIFORM MAINTENAN		19.86	
	750-7800-7065-0000	UNIFOR	MS	UNIFORM MAINTENAN	CE	19.86	
	750-7900-7065-0000	UNIFOR	MS	UNIFORM MAINTENAN	CE	17.22	
22859015	Invoice	09/19/2019	Prudential Uniform	nc .	0.00		
	750-7300-7065-0000	UNIFOR		UNIFORM MAINTENAN		54.20	
2222242							
22862442	Invoice 700-4050-7065-0000	09/19/2019 UNIFOR	Prudential Uniform MS	UNIFORM MAINTENAN	0.00 CE	60.94 60.94	
2092	PURCHASE POWER-2540		09/19/2019	Regular		0.00 1.071	.56 103352
Payable #	Payable Type	Post Date	Payable Descriptio	-	Discount Amount	Payable Amount	.50 105552
	Account Number	Account		Item Description		tion Amount	
8000-9000-0098-	Invoice	09/18/2019	POSTAGE COSTS		0.00	1,071.56	
	100-1200-7025-0000	OFFICE S	SUPPLIES	POSTAGE COSTS		1,071.56	
2000							
2098	QUILL CORPORATON		09/19/2019	Regular			61 103353
Payable #	Payable Type	Post Date	Payable Descriptio			Payable Amount	
1058461	Account Number	Account		Item Description		tion Amount	
1030401	Invoice 100-1200-7025-0000	09/18/2019	OFFICE SUPPLIES	OFFICE SUPPLIES	0.00		
3				OFFICE SUPPLIES		127.15	
<u>9879925</u>	Invoice	09/18/2019	OFFICE SUPPLIES		0.00	51.27	
	100-1200-7025-0000	OFFICE S	SUPPLIES	OFFICE SUPPLIES		51.27	
9887420	Invoice	09/18/2019	OFFICE SUPPLIES		0.00	15.71	
	100-1200-7025-0000	OFFICE S	SUPPLIES	OFFICE SUPPLIES		15.71	
9891119	Invoice	09/18/2019	OFFICE SUPPLIES		0.00	101.48	
	100-1200-7025-0000	OFFICE S	SUPPLIES	OFFICE SUPPLIES		87.27	
	100-3100-7025-0000	OFFICE S	SUPPLIES	OFFICE SUPPLIES		14.21	
2104	RAMONA HUMANE SOCIET		09/19/2019	Regular			92 103354
Payable #	Payable Type		Payable Descriptio			Payable Amount	
COD00212 00/01	Account Number	Account		Item Description		tion Amount	
COB08312 08/01	Invoice	09/19/2019		ociety - Sheltering Serv	0.00	4,971.92	
	100-2000-7068-0000	CONTRA	CTUAL SERVICES	Ramona Humane Societ	y,- Shelt	4,971.92	
2120	RCLEAA		09/19/2019	Regular		0.00 150.0	00 103355
Payable #	Payable Type	Post Date	Payable Description	-	Discount Amount	Payable Amount	00 105555
	Account Number	Account		Item Description		tion Amount	
09/19/19	Invoice	09/19/2019	RCLEAA ANNUAL CO	•	0.00	150.00	
	100-2050-7066-0000		EDUCATION, TRA	RCLEAA ANNUAL CONFE		150.00	
2126	REDLANDS FORD		09/19/2019	Regular			16 103356
Payable #	Payable Type		Payable Description			Payable Amount	
5450000	Account Number	Account		Item Description		tion Amount	
5159382	Invoice		VEHICLE MAINTENA		0.00	54.61	
	100-2050-7037-0000	VEHICLE	MAINTENANCE	VEHICLE MAINTENANCE	:	54.61	
5159669	Invoice		VEHICLE MAINTENA		0.00	79.55	
	100-2050-7037-0000	VEHICLE	MAINTENANCE	VEHICLE MAINTENANCE	E	79.55	

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encent trapert						Date Ka	inge: 09/13/20	19 - 09/19/2
Vendor Number 3681	Vendor Name RIVERSIDE COUNTY DEPA	RTMENT OF WASTE R	Payment Date 09/19/2019	<b>Payment Type</b> Regular	Discount An	ount Pay	ment Amount/ 181.97	Number 103357
Payable #	Payable Type Account Number	Post Date I Account I	Payable Descriptic Name	n Item Description	Discount Amount Distribu	Payable		
<u>6973323</u>	Invoice 100-6050-7070-014X		DEPARTMENT SUP T EXP - IA 14	PLIES DEPARTMENT SUPPLIES	0.00	28.2	28.29	
<u>6975745</u>	Invoice 100-6050-7070-017A 100-6050-7070-06A1	SPEC DEP	DEPT SUPPLIES T EXP - IA 17A T EXP - IA 6A1	DEPT SUPPLIES DEPT SUPPLIES	0.00	5.0 5.0		
6976220	Invoice 100-6050-7070-0000	09/18/2019	DEPT SUPPLIES	DEPT SUPPLIES	0.00		27.28	
<u>6976448</u>	Invoice 100-6050-7070-008A 100-6050-7070-017A	SPEC DEP	DEPT SUPPLIES T EXP - IA 8A T EXP - IA 17A	DEPT SUPPLIES DEPT SUPPLIES	0.00	13.6 13.6		
<u>6976587</u>	Invoice 100-6050-7070-008A		DEPT SUPPLIES T EXP - IA 8A	DEPT SUPPLIES	0.00	26.2	26.27 7	
<u>6995438</u>	Invoice 100-6050-7070-008A		DEPT SUPPLIES T EXP - IA 8A	DEPT SUPPLIES	0.00	34.8	34.85 5	
<u>6995508</u>	Invoice 100-6050-7070-014X		DEPT SUPPLIES T EXP - IA 14	DEPT SUPPLIES	0.00	14.0	14.00 0	
<u>6996048</u>	Invoice 100-6050-7070-008A		DEPT SUPPLIES F EXP - IA 8A	DEPT SUPPLIES	0.00	14.0	14.00 0	
2623 Payable #	RIVERSIDE UNIVERSITY HE Payable Type	Post Date P	ayable Descriptio		Discount Amount			103358
1117	Account Number Invoice 100-2050-7068-0000		ame ART/RCAT Exams TUAL SERVICES	Item Description PROFESSIONAL SERVICE	0.00	tion Amoun 1 1,200.0	,200.00	
3278	ROGELIO DELGADILLO		09/19/2019	Regular		0.00	149.00	103359
Payable #	Payable Type	Post Date P	ayable Descriptio	-	Discount Amount			103555
016	Account Number	Account N 09/18/2019 A		Item Description		tion Amoun	-	
010	Invoice 100-2030-7039-0000		BATEMENT SERVI ORCEMENT	ABATEMENT SERVICES	0.00	149.00	149.00 )	
3770	ROSE TORTES		09/19/2019	Regular		0.00	711.56	103360
Payable #	Payable Type		ayable Description		Discount Amount			
06-077561-02	Account Number	Account N 09/18/2019 R		Item Description		ion Amount	-	
50 077301 02	100-0000-1400-0000	A/R - UTIL		ER PAYMENT ON UTILIT REIMBURSE OF OVER PA	0.00 YMENT	711.56	711.56 5	
3381 Payable #	RUBEN BALTIERRA Payable Type Account Number	Account N		Item Description	Discount Amount Distribut	0.00 Payable A ion Amount		103361
<u>001</u>	Invoice 100-1550-7040-0000			TER MASH ENTERTAIN HALLOWEEN MONSTER	0.00 MASH E	300.00	300.00 )	
1113 Payable #	RYAN M. WESTBROOK INC Payable Type Account Number	Post Date Pa Account N	09/19/2019 ayable Description ame	Regular n Item Description	Discount Amount	0.00 Payable A ion Amount		103362
680879	Invoice 100-2000-7068-0000	09/18/2019 A	NIMAL CARE SERV		0.00	63.35	63.35	
683803	Invoice 100-2000-7068-0000		NIMAL CARE SERV TUAL SERVICES	ICES ANIMAL CARE SERVICES	0.00	70.00	70.00	
2226	SAFELITE AUTO GLASS		09/19/2019	Regular		0.00	358.66	103363

**Check Report** 

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Date Range: 09/13/2019 - 09/19/2019 Vendor Number Vendor Name Payment Date Payment Type Discount Amount Payment Amount Number Payable Type Payable # **Payable Description** Post Date Discount Amount Payable Amount Account Number Account Name **Item Description Distribution Amount** 05076-202831 Invoice 09/18/2019 VEHICLE MAINTENANCE 0.00 358.66 100-2050-7037-0000 VEHICLE MAINTENANCE VEHICLE MAINTENANCE 358.66 2238 SAN GORGONIO MEMORIAL HOSPITAL 09/19/2019 Regular 0.00 700.00 103364 Payable # **Payable Type** Post Date **Payable Description** Discount Amount **Payable Amount** Account Number Account Name **Item Description Distribution Amount** 0010582064-000 09/18/2019 EMPLOYEE MEDICAL SERVICES Invoice 0.00 700.00 100-2050-6019-0000 EMPLOYEE MEDICAL SERVICES FIRST AID 700.00 2261 SEAN THUILLIEZ 09/19/2019 Regular 0.00 834.95 103365 Payable # Payable Type Discount Amount Post Date **Payable Description Payable Amount** Account Number Account Name **Item Description Distribution Amount** 10/08/19-10/11/ Invoice 09/18/2019 EMPLOYEE TRAVEL REIMBURSEMENT FOR 0.00 834.95 100-2050-7066-0000 TRAVEL, EDUCATION, TRA EMPLOYEE TRAVEL REIMBURSE 834.95 2281 SHRED-IT 09/19/2019 Regular 0.00 421.40 103366 Payable # Payable Type Post Date **Payable Description** Discount Amount Payable Amount Account Number **Item Description** Account Name **Distribution Amount** 8128015477 **PROFESSIONAL SERVICES** Invoice 09/18/2019 0.00 421.40 CONTRACTUAL SERVICES 100-1200-7068-0000 **PROFESSIONAL SERVICES** 421.40 2311 SOUTHERN CALIFORNIA EDISON 09/19/2019 Regular 0.00 125,789.09 103367 Payable # Payable Type Post Date **Payable Description** Discount Amount Payable Amount Account Number Account Name Item Description **Distribution Amount** 09/18/19 09/18/2019 ELECTRIC UTILITY Invoice 0.00 125.789.09 100-3250-7010-0000 UTILITIES ELECTRIC UTILITY 11,762.41 100-3250-7010-003X UTILITIES (IA 3) ELECTRIC UTILITY 2.632.33 UTILITIES (IA 4) 100-3250-7010-004X ELECTRIC UTILITY 94.90 UTILITIES (IA 6B) ELECTRIC UTILITY 100-3250-7010-006B 2,476.10 UTILITIES (IA 7A) 100-3250-7010-007A ELECTRIC UTILITY 9.92 UTILITIES (IA 7B) 100-3250-7010-007B ELECTRIC UTILITY 74.61 100-3250-7010-008A UTILITIES (IA 8A) ELECTRIC UTILITY 393.34 538.58 100-3250-7010-008C UTILITIES (IA 8C) ELECTRIC UTILITY 100-3250-7010-011A UTILITIES (IA 11A) ELECTRIC UTILITY 158.52 100-3250-7010-014B UTILITIES (IA 14B) ELECTRIC UTILITY 32.91 100-3250-7010-014X UTILITIES (IA 14) ELECTRIC UTILITY 1,453.16 100-3250-7010-018X UTILITIES (IA 18) ELECTRIC UTILITY 120.47 100-3250-7010-0190 UTILITIES (IA 19C) ELECTRIC UTILITY 2,657.96 100-3250-7010-06A1 UTILITIES (IA 6A1) ELECTRIC UTILITY 767.37 UTILITIES - CITY HALL 100-6000-7010-6025 ELECTRIC UTILITY 4,113.63 UTILITIES - CITY HALL BLD ELECTRIC UTILITY 100-6000-7010-6031 1,582.82 100-6000-7010-6032 UTILITIES - CITY HALL BLD ELECTRIC UTILITY 1,582.82 UTILITIES - POLICE DEPT 100-6000-7010-6040 ELECTRIC UTILITY 4,265.05 100-6000-7010-6041 UTILITIES - POLICE ANNEX ELECTRIC UTILITY 378.61 100-6000-7010-6045 UTILITIES - COMMUNITY ELECTRIC UTILITY 6,832.89 100-6000-7010-6055 UTILITIES - FIRE STATION ELECTRIC UTILITY 692.80 100-6050-7010-0000 UTILITIES ELECTRIC UTILITY 2.676.39 100-6050-7010-020x UTILITIES IA 20 ELECTRIC UTILITY 10.07 100-6050-7010-06A1 UTILITIES IA 6A1 ELECTRIC UTILITY 44.27 700-4050-7010-0000 UTILITIES ELECTRIC UTILITY 79,931.98 750-7300-7010-0000 UTILITIES ELECTRIC UTILITY 505.18 2316 SOUTHLAND PETROLEUM INC 09/19/2019 Regular 0.00 418.95 103368

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Vendor Number Payable #	Vendor Name Payable Type	Post Date	Payment Date Payable Descript	ion	Discount Amount	iount Payment Amou Payable Amount	nt Number
1140	Account Number		Int Name	Item Description		tion Amount	
1113	Invoice	09/18/2019	VEHICLE MAINTEI		0.00	418.95	
	100-2000-7037-0000			VEHICLE MAINTENAN		20.95	
	100-2030-7037-0000			VEHICLE MAINTENAN		20.94	
	100-2050-7037-0000	VERIC	LE MAINTENANCE	VEHICLE MAINTENAN	LE	377.06	
2331	STAGECOACH TOWING		09/19/2019	Pogular		0.00 65.	00 403360
Payable #	Payable Type	Post Date	Payable Descripti	Regular	Discount Amount	Payable Amount	00 103369
r ayabic n	Account Number		int Name	Item Description		tion Amount	
76770 09/03/19		09/18/2019	VEHICLE MAINTEI		0.00	65.00	
10110 00100140	100-2050-7037-0000		LE MAINTENANCE	VEHICLE MAINTENAN		65.00	
						05.00	
3588	STARLITE RECLAMATION	ENVIRONMENTAL	SEF 09/19/2019	Regular		0.00 2.231.2	32 103370
Payable #	Payable Type	Post Date	Payable Descripti	-		Payable Amount	52 105570
·	Account Number	Accou	int Name	Item Description		tion Amount	
115909	Invoice	09/19/2019	Removal of hazard	dous waste @ WWTP	0.00	1,931.87	
	700-4050-7068-0000	CONT	RACTUAL SERVICES	Removal of hazardous	waste @	1,931.87	
115910	Invoice	09/19/2019	Removal of hazar	dous waste @ WWTP	- 0.00		
113310	700-4050-7068-0000		RACTUAL SERVICES	Removal of hazardous		299.95 299.95	
	/00-4030-7008-0000	CONT	RACIOAL SERVICES	Removal of fiazaruous	waste @	299.95	
2345	STATER BROS MARKETS		09/19/2019	Regular		0.00 65.2	21 103371
Payable #	Payable Type	Post Date	Payable Descripti			Payable Amount	1 103371
	Account Number		nt Name	Item Description		tion Amount	
<u>\$979074</u>	Invoice	09/18/2019	DEPT SUPPLIES		0.00	15.23	
	100-1550-7070-0000		AL DEPT SUPPLIES	DEPT SUPPLIES	0.00	15.23	
\$979075	Invoice	09/18/2019	DEPT SUPPLIES		0.00	-	
3373073	100-1550-7070-0000		AL DEPT SUPPLIES	DEPT SUPPLIES	0.00	49.98	
	100-1330-7070-0000	SFECH	AL DEFT SUFFLIES	DEFT SUPPLIES		49.98	
2395	TERMINIX COMMERCIAL		09/19/2019	Regular		0.00 60.0	0 103372
Payable #	Payable Type	Post Date	Payable Description	*		Payable Amount	0 103572
	Account Number		nt Name	Item Description		ion Amount	
388961651	Invoice	09/18/2019	BUILDING MAINTE	•	0.00	60.00	
	100-6000-7085-6055		MAINT- FIRE STATIO	BUILDING MAINTENAN		60.00	
3771	TERRY DOUWNSMA		09/19/2019	Regular		0.00 40.0	0 103373
Payable #	Payable Type	Post Date	Payable Description	on	<b>Discount Amount</b>	Payable Amount	
	Account Number	Accou	nt Name	Item Description		ion Amount	
RCT 927692	Invoice	09/18/2019	DEPOSIT REFUND		0.00	40.00	
	100-0000-4590-0000	BUILD	ING RENTAL	DEPOSIT REFUND		40.00	
2407	THE GAS COMPANY		09/19/2019	Regular			0 103374
Payable #	Payable Type	Post Date	Payable Description	on	Discount Amount	Payable Amount	
	Account Number		nt Name	Item Description	Distributi	ion Amount	
09712228007 09		09/18/2019	GAS UTILITY		0.00	16.83	
	100-6000-7010-6025	UTILIT	IES - CITY HALL	GAS UTILITY		16.83	
10552227000 09	/ Invoice	09/18/2019	GAS UTILITY		0.00	18.89	
	100-6000-7010-6040	UTILIT	IES - POLICE DEPT	GAS UTILITY		18.89	
10552230004 09	Invoice	09/18/2019	GAS UTILITY		0.00	26.06	
	750-7300-7010-0000	UTILIT		GAS UTILITY	0.00	26.06	
15201007001 00							
15382227021 09		09/18/2019	GAS UTILITY	CAC LITH IT/	0.00	38.42	
	750-7000-7010-0000	UTILITI	IE5	GAS UTILITY		38.42	
2416	THE PRESS-ENTERPRISE		09/19/2019	Pogular		0.00 400.0	0 400075
Payable #	Payable Type	Post Date	Payable Description	Regular			0 103375
	Account Number		nt Name	Item Description	Discount Amount	Payable Amount	
0011308338	Invoice	09/18/2019	ADVERTISING	item pescription	0.00		
	100-1350-7020-0000	09/18/2019 ADVER		ADVERTISING	0.00	56.40	
0044000044						56.40	
0011308341	Invoice	09/18/2019	ADVERTISING		0.00	76.80	

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Agenda Item No. 2. Date Range: 09/13/2019 - 09/19/2019

Vendor Number	Vendor Name 100-1350-7020-0000	ADVE	Payment Date RTISING	<b>Payment Type</b> ADVERTISING	Discount Am	iount Pay 76.8	ment Amount 0	Number
2424 Payable #	THERMAL COMBUSTION Payable Type Account Number	Post Date	09/19/2019 Payable Descripti Int Name		Discount Amount		Amount	103376
601683	Invoice	09/18/2019	DEPT SUPPLIES	Item Description	0.00	tion Amoun	t 97.42	
	100-2050-7070-0000	SPECI	AL DEPT SUPPLIES	DEPT SUPPLIES		97.42	2	
3265	TOWNSEND PUBLIC AFFA	AIRS, INC	09/19/2019	Regular		0.00	4,000.00	103377
Payable #	Payable Type	Post Date	Payable Descripti	ion	Discount Amount	Payable A	Amount	
	Account Number	Accou	int Name	Item Description	Distribut	tion Amount	t	
15132	Invoice	09/19/2019	STATE & FEDERAL	LOBBYIST	0.00	4	.000.00	
	100-1200-7068-0000	CONT	RACTUAL SERVICES	STATE & FEDERAL LOB	BYIST	4,000.00	)	
2457	TYLER WORKS - TECHNOI	OGIES	09/19/2019	Regular		0.00	137.50	103378
Payable #	Payable Type	Post Date	Payable Descripti	on	<b>Discount Amount</b>	Payable A	mount	
	Account Number	Accou	int Name	Item Description	Distribut	tion Amount	t	
025-270885	Invoice	09/18/2019	EMPLOYEE TRAIN	ING	0.00		137.50	
	100-1225-7066-0000	TRAVI	EL, EDUCATION, TRA	EMPLOYEE TRAINING		137.50	)	
2459	UFI URBAN FUTURES		09/19/2019	Regular		0.00	4,653.79	103379
Payable #	Payable Type	Post Date	Payable Descripti	on	<b>Discount Amount</b>	Payable A	mount	
	Account Number	Accou	nt Name	Item Description	Distribut	ion Amount	t	
0819-001	Invoice	09/18/2019	PROPERTY TAX ST	UDY 06/06/19-08/20/19	0.00	4,	653.79	
	100-1200-7068-0000	CONT	RACTUAL SERVICES	PROPERTY TAX STUDY	06/06/19	4,653.79		
2461	UNDERGROUND SERVICE	ALERT	09/19/2019	Regular		0.00	224.25	103380
Payable #	Payable Type	Post Date	Payable Descripti	on	Discount Amount	Payable A	mount	
	Account Number	Accou	nt Name	Item Description	Distribut	ion Amount	:	
18DSBFE4298	Invoice	09/19/2019	DIG ALERT - SEWE	R	0.00		97.10	
	700-4050-7068-0000	CONT	RACTUAL SERVICES	DIG ALERT - SEWER		97.10	)	
820190048	Invoice	09/19/2019	DIG ALERT - SEWE	R	0.00		127.15	
	700-4050-7068-0000	CONT	RACTUAL SERVICES	DIG ALERT - SEWER		127.15	;	
2484	VERIZON		09/19/2019	Regular		0.00	2,748.44	103381
Payable #	Payable Type	Post Date	Payable Description	on	Discount Amount	Payable A	mount	
	Account Number	Accou	nt Name	Item Description	Distribut	ion Amount	:	
9836914326	Invoice	09/18/2019	PHONE UTILITY		0.00	2,	748.44	
	100-1230-7015-0000	TELEP	HONE	PHONE UTILITY		2,205.10	I	
	750-7000-7015-0000	TELEP	HONE	PHONE UTILITY		543.34		
2517	VOYAGER		09/19/2019	Regular		0.00	46,184.37	103382

**Check Report** 

#### Agenda Item No. 2. Date Range: 09/13/2019 - 09/19/2019

Vendor Number	Vendor Name		Payment Date	Payment Type		Discount A	mount Payr	nent Amount	
Payable #	Payable Type	Post Date	Payable Descript	tion	Disc		t Payable A		
	Account Number	Accou	nt Name	Item Description			ution Amount		
869065003934	Invoice	09/18/2019	GAS CARDS			0.0		184.37	
	100-2000-7050-0000	FUEL		FUEL CARDS			671.71		
	100-2030-7050-0000	FUEL		FUEL CARDS			265.03		
	100-2050-7050-0000	FUEL		FUEL CARDS			13,045.35		
	100-2100-7050-0000	FUEL		FUEL CARDS			224.28		
	100-2150-7050-0000	FUEL		FUEL CARDS			447.21		
	100-3250-7050-0000	FUEL		FUEL CARDS			2,638.21		
	100-6050-7050-0000	FUEL		FUEL CARDS			5,376.03		
	700-4050-7050-0000	FUEL		FUEL CARDS			1,503.51		
	750-7100-7050-0000	FUEL		FUEL CARDS					
	750-7300-7050-0000	FUEL		FUEL CARDS			2,187.48		
	750-7400-7050-0000	FUEL		FUEL CARDS			1,270.75		
	750-7600-7050-0000	FUEL		FUEL CARDS			8,577.22		
	750-7700-7050-0000	FUEL					2,719.89		
	750-7800-7050-0000	FUEL		FUEL CARDS FUEL CARDS			3,232.22		
	750-7900-7050-0000						844.68		
		FUEL		FUEL CARDS			1,616.33		
	750-8000-7050-0000	FUEL		FUEL CARDS			148.19		
	750-8100-7050-0000	FUEL		FUEL CARDS			1,031.04		
	750-8200-7050-0000	FUEL		FUEL CARDS			385.24		
3422	WAXIE SANITARY SUPPLY		09/19/2019	Regular			0.00	380.28	103383
Payable #	Payable Type	Post Date	Payable Descript	ion	Disc	ount Amount	Payable Ar	nount	
	Account Number	Accou	nt Name	Item Description		Distribu	tion Amount		
<u>78491970</u>	Invoice	09/19/2019	BUILDING MAINT	ENANCE		0.00	) 3	80.28	
	100-6000-7085-6060	BLDG I	MAINT- 713 W 4TH	BUILDING SUPPLIE	ES & MAIN	TEN	380.28		
2539	WEST SWPPP SERVICES		09/19/2019	Regular			0.00	14,458.00	102294
Payable #	Payable Type	Post Date	Payable Descripti	-	Disco	ount Amount	Payable An		103304
-	Account Number	Accour	nt Name	Item Description	2.000		tion Amount	noune	
19015	Invoice	09/19/2019		on 400-250-001 CFD	10	0.00		58.00	
	100-6050-7068-0000		ACTUAL SERVICES	weed abatement of			14,458.00	.56.00	
3599	WESTERN MUNICIPAL WA		00/10/2010	Decider					
Payable #		Post Date	09/19/2019 Baughla Decerint	Regular			0.00	13,748.90	103385
rayable #	Payable Type		Payable Descripti		Disco		Payable An	nount	
00000	Account Number		nt Name	Item Description			tion Amount		
<u>RI3320</u>	Invoice	09/18/2019	INLAND EMPIRE B			0.00	/-	48.90	
	700-4050-7089-0000	BRINE	LINE MAINTENANC	INLAND EMPIRE B	RINE LINE		13,748.90		
2540	WESTERN RIVERSIDE COUL	NTY REGIONAL CO	NS 09/19/2019	Regular			0.00	5,000.00	103386
Payable #	Payable Type	Post Date	Payable Descripti	on	Disco	ount Amount	Payable An		
	Account Number	Accour	nt Name	Item Description			tion Amount		
451	Invoice	09/18/2019	FY 19/20 WRCOG	MEMBER DUES		0.00		00.00	
	100-1200-7030-0000	DUES 8	SUBSCRIPTIONS	FY 19/20 WRCOG	MEMBER D	UE	5,000.00		
		Bank C	ode APBNK Summa						
	Bourse - + T		-	ayment		Deve			
	Payment T Bogular Chi		Count		count	Payment			
	Regular Che Manual Che		174	97		,142,888.46			
		CURS	0	0	0.00	0.00			

0

0

3

177

0

0

3

100

0.00

0.00

0.00

0.00

0.00

0.00

6,210.31

1,149,098.77

Voided Checks

Bank Drafts

EFT's

### All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	174	97	0.00	1,142,888.46
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	3	3	0.00	6,210.31
	177	100	0.00	1,149,098.77

# **Fund Summary**

Fund	Name	Period	Amount
999	POOLED CASH	9/2019	1,149,098.77 <b>1,149,098.77</b>

City of Beaumont, CA



# Agenda Item No. 2. Payment Reversal Register

APPKT01122 - 20190917 JW VOID CHECK 103184

<b>Canceled Payables</b>	; 							
Vendor Set: 01 - V Bank: APBNK - A	/endor Set 01 \P Bank							
Vendor Number 1237	Vendor Name DANIEL WILLIAM DOPP							Total Vendor Amount -2,120.00
Payment Type	Payment Number		Original Payment D	ate	Reversal [	Date	Cancel Date	Payment Amount
Check	103184		09/05/2019		09/05/202	19	09/04/2019	-2,120.00
Payable Nu	mber:	Description		Paya	ble Date	Due	Date	Payable Amount
<u>1472-R</u>		CODE ENFORCEMENT		06/1	9/2019	09/	05/2019	360.00
<u>1473-R</u>		WEED ABATEMENT		06/1	9/2019	09/	04/2019	1,760.00

#### Agenda Item No. 2. Packet: APPKT01122 - 20190917 JW VOID CHECK 103184

#### **Bank Code Summary**

Bank Code	<b>Canceled Payables</b>	Payables Left To Pay Again	Total
APBNK	-2,120.00	0.00	-2,120.00
Report Total:	-2,120.00	0.00	-2,120.00

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MINUTES City Council Meeting Tuesday, September 17, 2019 Council Chambers 550 E 6th St. Beaumont, Ca Closed Session: 5:00 PM Regular Session: 6:00 PM

#### **CLOSED SESSION**

A Closed Session of the City Council / Beaumont Financing Authority / Beaumont Utility Authority / Beaumont Successor Agency (formerly RDA)/Beaumont Parking Authority / Beaumont Public Improvement Authority may be held in accordance with state law which may include, but is not limited to, the following types of items: personnel matters, labor negotiations, security matters, providing instructions to real property negotiators and conference with legal counsel regarding pending litigation. Any public comment on Closed Session items will be taken prior to the Closed Session. Any required announcements or discussion of Closed Session items or actions following the Closed Session with be made in the City Council Chambers.

#### CALL TO ORDER at 5:03

**Present:** Mayor Martinez (at 5:05 p.m.), Mayor Pro Tem Santos, Council Member Carroll, Council Member Lara, and Council Member White

1. Public Comments Regarding Closed Session

#### No speakers.

2. Existing Litigation - Pursuant to Government Code Section 54956.9(d)(1): Urban Logic v. City of Beaumont et. al., Riverside County Superior Case No. RIC 1707201

#### No reportable action.

3. Public Employee Performance Evaluation Pursuant to Government Code Section 54957(b)(1) - Employee Title: City Manager.

#### No reportable action.

#### Adjourn to Closed Session

#### **REGULAR SESSION**

#### CALL TO ORDER

**Present:** Mayor Martinez, Mayor Pro Tem Santos, Council Member Carroll, Council Member Lara, and Council Member White

Report out from Closed Session: see above

Agenda Item No. 3. City Council September 17, 2019

Action on any requests for excused absence: None

Pledge of Allegiance

Approval/Adjustments to Agenda: Adjustment to item 5 to be moved after item 3.

Conflict of Interest Disclosure: Council Member Carroll and Council Member Santos will recuse themselves for item 5.

#### ANNOUNCEMENTS/RECOGNITIONS/PROCLAMATIONS/CORRESPONDENCE

#### **Recognition of Eagle Scout Mason Audet**

#### PUBLIC COMMENT PERIOD (ITEMS NOT ON THE AGENDA)

Any one person may address the City Council on any matter not on this agenda. If you wish to speak, please fill out a "Public Comment Form" provided at the back table and give it to the City Clerk. There is a three (3) minute time limit on public comments. There will be no sharing or passing of time to another person. State Law prohibits the City Council from discussing or taking actions brought up by your comments.

#### Public Comment opened at 6:12 p.m.

A. Worthen/Nancy Carroll - Gave an update to the success of the job fair.

**L. Kimball** - Requested shade over playgrounds, as well as an explanation of the recently adopted peddlers ordinance.

N. Hall - Spoke regarding mental health support awareness.

*J. James* - Thanked the Fire Marshall for his assistance with a weed abatement issue, also noted it took 7 years to resolve. Spoke regarding additional weed abatement issues.

J. Swoda - Asked Council to consider construction of a new skate park.

Public comment closed

#### **CONSENT CALENDAR**

Items on the consent calendar are taken as one action item unless an item is pulled for further discussion here or at the end of action items.

Approval of all Ordinances and Resolutions to be read by title only.

- 1. Ratification of Warrants
- 2. Approval of Minutes

Moved by Mike Lara Seconded by Lloyd White

To approve the Consent Calendar.

Ayes:White, Lara, Carroll, Santos, and MartinezApproved by a unanimous vote.

#### **PUBLIC HEARINGS**

Approval of all Ordinances and Resolutions to be read by title only

#### **ACTION ITEMS**

Approval of all Ordinances and Resolutions to be read by title only.

3. Adoption of Resolution in Support for and Declaration of California Clean Air Day

#### Moved by Lloyd White Seconded by Mike Lara

To approve by title only "A Resolution of the City of Beaumont in Support for and Declaration of California Clean Air Day", and Direct staff to schedule a time and place for a tree planting ceremony to commemorate Clean Air Day 2019.

Ayes:White, Lara, Carroll, Santos, and MartinezApproved by a unanimous vote.

5. Direction to City Staff Regarding the Acceptance of Dedication of Landscape Easement Without Compensation – Tract Map 32325, Lots 187 through 190, and Lot 193

Council Member Carroll and Mayor Pro Tem Santos recused themselves for this item

Public Comment **B. Sharlick** – Spoke as a landowner in the concerned area. Spoke in support of the City taking over the easement.

Consensus to allow staff to negotiate with property owners for Acceptance of Dedication of Landscape Easement without compensation.

4. Award of Contract to Baker Electric for a Public Electric Vehicle Charging Station in a Contract Amount Not-to-Exceed \$371,800

Moved by Mike Lara Seconded by Nancy Carroll

To award a contract to Baker Electric for a public electric vehicle charging station in a contract amount not-to-exceed

\$371,800, and To authorize the Mayor to execute an agreement with Baker Electric in accordance with the Beaumont Municipal Code purchasing ordinance.

Ayes:White, Lara, Carroll, Santos, and MartinezApproved by a unanimous vote.

6. Approve the Cooperative Agreement between Riverside County Transportation Commission, City of Banning, and City of Beaumont for the Preparation of the Highland Springs Interchange Project Study Report

> Moved by Lloyd White Seconded by Julio Martinez

To approve the Cooperative Agreement between Riverside County Transportation Commission, City of Banning, and City of Beaumont for the Preparation of the Highland Springs Interchange Project Study Report.

- Ayes: White, Lara, Carroll, Santos, and Martinez Approved by a unanimous vote. 5-0 on a recorded vote
- 7. Authorize Employment Contract with Finance Director

Moved by Lloyd White Seconded by Mike Lara

To approve the Employment Contract with Jeffrey Mohlenkamp and authorize the City Manager to sign the agreement.

Ayes: White, Lara, Carroll, Santos, and Martinez Approved by a unanimous vote.

8. Approval of Attorney Invoices for the Month of August 2019.

Moved by Lloyd White Seconded by Mike Lara

#### To approve invoices in the amount of \$88,944.01.

Ayes:White, Lara, Carroll, Santos, and MartinezApproved by a unanimous vote.

9. Legislative Updates and Discussion

#### **COUNCIL REPORTS**

- **Carroll** Attended a T-Now Meeting, announced the RTA bus rodeo, attended the Finance and Audit Committee meeting, spoke regarding the success of the Job Fair, thanked our first responders.
- Lara Attended the WRCOG meeting, attended the administrative finance committee.
- **Martinez** Thanked the Rotary club, attended the Mayors breakfast, attended the Finance and Audit Committee, attended the golf event at Tukwet, spoke at the Eagle Scout ceremony, attended the RCA meeting, announced the Beaumont win of the Beaumont vs Banning football game.
- Santos Reported on the Economic Development Committee Meeting, attended Good Morning Beaumont, attended a dinner for the Philippine Ambassador and attended the job expo.
- White Attended the RCTC meeting and presented a video that was shared regarding the SR60 Truck Lane Project.

#### ECONOMIC DEVELOPMENT UPDATE

Economic Development Committee report out and City Council direction on an idea of a Business of the Month Program.

#### CITY TREASURER REPORT

No report.

#### **CITY CLERK REPORT**

Gave a report of the Public Records Requests for the month of August.

#### CITY ATTORNEY REPORT

No report.

#### **CITY MANAGER REPORT**

Attended a meeting the Regional Water Quality Control Board and was granted a six month extension on the Waste Water Treatment Plant Expansion project. Announced Emergency Preparedness Month with an event at Walmart.

#### **FUTURE AGENDA ITEMS**

# ADJOURNMENT Adjournment of the City Council of the September 17, 2019 Meeting at 8:15 p.m.

The next regular meeting of the Beaumont City Council, Beaumont Financing Authority, the Beaumont Successor Agency (formerly RDA), the Beaumont Utility Authority, the Beaumont Parking Authority and the Beaumont Public Improvement Agency is scheduled for Tuesday, October 1, 2019, at 5:00 p.m. or thereafter as noted on the posted Agenda for Closed Session items in the City Council Board Room No. 5, followed by the regular meeting at 6:00 p.m. or thereafter as noted on the posted Agenda at City Hall.

Beaumont City Hall – Online <u>www.BeaumontCa.gov</u>

# BEAUMONT

#### **Staff Report**

ТО:	Mayor and City Council Members
FROM:	Jeff Hart, Public Works Director
DATE:	October 1, 2019
SUBJECT:	Bond Exoneration for Bond No. K08619943, K08619906 and 113447 - K. Hovnanian Homes

#### **Background and Analysis:**

The developer, K. Hovnanian Homes, has completed street, sewer, and storm drain improvements within tracts 33096 Phase B and 33096-12. The aforementioned tracts are part of the Four Seasons specific plan residential development located in the City of Beaumont, west of Highland Springs Avenue, and south of Potrero Boulevard. Attached are the bond exoneration documents submitted by the developer (see Attachments A-G). All of the bond improvements associated with the aforementioned tracts are summarized in the table below.

KHOV Bond Exonerat	ion Summa	iry		
Bond Number	Tract Map Numbe r	Type of Improv ement	Bond Type	Mainte nance Bond Requir ed
K08619943	33096 Phase B	Sewer	Perfor mance	No
K08619906	33096 Phase B	Storm Drain	Perfor mance	No
1134474	33096- 12	Street, Sewer, & Storm Drain	Perfor mance	Yes

Other than the public sewer, all improvements in the Four Seasons development are privately maintained by the homeowner's association (HOA). The City will only maintain the sewer utility within the private development.

Staff has verified the completion of the improvements and recommends that the City Council approve and authorize the Mayor to sign the attached Notice of Completion, the Certificate of Acceptance, exonerate the aforementioned bonds, and accept maintenance bond No. LICX1166623 to replace performance bond No. 1134474 for Tract 33096-12.

#### **Fiscal Impact:**

The fiscal impact of preparing the staff report is approximately \$650.

#### **Recommendation:**

- 1. Waive the full reading and adopt by title only, "A Resolution of the City of Beaumont Authorizing the Mayor to Accept the Offers of Dedication Related to Sewer Improvements";
- Approve and authorize the Mayor to sign the following documents as well as authorize the City Manager to release and exonerate all of the following bonds 45 days after the recordation of the Notice of Completion: Notice of Completion for sewer improvements Certificate of Acceptance for sewer improvements; and
- 3. Accept maintenance bond No. LICX1166623 to replace performance bond No. 1134474 street, sewer and storm drain.

City Manager Review: <u>Todd Parton</u> City Manager

#### **Attachments:**

Attachment A - Bond exoneration application no. 1134474, and associated improvement plans

<u>Attachment B - Bond exoneration application no. KO08619943, and associated</u> improvement plans

Attachment C - Bond exoneration application no. KO08619906, and associated improvement plans

Attachment D - Notice of Completion K Hov

Attachment E - Certificate of Acceptance Offer of Dedication K HOV

Attachment F - Resolution Offer of Dedication

Attachment G - Maintenance Bond No. LICX1166623, Tract 33096-12

Agenda Item No. 4.

# Attachment A

# Bond exoneration application No. 1134474, and associated street, sewer and storm drain improvement plans

	City of Beaumont
	$550 \text{ E. 6}^{\text{th}} \text{ Street}$ Beaumont, CA 92223 $(951) 769-8520$ www.ci.beaumont.ca.us $Case \text{ No. } \underline{RU2018 - 0288}$ Receipt No. $\underline{8127298}$ Fee $\underline{48443App}, \underline{3.050.07}$ Date Paid $\underline{10}3118$ $INV. 4280$
	BOND EXONERATION APPLICATION
Bon	d Type: Rerformance Maintenance Final Monument Inspection Other:
1.	Contact's Name Kevin Manning Phone (949) 922-0930
2.	Contact's Name <u>Kevin Manning</u> Phone (949) 922-0930 Contact's Address <u>400 Exchange</u> Suite 200 Irvine, CA 92602 City/State/Zip Contact's E-mail <u>Kmanning</u> @ Khov. com
6.	Contact's E-mail Kmanning @ Khov. com
3.	Developer Name K. (-tovnanian flomes Phone 14) 368-4500 (If corporation or partnership application must include names of principal officers or partners)
4.	Developer Address 400 Exchange Suite 200 Irvine, CA 92602 City/St/Zip
5.	Description of Bonds (including Bond Number, Tract Map/Application number, File number, and description of improvements covered, must use separate application for each
	Map/Tract): Tract 33096-12, Bond 1134477 Drainage & Server Improvements
6.	<b>CERTIFICATION OF ACCURACY AND COMPLETENESS:</b> I hereby certify that to the best of my knowledge the information in this application and all attached answers and exhibits are true, complete, and correct.
Kevint	1. <u>Manning</u> Kinch Manning 10/23/18 Print Name and Sign-Contact/Applicant Date
7.	Contractor shall indemnify, defend, and hold harmless the City and its officers, officials, employees and volunteers from and against any and all liability, loss, damage, expense, costs (including without limitation costs and fees of litigation) of every nature arising out of or in connection with contractor's performance of work hereunder or its failure to comply with any of its obligations for which this Bond exoneration is requested, except for such loss or damage which was caused by the active negligence of the City.
Kevin 1	1. <u>Manning Kich. Manning</u> (0/23/18 Print Name and Sign - Contact/Applicant Date

÷

Agenda Item No. 4.

Rev. 02/25/2015 Basic Gov (Sales Force) # 16-3544 \$ 16-3529 File # AGREEMENT TO PROVIDE SECURITY FOR IMPROVEMEN FOR TRACT MAP OR PARCEL MAP OR PLOT PLAN (Tract Map/Parcel Map/Plot Plan No. 33096-12)

THIS SECURITY AGREEMENT is made by and between CITY OF BEAUMONT ("CITY") and <u>K</u> Howman's Fourseasons, a \_\_\_\_\_\_ company ("DEVELOPER"). at Beaumont, LLC

#### RECITALS

A. DEVELOPER has applied to the CITY for permission to develop certain real property, pursuant to Tract Map/Parcel Map/Plot Plan # 3306-7 ("Map"). DEVELOPER has also asked the CITY to accept the dedication of the street or streets and other proposed public rights-of-way, parks and recreation facilities, and easements as depicted on the Map and to otherwise approve the Map so that it may be recorded as required by law; and

B. The CITY requires, as a condition precedent to the acceptance and approval of the Map and the dedication of the public rights-of-way and easements depicted thereon, that such rights-of-way be improved with (for example) grading, paving, curbs, gutters, sidewalks, street lights, stormdrains, sanitary sewers and appurtenances thereto, street name signs, survey monuments, electrical and telecommunications, water pipes, water mains, fire hydrants and appurtenances thereto, and landscaping, including any warranty work for all such improvements (collectively, "Improvements"); and

C. The Improvements have not yet been constructed and completed and it is the purpose of this Security Agreement to set forth the terms and conditions by which the DEVELOPER shall guarantee that such Improvements shall be constructed and completed within the time set forth herein.

#### AGREEMENT

NOW, THEREFORE, in consideration of the acceptance of the DEVELOPER's offer of dedication and the approval of the Map for filing and recording as provided and required by law, the CITY and the DEVELOPER hereby agree as follows:

1. <u>Provision of Improvements.</u> DEVELOPER shall provide, at the DEVELOPER's sole cost and expense, all necessary labor and materials to complete the construction of the Improvements depicted on the Map and described in the conditions of approval of the Map within one (1) year of the date of this Security Agreement.

2. <u>Inspection by the CITY</u>. The CITY shall inspect, at the DEVELOPER's sole cost and expense, all of the work, labor and materials performed and provided by the DEVELOPER in connection with the Improvements.

3. <u>Compliance with Plans and Specifications.</u> The Improvements shall be constructed and installed in strict accordance with the CITY-approved plans and specifications.

4. <u>Security for Performance.</u> Concurrently with the execution of this Security Agreement by DEVELOPER, DEVELOPER shall deliver to the CITY a performance bond issued by a corporate surety in substantially the form attached hereto as **Exhibit "A"**, in an amount that is not less than 100% of the total estimated cost of the Improvements and any warranty therefor. The performance bond shall be issued by an "admitted" corporate surety insurer authorized to do business in the State of California and the surety insurer shall have an A.M. Best rating of at least "A, XV". The surety insurer shall have assets exceeding its liabilities in the amount equal to or in excess of the amount of the bond, and the bond shall not be in excess of 10% of the surety insurer's assets. The security or bond shall also insure against any and all defects in the Improvements for a period of not less than one full year after the date of acceptance thereof by the CITY. The bond shall be duly executed and shall meet all the requirements of Section 995.660 of the California Code of Civil Procedure.

5. <u>Security for Contractors, Subcontractors, Laborers and Materialmen.</u> The DEVELOPER shall also provide a payment bond issued by a corporate surety for the security of laborers and materialmen, which bond or bonds shall be in substantially the form attached hereto as **Exhibit "B"** and made a part hereof. The amount of the bond(s) shall be no less than 100% of the total estimated amount needed to secure payment to the contractor, to the subcontractors, and to the persons furnishing labor, materials, or equipment to them for the Improvements. The laborers and materialmen bond shall be provided by an "admitted" corporate surety insurer authorized to transact surety insurance in the State of California with an A.M. Best rating of "A, XV", and with assets exceeding its liabilities in the amount equal to or in excess of the amount of the bond, and the bond shall not be in excess of 10% of the surety insurer's assets. The bond shall be duly executed and shall meet all the requirements of Section 995.660 of the California Code of Civil Procedure.

General Liability and Worker's Compensation Insurance. The DEVELOPER 6. shall, before commencing any work, obtain commercial general liability insurance (primary) of not less than \$2,000,000.00 per occurrence for all coverages and \$2,000,000.00 general aggregate. The CITY and its employees and agents shall be added as additional insureds. Coverage shall apply on a primary non-contributing basis in relation to any other insurance or self-insurance, primary or excess, available to the CITY or any employee or agent of the CITY. Coverage shall not be limited to the vicarious liability or supervisory role of any additional insured. Coverage shall contain no contractors' limitation endorsement. There shall be no endorsement or modification limiting the scope of coverage for liability arising from pollution, explosion, collapse, underground property damage or employment-related practices. Such insurance shall not prohibit the DEVELOPER, and its employees or agents, from waiving the right of subrogation prior to a loss. The DEVELOPER waives its right of subrogation against the CITY. Unless otherwise approved by the CITY, the DEVELOPER's insurance shall be written by insurers authorized to do business in the State of California and with a minimum A.M. Best rating of "A, XV." Self-insurance shall not be considered to comply with these insurance specifications. The DEVELOPER agrees to require all contractors, subcontractors and other parties hired for the Improvements to purchase and maintain insurance of the types specified

herein, naming as additional insureds all of the parties to this Security Agreement. The DEVELOPER shall, before commencing any work, obtain Worker's Compensation Insurance in an amount required by law and, failing to do so, the CITY may procure such insurance at the cost of the DEVELOPER.

7. <u>Comprehensive Commercial General and Automobile Liability Insurance</u>. The DEVELOPER, before commencing any work shall, at its own expense, maintain comprehensive commercial general and automobile liability insurance issued by a California-admitted surety company with an A.M. Best rating of no less than "A, XV" for \$2,000,000 per occurrence. Coverage shall be for the entire duration of the permitted activities. Such liability insurance policy shall name, by endorsement, the City as an additional insured.

8. Indemnification. Notwithstanding the provisions of Government Code, Section 66474.9 or any other statutes of similar import, and to the full extent permitted by law, the DEVELOPER shall defend, indemnify and hold harmless the CITY, its employees, agents, officials and attorneys, from and against any liability, claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses or costs of any kind or nature, whether actual, alleged or threatened, reasonable attorneys' fees, court costs, interest, expert witness fees and any other costs or expenses of any kind whatsoever, without restriction or limitation, incurred in relation to, as a consequence of, or arising out of or in any way attributable actually, allegedly or impliedly, in whole or in part, to the Map, the Improvements, this Agreement, or any matter related to the same; provided, however, that the indemnification to be provided by DEVELOPER to the CITY pursuant to the terms of this paragraph shall not be applicable where the aforementioned liability, claim, suit, action, etcetera, is the result of the sole negligence or sole willful misconduct of the CITY.

9. <u>Procedure for Release of Performance Bond Security</u>. The security furnished by the DEVELOPER shall be released in whole or in part in the following manner:

a. Security shall be released upon final completion and acceptance of the Improvements. If the security furnished by the DEVELOPER is a documentary evidence of security, such as a surety bond, the CITY shall release the documentary evidence and return the original to the Surety upon final completion and acceptance of the Improvements. In the event the CITY is unable to return the original documentary evidence to the Surety, the security shall be released by written notice sent by certified mail to the DEVELOPER and to the Surety within 30 days of the City's acceptance of the Improvements. The written notice shall contain a statement that the work for which security was furnished has been completed and accepted, a description of the Improvements, and the notarized signature of an authorized CITY official.

b. At such time as the DEVELOPER believes that the work for which the security was required is complete and makes payment of a partial exoneration fee of \$350 to the CITY, the DEVELOPER shall notify the CITY in writing of the completed work, including a list of work completed. Upon receipt of the written notice, the CITY shall have 45 days to review and comment or approve the completion of the Improvements. If the CITY does not agree that all work has been completed in accordance with the plans

and specifications for the Improvements, it shall supply a list of all remaining work to be completed.

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c. Within 45 days of receipt of the CITY's list of remaining work, the DEVELOPER may then provide cost estimates for all remaining work for review and approval by the CITY.

d. Upon receipt of the cost estimates, the CITY shall then have 45 days to review, comment, and approve, modify or disapprove those cost estimates. The CITY shall not be required to engage in this process of partial release more than once between the start of work and the completion and acceptance of all work.

e. The DEVELOPER shall complete the works of Improvement until all remaining items are accepted by the CITY. Upon completion of the Improvements, the DEVELOPER shall be notified in writing by the CITY within 45 days and, within 45 days of the date of the CITY's notice, the release of any remaining performance security shall be made within 60 days of the recording of the Notice of Completion.

10. <u>Procedure for Release of Payment Bond Security.</u> Security securing the payment to the contractor, his or her subcontractors and persons furnishing labor, materials or equipment may, after passage of the time within which mechanic's liens and stop notices are required to be recorded and after acceptance of the Improvements, be reduced by Surety to an amount equal to the total claimed by all claimants for whom mechanic's liens and stop notices have been recorded and notice thereof given in writing to the CITY, and if no claims have been recorded, the security may be released in full.

11. <u>Security for One-Year Warranty Period</u>. The release procedures described in paragraphs 9 and 10 above shall not apply to any required guarantee and warranty period nor to the amount of the performance bond security deemed necessary by the CITY for the guarantee and warranty period nor to costs and reasonable expenses and fees, including reasonable attorneys' fees.

12. <u>Binding Effect.</u> This Security Agreement shall be binding upon and shall inure to the benefit of the parties hereto, their legal representatives and their successors and assigns.

13. <u>Authority to Execute</u>. The DEVELOPER hereby warrants and represents to the CITY that the individual signing this Security Agreement on behalf of the DEVELOPER is vested with the unconditional authority to do so pursuant to, and in accordance with, all applicable legal requirements, and has the authority bind the DEVELOPER hereto.

14. <u>No Assignment.</u> The DEVELOPER may not assign this Security Agreement, or any part thereof, to another without the prior written consent of the CITY.

15. <u>Attorneys' Fees.</u> In the event of legal action to enforce or interpret this Agreement or any of its provisions, the prevailing party shall be entitled, in addition to any other form of relief, to recover its reasonable attorneys' fees and costs of suit.

16. <u>Execution in Counterparts.</u> This Agreement may be executed in counterparts, each of which shall be deemed an original, but which together shall constitute a single agreement.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the dates listed below.

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CITY OF BEAUMONT

By Mayor
Date
DEVELOPER Byhhal
7/6/16 Date
Title: Division President
Address: 400 Exchange Suite 200 Truine CA92602

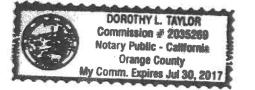
#### **CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189** 

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

L	
State of California	)
County of Drange	)
	before me, Dorothy L. Taylor, Notary Public,
Date	Here Insert Name and Title of the Officer
personally appeared	Douglas Woodward
	Name(s) of Signer(s)

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



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

WITNESS my hand and official seal.

Signature Signatore of Notary Pu

Place Notary Seal Above

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

Description of Attached Document Agreement Title or Type of Document: for Track Wap or	Farcel Document Date:
Number of Pages: Signer(#) Other Than N	Vamed Above: Mayor · City of Beaumont
Capacity(igs) Claimed by Signer(s)	(Dame not provided on the document)
Signer's Name: Douglas Woodward	Signer's Name:
Corporate Officer - Title(e): Div. Dyesident	Corporate Officer — Title(s):
Partner - Limited General	Partner —      Limited      General
Individual Attorney in Fact	Individual     Attorney in Fact
Trustee     Guardian or Conservator	Trustee     Guardian or Conservator
Other:	□ Other:
Signer Is Representing: K Hovnanian's Four Seasons of Beaumont, LC	Signer Is Representing:
	TREVIREVIREVIREVIREVIREVIREVIREVIREVIREVI

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## CITY OF BEAUMONT PUBLIC WORKS DEPARTMENT CONSTRUCTION COST WORKSHEET

PARCEL MAP OR TRACT NO.:	330	96-12 Street, Drainag 1-Mar-2016	ge, and Sew	ver Plan (In Tract)
PP, CUP NO.:			BY:	Cameron Weiss, Michael Baker Intl
IMPROVEMENTS	FAITHFUL PERFORMANCE 100% LABOR & MATERIALS SECURITY 100%			
	Con	struction Costs)		
Streets/Drainage	\$	2,000,935.60		
Sewer	\$	452,387.00		
Total	\$	2,453,322.60		
Warranty Retension (22.5%)	\$	551,997.59		
Street/Drainage Plan Check Fees =	\$	40,018.71		
Sewer Plan Check Fees =	\$	11,309.68		
Street Inspection Fees =	\$	60,028.07		
Sewer Inspection Fees =	\$	18,095.48		

## DESIGN ENGINEERS CALCULATIONS OF IMPROVEMENT BONDING COSTS

Construction items and their quantities as shown on attached sheets are accurate for the improvements required to construct the above project and the mathematical extensions using City's unit costs are accurate for determining bonding, plan check and inspection costs.

ROFESS include additional 20% for recordation prior to having signed plans Above amounts do include additional 20% for recordation prior to having signed plans x Above amounts do pot No. 63249 Date Engineer's Signature CALIF

**Civil Engineer's Stamp** 

Name typed or printed

FORM \$ UNIT COSTS REVISED 09/06

## \*\*\*\*\*PLEASE READ INSTRUCTIONS BELOW \*\*\*\*\*

 Quantities to be taken from improvement plans, Unit costs to be as provided on "City of Beaumont Improvement Requirement Worksheet".

2. Show Bond Amounts to the nearest \$500.

3. For construction items not covered by "City of Beaumont Improvement Worksheet", Design Engineer is to provide his opinion of construction cost and use of that cost. If City of Beaumont Unit Costs are determined to be too low in the opinion of the Design Engineer, the higher costs as provided by the Design Engineer should be used.

6/24/2016

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PROJECT: 33096-12 Street, Drainage, and Sewer Plan (In Tract)

DATE: 1-Mar-16

		STREET IMPROVEMENTS				
QTY.	UNIT	ITEM	UN	T COST	AN	JOUNT
		Roadway Excavation 1. Projects with a grading plan area x 0.50'				
5,876	C.Y.	(hinge point to hinge point)(x 317278)	\$	15.00	\$	88,140
3,070	0.11	2. Projects without a grading plan (road area and side slopes to daylight Cut (C) = Fill (f) =				
	C.Y. (c or f)	(a.) Excavate and Fill	\$	0.40	\$	-
	C.Y. (f - c)	(b.) Excavate and Export	\$	1.10	\$	-
		(c.) Import and Fill	\$	2.80	\$	-
		If balance, provide (a.) only, either cut or fill				
		If export, provide (a.) & (b.), a = fill, b = cut - fill				
		If import, provide (a.) & (c.), a = cut, c= fill - cut				
		(Unit costs for (a.), (b.) & (c.) are 20% of acrual				
		costs to assure that work will be corrected to				
		eliminate hazardous conditions.)				
					\$	-
	S.F.	Remove A.C. Pavement	\$	1.00	\$	-
	L.F.	Remove Curb and Gutter	\$	4.00	\$	-
	L.F.	Remove A.C. Dike	\$	3.00	\$	-
	S.F.	Remove Sidewalk x 5' Wide	\$	3.00	\$	-
72	L.F.	Sawcut & Remove Exist. A.C. Pavement	\$	2.00	\$	144

SUBTOTAL= 88,284 \$

6/24/2016

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PROJECT: 33096-12 Street, Drainage, and Sewer Plan (In Tract)

DATE: 1-Mar-16

		STREET IMPROVEMENTS (Cont'd.)				_
QTY.	UNIT	ITEM	<u></u>	NIT COST	A	MOUNT
	L.F.	Remove Chain Link Fence	\$	2.50	\$	
	EA.	Remove Barricade	\$	200.00	\$	-
4,020	TON	Asphalt Concrete - 144 lbs/cu. Ft. (On-Site SF @ 0.25')	\$	90.00	\$	361,800
4,137	C.Y.	Aggregate Base Class II (OnSite SF @ 0.50')	\$	50.00	\$	206,85
	TON	Asphalt Emulsion (Fog Seal/Paint Binder) (1 ton = 240 gals) (OnSite SF)	\$	600.00	\$	-
	S.F	apply at $0.05 + 0.03 = 0.08$ gal/SY AC overlay (min. 0.10) If export, provide (a) & (b), a=fill, b=cut-fill If import, provide (a)&(C), a=cut, c=fill-cut (Unit costs for (a), (b) & (C) are 20% of			\$	-
		actual costs to assure that work will be corrected to eliminate hazardous conditions.)	\$	0.90	\$	-
	S.F.	Remove A.C. Pavement	\$	0.50	\$	
13,441	L.F.	Curb and Gutter (Wedge Curb)	\$	8.00	\$	107,52
	L.F.	Curb and Gutter [(2)13' Transitions]	\$	10.00	\$	
	EA.	5' long sticks - 4" x 14" Cast Iron Pipe (under sidewalk)	\$	120.00	\$	-
	L.F.	Type "C" Curb	\$	10.00	\$	-
	L.F.	Type "D" Curb	\$	15.00	\$	-
	L.F.	A.C. Dike (6") (incl. material & labor)	\$	8.00	\$	
	L.F.	A.C. Dike (8") (incl. Material & labor)	\$	10.00	\$	-
	S.F.	P.C.C. Cross Gutter and Spandrels	\$	10.00	\$	-
62,947	S.F.	P.C.C. Sidewalk	\$	6.00	\$	377,68
	SF	P.C.C. Drive Approach	\$	8.00	\$	-
20	EA.	Handicapped Access Ramp	\$	1,500.00	\$	30,00
	EA.	P.C.C. Drive Approach (individual lot driveway approach per finished grading plan)	\$	8.00	\$	-
	S.F.	Cold Plane & Overlay Exist. A.C. Paving	\$	4.00	\$	-
17	EA.	Local Deperssion	\$	750.00	\$	12,75

SUBTOTAL = \$ 1,096,610.00

		STREET IMPROVEMENTS (Cont'd	.)			
QTY.	UNIT	ITEM	UN	NT COST	A	MOUNT
	EA.	Street Name Sign	\$	250.00	\$	-
	EA.	Delineators-per Caltrans Std. A73C, Class 1, Type F	\$	40.00	\$	
	EA.	Object Markers - Modified Type F Delineators, Riverside County	\$	40.00	\$	-
	L.F.	Barricades	\$	28.00	\$	-
	L.F.	Utility Trench, one side (Edison, Telephone, Cable) (Total length of streets)	\$	10.00	\$	
	L.F.	Chain Link Fence (6')	\$	12.00	\$	-
	L.F.	Remove Fence	\$	4.00	\$	÷
	EA.	Remove Power Pole	\$	1,200.00	\$	-
44	EA.	Street Lights (including conduit)	\$	5,000.00	\$	220,00
	EA.	Street Trees (15 gallon)	\$	150.00	\$	
	L.S.	Landscape and Irrigation	\$	-	\$	-
	EA.	Concrete Bulkhead	\$	200.00	\$	-
	C.Y.	Structural Reinforced Concrete	\$	400.00	\$	-
	EA.	Slope Anchors for Pipes	\$	300.00	\$	-
I	L.F.	Cut Off Wall (Std. 2')	\$	5.50	\$	-
	EA.	A.C. Overside Drain	\$	500.00	\$	
	EA.	Under Sidewalk Drain	\$	1,800.00	\$	-
	S.F.	Terrace Drains and Down Drains	\$	6.50	\$	-
	S.F.	Interceptor Drains	\$	6.50	\$	-

PROJECT: 33096-12 Street, Drainage, and Sewer Plan (In Tract)

DATE: 1-Mar-16

SUBTOTAL = \$ 220,000.00

6/24/2016

PROJECT:	33096-12 Street, Drainage, and Sewer Plan (In Tract)
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DATE: 1-Mar-16

		STREET IMPROVEMENTS (	Cont'd.)			
QTY.	UNIT	ITEM	UN	IT COST	A	MOUNT
	C.Y.	Rip Rap (1/4 Ton) Method B	\$	40.00	\$	-
	C.Y.	Rip Rap (1/2 Ton) Method B	\$	45.00	\$	-
	C.Y.	Rip Rap (1 Ton) Method B	\$	50.00	\$	-
	C.Y.	Rip Rap (2 Ton) Method B	\$ .	55.00	\$	-
	C.Y.	Grouted Rip Rap (1/4 Ton) Method B	\$	60.00	\$	-
	C.Y.	Grouted Rip Rap (1/2 Ton) Method B	\$	67.00	\$	-
	C.Y.	Grouted Rip Rap (1Ton) Method B	\$	75.00	\$	-
	C.Y.	Grouted Rip Rap (2 Ton) Method B	\$	80.00	\$	-
2,005	L.F.	18" R.C.P.	\$	60.00	\$	120,30
895	L.F.	24" R.C.P.	\$	70.00	\$	62,65
275	L:F.	30" R.C.P.	\$	80.00	\$	22,00
	L.F.	36" R.C.P.	- \$	90.00	\$	-
	L.F.	42" R.C.P.	\$	100.00	\$	-
	L.F.	48 " RCP	\$	110.00	\$	-
	L.F.	54" RCP	\$	135.00	\$	-
	L.F.	60" RCP	\$	160.00	\$	-
	L.F.	72" RCP	\$	200.00	\$	-
	L.F.	Pipe Slope Anchors	\$	10.00	\$	-
	EA.	Pipe Support SPPWC 224-2	\$	250.00	\$	12
	EA.	H.D.P.E. Clean Out	\$	400.00	\$	-
	EA.	Drain Basin	\$	400.00	\$	-
	EA.	Curb Outlet	\$	3,000.00	\$	-
	EA.	Catch Basin Filters	\$	1,000.00	\$	-
	EA.	18" C.M.P. Wye	\$	500.00	\$	-
	EA.	Riprap Headwall	\$	1,000.00	\$	-
	EA.	Concrete Collar	\$	250.00	\$	-
	EA.	Outlet Structure	\$	10,000.00	\$	-
	EA.	Remove Existing Headwall	\$	1,000.00	\$	-

<u>SUBTOTAL = \$ 204,950.00</u>

6/24/2016

PROJECT:

33096-12 Street, Drainage, and Sewer Plan (In Tract)

DATE: 1-Mar-16

OTV	UNIT	STREET IMPROVEMENTS (Cont'd	-	NT COST	A 1	MOUNT
QTY.	L.F.	60" C.S.P.	\$	115.00	\$	
			\$	1,700.00	\$	
	EA.	Catch Basin W = 4'	\$		\$	6,00
2	EA.	Catch Basin W = 7'		3,000.00	\$ \$	
3	EA.	Catch Basin W = 10'	\$	4,000.00	\$ \$	12,00
11	EA.	Catch Basin W = 14'	\$	5,500.00		60,50
1	EA.	Catch Basin W = 21'	\$	9,000.00	\$	9,000
	EA.	Type IX Inlet	\$	2,500.00	\$	-
	EA.	Type X Inlet	\$	2,500.00	\$	-
	EA.	Junction Structure No. 1	\$	3,000.00	\$	-
3	EA.	Junction Structure No. 2	\$	2,500.00	\$	7,500
	EA.	Junction Structure No. 6	\$	3,700.00	\$	-
	EA.	Transition Structure SPPWC 340-2	\$	2,000.00	\$	-
	EA.	Transition Structure No. 3	\$	2,700.00	\$	be .
13	EA.	Manhole No. 1	\$	2,700.00	\$	35,10
	EA.	Manhole No. 2	\$	3,300.00	\$	-
	EA.	Manhole No. 3	\$	2,700.00	\$	-
	EA.	Manhole No. 4	\$	5,000.00	\$	-
	EA.	Adjust Water Valve (if no water plan)	\$	150.00	\$	-
	EA.	Adjust MH to grade (if no sewer plan)	\$	400.00	\$	-
	EA.	Headwall	\$	5,000.00	\$	-
	EA.	PCC Blanket Protection	\$	200.00	\$	-
	L.S.	and 36" Riser	\$	500.00	\$	-
	EA.	Remove & Dispose of RCB Headwall & Wingwall	\$	10,000.00	\$	-
	L.F.	and Concrete Bulkhead	\$	25.00	\$	-
	EA.	Outlet Structure (Line A & B)	\$	5,000.00	\$	-
	EA.	Remove Existing Headwall	\$	1,000.00	\$	-
	EA.	24" x 24" Grated Box Inlet	\$	1,250.00	\$	-
	EA.	36" x 36" Grated Box Inlet	\$	1,500.00	\$	-
	2.48 A.		SUB	FOTAL =	\$	130,10

33096-12 Street, Drainage, and Sewer Plan (In Tract) PROJECT:

DATE: 1-Mar-16

		STREET IMPROVEMENTS	(Cont'd.)			
QTY.	UNIT	ITEM	UN	IT COST	AMOUNT	
	EA.	Water Quality Structure	\$	2,500.00	\$	
	LS	Concrete Inlet Apron	\$	11,000.00	\$	
	LS	Emergency Spillway	\$	27,000.00	\$	
	LS	84" Storm Drain Grate	\$	8,500.00	\$	
	SF	3' Wide V-Gutter (945 LF)	\$	4.00	\$	
	LS	Remove 36" HDPE	\$	1,000.00	\$	
	LS	Remove 48" SD & Energy Dissipator	\$	10,000.00	\$	
	EA.	CSP Drop Inlet		500	\$	
			Subtot	al:	\$	-

1,739,944

260,992

\$

\$

Subtotal Α.

Contingency (15%) Β.

		II				
0	Streets/Drainage Total (A + B)	S	2.000.936			
C	Streets/Drainage Total (A + D)	Ψ	2,000,000			
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6/24/2016

PROJECT: 33096-12 Street, Drainage, and Sewer Plan (In Tract)

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DATE: 1-Mar-16

		SEWER IMPROVEME				
		nis sheet only if project has a sewer plan. If no street improvements.	water plan, ther	n show appli	cable	
QTY.	UNIT	ITEM	UN	IT COST	A	MOUNT
7,502	L.F.	4" P.V.C.	\$	15.00	\$	112,530
	L.F.	4" P.V.C. Force Main & Fittings	\$	26.00	\$	-
6,270	L.F.	8" P.V.C.	\$	30.00	\$	188,100
	L.F.	10" V.C.P.	\$	35.00	\$	-
	L.F.	12" V.C.P.	\$	40.00	\$	-
	L.F.	15" V.C.P.	\$	50.00	\$	-
29	EA.	Standard or Terminus Manholes	\$	2,500.00	\$	72,500
•	EA.	Drop Manholes	\$	4,000.00	\$	-
	EA.	Cleanouts	\$	500.00	\$	-
	EA.	Sewer Y's	\$	25.00	\$	-
	EA.	Chimneys	\$	400.00	\$	
	EA.	Adjust M.H. to grade	\$	500.00	\$	-
	L.F.	Concrete Encasement	\$	35.00	\$	-
	EA.	4" P.V.C. Misc. Fittings	\$	120.00	\$	-
	L.F.	Sewer Pipe Sleeving	\$	36.00	\$	-
1	EA.	Remove End Plug and Join Existing	\$	2,000.00	\$	2,000
73	EA.	Backflow prevention device	\$	250.00	\$	18,250

A.	Subtotal	\$ 393,380
B.	Contingency (15% x A)	\$ 59,007
C.	Sewer Total (A + B)	\$ 452,387

6/24/2016

Agenda Item No. 4. Basic Gov (Sales Force) # File #

## EXHIBIT "A"

Premium: \$34,347.00/2 years

Bond No. 1134474

## PERFORMANCE BOND

WHEREAS, the City Council of the City of Beaumont, State of California, and <u>K</u> Hovnanian's Four Seasons at Beaumont, LLC (hereinafter designated as "Principal") have entered into Agreement To Provide Security For Improvements For Tract Map Or Parcel Map Or Plot Plan, dated \_\_\_\_\_\_, 20\_\_, whereby Principal agrees to install and complete certain designated public improvements itemized and described on Tract Map, Parcel Map or Plot Plan No. 33096-12, which is hereby incorporated herein and made a part hereof; and

WHEREAS, Principal is required under the terms of the said agreement to furnish a bond for the faithful performance of said agreement.

NOW, THEREFORE, we, the Principal and Lexon Insurance Company as Surety, are held and firmly bound unto the City of Beaumont (hereinafter called "City"), in the penal sum of Two Million Four Hundred Fifty Three Thousand Three Hundred United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, successors, executors and administrators, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the Principal, his or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or their part to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City, its officers, agents and employees as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

As part of the obligation secured hereby and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment therein rendered.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on June 30th \_\_\_\_\_\_, 20 16 \_\_\_\_\_.

PRINCIPAL:

K. Hovnanian's Four Seasons at Beaumont, LLC

Βv Title

SURETY:

Lexon Insurance Company

Christine Marotta, Attorney-in-Fact Title

## **CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

### CIVIL CODE § 1189

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

State of California		)
County of Orange		)
on July 8, 2016	_ before me, _	Dorothy L. Taylor, Notary Public,
Date		Here Insert Name and Title of the Officer
personally appeared	Dou	zlas Woodward Name(s) of Signer(s)
		Name(s) of Signer(s)
		anti.

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



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

WITNESS my hand and official seal.

Signature

Signature of Notary

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document Lexon In Title or Type of Document: Performance Number of Pages: 10 Signer(\$) Other Than	Swrance, Company Bond #1134474 Bond Document Date: Named Above: Christine Marotta
Capacity(is) Claimed by Signer(s) Signer's Name: Doug Las Wood word Corporate Officer — Title(s): Division Presider	Signer's Name:
Partner – Limited General	Partner — Limited     General
□ Individual □ Attorney in Fact	□ Individual □ Attorney in Fact
□ Trustee □ Guardian or Conservator	Trustee     Guardian or Conservator
Other:	Other:
Signer is Representing: K. Hovnanian's Four Seasons at Beaumont, LLC.	Signer Is Representing:

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## **ACKNOWLEDGMENT OF SURETY**

## STATE OF ILLINOIS

## COUNTY OF WILL

On <u>JUL 06 2016</u>, before me, a Notary Public in and for the above county, personally appeared <u>Christine Marotta</u> to me personally known, who, being by me duly sworn, did state that he/she is Attorney-in-Fact of <u>Lexon Insurance Company</u>, a corporation organized and existing under the laws of the State of <u>Texas</u> that the seal affixed to the foregoing instrument is the corporate seal of the said corporation, that the instrument was signed, sealed, and executed in behalf of said corporation by authority of its Board of Directors, and further acknowledged the said instrument and the execution thereof to be the voluntary act and deed of said corporation by <u>her</u> voluntarily executed.

IN WITNESS WHEREOF, I have hereunto subscribed by name and affixed my official seal the day and year first above written.

**OFFICIAL SEAL** NICOLE MICHALAK Notary Public - State of Illinois My Commission Expires Oct. 22, 2019 SEALT

ucol Michaeak

Notary Public

WILL County, ILLINOIS

## **POWER OF ATTORNEY**

Agenda Item No. 4. LX-272617

## Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that LEXON INSURANCE COMPANY, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Christine Marotta, Debra Kohlman, Thomas P. Pluss its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of LEXON INSURANCE COMPANY on the 1<sup>st</sup> day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$3,000,000.00, Three Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, LEXON INSURANCE COMPANY has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 5th day of August, 2015.

LEXON INSURANCE COMPANY



BY David E Campbell President

## ACKNOWLEDGEMENT

On this 5th day of August, 2015, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of LEXON INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR		
Notary Public- State of Tennessee		
Davidson County		
Mv Commission Expires 07-08-19		

Amy Notan Public

## CERTIFICATE

I, the undersigned, Assistant Secretary of LEXON INSURANCE COMPANY, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennes	see this	_ Day of	, 20	
SEAL T			BY	Andrew Smith Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

Premium: Included w/ Perf. Bond

Bond No. 1134474

#### EXHIBIT "B"

#### PAYMENT BOND

WHEREAS, the City Council of the City of Beaumont, State of California, and K. Hovnanian's Four Seasons at Beaumont, LLC (hereafter designated as "the Principal") have entered into Agreement To Provide Security For Improvements For Tract Map Or Parcel Map Or Plot Plan, dated \_\_\_\_\_\_, 20\_\_\_, whereby Principal agrees to install and complete certain designated public improvements itemized and described on Tract Map, Parcel Map or Plot Plan No.33096-12, which is hereby incorporated herein and made a part hereof; and

WHEREAS, under the terms of the said agreement, the Principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Beaumont to secure the claims to which reference is made in Section 8000, et seq., of the Civil Code of the State of California.

NOW, THEREFORE, the Principal and the undersigned as corporate surety, are held firmly bound unto the City of Beaumont and all contractors, subcontractors, laborers, materialmen, and other persons employed in the performance of the said agreement and referred to at Section 8000, et seq., of the Civil Code in the sum of Two Million Four Hundred Fifty Three Housand dollars (\$2,453,322.60), for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to this work or labor, that the Surety will pay the same in an amount not exceeding the amount hereinabove set forth, and also in case suit is brought upon this bond, will pay, in addition to the face amount thereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City in successfully enforcing this obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgment therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies, and corporations entitled to file claims under Section 8000, et seq., of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligations on this bond, and it does hereby waive notice of any such change, extension, alteration, or addition.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on June 30th \_\_\_\_\_\_, 20 16\_\_\_.

PRINCIPAL:

K. Hovnanian's Four Seasons at Beaumont, LLC

By Title

SURETY:

Lexon Insurance Company

Title Christine Marotta, Attorney-in-Fact

## **CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

CIVIL CODE § 1189

## 

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

State of California	)
County of Orange	)
on July 8, 2016	before me, Dorothy L. Taylor, Notary Public,
Date	Here Insert Name and Title of the Officer
personally appeared	Douglas Woodward Name(\$) of Signer(\$)
	Name(s) of Signer(s)

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

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

WITNESS my hand and official seal.

Signature

Signature of Notary Public

Place Notary Seal Above

DOROTHY L. TAYLOR Commission # 2035269 Notary Public - California

**Orange** County.

Comm. Expires Jul 30, 201

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

Description of Attached Document       Lea         Title or Type of Document:       Payment Bond         Number of Pages:       D         Signer(\$)       Other Than N	Document Date: # 2,453,322.60 lamed Above: Christine Marotta
Capacity(is) Claimed by Signer(s) Signer's Name: Douglas Wood ward Corporate Officer - Title(s): Division President	Signer's Name:
Partner — Limited General Individual Attorney in Fact	Partner – Limited General     Individual Attorney in Fact
Guardian or Conservator	Trustee     Guardian or Conservator     Other:
Signer Is Representing: K. Hovnanians Four Seasons at Beaumont, LLC	Signer Is Representing:

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## ACKNOWLEDGMENT OF SURETY

## STATE OF ILLINOIS

## COUNTY OF WILL

On JUL 06 2016 \_\_\_\_\_\_, before me, a Notary Public in and for the above county, personally appeared <u>Christine Marotta</u> to me personally known, who, being by me duly sworn, did state that he/she is Attorney-in-Fact of <u>Lexon Insurance Company</u>, a corporation organized and existing under the laws of the State of <u>Texas</u> that the seal affixed to the foregoing instrument is the corporate seal of the said corporation, that the instrument was signed, sealed, and executed in behalf of said corporation by authority of its Board of Directors, and further acknowledged the said instrument and the execution thereof to be the voluntary act and deed of said corporation by <u>her</u> voluntarily executed.

IN WITNESS WHEREOF, I have hereunto subscribed by name and affixed my official seal the day and year first above written.

**OFFICIAL SEAL** NICOLE MICHALAK Notary Public - State of Illinois Commission Expires Oct. 22, 2019 EAL

nicol michaeak

Notary Public

WILL County, ILLINOIS

## **POWER OF ATTORNEY**

## Agenda Item No. 4. LX- 272618

## Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that LEXON INSURANCE COMPANY, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Christine Marotta, Debra Kohlman, Thomas P. Pluss its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of LEXON INSURANCE COMPANY on the 1<sup>st</sup> day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$3,000,000.00, Three Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, LEXON INSURANCE COMPANY has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 5th day of August, 2015.

LEXON INSURANCE COMPANY



BY David E. Campbell President

## ACKNOWLEDGEMENT

On this 5th day of August, 2015, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR Notary Public- State of Tennessee Davidson County My Commission Expires 07-08-19

Amy Notar Public

## CERTIFICATE

I, the undersigned, Assistant Secretary of LEXON INSURANCE COMPANY, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_\_



BY

Andrew Smith Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

## CITY OF BEAUMONT PUBLIC WORKS DEPARTMENT CONSTRUCTION COST WORKSHEET

PARCEL MAP OR TRACT NO .:	330	96-12 Street, Drainag	e, and Sew	ver Plan (In Trac	t)
DATE:		1-Mar-2016			
PP, CUP NO.:		- (	BY:	Cameron Weiss	, Michael Baker Intl
IMPROVEMENTS		HFUL PERFORMAN R & MATERIALS S		100% 7 100%	
	Con	struction Costs)			
Streets/Drainage	\$	2,000,935.60			
Sewer	\$	452,387.00			
Total	\$	2,453,322.60			
Warranty Retension (22.5%)	\$	551,997.59			
Street/Drainage Plan Check Fees =	\$	40,018.71			
Sewer Plan Check Fees =	\$	11,309.68			
Street Inspection Fees =	\$	60,028.07			
Sewer Inspection Fees =	\$	18,095.48			

## DESIGN ENGINEERS CALCULATIONS OF IMPROVEMENT BONDING COSTS

Construction items and their quantities as shown on attached sheets are accurate for the improvements required to construct the above project and the mathematical extensions using City's unit costs are accurate for determining bonding, plan check and inspection costs.

Above amounts do	include additional 20% for recordation prior to having signed plans	RED PROFESSIONS
Above amounts do not	x include additional 20% for recordation prior to having signed plans	No. 63249
4_M.Jau	6/24/16	
Engineer's Signature	Date	FIL CIVIL ONIE
		OF CALIFOR

MAURICIO M LAENFRL

Name typed or printed

FORM \$ UNIT COSTS REVISED 09/06

## \*\*\*\*\*PLEASE READ INSTRUCTIONS BELOW\*\*\*\*\*

- 1. Quantities to be taken from improvement plans, Unit costs to be as provided on "City of Beaumont Improvement Requirement Worksheet".
- 2. Show Bond Amounts to the nearest \$500.

i

3. For construction items not covered by "City of Beaumont Improvement Worksheet", Design Engineer is to provide his opinion of construction cost and use of that cost. If City of Beaumont Unit Costs are determined to be too low in the opinion of the Design Engineer, the higher costs as provided by the Design Engineer should be used.

6/24/2016

**Civil Engineer's Stamp** 

<u>.</u>.

PROJECT: 33096-12 Street, Drainage, and Sewer Plan (In Tract)

DATE: 1-Mar-16

		STREET IMPROVEMENTS				
QTY.	UNIT	ITEM	UNI	T COST	AN	OUNT
5,876	C.Y.	Roadway Excavation         1. Projects with a grading plan area x 0.50'         (hinge point to hinge point)(x 317278)         2. Projects without a grading plan (road area and side slopes to daylight         Cut (C) =       Fill (f) =	\$	15.00	\$	88,14
	C.Y. (c or f)	(a.) Excavate and Fill	\$	0.40	\$	_
	1	(b.) Excavate and Export	\$	1.10	\$	-
		(c.) Import and Fill	\$	2.80	\$	-
		If balance, provide (a.) only, either cut or fill				
		If export, provide (a.) & (b.), a = fill, b = cut - fill				
		If import, provide (a.) & (c.), a = cut, c= fill - cut				
		(Unit costs for (a.), (b.) & (c.) are 20% of acrual				
		costs to assure that work will be corrected to				
		eliminate hazardous conditions.)				
		-			\$	-
	S.F.	Remove A.C. Pavement	\$	1.00	\$	-
	L.F.	Remove Curb and Gutter	\$	4.00	\$	-
	L.F.	Remove A.C. Dike	\$	3.00	\$	-
	S.F.	Remove Sidewalk x 5' Wide	\$	3.00	\$	
72	L.F.	Sawcut & Remove Exist. A.C. Pavement	\$	2.00	\$	14

88,284 SUBTOTAL= \$

DD	$\mathbf{O}$	<b>EC</b>	T.
LU	U.		£ 4.

33096-12 Street, Drainage, and Sewer Plan (In Tract)

DATE: 1-Mar-16

		STREET IMPROVEMENTS (Cont'd.)				
QTY.	UNIT	ITEM	U	NIT COST	AMOUNT	
	L.F.	Remove Chain Link Fence	\$	2.50	\$	-
	EA.	Remove Barricade	\$	. 200.00	\$	-
4,020	TON	Asphalt Concrete - 144 lbs/cu. Ft. (On-Site SF @ 0.25')	\$	90.00	\$	361,800
4,137	C.Y.	Aggregate Base Class II (OnSite SF @ 0.50')	\$	50.00	\$	206,850
	TON	Asphalt Emulsion (Fog Seal/Paint Binder) (1 ton = 240 gals) (OnSite SF)	\$	600.00	\$	-
	S.F	apply at 0.05 + 0.03 = 0.08 gal/SY AC overlay (min. 0.10) If export, provide (a) & (b), a=fill, b=cut-fill If import, provide (a)&(C), a=cut, c=fill-cut (Unit costs for (a), (b) & (C) are 20% of actual costs to assure that work will be corrected to eliminate hazardous conditions.)	\$	0.90	\$	-
	S.F.	Remove A.C. Pavement	\$	0.50	\$	
13,441	L.F.	Curb and Gutter (Wedge Curb)	\$	8.00	\$	107,528
15,111	L.F.	Curb and Gutter [(2)13' Transitions]	\$	10.00	\$	-
	EA.	5' long sticks - 4" x 14" Cast Iron Pipe (under sidewalk)	\$	120.00	\$	-
	L.F.	Type "C" Curb	\$	10.00	\$	-
	L.F.	Type "D" Curb	\$	15.00	\$	-
	L.F.	A.C. Dike (6") (incl. material & labor)	\$	8.00	\$	
	L.F.	A.C. Dike (8") (incl. Material & labor)	\$	10.00	\$	-
	S.F.	P.C.C. Cross Gutter and Spandrels	\$	10.00	\$	-
62,947	S.F.	P.C.C. Sidewalk	\$	6.00	\$	377,682
	SF	P.C.C. Drive Approach	\$	8.00	\$	-
20	EA.	Handicapped Access Ramp	\$	1,500.00	\$	30,000
	EA.	P.C.C. Drive Approach (individual lot driveway approach per finished grading plan)	\$	8.00	\$	-
	S.F.	Cold Plane & Overlay Exist. A.C. Paving	\$	4.00	\$	-
17	EA.	Local Deperssion	-\$	750.00	\$	12,750

SUBTOTAL = \$ 1,096,610.00

6/24/2016

(

PROJECT: 33096-12 Street, Drainage, and Sewer Plan (In Tract)

DATE: 1-Mar-16

		STREET IMPROVEMENTS (Cont'd.	)			
QTY.	UNIT	ITEM	UN	UNIT COST		AMOUNT
	EA.	Street Name Sign	\$	250.00	\$	-
	EA.	Delineators-per Caltrans Std. A73C, Class 1, Type F	\$	40.00	\$	-
	EA.	Object Markers - Modified Type F Delineators, Riverside County	\$	40.00	\$	-
	L.F.	Barricades	\$	28.00	\$	54
	L.F.	Utility Trench, one side (Edison, Telephone, Cable) (Total length of streets)	\$	10.00	\$	
	L.F.	Chain Link Fence (6')	\$	12.00	\$	-
``	L.F.	Remove Fence	\$	4.00	\$	-
	EA.	Remove Power Pole	\$	1,200.00	\$	-
44	EA.	Street Lights (including conduit)	\$	5,000.00	\$	220,000
	EA.	Street Trees (15 gallon)	\$	150.00	\$	-
	L.S.	Landscape and Irrigation	\$	-	\$	-
	EA.	Concrete Bulkhead	\$	200.00	\$	-
	C.Y.	Structural Reinforced Concrete	\$	400.00	\$	a.
	EA.	Slope Anchors for Pipes	\$	300.00	\$	-
	L.F.	Cut Off Wall (Std. 2')	\$	5.50	\$	-
	EA.	A.C. Overside Drain	\$	500.00	\$	
	EA.	Under Sidewalk Drain	\$	1,800.00	\$	-
	S.F.	Terrace Drains and Down Drains	\$	6.50	\$	-
	S.F.	Interceptor Drains	\$	6.50	\$	-

SUBTOTAL = \$ 220,000.00

PR	OJECT	

33096-12 Street, Drainage, and Sewer Plan (In Tract)

DATE: 1-Mar-16

		STREET IMPROVEMENTS (	Cont'd.)			
QTY.	UNIT	ITEM	UN	IIT COST	A	MOUNT
	C.Y.	Rip Rap (1/4 Ton) Method B	\$	40.00	\$	-
	C.Y.	Rip Rap (1/2 Ton) Method B	\$	45.00	\$	-
	C.Y.	Rip Rap (1 Ton) Method B	\$	50.00	\$	-
	C.Y.	Rip Rap (2 Ton) Method B	\$	55.00	\$	-
	C.Y.	Grouted Rip Rap (1/4 Ton) Method B	\$	60.00	\$	-
	C.Y.	Grouted Rip Rap (1/2 Ton) Method B	\$	67.00	\$	-
	C.Y.	Grouted Rip Rap (1Ton) Method B	\$	75.00	\$	-
	C.Y.	Grouted Rip Rap (2 Ton) Method B	\$	80.00	\$	
2,005	L.F.	18" R.C.P.	\$	60.00	\$	120,300
895	L.F.	24" R.C.P.	\$	70.00	\$	62,650
275	L.F.	30" R.C.P.	\$	80.00	\$	22,000
	L.F.	36" R.C.P.	\$	90.00	\$	-
	L.F.	42" R.C.P.	\$	100.00	\$	
	L.F.	48 " RCP	\$	.110.00	\$	-
	L.F.	54" RCP	\$	135.00	\$	-
	L.F.	60" RCP	\$	160.00	\$	-
	L.F.	72" RCP	\$	200.00	\$	-
	L.F.	Pipe Slope Anchors	\$	10.00	\$	
	EA.	Pipe Support SPPWC 224-2	\$	250.00	\$	
	EA.	H.D.P.E. Clean Out	\$	400.00	\$	-
	EA.	Drain Basin	\$	400.00	\$	-
	EA.	Curb Outlet	\$	3,000.00	\$	-
	EA.	Catch Basin Filters	\$	1,000.00	\$	-
	EA.	18" C.M.P. Wye	\$	500.00	\$	-
	EA.	Riprap Headwall	\$	1,000.00	\$	
	EA.	Concrete Collar	\$	250.00	\$	-
	EA.	Outlet Structure	\$	10,000.00	\$	-
	EA.	Remove Existing Headwall	\$	1,000.00	\$	-

SUBTOTAL = \$ 204,950.00

\$

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PROJECT: 33096-12 Street, Drainage, and Sewer Plan (In Tract)

DATE: <u>1-Mar-16</u>

		STREET IMPROVEMENTS (Cont'd	.)				
QTY.	UNIT	ITEM	UN	UNIT COST		AMOUNT	
	L.F.	60" C.S.P.	\$	115.00	\$		
	EA.	Catch Basin W = 4'	\$	1,700.00	\$	-	
2	EA.	Catch Basin W = 7'	\$	3,000.00	\$	6,000	
3	EA.	Catch Basin W = 10'	\$	4,000.00	\$	12,000	
11	EA.	Catch Basin W = 14'	\$	5,500.00	\$	60,500	
1	EA.	Catch Basin W = 21'	\$	9,000.00	\$	9,000	
	EA.	Type IX Inlet	\$	2,500.00	\$	-	
	EA.	Type X Inlet	\$	2,500.00	\$	-	
	EA.	Junction Structure No. 1	\$	3,000.00	\$	-	
3	EA.	Junction Structure No. 2	\$	2,500.00	\$	7,500	
	EA.	Junction Structure No. 6	\$	3,700.00	\$	-	
	EA.	Transition Structure SPPWC 340-2	\$	2,000.00	\$	-	
	EA.	Transition Structure No. 3	\$	2,700.00	\$		
13	EA.	Manhole No. 1	\$1	2,700.00	\$	35,100	
	EA.	Manhole No. 2	\$	3,300.00	\$	-	
	EA.	Manhole No. 3	\$	2,700.00	\$	-	
	EA.	Manhole No. 4	\$	5,000.00	\$	-	
	EA.	Adjust Water Valve (if no water plan)	\$	150.00	\$	-	
	EA.	Adjust MH to grade (if no sewer plan)	\$	400.00	\$	-	
	EA.	Headwall	\$	5,000.00	\$	-	
	EA.	PCC Blanket Protection	\$	200.00	\$	-	
	L.S.	and 36" Riser	\$	500.00	\$	-	
	EA.	Remove & Dispose of RCB Headwall & Wingwall	\$	10,000.00	\$	-	
	L.F.	and Concrete Bulkhead	\$	25.00	\$	-	
	EA.	Outlet Structure (Line A & B)	\$	5,000.00	\$	-	
	EA.	Remove Existing Headwall	\$	1,000.00	\$	-	
	EA.	24" x 24" Grated Box Inlet	\$	1,250.00	\$	-	
	EA.	36" x 36" Grated Box Inlet	\$	1,500.00	\$		
			SUB	FOTAL =	\$	130,10	

33096-12 Street, Drainage, and Sewer Plan (In Tract)

DATE: 1-Mar-16

		STREET IMPROVEMENTS (Cor	nt'd.)			
QTY.	UNIT	ITEM	UN	IT COST	AM	IOUNT
	EA.	Water Quality Structure	\$	2,500.00	\$	-
	LS	Concrete Inlet Apron	\$	11,000.00	\$	-
	LS	Emergency Spillway	\$	27,000.00	\$	-
	LS	84" Storm Drain Grate	\$	8,500.00	\$	-
	SF	3' Wide V-Gutter (945 LF)	\$	4.00	\$	-
	LS	Remove 36" HDPE	\$	1,000.00	\$	-
	LS	Remove 48" SD & Energy Dissipator	\$	10,000.00	\$	-
	EA.	CSP Drop Inlet		500	\$	-
			Subto	tal:	\$	-

1,739,944

260,992

\$

\$

Subtotal Α.

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Contingency (15%) Β.

С	Streets/Drainage Total (A + B)	\$	2,000,936
********	***************************************	*******	*****

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PROJECT: 33096-12 Street, Drainage, and Sewer Plan (In Tract)

DATE: 1-Mar-16

		SEWER IMPROVEME				
		his sheet only if project has a sewer plan. If ne street improvements.	o water plan, ther	n show appli	cable	
QTY.	UNIT	ITEM	UN	IT COST	А	MOUNT
7,502	L.F.	4" P.V.C.	\$	15.00	\$	112,530
	L.F.	4" P.V.C. Force Main & Fittings	\$	26.00	\$	
6,270	L.F.	8" P.V.C.	\$	30.00	\$	188,100
	L.F.	10" V.C.P.	\$	35.00	\$	
P	L.F.	12" V.C.P.	\$	40.00	\$	-
	L.F.	15" V.C.P.	\$	50.00	\$	-
29	EA.	Standard or Terminus Manholes	\$	2,500.00	\$	72,500
	EA.	Drop Manholes	\$	4,000.00	\$	7
	EA.	Cleanouts	\$	500.00	\$	-
	EA.	Sewer Y's	\$	25.00	\$	-
	EA.	Chimneys	\$	400.00	\$	-
	EA.	Adjust M.H. to grade	\$	500.00	\$	-
	L.F.	Concrete Encasement	\$	35.00	\$	-
	EA.	4" P.V.C. Misc. Fittings	\$	120.00	\$	-
	L.F.	Sewer Pipe Sleeving	\$	36.00	\$	-
1	EA.	Remove End Plug and Join Existing	\$	2,000.00	\$	2,000
73	EA.	Backflow prevention device	\$	250.00	\$	18,250

A.	Subtotal	\$ 393,380
B.	Contingency (15% x A)	\$ 59,007
C.	Sewer Total (A + B)	\$ 452,387

Agenda Item No. 4.

## **Attachment B**

# Bond exoneration application for bond No. KO8619943, and associated sewer improvement plans

of BEAU	ity of Beaun	nont
CIT CIT	550 H. 6 <sup>th</sup> Street Beaumont, CA 92223 (951) 769-8520 www.ci.beaumoni.ca.us	Case No. <u>PUDOUS-0704</u> Receipt No. <u>838 losto</u> Rec \$ 3. (M. J) Dasp : 4184, 42 Date Paid (15/15 Inv. 3083
	BOND EXONERATION APPLICA	
Bond Type: APerforman	ce Maintenance Final Monument	Inspection [Other:
1. Contact's Name	Kevin Manning	Phone 949 922-0930
2. Contact's Address	400 Exchange Suite	Phone 949 922-0930 200 Invine, CA92602 City/State/Zip Com Phone 714 368-4502
6. Contact's B-mail	Knowing @ Khov. (	Com
( It' contractions of the	THE SHALL HERE AND	Weather of Developing of Developing
4. Developer Addre	s 100 Exchange Suite	200 Jovine CA92602 City/St/Zip
5. Description of Bo mmber, and desc Map/Tract)):	nds (including Bond Number, Hact he ription of improvements covered, inus	t use separate application for each
	ewer Improvement (08619943	5
6. CERTIFICATION to the best of my and exhibits are t	ON OF ACCURACY AND COMPL knowledge the information in this app rue, complete, and correct.	HEATENESS: I hereby certify that Heation and all attached answers
Print Name and S	nning Kinh. Han ign-Confact/Applicant	Date
employees and we costs (including v of or in connection comply with any for such loss or d	ndemnify, defend, and hold hamless to hunteers from and against any and all without limitation costs and fees of litig in with contractor's performance of we of its obligations for which this Bond amage which was caused by the active with the second with the second with the second sign contact/Applicant	hability, loss, damage, expense, gation) of every nature arising out ork hereunder or its failure to exoneration is requested, except a negligence of the City.

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## CITY OF BEAUMONT PUBLIC WORKS DEPARTMENT CONSTRUCTION COST WORKSHEET

PARCEL MAP OR TRACT NO .:	Tr 33	3096 Sewer	
DATE;	3-Apr-13		
PP, CUP NO.: -		BY:	Tom Carmody
IMPROVEMENTS	FAITHFUL PERFORMA	NCE	100%
	LABOR & MATERIALS		100%
	( of Estimated Construction		
Streets/Drainage	\$ -		
Sewer	\$ 147,550.75		
Total	\$ 147,550,75		
Warranty Retension (22.5%)	\$ 33,198.92		mont
Street/Drainage Plan Check Fees =	\$ 500.00		City of Beeumoni APPROVED
Sewer Plan Check Fees =	\$ 4,426.52		
Street Inspection Fees =	\$ 750.00		Si to
Sewer Inspection Fees =	\$ 7,377.54	Ву	Public Works Department 7 1B
		Dete: _	-15

## DESIGN ENGINEERS CALCULATIONS OF IMPROVEMENT BONDING COSTS

Construction items and their quantities as shown on attached sheets are accurate for the improvements required to construct the above project and the mathematical extensions using City's unit costs are accurate for determining bonding, plan check and inspection costs.

Above amounts do

Name typed or printed

1

include additional 20% for recordation prior to having signed plans

Above amounts do not include additional 20% for recordation prior to having signed plans Engineer's Signature

THOMAS C CARMODY



Civil Engineer's Stamp

FORM \$ UNIT COSTS REVISED 09/06

## \*\*\*\*\*PLEASE READ INSTRUCTIONS BELOW

- Quantities to be taken from improvement plans, Unit costs to be as provided on "City of Beaumont I. Improvement Requirement Worksheet".
- 2 Show Bond Amounts to the nearest \$500.
- 3. For construction items not covered by "City of Benumont Improvement Worksbeet", Design Engineer is to provide his opinion of construction cost and use of that cost. If City of Beaumont Unit Costs are determined to be too low in the opinion of the Design Engineer, the higher costs as provided by the Design Engineer should be used.

Bond No. K08619943 Premium: \$3,689.00/year

#### **EXHIBIT "A"**

#### PERFORMANCE BOND

WHEREAS, the City Council of the City of Beaumont, State of California, and <u>K. Hownanian's Four Seasons at Beaumont, LLC</u> (hereinafter designated as "Principal") have entered into an agreement whereby Principal agrees to install and complete certain designated public improvements, which agreement, dated <u>April 25</u>, 2013, and identified as project TM/PM/PP/CUP 33096, is hereby referred to and made a part hereof; and Four Seasons at Beaumont – Sewer Improvements

WHEREAS, Principal is required under the terms of the said agreement to furnish a bond for the faithful performance of said agreement.

NOW, THEREFORE, we, the Principal and Westchester Fire Insurance Company as Surety, are held and firmly bound unto the City of Beaumont (hereinafter called "City"), in the penal sum of One Hundred Forty Seven Thousand Five Hundred Fibye75/100 dollars (\$147,550.75 ) lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, successors, executors and administrators, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the Principal, his or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or their part to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save hamless the City, its officers, agents and employees as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

As part of the obligation secured hereby and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment therein rendered.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on April 25 , 20 13 .

PRINCIPAL: K. Hovnanian's Four Seasons at Beaumont/ LLC John Jessup

SURETY: Westchester Fire Insurance Company

By Debra Kohlman

**Title Division President** 

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Title Attorney-in-Fact

## **ACKNOWLEDGMENT OF SURETY**

STATE OF ILLINOIS

## COUNTY OF COOK

## APR 2 5 2013

On , before me, a Notary Public in and for the above county, personally appeared Debra Kohlman to me personally known, who, being by me duly sworn, did state that he/she is Attorney-in-Fact of Westchester Fire Insurance Company, a corporation organized and existing under the laws of the State of Pennsylvania that the seal affixed to the foregoing instrument is the corporate seal of the said corporation, that the instrument was signed, sealed, and executed in behalf of said corporation by authority of its Board of Directors, and further acknowledged the said instrument and the execution thereof to be the voluntary act and deed of said corporation by her voluntarily executed.

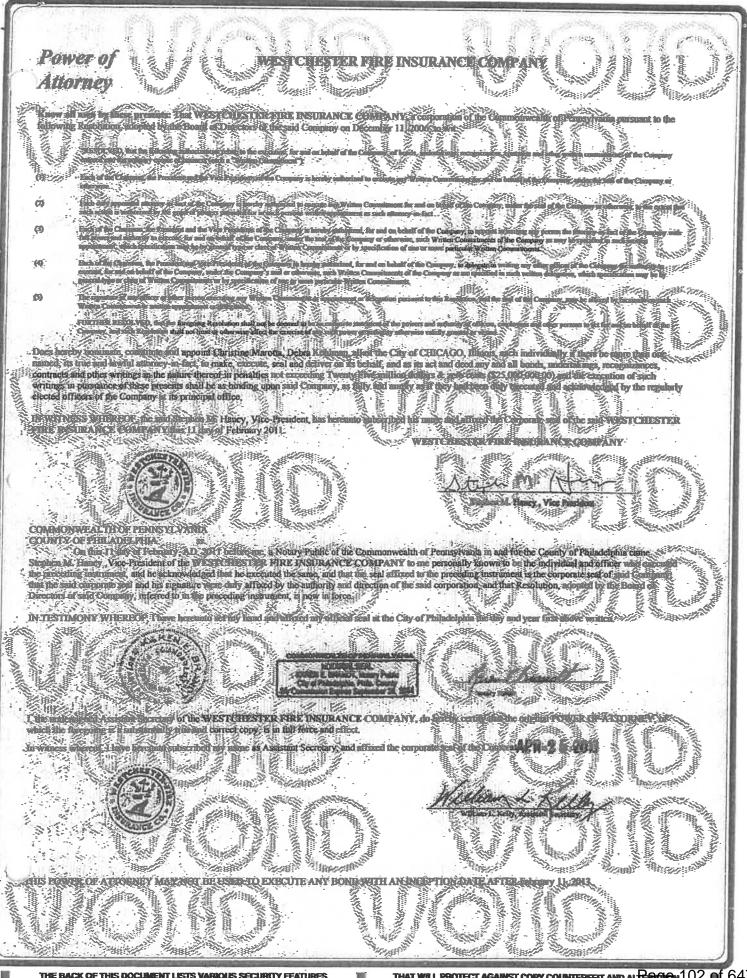
IN WITNESS WHEREOF, I have hereunto subscribed by name and affixed my official seal the day and year first above written.

\*\*\*\*\*\* OFFICIAL SEAL **BETH C. ANDERSON** NOTARY PUBLIC, STATE OF ILLINOIS My Commission Expires 03/22/2014 (SEAL)

**Notary Public** 

COOK County, ILLINOIS

## Agenda Item No. 4.



THE BACK OF THIS DOCUMENT LISTS VARIOUS SECURITY FEATURES 

THAT WILL PROTECT AGAINST COPY COUNTERFEIT AND AN PRODE 102 OF 647

## CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California County of before me. personally appeared e(s) of Signer(s)



1

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

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

WITNESS my hand and official seal.

Signature **OPTIONAL** 

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Place Notary Seal Above

Title or Type of Document:			
Document Date:		Number of Pages:	
Signer(s) Other Than Named Absve:	(		
Capacity(ies) Claimed by Signe	er(3)		
Signer's Name:	RIGHT THUMBPRINT OF SIGNER Top of thumb hare	Signer's Name: Individual Corporate Officer — Title(s): Rariner — I Limited I General Attorney in Fact Trustee Guardian or Conservator Other: Signer Is Representing:	

© 2007 National Notary Association • 9350 De Soto Ave., P.O. Box 2402 • Chatsworth, C.A. 91313-2402 • www.NationalNotary.org Item 45907 Reorder: Cell Toll-Free 1-800-876-6827

### EXHIBIT "B"

#### PAYMENT BOND

WHEREAS, the City Council of the City of Beaumont, State of California, and K Hovnanian's Four Seasons at Beaumont, LLC (hereafter designated as "the Principal") have entered into an agreement whereby the Principal agrees to install and complete certain designed public improvements, which agreement, dated April 25, 2013, and identified as project TM/PM/PP/CUP 33096, is hereby referred to and made a part hereof; and Four Seasons at Beaumont – Sewer Improvements

WHEREAS, under the terms of the said agreement, the Principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Beaumont to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, the Principal and the undersigned as corporate surety, are held firmly bound unto the City of Beaumont and all contractors, subcontractors, laborers, materialmen, and other persons employed in the performance of the said agreement and referred to in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code in the sum of One Hundred Faty Soure Thousant File Handed Faty Source Source The Unemployment Thousant File Handed Faty Source Thousant (\$ 147,550.75 ), for materials furnished or labor therefore of any kind, or for amounts due under the Unemployment Insurance Act with respect to this work or labor, that the Surety will pay the same in an annount not e

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies, and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligations on this bond, and it does hereby waive notice of any such change, extension, alteration, or addition.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on April 25 20 13

PRINCIPAL: K. Hovnanian's Four Seasons at Beaumont, LLC

SURETY: Westchester Fire Insurance Company Ocho Ke

Title Division President

By John Jessup

By Debra Kohlman

Title Attorney-in-Fact

## **ACKNOWLEDGMENT OF SURETY**

STATE OF ILLINOIS

## COUNTY OF COOK

## APR 2 5 2013

On \_\_\_\_\_\_, before me, a Notary Public in and for the above county, personally appeared <u>Debra Kohlman</u> to me personally known, who, being by me duly sworn, did state that he/she is Attorney-in-Fact of <u>Westchester Fire Insurance Company</u>, a corporation organized and existing under the laws of the State of <u>Pennsylvania</u> that the seal affixed to the foregoing instrument is the corporate seal of the said corporation, that the instrument was signed, sealed, and executed in behalf of said corporation by authority of its Board of Directors, and further acknowledged the said instrument and the execution thereof to be the voluntary act and deed of said corporation by <u>her</u> voluntarily executed.

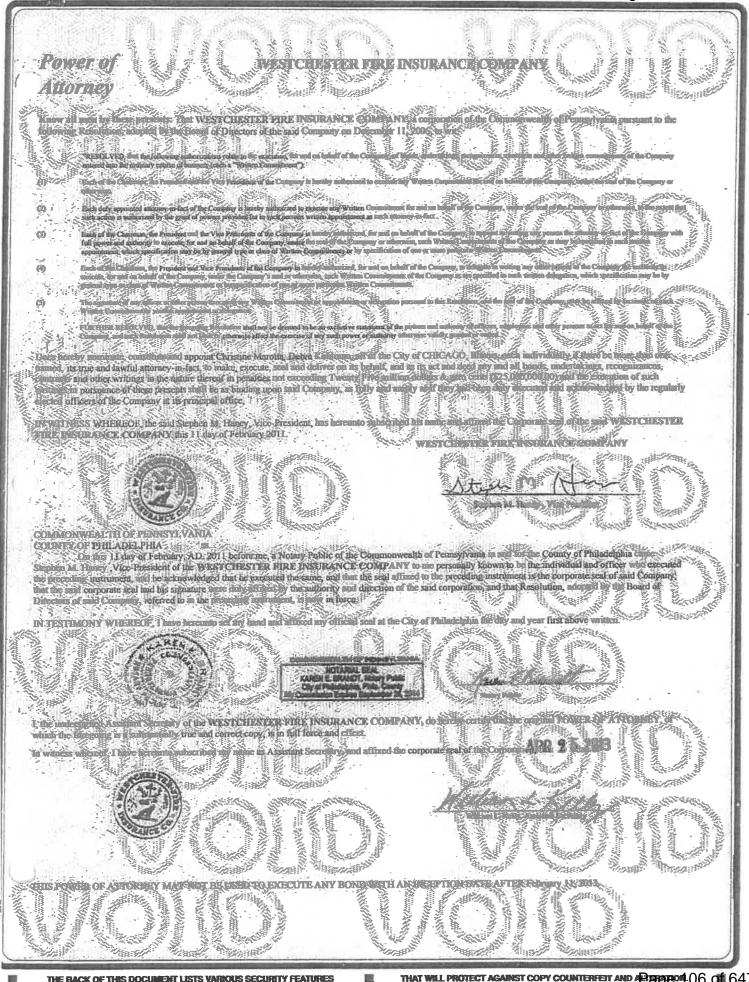
IN WITNESS WHEREOF, I have hereunto subscribed by name and affixed my official seal the day and year first above written.

OFFICIAL SEAL NICOLE KUBENA NOTARY PUBLIC, STATE OF ILLINOIS COMMISSION EXPIRES 07/15/2016

Necol Kube **Notary** Public

COOK County, ILLINOIS

## Agenda Item No. 4.



THAT WILL PROTECT AGAINST COPY COUNTERFEIT AND APTERGEON 06 OF 647

## CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California	)
County of Janael	}
On <u>4/29/13</u> before me,	Jeborals M. Wilder Actory Lublin.
personally appeared _ Akm	Alexe lissest Name and Tille of the Officer
0	/ Name(s) of Signer(s)

DEBORIAN M. WILDER Commission & 19000550 Notary Public - California Unange County My Comm. Easting Die 27, 2016 who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is an subscribed to the within instrument and acknowledged to me that he/sha/hay-executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my-hand and official seal. Signature **OPTIONAL** 

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

## **Description** of Attached Document

Place Notary Seal Above

Title or Type of Document:			
Document Date:		Number of Pages:	
Signer(s) Other Than Named Above:	<u> </u>		
Capacity(ies) Claimed by Signer	r(s)		Ţ.
Signer's Name:		Signer's Name:	
Individual			
Corporate Officer — Title(s):		Corporate Officer Title(s):	
Partner — [] Limited [] General	Partyperpersonal and an an an an an an	D Partner - Digited D General	
Attorney in Fact	RIGHTTHUMBPRINT OF SIGNER	Attorney in Fact	RIGHT THUMBPRINT OF SIGNER
Trustee	Top of thumb here		Top of thumb here
Guardian or Conservator		Guardian or Conservator	
Other:		Other:	
Signer Is Representing:		Ciency to Desurgeration	$\sim$ 1
		Signer Is Representing:	

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Page 108 of 647

Agenda Item No. 4.

# **Attachment C**

# Bond exoneration application for bond No. KO08619906, and associated storm drain improvement plans

City of Beaumont Case No. PURON - Da03 550 E. 6th Street Receipt No. 8354 Ste Bearmont, CA 92223 Feo\$ 3,00.00 Inp 4848 PC (951) 769-8520 Date Paid (115 18 www.ci.beanmont.ca.us Inv.3062 BOND EXONERATION APPLICATION Bond Type: APerformance Maintenance Final Monument Inspection Other: Contact's Name Kevin Manning Phone 949 922-0930 Contact's Address 100 Exchange Suite200 Invine, CA92602 Contact's B-mail Kmanning @ Khov. Com Developer Name K. Hownanian Homes Phone 714 368-4500 (If corporation or partnership application must include names of principal officeus or partners) Developer Address 100 Exchange Suite200 Invine CA92602 City/St/Zip Developer Address 100 Exchange Suite200 Invine CA92602 City/St/Zip 1. 2. 6. 3. 4. Description of Bonds (including Bond Number, Tract Map/Application number, File 5. number, and description of improvements covered, must use separate application for each Map/Inact)): Jrat 33896-F Storm Drain Improvements K05019906 CERTIFICATION OF ACCURACY AND COMPLETENESS: I hereby certify that 6. to the best of my knowledge the information in this application and all attached answers and exhibits are true, complete, and correct Kevin M. Manning/Kom Manner Print Name and Sign Contact/Applicant 6/6/18 Contractor shall indemnify, defend, and hold hamless the City and its officers, officials, 7. employees and volunteers from and against any and all liability, loss, damage, expense, costs (including without limitation costs and fees of litigation) of every nature arising out of or in connection with contractor's performance of work hereunder or its failure to comply with any of its obligations for which this Bond exoneration is requested, except for such loss or damage which was caused by the active negligence of the City. 6/6/18 Kevin M. Manning / Le Print Name and Sign - Conduct/Applicant

#### CITY OF BEAUMONT PUBLIC WORKS DEPARTMENT CONSTRUCTION COST WORKSHEET

PARCEL MAP OR TRACT NO.:		Tr 33096 Storm Drain			
PP, CUP NO.:			ВҮ:	Tom Cannody	
IMPROVEMENTS		FUL PERFORMAN		100%	
	( of Es	imated Construction	Costs)		
Streets/Drainage	\$	203,090.58			
Sewer	\$			-	
Total	\$	203,090.58		mont T	
Warranty Retension (22.5%)	\$	45,695.38	Be	aven + 13	
Street/Drainage Plan Check Fees =	\$	5,298.02	City of Pre	Works Department S	
Sewer Plan Check Fees =	\$ \$ \$ \$	500.00		Lie Depter	
Street Inspection Fees ==	\$	8,830.03	ALC: NO	Wone	
Sewer Inspection Fees	\$	750.00	Public		
		BI		$\langle \cdot \rangle$	
			Dete	,	
DESIGN ENGINEERS		NS OF IMPROVEM	FNT RONDING	GCOSTS	
DESKAR EXCANDER	5 CHECOLATIO		BALL DOMDING	<u>J (00515</u>	
Construction items and their quantities as sho to construct the above project and the mathem determining bonding, plan check and inspect	natical extensions				
determining bondung, plan check and inspect	KOIL COSIS.				
Above amounts do include addition	onal 20% for reco	rdation prior to havin	ng signed plans	OPROFESSION	
Above amounts do not x include additi	onal 20% for reco	rdation prior to havir	ng signed plans		
	5-	-6-13		00 H 40565	
Engineer's Signature	Date			The second secon	
THOMAS C CARMODY				OF CALIFORNIE	
Name typed or printed				Civil Engineer's Slamp	

FORM \$ UNIT COSTS REVISED 09/06

#### \*\*\*\*\*PLEASE READ INSTRUCTIONS BELOW\*\*\*\*\*

 Quantities to be taken from improvement plans, Unit costs to be as provided on "City of Beaumont Improvement Requirement Worksheet".

2. Show Bond Amounts to the nearest \$500.

3. For construction items not covered by "City of Beaumont Improvement Worksheet", Design Engineer is to provide his opinion of construction cost and use of that cost. If City of Beaumont Unit Costs are determined to be too low in the opinion of the Design Engineer, the higher costs as provided by the Design Engineer should be used.

Bond No. K08619906 Premium: \$5,077/year

#### EXHIBIT "A"

#### PERFORMANCE BOND

WHEREAS, Principal is required under the terms of the said agreement to furnish a bond for the faithful performance of said agreement.

NOW, THEREFORE, we, the Principal and Westchester Fire Insurance Company as Surety, are held and firmly bound unto the City of Beaumont (hereinafter called "City"), in the penal sum of <u>Two Hundred Three Thousand Ninety and 50/100</u> dollars (\$203,090.58 ) lawfal money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, successors, executors and administrators, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the Principal, his or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or their part to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City, its officers, agents and employees as therein stipulated, then this obligation shall be come null and void; otherwise it shall be and remain in full force and effect.

As part of the obligation secured hereby and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, included by the City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment therein readered.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on April 25 \_\_\_\_\_\_, 2013.

PRINCIPAL: K. Hovnanian's Four at Beaumont, LLC Seasons

John Jessup

Title Division President

SURETY Mestchester Fire Insurance Company

By Debra Rohlman

Title Attorney-in-Fact

#### **ACKNOWLEDGMENT OF SURETY**

STATE OF ILLINOIS

#### COUNTY OF COOK

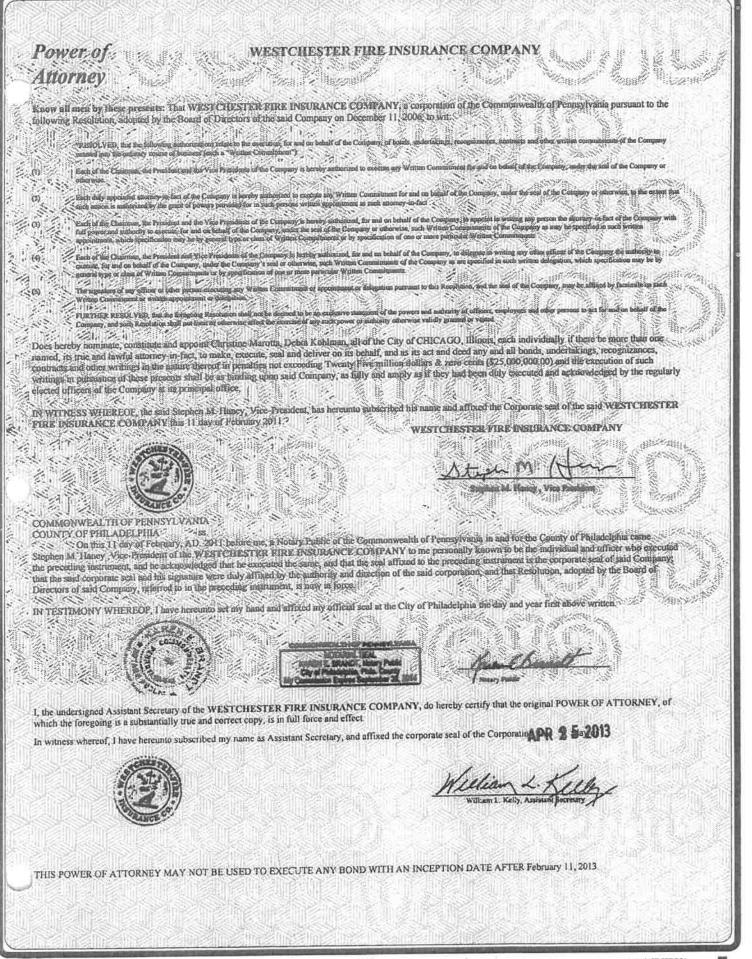
APR 2 5 2013 , before me, a Notary Public in and for the above county, personally On . appeared Debra Kohlman to me personally known, who, being by me duly sworn, did state that he/she is Attorney-in-Fact of Westchester Fire Insurance Company, a corporation organized and existing under the laws of the State of Pennsylvania that the seal affixed to the foregoing instrument is the corporate seal of the said corporation, that the instrument was signed, sealed, and executed in behalf of said corporation by anthority of its Board of Directors, and further acknowledged the said instrument and the execution thereof to be the voluntary act and deed of said corporation by her voluntarily executed.

IN WITNESS WHEREOF, I have hereunto subscribed by name and affixed my official seal the day and year first above written.

~~~~~ OFFICIAL SEAL **BETH C. ANDERSON** NOTARY PUBLIC, STATE OF ILLINOIS My Commission Expires 03/22/2014 A Barton www.

**Notary Public** 

COOK County, ILLINOIS



**1** 

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California County of before me, personally appeared (s) of Signaria



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

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

WITNESS my hand and official seal

Signature

Place Notary Seel Above

**OPTIONAL** -

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

**Description of Attached Document** 

| Title or Type of Bocument:          |                               |  |  |
|-------------------------------------|-------------------------------|--|--|
| Document Date:                      | Number of Pages:              |  |  |
| Signer(s) Other Than Named Above.   |                               |  |  |
| Capacity(ies) Claimed by Signer(s)  |                               |  |  |
| Signer's Name:                      | Signer's Name:                |  |  |
|                                     | 🗆 Individual                  |  |  |
| Corporate Officer — Title(s):       | Corporate Officer - Title(s): |  |  |
| Partner —      Limited      General | Pariner - Dinited D General   |  |  |
| Attorney in Fact                    | Attorney in Fact              |  |  |
| Trustee Top of thumb here           | Trustee Top of thumb here     |  |  |
| Guardian or Conservator             | Guardian or Conservator       |  |  |
| □ Other:                            | □ Other:                      |  |  |
| Signer Is Representing:             | Signer Is Representing:       |  |  |
|                                     | `                             |  |  |

C2007 National Notary Association • 9350 De Soto Ave., P.O. Box 2402 • Chatsworth, CA. 91315-2402 • www.NationalNotary.org Item #5907 Reorder: Call Toll-Free 1-800-878-6827

Bond No. K08619906 Premium: Included w/ Performance Bond

#### EXHIBIT "B"

#### PAYMENT BOND

WHEREAS, the City Council of the City of Beaumont, State of California, and <u>K. Howanian's Four Seasons at Beaumont, LLC</u> (hereafter designated as "the Principal") have entered into an agreement whereby the Principal agrees to install and complete certain designed public improvements, which agreement, dated April 25 \_\_\_\_\_\_, 2013 \_\_\_\_, and identified as project TM/PM/PP/CUP 33096 \_\_\_\_\_\_\_, is hereby referred to and made a part hereof, and Four Seasons at Beaumont - Storm Drain

WHEREAS, under the terms of the said agreement, the Principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Beaumont to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, the Principal and the undersigned as corporate surety, are held firmly bound unto the City of Beaumont and all contractors, subcontractors, laborers, materialmen, and other persons employed in the performance of the said agreement and referred to in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code in the sum of <u>Two Handred Three Thousand Nanety and 58400</u> dollars (\$203,000.58), for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to this work or labor, that the Surety will pay the same in an amount not exceeding the amount hereinabove set forth, and also in case suit is brought upon this bond, will pay, in addition to the face amount thereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City in successfully enforcing this obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgment therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies, and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Sorety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligations on this bond, and it does hereby waive notice of any such change, extension, alteration, or addition.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on April 25 \_\_\_\_\_\_, 20 13 \_\_\_\_\_.

PRINCIPAL: K. Hovnanian's Four Seasons at Beaumont, LLC

John Jossup

Title Division President

SURETY: Westchester Fire Insurance Company

By Debra Kohlman

Title Attorney-in-Fact

#### **ACKNOWLEDGMENT OF SURETY**

STATE OF ILLINOIS

#### COUNTY OF COOK

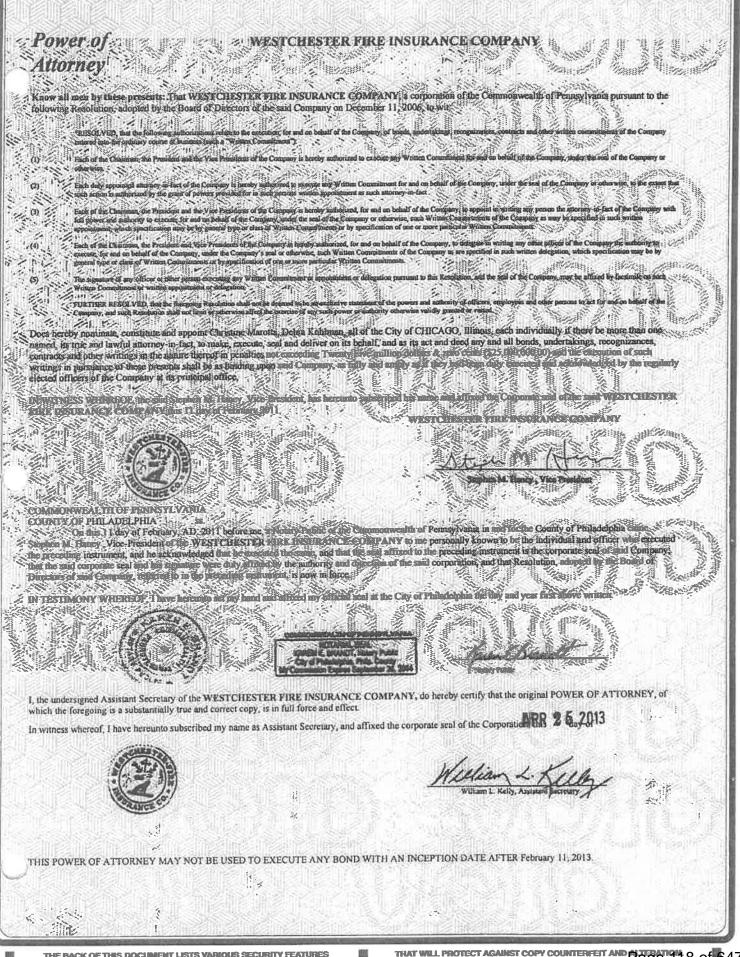
On <u>APR 25 2013</u>, before me, a Notary Public in and for the above county, personally appeared <u>Debra Kohlman</u> to me personally known, who, being by me duly sworn, did state that he/she is Attorney-in-Fact of <u>Westchester Fire Insurance Company</u>, a corporation organized and existing under the laws of the State of <u>Pennsylvania</u> that the seal affixed to the foregoing instrument is the corporate seal of the said corporation, that the instrument was signed, sealed, and executed in behalf of said corporation by authority of its Board of Directors, and further acknowledged the said instrument and the execution thereof to be the voluntary act and deed of said corporation by <u>her</u> voluntarily executed.

IN WITNESS WHEREOF, I have hereunto subscribed by name and affixed my official seal the day and year first above written.

\*\*\*\*\* OFFICIAL SEAL **BETH C. ANDERSON** NOTARY PUBLIC, STATE OF ILLINOIS My Commission Expires 03/22/2014 (SEAL)

COOK County, ILLINOIS

Notary Public



# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

| State of California          |                                   |
|------------------------------|-----------------------------------|
| County of Jange              | ]                                 |
| On <u>4/29/13</u> before me, | Deborah M. 25 Iden fotany Sullic. |
| personally appeared Sehn     | Rapido                            |
| 0 0                          | Name(s) of Signer(s)              |



Place Notary Seal Above

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

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

WITNESS my hand and official seal.

Vd. Signature

- OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

**Description of Attached Document** 

| Title or Type of Document:         |                                |  |  |  |
|------------------------------------|--------------------------------|--|--|--|
| Document Date:                     | current Date: Number of Pages: |  |  |  |
| Signer(s) Other Than Named Above:  |                                |  |  |  |
| Capacity(ies) Claimed by Signer(s) |                                |  |  |  |
| Signer's Name:                     | Signer's Name:                 |  |  |  |
|                                    | Individual                     |  |  |  |
| Corporate Officer — Title(s):      | Comporate Officer — Title(s):  |  |  |  |
| Partner Limited General            |                                |  |  |  |
| Attorney in Fact OF SIGNER         | Attorney in Past OF SIGNER     |  |  |  |
| Trustee Top of thumb here          | Trustee Top of thumb here      |  |  |  |
| Guardian or Conservator            | Guardian or Conservato         |  |  |  |
| Other:                             | Other:                         |  |  |  |
| Signer Is Representing:            | Signer Is Representing:        |  |  |  |
|                                    |                                |  |  |  |

Concentration and the second second

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#### When Recorded Return Original To:

City Clerk City of Beaumont 550 East 6<sup>th</sup> Street Beaumont, CA 92223

## NO RECORDING FEE REQUIRED PER GOVERNMENT CODE SECTIONS 6103 AND 27383

# NOTICE OF COMPLETION

# NOTICE IS HEREBY GIVEN:

1. The Beaumont, a municipal corporation, is the owner of an easement and certain related public improvements known as sewer system within private streets, lots "E" through "K" of Tract Map Number 33096.

2. The City's address is 550 East 6th Street Beaumont, CA 92223.

3. The general location, of said public improvement, is K. Hovnanian's Four Seasons, sewer system "E" through "K" of Tract Map Number 33096.

4. On \_\_\_\_\_, a contract to construct said public improvement was awarded to \_\_\_\_\_.

5. Work under such contract was completed on \_\_\_\_\_ to the satisfaction of the City Engineer, and the City hereby accepts the project as complete.

Todd Parton, City Manager

Date

# STATE OF CALIFORNIA) COUNTY OF LOS ANGELES) ss. CITY OF SANTA CLARITA)

I have read the foregoing Notice of Completion and know its contents. I am the City Clerk of the City of Beaumont and am authorized to make this verification for and on its behalf, and I make this verification for that reason. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and was duly and regularly ordered to be recorded in the office of the Riverside County Recorder.

Steven Mehlman, City Clerk

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When Recorded Return Original To:

City Clerk City of Beaumont 550 East 6<sup>th</sup> Street Beaumont, CA 92223

### NO RECORDING FEE REQUIRED PER GOVERNMENT CODE SECTIONS 6103 AND 27383

# **CERTIFICATE OF ACCEPTANCE OF AN INTEREST IN REAL PROPERTY BY THE CITY OF BEAUMONT** (GOVERNMENT CODE SECTION 27281)

This is to certify that the interest in real property conveyed by the following instrument: Tract Map Number 33096 filed July 12, 2013 in Book 437 of Maps at Pages 65-70 regarding easements for sewer purposes within private streets, lots "E" through "K", inclusive to the City of Beaumont, a general law city in the State of California, is hereby accepted by order of undersigned, the Mayor of the City, pursuant to the authority conferred by City Council Resolution No. 2019-\_\_\_\_\_ adopted on September \_\_\_\_, 2019, and the City as grantee further consents to its recordation thereof by its duly authorized officer, the Mayor.

City of Beaumont, a general law city

By: \_\_\_\_\_\_ Julio Martinez, Mayor

Dated

ATTEST:

Steven Mehlman, City Clerk

APPROVED AS TO FORM:

John Pinkney, City Attorney

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# RESOLUTION NO.

# A RESOLUTION OF THE CITY OF BEAUMONT AUTHORIZING THE MAYOR TO ACCEPT THE OFFERS OF DEDICATION RELATED TO SEWER IMPROVEMENTS

WHEREAS, K. Hovnanian's Four Seasons at Beaumont, LLC had originally offered to dedicate lots "E" through "K", inclusive of Tract # 33096 filed July 12, 2013 in Book 437 of Maps at Pages 65-70 to the City of Beaumont; and

WHEREAS, City did not accept the aforementioned offers of dedication because sewer improvements were not completed by developer at the time of final map acceptance; and

WHEREAS, California Government Code Section 66477.2 allows a legislative body to accept dedications at a later date that were not originally accepted during final map acceptance by forming a resolution to accept those dedications; and

WHEREAS, City staff has determined that sewer improvements have been completed and are ready to accept; and

WHEREAS, Government Code Section 27281 provides that instruments conveying an interest in real property to the City may not be recorded without a Certificate of Acceptance from the City Council; and

WHEREAS, Government Code Section 27281 also provides that the City Council may, by a resolution, authorize one or more officers to accept instruments conveying an interest in real property by executing a Certificate of Acceptance; and

WHEREAS, the City Council desires to delegate to the Mayor the authority to accept the within described real property interests on behalf of the City.

WHEREAS, A notice of completion and certificate of acceptance for accepting the aforementioned Lots will be recorded with the Riverside County Clerk Recorder's Office once the resolution is adopted by City Council; and

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Beaumont does authorize accepting easements for sewer purposes within private streets, lots "E" through "K", inclusive of Tract Number 33096 filed July 12, 2013 in Book 437 of Maps at Pages 65-70 per the following provisions:

**Provision 1**. Recordation of the aforementioned certificate of acceptance shall be executed by the Mayor and recorded with the Riverside County Clerk Recorder's Office

MOVED, PASSED AND ADOPTED this \_\_\_\_\_day of September, 2019.

AYES:

NOES:

ABSTAIN:

ABSENT:

By:\_\_\_\_\_ Julio Martinez, Mayor, City of Beaumont

ATTEST:

Steven Mehlman CITY CLERK

By:\_\_\_\_\_

# Attachment G

# Maintenance bond No. LICX1166623 to replace performance bond No. 1134474

### MAINTENANCE BOND

Bond No. LICX1166623

KNOW ALL MEN BY THESE PRESENTS, That We, <u>K. Hovnanian's Four Seasons at Beaumont, LLC</u> as Principal, and <u>Lexon Insurance Company</u> having an office at <u>12890 Lebanon Road</u>, <u>Mount Juliet</u>, <u>TN</u> <u>37122</u> as Surety, are held and firmly bound unto <u>City of Beaumont</u>; <u>550 E. 6<sup>th</sup> Street</u>, <u>Beaumont</u>, <u>CA</u> <u>92223</u> as Obligee, in the penal sum of <u>Five Hundred Fifty One Thousand Nine Hundred Ninety Seven and 59/100</u> (<u>\$551,997.59</u>) Dollars lawful money of the United States of America the Principal and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally firmly by these presents.

SIGNED, SEALED AND DATED this 21st day of August, 2019.

WHEREAS the Principal has completed <u>Street, Drainage and Sewer Improvements;</u> Tract 33096-12

and whereas, the Obligee requires a maintenance guarantee for the period of <u>one year</u> from the date of this bond.

**NOW THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH**, that if the Principal at his own cost and expense replaces or repairs any of the above described works, which shall become defective because of either material or workmanship not meeting requirements of the specifications under which the work was done during the period of <u>one year</u> from the date of this bond, then this obligation shall be null and void, otherwise to remain in full force and effect.

Witness

By: Chris Collins, Dins, an Controller

Lexon Insurance Company

Surety Bv:

Christine Marotta, Attorney-in-Fact

#### ACKNOWLEDGMENT OF SURETY

STATE OF ILLINOIS

COUNTY OF COOK

On <u>AUG 21 2019</u>, before me, a Notary Public in and for the above county, personally appeared <u>Christine Marotta</u> to me personally known, who, being by me duly sworn, did state that he/she is Attorney-in-Fact of <u>Lexon Insurance Company</u>, a corporation organized and existing under the laws of the State of <u>Texas</u> that the seal affixed to the foregoing instrument is the corporate seal of the said corporation, that the instrument was signed, sealed, and executed in behalf of said corporation by authority of its Board of Directors, and further acknowledged the said instrument and the execution thereof to be the voluntary act and deed of said corporation by <u>her</u> voluntarily executed.

IN WITNESS WHEREOF, I have hereunto subscribed by name and affixed my official seal the day and year first above written.

Notary Public

OFFICIAL SEAL JOANNE J. KUSHNER Notary Public, State of Illinois Contribution Expires - April 10, 2020

COOK County, ILLINOIS

#### **POWER OF ATTORNEY**

LX- 11253

# **Lexon Insurance Company**

KNOW ALL MEN BY THESE PRESENTS, that LEXON INSURANCE COMPANY, a Texas Corporation, with its statutory home office in Austin, Texas, does hereby constitute and appoint: Christine Marotta, Debra Kohlman, Thomas P. Pluss, Richard Valente its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of LEXON INSURANCE COMPANY on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$5,000,000.00, Five Million Dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, LEXON INSURANCE COMPANY has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 22nd day of June, 2018.

LEXON INSURANCE COMPANY



à

Brian Beggs

Brian Beggs President

#### ACKNOWLEDGEMENT

On this 22nd day of June, 2018, before me, personally came Brian Beggs to me known, who be duly sworn, did depose and say that he is the President of **LEXON INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR Notary Public- State of Tennessee Davidson County My Commission Expires 07-08-19

Amy Laylor Notary Public

#### CERTIFICATE

I, the undersigned, Assistant Secretary of LEXON INSURANCE COMPANY, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force. AUG 21 2019

Signed and Seal at Mount Juliet, Tennessee this \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_



Andrew Smith

Assistant Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

| ACKNOWLEDGMENT                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |  |  |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|
| A notary public or other officer completing this<br>certificate verifies only the identity of the individual<br>who signed the document to which this certificate is<br>attached, and not the truthfulness, accuracy, or<br>validity of that document.                                                                                                                                                                                               |  |  |  |  |
| State of California<br>County of                                                                                                                                                                                                                                                                                                                                                                                                                     |  |  |  |  |
| On 23 Aug 2019 before.me, J TRUDEAU, Notary Public (insert name and title of the officer)                                                                                                                                                                                                                                                                                                                                                            |  |  |  |  |
| personally appeared <u>CHEG COUINS</u><br>who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are<br>subscribed to the within instrument and acknowledged to me that he/she/they executed the same in<br>his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the<br>person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. |  |  |  |  |
| I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.                                                                                                                                                                                                                                                                                                                       |  |  |  |  |
| WITNESS my hand and official seal.                                                                                                                                                                                                                                                                                                                                                                                                                   |  |  |  |  |
| Signature (Seal)                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |  |  |  |

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**Staff Report** 

| ТО:      | Mayor and City Council Members                                                                                                                            |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| FROM:    | Jeff Hart, Public Works Director                                                                                                                          |
| DATE:    | October 1, 2019                                                                                                                                           |
| SUBJECT: | Approve Lien Release for William Lyon Homes, LLC for Tract Map Numbers<br>34880 and 27971-5 within the Olivewood Specific Plan Residential<br>Development |

# **Background and Analysis:**

The City requires developers to provide security for public improvements consisting of, but not limited to, sewer improvements, street improvements, storm drain improvements, utility improvements, and monument improvements. The bonded improvements listed in Table 1 are being constructed by William Lyon Homes, LLC.

The Olivewood development is located north of State Route 60, south of Oak Valley Parkway, and west of Potrero Boulevard. The development will be maintained by a home owner's association, and the City will only be responsible for maintaining the sewer infrastructure once all improvements are complete, and after maintenance bonds have been exonerated.

The lien contract for Tract Map No. 34880 includes streets, storm drain, sewer, and water. The lien contract for Tract Map No. 27971-5 includes streets, storm drain, sewer, water, recycled water, and monumentation. The developer has previously submitted bonds for these improvements (Tract Map #27971), and staff has confirmed with the Beaumont Cherry Valley Water District that they have the required water bonds records to release these liens.

| Table 1. Developer, Bond Number, Bond Type, and Type of Improvement |                 |                            |                |  |
|---------------------------------------------------------------------|-----------------|----------------------------|----------------|--|
| Bond #                                                              | Bond Type       | Type of<br>Improvem<br>ent | Tract Map<br># |  |
| PB03010405642                                                       | Performan<br>ce | Sewer Lift<br>Station      | 34880          |  |
| 1001053559                                                          | Performanc<br>e | Force<br>Main<br>Sewer     | 34880          |  |
| 1001053560                                                          | Performanc<br>e | Gravity<br>Sewer           | 34880          |  |
| 1001054050                                                          | Performanc<br>e | Street &<br>Storm<br>Drain | 34880          |  |
| PB03010405608                                                       | Performanc<br>e | Sewer                      | 27971-5        |  |
| 1001054054                                                          | Performanc<br>e | Street &<br>Storm<br>Drain | 27971-5        |  |
| 1155912                                                             | Performanc<br>e | Monument                   | 27971-5        |  |

The following table includes the City's bond number, bond type, type of improvement, and Tract Map number.

Staff is recommending approval of the lien releases for William Lyon Homes, LLC. for Tract Map Numbers 34880 and 27971-5 within the Olivewood specific plan residential development.

# **Fiscal Impact:**

The fiscal impact of preparing this staff report is approximately \$1,000.

# **Recommendation:**

1. Approve the lien release for William Lyon Homes, LLC for Tract Map Numbers 34880 and 27971-5 within the Olivewood specific plan residential development.

Agenda Item No. 5.

City Manager Review: <u>Todd Parton</u> City Manager

# **Attachments:**

Attachment A - Release of Lien 2017-0076553 Attachment B - DOC #2017-0076553 Attachment C - Bond PW2018-0304 Attachment D - Bond 17-4108 Attachment E - Bond 17-4109 Attachment F - Release of Lien 2017-0076554 Attachment G - DOC #2017-0076554 Attachment H - Bond 17-4110, 17-4111, 17-4112 Attachment I - Release of Lien 2017-0076559 Attachment I - Rolease of Lien 2017-0076559 Attachment J - DOC #2017-0076559 Attachment K - Bond 2078 Attachment L - Bond 17-4156 Attachment M - Bond 17-4157

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#### **RECORDING REQUESTED BY:**

AND WHEN RECORDED MAIL TO:

RSI Communities – California LLC 4695 MacArthur Court, FL 8 Newport Beach, CA 92660 Attn: Legal Department

APN:

SPACE ABOVE THIS LINE FOR RECORDER'S USE

# RELEASE OF LIEN

That certain Lien Contract against RSI Communities-California LLC, as successor by merger to RSI Communities – Heartland LLC, a Delaware limited liability company recorded on February 23, 2017 as Instrument No. 2017-0076553 of Official Records of Riverside County, California is hereby fully satisfied, released and discharged.

The property affected by this release is described as follows:

See Exhibit "A"

Dated: November 6, 2018

CITY OF BEAUMONT

Mayor

By:

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

STATE OF CALIFORNIA ) ) SS. COUNTY OF\_\_\_\_\_\_)

\_\_\_\_\_\_before me, \_\_\_\_\_\_, Notary Public, personally

On \_\_\_\_\_ appeared \_\_\_\_

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

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

WITNESS my hand and official seal.

Signature\_\_\_\_\_

### EXHIBIT A

### LEGAL DESCRIPTION OF PROPERTY

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

#### PARCEL 1:

LOTS 1 THROUGH 69, INCLUSIVE, AND LETTERED LOTS "A" THROUGH "F", INCLUSIVE, OF TRACT NO. 27971-1, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 443, PAGES 95 THROUGH 99, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

#### PARCEL 2:

LOTS 1 THROUGH 59, INCLUSIVE, AND LETTERED LOTS "A" THROUGH "G", INCLUSIVE, OF TRACT NO. 27971-2, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 443, PAGES 100 THROUGH 104, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

### PARCEL 3:

LOTS 1 THROUGH 84, INCLUSIVE, AND LETTERED LOTS "A" THROUGH "F", INCLUSIVE, OF TRACT NO. 27971-3, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 444, PAGES 1 THROUGH 5, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

#### PARCEL 4:

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LOTS 1 THROUGH 72, INCLUSIVE, AND LETTERED LOTS "A" THROUGH "E", INCLUSIVE, OF TRACT NO. 27971-6, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 444, PAGES 10 THROUGH 14, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

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### PARCEL 8:

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LOTS 1 THROUGH 67, INCLUSIVE, AND LETTERED LOTS "A" THROUGH "E", INCLUSIVE, OF TRACT NO. 27971-12, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 444, PAGES 41 THROUGH 44, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 13:

PARCELS 13, 14, 15, 16, 17, 18 AND 19 THROUGH 23, INCLUSIVE OF PARCEL MAP NO. 34880, RECORDED IN BOOK 237 OF PARCEL MAPS, PAGES 67 THROUGH 76, INCLUSIVE, RECORDS OF RIVERSIDE COUNTY, STATE OF CALIFORNIA.

PARCEL 14:

LETTERED LOTS A THROUGH Z, AND AA OF PARCEL MAP NO. 34880, RECORDED IN BOOK 237 OF PARCEL MAPS, PAGES 67 THROUGH 76, INCLUSIVE, RECORDS OF RIVERSIDE COUNTY, STATE OF CALIFORNIA. 2

#### RECORDING REQUESTED BY

NAME- FNTG Builder Services 23015746-SG

#### WHEN RECORDED MAIL TO:

NAME: City of Beaumont, Attn: City Clerk

ADDRESS: 550 East 6th Street

CITY/STATE/ZIP: Beaumont, CA 92223

(DOCUMENT WILL ONLY BE RETURNED TO NAME & ADDRESS IDENTIFIED ABOVE)

# DOC # 2017-0076559 genda Item No. 5.

02/23/2017 11:17 AM Fees: \$0.00 Page 1 of 17 Recorded in Official Records County of Riverside Peter Aldana Assessor-County Clerk-Recorder

\*\*This document was electronically submitted to the County of Riverside for recording\*\* Receipted by: SOPHIA #466

(SPACE ABOVE FOR RECORDER'S USE)

Agreement
(DOCUMENT TITLE)

SEPARATE PAGE, PURSUANT TO CA. GOV'T. CODE 27361.6

# Recording Requested by: FNTG Builder Services てみいらうりん-55 EXEMPT RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:

City of Beaumont Attention: City Clerk 550 East 6th Street Beaumont, CA 92223

> LIEN CONTRACT (Lien Contract as Initial Security; Gov. Code Section 66499(a)(4))

THIS LIEN CONTRACT ("Lien Contract") is entered into this <u>16</u><sup>(A)</sup> day of December, 2016, by and between the CITY OF BEAUMONT, CALIFORNIA, a general law city ("City") and RSI COMMUNITIES – HEARTLAND, a Delaware limited liability company ("Owner").

### RECITALS

A. A predecessor-in-interest of the Owner sought and obtained the City's approval of Tentative Tract Map No. 27971 (the "Map"). A copy of the Map is on file in the Office of the City Clerk and is incorporated herein by reference.

B. As a condition precedent to approval of Parcel Map No. 34880 ("Final Map"), which Final Map was filed in Book 237, Pages 67 through 76, inclusive, of Parcel Maps, in the Office of the County Recorder of Riverside, California, LV Heartland LLC, a Delaware limited liability company ("LVH"), as predecessor-in-interest of the Owner, entered into that certain Agreement to Provide Security for Improvements for Tract Map or Parcel Map or Plot Plan dated July 17, 2014 ("Original Subdivision Improvement Agreement") to complete certain tasks and construct certain improvements as required by the Final Map and other entitlements including the Specific Plan and Final Environmental Impact Report applicable to the property subject to the Final Map ("Developer Obligations"). The Original Subdivision Improvement Agreement required LVH to provide security satisfactory to the City in accordance with and the Subdivision Map Act (Gov. Code, §§ 66462 and 66499).

C. The Developer Obligations remain outstanding and unperformed.

D. Owner and City have entered into that certain replacement Agreement to Provide Security for Improvements for Tract Map or Parcel Map or Plot Plan dated as of <u>Dec. 16</u>, 2016 ("New Subdivision Improvement Agreement") to replace the Original Subdivision Improvement Agreement and provide for the Owner's posting of new security in connection therewith.

Infrastructure Water, Sewer and Storm Drain

E. City is authorized to accept the security proposed by Owner, known as a lien contract, under the provisions of Government Code Section 66499(a)(4) and, pursuant to the New Subdivision Improvement Agreement, City has agreed to accept the first lien on the terms and conditions hereof.

F. City has found and determined, pursuant to California Government Code Section 66499(a)(4) that "it would not be in the public interest to require the installation of the required improvement[s] sooner than two years after the recordation" of the Map.

NOW, THEREFORE, for good and valuable consideration, including the obligations herein and the trust herein created, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

#### 1. Owner's Performance.

a. Owner hereby grants to City, in accordance with the terms and conditions of this Lien Contract, a first lien upon the property described in <u>Attachment "A"</u> ("Property"), attached hereto, as security for the following obligations of Owner:

(1) Construction of the improvements ("Improvements") specified in the New Subdivision Improvement Agreement, in the estimated amount and for the purposes specified in <u>Attachment "B"</u> attached hereto; provided, however, that Owner's obligation hereunder shall extend to the actual cost of construction of the Improvements, notwithstanding that such costs may exceed the estimate set forth in <u>Attachment "B"</u>; and

(2) Payment of the fees or services ("Fees") required by the City in the amount required as a condition of approval of the Final Map.

(3) All of the Developer Obligations and the obligations of Owner under this Lien Contract and under the New Subdivision Improvement Agreement ("Obligations").

This lien secures said Improvements, Fees and Obligations (collectively, the "Secured Obligations").

b. For the purpose of securing payment and performance of the Secured Obligations, Owner hereby irrevocably and unconditionally grants, conveys, transfers and assigns to Fidelity National Title ("Trustee"), as trustee, in trust, WITH POWER OF SALE TOGETHER WITH THE RIGHT OF ENTRY AND POSSESSION, for the benefit and security of the City, all present and future rights, titles, interests, estates, powers and privileges that Owner now has or may hereafter acquire in or to the Property. Prior to obtaining any type of permit, including a grading or building permit, or commencing the installation and construction of any portion of the Improvements required by the New Subdivision Improvement Agreement, whichever occurs first, Owner shall deposit fees for inspections, tests and other related purposes, and shall substitute payment and performance bonds in amounts satisfactory to the City ("Suitable Future Bond") in place of this Lien Contract. Owner shall make the deposits specified herein in the amounts prescribed for such purposes at the time the deposit is due. Owner also

Infrastructure Water, Sewer and Storm Drain

agrees to provide the Suitable Future Bond in the amounts and for the purposes set forth in the New Subdivision Improvement Agreement, except that the amounts shall be calculated using the estimated cost of the Improvement as of the time of the substitution of security, as ascertained by the City.

c. Owner shall perform and complete the Improvements required by the New Subdivision Improvement Agreement, including without limitation, the requirement that, except as otherwise agreed by the CITY, Improvements that are secured by one or more payment and performance bonds shall be constructed within one (1) year after the date on which the DEVELOPER has delivered such payment and performance bonds to the CITY.

#### 2. City's Performance.

Following City's approval and receipt of the substitute forms of security submitted by Owner pursuant to Paragraph 1(c) above and receipt of applicable Fees, City shall release the Property from the provisions of this Lien Contract, and shall execute any necessary release to enable Owner or its transferee to clear the record of title of the Property so released of the lien herein imposed.

#### 3. Effect of Lien Contract.

a. From the date of recordation of this Lien Contract, a lien shall attach to the Property which shall have the priority of a judgment lien in an amount necessary to secure and discharge all obligations contained in this Lien Contract and New Subdivision Improvement Agreement, and any Fees.

b. Unless written consent of the City is obtained, the Owner shall not convey, lien or encumber any portion of or interest in the Property covered by this Lien Contract until Suitable Future Bonds or some other form of alternative security acceptable to the City has been provided and this Lien Contract has been released.

c. So long as this Lien Contract is utilized for security as described herein, offers of dedication for street purposes on the Property will not be accepted by the City.

The City shall not have an obligation to subordinate its rights hereunder to any other lender or encumbrancer unless substitute security in the form of a bond or letter of credit satisfactory to City is secured by Owner.

4. <u>Events of Default</u>. Upon the occurrence of any one of the following events, Owner shall be deemed in default hereunder:

a. Failure by Owner to deposit fees for inspections, tests and other specific purposes or to substitute Suitable Future Bonds or other forms of security satisfactory to City within the time allotted and as prescribed by this Lien Contract.

b. Commencement of any work on the Improvements by Owner, its agents or employees, prior to substitution of acceptable security, including, without limitation, Suitable Future Bonds, with the City in place of this Lien Contract.

Infrastructure Water, Sewer and Storm Drain

c. Failure by Owner to complete construction of the Improvements described in the New Subdivision Improvement Agreement within the time allotted and as prescribed in this Lien Contract, and otherwise extended pursuant to the terms of the New Subdivision Improvement Agreement.

d. The appointment, pursuant to an order of a court of competent jurisdiction, of a trustee, receiver or liquidator of the Property or any part thereof, or of Owner.

e. The filing by Owner of a petition in bankruptcy or for an arrangement or for reorganization pursuant to the Federal Bankruptcy Code or any similar law, federal or state, or the adjudication of Owner as a bankrupt or as insolvent by a decree of a court of competent jurisdiction, or the making of an assignment for the benefit of creditors, or the admission by Owner in writing of its inability to pay its debts generally as they become due, or the giving of consent by Owner to the appointment of a receiver or receivers of all or any part of its property, including the Property.

f. The filing by any of the creditors of Owner or the reorganization of Owner pursuant to the Federal Bankruptcy Code or any similar law, federal or state and the same is not discharged within ninety (90) days after the date of filing thereof.

g. Levy of any attachment or writ of execution against Owner and the Property whereby the Property is taken or occupied or attempted to be taken or occupied by someone other than Owner and such attachment or execution is not released within (60) days.

h. Sale of any lot or lots shown on the Map prior to release of the lien created by this Lien Contract, except as provided in Paragraph 3(b).

i. Failure of owner to pay the Fees described in Paragraph 1(a)(2) above, at the time required.

j. Breach by Owner of any other term or condition of this Lien Contract or the Subdivision Improvement Agreement, or Owner's failure to fully and faithfully discharge its obligations hereunder within the time specified herein.

k. Failure to pay prior to delinquency any taxes, assessments, fees or other amounts the payment of which are secured by a lien against part or all of the Property.

1. Failure of Owner to maintain liability insurance in the amount of at least \$2,000,000.00 per occurrence and in the aggregate on the Property naming City as an additional insured.

m. The occurrence of any waste, violation of an ordinance, violation of a condition of approval or nuisance on the Property which is not cured by Owner within thirty (30) days following written notice from City.

n. The breach or violation of any other subdivision improvement agreement, or lien contract between City and Owner beyond any applicable notice and cure period.

All references to Owner in this Paragraph 4 shall be deemed to include Owner's successors, assignees and transferees.

5. <u>City's Remedies</u>. Upon the occurrence of any of the events described in Paragraph 4, above, City may, at its option, declare all obligations, amounts and indebtedness secured hereby immediately due and payable without any presentment, demand, protest, or notice, and take one or more of the actions below:

a. Pursue any or all of the remedies provided in the New Subdivision Improvement Agreement;

Commence and maintain an action or actions to foreclose this lien by **b**. appropriate action in court or as provided by law for the non-judicial foreclosure of mortgages or deeds of trust under power of sale pursuant to California Civil Code Sections 2924, 2924(b) and 2924(c), and Owner agrees that the amount of said lien shall include attorneys' fees as provided in Paragraph 6(b) below. CITY will deposit with TRUSTEE this Lien Contract, the New Subdivision Improvement Agreement, and any receipts and evidence of expenditures made and secured as TRUSTEE may require. If notice of default has been given as then required by law, and after lapse of the time that may then be required by law, after recordation of the notice of default, TRUSTEE, without demand on OWNER, will, after notice of sale having been given as required by law, sell the Property at the time and place of sale fixed by it in the notice of sale, either as a whole or in separate parcels as TRUSTEE determines, and in any order that it may determine, at public auction to the highest bidder. TRUSTEE may postpone sale of all or any portion of the Property by public announcement at the time and place of sale, and from time to time after that may postpone the sale by public announcement at the time fixed by the preceding postponement, and without further notice make the sale at the time fixed by the last postponement; or TRUSTEE may, in its discretion, give a new notice of sale. CITY may rescind any notice of default at any time before TRUSTEE's sale by executing a notice of rescission and recording it. The recordation of the notice will constitute a cancellation of any prior declaration of default and demand for sale and of any acceleration of maturity of obligations affected by any prior declaration or notice of default. The exercise by CITY of the right of rescission will not constitute a waiver of any default then existing or subsequently occurring, or impair the right of CITY to execute other declarations of default and demand for sale, or notices of default and of election to cause the Property to be sold, nor otherwise affect the Lien Contract, the New Subdivision Improvement Agreement, or any of the rights, obligations, or remedies of CITY or TRUSTEE. After sale, TRUSTEE will deliver to the purchaser its deed conveying the property sold, but without any covenant or warranty, express or implied. The recitals in the deed of any matters or facts will be conclusive proof of their truthfulness. Any Person, including Owner, TRUSTEE, or CITY, may purchase at that sale. If allowed by law, CITY, if it is the purchaser, may turn in the New Subdivision Security Agreement at the amount owing on it toward payment of the purchase price (or for endorsement of the purchase price as a payment if the amount owing exceeds the purchase price). TRUSTEE, upon the sale, will make (without any covenant or warranty, express or implied), execute and, after due payment made, deliver to a purchaser and its heirs or assigns a deed or other record of interest, as the case may be, to the Property

sold, which will convey to the purchaser all the title and interest of Owner in the Property and will apply the proceeds of the sale in payment first, of the expenses of the sale together with the expenses of the trustee, including, without limitation, attorney fees, that will become due on any default made by OWNER, and also any sums that TRUSTEE or CITY have paid for procuring a search of the title to the Property subsequent to the execution of this Lien Contract; and second, of the Secured Obligations then remaining unpaid. TRUSTEE will pay the balance or surplus of the proceeds of sale, if any, to OWNER and its successors or assigns as its interests may appear;

c. Commence and maintain an action or actions in any court of competent jurisdiction to foreclose this instrument as a mortgage or to obtain specific enforcement of the covenants of Owner hereunder, and Owner agrees that such covenants shall be specifically enforceable by injunction or any other appropriate equitable remedy and that for the purposes of any suit brought under this subparagraph, Owner waives the defense of latches and any applicable statute of limitations;

d. Estimate the cost of the work required to complete the Improvements which estimate shall be deemed a debt and obligation in a liquidated sum of Owner, and judicially or non-judicially foreclose said lien in said amount; and

e. Pursue any other remedy, legal or equitable including but not limited to those for the foreclosure of a lien, and Owner, its assigns, shall pay reasonable attorneys' fees as a cost in said proceedings.

6. General Provisions.

a. <u>Recordation</u>. This Lien Contract shall be recorded by City with the Recorder's Office of the County of Riverside immediately following execution of this Lien Contract by (1) all parties hereto, and (2) all parties having any record title interest in the subject real property, pursuant to Government Code Section 66436, acknowledging subordination of their interests to this Lien Contract.

b. <u>Attorneys' Fees</u>. City shall be entitled to reasonable attorneys' fees, paralegal fees, and other charges, expenses and costs incurred in enforcing its rights under this Lien Contract.

c. <u>Contingency</u>. This Lien Contract shall not take effect until it has been approved by the City and recorded.

d. <u>Entire Agreement</u>. This Lien Contract together with all attachments and other agreements expressly referred to herein, constitutes the entire agreement between the parties with respect to the subject matter contained herein. All prior or contemporaneous agreements, understandings, representations, warranties and statements, oral or written, are superseded.

e. <u>Further Assurances</u>. The parties agree to perform such further acts and to execute and deliver such additional documents and instruments as may be reasonably required in order to carry out the provisions of this Lien Contract and the intentions of the parties.

f. <u>Governing Law</u>. This Lien Contract shall be governed, interpreted, construed and enforced in accordance with the laws of the State of California.

g. <u>Headings</u>. The captions and Section headings used in this Lien Contract are inserted for convenience of reference only and are not intended to define, limit or affect the construction or interpretation of any term or provision hereof.

h. <u>Modification, Waiver</u>. No modification, waiver, amendment or discharge of this Lien Contract shall be valid unless the same is in writing and signed by all parties.

i. <u>No Other Inducement</u>. The making, execution and delivery of this Lien Contract by the parties hereto has been induced by no representations, statements, warranties or agreements other than those expressed herein.

j. <u>Severability</u>. If any term, provision, covenant or condition of this Lien Contract is held to be invalid, void or otherwise unenforceable, to any extent, by any court of competent jurisdiction, the remainder of this Lien Contract shall not be affected thereby, and each term, provision, covenant or condition of this Lien Contract shall be valid. and enforceable to the fullest extent permitted by law.

k. <u>Execution in Counterparts</u>. This Lien Contract may be executed in counterparts, each of which shall be deemed an original, but which together shall constitute a single agreement.

If City or the Trustee is made a party to or is threatened with any litigation 1. concerning this Lien Contract or the New Subdivision Improvement Agreement the Property or any part thereof or interest therein, or the actions or omissions of Owner on the Property then Owner shall indemnify, defend and hold City and Trustee harmless for, from and against all liability by reason of said threat and/or litigation, including reasonable attorneys' fees and expenses incurred by City as a result of any such threat and/or litigation, whether or not any such threat and/or litigation is prosecuted to judgment; provided, however, that the indemnification to be provided by Owner to the City pursuant to the terms of this paragraph shall not be applicable where the aforementioned liability, claim, suit, action, et cetera, is the result of the sole negligence or sole willful misconduct of the City. City or Trustee may employ an attorney or attorneys to protect its rights hereunder, and in the event of such employment following any breach of the foregoing obligation by Owner, Owner shall pay City and Trustee reasonable attorneys' fees and expenses incurred by City or Trustee, whether or not an action is actually breach. commenced against Owner or Trustee by reason of its

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IN WITNESS WHEREOF, the Parties have caused this instrument to be executed as of the day and year first written above.

CITY OF B MONT 12/16 Michael LARA B∮ Mayor Date

Signature Page of Lien Contract

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## ACKNOWLEDGMENT

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

## STATE OF CALIFORNIA

COUNTY OF <u>Riverside</u> Notand Public , 16, before me, Nicole Whee woright (here insert name and the of the On 1 lichael I ava personally appeared

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

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

WITNESS my hand and official seal.

Menle Winlerung



(Seal)

## **DEVELOPER:**

RSI COMMUNITIES – HEARTLAND LLC, a Delaware limited liability company

| By:    | Ow                              |
|--------|---------------------------------|
| Name:  | MARINS FATAKIA                  |
| Title: | VICE PRESIDENT LAND DEVELOPMENT |

12/12/16 Date

Address: 620 Newport Center Drive, 12<sup>th</sup> Floor Newport Beach, CA 92660

Signature Page of Lien Contract

## ACKNOWLEDGMENT

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

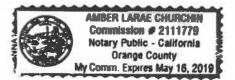
# STATE OF CALIFORNIA COUNTY OF Orange On December 13, 30K, before me, Amber LaRac Chu (here insert name and title of the officer) ak personally appeared

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

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

WITNESS my hand and official seal.

Signature



(Seal)

Signature Page of Lien Contract

## ATTACHMENT A

## LEGAL DESCRIPTION OF PROPERTY

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

## PARCEL 1:

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LOTS 1 THROUGH 69, INCLUSIVE, AND LETTERED LOTS "A" THROUGH "F", INCLUSIVE, OF TRACT NO. 27971-1, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 443, PAGES 95 THROUGH 99, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

## PARCEL 2:

LOTS 1 THROUGH 59, INCLUSIVE, AND LETTERED LOTS "A" THROUGH "G", INCLUSIVE, OF TRACT NO. 27971-2, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 443, PAGES 100 THROUGH 104, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

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#### PARCEL 4:

LOTS 1 THROUGH 73, INCLUSIVE, AND LETTERED LOTS "A" THROUGH "F", INCLUSIVE, OF TRACT NO. 27971-4, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 444, PAGES 6 THROUGH 9, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

#### PARCEL 5:

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## PARCEL 7:

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Attachment A – Legal Description

THROUGH 44, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

## PARCEL 13:

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PARCELS 13, 14, 15, 16, 17, 18 AND 19 THROUGH 23, INCLUSIVE OF PARCEL MAP NO. 34880, RECORDED IN BOOK 237 OF PARCEL MAPS, PAGES 67 THROUGH 76, INCLUSIVE, RECORDS OF RIVERSIDE COUNTY, STATE OF CALIFORNIA.

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Attachment A – Legal Description

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## ATTACHMENT B

# DESCRIPTION OF IMPROVEMENTS

Attachment B - Description of Improvements

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# <u>Exhibit B</u>

## Description: Tract 27971 Infrastructure – Storm Drain, Sewer, Water

Amount: \$5,616,000.00

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Page 158 of 647

Agenda Item No. 5.

Rev. 02/25/2015

Basic Gov (Sales Force) #\_

File # <u>PW2018-03</u>04

OLV - SEWER LIFT STATION AGREEMENT TO PROVIDE SECURITY FOR IMPROVEMENTS FOR TRACT MAP OR PARCEL MAP OR PLOT PLAN (Tract Map/Parcel, Map/Plot Plan No. 27291)

THIS SECURITY AGREEMENT is made by and between CITY OF BEAUMONT ("CITY") and RSI COMMUNITIES-CALIFORNIA LLC, a Delaware limited liability company ("DEVELOPER").

### RECITALS

A. DEVELOPER has applied to the CITY for permission to develop certain real property, pursuant to Tract Map/Parcel Map/Plot Plan # 27971, ("Map"). DEVELOPER has also asked the CITY to accept the dedication of the street or streets and other proposed public rights-of-way, parks and recreation facilities, and easements as depicted on the Map and to otherwise approve the Map so that it may be recorded as required by law; and

B. The CITY requires, as a condition precedent to the acceptance and approval of the Map and the dedication of the public rights-of-way and easements depicted thereon, that such rights-of-way be improved with (for example) grading, paving, curbs, gutters, sidewalks, street lights, stormdrains, sanitary sewers and appurtenances thereto, street name signs, survey monuments, electrical and telecommunications, water pipes, water mains, fire hydrants and appurtenances thereto, and landscaping, including any warranty work for all such improvements (collectively, "Improvements"); and

C. The Improvements have not yet been constructed and completed and it is the purpose of this Security Agreement to set forth the terms and conditions by which the DEVELOPER shall guarantee that such Improvements shall be constructed and completed within the time set forth herein.

#### AGREEMENT

NOW, THEREFORE, in consideration of the acceptance of the DEVELOPER's offer of dedication and the approval of the Map for filing and recording as provided and required by law, the CITY and the DEVELOPER hereby agree as follows:

1. <u>Provision of Improvements.</u> DEVELOPER shall provide, at the DEVELOPER's sole cost and expense, all necessary labor and materials to complete the construction of the Improvements depicted on the Map and described in the conditions of approval of the Map within one (1) year of the date of this Security Agreement.

2. <u>Inspection by the CITY</u>. The CITY shall inspect, at the DEVELOPER's sole cost and expense, all of the work, labor and materials performed and provided by the DEVELOPER in connection with the Improvements.

3. <u>Compliance with Plans and Specifications</u>. The Improvements shall be constructed and installed in strict accordance with the CITY-approved plans and specifications.

4. <u>Security for Performance.</u> Concurrently with the execution of this Security Agreement by DEVELOPER, DEVELOPER shall deliver to the CITY a performance bond issued by a corporate surety in substantially the form attached hereto as **Exhibit "A"**, in an amount that is not less than 100% of the total estimated cost of the Improvements and any warranty therefor. The performance bond shall be issued by an "admitted" corporate surety insurer authorized to do business in the State of California and the surety insurer shall have an A.M. Best rating of at least "A, XV". The surety insurer shall have assets exceeding its liabilities in the amount equal to or in excess of the amount of the bond, and the bond shall not be in excess of 10% of the surety insurer's assets. The security or bond shall also insure against any and all defects in the Improvements for a period of not less than one full year after the date of acceptance thereof by the CITY. The bond shall be duly executed and shall meet all the requirements of Section 995.660 of the California Code of Civil Procedure.

5. <u>Security for Contractors, Subcontractors, Laborers and Materialmen.</u> The DEVELOPER shall also provide a payment bond issued by a corporate surety for the security of laborers and materialmen, which bond or bonds shall be in substantially the form attached hereto as **Exhibit "B**" and made a part hereof. The amount of the bond(s) shall be no less than 100% of the total estimated amount needed to secure payment to the contractor, to the subcontractors, and to the persons furnishing labor, materials, or equipment to them for the Improvements. The laborers and materialmen bond shall be provided by an "admitted" corporate surety insurer authorized to transact surety insurance in the State of California with an A.M. Best rating of "A, XV", and with assets exceeding its liabilities in the amount equal to or in excess of the amount of the bond, and the bond shall not be in excess of 10% of the surety insurer's assets. The bond shall be duly executed and shall meet all the requirements of Section 995.660 of the California Code of Civil Procedure.

6. General Liability and Worker's Compensation Insurance. The DEVELOPER shall, before commencing any work, obtain commercial general liability insurance (primary) of not less than \$2,000,000.00 per occurrence for all coverages and \$2,000,000.00 general aggregate. The CITY and its employees and agents shall be added as additional insureds. Coverage shall apply on a primary non-contributing basis in relation to any other insurance or self-insurance, primary or excess, available to the CITY or any employee or agent of the CITY. Coverage shall not be limited to the vicarious liability or supervisory role of any additional insured. Coverage shall contain no contractors' limitation endorsement. There shall be no endorsement or modification limiting the scope of coverage for liability arising from pollution, explosion, collapse, underground property damage or employment-related practices. Such insurance shall not prohibit the DEVELOPER, and its employees or agents, from waiving the right of subrogation prior to a loss. The DEVELOPER waives its right of subrogation against the CITY. Unless otherwise approved by the CITY, the DEVELOPER's insurance shall be written by insurers authorized to do business in the State of California and with a minimum A.M. Best rating of "A, XV." Self-insurance shall not be considered to comply with these insurance specifications. The DEVELOPER agrees to require all contractors, subcontractors and other parties hired for the Improvements to purchase and maintain insurance of the types specified

herein, naming as additional insureds all of the parties to this Security Agreement. The DEVELOPER shall, before commencing any work, obtain Worker's Compensation Insurance in an amount required by law and, failing to do so, the CITY may procure such insurance at the cost of the DEVELOPER.

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7. <u>Comprehensive Commercial General and Automobile Liability Insurance</u>. The DEVELOPER, before commencing any work shall, at its own expense, maintain comprehensive commercial general and automobile liability insurance issued by a California-admitted surety company with an A.M. Best rating of no less than "A, XV" for \$2,000,000 per occurrence. Coverage shall be for the entire duration of the permitted activities. Such liability insurance policy shall name, by endorsement, the City as an additional insured.

8. <u>Indemnification</u>. Notwithstanding the provisions of Government Code, Section 66474.9 or any other statutes of similar import, and to the full extent permitted by law, the DEVELOPER shall defend, indemnify and hold harmless the CITY, its employees, agents, officials and attorneys, from and against any liability, claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses or costs of any kind or nature, whether actual, alleged or threatened, reasonable attorneys' fees, court costs, interest, expert witness fees and any other costs or expenses of any kind whatsoever, without restriction or limitation, incurred in relation to, as a consequence of, or arising out of or in any way attributable actually, allegedly or impliedly, in whole or in part, to the Map, the Improvements, this Agreement, or any matter related to the same; provided, however, that the indemnification to be provided by DEVELOPER to the CITY pursuant to the terms of this paragraph shall not be applicable where the aforementioned liability, claim, suit, action, etcetera, is the result of the sole negligence or sole willful misconduct of the CITY.

9. <u>Procedure for Release of Performance Bond Security</u>. The security furnished by the DEVELOPER shall be released in whole or in part in the following manner:

a. Security shall be released upon final completion and acceptance of the Improvements. If the security furnished by the DEVELOPER is a documentary evidence of security, such as a surety bond, the CITY shall release the documentary evidence and return the original to the Surety upon final completion and acceptance of the Improvements. In the event the CITY is unable to return the original documentary evidence to the Surety, the security shall be released by written notice sent by certified mail to the DEVELOPER and to the Surety within 30 days of the City's acceptance of the Improvements. The written notice shall contain a statement that the work for which security was furnished has been completed and accepted, a description of the Improvements, and the notarized signature of an authorized CITY official.

b. At such time as the DEVELOPER believes that the work for which the security was required is complete and makes payment of a partial exoneration fee of \$350 to the CITY, the DEVELOPER shall notify the CITY in writing of the completed work, including a list of work completed. Upon receipt of the written notice, the CITY shall have 45 days to review and comment or approve the completion of the Improvements. If the CITY does not agree that all work has been completed in accordance with the plans

and specifications for the Improvements, it shall supply a list of all remaining work to be completed.

c. Within 45 days of receipt of the CITY's list of remaining work, the DEVELOPER may then provide cost estimates for all remaining work for review and approval by the CITY.

d. Upon receipt of the cost estimates, the CITY shall then have 45 days to review, comment, and approve, modify or disapprove those cost estimates. The CITY shall not be required to engage in this process of partial release more than once between the start of work and the completion and acceptance of all work.

e. The DEVELOPER shall complete the works of Improvement until all remaining items are accepted by the CITY. Upon completion of the Improvements, the DEVELOPER shall be notified in writing by the CITY within 45 days and, within 45 days of the date of the CITY's notice, the release of any remaining performance security shall be made within 60 days of the recording of the Notice of Completion.

10. <u>Procedure for Release of Payment Bond Security.</u> Security securing the payment to the contractor, his or her subcontractors and persons furnishing labor, materials or equipment may, after passage of the time within which mechanic's liens and stop notices are required to be recorded and after acceptance of the Improvements, be reduced by Surety to an amount equal to the total claimed by all claimants for whom mechanic's liens and stop notices have been recorded and notice thereof given in writing to the CITY, and if no claims have been recorded, the security may be released in full.

11. <u>Security for One-Year Warranty Period</u>. The release procedures described in paragraphs 9 and 10 above shall not apply to any required guarantee and warranty period nor to the amount of the performance bond security deemed necessary by the CITY for the guarantee and warranty period nor to costs and reasonable expenses and fees, including reasonable attorneys' fees.

12. <u>Binding Effect.</u> This Security Agreement shall be binding upon and shall inure to the benefit of the parties hereto, their legal representatives and their successors and assigns.

13. <u>Authority to Execute.</u> The DEVELOPER hereby warrants and represents to the CITY that the individual signing this Security Agreement on behalf of the DEVELOPER is vested with the unconditional authority to do so pursuant to, and in accordance with, all applicable legal requirements, and has the authority bind the DEVELOPER hereto.

14. <u>No Assignment.</u> The DEVELOPER may not assign this Security Agreement, or any part thereof, to another without the prior written consent of the CITY.

15. <u>Attorneys' Fees.</u> In the event of legal action to enforce or interpret this Agreement or any of its provisions, the prevailing party shall be entitled, in addition to any other form of relief, to recover its reasonable attorneys' fees and costs of suit.

16. <u>Execution in Counterparts.</u> This Agreement may be executed in counterparts, each of which shall be deemed an original, but which together shall constitute a single agreement.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the dates listed below.

CITY OF BEA Ву Mayor 27. 2019 Date DEVELOPER В Date

Title: VICE PRESIDENT FORWARD PLANNING

Address: <u>680 NEWPORT CENTER DRIVE</u> SUITE 300 NEWPORT BEACH, CA 92660

## CITY OF BEAUMONT PUBLIC WORKS DEPARTMENT CONSTRUCTION COST WORKSHEET

| PARCEL MAP OR TRACT NO.:                                                                                            | Tract 27971-Infrastructure Sewer Lift Station<br>20-Nov-18   |        |  |  |
|---------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|--------|--|--|
| PP, CUP NO.:                                                                                                        | BY:                                                          | , P.E. |  |  |
| IMPROVEMENTS                                                                                                        | FAITHFUL PERFORMANCE 100%<br>LABOR & MATERIALS SECURITY 100% | *****  |  |  |
|                                                                                                                     | Construction Costs)                                          |        |  |  |
| Streets/Drainage<br>Sewer<br>Total<br>Warranty Retension (22.5%)                                                    | n/a<br>\$ 558,900.00<br>\$ 558,900.00<br>\$ 125,752.50       |        |  |  |
| Street/Drainage Plan Check Fees =<br>Sewer Plan Check Fees =<br>Street Inspection Fees =<br>Sewer Inspection Fees = | n/a<br><u>11,178.00</u><br><u>n/a</u><br><u>\$ 16,767.00</u> |        |  |  |

## DESIGN ENGINEERS CALCULATIONS OF IMPROVEMENT BONDING COSTS

Construction items and their quantities as shown on attached sheets are accurate for the improvements required to construct the above project and the mathematical extensions using City's unit costs are accurate for determining bonding, plan check and inspection costs.

Above amounts do

include additional 20% for recordation prior to having signed plans

Above amounts do not X include additional 20% for recordation prior to having signed plans

Engineer's Signature

Ned J. Araujo, P.E.

Name typed or printed

FORM \$ UNIT COSTS REVISED 01/02/2017

## \*\*\*\*\*\*PLEASE READ INSTRUCTIONS BELOW\*\*\*\*\*

MOV 2018

- 1. Quantities to be taken from improvement plans, Unit costs to be as provided on "City of Beaumont Construction Cost Worksheet".
- 2. Show Bond Amounts to the nearest \$500.
- 3. For construction items not covered by the Construction Cost Worksheet", Design Engineer is to provide his opinion of construction cost and use of that cost. If City of Beaumont unit costs are determined to be too low in the opinion of the Design Engineer, the higher costs as provided by the Design Engineer should be used.

\\Us1328-f02\workgroup\2042\active\2042495810\design\cost\infrastructure\7r\_27971\_Infra\_City\_Bond\_Est\_Sewer\_Lift\_Station\_181120xlsx 11/20/2018

NO. 05783

**Civil Engineer's Stamp** 

## CITY OF BEAUMONT PUBLIC WORKS DEPARTMENT CONSTRUCTION COST WORKSHEET

| PARCEL MAP OR TRACT NO .:         | Tract 27971-Infrastructure Sewer Lift Station |                                           |              |                                                                             |
|-----------------------------------|-----------------------------------------------|-------------------------------------------|--------------|-----------------------------------------------------------------------------|
| DATE:                             |                                               | 20-Nov-18                                 |              |                                                                             |
| PP, CUP NO.:                      |                                               | BY:                                       |              | , P.E.                                                                      |
| IMPROVEMENTS                      |                                               | FUL PERFORMANCE<br>R & MATERIALS SECURITY | 100%<br>100% | anna par par par anno ann an ann an tar |
|                                   | Cons                                          | struction Costs)                          |              |                                                                             |
| Streets/Drainage                  |                                               | n/a                                       |              |                                                                             |
| Sewer                             | \$                                            | 558,900.00                                |              |                                                                             |
| Total                             | \$                                            | 558,900.00                                |              |                                                                             |
| Warranty Retension (22.5%)        | \$                                            | 125,752.50                                |              |                                                                             |
| Street/Drainage Plan Check Fees = |                                               | n/a                                       |              |                                                                             |
| Sewer Plan Check Fees =           | \$                                            | 11,178.00                                 |              |                                                                             |
| Street Inspection Fees =          | *                                             | n/a                                       |              |                                                                             |
| Sewer Inspection Fees =           | \$                                            | 16,767.00                                 |              |                                                                             |

## DESIGN ENGINEERS CALCULATIONS OF IMPROVEMENT BONDING COSTS

Construction items and their quantities as shown on attached sheets are accurate for the improvements required to construct the above project and the mathematical extensions using City's unit costs are accurate for determining bonding, plan check and inspection costs.

Above amounts do

include additional 20% for recordation prior to having signed plans

X include additional 20% for recordation prior to having signed plans

Above amounts do not

50 NOV 2018



Ned J. Araujo, P.E.

Name typed or printed

FORM \$ UNIT COSTS REVISED 01/02/2017

# \*\*\*\*\*PLEASE READ INSTRUCTIONS BELOW\*\*\*\*\*

1. Quantities to be taken from improvement plans, Unit costs to be as provided on "City of Beaumont Construction Cost Worksheet".

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NO. 057835

**Civil Engineer's Stamp** 

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## CITY OF BEAUMONT PUBLIC WORKS DEPARTMENT IMPROVEMENT REQUIREMENT WORKSHEET

PROJECT:

Tract 27971-Infrastructure Sewer Lift Station

DATE: 20-Nov-18

| QTY. | UNIT     | street improvements.                                    | U  | NIT COST   | A  | MOUNT  |
|------|----------|---------------------------------------------------------|----|------------|----|--------|
|      | L.F.     | 4" V.C.P. (45 Lots @ 25' Avg. Length & 5' for cleanout) | \$ | 15.00      | \$ | -      |
|      | LF.      | 4" P.V.C. Force Main & Fittings                         | \$ | 26.00      | \$ | -      |
|      | L.F.     | 8" V.C.P.                                               | \$ | 30.00      | \$ | -      |
|      | L.F.     | 10" V.C.P.                                              | \$ | 35.00      | \$ | -      |
|      | L.F.     | 12" V.C.P.                                              | \$ | 40.00      | \$ | -      |
|      | L.F.     | 15" V.C.P.                                              | \$ | 50.00      | \$ | -      |
|      | EA.      | Standard or Terminus Manholes                           | \$ | 2,500.00   | \$ | -      |
|      | EA.      | Drop Manholes                                           | \$ | 4,000.00   | \$ |        |
|      | EA.      | Cleanouts                                               | \$ | 500.00     | \$ | -      |
|      | EA.      | Sewer Y's                                               | \$ | 30.00      | \$ | -      |
|      | EA.      | Chimneys                                                | \$ | 400.00     | \$ | -      |
| -    | EA.      | Adjust M.H. to grade                                    | \$ | 500.00     | \$ | -      |
|      | L.F.     | Concrete Encasement                                     | \$ | 35.00      | \$ | -      |
|      | EA.      | 4" P.V.C. Misc. Fittings                                | \$ | 120.00     | \$ |        |
|      | L.F.     | Sewer Pipe Sleeving                                     | \$ | 45.00      | \$ | 54     |
| 1    | EA.      | Sewer Lift Station                                      | \$ | 436,000.00 | \$ | 436,00 |
|      | EA.      | Backflow prevention device                              | \$ | 400.00     | \$ | -      |
|      | L.F.     | 4" P.V.C Sewer Lateral                                  | \$ | 17.00      | \$ |        |
|      | L.F.     | 8" P.V.C.                                               | \$ | 35.00      | \$ | -      |
|      | L.F.     | 10" P.V.C.                                              | \$ | 35.00      | \$ | -      |
|      | L.F.     | 12" P.V.C.                                              | \$ | 35.00      | \$ | -      |
| 1    | EA.      | Remobilization of Romtec                                | \$ | 25,000.00  | \$ | 25,00  |
| 1    | EA.      | Remove Temporary Pumping System                         | \$ | 5,000.00   | \$ | 5,00   |
| .1.  | EA.      | Perimeter Wall and Gates                                | \$ | 20,000.00  | \$ | 20,00  |
|      | Subtotal |                                                         |    |            | \$ | 486,00 |
|      |          | ncy (15% x A)                                           |    |            | \$ | 72,90  |
|      |          | tal (A + B)                                             |    |            | ¢  | 558,90 |

Bond Number: PB03010405642 Premium: \$2,236.00 Basic Gov (Sales Force) #\_\_\_\_\_\_ File # <u>PW2018-0304</u> OLV\_SEMER\_LIFTSTATION

#### **EXHIBIT "A"**

#### **PERFORMANCE BOND**

WHEREAS, Principal is required under the terms of the said agreement to furnish a bond for the faithful performance of said agreement.

NOW, THEREFORE, we, the Principal and <u>Philadelphia Indemnity Insurance Company</u>, as Surety, are held and firmly bound unto the City of Beaumont (hereinafter called "City"), in the penal sum of <u>Five Hundred Fifty Eight Thousand Nine Hundred and no/100</u> dollars (\$\_558,900.00\_) lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, successors, executors and administrators, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the Principal, his or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or their part to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City, its officers, agents and employees as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

As part of the obligation secured hereby and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment therein rendered.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on \_\_\_\_\_\_\_\_, 2018 \_\_\_\_\_\_, 2018 \_\_\_\_\_\_.

**PRINCIPAL:** 

SURETY:

**RSI** Communities - California LLC Philadelphia Indemnity Insurance Company By By Janina Monroe Title VP OF OPERATIONS T/tle Attorney-In-Fact

| ALL- PURPOSE<br>CERTIFICATE OF ACKNOWLEDGMENT                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |  |  |
|----------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|
| A notary public or other officer completing the identity of the individual who signed the doc is attached, and not the truthfulness, accurac | ument to which this certificate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |  |  |
| State of California                                                                                                                          | }                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |  |  |
| County of Orange                                                                                                                             | _ }                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |  |  |
| On NOV 2 0 2018 before me,                                                                                                                   | Gina L. Garner, Notary Public<br>(Here insert name and title of the officer)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |  |  |
| personally appeared                                                                                                                          | Janina Monroe                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |  |  |
| he/she/they executed the same in his/h                                                                                                       | instrument and acknowledged to me that<br>ner/their authorized capacity(iss), and that by<br>nent the person(s), or the entity upon behalf of<br>ne instrument.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |  |  |
| the foregoing paragraph is true and con<br>WITNESS my hand and official seal.                                                                | Y under the laws of the State of California that<br>rrect.<br>GINA L GARNER<br>Notary Public - California<br>Orange County<br>Commission # 2198045<br>My Comm. Expires May 18, 2021                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |  |  |
| ADDITIONAL OPTIONAL INFORMAT<br>DESCRIPTION OF THE ATTACHED DOCUMENT                                                                         | INSTRUCTIONS FOR COMPLETING THIS FORM<br>This form complies with current California statutes regarding notary wording and,<br>if needed, should be completed and attached to the document. Acknowedgents from<br>other states may be completed for documents being sent to that state so long as the<br>wording does not require the California notary to violate California notary law.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |  |  |
| (Title or description of attached document)                                                                                                  | <ul> <li>State and County information must be the State and County where the document<br/>signer(s) personally appeared before the notary public for acknowledgment.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |  |  |
| (Title or description of attached document continued)                                                                                        | <ul> <li>Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |  |  |
| Number of Pages Document Date                                                                                                                | <ul> <li>The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).</li> <li>Print the name(s) of document signer(s) who personally appear at the time of</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  |  |  |
| CAPACITY CLAIMED BY THE SIGNER  Individual (s) Corporate Officer                                                                             | <ul> <li>notarization.</li> <li>Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they,- is /are), or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.</li> <li>The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression snudges, re-seal if a more submitted and the submitted</li></ul> |  |  |  |
| (Title)<br>□ Partner(s)<br>☑ Attorney-in-Fact                                                                                                | <ul> <li>sufficient area permits, otherwise complete a different acknowledgment form.</li> <li>Signature of the notary public must match the signature on file with the office of the county clerk.</li> <li>Additional information is not required but could help to ensure this</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |  |  |
| □ Trustee(s)<br>□ Other                                                                                                                      | <ul> <li>acknowledgment is not misused or attached to a different document.</li> <li>Indicate title or type of attached document, number of pages and date.</li> <li>Indicate the capacity claimed by the signer. If the claimed capacity is a</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |  |  |
| 15 Version www.NotaryClasses.com 800-873-9865                                                                                                | <ul> <li>corporate officer, indicate the title (i.e. CEO, CFO, Secretary).</li> <li>Securely attach this document to the signed document with a staple.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |  |  |

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## Agenda Item No. 5.

7880

#### PHILADELPHIA INDEMNITY INSURANCE COMPANY One Bala Plaza, Suite 100 Bala Cynwyd, PA 19004-0950

#### **Power of Attorney**

KNOW ALL PERSONS BY THESE PRESENTS: That PHILADELPHIA INDEMNITY INSURANCE COMPANY (the Company), a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, does hereby constitute and appoint JANINA MONROE, THOMAS G. MCCALL, TIMOTHY J. NOONAN, MICHELLE HAASE AND MARTHA BARRERAS OF LOCKTON COMPANIES, LLC its true and lawful Attorney-in-fact with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an amount not to exceed \$25,000,000.00.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of PHILADELPHIA INDEMNITY INSURANCE COMPANY on the 14<sup>th</sup> of November, 2016.

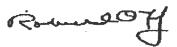
**RESOLVED:** That the Board of Directors hereby authorizes the President or any Vice President of the Company: (1) Appoint Attorney(s) in Fact and authorize the Attorney(s) in Fact to execute on behalf of the Company bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and to attach the seal of the Company thereto; and (2) to remove, at any time, any such Attorney-in-Fact and revoke the authority given. And, be it

#### FURTHER RESOLVED:

That the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

IN TESTIMONY WHEREOF, PHILADELPHIA INDEMNITY INSURANCE COMPANY HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEALTO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 27<sup>TH</sup> DAY OF OCTOBER, 2017.





Robert D. O'Leary Jr., President & CEO Philadelphia Indemnity Insurance Company

On this 27<sup>th</sup> day of October, 2017, before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn said that he is the therein described and authorized officer of the PHILADELPHIA INDEMNITY INSURANCE COMPANY; that the seal affixed to said instrument is the Corporate seal of said Company; that the said Corporate Seal and his signature were duly affixed.

| COMMONIMEALTH OF PENNSYLIANNA<br>NOTARIAL SEAL<br>Margun Knapp, Notary Public<br>Lower Mericon Tup, Mondosmory County<br>My Commission Explans Sept. 26, 2021 | Notary Public:         | Margan Knopp       |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|--------------------|
| COLUMN CONTRACTOR                                                                                                                                             | residing at:           | Bala Cynwyd, PA    |
| (Notary Seal)                                                                                                                                                 | My commission expires: | September 25, 2021 |

I, Edward Sayago, Corporate Secretary of PHILADELPHIA INDEMNITY INSURANCE COMPANY, do hereby certify that the foregoing resolution of the Board of Directors and the Power of Attorney issued pursuant thereto on the 27<sup>th</sup> day of October, 2017 are true and correct and are still in full force and effect. I do further certify that Robert D. O'Leary Jr., who executed the Power of Attorney as President, was on the date of execution of the attached Power of Attorney the duly elected President of PHILADELPHIA INDEMNITY INSURANCE COMPANY.

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this

NUV 2 0 2018 . 20



(Seal)

Edward Sayago, Corporate Secretary PHILADELPHIA INDEMNITY INSURANCE COMPANY A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA )
)
COUNTY OF ORANGE )

On <u>November 20, 2018</u> before me, <u>Virginia Reeder</u>, a Notary Public, personally appeared <u>James</u> <u>Perry</u> who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature of Notary (Affix seal here)



Bond Number: PB03010405642 Premium: included in performance bond

#### **EXHIBIT "B"**

#### **PAYMENT BOND**

WHEREAS, the City Council of the City of Beaumont, State of California, and RSI Communities - California LLC (hereafter designated as "the Principal") have entered into Agreement To Provide Security For Improvements For Tract Map Or Parcel Map Or Plot Plan, dated \_\_\_\_\_\_, 20\_\_, whereby Principal agrees to install and complete certain designated public improvements itemized and described on Tract Map, Parcel Map or Plot Plan No. 27971 which is hereby incorporated herein and made a part hereof; and

WHEREAS, under the terms of the said agreement, the Principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Beaumont to secure the claims to which reference is made in Section 8000, et seq., of the Civil Code of the State of California.

NOW, THEREFORE, the Principal and the undersigned as corporate surety, are held firmly bound unto the City of Beaumont and all contractors, subcontractors, laborers, materialmen, and other per sons employed in the performance of the said agreement and referred to at Section 8000, et seq., of the Civil Code in the sum of Five Hundred Flfty Eight Thousand Nine Hundred and no/100 dollars (\$558,900.00), for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insuran ce Act with respect to this work or labor, that the Surety will pay the same in an amount not exceeding the amount hereinabove set forth, and also in case suit is brought upon this bond, will pay, in addition to the face amount thereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City in successfully enforcing this obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgment therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies, and corporations entitled to file claims under Section 8000, et seq., of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligations on this bond, and it does hereby waive notice of any such change, extension, alteration, or addition.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on \_\_\_\_\_\_\_, 20 18\_\_\_\_.

PRINCIPAL:

SURETY:

| RSI Communities - California LLC  | Philadelphia Indemnity Insurance Company                           |
|-----------------------------------|--------------------------------------------------------------------|
| By July<br>Title VP OF OPERATIONS | By Janina Monroe<br>Janina Monroe<br>Title <u>Attorney-In-Fact</u> |

| ALL- PURPOSE<br>CERTIFICATE OF ACKNOWLEDGMENT                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |  |  |  |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|--|
| A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |  |  |  |  |
| State of California                                                                                                                                                                                                                        | }                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |  |  |  |  |
| County of Orange<br>On NOV 2 0 2018 before me.                                                                                                                                                                                             | }<br>Gina L Garner, Notary Public                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |  |  |  |  |
| personally appeared                                                                                                                                                                                                                        | (Here insert name and title of the officer)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |  |  |  |  |
| name(s) is/are subscribed to the within<br>ke/she/they executed the same in kis/h<br>tois/her/thaix signature(s) on the instrum<br>which the person(s) acted, executed the<br>I certify under PENALTY OF PERJURY                           | who proved to me on the basis of satisfactory evidence to be the person(s) whose<br>name(s) is/axe subscribed to the within instrument and acknowledged to me that<br>he/she/they executed the same in his/her/their authorized capacity(ies), and that by<br>his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of<br>which the person(s) acted, executed the instrument.                                                                                                                                                                                                                                     |  |  |  |  |  |
| the foregoing paragraph is true and cor<br>WITNESS my hand and official seal.                                                                                                                                                              | GINA L. GARNER<br>Notary Public – California<br>Orange County<br>Commission # 2198045<br>My Comm. Expires May 18, 2021                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |  |  |  |  |
| ADDITIONAL OPTIONAL INFORMATI                                                                                                                                                                                                              | ON INSTRUCTIONS FOR COMPLETING THIS FORM<br>This form complies with current California statutes regarding notary wording and,<br>if needed, should be completed and attached to the document. Acknolwedgents from<br>other states may be completed for documents being sent to that state so long as the<br>wording does not require the California notary to violate California notary law.                                                                                                                                                                                                                                                      |  |  |  |  |  |
| (Title or description of attached document) (Title or description of attached document continued) Number of Pages Document Date                                                                                                            | <ul> <li>State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.</li> <li>Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.</li> <li>The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).</li> <li>Print the name(s) of document signer(s) who personally appear at the time of</li> </ul>                                                               |  |  |  |  |  |
| CAPACITY CLAIMED BY THE SIGNER  Individual (s) Corporate Officer (Title) Partner(s) Attorney-in-Fact                                                                                                                                       | <ul> <li>notarization.</li> <li>Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they_ is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.</li> <li>The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.</li> <li>Signature of the notary public must match the signature on file with the office of the county clerk.</li> </ul> |  |  |  |  |  |
|                                                                                                                                                                                                                                            | <ul> <li>Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.</li> <li>Indicate title or type of attached document, number of pages and date.</li> <li>Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).</li> <li>Securely attach this document to the signed document with a staple.</li> </ul>                                                                                                                                                                     |  |  |  |  |  |

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## Agenda Item No. 5.

7881

#### PHILADELPHIA INDEMNITY INSURANCE COMPANY One Bala Plaza, Suite 100 Bala Cynwyd, PA 19004-0950

#### **Power of Attorney**

KNOW ALL PERSONS BY THESE PRESENTS: That **PHILADELPHIA INDEMNITY INSURANCE COMPANY** (the Company), a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, does hereby constitute and appoint JANINA MONROE, THOMAS G. MCCALL, TIMOTHY J. NOONAN, MICHELLE HAASE AND MARTHA BARRERAS OF LOCKTON COMPANIES, LLC its true and lawful Attorney-in-fact with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an amount not to exceed <u>\$25,000,000.00</u>.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of PHILADELPHIA INDEMNITY INSURANCE COMPANY on the 14<sup>th</sup> of November, 2016.

**RESOLVED:** That the Board of Directors hereby authorizes the President or any Vice President of the Company: (1) Appoint Attorney(s) in Fact and authorize the Attorney(s) in Fact to execute on behalf of the Company bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and to attach the seal of the Company thereto; and (2) to remove, at any time, any such Attorney-in-Fact and revoke the authority given. And, be it

#### FURTHER RESOLVED:

That the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

IN TESTIMONY WHEREOF, PHILADELPHIA INDEMNITY INSURANCE COMPANY HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEALTO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 27<sup>TH</sup> DAY OF OCTOBER, 2017.





Robert D. O'Leary Jr., President & CEO Philadelphia Indemnity Insurance Company

On this 27<sup>th</sup> day of October, 2017, before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn said that he is the therein described and authorized officer of the PHILADELPHIA INDEMNITY INSURANCE COMPANY; that the seal affixed to said instrument is the Corporate seal of said Company; that the said Corporate Seal and his signature were duly affixed.

| COMMACHINE ALTH OF PENNISYLVAN<br>NOTARIAL SEAL<br>Morgan Kingp, Molary Public<br>umer Merion Twp Mongomycy Count<br>My Countingsion Explores Sept. 25, 2021 | Notary Public:         | Morgan Mapp        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|--------------------|
| NUMER. PERSONAL ASSOCIATION OF NOTABLE                                                                                                                       | residing at:           | Bala Cynwyd, PA    |
| (Notary Seal)                                                                                                                                                | My commission expires: | September 25, 2021 |

I, Edward Sayago, Corporate Secretary of PHILADELPHIA INDEMNITY INSURANCE COMPANY, do hereby certify that the foregoing resolution of the Board of Directors and the Power of Attorney issued pursuant thereto on the 27<sup>th</sup> day of October, 2017 are true and correct and are still in full force and effect. I do further certify that Robert D. O'Leary Jr., who executed the Power of Attorney as President, was on the date of execution of the attached Power of Attorney the duly elected President of PHILADELPHIA INDEMNITY INSURANCE COMPANY.

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this \_\_\_\_



day of \_



Edward Sayago, Corporate Secretary PHILADELPHIA INDEMNITY INSURANCE COMPANY . 20

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

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STATE OF CALIFORNIA

COUNTY OF ORANGE

On <u>November 20, 2018</u> before me, <u>Virginia Reeder</u>, a Notary Public, personally appeared <u>James</u> <u>Perry</u> who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Keedy

Signature of Notary (Affix seal here)

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Basic Gov (Sales Force) # 17-4108 File # 3112 Bond No.: 1001053559

## EXHIBIT "A"

Premium: \$3,303.00/2 yrs

### PERFORMANCE BOND

WHEREAS, the City Council of the City of Beaumont, State of California, and RSI Communities Heartland LLC, a Delaware limited liability (hereinafter designated as "Principal") have entered into Agreement To Provide Security For Improvements For Tract Map Or Parcel Map Or Plot Plan, , 2017, whereby Principal agrees to install and complete certain designated dated August public improvements itemized and described on Tract Map, Parcel Map or Plot Plan No. 27971 , which is hereby incorporated herein and made a part hereof; and

WHEREAS, Principal is required under the terms of the said agreement to furnish a bond for the faithful performance of said agreement.

NOW, THEREFORE, we, the Principal and American Contractors Indemnity Company as Surety, are held and firmly bound unto the City of Beaumont (hereinafter called "City"), in the penal sum of Two hundred twenty thousand one hundred ninety six dollars and twenty five cents (\$220,196.25) lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, successors, executors and administrators, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the Principal, his or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or their part to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City, its officers, agents and employees as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

As part of the obligation secured hereby and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment therein rendered.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on August 11th 20 17 .

PRINCIPAL:

**RSI Communities - Heartland LLC** a Delaware limited liability

By

**Darius Fatakia** Title Vice President Land Development SURETY:

American Contractors Indemnity Company

Title Beata A. Sensi, Attorney-in-Fact

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| ALL- PURPOSE<br>CERTIFICATE OF ACKNOWLEDGMENT                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |  |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|
| A notary public or other officer completing this identity of the individual who signed the docum is attached, and not the truthfulness, accuracy,                                                                                                                              | nent to which this certificate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |  |  |
| State of California                                                                                                                                                                                                                                                            | }                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  |  |  |
| County of Orange                                                                                                                                                                                                                                                               | }                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  |  |  |
| On <u>August 11, 2017</u> before me, <u>S</u>                                                                                                                                                                                                                                  | Susan E. Morales, Notary Public<br>(Here insert name and title of the officer),                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |  |  |
| his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.<br>I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |  |  |
| WITNESS my hand and official seal.                                                                                                                                                                                                                                             | SUSAN E. MORALES<br>COMM. # 2101798<br>NOTARY PUBLIC - CALIFORNIA<br>ORANGE COUNTY<br>My Comm. Expires March 28, 2019                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |  |  |
| ADDITIONAL OPTIONAL INFORMATI                                                                                                                                                                                                                                                  | 1 Als form complies with Current Cultor nut sublides regurating notary woralling and                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |  |  |
| DESCRIPTION OF THE ATTACHED DOCUMENT<br>Perf & Pay Bond #1001053559                                                                                                                                                                                                            | if needed, should be completed and attached to the document. Acknowedgents from<br>other states may be completed for documents being sent to that state so long as the<br>wording does not require the California notary to violate California notary law.                                                                                                                                                                                                                                                                                                                                           |  |  |  |
| (Title or description of attached document)<br>American Contractors Indemnity Company<br>(Title or description of attached document continued)<br>Number of Pages <u>1</u> Document Date <u>8/11/17</u>                                                                        | <ul> <li>State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.</li> <li>Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.</li> <li>The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).</li> </ul>                                                                                                        |  |  |  |
| CAPACITY CLAIMED BY THE SIGNER<br>Individual (s)<br>Corporate Officer                                                                                                                                                                                                          | <ul> <li>Print the name(s) of document signer(s) who personally appear at the time of notarization.</li> <li>Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they, is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.</li> <li>The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a</li> </ul>                                                                  |  |  |  |
| (Title)<br>□ Partner(s)<br>☑ Attorney-in-Fact<br>□ Trustee(s)<br>□ Other                                                                                                                                                                                                       | <ul> <li>sufficient area permits, otherwise complete a different acknowledgment form.</li> <li>Signature of the notary public must match the signature on file with the office of the county clerk.</li> <li>Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.</li> <li>Indicate title or type of attached document, number of pages and date.</li> <li>Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).</li> </ul> |  |  |  |
| 2015 Version www.NotaryClasses.com 800-873-9865                                                                                                                                                                                                                                | <ul> <li>Securely attach this document to the signed document with a staple.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |  |  |

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Bond No.: 1001053559 Premium included with the Performance Bond

## EXHIBIT "B"

### PAYMENT BOND

WHEREAS, the City Council of the City of Beaumont, State of California, and RSI Communities - Heartland LLC, a Delaware limited liability company (hereafter designated as "the Principal") have entered into Agreement To Provide Security For Improvements For Tract Map Or Parcel Map Or Plot Plan, dated <u>August</u>, 2017, whereby Principal agrees to install and complete certain designated public improvements itemized and described on Tract Map, Parcel Map or Plot Plan No. <u>27971</u>, which is hereby incorporated herein and made a part hereof; and

WHEREAS, under the terms of the said agreement, the Principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Beaumont to secure the claims to which reference is made in Section 8000, et seq., of the Civil Code of the State of California.

NOW, THEREFORE, the Principal and the undersigned as corporate surety, are held firmly bound unto the City of Beaumont and all contractors, subcontractors, laborers, materialmen, and other persons employed in the performance of the said agreement and referred to at Section 8000, et seq., of the Civil Code in the sum of Two busided twenty thousand one bundred timely six and twenty five cents (\$220,196.25), for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to this work or labor, that the Surety will pay the same in an amount not exceeding the amount hereinabove set forth, and also in case suit is brought upon this bond, will pay, in addition to the face amount thereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City in successfully enforcing this obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgment therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies, and corporations entitled to file claims under Section 8000, et seq., of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligations on this bond, and it does hereby waive notice of any such change, extension, alteration, or addition.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on August 11th \_\_\_\_\_, 20 <u>17</u>.

PRINCIPAL:

RSI Communities - Heartland LLC a Delaware limited liability

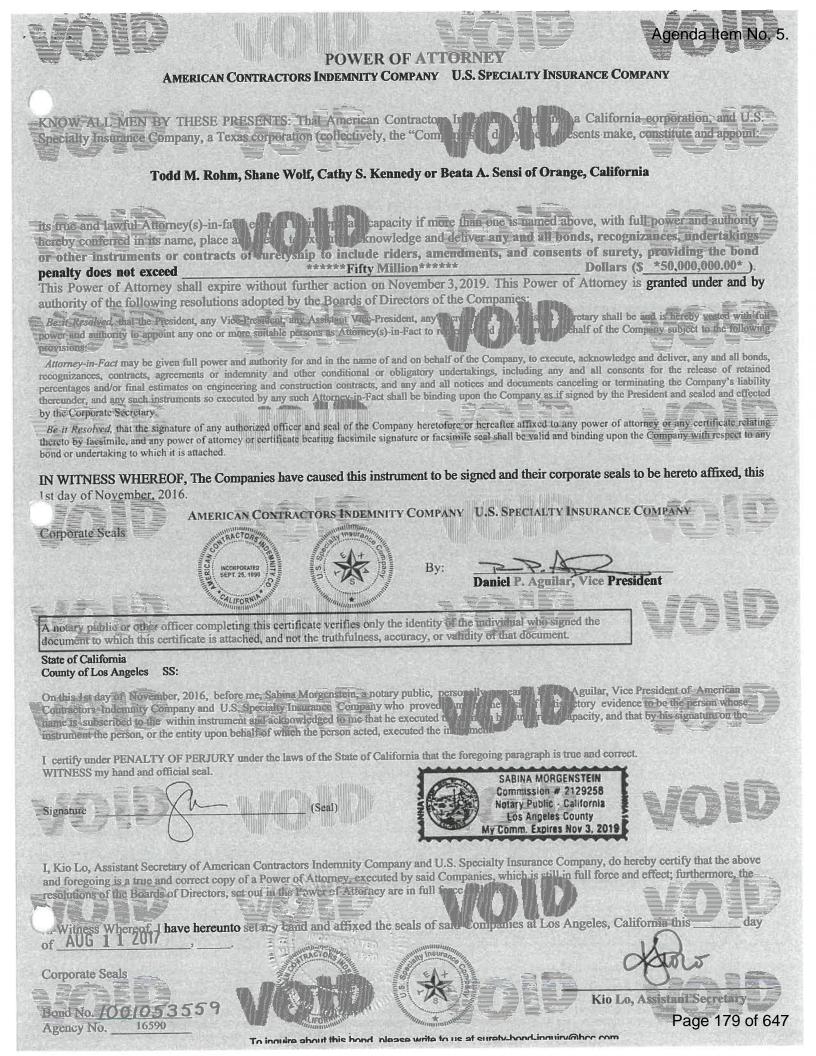
Bv

Title **Darius Fatakia** Vice President Land Development SURETY:

American Contractors Indemnity Company

Title Beata A. Sensi, Attorney-in-Fact

| ALL- PURPOSE<br>CERTIFICATE OF ACKNOWLEDGMENT                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |  |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|
| A notary public or other officer completing thi<br>identity of the individual who signed the docu<br>is attached, and not the truthfulness, accuracy,                                                                                  | ment to which this certificate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |  |  |
| State of <u>California</u>                                                                                                                                                                                                             | }                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |  |  |
| On August 11, 2017 before me, _                                                                                                                                                                                                        | Susan E. Morales, Notary Public<br>(Here insert name and title of the officer)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |  |  |
| name <del>(s)</del> is/ <del>are</del> subscribed to the within he/she/ <del>they</del> executed the same in his/h                                                                                                                     | actory evidence to be the person <del>(s)</del> whose<br>instrument and acknowledged to me that<br>er/ <del>their</del> authorized capacity <del>(ies)</del> , and that by<br>ent the person <del>(s)</del> , or the entity upon behalf of<br>e instrument.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |  |  |
| the foregoing paragraph is true and cor<br>WITNESS my hand and official seal.                                                                                                                                                          | y under the laws of the State of California that<br>rect.<br>SUSAN E. MORALES<br>COMM. # 2101798<br>NOTARY PUBLIC - CALIFORNIA<br>CRANGE COUNTY<br>My Comm. Expires March 28, 2019                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |  |  |
| ADDITIONAL OPTIONAL INFORMAT                                                                                                                                                                                                           | INSTRUCTIONS FOR COMPLETING THIS FORM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |  |  |
| DESCRIPTION OF THE ATTACHED DOCUMENT                                                                                                                                                                                                   | This form complies with current California statutes regarding notary wording and,<br>if needed, should be completed and attached to the document. Acknolwedgents from<br>other states may be completed for documents being sent to that state so long as the<br>wording does not require the California notary to violate California notary law.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  |  |  |
| Perf & Pay Bond #1001053559<br>(Title or description of attached document)<br>American Contractors Indemnity Company<br>(Title or description of attached document continued)<br>Number of Pages <u>1</u> Document Date <u>8/11/17</u> | <ul> <li>State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.</li> <li>Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.</li> <li>The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).</li> <li>Print the name(s) of document signer(s) who personally appear at the time of</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |  |  |
| CAPACITY CLAIMED BY THE SIGNER          Individual (s)         Corporate Officer         (Title)         Partner(s)         Attorney-in-Fact         Trustee(s)         Other                                                          | <ul> <li>notarization.</li> <li>Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they, is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.</li> <li>The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.</li> <li>Signature of the notary public must match the signature on file with the office of the county clerk.</li> <li>Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.</li> <li>Indicate title or type of attached document, number of pages and date.</li> <li>Indicate the capacity claimed by the signer. If the claimed capacity is a concerted of the county is a concerted officer the life in (in CO CEO CEO CEO CEO CEO CEO CEO CEO CEO</li></ul> |  |  |  |
| 2015 Version www.NotaryClasses.com 800-873-9865                                                                                                                                                                                        | <ul> <li>corporate officer, indicate the title (i.e. CEO, CFO, Secretary).</li> <li>Securely attach this document to the signed document with a staple.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |  |  |



## CITY OF BEAUMONT PUBLIC WORKS DEPARTMENT CONSTRUCTION COST WORKSHEET

| PARCEL MAP OR TRACT NO.:<br>DATE: | Tract 27971 Infrastructure Street, Storm Drain, and Force Main Sewer<br>14-Jul-17 |                                            |              |               |
|-----------------------------------|-----------------------------------------------------------------------------------|--------------------------------------------|--------------|---------------|
| PP, CUP NO.:                      |                                                                                   | BY:                                        |              | <u>, P.E.</u> |
| IMPROVEMENTS                      |                                                                                   | IFUL PERFORMANCE<br>R & MATERIALS SECURITY | 100%<br>100% |               |
|                                   | Con                                                                               | struction Costs)                           |              |               |
| Streets/Drainage                  | \$                                                                                | 7,054,211.26                               |              |               |
| Sewer                             | \$                                                                                | 220,196.25                                 |              |               |
| Total                             | \$                                                                                | 7,274,407.51                               |              |               |
| Warranty Retension (22.5%)        | \$                                                                                | 1,636,741.69                               |              |               |
| Street/Drainage Plan Check Fees = | \$                                                                                | 141,084.23                                 |              |               |
| Sewer Plan Check Fees =           | \$                                                                                | 5,504.91                                   |              |               |
| Street Inspection Pees =          | \$                                                                                | 211,626.34                                 |              |               |
| Sewer Inspection Fees =           |                                                                                   |                                            |              |               |

# DESIGN ENGINEERS CALCULATIONS OF IMPROVEMENT BONDING COSTS

Construction items and their quantities as shown on attached sheets are accurate for the improvements required to construct the above project and the mathematical extensions using City's unit costs are accurate for determining bonding, plan check and inspection costs.

Above amounts do

include additional 20% for recordation prior to having signed plans

Above amounts do not X include additional 20% for recordation prior to having signed plans

17 JULY 2017

Engineer's Signature

Ned Araujo , P.E. Name typed or printed

FORM \$ UNIT COSTS REVISED 2017/01/02

## \*\*\*\*\*PLEASE READ INSTRUCTIONS BELOW\*\*\*\*\*

1. Quantities to be taken from improvement plans, Unit costs to be as provided on "City of Beaumont Construction Cost Worksheet".

2. Show Bond Amounts to the nearest \$500.

3. For construction items not covered by the Construction Cost Worksheet", Design Engineer is to provide his opinion of construction cost and use of that cost. If City of Beaumont unit costs are determined to be too low in the opinion of the Design Engineer, the higher costs as provided by the Design Engineer should be used.

V:12042\active\2042495810\design\cost\infrastructure\Tr. 27971-Force Main Total-City Bond Est.-170717-Sewar.xls

7/17/2017

0.0578

Civil Engineer's Stamp

Agenda Item No. 5.

Rev. 02/25/2015 Basic Gov (Sales Force) #  $\frac{17-4108}{5112}$ 

## AGREEMENT TO PROVIDE SECURITY FOR IMPROVEMENTS FOR TRACT MAP OR PARCEL MAP OR PLOT PLAN (Tract Map/Parcel Map/Plot Plan No. 27971\_)

THIS SECURITY AGREEMENT is made by and between CITY OF BEAUMONT ("CITY") and <u>RSI Communities - Heartland LLC</u>, <u>a Delaware limited liability</u> company ("DEVELOPER").

#### RECITALS

A. DEVELOPER has applied to the CITY for permission to develop certain real property, pursuant to Tract Map/Parcel Map/Plot Plan # <u>27971</u>, ("Map"). DEVELOPER has also asked the CITY to accept the dedication of the street or streets and other proposed public rightsof-way, parks and recreation facilities, and easements as depicted on the Map and to otherwise approve the Map so that it may be recorded as required by law; and

B. The CITY requires, as a condition precedent to the acceptance and approval of the Map and the dedication of the public rights-of-way and easements depicted thereon, that such rights-of-way be improved with (for example) grading, paving, curbs, gutters, sidewalks, street lights, stormdrains, sanitary sewers and appurtenances thereto, street name signs, survey monuments, electrical and telecommunications, water pipes, water mains, fire hydrants and appurtenances thereto, and landscaping, including any warranty work for all such improvements (collectively, "Improvements"); and

C. The Improvements have not yet been constructed and completed and it is the purpose of this Security Agreement to set forth the terms and conditions by which the DEVELOPER shall guarantee that such Improvements shall be constructed and completed within the time set forth herein.

#### AGREEMENT

NOW, THEREFORE, in consideration of the acceptance of the DEVELOPER's offer of dedication and the approval of the Map for filing and recording as provided and required by law, the CITY and the DEVELOPER hereby agree as follows:

1. <u>Provision of Improvements.</u> DEVELOPER shall provide, at the DEVELOPER's sole cost and expense, all necessary labor and materials to complete the construction of the Improvements depicted on the Map and described in the conditions of approval of the Map within one (1) year of the date of this Security Agreement.

2. <u>Inspection by the CITY</u>. The CITY shall inspect, at the DEVELOPER's sole cost and expense, all of the work, labor and materials performed and provided by the DEVELOPER in connection with the Improvements.

3. <u>Compliance with Plans and Specifications.</u> The Improvements shall be constructed and installed in strict accordance with the CITY-approved plans and specifications.

4. <u>Security for Performance.</u> Concurrently with the execution of this Security Agreement by DEVELOPER, DEVELOPER shall deliver to the CITY a performance bond issued by a corporate surety in substantially the form attached hereto as **Exhibit "A"**, in an amount that is not less than 100% of the total estimated cost of the Improvements and any warranty therefor. The performance bond shall be issued by an "admitted" corporate surety insurer authorized to do business in the State of California and the surety insurer shall have an A.M. Best rating of at least "A, XV". The surety insurer shall have assets exceeding its liabilities in the amount equal to or in excess of the amount of the bond, and the bond shall not be in excess of 10% of the surety insurer's assets. The security or bond shall also insure against any and all defects in the Improvements for a period of not less than one full year after the date of acceptance thereof by the CITY. The bond shall be duly executed and shall meet all the requirements of Section 995.660 of the California Code of Civil Procedure.

5. <u>Security for Contractors, Subcontractors, Laborers and Materialmen.</u> The DEVELOPER shall also provide a payment bond issued by a corporate surety for the security of laborers and materialmen, which bond or bonds shall be in substantially the form attached hereto as **Exhibit "B"** and made a part hereof. The amount of the bond(s) shall be no less than 100% of the total estimated amount needed to secure payment to the contractor, to the subcontractors, and to the persons furnishing labor, materials, or equipment to them for the Improvements. The laborers and materialmen bond shall be provided by an "admitted" corporate surety insurer authorized to transact surety insurance in the State of California with an A.M. Best rating of "A, XV", and with assets exceeding its liabilities in the amount equal to or in excess of the amount of the bond, and the bond shall not be in excess of 10% of the surety insurer's assets. The bond shall be duly executed and shall meet all the requirements of Section 995.660 of the California Code of Civil Procedure.

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General Liability and Worker's Compensation Insurance. The DEVELOPER 6. shall, before commencing any work, obtain commercial general liability insurance (primary) of not less than \$2,000,000.00 per occurrence for all coverages and \$2,000,000.00 general aggregate. The CITY and its employees and agents shall be added as additional insureds. Coverage shall apply on a primary non-contributing basis in relation to any other insurance or self-insurance, primary or excess, available to the CITY or any employee or agent of the CITY. Coverage shall not be limited to the vicarious liability or supervisory role of any additional insured. Coverage shall contain no contractors' limitation endorsement. There shall be no endorsement or modification limiting the scope of coverage for liability arising from pollution, explosion, collapse, underground property damage or employment-related practices. Such insurance shall not prohibit the DEVELOPER, and its employees or agents, from waiving the right of subrogation prior to a loss. The DEVELOPER waives its right of subrogation against the CITY. Unless otherwise approved by the CITY, the DEVELOPER's insurance shall be written by insurers authorized to do business in the State of California and with a minimum A.M. Best rating of "A, XV." Self-insurance shall not be considered to comply with these insurance specifications. The DEVELOPER agrees to require all contractors, subcontractors and other parties hired for the Improvements to purchase and maintain insurance of the types specified

herein, naming as additional insureds all of the parties to this Security Agreement. The DEVELOPER shall, before commencing any work, obtain Worker's Compensation Insurance in an amount required by law and, failing to do so, the CITY may procure such insurance at the cost of the DEVELOPER.

7. <u>Comprehensive Commercial General and Automobile Liability Insurance</u>. The DEVELOPER, before commencing any work shall, at its own expense, maintain comprehensive commercial general and automobile liability insurance issued by a California-admitted surety company with an A.M. Best rating of no less than "A, XV" for \$2,000,000 per occurrence. Coverage shall be for the entire duration of the permitted activities. Such liability insurance policy shall name, by endorsement, the City as an additional insured.

8. <u>Indemnification</u>. Notwithstanding the provisions of Government Code, Section 66474.9 or any other statutes of similar import, and to the full extent permitted by law, the DEVELOPER shall defend, indemnify and hold harmless the CITY, its employees, agents, officials and attorneys, from and against any liability, claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses or costs of any kind or nature, whether actual, alleged or threatened, reasonable attorneys' fees, court costs, interest, expert witness fees and any other costs or expenses of any kind whatsoever, without restriction or limitation, incurred in relation to, as a consequence of, or arising out of or in any way attributable actually, allegedly or impliedly, in whole or in part, to the Map, the Improvements, this Agreement, or any matter related to the same; provided, however, that the indemnification to be provided by DEVELOPER to the CITY pursuant to the terms of this paragraph shall not be applicable where the aforementioned liability, claim, suit, action, etcetera, is the result of the sole negligence or sole willful misconduct of the CITY.

9. <u>Procedure for Release of Performance Bond Security</u>. The security furnished by the DEVELOPER shall be released in whole or in part in the following manner:

a. Security shall be released upon final completion and acceptance of the Improvements. If the security furnished by the DEVELOPER is a documentary evidence of security, such as a surety bond, the CITY shall release the documentary evidence and return the original to the Surety upon final completion and acceptance of the Improvements. In the event the CITY is unable to return the original documentary evidence to the Surety, the security shall be released by written notice sent by certified mail to the DEVELOPER and to the Surety within 30 days of the City's acceptance of the Improvements. The written notice shall contain a statement that the work for which security was furnished has been completed and accepted, a description of the Improvements, and the notarized signature of an authorized CITY official.

b. At such time as the DEVELOPER believes that the work for which the security was required is complete and makes payment of a partial exoneration fee of \$350 to the CITY, the DEVELOPER shall notify the CITY in writing of the completed work, including a list of work completed. Upon receipt of the written notice, the CITY shall have 45 days to review and comment or approve the completion of the Improvements. If the CITY does not agree that all work has been completed in accordance with the plans

and specifications for the Improvements, it shall supply a list of all remaining work to be completed.

c. Within 45 days of receipt of the CITY's list of remaining work, the DEVELOPER may then provide cost estimates for all remaining work for review and approval by the CITY.

d. Upon receipt of the cost estimates, the CITY shall then have 45 days to review, comment, and approve, modify or disapprove those cost estimates. The CITY shall not be required to engage in this process of partial release more than once between the start of work and the completion and acceptance of all work.

e. The DEVELOPER shall complete the works of Improvement until all remaining items are accepted by the CITY. Upon completion of the Improvements, the DEVELOPER shall be notified in writing by the CITY within 45 days and, within 45 days of the date of the CITY's notice, the release of any remaining performance security shall be made within 60 days of the recording of the Notice of Completion.

10. <u>Procedure for Release of Payment Bond Security</u>. Security securing the payment to the contractor, his or her subcontractors and persons furnishing labor, materials or equipment may, after passage of the time within which mechanic's liens and stop notices are required to be recorded and after acceptance of the Improvements, be reduced by Surety to an amount equal to the total claimed by all claimants for whom mechanic's liens and stop notices have been recorded and notice thereof given in writing to the CITY, and if no claims have been recorded, the security may be released in full.

11. <u>Security for One-Year Warranty Period</u>. The release procedures described in paragraphs 9 and 10 above shall not apply to any required guarantee and warranty period nor to the amount of the performance bond security deemed necessary by the CITY for the guarantee and warranty period nor to costs and reasonable expenses and fees, including reasonable attorneys' fees.

12. <u>Binding Effect.</u> This Security Agreement shall be binding upon and shall inure to the benefit of the parties hereto, their legal representatives and their successors and assigns.

13. <u>Authority to Execute</u>. The DEVELOPER hereby warrants and represents to the CITY that the individual signing this Security Agreement on behalf of the DEVELOPER is vested with the unconditional authority to do so pursuant to, and in accordance with, all applicable legal requirements, and has the authority bind the DEVELOPER hereto.

14. <u>No Assignment</u>. The DEVELOPER may not assign this Security Agreement, or any part thereof, to another without the prior written consent of the CITY.

15. <u>Attorneys' Fees.</u> In the event of legal action to enforce or interpret this Agreement or any of its provisions, the prevailing party shall be entitled, in addition to any other form of relief, to recover its reasonable attorneys' fees and costs of suit.

Execution in Counterparts. This Agreement may be executed in counterparts, 16. each of which shall be deemed an original, but which together shall constitute a single agreement.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the dates listed below.

CITY OF BEAUMO White By Mayor 10/12/17 Date

DEVELOPER

By \_\_\_\_ Elle 8/14/17

Date

| Title:   | Darius Fatakia<br>Vice President Land Develo | pment     |
|----------|----------------------------------------------|-----------|
| Address: | 680 NEWPORT CENTER DR.                       | 3RD FLOOR |
| -        | NEWPORT BEACH , CA                           | 92660     |
|          |                                              |           |

Page 186 of 647

Basic Gov (Sales Force) # <u>17-1109</u> File # <u>3110</u> Bond No.: 1001053560 Premium: \$4,023.00/2 yrs.

#### EXHIBIT "A"

#### PERFORMANCE BOND

WHEREAS, the City Council of the City of Beaumont, State of California, and <u>RSI Communities</u> Heartland LLC, a Delaware limited liability (hereinafter designated as "Principal") have entered into Agreement To Provide Security For Improvements For Tract Map Or Parcel Map Or Plot Plan, dated <u>August</u>, 2017, whereby Principal agrees to install and complete certain designated public improvements itemized and described on Tract Map, Parcel Map or Plot Plan No. <u>27971</u>, which is hereby incorporated herein and made a part hereof; and

WHEREAS, Principal is required under the terms of the said agreement to furnish a bond for the faithful performance of said agreement.

NOW, THEREFORE, we, the Principal and American Contractors Indemnity Company as Surety, are held and firmly bound unto the City of Beaumont (hereinafter called "City"), in the penal sum of Two hundred sixty eight thousand two hundred thirty dollars and sixty cents (\$268,230.60) lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, successors, executors and administrators, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the Principal, his or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or their part to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City, its officers, agents and employees as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

As part of the obligation secured hereby and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment therein rendered.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on August 11th \_\_\_\_\_\_, 20 17 \_.

**PRINCIPAL**:

RSI Communities - Heartland LLC a Delaware limited liability

Bv

Title Darius Fatakia Vice President Land Development SURETY:

American Contractors Indemnity Company

Beata A. Sensi, Attorney-in-Fact Title

# ALL- PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

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

State of California }

County of Orange }

On August 11, 2017 before me, Susan E. Morales, Notary Public

personally appeared Beata A. Sensi

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

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

(Notary Public Seal)

WITNESS my hand and official seal.

noa

Notary Public Signature

SUSAN E. MORALES COMM. # 2101788 NOTARY PUBLIC - CALIFORNIA CRANGE COUNTY My Comm. Expires March 26, 2019

## ADDITIONAL OPTIONAL INFORMATION DESCRIPTION OF THE ATTACHED DOCUMENT

DESCRIPTION OF THE ATTACHED DOCUME

Perf & Pay Bond #1001053560

(Title or description of attached document) American Contractors Indemnity Company (Title or description of attached document continued)

Number of Pages 1 Document Date 8/11/17

2015 Version www.NotaryClasses.com 800-873-9865

## CAPACITY CLAIMED BY THE SIGNER

- □ Individual (s)
- Corporate Officer

(Title)

- Partner(s)Attorney-in-Fact
- Attorney-in-Fact Trustee(s)
- Other \_\_\_\_\_

INSTRUCTIONS FOR COMPLETING THIS FORM

This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknolwedgents from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which
  must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/shc/they;- is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
     I direct the approximate document by the given of the claimed capacity.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.

Bond No.: 1001053560 Premium included with the Performance Bond

#### EXHIBIT "B"

## PAYMENT BOND

WHEREAS, the City Council of the City of Beaumont, State of California, and RSI Communities - Heartland LLC, a Delaware limited liability company (hereafter designated as "the Principal") have entered into Agreement To Provide Security For Improvements For Tract Map Or Parcel Map Or Plot Plan, dated <u>August</u>, 2017, whereby Principal agrees to install and complete certain designated public improvements itemized and described on Tract Map, Parcel Map or Plot Plan No. <u>27971</u>, which is hereby incorporated herein and made a part hereof; and

WHEREAS, under the terms of the said agreement, the Principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Beaumont to secure the claims to which reference is made in Section 8000, et seq., of the Civil Code of the State of California.

NOW, THEREFORE, the Principal and the undersigned as corporate surety, are held firmly bound unto the City of Beaumont and all contractors, subcontractors, laborers, materialmen, and other persons employed in the performance of the said agreement and referred to at Section 8000, et seq., of the Civil Code in the sum of Two interference introduced they dollars and stay cents (\$268,230.60) , for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to this work or labor, that the Surety will pay the same in an amount not exceeding the amount hereinabove set forth, and also in case suit is brought upon this bond, will pay, in addition to the face amount thereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City in successfully enforcing this obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgment therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies, and corporations entitled to file claims under Section 8000, et seq., of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligations on this bond, and it does hereby waive notice of any such change, extension, alteration, or addition.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on August 11th \_\_\_\_\_, 20 <u>17</u>.

PRINCIPAL:

RSI Communities - Heartland LLC a Delaware limited liability

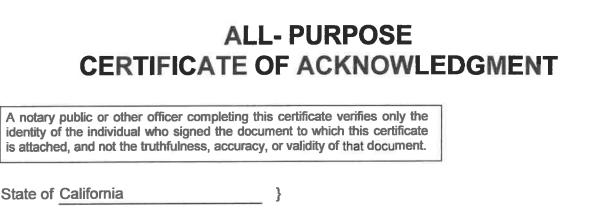
By

Title Darius Fatakia Vice President Land Development SURETY:

American Contractors Indemnity Company

Bv

Title Beata A. Sensi, Attorney-in-Fact



County of Orange }

On August 11, 2017 before me, Susan E. Morales, Notary Public

personally appeared Beata A. Sensi

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

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

WITNESS my hand and official seal.

Notary Public Signature



(Notary Public Seal)

## ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Perf & Pay Bond #1001053560

(Title or description of attached document) American Contractors Indemnity Company (Title or description of attached document continued)

Number of Pages 1 Document Date 8/11/17

## CAPACITY CLAIMED BY THE SIGNER

- □ Individual (s)
- □ Corporate Officer

|   | _ |         |
|---|---|---------|
| - |   | (Title) |
|   |   | 1       |



☐ Attorney-III-Pact

□ Trustee(s)

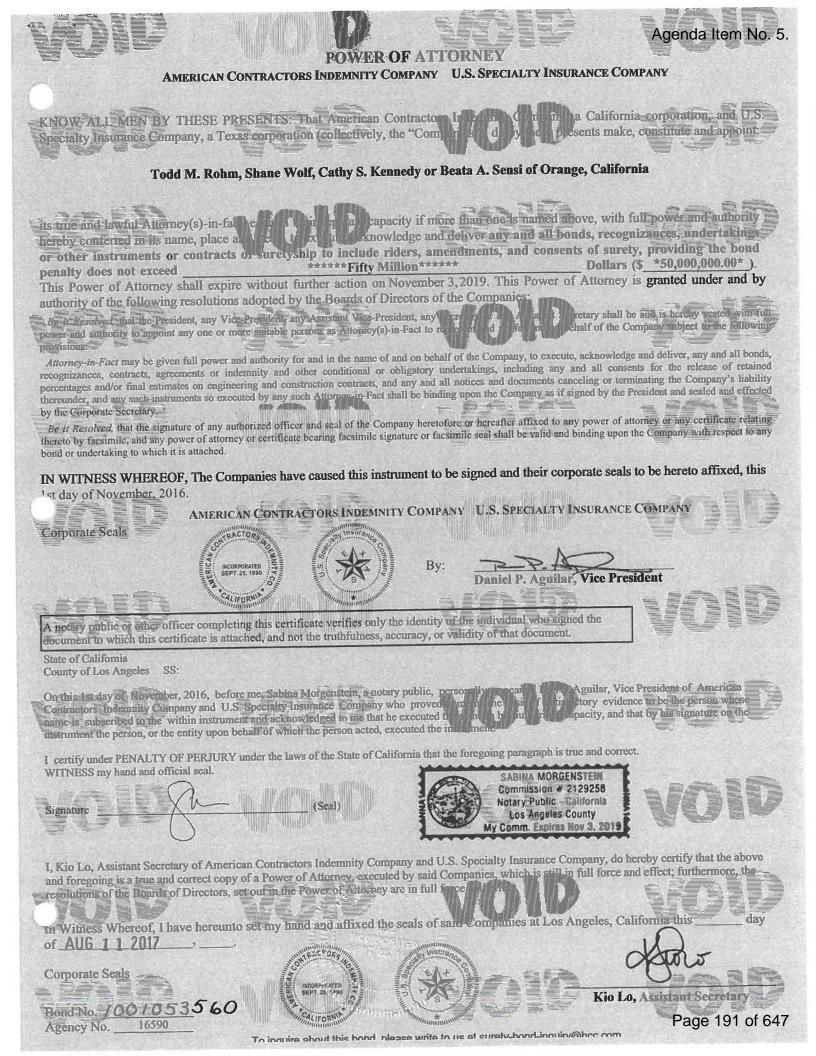
## Other \_\_\_\_\_

2015 Version www.NotaryClasses.com 800-873-9865



This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknolwedgents from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which
  must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they, is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
     Indicate the capacity claimed by the signer. If the claimed capacity is a
  - Indicate the capacity claimed by the signet. In the claimed capacity is corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- · Securely attach this document to the signed document with a staple



## CITY OF BEAUMONT PUBLIC WORKS DEPARTMENT CONSTRUCTION COST WORKSHEET

| PARCEL MAP OR TRACT NO.:                                                                                            | Tract 27971 Infrastructure Street, Storm Drain,<br>14-Jul-17                                                       | and Sewer |
|---------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|-----------|
| PP, CUP NO.:                                                                                                        | BY:                                                                                                                | , P.E.    |
| IMPROVEMENTS                                                                                                        | FAITHFUL PERFORMANCE 100<br>LABOR & MATERIALS SECURITY 100                                                         |           |
|                                                                                                                     | Construction Costs)                                                                                                |           |
| Streets/Drainage<br>Sewer<br>Total<br>Warranty Retension (22.5%)                                                    | \$       7,054,211.26         \$       268,230.60         \$       7,322,441.86         \$       1,647,549.42      | -         |
| Street/Drainage Plan Check Fees =<br>Sewer Plan Check Fees =<br>Street Inspection Fees =<br>Sewer Inspection Fees = | \$         141,084.23           \$         6,705.77           \$         211,626.34           \$         10,729.22 |           |

## DESIGN ENGINEERS CALCULATIONS OF IMPROVEMENT BONDING COSTS

Construction items and their quantities as shown on attached sheets are accurate for the improvements required to construct the above project and the mathematical extensions using City's unit costs are accurate for determining bonding, plan check and inspection costs.

Above amounts do

include additional 20% for recordation prior to having signed plans

X include additional 20% for recordation prior to having signed plans

Above amounts do not

Engineer's Signature

Ned Araujo

Name typed or printed

FORM \$ UNIT COSTS REVISED 2017/01/02

P.E.

## \*\*\*\*\*PLEASE READ INSTRUCTIONS BELOW\*\*\*\*\*

17 JULY 2017

I. Quantities to be taken from improvement plans, Unit costs to be as provided on "City of Beaumont Construction Cost Worksheet".

2. Show Bond Amounts to the nearest \$500.

3. For construction items not covered by the Construction Cost Worksheet", Design Engineer is to provide his opinion of construction cost and use of that cost. If City of Beaumont unit costs are determined to be too low in the opinion of the Design Engineer, the higher costs as provided by the Design Engineer should be used.

V:12042/active/2042495810/design/cost/infrastructure/Tr. 27971 Infra Total-City Bond Est.-170102.xis

7/17/2017

057/8

**Civil Engineer's Stamp** 

Rev. 02/25/2015

Basic Gov (Sales Force) # 17 - 4109File # 3110

## AGREEMENT TO PROVIDE SECURITY FOR IMPROVEMENTS FOR TRACT MAP OR PARCEL MAP OR PLOT PLAN (Tract Map/Parcel Map/Plot Plan No. 27971\_)

THIS SECURITY AGREEMENT is made by and between CITY OF BEAUMONT ("CITY") and <u>RSI Communities - Heartland LLC</u>, <u>a Delaware limited liability</u> company ("DEVELOPER").

#### RECITALS

A. DEVELOPER has applied to the CITY for permission to develop certain real property, pursuant to Tract Map/Parcel Map/Plot Plan # <u>27971</u>, ("Map"). DEVELOPER has also asked the CITY to accept the dedication of the street or streets and other proposed public rights-of-way, parks and recreation facilities, and easements as depicted on the Map and to otherwise approve the Map so that it may be recorded as required by law; and

B. The CITY requires, as a condition precedent to the acceptance and approval of the Map and the dedication of the public rights-of-way and easements depicted thereon, that such rights-of-way be improved with (for example) grading, paving, curbs, gutters, sidewalks, street lights, stormdrains, sanitary sewers and appurtenances thereto, street name signs, survey monuments, electrical and telecommunications, water pipes, water mains, fire hydrants and appurtenances thereto, and landscaping, including any warranty work for all such improvements (collectively, "Improvements"); and

C. The Improvements have not yet been constructed and completed and it is the purpose of this Security Agreement to set forth the terms and conditions by which the DEVELOPER shall guarantee that such Improvements shall be constructed and completed within the time set forth herein.

## AGREEMENT

NOW, THEREFORE, in consideration of the acceptance of the DEVELOPER's offer of dedication and the approval of the Map for filing and recording as provided and required by law, the CITY and the DEVELOPER hereby agree as follows:

1. <u>Provision of Improvements.</u> DEVELOPER shall provide, at the DEVELOPER's sole cost and expense, all necessary labor and materials to complete the construction of the Improvements depicted on the Map and described in the conditions of approval of the Map within one (1) year of the date of this Security Agreement.

2. <u>Inspection by the CITY</u>. The CITY shall inspect, at the DEVELOPER's sole cost and expense, all of the work, labor and materials performed and provided by the DEVELOPER in connection with the Improvements.

3. <u>Compliance with Plans and Specifications</u>. The Improvements shall be constructed and installed in strict accordance with the CITY-approved plans and specifications.

4. <u>Security for Performance.</u> Concurrently with the execution of this Security Agreement by DEVELOPER, DEVELOPER shall deliver to the CITY a performance bond issued by a corporate surety in substantially the form attached hereto as Exhibit "A", in an amount that is not less than 100% of the total estimated cost of the Improvements and any warranty therefor. The performance bond shall be issued by an "admitted" corporate surety insurer authorized to do business in the State of California and the surety insurer shall have an A.M. Best rating of at least "A, XV". The surety insurer shall have assets exceeding its liabilities in the amount equal to or in excess of the amount of the bond, and the bond shall not be in excess of 10% of the surety insurer's assets. The security or bond shall also insure against any and all defects in the Improvements for a period of not less than one full year after the date of acceptance thereof by the CITY. The bond shall be duly executed and shall meet all the requirements of Section 995.660 of the California Code of Civil Procedure.

5. <u>Security for Contractors, Subcontractors, Laborers and Materialmen.</u> The DEVELOPER shall also provide a payment bond issued by a corporate surety for the security of laborers and materialmen, which bond or bonds shall be in substantially the form attached hereto as **Exhibit "B"** and made a part hereof. The amount of the bond(s) shall be no less than 100% of the total estimated amount needed to secure payment to the contractor, to the subcontractors, and to the persons furnishing labor, materials, or equipment to them for the Improvements. The laborers and materialmen bond shall be provided by an "admitted" corporate surety insurer authorized to transact surety insurance in the State of California with an A.M. Best rating of "A, XV", and with assets exceeding its liabilities in the amount equal to or in excess of the amount of the bond, and the bond shall not be in excess of 10% of the surety insurer's assets. The bond shall be duly executed and shall meet all the requirements of Section 995.660 of the California Code of Civil Procedure.

General Liability and Worker's Compensation Insurance. The DEVELOPER 6. shall, before commencing any work, obtain commercial general liability insurance (primary) of not less than \$2,000,000.00 per occurrence for all coverages and \$2,000,000.00 general aggregate. The CITY and its employees and agents shall be added as additional insureds. Coverage shall apply on a primary non-contributing basis in relation to any other insurance or self-insurance, primary or excess, available to the CITY or any employee or agent of the CITY. Coverage shall not be limited to the vicarious liability or supervisory role of any additional insured. Coverage shall contain no contractors' limitation endorsement. There shall be no endorsement or modification limiting the scope of coverage for liability arising from pollution, explosion, collapse, underground property damage or employment-related practices. Such insurance shall not prohibit the DEVELOPER, and its employees or agents, from waiving the right of subrogation prior to a loss. The DEVELOPER waives its right of subrogation against the CITY. Unless otherwise approved by the CITY, the DEVELOPER's insurance shall be written by insurers authorized to do business in the State of California and with a minimum A.M. Best rating of "A, XV." Self-insurance shall not be considered to comply with these insurance specifications. The DEVELOPER agrees to require all contractors, subcontractors and other parties hired for the Improvements to purchase and maintain insurance of the types specified

herein, naming as additional insureds all of the parties to this Security Agreement. The DEVELOPER shall, before commencing any work, obtain Worker's Compensation Insurance in an amount required by law and, failing to do so, the CITY may procure such insurance at the cost of the DEVELOPER.

7. <u>Comprehensive Commercial General and Automobile Liability Insurance</u>. The DEVELOPER, before commencing any work shall, at its own expense, maintain comprehensive commercial general and automobile liability insurance issued by a California-admitted surety company with an A.M. Best rating of no less than "A, XV" for \$2,000,000 per occurrence. Coverage shall be for the entire duration of the permitted activities. Such liability insurance policy shall name, by endorsement, the City as an additional insured.

8. Indemnification. Notwithstanding the provisions of Government Code, Section 66474.9 or any other statutes of similar import, and to the full extent permitted by law, the DEVELOPER shall defend, indemnify and hold harmless the CITY, its employees, agents, officials and attorneys, from and against any liability, claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses or costs of any kind or nature, whether actual, alleged or threatened, reasonable attorneys' fees, court costs, interest, expert witness fees and any other costs or expenses of any kind whatsoever, without restriction or limitation, incurred in relation to, as a consequence of, or arising out of or in any way attributable actually, allegedly or impliedly, in whole or in part, to the Map, the Improvements, this Agreement, or any matter related to the same; provided, however, that the indemnification to be provided by DEVELOPER to the CITY pursuant to the terms of this paragraph shall not be applicable where the aforementioned liability, claim, suit, action, etcetera, is the result of the sole negligence or sole willful misconduct of the CITY.

9. <u>Procedure for Release of Performance Bond Security</u>. The security furnished by the DEVELOPER shall be released in whole or in part in the following manner:

a. Security shall be released upon final completion and acceptance of the Improvements. If the security furnished by the DEVELOPER is a documentary evidence of security, such as a surety bond, the CITY shall release the documentary evidence and return the original to the Surety upon final completion and acceptance of the Improvements. In the event the CITY is unable to return the original documentary evidence to the Surety, the security shall be released by written notice sent by certified mail to the DEVELOPER and to the Surety within 30 days of the City's acceptance of the Improvements. The written notice shall contain a statement that the work for which security was furnished has been completed and accepted, a description of the Improvements, and the notarized signature of an authorized CITY official.

b. At such time as the DEVELOPER believes that the work for which the security was required is complete and makes payment of a partial exoneration fee of \$350 to the CITY, the DEVELOPER shall notify the CITY in writing of the completed work, including a list of work completed. Upon receipt of the written notice, the CITY shall have 45 days to review and comment or approve the completion of the Improvements. If the CITY does not agree that all work has been completed in accordance with the plans

and specifications for the Improvements, it shall supply a list of all remaining work to be completed.

c. Within 45 days of receipt of the CITY's list of remaining work, the DEVELOPER may then provide cost estimates for all remaining work for review and approval by the CITY.

d. Upon receipt of the cost estimates, the CITY shall then have 45 days to review, comment, and approve, modify or disapprove those cost estimates. The CITY shall not be required to engage in this process of partial release more than once between the start of work and the completion and acceptance of all work.

e. The DEVELOPER shall complete the works of Improvement until all remaining items are accepted by the CITY. Upon completion of the Improvements, the DEVELOPER shall be notified in writing by the CITY within 45 days and, within 45 days of the date of the CITY's notice, the release of any remaining performance security shall be made within 60 days of the recording of the Notice of Completion.

10. <u>Procedure for Release of Payment Bond Security.</u> Security securing the payment to the contractor, his or her subcontractors and persons furnishing labor, materials or equipment may, after passage of the time within which mechanic's liens and stop notices are required to be recorded and after acceptance of the Improvements, be reduced by Surety to an amount equal to the total claimed by all claimants for whom mechanic's liens and stop notices have been recorded and notice thereof given in writing to the CITY, and if no claims have been recorded, the security may be released in full.

11. <u>Security for One-Year Warranty Period</u>. The release procedures described in paragraphs 9 and 10 above shall not apply to any required guarantee and warranty period nor to the amount of the performance bond security deemed necessary by the CITY for the guarantee and warranty period nor to costs and reasonable expenses and fees, including reasonable attorneys' fees.

12. <u>Binding Effect.</u> This Security Agreement shall be binding upon and shall inure to the benefit of the parties hereto, their legal representatives and their successors and assigns.

13. <u>Authority to Execute</u>. The DEVELOPER hereby warrants and represents to the CITY that the individual signing this Security Agreement on behalf of the DEVELOPER is vested with the unconditional authority to do so pursuant to, and in accordance with, all applicable legal requirements, and has the authority bind the DEVELOPER hereto.

14. <u>No Assignment.</u> The DEVELOPER may not assign this Security Agreement, or any part thereof, to another without the prior written consent of the CITY.

15. <u>Attorneys' Fees.</u> In the event of legal action to enforce or interpret this Agreement or any of its provisions, the prevailing party shall be entitled, in addition to any other form of relief, to recover its reasonable attorneys' fees and costs of suit.

Execution in Counterparts. This Agreement may be executed in counterparts, 16. each of which shall be deemed an original, but which together shall constitute a single agreement.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the dates listed below.

CITY OF BEAUMONT White By Mayor

10/12/17 Date

DEVELOPER

Elth By 8/14/17

Date

**Darius Fatakia** Title: Vice President Land Development

Address: 680 NEWPORT CENTER DR., 3RD FUOR NEWPORT BEACH, CA 92660

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#### RECORDING REQUESTED BY:

AND WHEN RECORDED MAIL TO:

RSI Communities – California LLC 4695 MacArthur Court, FL 8 Newport Beach, CA 92660 Attn: Legal Department

APN:

SPACE ABOVE THIS LINE FOR RECORDER'S USE

## RELEASE OF LIEN

That certain Lien Contract against RSI Communities-California LLC, as successor by merger to RSI Communities – Heartland LLC, a Delaware limited liability company recorded on February 23, 2017 as Instrument No. 2017-0076554 of Official Records of Riverside County, California is hereby fully satisfied, released and discharged.

The property affected by this release is described as follows:

See Exhibit "A"

Dated: November 6, 2018

CITY OF BEAUMONT

Mayor

By:

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

) SS.

\_\_\_\_\_before me, \_\_\_\_

STATE OF CALIFORNIA

COUNTY OF

On

\_\_\_\_\_, Notary Public, personally

appeared

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

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

WITNESS my hand and official seal.

Signature\_\_\_\_\_

## EXHIBIT A

## LEGAL DESCRIPTION OF PROPERTY

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

## PARCEL 1:

LOTS 1 THROUGH 69, INCLUSIVE, AND LETTERED LOTS "A" THROUGH "F", INCLUSIVE, OF TRACT NO. 27971-1, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 443, PAGES 95 THROUGH 99, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

## PARCEL 2:

LOTS 1 THROUGH 59, INCLUSIVE, AND LETTERED LOTS "A" THROUGH "G", INCLUSIVE, OF TRACT NO. 27971-2, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 443, PAGES 109 THROUGH 104, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

### PARCEL 3:

LOTS 1 THROUGH 84, INCLUSIVE, AND LETTERED LOTS "A" THROUGH "F", INCLUSIVE, OF TRACT NO. 27971-3, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 444, PAGES 1 THROUGH 5, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

### PARCEL 4:

LOTS 1 THROUGH 73, INCLUSIVE, AND LETTERED LOTS "A" THROUGH "F", INCLUSIVE, OF TRACT NO. 27971-4, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 444, PAGES 6 THROUGH 9, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

### PARCEL 5:

LOTS 1 THROUGH 127, INCLUSIVE, AND LETTERED LOTS A THROUGH J, INCLUSIVE, OF TRACT NO. 27971-5, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 448, PAGES 58 THROUGH 63, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 6:

LOTS I THROUGH 72, INCLUSIVE, AND LETTERED LOTS "A" THROUGH "E", INCLUSIVE, OF TRACT NO. 27971-6, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 444, PAGES 10 THROUGH 14, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

## PARCEL 7:

LOTS 1 THROUGH 63, INCLUSIVE, AND LETTERED LOTS "A" THROUGH "E", INCLUSIVE, OF TRACT NO. 27971-7, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 444, PAGES 15 THROUGH 19, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

## PARCEL 8:

LOTS I THROUGH 83, INCLUSIVE, AND LETTERED LOTS "A" THROUGH "G", INCLUSIVE, OF TRACT NO. 27971-8, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 444, PAGES 20 THROUGH 24, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

## PARCEL 9:

LOTS I THROUGH 102, INCLUSIVE, AND LETTERED LOTS "A" THROUGH "F", INCLUSIVE, OF TRACT NO. 27971-9, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 444, PAGES 25 THROUGH 30, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

## PARCEL 10:

LOTS 1 THROUGH 153, INCLUSIVE, AND LETTERED LOTS "A" THROUGH "J", INCLUSIVE, OF TRACT NO. 27971-10, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 444, PAGES 31 THROUGH 36, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

## PARCEL 11:

LOTS 1 THROUGH 66, INCLUSIVE, AND LETTERED LOTS "A" THROUGH "D", INCLUSIVE, OF TRACT NO. 27971-11, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 444, PAGES 37 THROUGH 40, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

## PARCEL 12:

LOTS 1 THROUGH 67, INCLUSIVE, AND LETTERED LOTS "A" THROUGH "E", INCLUSIVE, OF TRACT NO. 27971-12, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 444, PAGES 41 THROUGH 44, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 13:

PARCELS 13, 14, 15, 16, 17, 18 AND 19 THROUGH 23, INCLUSIVE OF PARCEL MAP NO. 34880, RECORDED IN BOOK 237 OF PARCEL MAPS, PAGES 67 THROUGH 76, INCLUSIVE, RECORDS OF RIVERSIDE COUNTY, STATE OF CALIFORNIA.

PARCEL 14:

LETTERED LOTS A THROUGH Z, AND AA OF PARCEL MAP NO. 34880, RECORDED IN BOOK 237 OF PARCEL MAPS, PAGES 67 THROUGH 76, INCLUSIVE, RECORDS OF RIVERSIDE COUNTY, STATE OF CALIFORNIA.

3

RECORDING REQUESTED BY

NAME: FNTG Builder Services 23015746-SG

#### WHEN RECORDED MAIL TO:

NAME: City of Beaumont, Attn: City Clerk

ADDRESS: 550 East 6th Street

CTTY/STATE/ZIP: Beaumont, CA 92223

(DOCUMENT WILL ONLY BE RETURNED TO NAME & ADDRESS IDENTIFIED ABOVE)

## DOC # 2017-0076554 Agenda Item No. 5.

02/23/2017 11:17 AM Fees: \$0.00 Page 1 of 17 Recorded in Official Records County of Riverside Peter Aldana Assessor-County Clerk-Recorder

\*\*This document was electronically submitted to the County of Riverside for recording\*\* Receipted by: SOPHIA #466

(SPACE ABOVE FOR RECORDER'S USE)

Agreement
(DOCUMENT TITLE)

SEPARATE PAGE, PURSUANT TO CA. GOV\*T. CODE 27361.6

Page 203 of 647

## Recording Requested by: FNTG Builder Services

EXEMPT RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:

> City of Beaumont Attention: City Clerk 550 East 6th Street Beaumont, CA 92223

> > LIEN CONTRACT (Lien Contract as Initial Security; Gov. Code Section 66499(a)(4))

THIS LIEN CONTRACT ("Lien Contract") is entered into this for day of December, 2016, by and between the CITY OF BEAUMONT, CALIFORNIA, a general law city ("City") and RSI COMMUNITIES – HEARTLAND, a Delaware limited liability company ("Owner").

## RECITALS

A. A predecessor-in-interest of the Owner sought and obtained the City's approval of Tentative Tract Map No. 27971 (the "Map"). A copy of the Map is on file in the Office of the City Clerk and is incorporated herein by reference.

B. As a condition precedent to approval of Parcel Map No. 34880 ("Final Map"), which Final Map was filed in Book 237, Pages 67 through 76, inclusive, of Parcel Maps, in the Office of the County Recorder of Riverside, California, LV Heartland LLC, a Delaware limited liability company ("LVH"), as predecessor-in-interest of the Owner, entered into that certain Agreement to Provide Security for Improvements for Tract Map or Parcel Map or Plot Plan dated July 17, 2014 ("Original Subdivision Improvement Agreement") to complete certain tasks and construct certain improvements as required by the Final Map and other entitlements including the Specific Plan and Final Environmental Impact Report applicable to the property subject to the Final Map ("Developer Obligations"). The Original Subdivision Improvement Agreement required LVH to provide security satisfactory to the City in accordance with and the Subdivision Map Act (Gov. Code, §§ 66462 and 66499).

C. The Developer Obligations remain outstanding and unperformed.

D. Owner and City have entered into that certain replacement Agreement to Provide Security for Improvements for Tract Map or Parcel Map or Plot Plan dated as of <u>Dec. 10</u>, 2016 ("New Subdivision Improvement Agreement") to replace the Original Subdivision Improvement Agreement and provide for the Owner's posting of new security in connection therewith.

**Infrastructure Streets** 

Page 2 of 17

E. City is authorized to accept the security proposed by Owner, known as a lien contract, under the provisions of Government Code Section 66499(a)(4) and, pursuant to the New Subdivision Improvement Agreement, City has agreed to accept the first lien on the terms and conditions hereof.

F. City has found and determined, pursuant to California Government Code Section 66499(a)(4) that "it would not be in the public interest to require the installation of the required improvement[s] sooner than two years after the recordation" of the Map.

NOW, THEREFORE, for good and valuable consideration, including the obligations herein and the trust herein created, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

### 1. Owner's Performance.

1.1

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a. Owner hereby grants to City, in accordance with the terms and conditions of this Lien Contract, a first lien upon the property described in <u>Attachment "A"</u> ("Property"), attached hereto, as security for the following obligations of Owner:

(1) Construction of the improvements ("Improvements") specified in the New Subdivision Improvement Agreement, in the estimated amount and for the purposes specified in <u>Attachment "B"</u> attached hereto; provided, however, that Owner's obligation hereunder shall extend to the actual cost of construction of the Improvements, notwithstanding that such costs may exceed the estimate set forth in <u>Attachment "B"</u>; and

(2) Payment of the fees or services ("Fees") required by the City in the amount required as a condition of approval of the Final Map.

(3) All of the Developer Obligations and the obligations of Owner under this Lien Contract and under the New Subdivision Improvement Agreement ("Obligations").

This lien secures said Improvements, Fees and Obligations (collectively, the "Secured Obligations").

b. For the purpose of securing payment and performance of the Secured Obligations, Owner hereby irrevocably and unconditionally grants, conveys, transfers and assigns to Fidelity National Title ("Trustee"), as trustee, in trust, WITH POWER OF SALE TOGETHER WITH THE RIGHT OF ENTRY AND POSSESSION, for the benefit and security of the City, all present and future rights, titles, interests, estates, powers and privileges that Owner now has or may hereafter acquire in or to the Property. Prior to obtaining any type of permit, including a grading or building permit, or commencing the installation and construction of any portion of the Improvements required by the New Subdivision Improvement Agreement, whichever occurs first, Owner shall deposit fees for inspections, tests and other related purposes, and shall substitute payment and performance bonds in amounts satisfactory to the City ("Suitable Future Bond") in place of this Lien Contract. Owner shall make the deposits specified herein in the amounts prescribed for such purposes at the time the deposit is due. Owner also

Infrastructure Streets

agrees to provide the Suitable Future Bond in the amounts and for the purposes set forth in the New Subdivision Improvement Agreement, except that the amounts shall be calculated using the estimated cost of the Improvement as of the time of the substitution of security, as ascertained by the City.

c. Owner shall perform and complete the Improvements required by the New Subdivision Improvement Agreement, including without limitation, the requirement that, except as otherwise agreed by the CITY, Improvements that are secured by one or more payment and performance bonds shall be constructed within one (1) year after the date on which the DEVELOPER has delivered such payment and performance bonds to the CITY.

### 2. City's Performance.

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Following City's approval and receipt of the substitute forms of security submitted by Owner pursuant to Paragraph 1(c) above and receipt of applicable Fees, City shall release the Property from the provisions of this Lien Contract, and shall execute any necessary release to enable Owner or its transferee to clear the record of title of the Property so released of the lien herein imposed.

### 3. Effect of Lien Contract.

a. From the date of recordation of this Lien Contract, a lien shall attach to the Property which shall have the priority of a judgment lien in an amount necessary to secure and discharge all obligations contained in this Lien Contract and New Subdivision Improvement Agreement, and any Fees.

b. Unless written consent of the City is obtained, the Owner shall not convey, lien or encumber any portion of or interest in the Property covered by this Lien Contract until Suitable Future Bonds or some other form of alternative security acceptable to the City has been provided and this Lien Contract has been released.

c. So long as this Lien Contract is utilized for security as described herein, offers of dedication for street purposes on the Property will not be accepted by the City.

The City shall not have an obligation to subordinate its rights hereunder to any other lender or encumbrancer unless substitute security in the form of a bond or letter of credit satisfactory to City is secured by Owner.

4. <u>Events of Default</u>. Upon the occurrence of any one of the following events, Owner shall be deemed in default hereunder:

a. Failure by Owner to deposit fees for inspections, tests and other specific purposes or to substitute Suitable Future Bonds or other forms of security satisfactory to City within the time allotted and as prescribed by this Lien Contract.

b. Commencement of any work on the Improvements by Owner, its agents or employees, prior to substitution of acceptable security, including, without limitation, Suitable Future Bonds, with the City in place of this Lien Contract.

**Infrastructure Streets** 

c. Failure by Owner to complete construction of the Improvements described in the New Subdivision Improvement Agreement within the time allotted and as prescribed in this Lien Contract, and otherwise extended pursuant to the terms of the New Subdivision Improvement Agreement.

d. The appointment, pursuant to an order of a court of competent jurisdiction, of a trustee, receiver or liquidator of the Property or any part thereof, or of Owner.

e. The filing by Owner of a petition in bankruptcy or for an arrangement or for reorganization pursuant to the Federal Bankruptcy Code or any similar law, federal or state, or the adjudication of Owner as a bankrupt or as insolvent by a decree of a court of competent jurisdiction, or the making of an assignment for the benefit of creditors, or the admission by Owner in writing of its inability to pay its debts generally as they become due, or the giving of consent by Owner to the appointment of a receiver or receivers of all or any part of its property, including the Property.

f. The filing by any of the creditors of Owner or the reorganization of Owner pursuant to the Federal Bankruptcy Code or any similar law, federal or state and the same is not discharged within ninety (90) days after the date of filing thereof.

g. Levy of any attachment or writ of execution against Owner and the Property whereby the Property is taken or occupied or attempted to be taken or occupied by someone other than Owner and such attachment or execution is not released within (60) days.

h. Sale of any lot or lots shown on the Map prior to release of the lien created by this Lien Contract, except as provided in Paragraph 3(b).

i. Failure of owner to pay the Fees described in Paragraph 1(a)(2) above, at the time required.

j. Breach by Owner of any other term or condition of this Lien Contract or the Subdivision Improvement Agreement, or Owner's failure to fully and faithfully discharge its obligations hereunder within the time specified herein.

k. Failure to pay prior to delinquency any taxes, assessments, fees or other amounts the payment of which are secured by a lien against part or all of the Property.

1. Failure of Owner to maintain liability insurance in the amount of at least \$2,000,000.00 per occurrence and in the aggregate on the Property naming City as an additional insured.

m. The occurrence of any waste, violation of an ordinance, violation of a condition of a approval or nuisance on the Property which is not cured by Owner within thirty (30) days following written notice from City.

n. The breach or violation of any other subdivision improvement agreement, or lien contract between City and Owner beyond any applicable notice and cure period.

Infrastructure Streets

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All references to Owner in this Paragraph 4 shall be deemed to include Owner's successors, assignees and transferees.

5. <u>City's Remedies</u>. Upon the occurrence of any of the events described in Paragraph 4, above, City may, at its option, declare all obligations, amounts and indebtedness secured hereby immediately due and payable without any presentment, demand, protest, or notice, and take one or more of the actions below:

a. Pursue any or all of the remedies provided in the New Subdivision Improvement Agreement;

**b**. Commence and maintain an action or actions to foreclose this lien by appropriate action in court or as provided by law for the non-judicial foreclosure of mortgages or deeds of trust under power of sale pursuant to California Civil Code Sections 2924, 2924(b) and 2924(c), and Owner agrees that the amount of said lien shall include attorneys' fees as provided in Paragraph 6(b) below. CITY will deposit with TRUSTEE this Lien Contract, the New Subdivision Improvement Agreement, and any receipts and evidence of expenditures made and secured as TRUSTEE may require. If notice of default has been given as then required by law, and after lapse of the time that may then be required by law, after recordation of the notice of default, TRUSTEE, without demand on OWNER, will, after notice of sale having been given as required by law, sell the Property at the time and place of sale fixed by it in the notice of sale, either as a whole or in separate parcels as TRUSTEE determines, and in any order that it may determine, at public auction to the highest bidder. TRUSTEE may postpone sale of all or any portion of the Property by public announcement at the time and place of sale, and from time to time after that may postpone the sale by public announcement at the time fixed by the preceding postponement, and without further notice make the sale at the time fixed by the last postponement; or TRUSTEE may, in its discretion, give a new notice of sale. CITY may rescind any notice of default at any time before TRUSTEE's sale by executing a notice of rescission and recording it. The recordation of the notice will constitute a cancellation of any prior declaration of default and demand for sale and of any acceleration of maturity of obligations affected by any prior declaration or notice of default. The exercise by CITY of the right of rescission will not constitute a waiver of any default then existing or subsequently occurring, or impair the right of CITY to execute other declarations of default and demand for sale, or notices of default and of election to cause the Property to be sold, nor otherwise affect the Lien Contract, the New Subdivision Improvement Agreement, or any of the rights, obligations, or remedies of CITY or TRUSTEE. After sale, TRUSTEE will deliver to the purchaser its deed conveying the property sold, but without any covenant or warranty, express or implied. The recitals in the deed of any matters or facts will be conclusive proof of their truthfulness. Any Person, including Owner, TRUSTEE, or CITY, may purchase at that sale. If allowed by law, CITY, if it is the purchaser, may turn in the New Subdivision Security Agreement at the amount owing on it toward payment of the purchase price (or for endorsement of the purchase price as a payment if the amount owing exceeds the purchase price). TRUSTEE, upon the sale, will make (without any covenant or warranty, express or implied), execute and, after due payment made, deliver to a purchaser and its heirs or assigns a deed or other record of interest, as the case may be, to the Property

**Infrastructure Streets** 

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sold, which will convey to the purchaser all the title and interest of Owner in the Property and will apply the proceeds of the sale in payment first, of the expenses of the sale together with the expenses of the trustee, including, without limitation, attorney fees, that will become due on any default made by OWNER, and also any sums that TRUSTEE or CITY have paid for procuring a search of the title to the Property subsequent to the execution of this Lien Contract; and second, of the Secured Obligations then remaining unpaid. TRUSTEE will pay the balance or surplus of the proceeds of sale, if any, to OWNER and its successors or assigns as its interests may appear;

c. Commence and maintain an action or actions in any court of competent jurisdiction to foreclose this instrument as a mortgage or to obtain specific enforcement of the covenants of Owner hereunder, and Owner agrees that such covenants shall be specifically enforceable by injunction or any other appropriate equitable remedy and that for the purposes of any suit brought under this subparagraph, Owner waives the defense of latches and any applicable statute of limitations;

d. Estimate the cost of the work required to complete the Improvements which estimate shall be deemed a debt and obligation in a liquidated sum of Owner, and judicially or non-judicially foreclose said lien in said amount; and

e. Pursue any other remedy, legal or equitable including but not limited to those for the foreclosure of a lien, and Owner, its assigns, shall pay reasonable attorneys' fees as a cost in said proceedings.

6. <u>General Provisions</u>.

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a. <u>Recordation</u>. This Lien Contract shall be recorded by City with the Recorder's Office of the County of Riverside immediately following execution of this Lien Contract by (1) all parties hereto, and (2) all parties having any record title interest in the subject real property, pursuant to Government Code Section 66436, acknowledging subordination of their interests to this Lien Contract.

b. <u>Attorneys' Fees</u>. City shall be entitled to reasonable attorneys' fees, paralegal fees, and other charges, expenses and costs incurred in enforcing its rights under this Lien Contract.

c. <u>Contingency</u>. This Lien Contract shall not take effect until it has been approved by the City and recorded.

d. <u>Entire Agreement</u>. This Lien Contract together with all attachments and other agreements expressly referred to herein, constitutes the entire agreement between the parties with respect to the subject matter contained herein. All prior or contemporaneous agreements, understandings, representations, warranties and statements, oral or written, are superseded.

e. <u>Further Assurances</u>. The parties agree to perform such further acts and to execute and deliver such additional documents and instruments as may be reasonably required in order to carry out the provisions of this Lien Contract and the intentions of the parties.

**Infrastructure Streets** 

f. <u>Governing Law</u>. This Lien Contract shall be governed, interpreted, construed and enforced in accordance with the laws of the State of California.

g. <u>Headings</u>. The captions and Section headings used in this Lien Contract are inserted for convenience of reference only and are not intended to define, limit or affect the construction or interpretation of any term or provision hereof.

h. <u>Modification, Waiver</u>. No modification, waiver, amendment or discharge of this Lien Contract shall be valid unless the same is in writing and signed by all parties.

i. <u>No Other Inducement</u>. The making, execution and delivery of this Lien Contract by the parties hereto has been induced by no representations, statements, warranties or agreements other than those expressed herein.

j. <u>Severability</u>. If any term, provision, covenant or condition of this Lien Contract is held to be invalid, void or otherwise unenforceable, to any extent, by any court of competent jurisdiction, the remainder of this Lien Contract shall not be affected thereby, and each term, provision, covenant or condition of this Lien Contract shall be valid. and enforceable to the fullest extent permitted by law.

k. <u>Execution in Counterparts</u>. This Lien Contract may be executed in counterparts, each of which shall be deemed an original, but which together shall constitute a single agreement.

If City or the Trustee is made a party to or is threatened with any litigation 1 concerning this Lien Contract or the New Subdivision Improvement Agreement the Property or any part thereof or interest therein, or the actions or omissions of Owner on the Property then Owner shall indemnify, defend and hold City and Trustee harmless for, from and against all liability by reason of said threat and/or litigation, including reasonable attorneys' fees and expenses incurred by City as a result of any such threat and/or litigation, whether or not any such threat and/or litigation is prosecuted to judgment; provided, however, that the indemnification to be provided by Owner to the City pursuant to the terms of this paragraph shall not be applicable where the aforementioned liability, claim, suit, action, et cetera, is the result of the sole negligence or sole willful misconduct of the City. City or Trustee may employ an attorney or attorneys to protect its rights hereunder, and in the event of such employment following any breach of the foregoing obligation by Owner, Owner shall pay City and Trustee reasonable attorneys' fees and expenses incurred by City or Trustee, whether or not an action is actually breach. commenced against Owner or Trustee by reason of its

**Infrastructure Streets** 

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IN WITNESS WHEREOF, the Parties have caused this instrument to be executed as of the day and year first written above.

**NT** CI By Michael UARA Date

Signature Page of Lien Contract

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## ACKNOWLEDGMENT

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

## STATE OF CALIFORNIA COUNTY OF <u>Riverside</u> On <u>Dec 12</u>, <u>16</u>, before me, <u>Nicole Wheeboriakts</u>, <u>Notary</u> <u>Public</u> (here insert name and title of the officer) personally appeared <u>Michael Lava</u>

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

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

WITNESS my hand and official seal.

Signature



(Seal)

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## **DEVELOPER:**

RSI COMMUNITIES – HEARTLAND LLC, a Delaware limited liability company

| By:    | Oto                             |
|--------|---------------------------------|
| Name:  | DARIUS FATAKIA                  |
| Title: | VICE PRESIDENT LAND DEVELOPMENT |

12/12/16 Date

Address: 620 Newport Center Drive, 12<sup>th</sup> Floor Newport Beach, CA 92660

Signature Page of Lien Contract

## ACKNOWLEDGMENT

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

## STATE OF CALIFORNIA COUNTY OF <u>Orange</u> On <u>December 13</u>, <u>3016</u>, before me, <u>Amber LaRae Churchin, Notary Rublic</u>, (here insert name and title of the officer) personally appeared <u>Darius Fotaria</u>,

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

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

WITNESS my hand and official seal.

Signature



(Seal)

## ATTACHMENT A

## LEGAL DESCRIPTION OF PROPERTY

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

### PARCEL 1:

LOTS 1 THROUGH 69, INCLUSIVE, AND LETTERED LOTS "A" THROUGH "F", INCLUSIVE, OF TRACT NO. 27971-1, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 443, PAGES 95 THROUGH 99, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

#### PARCEL 2:

LOTS 1 THROUGH 59, INCLUSIVE, AND LETTERED LOTS "A" THROUGH "G", INCLUSIVE, OF TRACT NO. 27971-2, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 443, PAGES 100 THROUGH 104, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

#### PARCEL 3:

LOTS 1 THROUGH 84, INCLUSIVE, AND LETTERED LOTS "A" THROUGH "F", INCLUSIVE, OF TRACT NO. 27971-3, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 444, PAGES 1 THROUGH 5, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

#### PARCEL 4:

LOTS 1 THROUGH 73, INCLUSIVE, AND LETTERED LOTS "A" THROUGH "F", INCLUSIVE, OF TRACT NO. 27971-4, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 444, PAGES 6 THROUGH 9, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

#### PARCEL 5:

LOTS 1 THROUGH 127, INCLUSIVE, AND LETTERED LOTS A THROUGH J, INCLUSIVE, OF TRACT NO. 27971-5, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 448, PAGES 58 THROUGH 63, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 6:

LOTS 1 THROUGH 72, INCLUSIVE, AND LETTERED LOTS "A" THROUGH "E", INCLUSIVE, OF TRACT NO. 27971-6, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 444, PAGES 10 THROUGH 14, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

### PARCEL 7:

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LOTS 1 THROUGH 63, INCLUSIVE, AND LETTERED LOTS "A" THROUGH "E", INCLUSIVE, OF TRACT NO. 27971-7, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 444, PAGES 15 THROUGH 19, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

### PARCEL 8:

LOTS 1 THROUGH 83, INCLUSIVE, AND LETTERED LOTS "A" THROUGH "G", INCLUSIVE, OF TRACT NO. 27971-8, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 444, PAGES 20 THROUGH 24, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

#### PARCEL 9:

LOTS 1 THROUGH 102, INCLUSIVE, AND LETTERED LOTS "A" THROUGH "F", INCLUSIVE, OF TRACT NO. 27971-9, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 444, PAGES 25 THROUGH 30, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

#### PARCEL 10:

LOTS 1 THROUGH 153, INCLUSIVE, AND LETTERED LOTS "A" THROUGH "J", INCLUSIVE, OF TRACT NO. 27971-10, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 444, PAGES 31 THROUGH 36, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

#### PARCEL 11:

LOTS 1 THROUGH 66, INCLUSIVE, AND LETTERED LOTS "A" THROUGH "D", INCLUSIVE, OF TRACT NO. 27971-11, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 444, PAGES 37 THROUGH 40, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

### PARCEL 12:

LOTS 1 THROUGH 67, INCLUSIVE, AND LETTERED LOTS "A" THROUGH "E", INCLUSIVE, OF TRACT NO. 27971-12, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 444, PAGES 41

Attachment A – Legal Description

THROUGH 44, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER. OF SAID COUNTY.

PARCEL 13:

PARCELS 13, 14, 15, 16, 17, 18 AND 19 THROUGH 23, INCLUSIVE OF PARCEL MAP NO. 34880, RECORDED IN BOOK 237 OF PARCEL MAPS, PAGES 67 THROUGH 76, INCLUSIVE, RECORDS OF RIVERSIDE COUNTY, STATE OF CALIFORNIA.

#### PARCEL 14:

LETTERED LOTS A THROUGH Z, AND AA OF PARCEL MAP NO. 34880, RECORDED IN BOOK 237 OF PARCEL MAPS, PAGES 67 THROUGH 76, INCLUSIVE, RECORDS OF RIVERSIDE COUNTY, STATE OF CALIFORNIA.

Attachment A - Legal Description

# ATTACHMENT B

# DESCRIPTION OF IMPROVEMENTS

Attachment B - Description of Improvements

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## Exhibit B

### Description: Tract 27971 Infrastructure – Streets

Amount: \$4,575,000.00

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Page 220 of 647

## Basic Gov (Sales Force) # 17-4110,17-4112 File # 3122,3121,3(30

### EXHIBIT "A"

Bond No.: 1001054050 Premium: \$105,813.00/2 yrs.

### PERFORMANCE BOND

WHEREAS, the City Council of the City of Beaumont, State of California, and RSI Communities -<u>California LLC, a Delaware limited liability company</u> (hereinafter designated as "Principal") have entered into Agreement To Provide Security For Improvements For Tract Map Or Parcel Map Or Plot Plan, dated <u>September</u>, 20<u>17</u>, whereby Principal agrees to install and complete certain designated public improvements itemized and described on Tract Map, Parcel Map or Plot Plan No. <u>27971</u>, which is hereby incorporated herein and made a part hereof; and

WHEREAS, Principal is required under the terms of the said agreement to furnish a bond for the faithful performance of said agreement.

NOW, THEREFORE, we, the Principal and American Contractors Indemnity Company as Surety, are held and firmly bound unto the City of Beaumont (hereinafter called "City"), in the penal sum of Seven million fifty four thousand two hundred eleven dollars and twenty six cents (\$7,054,211.26) lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, successors, executors and administrators, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the Principal, his or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or their part to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City, its officers, agents and employees as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

As part of the obligation secured hereby and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment therein rendered.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on September 13th \_\_\_\_\_, 20 17 .

**PRINCIPAL:** 

RSI Communities - California LLC , a Delaware limited liability company

By.

Title Darius Fatakia Vice President Land Development

SURETY:

American Contractors Indemnity Company

By

Title Shane Wolf, Attorney-in-Fact

|                                                                                                                                                                               | A second a line of h                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |  |  |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|
|                                                                                                                                                                               | Agenda Item N                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |  |  |  |
| ALL- PURPOSE                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |  |  |  |
| CERTIFICATE OF ACKNOWLEDGMENT                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |  |  |  |
|                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |  |  |  |
| A notary public or other officer completing this identity of the individual who signed the docum is attached, and not the truthfulness, accuracy, o                           | ent to which this certificate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |  |  |  |
| State of California                                                                                                                                                           | }                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |  |  |  |
| County of Orange                                                                                                                                                              | }                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |  |  |  |
| On <u>September 13, 2017</u> before me, <u>September 13, 2017</u>                                                                                                             | Gusan E. Morales, Notary Public<br>(Here insert name and title of the officer)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  |  |  |  |
| name(s) is/are subscribed to the within in he/she/they executed the same in his/he                                                                                            | <del>n/their</del> authorized capacity <del>(ies)</del> , and that by<br>ent the person( <del>s)</del> , or the entity upon behalf of                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |  |  |  |
| the foregoing paragraph is true and correct WITNESS my hand and official seal.                                                                                                | under the laws of the State of California that<br>ect.<br>SUSAN E. MORALES<br>COMM. # 2101798<br>NOTARY PUBLIC - CALIFORNIA<br>ORANGE COUNTY<br>My Comm. Expires March 28, 2019                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |  |  |  |
| ADDITIONAL OPTIONAL INFORMATION                                                                                                                                               | ON INSTRUCTIONS FOR COMPLETING THIS FORM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |  |  |  |
| DESCRIPTION OF THE ATTACHED DOCUMENT<br>Bond #1001054050                                                                                                                      | This form complies with current California statutes regarding notary wording and,<br>if needed, should be completed and attached to the document. Acknolwedgents from<br>other states may be completed for documents being sent to that state so long as the<br>wording does not require the California notary to violate California notary law.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |  |  |  |
| (Title or description of attached document)<br>American Contractors Indemnity Co.<br>(Title or description of attached document continued)                                    | <ul> <li>State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.</li> <li>Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.</li> <li>The notary public must print his or her name as it appears within his or her</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |  |  |  |
| Number of Pages _1 Document Date                                                                                                                                              | <ul> <li>commission followed by a comma and then your title (notary public).</li> <li>Print the name(s) of document signer(s) who personally appear at the time of notarization.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |  |  |  |
| CAPACITY CLAIMED BY THE SIGNER          Individual (s)         Corporate Officer         (Title)         Partner(s)         Attorney-in-Fact         Trustee(s)         Other | <ul> <li>Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/shc/they-, is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.</li> <li>The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.</li> <li>Signature of the notary public must match the signature on file with the office of the county clerk.</li> <li>Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.</li> <li>Indicate title or type of attached document, number of pages and date.</li> <li>Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).</li> </ul> |  |  |  |  |

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Securely attach this document to the signed document with a staple.

### EXHIBIT "B"

Bond No.: 1001054050 Premium included with the Performance Bond

### PAYMENT BOND

WHEREAS, the City Council of the City of Beaumont, State of California, and RSI Communities - California LLC, a Delaware limited liability company (hereafter designated as "the Principal") have entered into Agreement To Provide Security For Improvements For Tract Map Or Parcel Map Or Plot Plan, dated <u>September</u>, 2017, whereby Principal agrees to install and complete certain designated public improvements itemized and described on Tract Map, Parcel Map or Plot Plan No. <u>27971</u>, which is hereby incorporated herein and made a part hereof; and

WHEREAS, under the terms of the said agreement, the Principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Beaumont to secure the claims to which reference is made in Section 8000, et seq., of the Civil Code of the State of California. (\$7,054,211.26)

NOW, THEREFORE, the Principal and the undersigned as corporate surety, are held firmly bound unto the City of Beaumont and all contractors, subcontractors, laborers, materialmen, and other persons employed in the performance of the said agreement and referred to at Section 8000, et seq., of the Civil Code in the sum of Seven million filly four thousand two hundred etven dollars and twenty six cents (\$7,054,211.26) for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to this work or labor, that the Surety will pay the same in an amount not exceeding the amount hereinabove set forth, and also in case suit is brought upon this bond, will pay, in addition to the face amount thereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City in successfully enforcing this obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgment therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies, and corporations entitled to file claims under Section 8000, et seq., of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligations on this bond, and it does hereby waive notice of any such change, extension, alteration, or addition.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on September 13th \_\_\_\_\_, 20 17 \_\_\_\_.

PRINCIPAL:

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RSI Communities - California LLC , a Delaware limited liability company

By

Title Darius Fatakia Mce President Land Development

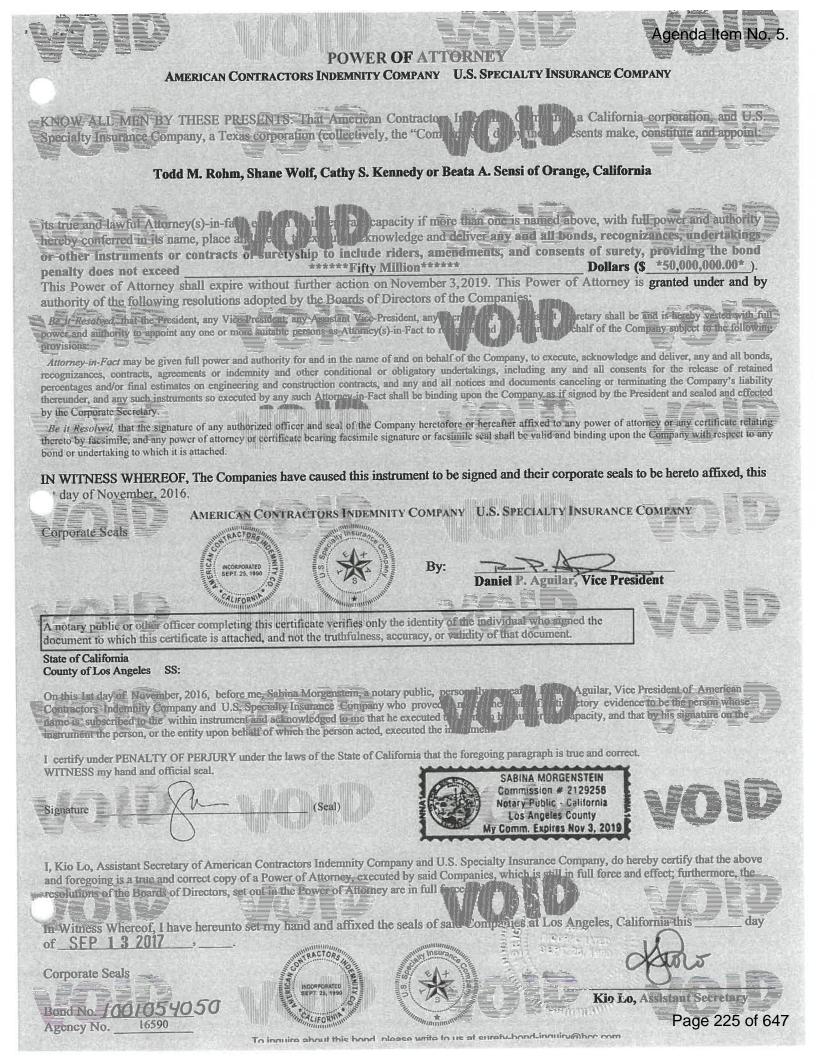
SURETY:

American Contractors Indemnity Company

By

Title Shane Wolf, Attorney-in-Fact

| ALL- PURPOSE<br>CERTIFICATE OF ACKNOWLEDGMENT                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |  |  |  |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|--|
| A notary public or other officer completing this identity of the individual who signed the docur is attached, and not the truthfulness, accuracy,                                                                                                                                  | nent to which this certificate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |  |  |  |  |
| State of California                                                                                                                                                                                                                                                                | }                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  |  |  |  |  |
| County of Orange                                                                                                                                                                                                                                                                   | }                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  |  |  |  |  |
| On <u>September 13, 2017</u> before me, _                                                                                                                                                                                                                                          | Susan E. Morales, Notary Public<br>(Here insert name and title of the officer)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |  |  |  |  |
| he/ <del>she/they</del> executed the same in his/he<br>his/ <del>her/their</del> signature( <del>s)</del> on the instrume<br>which the person( <del>s)</del> acted, executed the                                                                                                   | instrument and acknowledged to me that<br>e <del>r/their</del> authorized capacity( <del>ies)</del> , and that by<br>ent the person( <del>s)</del> , or the entity upon behalf of<br>e instrument.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |  |  |  |  |
| the foregoing paragraph is true and con<br>WITNESS my hand and official seal.                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |  |  |  |  |
| ADDITIONAL OPTIONAL INFORMATI<br>DESCRIPTION OF THE ATTACHED DOCUMENT<br>Bond #1001054050<br>(Title or description of attached document)<br>American Contractors Indemnity Co.<br>(Title or description of attached document continued)<br>Number of Pages 1 Document Date 9/13/17 | <ul> <li>This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknolwedgents from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.</li> <li>State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.</li> <li>Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.</li> <li>The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).</li> <li>Print the name(s) of document signer(s) who personally appear at the time of</li> </ul>                                                                                                                                                                                 |  |  |  |  |  |
| CAPACITY CLAIMED BY THE SIGNER  Individual (s) Corporate Officer (Title) Partner(s) Attorney-in-Fact Trustee(s) Other 2015 Version www.NotaryClasses.com 800-873-9865                                                                                                              | <ul> <li>notarization.</li> <li>Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/shc/they, is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.</li> <li>The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.</li> <li>Signature of the notary public must match the signature on file with the office of the county clerk.</li> <li>Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.</li> <li>Indicate title or type of attached document, number of pages and date.</li> <li>Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).</li> <li>Securely attach this document to the signed document with a staple.</li> </ul> |  |  |  |  |  |



### **CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

CIVIL CODE § 1189

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

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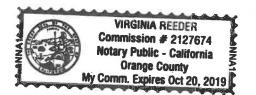
)

State of California

County of ORANGE

DARIUS FATAKIA,

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



of the State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal.

Signature Signature of Notary Public

I certify under PENALTY OF PERJURY under the laws

Place Notary Seal Above

### **CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

CIVIL CODE § 1189

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

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State of California

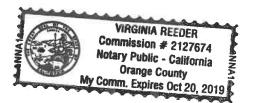
County of ORANGE

On September 15, 2017 before me, Virginia Reeder, Notary Public, personally appeared \_\_\_\_\_

Name(s) of Signer(s)

DARIUS FATAKIA,

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



Place Notary Seal Above

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

WITNESS my hand and official seal.

Signature Signature of Notary Public

Agenda Item No. 5.

Rev. 02/25/2015

Basic Gov (Sales Force) # [7-4110, 17-4112, File # 3122, 3121, 3130

### AGREEMENT TO PROVIDE SECURITY FOR IMPROVEMENTS FOR TRACT MAP OR PARCEL MAP OR PLOT PLAN (Tract Map/Parcel Map/Plot Plan No. 27971\_)

THIS SECURITY AGREEMENT is made by and between CITY OF BEAUMONT ("CITY") and <u>RSI Communities - California LLC</u>, <u>a Delaware limited liability</u> company ("DEVELOPER").

### RECITALS

A. DEVELOPER has applied to the CITY for permission to develop certain real property, pursuant to Tract Map/Parcel Map/Plot Plan # <u>27971</u>, ("Map"). DEVELOPER has also asked the CITY to accept the dedication of the street or streets and other proposed public rights-of-way, parks and recreation facilities, and easements as depicted on the Map and to otherwise approve the Map so that it may be recorded as required by law; and

B. The CITY requires, as a condition precedent to the acceptance and approval of the Map and the dedication of the public rights-of-way and easements depicted thereon, that such rights-of-way be improved with (for example) grading, paving, curbs, gutters, sidewalks, street lights, stormdrains, sanitary sewers and appurtenances thereto, street name signs, survey monuments, electrical and telecommunications, water pipes, water mains, fire hydrants and appurtenances thereto, and landscaping, including any warranty work for all such improvements (collectively, "Improvements"); and

C. The Improvements have not yet been constructed and completed and it is the purpose of this Security Agreement to set forth the terms and conditions by which the DEVELOPER shall guarantee that such Improvements shall be constructed and completed within the time set forth herein.

### AGREEMENT

NOW, THEREFORE, in consideration of the acceptance of the DEVELOPER's offer of dedication and the approval of the Map for filing and recording as provided and required by law, the CITY and the DEVELOPER hereby agree as follows:

1. <u>Provision of Improvements.</u> DEVELOPER shall provide, at the DEVELOPER's sole cost and expense, all necessary labor and materials to complete the construction of the Improvements depicted on the Map and described in the conditions of approval of the Map within one (1) year of the date of this Security Agreement.

2. <u>Inspection by the CITY</u>. The CITY shall inspect, at the DEVELOPER's sole cost and expense, all of the work, labor and materials performed and provided by the DEVELOPER in connection with the Improvements. 3. <u>Compliance with Plans and Specifications.</u> The Improvements shall be constructed and installed in strict accordance with the CITY-approved plans and specifications.

4. <u>Security for Performance.</u> Concurrently with the execution of this Security Agreement by DEVELOPER, DEVELOPER shall deliver to the CITY a performance bond issued by a corporate surety in substantially the form attached hereto as **Exhibit "A"**, in an amount that is not less than 100% of the total estimated cost of the Improvements and any warranty therefor. The performance bond shall be issued by an "admitted" corporate surety insurer authorized to do business in the State of California and the surety insurer shall have an A.M. Best rating of at least "A, XV". The surety insurer shall have assets exceeding its liabilities in the amount equal to or in excess of the amount of the bond, and the bond shall not be in excess of 10% of the surety insurer's assets. The security or bond shall also insure against any and all defects in the Improvements for a period of not less than one full year after the date of acceptance thereof by the CITY. The bond shall be duly executed and shall meet all the requirements of Section 995.660 of the California Code of Civil Procedure.

5. <u>Security for Contractors, Subcontractors, Laborers and Materialmen.</u> The DEVELOPER shall also provide a payment bond issued by a corporate surety for the security of laborers and materialmen, which bond or bonds shall be in substantially the form attached hereto as **Exhibit "B"** and made a part hereof. The amount of the bond(s) shall be no less than 100% of the total estimated amount needed to secure payment to the contractor, to the subcontractors, and to the persons furnishing labor, materials, or equipment to them for the Improvements. The laborers and materialmen bond shall be provided by an "admitted" corporate surety insurer authorized to transact surety insurance in the State of California with an A.M. Best rating of "A, XV", and with assets exceeding its liabilities in the amount equal to or in excess of the amount of the bond, and the bond shall not be in excess of 10% of the surety insurer's assets. The bond shall be duly executed and shall meet all the requirements of Section 995.660 of the California Code of Civil Procedure.

General Liability and Worker's Compensation Insurance. The DEVELOPER 6. shall, before commencing any work, obtain commercial general liability insurance (primary) of not less than \$2,000,000.00 per occurrence for all coverages and \$2,000,000.00 general aggregate. The CITY and its employees and agents shall be added as additional insureds. Coverage shall apply on a primary non-contributing basis in relation to any other insurance or self-insurance, primary or excess, available to the CITY or any employee or agent of the CITY. Coverage shall not be limited to the vicarious liability or supervisory role of any additional insured. Coverage shall contain no contractors' limitation endorsement. There shall be no endorsement or modification limiting the scope of coverage for liability arising from pollution, explosion, collapse, underground property damage or employment-related practices. Such insurance shall not prohibit the DEVELOPER, and its employees or agents, from waiving the right of subrogation prior to a loss. The DEVELOPER waives its right of subrogation against the CITY. Unless otherwise approved by the CITY, the DEVELOPER's insurance shall be written by insurers authorized to do business in the State of California and with a minimum A.M. Best rating of "A, XV." Self-insurance shall not be considered to comply with these insurance specifications. The DEVELOPER agrees to require all contractors, subcontractors and other parties hired for the Improvements to purchase and maintain insurance of the types specified herein, naming as additional insureds all of the parties to this Security Agreement. The DEVELOPER shall, before commencing any work, obtain Worker's Compensation Insurance in an amount required by law and, failing to do so, the CITY may procure such insurance at the cost of the DEVELOPER.

7. <u>Comprehensive Commercial General and Automobile Liability Insurance</u>. The DEVELOPER, before commencing any work shall, at its own expense, maintain comprehensive commercial general and automobile liability insurance issued by a California-admitted surety company with an A.M. Best rating of no less than "A, XV" for \$2,000,000 per occurrence. Coverage shall be for the entire duration of the permitted activities. Such liability insurance policy shall name, by endorsement, the City as an additional insured.

8. Indemnification. Notwithstanding the provisions of Government Code, Section 66474.9 or any other statutes of similar import, and to the full extent permitted by law, the DEVELOPER shall defend, indemnify and hold harmless the CITY, its employees, agents, officials and attorneys, from and against any liability, claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses or costs of any kind or nature, whether actual, alleged or threatened, reasonable attorneys' fees, court costs, interest, expert witness fees and any other costs or expenses of any kind whatsoever, without restriction or limitation, incurred in relation to, as a consequence of, or arising out of or in any way attributable actually, allegedly or impliedly, in whole or in part, to the Map, the Improvements, this Agreement, or any matter related to the same; provided, however, that the indemnification to be provided by DEVELOPER to the CITY pursuant to the terms of this paragraph shall not be applicable where the aforementioned liability, claim, suit, action, etcetera, is the result of the sole negligence or sole willful misconduct of the CITY.

9. <u>Procedure for Release of Performance Bond Security.</u> The security furnished by the DEVELOPER shall be released in whole or in part in the following manner:

a. Security shall be released upon final completion and acceptance of the Improvements. If the security furnished by the DEVELOPER is a documentary evidence of security, such as a surety bond, the CITY shall release the documentary evidence and return the original to the Surety upon final completion and acceptance of the Improvements. In the event the CITY is unable to return the original documentary evidence to the Surety, the security shall be released by written notice sent by certified mail to the DEVELOPER and to the Surety within 30 days of the City's acceptance of the Improvements. The written notice shall contain a statement that the work for which security was furnished has been completed and accepted, a description of the Improvements, and the notarized signature of an authorized CITY official.

b. At such time as the DEVELOPER believes that the work for which the security was required is complete and makes payment of a partial exoneration fee of \$350 to the CITY, the DEVELOPER shall notify the CITY in writing of the completed work, including a list of work completed. Upon receipt of the written notice, the CITY shall have 45 days to review and comment or approve the completion of the Improvements. If the CITY does not agree that all work has been completed in accordance with the plans

and specifications for the Improvements, it shall supply a list of all remaining work to be completed.

c. Within 45 days of receipt of the CITY's list of remaining work, the DEVELOPER may then provide cost estimates for all remaining work for review and approval by the CITY.

d. Upon receipt of the cost estimates, the CITY shall then have 45 days to review, comment, and approve, modify or disapprove those cost estimates. The CITY shall not be required to engage in this process of partial release more than once between the start of work and the completion and acceptance of all work.

e. The DEVELOPER shall complete the works of Improvement until all remaining items are accepted by the CITY. Upon completion of the Improvements, the DEVELOPER shall be notified in writing by the CITY within 45 days and, within 45 days of the date of the CITY's notice, the release of any remaining performance security shall be made within 60 days of the recording of the Notice of Completion.

10. <u>Procedure for Release of Payment Bond Security.</u> Security securing the payment to the contractor, his or her subcontractors and persons furnishing labor, materials or equipment may, after passage of the time within which mechanic's liens and stop notices are required to be recorded and after acceptance of the Improvements, be reduced by Surety to an amount equal to the total claimed by all claimants for whom mechanic's liens and stop notices have been recorded and notice thereof given in writing to the CITY, and if no claims have been recorded, the security may be released in full.

11. <u>Security for One-Year Warranty Period</u>. The release procedures described in paragraphs 9 and 10 above shall not apply to any required guarantee and warranty period nor to the amount of the performance bond security deemed necessary by the CITY for the guarantee and warranty period nor to costs and reasonable expenses and fees, including reasonable attorneys' fees.

12. <u>Binding Effect.</u> This Security Agreement shall be binding upon and shall inure to the benefit of the parties hereto, their legal representatives and their successors and assigns.

13. <u>Authority to Execute</u>. The DEVELOPER hereby warrants and represents to the CITY that the individual signing this Security Agreement on behalf of the DEVELOPER is vested with the unconditional authority to do so pursuant to, and in accordance with, all applicable legal requirements, and has the authority bind the DEVELOPER hereto.

14. <u>No Assignment.</u> The DEVELOPER may not assign this Security Agreement, or any part thereof, to another without the prior written consent of the CITY.

15. <u>Attorneys' Fees.</u> In the event of legal action to enforce or interpret this Agreement or any of its provisions, the prevailing party shall be entitled, in addition to any other form of relief, to recover its reasonable attorneys' fees and costs of suit.

16. <u>Execution in Counterparts.</u> This Agreement may be executed in counterparts, each of which shall be deemed an original, but which together shall constitute a single agreement.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the dates listed below.

CITY OF BEAUMONT By fley Whith Mayor 10/12 Date **DEVELOPER** By Date **Darius Fatakia** Vice President Land Development Title: Address: 

### **RECORDING REQUESTED BY:**

### AND WHEN RECORDED MAIL TO:

RSI Communities – California LLC 4695 MacArthur Court Floor 8 Newport Beach, CA 92660 Attn: Legal Department

APN:

SPACE ABOVE THIS LINE FOR RECORDER'S USE

## RELEASE OF LIEN

That certain Lien Contract against RSI Communities-California LLC, as successor by merger to RSI Communities – Heartland LLC, a Delaware limited liability company recorded on February 23, 2017 as Instrument No. 2017-0076559 of Official Records of Riverside County, California is hereby fully satisfied, released and discharged.

The property affected by this release is described as follows:

See Exhibit "A"

Dated: July 29, 2019

### **CITY OF BEAUMONT**

|                                                             |                                        | By:           |                      |                                                                                                                  |
|-------------------------------------------------------------|----------------------------------------|---------------|----------------------|------------------------------------------------------------------------------------------------------------------|
|                                                             |                                        |               | Mayor                |                                                                                                                  |
| A notary public or other offic document to which this certi |                                        |               |                      | the individual who signed the validity of that document.                                                         |
| STATE OF CALIFORNIA                                         |                                        | )<br>) SS.    |                      |                                                                                                                  |
| COUNTY OF                                                   |                                        | _)            |                      |                                                                                                                  |
| On                                                          | before me,                             |               |                      | , Notary Public, personally                                                                                      |
| appeared                                                    |                                        |               |                      |                                                                                                                  |
| within instrument and acl                                   | knowledged to n<br>s/her/their signatu | ne that he/sh | ne/they executed the | se name(s) is/are subscribed to the<br>same in his/her/their authorized<br>), or the entity upon behalf of which |

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

WITNESS my hand and official seal.

Signature\_\_\_\_\_

### EXHIBIT A

### LEGAL DESCRIPTION OF PROPERTY

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 5: (414-510-001 THROUGH 414-520-070)

LOTS 1 THROUGH 127, INCLUSIVE, AND LETTERED LOTS A THROUGH J, INCLUSIVE, OF TRACT NO. 27971-5, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 448, PAGES 58 THROUGH 63, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

# 8

RECORDING REQUESTED BY

NAME: FNTG Builder Services 23015746-SG

### WHEN RECORDED MAIL TO:

war: City of Beaumont, Attn: City Clerk

Aboress: 550 East 6th Street

GTTY/STATE/ZEE Beaumont, CA 92223

(DOCUMENT WILL ONLY BE RETURNED TO NAME & ADDRESS IDENTIFIED ABOVE)

(SPACE ABOVE FOR RECORDER'S USE)

DOC # 2017-0076559

**Recorded in Official Records** 

Receipted by: SOPHIA #466

Assessor-County Clerk-Recorder

\*\*This document was electronically submitted to the County of Riverside for recording\*\*

Page 1 of 15

Peter Aldana

County of Riverside

02/23/2017 11:17 AM Fees: \$0.00

Agreement (DOCUMENT TITLE)

SEPARATE PAGE, PURSUANT TO CA. GOV'T. CODE 27361.6

Requested By: Jongmuir, Printed: 6/13/2017 10:32 AM

steel.

Recording Requested by: FNTG Builder Services

**73015746-55** \* EXEMPT RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:

City of Beaumont Attention: City Clerk 550 East 6th Street Beaumont, CA 92223

> LIEN CONTRACT (Lien Contract as Initial Security; Gov. Code Section 66499(a)(4))

THIS LIEN CONTRACT ("Lien Contract") is entered into this 16<sup>44</sup> day of December, 2016, by and between the CITY OF BEAUMONT, CALIFORNIA, a general law city ("City") and RSI COMMUNITIES – HEARTLAND, a Delaware limited liability company ("Owner").

### RECITALS

A. A predecessor-in-interest of the Owner sought and obtained the City's approval of Tentative Tract Map No. 27971 (the "Map"). A copy of the Map is on file in the Office of the City Clerk and is incorporated herein by reference.

B. As a condition precedent to approval of Tract Map 27971-5 ("Final Map"), which Final Map was filed in Book 448, Pages 58 through 63, inclusive, of Maps, in the Office of the County Recorder of Riverside, California, LV Heartland LLC, a Delaware limited liability company ("LVH"), as predecessor-in-interest of the Owner, entered into that certain Agreement to Provide Security for Improvements for Tract Map or Parcel Map or Plot Plan dated July 17, 2014 ("Original Subdivision Improvement Agreement") to complete certain tasks and construct certain improvements as required by the Final Map and other entitlements including the Specific Plan and Final Environmental Impact Report applicable to the property subject to the Final Map ("Developer Obligations"). The Original Subdivision Improvement Agreement required LVH to provide security satisfactory to the City in accordance with and the Subdivision Map Act (Gov. Code, §§ 66462 and 66499).

C. The Developer Obligations remain outstanding and unperformed.

D. Owner and City have entered into that certain replacement Agreement to Provide Security for Improvements for Tract Map or Parcel Map or Plot Plan dated as of Dec. (C, 2016 ("New Subdivision Improvement Agreement") to replace the Original Subdivision Improvement Agreement and provide for the Owner's posting of new security in connection therewith.

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E. City is authorized to accept the security proposed by Owner, known as a lien contract, under the provisions of Government Code Section 66499(a)(4) and, pursuant to the New Subdivision Improvement Agreement, City has agreed to accept the first lien on the term: and conditions hereof.

F. City has found and determined, pursuant to California Government Code Section 66499(a)(4) that "it would not be in the public interest to require the installation of the required improvement[s] sooner than two years after the recordation" of the Map.

NOW, THEREFORE, for good and valuable consideration, including the obligations herein and the trust herein created, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

### 1. Owner's Performance.

a. Owner hereby grants to City, in accordance with the terms and conditions of this Lien Contract, a first lien upon the property described in <u>Attachment "A"</u> ("Property"), attached hereto, as security for the following obligations of Owner:

(1) Construction of the improvements ("Improvements") specified in the New Subdivision Improvement Agreement, in the estimated amount and for the purposes specified in <u>Attachment "B"</u> attached hereto; provided, however, that Owner's obligation hereunder shall extend to the actual cost of construction of the Improvements, notwithstanding that such costs may exceed the estimate set forth in <u>Attachment "B"</u>; and

(2) Payment of the fees or services ("Fees") required by the City in the amount required as a condition of approval of the Final Map.

(3) All of the Developer Obligations and the obligations of Owner under this Lien Contract and under the New Subdivision Improvement Agreement ("Obligations").

This lien secures said Improvements, Fees and Obligations (collectively, the "Secured Obligations").

b. For the purpose of securing payment and performance of the Secured Obligations, Owner hereby irrevocably and unconditionally grants, conveys, transfers and assigns to Fidelity National Title ("Trustee"), as trustee, in trust, WITH POWER OF SALE TOGETHER WITH THE RIGHT OF ENTRY AND POSSESSION, for the benefit and security of the City, all present and future rights, titles, interests, estates, powers and privileges that Owner now has or may hereafter acquire in or to the Property. Prior to obtaining any type of permit, including a grading or building permit, or commencing the installation and construction of any portion of the Improvements required by the New Subdivision Improvement Agreement, whichever occurs first, Owner shall deposit fees for inspections, tests and other related purposes, and shall substitute payment and performance bonds in amounts satisfactory to the City ("Suitable Future Bond") in place of this Lien Contract. Owner shall make the deposit specified herein in the amounts prescribed for such purposes at the time the deposit is due. Owner also

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agrees to provide the Suitable Future Bond in the amounts and for the purposes set forth in the New Subdivision Improvement Agreement, except that the amounts shall be calculated using the estimated cost of the Improvement as of the time of the substitution of security, as ascertained by the City.

c. Owner shall perform and complete the Improvements required by the New Subdivision Improvement Agreement, including without limitation, the requirement that, except as otherwise agreed by the CITY, Improvements that are secured by one or more payment and performance bonds shall be constructed within one (1) year after the date on which the DEVELOPER has delivered such payment and performance bonds to the CITY.

### 2. City's Performance.

Following City's approval and receipt of the substitute forms of security submitted by Owner pursuant to Paragraph 1(c) above and receipt of applicable Fees, City shall release the Property from the provisions of this Lien Contract, and shall execute any necessary release to enable Owner or its transferee to clear the record of title of the Property so released of the lien herein imposed.

3. Effect of Lien Contract.

a. From the date of recordation of this Lien Contract, a lien shall attach to the Property which shall have the priority of a judgment lien in an amount necessary to secure and discharge all obligations contained in this Lien Contract and New Subdivision Improvement Agreement, and any Fees.

b. Unless written consent of the City is obtained, the Owner shall not convey, lien or encumber any portion of or interest in the Property covered by this Lien Contract until Suitable Future Bonds or some other form of alternative security acceptable to the City has been provided and this Lien Contract has been released.

c. So long as this Lien Contract is utilized for security as described herein, offers of dedication for street purposes on the Property will not be accepted by the City.

The City shall not have an obligation to subordinate its rights hereunder to any other lender or encumbrancer unless substitute security in the form of a bond or letter of credit satisfactory to City is secured by Owner.

4. <u>Events of Default</u>. Upon the occurrence of any one of the following events, Owner shall be deemed in default hercunder:

a. Failure by Owner to deposit fees for inspections, tests and other specific purposes or to substitute Suitable Future Bonds or other forms of security satisfactory to City within the time allotted and as prescribed by this Lien Contract.

b. Commencement of any work on the Improvements by Owner, its agents or employees, prior to substitution of acceptable security, including, without limitation, Suitable Future Bonds, with the City in place of this Lien Contract.

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c. Failure by Owner to complete construction of the Improvements described in the New Subdivision Improvement Agreement within the time allotted and as prescribed in this Lien Contract, and otherwise extended pursuant to the terms of the New Subdivision Improvement Agreement.

d. The appointment, pursuant to an order of a court of competent jurisdiction, of a trustee, receiver or liquidator of the Property or any part thereof, or of Owner.

e. The filing by Owner of a petition in bankruptcy or for an arrangement or for reorganization pursuant to the Federal Bankruptcy Code or any similar law, federal or state, or the adjudication of Owner as a bankrupt or as insolvent by a decree of a court of competent jurisdiction, or the making of an assignment for the benefit of creditors, or the admission by Owner in writing of its inability to pay its debts generally as they become due, or the giving of consent by Owner to the appointment of a receiver or receivers of all or any part of its property, including the Property.

f. The filing by any of the creditors of Owner or the reorganization of Owner pursuant to the Federal Bankruptcy Code or any similar law, federal or state and the same is not discharged within ninety (90) days after the date of filing thereof.

g. Levy of any attachment or writ of execution against Owner and the Property whereby the Property is taken or occupied or attempted to be taken or occupied by someone other than Owner and such attachment or execution is not released within (60) days.

h. Sale of any lot or lots shown on the Map prior to release of the lien created by this Lien Contract, except as provided in Paragraph 3(b).

i. Failure of owner to pay the Fees described in Paragraph 1(a)(2) above, at the time required.

j. Breach by Owner of any other term or condition of this Lien Contract or the Subdivision Improvement Agreement, or Owner's failure to fully and faithfully discharge its obligations hereunder within the time specified herein.

k. Failure to pay prior to delinquency any taxes, assessments, fees or other amounts the payment of which are secured by a lien against part or all of the Property.

1. Failure of Owner to maintain liability insurance in the amount of at least \$2,000,000.00 per occurrence and in the aggregate on the Property naming City as an additional insured.

m. The occurrence of any waste, violation of an ordinance, violation of a condition of approval or nuisance on the Property which is not cured by Owner within thirty (30) days following written notice from City.

n. The breach or violation of any other subdivision improvement agreement, or lien contract between City and Owner beyond any applicable notice and cure period.

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All references to Owner in this Paragraph 4 shall be deemed to include Owner's successors, assignees and transferees.

5. <u>City's Remedics</u>. Upon the occurrence of any of the events described in Paragraph 4, above, City may, at its option, declare all obligations, amounts and indebtedness secured hereby immediately due and payable without any presentment, demand, protest, or notice, and take one or more of the actions below:

a. Pursue any or all of the remedies provided in the New Subdivision Improvement Agreement;

Commence and maintain an action or actions to foreclose this lien by **b**. appropriate action in court or as provided by law for the non-judicial foreclosure of mortgages or deeds of trust under power of sale pursuant to California Civil Code Sections 2924, 2924(b) and 2924(c), and Owner agrees that the amount of said lien shall include attorneys' fees as provided in Paragraph 6(b) below. CITY will deposit with TRUSTEE this Lien Contract, the New Subdivision Improvement Agreement, and any receipts and evidence of expenditures made and secured as TRUSTEE may require. If notice of default has been given as then required by law, and after lapse of the time that may then be required by law, after recordation of the notice of default, TRUSTEE, without demand on OWNER, will, after notice of sale having been given as required by law, sell the Property at the time and place of sale fixed by it in the notice of sale, either as a whole or in separate parcels as TRUSTEE determines, and in any order that it may determine, at public auction to the highest bidder. TRUSTEE may postpone sale of all or any portion of the Property by public announcement at the time and place of sale, and from time to time after that may postpone the sale by public announcement at the time fixed by the preceding postponement, and without further notice make the sale at the time fixed by the last postponement; or TRUSTEE may, in its discretion, give a new notice of sale. CITY may rescind any notice of default at any time before TRUSTEE's sale by executing a notice of rescission and recording it. The recordation of the notice will constitute a cancellation of any prior declaration of default and demand for sale and of any acceleration of maturity of obligations affected by any prior declaration or notice of default. The exercise by CITY of the right of rescission will not constitute a waiver of any default then existing or subsequently occurring, or impair the right of CITY to execute other declarations of default and demand for sale, or notices of default and of election to cause the Property to be sold, nor otherwise affect the Lien Contract, the New Subdivision Improvement Agreement, or any of the rights, obligations, or remedies of CITY or TRUSTEE. After sale, TRUSTEE will deliver to the purchaser its deed conveying the property sold, but without any covenant or warranty, express or implied. The recitals in the deed of any matters or facts will be conclusive proof of their truthfulness. Any Person, including Owner, TRUSTEE, or CITY, may purchase at that sale. If allowed by law, CITY, if it is the purchaser, may turn in the New Subdivision Security Agreement at the amount owing on it toward payment of the purchase price (or for endorsement of the purchase price as a payment if the amount owing exceeds the purchase price). TRUSTEE, upon the sale, will make (without any covenant or warranty, express or implied), execute and, after due payment made, deliver to a purchaser and its heirs or assigns a deed or other record of interest, as the case may be, to the Property sold, which will convey to the purchaser all the title and interest of Owner in the Property and will apply the proceeds of the sale in payment first, of the expenses of the sale together with the expenses of the trustee, including, without limitation, attorney fees, that will become due on any default made by OWNER, and also any sums that TRUSTEE or CITY have paid for procuring a search of the title to the Property subsequent to the execution of this Lien Contract; and second, of the Secured Obligations then remaining unpaid. TRUSTEE will pay the balance or surplus of the proceeds of sale, if any, to OWNER and its successors or assigns as its interests may appear;

c. Commence and maintain an action or actions in any court of competent jurisdiction to foreclose this instrument as a mortgage or to obtain specific enforcement of the covenants of Owner hereunder, and Owner agrees that such covenants shall be specifically enforceable by injunction or any other appropriate equitable remedy and that for the purposes of any suit brought under this subparagraph, Owner waives the defense of latches and any applicable statute of limitations;

d. Estimate the cost of the work required to complete the Improvements which estimate shall be deemed a debt and obligation in a liquidated sum of Owner, and judicially or non-judicially foreclose said lien in said amount; and

c. Pursue any other remedy, legal or equitable including but not limited to those for the foreclosure of a lien, and Owner, its assigns, shall pay reasonable attorneys' fees as a cost in said proceedings.

6. General Provisions.

a. <u>Recordation</u>. This Lien Contract shall be recorded by City with the Recorder's Office of the County of Riverside immediately following execution of this Lien Contract by (1) all parties hereto, and (2) all parties having any record title interest in the subject real property, pursuant to Government Code Section 66436, acknowledging subordination of their interests to this Lien Contract.

b. <u>Attorneys' Fees</u>. City shall be entitled to reasonable attorneys' fees, paralegal fees, and other charges, expenses and costs incurred in enforcing its rights under this Lien Contract.

c. <u>Contingency</u>. This Lien Contract shall not take effect until it has been approved by the City and recorded.

d. <u>Entire Agreement</u>. This Lien Contract together with all attachments and other agreements expressly referred to herein, constitutes the entire agreement between the parties with respect to the subject matter contained herein. All prior or contemporaneous agreements, understandings, representations, warranties and statements, oral or written, are superseded.

e. <u>Further Assurances</u>. The parties agree to perform such further acts and to execute and deliver such additional documents and instruments as may be reasonably required in order to carry out the provisions of this Lien Contract and the intentions of the parties. ÷

f. <u>Governing Law</u>. This Lien Contract shall be governed, interpreted, construed and enforced in accordance with the laws of the State of California.

g. <u>Headings</u>. The captions and Section headings used in this Lien Contract are inserted for convenience of reference only and are not intended to define, limit or affect the construction or interpretation of any term or provision hereof.

h. <u>Modification, Waiver</u>. No modification, waiver, amendment or discharge of this Lien Contract shall be valid unless the same is in writing and signed by all parties.

i. <u>No Other Inducement</u>. The making, execution and delivery of this Lien Contract by the parties hereto has been induced by no representations, statements, warranties or agreements other than those expressed herein.

j. <u>Severability</u>. If any term, provision, covenant or condition of this Lien Contract is held to be invalid, void or otherwise unenforceable, to any extent, by any court of competent jurisdiction, the remainder of this Lien Contract shall not be affected thereby, and each term, provision, covenant or condition of this Lien Contract shall be valid. and enforceable to the fullest extent permitted by law.

k. <u>Execution in Counterparts</u>. This Lien Contract may be executed in counterparts, each of which shall be deemed an original, but which together shall constitute a single agreement.

If City or the Trustee is made a party to or is threatened with any litigation L concerning this Lien Contract or the New Subdivision Improvement Agreement the Property or any part thereof or interest therein, or the actions or omissions of Owner on the Property then Owner shall indemnify, defend and hold City and Trustee harmless for, from and against all liability by reason of said threat and/or litigation, including reasonable attorneys' fees and expenses incurred by City as a result of any such threat and/or litigation, whether or not any such threat and/or litigation is prosecuted to judgment; provided, however, that the indemnification to be provided by Owner to the City pursuant to the terms of this paragraph shall not be applicable where the aforementioned liability, claim, suit, action, et cetera, is the result of the sole negligence or sole willful misconduct of the City. City or Trustee may employ an attorney or attorneys to protect its rights hereunder, and in the event of such employment following any breach of the foregoing obligation by Owner, Owner shall pay City and Trustee reasonable attorneys' fees and expenses incurred by City or Trustee, whether or not an action is actually breach. reason of its Trustee by commenced against Owner or

i.

IN WITNESS WHEREOF, the Parties have caused this instrument to be executed as of the day and year first written above.

NT лQ CITY 12/16 michael CARA R Mayo Date

# Signature Page of Lien Contract

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### ACKNOWLEDGMENT

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

STATE OF CALIFORNIA COUNTY OF RIVERS Liblic 1000 , before me, officer) lichael personally appeared

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

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

WITNESS my hand and official seal.

<u>Ilialimus</u> Signature



(Scal)

Signature Page of Lien Contract

### DEVELOPER:

RSI COMMUNITIES – HEARTLAND LLC, a Delaware limited liability company

EGI By: \_\_\_\_ Name: DARIUS FATAKIA Title: VICE PRESIDENT LAND DEVELOPMENT

12/12/16 Date

Address: 620 Newport Center Drive, 12<sup>th</sup> Floor Newport Beach, CA 92660

# Signature Page of Lien Contract

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### ACKNOWLEDGMENT

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

STATE OF CALIFORNIA

COUNTY OF Orange 13\_, 2016, before me, Amber Lavae Chi On December (here insert paul Drives Fatakia personally appeared

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

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

WITNESS my hand and official seal.

Signature



(Seal)

### ATTACHMENT A

### LEGAL DESCRIPTION OF PROPERTY

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 5:

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**`**;

LOTS 1 THROUGH 127, INCLUSIVE, AND LETTERED LOTS A THROUGH J, INCLUSIVE, OF TRACT NO. 27971-5, IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 448, PAGES 58 THROUGH 63, INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

Attachment A - Legal Description

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# ATTACHMENT B

# DESCRIPTION OF IMPROVEMENTS

Attachment B - Description of Improvements

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Agenda Item No. 5.

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## DOC #2017-0076559 Page 15 of 15

### Exhibit B

Description: Tract 27971-5 Street, storm drain, sewer, water and recycled water

| Amount: | Streets, drainage               | \$1,346,862.75 |
|---------|---------------------------------|----------------|
|         | Sewer                           | \$352,348.50   |
|         | Water                           | \$395,458.55   |
|         | Total:                          | \$2,094,669.80 |
|         | Warranty Retention              | \$471,300.71   |
|         | Street/Drainage Plan Check Fees | \$26,937.26    |
|         | Sewer Plan Check Fees           | \$8,808.71     |
|         | Street Inspection Fees          | \$40,405.88    |
|         | Sewer Inspection Fees           | \$14,093.94    |

Monumentation (126 lots)

\$49,400.00

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Page 250 of 647

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Agenda Item No. 5.

Rev. 02/25/2015

Basic Gov (Sales Force) # \_\_\_\_\_2018 File #

## AGREEMENT TO PROVIDE SECURITY FOR IMPROVEMENTS FOR TRACT MAP OR PARCEL MAP OR PLOT PLAN (Tract Map/Parcel Map/Plot Plan No. 27971-5)

12

THIS SECURITY AGREEMENT is made by and between CITY OF BEAUMONT ("CITY") and <u>RSI Communities-California LLC</u>, a <u>Delaware limited liability</u> company ("DEVELOPER").

### RECITALS

A. DEVELOPER has applied to the CITY for permission to develop certain real property, pursuant to Tract Map/Parcel Map/Plot Plan # <u>27971-5</u>, ("Map"). DEVELOPER has also asked the CITY to accept the dedication of the street or streets and other proposed public rights-of-way, parks and recreation facilities, and easements as depicted on the Map and to otherwise approve the Map so that it may be recorded as required by law; and

B. The CITY requires, as a condition precedent to the acceptance and approval of the Map and the dedication of the public rights-of-way and easements depicted thereon, that such rights-of-way be improved with (for example) grading, paving, curbs, gutters, sidewalks, street lights, stormdrains, sanitary sewers and appurtenances thereto, street name signs, survey monuments, electrical and telecommunications, water pipes, water mains, fire hydrants and appurtenances thereto, and landscaping, including any warranty work for all such improvements (collectively, "Improvements"); and

C. The Improvements have not yet been constructed and completed and it is the purpose of this Security Agreement to set forth the terms and conditions by which the DEVELOPER shall guarantee that such Improvements shall be constructed and completed within the time set forth herein.

### AGREEMENT

NOW, THEREFORE, in consideration of the acceptance of the DEVELOPER's offer of dedication and the approval of the Map for filing and recording as provided and required by law, the CITY and the DEVELOPER hereby agree as follows:

1. <u>Provision of Improvements.</u> DEVELOPER shall provide, at the DEVELOPER's sole cost and expense, all necessary labor and materials to complete the construction of the Improvements depicted on the Map and described in the conditions of approval of the Map within one (1) year of the date of this Security Agreement.

2. <u>Inspection by the CITY</u>. The CITY shall inspect, at the DEVELOPER's sole cost and expense, all of the work, labor and materials performed and provided by the DEVELOPER in connection with the Improvements.

3. <u>Compliance with Plans and Specifications.</u> The Improvements shall be constructed and installed in strict accordance with the CITY-approved plans and specifications.

r<sup>a</sup>

4. <u>Security for Performance.</u> Concurrently with the execution of this Security Agreement by DEVELOPER, DEVELOPER shall deliver to the CITY a performance bond issued by a corporate surety in substantially the form attached hereto as **Exhibit "A"**, in an amount that is not less than 100% of the total estimated cost of the Improvements and any warranty therefor. The performance bond shall be issued by an "admitted" corporate surety insurer authorized to do business in the State of California and the surety insurer shall have an A.M. Best rating of at least "A, XV". The surety insurer shall have assets exceeding its liabilities in the amount equal to or in excess of the amount of the bond, and the bond shall not be in excess of 10% of the surety insurer's assets. The security or bond shall also insure against any and all defects in the Improvements for a period of not less than one full year after the date of acceptance thereof by the CITY. The bond shall be duly executed and shall meet all the requirements of Section 995.660 of the California Code of Civil Procedure.

5. <u>Security for Contractors, Subcontractors, Laborers and Materialmen.</u> The DEVELOPER shall also provide a payment bond issued by a corporate surety for the security of laborers and materialmen, which bond or bonds shall be in substantially the form attached hereto as **Exhibit "B"** and made a part hereof. The amount of the bond(s) shall be no less than 100% of the total estimated amount needed to secure payment to the contractor, to the subcontractors, and to the persons furnishing labor, materials, or equipment to them for the Improvements. The laborers and materialmen bond shall be provided by an "admitted" corporate surety insurer authorized to transact surety insurance in the State of California with an A.M. Best rating of "A, XV", and with assets exceeding its liabilities in the amount equal to or in excess of the amount of the bond, and the bond shall not be in excess of 10% of the surety insurer's assets. The bond shall be duly executed and shall meet all the requirements of Section 995.660 of the California Code of Civil Procedure.

General Liability and Worker's Compensation Insurance. The DEVELOPER 6. shall, before commencing any work, obtain commercial general liability insurance (primary) of not less than \$2,000,000.00 per occurrence for all coverages and \$2,000,000.00 general aggregate. The CITY and its employees and agents shall be added as additional insureds. Coverage shall apply on a primary non-contributing basis in relation to any other insurance or self-insurance, primary or excess, available to the CITY or any employee or agent of the CITY. Coverage shall not be limited to the vicarious liability or supervisory role of any additional insured. Coverage shall contain no contractors' limitation endorsement. There shall be no endorsement or modification limiting the scope of coverage for liability arising from pollution, explosion, collapse, underground property damage or employment-related practices. Such insurance shall not prohibit the DEVELOPER, and its employees or agents, from waiving the right of subrogation prior to a loss. The DEVELOPER waives its right of subrogation against the CITY. Unless otherwise approved by the CITY, the DEVELOPER's insurance shall be written by insurers authorized to do business in the State of California and with a minimum A.M. Best rating of "A, XV." Self-insurance shall not be considered to comply with these insurance specifications. The DEVELOPER agrees to require all contractors, subcontractors and other parties hired for the Improvements to purchase and maintain insurance of the types specified herein, naming as additional insureds all of the parties to this Security Agreement. The DEVELOPER shall, before commencing any work, obtain Worker's Compensation Insurance in an amount required by law and, failing to do so, the CITY may procure such insurance at the cost of the DEVELOPER.

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7. <u>Comprehensive Commercial General and Automobile Liability Insurance</u>. The DEVELOPER, before commencing any work shall, at its own expense, maintain comprehensive commercial general and automobile liability insurance issued by a California-admitted surety company with an A.M. Best rating of no less than "A, XV" for \$2,000,000 per occurrence. Coverage shall be for the entire duration of the permitted activities. Such liability insurance policy shall name, by endorsement, the City as an additional insured.

8. Indemnification. Notwithstanding the provisions of Government Code, Section 66474.9 or any other statutes of similar import, and to the full extent permitted by law, the DEVELOPER shall defend, indemnify and hold harmless the CITY, its employees, agents, officials and attorneys, from and against any liability, claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses or costs of any kind or nature, whether actual, alleged or threatened, reasonable attorneys' fees, court costs, interest, expert witness fees and any other costs or expenses of any kind whatsoever, without restriction or limitation, incurred in relation to, as a consequence of, or arising out of or in any way attributable actually, allegedly or impliedly, in whole or in part, to the Map, the Improvements, this Agreement, or any matter related to the same; provided, however, that the indemnification to be provided by DEVELOPER to the CITY pursuant to the terms of this paragraph shall not be applicable where the aforementioned liability, claim, suit, action, etcetera, is the result of the sole negligence or sole willful misconduct of the CITY.

9. <u>Procedure for Release of Performance Bond Security.</u> The security furnished by the DEVELOPER shall be released in whole or in part in the following manner:

a. Security shall be released upon final completion and acceptance of the Improvements. If the security furnished by the DEVELOPER is a documentary evidence of security, such as a surety bond, the CITY shall release the documentary evidence and return the original to the Surety upon final completion and acceptance of the Improvements. In the event the CITY is unable to return the original documentary evidence to the Surety, the security shall be released by written notice sent by certified mail to the DEVELOPER and to the Surety within 30 days of the City's acceptance of the Improvements. The written notice shall contain a statement that the work for which security was furnished has been completed and accepted, a description of the Improvements, and the notarized signature of an authorized CITY official.

b. At such time as the DEVELOPER believes that the work for which the security was required is complete and makes payment of a partial exoneration fee of \$350 to the CITY, the DEVELOPER shall notify the CITY in writing of the completed work, including a list of work completed. Upon receipt of the written notice, the CITY shall have 45 days to review and comment or approve the completion of the Improvements. If the CITY does not agree that all work has been completed in accordance with the plans

and specifications for the Improvements, it shall supply a list of all remaining work to be completed.

c. Within 45 days of receipt of the CITY's list of remaining work, the DEVELOPER may then provide cost estimates for all remaining work for review and approval by the CITY.

d. Upon receipt of the cost estimates, the CITY shall then have 45 days to review, comment, and approve, modify or disapprove those cost estimates. The CITY shall not be required to engage in this process of partial release more than once between the start of work and the completion and acceptance of all work.

e. The DEVELOPER shall complete the works of Improvement until all remaining items are accepted by the CITY. Upon completion of the Improvements, the DEVELOPER shall be notified in writing by the CITY within 45 days and, within 45 days of the date of the CITY's notice, the release of any remaining performance security shall be made within 60 days of the recording of the Notice of Completion.

10. <u>Procedure for Release of Payment Bond Security</u>. Security securing the payment to the contractor, his or her subcontractors and persons furnishing labor, materials or equipment may, after passage of the time within which mechanic's liens and stop notices are required to be recorded and after acceptance of the Improvements, be reduced by Surety to an amount equal to the total claimed by all claimants for whom mechanic's liens and stop notices have been recorded and notice thereof given in writing to the CITY, and if no claims have been recorded, the security may be released in full.

11. <u>Security for One-Year Warranty Period</u>. The release procedures described in paragraphs 9 and 10 above shall not apply to any required guarantee and warranty period nor to the amount of the performance bond security deemed necessary by the CITY for the guarantee and warranty period nor to costs and reasonable expenses and fees, including reasonable attorneys' fees.

12. <u>Binding Effect.</u> This Security Agreement shall be binding upon and shall inure to the benefit of the parties hereto, their legal representatives and their successors and assigns.

13. <u>Authority to Execute</u>. The DEVELOPER hereby warrants and represents to the CITY that the individual signing this Security Agreement on behalf of the DEVELOPER is vested with the unconditional authority to do so pursuant to, and in accordance with, all applicable legal requirements, and has the authority bind the DEVELOPER hereto.

14. <u>No Assignment.</u> The DEVELOPER may not assign this Security Agreement, or any part thereof, to another without the prior written consent of the CITY.

15. <u>Attorneys' Fees.</u> In the event of legal action to enforce or interpret this Agreement or any of its provisions, the prevailing party shall be entitled, in addition to any other form of relief, to recover its reasonable attorneys' fees and costs of suit.

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16. <u>Execution in Counterparts.</u> This Agreement may be executed in counterparts, each of which shall be deemed an original, but which together shall constitute a single agreement.

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IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the dates listed below.

CITY OF BEALMO By Mayor Date

## DEVELOPER

By RSI Communities-California LLC

10 Date

Title Vice President Forward Planning

Address: 680 Newport Center Drive, 3F Newport Beach, CA 92660

## CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

#### CIVIL CODE § 1189

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

| State of Californa  |              | 1                |                     |               |       |
|---------------------|--------------|------------------|---------------------|---------------|-------|
| County of KIVErside |              | 1                |                     | . 1           | 0     |
| on 11/08/18         | before me, _ | Jessua R.        | Fallitta-           | Nobry         | Whit- |
| Date                |              | Here Inser       | rt Name and Title o | f the Officer |       |
| personally appeared | James        | tolas            | <                   |               |       |
|                     |              | Name(a) of Signe | ertal               |               |       |
|                     |              | -                | -                   |               |       |

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

| ALL DE LA CALLER | JESSICA R. FALDETTA           |
|------------------|-------------------------------|
| Contra           | Notary Public – California    |
|                  | Riverside County              |
|                  | Commission # 2215766          |
| Charge and       | My Comm. Expires Sep 24, 2021 |

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

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e of Notary Public

WITNESS my hand and official seal.

Signature

Place Notary Seal and/or Stamp Above

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| Completing this information can a<br>fraudulent reattachment of this f                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | leter alteration of the document or form to an unintended document.                                                                                                                        |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Description of Attached Document PAS         Title or Type of Document:         Document Date:         Image: | Monument Bond                                                                                                                                                                              |
| Capacity(ies) Claimed by Signer(s) Signer's Name: Corporate Officer – Title(s): Partner – Limited General Individual Attorney in Fact Trustee Guardian of Conservator Other: Signer is Representing:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Signer's Name:<br>Corporate Officer – Title(s):<br>Parmer – D Limited D General<br>Individual D Attorney in Fact<br>Trustee D Guardian of Conservator<br>Other:<br>Signer is Representing: |

©2017 National Notary Association

Agenda Item No. 5.

Basic Gov (Sales Force)#

File #

Bond #1155912 Premium: \$711.00/2 yrs.

21

EXHIBIT "A"

#### PERFORMANCE BOND

WHEREAS, the City Council of the City of Beaumont, State of California, and **RSI Communities - California LLC, a Delaware limited liability company** (hereinafter designated as "Principal") have entered into Agreement To Provide Security For Improvements For Tract Map, #27971-5 dated\_\_\_\_\_\_, 20 , whereby Principal agrees to install and complete certain designated public improvements itemized and described on Tract Map, No.<u>27971-5</u>, which is hereby incorporated herein and made a part hereof; and Final Monumentation.

WHEREAS, Principal is required under the terms of the said agreement to furnish a bond for the faithful performance of said agreement.

NOW, THEREFORE, we, the Principal and Lexon Insurance Company, as Surety, are held and firmly bound unto the City of Beaumont (hereinafter called "City"), in the penal sum of Forty-Nine Thousand Four Hundred & N0/100ths (\$49,400.00) lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, successors, executors and administrators, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the Principal, his or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or their part to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City, its officers, agents and employees as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

As part of the obligation secured hereby and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment therein rendered.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on <u>March 1st</u>, <u>20 18</u>.

PRINCIPAL:

RSI Communities - California LLC. a Delaware limited liability company

By

Title Darius Fatakia Vice President Land Development SURETY:

Lexon Insurance Company Bv Title Beata A. Sensi, Attorney-in-Fact

Page 257 of 647

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

State of California

**County of Orange** 

before me, Susan E. Morales, Notary Public On March 1, 2018 (Here insert name and lille of the officer)

personally appeared Beata A. Sensi

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

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

WITNESS my hand and official seal.

Dan 1

Notary Public Signature

(Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION DESCRIPTION OF THE ATTACHED DOCUMENT

(Title or description of attached document)

(Title or description of attached document continued)

Document Date Number of Pages \_\_\_\_

| CAP                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | ACITY CLAIMED BY THE SIGNER |  |
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| in the second se | Onemanda Official           |  |

Corporate Officer

(Title)

- □ Partner(s)
- Attorney-in-Fact Trustee(s)
- Other

2015 Version www.NotaryClasses.com 800-873-9865

INSTRUCTIONS FOR COMPLETING THIS FORM

This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknolwedgents from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

- · State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- · Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- · The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- · Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they, is /are ) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- · Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this. acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date. Indicate the capacity claimed by the signer. If the claimed capacity is a
- corporate officer, indicate the title (i.e. CEO, CFO, Secretary). Securely attach this document to the signed document with a staple.

#### EXHIBIT "B"

Bond #1155912 Premium included with the Performance Bond

£

#### PAYMENT BOND

WHEREAS, the City Council of the City of Beaumont, State of California, and RSI Communities - California LLC, a Delaware limited liability company (hereafter designated as "the Principal") have entered into Agreement To Provide Security For Improvements For Tract Map #27971-5, dated\_\_\_\_\_\_, 20, whereby Principal agrees to install and complete certain designated public improvements itemized and described on Tract Map, No. 27971-5, which is hereby incorporated herein and made a part hereof; and Final Monumentation.

WHEREAS, under the terms of the said agreement, the Principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Beaumont to secure the claims to which reference is made in Section 8000, et seq., of the Civil Code of the State of California.

NOW, THEREFORE, the Principal and the undersigned as corporate surety, are held firmly bound unto the City of Beaumont and all contractors, subcontractors, laborers, materialmen, and other persons employed in the performance of the said agreement and referred to at Section 8000, et seq., of the Civil Code in the sum of Forty-Nine Thousand Four Hundred & N0/100ths (\$49,400.00), for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to this work or labor, that the Surety will pay the same in an amount not exceeding the amount hereinabove set forth, and also in case suit is brought upon this bond, will pay, in addition to the face amount thereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City in successfully enforcing this obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgment therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies, and corporations entitled to file claims under Section 8000, et seq., of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligations on this bond, and it does hereby waive notice of any such change, extension, alteration, or addition.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on March 1st , 2018

PRINCIPAL:

<u>RSI Communities - California LLC,</u> a Delaware limited liability company

By

Title Darius Fatakia Vice President Land Development SURETY:

American Contractors Indemnity Company

Title Beata A. Sensi, Attorney-in-Fact



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

State of California

County of Orange

before me, Susan E. Morales, Notary Public On March 1, 2018 ert name and life of the officer)

personally appeared Beata A. Sensi

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

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

WITNESS my hand and official seal.

usom C (Notary Public Seal)

Notary Public Signature

www.www.www.www.www.www.www. SUSAN E. MORALES COMM. #2101798 NOTARY PUBLIC - CALIFORNIA Z ORANGE COUNTY My Comm. Expires March 28, 2019

| ADDITIONAL OPTIONAL INFORMATI        | ON |
|--------------------------------------|----|
| DESCRIPTION OF THE ATTACHED DOCUMENT |    |

(Title or description of attached document)

(Tille or description of attached document continued)

Number of Pages \_\_\_\_ Document Date

| CAP | ACITY CLAIMED  | BY TH | E SIGNER |
|-----|----------------|-------|----------|
|     | Individual (s) |       |          |

Corporate Officer

(Title)

- Partner(s) Attorney-in-Fact
- Trustee(s)
- Other
- 2015 Version www.NotaryClasses.com 800-873-9865

INSTRUCTIONS FOR COMPLETING THIS FORM

This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknolwedgents from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

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- · Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date. Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- · Securely attach this document to the signed document with a staple.

## **POWER OF ATTORNEY**

# LX-319029

# Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that LEXON INSURANCE COMPANY, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Todd M. Rohm, Cathy S. Kennedy, Beata A. Sensi, Cheryl L. Thomas, Shane Wolf its true and lawful Attorney(s)-in-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds. undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of LEXON INSURANCE COMPANY on the 1<sup>st</sup> day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attomey-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$5,000,000.00, Five Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attornev.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, LEXON INSURANCE COMPANY has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 5th day of August, 2015.

LEXON INSURANCE COMPANY



### BY David E. Campbell President

## ACKNOWLEDGEMENT

On this 5th day of August, 2015, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and sav that he is the President of LEXON INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR Notary Public-State of Tennessee **Davidson County** My Commission Expires 07-08-19

Amy Laylor

#### CERTIFICATE

I, the undersigned, Assistant Secretary of LEXON INSURANCE COMPANY, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attomey of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this \_\_\_\_\_ Day of \_\_\_\_\_, 20 MAR - 1 2018

Notary Public

Andrew Smith

**Assistant Secretary** 

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

Agenda Item No. 5.

Basic Gov (Sales Force)#

File#

Bond #1155912 Premium: \$711.00/2 yrs.

EXHIBIT "A"

## PERFORMANCE BOND

WHEREAS, the City Council of the City of Beaumont, State of California, and RSI Communities - California LLC, a Delaware limited liability company (hereinafter designated as "Principal") have entered into Agreement To Provide Security For Improvements For Tract Map, #27971-5 dated\_\_\_\_\_, 20 , whereby Principal agrees to install and complete certain designated public improvements itemized and described on Tract Map, No.27971-5, which is hereby incorporated herein and made a part hereof; and Final Monumentation.

WHEREAS, Principal is required under the terms of the said agreement to furnish a bond for the faithful performance of said agreement.

NOW, THEREFORE, we, the Principal and Lexon Insurance Company, as Surety, are held and firmly bound unto the City of Beaumont (hereinafter called "City"), in the penal sum of Forty-Nine Thousand Four Hundred & N0/100ths (\$49,400.00) lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, successors, executors and administrators, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the Principal, his or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or their part to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City, its officers, agents and employees as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

As part of the obligation secured hereby and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment therein rendered.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on <u>March 1st</u>, <u>2018</u>.

**PRINCIPAL:** 

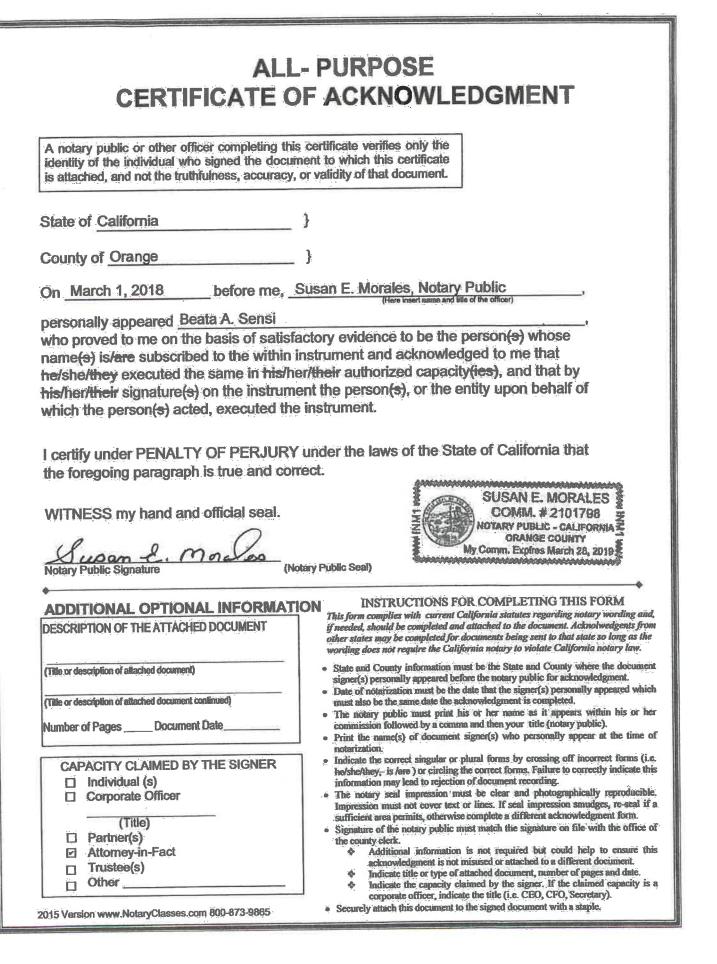
RSI Communities - California LLC, a Delaware limited liability company

By

Title Darius Fatakia Vice President Land Development SURETY:

Lexon Insurance Company By Title Beata A. Sensi, Attorney-in-Fact

TIT



### EXHIBIT "B"

Bond #1155912 Premium included with the Performance Bond

#### PAYMENT BOND

WHEREAS, the City Council of the City of Beaumont, State of California, and RSI Communities - California LLC, a Delaware limited liability company (hereafter designated as "the Principal") have entered into Agreement To Provide Security For Improvements For Tract Map #27971-5, dated\_\_\_\_\_\_, 20, whereby Principal agrees to install and complete certain designated public improvements itemized and described on Tract Map, No. <u>27971-5</u>, which is hereby incorporated herein and made a part hereof; and Final Monumentation.

WHEREAS, under the terms of the said agreement, the Principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Beaumont to secure the claims to which reference is made in Section 8000, et seq., of the Civil Code of the State of California.

NOW, THEREFORE, the Principal and the undersigned as corporate surety, are held firmly bound unto the City of Beaumont and all contractors, subcontractors, laborers, materialmen, and other persons employed in the performance of the said agreement and referred to at Section 8000, et seq., of the Civil Code in the sum of Forty-Nine Thousand Four Hundred & N0/100ths (\$49,400.00), for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to this work or labor, that the Surety will pay the same in an amount not exceeding the amount hereinabove set forth, and also in case suit is brought upon this bond, will pay, in addition to the face amount thereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City in successfully enforcing this obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgment therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies, and corporations entitled to file claims under Section 8000, et seq., of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

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IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on March 1st ,2018

**PRINCIPAL:** 

<u>RSI Communities - California LLC,</u> <u>a Delaware limited liability company</u>

By

Title Darius Fatakia Vice President Land Development SURETY:

American Contractors Indemnity Company

By Title Beata A. Sensi, Attorney-in-Fac

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

State of California }

County of Orange }

On March 1, 2018 before me, Susan E. Morales, Notary Public

personally appeared Beata A. Sensi

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

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

WITNESS my hand and official seal.

110000 (Notary Public Seal)

Notary Public Signature

| ADDITIONAL | OPTIONAL | INFORMATION |
|------------|----------|-------------|
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| DESCRIPTION | OF THE AT | TACHED | DOCUMENT |  |
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(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages \_\_\_\_\_ Document Date\_\_\_

| CAP | ACITY CLAIMED BY THE SIGNER |  |
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| Ū.  | Individual (s)              |  |
|     | Corporate Officer           |  |

(Title)

- Partner(s)Attorney-in-Fact
- Trustee(s)
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- 2015 Version www.NotaryClasses.com 800-873-9865



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## **POWER OF ATTORNEY**

# LX-319029

# Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that LEXON INSURANCE COMPANY, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Todd M. Rohm, Cathy S. Kennedy, Beata A. Sensi, Cheryl L. Thomas, Shane Wolf its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of LEXON INSURANCE COMPANY on the 1<sup>st</sup> day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$5,000,000.00, Five Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attornev.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached. continue to be valid and binding on the Company.

IN WITNESS THEREOF, LEXON INSURANCE COMPANY has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 5th day of August, 2015.

LEXON INSURANCE COMPANY



BY David E. Campbell President

#### ACKNOWLEDGEMENT

On this 5th day of August, 2015, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of LEXON INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR Notary Public-State of Tennessee Davidson County My Commission Expires 07-08-19

BY ( Notan Public

#### CERTIFICATE

I, the undersigned, Assistant Secretary of LEXON INSURANCE COMPANY, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this \_\_\_\_\_ Day of \_\_\_\_\_, 20 MAR - 1 2018

Andrew Smith

**Assistant Secretary** 

"WARNING: Any person who knowingly and with Intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

Rev. 02/25/2015

Basic Gov (Sales Force) # 17-4156 File # 3138

## AGREEMENT TO PROVIDE SECURITY FOR IMPROVEMENTS FOR TRACT MAP OR PARCEL MAP OR PLOT PLAN (Tract Map/Parcel Map/Plot Plan No. 27971-5)

~

THIS SECURITY AGREEMENT is made by and between CITY OF BEAUMONT ("CITY") and <u>RSI Communities - California LLC</u>, <u>a Delaware limited liability</u> company ("DEVELOPER").

#### RECITALS

A. DEVELOPER has applied to the CITY for permission to develop certain real property, pursuant to Tract Map/Parcel Map/Plot Plan # 27971-5("Map"). DEVELOPER has also asked the CITY to accept the dedication of the street or streets and other proposed public rights-of-way, parks and recreation facilities, and easements as depicted on the Map and to otherwise approve the Map so that it may be recorded as required by law; and

B. The CITY requires, as a condition precedent to the acceptance and approval of the Map and the dedication of the public rights-of-way and easements depicted thereon, that such rights-of-way be improved with (for example) grading, paving, curbs, gutters, sidewalks, street lights, stormdrains, sanitary sewers and appurtenances thereto, street name signs, survey monuments, electrical and telecommunications, water pipes, water mains, fire hydrants and appurtenances thereto, and landscaping, including any warranty work for all such improvements (collectively, "Improvements"); and

C. The Improvements have not yet been constructed and completed and it is the purpose of this Security Agreement to set forth the terms and conditions by which the DEVELOPER shall guarantee that such Improvements shall be constructed and completed within the time set forth herein.

#### AGREEMENT

NOW, THEREFORE, in consideration of the acceptance of the DEVELOPER's offer of dedication and the approval of the Map for filing and recording as provided and required by law, the CITY and the DEVELOPER hereby agree as follows:

1. <u>Provision of Improvements.</u> DEVELOPER shall provide, at the DEVELOPER's sole cost and expense, all necessary labor and materials to complete the construction of the Improvements depicted on the Map and described in the conditions of approval of the Map within one (1) year of the date of this Security Agreement.

2. <u>Inspection by the CITY</u>. The CITY shall inspect, at the DEVELOPER's sole cost and expense, all of the work, labor and materials performed and provided by the DEVELOPER in connection with the Improvements. 3. <u>Compliance with Plans and Specifications.</u> The Improvements shall be constructed and installed in strict accordance with the CITY-approved plans and specifications.

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4. <u>Security for Performance.</u> Concurrently with the execution of this Security Agreement by DEVELOPER, DEVELOPER shall deliver to the CITY a performance bond issued by a corporate surety in substantially the form attached hereto as Exhibit "A", in an amount that is not less than 100% of the total estimated cost of the Improvements and any warranty therefor. The performance bond shall be issued by an "admitted" corporate surety insurer authorized to do business in the State of California and the surety insurer shall have an A.M. Best rating of at least "A, XV". The surety insurer shall have assets exceeding its liabilities in the amount equal to or in excess of the amount of the bond, and the bond shall not be in excess of 10% of the surety insurer's assets. The security or bond shall also insure against any and all defects in the Improvements for a period of not less than one full year after the date of acceptance thereof by the CITY. The bond shall be duly executed and shall meet all the requirements of Section 995.660 of the California Code of Civil Procedure.

5. <u>Security for Contractors, Subcontractors, Laborers and Materialmen.</u> The DEVELOPER shall also provide a payment bond issued by a corporate surety for the security of laborers and materialmen, which bond or bonds shall be in substantially the form attached hereto as **Exhibit "B"** and made a part hereof. The amount of the bond(s) shall be no less than 100% of the total estimated amount needed to secure payment to the contractor, to the subcontractors, and to the persons furnishing labor, materials, or equipment to them for the Improvements. The laborers and materialmen bond shall be provided by an "admitted" corporate surety insurer authorized to transact surety insurance in the State of California with an A.M. Best rating of "A, XV", and with assets exceeding its liabilities in the amount equal to or in excess of the amount of the bond, and the bond shall not be in excess of 10% of the surety insurer's assets. The bond shall be duly executed and shall meet all the requirements of Section 995.660 of the California Code of Civil Procedure.

General Liability and Worker's Compensation Insurance. The DEVELOPER 6. shall, before commencing any work, obtain commercial general liability insurance (primary) of not less than \$2,000,000.00 per occurrence for all coverages and \$2,000,000.00 general aggregate. The CITY and its employees and agents shall be added as additional insureds. Coverage shall apply on a primary non-contributing basis in relation to any other insurance or self-insurance, primary or excess, available to the CITY or any employee or agent of the CITY. Coverage shall not be limited to the vicarious liability or supervisory role of any additional insured. Coverage shall contain no contractors' limitation endorsement. There shall be no endorsement or modification limiting the scope of coverage for liability arising from pollution, explosion, collapse, underground property damage or employment-related practices. Such insurance shall not prohibit the DEVELOPER, and its employees or agents, from waiving the right of subrogation prior to a loss. The DEVELOPER waives its right of subrogation against the CITY. Unless otherwise approved by the CITY, the DEVELOPER's insurance shall be written by insurers authorized to do business in the State of California and with a minimum A.M. Best rating of "A, XV." Self-insurance shall not be considered to comply with these insurance specifications. The DEVELOPER agrees to require all contractors, subcontractors and other parties hired for the Improvements to purchase and maintain insurance of the types specified

herein, naming as additional insureds all of the parties to this Security Agreement. The DEVELOPER shall, before commencing any work, obtain Worker's Compensation Insurance in an amount required by law and, failing to do so, the CITY may procure such insurance at the cost of the DEVELOPER.

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7. <u>Comprehensive Commercial General and Automobile Liability Insurance</u>. The DEVELOPER, before commencing any work shall, at its own expense, maintain comprehensive commercial general and automobile liability insurance issued by a California-admitted surety company with an A.M. Best rating of no less than "A, XV" for \$2,000,000 per occurrence. Coverage shall be for the entire duration of the permitted activities. Such liability insurance policy shall name, by endorsement, the City as an additional insured.

8. <u>Indemnification</u>. Notwithstanding the provisions of Government Code, Section 66474.9 or any other statutes of similar import, and to the full extent permitted by law, the DEVELOPER shall defend, indemnify and hold harmless the CITY, its employees, agents, officials and attorneys, from and against any liability, claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses or costs of any kind or nature, whether actual, alleged or threatened, reasonable attorneys' fees, court costs, interest, expert witness fees and any other costs or expenses of any kind whatsoever, without restriction or limitation, incurred in relation to, as a consequence of, or arising out of or in any way attributable actually, allegedly or impliedly, in whole or in part, to the Map, the Improvements, this Agreement, or any matter related to the same; provided, however, that the indemnification to be provided by DEVELOPER to the CITY pursuant to the terms of this paragraph shall not be applicable where the aforementioned liability, claim, suit, action, etcetera, is the result of the sole negligence or sole willful misconduct of the CITY.

9. <u>Procedure for Release of Performance Bond Security.</u> The security furnished by the DEVELOPER shall be released in whole or in part in the following manner:

a. Security shall be released upon final completion and acceptance of the Improvements. If the security furnished by the DEVELOPER is a documentary evidence of security, such as a surety bond, the CITY shall release the documentary evidence and return the original to the Surety upon final completion and acceptance of the Improvements. In the event the CITY is unable to return the original documentary evidence to the Surety, the security shall be released by written notice sent by certified mail to the DEVELOPER and to the Surety within 30 days of the City's acceptance of the Improvements. The written notice shall contain a statement that the work for which security was furnished has been completed and accepted, a description of the Improvements, and the notarized signature of an authorized CITY official.

b. At such time as the DEVELOPER believes that the work for which the security was required is complete and makes payment of a partial exoneration fee of \$350 to the CITY, the DEVELOPER shall notify the CITY in writing of the completed work, including a list of work completed. Upon receipt of the written notice, the CITY shall have 45 days to review and comment or approve the completion of the Improvements. If the CITY does not agree that all work has been completed in accordance with the plans

and specifications for the Improvements, it shall supply a list of all remaining work to be completed.

c. Within 45 days of receipt of the CITY's list of remaining work, the DEVELOPER may then provide cost estimates for all remaining work for review and approval by the CITY.

d. Upon receipt of the cost estimates, the CITY shall then have 45 days to review, comment, and approve, modify or disapprove those cost estimates. The CITY shall not be required to engage in this process of partial release more than once between the start of work and the completion and acceptance of all work.

e. The DEVELOPER shall complete the works of Improvement until all remaining items are accepted by the CITY. Upon completion of the Improvements, the DEVELOPER shall be notified in writing by the CITY within 45 days and, within 45 days of the date of the CITY's notice, the release of any remaining performance security shall be made within 60 days of the recording of the Notice of Completion.

10. <u>Procedure for Release of Payment Bond Security.</u> Security securing the payment to the contractor, his or her subcontractors and persons furnishing labor, materials or equipment may, after passage of the time within which mechanic's liens and stop notices are required to be recorded and after acceptance of the Improvements, be reduced by Surety to an amount equal to the total claimed by all claimants for whom mechanic's liens and stop notices have been recorded and notice thereof given in writing to the CITY, and if no claims have been recorded, the security may be released in full.

11. <u>Security for One-Year Warranty Period</u>. The release procedures described in paragraphs 9 and 10 above shall not apply to any required guarantee and warranty period nor to the amount of the performance bond security deemed necessary by the CITY for the guarantee and warranty period nor to costs and reasonable expenses and fees, including reasonable attorneys' fees.

12. <u>Binding Effect.</u> This Security Agreement shall be binding upon and shall inure to the benefit of the parties hereto, their legal representatives and their successors and assigns.

13. <u>Authority to Execute.</u> The DEVELOPER hereby warrants and represents to the CITY that the individual signing this Security Agreement on behalf of the DEVELOPER is vested with the unconditional authority to do so pursuant to, and in accordance with, all applicable legal requirements, and has the authority bind the DEVELOPER hereto.

14. <u>No Assignment.</u> The DEVELOPER may not assign this Security Agreement, or any part thereof, to another without the prior written consent of the CITY.

15. <u>Attorneys' Fees.</u> In the event of legal action to enforce or interpret this Agreement or any of its provisions, the prevailing party shall be entitled, in addition to any other form of relief, to recover its reasonable attorneys' fees and costs of suit.

16. <u>Execution in Counterparts.</u> This Agreement may be executed in counterparts, each of which shall be deemed an original, but which together shall constitute a single agreement.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the dates listed below.

CITY OF BEAUMONT I White By Mayor

10/12/17 Date

DEVELOPER

By

Date

Title: Darius Fatakia Vice President Land Development Address:

5

Basic Gov (Sales Force) # 17-4156 File #

#### EXHIBIT "A"

Bond No.: 1001054054 Premium: \$19,065.00/2 yrs.

#### PERFORMANCE BOND

WHEREAS, the City Council of the City of Beaumont, State of California, and <u>RSI Communities</u> -<u>California LLC, a Delaware limited liability company</u> (hereinafter designated as "Principal") have entered into <u>Agreement To Provide Security For Improvements For Tract Map Or Parcel Map Or Plot Plan,</u> <u>dated</u> <u>September</u>, 2017, whereby Principal agrees to install and complete certain designated public improvements itemized and described on Tract Map, Parcel Map or Plot Plan No. 27971-5, which is hereby incorporated herein and made a part hereof; and

WHEREAS, Principal is required under the terms of the said agreement to furnish a bond for the faithful performance of said agreement.

NOW, THEREFORE, we, the Principal and American Contractors Indemnity Company as Surety, are held and firmly bound unto the City of Beaumont (hereinafter called "City"), in the penal sum of One mittion two hundred events of the city of Beaumont (s1,271,031.13) lawful money of the United States, for the payment of which sum well and truty to be made, we bind ourselves, our heirs, successors, executors and administrators, jointly and severally, fimily by these presents.

The condition of this obligation is such that if the Principal, his or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or their part to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City, its officers, agents and employees as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

As part of the obligation secured hereby and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment therein rendered.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications.

PRINCIPAL:

riĝ.

RSI Communities - California LLC , a Delaware limited liability company

By

Title Darius Fatakia Vice President Land Development

SURETY:

American Contractors Indemnity Company

By

Shane Wolf, Attorney-in-Fact Title

| AL          |    | PURPOSE        |
|-------------|----|----------------|
| CERTIFICATE | OF | ACKNOWLEDGMENT |

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

State of California

County of Orange }

On September 13, 2017 before me, Susan E. Morales, Notary Public (Here insert name and title of the officer)

personally appeared Shane Wolf

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

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

WITNESS my hand and official seal.

Notary Public Signature

(Notary Public Seal)



# ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

## Bond #1001054054

(Title or description of attached document)

American Contractors Indemnity Co.

(Title or description of attached document continued)

Number of Pages \_\_\_\_ Document Date\_ 9/13/17

## CAPACITY CLAIMED BY THE SIGNER

- □ Individual (s)
- Corporate Officer
- (Title) Partner(s)
- Attorney-in-Fact
- Trustee(s)
- Other\_\_\_\_

2015 Version www.NotaryClasses.com 800-873-9865

INSTRUCTIONS FOR COMPLETING THIS FORM

This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknolwedgents from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which
  must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/shc/they\_ is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
     Indicate the capacity claimed by the signer. If the claimed capacity is a
- corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
   Securely attach this document to the signed document with a staple.

#### **EXHIBIT "B"**

Bond No.: 1001054054 Premium included with the Performance Bond

#### PAYMENT BOND

WHEREAS, the City Council of the City of Beaumont, State of California, and RSI Communities - California LLC, a Delaware Innited liability company (hereafter designated as "the Principal") have entered into Agreemient To Provide Security For Improvements For Tract Map Or Parcel Map Or Plot Plan, dated September , 2017, whereby Principal agrees to install and complete certain designated public improvements itemized and described on Tract Map, Parcel Map or Plot Plan No. 27971-5, which is hereby incorporated herein and made a part hereof; and

WHEREAS, under the terms of the said agreement, the Principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Beaumont to secure the claims to which reference is made in Section 8000, et seq., of the Civil Code of the State of California. (\$7,054,211.26)

NOW, THEREFORE, the Principal and the undersigned as corporate surety, are held firmly bound unto the City of Beaumont and all contractors, subcontractors, laborers, materialmen, and other persons employed in the performance of the said agreement and referred to at Section 8000, et seq., of the Civil Code in the sum of the relient invance interaction and introduced intermediate interaction (\$1,271,131.18) for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to this work or labor, that the Surety will pay the same in an amount not exceeding the amount hereinabove set forth, and also in case suit is brought upon this bond, will pay, in addition to the face amount thereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City in successfully enforcing this obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgment therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies, and corporations entitled to file claims under Section 8000, et seq., of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligations on this bond, and it does hereby waive notice of any such change, extension, alteration, or addition.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on September 13th \_\_\_\_\_, 20 17 \_\_\_\_.

PRINCIPAL:

SURETY:

RSI Communities - California LLC, a Delaware limited liability company

By

Title Darius Fatakia Vice President Land Development

American Contractors Indemnity Company

By MAT

Title Shane Wolf, Attorney-in-Fact

# ALL- PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

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

State of California

County of Orange }

On September 13, 2017 before me, Susan E. Morales, Notary Public

personally appeared Shane Wolf

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

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

WITNESS my hand and official seal.

wan E.

Notary Public Signature

(Notary Public Seal)

INSTRUCTIONS FOR COMPLETING THIS FORM

wording does not require the California notary to violate California notary law.

• State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.

· Date of notarization must be the date that the signer(s) personally appeared which

· The notary public must print his or her name as it appears within his or her

• Indicate the correct singular or plural forms by crossing off incorrect forms (i.e.

• The notary seal impression must be clear and photographically reproducible.

· Signature of the notary public must match the signature on file with the office of

corporate officer, indicate the title (i.e. CEO, CFO, Secretary).

Securely attach this document to the signed document with a staple.

Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.

Indicate the capacity claimed by the signer. If the claimed capacity is a

Page 275 of 647

Indicate title or type of attached document, number of pages and date.

he/she/they,- is /are ) or circling the correct forms. Failure to correctly indicate this

Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.

must also be the same date the acknowledgment is completed.

information may lead to rejection of document recording.

commission followed by a comma and then your title (notary public).Print the name(s) of document signer(s) who personally appear at the time of

ADDITIONAL OPTIONAL INFORMATION DESCRIPTION OF THE ATTACHED DOCUMENT DESCRIPTION OF THE ATTACHED DOCUMENT Ins form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowedgents from other states may be completed for documents being sent to that state so long as the

notarization.

the county clerk.

**&** 

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Bond #1001054054

(Title or description of attached document)

American Contractors Indemnity Co.

(Title or description of attached document continued)

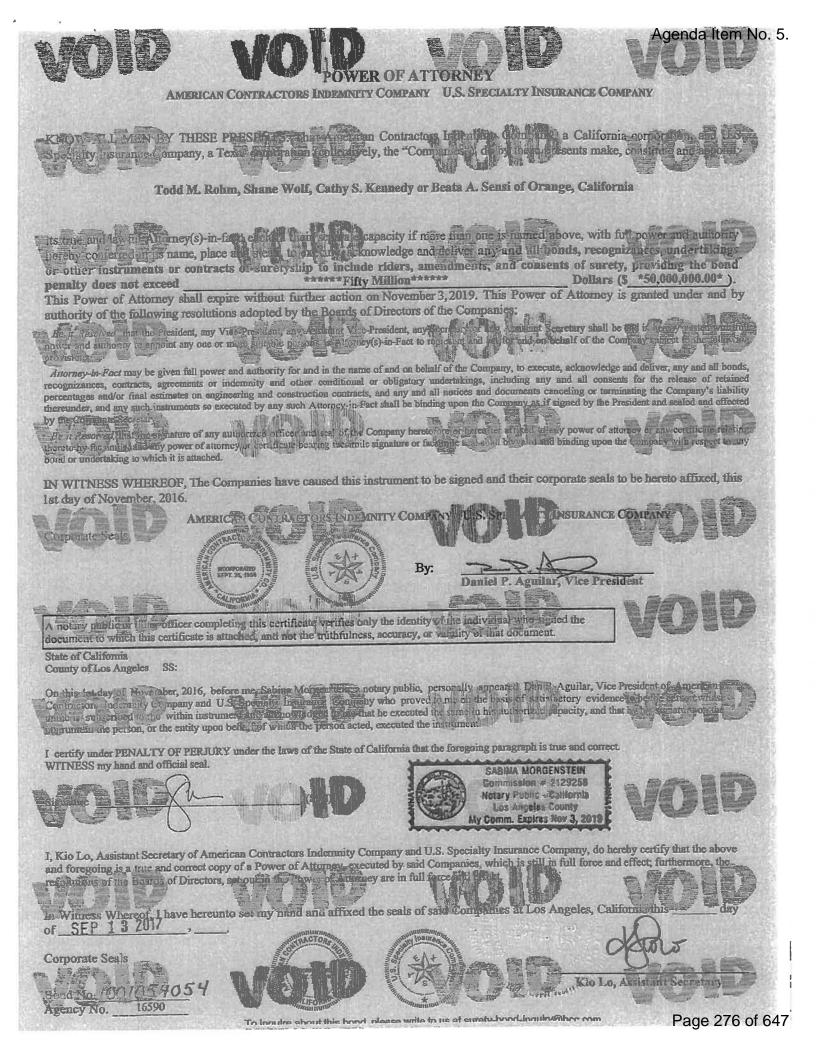
Number of Pages 1 Document Date 9/13/17

## CAPACITY CLAIMED BY THE SIGNER

- Individual (s)
- Corporate Officer
- (Title)
- Partner(s)
- Attorney-in-Fact
- Other

2015 Version www.NotaryClasses.com 800-873-9865

SUSAN E. MORALES COMM. # 2101798 NOTARY PUBLIC - CALIFORNIA ORANGE COUNTY My Comm. Expires March 28, 2019



#### CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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

))

State of California

County of ORANGE

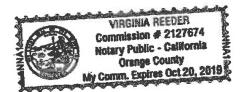
On September 15,2017 before me, Virginia Reeder, Notary Public,

personally appeared

Name(s) of Signer(s)

DARIUS FATAKIA,

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



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

WITNESS my hand and official seal.

Signature

Signature of Notary Public

Place Notary Seal Above

#### CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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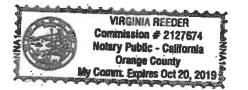
County of ORANGE ) On <u>September 15,2017</u> before me, Virginia Reeder, Notary Public, personally appeared

Name(s) of Signer(s)

DARIUS FATAKIA,

State of California

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



Place Notary Seal Above

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

WITNESS my hand and official seal.

Signature Signature of Notary Public

Basic Gov (Sales Force) # 17-4157 File # 3109

## EXHIBIT "A"

Bond Number: PB03010405608 Premium: \$1,729.00

#### PERFORMANCE BOND

WHEREAS, the City Council of the City of Beaumont, State of California, and <u>RSI Communities-California LLC, a Delaware limited liability company</u> (hereinafter designated as "Principal") have entered into Agreement To Provide Security For Improvements For Tract 27971-5, dated \_\_\_\_\_\_, 20\_\_\_, whereby Principal agrees to install and complete certain designated public improvements itemized and described on Tract Map, Parcel Map or Plot Plan No. 27971-5, which is hereby incorporated herein and made a part hereof; and Sewer Improvements.

WHEREAS, Principal is required under the terms of the said agreement to furnish a bond for the faithful performance of said agreement.

NOW, THEREFORE, we, the Principal and <u>Philadelphia Indemnity Insurance Company</u>, as Surety, are held and firmly bound unto the City of Beaumont (hereinafter called "City"), in the penal sum of Four Hundred Thirty Two Thousand Two Hundred Ninety Seven and 65/100 dollars (<u>\$ 432,297.65</u>) lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, successors, executors and administrators, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the Principal, his or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or their part to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City, its officers, agents and employees as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

As part of the obligation secured hereby and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment therein rendered.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on November 6 , 20 18 .

SURETY:

PRINCIPAL:

**RSI Communities - California LLC** 

HOLAS

Title VICE FRESIDENT FORMARD PLANNING THE

Philadelphia Indemnity Insurance Company

Michelle Haase, Attorney-In-Fact

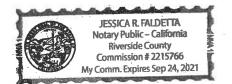
#### **CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

CIVIL CODE § 1189

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

| State of California |                                                |
|---------------------|------------------------------------------------|
| County of KIVORS    |                                                |
| on 11/08/18         | _ before me, Jusius R. Faldute - Notary Public |
| Date                | Here Insert Name and Title of the Officer      |
| personally appeared | James Holas                                    |
|                     | Name(s) of Signer(s)                           |
|                     | 2                                              |

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



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

gnature of Notary Public

WITNESS my hand and official seal.

Place Notary Seal and/or Stamp Above
OPTIONAL
Completing this information can deter alteration of the docu

| 1 0                                                                                                                   | this form to an unintended document.                                                    |
|-----------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| Description of Attached Document<br>Title or Type of Document:<br>Document Date:<br>Signer(s) Other Than Named Above: | this form to an unintended document.<br>Street ? Prunage Parformenc<br>Number of Pages: |
| Signer's Name:                                                                                                        | Signer's Name:                                                                          |
| Corporate Officer – Title(s):                                                                                         | Corporate Officer – Title(s):                                                           |
| Partner - D Limited D General                                                                                         | Partner – D Limited D General                                                           |
| Individual     Attorney in Fact                                                                                       | Individual     Attorney in Fact                                                         |
| Trustee     Guardian of Conservation     Guardian of Conservation                                                     | Other:                                                                                  |
| Signer is Representing:                                                                                               | Signer is Representing:                                                                 |
|                                                                                                                       |                                                                                         |

Signature

©2017 National Notary Association

| ALL- PURPOSE<br>CERTIFICATE OF ACKNOWLEDGMENT                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  |  |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|
| A notary public or other officer completing the<br>identity of the individual who signed the docu<br>is attached, and not the truthfulness, accuracy | ment to which this certificate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |  |  |  |
| State of California                                                                                                                                  | }                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |  |  |
| County of Orange                                                                                                                                     | _ }                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |  |  |
| personally appeared<br>who proved to me on the basis of satisf                                                                                       | Gina L. Garner, Notary Public<br>(Here insert name and title of the officer)<br>Michelle Haase<br>factory evidence to be the person(s) whose                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |  |  |  |
| he/she/they executed the same in his/h<br>his/her/their signature(s) on the instrum                                                                  | name(s) is/are subscribed to the within instrument and acknowledged to me that<br>he/she/they executed the same in his/her/their authorized capacity(ies); and that by<br>his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of<br>which the person(s) acted, executed the instrument.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |  |  |
| I certify under PENALTY OF PERJURY<br>the foregoing paragraph is true and cor<br>WITNESS my hand and official seal.                                  | GINA L GARNER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |  |  |
| Notary Public Signature (Notary Public Seal)                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  |  |  |
| ADDITIONAL OPTIONAL INFORMATION OF THE ATTACHED DOCUMENT                                                                                             | ON INSTRUCTIONS FOR COMPLETING THIS FORM<br>This form complies with current California statutes regarding notary wording and,<br>if needed, should be completed and attached to the document. Acknowedgents from<br>other states may be completed for documents being sent to that state so long as the<br>wording does not require the California notary to violate California notary law.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  |  |  |
| (Title or description of attached document) (Title or description of attached document continued)                                                    | <ul> <li>State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.</li> <li>Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |  |  |
| Number of Pages Document Date                                                                                                                        | <ul> <li>The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).</li> <li>Print the name(s) of document signer(s) who personally appear at the time of</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |  |  |
| CAPACITY CLAIMED BY THE SIGNER  Individual (s) Corporate Officer (Title) Partner(s) Attorney-in-Fact Trustee(s) Other                                | <ul> <li>notarization.</li> <li>Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/hey, is /are ) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.</li> <li>The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.</li> <li>Signature of the notary public must match the signature on file with the office of the county clerk.</li> <li>Additional information is not required but could help to ensure this acknowledgment is not missused or attached to a different document.</li> <li>Indicate title or type of attached document, number of pages and date.</li> <li>Indicate the capacity claimed by the signer.</li> </ul> |  |  |  |
| 015 Version www.NotaryClasses.com 800-873-9865                                                                                                       | <ul> <li>corporate officer, indicate the title (i.e. CEO, CFO, Secretary).</li> <li>Securely attach this document to the signed document with a staple.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |  |  |

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#### PHILADELPHIA INDEMNITY INSURANCE COMPANY One Bala Plaza, Suite 100 Bala Cynwyd, PA 19004-0950

#### **Power of Attorney**

KNOW ALL PERSONS BY THESE PRESENTS: That PHILADELPHIA INDEMNITY INSURANCE COMPANY (the Company), a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, does hereby constitute and appoint JANINA MONROE, THOMAS G. MCCALL, TIMOTHY J. NOONAN, MICHELLE HAASE AND MARTHA BARRERAS OF LOCKTON COMPANIES, LLC its true and lawful Attorney-in-fact with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an amount not to exceed <u>\$25,000,000.00</u>.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of PHILADELPHIA INDEMNITY INSURANCE COMPANY on the 14<sup>th</sup> of November, 2016.

**RESOLVED:** That the Board of Directors hereby authorizes the President or any Vice President of the Company: (1) Appoint Attorney(s) in Fact and authorize the Attorney(s) in Fact to execute on behalf of the Company bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and to attach the seal of the Company thereto; and (2) to remove, at any time, any such Attorney-in-Fact and revoke the authority given. And, be it

#### FURTHER RESOLVED:

That the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

IN TESTIMONY WHEREOF, PHILADELPHIA INDEMNITY INSURANCE COMPANY HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 27<sup>TH</sup> DAY OF OCTOBER, 2017.



Robert D. O'Leary Jr., President & CEO Philadelphia Indemnity Insurance Company

On this 27<sup>th</sup> day of October, 2017, before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn said that he is the therein described and authorized officer of the PHILADELPHIA INDEMNITY INSURANCE COMPANY; that the seal affixed to said instrument is the Corporate seal of said Company; that the said Corporate Seal and his signature were duly affixed.

| COARIONYIEALTH OF PENNSYLWANIA<br>NOTARIAL SEAL<br>Nargen Knapp, Nulacy Public<br>Lower Mexico Tisp, Montgerspry County | Notary Public:      | Moregan Knopp      |   |  |
|-------------------------------------------------------------------------------------------------------------------------|---------------------|--------------------|---|--|
| My Commission Expires Sept. 25, 2021                                                                                    | residing at:        | Bala Cynwyd, PA    | _ |  |
| (Notary Seal)<br>My                                                                                                     | commission expires: | September 25, 2021 | _ |  |

I, Edward Sayago, Corporate Secretary of PHILADELPHIA INDEMNITY INSURANCE COMPANY, do hereby certify that the foregoing resolution of the Board of Directors and the Power of Attorney issued pursuant thereto on the 27<sup>th</sup> day of October, 2017 are true and correct and are still in full force and effect. I do further certify that Robert D. O'Leary Jr., who executed the Power of Attorney as President, was on the date of execution of the attached Power of Attorney the duly elected President of PHILADELPHIA INDEMNITY INSURANCE COMPANY.

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this \_\_\_\_

NOV 0.6 2018



Edward Sayago, Corporate Secretary PHILADELPHIA INDEMNITY INSURANCE COMPANY

Bond Number: PB03010405608 Premium: included in performance bond

#### **EXHIBIT "B"**

#### **PAYMENT BOND**

WHEREAS, the City Council of the City of Beaumont, State of California, and RSI Communities - California LLC (hereafter designated as "the Principal") have entered into Agreement To Provide Security For Improvements For Tract Map Or Parcel Map Or Plot Plan, dated \_\_\_\_\_\_, 20\_\_, whereby Principal agrees to install and complete certain designated public improvements itemized and described on Tract Map, Parcel Map or Plot Plan No.27971-5\_, which is hereby incorporated herein and made a part hereof; and

WHEREAS, under the terms of the said agreement, the Principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Beaumont to secure the claims to which reference is made in Section 8000, et seq., of the Civil Code of the State of California.

NOW, THEREFORE, the Principal and the undersigned as corporate surety, are held firmly bound unto the City of Beaumont and all contractors, subcontractors, laborers, materialmen, and other persons employed in the performance of the said agreement and referred to at Section 8000, et seq., of the Civil Code in the sum of Four Hundred Thirty Two Thousand Two Hundred Minety Seven 65/1@collars (\$432,297.65), for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to this work or labor, that the Surety will pay the same in an amount not exceeding the amount hereinabove set forth, and also in case suit is brought upon this bond, will pay, in addition to the face amount thereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City in successfully enforcing this obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgment therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies, and corporations entitled to file claims under Section 8000, et seq., of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligations on this bond, and it does hereby waive notice of any such change, extension, alteration, or addition.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on <u>November 6</u>, 20 <u>18</u>.

PRINCIPAL:

**RSI Communities - California LLC** Title

SURETY:

Philadelphia Indemnity Insurance Company

Title Michelle Haase, Attorney-In-Fact

| ALL- PURPOSE<br>CERTIFICATE OF ACKNOWLEDGMENT                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|
| A notary public or other officer completing the<br>identity of the individual who signed the docu<br>is attached, and not the truthfulness, accuracy                                                                                                                                                                                                                                                          | ment to which this certificate                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |  |
| State of California                                                                                                                                                                                                                                                                                                                                                                                           | }                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  |  |
| County of Orange                                                                                                                                                                                                                                                                                                                                                                                              | . }                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |  |  |
| On <u>NOV 0:6 2018</u> before me, _                                                                                                                                                                                                                                                                                                                                                                           | Gina L. Garner, Notary Public<br>(Here insert name and title of the officer)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  |  |
| personally appeared                                                                                                                                                                                                                                                                                                                                                                                           | Michelle Haase                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |  |
| who proved to me on the basis of satisfactory evidence to be the person(s) whose<br>name(s) is/are subscribed to the within instrument and acknowledged to me that<br>he/she/they executed the same in his/her/their authorized capacity(ies), and that by<br>his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of<br>which the person(s) acted, executed the instrument. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |  |
| the foregoing paragraph is true and con<br>WITNESS my hand and official seal.                                                                                                                                                                                                                                                                                                                                 | diversion of the State of California that<br>rect.<br>GINA L GARNER<br>Notary Public - California<br>Orange County<br>Commission # 2198045<br>My Comm. Expires May 18, 2021                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |  |
| •                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |  |
| ADDITIONAL OPTIONAL INFORMATI<br>DESCRIPTION OF THE ATTACHED DOCUMENT                                                                                                                                                                                                                                                                                                                                         | ON INSTRUCTIONS FOR COMPLETING THIS FORM<br>This form complies with current California statutes regarding notary wording and,<br>if needed, should be completed and attached to the document. Acknowcedgents from<br>other states may be completed for documents being sent to that state so long as the<br>wording does not require the California notary to violate California notary law.                                                                                                                                                                                                                                                                                                                                    |  |  |
| (Title or description of attached document)                                                                                                                                                                                                                                                                                                                                                                   | <ul> <li>State and County information must be the State and County where the document<br/>signer(s) personally appeared before the notary public for acknowledgment.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |  |  |
| (Title or description of attached document continued) Number of Pages Document Date                                                                                                                                                                                                                                                                                                                           | <ul> <li>Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.</li> <li>The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).</li> <li>Print the name(s) of document signer(s) who personally appear at the time of</li> </ul>                                                                                                                                                                                                                                                                                                              |  |  |
| CAPACITY CLAIMED BY THE SIGNER  Individual (s) Corporate Officer (Title) Partner(s) Attorney-in-Fact                                                                                                                                                                                                                                                                                                          | <ul> <li>notarization.</li> <li>Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they, is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.</li> <li>The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.</li> <li>Signature of the notary public must match the signature on file with the office of the county clerk.</li> <li>Additional information is not required but could help to ensure this</li> </ul> |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                               | <ul> <li>acknowledgment is not misused or attached to a different document.</li> <li>Indicate title or type of attached document, number of pages and date.</li> <li>Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).</li> <li>Securely attach this document to the signed document with a staple.</li> </ul>                                                                                                                                                                                                                                                                                                                        |  |  |

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#### **CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

#### CIVIL CODE § 1189

#### 

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

| State of California | )                                              |
|---------------------|------------------------------------------------|
| County of KIVUSUL   |                                                |
| On 11/06/18         | before me, Jessica R. Faldette - Notary Public |
| Date                | Here Insert Name and Title of the Officer      |
| personally appeared | JANUS Itolas                                   |
|                     | Name(s) of Signer(s)                           |
|                     |                                                |

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



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

WITNESS my hand and official seal.

Sky

hature of Notary Public

Place Notary Seal and/or Stamp Above

ODTIONÁL

Signature

- OPTIONAL Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document. **Description of Attached Docume** Title or Type of Document: Document Date: Number of Pages: Signer(s) Other Than Named Above: Capacity(ies) Claimed by Signer(s) Signer's Name: Signer's Name: Sorporate Officer – Title(s): □ Corporate Officer - Title(s): Partner – 
 Limited 
 General Partner – 
Limited 
General I Individual □ Attorney in Fact 🗆 Individual □ Attorney in Fact □ Trustee □ Trustee Guardian of Conservator Guardian of Conservator □ Other: □ Other: Signer is Representing: Signer is Representing:

©2017 National Notary Association

7821

#### PHILADELPHIA INDEMNITY INSURANCE COMPANY One Bala Plaza, Suite 100 Bala Cynwyd, PA 19004-0950

#### **Power of Attorney**

KNOW ALL PERSONS BY THESE PRESENTS: That PHILADELPHIA INDEMNITY INSURANCE COMPANY (the Company), a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, does hereby constitute and appoint JANINA MONROE, THOMAS G. MCCALL, TIMOTHY J. NOONAN, MICHELLE HAASE AND MARTHA BARRERAS OF LOCKTON COMPANIES, LLC its true and lawful Attorney-in-fact with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an amount not to exceed <u>\$25,000,000.00</u>.

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**RESOLVED:** 

That the Board of Directors hereby authorizes the President or any Vice President of the Company: (1) Appoint Attorney(s) in Fact and authorize the Attorney(s) in Fact to execute on behalf of the Company bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and to attach the seal of the Company thereto; and (2) to remove, at any time, any such Attorney-in-Fact and revoke the authority given. And, be it

#### FURTHER RESOLVED:

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IN TESTIMONY WHEREOF, PHILADELPHIA INDEMNITY INSURANCE COMPANY HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEALTO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 27<sup>TH</sup> DAY OF OCTOBER, 2017.





Robert D. O'Leary Jr., President & CEO Philadelphia Indemnity Insurance Company

On this 27<sup>th</sup> day of October, 2017, before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn said that he is the therein described and authorized officer of the PHILADELPHIA INDEMNITY INSURANCE COMPANY; that the seal affixed to said instrument is the Corporate seal of said Company; that the said Corporate Seal and his signature were duly affixed.

| 20AM/ONIWEALTH OF PERINSYLMARIA<br>NOTARIAL SEAL<br>Margan Knepp, Neday Public<br>Lower Merico Top., Madgorupy County<br>Marganissia Exches Seat, 25, 2021 | Notary Public:         | Morgan Mapp        |
|------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|--------------------|
| WHER. PEWISYOMINASSOCIATION OF HODIALS                                                                                                                     | residing at:           | Bala Cynwyd, PA    |
| (Notary Seal)<br>M                                                                                                                                         | ly commission expires: | September 25, 2021 |

I, Edward Sayago, Corporate Secretary of PHILADELPHIA INDEMNITY INSURANCE COMPANY, do hereby certify that the foregoing resolution of the Board of Directors and the Power of Attorney issued pursuant thereto on the 27<sup>th</sup> day of October, 2017 are true and correct and are still in full force and effect. I do further certify that Robert D. O'Leary Jr., who executed the Power of Attorney as President, was on the date of execution of the attached Power of Attorney the duly elected President of PHILADELPHIA INDEMNITY INSURANCE COMPANY.

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this \_\_\_\_\_\_



Edward Sayago, Corporate Secretary PHILADELPHIA INDEMNITY INSURANCE COMPANY

day of

. 20

### CITY OF BEAUMONT PUBLIC WORKS DEPARTMENT CONSTRUCTION COST WORKSHEET

| PARCEL MAP OR TRACT NO.:          | Tract 27971-5 Street, Storm Drain, and Sewer                 |         |  |  |
|-----------------------------------|--------------------------------------------------------------|---------|--|--|
| DATE:                             | 9-Feb-17                                                     |         |  |  |
| PP, CUP NO.                       | BY;                                                          | :3 P.E. |  |  |
| IMPROVEMENTS                      | FAITHFUL PERFORMANCE 100%<br>LABOR & MATERIALS SECURITY 100% |         |  |  |
|                                   | Construction Costs)                                          |         |  |  |
| Streets/Drainage                  | <b>S</b> 1,271,031.18                                        |         |  |  |
| Sewer                             | \$ 432,297.65                                                |         |  |  |
| Total                             | \$ 1,703,328.83                                              |         |  |  |
| Warranty Retension (22.5%)        | \$ 383,248.99                                                |         |  |  |
| Street/Drainage Plan Check Fees = | \$ 25,420.62                                                 |         |  |  |
| Sewer Plan Check Fees =           | \$ 10,807.44                                                 |         |  |  |
| Street Inspection Fees =          | \$ 38,130,94                                                 | *       |  |  |
| Sewer Inspection Fees =           | <u>\$ 17,291.91</u>                                          |         |  |  |

## DESIGN ENGINEERS CALCULATIONS OF IMPROVEMENT BONDING COSTS

Construction items and their quantities as shown on attached sheets are accurate for the improvements required to construct the above project and the mathematical extensions using City's unit costs are accurate for determining bonding, plan check and inspection costs.

Above amounts do

include additional 20% for recordation prior to having signed plans

Above amounts do not X include additional 20% for recordation prior to having signed plans

<u>9 FEB 2017</u>



NED J. ARAUJO, P.E. Name typed or printed

FORM \$ UNIT COSTS REVISED 01/02/2017

## \*\*\*\*\*PLEASE READ INSTRUCTIONS BELOW\*\*\*\*\*

2

- Quantities to be taken from improvement plans, Unit costs to be as provided on "City of Beaumont Construction Cost Worksheet".
- 2. Show Bond Amounts to the nearest \$500.
- 3. For construction items not covered by the Construction Cost Worksheet", Design Engineer is to provide his opinion of construction cost and use of that cost. If City of Beaumont unit costs are determined to be too low in the opinion of the Design Engineer, the higher costs as provided by the Design Engineer should be used.

05783

**Civil Engineer's Stamp** 

-1

#### CITY OF BEAUMONT PUBLIC WORKS DEPARTMENT IMPROVEMENT REQUIREMENT WORKSHEET

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PROJECT: Tract 27971-5 Street, Storm Drain, and Sewer

DATE: \_\_\_\_\_9-Feb-17

|           |               | STREET IMPROVEMENTS                                                                                                                             |    |        |            |       |
|-----------|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------|----|--------|------------|-------|
| QTY. UNIT |               | ÍTEM                                                                                                                                            | UN | T COST | OST AMOUNT |       |
|           |               | Roadway Excavation<br>1. Projects with a grading plan area x 0.50'                                                                              |    |        |            |       |
| 2,156     | C.Y.          | (hinge point to hinge point)(96,337 sf)<br>2. Projects without a grading plan (road<br>area and side slopes to daylight<br>Cut (C) = Fill (f) = | \$ | 20.00  | \$         | 43,12 |
| _         | C.Y. (c or f) | (a.) Excavate and Fill                                                                                                                          | \$ | 0.40   | \$         | -     |
|           | C.Y. (f - c)  | (b.) Excavate and Export                                                                                                                        | \$ | 1.10   | \$         | -     |
|           |               | (c.) Import and Fill                                                                                                                            | \$ | 2.80   | \$         | -     |
|           |               | If balance, provide (a.) only, either cut or fill                                                                                               |    |        |            |       |
|           |               | If export, provide (a.) & (b.), a = fill, b = cut - fill                                                                                        |    |        |            |       |
|           |               | If import, provide (a.) & (c.), a = cut, c= fill - cut                                                                                          |    | 10     |            |       |
|           |               | (Unit costs for (a.), (b.) & (c.) are 20% of acrual                                                                                             |    |        |            |       |
|           |               | costs to assure that work will be corrected to                                                                                                  |    |        |            |       |
|           |               | eliminate hazardous conditions.)                                                                                                                |    |        |            |       |
|           |               |                                                                                                                                                 |    |        | \$         | -     |
|           | S.F.          | Remove A.C. Pavement                                                                                                                            | \$ | 1.45   | \$         |       |
|           | L.F.          | Remove Curb and Gutter                                                                                                                          | \$ | 18.00  | \$         |       |
| 210       | L.F.          | Remove A.C. Dike                                                                                                                                | \$ | 3.00   | \$         | 63    |
|           | S.F.          | Remove Sidewalk                                                                                                                                 | \$ | 3.00   | \$         |       |
| 210       | L.F.          | Sawcut & Remove Exist. A.C. Pavement                                                                                                            | \$ | 2.45   | \$         | 51:   |
|           |               |                                                                                                                                                 |    |        | \$         | -     |
|           |               |                                                                                                                                                 | _  |        | \$         |       |
|           |               |                                                                                                                                                 |    |        | \$         | -     |
|           |               |                                                                                                                                                 |    |        | \$         |       |
|           |               |                                                                                                                                                 | _  |        | \$         |       |
|           |               |                                                                                                                                                 |    |        | \$         | -     |
|           |               |                                                                                                                                                 | _  |        | \$         | -     |
|           |               |                                                                                                                                                 | _  |        | \$         | -     |
|           | · · ·         |                                                                                                                                                 | _  |        | \$         |       |
|           |               |                                                                                                                                                 |    |        | \$         |       |

PROJECT:

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Tract 27971-5 Street, Storm Drain, and Sewer

DATE: 9-Feb-17

| QTY.     | UNIT | ITTEM                                                                                                                                                                                                                                                                                                        | ט   | NIT COST | A   | MOUNT  |
|----------|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----------|-----|--------|
| <b>C</b> | L.F. | Remove Chain Link Fence                                                                                                                                                                                                                                                                                      | \$  | 7.50     | \$  | -      |
|          | EA.  | Remove Barricade                                                                                                                                                                                                                                                                                             | \$  | 200.00   | \$  | -      |
| 2,954    | TON  | Asphalt Concrete - 144 Ibs/cu. Ft.<br>(164,130 OnSite SF @ 0.25')                                                                                                                                                                                                                                            | .\$ | 90.00    | \$  | 265,80 |
| 3,292    | C.Y. | Aggregate Base Class II (164,130 OnSite SF @ 6.5")                                                                                                                                                                                                                                                           | \$  | 50.00    | \$  | 164,6  |
| 6        | TON  | Asphalt Emulsion (Fog Seal/Paint Binder)<br>(1 ton = 240 gals) (164,130 OnSite SF)                                                                                                                                                                                                                           | \$  | 600.00   | \$  | 3,6    |
|          | S.F  | apply at 0.05 + 0.03 = 0.08 gal/SY<br>AC overlay (min. 0.10')<br>If export, provide (a) & (b), a=fill, b=cut-fill<br>If import, provide (a)&(C), a=cut, c=fill-cut<br>(Unit costs for (a), (b) & (C) are 20% of<br>actual costs to assure that work will be<br>corrected to eliminate hazardous conditions.) | \$  | 0.90     | \$  |        |
|          | S.F. | Remove A.C. Pavement                                                                                                                                                                                                                                                                                         | \$  | 1.45     | \$  |        |
|          | L.F. | Curb and Gutter (Wedge Curb)                                                                                                                                                                                                                                                                                 | S   | 12.00    | \$  | _      |
| 8,870    | L.F. | Curb and Gutter (Type A-6)                                                                                                                                                                                                                                                                                   | \$  | 15.00    | \$  | 133,05 |
| 0,070    | LF.  | Curb and Gutter (Type A-8)                                                                                                                                                                                                                                                                                   | \$  | 17.00    | \$  | -      |
|          | L.F. | Type "C" Curb                                                                                                                                                                                                                                                                                                | \$  | 12.00    | \$. | -      |
|          | LF.  | Type "D" Curb                                                                                                                                                                                                                                                                                                | \$  | 15.00    | \$  | -      |
|          | L.F. | A.C. Dike (6") (incl. material & labor)                                                                                                                                                                                                                                                                      | .\$ | 10.00    | \$  | -      |
|          | LF.  | A.C. Dike (8") (incl. Material & labor)                                                                                                                                                                                                                                                                      | \$  | 15.00    | \$  | -      |
|          | S.F. | P.C.C. Cross Gutter and Spandrels                                                                                                                                                                                                                                                                            | \$  | 10.00    | \$  | -      |
| 55,620   | S.F. | P.C.C. Sidewalk                                                                                                                                                                                                                                                                                              | \$  | 6.00     | \$  | 333,72 |
|          | SF   | P.C.C. Drive Approach                                                                                                                                                                                                                                                                                        | \$  | 8.00     | \$  | -      |
| 20       | EA.  | Handicapped Access Ramp                                                                                                                                                                                                                                                                                      | \$  | 2,000.00 | \$  | 40,00  |
|          | S.F. | P.C.C. Drive Approach<br>(individual lot driveway approach per finished grading plan)                                                                                                                                                                                                                        | \$  | 12.00    | \$  | -      |
|          | S.F. | Cold Plane & Overlay Exist. A.C. Paving                                                                                                                                                                                                                                                                      | \$  | 4.00     | \$  | -      |
|          |      |                                                                                                                                                                                                                                                                                                              |     |          | \$  | -      |
|          |      |                                                                                                                                                                                                                                                                                                              |     |          | \$  |        |
|          |      |                                                                                                                                                                                                                                                                                                              |     |          | \$  |        |

7

# CITY OF BEAUMONT PUBLIC WORKS DEPARTMENT IMPROVEMENT REQUIREMENT WORKSHEET

PROJECT:

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Tract 27971-5 Street, Storm Drain, and Sewer

DATE: \_\_\_\_\_9-Feb-17

| QTY. | UNIT ITEM |                                                                                  | U  | <b>NT COST</b> | A   | AMOUNT |  |
|------|-----------|----------------------------------------------------------------------------------|----|----------------|-----|--------|--|
| 9    | EA.       | Street Name Sign                                                                 | \$ | 400.00         | \$  | 3,60   |  |
|      | EA.       | Delineators-per Caltrans Std. A73C,<br>Class 1, Type F                           | \$ | 40.00          | \$  | -      |  |
|      | EA.       | Object Markers - Modified Type F<br>Delineators, Riverside County                | \$ | 45.00          | \$  | -      |  |
|      | L.F.      | Barricades                                                                       | \$ | 100.00         | \$  | -      |  |
|      | L.F.      | Utility Trench, one side (Edison, Telephone, Cable)<br>(Total length of streets) | \$ | 10.00          | \$  | -      |  |
|      | L.F.      | Chain Link Fence (6')                                                            | \$ | 80.00          | \$  | -      |  |
|      | L.F.      | Remove Fence                                                                     | \$ | 4.00           | \$  | 2      |  |
|      | EA.       | Remove Power Pole                                                                | \$ | 1,200.00       | \$  | -      |  |
| 15   | EA.       | Street Lights (including conduit)                                                | \$ | 5,000.00       | \$  | 75,00  |  |
| 143  | EA.       | Street Trees (15 gallon)                                                         | \$ | 150.00         | \$  | 21,45  |  |
|      | L.S.      | Landscape and Irrigation                                                         | \$ | -              | \$  | _      |  |
|      | EA.       | Concrete Bulkhead                                                                | \$ | 200.00         | \$  | -      |  |
|      | C.Y.      | Structural Reinforced Concrete                                                   | \$ | 400.00         | \$  | -      |  |
|      | EA.       | Slope Anchors for Pipes                                                          | \$ | 300.00         | \$  | -      |  |
|      | L.F.      | Cut Off Wall (Std. 2')                                                           | \$ | 5.50           | \$  | -      |  |
|      | EA.       | A.C. Overside Drain                                                              | \$ | 800.00         | \$  | -      |  |
|      | EA.       | Under Sidewalk Drain                                                             | \$ | 2,000.00       | \$  | -      |  |
|      | S.F.      | Terrace Drains and Down Drains                                                   | \$ | 6.50           | \$  | -      |  |
|      | S.F.      | Interceptor Drains                                                               | \$ | 6.50           | \$  | 89     |  |
| . 9  | EA.       | Gutter Depression for Curb Opening Catchbasin                                    | \$ | 1,500.00       | \$  | 13,500 |  |
|      | EA.       | Access Driveway for Storm Drain at Cul-de-Sac                                    | \$ | 640.00         | \$  | -      |  |
| 10   | ËA.       | "STOP" Pavement Marking                                                          | \$ | 200.00         | .\$ | 2,000  |  |
| 175  | L.F.      | Limit Line                                                                       | \$ | 2.00           | \$  | 350    |  |
| 10   | EA.       | RI "STOP SIGN"                                                                   | \$ | 250.00         | \$  | 2,500  |  |
| 7    | EA.       | W53 "NOT A THROUGH STREET" Sign                                                  | \$ | 250.00         | \$  | 1,750  |  |
|      |           |                                                                                  |    |                | \$  | -      |  |
|      |           |                                                                                  |    |                | \$  |        |  |
|      |           |                                                                                  |    |                | \$  |        |  |
|      |           | A                                                                                |    |                | \$  |        |  |

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PROJECT: Tract 27971-5 Street, Storm Drain, and Sewer

DATE: 9-Feb-17

| QTY.           | UNIT  | ITEM                               | T T | NIT COST  | A. N. | IOUNT |
|----------------|-------|------------------------------------|-----|-----------|-------|-------|
| <b>X X X X</b> | C.Y.  | Rip Rap (1/4 Ton) Method B         | \$  | 40.00     | \$    |       |
|                | C.Y.  | Rip Rap (1/2 Ton) Method B         | \$  | 45.00     | \$    |       |
|                | C.Y.  | Rip Rap (1 Ton) Method B           | \$  | 50.00     | \$    |       |
|                | C.Y.  | Rip Rap (2 Ton) Method B           | \$  | 55.00     | \$    |       |
|                | C.Y.  | Grouted Rip Rap (1/4 Ton) Method B | \$  | 60.00     | \$    |       |
|                | C.Y.  | Grouted Rip Rap (1/2 Ton) Method B | \$  | 67.00     | \$    |       |
|                | C.Y.  | Grouted Rip Rap (1Ton) Method B    | \$  | 75.00     | \$    |       |
|                | C.Y.  | Grouted Rip Rap (2 Ton) Method B   | \$  | 80.00     | \$    |       |
|                | L.F.  | 18" R.C.P.                         | \$  | 113.00    | \$    |       |
|                | Ĺ.F.  | 24" R.C.P.                         | \$  | 140.00    | \$    |       |
|                | L.F.  | 30" R.C.P.                         | \$  | 150.00    | \$    |       |
|                | L.F.  | 36" R.C.P.                         | \$  | 155.00    | \$    |       |
|                | L.F.  | 42" R.C.P.                         | \$  | 160.00    | \$    | -     |
|                | L.F.  | 48." RCP                           | \$  | 165.00    | \$    | -     |
|                | Ļ.F.  | 54" RCP                            | \$  | 170.00    | \$    | _     |
|                | L.F.  | 60" RCP                            | \$  | 175.00    | \$    | -     |
|                | L.F.  | 72" RCP                            | \$  | 250.00    | \$    | -     |
|                | 0.001 |                                    | \$  | 1.00      | \$    |       |
|                | L.F.  |                                    | \$  | 1.00      | \$    |       |
|                | EA.   | H.D.P.E. Clean Out                 | \$  | 400.00    | \$    | -     |
|                | EA.   | Drain Basin                        | \$  | 500.00    | \$    |       |
|                | EA.   | Curb Outlet                        | \$  | 3,000.00  | \$    | -     |
|                | EA.   | Fossil Filters                     | \$  | 500.00    | \$    | -     |
|                | EA.   | 18" C.M.P. Wye                     | \$  |           | \$    |       |
|                | EA.   | Riprap Headwall                    | \$  | 1,000.00  | \$    |       |
|                | ĒA.   | Concrete Collar                    | \$  | 500.00    | \$    | -     |
|                | EA.   | Outlet Structure                   | \$  | 10,000.00 | \$    |       |
|                | EA.   |                                    |     |           | \$    | -     |
|                |       |                                    |     |           | \$    | -     |

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PROJECT: Tract 27971-5 Street, Storm Drain, and Sewer

DATE: \_\_\_\_\_9-Feb-17

| QTY. | UNIT | ITEM                                             | U  | NIT COST  | AMOUNI  |
|------|------|--------------------------------------------------|----|-----------|---------|
|      | L.F. | 60" C.S.P.                                       | \$ | 120.00    | \$      |
|      | EA.  | Catch Basin W = 4'                               | \$ | 2,200.00  | \$      |
|      | EA.  | Catch Basin $W = 7'$                             | \$ | 4,000.00  | \$      |
|      | EA.  | Catch Basin W = 10'                              | \$ | 6,000.00  | \$      |
|      | EA.  | Catch Basin W = 14'                              | \$ | 7,800.00  | \$      |
|      | EA.  | Catch Basin W = 21'                              | \$ | 12,000.00 | \$      |
|      | EA.  | Type IX Inlet                                    | \$ | 3,000.00  | \$      |
|      | EA.  | Type X Inlet                                     | \$ | 3,000.00  | \$      |
|      | EA.  | Junction Structure No. 1                         | \$ | 3,000.00  | \$      |
|      | EA.  | Junction Structure No. 2                         | \$ | 3,000.00  | \$<br>  |
|      | EA.  | Junction Structure No. 6                         | \$ | 3,700.00  | \$      |
| -    | EA.  | Transition Structure No. 1                       | \$ | 12,500.00 | \$      |
|      | EA.  | Transition Structure No. 3                       | \$ | 2,700.00  | \$      |
|      | EA.  | Manhole No. 1                                    | \$ | 2,700.00  | \$      |
|      | EA.  | Manhole No. 2                                    | \$ | 3,300.00  | \$      |
|      | EA.  | Manhole No. 3                                    | \$ | 2,700.00  | \$      |
|      | EA.  | Manhole No. 4                                    | \$ | 5,000.00  | \$      |
|      | EA.  | Adjust Water Valve (if no water plan)            | \$ | 250.00    | \$      |
|      | EA.  | Adjust MH to grade (if no sewer plan)            | \$ | 600.00    | \$<br>- |
|      | EA.  | Headwall                                         | \$ | 5,000.00  | \$      |
|      |      | Remove & Dispose of Interferring 30" Storm Drain |    |           |         |
|      | L.S. | and 36" Riser                                    | \$ | 700.00    | \$<br>_ |
|      | EA.  | Remove & Dispose of RCB Headwall & Wingwall      | \$ | 12,000.00 | \$<br>- |
|      | L.F. | and Concrete Bulkhead                            | \$ | 30.00     | \$<br>  |
|      | EA.  | Outlet Structure (Line A & B)                    | \$ | 7,000.00  | \$      |
|      | EA.  | Remove Existing Headwall                         | \$ | 1,500.00  | \$<br>- |
|      |      |                                                  |    |           | \$      |
|      |      |                                                  |    |           | \$<br>- |
|      |      |                                                  |    |           | \$<br>- |
|      |      |                                                  |    |           | \$<br>_ |

PROJECT:

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Tract 27971-5 Street, Storm Drain, and Sewer

DATE: \_\_\_\_\_9-Feb-17

|      |           | STREET IMPROVEMEN         | TTS (Cont'd.) |           |        |           |
|------|-----------|---------------------------|---------------|-----------|--------|-----------|
| QTY. | UNIT      | ITEM                      | U             | NIT COST  | AMOUNT |           |
|      | EA.       | Water Quality Structure   | \$            | 5,000.00  | \$     | -         |
|      | LS        | Concrete Inlet Apron      | \$            | 11,000.00 | \$     | -         |
|      | LS        | Emergency Spillway        | \$            | 27,000.00 | \$     | _         |
|      | LS        | 84" Storm Drain Grate     | \$            | 8,500.00  | \$     | -         |
|      | SF        | 3' Wide V-Gutter (945 LF) | \$            | 7.00      | \$     | -         |
|      |           |                           |               |           | \$     | -         |
|      |           |                           |               | -         | \$     | -         |
|      |           |                           |               |           | \$     | -         |
|      |           |                           |               |           | \$     | ***       |
|      |           |                           |               |           | \$     | -         |
|      |           |                           | Subt          | otal:     | \$     | -         |
|      | Subtotal  |                           |               |           | \$     | 1,105,245 |
|      | Contingen | cy (15%)                  |               |           | \$     | 165,787   |

| С.         | Streets/Drainage Total (A + B)          | \$      | 1,271,031 |
|------------|-----------------------------------------|---------|-----------|
| ********** | *************************************** | ******* | ******    |

PROJECT:

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Tract 27971-5 Street, Storm Drain, and Sewer

DATE: 9-Feb-17

SEWER IMPROVEMENTS Show quantities on this sheet only if project has a sewer plan. If no water plan, then show applicable quantities as part of street improvements.

| QTY.  | UNIT       | ITEM                                                    | U  | NIT COST | Τ  | AMOUNT  |
|-------|------------|---------------------------------------------------------|----|----------|----|---------|
|       | L.F.       | 4" V.C.P. (45 Lots @ 25' Avg. Length & 5' for cleanout) | \$ | 15.00    | \$ | -       |
|       | L.F.       | 4" P.V.C. Force Main & Fittings                         | \$ | 26.00    | \$ | -       |
|       | L.F.       | 8" V.C.P.                                               | \$ | 30.00    | \$ | _       |
|       | LF.        | 10" V.C.P.                                              | \$ | 35.00    | \$ | _       |
|       | LF.        | 12" V.C.P.                                              | \$ | 40.00    | \$ | _       |
|       | LF.        | 15" V.C.P.                                              | \$ | 50.00    | \$ | -       |
| 25    | EA.        | Standard or Terminus Manholes                           | \$ | 2,500.00 | s  | 62,50   |
|       | EA.        | Drop Manholes                                           | \$ | 4,000.00 | ŝ  |         |
|       | EA.        | Cleanouts                                               | \$ | 500.00   | \$ |         |
|       | EA.        | Sewer Y's                                               | \$ | 30.00    | \$ | _       |
|       | EA.        | Chimneys                                                | \$ | 400.00   | \$ | _       |
| 25    | EA.        | Adjust M.H. to grade                                    | \$ | 500.00   | \$ | 12,500  |
|       | L.F.       | Concrete Encasement                                     | \$ | 35.00    | \$ | _       |
|       | EA.        | 4" P.V.C. Misc. Fittings                                | \$ | 120.00   | \$ | _       |
|       | L.F.       | Sewer Pipe Sleeving                                     | \$ | 45.00    | \$ | -       |
|       | EA.        | Sewer Lift Station                                      |    |          | \$ | _       |
| 69    | EA.        | Backflow prevention device                              | \$ | 400.00   | \$ | 27,600  |
| 3,818 | L.F.       | 4" P.V.C Sewer Lateral                                  | \$ | 17.00    | \$ | 64,906  |
| 5,943 | L.F.       | 8" P.V.C.                                               | \$ | 35.00    | \$ | 208,005 |
| 1     | E.A.       | 8" P.V.C. Misc. Fittings and Plugs                      | \$ | 200.00   | \$ | 200     |
| 1     | EA.        | Remove 8" Plug                                          | \$ | 200.00   | \$ | 200     |
|       |            |                                                         |    |          | \$ |         |
| ę     | Subtotal   |                                                         |    |          | \$ | 375,911 |
| C     | Contingend | cy (15% x A)                                            |    |          | \$ | 56,387  |
| c     | Sewer Tot  |                                                         |    | -        |    |         |
|       |            |                                                         |    |          |    |         |

# C. Sewer Total (A + B) <u>\$ 432,298</u>

# BEAUMONT

# **Staff Report**

| ТО:      | Mayor and City Council Members                                          |
|----------|-------------------------------------------------------------------------|
| FROM:    | Kristine Day, Assistant City Manager                                    |
| DATE:    | October 1, 2019                                                         |
| SUBJECT: | Approval of the Pretreatment Facilities Agreement with Perricone Juices |

# **Background and Analysis:**

As part of the City's Wastewater Treatment Plant Salt Mitigation Upgrade, the City initiated a collaborative effort with local significant wastewater dischargers to improve water quality at the source with the goal of minimizing impacts and resulting costs at the City's Wastewater Treatment Plant (WWTP). In addition to minimizing impacts at the WWTP, revised water quality limits, monitoring and enforcement actions are necessary to meet the stringent discharge requirements for the brine line owned and operated by the Santa Ana Watershed Protection Agency. This connection is vital to the success of the City's Salt Mitigation Upgrade which relies on this pipeline to dispose of salt from the watershed.

Since 1995, Perricone Farms has operated a juice processing plant in the City of Beaumont as a significant wastewater discharger. The City began discussions with Perricone Farms in 2018 and have negotiated the Pretreatment Facilities Agreement (Exhibit A). The Agreement authorizes the City to utilize an interim wastewater rate in return for Perricone investing approximately \$3 million in onsite wastewater treatment equipment resulting in an improved effluent water quality. The interim rate reflects an overall annual revenue increase of 20% over the estimated revenue from Perricone Farms in the City's Sewer Rate Study (June 2018). This agreement provides adequate time and rate stabilization for Perricone Farms to implement the necessary equipment to equalize and treat wastewater flows onsite which benefits operations at the City's WWTP. The agreement includes provisions requiring Perricone to meet schedule milestones, performance requirements and minimum investment thresholds or face financial penalties.

# **Fiscal Impact:**

Staff cost to prepare this report and agreement is approximately \$600.00.

Agenda Item No. 6.

# **Recommendation:**

City Council authorize the City Manager to execute the attached Pretreatment Facilities Agreement.

City Manager Review: <u>Todd Parton</u> City Manager

**Attachments:** 

Attachment A - Pretreatment Agreement

# PRETREATMENT FACILITIES AGREEMENT

THIS PRETREATMENT FACILITIES AGREEMENT (the "Agreement"), dated as of September \_\_\_\_\_, 2019, is by and among the CITY OF BEAUMONT, a general law city (the "City"), and Beaumont Juice, Inc., a California corporation, dba PERRICONE JUICES (the "Owner").

# RECITALS

A. Owner owns and operates the citrus juice processing plant located at 550 B Street, Beaumont, CA 92223 ("Project"), the legal description of which is attached as **Exhibit** "A", and made a part hereof by this reference.

B. Owner holds a discharge permit to discharge to the City' Public Owned Treatment Works ("POTW") pursuant to Sections 13.08.300 et seq. of the Beaumont Municipal Code, as such permit may hereafter be modified or changed in accordance with applicable law ("Discharge Permit").

C. City regulates discharges into its sanitary sewer system under the Discharge Permit, Beaumont Municipal Code Chapter 13.04, 13.08, 13.09, 13.20 and Government Code Section 54725 et. seq. and is required to comply with wastewater discharge requirements imposed by the California Regional Water Quality Control Board, Santa Ana Region, Orange County Sanitation District and applicable State and Federal laws including the Clean Water Act (33 U.S.C. 1251 et seq.) the General Pretreatment Regulations (40 CFR 403 et. seq.) (collectively "Discharge Regulations").

D. The City has the authority under Section 13.20.250 and 13.20.255 of the Municipal Code to require the installation of control technology (pretreatment equipment and monitoring facilities).

E. Prior to the execution of this Agreement, the City issued letters of noncompliance to Owner regarding violations of the City's Wastewater Regulations, Beaumont Municipal Code Chapter 13.20. Without limitation violations include improper *ph*, excessive TDS and BOD, slug loading, failure to monitor and report, failure to maintain systems.

F. Owner has determined that certain improvements to the Owner's waste water pretreatment facilities ("Facilities"), as described in the letter from Owner's engineering firm, Gannett Fleming, dated March 25, 2019 ("Gannett Letter") attached hereto and made a part hereof by this reference as **Exhibit "B**", will allow the Project to comply with applicable law.

G. Owner is required to pay certain monthly sewer service charges under Beaumont Municipal Code Chapter 13.08.180 et. seq. and implementing resolutions.

# ARTICLE I CONSTRUCTION OF FACILITIES

Section 1.1 Facilities Construction. Owner agrees to construct the improvements and facilities described in the letter from Owner's engineering firm, Gannett Fleming, dated March 25, 2019 ("Gannett Letter") entitled "Interim Solution for Expedited Compliance" and "Permanent Solution" in a good and workman-like manner according to the Implementation Schedule therein (Table 10). Owner represents that the Interim Solution for Expedited Compliance will attain a

minimum level of compliance as specified in Table 5 Gannett Letter. Owner represents that the Permanent Solution will attain a minimum level of compliance as specified in Table 8 of the Gannett Letter and in accordance with the Discharge Permit issued by the City. The Interim Solution for Expedited Compliance and the Permanent Solution are hereinafter defined as the "**Facilities**". The Project is within the Service Area of the City's wastewater treatment and disposal system, and the City and the Owner will benefit from a coordinated plan of design, engineering and construction of the Facilities. The Facilities shall be commenced on the date specified in Gannett Letter and the facilities including and Discrete Components shall be completed on or before the applicable completion date or completion dates ("Completion Date") identified in Gannett Letter. The Owner shall provide for the design, engineering and construction of the Facilities is also identified in the Gannett Letter. The Owner shall provide for the design, engineering and construction of the Facilities at its sole cost and expense as provided hereinafter.

Progressive Compliance. Owner and City have determined that it is in the Section 1.2 best interests of the City to implement a progressive enforcement response procedure under this Agreement and under the City's Enforcement Response Plan ("ERP"). This Agreement shall be deemed a Compliance Order with Compliance Time Schedule ("CTS") under the ERP. The Facilities include a new pre-treatment system that will replace Owner's existing pretreatment system. Completion of the Facilities is intended as a means of attaining progressive compliance with the Discharge Regulations under BMC 13.20.400. Owner has represented to City that the Facilities once fully completed will bring the Project into compliance with the current applicable Discharge Regulations for the Project as attached hereto as Exhibit "C" ("Specific Discharge Requirements"). However, City has not made a determination that and makes no representation to Owner that the Facilities will result in compliance with the Specific Discharge Requirements in effect at any given point in time and the same is at the sole risk and cost of the Owner. Owner is aware that the Discharge Regulations including the Specific Discharge Requirements will change and likely increase in the future and that there is no guaranty that the Facilities will attain compliance with the Discharge Regulations and Specific Discharge Requirements as they may apply in the future. Actual levels of pre-treatment to be obtained by construction of the Facilities may depend on a variety of factors including, but not limited to, the operation and maintenance of the Facilities, the design of the Facilities by Owner's engineers and other factors which are the sole responsibility of the Owner and for which the City shall have no responsibility whatsoever. The City does not waive any of its power or authority under the Discharge Regulations by entering into this Agreement except that City agrees to allow progressive compliance with the Specific Discharge Requirements over the term of this Agreement as specifically provided herein. During the term of this Agreement Owner agrees to take all actions imposed by the City under the Discharge Regulations in addition to those provided for in the Gannett Letter. In the event that any other regulatory body, including but not limited to the California Regional Water Quality Control Board, Santa Ana Region, Orange County Sanitation District, imposes fines, penalties, damages, regulations, orders or requirements applicable to the Project that conflict with the terms of this Agreement, such additional regulations, orders or requirements shall control and will be the sole responsibility of the Owner.

**Section 1.3 Maintenance and Operations**. Owner shall provide necessary wastewater treatment as required to comply with the Discharge Regulations and shall achieve compliance with all applicable, promulgated categorical standards of the Discharge Regulations within the time limitations specified herein. Any facilities required to pretreat wastewater to meet applicable discharge limits shall be constructed, operated, and maintained in proper operating condition at the Owner's expense at all times. If the City determines at any time that Owner is not acting diligently to achieve timely compliance with the Discharge Regulations, City reserves the right to take such enforcement or other

legal actions as it deems prudent to assure compliance with the Discharge Regulations. If the Facilities are completed and City determines that the Project is not in compliance with the Specific Discharge Requirements and/or the Discharge Regulations, City reserves the right to require compliance with such Discharge Regulations, as they may be amended, supplemented or changed from time to time and as they may apply to the operations of Owner as such operations may change from time to time. City reserves the right to terminate this Agreement if Owner falsifies information submitted to the City.

**Section 1.4 Plans and Specifications**. The Owner shall cause plans and specifications to be prepared for the Facilities no later than the date provided in the Gannett Letter. The Owner shall obtain the City's written approval of the plans and specifications, monitoring facilities (BMC 13.20.255) and proposed operating procedures in accordance with applicable ordinances and regulations of the City. Copies of all plans and specifications shall be provided by the Owner to the City upon request therefor. Owner shall be responsible to pay directly or reimburse the City for all plan check and approval costs of City for its staff time and outside consultants related to the Project upon receipt of a written invoice for the same.

Section 1.5 Duty of Owner to Construct. The Facilities and discrete components "Discrete Components") thereof shall be constructed at the direction of the Owner in accordance with the approved plans and specifications following the solicitation of bids as provided in Section 1.4 hereof. "Discrete Components" are separate elements of the Facilities that actually serve a wastewater pretreatment function independently of the entirety of the Facilities as determined by the City.

The Owner shall be obligated: (i) to cause the construction of the Facilities and Discrete Components in accordance with the Implementation Schedule, Table 10 of the Gannett Letter and to use its own funds to pay all costs thereof. The Owner shall not be relieved of its obligation to cause the construction of the Facilities and Discrete Components thereof in accordance with the terms of this Agreement (i) because the actual cost exceeds the estimated cost or the amount of the credit under **Section 2.4** below. The obligation of the Owner to construct such Facilities, and pay the costs thereof is not conditioned on the issuance of credits under this Agreement. The issuance of the credit is a separate and independent obligation from the Owner's obligation to construct the Facilities as provided herein. Further, it is understood and agreed that Owner, has an independent legal obligation to construct the Facilities even in the absence of this Agreement, unless Owner makes arrangements not to discharge into the City's system which are in compliance with all applicable laws.

**Section 1.6 Competitive Bidding**. This Agreement is not intended to be a public works contract. The Facilities shall be constructed on the Property of Owner and shall be the property of Owner subject to the jurisdiction of the City. Notwithstanding the foregoing, the Owner shall competitively bid and award all contracts for construction of the Facilities, Discrete Components and materials, subject to the Credit Request, related thereto by means of a competitive bid process. The Owner shall endeavor to obtain at least three bids for such Facilities or Discrete Component thereof by means of a bidding process. The Owner shall award each bid to the lowest responsible responsive bidder or best value for alternative delivery procurement. For construction subject to the Credit Request process, Owner shall require each contractor to provide for the payment of prevailing wages and maintain records with respect to such payment in accordance with Labor Code Section 1770 et. seq. and related regulations.

From time to time at the request of the City, the Owner shall meet and confer with City staff, consultants and contractors regarding matters arising hereunder with respect to the Facilities, Discrete Components and the progress in constructing and acquiring the same, and as to any other matter related

to the Facilities or this Agreement. At the request of the City, the Owner shall advise the City of scheduled coordination and scheduling meetings to be held with contractors relating to the Facilities, in the ordinary course of performance of an individual contract. The City or the City's designated representative shall have the right to be present at such meetings.

Section 1.7 Independent Contractor. In performing this Agreement, the Owner is an independent contractor and not the agent or employee of the City. The City shall not be responsible for making any payments to any contractor, subcontractor, agent, consultant, employee or supplier of the Owner.

**Section 1.8 Contracts and Change Orders**. The Owner shall be responsible for entering into all contracts and any supplemental agreements (commonly referred to as "change orders") required for the construction of the Facilities and retaining the same for inspection by City if requested by the City.

**Section 1.9** Time for Completion. The Owner agrees that this Agreement is for the benefit of the City and the Owner and, therefore, the Owner represents that it shall complete the Facilities as provided in the Gannett Letter - Table 10 ("Implementation Schedule").

# **ARTICLE II**

# **INSPECTION AND CREDIT**

**Section 2.1 Inspection**. No credit hereunder shall be made by the City to the Owner for the Facilities or Discrete Component thereof until the Facilities or Discrete Component thereof has been inspected and found to be completed in accordance with the approved plans and specifications by the City or other applicable public entity or utility. The City may make or cause to be made periodic site inspections of the Facilities or Discrete Components hereunder; provided that in no event shall the City incur any liability for any delay in the inspection of any Facilities or Discrete Components. The Owner agrees to pay all inspection, permit and other similar fees of the City applicable to construction of the Facilities.

Section 2.2 Credit Requests. In order to receive a credit for a completed Facilities or Discrete Component, inspection thereof under Section 2.1 shall have been made and the Owner shall deliver to the City: (i) a Credit Request in the form of Exhibit "D" hereto for such Facilities or Discrete Component, together with all attachments and exhibits required and this Section 2.2 to be included therewith, and (ii) if Credit is requested for the completed Facilities, a copy of the recorded notice of completion of such Facilities.

Section 2.3 Processing Credit Requests. Upon receipt of a Credit Request (and all accompanying documentation requested by the City including copies of applicable invoices, receipts, cancelled checks and lien releases ), the City shall conduct a review in order to confirm that such request is complete, that such Discrete Component or Facilities identified therein was constructed in accordance with the plans and specifications therefor, and to verify and approve the actual cost of such Discrete Component or Facilities specified in such Credit Request. The City shall also conduct such review as is required in his discretion to confirm the matters certified in the Credit Request. The Owner agrees to cooperate with the City in conducting each such review and to provide the City with such additional information and documentation as is reasonably necessary for the City to conclude each such review. Within thirty (30) days of receipt of any Credit Request, the City expects to review the request for completeness and notify the Owner whether such Credit Request is complete, and, if not,

what additional documentation must be provided. If such Credit Request is complete, the City expects to provide a written approval or denial (specifying the reason for any denial) of the request within thirty (30) calendar days of its submittal. If a Credit Request is denied, the City shall state whether the Credit Request is nevertheless approved and complete for any one or more Discrete Components and such Facilities or Discrete Components shall be processed for credit under **Section 2.4** notwithstanding such partial denial.

Credit. Owner shall be subject to the sewer rates contained in the Interim Rate Section 2.4 Schedule, Table 11 to the Gannett Letter until December 31, 2022 subject to the other terms of this Agreement. The Interim Rate Schedule provides for a reduced rate for Owner's sewer services that is intended to equal the estimated cost of the Facilities. Notwithstanding anything to the contrary in this Agreement, the amount of credits under this Agreement shall not exceed the sum of \$2,300,000.00. The rates provided for in the Interim Rate Schedule shall apply subject to the following conditions: (1) completion of the Facilities by the Owner, (2) Owner acquiring approval from the City on Credit Requests totaling at least the estimated cost of the Facilities as provided in Table 4 and Table 6 of the Gannett Letter ("Minimum Investment"). Should the Owner not meet either obligation within the time frames contained in the Implementation Schedule, the Owner shall be required to pay the full wastewater services costs as would have been otherwise required under the City's ordinances, notwithstanding anything to the contrary in this Agreement, less the amount already paid during the course of this Agreement and approved Credit Requests. Within 30 calendar days following completion by the Owner of these two (2) actions, City shall provide a Credit Completion Letter which documents satisfactory completion of the Facilities and Minimum Investment and transition to discharging within the requirements of a revised Discharge Permit. The Credit Completion Letter is not intended to certify that the Owner is in compliance with the Discharge Regulations which shall apply in full after the issuance of the Credit Completion Letter.

Section 2.5 Restrictions on Credits. Notwithstanding any other provisions of this Agreement, the following restrictions shall apply to any credits provided to the Owner under Section 2.4 hereof:

(a) <u>Withholding Credits</u>. The City shall be entitled, but shall not be required, to withhold any credit hereunder for a Discrete Component or the Facilities if the Owner or any affiliate is delinquent in complying with its obligations under this Agreement, in the payment of ad valorem real property taxes, special assessments, special taxes or sewer service charges related to the Property.

The City shall be entitled to withhold any credit hereunder for the Project or a Discrete Component that is the subject of a Credit Request until it is satisfied that any and all claims for labor and materials have been paid by the Owner for the Project or Discrete Component that is the subject of a Credit Request, or conditional lien releases (as well as unconditional lien releases for amounts paid) have been provided by the Owner for such Discrete Component or the Project. The City, in its discretion, may waive this limitation upon the provision by the Owner of sureties, undertakings, securities and/or bonds of the Owner or appropriate contractors or subcontractors and deemed satisfactory by the City to assure payment of such claims.

(b) <u>Frequency</u>. No more than one Credit Request shall be submitted by the Owner in any calendar month.

(c) <u>Defective or Nonconforming Work</u>. If any of the work done or materials furnished for the Facilities or Discrete Component are found by the City to be defective or not in

accordance with the applicable plans and specifications: (i) and such finding is made prior to receipt of the Credit for the Facilities or a Discrete Component hereunder, the City may withhold the Credit until such defect or nonconformance is corrected to the satisfaction of the City, or (ii) if such finding is made after issuance of the Credit for such Facilities or Discrete Component, the City may withhold further credits until the defect is cured to the satisfaction of the City.

# **ARTICLE III**

### **REPRESENTATIONS, WARRANTIES AND COVENANTS**

Section 3.1 Representations, Covenants and Warranties of the Owner. The Owner represents and warrants for the benefit of the City, as follows:

(a) <u>Organization</u>. Owner is a California corporation and is validly doing business and in good standing in the State of California, is in compliance with all applicable laws of the State, and has the power and authority to own its properties and assets and to carry on its business as now being conducted and as now contemplated.

(b) <u>Authority</u>. The Owner has the power and authority to enter into this Agreement, and has taken all action necessary to cause this Agreement to be executed and delivered, and this Agreement has been duly and validly executed and delivered by and authorized representative of the Owner.

(c) <u>Binding Obligation</u>. This Agreement is a legal, valid and binding obligation of the Owner, enforceable against the Owner in accordance with its terms, subject to bankruptcy and other equitable principles.

(d) <u>Compliance with Laws</u>. The Owner shall not with knowledge commit, suffer or permit any act to be done in, upon or to the lands of the Owner in violation of any law, ordinance, rule, regulation or order of any governmental authority (including Chapter 13.20 of the Beaumont Municipal Code) or any covenant, condition or restriction now or hereafter affecting the Project or the Facilities.

(e) <u>Requests for Credit</u>. The Owner represents and warrants that (i) it will not request Credit from the City for any improvements that are not part of the Facilities, and (ii) it will diligently follow all procedures set forth in this Agreement with respect to the Credit Requests.

(f) <u>Financial Records</u>. Until the final acceptance of the Facilities, the Owner covenants to maintain proper books of record and account for the construction of the Facilities and all costs related thereto. Which accounting books shall be maintained in accordance with generally accepted accounting principles, and shall be available for inspection by the City or its agent at any reasonable time during regular business hours on 72 hour notice.

(g) <u>Prevailing Wages</u>. The Owner shall comply with all applicable laws and regulations relating to prevailing wages. Wage rates for the Facilities shall be in accordance with the "General Wage Determination Made By the City of Industrial Relations Pursuant To California Labor Code, Part 7, Chapter 1, Article 2, Sections 1770, 1773 and 1773.1", for Riverside County.

(h) <u>Plans and Specifications</u>. The Owner represents that it has obtained or will obtain approval of the plans and specifications for the Facilities hereunder from all appropriate departments of the City and from any other public entity or public utility from which such approval must be obtained. The Owner further agrees that the Facilities hereunder have been or will be constructed in full compliance with such approved plans and specifications and any supplemental agreements (change orders) thereto, as approved in the same manner.

(i) <u>Land Owners</u>. The Owner agrees that in the event that it sells any land owned by it within the Property, the Owner will (i) notify the purchaser in writing prior to the closing of any such sale of the existence of this Agreement and the Owner's rights and obligations hereunder with respect to the construction of and credits for the Facilities.

Indemnification and Hold Harmless. The Owner shall assume the defense Section 3.2 of, indemnify and save harmless the City, members of the City Council, their officers, officials, employees and agents and each of them, from and against all actions, damages, claims, losses or expense of every type and description to which they may be subjected or put, by reason of, or resulting from entering into this Agreement including, but not limited to, legal challenges to extending the credits to Owner for sewer fees, the breach of any provision of this Agreement by the Owner, the Owner's or any other entity's negligent design, engineering and/or construction of any of the Facilities hereunder, the Owner's non-payment under contracts between the Owner and its consultants, engineer's, advisors, contractors, subcontractors and suppliers in the provision of the Facilities or any claims of persons employed by the Owner or its agents to construct the Facilities. Notwithstanding the foregoing, no indemnification is given hereunder for any action, damage, claim, loss or expense solely and directly attributable to the intentional acts or gross negligence of the City, or its officers, directors, employees or agents hereunder. No provision of this Agreement shall in any way limit the Owner's responsibility for payment of damages resulting from the operations of the Owner, its agents, employees or its contractors.

**Section 4.3**. Legal Compliance. At all times during the term of this Agreement Owner shall comply with all laws and regulations concerning the discharge of wastewater referred to in this agreement. During the term of this Agreement, Owner shall bring the Project into compliance with such laws and regulations as provided herein. Upon the expiration of this Agreement such laws and regulations shall apply in full force and effect.

Reserved Governmental Authority. Except as otherwise expressly provided Section 4.4. in Section 1.2 of this Agreement with regards to the progressive implementation of the Specific Discharge Requirements, nothing in this Agreement shall exempt or immunize Owner from compliance with any applicable city, county, state, or federal ordinance, regulation, statute, or other law, including but expressly not limited to, the Discharge Regulations and any applicable city, county, state or federal agency, court decision or other regulatory body which requires City to enforce against the Owner or the Project to protect the health, safety or welfare of the public. Nothing contained in this Agreement shall preclude City from seeking and obtaining any civil or criminal court order for violation of any such city, county, state, or federal ordinance, regulation, statute, or other law with respect to the Project and/or the construction of the Facilities, if such action is required to protect the health, safety or welfare of the public or is required to comply with applicable county, state or federal law, court order or the order of any city, county, state or federal agency or public agency. For the sake of clarity and not by way of limitation, the Discharge Regulation shall continue to apply to Owner and the Project at all times except to the extent of the phasing in of the Specific Discharge Requirements under Section 1.2.

**Section 4.5** Good Faith Compliance. Each party hereby pledges to implement and carry out their obligations under this Agreement in good faith, and to take all steps necessary to effectuate the terms and conditions of this Agreement.

# **ARTICLE IV**

### TERMINATION

**Section 4.1 Mutual Consent**. This Agreement may be terminated by the mutual, written consent of the City and the Owner.

**Section 4.2** City Election to Terminate for Cause. The following events shall constitute grounds for the City, at its option and in its sole discretion, to terminate this Agreement, without the consent of the Owner:

(a) The Owner shall voluntarily file for reorganization or other relief under any Federal or State bankruptcy or insolvency law.

(b) The Owner shall have any involuntary bankruptcy or insolvency action filed against it, or shall suffer a trustee in bankruptcy or insolvency or receiver to take possession of the assets of Owner, or shall suffer an attachment or levy of execution to be made against the Property unless, in any of such cases, such circumstance shall have been terminated or released within ninety (90) days thereafter.

(c) The Owner shall abandon construction of the Facilities. Failure for a period of one month to undertake substantial work related to the construction of Facilities that are required to be constructed at that time pursuant to the Gannett Letter, Table 10, other than for a reason specified in **Section 5.3** hereof, shall constitute a non-inclusive example of such abandonment.

(d) The Owner shall breach any material covenant or default in the performance of any material obligation hereunder.

(e) The Owner shall transfer any of its rights or obligations under this Agreement without the prior written consent of the City or as otherwise permitted hereunder.

(f) The Owner transfers title to the Property, without first requiring the transferee to assume all of the obligations under this Agreement and providing the executed assignment to the City in form and substance acceptable to the City.

(g) Notwithstanding, the forgoing if Owner is found by City to be in violation of any of the Discharge Regulations City shall have the right to terminate this Agreement, recover any amount of sewer user fees that would have been due had this Agreement not been entered into by City and Owner and/or exercise any other rights or remedies of City under this Agreement, the Discharge Regulations or any other law or regulation.

(h) Upon the issuance of the Credit Completion Letter provided that the issuance of the Credit Completion Letter shall not terminate any unused credits otherwise available under the Interim Rate Schedule.

If any such event occurs, the City shall give written notice of its knowledge thereof to the Owner, and the Owner agrees to meet and confer with the City and appropriate City staff and consultants as to options available to assure timely completion of the Facilities. Such options may include, but not be limited to the termination of this Agreement by the City. If the City elects to terminate this Agreement, the City shall first notify the Owner of the grounds for such termination and allow the Owner a reasonable period (minimum of thirty (30) days) to eliminate or mitigate to the satisfaction of the City, if the Owner, to the satisfaction of the City, is proceeding with diligence to eliminate or mitigate such grounds for termination. If at the end of such period (and any extension thereof, as determined solely by the City), the Owner has not eliminated or completely mitigated such grounds, to the satisfaction of the City, the City may then terminate this Agreement.

Notwithstanding the foregoing, so long as any event listed in any of clauses (a) through and including (f) above has occurred, notice of which has been given by the City to the Owner, and such event has not been cured or otherwise eliminated by the Owner, the City may in its sole discretion cease issuing credits under **Section 2.4**. Further, in the event that City terminates this Agreement and the Facilities are not fully operable at the time of the termination, City may recover the amount of any credits previously provided to Owner under **Section 2.4** and the same shall be due and payable immediately and may be collected in the same manner and at the same time as the sewer service charges of the City.

**Section 4.3** Force Majeure. Whenever performance is required of a party hereunder, that party shall use all due diligence and take all necessary measures in good faith to perform, but if completion of performance is delayed by reasons of floods, earthquakes, inclement weather or other acts of God, war, civil commotion, riots, strikes, acts of terrorism, picketing, other labor disputes, damage to work in progress by casualty, government shutdowns, moratoria or other restrictive laws or regulations, or the acts, omissions or breach of agreement by the other party to this Agreement or its agents, contractors or subcontractors, or by other cause beyond the reasonable control of the party (financial inability excepted), then the specified time for performance shall be extended by the amount of the delay actually so caused.

# ARTICLE V

# **MISCELLANEOUS**

**Section 5.1** Limited Liability of City. The Owner agrees that any and all obligations of the City arising out of or related to this Agreement are special and limited obligations of the City and the City's liability hereunder is limited solely to the issuance of credits under Section 2.4. No member of the City Council, or City staff member, employee or agent shall incur any liability hereunder to the Owner or any other party in their individual capacities by reason of their actions hereunder or execution hereof.

**Section 5.2** Review of Records. The City and/or the Finance Manager or other officer of the City shall have the right, during normal business hours and upon the giving of two (2) business days prior written notice to the Owner, to review all books and records of the Owner pertaining to the actual cost incurred by the Owner in to the Facilities, and any bids taken or received for the construction thereof or materials therefor.

**Section 5.3** Attorney's Fees. In the event that any action or suit is instituted by either party against the other arising out of this Agreement, the party in whose favor final judgment shall be entered shall be entitled to recover from the other party all costs and expenses of suit, including reasonable attorneys' fees.

Section 5.4 Notices. Any notice, payment or instrument required or permitted by this Agreement to be given or delivered to either party shall be deemed to have been received when personally delivered, or transmitted by telecopy or facsimile transmission (which shall be immediately confirmed by telephone and shall be followed by overnight delivery an original of the same within twenty-four hours after such transmission), addressed as follows:

| City:           | City of Beaumont<br>550 East 6 <sup>th</sup> Street<br>Beaumont, CA 92223<br>Attention: City Manager, City Clerk  |
|-----------------|-------------------------------------------------------------------------------------------------------------------|
| With a copy to: | John Pinkney<br>Slovak Baron Empey Murphy & Pinkney, LLP<br>1800 E. Tahquitz Canyon Way<br>Palm Springs, CA 92262 |

Owner:

Each party may change its address or addresses for delivery of notice by delivering written notice of such change of address to the other party.

**Section 5.5** Severability. If any part of this Agreement is held to be illegal or unenforceable by a court of competent jurisdiction, the remainder of this Agreement shall be given effect to the fullest extent possible.

**Section 5.6** Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the parties hereto. This Agreement shall not be assigned by the Owner, except in whole to an Affiliate holding title to the Property, or to any other entity of which the Owner and/or its members or partners will be managing members or general partners and which holds title to the Property, with the prior written consent of the City, which consent shall not be unreasonably withheld or delayed. In connection with any required consent of the City, the City may condition its consent upon the acceptability of the financial condition of the proposed assignee, the assignee's express assumption of all obligations of the Owner hereunder, and/or upon any other factor which the City deems relevant in the circumstances. In any event, any such assignment shall be in writing, shall clearly identify the scope of the rights and/or obligations assigned, and shall not be effective until approved by the City. Without the City's consent, no assignment shall release the Owner from its obligations and liabilities under this Agreement. This Section shall survive the termination of this Agreement.

Section 5.7 Other Agreements. Nothing herein shall be construed as affecting the City's or the Owner's rights, or duties to perform their respective obligations, under other agreements, if any, use regulations relating to the Project or the Property. This Agreement shall not confer any additional rights, or waive any rights given, by either party hereto under any other agreement to which they are a party.

**Section 5.8** Waiver. Failure by a party to insist upon the strict performance of any of the provisions of this Agreement by the other party, or the failure by a party to exercise its rights upon the default of the other party, shall not constitute a waiver of such party's right to insist and demand strict compliance by the other party with the terms of this Agreement thereafter. Nothing in this Agreement shall be construed as a waiver by the City of the provisions of Chapter 13.20 of the Beaumont Municipal Code and such provisions shall remaining full force and effect as to Owner at all times.

**Section 5.9** Merger. No other agreement, statement or promise made by any party or any employee, officer or agent of any party with respect to any matters covered hereby that is not in writing and signed by all the parties to this Agreement shall be binding.

Section 5.10 Parties in Interest. Nothing in this Agreement, expressed or implied, is intended to or shall be construed to confer upon or to give to any person or entity other than the City and the Owner any rights, remedies or claims under or by reason of this Agreement or any covenants, conditions or stipulations hereof; and all covenants, conditions, promises, and agreements in this Agreement contained by or on behalf of the City or the Owner shall be for the sole and exclusive benefit of the City and the Owner.

**Section 5.11** Amendment. This Agreement may be amended, from time to time, only by written amendment hereto, executed by the City and the Owner.

Section 5.12 Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original.

**Section 5.13** Recitals. The recitals to this Agreement are accurate and correct and are incorporated herein by reference and made a part hereof.

**Section 5.14** Interpretation. The Terms in this Agreement that are not specifically defined shall have the meanings ascribed to them in the Discharge Regulations. To the extent of a conflict between this Agreement and the Gannett Letter, this Agreement shall control.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first-above written.

CITY OF BEAUMONT

By:\_\_\_\_\_

ATTESTED TO:

City Clerk

APPROVED AS TO FORM AND CONTENT:

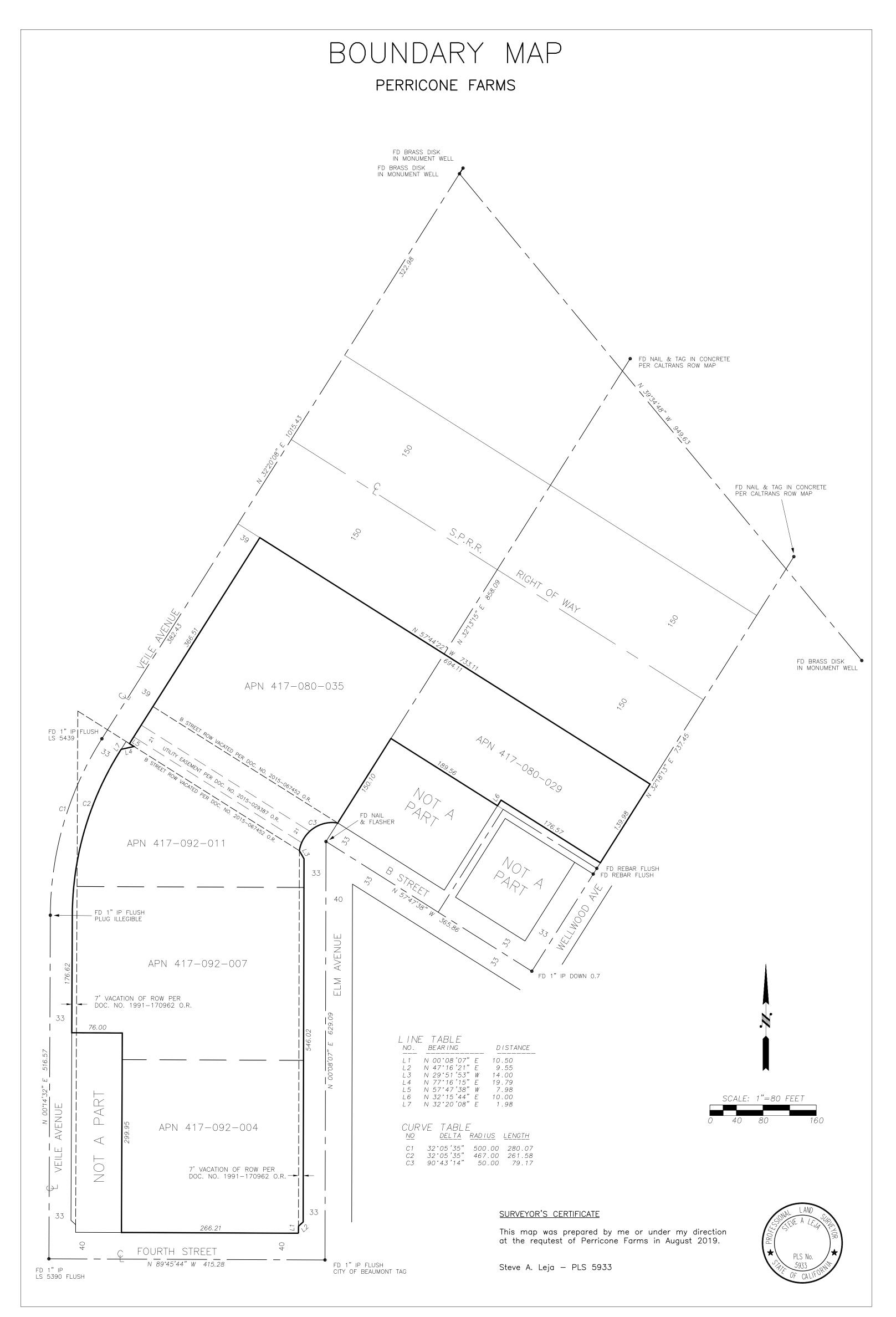
City Attorney

ROVZAL

Agenda Item No. 6.

# EXHIBIT "A"

# LEGAL DESCRIPTION





# GANNETT LETTER

# EXHIBIT "B"

Agenda Item No. 6.



March 25, 2019

Kristine Day Assistant City Manager City of Beaumont 550 E. 6<sup>th</sup> Street Beaumont, CA 92223

# Subject: Perricone Interim Agreement - Version 2

# Project 064644

Dear Ms. Day:

The City of Beaumont (City) passed updated sewer rates which went into effect on July 1, 2018. As discussed at our meeting on October 18, 2018, the updated rates would result in significant increases in business operation to Perricone Juice (Perricone). As discussed at this meeting, Perricone is willing to make the investments necessary to deliver a higher quality effluent to the City and ultimately lower rates. However, the design process and implementation will take several years. As requested, this letter presents our approach to delivering an interim and permanent treatment system and the requested interim rate for this period.

The approach outlined in this letter serves multiple benefits for the City. These are summarized as follows:

- 1. Lower Operating Costs at WWTP. Installing treatment at Perricone and subsequently increasing effluent water quality will lower operating costs for the City.
- 2. **Support Local Business**. A "ramp up" period for Perricone allows for a more reasonable increase in business expenses over time allowing for stable and continued operations at the facility.
- 3. **Exceed Planned Revenue**. The requested Interim Rates results in more revenue to the City from Perricone than anticipated in the City's Rate Study.
- 4. Less Risk During Construction. By providing an expedited treatment system Perricone will deliver higher quality water while the City is undergoing improvements at the WWTP. The City will have less risk at the WWTP during construction when systems are shut down for improvement.
- 5. **Support Brine Line Connection**. The City is currently pursuing a connection to the Inland Empire Brine Line which is a key component of the City's Salt Mitigation Upgrade Project. Improving Perricone effluent water quality will assist the City in meeting the strict requirements of Orange County Sanitation District.

# **SECTION 1 - RESULTS OF SAMPLING**

On October 25, 2018, Perricone staff initiated a sampling plan based on parameters provided by Gannett Fleming on the same day. The sampling plan included requests for composite sampling for process areas and corresponding flow measurements. The following section describes the results of these efforts.

# **Sampling Results**

Five (5) 24-hour composite samples were taken for three main process areas (Fruit Wash/Extraction, Interior Holding Tank, and Bottling) and the combined effluent. Sampling was completed by BABCOCK Laboratories on 10/26, 10/30, 10/31, 11/1 and 11/2. The results of the sampling efforts are summarized in **Table 1**.



TABLE 1 SUMMARY OF SAMPLING RESULTS

| Location                                                                        | Date       | Conductivity<br>(umhos/cm) | TDS<br>(mg/L) | TSS<br>(mg/L) | BOD<br>(mg/L) | рН           | SBOD<br>(mg/L)       | COD<br>(mg/L) | Chlorides<br>(mg/L) |
|---------------------------------------------------------------------------------|------------|----------------------------|---------------|---------------|---------------|--------------|----------------------|---------------|---------------------|
| Fruit Washing/Extraction                                                        | 11/2/2018  | 730                        | 2,500         | 470           | 2,100         | 5.0          | 1,300                | 8,400         | 17                  |
| Fruit Washing/Extraction                                                        | 11/1/2018  | 480                        | 1,600         | 690           | 1,800         | 6.7          | 1,100                | 5,100         | 17                  |
| Fruit Washing/Extraction                                                        | 10/31/2018 | 460                        | 1,200         | 410           | 900           | 4.8          | 1,000                | 2,700         | 16                  |
| Fruit Washing/Extraction                                                        | 10/30/2018 | 470                        | 1,500         | 1,200         | 1,200         | 4.9          | 920                  | 4,800         | 17                  |
| Fruit Washing/Extraction                                                        | 10/26/2018 | 550                        | 1,600         | 760           | 2,400         | 6.3          | 1,400                | 5,600         | 28                  |
|                                                                                 | Average    | 538                        | 1,680         | 706           | 1,680         | 5.5          | 1,144                | 5,320         | 19                  |
| Interior Holding Tank Area                                                      | 11/2/2018  | 1,000                      | 8,100         | 590           | 6,700         | 3.1          | 5,200                | 15,000        | 30                  |
| Interior Holding Tank Area                                                      | 11/1/2018  | 1,000                      | 8,200         | 570           | 6,600         | 3.8          | 5,800                | 16,000        | 35                  |
| Interior Holding Tank Area                                                      | 10/31/2018 | 990                        | 9,100         | 350           | 6,800         | 2.8          | 7,800 <sup>(a)</sup> | 19,000        | 24                  |
| Interior Holding Tank Area                                                      | 10/30/2018 | 1,200                      | 8,200         | 1,300         | 6,000         | 2.6          | 5,200                | 18,000        | 40                  |
| Interior Holding Tank Area                                                      | 10/26/2018 | 920                        | 6,900         | 430           | 5,600         | 3.5          | 5,100                | 16,000        | 31                  |
|                                                                                 | Average    | 1,022                      | 8,100         | 648           | 6,340         | 3.2          | 5,820                | 16,800        | 32                  |
| Bottling                                                                        | 11/2/2018  | 920                        | 3,200         | 280           | 2,000         | 3.4          | 1,700                | 5,200         | 32                  |
| Bottling                                                                        | 11/1/2018  | 480                        | 3,300         | 100           | 2,100         | 3.2          | 2,000                | 5,900         | 30                  |
| Bottling                                                                        | 10/31/2018 | 1,100                      | 3,700         | 570           | 3,700         | 3.6          | 2,300                | 7,400         | 42                  |
| Bottling                                                                        | 10/30/2018 | 1,200                      | 7,200         | 320           | 5,000         | 2.9          | 5,000                | 13,000        | 40                  |
| Bottling                                                                        | 10/26/2018 | 830                        | 3,100         | 400           | 2,800         | 3.5          | 1,900                | 7,700         | 44                  |
|                                                                                 | Average    | 906                        | 4,100         | 334           | 3,120         | 3.3          | 2,580                | 7,840         | 38                  |
| WWTS Discharge                                                                  | 11/2/2018  |                            |               |               | See no        | ote b        |                      | L             | L                   |
| WWTS Discharge                                                                  | 11/1/2018  | 1,600                      | 5,100         | 310           | 3,700         | 7.0          | 3,400                | 9,400         | 25                  |
| WWTS Discharge                                                                  | 10/31/2018 | 1,700                      | 4,900         | 230           | 3,500         | 6.6          | 3,100                | 9,200         | 22                  |
| WWTS Discharge                                                                  | 10/30/2018 | 1,900                      | 4,200         | 290           | 2,400         | 6.6          | 2,600                | 6,600         | 27                  |
| WWTS Discharge                                                                  | 10/26/2018 | 1,700                      | 5,000         | 300           | 4,200         | 7.5          | 3,700                | 14,000        | 28                  |
|                                                                                 | Average    | 1,725                      | 4,800         | 283           | 3,450         | 6.9          | 3,200                | 9,800         | 26                  |
| City of Beaumont Loca<br>(Permit No. SIU-1116<br>a) This value was noted by BAB | 5-1.2)     |                            | 530-<br>4,600 | 300-<br>1,500 | 320-<br>3,500 | 5.5-<br>11.5 |                      |               |                     |

(a) This value was noted by BABCOCK Laboratories to be due to margin of error multiplied by the dilution factor.

(b) No composite sampling for combined effluent was taken by Perricone on this day. The City had notified Perricone that sampling would be conducted by City staff. Perricone stopped sampling on effluent to avoid conflicts or duplicative testing. The City's effluent sampling was conducted on 11/6/2018 and resulted in a TDS and BOD measurement of 2,400 and 1,800 mg/L, respectively (BABCOCK Laboratories, Work Order Number B8K0662).

Flow Data



For the months August 2018 through November 2018, Perricone has submitted to the City historical flow data for the facility. A summary of this data is provided in **Table 2**.

| Month     | Total Flow | Number of<br>Days | Gallons<br>per Day |
|-----------|------------|-------------------|--------------------|
| August    | 3,793,544  | 31                | 122,372            |
| September | 3,674,726  | 30                | 122,491            |
| October   | 3,819,427  | 31                | 123,207            |
| November  | 3,941,407  | 30                | 131,380            |
|           |            | Average           | 124,863            |

TABLE 2 FLOW DATA SUMMARY

# SECTION 2 – TREATMENT DESIGN CONCEPT

Due to the need to expedite reduction of BOD and TDS, as noted in the City's NOV (10-31-18), the treatment design will include both an interim and permanent solution.

# Interim Solution for Expedited Compliance

After detailed reviews of the recent and historical sampling results, flow measurements, and suitable technologies to reduce BOD and TDS considering other relevant constituents (e.g. TSS, O&G, pH), and recognizing that in the short time available without the benefit of bench or field treatability testing, an adaptive and flexible approach to the interim treatment design is required for designing and installing the permanent wastewater pretreatment system (WWTS). This is critical in that the Interim Solution and accompanying data collection and treatability testing will be used as a basis for a permanent solution.

In all cases an Equalization (EQ) Tank System with integration of pH control to attenuate flow and loads to the interim treatment system is required. For the interim period, several goals are to be achieved prior to implementation of design and installation of the permanent solution; these goals include the following:

- **pH Discharge Compliance.** Installation of the first part of the Interim Solution must address the pHrelated NOVs and proposed pH increase to 6 as required for the City's planned brine discharge connection. This immediate phase must include an expanded equalization system including minimum 30,000 gallon tankage having adequate mixing, chemical feed for pH control, pH monitoring, and operate in conjunction with the existing pH control/monitoring system.
- **BOD Reduction.** Installation of a temporary simplified biological treatment system that will reduce BOD by at least 2,200 lbs. BOD/day, the majority of which will be soluble BOD (SBOD). This removal is based upon a design basis influent BOD target of 4,800 mg/L (attenuated through equalization) and an effluent target of <3,500 mg/L assuming a flow of 125,000 GPD (average). The influent BOD target value of 4,800 mg/L is based on a 15 percent increase over the maximum measured (4,200 mg/L) in **Table 1** for combined effluent.
- **TDS Reduction.** Based upon the soluble portion of the BOD to be approximately 70 to 80 percent of the total BOD, and a coincident reduction of TDS through SBOD reduction is expected. As such, with an anticipated reduction of at least 2,200 lbs. BOD/day, the resulting TDS reduction is anticipated to be approximately 1,500 lbs. TDS/day. This removal is based upon a design basis influent TDS target of 5,100 mg/L (attenuated through equalization) which is based on the maximum measured TDS for combined effluent in Table 1. A contingency was not added (similar to BOD) since TDS is an ancillary treatment for the Interim System and not the focus of the treatment.

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Proposed Interim Solution elements to achieve the required reductions as well as testing programs that allow Perricone to strategically position for an optimal permanent solution are summarized below:

- 1. *Sizing of Interim Solution.* To moderate costs of the temporary system, approximately one half of the flow will be treated at an estimated overall 80 percent BOD reduction. The temporary WWTS will be designed and operated to reduce the BOD concentration from 4,800 mg/L to approximately 720 mg/L at 65,000 GPD. This will result in an estimated reduction of 2,200 lbs. BOD/day. This will include an anticipated TSS reduction of 90 percent through proposed solids separation.
- Equalization Storage. Equalization consisting of two (2) temporary 15,000 to 20,000-gallon Equalization (EQ) Tanks operated in series (with an option for parallel operation), aerated/mixed with varying liquid level in the second tank to attenuate hydraulic variations. EQ Tank contents will be pumped to the temporary activated sludge (AS) system.
- 3. *pH Control*. Provisions for pH monitoring and control will be provided in the first EQ Tank to augment the existing pH control system.
- 4. Activated Sludge System. The temporary aeration tanks of the AS system will require approximately 80,000 gallons of volume (e.g. four 20,000 gallon aerated/mixed tanks) to provide a hydraulic retention time of approximately 30 hours, with a BOD loading rate of approximately 225 lbs. BOD/1,000 ft<sup>3</sup>/day using a relatively high mixed liquor suspended solids (MLSS) and a MLVSS of 10,000 mg/L (F/M = 0.33). This high MLSS allows for the smaller size aeration tanks, but requires a positive solids capture technology, such as a dissolved-air flotation (DAF) unit. As previously noted, TDS is estimated to be removed at 70 percent of BOD removed, such that for every 100 lbs./day BOD removal results in 70 lbs./day TDS removal.
- **5.** Nutrient Addition. A nutrient addition system (e.g. urea for nitrogen and/or phosphate) may be required based upon initial testing during start-up. Drums or totes equipped with chemical feed pumps will be used to inject needed chemicals upstream of the AS system.
- 6. DAF System. The aeration tank will be followed by a single DAF clarifier sized based upon a solids loading rate to handle the high MLSS from the aeration tanks. It is anticipated that a 3% solids RAS @15,000 GPD will be achieved, so the total flow through the DAF will be approximately 80,000 GPD (56 GPM), handling a MLSS of 12,000 mg/L. With a DAF unit having 100 ft<sup>2</sup> of effective surface area, the solids loading rate (SLR) will be 3.6 lbs. /ft<sup>2</sup>/hr. and the hydraulic loading rate (HLR) will be 0.56 GPM/ft<sup>2</sup>.
- 7. *Sludge Handling.* Two (2) 7,500-gallon sludge tanks with provisions for decanting clear liquid will be installed for storage of the DAF float, which will be periodically hauled by a state licensed hauler having appropriate permits for managing/disposing of the waste sludge. It is expected that the sludge can be decanted to 5 to 6 percent solids and, assuming a waste sludge yield of 0.5 lbs. TSS/lb. BOD, yield approximately 5,000 GPD of sludge disposal.
- 8. *Pilot Systems.* In parallel with the primary temporary AS WWTS, two skid mounted pilot systems will be run during a portion of the Interim Period to confirm optimal selection of the permanent WWTS. These pilot units are anticipated to include the following:
  - Fixed Film Biological Treatment. An approximately 1,600 GPD fixed film biological treatment system consisting of two small media towers running in parallel atop a 500-gallon recirculation tanks. This pilot system, estimated to remove 42 lbs. BOD/day, will run in parallel with the primary system to determine potential operational requirements. This design provides for significantly lower operating costs (e.g. lower sludge production and power requirements) compared to the traditional AS system. We will also explore options for treating only the Interior Tank flows, which has a higher BOD and TDS concentrations, lower TSS and higher soluble fraction of BOD.
  - *Membrane Treatment.* An approximately 10 to 12 GPM Electrodialysis Reversal (EDR) membrane process that will treat the DAF effluent from the primary Interim Solution WWTS to determine feasibility and



metrics associated with further reduction of BOD and TDS, with one possible byproduct being a water reuse option. Selection of one or more process input streams (e.g. Interior Holding Tank Area) may be tested separately to determine the feasibility of limiting the ultimate treatment to a higher strength, lower flow scenario to optimize treatment and reduce costs. In these scenarios, a separate screening system would need to be employed to remove large solids and other TSS as currently done on the existing system.

A conceptual level estimate of interim treatment costs was prepared based on the proposed system and is provided as **Table 4**.

 TABLE 4

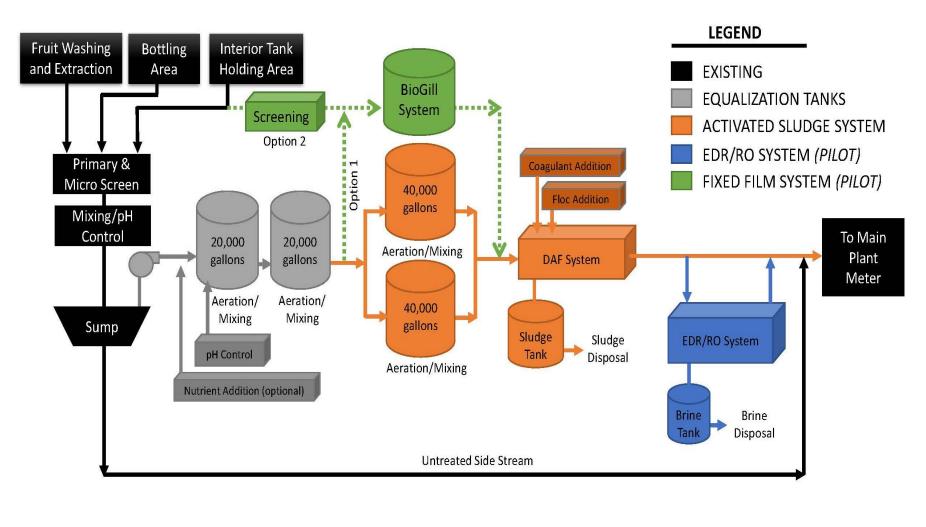
 CONCEPTUAL LEVEL ESTIMATE OF INTERIM TREATMENT COSTS

| Process<br>Component           | Description                                                                                                                                                                                          | Capital<br>Cost | Monthly<br>Rental | Monthly<br>Consumables | Total<br>(14<br>months) |
|--------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-------------------|------------------------|-------------------------|
| Equalization<br>Storage        | <ul> <li>Two (2) 20,000 gallon tanks @ \$1,700/mo. +<br/>\$1,000 delivery/pickup</li> <li>500 scfm PD blower (\$20k)</li> <li>Add aeration grid and mixing to tanks (\$5k)</li> </ul>                | \$32,000        | \$3,400           | \$1,000                | \$93,600                |
| pH Control                     | Monitoring and Control at 1st EQ Tank                                                                                                                                                                | \$12,000        |                   | \$3,000                | \$54,000                |
| Activated<br>Sludge System     | <ul> <li>Four (4) 20,000 gallon tanks @ \$1,700/mo. +<br/>\$1,000 delivery/pickup</li> <li>Two (2) 500 scfm PD blower (\$20k/each)</li> <li>Add aeration grid and mixing to tanks (\$10k)</li> </ul> | \$59,000        | \$6,800           | \$2,500                | \$189,200               |
| Nutrient<br>Addition<br>System | May be required, includes chemical feed pumps and drums                                                                                                                                              | \$8,000         |                   | \$3,000                | \$50,000                |
| DAF                            | Single DAF Clarifier sized for 3% solids RAS at 15,000 gpd (RT-100 Rental)                                                                                                                           | \$5,000         | \$12,500          |                        | \$180,000               |
| Sludge<br>Handling             | Two (2) 7,500-gallon tanks (\$25k/each)                                                                                                                                                              | \$50,000        | \$2,500           |                        | \$85,000                |
| BioGil Pilot                   | 3-month rental                                                                                                                                                                                       | \$40,000        |                   |                        | \$40,000                |
| EDR Pilot                      | 3-month rental of UF and EDR                                                                                                                                                                         | \$100,000       |                   |                        | \$100,000               |
|                                | Engineering                                                                                                                                                                                          | \$100,000       |                   |                        | \$100,000               |
|                                |                                                                                                                                                                                                      | Total           | Consumable        | es (14 months)         | \$133,000               |
|                                |                                                                                                                                                                                                      | Total Cap       | ital (include     | es rental costs)       | \$758,800               |
|                                |                                                                                                                                                                                                      |                 | Tota              | al Project Costs       | \$891,800               |

A process flow schematic of the parallel treatment systems is provided as **Figure 1**.



FIGURE 1 INTERIM SOLUTION PROCESS FLOW DIAGRAM



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Based on direction from Perricone staff, the proposed location is noted as shown in Figure 2.



FIGURE 2 INTERIM TREATMENT SYSTEM LOCATION

The following **Table 5** is provided to demonstrate compliance with Local Limits based on the proposed interim treatment strategy.

| TABLE 5                                             |
|-----------------------------------------------------|
| ANTICIPATED INTERIM SOLUTION EFFLUENT WATER QUALITY |

| Description                    | Flow<br>(gpd) | BOD<br>(mg/L) | BOD (lbs) | TSS<br>(mg/L) | TSS (lbs) | TDS <sup>(a)</sup><br>(mg/L) | TDS (lbs) |  |  |
|--------------------------------|---------------|---------------|-----------|---------------|-----------|------------------------------|-----------|--|--|
| Maximum Flow at 160,000 gpd    |               |               |           |               |           |                              |           |  |  |
| Combined Post-Screen           | 160,000       | 4,800         | 5,254     | 283           | 353       | 5,100                        | 6,380     |  |  |
| Main Treatment Stream Influent | 65,000        | 4,800         | 2,602     | 283           | 153       | 5,100                        | 2,765     |  |  |
| Main Treatment Stream Effluent | 65,000        | 720           | 390       | 28            | 15        | 2,295                        | 1,244     |  |  |
| Reduction                      |               | 4,080         | 2,212     | 254           | 138       | 2,805                        | 1,521     |  |  |
| Non-Treatment Stream           | 95,000        | 4,800         | 3,803     | 283           | 224       | 5,100                        | 4,041     |  |  |
| Combined Post Treatment        | 160,000       | 3,143         | 4,193     | 179           | 239       | 3,960                        | 5,285     |  |  |
| Average Flow at 125,000 gpd    |               |               |           |               |           |                              |           |  |  |
| Combined Post-Screen           | 125,000       | 4,800         | 5,004     | 283           | 295       | 5,100                        | 5,317     |  |  |
| Main Treatment Stream Influent | 65,000        | 4,800         | 2,602     | 283           | 153       | 5,100                        | 2,765     |  |  |
| Main Treatment Stream Effluent | 65,000        | 720           | 390       | 28            | 15        | 2,295                        | 1,244     |  |  |
| Reduction                      |               | 4,080         | 2,212     | 254           | 138       | 2,805                        | 1,521     |  |  |
| Non-Treatment Stream           | 60,000        | 4,800         | 2,402     | 283           | 141       | 5,100                        | 2,552     |  |  |
| Combined Post Treatment        | 125,000       | 2,678         | 2,792     | 150           | 157       | 3,641                        | 3,796     |  |  |

(a) TDS is estimated to be removed at 70 percent of BOD removed, such that for every 100 lbs./day BOD removed results in 70 lbs./day TDS removed. This relationship will be confirmed during operation.

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# **Permanent Solution**

The permanent WWTS will achieve moderate BOD and TSS removal utilizing physical-chemical and/or combination biological treatment technologies, dependent upon the outcome of the pilot testing and results of temporary AS system performance. For illustration purposes, below is a summary of a conceptual permanent solution:

- Limit treatment to the high strength flows from the Interior Tank and Fruit Wash/Extraction areas. These high strength flows are estimated to be approximately 75,000 gpd.
- Reduce facility effluent by 20 percent. This will be achieved through a combination of water conservation and recycling water for plant processes such as bottling and fruit wash.
- Source control capture of ultra-high strength CIP pulp rinse cycle from all affected site holding tanks. Captured waste to be tested and hauled for disposal, possibly to digesters to promote biogas production.
- Design Criteria:
  - BOD concentration of 7,000 mg/L (~90% soluble), resulting in approximately 4,000 to 5,000 lbs. BOD/day. This value is based on a 10 percent increase over average BOD for Interior Tank Holding area per Table 1. This concentration will be achieved by removing low strength flows the Interior Tank Holding area and adding high strength flows from the Fruit Wash/Extraction area.
  - TDS concentration of 8,900 mg/L, resulting in 5,000 to 6,000 lbs. TDS/day. This value is based on average TDS for Interior Tank Holding area per Table 1, plus a 10 percent increase over average TDS.
  - TSS concentration of 500 to 1,000 mg/L. This value is based on average TSS for Interior Tank Holding area per Table 1.

A conceptual level estimate of cost for the permanent solution is provided in **Table 6**.

| Process Component        | Description                                    | Capital Cost |  |  |  |
|--------------------------|------------------------------------------------|--------------|--|--|--|
| Screening                | 80 gpm pre-screening                           | \$50,000     |  |  |  |
| Equalization Storage     | 30,000 to 40,000 gallons                       | \$300,000    |  |  |  |
| Biological Treatment     | TBD from Interim                               | \$1,200,000  |  |  |  |
| DAF                      | Purchase of lease-to-own from Interim Solution | \$180,000    |  |  |  |
| Sludge Storage Expansion | Expand from two to three tanks                 | \$25,000     |  |  |  |
|                          | Subtotal                                       | \$1,755,000  |  |  |  |
|                          | \$176,000                                      |              |  |  |  |
|                          | \$88,000                                       |              |  |  |  |
| Total Project Cost       |                                                |              |  |  |  |

 TABLE 6

 CONCEPTUAL LEVEL ESTIMATE OF PERMANENT COSTS

The permanent system can reuse several components from the Interim Solution, including the following:

- 1. Sludge Storage Tanks
- 2. DAF (reduced cost due to lease to purchase option)
- 3. Blowers
- 4. Chemical Feed Systems

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## Anticipated Future Water Quality

The goal of the permanent treatment system will be to separate high concentration flows and focus treatment. As demonstrated in Section 1, this area is understood to be the Interior Holding Tank area. With the permanent treatment system focused on this stream, **Table 8** was prepared to estimate the anticipated effluent water quality following installation of the permanent solution.

| Description                             | Flow<br>(gpd) | BOD<br>(mg/L) | BOD<br>(lbs) | TSS<br>(mg/L) | TSS<br>(lbs) | TDS<br>(mg/L) | TDS<br>(lbs) |
|-----------------------------------------|---------------|---------------|--------------|---------------|--------------|---------------|--------------|
| Average Flow at 100,000 gpd             |               |               |              |               |              |               |              |
| High Concentration Flows <sup>(a)</sup> | 75,000        | 7,000         | 4,379        | 283           | 177          | 8,900         | 5,567        |
| Low Concentration Flows <sup>(b)</sup>  | 25,000        | 350           | 73           | 283           | 59           | 500           | 104          |
| Treatment Influent (High ONLY)          | 75,000        | 7,000         | 4,379        | 283           | 177          | 8,900         | 5,567        |
| Treatment Effluent (High ONLY)          | 75,000        | 700           | 438          | 28            | 18           | 4,005         | 2,505        |
| Reduction                               |               | 6,300         | 3,941        | 254           | 159          | 4,895         | 3,062        |
| Non-Treatment Stream                    | 25,000        | 350           | 73           | 283           | 59           | 500           | 104          |
| Combined Post Treatment                 | 100,000       | 613           | 511          | 92            | 77           | 3,129         | 2,609        |
| Percent Reduction                       |               | 87%           |              | 67%           |              | 39%           |              |
| Notes:                                  |               | •             |              | •             |              | •             |              |

| TABLE 8                                          |
|--------------------------------------------------|
| ANTICIPATED WATER QUALITY FOR PERMANENT SOLUTION |

Notes:

a) This value is based on a 10 percent increase over average BOD for Interior Tank Holding area per Table 1. This concentration will be achieved by removing low strength flows from the Interior Tank Holding area and adding high strength flows from the Fruit Wash/Extraction area.

b) Reflects the Bottling area and low strength areas of Interior Holding Tanks and Extraction/Fruit Wash areas. Concentration is calculated based on balance remaining once high strength is removed.

# **SECTION 3 – RATE ANALYSIS**

The City of Beaumont Sewer Rate Study (June 2018) includes the following information:

- 1. Cost of Service Allocation for Perricone (*reference Figure 6, page 7 of City Rate Study*) which separates cost of service into the Flow, BOD and TSS components.
- 2. Proposed Sewer Rates for FY 2018/19 to FY 2022/23 (*reference Figure 9, page 10 of City Rate Study*).

Using the information above and the anticipated water quality following installation of permanent treatment at Perricone provided in **Table 8**, a rate analysis was conducted. The resulting rates and total costs are summarized in **Table 9**.



# TABLE 9 RATE ANALYSIS

| Description                                     | 11                                                 |                    | 22/22     |           |           |           |  |  |  |
|-------------------------------------------------|----------------------------------------------------|--------------------|-----------|-----------|-----------|-----------|--|--|--|
| Description                                     | Units                                              | 18/19              | 19/20     | 20/21     | 21/22     | 22/23     |  |  |  |
| PERRICONE WATER QUALITY AND FLOW <sup>(a)</sup> |                                                    |                    |           |           |           |           |  |  |  |
| Average Perricone Flow                          | gpd                                                | 125,000            | 125,000   | 125,000   | 125,000   | 100,000   |  |  |  |
| BOD                                             | mg/L                                               | 3,450              | 2,678     | 2,678     | 2,678     | 613       |  |  |  |
| TSS                                             | mg/L                                               | 283                | 150       | 150       | 150       | 92        |  |  |  |
| TDS                                             | mg/L                                               | 4,800              | 3,641     | 3,641     | 3,641     | 3,129     |  |  |  |
| ANNUAL COST BREAKDOWN                           | ANNUAL COST BREAKDOWN FOR PERRICONE <sup>(b)</sup> |                    |           |           |           |           |  |  |  |
| Rate Increase                                   |                                                    | N/A                | 6%        | 5%        | 5%        | 5%        |  |  |  |
| Flow Cost                                       | \$/yr                                              | \$161,026          | \$170,776 | \$179,345 | \$188,209 | \$158,008 |  |  |  |
| BOD Cost                                        | \$/yr                                              | \$597,891          | \$492,204 | \$516,899 | \$124,167 | \$104,243 |  |  |  |
| TSS Cost                                        | \$/yr                                              | \$70,663           | \$39,722  | \$41,715  | \$26,849  | \$22,541  |  |  |  |
| TDS Cost <sup>(c)</sup>                         | \$/yr                                              | \$86,757           | \$86,757  | \$86,757  | \$86,757  | \$86,757  |  |  |  |
| Total Estimated Cost                            | \$/yr                                              | \$916,337          | \$789,459 | \$824,715 | \$425,982 | \$371,550 |  |  |  |
| REQUESTED INTERIM RATE                          |                                                    |                    |           |           |           |           |  |  |  |
| Rate <sup>(d)</sup>                             | \$/hcf                                             | \$2.64             | \$2.80    | \$2.94    | \$3.09    | \$7.61    |  |  |  |
| Revenue Generated                               | \$/yr                                              | \$161,026          | \$170,776 | \$179,345 | \$188,209 | \$371,550 |  |  |  |
| Difference from Potential                       | \$/yr                                              | \$755 <i>,</i> 311 | \$618,682 | \$645,371 | \$237,773 | \$0.00    |  |  |  |

Notes:

a) Water Quality for Year 18/19 per averages in Table 1, Year 19/20 and 20/21 based on Table 5, and Year 21/22 and 22/23 based on Table 8.

b) Rate Increase calculated per Figure 9 of the Rate Study. Costs for Flow, TSS, and BOD based on Perricone percent of Total WWTP Loading (i.e. 3.4 MGD for Flow, 3,765,410 lbs. BOD, and 2,613,430 lbs. TSS) applied to corresponding expense (See Figure 6 of Rate Study).

- c) TDS cost is calculated based on \$0.12/lb. TDS over baseline of 500 mg/L. Due to the unique organic component of Perricone TDS, a factor of 50 percent is assigned to the TDS loading as this is the estimated component of organic TDS. This cost is kept constant regardless of treatment, as we are assuming to be only removing organic components of TDS. The inorganic components presumably remain and should be subject to the surcharge.
- d) Rate is calculated based on **Flow Cost only** for Interim Period. The rate for post-Interim Period is calculated based on all costs.

The requested interim rate is based on the flow component only. This results in a rate increase to Perricone of approximately 40 percent over the previous year (\$114,341 in 2017). Conversely, the total reduction from potential City revenue to City revenue based on the requested interim rate is calculated at approximately \$2.26M for the four-year period. The costs that will be incurred by Perricone during this period are estimated as follows:

- Interim (capital only) \$758,000
- Permanent \$2,019,000
- Total \$2.78M (not including labor, power and chemical increases)

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As noted above, the additional expenses by Perricone during the Interim Period will exceed the reduction in revenue from the City. In addition, the revenue received during the Interim Period will exceed the revenue originally anticipated to be collected by the City from Perricone. As noted in Table 21 of the Rate Study, a total of \$133,747 was expected to be collected from Perricone for FY 18/19. The requested interim rate will result in a **20** *percent increase over the anticipated amount.* 

# SECTION 4 – IMPLEMENTATION SCHEDULE

Based on the recommended interim and permanent solutions provided in the previous sections, an implementation schedule has been prepared and is provided as **Table 10**.

| ACTION                                      | MILESTONE                   |
|---------------------------------------------|-----------------------------|
| City Council Approval of Interim Rate       | April 2019                  |
| Design and Procurement of Interim Treatment | January 2019 to August 2019 |
| Equalization Tanks Online (pH control)      | February 2020               |
| Full Interim Treatment System Online        | February 2020               |
| Testing and Data Collection (3 mo.)         | March 2020 to May 2020      |
| Design of Permanent Solution (6 mo.)        | May 2020 to October 2020    |
| Construction of Permanent System (7 mo.)    | November 2020 to May 2021   |
| Startup and Optimization (6 mo.)            | June 2021 to November 2021  |
| End of Interim Rate Agreement               | December 31, 2022           |

# TABLE 10 IMPLEMENTATION SCHEDULE

# SECTION 5 – SUGGESTED TERMS FOR INTERIM AGREEMENT

- 1. Duration July 1, 2018 to December 31, 2022
- 2. Interim Rate

TABLE 11 INTERIM RATE SCHEDULE

| DESCRIPTION  | 18/19  | 19/20  | 20/21  | 21/22  | 22/23                            |
|--------------|--------|--------|--------|--------|----------------------------------|
| Rate per HCF | \$2.64 | \$2.80 | \$2.94 | \$3.09 | Standard<br>Rates <sup>(a)</sup> |

(a) Rate will be calculated based on approved City rates and Perricone Water Quality.

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3. **TDS Surcharge** - Charges will be applied following the Interim Agreement. Once in effect, TDS Surcharges are anticipated to be calculated based on inorganic only component of TDS, since this is the portion that will be removed by the City's planned WWTP Upgrades.

# 4. Effluent Quality for Interim Period

TABLE 12 TARGET CONCENTRATIONS DURING INTERIM PERIOD

| Description | Flow<br>(gpd) | BOD<br>(mg/L) | TSS<br>(mg/L) | TDS<br>(mg/L) |
|-------------|---------------|---------------|---------------|---------------|
| Maximum     | 160,000       | 3,500         | 200           | 4,400         |
| Average     | 125,000       | 2,900         | 170           | 4,000         |

(a) Values provided are based on estimates (10 percent contingency over values in Table 5) and will need to be confirmed during startup of the Interim System.

- 5. **Investment** Perricone will spend at minimum the difference between calculated revenue between the existing rate and anticipated future rate, which totals to **\$2.26M**.
  - a. Perricone to provide evidence of expenditures.
  - b. Capital costs due to the City each quarter.
  - c. Capital costs includes associated soft costs (design, administration, permitting, etc.).
  - d. Costs reflect the entire duration of the agreement (ending December 31, 2022).

If you have any questions, please feel free to contact us by phone at (805) 298-3380 or by email at rgallagher@gfnet.com.

Sincerely,

**Gannett Fleming** 

Ryan Gallagher, PE, LEED AP Vice President

MAL

David M. Drew, PE Principal Engineer

Agenda Item No. 6.

# EXHIBIT "C"

# SPECIFIC DISCHARGE REQUIREMENTS



# SIGNIFICANT INDUSTRIAL USER (SIU) DISCHARGE PERMIT

Date: January 2, 2019

Name:Beaumont Juices, DBA Perricone JuicesAddress:550 B StreetBeaumont, CA 92224

Attention: Bob Rovzar, CEO/Owner 550 B Street Beaumont, CA 92224 Telephone: (949) 732-3978

Reference: Significant Industrial User Discharge Permit Issued to Beaumont Juices, dba Perricone Juices

#### **PERMIT NO. SIU-1016-1.1**

NAISC NO:

<u>311411</u>

### Dear Mr. Rovzar:

The enclosed permit issues pollutant limitations for industrial wastewater from **Beaumont Juices, DBA Perricone Juices (hereinafter referred to as Perricone Juices and/or Permittee)** to the City of Beaumont (City) sewer system. All discharges of wastewater generated at this location, and actions reports relating thereto, shall be in accordance with the terms and conditions of this permit and City's Municipal Code. The Annual Permit Fee will be billed to Perricone Juices in accordance with the City's adopted rate schedule.

If you wish to appeal or challenge any discharge limitation, pretreatment requirement, or condition imposed in this permit, a petition shall be filed for modification or reissuance of this permit within 10 working days of the date of issuance.

"It is hereby certified that this permit was prepared based on information provided by a combination of one or more of the following sources: the user's permit application, facts obtained during field inspections of the user's wastewater generating activities, and additional information obtained from the user."

Kristine A. Day Assistant City Manager

Issued on July 25, 2018 – Amended on January 2, 2019 By: City of Beaumont 550 E. 6<sup>th</sup> Street Beaumont, CA 92224 (951) 769-8520

| SIGNIFICANT INDUSTRIAL USER DISCHARGE PERMIT NO. SIU-1016-1.1 |                                                                                                       |  |  |  |  |  |
|---------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|--|--|--|--|--|
| IU Name and Address:                                          | Beaumont Juices, DBA Perricone Juices<br>550 B Street<br>Beaumont, CA 92224                           |  |  |  |  |  |
| Responsible Party:                                            | Bob Rovzar, CEO/Owner<br>Telephone: (949) 732-3978                                                    |  |  |  |  |  |
| Contact:                                                      | Jerry Badeau, Plant Manager<br>Email: j <u>erry@perriconefarms.com</u> ,<br>Telephone: (951) 769-8520 |  |  |  |  |  |
| Mailing Address:                                              | 550 B Street<br>Beaumont, CA 92224                                                                    |  |  |  |  |  |

In accordance with the provisions of the City of Beaumont's (City's) Municipal Code Chapter 13.20, Pretreatment and Regulation of Wastes, the above listed facility (permittee) is hereby authorized to discharge wastewater from 550 B Street Beaumont, CA 92224 to the City sewer system. Discharge limitations, monitoring requirements, and other conditions are set forth in this permit. Compliance with this permit does not relieve the permittee of its obligation to comply with all pretreatment regulations, standards or requirements under local, State and Federal laws, including any such laws, regulations, standards, or requirements that may become effective during the term of this permit.

Noncompliance with the terms and conditions of this permit shall constitute a violation of the City's Municipal Code Chapter 13 and shall subject the permittee to applicable enforcement actions.

## This permit shall become effective on: January 12, 2019

## and shall expire at midnight on: August 15, 2020

The permittee shall not discharge any industrial wastewater after the date of expiration unless an application is filed for reissuance in accordance with the City's Municipal Code Chapter 13.20.320, a minimum of 90-days prior to the expiration of this permit.

By: Nr **Kristine A. Day** 

Assistant City Manager

### **PART 1 - DISCHARGE REQUIREMENTS:**

A. Permit Duration and Designated Discharge Limits: During the period of January 12, 2019 to midnight of August 15, 2020, the Permittee is authorized to discharge the industrial wastewater specified in Part 1-B, through the sample location(s), listed below to the City's sewer system.

#### 1. <u>SAMPLE LOCATION</u> <u>DESCRIPTION</u>

001

**Monitoring station.** Sample location 001 is subject to local wastewater limitations specified in this permit and any general or specific federal limitations as specified in 40 CFR 403. (See Part 2 C. for location photos)

- **B. Permit Classification:** Perricone Juices is classified as a Class I Non-Categorical Significant Industrial User (SIU). This decision is based on a flow volume exceeding twenty-five thousand (25,000) gallons per day and the evaluation of waste strength and pollutant characteristics in the discharge.
- **C. Notification of Process Changes**: Perricone Juices is required to notify the City, in writing, at least 30 days in advance, of any new connections or changes to existing dischargers or other modifications which will alter the amount of or pollutant strength of any wastewater, which is discharged to City's Sewer System.
- **D. Discharge Limitations:** The Discharge Limitation Tables on Pages 4 contain local wastewater discharge limitations.

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# LOCAL WASTEWATER DISCHARGE LIMITATIONS

SAMPLE POINTS

CITY OF BEAUMONT LOCAL LIMTS

| Pollutant                                   | Concentration in mg/L (Unless otherwise stated)<br>Daily Maximum |
|---------------------------------------------|------------------------------------------------------------------|
| рН                                          | 6.0 – 11.5 (pH units)                                            |
| Flow                                        | 160,000 gpd                                                      |
| METAL LIMITS                                |                                                                  |
| Arsenic                                     | 0.2                                                              |
| Cadmium                                     | 0.1                                                              |
| Chromium III                                | 9.2                                                              |
| Chromium VI                                 | 0.1                                                              |
| Chromium, Total                             | 11.3                                                             |
| Copper                                      | 0.6                                                              |
| Lead                                        | 0.5                                                              |
| Mercury                                     | 0.001                                                            |
| Molybdenum                                  | 3.4                                                              |
| Nickel                                      | 0.8                                                              |
| Selenium                                    | 0.08                                                             |
| Silver                                      | 0.7                                                              |
| Zinc                                        | 3.5                                                              |
| NON-METAL LIMITS                            |                                                                  |
| Cyanide, Total                              | 0.12                                                             |
| <b>Biochemical Oxygen Demand (BOD)</b>      | 320 <sup>a</sup> - 3,500                                         |
| Total Suspended Solids (TSS)                | 300 <sup>a</sup> - 1,500                                         |
| Total Dissolved Solids (TDS)                | 500 <sup>a</sup> - 4,600                                         |
| Oil & Grease (Fats, Oils, and Grease)       | 500                                                              |
| Oil & Grease (Mineral/Petroleum Oil Origin) | 100                                                              |
| Ammonia                                     | 50                                                               |
| 1,4 Dioxane                                 | 0.16                                                             |
| Sulfide, Total                              | 5.0                                                              |
| Sulfide, Dissolved                          | 0.5                                                              |
| Polychlorinated Biphenyls (PCB)             | 0.0016                                                           |
| Pesticides                                  | 0.0016                                                           |

- a) Maximum Limit without surcharge. Higher values will be assessed a special billing rate as adopted by the City up to a maximum allowable loading value based upon headwork's loading calculations. Upon determination of said surcharge rates, a contract will be developed between the permittee and the City that identifies additional sewer fees to treat the high strength waste. Said contract will be included as an attachment to this permit.
- b) Based on the average composite value in a 24-hour composite sample except for pH which is an instantaneous limit.

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#### **PART 2 - MONITORING REQUIREMENTS:**

**A.** There are no self-monitoring requirements. The City will routinely conduct monitoring of the permittee's wastewater discharge from the approved monitoring location identified in Part 1. A. 1 of the Permit. The City will conduct an initial monitoring for all pollutants identified in the Local Wastewater Discharge Limitations Table on the previous page. The Table listed below includes continuous monitoring requirements by the permittee. Said records from the pH, EC, and flow monitoring equipment shall be available for inspection and may be required to be submitted monthly or at a frequency deemed acceptable by the City to ensure continuous compliance with those requirements.

| POLLUTANT           | SAMPLING<br>FREQUENCY | SAMPLE TYPE |  |  |
|---------------------|-----------------------|-------------|--|--|
| Flow                | Continuous            | Flow Meter  |  |  |
| рН                  | Continuous            | pH Meter    |  |  |
| Electroconductivity | Continuous            | E/C Meter   |  |  |

**B.** While there are no permit requirements for self-monitoring by the permittee please note that any monitoring performed by the permittee at the approved sample location and in accordance with standard methods using a certified wastewater laboratory must be reported to the City within 10 days of the receipt of said results.

# **PART 2 - MONITORING REQUIREMENTS (Continued):**

- **C.** Any sampling conducted by the permittee including sample collection, handling, and preservation of samples and laboratory analyses of samples shall be performed in accordance with **40 CFR**, **Part 136**, and amendments thereto unless specified otherwise in the monitoring conditions of this permit.
- **D.** Any sampling of the industrial wastewater by the Permittee at the approved Sample Point as shown below must be reported to the City in accordance with Part 2 B of the permit.:



<sup>1</sup> Sample manhole (SP001) is the approved sample location and contains all wastewater flows from the facility.

# Agenda Item No. 6.

#### Perricone Juices Wastewater Discharge Permit No. SIU-1016-1.1

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# **PART 3 - REPORTING REQUIREMENTS:**

- **A.** <u>Permittee's Self-Monitoring Reports</u>: Permittee shall submit copies of pH monitoring; flow monitoring, and EC monitoring monthly, no later than the 10<sup>th</sup> day of each subsequent month. Said reports shall be reviewed by the permittee prior to submittal to ensure compliance with permitted limitations.
- **B.** <u>Non-Compliance</u>: The Permittee may be required to perform follow-up sampling upon notification by the City of a discharge violation. In the event of non-compliance monitoring by the Permittee, said Permittee shall ensure all sampling and handling is performed in accordance with **40 CFR, Part 136**, and amendments thereto unless specified otherwise in the monitoring conditions of this permit.
- **C.** <u>Surcharge Constituents</u>: Flow, BOD, and TSS parameters are used to determine compliance with the permit but are also used to verify surcharge billing values. The City will use data collected by the City at the approved sample location combined with flow monitoring data supplied by the Permittee on a monthly basis to facilitate accurate billing of the Permittee.
- **D.** <u>Surcharge Billing Contract</u>: The City may develop a contract with the Permittee that will become an attachment to the Permit that details the billing rate and how the monthly sewer fees were calculated.
- **E.** Any report required by the permit shall include a signed certification statement (See Part 5 Standard Conditions Section D.4. Signatory Requirements of the Permit for a sample.
- **F.** <u>Automatic Resampling</u>: If the results of the permittee's wastewater analysis indicate a violation of this permit has occurred, the permittee may be required to:
  - **1.** Sample for the constituent(s) that were noted as violations by the City. The results of this repeat analysis shall be submitted to the City within 10 days of the notification of non-compliance by the City.
- **G.** Accidental Discharge Report: The permittee shall notify the City immediately upon the occurrence of any accidental discharge of substances prohibited by City's Pretreatment Ordinance or any upsets, bypass, slug loads or spills that occur at the facility identified in this permit and may enter the public sewer. **During normal business hours,** the **permittee shall notify the City at (951) 769-8520.** After **hours, contact the City at (951) 892-3295 or (951) 858-1542.**

A notice shall be permanently posted on the Permittee's bulletin board or other prominent place advising employees who to call in the event of a discharge covered this section. The permittee shall ensure that all employees, who may cause such a

# Agenda Item No. 6.

#### Perricone Juices Wastewater Discharge Permit No. SIU-1016-1.1

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discharge

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# **PART 3 - REPORTING REQUIREMENTS (Continued):**

to occur, are advised of the emergency notification procedure.

The notification shall include location of the discharge, date and time of the discharge, type of waste, including concentration, volume and corrective actions taken. The permittee's notification of accidental discharges in accordance with this section does not relieve the permittee of other reporting requirements that arise under local, State, or Federal laws.

Within five days following an accidental discharge, the permittee shall submit to the City a detailed written report. The report shall specify:

- **1.** Description and cause of the accidental discharge and the impact of the incident on the permittee's compliance status. The description should also include location of discharge, type, concentration and volume of waste.
- **2.** Duration of noncompliance, including exact dates and times of noncompliance and the time when compliance is expected to be achieved.
- **3.** All steps taken or to be taken to reduce, eliminate, and/or prevent recurrence of such conditions of slug load, accidental discharge or other noncompliance events.
- **H.** The permittee shall maintain copies of Safety Data Sheets (SDS) for all chemicals used at the facility. If the permittee generates substances listed as toxic under **Section 307 (a)(1)** of the **Clean Water Act**, the permittee must follow Federal regulatory guidelines for the handling and disposal of those substances. Secure storage with secondary containment must be provided with no possible access to the sewer. Storage of the wastes shall not exceed ninety (90) days. Transportation offsite shall be by a licensed carrier to a licensed disposal facility. Copies of all shipping manifests and disposal receipts for hazardous materials shall be available for review during an inspection or upon request by the City.
- I. All reports required by this permit shall be submitted to the:

# City of Beaumont Public Works Department Attention: Environmental Compliance Division 550 E. 6th Street Beaumont CA 92220-0998

J. All reports shall include the certification statement located in Part 5 Standard Conditions Section D. 4. Signatory Requirements of this Permit.

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#### **PART 4- SPECIAL CONDITIONS:**

### **SECTION A - Re-opener Clause**

- **1.** This permit may be reopened and modified to incorporate any new or amended requirement contained in a national categorical pretreatment standard promulgated for the industrial category covered by this permit.
- **2.** This permit may be reopened and modified to incorporate any new or amended requirements resulting from the City re-evaluation of its local limits.
- **3.** This permit may be reopened and modified to incorporate any new or amended requirements developed by the City as are necessary to ensure POTW compliance with applicable biomass management requirements promulgated by Federal Regulations in **40 CFR Part 503**.

#### **PART 5 - STANDARD CONDITIONS:**

# SECTION A. General Conditions and Definitions

- **1.** <u>Severability</u>: The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.
- 2. <u>Duty to comply</u>: The Permittee must comply with all conditions of this permit. Failure to comply with the requirements of this permit may be grounds for administrative action, or enforcement proceedings including civil or criminal penalties, injunctive relief, and summary abatements.
- **3.** <u>Duty to Mitigate</u>: The Permittee shall take all reasonable steps to minimize or correct any adverse impact to the public treatment plant or the environment resulting from noncompliance with this permit.
- **4.** <u>Permit Modification</u>: This permit may be modified for good cause including, but not limited to the following:

**a.** To incorporate any new or Amended Federal, State or local pretreatment standards or requirements, including but not limited to changes in City Ordinances or the City's Municipal Code.

# **PART 5 - STANDARD CONDITIONS (Continued):**

- **b.** Material or substantial alterations or additions to the discharger's operation processes, or discharge volume or character which were not considered in drafting the effective permit.
- **c.** A change in any condition in either the Permittee or the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge.
- **d.** Information indicating that the permitted discharge poses a threat to the City's collection and treatment systems, POTW personnel or the receiving waters.
- e. To correct typographical or other errors in the permit.
- **f.** Upon request of the Permittee, provided such request does not create a violation of any applicable requirements, standards, laws or rules and regulations.

The filing of a request by the Permittee for a permit modification, revocation, and reissuance or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

- 5. <u>Permit Termination</u>: This permit may be terminated for the following reasons:
  - **a.** Falsifying self-monitoring reports.
  - **b.** Violate a cease and desist order.
  - **c.** Failure to accurately report the wastewater sample results.
  - d. Refusing to allow timely access to the facility premises and records.
  - e. Failure to meet discharge limitations.
  - f. Violation of any terms or conditions of this permit.
  - **g.** Failure to pay fines or permit fees.
  - **h.** Failure to pay sewer charges.
- 6. <u>Permit Appeals</u>: The Permittee may petition to appeal the terms of this permit within ten (10) working days of issue date.

The petition must be in writing, sent certified mail, return receipt requested. Failure to submit a petition for review shall be deemed to be a waiver of that appeal. If an appeal is submitted, the Permittee must indicate in the appeal, the permit provisions objected to, the reasons for the objection(s), and the alternative

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condition(s), if any, the Permittee seeks to be placed in the permit.

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# **PART 5 - STANDARD CONDITIONS (Continued):**

If the City Council of the City consents to consider an appeal by the Permittee, the effectiveness of this permit shall not be stayed during the appeal process. Appeals to the City Council shall be in accordance with the City's Municipal Code Section 13.20.427. If after considering the petition and any arguments put forth by the City Manager, the Council determines that reconsideration of this permit is proper; the Council shall remand the permit back to the City Manager for reissuance. Those permit provisions being reconsidered by the City Manager at the direction of the Council shall be stayed pending reissuance of the permit.

A decision by the City Council that refuses to reconsider an issued permit shall be considered final administrative action for purposes of judicial review. The permittee seeking judicial review of a final action by the Council must do so by filing a complaint in the Superior Court of the County of Riverside within thirty (30) days.

- 7. <u>Property Rights</u>: The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any violation of Federal, State, or local laws or regulations.
- 8. <u>Permit Transfers</u>: Permits may not be reassigned or transferred to a new owner or operator. Upon transfer of ownership, written notice to the City must be provided, and a new permit application submitted by the new owner to the City at least 60 days prior to transfer of ownership.
- **9.** <u>Continuation of Expired Permits</u>: An expired permit will continue to be effective and enforceable until a new permit is issued if:
  - **a.** The Permittee has submitted a complete permit application at least ninety (90) days prior to the expiration date of the existing permit.
  - **b.** The failure to reissue the permit, prior to the expiration of the previous permit, is not due to any act or failure to act on the part of the Permittee.
- **10.** <u>Dilution</u>: The Permittee shall not increase the use of potable or process water or, in anyway, attempt to dilute an effluent as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in this permit.

#### **PART 5 - STANDARD CONDITIONS (Continued):**

#### **11.** <u>Definitions</u>:

- a. <u>Daily Maximum</u> The maximum allowable discharge of a constituent during a calendar day where daily limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where daily maximum limitations are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the constituent concentration derived from all measurements taken during that day.
- **b.** <u>Composite Sample</u> A sample that is collected over time formed by either continuous sampling or by mixing discreet samples. The samples can either be a time composite or a flow proportional composite sample.
- **c.** <u>Grab Sample</u> An individual sample collected in less than 15 minutes, without regard for flow or time.
- **d.** <u>Instantaneous Maximum Concentration</u> The maximum concentration allowed in any single grab sample.
- <u>Cooling Water</u> 1) Uncontaminated: Water used for cooling purposes only which has no direct contact with any raw material, intermediate, or final product and which does not contain a level of contaminants detectably higher than that of the intake water; and 2) Contaminated: Water used for cooling purposes only which may become contaminated either through the addition of water treatment chemicals used for corrosion inhibitors or biocides, or by direct contact with process materials and/or wastewater.
- f. <u>Monthly Average</u> The arithmetic mean of the values for effluent samples collected during a calendar month or specified 30-day period (as opposed to a rolling 30-day Window).
- **g.** <u>Weekly Average</u>- The arithmetic mean of the values for effluent samples collected over a period of seven consecutive days.
- h. Bi-Weekly Once every other week.
- i. <u>Bi-Monthly</u> Once every other month.
- j. <u>Bi-Annually</u> Once every other year.
- **k.** <u>Semi- Annually</u> Once every six months.
- **I.** <u>Bypass</u> means the intentional diversion of wastes from any portion of a treatment facility.
- **m.** <u>Upset</u>: Means an exceptional incident in which there is unintentional and temporary noncompliance with categorical Pretreatment standards because
  - of factors beyond the reasonable control of the Industrial User.

# **PART 5 - STANDARD CONDITIONS (Continued):**

- **12.** <u>General Prohibitive Standards</u>: The Permittee shall comply with all the general prohibitive discharge standards in Federal regulations **40 CFR Part 403.5 (a)** namely a user may not introduce into a POTW any pollutant(s) which cause pass-through or interference.
- **13**. <u>Specific Prohibitions</u>: The Permittee shall not discharge wastewater to the sewer system:
  - **a.** Pollutants which create a fire or explosion hazard in the POTW, including, but not limited to, waste streams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test methods specified in 40 CFR 261.21;
  - **b.** Pollutants which will cause corrosive structural damage to the POTW, but in no case Discharges with pH lower than 5.0, unless the works is specifically designed to accommodate such Discharges;
  - **c.** Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW resulting in Interference;
  - **d.** Any pollutant, including oxygen demanding pollutants (BOD, etc.) released in a Discharge at a flow rate and/or pollutant concentration which will cause Interference with the POTW.
  - **e.** Heat in amounts which will inhibit biological activity in the POTW resulting in Interference, but in no case heat in such quantities that the temperature at the POTW Treatment Plant exceeds 40 °C (104 °F) unless the Approval Authority, upon request of the POTW, approves alternate temperature limits.
  - **f.** Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through;
  - **g.** Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
  - **h.** Any trucked or hauled pollutants, except at discharge points designated by the POTW.

#### PART 5 - STANDARD CONDITIONS (Continued):

# **SECTION B – Operations and Maintenance of Pollution Controls**

- **1.** <u>Proper Operation and Maintenance</u>: The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes but is not limited to: effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate QA procedures.
- 2. <u>Duty to halt or Reduce Activity</u>: Upon reduction of efficiency of operation, or loss or failure of all or part of the treatment facility, the Permittee shall, to the extent necessary to maintain compliance with this permit, control its production or discharges (or both) until operation of the treatment facility is restored or an alternative method of treatment is provided. It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity, to maintain compliance with the conditions of this permit.
- **3.** <u>Removed Substances</u>: Solids, sludges, filter backwash, or other substances removed during treatment or control of wastewaters shall not be disposed of in the sewer. They shall be disposed of in accordance with **Section 405 of the Clean Water Act**, Subtitles C and D of the Resource Conservation and Recovery Act.

#### **SECTION C – Monitoring and Records**

1. <u>Representative Sampling</u>: Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points specified in this permit and, unless otherwise specified before the effluent joins or is diluted by any other waste stream, body of water or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected and maintained to ensure the accuracy of that equipment. Monitoring points shall not be changed without notification to and the approval of the City.

# **PART 5 - STANDARD CONDITIONS (Continued):**

- 2. <u>Flow Measurements</u>: Flow measurement is required by this Permit, the appropriate flow measurement devices and methods consistent with approved scientific practices shall be selected and used to ensure the accuracy and reliability of measurements of volume of monitored discharges. The devices shall be installed, calibrated and maintained to ensure that the accuracy of the measurement is consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than 10 percent from true discharge rates throughout the range of expected discharge volumes.
- **3.** <u>Analytical Methods</u>: All sampling and analysis required by this permit shall be performed in accordance with **40 CFR Part 136** and amendments thereto, unless otherwise approved by EPA, or as specified in this permit.
- **4.** <u>Additional Monitoring</u>: If the Permittee monitors any constituent more frequently than required by this permit, using test procedures identified above in section C 3, the results of this monitoring shall be included in the Permittee's self monitoring reports.
- **5.** <u>Inspection and Entry</u>: The Permittee shall allow the City, or an authorized representative, upon request, reasonable access to:
  - **a.** Enter upon the Permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;
  - **b.** Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
  - **c.** Inspect, at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required by this permit;
  - **d.** Sample or monitor, for assuring permit compliance, any substances or parameters at any location.
- 6. <u>Retention of Records</u>: The Permittee shall retain records of all monitoring information, including copies of all reports required by this permit. Records of all data including strip chart recordings and all information used to complete the application for this permit, for a period of at least three years from the date of the sample, measurement, report or application. This period may be extended by request of the City at anytime.

# PART 5 - STANDARD CONDITIONS (Continued):

- **a.** All records that pertain to matters that are the subject of special orders or any other enforcement, or litigation activities brought by the City, shall be retained and preserved by the Permittee until all enforcement activities have concluded, and all periods of limitation with respect to any and all appeals have expired.
- 7. <u>Record Contents</u>: Records of sampling and analysis shall include:
  - **a.** The date, exact place, time, and methods of sampling or measurements, and sample preservation techniques or procedures;
  - b. Name of person or persons who performed the sampling or measurements;
  - **c.** The date(s) analyses were performed;
  - d. Name of analytical laboratory and person who performed the analyses;
  - e. The analytical methods used; and
  - f. Copies of the results (lab reports) of the analyses.
- 8. <u>Falsifying Information</u>: Knowingly making any false statement on any report or other document required by this permit or knowingly rendering any monitoring device or method inaccurate is a crime and may result in the imposition of criminal sanctions and/or civil penalties.

# **SECTION D - Additional Reporting Requirements**

- **1.** <u>Anticipated Noncompliance:</u> The Permittee shall give advance notice to the City of any planned changes in the permitted facility or activity, which may result in noncompliance with permit requirements.
- 2. <u>Automatic Resampling</u>: If the results of the Permittee's wastewater analysis indicate a violation has occurred, the Permittee must notify the City within 24-hours of becoming aware of the violation and repeat the sampling and analysis and submit, in writing, the results of this repeat analysis within 30 days after becoming aware of the original violation.

# PART 5 - STANDARD CONDITIONS (Continued)

- **3.** <u>Duty to provide Information</u>: The Permittee shall furnish to the City, within three (3) working days any information which the City may request to determine whether cause exists for modifying, revoking and reissuing, or terminating, or determining compliance with this permit. The Permittee shall also, upon request, furnish to City within three (3) working days' copies of any records required to be kept by this permit.
- **4.** <u>Signatory Requirements</u>: All applications, reports, or information submitted to the City must contain the following certification statement, and be signed as required in subsections (a), (b), or (c) of this section;

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person (s) who manages the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations".

- **a.** By a responsible corporate officer, if the Permittee submitting the report is a corporation. For the purpose of this paragraph, a responsible corporate officer means:
  - **1.** A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any person who performs similar policy or decision-making functions for the corporation, or
  - **2.** The manager if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- **b.** By a general partner or proprietor if the Permittee submitting the reports is a partnership or sole proprietorship respectively.
- **c.** By a duly authorized representative if;
  - **1.** the authorization is made in writing by the individual described in paragraph (a) or (b);

#### **PART 5 - STANDARD CONDITIONS (Continued)**

- **2.** The authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the discharge originates, or having overall responsibility for environmental matters for the discharger; and
- **3.** The written authorization is submitted to the City.
- **d.** If an authorization under paragraph (a), (b), or (c) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for environmental matters for the Permittee, a new authorization satisfying the requirements of paragraph (c) of this section must be submitted to the City prior to or together with any reports to be signed by an authorized representative.
- **5.** <u>Annual Publication</u>: At least once each year, a list of all commercial or industrial dischargers, which were subject to enforcement proceedings during the previous twelve months that qualified as Significant Non-Compliance, shall be published annually by the City in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the City in which the Industrial User is located. Accordingly, the Permittee is apprised that noncompliance with this permit may lead to an enforcement action and may result in publication of its name in an appropriate newspaper in accordance with this section.
- 6. <u>Recovery of Costs Incurred</u>: The City's Municipal Code provides that in addition to civil and criminal liability, the Permittee who violates any provision of this permit resulting in damage to or otherwise inhibiting the City's wastewater disposal system, shall be liable to the City for any expense, loss, or damage caused by the violation or discharge. The Permittee shall pay for the costs incurred by the City for any cleaning, repair, or replacement work caused by the non-compliance.

The reimbursement shall also include any fines or penalties levied against the City resulting from the violation or discharge. Refusal to pay the assessed costs shall constitute a separate violation of the City's Municipal Code.

#### **SECTION E – ENFORCEMENT:**

**1.** <u>Notice of Violation:</u> Any Permittee found to be in violation of any permit condition, discharge requirement, reporting requirement, or any provision of the City's Municipal

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#### **SECTION E – ENFORCEMENT (Continued):**

Code may be issued a written Notice of Violation. The Notice shall state the nature of the violation and the penalties for continued non-compliance. If required by the notice, the violator shall submit to the City, within a prescribed period specified in the notice, a plan of return to full compliance pursuant to City's Industrial Pretreatment Program.

- 2. <u>Administrative Complaint:</u> The City's Municipal Code provides that the Manager may issue an Administrative Complaint to any user who violates any permit condition or requirement, a Notice of Violation or any section of the City's Industrial Pretreatment Program.
  - **a.** The Administrative Complaint shall allege the act or failure to act that constitutes the violation, the provisions of law authorizing the imposition of Civil Liability, and the Civil Penalty proposed.
  - **b.** The Administrative Complaint shall be served by personal delivery or certified mail and shall give notice to the recipient of a hearing to be conducted within sixty (60) days from the date of service.
- **3.** <u>Administrative Hearing:</u> The Hearing shall be before a hearing officer designated by the City Manager.
  - **a.** The defendant of an Administrative Complaint may waive the right to a hearing, in which case no hearing shall be held.
  - **b.** A defendant in an Administrative Hearing wishing to appeal a decision of the Hearing Officer may do so to the City Council of the City within thirty (30) days of notice of the Hearing Officer's decision.
  - **c.** If after a hearing or appeal, if any, it is found in fact there has been a violation of reporting requirements, discharge requirements, the Hearing Officer or the City Council may assess a Civil Penalty against the defendant.
  - **d.** In determining the amount of a Civil Penalty, the Hearing Officer or City Council may consider all relevant circumstances including, but not limited to, the extent of harm caused by the violation, the economic benefit derived through any non-compliance, the nature and persistence of the violation, and the corrective actions, if any, attempted or taken by the discharger.

# **PART 6 - ENFORCEMENT (Continued):**

- 4. <u>Administrative Civil Penalties:</u>
  - a. Fines not to exceed \$2,000.00 for each day of failure or refusal to furnish technical or self-monitoring reports, [Government Code, Section 54740.5(d)(1)];
  - Fines not exceeding \$3,000.00 for each day for failure or refusal to timely comply with any compliance schedule established by the City, [Government Code, Section 54740.5(d)(2)];
  - c. Fines not to exceed \$5,000.00 per violation for each day for discharges in violation of any discharge limitation, permit condition, or requirement issued, reissued or adopted by the City, [Government Code, Section 54740.5(d)(3)];
  - d. Fines not exceeding \$10.00 per gallon for discharges in violation of any suspension, cease and desist order, other orders or prohibitions issued, reissued or adopted by the City, [Government Code, Section 54740.5(d)(4)].
  - e. Unless appealed, orders setting administrative Civil Penalties shall become effective and final upon issuance thereof, and payment shall be made within thirty (30) days. Copies of the orders shall be served by personal service or by registered mail upon the parties served with the Administrative Complaint and to other persons who appeared at the hearing and requested a copy.
  - **f.** All monies collected under these penalties shall be deposited in a special account of the City and shall be made available for the monitoring, treatment and control of harmful discharges into the POTW or for other mitigation measures.
  - **g.** The amount of any Civil Fines imposed as a result of the Administrative Hearing process, which remain delinquent for a period of sixty (60) days shall constitute a lien against the real property of the of the defendant discharger. That lien shall be recorded with the County Recorder and when recorded shall have the force, effect and priority of a judgment lien and continue for ten (10) years from the time of recording unless sooner released, and shall be renewable in accordance with the provisions of Sections 683.110 to 683.220, inclusive, of the Code of Civil Procedure.

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#### **PART 6 - ENFORCEMENT (Continued):**

- 5. <u>Judicial Review:</u> Any party aggrieved by a final order issued by the City Council, may obtain review of the Order of the City Council in the Superior Court by filing in the Court a petition for writ of mandate within 30 days following the service of a copy of a decision and order issued by the City Council. If no aggrieved party petitions for a writ of mandate within the time allowed, an order of the City Council or hearing officer shall not be subject to review by any court or agency. The evidence before the Court shall consist of the record before the City Council, including the hearing officer's record, and any other relevant evidence which, in the judgement of the Court, should be considered to effectuate and implement policies of the City's Municipal Code. In every such case, the Court shall exercise its independent judgement of the evidence. Except, as otherwise provided in Subsection 9.02.j., subdivisions (e) and (f) of Section 1094.5 of the Code of Civil Procedure.
- **6.** <u>Civil Liability for Violation:</u> Any person who violates any order issued by the Director of Public Works or any provision of the City's Municipal Code, shall be liable civilly in a sum not to exceed one thousand dollars for each day in which such violation occurs. The City Attorney, upon request of the City Council, shall petition the Superior Court to impose, assess, and recover such sums.
- 7. <u>Emergency Termination of Service:</u> The City may terminate or cause to be terminated wastewater treatment or wastewater service to any premises if a violation of any provision of this chapter pertaining to control of wastewater is found to exist or if a discharge of wastewater causes or threatens to cause a condition of contamination, pollution, or nuisance, as defined in this chapter.
- 8. <u>Remedies Non-exclusive:</u> The remedies provided for in this section are not exclusive. The City may take any, all, or any combination of these actions against the non-compliant user. Enforcement of industrial waste discharge limit violations, other permit conditions, sampling requirements or self-monitoring reporting, will generally be in accordance with the City's Enforcement Response Plan. However, the City may take other action against any user when the circumstances warrant. Further, the City is empowered to take more than one enforcement action against any non-compliant user.

#### **PART 6 - ENFORCEMENT (Continued):**

- **10.** <u>Criminal Penalties:</u> Any person who violates any provision of this Chapter, any standard, any standard adopted by this chapter, or any permit or permit condition issued under this chapter, is guilty of a misdemeanor, and shall be punished by a fine not exceeding one thousand dollars or six months in the Riverside County jail, or both, for each day on which a violation occurs. (Code 1965, § 31A-26.)
  - **a.** Payment of any penalty required in this section shall not relieve a user from responsibility for correcting the violation and reimbursing the City for all costs and expenses associated with all corrections including any fines and/or penalties incurred by the City as a result of the violation.

## EXHIBIT "D"

### CREDIT REQUEST NO.

The undersigned (the "Owner"), hereby requests ISSUANCE OF CREDIT for the Facilities or a Discrete Component (as defined in the Agreement, dated as of \_\_\_\_\_\_, 2019 by and among the City of Beaumont (the "City") and the Owner), all as more fully described in Attachment 1 hereto. In connection with this Credit Request, the undersigned hereby represents and warrants to the City as follows:

1. He (she) is a duly authorized officer of the Owner, qualified to execute this Credit Request on behalf of the Owner and is knowledgeable as to the matters set forth herein.

2. To the extent that this Credit Request is with respect to a completed Facilities, the Owner has submitted or submits herewith to the City all documentation required under the Agreement.

3. All costs of the Facilities or Discrete Components thereof for which credit is requested hereby are actual costs (as defined in the Agreement referenced above) and have not been inflated or misrepresented in any respect. The items for which credit is requested have not been the subject of any prior Credit Request submitted to the City.

4. Supporting documentation (such as third party invoices) is attached with respect to each cost for which Credit is requested.

5. There has been full compliance with applicable laws relating to prevailing wages for the work to construct the Facilities or Discrete Components thereof for which Credit is requested.

6. The Facilities or Discrete Components thereof for which Credit is requested were constructed in accordance with all applicable City or other governmental standards.

7. The Owner is in compliance with the terms and provisions of the Agreement, including the award of contracts under which the construction for which this Credit is requested.

8. The costs for the Facilities or Discrete Component (a detailed calculation of which is shown in Attachment 1 hereto for each such Facilities or Discrete Component), has been calculated in conformance with the terms of the Agreement.

9. Neither the Owner nor any Affiliate (as defined in the Agreement) is in default in the payment of ad valorem real Property taxes, assessments, special taxes, sewer service charges applying to the Property.

I hereby declare under penalty of perjury that the above representations and warranties are true and correct.

Dated:\_\_\_\_\_

OWNER: Beaumont Juice, Inc., a California corporation

By:\_\_\_\_\_ Name:\_\_\_\_\_ Title:\_\_\_\_\_

Dated:\_\_\_\_\_

CITY:

Credit Request Approved for Submission to Finance Manager

By:\_\_\_\_\_ Director of Public Works



# **Staff Report**

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|-----|-----------|--------------|-----------|
| TO: | mayor and | City Council | Members   |

FROM: Todd Parton, City Manager

DATE: October 1, 2019

SUBJECT: June 2019 Preliminary Financial Reports and July Financial Reports

# **Background and Analysis:**

The June 2019 and July 2019 Monthly Financial Reports are attached for review, as follows:

- 1. General Fund (summary level) Actual versus Budget, current month and year to date
- 2. General Fund (summary level) Current versus Prior Year, current month and year to date
- 3. Waste Water Fund (summary level) Actual versus Budget, current month and year to date
- 4. Waste Water Fund (summary level) Current versus Prior Year, current month and year to date
- 5. Treasurer's Report Cash Account Reconciled Balance allocations by Fund

The June financials should result in 0% of the budget remaining, however, please note that these are preliminary June financials and year end accruals and adjustments still need to be made. The July financials should result in 91.67% of the budget remaining. Because the budget to actual variances can be deceiving, please note the following:

| Revenues | Actual greater than Budget | Positive Overall Effect |
|----------|----------------------------|-------------------------|
|          | Actual less than Budget    | Negative Overall Effect |
| Expenses | Actual greater than Budget | Negative Overall Effect |
|          | Actual less than Budget    | Positive Overall Effect |

July is an unusual month for variances due to the reversal of June year end accruals. Bank reconciliations are completed as follows:

| Pooled Cash (Citibank) | thru 08/21/19 |
|------------------------|---------------|
| Bank of Hemet:         |               |
| Payroll                | thru 7/31/19  |

| thru 8/31/19  |
|---------------|
| thru 7/31/19  |
| thru 8/31/19  |
| thru 8/31/19  |
| thru 07/31/19 |
| thru 08/31/19 |
|               |

# **Fiscal Impact:**

None

# **Recommendation:**

Receive and file.

City Manager Review: <u>Todd Parton</u> City Manager

# **Attachments:**

2019-07-31 Financial Reports 2019-06-30 Financial Reports updated

#### CITY OF BEAUMONT Cash Balance Analysis and Reconciliation For the One Month Ending July 31, 2019

|                       | Beginning      |              |                |                | Net Change   | Net Adjmts to | Net Change     | Ending Cash    |
|-----------------------|----------------|--------------|----------------|----------------|--------------|---------------|----------------|----------------|
| Fund Fund Name        | Cash 6/30/19   | Revenues     | Expenses       | Fund Transfers | Assets       | Equity        | Liabilities    | 7/31/19        |
| GENERAL FUNDS         | 11,123,679.29  | 6,764,506.85 | (3,234,827.42) | -              | (729,722.94) | (23,913.39)   | (2,015,552.09) | 11,884,170.30  |
| SPECIAL REVENUE FUNDS | 18,047,878.27  | 220,936.72   | (203,500.00)   | -              | -            | (4,086.50)    | 3,282.60       | 18,064,511.09  |
| CAPITAL FUNDS         | 39,923,221.53  | 176,929.77   | (43,799.99)    | -              | (6,910.42)   | -             | (1,197,599.17) | 38,851,841.72  |
| WASTEWATER FUNDS      | 11,337,422.59  | 1,652,033.79 | (253,307.11)   | -              | (120,640.29) | -             | (431,890.12)   | 12,183,618.86  |
| TRANSIT FUNDS         | (1,308,771.14) | 13,611.57    | (212,821.95)   | -              | -            | -             | (67,317.94)    | (1,575,299.46) |
| AGENCY FUNDS          | 27,892,121.20  | (197,179.26) | 3,500.00       | (3,500.00)     | (21,859.19)  | -             | -              | 27,673,082.75  |
|                       |                |              |                |                |              |               |                |                |
| TOTAL FUNDS           | 107,015,551.74 | 8,630,839.44 | (3,944,756.47) | (3,500.00)     | (879,132.84) | (27,999.89)   | (3,709,076.72) | 107,081,925.26 |

#### **Reconciled Balances**

| Pooled Cash - Checking    | 57,845,253.29  | 58,971,700.19  |
|---------------------------|----------------|----------------|
| Certificate of Deposit    | 200,000.00     | 200,000.00     |
| Payroll                   | 2,125,437.51   | 740,871.67     |
| Workers Compensation      | 108,637.41     | 40,299.37      |
| Gas Tax/Transportation    | 2,281,131.76   | 2,441,618.80   |
| Construction              | 7,679,428.13   | 7,680,122.43   |
| Seizure/Evidence          | 524,325.75     | 524,325.75     |
| LAIF                      | 36,251,337.89  | 36,482,987.05  |
| Total Reconciled Balances | 107,015,551.74 | 107,081,925.26 |

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PRELIMINARY

GENERAL FUND

Income Statement - Budget to Actual For the One Month and Year to Date 07/31/19

|                              | Current<br>Total Budget | July 2019<br>Activity | Year to Date<br>Activity | Variance<br>Favorable<br>(Unfavorable) | %<br>Remaining | FY19-20<br>Projection |
|------------------------------|-------------------------|-----------------------|--------------------------|----------------------------------------|----------------|-----------------------|
| REVENUES                     |                         |                       |                          |                                        |                |                       |
| 40 - TAXES                   | 18,233,044.87           | 582,319.21            | 582,319.21               | (17,650,725.66)                        | -96.81%        | 18,233,044.87         |
| 41 - LICENSES                | 214,221.00              | 83,960.61             | 83,960.61                | (130,260.39)                           | -60.81%        | 214,221.00            |
| 42 - PERMITS                 | 5,167,885.00            | 152,867.44            | 152,867.44               | (5,015,017.56)                         | -97.04%        | 5,167,885.00          |
| 45 - INTERGOVERNMENTAL       | 21,288.00               | 0.00                  | 0.00                     | (21,288.00)                            | -100.00%       | 21,288.00             |
| 47 - CHARGES FOR SERVICE     | 2,852,950.00            | 5,873,710.77          | 5,873,710.77             | 3,020,760.77                           | 105.88%        | 2,852,950.00          |
| 50 - FINES AND FORFEITURES   | 133,850.00              | 11,531.96             | 11,531.96                | (122,318.04)                           | -91.38%        | 133,850.00            |
| 53 - COST RECOVERY           | 125,000.00              | 58,357.64             | 58,357.64                | (66,642.36)                            | 0.00%          | 125,000.00            |
| 54 - MISCELLANEOUS REVENUES  | 22,500.00               | 1,759.22              | 1,759.22                 | (20,740.78)                            | -92.18%        | 22,500.00             |
| 58- OTHER FINANCING SOURCES  | 5,000.00                | 0.00                  | 0.00                     | (5,000.00)                             | 0.00%          | 5,000.00              |
| TOTAL REVENUES               | 26,775,738.87           | 6,764,506.85          | 6,764,506.85             | (20,011,232.02)                        | -74.7%         | 26,775,738.87         |
| EXPENSES                     |                         |                       |                          |                                        |                |                       |
| 60 - PERSONNEL SERVICES      | 19,419,793.00           | 1,745,896.55          | 1,745,896.55             | 17,673,896.45                          | 91.0%          | 19,419,793.00         |
| 65 - OPERATING COSTS         | 12,384,315.00           | 1,479,785.59          | 1,479,785.59             | 10,904,529.41                          | 88.1%          | 12,384,315.00         |
| 70 - CAPITAL IMPROVEMENTS    | 456,970.08              | 9,145.28              | 9,145.28                 | 447,824.80                             | 98.0%          | 456,970.08            |
| TOTAL EXPENSES               | 32,261,078.08           | 3,234,827.42          | 3,234,827.42             | 29,026,250.66                          | 90.0%          | 32,261,078.08         |
| TRANSFERS                    |                         |                       |                          |                                        |                |                       |
| 90 - TRANSFERS               | 5,533,300.00            | 0.00                  | 0.00                     | (5,533,300.00)                         | -100.0%        | 5,533,300.00          |
| NET CHANGE                   | 47,960.79               | 3,529,679.43          | 3,529,679.43             | 3,481,718.64                           | 7259.5%        | 47,960.79             |
| FY19-20 PROJECTED NET CHANGE | 47,961                  |                       |                          |                                        |                |                       |

Agenda Item No. 7.

9/5/2019



# PRELIMINARY

GENERAL FUND Comparative Income Statement For the One Month and Year to Date 07/31/2018 and 2019

|                              | 2018-2019      | 2019-2020    | July Activity | Variance  | 2018-2019      | 2019-2020    | YTD Variance  | Variance  |
|------------------------------|----------------|--------------|---------------|-----------|----------------|--------------|---------------|-----------|
|                              |                |              | Favorable /   |           | Year to Date   | Year to Date | Favorable /   |           |
|                              | July 2018      | July 2019    | (Unfavorable) | %         | Activity       | Activity     | (Unfavorable) | %         |
| REVENUES                     |                |              |               |           |                |              |               |           |
| 40 - TAXES                   | (624,378.56)   | 582,319.21   | 1,206,697.77  | -193.26%  | (624,378.56)   | 582,319.21   | 1,206,697.77  | -193.26%  |
| 41 - LICENSES                | 39,605.12      | 83,960.61    | 44,355.49     | 111.99%   | 39,605.12      | 83,960.61    | 44,355.49     | 111.99%   |
| 42 - PERMITS                 | 412,657.23     | 152,867.44   | (259,789.79)  | -62.96%   | 412,657.23     | 152,867.44   | (259,789.79)  | -62.96%   |
| 45 - INTERGOVERNMENTAL       | 11,730.00      | 0.00         | (11,730.00)   | -100.00%  | 11,730.00      | 0.00         | (11,730.00)   | -100.00%  |
| 47 - CHARGES FOR SERVICE     | 174,116.16     | 5,873,710.77 | 5,699,594.61  | 3273.44%  | 174,116.16     | 5,873,710.77 | 5,699,594.61  | 3273.44%  |
| 50 - FINES AND FORFEITURES   | (6,024.76)     | 11,531.96    | 17,556.72     | -291.41%  | (6,024.76)     | 11,531.96    | 17,556.72     | -291.41%  |
| 53 - COST RECOVERY           | 13,388.17      | 58,357.64    | 44,969.47     | 335.89%   | 13,388.17      | 58,357.64    | 44,969.47     | 335.89%   |
| 54 - MISCELLANEOUS REVENUES  | (1,060.51)     | 1,759.22     | 2,819.73      | -265.88%  | (1,060.51)     | 1,759.22     | 2,819.73      | -265.88%  |
| 58 - OTHER FINANCING SOURCES | 0.00           | 0.00         | 0.00          | 0.00%     | 0.00           | 0.00         | 0.00          | 0.00%     |
| TOTAL REVENUES               | 20,032.85      | 6,764,506.85 | 6,744,474.00  | 33667.07% | 20,032.85      | 6,764,506.85 | 6,744,474.00  | 33667.07% |
| EXPENSES                     |                |              |               |           |                |              |               |           |
| 60 - PERSONNEL SERVICES      | 1.080.254.42   | 1.745.896.55 | (665,642.13)  | -61.62%   | 1.080.254.42   | 1.745.896.55 | (665,642.13)  | -61.62%   |
| 65 - OPERATING COSTS         | 1,107,927.39   | 1,479,785.59 | (371,858.20)  | -33.56%   | 1,107,927.39   | 1,479,785.59 | (371,858.20)  | -33.56%   |
| 70 - CAPITAL IMPROVEMENTS    | 143.844.87     | 9,145.28     | 134.699.59    | 93.64%    | 143.844.87     | 9.145.28     | 134.699.59    | 93.64%    |
| TOTAL EXPENSES               | 2,332,026.68   | 3,234,827.42 | (902,800.74)  | -38.71%   | 2,332,026.68   | 3,234,827.42 | (902,800.74)  | -38.71%   |
| IOTAL EXI ENGLO              | 2,002,020.00   | 0,201,021.12 | (002,000.14)  | 00.7170   | 2,002,020.00   | 0,201,021.12 | (002,000.14)  | 00.7170   |
| TRANSFERS                    |                |              |               |           |                |              |               |           |
| 90 - TRANSFERS               | (823,304.45)   |              | 823,304.45    | 0.00%     | (823,304.45)   | 0.00         | 823,304.45    | 100.00%   |
|                              |                |              |               |           |                |              |               |           |
| NET CHANGE                   | (3,135,298.28) | 3,529,679.43 | 6,664,977.71  | -212.58%  | (3,135,298.28) | 3,529,679.43 | 6,664,977.71  | 212.58%   |

Agenda Item No. 7.





#### WASTE WATER FUNDS

Income Statement - Budget to Actual For the One Month and Year to Date 7/31/19

|                                                                                                                            | Current<br>Total Budget                                      | July 2019<br>Activity                             | Year to Date<br>Activity                          | Variance<br>Favorable<br>(Unfavorable)                       | %<br>Remaining                   | FY19-20<br>Projection                                        |
|----------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|---------------------------------------------------|---------------------------------------------------|--------------------------------------------------------------|----------------------------------|--------------------------------------------------------------|
| REVENUES                                                                                                                   |                                                              |                                                   |                                                   |                                                              |                                  |                                                              |
| 47 - CHARGES FOR SERVICE                                                                                                   | 2,441,957.00                                                 | 33,431.64                                         | 33,431.64                                         | (2,408,525.36)                                               | -98.6%                           | 2,441,957.00                                                 |
| 54 - MISCELLANEOUS REVENUES                                                                                                | (3,843,687.50)                                               | 120,640.29                                        | 120,640.29                                        | 3,964,327.79                                                 | -103.1%                          | (3,843,687.50)                                               |
| 56 - PROPRIETARY REVENUES                                                                                                  | 9,862,625.00                                                 | 1,497,961.86                                      | 1,497,961.86                                      | (8,364,663.14)                                               | -84.8%                           | 9,862,625.00                                                 |
| 58 - OTHER FINANCING SOURCES                                                                                               | 0.00                                                         | 0.00                                              | 0.00                                              | 0.00                                                         | 0.0%                             | 0.00                                                         |
| TOTAL REVENUES                                                                                                             | 8,460,894.50                                                 | 1,652,033.79                                      | 1,652,033.79                                      | (6,808,860.71)                                               | -80.5%                           | 8,460,894.50                                                 |
| EXPENSES<br>60 - PERSONNEL SERVICES<br>65 - OPERATING COSTS<br>70 - CAPITAL IMPROVEMENTS<br>TOTAL EXPENSES<br>DEBT SERVICE | 1,895,369.00<br>2,922,998.18<br>1,303,637.64<br>6,122,004.82 | 157,867.84<br>86,802.81<br>8,636.46<br>253,307.11 | 157,867.84<br>86,802.81<br>8,636.46<br>253,307.11 | 1,737,501.16<br>2,836,195.37<br>1,295,001.18<br>5,868,697.71 | 91.7%<br>97.0%<br>99.3%<br>95.9% | 1,895,369.00<br>2,922,998.18<br>1,303,637.64<br>6,122,004.82 |
| 80 - DEBT SERVICE PAYMENT                                                                                                  | (1,000,000.00)                                               | -                                                 | (1,000,000.00)                                    | 0.00                                                         | 0.0%                             |                                                              |
| <b>TRANSFERS</b><br>90 - TRANSFERS                                                                                         |                                                              |                                                   |                                                   |                                                              | 0.0%                             |                                                              |
| NET CHANGE                                                                                                                 | 1,338,889.68                                                 | 1,398,726.68                                      | 1,398,726.68                                      | (940,163.00)                                                 | -70.2%                           | 2,338,889.68                                                 |
|                                                                                                                            |                                                              |                                                   |                                                   |                                                              |                                  |                                                              |

FY19-20 PROJECTED NET CHANGE 2,338,889.68

PREPARED BY MANAGEMENT FOR DISCUSSION PURPOSES ONLY

9/5/2019



# PRELIMINARY

WASTE WATER FUNDS

Comparative Income Statement For the One Month and Year to Date 07/31/2018 and 2019

|                             | 2018-2019  | 2019-2020      | July Activity | Variance   | 2018-2019    | 2019-2020      | YTD Variance   | Variance   |
|-----------------------------|------------|----------------|---------------|------------|--------------|----------------|----------------|------------|
|                             |            |                | Favorable /   |            | Year to Date | Year to Date   | Favorable /    |            |
|                             | July 2018  | July 2019      | (Unfavorable) | %          | Activity     | Activity       | (Unfavorable)  | %          |
| REVENUES                    |            |                |               |            |              |                |                |            |
| 47 - CHARGES FOR SERVICE    | 290,297.30 | 33,431.64      | (256,865.66)  | -88.48%    | 290,297.30   | 33,431.64      | (256,865.66)   | -88.48%    |
| 54 - MISCELLANEOUS REVENUES | 0.00       | 120,640.29     | 120,640.29    | 0.00%      | 0.00         | 120,640.29     | 120,640.29     | 0.00%      |
| 56 - PROPRIETARY REVENUES   | (4,813.47) | 1,497,961.86   | 1,502,775.33  | -31220.21% | (4,813.47)   | 1,497,961.86   | 1,502,775.33   | -31220.21% |
| 58- OTHER FINANCING SOURCES | 0.00       | 0.00           | 0.00          | 0.00%      | 0.00         | 0.00           | 0.00           | 0.00%      |
| TOTAL REVENUES              | 285,483.83 | 1,652,033.79   | 1,366,549.96  | 478.68%    | 285,483.83   | 1,652,033.79   | 1,366,549.96   | 478.68%    |
|                             |            |                |               |            |              |                |                |            |
| EXPENSES                    |            |                |               |            |              |                |                |            |
| 60 - PERSONNEL SERVICES     | 21,527.27  | 157,867.84     | (136,340.57)  | -633.34%   | 21,527.27    | 157,867.84     | (136,340.57)   | -633.34%   |
| 65 - OPERATING COSTS        | 166,781.89 | 86,802.81      | 79,979.08     | 47.95%     | 166,781.89   | 86,802.81      | 79,979.08      | 47.95%     |
| 70 - CAPITAL IMPROVEMENTS   | 8,636.46   | 8,636.46       | 0.00          | 0.00%      | 8,636.46     | 8,636.46       | 0.00           | 0.00%      |
| TOTAL EXPENSES              | 196,945.62 | 253,307.11     | (56,361.49)   | -28.62%    | 196,945.62   | 253,307.11     | (56,361.49)    | -28.62%    |
|                             |            |                |               |            |              |                |                |            |
| DEBT SERVICE                |            |                |               |            |              |                |                |            |
| 80- DEBT SERVICE PAYMENT    | 0.00       | (1,000,000.00) | 1,000,000.00  | 0.00%      | 0.00         | (1,000,000.00) | 1,000,000.00   | 0.00%      |
|                             |            |                |               |            |              |                |                |            |
| TRANSFERS                   |            |                |               |            |              |                |                |            |
| 90 - TRANSFERS              | 0.00       | -              | 0.00          | 0.00%      | 1,303,220.75 | -              | (1,303,220.75) | -100.00%   |
|                             |            |                |               |            |              |                |                |            |
|                             | 00 F00 6 f | 4 000 700 00   | 4 949 499 17  | 4470.0004  |              | 4 000 700 00   |                | 0.500      |
| NET CHANGE                  | 88,538.21  | 1,398,726.68   | 1,310,188.47  | 1479.80%   | 1,391,758.96 | 1,398,726.68   | 6,967.72       | 0.50%      |
|                             |            |                |               |            |              |                |                |            |

Agenda Item No. 7.

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#### CITY OF BEAUMONT Cash Balance Analysis and Reconciliation For the Twelve Months Ending June 30, 2019

| Fund | Fund Name             | Beginning<br>Cash 06/30/2018 | Revenues       | Expenses         | Fund Transfers  | Net Change<br>Assets | Net Adjmts to<br>Equity | Net Change<br>Liabilities | Ending Cash<br>6/30/19 |
|------|-----------------------|------------------------------|----------------|------------------|-----------------|----------------------|-------------------------|---------------------------|------------------------|
|      | GENERAL FUNDS         | 8,262,961.20                 | 32,837,019.99  | (35,624,863.67)  | 412,326.53      | 3,605,211.11         | -                       | 1,631,024.13              | 11,123,679.29          |
|      | SPECIAL REVENUE FUNDS | 10,386,928.17                | 8,391,382.46   | (289,460.19)     | (475,290.51)    | 233,980.44           | -                       | (199,662.10)              | 18,047,878.27          |
|      | CAPITAL FUNDS         | 36,267,375.48                | 20,114,639.84  | (38,185,073.72)  | 13,824,702.04   | 6,385,517.64         | 211,585.63              | 1,304,474.62              | 39,923,221.53          |
|      | WASTEWATER FUNDS      | 13,276,268.32                | 20,506,528.75  | (39,899,343.53)  | 4,636,047.00    | (70,671,926.90)      | 4,351,755.65            | 79,138,093.30             | 11,337,422.59          |
|      | TRANSIT FUNDS         | 1,154,061.19                 | 2,010,574.44   | (3,394,181.11)   | 321.66          | (959,855.21)         | 18,586.00               | (138,278.11)              | (1,308,771.14)         |
|      | AGENCY FUNDS          | 13,919,790.31                | 56,959,111.68  | (27,175,364.37)  | (16,267,504.99) | (80,779,749.67)      | 123,813.85              | 81,112,024.39             | 27,892,121.20          |
|      | TOTAL FUNDS           | 83,267,384.67                | 140,819,257.16 | (144,568,286.59) | 2,130,601.73    | (142,186,822.59)     | 4,705,741.13            | 162,847,676.23            | 107,015,551.74         |

#### **Reconciled Balances**

| Pooled Cash - Checking    | 33,734,678.11 | 57,845,253.29  |
|---------------------------|---------------|----------------|
| Certificate of Deposit    | -             | 200,000.00     |
| Payroll                   | 2,121,841.14  | 2,125,437.51   |
| Workers Compensation      | 98,510.38     | 108,637.41     |
| Gas Tax/Transportation    | 1,717,530.87  | 2,281,131.76   |
| Construction              | 9,623,238.94  | 7,679,428.13   |
| Seizure/Evidence          | 524,325.75    | 524,325.75     |
| LAIF                      | 35,447,259.48 | 36,251,337.89  |
| Total Reconciled Balances | 83,267,384.67 | 107,015,551.74 |
|                           |               |                |

-



PRELIMINARY

GENERAL FUND

Income Statement - Budget to Actual For the Twelve Months and Year to Date 06/30/19

|                                                 | Current<br>Total Budget     | June 2019<br>Activity     | Year to Date<br>Activity    | Variance<br>Favorable<br>(Unfavorable) | %<br>Remaining       | FY18-19<br>Projection       |
|-------------------------------------------------|-----------------------------|---------------------------|-----------------------------|----------------------------------------|----------------------|-----------------------------|
| REVENUES                                        |                             |                           |                             |                                        |                      |                             |
| 40 - TAXES                                      | 16,980,867.00               | 3,384,367.96              | 17,304,187.17               | 323,320.17                             | 1.90%                | 16,980,867.00               |
| 41 - LICENSES                                   | 212,100.00                  | 86,577.67                 | 288,277.45                  | 76,177.45                              | 35.92%               | 212,100.00                  |
| 42 - PERMITS                                    | 5,397,170.00                | 431,314.03                | 5,002,895.25                | (394,274.75)                           | -7.31%               | 5,397,170.00                |
| 45 - INTERGOVERNMENTAL                          | 21,288.00                   | 0.00                      | 41,191.92                   | 19,903.92                              | 93.50%               | 21,288.00                   |
| 47 - CHARGES FOR SERVICE                        | 7,702,800.00                | 990,406.02                | 8,686,088.45                | 983,288.45                             | 12.77%               | 7,702,800.00                |
| 50 - FINES AND FORFEITURES                      | 110,000.00                  | 10,381.44                 | 114,288.29                  | 4,288.29                               | 3.90%                | 110,000.00                  |
| 53 - COST RECOVERY                              | 0.00                        | 180,809.16                | 673,068.33                  | 673,068.33                             | 0.00%                | 0.00                        |
| 54 - MISCELLANEOUS REVENUES                     | 22,500.00                   | 8,319.69                  | 29,438.79                   | 6,938.79                               | 30.84%               | 22,500.00                   |
| 58- OTHER FINANCING SOURCES                     | 0.00                        | 0.00                      | 28,129.04                   | 28,129.04                              | 0.00%                | 0.00                        |
| TOTAL REVENUES                                  | 30,446,725.00               | 5,092,175.97              | 32,167,564.69               | 1,720,839.69                           | 5.7%                 | 30,446,725.00               |
|                                                 |                             |                           |                             |                                        |                      |                             |
|                                                 | 47 044 074 00               | 4 00 4 000 00             | 47 077 440 70               | 07 400 04                              | 0.00/                | 47.044.074.00               |
| 60 - PERSONNEL SERVICES<br>65 - OPERATING COSTS | 17,314,871.00               | 1,934,326.99              | 17,277,448.79               | 37,422.21                              | 0.2%<br>-0.8%        | 17,314,871.00               |
| 70 - CAPITAL IMPROVEMENTS                       | 17,335,227.40               | 4,050,568.40              | 17,478,268.32               | (143,040.92)                           |                      | 17,335,227.40               |
| TOTAL EXPENSES                                  | 878,938.36<br>35,529,036.76 | 83,207.45<br>6,068,102.84 | 675,905.66<br>35,431,622.77 | 203,032.70<br>97.413.99                | <u>23.1%</u><br>0.3% | 878,938.36<br>35,529,036.76 |
| IUTAL EXPENSES                                  | 33,329,030.70               | 0,000,102.04              | 33,431,022.11               | 97,415.99                              | 0.3%                 | 35,529,030.70               |
| TRANSFERS                                       |                             |                           |                             |                                        |                      |                             |
| 90 - TRANSFERS                                  | 5,232,745.00                | 0.00                      | 87,326.53                   | (5,145,418.47)                         | -98.3%               | 5,232,745.00                |
|                                                 |                             |                           |                             |                                        |                      |                             |
| NET CHANGE                                      | 150,433.24                  | (975,926.87)              | (3,176,731.55)              | (3,327,164.79)                         | -2211.7%             | 150,433.24                  |
| FY18-19 PROJECTED NET CHANGE                    | 150,433                     |                           |                             |                                        |                      |                             |

Agenda Item No. 7.

PREPARED BY MANAGEMENT FOR DISCUSSION PURPOSES ONLY

9/5/2019





#### GENERAL FUND Comparative Income Statement For the Twelve Months and Year to Date 06/30/2018 and 2019

|                              | 2017-2018    | 2018-2019    | June Activity  | Variance | 2017-2018     | 2018-2019      | YTD Variance   | Variance |
|------------------------------|--------------|--------------|----------------|----------|---------------|----------------|----------------|----------|
|                              |              |              | Favorable /    |          | Year to Date  | Year to Date   | Favorable /    |          |
|                              | June 2018    | June 2019    | (Unfavorable)  | %        | Activity      | Activity       | (Unfavorable)  | %        |
| REVENUES                     |              |              |                |          |               |                |                |          |
| 40 - TAXES                   | 2,397,797.13 | 3,384,367.96 | 986,570.83     | 41.14%   | 17,720,668.63 | 17,304,187.17  | (416,481.46)   | -2.35%   |
| 41 - LICENSES                | 92,199.67    | 86,577.67    | (5,622.00)     | -6.10%   | 242,634.30    | 288,277.45     | 45,643.15      | 18.81%   |
| 42 - PERMITS                 | 861,384.88   | 431,314.03   | (430,070.85)   | -49.93%  | 4,530,441.62  | 5,002,895.25   | 472,453.63     | 10.43%   |
| 45 - INTERGOVERNMENTAL       | 0.00         | 0.00         | 0.00           | 0.00%    | 7,288.01      | 41,191.92      | 33,903.91      | 465.20%  |
| 47 - CHARGES FOR SERVICE     | 1,293,837.46 | 990,406.02   | (303,431.44)   | -23.45%  | 8,491,816.62  | 8,686,088.45   | 194,271.83     | 2.29%    |
| 50 - FINES AND FORFEITURES   | 18,534.09    | 10,381.44    | (8,152.65)     | -43.99%  | 114,572.40    | 114,288.29     | (284.11)       | -0.25%   |
| 53 - COST RECOVERY           | 33,439.74    | 180,809.16   | 147,369.42     | 440.70%  | 360,921.47    | 673,068.33     | 312,146.86     | 86.49%   |
| 54 - MISCELLANEOUS REVENUES  | 6,451.87     | 8,319.69     | 1,867.82       | 28.95%   | 38,982.57     | 29,438.79      | (9,543.78)     | -24.48%  |
| 58 - OTHER FINANCING SOURCES | 0.00         | 0.00         | 0.00           | 0.00%    | 5,341.50      | 28,129.04      | 22,787.54      | 426.61%  |
| TOTAL REVENUES               | 4,703,644.84 | 5,092,175.97 | 388,531.13     | 8.26%    | 31,512,667.12 | 32,167,564.69  | 654,897.57     | 2.08%    |
| EXPENSES                     |              |              |                |          |               |                |                |          |
| 60 - PERSONNEL SERVICES      | 1,547,125.16 | 1,934,326.99 | (387,201.83)   | -25.03%  | 14,516,638.93 | 17,277,448.79  | (2,760,809.86) | -19.02%  |
| 65 - OPERATING COSTS         | 2,715,105.02 | 4,050,568.40 | (1,335,463.38) | -49.19%  | 15,339,167.65 | 17,478,268.32  | (2,139,100.67) | -13.95%  |
| 70 - CAPITAL IMPROVEMENTS    | (468.539.87) | 83,207.45    | (551.747.32)   | 117.76%  | 112,137.27    | 675,905.66     | (563.768.39)   | -502.75% |
| TOTAL EXPENSES               | 3,793,690.31 | 6,068,102.84 | (2,274,412.53) | -59.95%  | 29,967,943.85 | 35,431,622.77  | (5,463,678.92) | -18.23%  |
| TOTAL EXI ENGLG              | 3,733,030.31 | 0,000,102.04 | (2,274,412.33) | -09.9070 | 29,907,943.05 | 33,431,022.11  | (0,400,070.32) | -10.2370 |
| TRANSFERS                    |              |              |                |          |               |                |                |          |
| 90 - TRANSFERS               | 3,771,453.72 |              | (3,771,453.72) | 0.00%    | 3,749,842.61  | 87,326.53      | (3,662,516.08) | 97.67%   |
|                              |              |              |                |          |               |                |                |          |
| NET CHANGE                   | 4,681,408.25 | (975,926.87) | (5,657,335.12) | -120.85% | 5,294,565.88  | (3,176,731.55) | (8,471,297.43) | 160.00%  |

Agenda Item No. 7.





WASTE WATER FUNDS

Income Statement - Budget to Actual For the Twelve Months and Year to Date 6/30/19

|                              | Current<br>Total Budget | June 2019<br>Activity | Year to Date<br>Activity | Variance<br>Favorable<br>(Unfavorable) | %<br>Remaining | FY18-19<br>Projection |
|------------------------------|-------------------------|-----------------------|--------------------------|----------------------------------------|----------------|-----------------------|
| REVENUES                     |                         |                       |                          |                                        |                |                       |
| 47 - CHARGES FOR SERVICE     | 2,050,000.00            | 530,311.43            | 3,705,701.90             | 1,655,701.90                           | 80.8%          | 2,050,000.00          |
| 50 - FINES AND FORFEITURES   | 9,000.00                | 0.00                  | 9,000.00                 | 0.00                                   | 0.0%           | 0.00                  |
| 54 - MISCELLANEOUS REVENUES  | 33,000.00               | 178,429.68            | 1,153,015.52             | 1,120,015.52                           | 0.0%           | 33,000.00             |
| 56 - PROPRIETARY REVENUES    | 8,820,774.00            | 2,384.28              | 7,303,378.94             | (1.517,395.06)                         | -17.2%         | 8,820,774.00          |
| 58 - OTHER FINANCING SOURCES | 90,001,466.00           | 0.00                  | 8,896,465.88             | (81,105,000.12)                        | -90.1%         | 90,001,466.00         |
| TOTAL REVENUES               | 100,914,240.00          | 711,125.39            | 21,067,562.24            | (79,846,677.76)                        | -79.1%         | 100,905,240.00        |
| EXPENSES                     |                         |                       |                          |                                        |                |                       |
| 60 - PERSONNEL SERVICES      | 932,764.00              | 150,791.51            | 919,774.93               | 12,989.07                              | 1.4%           | 932,764.00            |
| 65 - OPERATING COSTS         | 7,318,360.00            | 858,048.85            | 5,204,191.78             | 2,114,168.22                           | 28.9%          | 7,318,360.00          |
| 70 - CAPITAL IMPROVEMENTS    | 87,289,750.00           | 9,022,012.87          | 32,114,021.61            | 55,175,728.39                          | 63.2%          | 87,289,750.00         |
| TOTAL EXPENSES               | 95,540,874.00           | 10,030,853.23         | 38,237,988.32            | 57,302,885.68                          | 60.0%          | 95,540,874.00         |
| TRANSFERS                    |                         |                       |                          |                                        |                |                       |
| 90 - TRANSFERS               | 50,000.00               | (130,638.64)          | 4,075,013.51             | 4,025,013.51                           | 8050.0%        | 50,000.00             |
| NET CHANGE                   | 5,423,366.00            | (9,450,366.48)        | (13,095,412.57)          | (18,518,778.57)                        | -341.5%        | 5,414,366.00          |

FY18-19 PROJECTED NET CHANGE5,414,366.00

Agenda Item No. 7.

9/5/2019



# PRELIMINARY

WASTE WATER FUNDS

Comparative Income Statement

For the Twelve Months and Year to Date 06/30/2018 and 2019

|                             | 2017-2018      | 2018-2019      | June Activity   | Variance | 2017-2018      | 2018-2019       | YTD Variance    | Variance |
|-----------------------------|----------------|----------------|-----------------|----------|----------------|-----------------|-----------------|----------|
|                             |                |                | Favorable /     |          | Year to Date   | Year to Date    | Favorable /     |          |
|                             | June 2018      | June 2019      | (Unfavorable)   | %        | Activity       | Activity        | (Unfavorable)   | %        |
| REVENUES                    |                |                |                 |          |                |                 |                 |          |
| 47 - CHARGES FOR SERVICE    | 755,419.91     | 530,311.43     | (225,108.48)    | -29.80%  | 3,137,253.35   | 3,705,701.90    | 568,448.55      | 18.12%   |
| 50 - FINES AND FORFEITURES  | 0.00           | 0.00           | 0.00            | 0.00%    | 0.00           | 9,000.00        | 9,000.00        | 0.00%    |
| 54 - MISCELLANEOUS REVENUES | 0.00           | 178,429.68     | 178,429.68      | 0.00%    | 0.00           | 1,153,015.52    | 1,153,015.52    | 0.00%    |
| 56 - PROPRIETARY REVENUES   | 1,348,744.58   | 2,384.28       | (1,346,360.30)  | -99.82%  | 8,046,175.93   | 7,303,378.94    | (742,796.99)    | -9.23%   |
| 58- OTHER FINANCING SOURCES | 0.00           | 0.00           | 0.00            | 0.00%    | 0.00           | 8,896,465.88    | 8,896,465.88    | 0.00%    |
| TOTAL REVENUES              | 2,104,164.49   | 711,125.39     | (1,393,039.10)  | -66.20%  | 11,183,429.28  | 21,067,562.24   | 9,884,132.96    | 88.38%   |
|                             |                |                |                 |          |                |                 |                 |          |
| EXPENSES                    |                |                |                 |          |                |                 |                 |          |
| 60 - PERSONNEL SERVICES     | 58,078.21      | 150,791.51     | (92,713.30)     | -159.64% | 303,747.22     | 919,774.93      | (616,027.71)    | -202.81% |
| 65 - OPERATING COSTS        | 7,830,757.16   | 858,048.85     | 6,972,708.31    | 89.04%   | 13,439,150.19  | 5,204,191.78    | 8,234,958.41    | 61.28%   |
| 70 - CAPITAL IMPROVEMENTS   | (3,491,927.81) | 9,022,012.87   | (12,513,940.68) | 358.37%  | (3,282,173.24) | 32,114,021.61   | (35,396,194.85) | 1078.44% |
| TOTAL EXPENSES              | 4,396,907.56   | 10,030,853.23  | (5,633,945.67)  | -128.13% | 10,460,724.17  | 38,237,988.32   | (27,777,264.15) | -265.54% |
|                             |                |                |                 |          |                |                 |                 |          |
| TRANSFERS                   |                |                |                 |          |                |                 |                 |          |
| 90 - TRANSFERS              | 0.00           | (130,638.64)   | (130,638.64)    | 0.00%    | 1,303,220.75   | 4,075,013.51    | 2,771,792.76    | 212.69%  |
|                             |                |                |                 |          |                |                 |                 |          |
|                             |                |                |                 |          |                |                 |                 |          |
| NET CHANGE                  | (2,292,743.07) | (9,450,366.48) | (7,157,623.41)  | 312.19%  | 2,025,925.86   | (13,095,412.57) | (15,121,338.43) | -746.39% |
|                             |                |                |                 |          |                |                 |                 |          |

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# BEAUMONT

#### **Staff Report**

| TO:      | Mayor and City Council Members                                                                                                             |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------|
| FROM:    | Sean Thuilliez, Police Chief                                                                                                               |
| DATE:    | October 1, 2019                                                                                                                            |
| SUBJECT: | Purchase of Three 2020 Ford Explorer Police Interceptors and Lease Two<br>2020 Ford Explorer Police Interceptors for the Police Department |

#### **Background and Analysis:**

The Police Department requests the purchase of three new police vehicles and the lease of two additional vehicles. The acquisition of these vehicles were approved by Council in the FY 19/20 budget.

The Beaumont Police Department requested three quotes from dealers who sell the Police Interceptor; National Auto Fleet Group, Fairview Ford and Sunrise Ford, to purchase the three 2020 Ford Explorer Police Interceptors and lease two more.

Ford Credit's Municipal Lease Purchase financing program is an ideal program to acquire vehicles while operating within limited budget confines without major cash outlays or long-term debt obligations. The lease option allows us to spread the costs of the two vehicles over several years rather than all at once. With the immediate need to replace two vehicles due to their condition, the lease option is an appropriate method for this acquisition. Ford Motor Company has a very competitive lease program that allows the City to purchase the vehicles at the end of the lease for \$1.00.

Beaumont Police Department would like to utilize National Auto Fleet Group for the purchase of the new vehicles even though the quote is higher than Fairview Ford. National Auto Fleet Group specializes in police vehicles by preparing them with wiring and spotlights prior to being outfitted with emergency equipment. They also give fleet rates for government agencies and deliver the vehicles to the designated place. Beaumont Police Department also has a good working partnership with the staff from prior purchases.

The installation of all emergency and necessary equipment will cost an additional \$15,908.59 per vehicle for a total of \$79,542.95.

The removal of emergency equipment from both vehicles is estimated at \$870.00. Staff is proposing to auction the 2008 Chevy Tahoe and the 2007 Chevy Tahoe through an auction

service utilized by the police department for retired vehicles. Retired vehicles are commonly auctioned off in an as-is condition with the City bearing no responsibility when sold. All emergency equipment and graphics are removed prior to auction.

#### **Fiscal Impact:**

The fiscal impact to purchase three new Ford Police Interceptors is \$117,068.61.

The fiscal impact to lease two new Ford Police Interceptors is \$78,045.74.

The approximate initial fiscal impact to remove all emergency equipment from the retired Chevy Tahoes is \$870.00.

Purchase and installation of all emergency equipment and necessary equipment for all five police vehicles is estimated at \$79,542.95.

#### **Recommendation:**

- 1. Authorize staff to retire and auction the listed vehicles from the Police Department fleet at a cost of \$870.00;
- 2. Authorize staff to purchase three and lease two Police Vehicles in the total amount of \$195,114.35 from National Auto Fleet Group; and
- 3. Authorize staff to purchase emergency equipment and installation for all vehicles, in the amount not to exceed \$81,000.00 from West Coast Lights and Siren.

City Manager Review: <u>Todd Parton</u> City Manager

Attachments: Attachment A - Quotes

# National Auto Fleet Groupenda Item No. 8.

A division of Chevrolet of Watsonville 490 Auto Center Drive, Watsonville, CA 95076 855 BUY-NJPA 626-457-5590 855 289-6572 626-457-5593 Patrol

September 4, 2019

Commander Jeremy Dorrough Beaumont Police Dept. 660 Orange Ave Beaumont, CA 92223 **Delivery Via Email** 

Dear Commander Dorrough,

In response to your inquiry, we are pleased to submit the following for your consideration:

National Auto Fleet Group will sell, service and deliver at Beaumont, new/unused 2020 Ford Police Interceptor Utilities responding to your requirement with the attached specifications for:

| 2020 Ford Utility | 36,208.00  |
|-------------------|------------|
| Sales Tax         | 2,806.12   |
| Tire tax          | 8.75       |
| Total             | 39,022.87  |
| 3 units           | 117,068.61 |

These vehicles are available under the Sourcewell master vehicle contract # 120716 formally known as the NJPA master vehicle contract# 120716.

Terms are net 30 days. Estimated delivery date 90-120 days.

National Auto Fleet Group welcomes the opportunity to assist you in your vehicle requirements.

De REhigne

John Oviyach National Law Enforcement Account Manager National Auto Fleet Group Wondries Fleet Group

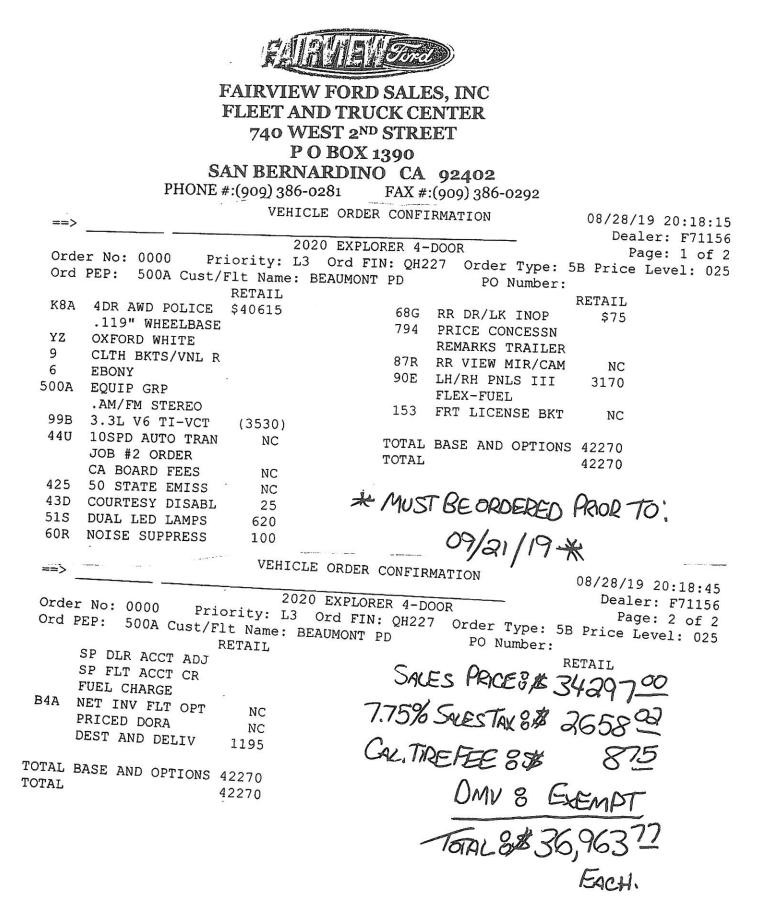














220 22nd Avenue East, Suite 106, Alexandria, MN 56308 • Phone: 320-763-7600 • Fax: 320-763-9600

#### September 4, 2019

Beaumont Police Dept. 660 Orange Ave. Beaumont, CA 92223

#### **Re: Municipal Lease/Purchase Financing Proposal**

Dear Sir or Madam:

Lease Servicing Center, Inc. dba National Cooperative Leasing ("NCL") is pleased to propose to the Beaumont Police Dept. the following tax-exempt Lease/purchase transaction as outlined below. Under this transaction, the Beaumont Police Dept. would enter into a municipal Lease/purchase agreement with NCL for the purpose of acquiring 2, 2020 Ford Police Interceptor Utilities. This transaction is subject to formal review and approval by both the Lessor and Lessee.

| LESSEE:                          | Beaumont Police Dept.                                                                                                                                                                                                                                                                                                                                                |                                                                              |                |  |  |  |
|----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|----------------|--|--|--|
| LESSOR:                          | Lease Servicing Cen                                                                                                                                                                                                                                                                                                                                                  | Lease Servicing Center, Inc. dba National Cooperative Leasing & it's assigns |                |  |  |  |
| EQUIPMENT:                       | 2020 Ford Police Int                                                                                                                                                                                                                                                                                                                                                 | 2020 Ford Police Interceptor Utilities                                       |                |  |  |  |
| EQUIPMENT COST:<br>DOWN-PAYMENT: | \$78,045.74 2 units<br>\$0                                                                                                                                                                                                                                                                                                                                           |                                                                              |                |  |  |  |
| AMOUNT FINANCED:                 | \$78,045.74                                                                                                                                                                                                                                                                                                                                                          |                                                                              |                |  |  |  |
| TERM:                            | <u>3 Years</u>                                                                                                                                                                                                                                                                                                                                                       | <u>4 Years</u>                                                               | <u>5 Years</u> |  |  |  |
| ANNUAL LEASE PAYMENTS:           | \$27,688.08                                                                                                                                                                                                                                                                                                                                                          | \$21,052.16                                                                  | \$17,032.25    |  |  |  |
| FIRST PAYMENT DUE:               | 1 Month from Lease Commencement                                                                                                                                                                                                                                                                                                                                      |                                                                              |                |  |  |  |
| PURCHASE OPTION:                 | \$1.00                                                                                                                                                                                                                                                                                                                                                               |                                                                              |                |  |  |  |
| PRICING:                         | The Rates and Payments outlined above are locked, provided this proposal is accepted by the Lessee by September 30, 2019 and the transaction closes/funds prior to October 31, 2019. After these days, the final Rate and Payments shall be adjusted commensurately with market rates in effect at the time of funding and shall be fixed for the entire lease term. |                                                                              |                |  |  |  |

DOCUMENTATION FEE:

| DOCUMENTATION:                      | Lessor shall provide all of the documentation necessary to close this transaction. This documentation shall be governed by the laws of the State of lessee.                                                                                                                                                                                                        |
|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| TITLE / INSURANCE:                  | Lessee shall retain title to the equipment during the lease term. Lessor shall be granted a perfected security interest in the equipment and the Lessee shall keep the equipment free from any/all liens or encumbrances during the term. Lessee shall provide adequate loss and liability insurance coverage, naming Lessor as additional insured and loss-payee. |
| TAX STATUS:                         | Interest under the Financing will be tax-exempt and shall be designated by Lessee as a Qualified Tax Exempt Obligation pursuant to Section 265(b)(3) of the IRS Code.                                                                                                                                                                                              |
| SOURCEWELL CONTRACT:<br>#032615-NCL | NCL has been competitively bid and awarded a contract through Sourcewell (Formerly NJPA).<br>NCL's Sourcewell Contract # is 032615-NCL.                                                                                                                                                                                                                            |

We appreciate this opportunity to offer an NCL Financing Solution. Please do not hesitate to contact me if you have any questions at (866) 763-7600. Acceptance of this proposal is required prior to credit underwriting by NCL. Upon acceptance of this proposal, please scan and e-mail to my attention. Thank you again.

Sincerely,

Matt Geiselhart - (866) 763-7600

mgeiselhart@lscfinancial.com

#### ACCEPTANCE

As a duly authorized agent of the Beaumont Police Dept., I hereby accept the terms of this proposal as outlined above and intend to close this financing with NCL, subject to final approval.

| ACCEPTED: | DATE:  |
|-----------|--------|
| NAME:     | TITLE: |
| PHONE:    |        |

WE ARE PROVIDING THE INFORMATION CONTAINED HEREIN FOR INFORMATIONAL PURPOSES ONLY IN CONNECTION WITH POTENTIAL ARMS-LENGTH COMMERCIAL BANKING TRANSACTIONS. IN PROVIDING THIS INFORMATION, WE ARE ACTING FOR OUR OWN INTEREST AND HAVE FINANCIAL AND OTHER INTERESTS THAT DIFFER FROM YOURS. WE ARE NOT ACTING AS A MUNICIPAL ADVISOR OR FINANCIAL ADVISOR TO YOU, AND HAVE NO FIDUCIARY DUTY TO YOUR OR ANY OTHER PERSON PURSUANT TO SECTION 15B OF THE SECURITIES EXCHANGE ACT OF 1934. THE INFORMATION CONTAINED IN THIS DOCUMENT IS NOT INTENDED TO BE AND SHOULD NOT BE CONSTRUED AS "ADVICE" WITHIN THE MEANING OF SECTION 15B OF THE SECURITIES EXCHANGE ACT OF 1934. THE INFORMATION CONTAINED IN THIS DOCUMENT IS NOT INTENDED TO BE AND SHOULD NOT BE CONSTRUED AS "ADVICE" WITHIN THE MEANING OF SECTION 15B OF THE SECURITIES EXCHANGE ACT OF 1934. AND HE MUNICIPAL ADVISOR FOR LABOR SOFT THE NOT MACTION WITH RESPECT TO THE INFORMATION CONTAINED HEREIN. BEFORE ACTING ON THIS INFORMATION, YOU SHOULD DISCUS IT WITH YOUR OWN FINANCIAL AND/OR MUNICIPAL, LEGAL, ACCOUNTING, TAX AND OTHER ADVISORS AS YOU DEEM APPROPRIATE. IF YOU WOULD LIKE A MUNICIPAL ADVISOR THAT HAS LEGAL FIDUCIARY DUTIES TO YOU, THEN YOU ARE FREE TO ENGAGE A MUNICIPAL ADVISOR TO SERVE IN THAT CAPACITY. Ford Credit's Municipal Lease-Purchase Plan has many features and benefits for municipalities including:

- · No security deposit required, no prepayment penalty and no mileage penalty
- At inception, the municipality is the Registered Owner and Ford Credit holds the lien
- At term-end, the municipality buys the equipped vehicle for \$1.00

Thank you for the opportunity to provide this quote. If you have any questions, need additional options, or would like to proceed with the application process, please contact me by phone (1-800-241-4199, Option 1) or email.

Sincerely,

#### - City of Beaumont CA - #94184

ΤE

#### Todd Eff <teff@fairvie wford.com>

Tue 9/10/2019 9:38 AM Jeremy Harris

Hi Jeremy,

Please see below for municipal lease options for (2) vehicles. Structured for quarterly payments. \$1 buyout at the end of the lease.

Best regards,

Todd Eff Commercial Fleet Director Fairview Ford & Fairway Ford PO Box 1390/292 N. "G" St. San Bernardino, CA 92402 (909) 386-0281 Work (909) 386-0292 Fax teff@fairviewford.com

#### RE: City of Beaumont, CA, Quote #94184

Ford Credit Municipal Finance is pleased to provide the following quote for review and consideration.

| OPTION 1                                                                                                                 |                                                                                                                              |
|--------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|
| Description                                                                                                              | 2020 Ford Police Interceptor Utility                                                                                         |
| Quantity                                                                                                                 | 2                                                                                                                            |
| Price                                                                                                                    | \$36,963.77                                                                                                                  |
| APR                                                                                                                      | 6.40%                                                                                                                        |
| Total Amount Financed                                                                                                    | \$74,472.54                                                                                                                  |
| Term                                                                                                                     | 12                                                                                                                           |
| Payment Timing                                                                                                           | Quarterly in Advance                                                                                                         |
| Payment Amount                                                                                                           | \$6,762.03                                                                                                                   |
| OPTION 2<br>Description<br>Quantity<br>Price<br>APR<br>Total Amount Financed<br>Term<br>Payment Timing<br>Payment Amount | 2020 Ford Police Interceptor Utility<br>2<br>\$36,963.77<br>6.25%<br>\$74,472.54<br>16<br>Quarterly in Advance<br>\$5,215.16 |

Please note an Underwriting Fee of \$545 is included in the Total Amount Financed. Rather than financing, this fee can be paid up front with the first payment if preferable.

**This quote expires on 11/09/2019.** It was prepared assuming the lease qualifies for Federal Income Tax Status for Ford Credit Company LLC under Section 103 of the IRS Code. This quote is not a commitment by Ford Credit Municipal Finance. Financing is subject to credit review. Required documentation for credit review includes, but is not limited to, evidence of appropriation (e.g., meeting minutes, board resolutions), General Fund balance, last audited financial statement and more current financials.

# BEAUMONT

#### **Staff Report**

| TO:      | Mayor and City Council Members                                                                                                                                     |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| FROM:    | Christina Taylor, Community Development Director                                                                                                                   |
| DATE:    | October 1, 2019                                                                                                                                                    |
| SUBJECT: | Provide Direction to Staff on Establishing a Moratorium Prohibiting Self-<br>Storage, Recreational Vehicle Storage, Vehicle Parking Facilities and<br>Similar Uses |

#### **Background and Analysis:**

The City is in the process of completing the General Plan Update. As part of this process, goals and policies are being revised, a zoning consistency analysis and update is also being prepared. Additionally, City Council has recently adopted the Economic Development Strategic Plan which lays out certain goals for the City's economic growth.

Some of the City's current General Plan goals and policies are:

- Goal 3 (Community Development). The City of Beaumont will maintain and, where appropriate, expand the City's commercial base.
- Goal 4 (Community Development). The City of Beaumont will promote the expansion of industrial and other employment generating land uses.
  - Community Development Element Policy 15. The City of Beaumont will continue to promote the maintenance and preservation of industrial activities and business that contribute to the City's economic and employment base.
  - Community Development Element Policy 16. The City of Beaumont will encourage the continued expansion of the City's industrial districts to accommodate economic development and growth.
  - Community Development Element Policy 17. The City of Beaumont will promote the development of modern and attractive business activities that will enhance the City's economic well-being.

The City's Economic Development Strategic Plan goals include:

- Develop an economically balanced community.
- Recruit new business, while retaining and expanding local business, that promote growth of primary jobs and/or sales tax revenue.

- Develop an online Economic Development presence to provide business owners and site selectors resources they need.
- Leverage the City's strengths to maximize business opportunities.

Through the General Plan update and zoning analysis, staff has determined there are some uses that are not the intent of the current goals and policies and may conflict with potential land use changes being proposed as part of the update process. The uses identified are:

| Use            | CG | CC | Μ | СМ |
|----------------|----|----|---|----|
| Automobile     |    |    |   |    |
| Parking        | Р  | Р  | Р | Р  |
| Facilities     |    |    |   |    |
| Moving and     |    |    |   |    |
| Storage        | N  | N  | Р | С  |
| Establishments |    |    |   |    |
| Truck Stops    | С  | С  | С | С  |
| and Terminals  | L  | C  | C | L  |
| Public Storage | С  | С  | С | С  |
| Facility       | L  | C  | C | L  |
| Building       | С  | Р  | Р | Р  |
| Materials      |    | ſ  | ſ | 1  |

| Use                                           | 6th Street Overlay | BAO | Urban Village<br>Overlay |
|-----------------------------------------------|--------------------|-----|--------------------------|
| Automobile Parking<br>Facilities              | Р                  | С   | Ν                        |
| Truck Stops and<br>Terminals                  | С                  | N   | N                        |
| Building Materials                            | Р                  | N   | N                        |
| Building Materials<br>with Outdoor<br>Storage | С                  | Ν   | Ν                        |

In addition to what the code identifies, there are contractor storage yards, truck parking facilities and recreational vehicle storage yards that are typically classified into one of these categories or requested as an ancillary use to an existing use.

There are 16 active City business licenses for either storage or vehicle (truck) parking: 6 trucking related businesses and 10 storage related businesses. Additionally, the Planning Department has one recreational vehicle storage facility pending entitlement but on-hold at the applicant's request and 2 recently entitled storage facilities in the plan check and construction process.

In an effort to maintain consistency with the current and future goals, policies and land uses, staff would like time to evaluate this group of uses to ensure that future development will be cited appropriately and developed with appropriate standards in place.

#### **Fiscal Impact:**

Staff time to prepare this report and legal counsel consultation is approximately \$500.

#### **Recommendation:**

1. Provide direction to staff on establishing a moratorium prohibiting self-storage, recreational vehicle storage, vehicle parking facilities and similar uses.

City Manager Review: <u>Todd Parton</u> City Manager

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#### **Staff Report**

| BEAUMONT |
|----------|

| T0:      | Mayor and City Council Members                                                                                |
|----------|---------------------------------------------------------------------------------------------------------------|
| FROM:    | Christina Taylor, Community Development Director                                                              |
| DATE:    | October 1, 2019                                                                                               |
| SUBJECT: | Provide Direction to Staff on the Sign Ordinance as it Pertains to Billboards and Digital Display Conversions |

#### **Background and Analysis:**

The current Billboard Policy adopted as part of the Beaumont Municipal Code Chapter 17.07.030.G reads as follows:

Billboard Policy. The City Council finds that the City already has a sufficient number of billboards to satisfy the community's needs for offsite commercial messages, and that any new or additional billboards, which by their very nature cause serious aesthetic harm, would negatively impact the appearance of the City. For these reasons, the City completely prohibits the construction, erection or use of any billboards, other than those which legally exist in the City, or for which a valid permit has been issued and has not expired, as of the date on which this provision is first adopted. This prohibition shall also apply to alterations, enlargements or conversions to digital displays (including changeable image displays that use light emitting diodes or functionally equivalent technologies) of legally existing billboards. The City adopts this policy pursuant to California Government Code section 65850, and California Business and Professions Code sections 5354(a) and 5408.3 (both effective January 1, 2003). No permit shall be issued for any billboard which violates this policy, and the City will take immediate abatement action against any billboard constructed, maintained, altered, enlarged or converted in violation of this policy. The City Council affirmatively declares that it would have adopted this billboard policy even if it were the only provision in this Chapter. The City Council intends for this billboard policy to be severable and separately enforceable even if other provision(s) of this Chapter may be declared, by a court of competent jurisdiction, to be unconstitutional, invalid or unenforceable. This provision does not prohibit agreements to relocate presently existing, legal billboards, as encouraged by California Business and Professions Code section 5412. (Ord. 967, 4.20.10)

The City has record of 18 billboards owned by Lamar Advertising Company within the City of Beaumont. In addition to those 18, there are several other billboards with a variety of

ownership, including the "Welcome to Beaumont" billboard and others throughout the City's major corridors.

Recently, staff has experienced an increase in interest regarding modifications to existing billboards primarily related to digital conversion. Staff is looking for direction from Council regarding our current billboard policy as it pertains to billboards and allowing for conversion of existing billboards to digital displays.

#### **Fiscal Impact:**

Staff time to prepare this staff report is approximately \$295.

#### **Recommendation:**

1. Provide direction to staff on the sign ordinance as it pertains to billboards and digital display conversions.

City Manager Review: <u>Todd Parton</u> City Manager



**Staff Report** 

| TO:      | Mayor and City Council Members                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| FROM:    | Nicole Wheelwright, Deputy City Clerk                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| DATE:    | October 1, 2019                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| SUBJECT: | Approval of Contracts for Capital Improvement Project - Council Chamber<br>Renovation; Award of Contract for Design and Installation of Audio and<br>Video Enhancement to Council Chambers and Overflow Areas to Enko<br>Systems, Inc., in the amount of \$125,927.25; Award of Contract for Council<br>Chamber Renovation Construction to GV Construction Inc., in the Amount<br>of \$87,501.77; Award of Contract for Design and Build of Council Chamber<br>Furniture to GV Construction, Inc., in the Amount of \$44,520.00 |

#### **Background and Analysis:**

As an approved project in the Fiscal Years 2019-20 through 2023-24 Capital Improvement Projects Budget for the allocation of PEG funds, staff has begun the renovation process of renovation plans for the Council Chambers and its overflow areas. The goal of the renovation is to upgrade outdated and failing equipment to a quality system that will enable the City to broadcast its meetings on a government cable channel.

Proposals were solicited in accordance with the City's informal bid process on August 13, 2019. Twenty nine (29) proposal invitations were distributed; twenty five (25) to general contractors and four (4) to audio video service providers.

The scope of work includes a replacement of audio and video equipment, lighting and live feed to the overflow areas within City Hall. Construction renovations will include wheelchair accessibility to the dais, an audio and video control room, and cosmetic updates to the paint, ceiling, window coverings and carpet as well as a replacement of furniture.

After a review of the proposals, staff is recommending an award of contract to GV Construction, Inc., in the amount of \$87,501.77 for the construction portion of the renovations, and \$44,520.00 for the design and build of Council Chamber furniture. Also recommended is an award of contract to Enko Systems, Inc., in the amount of \$125,927.25 for the design and installation of an audio and video enhancement to Council Chambers and overflow areas.

#### **Fiscal Impact:**

Funding for this project will be paid out of Capital Improvement Project Account 2019-006A and are within budget.

#### **Recommendation:**

- 1. Approve the award of contract for design and installation of audio and video enhancement to Council Chambers and overflow areas to Enko Systems, Inc., in the amount of \$125,927.25, with the authorization for the City Manager to approve any change orders up to \$5,000.00;
- 2. Approve the award of contract for Council Chamber renovation construction to GV Construction Inc., in the amount of \$87,501.77, with the authorization for the City Manager to approve any change orders up to \$5,000.00; and
- 3. Approve the award of contract for design and build of Council Chamber furniture to GV Construction, Inc., in the amount of \$44,520.00 with the authorization for the City Manager to approve any change orders up to \$5,000.00;

City Manager Review: <u>Todd Parton</u> City Manager

#### **Attachments:**

<u>Design and Build of Furniture - GV Construction - Contract</u> <u>Design and Install of AV Equipment - Enko Systems - Contract rev 2</u> <u>Council Chamber Reno Construction - GV Construction - Contract rev 2</u>

#### CITY OF BEAUMONT PUBLIC WORKS AGREEMENT (GV Construction Inc.)

This PUBLIC WORKS AGREEMENT ("Agreement") is made and effective October 1, 2019 by and between the City of Beaumont, a municipal corporation ("CITY"), and GV Construction, Inc., a California corporation ("CONTRACTOR"). In consideration of the mutual covenants and conditions set forth herein, the parties agree as follows:

#### I. <u>SCOPE OF WORK</u>

The CONTRACTOR shall perform within the time set forth in Article 2 of this Agreement and shall furnish all labor, materials, equipment, tools, utility services, and transportation and perform and complete all work required in connection with the Design and Build of Council Chamber Furniture Project (hereinafter "Project"). CITY's Invitation for Bids ("Invitation") for the Project, dated August 13, 2019, and CONTRACTOR's Bid in response to the Invitation, dated September 3, 2019, are attached hereto as Exhibits :A" and "B", respectively and incorporated herein by this reference. The Scope of Work for the Project is set forth in the Invitation. In the event that any terms of the Bid are different from the Invitation for Bids, the Invitation for Bids shall control. Any additional terms in the Bid that purport to bind the City to any additional terms not contained in this Agreement and related attachments shall not be binding on the City.

By entering into this Agreement, CONTRACTOR acknowledges that there may be other contractors on the site whose work will be coordinated with that of its own. CONTRACTOR expressly warrants and agrees that it will cooperate with other contractors and will do nothing to delay, hinder, or interfere with the work of other separate contractors, the CITY, the Construction Manager, the Engineer, or utilities. CONTRACTOR also expressly agrees that, in the event its work is hindered, delayed, interfered with, or otherwise affected by a separate contractor, its sole remedy will be a direct action against the separate contractor. To the extent allowed by law, the CONTRACTOR will have no remedy, and hereby expressly waives any remedy against the CITY, the Construction Manager (if any), and the Engineer on account of delay, hindrance, interference or other events.

#### II. <u>TIME FOR PROJECT COMPLETION</u>

All of CONTRACTOR's work on the Project shall be completed within durations established for the individual activities as set forth in the Project Construction Schedule, attached hereto as Exhibit "C" and incorporated herein by this reference. All work shall commence fifteen (15) calendar days after receiving a written Notice of Award from the CITY or Construction Manager, if a Construction Manager is employed by CITY on the Project. CONTRACTOR shall refer to the invitations for bids, and Project Plans and Specifications, all of which, as set forth below, are incorporated herein by reference, for contractual obligations regarding individual activity durations.

#### III. <u>THE CONTRACT SUM</u>

The CITY shall pay to the CONTRACTOR for the performance of this Agreement, subject to any additions and deductions provided in the Project documents, the lump sum of Fourty Four Thousand Five Hundred Twenty Dollars \$44,520.00("Contract Sum"). Except for change orders approved by City as provided in this Agreement, Contractor shall complete the Project for an amount not to exceed the Contract Sum.

#### IV. <u>PROGRESS PAYMENTS</u>

Based upon Applications for Payment submitted to the Engineer by the CONTRACTOR and Certificates for Payment issued by the Engineer, the CITY shall make progress payments on account of the Contract Sum to the CONTRACTOR as provided in the General Conditions, which are fully incorporated into this Agreement by this reference.

This Agreement is subject to the provisions of Article 1.7 (commencing at Section 20104.50) of Division 2, Part 3 of the Public Contract Code regarding prompt payment of contractors by local governments. Article 1.7 mandates certain procedures for the payment of undisputed and properly submitted payment requests within 30 days after receipt, for the review of payment requests, for notice to Contractor of improper payment requests, and provides for the payment of interest on progress payment requests which are not timely made in accordance with that Article. This Agreement hereby incorporates the provisions of Article 1.7 as though fully set forth herein.

#### V. INDEMNITY, DEFENSE AND HOLD HARMLESS AGREEMENT

CONTRACTOR shall indemnify, defend with legal counsel approved by CITY, and hold harmless CITY, its officers, officials, employees and volunteers from and against all liability, loss, damage, expense, cost (including without limitation reasonable legal counsel fees, expert fees and all other costs and fees of litigation) of every nature arising out of or in connection with CONTRACTOR's negligence, recklessness or willful misconduct in the performance of work hereunder or its failure to comply with any of its obligations contained in this Agreement, except such loss or damage which is caused by the sole or active negligence or willful misconduct of the CITY. Should conflict of interest principles preclude a single legal counsel from representing both CITY and CONTRACTOR, or should CITY otherwise find CONTRACTOR's legal counsel unacceptable, then CONTRACTOR shall reimburse the CITY its costs of defense, including without limitation reasonable legal counsels fees, expert fees and all other costs and fees of litigation. The CONTRACTOR shall promptly pay any final judgment rendered against the CITY (and its officers, officials, employees and volunteers) with respect to claims determined by a trier of fact to have been the result of the CONTRACTOR's negligent, reckless or wrongful performance. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this Agreement.

CONTRACTOR obligations under this section apply regardless of whether or not such claim, charge, damage, demand, action, proceeding, loss, stop notice, cost, expense, judgment, civil fine or penalty, or liability was caused in part or contributed to by an Indemnitee. However, without affecting the rights of CITY under any provision of this agreement, CONTRACTOR shall not be required to indemnify and hold harmless CITY for liability attributable to the active negligence of CITY, provided such active negligence is determined by agreement between the parties or by the findings of a court of competent jurisdiction. In instances where CITY is shown to have been actively negligent and where CITY active negligence accounts for only a percentage of the liability involved, the obligation of CONTRACTOR will be for that entire portion or percentage of liability not attributable to the active negligence of CITY.

#### VI. <u>PREVAILING WAGES</u>

- A. Contractor shall comply with all applicable laws and regulations relating to prevailing wages. Wage rates for this Project shall be in accordance with the "General Wage Determination Made By the Director of Industrial Relations Pursuant To California Labor Code, Part 7, Chapter 1, Article 2, Sections 1770, 1773 and 1773.1", for Riverside County. Wage rates shall conform with those posted at Beaumont City Hall and the Project site.
- B. The following Labor Code sections are hereby referenced and made a part of this Agreement:
  - 1. Section 1775 Penalty for Failure to Comply with Prevailing Wage Rates.
  - 2. Section 1777.4 Apprenticeship Requirements.
  - 3. Section 1777.5 Apprenticeship Requirements.
  - 4. Section 1813 Penalty for Failure to Pay Overtime.
  - 5. Sections 1810 and 1811 Working Hour Restrictions.
  - 6. Section 1775 Payroll Records.
  - 7. Section 1773.8 Travel and Subsistence Pay.

#### VII. <u>RECORD AUDIT</u>

In accordance with Government Code, Section 8546.7, records of both the CITY and the CONTRACTOR shall be subject to examination and audit by the Auditor General for a period of three (3) years after final payment.

#### VIII. FINAL PAYMENT

Final payment, constituting the entire unpaid balance of the Agreement Sum, shall be paid by the CITY to the CONTRACTOR no sooner than thirty-five (35) days after a Notice of Completion has been recorded, unless otherwise stipulated in the Notice of Completion, provided the work has then been completed, the Agreement fully performed, and a final Certificate for Payment has been issued by the Engineer.

#### IX. <u>CONTRACTOR'S FAILURE TO PROCURE COMPLETION OF PROJECT</u>

In the event CONTRACTOR fails to furnish tools, equipment, or labor in the necessary quantity or quality, or fails to prosecute the work or any part thereof contemplated by this Agreement in a diligent and workmanlike manner, and if the CONTRACTOR for a period of three (3) calendar days after receipt of written demand from CITY or its designated representative to do so, fails to furnish tools, equipment, or labor in the necessary quantity or quality, and to prosecute its work and all parts thereof in a diligent and workmanlike manner, or after commencing to do so within said three (3) calendar days, fails to continue to do so; then the CITY may exclude the CONTRACTOR from the premises, or any portion thereof, and take possession of said premises or any portion thereof, together with all material and equipment thereon, and may complete the work contemplated by this Agreement or any portion of said work, either by furnishing the tools, equipment, labor or material necessary, or by letting the unfinished portion of said work, or the portion taken over by the CITY to another contractor or by a combination of such methods. In any event, the procuring of the completion of said work, or the portion thereof taken over by the CITY, shall be a charge against the CONTRACTOR, and may be deducted from any money due or becoming due to CONTRACTOR from the CITY, or the CONTRACTOR shall pay the CITY the amount of said charge, or the portion thereof unsatisfied. The sureties, provided for under this Agreement shall become liable for payment should CONTRACTOR fail to pay in full any said cost incurred by the CITY.

#### X. <u>INSURANCE</u>

Prior to the beginning of and throughout the duration of the Project, CONTRACTOR and its subcontractors shall maintain insurance in conformance with the requirements set forth below. CONTRACTOR will use existing coverage to comply with these requirements. If that existing coverage does not meet the requirements set forth herein, CONTRACTOR agrees to amend, supplement or endorse the existing coverage to do so.

CONTRACTOR acknowledges that the insurance coverage and policy limits set forth in this section constitute the minimum amount of coverage required. Any insurance proceeds available to CONTRACTOR or its subcontractors in excess of the limits and coverage identified in this Agreement and which is applicable to a given loss, claim or demand, will be equally available to CITY.

#### A. Types of Insurance

Without limiting CONTRACTOR's indemnification of CITY, and prior to commencement of Work, CONTRACTOR shall obtain, provide and maintain at its own expense during the term of this Agreement, policies of insurance of the type and amounts described below and in a form satisfactory to CITY:

- 1. General liability insurance. CONTRACTOR shall maintain commercial general liability insurance with coverage at least as broad as Insurance Services Office form CG 00 01, in an amount not less than \$1,000,000 per occurrence, \$2,000,000 general aggregate, for bodily injury, personal injury, and property damage, and a \$2,000,000 completed operations aggregate. The policy must include contractual liability that has not been amended. Any endorsement restricting standard ISO "insured contract" language will not be accepted.
- 2. Automobile liability insurance. CONTRACTOR shall maintain automobile insurance at least as broad as Insurance Services Office form CA 00 01 covering bodily injury and property damage for all activities of the CONTRACTOR arising out of or in connection with Work to be performed under this Agreement, including coverage for any owned, hired, non-owned or rented vehicles, in an amount not less than \$1,000,000 combined single limit for each accident.
- **3.** Umbrella or excess liability insurance. If CONTRACTOR is using umbrella coverage to meet part of its liability insurance requirements under Paragraph 1 of this Section, CONTRACTOR shall obtain and maintain an umbrella or excess liability insurance that will provide bodily injury, personal injury, completed operations and property damage liability coverage at least as broad as the primary coverages set forth above, including commercial general liability and employer's liability. Such policy or policies shall include the following terms and conditions:
  - A drop down feature requiring the policy to respond in the event that any primary insurance that would otherwise have applied proves to be uncollectable in whole or in part for any reason;
  - Pay on behalf of wording as opposed to reimbursement;
  - Concurrency of effective dates with primary policies;
  - Policies shall "follow form" to the underlying primary policies; and
  - Insureds under primary policies shall also be insureds under the umbrella or excess policies.
- **4. Workers' compensation insurance.** CONTRACTOR shall maintain Workers' Compensation Insurance (Statutory Limits) and Employer's Liability Insurance (with limits of at least \$1,000,000) for CONTRACTOR's employees in accordance with the laws of the State of California, Section 3700 of the Labor Code. In addition, CONTRACTOR shall require each subcontractor to similarly maintain Workers' Compensation Insurance and Employer's Liability Insurance in accordance with the laws of the State of California, Section 3700 for all of the subcontractor's employees.

CONTRACTOR shall submit to CITY, along with the certificate of insurance, a Waiver of Subrogation endorsement in favor of CITY, its officers, agents, employees and volunteers.

**5. Pollution liability insurance.** Environmental Impairment Liability Insurance shall be written on a CONTRACTOR's Pollution Liability form or other form acceptable to CITY providing coverage for liability arising out of sudden, accidental and gradual pollution and remediation. The policy limit shall be no less than \$1,000,000 dollars per claim and in the aggregate. All activities contemplated in this Agreement shall be specifically scheduled on the policy as "covered operations." The policy shall provide coverage for the hauling of waste from the project site to the final disposal location, including non-owned disposal sites.

Products/completed operations coverage shall extend a minimum of three (3) years after project completion. Coverage shall be included on behalf of the insured for covered claims arising out of the actions of independent contractors. If the insured is using subcontractors, the Policy must include work performed "by or on behalf" of the insured. Policy shall contain no language that would invalidate or remove the insurer's duty to defend or indemnify for claims or suits expressly excluded from coverage. Policy shall specifically provide for a duty to defend on the part of the insurer. The CITY, its officials, officers, agents, and employees, shall be included as insureds under the policy.

6. Builder's risk insurance. Upon commencement of construction and with approval of CITY, CONTRACTOR shall obtain and maintain builder's risk insurance for the entire duration of the Project until only the CITY has an insurable interest. The Builder's Risk coverage shall include the coverages as specified below.

The named insureds shall be CONTRACTOR and CITY, including its officers, officials, employees, and agents. All Subcontractors (excluding those solely responsible for design Work) of any tier and suppliers shall be included as additional insureds as their interests may appear. CONTRACTOR shall not be required to maintain property insurance for any portion of the Project following transfer of control thereof to CITY. The policy shall contain a provision that all proceeds from the builder's risk policy shall be made payable to the CITY. The CITY will act as a fiduciary for all other interests in the Project.

Policy shall be provided for replacement value on an "all risk" basis for the completed value of the project. There shall be no coinsurance penalty or provisional limit provision in any such policy. Policy must include: (1) coverage for any ensuing loss from faulty workmanship, Nonconforming Work, omission or deficiency in design or specifications; (2) coverage against machinery accidents and operational testing; (3) coverage for removal of debris, and insuring the buildings, structures, machinery, equipment,

materials, facilities, fixtures and all other properties constituting a part of the Project; (4) Ordinance or law coverage for contingent rebuilding, demolition, and increased costs of construction; (5) transit coverage (unless insured by the supplier or receiving contractor), with sub-limits sufficient to insure the full replacement value of any key equipment item; (6) Ocean marine cargo coverage insuring any Project materials or supplies, if applicable; (7) coverage with sub-limits sufficient to insure the full replacement value of any property or equipment stored either on or off the Site or any staging area. Such insurance shall be on a form acceptable to CITY to ensure adequacy of terms and sublimits and shall be submitted to the CITY prior to commencement of construction.

#### **B.** Other provisions or requirements

- 1. **Proof of insurance.** CONTRACTOR shall provide certificates of insurance to CITY as evidence of the insurance coverage required herein, along with a waiver of subrogation endorsement for workers' compensation. Insurance certificates and endorsements must be approved by CITY's risk manager prior to commencement of performance. Current certification of insurance shall be kept on file with CITY at all times during the term of this contract. CITY reserves the right to require complete, certified copies of all required insurance policies, at any time.
- 2. Duration of coverage. CONTRACTOR shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property, which may arise from or in connection with the performance of the Work hereunder by CONTRACTOR, his agents, representatives, employees or subcontractors. CONTRACTOR must maintain general liability and umbrella or excess liability insurance for as long as there is a statutory exposure to completed operations claims. CITY and its officers, officials, employees, and agents shall continue as additional insureds under such policies.
- **3. Primary/noncontributing.** Coverage provided by CONTRACTOR shall be primary and any insurance or self-insurance procured or maintained by CITY shall not be required to contribute with it. The limits of insurance required herein may be satisfied by a combination of primary and umbrella or excess insurance. Any umbrella or excess insurance shall contain or be endorsed to contain a provision that such coverage shall also apply on a primary and non-contributory basis for the benefit of CITY before the CITY's own insurance or self-insurance shall be called upon to protect it as a named insured.
- 4. CITY's rights of enforcement. In the event any policy of insurance required under this Agreement does not comply with these requirements or is canceled and not replaced, CITY has the right but not the duty to obtain the insurance it deems necessary and any premium paid by CITY will be promptly reimbursed

by CONTRACTOR or CITY will withhold amounts sufficient to pay premium from CONTRACTOR payments. In the alternative, CITY may cancel this Agreement.

- **5.** Acceptable insurers. All insurance policies shall be issued by an insurance company currently authorized by the Insurance Commissioner to transact business of insurance or is on the List of Approved Surplus Line Insurers in the State of California, with an assigned policyholders' Rating of A- (or higher) and Financial Size Category Class VII (or larger) in accordance with the latest edition of Best's Key Rating Guide, unless otherwise approved by the CITY's risk manager.
- 6. Waiver of subrogation. All insurance coverage maintained or procured pursuant to this agreement shall be endorsed to waive subrogation against CITY, its elected or appointed officers, agents, officials, employees and volunteers or shall specifically allow CONTRACTOR or others providing insurance evidence in compliance with these specifications to waive their right of recovery prior to a loss. CONTRACTOR hereby waives its own right of recovery against CITY, and shall require similar written express waivers and insurance clauses from each of its subconsultants.
- **7. Enforcement of contract provisions (non estoppel).** CONTRACTOR acknowledges and agrees that any actual or alleged failure on the part of the CITY to inform CONTRACTOR of non-compliance with any requirement imposes no additional obligations on the CITY nor does it waive any rights hereunder.
- 8. Requirements not limiting. Requirements of specific coverage features or limits contained in this Section are not intended as a limitation on coverage, limits or other requirements, or a waiver of any coverage normally provided by any insurance. Specific reference to a given coverage feature is for purposes of clarification only as it pertains to a given issue and is not intended by any party or insured to be all inclusive, or to the exclusion of other coverage, or a waiver of any type. If the CONTRACTOR maintains higher limits than the minimums shown above, the CITY requires and shall be entitled to coverage for the higher limits maintained by the CONTRACTOR. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the CITY.
- **9.** Notice of cancellation. CONTRACTOR agrees to oblige its insurance agent or broker and insurers to provide to CITY with a thirty (30) day notice of cancellation (except for nonpayment for which a ten (10) day notice is required) or nonrenewal of coverage for each required coverage.
- **10. Additional insured status.** General liability policies shall provide or be endorsed to provide that CITY and its officers, officials, employees, agents,

and volunteers shall be additional insureds under such policies. This provision shall also apply to any excess/umbrella liability policies.

- **11. Prohibition of undisclosed coverage limitations.** None of the coverages required herein will be in compliance with these requirements if they include any limiting endorsement of any kind that has not been first submitted to CITY and approved of in writing.
- **12. Separation of insureds.** A severability of interests provision must apply for all additional insureds ensuring that CONTRACTOR's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the insurer's limits of liability. The policy(ies) shall not contain any cross-liability exclusions.
- **13. Pass through clause.** CONTRACTOR agrees to ensure that its subconsultants, subcontractors, and any other party involved with the project who is brought onto or involved in the project by CONTRACTOR, provide the same minimum insurance coverage and endorsements required of CONTRACTOR. CONTRACTOR agrees to monitor and review all such coverage and assumes all responsibility for ensuring that such coverage is provided in conformity with the requirements of this section. CONTRACTOR agrees that upon request, all agreements with consultants, subcontractors, and others engaged in the project will be submitted to CITY for review.
- 14. CITY's right to revise requirements. The CITY reserves the right at any time during the term of the contract to change the amounts and types of insurance required by giving the CONTRACTOR a ninety (90) day advance written notice of such change. If such change results in substantial additional cost to the CONTRACTOR, the CITY and CONTRACTOR may renegotiate CONTRACTOR's compensation.
- **15. Self-insured retentions.** Any self-insured retentions must be declared to and approved by CITY. CITY reserves the right to require that self-insured retentions be eliminated, lowered, or replaced by a deductible. Self-insurance will not be considered to comply with these specifications unless approved by CITY.
- **16. Timely notice of claims.** CONTRACTOR shall give CITY prompt and timely notice of claims made or suits instituted that arise out of or result from CONTRACTOR's performance under this Agreement, and that involve or may involve coverage under any of the required liability policies.
- **17. Additional insurance**. CONTRACTOR shall also procure and maintain, at its own cost and expense, any additional kinds of insurance, which in its own judgment may be necessary for its proper protection and prosecution of the Work.

#### XI. <u>CONTRACTOR'S LICENSE</u>

CONTRACTOR must possess at the time of commencing work and throughout the Project duration, a Contractor's License, issued by the State of California, which is current and in good standing. CONTRACTOR shall ensure that any subcontractor working on the Project possesses at the time of commencing work and throughout the Project duration, a Contractor's License, issued by the State of California, which is current and in good standing.

#### XII. <u>REGISTRATION REQUIREMENTS</u>

A. Pursuant to Section 1771.1(a) of the Labor Code:

"A contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, as defined in this chapter, unless currently registered and qualified to perform public work pursuant to Section 1725.5. It is not a violation of this section for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded."

B. CONTRACTOR must be registered with the Department of Industrial Relations (DIR) of the State of California in order to be eligible to work on public works projects. CONTRACTOR must ensure registration with the DIR that is active and in good standing.

C. No contractor or subcontractor may be listed on a bid proposal for a public works project (submitted on or after March 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5 [with limited exceptions from this requirement for bid purposes only under Labor Code section 1771.1(a)].

No contractor or subcontractor may be awarded a contract for public work on a public works project (awarded on or after April 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5.

This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

D. The CONTRACTOR is not subject to public works requirements (including registration with the DIR) if the public works project is under \$1,000, unless the CITY knows that the same CONTRACTOR will be awarded total project costs in excess of \$1,000 for a given year.

#### XIII. CORPORATION IN GOOD STANDING

If CONTRACTOR is a corporation, the undersigned hereby represents and warrants that the corporation is duly incorporated and in good standing in the State of California, and that <u>(Insert Name)</u> whose title is <u>(Insert Title)</u> is authorized to act for and bind the corporation.

#### XIV. PROVISIONS REQUIRED BY LAW

Each and every provision of law and clause required by law to be inserted in this Agreement shall be deemed to be inserted herein and the Agreement shall be read and enforced as though it were included herein, and if through mistake or otherwise any such provision is not inserted, or is not currently inserted, then upon application of either party the Agreement shall forthwith be physically amended to make such insertion or correction.

#### XV. <u>SUBSURFACE HAZARDOUS MATERIALS</u>

- A. In the event trenches or other excavations extend deeper than four (4) feet below the surface, the CONTRACTOR shall promptly, and before the following conditions are disturbed, notify the CITY in writing of any:
  - 1. Material that the CONTRACTOR believes may be material that is hazardous waste, as defined in Section 25117 of the Health and Safety Code that is required to be removed to a Class I, Class II or Class III disposal site in accordance with the provisions of existing law.
  - 2. Subsurface or latent physical conditions at the site differing from those indicated.
  - 3. Unknown physical conditions at the site of any unusual nature, different materially from those ordinarily encountered and generally recognized as inherent in the Work or the character provided for in the CONTRACT.
- B. Upon receipt of said notification the CITY will investigate the conditions, and if it finds that the conditions do materially so differ, or do involve hazardous waste, and cause a decrease or increase in the CONTRACTOR's cost of or the time required for performance of any part of the work, the CITY will issue a change order under the procedures described in the General Conditions.
- C. In the event that a dispute arises between the CITY and the CONTRACTOR whether the conditions materially differ, or involve hazardous waste or cause a decrease or increase in the CONTRACTOR's cost of or time required for performance of any part of the work, the CONTRACTOR shall not be excused from any scheduled completion date provided for by the Agreement, but shall proceed with all work to be performed under the Agreement. The CONTRACTOR shall retain any and all rights provided either by Agreement or

by law which pertain to the resolution of disputes and protests between the contracting parties.

#### XVI. <u>COMPONENT PARTS OF THE CONTRACT</u>

This Agreement entered into consists of the following CONTRACT DOCUMENTS, all of which are component parts of the Agreement as if herein set out in full or attached hereto:

| Notice Inviting Bids                | Information Required of Bidder     |
|-------------------------------------|------------------------------------|
| Scope of Work Summary               | Construction Services Agreement    |
| Information for Bidders             | Certificate Regarding Worker's     |
| Bid Form                            | Compensation                       |
| Non-Collusion Affidavit             | Drug-free Workplace Certification  |
| Site Visit Certification            | Plans and Specifications           |
| Faithful Performance Bond           | Addenda                            |
| Labor and Materials Payment Bond    | Drawings                           |
| General and Supplemental Conditions | Change Orders                      |
| Special Conditions                  | Shop Drawing Transmittals          |
| Project Construction Schedule       | Contractor's Certificate Regarding |
| Proposed Subcontractors             | Non-Asbestos Containing Materials  |
| Bid Bond                            | -                                  |

All of the above named CONTRACT DOCUMENTS are intended to be complementary. Work required by one of the above named CONTRACT DOCUMENTS and not by others shall be done as if required by all.

#### XVII. <u>ENTIRE CONTRACT</u>

This Agreement constitutes the entire contract of the parties. No other agreements or contracts, whether oral or written, pertaining to the work to be performed, exists between the parties. This Agreement can be modified only by an amendment in writing, signed by both parties.

[Signatures on following page.]

#### SIGNATURE PAGE TO

### CITY OF BEAUMONT PUBLIC WORKS AGREEMENT

(GV Construction, Inc.)

#### CITY:

#### **CONTRACTOR:**

GV Construction, Inc., a California corporation

CITY OF BEAUMONT

By: \_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_

Julio Martinez, Mayor

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

#### ATTEST:

By:\_\_\_\_\_

Steven Mehlman, City Clerk

#### **APPROVED AS TO FORM:**

By:\_\_\_\_\_

John O. Pinkney, City Attorney

Agenda Item No. 11.

#### CITY OF BEAUMONT PUBLIC WORKS AGREEMENT (GV Construction, Inc.)

#### EXHIBIT "A"

#### CITY'S INVITATION FOR BIDS DATED August 13, 2019

(Insert behind this page.)

Agenda Item No. 11.



Address: 550 E. 6<sup>th</sup> Street Beaumont, CA 92223

Phone: 051.769.8520



Design and Build of Council Chamber Furniture

Proposals Due By:

5:00 pm Monday, September 2, 2019

# Mandatory Walk-Through:

Schedule walk-through via email NicoleW@BeaumontCa.gov

> Contact: Nicole Wheelwright Deputy City Clerk NicoleW@beaumontca.gov



#### INTRODUCTION

The City of Beaumont ("City") requests written proposals for selection of a qualified firm to provide design and build services for a replacement of furniture within the City's Council Chambers.

This project will encompass a complete re-design and build of all furniture to include a dais, staff desks, public podium and an audio/video control room in the Council Chambers.

Firms submitting proposals must be prepared to enter into a contract for work to be provided and must obtain a city business license. Proposals will be accepted until the close of business at **5:00 pm on Monday**, **September 2, 2019**. Please address as follows:

Nicole Wheelwright Deputy City Clerk City of Beaumont 550 E 6<sup>th</sup> Street Beaumont, Ca 92223 **Bid Enclosed** 

#### PURPOSE AND SCOPE

The current City Council Chambers is in need of new furniture for desk spaces and an enhancement of design to better suit the needs of the meetings conducted in the Council Chambers. All demolition and removal of current furniture will not be part of the scope for this project and will be conducted prior to start of this project.

Design and construction to include:

- Dais with seating for five (5); estimated to be a 16' x 30" stand alone countertop with a 6" privacy backsplash. For cost options, at least two material options must be provided. (wood, laminate, stone finish ect.)
- Two (2) separate staff desk areas with seating for four (4) each; estimated to be 11'.5" x 30" stand alone countertops with a 6" privacy backsplash. For cost options, at least two material options must be provided to match the dais.
- One staff desk area with seating for two (2); estimated to be an 8' x 30" stand alone countertop with a 6" privacy backsplash. For cost options, at least two material options must be provided to match the other staff desk spaces.
- One (1) public podium. For cost options, at least two material options must be provided.
- Audio/Video Control Room desk wall mount countertop; estimated to be 8' x 30"
   For cost options, at least two material options must be provided.
- All countertops must have inset power supply outlets in coordination with the Audio and Video contractors.

All desk spaces and podium must meet ADA accommodations.

In concurrence with this project, the Council Chambers will also be undergoing renovations of its audio and video equipment as well as construction of wheelchair access ramps and an audio/video control room. The firm selected for the design and build of Council Chambers furniture will be required to work in coordination with the firms selected for the other components of the Council Chambers Renovation Project for logistics and planning of installation. Coordination with the selected audio and video firm of the Chamber's renovation includes but is not limited to identifying the needs of the desk space for electrical wiring, computers, monitors, and microphones. Coordination with the selected general contractor includes but is not limited to identifying the identifying the footprint of space available once an audio/video control room and wheelchair ramp has been designed for construction.

#### <u>Design</u>

For purpose of cost options, it is requested that at least two design options be presented for the configuration of dais, staff desk space and public podium.

#### Materials and Finish

For purpose of cost options, it is requested that at least two material and finish options be provided for the dais, staff desk space, public podium and audio/video control room. One material and finish option must be wood or wood-like appearance.

#### MANDATORY PRE-BID WALK-THROUGH

A mandatory walk-through of the Council Chambers is required prior to submission of bid please schedule via email: <u>NicoleW@BeaumontCa.gov</u>. This walk-through will give the opportunity to evaluate and take measurements as needed.

#### **PROPOSAL REQUIREMENTS**

The proposal shall clearly address all of the information requested herein. To achieve a uniform review process and obtain the maximum degree of comparability, it is required that proposals be organized and contain all information as specified below.

A. **Cover Letter:** Executive Summary which shall include an understanding of the scope of services. The cover letter must be signed by an official authorized to bind the consultant contractually and shall also provide the name, title, address, and telephone number of individuals with the authority to negotiate and contractually bind the consultant. The cover letter constitutes certification by the consultant, under penalty of perjury, that the consultant complies with nondiscrimination requirements of the State and Federal Government. An unsigned proposal or one signed by an individual unauthorized to bind the consultant may be rejected.

- B. Introduction/Information: Provide a description of the firm, including number of professional personnel, years in business, office location(s), organizational structure (e.g., corporation, partnership, sole practitioner, etc.), areas of particular expertise, etc. Description of the consulting firm's past and current experience with cities, counties, governmental regions, special districts, agencies, or similar entities; and/or major residential, economic, commercial, entertainment or historic development centers.
  - 1) Describe the consultant team and identify the specific personnel that will be assigned to the project and their roles, qualifications and relevant experience on projects within the past two (2) years.
  - 2) Identify the supervisory and management staff.
  - Identify and describe the roles of any sub-contractors and provide relevant qualifications and experience for projects within the past two (2) years. Indicate how the quality of staff over the term of the agreement will be assured.
- C. References: Provide at least three (3) previous design work of similar capacities.
- D. **Scope of Services:** Provide a description of the tasks, sub-tasks, and deliverables that will be provided. The Scope of Work should be presented in a logical format that can be easily attached to the final Agreement.
  - i) Project Schedule: Provide a comprehensive schedule describing the nature and estimated time line of proposed work objectives and milestones. Due to time constraints of this project, it is required that work **shall** commence no later than 30 days of award of contract. City Council is scheduled to award contracts on September 17, 2019.
- E. Cost Proposal: Provide detailed cost of services overview to include:
  - 1) Fixed prices for all costs associated within the scope of this proposal
  - 2) Detailed hourly rates of all members of the project
  - 3) Additional billable costs for non-specified tasks
  - 4) Total fees and expenses for the entire scope of the project
  - 5) Any area which proposers believe should be included in the scope of work in this proposal, but which is not stipulated in this RFP, and identifies the costs associated with the services rendered
- F. The firm will be required to have professional liability insurance including liability at a minimum of one million per occurrence, worker's compensation, and vehicle coverage including comprehensive and collision insurance naming the City of Beaumont as additional insured. The proposal shall state whether such insurances will be in force at time of contract execution.

#### PROPOSAL SCHEDULE

| TASK                | DUE DATE              |
|---------------------|-----------------------|
| Mandatory Walk-thru | August 19, 2019       |
| Proposal Due        | September 2, 2019     |
| Proposal Review     | September 3 – 9, 2019 |
| Award Contract      | September 17, 2019    |
| Expected Start Date | October 17, 2019      |

#### SUBMITTAL

Please provide proposal responses to items A - F no later than Monday, September 2, 2019 at 5:00 p.m.

Any proposal received after this deadline may be returned to the proposer as unacceptable. All proposals are to be clearly marked as described in the Introduction section.

Please review the entire proposal request before submitting your proposal. Incomplete submissions may be rejected as non-responsive. All questions must be submitted via email to the RFP contact listed on the front cover page of this RFP. Once submitted, proposals cannot be altered without prior written consent of the City. All costs associated with preparation of any proposal shall be the sole responsibility of the proposer. Each proposal shall be limited to a maximum of 15 pages, using minimum 12-point font size.

#### PROPOSAL EVALUATION/SELECTION

The City intends to engage the most qualified consultant available that demonstrates a thorough understanding of the City's needs. City staff will use the following criteria to evaluate the proposals:

- Understanding the scope of services
   Demonstrated professional skill and credentials
   Available Points = 1
   Available Points = 1
- 3) Related experience
- 4) Timeline and start date availability
- 5) Proposed Fee

Total Points Available = 100

The City reserves the right to reject any and all proposals.

#### CONFIDENTIALITY

Prior to the proposal submittal deadline, all proposals will be designated confidential to the extent permitted by the California Public Records Act. After the proposal submittal

Available Points = 10 Available Points = 15 Available Points = 25 Available Points = 30 Available Points = 20 deadline, all responses will be regarded as public record and will be subject to review by the public. Any language purported to render confidential all or portions of the proposals will be regarded as non-effective and will be disregarded.

#### AMENDMENTS TO REQUEST FOR PROPOSALS

The City reserves the right to amend the RFP by addendum prior to the final proposal submittal date.

#### CONFLICT OF INTEREST

The Consultant shall disclose any personal or professional financial, business, or other relationships with the City that may have an impact on the outcome of this contract or any resulting project. The consultant shall also list current clients who may have a financial interest in the outcome of this contract.

#### CITY OF BEAUMONT RIGHTS AND OPTIONS

This RFP does not commit the City of Beaumont to award a contract, to pay any cost incurred with the preparation of a proposal or contract for services described herein. The City may, in its sole discretion and without any obligation to act reasonably, reject any and all proposals, waive informalities and minor irregularities in any proposal reviewed, negotiate with any qualified source submitting a proposal, extend deadlines, and/or request additional information. Subsequent to negotiations, prospective consultants may be required to submit revisions to their proposals. The City may reject any proposal that does not conform to the instructions provided in this RFP.

Additionally, the City reserves the right to negotiate all final terms and conditions of any proposal received before entering into final contract.

The City reserves the right to postpone selection for its own convenience, to withdraw this RFP at any time, and to reject any and all proposals without indicating any reason for such rejection. As a function of the RFP process, the City of Beaumont reserves the right to remedy technical errors in response to the RFP and to modify the published scope of services and scope of work. The City of Beaumont will reserve the right to request that specific personnel with specific expertise be added to the team if the City determines that specific expertise is lacking in the project team. Proposals submitted in response to the RFP will not be returned.

# ATTACHMENTS

- A. Plans and Specifications Will be given at walk-thru
- B. Public Works Contract sample

# Attachment B

#### CITY OF BEAUMONT PUBLIC WORKS AGREEMENT (NAME OF CONTRACTOR)

# I. <u>SCOPE OF WORK</u>

The CONTRACTOR shall perform within the time set forth in Article 2 of this Agreement and shall furnish all labor, materials, equipment, tools, utility services, and transportation and perform and complete all work required in connection with the <u>(DESCRIPTION OF PROJECT</u>) Project (hereinafter "Project"). CITY's Invitation for Bids ("Invitation") for the Project, dated <u>\_\_\_\_\_</u>, 2017, and CONTRACTOR's Bid in response to the Invitation, dated <u>\_\_\_\_\_</u>, 2017, are attached hereto as Exhibits :A" and "B", respectively and incorporated herein by this reference. The Scope of Work for the Project is set forth in the Invitation.

By entering into this Agreement, CONTRACTOR acknowledges that there may be other contractors on the site whose work will be coordinated with that of its own. CONTRACTOR expressly warrants and agrees that it will cooperate with other contractors and will do nothing to delay, hinder, or interfere with the work of other separate contractors, the CITY, the Construction Manager, the Engineer, or utilities. CONTRACTOR also expressly agrees that, in the event its work is hindered, delayed, interfered with, or otherwise affected by a separate contractor, its sole remedy will be a direct action against the separate contractor. To the extent allowed by law, the CONTRACTOR will have no remedy, and hereby expressly waives any remedy against the CITY, the Construction Manager (if any), and the Engineer on account of delay, hindrance, interference or other events.

# II. <u>TIME FOR PROJECT COMPLETION</u>

All of CONTRACTOR's work on the Project shall be completed within durations established for the individual activities as set forth in the Project Construction Schedule, attached hereto as Exhibit "C" and incorporated herein by this reference. All work shall commence ten (10) calendar days after receiving a written Notice of Award from the CITY or Construction Manager, if a Construction Manager is employed by CITY on the Project. CONTRACTOR shall refer to the invitations for bids, and Project Plans and Specifications, all of which, as set forth below, are incorporated herein by reference, for contractual obligations regarding individual activity durations.

#### III. <u>THE CONTRACT SUM</u>

The CITY shall pay to the CONTRACTOR for the performance of this Agreement, subject to any additions and deductions provided in the Project documents, the sum of \$\_\_\_\_\_.

#### IV. <u>PROGRESS PAYMENTS</u>

Based upon Applications for Payment submitted to the Engineer by the CONTRACTOR and Certificates for Payment issued by the Engineer, the CITY shall make progress payments on account of the Contract Sum to the CONTRACTOR as provided in the General Conditions, which are fully incorporated into this Agreement by this reference.

This Agreement is subject to the provisions of Article 1.7 (commencing at Section 20104.50) of Division 2, Part 3 of the Public Contract Code regarding prompt payment of contractors by local governments. Article 1.7 mandates certain procedures for the payment of undisputed and properly submitted payment requests within 30 days after receipt, for the review of payment requests, for notice to Contractor of improper payment requests, and provides for the payment of interest on progress payment requests which are not timely made in accordance with that Article. This Agreement hereby incorporates the provisions of Article 1.7 as though fully set forth herein.

### V. INDEMNITY, DEFENSE AND HOLD HARMLESS AGREEMENT

CONTRACTOR shall indemnify, defend with legal counsel approved by CITY, and hold harmless CITY, its officers, officials, employees and volunteers from and against all liability, loss, damage, expense, cost (including without limitation reasonable legal counsel fees, expert fees and all other costs and fees of litigation) of every nature arising out of or in connection with CONTRACTOR's negligence, recklessness or willful misconduct in the performance of work hereunder or its failure to comply with any of its obligations contained in this Agreement, except such loss or damage which is caused by the sole or active negligence or willful misconduct of the CITY. Should conflict of interest principles preclude a single legal counsel from representing both CITY and CONTRACTOR, or should CITY otherwise find CONTRACTOR's legal counsel unacceptable, then CONTRACTOR shall reimburse the CITY its costs of defense, including without limitation reasonable legal counsels fees, expert fees and all other costs and fees of litigation. The CONTRACTOR shall promptly pay any final judgment rendered against the CITY (and its officers, officials, employees and volunteers) with respect to claims determined by a trier of fact to have been the result of the CONTRACTOR's negligent, reckless or wrongful performance. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this Agreement.

CONTRACTOR obligations under this section apply regardless of whether or not such claim, charge, damage, demand, action, proceeding, loss, stop notice, cost, expense, judgment, civil fine or penalty, or liability was caused in part or contributed to by an Indemnitee. However, without affecting the rights of CITY under any provision of this agreement, CONTRACTOR shall not be required to indemnify and hold harmless CITY for liability attributable to the active negligence of CITY, provided such active negligence is determined by agreement between the parties or by the findings of a court of competent jurisdiction. In instances where CITY is shown to have been actively negligent and where CITY active negligence accounts for only a percentage of the liability involved, the obligation of CONTRACTOR will be for that entire portion or percentage of liability not attributable to the active negligence of CITY.

# VI. <u>PREVAILING WAGES</u>

- A. Contractor shall comply with all applicable laws and regulations relating to prevailing wages. Wage rates for this Project shall be in accordance with the "General Wage Determination Made By the Director of Industrial Relations Pursuant To California Labor Code, Part 7, Chapter 1, Article 2, Sections 1770, 1773 and 1773.1", for Riverside County. Wage rates shall conform with those posted at Beaumont City Hall and the Project site.
- B. The following Labor Code sections are hereby referenced and made a part of this Agreement:
  - 1. Section 1775 Penalty for Failure to Comply with Prevailing Wage Rates.
  - 2. Section 1777.4 Apprenticeship Requirements.
  - 3. Section 1777.5 Apprenticeship Requirements.
  - 4. Section 1813 Penalty for Failure to Pay Overtime.
  - 5. Sections 1810 and 1811 Working Hour Restrictions.
  - 6. Section 1775 Payroll Records.
  - 7. Section 1773.8 Travel and Subsistence Pay.

# VII. <u>RECORD AUDIT</u>

In accordance with Government Code, Section 8546.7, records of both the CITY and the CONTRACTOR shall be subject to examination and audit by the Auditor General for a period of three (3) years after final payment.

# VIII. FINAL PAYMENT

Final payment, constituting the entire unpaid balance of the Agreement Sum, shall be paid by the CITY to the CONTRACTOR no sooner than thirty-five (35) days after a Notice of Completion has been recorded, unless otherwise stipulated in the Notice of Completion, provided the work has then been completed, the Agreement fully performed, and a final Certificate for Payment has been issued by the Engineer.

#### IX. <u>CONTRACTOR'S FAILURE TO PROCURE COMPLETION OF PROJECT</u>

In the event CONTRACTOR fails to furnish tools, equipment, or labor in the necessary quantity or quality, or fails to prosecute the work or any part thereof contemplated by this Agreement in a diligent and workmanlike manner, and if the CONTRACTOR for a period of three (3) calendar days after receipt of written demand from CITY or its designated representative to do so, fails to furnish tools, equipment, or labor in the necessary quantity or quality, and to prosecute its work and all parts thereof in a diligent and workmanlike manner, or after commencing to do so within said three (3) calendar days, fails to continue to do so; then the CITY may exclude the CONTRACTOR from the premises, or any portion thereof, and take possession of said premises or any portion thereof, together with all material and equipment thereon, and may complete the work contemplated by this Agreement or any portion of said work, either by furnishing the tools, equipment, labor or material necessary, or by letting the unfinished portion of said work, or the portion taken over by the CITY to another contractor or by a combination of such methods. In any event, the procuring of the completion of said work, or the portion thereof taken over by the CITY, shall be a charge against the CONTRACTOR, and may be deducted from any money due or becoming due to CONTRACTOR from the CITY, or the CONTRACTOR shall pay the CITY the amount of said charge, or the portion thereof unsatisfied. The sureties, provided for under this Agreement shall become liable for payment should CONTRACTOR fail to pay in full any said cost incurred by the CITY.

#### X. INSURANCE

Prior to the beginning of and throughout the duration of the Project, CONTRACTOR and its subcontractors shall maintain insurance in conformance with the requirements set forth below. CONTRACTOR will use existing coverage to comply with these requirements. If that existing coverage does not meet the requirements set forth herein, CONTRACTOR agrees to amend, supplement or endorse the existing coverage to do so.

CONTRACTOR acknowledges that the insurance coverage and policy limits set forth in this section constitute the minimum amount of coverage required. Any insurance proceeds available to CONTRACTOR or its subcontractors in excess of the limits and coverage identified in this Agreement and which is applicable to a given loss, claim or demand, will be equally available to CITY.

#### A. Types of Insurance

Without limiting CONTRACTOR's indemnification of CITY, and prior to commencement of Work, CONTRACTOR shall obtain, provide and maintain at its own expense during the term of this Agreement, policies of insurance of the type and amounts described below and in a form satisfactory to CITY:

**1. General liability insurance.** CONTRACTOR shall maintain commercial general liability insurance with coverage at least as broad as Insurance Services Office form CG 00 01, in an amount not less than \$1,000,000 per occurrence,

\$2,000,000 general aggregate, for bodily injury, personal injury, and property damage, and a \$2,000,000 completed operations aggregate. The policy must include contractual liability that has not been amended. Any endorsement restricting standard ISO "insured contract" language will not be accepted.

- 2. Automobile liability insurance. CONTRACTOR shall maintain automobile insurance at least as broad as Insurance Services Office form CA 00 01 covering bodily injury and property damage for all activities of the CONTRACTOR arising out of or in connection with Work to be performed under this Agreement, including coverage for any owned, hired, non-owned or rented vehicles, in an amount not less than \$1,000,000 combined single limit for each accident.
- **3.** Umbrella or excess liability insurance. If CONTRACTOR is using umbrella coverage to meet part of its liability insurance requirements under Paragraph 1 of this Section, CONTRACTOR shall obtain and maintain an umbrella or excess liability insurance that will provide bodily injury, personal injury, completed operations and property damage liability coverage at least as broad as the primary coverages set forth above, including commercial general liability and employer's liability. Such policy or policies shall include the following terms and conditions:
  - A drop down feature requiring the policy to respond in the event that any primary insurance that would otherwise have applied proves to be uncollectable in whole or in part for any reason;
  - Pay on behalf of wording as opposed to reimbursement;
  - Concurrency of effective dates with primary policies;
  - Policies shall "follow form" to the underlying primary policies; and
  - Insureds under primary policies shall also be insureds under the umbrella or excess policies.
- 4. Workers' compensation insurance. CONTRACTOR shall maintain Workers' Compensation Insurance (Statutory Limits) and Employer's Liability Insurance (with limits of at least \$1,000,000) for CONTRACTOR's employees in accordance with the laws of the State of California, Section 3700 of the Labor Code. In addition, CONTRACTOR shall require each subcontractor to similarly maintain Workers' Compensation Insurance and Employer's Liability Insurance in accordance with the laws of the State of California, Section 3700 for all of the subcontractor's employees.

CONTRACTOR shall submit to CITY, along with the certificate of insurance, a Waiver of Subrogation endorsement in favor of CITY, its officers, agents, employees and volunteers.

**5. Pollution liability insurance.** Environmental Impairment Liability Insurance shall be written on a CONTRACTOR's Pollution Liability form or other form

acceptable to CITY providing coverage for liability arising out of sudden, accidental and gradual pollution and remediation. The policy limit shall be no less than \$1,000,000 dollars per claim and in the aggregate. All activities contemplated in this Agreement shall be specifically scheduled on the policy as "covered operations." The policy shall provide coverage for the hauling of waste from the project site to the final disposal location, including non-owned disposal sites.

Products/completed operations coverage shall extend a minimum of three (3) years after project completion. Coverage shall be included on behalf of the insured for covered claims arising out of the actions of independent contractors. If the insured is using subcontractors, the Policy must include work performed "by or on behalf" of the insured. Policy shall contain no language that would invalidate or remove the insurer's duty to defend or indemnify for claims or suits expressly excluded from coverage. Policy shall specifically provide for a duty to defend on the part of the insurer. The CITY, its officials, officers, agents, and employees, shall be included as insureds under the policy.

6. Builder's risk insurance. Upon commencement of construction and with approval of CITY, CONTRACTOR shall obtain and maintain builder's risk insurance for the entire duration of the Project until only the CITY has an insurable interest. The Builder's Risk coverage shall include the coverages as specified below.

The named insureds shall be CONTRACTOR and CITY, including its officers, officials, employees, and agents. All Subcontractors (excluding those solely responsible for design Work) of any tier and suppliers shall be included as additional insureds as their interests may appear. CONTRACTOR shall not be required to maintain property insurance for any portion of the Project following transfer of control thereof to CITY. The policy shall contain a provision that all proceeds from the builder's risk policy shall be made payable to the CITY. The CITY will act as a fiduciary for all other interests in the Project.

Policy shall be provided for replacement value on an "all risk" basis for the completed value of the project. There shall be no coinsurance penalty or provisional limit provision in any such policy. Policy must include: (1) coverage for any ensuing loss from faulty workmanship, Nonconforming Work, omission or deficiency in design or specifications; (2) coverage against machinery accidents and operational testing; (3) coverage for removal of debris, and insuring the buildings, structures, machinery, equipment, materials, facilities, fixtures and all other properties constituting a part of the Project; (4) Ordinance or law coverage for contingent rebuilding, demolition, and increased costs of construction; (5) transit coverage (unless insured by the supplier or receiving contractor), with sub-limits sufficient to insure the full replacement value of any key equipment item; (6) Ocean marine cargo coverage insuring any Project materials or supplies, if applicable; (7) coverage with sub-limits sufficient to insure the full replacement value of any property or equipment

stored either on or off the Site or any staging area. Such insurance shall be on a form acceptable to CITY to ensure adequacy of terms and sublimits and shall be submitted to the CITY prior to commencement of construction.

#### **B.** Other provisions or requirements

- 1. **Proof of insurance.** CONTRACTOR shall provide certificates of insurance to CITY as evidence of the insurance coverage required herein, along with a waiver of subrogation endorsement for workers' compensation. Insurance certificates and endorsements must be approved by CITY's risk manager prior to commencement of performance. Current certification of insurance shall be kept on file with CITY at all times during the term of this contract. CITY reserves the right to require complete, certified copies of all required insurance policies, at any time.
- 2. Duration of coverage. CONTRACTOR shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property, which may arise from or in connection with the performance of the Work hereunder by CONTRACTOR, his agents, representatives, employees or subcontractors. CONTRACTOR must maintain general liability and umbrella or excess liability insurance for as long as there is a statutory exposure to completed operations claims. CITY and its officers, officials, employees, and agents shall continue as additional insureds under such policies.
- **3. Primary/noncontributing.** Coverage provided by CONTRACTOR shall be primary and any insurance or self-insurance procured or maintained by CITY shall not be required to contribute with it. The limits of insurance required herein may be satisfied by a combination of primary and umbrella or excess insurance. Any umbrella or excess insurance shall contain or be endorsed to contain a provision that such coverage shall also apply on a primary and non-contributory basis for the benefit of CITY before the CITY's own insurance or self-insurance shall be called upon to protect it as a named insured.
- 4. CITY's rights of enforcement. In the event any policy of insurance required under this Agreement does not comply with these requirements or is canceled and not replaced, CITY has the right but not the duty to obtain the insurance it deems necessary and any premium paid by CITY will be promptly reimbursed by CONTRACTOR or CITY will withhold amounts sufficient to pay premium from CONTRACTOR payments. In the alternative, CITY may cancel this Agreement.
- **5.** Acceptable insurers. All insurance policies shall be issued by an insurance company currently authorized by the Insurance Commissioner to transact business of insurance or is on the List of Approved Surplus Line Insurers in the State of California, with an assigned policyholders' Rating of A- (or higher)

and Financial Size Category Class VII (or larger) in accordance with the latest edition of Best's Key Rating Guide, unless otherwise approved by the CITY's risk manager.

- 6. Waiver of subrogation. All insurance coverage maintained or procured pursuant to this agreement shall be endorsed to waive subrogation against CITY, its elected or appointed officers, agents, officials, employees and volunteers or shall specifically allow CONTRACTOR or others providing insurance evidence in compliance with these specifications to waive their right of recovery prior to a loss. CONTRACTOR hereby waives its own right of recovery against CITY, and shall require similar written express waivers and insurance clauses from each of its subconsultants.
- **7. Enforcement of contract provisions (non estoppel).** CONTRACTOR acknowledges and agrees that any actual or alleged failure on the part of the CITY to inform CONTRACTOR of non-compliance with any requirement imposes no additional obligations on the CITY nor does it waive any rights hereunder.
- 8. Requirements not limiting. Requirements of specific coverage features or limits contained in this Section are not intended as a limitation on coverage, limits or other requirements, or a waiver of any coverage normally provided by any insurance. Specific reference to a given coverage feature is for purposes of clarification only as it pertains to a given issue and is not intended by any party or insured to be all inclusive, or to the exclusion of other coverage, or a waiver of any type. If the CONTRACTOR maintains higher limits than the minimums shown above, the CITY requires and shall be entitled to coverage for the higher limits maintained by the CONTRACTOR. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the CITY.
- **9.** Notice of cancellation. CONTRACTOR agrees to oblige its insurance agent or broker and insurers to provide to CITY with a thirty (30) day notice of cancellation (except for nonpayment for which a ten (10) day notice is required) or nonrenewal of coverage for each required coverage.
- **10. Additional insured status**. General liability policies shall provide or be endorsed to provide that CITY and its officers, officials, employees, agents, and volunteers shall be additional insureds under such policies. This provision shall also apply to any excess/umbrella liability policies.
- **11. Prohibition of undisclosed coverage limitations.** None of the coverages required herein will be in compliance with these requirements if they include any limiting endorsement of any kind that has not been first submitted to CITY and approved of in writing.

- **12. Separation of insureds.** A severability of interests provision must apply for all additional insureds ensuring that CONTRACTOR's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the insurer's limits of liability. The policy(ies) shall not contain any cross-liability exclusions.
- **13. Pass through clause.** CONTRACTOR agrees to ensure that its subconsultants, subcontractors, and any other party involved with the project who is brought onto or involved in the project by CONTRACTOR, provide the same minimum insurance coverage and endorsements required of CONTRACTOR. CONTRACTOR agrees to monitor and review all such coverage and assumes all responsibility for ensuring that such coverage is provided in conformity with the requirements of this section. CONTRACTOR agrees that upon request, all agreements with consultants, subcontractors, and others engaged in the project will be submitted to CITY for review.
- 14. CITY's right to revise requirements. The CITY reserves the right at any time during the term of the contract to change the amounts and types of insurance required by giving the CONTRACTOR a ninety (90) day advance written notice of such change. If such change results in substantial additional cost to the CONTRACTOR, the CITY and CONTRACTOR may renegotiate CONTRACTOR's compensation.
- **15. Self-insured retentions.** Any self-insured retentions must be declared to and approved by CITY. CITY reserves the right to require that self-insured retentions be eliminated, lowered, or replaced by a deductible. Self-insurance will not be considered to comply with these specifications unless approved by CITY.
- **16. Timely notice of claims.** CONTRACTOR shall give CITY prompt and timely notice of claims made or suits instituted that arise out of or result from CONTRACTOR's performance under this Agreement, and that involve or may involve coverage under any of the required liability policies.
- **17. Additional insurance**. CONTRACTOR shall also procure and maintain, at its own cost and expense, any additional kinds of insurance, which in its own judgment may be necessary for its proper protection and prosecution of the Work.

# XI. <u>CONTRACTOR'S LICENSE</u>

CONTRACTOR must possess at the time of commencing work and throughout the Project duration, a Contractor's License, issued by the State of California, which is current and in good standing. CONTRACTOR shall ensure that any subcontractor working on the Project possesses at the time of commencing work and throughout the Project duration, a Contractor's License, issued by the State of California, which is current and in good standing.

#### XII. <u>REGISTRATION REQUIREMENTS</u>

A. Pursuant to Section 1771.1(a) of the Labor Code:

"A contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, as defined in this chapter, unless currently registered and qualified to perform public work pursuant to Section 1725.5. It is not a violation of this section for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded."

B. CONTRACTOR must be registered with the Department of Industrial Relations (DIR) of the State of California in order to be eligible to work on public works projects. CONTRACTOR must ensure registration with the DIR that is active and in good standing.

C. No contractor or subcontractor may be listed on a bid proposal for a public works project (submitted on or after March 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5 [with limited exceptions from this requirement for bid purposes only under Labor Code section 1771.1(a)].

No contractor or subcontractor may be awarded a contract for public work on a public works project (awarded on or after April 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5.

This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

D. The CONTRACTOR is not subject to public works requirements (including registration with the DIR) if the public works project is under \$1,000, unless the CITY knows that the same CONTRACTOR will be awarded total project costs in excess of \$1,000 for a given year.

#### XIII. CORPORATION IN GOOD STANDING

If CONTRACTOR is a corporation, the undersigned hereby represents and warrants that the corporation is duly incorporated and in good standing in the State of California, and that <u>(Insert Name)</u> whose title is <u>(Insert Title)</u> is authorized to act for and bind the corporation.

#### XIV. PROVISIONS REQUIRED BY LAW

Each and every provision of law and clause required by law to be inserted in this Agreement shall be deemed to be inserted herein and the Agreement shall be read and enforced as though it were included herein, and if through mistake or otherwise any such provision is not inserted, or is not currently inserted, then upon application of either party the Agreement shall forthwith be physically amended to make such insertion or correction.

#### XV. <u>SUBSURFACE HAZARDOUS MATERIALS</u>

- A. In the event trenches or other excavations extend deeper than four (4) feet below the surface, the CONTRACTOR shall promptly, and before the following conditions are disturbed, notify the CITY in writing of any:
  - 1. Material that the CONTRACTOR believes may be material that is hazardous waste, as defined in Section 25117 of the Health and Safety Code that is required to be removed to a Class I, Class II or Class III disposal site in accordance with the provisions of existing law.
  - 2. Subsurface or latent physical conditions at the site differing from those indicated.
  - 3. Unknown physical conditions at the site of any unusual nature, different materially from those ordinarily encountered and generally recognized as inherent in the Work or the character provided for in the CONTRACT.
- B. Upon receipt of said notification the CITY will investigate the conditions, and if it finds that the conditions do materially so differ, or do involve hazardous waste, and cause a decrease or increase in the CONTRACTOR's cost of or the time required for performance of any part of the work, the CITY will issue a change order under the procedures described in the General Conditions.
- C. In the event that a dispute arises between the CITY and the CONTRACTOR whether the conditions materially differ, or involve hazardous waste or cause a decrease or increase in the CONTRACTOR's cost of or time required for performance of any part of the work, the CONTRACTOR shall not be excused from any scheduled completion date provided for by the Agreement, but shall proceed with all work to be performed under the Agreement. The CONTRACTOR shall retain any and all rights provided either by Agreement or by law which pertain to the resolution of disputes and protests between the contracting parties.

# XVI. <u>COMPONENT PARTS OF THE CONTRACT</u>

This Agreement entered into consists of the following CONTRACT DOCUMENTS, all of which are component parts of the Agreement as if herein set out in full or attached hereto:

- Notice Inviting Bids
  Scope of Work Summary
  Information for Bidders
  Bid Form
  Non-Collusion Affidavit
  Site Visit Certification
  Faithful Performance Bond
  Labor and Materials Payment Bond
  General and Supplemental Conditions
  Special Conditions
  Project Construction Schedule
  Proposed Subcontractors
  Bid Bond
- Information Required of Bidder
  Construction Services Agreement
  Certificate Regarding Worker's
  Compensation
  Drug-free Workplace Certification
  Plans and Specifications
  Addenda
  Drawings
  Change Orders
  Shop Drawing Transmittals
  Contractor's Certificate Regarding
  Non-Asbestos Containing Materials

All of the above named CONTRACT DOCUMENTS are intended to be complementary. Work required by one of the above named CONTRACT DOCUMENTS and not by others shall be done as if required by all.

#### XVII. ENTIRE CONTRACT

This Agreement constitutes the entire contract of the parties. No other agreements or contracts, whether oral or written, pertaining to the work to be performed, exists between the parties. This Agreement can be modified only by an amendment in writing, signed by both parties.

[Signatures on following page.]

# SIGNATURE PAGE TO

### CITY OF BEAUMONT PUBLIC WORKS AGREEMENT (NAME OF CONTRACTOR)

# CITY:

# **CONTRACTOR:**

CITY OF BEAUMONT

By: \_\_\_\_\_

By: \_\_\_\_

Print Name: \_\_\_\_\_

Julio Martinez, Mayor

Title: \_\_\_\_\_

# ATTEST:

By:\_\_\_

Steven Mehlman, City Clerk

# **APPROVED AS TO FORM:**

By:\_\_\_

John O. Pinkney, City Attorney

# CITY OF BEAUMONT PUBLIC WORKS AGREEMENT (NAME OF CONTRACTOR)

# EXHIBIT "A"

# CITY'S INVITATION FOR BIDS DATED



Agenda Item No. 11. Design and Build of Council Chambers Furniture

# CITY OF BEAUMONT PUBLIC WORKS AGREEMENT (NAME OF CONTRACTOR)

# EXHIBIT "B"

CONTRACTOR'S Bid DATED



# CITY OF BEAUMONT PUBLIC WORKS AGREEMENT (NAME OF CONTRACTOR)

# EXHIBIT "C"

Project Construction Schedule



August 23, 2019

# ADDENDUM NO. 1

# To the Council Chambers Renovation Construction

# **Updated Information**

 Bidders are to be advised that there is a change to the due date of proposals. The due date of all proposals has been changed to Tuesday, September 3, 2019, no later than 5:00 p.m.

Proposals may be submitted via email or in person at City Hall, addressed as follows:

Nicole Wheelwright

550 E 6<sup>th</sup> Street

Beaumont, Ca 92223

NicoleW@BeaumontCa.gov

# **Contractor Questions and Responses**

- 1. What are the days and hours allowed on the job site?
  - Access inside City Hall can begin at 6:00 a.m. with authorization from the custodian on-site. Work can be conducted Monday through Thursday from 6:00 a.m. to 5:00 p.m.; Fridays from 6:00 a.m. to 2:00 p.m. Saturdays are only available on an as-needed basis from 7:00 a.m. to 2:00 p.m.

Agenda Item No. 11.

# CITY OF BEAUMONT PUBLIC WORKS AGREEMENT

(GV Construction, Inc.)

# EXHIBIT "B"

# CONTRACTOR'S Bid DATED September 3, 2019

GV CONSTRUCTION, INC 1381 HACKNEY STREET HEMET, CA 92543 951-225-3038 CALLGVC4U@GMAIL.COM

THANK YOU FOR THE OPPORTUNITY TO SUBMIT A BID FOR THE "DESIGN AND BUILD OF THE COUNCIL CHAMBER FURNITURE" FOR THE CITY OF BEAUMONT. THE RFP HAS BEEN READ IN GREAT DETAIL AND WE HAVE AN IN-DEPTH UNDERSTANDING OF THE WORK WHICH IS SPELLED OUT. WE LOOK FORWARD TO COMPLETING THIS WORK FOR THE CITY OF BEAUMONT. IN ACCORDANCE WITH THE DETAILS AS SPELLED OUT IN THE PLAN SET "BEAUMONT CITY COUNCIL CHAMBERS", GV CONSTRUCTION HAS DETERMINED THIS PROJECT A PERFECT FIT FOR OUR COMPANY AND SKILLSET. GV CONSTRUCTION IS EXCITED TO BE PART OF THIS PROJECT. IF YOU HAVE NOT FIGURED IT OUT BY NOW, WE ARE PROUD OF OUR WORK AND WHAT WE DO. I AM SURE THAT WHEN THIS PROJECT IS COMPLETE, THE CITY OF BEAUMONT REPRESENTATIVES WILL ALSO BE PROUD OF THEIR CHOOSING GV CONSTRUCTION.

PLEASE FIND ATTACHED TO THIS COVER LETTER OUR PROPOSAL FOR SAID WORK ACCORDING TO THE RFP THAT WAS SENT.

WE UNDERSTAND THAT THIS COVER LETTER CONSTITUTES CERTIFICATION BY GV CONSTRUCTION, INC (GARRETT VINYARD, CEO), 1381 HACKNEY STREET HEMET, CA 92543, 951-225-3038, THAT UNDER PENALTY OF PERJURY, THAT THE ABOVE NAMED CONSULTANT COMPLIES WITH NONDISCRIMINATION REQUIREMENTS OF THE STATE AND FEDERAL GOVERNMENT.

GV CONSTRUCTION, INC., A VETERAN OWNED BUSINESS, WAS ESTABLISHED IN 1997 TO SERVE THE PEOPLE OF THE HEMET/SAN JACINTO VALLEY AND ALL SURROUNDING AREAS FOR ALL OF THEIR CONSTRUCTION NEEDS. OUR FOCUS HAS ALWAYS BEEN MAKING OUR CLIENTS PROJECTS OUR OWN. WE SPECIALIZE IN TOP OF THE LINE, INNOVATIVE REMODELS BOTH RESIDENTIAL AND COMMERCIAL, TI WORK, ROOM ADDITIONS AND CUSTOM HOMES. GOING ABOVE AND BEYOND THE CLIENT'S EXPECTATIONS IS OUR GOAL.

GV CONSTRUCTION, INC. OPERATES UNDER THE OWNERSHIP AND LEADERSHIP OF GARRETT VINYARD, US ARMY VETERAN AND CEO. THE SUPERVISORY STAFF UNDER GARRETT IS KIM RODRIGUEZ, OPERATIONS MANAGER. OVER 30 YEARS EXPERIENCE.

#### PERSONNEL STAFF:

KIM RODRIQUEZ- OFFICE MANAGER AND GENERAL LABORER MAKING SURE THAT ATTENTION TO DETAIL IS FOLLOWED.

GARRETT NELSON- GENERAL LABORER SPECIALIZING IN TILE FLOORS, TILE SHOWERS, WOOD WORKING AND FINISH WORK. LATEST PROJECTS INCLUDE TILE FLOORS AND SHOWERS IN 3 CUSTOM HOMES. OVER 16 YEARS EXPERIENCE.

ESEQUIEL RODRIGUEZ- 20 YEAR VETERAN USMC, GENERAL LABORER SPECIALIZING IN FINISH WORK, CONCRETE, METAL & WELDING WORK. LATEST PROJECTS INCLUDE FINISH WORK IN 2 CUSTOM HOMES, WELDING AND BUILDING OF METAL GATES. OVER 15 YEARS EXPERIENCE.

CHARLIE BRUNELLO- VETERAN US NAVY, SPECIALIZING IN PLUMBING, PAINTING, AND FINISH WORK. LATEST PROJECTS INCLUDE INSTALLING ALL NEW PLUMBING ON 2 CUSTOM HOMES, ALL PAINTING OF NEW CUSTOM HOMES AS WELL AS FINISH WORK. OVER 25 YEARS EXPERIENCE.

JESSIE BLACKWELL- CARPENTRY, CABINETRY, FINISHED WOOD WORK. LATEST PROJECTS INCLUDE ALL CABINETS, CROWN MOLDING AND BASE BOARDS IN 2 CUSTOM HOMES. OVER 20 YEARS EXPERIENCE.

ROBERT SALGADO- WILL BE RESPONSIBLE FOR PROVIDING AND INSTALLING THE SPECIFIC CARPET THAT IS CALLED OUT IN THE RFP FOR THE COUNCIL CHAMBERS AND MEETING ROOM 2. OVER 30 YEARS EXPERIENCE.

#### SUB-CONTRACTORS:

HEMET VALLEY HEATING AND AIR (MARK CHANDLER)- RESPONSIBLE FOR ALL HEATING AND AIR ISSUES SPELLED OUT IN RFP.

BEDOY & SONS DRYWALL- WILL BE RESPONSIBLE FOR ALL DRYWALL REPAIR IN BOTH THE MEETING ROOM AND COUNCIL CHAMBERS, DRYWALL IN CEILING IN COUNCIL CHAMBER, MEETING ROOMS 2/3 AND PONY WALL IN THE COUNCIL CHAMBER.

LOST ART MARBLE AND GRANITE- WILL BE RESPONSIBLE FOR INSTALLATION OF

Agenda Item No. 11.

#### SOAPSTONE HARD SURFACES

#### **REFERENCES**:

- JOHN AND MARGIE OOSTDAM
   24953 THREE SPRINGS ROAD
   HEMET, CA 92545
   CUSTOM BUILT HOME
   909-938-9533
- STEVE AND SUSAN GUARINO
   26358 RIM ROAD
   HEMET, CA 92544
   CUSTOM BUILT HOME
   951-990-5680
- RICK AND PAM RAPISURA
   32600 BOOTLEGG RD
   WINCHESTER, CA 92596
   CUSTOM ROOM ADDITION
   951-551-3264
- APPLE URGENT CARE
   1207 E. FLORIDA AVE
   HEMET, CA 92543
   URGENT CARE REMODEL
   951-925-2523
- OAK TREE PLAZA

Agenda Item No. 11.

2888 E. FLORIDA Hemet, CA 92544

BROUGHT PLAZA UP TO CITY REQUIRED CODE

LAKE ELSINORE POST OFFICE
 500 W. GRAHAM
 LAKE ELSINORE, CA 92530
 REPAIRED BUILDING MULTIPLE TIMES FROM CARS CRASHING INTO BUILDING
 800-275-8777

# SCOPE OF SERVICE

GV CONSTRUCTION PROPOSES TO COMPLETE THE "DESIGN AND BUILD OF COUNCIL CHAMBER FURNITURE" PER APPROVED PLANS IN A PROFESSIONAL AND TIMELY MANNER. WE HAVE GONE THROUGH THE RFP AND PLAN SET MULTIPLE TIMES AND HAVE GAINED AN UNDERSTANDING OF WHAT IS EXPECTED OF US. WE CAN BEGIN WORK AT THE SAME TIME AS THE "COUNCIL CHAMBERS RENOVATION CONSTRUCTION" PROJECT". GV CONSTRUCTION WILL ADHERE TO PROPOSED TIME LINE AS FOLLOWS.

OCTOBER 17<sup>TH</sup> – BEGIN JOB, BEGIN BUILDING FURNITURE IN CONJUNCTION WITH COUNCIL CHAMBERS RENOVATION AND CONSTRUCTION PROJECT

NOVEMBER 22<sup>ND</sup> - JOB COMPLETE

COST PROPOSAL FROM GV CONSTRUCTION IS ATTACHED

GV Construction, Inc 1381 Hackney Street Hemet, CA 92543 callgvc4u@gmail.com www.gvc4u.com

# ADDRESS

City of Beaumont 560 E. 6th Street Beaumont, Ca 92223 Estimate 1015

DATE 09/03/2019

| DATE       | ACTIVITY                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | QTY | RATE      | AMOUNT    |
|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----------|-----------|
| 09/03/2019 | carpentry<br>Build new furniture for Council<br>Chambers. If furniture<br>construction is done in<br>conjunction with the pony<br>walls, we can build them right<br>into the construction. The<br>pony walls would need to<br>extend everywhere a desk is<br>going. The pony wall would<br>act as a privacy partition. We<br>could then cap with the walnut<br>to match top of pony walls on<br>plans. Desks would be faced<br>in walnut and desk tops would<br>be Silestone "Charcoal<br>Soapstone". All of the audio<br>visual coordination becomes<br>easier sense we can then just<br>run all conduit into the desks<br>themselves. This option saves<br>the city time and money. | 1   | 0.00      | 0.00      |
| 09/03/2019 | Sales<br>Man Hours                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 160 | 145.00    | 23,200.00 |
| 09/03/2019 | Sales<br>Materials                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |     | 16,800.00 | 16,800.00 |
| 09/03/2019 | P&O<br>Profit and Overhead 20%                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 1   | 8,000.00  | 8,000.00  |

\$48,000.00

Accepted By

Accepted Date

TOTAL

GV Construction, Inc 1381 Hackney Street Hemet, CA 92543 callgvc4u@gmail.com www.gvc4u.com

# ADDRESS

City of Beaumont 560 E. 6th Street Beaumont, Ca 92223 Estimate 1015

DATE 09/03/2019

| DATE       | ACTIVITY                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | QTY | RATE      | AMOUNT    |
|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----------|-----------|
| 09/03/2019 | carpentry<br>Build new furniture for Council<br>Chambers. If furniture<br>construction is done in<br>conjunction with the pony<br>walls, we can build them right<br>into the construction. The<br>pony walls would need to<br>extend everywhere a desk is<br>going. The pony wall would<br>act as a privacy partition. We<br>could then cap with the walnut<br>to match top of pony walls on<br>plans. Desks would be faced<br>in walnut and desk tops would<br>be Silestone "Charcoal<br>Soapstone". All of the audio<br>visual coordination becomes<br>easier sense we can then just<br>run all conduit into the desks<br>themselves. This option saves<br>the city time and money. | 1   | 0.00      | 0.00      |
| 09/03/2019 | <b>Sales</b><br>Man Hours                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 140 | 145.00    | 20,300.00 |
| 09/03/2019 | <b>Sales</b><br>Materials                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |     | 16,800.00 | 16,800.00 |
| 09/03/2019 | <b>P&amp;O</b><br>Profit and Overhead 20%                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 1   | 7,420.00  | 7,420.00  |



Accepted By

Accepted Date

# CITY OF BEAUMONT PUBLIC WORKS AGREEMENT (GV Construction, Inc.)

# EXHIBIT "C"

Project Construction Schedule

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#### CITY OF BEAUMONT PUBLIC WORKS AGREEMENT (Enko Systems Inc.)

This PUBLIC WORKS AGREEMENT ("Agreement") is made and effective October 1, 2019 by and between the City of Beaumont, a municipal corporation ("CITY"), and Enko Systems, Inc., a California Corporation ("CONTRACTOR"). In consideration of the mutual covenants and conditions set forth herein, the parties agree as follows:

# I. <u>SCOPE OF WORK</u>

The CONTRACTOR shall perform within the time set forth in Article 2 of this Agreement and shall furnish all labor, materials, equipment, tools, utility services, and transportation and perform and complete all work required in connection with the Design and Installation of Audio and Video Enhancement in Council Chambers and Overflow Project (hereinafter "Project"). CITY's Invitation for Bids ("Invitation") for the Project, dated August 13, 2019, and CONTRACTOR's Bid in response to the Invitation, dated September 3, 2019, are attached hereto as Exhibits :A" and "B", respectively and incorporated herein by this reference. The Scope of Work for the Project is set forth in the Invitation for Bids shall control. Any additional terms in the Bid that purport to bind the City to any additional terms not contained in this Agreement and related attachments shall not be binding on the City.

By entering into this Agreement, CONTRACTOR acknowledges that there may be other contractors on the site whose work will be coordinated with that of its own. CONTRACTOR expressly warrants and agrees that it will cooperate with other contractors and will do nothing to delay, hinder, or interfere with the work of other separate contractors, the CITY, the Construction Manager, the Engineer, or utilities. CONTRACTOR also expressly agrees that, in the event its work is hindered, delayed, interfered with, or otherwise affected by a separate contractor, its sole remedy will be a direct action against the separate contractor. To the extent allowed by law, the CONTRACTOR will have no remedy, and hereby expressly waives any remedy against the CITY, the Construction Manager (if any), and the Engineer on account of delay, hindrance, interference or other events.

# II. <u>TIME FOR PROJECT COMPLETION</u>

All of CONTRACTOR's work on the Project shall be completed within durations established for the individual activities as set forth in the Project Construction Schedule, attached hereto as Exhibit "C" and incorporated herein by this reference. All work shall commence ten (10) calendar days after receiving a written Notice of Award from the CITY or Construction Manager, if a Construction Manager is employed by CITY on the Project. CONTRACTOR shall refer to the invitations for bids, and Project Plans and Specifications, all of which, as set forth below, are incorporated herein by reference, for contractual obligations regarding individual activity durations.

# III. <u>THE CONTRACT SUM</u>

The CITY shall pay to the CONTRACTOR for the performance of this Agreement, subject to any additions and deductions provided in the Project documents, the lump sum of \$ 125,927.25 ("Contract Sum"). Except for change orders approved by City as provided in this Agreement, Contractor shall complete the Project for an amount not to exceed the Contract Sum.

# IV. <u>PROGRESS PAYMENTS</u>

Based upon Applications for Payment submitted to the Engineer by the CONTRACTOR and Certificates for Payment issued by the Engineer, the CITY shall make progress payments on account of the Contract Sum to the CONTRACTOR as provided in the General Conditions, which are fully incorporated into this Agreement by this reference.

This Agreement is subject to the provisions of Article 1.7 (commencing at Section 20104.50) of Division 2, Part 3 of the Public Contract Code regarding prompt payment of contractors by local governments. Article 1.7 mandates certain procedures for the payment of undisputed and properly submitted payment requests within 30 days after receipt, for the review of payment requests, for notice to Contractor of improper payment requests, and provides for the payment of interest on progress payment requests which are not timely made in accordance with that Article. This Agreement hereby incorporates the provisions of Article 1.7 as though fully set forth herein.

#### V. INDEMNITY, DEFENSE AND HOLD HARMLESS AGREEMENT

CONTRACTOR shall indemnify, defend with legal counsel approved by CITY, and hold harmless CITY, its officers, officials, employees and volunteers from and against all liability, loss, damage, expense, cost (including without limitation reasonable legal counsel fees, expert fees and all other costs and fees of litigation) of every nature arising out of or in connection with CONTRACTOR's negligence, recklessness or willful misconduct in the performance of work hereunder or its failure to comply with any of its obligations contained in this Agreement, except such loss or damage which is caused by the sole or active negligence or willful misconduct of the CITY. Should conflict of interest principles preclude a single legal counsel from representing both CITY and CONTRACTOR, or should CITY otherwise find CONTRACTOR's legal counsel unacceptable, then CONTRACTOR shall reimburse the CITY its costs of defense, including without limitation reasonable legal counsels fees, expert fees and all other costs and fees of litigation. The CONTRACTOR shall promptly pay any final judgment rendered against the CITY (and its officers, officials, employees and volunteers) with respect to claims determined by a trier of fact to have been the result of the CONTRACTOR's negligent, reckless or wrongful performance. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this Agreement.

CONTRACTOR obligations under this section apply regardless of whether or not such claim, charge, damage, demand, action, proceeding, loss, stop notice, cost, expense, judgment, civil fine or penalty, or liability was caused in part or contributed to by an Indemnitee. However, without affecting the rights of CITY under any provision of this agreement, CONTRACTOR shall not be required to indemnify and hold harmless CITY for liability attributable to the active negligence of CITY, provided such active negligence is determined by agreement between the parties or by the findings of a court of competent jurisdiction. In instances where CITY is shown to have been actively negligent and where CITY active negligence accounts for only a percentage of the liability involved, the obligation of CONTRACTOR will be for that entire portion or percentage of liability not attributable to the active negligence of CITY.

# VI. <u>PREVAILING WAGES</u>

- A. Contractor shall comply with all applicable laws and regulations relating to prevailing wages. Wage rates for this Project shall be in accordance with the "General Wage Determination Made By the Director of Industrial Relations Pursuant To California Labor Code, Part 7, Chapter 1, Article 2, Sections 1770, 1773 and 1773.1", for Riverside County. Wage rates shall conform with those posted at Beaumont City Hall and the Project site.
- B. The following Labor Code sections are hereby referenced and made a part of this Agreement:
  - 1. Section 1775 Penalty for Failure to Comply with Prevailing Wage Rates.
  - 2. Section 1777.4 Apprenticeship Requirements.
  - 3. Section 1777.5 Apprenticeship Requirements.
  - 4. Section 1813 Penalty for Failure to Pay Overtime.
  - 5. Sections 1810 and 1811 Working Hour Restrictions.
  - 6. Section 1775 Payroll Records.
  - 7. Section 1773.8 Travel and Subsistence Pay.

# VII. <u>RECORD AUDIT</u>

In accordance with Government Code, Section 8546.7, records of both the CITY and the CONTRACTOR shall be subject to examination and audit by the Auditor General for a period of three (3) years after final payment.

# VIII. FINAL PAYMENT

Final payment, constituting the entire unpaid balance of the Agreement Sum, shall be paid by the CITY to the CONTRACTOR no sooner than thirty-five (35) days after a Notice of Completion has been recorded, unless otherwise stipulated in the Notice of Completion, provided the work has then been completed, the Agreement fully performed, and a final Certificate for Payment has been issued by the Engineer.

### IX. <u>CONTRACTOR'S FAILURE TO PROCURE COMPLETION OF PROJECT</u>

In the event CONTRACTOR fails to furnish tools, equipment, or labor in the necessary quantity or quality, or fails to prosecute the work or any part thereof contemplated by this Agreement in a diligent and workmanlike manner, and if the CONTRACTOR for a period of three (3) calendar days after receipt of written demand from CITY or its designated representative to do so, fails to furnish tools, equipment, or labor in the necessary quantity or quality, and to prosecute its work and all parts thereof in a diligent and workmanlike manner, or after commencing to do so within said three (3) calendar days, fails to continue to do so; then the CITY may exclude the CONTRACTOR from the premises, or any portion thereof, and take possession of said premises or any portion thereof, together with all material and equipment thereon, and may complete the work contemplated by this Agreement or any portion of said work, either by furnishing the tools, equipment, labor or material necessary, or by letting the unfinished portion of said work, or the portion taken over by the CITY to another contractor or by a combination of such methods. In any event, the procuring of the completion of said work, or the portion thereof taken over by the CITY, shall be a charge against the CONTRACTOR, and may be deducted from any money due or becoming due to CONTRACTOR from the CITY, or the CONTRACTOR shall pay the CITY the amount of said charge, or the portion thereof unsatisfied. The sureties, provided for under this Agreement shall become liable for payment should CONTRACTOR fail to pay in full any said cost incurred by the CITY.

# X. <u>INSURANCE</u>

Prior to the beginning of and throughout the duration of the Project, CONTRACTOR and its subcontractors shall maintain insurance in conformance with the requirements set forth below. CONTRACTOR will use existing coverage to comply with these requirements. If that existing coverage does not meet the requirements set forth herein, CONTRACTOR agrees to amend, supplement or endorse the existing coverage to do so.

CONTRACTOR acknowledges that the insurance coverage and policy limits set forth in this section constitute the minimum amount of coverage required. Any insurance proceeds available to CONTRACTOR or its subcontractors in excess of the limits and coverage identified in this Agreement and which is applicable to a given loss, claim or demand, will be equally available to CITY.

# A. Types of Insurance

Without limiting CONTRACTOR's indemnification of CITY, and prior to commencement of Work, CONTRACTOR shall obtain, provide and maintain at its own expense during the term of this Agreement, policies of insurance of the type and amounts described below and in a form satisfactory to CITY:

**1. General liability insurance.** CONTRACTOR shall maintain commercial general liability insurance with coverage at least as broad as Insurance Services Office form CG 00 01, in an amount not less than \$1,000,000 per

occurrence, \$2,000,000 general aggregate, for bodily injury, personal injury, and property damage, and a \$2,000,000 completed operations aggregate. The policy must include contractual liability that has not been amended. Any endorsement restricting standard ISO "insured contract" language will not be accepted.

- 2. Automobile liability insurance. CONTRACTOR shall maintain automobile insurance at least as broad as Insurance Services Office form CA 00 01 covering bodily injury and property damage for all activities of the CONTRACTOR arising out of or in connection with Work to be performed under this Agreement, including coverage for any owned, hired, non-owned or rented vehicles, in an amount not less than \$1,000,000 combined single limit for each accident.
- **3.** Umbrella or excess liability insurance. If CONTRACTOR is using umbrella coverage to meet part of its liability insurance requirements under Paragraph 1 of this Section, CONTRACTOR shall obtain and maintain an umbrella or excess liability insurance that will provide bodily injury, personal injury, completed operations and property damage liability coverage at least as broad as the primary coverages set forth above, including commercial general liability and employer's liability. Such policy or policies shall include the following terms and conditions:
  - A drop down feature requiring the policy to respond in the event that any primary insurance that would otherwise have applied proves to be uncollectable in whole or in part for any reason;
  - Pay on behalf of wording as opposed to reimbursement;
  - Concurrency of effective dates with primary policies;
  - Policies shall "follow form" to the underlying primary policies; and
  - Insureds under primary policies shall also be insureds under the umbrella or excess policies.
- **4. Workers' compensation insurance.** CONTRACTOR shall maintain Workers' Compensation Insurance (Statutory Limits) and Employer's Liability Insurance (with limits of at least \$1,000,000) for CONTRACTOR's employees in accordance with the laws of the State of California, Section 3700 of the Labor Code. In addition, CONTRACTOR shall require each subcontractor to similarly maintain Workers' Compensation Insurance and Employer's Liability Insurance in accordance with the laws of the State of California, Section 3700 for all of the subcontractor's employees.

CONTRACTOR shall submit to CITY, along with the certificate of insurance, a Waiver of Subrogation endorsement in favor of CITY, its officers, agents, employees and volunteers.

**5. Pollution liability insurance.** Environmental Impairment Liability Insurance shall be written on a CONTRACTOR's Pollution Liability form or other form acceptable to CITY providing coverage for liability arising out of sudden, accidental and gradual pollution and remediation. The policy limit shall be no less than \$1,000,000 dollars per claim and in the aggregate. All activities contemplated in this Agreement shall be specifically scheduled on the policy as "covered operations." The policy shall provide coverage for the hauling of waste from the project site to the final disposal location, including non-owned disposal sites.

Products/completed operations coverage shall extend a minimum of three (3) years after project completion. Coverage shall be included on behalf of the insured for covered claims arising out of the actions of independent contractors. If the insured is using subcontractors, the Policy must include work performed "by or on behalf" of the insured. Policy shall contain no language that would invalidate or remove the insurer's duty to defend or indemnify for claims or suits expressly excluded from coverage. Policy shall specifically provide for a duty to defend on the part of the insurer. The CITY, its officials, officers, agents, and employees, shall be included as insureds under the policy.

6. Builder's risk insurance. Upon commencement of construction and with approval of CITY, CONTRACTOR shall obtain and maintain builder's risk insurance for the entire duration of the Project until only the CITY has an insurable interest. The Builder's Risk coverage shall include the coverages as specified below.

The named insureds shall be CONTRACTOR and CITY, including its officers, officials, employees, and agents. All Subcontractors (excluding those solely responsible for design Work) of any tier and suppliers shall be included as additional insureds as their interests may appear. CONTRACTOR shall not be required to maintain property insurance for any portion of the Project following transfer of control thereof to CITY. The policy shall contain a provision that all proceeds from the builder's risk policy shall be made payable to the CITY. The CITY will act as a fiduciary for all other interests in the Project.

Policy shall be provided for replacement value on an "all risk" basis for the completed value of the project. There shall be no coinsurance penalty or provisional limit provision in any such policy. Policy must include: (1) coverage for any ensuing loss from faulty workmanship, Nonconforming Work, omission or deficiency in design or specifications; (2) coverage against machinery accidents and operational testing; (3) coverage for removal of debris, and insuring the buildings, structures, machinery, equipment, materials, facilities, fixtures and all other properties constituting a part of the Project; (4) Ordinance or law coverage for contingent rebuilding, demolition, and increased costs of construction; (5) transit coverage (unless insured by the supplier or receiving contractor), with sub-limits sufficient to insure the full

replacement value of any key equipment item; (6) Ocean marine cargo coverage insuring any Project materials or supplies, if applicable; (7) coverage with sub-limits sufficient to insure the full replacement value of any property or equipment stored either on or off the Site or any staging area. Such insurance shall be on a form acceptable to CITY to ensure adequacy of terms and sublimits and shall be submitted to the CITY prior to commencement of construction.

## **B.** Other provisions or requirements

- 1. **Proof of insurance.** CONTRACTOR shall provide certificates of insurance to CITY as evidence of the insurance coverage required herein, along with a waiver of subrogation endorsement for workers' compensation. Insurance certificates and endorsements must be approved by CITY's risk manager prior to commencement of performance. Current certification of insurance shall be kept on file with CITY at all times during the term of this contract. CITY reserves the right to require complete, certified copies of all required insurance policies, at any time.
- 2. Duration of coverage. CONTRACTOR shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property, which may arise from or in connection with the performance of the Work hereunder by CONTRACTOR, his agents, representatives, employees or subcontractors. CONTRACTOR must maintain general liability and umbrella or excess liability insurance for as long as there is a statutory exposure to completed operations claims. CITY and its officers, officials, employees, and agents shall continue as additional insureds under such policies.
- **3. Primary/noncontributing.** Coverage provided by CONTRACTOR shall be primary and any insurance or self-insurance procured or maintained by CITY shall not be required to contribute with it. The limits of insurance required herein may be satisfied by a combination of primary and umbrella or excess insurance. Any umbrella or excess insurance shall contain or be endorsed to contain a provision that such coverage shall also apply on a primary and non-contributory basis for the benefit of CITY before the CITY's own insurance or self-insurance shall be called upon to protect it as a named insured.
- 4. CITY's rights of enforcement. In the event any policy of insurance required under this Agreement does not comply with these requirements or is canceled and not replaced, CITY has the right but not the duty to obtain the insurance it deems necessary and any premium paid by CITY will be promptly reimbursed by CONTRACTOR or CITY will withhold amounts sufficient to pay premium from CONTRACTOR payments. In the alternative, CITY may cancel this Agreement.

- **5.** Acceptable insurers. All insurance policies shall be issued by an insurance company currently authorized by the Insurance Commissioner to transact business of insurance or is on the List of Approved Surplus Line Insurers in the State of California, with an assigned policyholders' Rating of A- (or higher) and Financial Size Category Class VII (or larger) in accordance with the latest edition of Best's Key Rating Guide, unless otherwise approved by the CITY's risk manager.
- 6. Waiver of subrogation. All insurance coverage maintained or procured pursuant to this agreement shall be endorsed to waive subrogation against CITY, its elected or appointed officers, agents, officials, employees and volunteers or shall specifically allow CONTRACTOR or others providing insurance evidence in compliance with these specifications to waive their right of recovery prior to a loss. CONTRACTOR hereby waives its own right of recovery against CITY, and shall require similar written express waivers and insurance clauses from each of its subconsultants.
- **7. Enforcement of contract provisions (non estoppel).** CONTRACTOR acknowledges and agrees that any actual or alleged failure on the part of the CITY to inform CONTRACTOR of non-compliance with any requirement imposes no additional obligations on the CITY nor does it waive any rights hereunder.
- 8. Requirements not limiting. Requirements of specific coverage features or limits contained in this Section are not intended as a limitation on coverage, limits or other requirements, or a waiver of any coverage normally provided by any insurance. Specific reference to a given coverage feature is for purposes of clarification only as it pertains to a given issue and is not intended by any party or insured to be all inclusive, or to the exclusion of other coverage, or a waiver of any type. If the CONTRACTOR maintains higher limits than the minimums shown above, the CITY requires and shall be entitled to coverage for the higher limits maintained by the CONTRACTOR. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the CITY.
- **9.** Notice of cancellation. CONTRACTOR agrees to oblige its insurance agent or broker and insurers to provide to CITY with a thirty (30) day notice of cancellation (except for nonpayment for which a ten (10) day notice is required) or nonrenewal of coverage for each required coverage.
- **10. Additional insured status.** General liability policies shall provide or be endorsed to provide that CITY and its officers, officials, employees, agents, and volunteers shall be additional insureds under such policies. This provision shall also apply to any excess/umbrella liability policies.

- **11. Prohibition of undisclosed coverage limitations.** None of the coverages required herein will be in compliance with these requirements if they include any limiting endorsement of any kind that has not been first submitted to CITY and approved of in writing.
- **12. Separation of insureds.** A severability of interests provision must apply for all additional insureds ensuring that CONTRACTOR's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the insurer's limits of liability. The policy(ies) shall not contain any cross-liability exclusions.
- **13. Pass through clause.** CONTRACTOR agrees to ensure that its subconsultants, subcontractors, and any other party involved with the project who is brought onto or involved in the project by CONTRACTOR, provide the same minimum insurance coverage and endorsements required of CONTRACTOR. CONTRACTOR agrees to monitor and review all such coverage and assumes all responsibility for ensuring that such coverage is provided in conformity with the requirements of this section. CONTRACTOR agrees that upon request, all agreements with consultants, subcontractors, and others engaged in the project will be submitted to CITY for review.
- 14. CITY's right to revise requirements. The CITY reserves the right at any time during the term of the contract to change the amounts and types of insurance required by giving the CONTRACTOR a ninety (90) day advance written notice of such change. If such change results in substantial additional cost to the CONTRACTOR, the CITY and CONTRACTOR may renegotiate CONTRACTOR's compensation.
- **15. Self-insured retentions.** Any self-insured retentions must be declared to and approved by CITY. CITY reserves the right to require that self-insured retentions be eliminated, lowered, or replaced by a deductible. Self-insurance will not be considered to comply with these specifications unless approved by CITY.
- **16. Timely notice of claims.** CONTRACTOR shall give CITY prompt and timely notice of claims made or suits instituted that arise out of or result from CONTRACTOR's performance under this Agreement, and that involve or may involve coverage under any of the required liability policies.
- **17. Additional insurance**. CONTRACTOR shall also procure and maintain, at its own cost and expense, any additional kinds of insurance, which in its own judgment may be necessary for its proper protection and prosecution of the Work.

## XI. <u>CONTRACTOR'S LICENSE</u>

CONTRACTOR must possess at the time of commencing work and throughout the Project duration, a Contractor's License, issued by the State of California, which is current and in good standing. CONTRACTOR shall ensure that any subcontractor working on the Project possesses at the time of commencing work and throughout the Project duration, a Contractor's License, issued by the State of California, which is current and in good standing.

#### XII. <u>REGISTRATION REQUIREMENTS</u>

A. Pursuant to Section 1771.1(a) of the Labor Code:

"A contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, as defined in this chapter, unless currently registered and qualified to perform public work pursuant to Section 1725.5. It is not a violation of this section for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded."

B. CONTRACTOR must be registered with the Department of Industrial Relations (DIR) of the State of California in order to be eligible to work on public works projects. CONTRACTOR must ensure registration with the DIR that is active and in good standing.

C. No contractor or subcontractor may be listed on a bid proposal for a public works project (submitted on or after March 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5 [with limited exceptions from this requirement for bid purposes only under Labor Code section 1771.1(a)].

No contractor or subcontractor may be awarded a contract for public work on a public works project (awarded on or after April 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5.

This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

D. The CONTRACTOR is not subject to public works requirements (including registration with the DIR) if the public works project is under \$1,000, unless the CITY knows that the same CONTRACTOR will be awarded total project costs in excess of \$1,000 for a given year.

## XIII. CORPORATION IN GOOD STANDING

If CONTRACTOR is a corporation, the undersigned hereby represents and warrants that the corporation is duly incorporated and in good standing in the State of California, and that <u>(Insert Name)</u> whose title is <u>(Insert Title)</u> is authorized to act for and bind the corporation.

#### XIV. PROVISIONS REQUIRED BY LAW

Each and every provision of law and clause required by law to be inserted in this Agreement shall be deemed to be inserted herein and the Agreement shall be read and enforced as though it were included herein, and if through mistake or otherwise any such provision is not inserted, or is not currently inserted, then upon application of either party the Agreement shall forthwith be physically amended to make such insertion or correction.

#### XV. <u>SUBSURFACE HAZARDOUS MATERIALS</u>

- A. In the event trenches or other excavations extend deeper than four (4) feet below the surface, the CONTRACTOR shall promptly, and before the following conditions are disturbed, notify the CITY in writing of any:
  - 1. Material that the CONTRACTOR believes may be material that is hazardous waste, as defined in Section 25117 of the Health and Safety Code that is required to be removed to a Class I, Class II or Class III disposal site in accordance with the provisions of existing law.
  - 2. Subsurface or latent physical conditions at the site differing from those indicated.
  - 3. Unknown physical conditions at the site of any unusual nature, different materially from those ordinarily encountered and generally recognized as inherent in the Work or the character provided for in the CONTRACT.
- B. Upon receipt of said notification the CITY will investigate the conditions, and if it finds that the conditions do materially so differ, or do involve hazardous waste, and cause a decrease or increase in the CONTRACTOR's cost of or the time required for performance of any part of the work, the CITY will issue a change order under the procedures described in the General Conditions.
- C. In the event that a dispute arises between the CITY and the CONTRACTOR whether the conditions materially differ, or involve hazardous waste or cause a decrease or increase in the CONTRACTOR's cost of or time required for performance of any part of the work, the CONTRACTOR shall not be excused from any scheduled completion date provided for by the Agreement, but shall proceed with all work to be performed under the Agreement. The CONTRACTOR shall retain any and all rights provided either by Agreement or

by law which pertain to the resolution of disputes and protests between the contracting parties.

#### XVI. <u>COMPONENT PARTS OF THE CONTRACT</u>

This Agreement entered into consists of the following CONTRACT DOCUMENTS, all of which are component parts of the Agreement as if herein set out in full or attached hereto:

| Notice Inviting Bids                | Information Required of Bidder     |
|-------------------------------------|------------------------------------|
| Scope of Work Summary               | Construction Services Agreement    |
| Information for Bidders             | Certificate Regarding Worker's     |
| Bid Form                            | Compensation                       |
| Non-Collusion Affidavit             | Drug-free Workplace Certification  |
| Site Visit Certification            | Plans and Specifications           |
| Faithful Performance Bond           | Addenda                            |
| Labor and Materials Payment Bond    | Drawings                           |
| General and Supplemental Conditions | Change Orders                      |
| Special Conditions                  | Shop Drawing Transmittals          |
| Project Construction Schedule       | Contractor's Certificate Regarding |
| Proposed Subcontractors             | Non-Asbestos Containing Materials  |
| Bid Bond                            | -                                  |

All of the above named CONTRACT DOCUMENTS are intended to be complementary. Work required by one of the above named CONTRACT DOCUMENTS and not by others shall be done as if required by all.

# XVII. <u>ENTIRE CONTRACT</u>

This Agreement constitutes the entire contract of the parties. No other agreements or contracts, whether oral or written, pertaining to the work to be performed, exists between the parties. This Agreement can be modified only by an amendment in writing, signed by both parties.

[Signatures on following page.]

# **SIGNATURE PAGE TO**

# **CITY OF BEAUMONT** PUBLIC WORKS AGREEMENT (Enko Systems, Inc.)

# **CITY:**

# **CONTRACTOR:**

CITY OF BEAUMONT

By: \_\_\_\_\_

By: \_\_\_\_\_

Julio Martinez, Mayor

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

# **ATTEST:**

By:\_\_\_\_\_

Steven Mehlman, City Clerk

# **APPROVED AS TO FORM:**

By:\_\_\_\_\_

John O. Pinkney, City Attorney

Agenda Item No. 11.

# CITY OF BEAUMONT PUBLIC WORKS AGREEMENT (Enko Systems, Inc.)

# EXHIBIT "A"

# CITY'S INVITATION FOR BIDS DATED August 13, 2019

Agenda Item No. 11.

Website: BeaumontCa.gov

Address: 550 E. 6<sup>th</sup> Street Beaumont, CA 92223

> **Phone:** 951.769.8520

# **Request for Proposals**

Design and Installation of Audio and Video Enhancement in Council Chambers and Overflow

Proposals Due By:

5:00 pm Monday, September 2, 2019

# Mandatory Walk-Through:

Option of 11:00 am or 4:00 pm Monday, August 19, 2019

# Contact:

Nicole Wheelwright Deputy City Clerk <u>NicoleW@beaumontca.gov</u>

Edgar Trenado IT Manager ETrenado@beaumontca.gov



#### INTRODUCTION

The City of Beaumont ("City") requests written proposals for selection of a firm that specializes in audio and video design and installation for use of upgrading the City's Council Chambers and related areas for streaming public meetings to a government access channel.

This project will establish the equipment needed to initiate the City's first streamed meeting to a public access channel. A complete upgrade of audio and visual equipment will be needed for quality streaming.

These upgrades are also needed to enhance the meeting audio quality for the inhouse attendees. Upgrades and enhancement to equipment will encompass the City Council Chambers, "overflow room", and Civic Center hallways.

Firms submitting proposals must be prepared to enter into a contract for work to be provided and must obtain a city business license. Proposals will be accepted until the close of business at **5:00pm on Monday**, **September 2**, **2019**. Please address as follows:

Nicole Wheelwright Deputy City Clerk City of Beaumont 550 E 6<sup>th</sup> Street Beaumont, Ca 92223 **Bid Enclosed** 

#### BACKGROUND

The City of Beaumont Civic Center was originally built in the 1930's as a school building. The building has since been converted from classrooms to offices and now houses City administration offices, Council Chambers, and a large event hall.

The City of Beaumont is establishing the broadcast of a government channel. Upgrades to the current audio and video equipment is needed to be able to provide quality broadcasting.

#### PURPOSE AND SCOPE

The project includes the following locations within the Civic Center building:

- City Council Chambers
- Overflow Room (Room 2)
- Event Hall (Gymnasium)

The purpose for the audio and video upgrades will establish the equipment needed for

quality video to begin the City's first government access channel streaming. Channels have been established with Frontier, a cable company, and will be a major enhancement to the communication of information to the City's residents. The vision for the Civic Center audio and video enhancements will create a more welcoming space for the public to view meetings in person as well as the availability of streaming the government access channel with in the high traffic hallway of the Civic Center building.

This project will encompass two phases to ensure continuity of City meetings. The specific details of both phases are as follows:

#### <u>PHASE 1</u>

Establishing a mobile "kit" for use of audio and video recording of a meeting outside of the Council Chambers. This "kit" will be utilized immediately to conduct and record meetings in an alternate room while renovations take place in the Council Chambers. Current equipment may be utilized for this kit if possible. Phase 1 <u>must</u> be completed by October 31, 2019.

#### Tasks

Design and establish a mobile kit to utilize in the gymnasium for public meetings during renovation and any future largely attended meetings. Kit to include but not limited to:

Cameras (use of current cameras may be possible) Tripods Audio Equipment and compatible microphones 1 Projector for use in Room 2 1 High Lumen Projector for use in Gymnasium

# PHASE 2:

For purpose of conveying the project as a whole, the renovations to the Council Chambers, Overflow Room, and hallway of Civic Center will involve construction of an A/V monitoring room that will house server equipment and tech(s) for streaming of the meetings, a raising and replacement of the existing T-bar style ceiling and replacement of all current furniture. These tasks will be performed by an outside contractor but are noted here for purpose of clarity and logistical planning.

#### Tasks

Design and install a functional Audio/Video system to encompass all equipment needed for the dais and adjacent staff desks for purpose of conducting meetings, streaming audio and video to the Overflow Room and Civic Center hallway and cable broadcast. Dais and adjacent staff desks consist of 5 dais seats, 9 staff seats, and 1 public podium. Functions of this system shall include:

- 14 mounted gooseneck microphones with a mute/unmute switch capability at the base, as well as mute/unmute control from the A/V tech room. Installation of required wiring for such in coordination with the general contractor.
- 13 touch screen convertible laptops (may use 10 current Dell Inspirion 15 5000

series).

- 1 mounted monitor for display and presentation control feed in addition to a touch screen desktop computer at the Deputy City Clerk's desk space.
- 1 touch screen convertible laptop or touch screen monitor for use at the podium for key speakers with presentations.
- 4 Cameras with tilt, zoom and pan capabilities to capture the dais, staff, and speaker podium.
- Speakers for Council Chambers, Overflow Room and Hallway.
- Large monitor for in-house attendees to view agenda and presentations in the Council Chambers.
- Monitor for the use of Council to view agenda and presentation. (existing tv's may be used).
- Monitor for the use of live stream for in-house attendees to view meeting in the hallway and for constant streaming of government access channel during the day.
- Live feed to connect to an existing tv cart in Overflow Room.
- Option of replacement of all laptops for touch screen monitors with multiple input capability.
- Option of electronic name plates on the front of the dais.
- Audio aiding devices for ADA accommodations.
- Closed captioning capability for streamed video.
- Equipment to establish an audio/video control room to include but not limited to system power control, selection and control of source devices to be displayed, microphone muting, Chambers speaker volume, hallway speaker volume, and video source preview.
- Speak request notification system between dais members and clerk.
- Ability to toggle the power point presentation control between 3 staff seats, deputy city clerk seat and podium.
- Redesign and replacement of current lighting fixtures to LED fixtures to provide appropriate lighting for quality video picture and overall illumination of the Council Chambers.

#### MANDATORY PRE-BID WALK-THROUGH

A mandatory walk-through of the Council Chambers is required prior to submission of bid and is scheduled for **Monday**, **August 19**, **2019 with two time options**, **11:00 a.m. and 4:00 p.m.** This walk-through will give the opportunity to evaluate the current equipment and configuration of the Council Chambers and take measurements as needed.

#### PROPOSAL REQUIREMENTS

The proposal shall clearly address all of the information requested herein. To achieve a uniform review process and obtain the maximum degree of comparability, it is required that proposals be organized and contain all information as specified below.

- A. **Cover Letter:** Executive Summary which shall include an understanding of the scope of services. The cover letter must be signed by an official authorized to bind the consultant contractually and shall also provide the name, title, address, and telephone number of individuals with the authority to negotiate and contractually bind the consultant. The cover letter constitutes certification by the consultant, under penalty of perjury, that the consultant complies with nondiscrimination requirements of the State and Federal Government. An unsigned proposal or one signed by an individual unauthorized to bind the consultant may be rejected.
- B. Introduction/Information: Provide a description of the firm, including number of professional personnel, years in business, office location(s), organizational structure (e.g., corporation, partnership, sole practitioner, etc.), areas of particular expertise, etc. Description of the consulting firm's past and current experience with cities and counties; governmental regions, special districts, agencies, or similar entities; and/or major residential, economic, commercial, entertainment or historic development centers.
  - 1) Describe the consultant team and identify the specific personnel that will be assigned to the project and their roles, qualifications and relevant experience on projects within the past two (2) years.
  - 2) Identify the supervisory and management staff.
  - 3) Identify and describe the roles of any sub-contractors and provide relevant qualifications and experience for projects within the past two (2) years. Indicate how the quality of staff over the term of the agreement will be assured.
- C. **References:** Provide at least three (3) previous audio/visual design work of similar capacities.
- D. **Scope of Services:** Provide a description of the tasks, sub-tasks, and deliverables that will be provided. The Scope of Work should be presented in a logical format that can be easily attached to the final Agreement.
  - i) Project Schedule: Provide a comprehensive schedule describing the nature and estimated time line of proposed work objectives and milestones. Due to time constraints of this project, it is required that work **shall** commence no later than 30 days of award of contract. City Council is scheduled to award contracts on September 17, 2019.
- E. Cost Proposal: Provide detailed cost of services overview to include:
  - 1) Fixed prices for all costs associated within the scope of this proposal
  - 2) Detailed hourly rates of all members of the project
  - 3) Additional billable costs for non-specified tasks
  - 4) Total fees and expenses for the entire scope of the project
  - 5) Any area which proposers believe should be included in the scope of work in this proposal, but which is not stipulated in this RFP, and identifies the costs associated with the services rendered

F. The firm will be required to have professional liability insurance including liability at a minimum of one million per occurrence, worker's compensation, and vehicle coverage including comprehensive and collision insurance naming the City of Beaumont as additional insured. The proposal shall state whether such insurances will be in force at time of contract execution.

## **PROPOSAL SCHEDULE**

| TASK                | DUE DATE              |
|---------------------|-----------------------|
| Mandatory Walk-thru | August 19, 2019       |
| Proposal Due        | September 2, 2019     |
| Proposal Review     | September 3 – 9, 2019 |
| Award Contract      | September 17, 2019    |
| Expected Start Date | October 17, 2019      |

#### SUBMITTAL

Please provide proposal responses to items A - F no later than Monday, September 2, 2019 at 5:00 p.m.

Any proposal received after this deadline may be returned to the proposer as unacceptable. All proposals are to be clearly marked as described in the Introduction section.

Please review the entire proposal request before submitting your proposal. Incomplete submissions may be rejected as non-responsive. All questions must be submitted via email to the RFP contact listed on the front cover page of this RFP. Once submitted, proposals cannot be altered without prior written consent of the City. All costs associated with preparation of any proposal shall be the sole responsibility of the proposer. Each proposal shall be limited to a maximum of 15 pages, using minimum 12point font size.

# **PROPOSAL EVALUATION/SELECTION**

The City intends to engage the most qualified consultant available that demonstrates a thorough understanding of the City's needs. City staff will use the following criteria to evaluate the proposals:

- 1) Understanding the scope of services 2) Demonstrated professional skill and credentials
- 3) Related experience

Available Points = 10 Available Points = 15Available Points = 25

- 4) Timeline and start date availability
- 5) Proposed Fee

Available Points = 30 Available Points = 20

Total Points Available = 100

The City reserves the right to reject any and all proposals.

## CONFIDENTIALITY

Prior to the proposal submittal deadline, all proposals will be designated confidential to the extent permitted by the California Public Records Act. After the proposal submittal deadline, all responses will be regarded as public record and will be subject to review by the public. Any language purported to render confidential all or portions of the proposals will be regarded as non-effective and will be disregarded.

#### AMENDMENTS TO REQUEST FOR PROPOSALS

The City reserves the right to amend the RFP by addendum prior to the final proposal submittal date.

#### CONFLICT OF INTEREST

The Consultant shall disclose any personal or professional financial, business, or other relationships with the City that may have an impact on the outcome of this contract or any resulting project. The consultant shall also list current clients who may have a financial interest in the outcome of this contract.

#### **CITY OF BEAUMONT RIGHTS AND OPTIONS**

This RFP does not commit the City of Beaumont to award a contract, to pay any cost incurred with the preparation of a proposal or contract for services described herein. The City may, in its sole discretion and without any obligation to act reasonably, reject any and all proposals, waive informalities and minor irregularities in any proposal reviewed, negotiate with any qualified source submitting a proposal, extend deadlines, and/or request additional information. Subsequent to negotiations, prospective consultants may be required to submit revisions to their proposals. The City may reject any proposal that does not conform to the instructions provided in this RFP.

Additionally, the City reserves the right to negotiate all final terms and conditions of any proposal received before entering into final contract.

The City reserves the right to postpone selection for its own convenience, to withdraw this RFP at any time, and to reject any and all proposals without indicating any reason for such rejection. As a function of the RFP process, the City of Beaumont reserves the

right to remedy technical errors in response to the RFP and to modify the published scope of services and scope of work. The City of Beaumont will reserve the right to request that specific personnel with specific expertise be added to the team if the City determines that specific expertise is lacking in the project team. Proposals submitted in response to the RFP will not be returned.

# ATTACHMENTS

- A. Drafted Plans and Specifications Will be given at walk-thru
- B. Professional Services Contract sample

# Attachment B

#### CITY OF BEAUMONT PUBLIC WORKS AGREEMENT (NAME OF CONTRACTOR)

# I. <u>SCOPE OF WORK</u>

The CONTRACTOR shall perform within the time set forth in Article 2 of this Agreement and shall furnish all labor, materials, equipment, tools, utility services, and transportation and perform and complete all work required in connection with the <u>(DESCRIPTION OF PROJECT</u>) Project (hereinafter "Project"). CITY's Invitation for Bids ("Invitation") for the Project, dated <u>, 2017</u>, and CONTRACTOR's Bid in response to the Invitation, dated <u>, 2017</u>, are attached hereto as Exhibits :A" and "B", respectively and incorporated herein by this reference. The Scope of Work for the Project is set forth in the Invitation.

By entering into this Agreement, CONTRACTOR acknowledges that there may be other contractors on the site whose work will be coordinated with that of its own. CONTRACTOR expressly warrants and agrees that it will cooperate with other contractors and will do nothing to delay, hinder, or interfere with the work of other separate contractors, the CITY, the Construction Manager, the Engineer, or utilities. CONTRACTOR also expressly agrees that, in the event its work is hindered, delayed, interfered with, or otherwise affected by a separate contractor, its sole remedy will be a direct action against the separate contractor. To the extent allowed by law, the CONTRACTOR will have no remedy, and hereby expressly waives any remedy against the CITY, the Construction Manager (if any), and the Engineer on account of delay, hindrance, interference or other events.

# II. <u>TIME FOR PROJECT COMPLETION</u>

All of CONTRACTOR's work on the Project shall be completed within durations established for the individual activities as set forth in the Project Construction Schedule, attached hereto as Exhibit "C" and incorporated herein by this reference. All work shall commence ten (10) calendar days after receiving a written Notice of Award from the CITY or Construction Manager, if a Construction Manager is employed by CITY on the Project. CONTRACTOR shall refer to the invitations for bids, and Project Plans and Specifications, all of which, as set forth below, are incorporated herein by reference, for contractual obligations regarding individual activity durations.

#### III. <u>THE CONTRACT SUM</u>

The CITY shall pay to the CONTRACTOR for the performance of this Agreement, subject to any additions and deductions provided in the Project documents, the sum of \$\_\_\_\_\_.

#### IV. <u>PROGRESS PAYMENTS</u>

Based upon Applications for Payment submitted to the Engineer by the CONTRACTOR and Certificates for Payment issued by the Engineer, the CITY shall make progress payments on account of the Contract Sum to the CONTRACTOR as provided in the General Conditions, which are fully incorporated into this Agreement by this reference.

This Agreement is subject to the provisions of Article 1.7 (commencing at Section 20104.50) of Division 2, Part 3 of the Public Contract Code regarding prompt payment of contractors by local governments. Article 1.7 mandates certain procedures for the payment of undisputed and properly submitted payment requests within 30 days after receipt, for the review of payment requests, for notice to Contractor of improper payment requests, and provides for the payment of interest on progress payment requests which are not timely made in accordance with that Article. This Agreement hereby incorporates the provisions of Article 1.7 as though fully set forth herein.

### V. INDEMNITY, DEFENSE AND HOLD HARMLESS AGREEMENT

CONTRACTOR shall indemnify, defend with legal counsel approved by CITY, and hold harmless CITY, its officers, officials, employees and volunteers from and against all liability, loss, damage, expense, cost (including without limitation reasonable legal counsel fees, expert fees and all other costs and fees of litigation) of every nature arising out of or in connection with CONTRACTOR's negligence, recklessness or willful misconduct in the performance of work hereunder or its failure to comply with any of its obligations contained in this Agreement, except such loss or damage which is caused by the sole or active negligence or willful misconduct of the CITY. Should conflict of interest principles preclude a single legal counsel from representing both CITY and CONTRACTOR, or should CITY otherwise find CONTRACTOR's legal counsel unacceptable, then CONTRACTOR shall reimburse the CITY its costs of defense, including without limitation reasonable legal counsels fees, expert fees and all other costs and fees of litigation. The CONTRACTOR shall promptly pay any final judgment rendered against the CITY (and its officers, officials, employees and volunteers) with respect to claims determined by a trier of fact to have been the result of the CONTRACTOR's negligent, reckless or wrongful performance. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this Agreement.

CONTRACTOR obligations under this section apply regardless of whether or not such claim, charge, damage, demand, action, proceeding, loss, stop notice, cost, expense, judgment, civil fine or penalty, or liability was caused in part or contributed to by an Indemnitee. However, without affecting the rights of CITY under any provision of this agreement, CONTRACTOR shall not be required to indemnify and hold harmless CITY for liability attributable to the active negligence of CITY, provided such active negligence is determined by agreement between the parties or by the findings of a court of competent jurisdiction. In instances where CITY is shown to have been actively negligent and where CITY active negligence accounts for only a percentage of the liability involved, the obligation of CONTRACTOR will be for that entire portion or percentage of liability not attributable to the active negligence of CITY.

# VI. <u>PREVAILING WAGES</u>

- A. Contractor shall comply with all applicable laws and regulations relating to prevailing wages. Wage rates for this Project shall be in accordance with the "General Wage Determination Made By the Director of Industrial Relations Pursuant To California Labor Code, Part 7, Chapter 1, Article 2, Sections 1770, 1773 and 1773.1", for Riverside County. Wage rates shall conform with those posted at Beaumont City Hall and the Project site.
- B. The following Labor Code sections are hereby referenced and made a part of this Agreement:
  - 1. Section 1775 Penalty for Failure to Comply with Prevailing Wage Rates.
  - 2. Section 1777.4 Apprenticeship Requirements.
  - 3. Section 1777.5 Apprenticeship Requirements.
  - 4. Section 1813 Penalty for Failure to Pay Overtime.
  - 5. Sections 1810 and 1811 Working Hour Restrictions.
  - 6. Section 1775 Payroll Records.
  - 7. Section 1773.8 Travel and Subsistence Pay.

# VII. <u>RECORD AUDIT</u>

In accordance with Government Code, Section 8546.7, records of both the CITY and the CONTRACTOR shall be subject to examination and audit by the Auditor General for a period of three (3) years after final payment.

# VIII. FINAL PAYMENT

Final payment, constituting the entire unpaid balance of the Agreement Sum, shall be paid by the CITY to the CONTRACTOR no sooner than thirty-five (35) days after a Notice of Completion has been recorded, unless otherwise stipulated in the Notice of Completion, provided the work has then been completed, the Agreement fully performed, and a final Certificate for Payment has been issued by the Engineer.

#### IX. <u>CONTRACTOR'S FAILURE TO PROCURE COMPLETION OF PROJECT</u>

In the event CONTRACTOR fails to furnish tools, equipment, or labor in the necessary quantity or quality, or fails to prosecute the work or any part thereof contemplated by this Agreement in a diligent and workmanlike manner, and if the CONTRACTOR for a period of three (3) calendar days after receipt of written demand from CITY or its designated representative to do so, fails to furnish tools, equipment, or labor in the necessary quantity or quality, and to prosecute its work and all parts thereof in a diligent and workmanlike manner, or after commencing to do so within said three (3) calendar days, fails to continue to do so; then the CITY may exclude the CONTRACTOR from the premises, or any portion thereof, and take possession of said premises or any portion thereof, together with all material and equipment thereon, and may complete the work contemplated by this Agreement or any portion of said work, either by furnishing the tools, equipment, labor or material necessary, or by letting the unfinished portion of said work, or the portion taken over by the CITY to another contractor or by a combination of such methods. In any event, the procuring of the completion of said work, or the portion thereof taken over by the CITY, shall be a charge against the CONTRACTOR, and may be deducted from any money due or becoming due to CONTRACTOR from the CITY, or the CONTRACTOR shall pay the CITY the amount of said charge, or the portion thereof unsatisfied. The sureties, provided for under this Agreement shall become liable for payment should CONTRACTOR fail to pay in full any said cost incurred by the CITY.

#### X. INSURANCE

Prior to the beginning of and throughout the duration of the Project, CONTRACTOR and its subcontractors shall maintain insurance in conformance with the requirements set forth below. CONTRACTOR will use existing coverage to comply with these requirements. If that existing coverage does not meet the requirements set forth herein, CONTRACTOR agrees to amend, supplement or endorse the existing coverage to do so.

CONTRACTOR acknowledges that the insurance coverage and policy limits set forth in this section constitute the minimum amount of coverage required. Any insurance proceeds available to CONTRACTOR or its subcontractors in excess of the limits and coverage identified in this Agreement and which is applicable to a given loss, claim or demand, will be equally available to CITY.

#### A. Types of Insurance

Without limiting CONTRACTOR's indemnification of CITY, and prior to commencement of Work, CONTRACTOR shall obtain, provide and maintain at its own expense during the term of this Agreement, policies of insurance of the type and amounts described below and in a form satisfactory to CITY:

**1. General liability insurance.** CONTRACTOR shall maintain commercial general liability insurance with coverage at least as broad as Insurance Services Office form CG 00 01, in an amount not less than \$1,000,000 per occurrence,

\$2,000,000 general aggregate, for bodily injury, personal injury, and property damage, and a \$2,000,000 completed operations aggregate. The policy must include contractual liability that has not been amended. Any endorsement restricting standard ISO "insured contract" language will not be accepted.

- 2. Automobile liability insurance. CONTRACTOR shall maintain automobile insurance at least as broad as Insurance Services Office form CA 00 01 covering bodily injury and property damage for all activities of the CONTRACTOR arising out of or in connection with Work to be performed under this Agreement, including coverage for any owned, hired, non-owned or rented vehicles, in an amount not less than \$1,000,000 combined single limit for each accident.
- **3.** Umbrella or excess liability insurance. If CONTRACTOR is using umbrella coverage to meet part of its liability insurance requirements under Paragraph 1 of this Section, CONTRACTOR shall obtain and maintain an umbrella or excess liability insurance that will provide bodily injury, personal injury, completed operations and property damage liability coverage at least as broad as the primary coverages set forth above, including commercial general liability and employer's liability. Such policy or policies shall include the following terms and conditions:
  - A drop down feature requiring the policy to respond in the event that any primary insurance that would otherwise have applied proves to be uncollectable in whole or in part for any reason;
  - Pay on behalf of wording as opposed to reimbursement;
  - Concurrency of effective dates with primary policies;
  - Policies shall "follow form" to the underlying primary policies; and
  - Insureds under primary policies shall also be insureds under the umbrella or excess policies.
- 4. Workers' compensation insurance. CONTRACTOR shall maintain Workers' Compensation Insurance (Statutory Limits) and Employer's Liability Insurance (with limits of at least \$1,000,000) for CONTRACTOR's employees in accordance with the laws of the State of California, Section 3700 of the Labor Code. In addition, CONTRACTOR shall require each subcontractor to similarly maintain Workers' Compensation Insurance and Employer's Liability Insurance in accordance with the laws of the State of California, Section 3700 for all of the subcontractor's employees.

CONTRACTOR shall submit to CITY, along with the certificate of insurance, a Waiver of Subrogation endorsement in favor of CITY, its officers, agents, employees and volunteers.

**5. Pollution liability insurance.** Environmental Impairment Liability Insurance shall be written on a CONTRACTOR's Pollution Liability form or other form

acceptable to CITY providing coverage for liability arising out of sudden, accidental and gradual pollution and remediation. The policy limit shall be no less than \$1,000,000 dollars per claim and in the aggregate. All activities contemplated in this Agreement shall be specifically scheduled on the policy as "covered operations." The policy shall provide coverage for the hauling of waste from the project site to the final disposal location, including non-owned disposal sites.

Products/completed operations coverage shall extend a minimum of three (3) years after project completion. Coverage shall be included on behalf of the insured for covered claims arising out of the actions of independent contractors. If the insured is using subcontractors, the Policy must include work performed "by or on behalf" of the insured. Policy shall contain no language that would invalidate or remove the insurer's duty to defend or indemnify for claims or suits expressly excluded from coverage. Policy shall specifically provide for a duty to defend on the part of the insurer. The CITY, its officials, officers, agents, and employees, shall be included as insureds under the policy.

6. Builder's risk insurance. Upon commencement of construction and with approval of CITY, CONTRACTOR shall obtain and maintain builder's risk insurance for the entire duration of the Project until only the CITY has an insurable interest. The Builder's Risk coverage shall include the coverages as specified below.

The named insureds shall be CONTRACTOR and CITY, including its officers, officials, employees, and agents. All Subcontractors (excluding those solely responsible for design Work) of any tier and suppliers shall be included as additional insureds as their interests may appear. CONTRACTOR shall not be required to maintain property insurance for any portion of the Project following transfer of control thereof to CITY. The policy shall contain a provision that all proceeds from the builder's risk policy shall be made payable to the CITY. The CITY will act as a fiduciary for all other interests in the Project.

Policy shall be provided for replacement value on an "all risk" basis for the completed value of the project. There shall be no coinsurance penalty or provisional limit provision in any such policy. Policy must include: (1) coverage for any ensuing loss from faulty workmanship, Nonconforming Work, omission or deficiency in design or specifications; (2) coverage against machinery accidents and operational testing; (3) coverage for removal of debris, and insuring the buildings, structures, machinery, equipment, materials, facilities, fixtures and all other properties constituting a part of the Project; (4) Ordinance or law coverage for contingent rebuilding, demolition, and increased costs of construction; (5) transit coverage (unless insured by the supplier or receiving contractor), with sub-limits sufficient to insure the full replacement value of any key equipment item; (6) Ocean marine cargo coverage insuring any Project materials or supplies, if applicable; (7) coverage with sub-limits sufficient to insure the full replacement value of any property or equipment

stored either on or off the Site or any staging area. Such insurance shall be on a form acceptable to CITY to ensure adequacy of terms and sublimits and shall be submitted to the CITY prior to commencement of construction.

#### **B.** Other provisions or requirements

- 1. **Proof of insurance.** CONTRACTOR shall provide certificates of insurance to CITY as evidence of the insurance coverage required herein, along with a waiver of subrogation endorsement for workers' compensation. Insurance certificates and endorsements must be approved by CITY's risk manager prior to commencement of performance. Current certification of insurance shall be kept on file with CITY at all times during the term of this contract. CITY reserves the right to require complete, certified copies of all required insurance policies, at any time.
- 2. Duration of coverage. CONTRACTOR shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property, which may arise from or in connection with the performance of the Work hereunder by CONTRACTOR, his agents, representatives, employees or subcontractors. CONTRACTOR must maintain general liability and umbrella or excess liability insurance for as long as there is a statutory exposure to completed operations claims. CITY and its officers, officials, employees, and agents shall continue as additional insureds under such policies.
- **3. Primary/noncontributing.** Coverage provided by CONTRACTOR shall be primary and any insurance or self-insurance procured or maintained by CITY shall not be required to contribute with it. The limits of insurance required herein may be satisfied by a combination of primary and umbrella or excess insurance. Any umbrella or excess insurance shall contain or be endorsed to contain a provision that such coverage shall also apply on a primary and non-contributory basis for the benefit of CITY before the CITY's own insurance or self-insurance shall be called upon to protect it as a named insured.
- 4. CITY's rights of enforcement. In the event any policy of insurance required under this Agreement does not comply with these requirements or is canceled and not replaced, CITY has the right but not the duty to obtain the insurance it deems necessary and any premium paid by CITY will be promptly reimbursed by CONTRACTOR or CITY will withhold amounts sufficient to pay premium from CONTRACTOR payments. In the alternative, CITY may cancel this Agreement.
- **5.** Acceptable insurers. All insurance policies shall be issued by an insurance company currently authorized by the Insurance Commissioner to transact business of insurance or is on the List of Approved Surplus Line Insurers in the State of California, with an assigned policyholders' Rating of A- (or higher)

and Financial Size Category Class VII (or larger) in accordance with the latest edition of Best's Key Rating Guide, unless otherwise approved by the CITY's risk manager.

- 6. Waiver of subrogation. All insurance coverage maintained or procured pursuant to this agreement shall be endorsed to waive subrogation against CITY, its elected or appointed officers, agents, officials, employees and volunteers or shall specifically allow CONTRACTOR or others providing insurance evidence in compliance with these specifications to waive their right of recovery prior to a loss. CONTRACTOR hereby waives its own right of recovery against CITY, and shall require similar written express waivers and insurance clauses from each of its subconsultants.
- **7. Enforcement of contract provisions (non estoppel).** CONTRACTOR acknowledges and agrees that any actual or alleged failure on the part of the CITY to inform CONTRACTOR of non-compliance with any requirement imposes no additional obligations on the CITY nor does it waive any rights hereunder.
- 8. Requirements not limiting. Requirements of specific coverage features or limits contained in this Section are not intended as a limitation on coverage, limits or other requirements, or a waiver of any coverage normally provided by any insurance. Specific reference to a given coverage feature is for purposes of clarification only as it pertains to a given issue and is not intended by any party or insured to be all inclusive, or to the exclusion of other coverage, or a waiver of any type. If the CONTRACTOR maintains higher limits than the minimums shown above, the CITY requires and shall be entitled to coverage for the higher limits maintained by the CONTRACTOR. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the CITY.
- **9.** Notice of cancellation. CONTRACTOR agrees to oblige its insurance agent or broker and insurers to provide to CITY with a thirty (30) day notice of cancellation (except for nonpayment for which a ten (10) day notice is required) or nonrenewal of coverage for each required coverage.
- **10. Additional insured status**. General liability policies shall provide or be endorsed to provide that CITY and its officers, officials, employees, agents, and volunteers shall be additional insureds under such policies. This provision shall also apply to any excess/umbrella liability policies.
- **11. Prohibition of undisclosed coverage limitations.** None of the coverages required herein will be in compliance with these requirements if they include any limiting endorsement of any kind that has not been first submitted to CITY and approved of in writing.

- **12. Separation of insureds.** A severability of interests provision must apply for all additional insureds ensuring that CONTRACTOR's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the insurer's limits of liability. The policy(ies) shall not contain any cross-liability exclusions.
- **13. Pass through clause.** CONTRACTOR agrees to ensure that its subconsultants, subcontractors, and any other party involved with the project who is brought onto or involved in the project by CONTRACTOR, provide the same minimum insurance coverage and endorsements required of CONTRACTOR. CONTRACTOR agrees to monitor and review all such coverage and assumes all responsibility for ensuring that such coverage is provided in conformity with the requirements of this section. CONTRACTOR agrees that upon request, all agreements with consultants, subcontractors, and others engaged in the project will be submitted to CITY for review.
- 14. CITY's right to revise requirements. The CITY reserves the right at any time during the term of the contract to change the amounts and types of insurance required by giving the CONTRACTOR a ninety (90) day advance written notice of such change. If such change results in substantial additional cost to the CONTRACTOR, the CITY and CONTRACTOR may renegotiate CONTRACTOR's compensation.
- **15. Self-insured retentions.** Any self-insured retentions must be declared to and approved by CITY. CITY reserves the right to require that self-insured retentions be eliminated, lowered, or replaced by a deductible. Self-insurance will not be considered to comply with these specifications unless approved by CITY.
- **16. Timely notice of claims.** CONTRACTOR shall give CITY prompt and timely notice of claims made or suits instituted that arise out of or result from CONTRACTOR's performance under this Agreement, and that involve or may involve coverage under any of the required liability policies.
- **17. Additional insurance**. CONTRACTOR shall also procure and maintain, at its own cost and expense, any additional kinds of insurance, which in its own judgment may be necessary for its proper protection and prosecution of the Work.

# XI. <u>CONTRACTOR'S LICENSE</u>

CONTRACTOR must possess at the time of commencing work and throughout the Project duration, a Contractor's License, issued by the State of California, which is current and in good standing. CONTRACTOR shall ensure that any subcontractor working on the Project possesses at the time of commencing work and throughout the Project duration, a Contractor's License, issued by the State of California, which is current and in good standing.

#### XII. <u>REGISTRATION REQUIREMENTS</u>

A. Pursuant to Section 1771.1(a) of the Labor Code:

"A contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, as defined in this chapter, unless currently registered and qualified to perform public work pursuant to Section 1725.5. It is not a violation of this section for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded."

B. CONTRACTOR must be registered with the Department of Industrial Relations (DIR) of the State of California in order to be eligible to work on public works projects. CONTRACTOR must ensure registration with the DIR that is active and in good standing.

C. No contractor or subcontractor may be listed on a bid proposal for a public works project (submitted on or after March 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5 [with limited exceptions from this requirement for bid purposes only under Labor Code section 1771.1(a)].

No contractor or subcontractor may be awarded a contract for public work on a public works project (awarded on or after April 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5.

This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

D. The CONTRACTOR is not subject to public works requirements (including registration with the DIR) if the public works project is under \$1,000, unless the CITY knows that the same CONTRACTOR will be awarded total project costs in excess of \$1,000 for a given year.

#### XIII. CORPORATION IN GOOD STANDING

If CONTRACTOR is a corporation, the undersigned hereby represents and warrants that the corporation is duly incorporated and in good standing in the State of California, and that <u>(Insert Name)</u> whose title is <u>(Insert Title)</u> is authorized to act for and bind the corporation.

#### XIV. PROVISIONS REQUIRED BY LAW

Each and every provision of law and clause required by law to be inserted in this Agreement shall be deemed to be inserted herein and the Agreement shall be read and enforced as though it were included herein, and if through mistake or otherwise any such provision is not inserted, or is not currently inserted, then upon application of either party the Agreement shall forthwith be physically amended to make such insertion or correction.

#### XV. <u>SUBSURFACE HAZARDOUS MATERIALS</u>

- A. In the event trenches or other excavations extend deeper than four (4) feet below the surface, the CONTRACTOR shall promptly, and before the following conditions are disturbed, notify the CITY in writing of any:
  - 1. Material that the CONTRACTOR believes may be material that is hazardous waste, as defined in Section 25117 of the Health and Safety Code that is required to be removed to a Class I, Class II or Class III disposal site in accordance with the provisions of existing law.
  - 2. Subsurface or latent physical conditions at the site differing from those indicated.
  - 3. Unknown physical conditions at the site of any unusual nature, different materially from those ordinarily encountered and generally recognized as inherent in the Work or the character provided for in the CONTRACT.
- B. Upon receipt of said notification the CITY will investigate the conditions, and if it finds that the conditions do materially so differ, or do involve hazardous waste, and cause a decrease or increase in the CONTRACTOR's cost of or the time required for performance of any part of the work, the CITY will issue a change order under the procedures described in the General Conditions.
- C. In the event that a dispute arises between the CITY and the CONTRACTOR whether the conditions materially differ, or involve hazardous waste or cause a decrease or increase in the CONTRACTOR's cost of or time required for performance of any part of the work, the CONTRACTOR shall not be excused from any scheduled completion date provided for by the Agreement, but shall proceed with all work to be performed under the Agreement. The CONTRACTOR shall retain any and all rights provided either by Agreement or by law which pertain to the resolution of disputes and protests between the contracting parties.

## XVI. <u>COMPONENT PARTS OF THE CONTRACT</u>

This Agreement entered into consists of the following CONTRACT DOCUMENTS, all of which are component parts of the Agreement as if herein set out in full or attached hereto:

- Notice Inviting Bids
  Scope of Work Summary
  Information for Bidders
  Bid Form
  Non-Collusion Affidavit
  Site Visit Certification
  Faithful Performance Bond
  Labor and Materials Payment Bond
  General and Supplemental Conditions
  Special Conditions
  Project Construction Schedule
  Proposed Subcontractors
  Bid Bond
- Information Required of Bidder
   Construction Services Agreement
   Certificate Regarding Worker's
   Compensation
   Drug-free Workplace Certification
   Plans and Specifications
   Addenda
   Drawings
   Change Orders
   Shop Drawing Transmittals
   Contractor's Certificate Regarding
   Non-Asbestos Containing Materials

All of the above named CONTRACT DOCUMENTS are intended to be complementary. Work required by one of the above named CONTRACT DOCUMENTS and not by others shall be done as if required by all.

#### XVII. ENTIRE CONTRACT

This Agreement constitutes the entire contract of the parties. No other agreements or contracts, whether oral or written, pertaining to the work to be performed, exists between the parties. This Agreement can be modified only by an amendment in writing, signed by both parties.

[Signatures on following page.]

## SIGNATURE PAGE TO

## CITY OF BEAUMONT PUBLIC WORKS AGREEMENT (NAME OF CONTRACTOR)

# CITY:

# **CONTRACTOR:**

CITY OF BEAUMONT

By: \_\_\_\_\_

By: \_\_\_\_

Print Name: \_\_\_\_\_

Julio Martinez, Mayor

Title: \_\_\_\_\_

# ATTEST:

By:\_\_\_

Steven Mehlman, City Clerk

# **APPROVED AS TO FORM:**

By:\_\_\_

John O. Pinkney, City Attorney

# CITY OF BEAUMONT PUBLIC WORKS AGREEMENT (NAME OF CONTRACTOR)

# EXHIBIT "A"

# CITY'S INVITATION FOR BIDS DATED



Agenda Item No. 11.

Design and Installation of Audio and Video Enhancement in Council Chambers and Overflow

# CITY OF BEAUMONT PUBLIC WORKS AGREEMENT (NAME OF CONTRACTOR)

#### EXHIBIT "B"

CONTRACTOR'S Bid DATED



Agenda Item No. 11.

#### Design and Installation of Audio and Video Enhancement in Council Chambers and Overflow

# CITY OF BEAUMONT PUBLIC WORKS AGREEMENT (NAME OF CONTRACTOR)

# EXHIBIT "C"

Project Construction Schedule



August 23, 2019

## ADDENDUM NO. 1

## To the Design and Installation of Audio and Video Enhancement in Council Chambers and Overflow

### Updated Information

 Bidders are to be advised that there is a change to the due date of proposals. The due date of all proposals has been changed to Tuesday, September 3, 2019, no later than 5:00 p.m.

Proposals may be submitted via email or in person at City Hall, addressed as follows:

Nicole Wheelwright

550 E 6<sup>th</sup> Street

Beaumont, Ca 92223

NicoleW@BeaumontCa.gov

### **Contractor Questions and Responses**

- 1. What are the days and hours allowed on the job site?
  - Access inside City Hall can begin at 6:00 a.m. with authorization from the custodian on-site. Work can be conducted Monday through Thursday from 6:00 a.m. to 5:00 p.m.; Fridays from 6:00 a.m. to 2:00 p.m. Saturdays are only available on an as-needed basis from 7:00 a.m. to 2:00 p.m.

Agenda Item No. 11.

### CITY OF BEAUMONT PUBLIC WORKS AGREEMENT

(Enko Systems, Inc.)

### EXHIBIT "B"

#### CONTRACTOR'S Bid DATED September 3, 2019

(Insert behind this page.)

Proposal To:

## City of Beaumont

For:

## City of Beaumont - Civic Center AV Upgrades

September 3, 2019



CSLB C-7, C-10 LIC #: 691828 DIR #: 1000001947 ALARM LIC #: ACO 1739

Enko Systems, Inc



1001 S Arrowhead Ave

Integrated Electronic Systems

## Enko Systems, Inc

### COVER LETTER

Hi Nicole and City of Beaumont,

It was great to meet you! Thank you for the opportunity to submit this proposal for your Request to Upgrade the Civic Center Audio Visual Systems. After seeing your site, I have come up with a design that will provide you with the means to operate, record, and live stream your council meetings with the utmost ease and professionalism. In the following pages, you shall find our Proposed Scope of Work along with a few options for changes to allow some flexibility on budgeting, if need be. Listed below is a brief overview of the understanding of the scope of work.

#### PHASE I

We understand that minimizing downtime is a high priority so we would like to provide a mobile system capable of holding, recording, and streaming council meetings that can be utilized throughout the building in a "mobile fashion". We also propose to have on site technicians available for you during 8 council meetings to ensure your meetings run flawlessly during construction.

#### BOARDROOM

We want to provide you with a professional system in which the audio, video, and control system can work together in order to allow for an operator to effortlessly provide end users with the ability to display presentations form various sources for council review. We also submit to provide you with a 5-zone audio system to allow for the utmost clarity in vocals both for audience members and overflow members to receive messaging.

#### ROOM 2/HALLWAY/GYMNASIUM

Working as an overflow room as well as a stand alone room, we offer to provide a system in which audio and video can be routed from the main boardroom to these overflow rooms in order to provide the most flexibility and maximize your purchasing power. Integrating all rooms together enables us to design a system in which you would not be required to purchase "multiple independent systems", thus ultimately keeping the budget lower.

#### SUMMARY

We trust that this proposal answers all your needs. We understand that AV systems can be made of complex dials and knobs and plugs... and...and...(dot dot dot) - We strive to provide our customers with a high tech system integrated so that you may easily utilize your spaces on a daily basis. Please let us know if there are any questions I can answer, or if you would like to make a time together to go over this proposal in more detail. We can make adjustments to the features, design, and components until it meets your needs.

Regards,

Enko Systems, Inc 1001 S Arrowhead Ave San Bernardino, CA 92408 (909) 885-7771

## About Us

For over 35 years Enko Systems has provided Audio/Video, Fire Alarm, Data, Security, Access Control, Theatrical Lighting and Control Systems to clients throughout the Inland Empire and Surrounding Cities. As a true integration firm, we have prided ourselves on making your systems work FOR you.



## Our History

Enko Systems was founded in 1981 through a love of electronics. Originally, Enko Systems primarily focused on voice and POTS solutions and quickly transitioned into Fire alarm systems. After operating for a few years within the realm of Fire Alarms, Enko Systems decided to make the jump into being a fullfledged low voltage systems contractor.



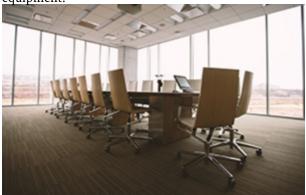
## **Our Services**

We aim to be a one-stop-shop for all your Low Voltage and Integration needs, from Fire Alarm, Data, Security, Access Control, Audio/Video, Theatrical Lighting and Integration. We have a full design team, as well as fabrication shops to keep your project inhouse from paper to commissioning. We also have a full service and testing team to make sure your systems continue to run at peak performance.



## Our Team

With over 45 employees across 6 different divisions of Low Voltage, our team consists of some of the most versatile technicians in the industry. With multiple certifications in all facets of the Low Voltage trade, our company is constantly staying up-to-date with the most recent knowledge bases available to us via our relationship with over 200 manufacturers of equipment.



## Our Goal

Enko Systems strives to build personal relationships with each one of its customers. Sometimes, the corporate world can be a struggle to work with and every decision may seem like it would require many hoops to jump through. Enko systems has always had the philosophy of "Small But Mighty". We work hard to make sure you get to know Enko Systems as an extension of your "business family".

Page 473 of 647

## **PREVIOUS WORK**

## Agenda Item No. 11. Enko Systems, Inc

For over 35 years Enko Systems, Inc has provided Audio, Video, Theatrical Lighting and Control Systems to clients throughout the Inland Empire and Surrounding Areas. With countless system designs and installations like the ones below, you know you can count on us to bring your project to life.

Let us help you create a technical experience that your clients will remember for years to come.



#### Riverside County Emergency Operations Center

Indio, CA

Dubbed the East County Emergency Operations Center, this site serves as a command center for Riverside County. Boasting a 16-panel matrix video wall, the site is fully automated and controlled via Crestron to enable simple control of more than 32 news sources to display to the EOC team. Our team was interviewed and featured in Sound and Communication Magazine, April 2019 for the installation of this project.



SBCUSD Professional Development Center

San Bernardino, CA

Built with flexibility in mind, this training facility utilizes 3 large meeting rooms, each complete with 5 displays as well as projector lifts and motorized screens, to allow for multiple room configurations. Sensors and programming allow for the AV system to work whether the rooms are separated or combined. Each room also has a PTZ camera that feeds to a Master Control room to allow an operator to independently monitor and control each room's Audio and Video system.



#### Inland Regional Center, Boardroom

San Bernardino, CA

Tailoring to our client's request for minimized distraction and maximized efficiency during council meetings, Enko Systems provided IRC with an AV System capable of mic muting, Request to Speak, timer expiration muting, and master control via Crestron touchpanels and processing to allow for clear and structured council meetings. The room also consisted of 12 microphones and 3 speaker zones to allow for clarity and comprehension in all audience areas.



#### **SBCUSD Board of Education (In Progress)**

San Bernardino, CA

Featuring the largest Council Room AV System Enko Systems has had the pleasure of building, the SBCUSD BoE Building will contain a Dais with seating for 25, all with independent microphones, control touchpanels, video inputs and outputs, as well as a Master Control system to manage all AV material. Complete with 4 PTZ cameras and recorders/streaming devices, the SBCUSD will be able to record and stream a multicamera production to its local viewers within the building as well as its remote viewers via streaming services. Page 474 of 647

## **PREVIOUS WORK**

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#### Etiwanda High School Performing Arts Center

<u>Rancho Cuca</u>monga

**Enko Systems, Inc** 

Agenda Item No. 11.

Built from the ground up, the Etiwanda High School Performing Arts Center features a full AV integration including EAW Left, Right, Center fills with an Extron video matrix and Control System. This enables our client to operate the facility in a wide range of use-cases including theatrical shows, livemusic performances, movie nights, and corporate/board meetings.



#### Yucaipa Performing Arts Center

Yucaipa, CA

Blythe, CA

Tailoring to the client's desire to put Yucaipa on the map for the Arts, this venue is a complete "send anything, anywhere" venue. Featuring a complete indoor theatre with projection as well as an outdoor amphitheatre utilizing a 30' x 20' LED wall, this venue is capable is hosting the smallest of banquets to the largest of concerts, as proven by Foghat and Blues Traveler.



#### St. Joan of Arc

Small towns still need big images. That's why St. Joan of Arc reached out to us to help them with their needs of displaying liturgy and imagery to its congregation. This facility features 4 LED TV's and 1 Projection screen along with cameras and control systems for easy operation. Complete Audio and Video Upgrade for the City of Beaumont Civic Center and Council Chambers.

The scope of this proposal is to provide the following system capabilities including all necessary equipment, installation, wiring, terminations, testing, programming, configuring/tuning, and training. All systems and scopes specified shall be complete with new equipment unless otherwise specifically stated within the scope of service. All work shall commence no later than 30 days after contract award. Phase I "Mobile Flypack" shall be complete and operational no later than October 29th, 2019. Phase II shall be complete no later than 60 days after completion of all millwork, framing, and finish work that shall be provided by others.

#### Mobile Kit

-Provide a mobile operating broadcast solution ("Flypack") to allow for recording and broadcasting of a board meeting or similar function utilizing (2) Owner Furnished Blackmagic Pocket Cinema Cameras, (1) Owner Furnished Blackmagic ATEM Studio Switcher, and all necessary equipment and accessories provided by Enko Systems. Flypack to provide ability of a two-camera, two microphone video shoot with recording to a Black Magic Recorder. The Flypack shall include the ability to livestream to a network service, as well as record via SD card and uploaded to customer provided broadcast service platform at a later time. Live Video from Flypack shall have the ability to be sent to local room displays (Room 2 and Gymnasium). Enko Systems shall provide an 8000-lumens projector in Gymnasium with video capability to accept Flypack video feed as well as Boardroom video feeds once Phase II construction is completed.

-Provide on-site technician for up to eight (8) board meetings (max 3 hour session) to assist with setup/operation/strike/configuration of any temporary AV equipment necessary for council meeting recording and streaming during the construction phase.

#### Audio

-Provide a microphone package complete with 16 microphones, 15 of which to be used for the Dais, Staff Members, and Lectern positions, and 1 of which to be a wireless "roving" microphone for general use.

-Provide a Head End Audio/Control System with a control processors and equipment to control (5) Zones of Audio (Dais Seating Area, Audio Booth, Hallway Overflow, and "Room 2" Overflow). Control System shall allow for ease of use for an operator to control mic mutes and volumes, speaker zone mutes and levels, and request to speak controls. Enko Systems shall provide all equipment necessary to provide an assistive listening system as required by the American Disabilities Act within the State of California.

#### Video

-Provide a Video System with the ability for users to connect an HDMI capable source at (7) locations - three (3) of which to be at the Dais/Staff seating area, one (1) of which to be at the Deputy Clerk seating location, one (1) of which to be at the lectern, one (1) of which to be in "Room 2" and one (1) of which to be in the Gymnasium. Video System shall include HDMI video outputs at eight (8) locations - four of which to be located at the four (4) Boardroom Displays (1 output at each display), one (1) location at the Gymnasium projector, one (1) located in "Room 2" for use with overflow displays/mobile cart, one (1) to be located at the Hallway Display location, one (1) to be located at the Deputy Clerk monitor location (Monitor provided by Enko Systems), and one (1) to be located at the Deputy Clerk seat location to display on an Enko Systems provided monitor.

-Move four (4) existing Boardroom displays to and provide necessary hardware to mount in locations according to Bidset floorplans. Final location to be determined and coordinated with other trades and construction restrictions and shall be agreed upon by City and Enko Systems prior to installation.

-Provide one (1) 55" Display in the Hallway, with necessary mounting hardware to mount to ceiling, to allow for viewing of Boardroom video content.

-As stated above, provide one (1) 8000-lumens projector in Gymnasium, mounted to building ceiling/support structure. Projector shall have ability to display any of the following sources: local Gymnasium wall input (Flypack or laptop input), any of the Dais/Staff/Lectern laptop inputs, or the Master output of the production switcher.

-Provide four (4) PTZ cameras in the Boardroom, in locations sufficient to provide adequate coverage of all presentation/focal point locations including all Dais/Staff seating areas, lectern area, and whiteboard areas. These four cameras shall have PTZ controls from a single joystick/control surface in the Control Booth for ease of use.

-Provide a multiformat presentation switcher and recorder capable of live switching and recording the four above mentioned PTZ cameras and the various presentation inputs such as Powerpoints and video material generated form a customer supplied/user laptop. City shall have ability to record to SD card for post production use or upload to City servers and service platforms.

-Provide (4) Dell Inspiron 15 5000 convertible laptops - three (3) of which to be located at Dais/Staff seating area and one (1) of which to be located at lectern. Devices shall be provided in a flat "out of the box" configuration and will require City configurations of security and network processes and protocols

-Closed captioning capabilities, hardware, and software shall be excluded from the scope and shall be provided by others. Enko Systems recommends the use of YouTube's automatic speech to text captioning abilities for LiveStream caption options as well as YouTube's ability for SRT file uploads given the City's mention of using YouTube as a streaming platform.

#### Lighting

-Provide a lighting system that provides adequate general room lighting utilizing dimmable LED par cans. Lighting system shall consist of three zones (1 for the Dais/Staff seating area, 1 for the audience areas in the boardroom, and 1 for the Audio/Control Room).

-Provide an installed broadcast quality lighting package that provides a lighting tone and coloring consistent with small-medium size broadcast industry standards. Lighting tone and color control shall allow for flexibility in white balance tones and color temperature correction. This lighting package shall consist of ceiling mounted wash fixtures in the Dais/Staff seating area focused on the Board/Staff members.

### ACCEPTANCE

### **FINANCIAL**

PAYMENT SCHEDULE Ра

| Payment terms are NET 30                                                         | PROJECT TOTAL               | \$175,080.21 |
|----------------------------------------------------------------------------------|-----------------------------|--------------|
|                                                                                  |                             |              |
| <b>OPTIONS</b> Not included in the project total. Initial to the left to add the | e option to your project.   |              |
| REMOVE E                                                                         | BROADCAST LIGHTING PACKAGE  | -\$11,489.85 |
| ADDITIONA                                                                        | AL TOUCHPANEL IN GYMNASIUM  | +\$4,384.13  |
| SUBSTITUTE FOUR PTZ CAMERAS WITH                                                 | 3 STATIC AND ONE PTZ CAMERA | +\$1,010.54  |
| ADD VGA CAPABILITY                                                               | TO DAIS/LECTERN VIDEO INPUT | +\$2,429.33  |

### TERMS

I accept this proposal and hereby authorize Enko Systems, Inc to proceed with the installation of the included systems at the facilities constructing at 550 E. 6th Street Beaumont, CA 92223 as described in the totality of this document. I understand that the listed Project Total excludes any DSA approval, permits, installation or coordination of conduit, backboxes, rings, floor boxes, flanges, trimplates, and cable tray unless otherwise specifically stated within the contents of this document. I further understand that any 110VAC, drywall, paint, and demolition is excluded from this contract unless otherwise noted within this document. If Payment Bonds are required, I understand a 3% fee will be applied to the Total Amount as listed above. I further authorize Enko Systems, Inc to be granted the facility access that will be required to complete this project in a workmanlike and timely manner and for payment to be made to Enko Systems, Inc. In keeping with the Terms of Payment listed above. It has been made clear to me that there exist no understandings regarding this project with any relevant party unless and until City of Beaumont and Enko Systems, Inc agree to such additional or alternate understandings in writing. Project cost and pricing are dependent upon a continual flow of work without interruption or delays imposed by City of Beaumont or their staff, construction, other building trades or any other party, and additional costs may be incurred by City of Beaumont from Enko Systems, Inc. If such delays result in additional costs that are not covered by the pricing in this proposal. I agree that any additions to and/or deletions from the materials and labor to be provided by my acceptance of this proposal and any resulting change(s) in cost of this project shall only be by way of written change order(s) and shall be valid only after being signed by City of Beaumont and Enko Systems, Inc. This proposal is valid only if accepted in writing by City of Beaumont and deposit payment received no later than September 25, 2019.

## Enko Systems, Inc

### ACCEPTANCE

CITY OF BEAUMONT

| SIGNED            | DATE  |
|-------------------|-------|
| PRINT NAME        | TITLE |
| ENKO SYSTEMS, INC |       |
|                   |       |
| SIGNED            | DATE  |
| PRINT NAME        | TITLE |

Proposal To:

## City of Beaumont

For:

## City of Beaumont - Civic Center AV Upgrades

September 20, 2019



CSLB C-7, C-10 LIC #: 691828 DIR #: 1000001947 ALARM LIC #: ACO 1739

Enko Systems, Inc



1001 S Arrowhead Ave

Integrated Electronic Systems

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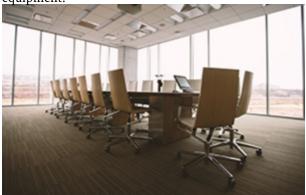
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Page 481 of 647

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Rancho Cucamonga

**Enko Systems, Inc** 

Agenda Item No. 11.

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Yucaipa, CA

Blythe, CA

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#### Mobile Kit

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#### Audio

-Provide a microphone package complete with 15 microphones, 14 of which to be used for the Dais, Staff Members, and Lectern positions, and 1 of which to be a wireless "roving" microphone for general use.

-Provide a Head End Audio/Control System with a control processors and equipment to control (3) Zones of Audio (Dais Seating Area, Audience Seating Area, Audio Booth). Control System shall allow for ease of use for an operator to control mic mutes and volumes, speaker zone mutes and levels, and request to speak controls via either of two (2) touchpanels, one mounted at Deputy Clerk location and one mounted in Audio Booth location. Enko Systems shall provide all equipment necessary to provide an assistive listening system as required by the American Disabilities Act within the State of California.

#### Video

-Provide a Video System with the ability for users to connect an HDMI capable source at three (3) locations - one (1) of which to be at the Deputy Clerk seating area, one (1) of which to be at the Mayor seating location, and one (1) of which to be at the lectern. Video System shall include HDMI video outputs at (X) locations - three of which to be located at the three (3) Boardroom Displays (1 output at each display), one (1) to be located at the Hallway Display location, one (1) to be located at the Room 2 display location (display and mount provided by Enko Systems), and one (1) to be located at the Deputy Clerk seat location to display on an Enko Systems provided monitor.

-Move four (4) existing Boardroom displays to and provide necessary hardware to mount in locations according to Bidset floorplans. Final location to be determined and coordinated with other trades and construction restrictions and shall be agreed upon by City and Enko Systems prior to installation.

-Provide one (1) 55" Display in the Hallway, with necessary mounting hardware to mount to ceiling, to allow for viewing of Boardroom video content.

-Provide two (2) PTZ cameras and one (1) fixed camera in the Boardroom, in locations sufficient to provide adequate coverage of all presentation/focal point locations including all Dais/Staff seating areas, lectern area, and whiteboard areas. The two PTZ cameras shall have controls from a single joystick/control surface in the Control Booth for ease of use. Final locations to be confirmed with City prior to installation.

-Provide a multiformat presentation switcher and recorder capable of live switching and recording the four above mentioned PTZ cameras and the various presentation inputs such as Powerpoints and video material generated form a customer supplied/user laptop. City shall have ability to record to SD card for post production use or upload to City servers and service platforms.

-Provide (4) Dell Inspiron 15 5000 convertible laptops - three (3) of which to be located at Dais/Staff seating area and one (1) of which to be located at lectern. Devices shall be provided in a flat "out of the box" configuration and will require City configurations of security and network processes and protocols

-Closed captioning capabilities, hardware, and software shall be excluded from the scope and shall be provided by others. Enko Systems recommends the use of YouTube's automatic speech to text captioning abilities for LiveStream caption options as well as YouTube's ability for SRT file uploads given the City's mention of using YouTube as a streaming platform.

#### Lighting

-Provide a lighting system that provides adequate general room lighting utilizing dimmable LED par cans. Lighting system shall consist of three zones (1 for the Dais/Staff seating area, 1 for the audience areas in the boardroom, and 1 for the Audio/Control Room).

## **SCOPE OF WORK - OPTIONS**

#### Add One PTZ Camera to Boardroom

-An option to add a PTZ camera to the Boardroom, to be controlled via Vaddio Joystick in Audio Booth.

#### Utilize 15 PC's with Dual Input Touchscreens; Eliminate Dell 2-in-1's from Scope

-Add 15 Dell Optiplex 3060 Micro PC's, each with 8GB of RAM and 128GB SSD Hard Drive. Add 15 Dell 2418HT Touchpanels. Add 15 video converters to allow SDI video feed from Blackmagic ATEM to display on Monitor. Remove 3 Dell Inspiron 15 5000 2-in-1 laptops from original scope.

#### 9 Surface Pro's + 11 Presentation Monitors

-This option removes the Dell Inspiron 15 5000 in original scope of work and adds 9 Microsoft Surface Pro 128GB Tablets with i5 Processor and 8GB of RAM. This option also adds 11 display monitors (not touchscreen) and required video equipment to display a presentation feed from the main video switcher located in the Audio Booth.

#### 11 Presentation Monitors Only

-Add Equipment, Cabling, and Installation necessary to present video switcher feed to 11 local 22" monitors at Dais seating positions.

#### ACCEPTANCE

#### **FINANCIAL**

OP

PAYMENT SCHEDULE

| PROJECT TO                                                                                      | DTAL \$125,927.25                |
|-------------------------------------------------------------------------------------------------|----------------------------------|
| PTIONS Not included in the project total. Initial to the left to add the option to your project | i.                               |
| ADD ONE PTZ CAMERA TO BO                                                                        | ARDROOM +\$5,829.37              |
| UTILIZE 15 PC'S WITH DUAL INPUT TOUCHSCREENS; ELIMINATE DELL 2-IN                               | N-1'S FROM<br>SCOPE +\$22,164.12 |
| 9 SURFACE PRO'S + 11 PRESENTATION I                                                             | MONITORS +\$9,681.68             |
| 11 PRESENTATION MONIT                                                                           | FORS ONLY +\$7,353.56            |

- · - - - - - · · ·

### TERMS

I accept this proposal and hereby authorize Enko Systems, Inc to proceed with the installation of the included systems at the facilities constructing at 550 E. 6th Street Beaumont, CA 92223 as described in the totality of this document. I understand that the listed Project Total excludes any DSA approval, permits, installation or coordination of conduit, backboxes, rings, floor boxes, flanges, trimplates, and cable tray unless otherwise specifically stated within the contents of this document. I further understand that any 110VAC, drywall, paint, and demolition is excluded from this contract unless otherwise noted within this document. If Payment Bonds are required, I understand a 3% fee will be applied to the Total Amount as listed above. I further authorize Enko Systems, Inc to be granted the facility access that will be required to complete this project in a workmanlike and timely manner and for payment to be made to Enko Systems, Inc. In keeping with the Terms of Payment listed above. It has been made clear to me that there exist no understandings regarding this project with any relevant party unless and until City of Beaumont and Enko Systems, Inc agree to such additional or alternate understandings in writing. Project cost and pricing are dependent upon a continual flow of work without interruption or delays imposed by City of Beaumont or their staff, construction, other building trades or any other party, and additional costs may be incurred by City of Beaumont from Enko Systems, Inc. If such delays result in additional costs that are not covered by the pricing in this proposal. I agree that any additions to and/or deletions from the materials and labor to be provided by my acceptance of this proposal and any resulting change(s) in cost of this project shall only be by way of written change order(s) and shall be valid only after being signed by City of Beaumont and Enko Systems, Inc. This proposal is valid only if accepted in writing by City of Beaumont and deposit payment received no later than Septembe

## Enko Systems, Inc

### ACCEPTANCE

CITY OF BEAUMONT

| SIGNED            | DATE  |
|-------------------|-------|
| PRINT NAME        | TITLE |
| ENKO SYSTEMS, INC |       |
|                   |       |
| SIGNED            | DATE  |
| PRINT NAME        | TITLE |

#### CITY OF BEAUMONT PUBLIC WORKS AGREEMENT (Enko Systems, Inc.)

## EXHIBIT "C"

Project Construction Schedule

(Insert behind this page.)

#### CITY OF BEAUMONT PUBLIC WORKS AGREEMENT (GV Construction Inc.)

This PUBLIC WORKS AGREEMENT ("Agreement") is made and effective October 1, 2019 by and between the City of Beaumont, a municipal corporation ("CITY"), and GV Construction, Inc., a California corporation ("CONTRACTOR"). In consideration of the mutual covenants and conditions set forth herein, the parties agree as follows:

#### I. <u>SCOPE OF WORK</u>

The CONTRACTOR shall perform within the time set forth in Article 2 of this Agreement and shall furnish all labor, materials, equipment, tools, utility services, and transportation and perform and complete all work required in connection with the Council Chamber Renovation Construction Project (hereinafter "Project"). CITY's Invitation for Bids ("Invitation") for the Project, dated August 13, 2019, and CONTRACTOR's Bid in response to the Invitation, dated September 3, 2019, are attached hereto as Exhibits :A" and "B", respectively and incorporated herein by this reference. The Scope of Work for the Project is set forth in the Invitation. In the event that any terms of the Bid are different from the Invitation for Bids, the Invitation for Bids shall control. Any additional terms in the Bid that purport to bind the City to any additional terms not contained in this Agreement and related attachments shall not be binding on the City.

By entering into this Agreement, CONTRACTOR acknowledges that there may be other contractors on the site whose work will be coordinated with that of its own. CONTRACTOR expressly warrants and agrees that it will cooperate with other contractors and will do nothing to delay, hinder, or interfere with the work of other separate contractors, the CITY, the Construction Manager, the Engineer, or utilities. CONTRACTOR also expressly agrees that, in the event its work is hindered, delayed, interfered with, or otherwise affected by a separate contractor, its sole remedy will be a direct action against the separate contractor. To the extent allowed by law, the CONTRACTOR will have no remedy, and hereby expressly waives any remedy against the CITY, the Construction Manager (if any), and the Engineer on account of delay, hindrance, interference or other events.

#### II. <u>TIME FOR PROJECT COMPLETION</u>

All of CONTRACTOR's work on the Project shall be completed within durations established for the individual activities as set forth in the Project Construction Schedule, attached hereto as Exhibit "C" and incorporated herein by this reference. All work shall commence fifteen (15) calendar days after receiving a written Notice of Award from the CITY or Construction Manager, if a Construction Manager is employed by CITY on the Project. CONTRACTOR shall refer to the invitations for bids, and Project Plans and Specifications, all of which, as set forth below, are incorporated herein by reference, for contractual obligations regarding individual activity durations.

#### III. <u>THE CONTRACT SUM</u>

The CITY shall pay to the CONTRACTOR for the performance of this Agreement, subject to any additions and deductions provided in the Project documents, the lump sum of Eighty Seven Thousand Five Hundred One Dollars and fifty seven cents \$87,501.77("Contract Sum"). Except for change orders approved by City as provided in this Agreement, Contractor shall complete the Project for an amount not to exceed the Contract Sum.

#### IV. <u>PROGRESS PAYMENTS</u>

Based upon Applications for Payment submitted to the Engineer by the CONTRACTOR and Certificates for Payment issued by the Engineer, the CITY shall make progress payments on account of the Contract Sum to the CONTRACTOR as provided in the General Conditions, which are fully incorporated into this Agreement by this reference.

This Agreement is subject to the provisions of Article 1.7 (commencing at Section 20104.50) of Division 2, Part 3 of the Public Contract Code regarding prompt payment of contractors by local governments. Article 1.7 mandates certain procedures for the payment of undisputed and properly submitted payment requests within 30 days after receipt, for the review of payment requests, for notice to Contractor of improper payment requests, and provides for the payment of interest on progress payment requests which are not timely made in accordance with that Article. This Agreement hereby incorporates the provisions of Article 1.7 as though fully set forth herein.

#### V. INDEMNITY, DEFENSE AND HOLD HARMLESS AGREEMENT

CONTRACTOR shall indemnify, defend with legal counsel approved by CITY, and hold harmless CITY, its officers, officials, employees and volunteers from and against all liability, loss, damage, expense, cost (including without limitation reasonable legal counsel fees, expert fees and all other costs and fees of litigation) of every nature arising out of or in connection with CONTRACTOR's negligence, recklessness or willful misconduct in the performance of work hereunder or its failure to comply with any of its obligations contained in this Agreement, except such loss or damage which is caused by the sole or active negligence or willful misconduct of the CITY. Should conflict of interest principles preclude a single legal counsel from representing both CITY and CONTRACTOR, or should CITY otherwise find CONTRACTOR's legal counsel unacceptable, then CONTRACTOR shall reimburse the CITY its costs of defense, including without limitation reasonable legal counsels fees, expert fees and all other costs and fees of litigation. The CONTRACTOR shall promptly pay any final judgment rendered against the CITY (and its officers, officials, employees and volunteers) with respect to claims determined by a trier of fact to have been the result of the CONTRACTOR's negligent, reckless or wrongful performance. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this Agreement.

CONTRACTOR obligations under this section apply regardless of whether or not such claim, charge, damage, demand, action, proceeding, loss, stop notice, cost, expense, judgment, civil fine or penalty, or liability was caused in part or contributed to by an Indemnitee. However, without affecting the rights of CITY under any provision of this agreement, CONTRACTOR shall not be required to indemnify and hold harmless CITY for liability attributable to the active negligence of CITY, provided such active negligence is determined by agreement between the parties or by the findings of a court of competent jurisdiction. In instances where CITY is shown to have been actively negligent and where CITY active negligence accounts for only a percentage of the liability involved, the obligation of CONTRACTOR will be for that entire portion or percentage of liability not attributable to the active negligence of CITY.

#### VI. <u>PREVAILING WAGES</u>

- A. Contractor shall comply with all applicable laws and regulations relating to prevailing wages. Wage rates for this Project shall be in accordance with the "General Wage Determination Made By the Director of Industrial Relations Pursuant To California Labor Code, Part 7, Chapter 1, Article 2, Sections 1770, 1773 and 1773.1", for Riverside County. Wage rates shall conform with those posted at Beaumont City Hall and the Project site.
- B. The following Labor Code sections are hereby referenced and made a part of this Agreement:
  - 1. Section 1775 Penalty for Failure to Comply with Prevailing Wage Rates.
  - 2. Section 1777.4 Apprenticeship Requirements.
  - 3. Section 1777.5 Apprenticeship Requirements.
  - 4. Section 1813 Penalty for Failure to Pay Overtime.
  - 5. Sections 1810 and 1811 Working Hour Restrictions.
  - 6. Section 1775 Payroll Records.
  - 7. Section 1773.8 Travel and Subsistence Pay.

#### VII. <u>RECORD AUDIT</u>

In accordance with Government Code, Section 8546.7, records of both the CITY and the CONTRACTOR shall be subject to examination and audit by the Auditor General for a period of three (3) years after final payment.

#### VIII. FINAL PAYMENT

Final payment, constituting the entire unpaid balance of the Agreement Sum, shall be paid by the CITY to the CONTRACTOR no sooner than thirty-five (35) days after a Notice of Completion has been recorded, unless otherwise stipulated in the Notice of Completion, provided the work has then been completed, the Agreement fully performed, and a final Certificate for Payment has been issued by the Engineer.

#### IX. <u>CONTRACTOR'S FAILURE TO PROCURE COMPLETION OF PROJECT</u>

In the event CONTRACTOR fails to furnish tools, equipment, or labor in the necessary quantity or quality, or fails to prosecute the work or any part thereof contemplated by this Agreement in a diligent and workmanlike manner, and if the CONTRACTOR for a period of three (3) calendar days after receipt of written demand from CITY or its designated representative to do so, fails to furnish tools, equipment, or labor in the necessary quantity or quality, and to prosecute its work and all parts thereof in a diligent and workmanlike manner, or after commencing to do so within said three (3) calendar days, fails to continue to do so; then the CITY may exclude the CONTRACTOR from the premises, or any portion thereof, and take possession of said premises or any portion thereof, together with all material and equipment thereon, and may complete the work contemplated by this Agreement or any portion of said work, either by furnishing the tools, equipment, labor or material necessary, or by letting the unfinished portion of said work, or the portion taken over by the CITY to another contractor or by a combination of such methods. In any event, the procuring of the completion of said work, or the portion thereof taken over by the CITY, shall be a charge against the CONTRACTOR, and may be deducted from any money due or becoming due to CONTRACTOR from the CITY, or the CONTRACTOR shall pay the CITY the amount of said charge, or the portion thereof unsatisfied. The sureties, provided for under this Agreement shall become liable for payment should CONTRACTOR fail to pay in full any said cost incurred by the CITY.

#### X. <u>INSURANCE</u>

Prior to the beginning of and throughout the duration of the Project, CONTRACTOR and its subcontractors shall maintain insurance in conformance with the requirements set forth below. CONTRACTOR will use existing coverage to comply with these requirements. If that existing coverage does not meet the requirements set forth herein, CONTRACTOR agrees to amend, supplement or endorse the existing coverage to do so.

CONTRACTOR acknowledges that the insurance coverage and policy limits set forth in this section constitute the minimum amount of coverage required. Any insurance proceeds available to CONTRACTOR or its subcontractors in excess of the limits and coverage identified in this Agreement and which is applicable to a given loss, claim or demand, will be equally available to CITY.

#### A. Types of Insurance

Without limiting CONTRACTOR's indemnification of CITY, and prior to commencement of Work, CONTRACTOR shall obtain, provide and maintain at its own expense during the term of this Agreement, policies of insurance of the type and amounts described below and in a form satisfactory to CITY:

- 1. General liability insurance. CONTRACTOR shall maintain commercial general liability insurance with coverage at least as broad as Insurance Services Office form CG 00 01, in an amount not less than \$1,000,000 per occurrence, \$2,000,000 general aggregate, for bodily injury, personal injury, and property damage, and a \$2,000,000 completed operations aggregate. The policy must include contractual liability that has not been amended. Any endorsement restricting standard ISO "insured contract" language will not be accepted.
- 2. Automobile liability insurance. CONTRACTOR shall maintain automobile insurance at least as broad as Insurance Services Office form CA 00 01 covering bodily injury and property damage for all activities of the CONTRACTOR arising out of or in connection with Work to be performed under this Agreement, including coverage for any owned, hired, non-owned or rented vehicles, in an amount not less than \$1,000,000 combined single limit for each accident.
- **3.** Umbrella or excess liability insurance. If CONTRACTOR is using umbrella coverage to meet part of its liability insurance requirements under Paragraph 1 of this Section, CONTRACTOR shall obtain and maintain an umbrella or excess liability insurance that will provide bodily injury, personal injury, completed operations and property damage liability coverage at least as broad as the primary coverages set forth above, including commercial general liability and employer's liability. Such policy or policies shall include the following terms and conditions:
  - A drop down feature requiring the policy to respond in the event that any primary insurance that would otherwise have applied proves to be uncollectable in whole or in part for any reason;
  - Pay on behalf of wording as opposed to reimbursement;
  - Concurrency of effective dates with primary policies;
  - Policies shall "follow form" to the underlying primary policies; and
  - Insureds under primary policies shall also be insureds under the umbrella or excess policies.
- **4. Workers' compensation insurance.** CONTRACTOR shall maintain Workers' Compensation Insurance (Statutory Limits) and Employer's Liability Insurance (with limits of at least \$1,000,000) for CONTRACTOR's employees in accordance with the laws of the State of California, Section 3700 of the Labor Code. In addition, CONTRACTOR shall require each subcontractor to similarly maintain Workers' Compensation Insurance and Employer's Liability Insurance in accordance with the laws of the State of California, Section 3700 for all of the subcontractor's employees.

CONTRACTOR shall submit to CITY, along with the certificate of insurance, a Waiver of Subrogation endorsement in favor of CITY, its officers, agents, employees and volunteers.

**5. Pollution liability insurance.** Environmental Impairment Liability Insurance shall be written on a CONTRACTOR's Pollution Liability form or other form acceptable to CITY providing coverage for liability arising out of sudden, accidental and gradual pollution and remediation. The policy limit shall be no less than \$1,000,000 dollars per claim and in the aggregate. All activities contemplated in this Agreement shall be specifically scheduled on the policy as "covered operations." The policy shall provide coverage for the hauling of waste from the project site to the final disposal location, including non-owned disposal sites.

Products/completed operations coverage shall extend a minimum of three (3) years after project completion. Coverage shall be included on behalf of the insured for covered claims arising out of the actions of independent contractors. If the insured is using subcontractors, the Policy must include work performed "by or on behalf" of the insured. Policy shall contain no language that would invalidate or remove the insurer's duty to defend or indemnify for claims or suits expressly excluded from coverage. Policy shall specifically provide for a duty to defend on the part of the insurer. The CITY, its officials, officers, agents, and employees, shall be included as insureds under the policy.

6. Builder's risk insurance. Upon commencement of construction and with approval of CITY, CONTRACTOR shall obtain and maintain builder's risk insurance for the entire duration of the Project until only the CITY has an insurable interest. The Builder's Risk coverage shall include the coverages as specified below.

The named insureds shall be CONTRACTOR and CITY, including its officers, officials, employees, and agents. All Subcontractors (excluding those solely responsible for design Work) of any tier and suppliers shall be included as additional insureds as their interests may appear. CONTRACTOR shall not be required to maintain property insurance for any portion of the Project following transfer of control thereof to CITY. The policy shall contain a provision that all proceeds from the builder's risk policy shall be made payable to the CITY. The CITY will act as a fiduciary for all other interests in the Project.

Policy shall be provided for replacement value on an "all risk" basis for the completed value of the project. There shall be no coinsurance penalty or provisional limit provision in any such policy. Policy must include: (1) coverage for any ensuing loss from faulty workmanship, Nonconforming Work, omission or deficiency in design or specifications; (2) coverage against machinery accidents and operational testing; (3) coverage for removal of debris, and insuring the buildings, structures, machinery, equipment,

materials, facilities, fixtures and all other properties constituting a part of the Project; (4) Ordinance or law coverage for contingent rebuilding, demolition, and increased costs of construction; (5) transit coverage (unless insured by the supplier or receiving contractor), with sub-limits sufficient to insure the full replacement value of any key equipment item; (6) Ocean marine cargo coverage insuring any Project materials or supplies, if applicable; (7) coverage with sub-limits sufficient to insure the full replacement value of any property or equipment stored either on or off the Site or any staging area. Such insurance shall be on a form acceptable to CITY to ensure adequacy of terms and sublimits and shall be submitted to the CITY prior to commencement of construction.

#### **B.** Other provisions or requirements

- 1. **Proof of insurance.** CONTRACTOR shall provide certificates of insurance to CITY as evidence of the insurance coverage required herein, along with a waiver of subrogation endorsement for workers' compensation. Insurance certificates and endorsements must be approved by CITY's risk manager prior to commencement of performance. Current certification of insurance shall be kept on file with CITY at all times during the term of this contract. CITY reserves the right to require complete, certified copies of all required insurance policies, at any time.
- 2. Duration of coverage. CONTRACTOR shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property, which may arise from or in connection with the performance of the Work hereunder by CONTRACTOR, his agents, representatives, employees or subcontractors. CONTRACTOR must maintain general liability and umbrella or excess liability insurance for as long as there is a statutory exposure to completed operations claims. CITY and its officers, officials, employees, and agents shall continue as additional insureds under such policies.
- **3. Primary/noncontributing.** Coverage provided by CONTRACTOR shall be primary and any insurance or self-insurance procured or maintained by CITY shall not be required to contribute with it. The limits of insurance required herein may be satisfied by a combination of primary and umbrella or excess insurance. Any umbrella or excess insurance shall contain or be endorsed to contain a provision that such coverage shall also apply on a primary and non-contributory basis for the benefit of CITY before the CITY's own insurance or self-insurance shall be called upon to protect it as a named insured.
- 4. CITY's rights of enforcement. In the event any policy of insurance required under this Agreement does not comply with these requirements or is canceled and not replaced, CITY has the right but not the duty to obtain the insurance it deems necessary and any premium paid by CITY will be promptly reimbursed

by CONTRACTOR or CITY will withhold amounts sufficient to pay premium from CONTRACTOR payments. In the alternative, CITY may cancel this Agreement.

- **5.** Acceptable insurers. All insurance policies shall be issued by an insurance company currently authorized by the Insurance Commissioner to transact business of insurance or is on the List of Approved Surplus Line Insurers in the State of California, with an assigned policyholders' Rating of A- (or higher) and Financial Size Category Class VII (or larger) in accordance with the latest edition of Best's Key Rating Guide, unless otherwise approved by the CITY's risk manager.
- 6. Waiver of subrogation. All insurance coverage maintained or procured pursuant to this agreement shall be endorsed to waive subrogation against CITY, its elected or appointed officers, agents, officials, employees and volunteers or shall specifically allow CONTRACTOR or others providing insurance evidence in compliance with these specifications to waive their right of recovery prior to a loss. CONTRACTOR hereby waives its own right of recovery against CITY, and shall require similar written express waivers and insurance clauses from each of its subconsultants.
- **7. Enforcement of contract provisions (non estoppel).** CONTRACTOR acknowledges and agrees that any actual or alleged failure on the part of the CITY to inform CONTRACTOR of non-compliance with any requirement imposes no additional obligations on the CITY nor does it waive any rights hereunder.
- 8. Requirements not limiting. Requirements of specific coverage features or limits contained in this Section are not intended as a limitation on coverage, limits or other requirements, or a waiver of any coverage normally provided by any insurance. Specific reference to a given coverage feature is for purposes of clarification only as it pertains to a given issue and is not intended by any party or insured to be all inclusive, or to the exclusion of other coverage, or a waiver of any type. If the CONTRACTOR maintains higher limits than the minimums shown above, the CITY requires and shall be entitled to coverage for the higher limits maintained by the CONTRACTOR. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the CITY.
- **9.** Notice of cancellation. CONTRACTOR agrees to oblige its insurance agent or broker and insurers to provide to CITY with a thirty (30) day notice of cancellation (except for nonpayment for which a ten (10) day notice is required) or nonrenewal of coverage for each required coverage.
- **10. Additional insured status**. General liability policies shall provide or be endorsed to provide that CITY and its officers, officials, employees, agents,

and volunteers shall be additional insureds under such policies. This provision shall also apply to any excess/umbrella liability policies.

- **11. Prohibition of undisclosed coverage limitations.** None of the coverages required herein will be in compliance with these requirements if they include any limiting endorsement of any kind that has not been first submitted to CITY and approved of in writing.
- **12. Separation of insureds.** A severability of interests provision must apply for all additional insureds ensuring that CONTRACTOR's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the insurer's limits of liability. The policy(ies) shall not contain any cross-liability exclusions.
- **13. Pass through clause.** CONTRACTOR agrees to ensure that its subconsultants, subcontractors, and any other party involved with the project who is brought onto or involved in the project by CONTRACTOR, provide the same minimum insurance coverage and endorsements required of CONTRACTOR. CONTRACTOR agrees to monitor and review all such coverage and assumes all responsibility for ensuring that such coverage is provided in conformity with the requirements of this section. CONTRACTOR agrees that upon request, all agreements with consultants, subcontractors, and others engaged in the project will be submitted to CITY for review.
- 14. CITY's right to revise requirements. The CITY reserves the right at any time during the term of the contract to change the amounts and types of insurance required by giving the CONTRACTOR a ninety (90) day advance written notice of such change. If such change results in substantial additional cost to the CONTRACTOR, the CITY and CONTRACTOR may renegotiate CONTRACTOR's compensation.
- **15. Self-insured retentions.** Any self-insured retentions must be declared to and approved by CITY. CITY reserves the right to require that self-insured retentions be eliminated, lowered, or replaced by a deductible. Self-insurance will not be considered to comply with these specifications unless approved by CITY.
- **16. Timely notice of claims.** CONTRACTOR shall give CITY prompt and timely notice of claims made or suits instituted that arise out of or result from CONTRACTOR's performance under this Agreement, and that involve or may involve coverage under any of the required liability policies.
- **17. Additional insurance**. CONTRACTOR shall also procure and maintain, at its own cost and expense, any additional kinds of insurance, which in its own judgment may be necessary for its proper protection and prosecution of the Work.

#### XI. <u>CONTRACTOR'S LICENSE</u>

CONTRACTOR must possess at the time of commencing work and throughout the Project duration, a Contractor's License, issued by the State of California, which is current and in good standing. CONTRACTOR shall ensure that any subcontractor working on the Project possesses at the time of commencing work and throughout the Project duration, a Contractor's License, issued by the State of California, which is current and in good standing.

#### XII. <u>REGISTRATION REQUIREMENTS</u>

A. Pursuant to Section 1771.1(a) of the Labor Code:

"A contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, as defined in this chapter, unless currently registered and qualified to perform public work pursuant to Section 1725.5. It is not a violation of this section for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded."

B. CONTRACTOR must be registered with the Department of Industrial Relations (DIR) of the State of California in order to be eligible to work on public works projects. CONTRACTOR must ensure registration with the DIR that is active and in good standing.

C. No contractor or subcontractor may be listed on a bid proposal for a public works project (submitted on or after March 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5 [with limited exceptions from this requirement for bid purposes only under Labor Code section 1771.1(a)].

No contractor or subcontractor may be awarded a contract for public work on a public works project (awarded on or after April 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5.

This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

D. The CONTRACTOR is not subject to public works requirements (including registration with the DIR) if the public works project is under \$1,000, unless the CITY knows that the same CONTRACTOR will be awarded total project costs in excess of \$1,000 for a given year.

#### XIII. CORPORATION IN GOOD STANDING

If CONTRACTOR is a corporation, the undersigned hereby represents and warrants that the corporation is duly incorporated and in good standing in the State of California, and that <u>(Insert Name)</u> whose title is <u>(Insert Title)</u> is authorized to act for and bind the corporation.

#### XIV. PROVISIONS REQUIRED BY LAW

Each and every provision of law and clause required by law to be inserted in this Agreement shall be deemed to be inserted herein and the Agreement shall be read and enforced as though it were included herein, and if through mistake or otherwise any such provision is not inserted, or is not currently inserted, then upon application of either party the Agreement shall forthwith be physically amended to make such insertion or correction.

#### XV. <u>SUBSURFACE HAZARDOUS MATERIALS</u>

- A. In the event trenches or other excavations extend deeper than four (4) feet below the surface, the CONTRACTOR shall promptly, and before the following conditions are disturbed, notify the CITY in writing of any:
  - 1. Material that the CONTRACTOR believes may be material that is hazardous waste, as defined in Section 25117 of the Health and Safety Code that is required to be removed to a Class I, Class II or Class III disposal site in accordance with the provisions of existing law.
  - 2. Subsurface or latent physical conditions at the site differing from those indicated.
  - 3. Unknown physical conditions at the site of any unusual nature, different materially from those ordinarily encountered and generally recognized as inherent in the Work or the character provided for in the CONTRACT.
- B. Upon receipt of said notification the CITY will investigate the conditions, and if it finds that the conditions do materially so differ, or do involve hazardous waste, and cause a decrease or increase in the CONTRACTOR's cost of or the time required for performance of any part of the work, the CITY will issue a change order under the procedures described in the General Conditions.
- C. In the event that a dispute arises between the CITY and the CONTRACTOR whether the conditions materially differ, or involve hazardous waste or cause a decrease or increase in the CONTRACTOR's cost of or time required for performance of any part of the work, the CONTRACTOR shall not be excused from any scheduled completion date provided for by the Agreement, but shall proceed with all work to be performed under the Agreement. The CONTRACTOR shall retain any and all rights provided either by Agreement or

by law which pertain to the resolution of disputes and protests between the contracting parties.

#### XVI. <u>COMPONENT PARTS OF THE CONTRACT</u>

This Agreement entered into consists of the following CONTRACT DOCUMENTS, all of which are component parts of the Agreement as if herein set out in full or attached hereto:

| Notice Inviting Bids                | Information Required of Bidder     |
|-------------------------------------|------------------------------------|
| Scope of Work Summary               | Construction Services Agreement    |
| Information for Bidders             | Certificate Regarding Worker's     |
| Bid Form                            | Compensation                       |
| Non-Collusion Affidavit             | Drug-free Workplace Certification  |
| Site Visit Certification            | Plans and Specifications           |
| Faithful Performance Bond           | Addenda                            |
| Labor and Materials Payment Bond    | Drawings                           |
| General and Supplemental Conditions | Change Orders                      |
| Special Conditions                  | Shop Drawing Transmittals          |
| Project Construction Schedule       | Contractor's Certificate Regarding |
| Proposed Subcontractors             | Non-Asbestos Containing Materials  |
| Bid Bond                            | -                                  |

All of the above named CONTRACT DOCUMENTS are intended to be complementary. Work required by one of the above named CONTRACT DOCUMENTS and not by others shall be done as if required by all.

#### XVII. <u>ENTIRE CONTRACT</u>

This Agreement constitutes the entire contract of the parties. No other agreements or contracts, whether oral or written, pertaining to the work to be performed, exists between the parties. This Agreement can be modified only by an amendment in writing, signed by both parties.

[Signatures on following page.]

#### SIGNATURE PAGE TO

### CITY OF BEAUMONT PUBLIC WORKS AGREEMENT

(GV Construction, Inc.)

#### CITY:

#### **CONTRACTOR:**

GV Construction, Inc., a California corporation

CITY OF BEAUMONT

By: \_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_

Julio Martinez, Mayor

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

#### ATTEST:

By:\_\_\_\_\_

Steven Mehlman, City Clerk

#### **APPROVED AS TO FORM:**

By:\_\_\_\_\_

John O. Pinkney, City Attorney

Agenda Item No. 11.

#### CITY OF BEAUMONT PUBLIC WORKS AGREEMENT (GV Construction, Inc.)

#### EXHIBIT "A"

#### CITY'S INVITATION FOR BIDS DATED August 13, 2019

(Insert behind this page.)

Agenda Item No. 11.



Address: 550 E. 6<sup>th</sup> Street Beaumont, CA 92223

> Phone: 951.769.8520



### **Proposals Due By:**

5:00 pm Monday, September 2, 2019

### Mandatory Walk-Through:

Schedule walk-through via email NicoleW@BeaumontCa.gov

#### Contact:

Nicole Wheelwright Deputy City Clerk <u>NicoleW@beaumontca.gov</u>

#### INTRODUCTION

The City of Beaumont ("City") requests written proposals for selection of a qualified firm that possesses a current general construction license for the purpose of renovation the City's current City Council Chambers.

This project is a component of the City's Council Chambers Renovation Project that encompasses upgrades of its audio and video equipment, furniture and configuration design.

Construction to the Council Chambers is needed to enhance the level of accommodation, provide adequate space and accessibility of audio and video equipment and to freshen the appearance of the room.

Firms submitting proposals must be prepared to enter into a contract for work to be provided and must obtain a city business license. Proposals will be accepted until the close of business at **5:00pm on Monday**, **September 2**, **2019**. Please address as follows:

Nicole Wheelwright Deputy City Clerk City of Beaumont 550 E 6<sup>th</sup> Street Beaumont, Ca 92223 **Bid Enclosed** 

#### BACKGROUND

The City of Beaumont Civic Center was originally built in the 1930's as a school building. The building has since been converted from classrooms to offices and now houses City administration offices, Council Chambers, and a large event hall. The City's Council Chambers is utilized for public meetings and is in need of enhancement and restoration.

Currently the Council Chambers lacks wheelchair accessibility to the dais which sits on an elevated platform. The Council Chambers also lacks a secured space to conduct the audio and video controls for the purpose of recording and streaming the meetings conducted.

#### PURPOSE AND SCOPE

The project includes the following locations within the Civic Center building:

• City Council Chambers

The purpose and goal for the construction renovations are to provide wheelchair access, construct a control room within the Council Chambers for audio and video

equipment and technicians and to freshen the appearance of the Council Chambers.

#### Council Chambers:

The scope of construction and renovation within the Council Chambers is as follows:

- Demo of existing dais platform and reconstructed to the height required for an adjacent wheelchair accessible ramp.
- Construction of a half wall to enclose the dais platform and allow for installation of a wheelchair ramp railing.
- Installation of electrical, microphone, HDMI, and ethernet floor outlets in the dais platform. Placement of such to be coordinated with the furniture contractor and the audio/video contractor. Estimated to be at least five (5) outlets of each.
- Installation of a dedicated outlet on the dais platform for a 110v mini refrigerator.
- Design and construction of ADA compliant wheelchair accessibility ramp to the raised platform.
- Installation of electrical, microphone, HDMI, and ethernet floor outlets in the staff desk areas adjacent to the platform as well as the west wall.
- Demo of existing closet configuration to construct a 13' x 6'6" audio/video control room.
- Relocation or deletion of current vent ducting and piping in the existing closet.
- Installation of electrical outlets in the audio/video control room in coordination with the audio and video contractor.
- A cap of two (2) existing gas stubs to be flush with the wall.
- Relocation and conversion of existing electrical wall outlets to floor outlets.
- Construct an HVAC split to provide a separate and controlled temperature for the server equipment to be stored within the control room.
- Installation of coffered style T-bar ceiling panels, or sheetrock (hard lid) finish with soffits for ducting and utilities and three (3) access panels. Please provide both cost options.
- Raising of current vent ducting above ceiling.
- Replacement of vent ducting screens.
- Addition of floor intake vents for the HVAC unit.
- Installation of conduit for electrical and communication wiring above ceiling in coordination with the Audio and Video contractor.
- Possible dry wall repair after removal of three (3) large whiteboards adhered to the south wall.
- Installation of carpet with Mohawk Distinctive Appeal #979 Sensory Touch.
- Addition of windowsills to match other windowsill styles within the building.
- 5 foot tall wainscoting on the east and west walls.
- 3 foot tall wainscoting on the north and south walls.
- Painting of all interior walls and accent trim within Council Chambers.

In concurrence with the Council Chambers construction renovation, the Council Chambers will also be undergoing audio and video upgrades as well and furniture design and construction. The firm selected will be required to work in coordination with the firms selected for the other components of the Council Chambers Renovation Project for the logistics and planning of construction. Coordination with the selected audio and video firm of the Chamber's renovation includes but is not limited to the access to the electrical wiring for replacement and enhancement thereof above the ceiling and installation of cameras on the ceiling.

#### MANDATORY PRE-BID WALK-THROUGH

A mandatory walk-through of the Council Chambers is required prior to submission of bid please schedule via email: <u>NicoleW@BeaumontCa.gov</u>. This walk-through will give the opportunity to evaluate and take measurements as needed.

#### PROPOSAL REQUIREMENTS

The proposal shall clearly address all of the information requested herein. To achieve a uniform review process and obtain the maximum degree of comparability, it is required that proposals be organized and contain all information as specified below.

- A. **Cover Letter:** Executive Summary which shall include an understanding of the scope of services. The cover letter must be signed by an official authorized to bind the consultant contractually and shall also provide the name, title, address, and telephone number of individuals with the authority to negotiate and contractually bind the consultant. The cover letter constitutes certification by the consultant, under penalty of perjury, that the consultant complies with nondiscrimination requirements of the State and Federal Government. An unsigned proposal or one signed by an individual unauthorized to bind the consultant may be rejected.
- B. Introduction/Information: Provide a description of the firm, including number of professional personnel, years in business, office location(s), organizational structure (e.g., corporation, partnership, sole practitioner, etc.), areas of particular expertise, etc. Description of the consulting firm's past and current experience with cities, counties, governmental regions, special districts, agencies, or similar entities; and/or major residential, economic, commercial, entertainment or historic development centers.
  - 1) Describe the consultant team and identify the specific personnel that will be assigned to the project and their roles, qualifications and relevant experience on projects within the past two (2) years.
  - 2) Identify the supervisory and management staff.
  - 3) Identify and describe the roles of any sub-contractors and provide relevant qualifications and experience for projects within the past two (2) years. Indicate how the quality of staff over the term of the agreement will be assured.
- C. **References:** Provide at least three (3) previous projects with work of similar capacities.
- D. Scope of Services: Provide a description of the tasks, sub-tasks, and deliverables

that will be provided. The Scope of Work should be presented in a logical format that can be easily attached to the final Agreement.

- i) Project Schedule: Provide a comprehensive schedule describing the nature and estimated time line of proposed work objectives and milestones. Due to time constraints of this project, it is required that work **shall** commence no later than 30 days of award of contract. City Council is scheduled to award contracts on September 17, 2019.
- E. Cost Proposal: Provide detailed cost of services overview to include:
  - 1) Fixed prices for all costs associated within the scope of this proposal
  - 2) Detailed hourly rates of all members of the project
  - 3) Additional billable costs for non-specified tasks
  - 4) Total fees and expenses for the entire scope of the project
  - 5) Any area which proposers believe should be included in the scope of work in this proposal, but which is not stipulated in this RFP, and identifies the costs associated with the services rendered
- F. The firm will be required to have professional liability insurance including liability at a minimum of one million per occurrence, worker's compensation, and vehicle coverage including comprehensive and collision insurance naming the City of Beaumont as additional insured. The proposal shall state whether such insurances will be in force at time of contract execution.

| TASK                | DUE DATE                        |
|---------------------|---------------------------------|
| Mandatory Walk-thru | Please Schedule a Date and Time |
| Proposal Due        | September 2, 2019               |
| Proposal Review     | September 3-9, 2019             |
| Award Contract      | September 17, 2019              |
| Expected Start Date | October 17, 2019                |

#### PROPOSAL SCHEDULE

#### SUBMITTAL

Please provide proposal responses to items A - F no later than Monday, September 2, 2019 at 5:00 p.m.

Any proposal received after this deadline may be returned to the proposer as unacceptable. All proposals are to be clearly marked as described in the Introduction section.

Please review the entire proposal request before submitting your proposal. Incomplete submissions may be rejected as non-responsive. All questions must be submitted via

email to the RFP contact listed on the front cover page of this RFP. Once submitted, proposals cannot be altered without prior written consent of the City. All costs associated with preparation of any proposal shall be the sole responsibility of the proposer. Each proposal shall be limited to a maximum of 15 pages, using minimum 12-point font size.

# PROPOSAL EVALUATION/SELECTION

The City intends to engage the most qualified consultant available that demonstrates a thorough understanding of the City's needs. City staff will use the following criteria to evaluate the proposals:

- 1) Understanding the scope of services
- 2) Demonstrated professional skill and credentials
- 3) Related experience
- 4) Timeline and start date availability
- 5) Proposed Fee

Total Points Available = 100

The City reserves the right to reject any and all proposals.

# CONFIDENTIALITY

Prior to the proposal submittal deadline, all proposals will be designated confidential to the extent permitted by the California Public Records Act. After the proposal submittal deadline, all responses will be regarded as public record and will be subject to review by the public. Any language purported to render confidential all or portions of the proposals will be regarded as non-effective and will be disregarded.

# AMENDMENTS TO REQUEST FOR PROPOSALS

The City reserves the right to amend the RFP by addendum prior to the final proposal submittal date.

# CONFLICT OF INTEREST

The Consultant shall disclose any personal or professional financial, business, or other relationships with the City that may have an impact on the outcome of this contract or any resulting project. The consultant shall also list current clients who may have a financial interest in the outcome of this contract.

Available Points = 10 Available Points = 15 Available Points = 25 Available Points = 30 Available Points = 20

# CITY OF BEAUMONT RIGHTS AND OPTIONS

This RFP does not commit the City of Beaumont to award a contract, to pay any cost incurred with the preparation of a proposal or contract for services described herein. The City may, in its sole discretion and without any obligation to act reasonably, reject any and all proposals, waive informalities and minor irregularities in any proposal reviewed, negotiate with any qualified source submitting a proposal, extend deadlines, and/or request additional information. Subsequent to negotiations, prospective consultants may be required to submit revisions to their proposals. The City may reject any proposal that does not conform to the instructions provided in this RFP.

Additionally, the City reserves the right to negotiate all final terms and conditions of any proposal received before entering into final contract.

The City reserves the right to postpone selection for its own convenience, to withdraw this RFP at any time, and to reject any and all proposals without indicating any reason for such rejection. As a function of the RFP process, the City of Beaumont reserves the right to remedy technical errors in response to the RFP and to modify the published scope of services and scope of work. The City of Beaumont will reserve the right to request that specific personnel with specific expertise be added to the team if the City determines that specific expertise is lacking in the project team. Proposals submitted in response to the RFP will not be returned.

#### **ATTACHMENTS**

- A. Drafted Plans and Specifications Will be given at walk-thru
- B. Professional Services Contract sample

# Attachment B

#### CITY OF BEAUMONT PUBLIC WORKS AGREEMENT (NAME OF CONTRACTOR)

#### I. <u>SCOPE OF WORK</u>

The CONTRACTOR shall perform within the time set forth in Article 2 of this Agreement and shall furnish all labor, materials, equipment, tools, utility services, and transportation and perform and complete all work required in connection with the \_\_\_\_\_\_(DESCRIPTION OF PROJECT) Project (hereinafter "Project"). CITY's Invitation for Bids ("Invitation") for the Project, dated \_\_\_\_, 2017, and CONTRACTOR's Bid in response to the Invitation, dated \_\_\_\_, 2017, are attached hereto as Exhibits :A" and "B", respectively and incorporated herein by this reference. The Scope of Work for the Project is set forth in the Invitation.

By entering into this Agreement, CONTRACTOR acknowledges that there may be other contractors on the site whose work will be coordinated with that of its own. CONTRACTOR expressly warrants and agrees that it will cooperate with other contractors and will do nothing to delay, hinder, or interfere with the work of other separate contractors, the CITY, the Construction Manager, the Engineer, or utilities. CONTRACTOR also expressly agrees that, in the event its work is hindered, delayed, interfered with, or otherwise affected by a separate contractor, its sole remedy will be a direct action against the separate contractor. To the extent allowed by law, the CONTRACTOR will have no remedy, and hereby expressly waives any remedy against the CITY, the Construction Manager (if any), and the Engineer on account of delay, hindrance, interference or other events.

#### II. <u>TIME FOR PROJECT COMPLETION</u>

All of CONTRACTOR's work on the Project shall be completed within durations established for the individual activities as set forth in the Project Construction Schedule, attached hereto as Exhibit "C" and incorporated herein by this reference. All work shall commence ten (10) calendar days after receiving a written Notice of Award from the CITY or Construction Manager, if a Construction Manager is employed by CITY on the Project. CONTRACTOR shall refer to the invitations for bids, and Project Plans and Specifications, all of which, as set forth below, are incorporated herein by reference, for contractual obligations regarding individual activity durations.

#### III. THE CONTRACT SUM

The CITY shall pay to the CONTRACTOR for the performance of this Agreement, subject to any additions and deductions provided in the Project documents, the sum of \_\_\_\_\_.

#### IV. PROGRESS PAYMENTS

Based upon Applications for Payment submitted to the Engineer by the CONTRACTOR and Certificates for Payment issued by the Engineer, the CITY shall make progress payments on account of the Contract Sum to the CONTRACTOR as provided in the General Conditions, which are fully incorporated into this Agreement by this reference.

This Agreement is subject to the provisions of Article 1.7 (commencing at Section 20104.50) of Division 2, Part 3 of the Public Contract Code regarding prompt payment of contractors by local governments. Article 1.7 mandates certain procedures for the payment of undisputed and properly submitted payment requests within 30 days after receipt, for the review of payment requests, for notice to Contractor of improper payment requests, and provides for the payment of interest on progress payment requests which are not timely made in accordance with that Article. This Agreement hereby incorporates the provisions of Article 1.7 as though fully set forth herein.

#### V. INDEMNITY, DEFENSE AND HOLD HARMLESS AGREEMENT

CONTRACTOR shall indemnify, defend with legal counsel approved by CITY, and hold harmless CITY, its officers, officials, employees and volunteers from and against all liability, loss, damage, expense, cost (including without limitation reasonable legal counsel fees, expert fees and all other costs and fees of litigation) of every nature arising out of or in connection with CONTRACTOR's negligence, recklessness or willful misconduct in the performance of work hereunder or its failure to comply with any of its obligations contained in this Agreement, except such loss or damage which is caused by the sole or active negligence or willful misconduct of the CITY. Should conflict of interest principles preclude a single legal counsel from representing both CITY and CONTRACTOR, or should CITY otherwise find CONTRACTOR's legal counsel unacceptable, then CONTRACTOR shall reimburse the CITY its costs of defense, including without limitation reasonable legal counsels fees, expert fees and all other costs and fees of litigation. The CONTRACTOR shall promptly pay any final judgment rendered against the CITY (and its officers, officials, employees and volunteers) with respect to claims determined by a trier of fact to have been the result of the CONTRACTOR's negligent, reckless or wrongful performance. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this Agreement.

CONTRACTOR obligations under this section apply regardless of whether or not such claim, charge, damage, demand, action, proceeding, loss, stop notice, cost, expense, judgment, civil fine or penalty, or liability was caused in part or contributed to by an Indemnitee. However, without affecting the rights of CITY under any provision of this agreement, CONTRACTOR shall not be required to indemnify and hold harmless CITY for liability attributable to the active negligence of CITY, provided such active negligence

is determined by agreement between the parties or by the findings of a court of competent jurisdiction. In instances where CITY is shown to have been actively negligent and where CITY active negligence accounts for only a percentage of the liability involved, the obligation of CONTRACTOR will be for that entire portion or percentage of liability not attributable to the active negligence of CITY.

#### VI. <u>PREVAILING WAGES</u>

- A. Contractor shall comply with all applicable laws and regulations relating to prevailing wages. Wage rates for this Project shall be in accordance with the "General Wage Determination Made By the Director of Industrial Relations Pursuant To California Labor Code, Part 7, Chapter 1, Article 2, Sections 1770, 1773 and 1773.1", for Riverside County. Wage rates shall conform with those posted at Beaumont City Hall and the Project site.
- B. The following Labor Code sections are hereby referenced and made a part of this Agreement:
  - 1. Section 1775 Penalty for Failure to Comply with Prevailing Wage Rates.
  - 2. Section 1777.4 Apprenticeship Requirements.
  - 3. Section 1777.5 Apprenticeship Requirements.
  - 4. Section 1813 Penalty for Failure to Pay Overtime.
  - 5. Sections 1810 and 1811 Working Hour Restrictions.
  - 6. Section 1775 Payroll Records.
  - 7. Section 1773.8 Travel and Subsistence Pay.

#### VII. <u>RECORD AUDIT</u>

In accordance with Government Code, Section 8546.7, records of both the CITY and the CONTRACTOR shall be subject to examination and audit by the Auditor General for a period of three (3) years after final payment.

#### VIII. FINAL PAYMENT

Final payment, constituting the entire unpaid balance of the Agreement Sum, shall be paid by the CITY to the CONTRACTOR no sooner than thirty-five (35) days after a Notice of Completion has been recorded, unless otherwise stipulated in the Notice of Completion, provided the work has then been completed, the Agreement fully performed, and a final Certificate for Payment has been issued by the Engineer.

### IX. CONTRACTOR'S FAILURE TO PROCURE COMPLETION OF PROJECT

In the event CONTRACTOR fails to furnish tools, equipment, or labor in the necessary quantity or quality, or fails to prosecute the work or any part thereof contemplated by this Agreement in a diligent and workmanlike manner, and if the CONTRACTOR for a period of three (3) calendar days after receipt of written demand from CITY or its designated representative to do so, fails to furnish tools, equipment, or labor in the necessary quantity or quality, and to prosecute its work and all parts thereof in a diligent and workmanlike manner, or after commencing to do so within said three (3) calendar days, fails to continue to do so; then the CITY may exclude the CONTRACTOR from the premises, or any portion thereof, and take possession of said premises or any portion thereof, together with all material and equipment thereon, and may complete the work contemplated by this Agreement or any portion of said work, either by furnishing the tools, equipment, labor or material necessary, or by letting the unfinished portion of said work, or the portion taken over by the CITY to another contractor or by a combination of such methods. In any event, the procuring of the completion of said work, or the portion thereof taken over by the CITY, shall be a charge against the CONTRACTOR, and may be deducted from any money due or becoming due to CONTRACTOR from the CITY, or the CONTRACTOR shall pay the CITY the amount of said charge, or the portion thereof unsatisfied. The sureties, provided for under this Agreement shall become liable for payment should CONTRACTOR fail to pay in full any said cost incurred by the CITY.

### X. INSURANCE

Prior to the beginning of and throughout the duration of the Project, CONTRACTOR and its subcontractors shall maintain insurance in conformance with the requirements set forth below. CONTRACTOR will use existing coverage to comply with these requirements. If that existing coverage does not meet the requirements set forth herein, CONTRACTOR agrees to amend, supplement or endorse the existing coverage to do so.

CONTRACTOR acknowledges that the insurance coverage and policy limits set forth in this section constitute the minimum amount of coverage required. Any insurance proceeds available to CONTRACTOR or its subcontractors in excess of the limits and coverage identified in this Agreement and which is applicable to a given loss, claim or demand, will be equally available to CITY.

#### A. Types of Insurance

Without limiting CONTRACTOR's indemnification of CITY, and prior to commencement of Work, CONTRACTOR shall obtain, provide and maintain at its own expense during the term of this Agreement, policies of insurance of the type and amounts described below and in a form satisfactory to CITY:

**1. General liability insurance.** CONTRACTOR shall maintain commercial general liability insurance with coverage at least as broad as Insurance Services Office form CG 00 01, in an amount not less than \$1,000,000 per occurrence, \$2,000,000 general aggregate, for bodily injury, personal injury, and property damage, and a \$2,000,000 completed operations aggregate. The policy must

include contractual liability that has not been amended. Any endorsement restricting standard ISO "insured contract" language will not be accepted.

- 2. Automobile liability insurance. CONTRACTOR shall maintain automobile insurance at least as broad as Insurance Services Office form CA 00 01 covering bodily injury and property damage for all activities of the CONTRACTOR arising out of or in connection with Work to be performed under this Agreement, including coverage for any owned, hired, non-owned or rented vehicles, in an amount not less than \$1,000,000 combined single limit for each accident.
- **3.** Umbrella or excess liability insurance. If CONTRACTOR is using umbrella coverage to meet part of its liability insurance requirements under Paragraph 1 of this Section, CONTRACTOR shall obtain and maintain an umbrella or excess liability insurance that will provide bodily injury, personal injury, completed operations and property damage liability coverage at least as broad as the primary coverages set forth above, including commercial general liability and employer's liability. Such policy or policies shall include the following terms and conditions:
  - A drop down feature requiring the policy to respond in the event that any primary insurance that would otherwise have applied proves to be uncollectable in whole or in part for any reason;
  - Pay on behalf of wording as opposed to reimbursement;
  - Concurrency of effective dates with primary policies;
  - Policies shall "follow form" to the underlying primary policies; and
  - Insureds under primary policies shall also be insureds under the umbrella or excess policies.
- 4. Workers' compensation insurance. CONTRACTOR shall maintain Workers' Compensation Insurance (Statutory Limits) and Employer's Liability Insurance (with limits of at least \$1,000,000) for CONTRACTOR's employees in accordance with the laws of the State of California, Section 3700 of the Labor Code. In addition, CONTRACTOR shall require each subcontractor to similarly maintain Workers' Compensation Insurance and Employer's Liability Insurance in accordance with the laws of the State of California, Section 3700 for all of the subcontractor's employees.

CONTRACTOR shall submit to CITY, along with the certificate of insurance, a Waiver of Subrogation endorsement in favor of CITY, its officers, agents, employees and volunteers.

**5. Pollution liability insurance.** Environmental Impairment Liability Insurance shall be written on a CONTRACTOR's Pollution Liability form or other form acceptable to CITY providing coverage for liability arising out of sudden, accidental and gradual pollution and remediation. The policy limit shall be no

less than \$1,000,000 dollars per claim and in the aggregate. All activities contemplated in this Agreement shall be specifically scheduled on the policy as "covered operations." The policy shall provide coverage for the hauling of waste from the project site to the final disposal location, including non-owned disposal sites.

Products/completed operations coverage shall extend a minimum of three (3) years after project completion. Coverage shall be included on behalf of the insured for covered claims arising out of the actions of independent contractors. If the insured is using subcontractors, the Policy must include work performed "by or on behalf" of the insured. Policy shall contain no language that would invalidate or remove the insurer's duty to defend or indemnify for claims or suits expressly excluded from coverage. Policy shall specifically provide for a duty to defend on the part of the insurer. The CITY, its officials, officers, agents, and employees, shall be included as insureds under the policy.

**6. Builder's risk insurance**. Upon commencement of construction and with approval of CITY, CONTRACTOR shall obtain and maintain builder's risk insurance for the entire duration of the Project until only the CITY has an insurable interest. The Builder's Risk coverage shall include the coverages as specified below.

The named insureds shall be CONTRACTOR and CITY, including its officers, officials, employees, and agents. All Subcontractors (excluding those solely responsible for design Work) of any tier and suppliers shall be included as additional insureds as their interests may appear. CONTRACTOR shall not be required to maintain property insurance for any portion of the Project following transfer of control thereof to CITY. The policy shall contain a provision that all proceeds from the builder's risk policy shall be made payable to the CITY. The CITY will act as a fiduciary for all other interests in the Project.

Policy shall be provided for replacement value on an "all risk" basis for the completed value of the project. There shall be no coinsurance penalty or provisional limit provision in any such policy. Policy must include: (1) coverage for any ensuing loss from faulty workmanship, Nonconforming Work, omission or deficiency in design or specifications; (2) coverage against machinery accidents and operational testing; (3) coverage for removal of debris, and insuring the buildings, structures, machinery, equipment, materials, facilities, fixtures and all other properties constituting a part of the Project; (4) Ordinance or law coverage for contingent rebuilding, demolition, and increased costs of construction; (5) transit coverage (unless insured by the supplier or receiving contractor), with sub-limits sufficient to insure the full replacement value of any key equipment item; (6) Ocean marine cargo coverage insuring any Project materials or supplies, if applicable; (7) coverage with sub-limits sufficient to insure the full replacement value of any property or equipment stored either on or off the Site or any staging area. Such insurance shall be on a form acceptable to CITY to ensure adequacy of terms and sublimits and shall be submitted to the CITY prior to commencement of construction.

## B. Other provisions or requirements

- 1. **Proof of insurance.** CONTRACTOR shall provide certificates of insurance to CITY as evidence of the insurance coverage required herein, along with a waiver of subrogation endorsement for workers' compensation. Insurance certificates and endorsements must be approved by CITY's risk manager prior to commencement of performance. Current certification of insurance shall be kept on file with CITY at all times during the term of this contract. CITY reserves the right to require complete, certified copies of all required insurance policies, at any time.
- 2. Duration of coverage. CONTRACTOR shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property, which may arise from or in connection with the performance of the Work hereunder by CONTRACTOR, his agents, representatives, employees or subcontractors. CONTRACTOR must maintain general liability and umbrella or excess liability insurance for as long as there is a statutory exposure to completed operations claims. CITY and its officers, officials, employees, and agents shall continue as additional insureds under such policies.
- **3. Primary/noncontributing.** Coverage provided by CONTRACTOR shall be primary and any insurance or self-insurance procured or maintained by CITY shall not be required to contribute with it. The limits of insurance required herein may be satisfied by a combination of primary and umbrella or excess insurance. Any umbrella or excess insurance shall contain or be endorsed to contain a provision that such coverage shall also apply on a primary and non-contributory basis for the benefit of CITY before the CITY's own insurance or self-insurance shall be called upon to protect it as a named insured.
- 4. CITY's rights of enforcement. In the event any policy of insurance required under this Agreement does not comply with these requirements or is canceled and not replaced, CITY has the right but not the duty to obtain the insurance it deems necessary and any premium paid by CITY will be promptly reimbursed by CONTRACTOR or CITY will withhold amounts sufficient to pay premium from CONTRACTOR payments. In the alternative, CITY may cancel this Agreement.
- **5.** Acceptable insurers. All insurance policies shall be issued by an insurance company currently authorized by the Insurance Commissioner to transact business of insurance or is on the List of Approved Surplus Line Insurers in the State of California, with an assigned policyholders' Rating of A- (or higher) and Financial Size Category Class VII (or larger) in accordance with the latest edition of Best's Key Rating Guide, unless otherwise approved by the CITY's risk manager.

- 6. Waiver of subrogation. All insurance coverage maintained or procured pursuant to this agreement shall be endorsed to waive subrogation against CITY, its elected or appointed officers, agents, officials, employees and volunteers or shall specifically allow CONTRACTOR or others providing insurance evidence in compliance with these specifications to waive their right of recovery prior to a loss. CONTRACTOR hereby waives its own right of recovery against CITY, and shall require similar written express waivers and insurance clauses from each of its subconsultants.
- **7. Enforcement of contract provisions (non estoppel).** CONTRACTOR acknowledges and agrees that any actual or alleged failure on the part of the CITY to inform CONTRACTOR of non-compliance with any requirement imposes no additional obligations on the CITY nor does it waive any rights hereunder.
- 8. Requirements not limiting. Requirements of specific coverage features or limits contained in this Section are not intended as a limitation on coverage, limits or other requirements, or a waiver of any coverage normally provided by any insurance. Specific reference to a given coverage feature is for purposes of clarification only as it pertains to a given issue and is not intended by any party or insured to be all inclusive, or to the exclusion of other coverage, or a waiver of any type. If the CONTRACTOR maintains higher limits than the minimums shown above, the CITY requires and shall be entitled to coverage for the higher limits maintained by the CONTRACTOR. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the CITY.
- **9.** Notice of cancellation. CONTRACTOR agrees to oblige its insurance agent or broker and insurers to provide to CITY with a thirty (30) day notice of cancellation (except for nonpayment for which a ten (10) day notice is required) or nonrenewal of coverage for each required coverage.
- **10. Additional insured status**. General liability policies shall provide or be endorsed to provide that CITY and its officers, officials, employees, agents, and volunteers shall be additional insureds under such policies. This provision shall also apply to any excess/umbrella liability policies.
- **11. Prohibition of undisclosed coverage limitations.** None of the coverages required herein will be in compliance with these requirements if they include any limiting endorsement of any kind that has not been first submitted to CITY and approved of in writing.
- **12. Separation of insureds.** A severability of interests provision must apply for all additional insureds ensuring that CONTRACTOR's insurance shall apply separately to each insured against whom claim is made or suit is brought, except

with respect to the insurer's limits of liability. The policy(ies) shall not contain any cross-liability exclusions.

- **13. Pass through clause.** CONTRACTOR agrees to ensure that its subconsultants, subcontractors, and any other party involved with the project who is brought onto or involved in the project by CONTRACTOR, provide the same minimum insurance coverage and endorsements required of CONTRACTOR. CONTRACTOR agrees to monitor and review all such coverage and assumes all responsibility for ensuring that such coverage is provided in conformity with the requirements of this section. CONTRACTOR agrees that upon request, all agreements with consultants, subcontractors, and others engaged in the project will be submitted to CITY for review.
- 14. CITY's right to revise requirements. The CITY reserves the right at any time during the term of the contract to change the amounts and types of insurance required by giving the CONTRACTOR a ninety (90) day advance written notice of such change. If such change results in substantial additional cost to the CONTRACTOR, the CITY and CONTRACTOR may renegotiate CONTRACTOR's compensation.
- **15. Self-insured retentions.** Any self-insured retentions must be declared to and approved by CITY. CITY reserves the right to require that self-insured retentions be eliminated, lowered, or replaced by a deductible. Self-insurance will not be considered to comply with these specifications unless approved by CITY.
- **16. Timely notice of claims.** CONTRACTOR shall give CITY prompt and timely notice of claims made or suits instituted that arise out of or result from CONTRACTOR's performance under this Agreement, and that involve or may involve coverage under any of the required liability policies.
- **17. Additional insurance**. CONTRACTOR shall also procure and maintain, at its own cost and expense, any additional kinds of insurance, which in its own judgment may be necessary for its proper protection and prosecution of the Work.

### XI. CONTRACTOR'S LICENSE

CONTRACTOR must possess at the time of commencing work and throughout the Project duration, a Contractor's License, issued by the State of California, which is current and in good standing. CONTRACTOR shall ensure that any subcontractor working on the Project possesses at the time of commencing work and throughout the Project duration, a Contractor's License, issued by the State of California, which is current and in good standing.

#### XII. <u>REGISTRATION REQUIREMENTS</u>

A. Pursuant to Section 1771.1(a) of the Labor Code:

"A contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, as defined in this chapter, unless currently registered and qualified to perform public work pursuant to Section 1725.5. It is not a violation of this section for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded."

B. CONTRACTOR must be registered with the Department of Industrial Relations (DIR) of the State of California in order to be eligible to work on public works projects. CONTRACTOR must ensure registration with the DIR that is active and in good standing.

C. No contractor or subcontractor may be listed on a bid proposal for a public works project (submitted on or after March 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5 [with limited exceptions from this requirement for bid purposes only under Labor Code section 1771.1(a)].

No contractor or subcontractor may be awarded a contract for public work on a public works project (awarded on or after April 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5.

This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

D. The CONTRACTOR is not subject to public works requirements (including registration with the DIR) if the public works project is under \$1,000, unless the CITY knows that the same CONTRACTOR will be awarded total project costs in excess of \$1,000 for a given year.

#### XIII. CORPORATION IN GOOD STANDING

If CONTRACTOR is a corporation, the undersigned hereby represents and warrants that the corporation is duly incorporated and in good standing in the State of California, and that <u>(Insert Name)</u> whose title is <u>(Insert Title)</u> is authorized to act for and bind the corporation.

#### XIV. PROVISIONS REQUIRED BY LAW

Each and every provision of law and clause required by law to be inserted in this Agreement shall be deemed to be inserted herein and the Agreement shall be read and enforced as though it were included herein, and if through mistake or otherwise any such provision is not inserted, or is not currently inserted, then upon application of either party the Agreement shall forthwith be physically amended to make such insertion or correction.

#### XV. SUBSURFACE HAZARDOUS MATERIALS

- A. In the event trenches or other excavations extend deeper than four (4) feet below the surface, the CONTRACTOR shall promptly, and before the following conditions are disturbed, notify the CITY in writing of any:
  - 1. Material that the CONTRACTOR believes may be material that is hazardous waste, as defined in Section 25117 of the Health and Safety Code that is required to be removed to a Class I, Class II or Class III disposal site in accordance with the provisions of existing law.
  - 2. Subsurface or latent physical conditions at the site differing from those indicated.
  - 3. Unknown physical conditions at the site of any unusual nature, different materially from those ordinarily encountered and generally recognized as inherent in the Work or the character provided for in the CONTRACT.
- B. Upon receipt of said notification the CITY will investigate the conditions, and if it finds that the conditions do materially so differ, or do involve hazardous waste, and cause a decrease or increase in the CONTRACTOR's cost of or the time required for performance of any part of the work, the CITY will issue a change order under the procedures described in the General Conditions.
- C. In the event that a dispute arises between the CITY and the CONTRACTOR whether the conditions materially differ, or involve hazardous waste or cause a decrease or increase in the CONTRACTOR's cost of or time required for performance of any part of the work, the CONTRACTOR shall not be excused from any scheduled completion date provided for by the Agreement, but shall proceed with all work to be performed under the Agreement. The CONTRACTOR shall retain any and all rights provided either by Agreement or by law which pertain to the resolution of disputes and protests between the contracting parties.

#### XVI. <u>COMPONENT PARTS OF THE CONTRACT</u>

This Agreement entered into consists of the following CONTRACT DOCUMENTS, all of which are component parts of the Agreement as if herein set out in full or attached hereto:

- Notice Inviting Bids
  Scope of Work Summary
  Information for Bidders
  Bid Form
  Non-Collusion Affidavit
  Site Visit Certification
  Faithful Performance Bond
  Labor and Materials Payment Bond
  General and Supplemental Conditions
  Special Conditions
  Project Construction Schedule
  Proposed Subcontractors
  Bid Bond
- Information Required of Bidder
   Construction Services Agreement
   Certificate Regarding Worker's
   Compensation
   Drug-free Workplace Certification
   Plans and Specifications
   Addenda
   Drawings
   Change Orders
   Shop Drawing Transmittals
   Contractor's Certificate Regarding
   Non-Asbestos Containing Materials

All of the above named CONTRACT DOCUMENTS are intended to be complementary. Work required by one of the above named CONTRACT DOCUMENTS and not by others shall be done as if required by all.

# XVII. ENTIRE CONTRACT

This Agreement constitutes the entire contract of the parties. No other agreements or contracts, whether oral or written, pertaining to the work to be performed, exists between the parties. This Agreement can be modified only by an amendment in writing, signed by both parties.

[Signatures on following page.]

# SIGNATURE PAGE TO

# CITY OF BEAUMONT PUBLIC WORKS AGREEMENT (NAME OF CONTRACTOR)

\_\_\_\_\_

### CITY:

# CONTRACTOR:

CITY OF BEAUMONT

Ву: \_\_\_\_\_

By: \_\_\_\_

Print Name: \_\_\_\_\_

Julio Martinez, Mayor

Title: \_\_\_\_\_

# ATTEST:

By:\_\_\_\_\_\_ Steven Mehlman, City Clerk

# APPROVED AS TO FORM:

By:\_

John O. Pinkney, City Attorney

# CITY OF BEAUMONT PUBLIC WORKS AGREEMENT (NAME OF CONTRACTOR)

# EXHIBIT "A"

CITY'S INVITATION FOR BIDS DATED \_\_\_\_\_



Agenda Item No. 11. Council Chambers Renovation Construction

# CITY OF BEAUMONT PUBLIC WORKS AGREEMENT (NAME OF CONTRACTOR)

# EXHIBIT "B"

CONTRACTOR'S Bid DATED



Agenda Item No. 11. Council Chambers Renovation Construction

## CITY OF BEAUMONT PUBLIC WORKS AGREEMENT (NAME OF CONTRACTOR)

# EXHIBIT "C"

Project Construction Schedule



August 23, 2019

# ADDENDUM NO. 1

# To the Council Chambers Renovation Construction

# **Updated Information**

 Bidders are to be advised that there is a change to the due date of proposals. The due date of all proposals has been changed to Tuesday, September 3, 2019, no later than 5:00 p.m.

Proposals may be submitted via email or in person at City Hall, addressed as follows:

Nicole Wheelwright

550 E 6<sup>th</sup> Street

Beaumont, Ca 92223

NicoleW@BeaumontCa.gov

# **Contractor Questions and Responses**

- 1. What are the days and hours allowed on the job site?
  - Access inside City Hall can begin at 6:00 a.m. with authorization from the custodian on-site. Work can be conducted Monday through Thursday from 6:00 a.m. to 5:00 p.m.; Fridays from 6:00 a.m. to 2:00 p.m. Saturdays are only available on an as-needed basis from 7:00 a.m. to 2:00 p.m.

# CITY OF BEAUMONT PUBLIC WORKS AGREEMENT

(GV Construction, Inc.)

# EXHIBIT "B"

# CONTRACTOR'S Bid DATED September 3, 2019

GV CONSTRUCTION, INC 1381 HACKNEY STREET HEMET, CA 92543 951-225-3038 CALLGVC4U@GMAIL.COM

THANK YOU FOR THE OPPORTUNITY TO SUBMIT A BID FOR THE COUNCIL CHAMBERS RENOVATION CONSTRUCTION FOR THE CITY OF BEAUMONT. THE RFP HAS BEEN READ IN GREAT DETAIL AND WE HAVE AN IN-DEPTH UNDERSTANDING OF THE WORK WHICH IS SPELLED OUT. WE LOOK FORWARD TO COMPLETING THIS WORK FOR THE CITY OF BEAUMONT. IN ACCORDANCE WITH THE DETAILS AS SPELLED OUT IN THE PLAN SET "BEAUMONT CITY COUNCIL CHAMBERS", GV CONSTRUCTION HAS DETERMINED THIS PROJECT A PERFECT FIT FOR OUR COMPANY AND SKILLSET. GV CONSTRUCTION IS EXCITED TO BE PART OF THIS PROJECT. IF YOU HAVE NOT FIGURED IT OUT BY NOW, WE ARE PROUD OF OUR WORK AND WHAT WE DO. I AM SURE THAT WHEN THIS PROJECT IS COMPLETE, THE CITY OF BEAUMONT REPRESENTATIVES WILL ALSO BE PROUD OF THEIR CHOOSING GV CONSTRUCTION.

PLEASE FIND ATTACHED TO THIS COVER LETTER OUR PROPOSAL FOR SAID WORK ACCORDING TO THE RFP THAT WAS SENT.

WE UNDERSTAND THAT THIS COVER LETTER CONSTITUTES CERTIFICATION BY GV CONSTRUCTION, INC (GARRETT VINYARD, CEO), 1381 HACKNEY STREET HEMET, CA 92543, 951-225-3038, THAT UNDER PENALTY OF PERJURY, THAT THE ABOVE NAMED CONSULTANT COMPLIES WITH NONDISCRIMINATION REQUIREMENTS OF THE STATE AND FEDERAL GOVERNMENT.

GV CONSTRUCTION, INC., A VETERAN OWNED BUSINESS, WAS ESTABLISHED IN 1997 TO SERVE THE PEOPLE OF THE HEMET/SAN JACINTO VALLEY AND ALL SURROUNDING AREAS FOR ALL OF THEIR CONSTRUCTION NEEDS. OUR FOCUS HAS ALWAYS BEEN MAKING OUR CLIENTS PROJECTS OUR OWN. WE SPECIALIZE IN TOP OF THE LINE, INNOVATIVE REMODELS BOTH RESIDENTIAL AND COMMERCIAL, TI WORK, ROOM ADDITIONS AND CUSTOM HOMES. GOING ABOVE AND BEYOND THE CLIENT'S EXPECTATIONS IS OUR GOAL.

GV CONSTRUCTION, INC. OPERATES UNDER THE OWNERSHIP AND LEADERSHIP OF GARRETT VINYARD, US ARMY VETERAN AND CEO. THE SUPERVISORY STAFF UNDER GARRETT IS KIM RODRIGUEZ, OPERATIONS MANAGER. OVER 30 YEARS EXPERIENCE.

#### PERSONNEL STAFF:

KIM RODRIQUEZ- OFFICE MANAGER AND GENERAL LABORER MAKING SURE THAT ATTENTION TO DETAIL IS FOLLOWED.

GARRETT NELSON- GENERAL LABORER SPECIALIZING IN TILE FLOORS, TILE SHOWERS, WOOD WORKING AND FINISH WORK. LATEST PROJECTS INCLUDE TILE FLOORS AND SHOWERS IN 3 CUSTOM HOMES. OVER 16 YEARS EXPERIENCE.

ESEQUIEL RODRIGUEZ- 20 YEAR VETERAN USMC, GENERAL LABORER SPECIALIZING IN FINISH WORK, CONCRETE, METAL & WELDING WORK. LATEST PROJECTS INCLUDE FINISH WORK IN 2 CUSTOM HOMES, WELDING AND BUILDING OF METAL GATES. OVER 15 YEARS EXPERIENCE.

CHARLIE BRUNELLO- VETERAN US NAVY, SPECIALIZING IN PLUMBING, PAINTING, AND FINISH WORK. LATEST PROJECTS INCLUDE INSTALLING ALL NEW PLUMBING ON 2 CUSTOM HOMES, ALL PAINTING OF NEW CUSTOM HOMES AS WELL AS FINISH WORK. OVER 25 YEARS EXPERIENCE.

JESSIE BLACKWELL- CARPENTRY, CABINETRY, FINISHED WOOD WORK. LATEST PROJECTS INCLUDE ALL CABINETS, CROWN MOLDING AND BASE BOARDS IN 2 CUSTOM HOMES. OVER 20 YEARS EXPERIENCE.

ROBERT SALGADO- WILL BE RESPONSIBLE FOR PROVIDING AND INSTALLING THE SPECIFIC CARPET THAT IS CALLED OUT IN THE RFP FOR THE COUNCIL CHAMBERS AND MEETING ROOM 2. OVER 30 YEARS EXPERIENCE.

#### SUB-CONTRACTORS:

HEMET VALLEY HEATING AND AIR (MARK CHANDLER)- RESPONSIBLE FOR ALL HEATING AND AIR ISSUES SPELLED OUT IN RFP.

BEDOY & SONS DRYWALL- WILL BE RESPONSIBLE FOR ALL DRYWALL REPAIR IN BOTH THE MEETING ROOM AND COUNCIL CHAMBERS, DRYWALL IN CEILING IN COUNCIL CHAMBER, MEETING ROOMS 2/3 AND PONY WALL IN THE COUNCIL CHAMBER.

LOST ART MARBLE AND GRANITE- WILL BE RESPONSIBLE FOR INSTALLATION OF

#### SOAPSTONE HARD SURFACES

#### **REFERENCES**:

- JOHN AND MARGIE OOSTDAM
   24953 THREE SPRINGS ROAD
   HEMET, CA 92545
   CUSTOM BUILT HOME
   909-938-9533
- STEVE AND SUSAN GUARINO
   26358 RIM ROAD
   HEMET, CA 92544
   CUSTOM BUILT HOME
   951-990-5680
- RICK AND PAM RAPISURA
   32600 BOOTLEGG RD
   WINCHESTER, CA 92596
   CUSTOM ROOM ADDITION
   951-551-3264
- APPLE URGENT CARE
   1207 E. FLORIDA AVE
   HEMET, CA 92543
   URGENT CARE REMODEL
   951-925-2523
- OAK TREE PLAZA

2888 E. FLORIDA

HEMET, CA 92544

BROUGHT PLAZA UP TO CITY REQUIRED CODE

LAKE ELSINORE POST OFFICE
 500 W. GRAHAM
 LAKE ELSINORE, CA 92530
 REPAIRED BUILDING MULTIPLE TIMES FROM CARS CRASHING INTO BUILDING
 800-275-8777

# SCOPE OF SERVICE

GV CONSTRUCTION PROPOSES TO COMPLETE THE "BEAUMONT CITY COUNCIL CHAMBERS" PER APPROVED PLANS IN A PROFESSIONAL AND TIMELY MANNER. WE HAVE GONE THROUGH THE RFP AND PLAN SET MULTIPLE TIMES AND HAVE GAINED AN UNDERSTANDING OF WHAT IS EXPECTED OF US. WE CAN BEGIN WORK AS SOON AS WE ARE COMPLETE WITH THE "CITY HALL ROOMS RENOVATION CONSTRUCTION" PROJECT (OR OCTOBER 17<sup>TH</sup> 2019). ALL DEMO IS TO BE COMPLETED BY THE CITY OF BEAUMONT. GV CONSTRUCTION WILL ADHERE TO PROPOSED TIME LINE AS FOLLOWS.

OCTOBER 17<sup>th</sup> – BEGIN JOB, BEGIN CEILING LAYOUT, ADA RAMP, SOUND ROOM AND PONY WALL CONSTRUCTION.

OCTOBER 21<sup>st</sup> – CONTINUE FRAMING, WAINSCOTING AND CEILING INSTALL. HVAC INSTALL BEGINS.

OCTOBER 28<sup>TH</sup> - ELECTRICAL, AUDIO CONDUITS, DRYWALL AND PAINTING

NOVEMBER 4<sup>TH</sup> - PAINT CONTINUES, FURNITURE INSTALLATION

NOVEMBER 12<sup>TH</sup> – T-BAR COMPLETION, HARD SURFACE RAILINGS AND COUNTERS INSTALLED

NOVEMBER 18<sup>th</sup> - FINISH ELECTRICAL, HVAC, CARPETING

NOVEMBER 22<sup>ND</sup> – JOB COMPLETE

# COST PROPOSAL FROM GV CONSTRUCTION IS ATTACHED

SEE ATTACHED PROPOSAL FROM HEMET VALLEY HVAC

Council Chambers

Option "A"

We can do the following:

Install Fujitshu Mini Split System, 25 SEER, 12,000 BTU: Line 12

- 1. Install Fan coil on wall in sound room.
- 2. Install Condenser on Roof, curb by other. Unit will be bolted to curb.
- 3. Run refrigerant line set from condenser to fan coil. Flashing and roofing by other.

3. Run electrical and control wire from condenser to fan coil, Flashing and roofing by other.

- 4. Electrical from panel to disconnect box at condenser, by other.
- 5. Start up and test equipment.
- 6. Drain line, by other.

Install Spiral duct: From Blue Prints, Doesn't appear on the line items.

- 1. Connect to existing plenum, install collars and seal.
- 2. Install 4 supply air runs with spiral ducting, last five feet flex duct.
- 3. Install 2 return air runs with spiral ducting.
- 4. Install 2 return air rectangle ducting in shaft.
- 5. Install 4 supply registers in t-bar ceiling, quake wire by other.
- 6. Install 2 return grilles in shaft area.
- 7. Seal all duct connections with duct sealer.
- 8. Insulate all duct runs supply and return with 1.5" foil back wrapping.
- 9. Use 1" duct strap for hanging all spiral duct.
- 10. Use manual quad dampers on all branch lines.

#### Controls:

Install new set back thermostat, programmable. Reuse existing t-stat wire and location.

Start up and test existing equipment, if unit doesn't operate upon our start up we will use time and material to fix it. Hourly rate of \$145.00 an hour, plus any parts needed. Absolutely no warranty of any kind will be given for existing equipment.

Total Cost: \$29,200.00

Room #2 & Room #3:

Grille replacement only: \$585.00 per grille.

Exclusions:

Anything not mention above.

Council Chambers

Option "B"

Install Fujitshu Mini Split System, 25 SEER, 12,000 BTU: Line 12

1. Install Fan coil on wall in sound room.

2. Install Condenser on Roof, curb by other. Unit will be bolted to curb.

3. Run refrigerant line set from condenser to fan coil. Flashing and roofing by other.

3. Run electrical and control wire from condenser to fan coil, Flashing and roofing by other.

4. Electrical from panel to disconnect box at condenser, by other.

5. Start up and test equipment.

6. Drain line, by other.

Line 14: Raise existing ducting: Wasn't allow to verify what type of existing duct.

Use existing strap to raise duct work,

Note: Raising the duct doesn't include any shaft return ducting. We figure this option is omitted, because raising the duct is all that is required. Plus, replace grilles, \$585.00 per grille.

Start up and test existing equipment, if unit doesn't operate upon our start up we will use time and material to fix it.

Hourly rate of \$145.00 an hour, plus any parts needed.

Absolutely no warranty of any kind will be given for existing equipment.

Total Cost: \$19,900.00.

Plus:

Line 15: Grille replacement only, \$585.00 per grille.

Line 16: Floor grille replacement only, \$585.00 per grille.

Line 8: Relocation or deletion of duct in closet. Min. 4 hours, \$580.00.

Exclusions:

Anything not mentioned above.

Thank You

Mark Chandler <u>Hemet Valley A/C & Heating Inc.</u> 3337 W. Florida Ave. Ste 200 Hemet, CA 92545 Office: (951) 658-7476 Lic. #657349

**GV** CONSTRUCTION

**INSURANCE AND BUILDERS RISK \$5800.00** 

P&O 20% OVER TOTAL COST OF JOB

GV Construction, Inc 1381 Hackney Street Hemet, CA 92543 callgvc4u@gmail.com www.gvc4u.com

# ADDRESS

City of Beaumont 560 E. 6th Street Beaumont, Ca 92223 Estimate 1013

DATE 09/03/2019

| DATE       | ACTIVITY                                                                                                                                                                                                                                                                                                                                                       | QTY | RATE     | AMOUNT    |
|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----------|-----------|
| 09/03/2019 | Demo:Demo<br>Demo of existing dais<br>platform and reconstructed to<br>the height required for an<br>adjacent wheelchair<br>accessible ramp.                                                                                                                                                                                                                   | 1   | 0.00     | 0.00      |
| 09/03/2019 | Demo:Demo<br>Man Hours                                                                                                                                                                                                                                                                                                                                         | 56  | 145.00   | 8,120.00  |
| 09/03/2019 | <b>Sales</b><br>Materials – studs, plywood                                                                                                                                                                                                                                                                                                                     |     | 2,100.00 | 2,100.00  |
| 09/03/2019 | carpentry<br>Construction of 60 feet half<br>wall to enclose dias platform,<br>separate podium from Council<br>area and allow for installation<br>of a wheelchair ramp with<br>railing. Front face of dias wall<br>to be stained walnut finish as<br>well as 16 ft wall separating<br>podium and council. The<br>remaining wall will be 5/8<br>drywall finish. | 1   | 0.00     | 0.00      |
| 09/03/2019 | Sales<br>Man Hours                                                                                                                                                                                                                                                                                                                                             | 84  | 145.00   | 12,180.00 |

| DATE       | ACTIVITY                                                                                                                                                                                                                                                                                  | QTY | RATE     | AMOUNT   |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----------|----------|
| 09/03/2019 | Sales<br>Materials – Walnut, drywall,<br>studs, Walnut moulding and<br>cap                                                                                                                                                                                                                |     | 6,600.00 | 6,600.00 |
| 09/03/2019 | Electrical<br>Installation of electrical,<br>microphone, HDMI, and<br>ethernet floor outlets in the<br>dais platform. Placement of<br>such to be coordinated with<br>the furniture contractor and<br>the audio/video contractor.<br>Estimated to be at least five<br>(5) outlets of each. | 1   | 0.00     | 0.00     |
| 09/03/2019 | Hours<br>Man Hours                                                                                                                                                                                                                                                                        | 48  | 145.00   | 6,960.00 |
| 09/03/2019 | Sales<br>Materials – Boxes, conduit,<br>wire, cables and finish                                                                                                                                                                                                                           |     | 8,400.00 | 8,400.00 |
| 09/03/2019 | Electrical<br>Installation of a dedicated<br>outlet on the dais platform for<br>a 110v mini refrigerator.                                                                                                                                                                                 | 8   | 145.00   | 1,160.00 |
| 09/03/2019 | Sales<br>Materials - Boxes, conduit<br>wire and finish                                                                                                                                                                                                                                    |     | 585.00   | 585.00   |
| 09/03/2019 | carpentry<br>Design and construction of<br>ADA compliant wheelchair<br>accessibility ramp to the<br>raised platform.                                                                                                                                                                      | 1   | 0.00     | 0.00     |
| 09/03/2019 | Sales<br>Man Hours                                                                                                                                                                                                                                                                        | 24  | 145.00   | 3,480.00 |
| 09/03/2019 | <b>Sales</b><br>Materials – plywood, 2x4s,<br>handrails                                                                                                                                                                                                                                   |     | 1,765.00 | 1,765.00 |
| 09/03/2019 | Electrical<br>Installation of electrical,<br>microphone, HDMI, and<br>ethernet floor outlets in the<br>staff desk areas adjacent to<br>the platform as well as the<br>west wall.                                                                                                          | 1   | 0.00     | 0.00     |
| 09/03/2019 | Sales<br>Man Hours                                                                                                                                                                                                                                                                        | 48  | 145.00   | 6,960.00 |
| 09/03/2019 | Sales<br>Materials – boxes, conduit,<br>wires and cable                                                                                                                                                                                                                                   |     | 6,900.00 | 6,900.00 |

| DATE       | ACTIVITY                                                                                                                                       | QTY | RATE     | AMOUNT    |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------|-----|----------|-----------|
| 09/03/2019 | Demo:Demo<br>Demo of existing closet<br>configuration to construct a<br>13' x 6'6" audio/video control<br>room.                                | 1   | 0.00     | 0.00      |
| 09/03/2019 | Sales<br>Man Hours                                                                                                                             | 72  | 145.00   | 10,440.00 |
| 09/03/2019 | Sales<br>Materials – studs, drywall,<br>insulation, dual payne picture<br>window                                                               |     | 7,200.00 | 7,200.00  |
| 09/03/2019 | <b>plumbing</b><br>Relocation or deletion of<br>current vent ducting and<br>piping in the existing closet.                                     | 1   | 0.00     | 0.00      |
| 09/03/2019 | <b>Sales</b><br>Man Hours                                                                                                                      | 16  | 145.00   | 2,320.00  |
| 09/03/2019 | <b>Sales</b><br>Materials                                                                                                                      |     | 334.00   | 334.00    |
| 09/03/2019 | Electrical<br>Installation of electrical outlets<br>in the audio/video control<br>room in coordination with the<br>audio and video contractor. | 1   | 0.00     | 0.00      |
| 09/03/2019 | Sales<br>Man Hours                                                                                                                             | 18  | 145.00   | 2,610.00  |
| 09/03/2019 | <b>Sales</b><br>Materials – Boxes, wires and<br>finish                                                                                         |     | 872.00   | 872.00    |
| 09/03/2019 | <b>plumbing</b><br>Cap off two (2) existing gas<br>stubs to be flush with the wall.                                                            | 1   | 0.00     | 0.00      |
| 09/03/2019 | Sales<br>Man Hours                                                                                                                             | 12  | 145.00   | 1,740.00  |
| 09/03/2019 | Sales<br>Materials – custom threaded<br>black iron pipe and fittings                                                                           |     | 367.00   | 367.00    |
| 09/03/2019 | Electrical<br>Relocation and conversion of<br>existing electrical wall outlets<br>to floor outlets.                                            | 1   | 0.00     | 0.00      |
| 09/03/2019 | <b>Sales</b><br>Man Hours                                                                                                                      | 12  | 145.00   | 1,740.00  |
| 09/03/2019 | Sales<br>Materials – boxes, wire and<br>finish                                                                                                 |     | 262.00   | 262.00    |

| DATE       | ACTIVITY                                                                                                                                                                                                                                         | QTY | RATE      | AMOUNT    |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----------|-----------|
| 09/03/2019 | Drywall<br>Installation of coffered style T-<br>bar ceiling panels, or<br>sheetrock (hard lid) finish with<br>soffits for ducting and utilities<br>and three (3) access panels.<br>Please provide both cost<br>options.<br>Cost option 1 – T-bar | 1   | 0.00      | 0.00      |
| 09/03/2019 | Sales<br>Man Hours                                                                                                                                                                                                                               | 80  | 145.00    | 11,600.00 |
| 09/03/2019 | Sales<br>Materials – All materials<br>needed for new coffered t-bar<br>system                                                                                                                                                                    |     | 14,316.00 | 14,316.00 |
| 09/03/2019 | carpentry<br>Cost option 2 – framed and<br>drywalled with custom crown<br>and painted finish                                                                                                                                                     | 1   | 0.00      | 0.00      |
| 09/03/2019 | Sales<br>Man Hours                                                                                                                                                                                                                               | 180 | 145.00    | 26,100.00 |
| 09/03/2019 | Sales<br>Materials – everything needed<br>for coffered ceiling drywall                                                                                                                                                                           |     | 12,700.00 | 12,700.00 |
| 09/03/2019 | Electrical<br>Installation of conduit for<br>electrical and communication<br>wiring above ceiling in<br>coordination with the Audio<br>and Video contractor.                                                                                     | 1   | 0.00      | 0.00      |
| 09/03/2019 | Sales<br>Man Hours                                                                                                                                                                                                                               | 16  | 145.00    | 2,320.00  |
| 09/03/2019 | Sales<br>Materials – Conduit, straps<br>and boxes                                                                                                                                                                                                |     | 740.00    | 740.00    |
| 09/03/2019 | <b>Drywall</b><br>Possible dry wall repair after<br>removal of three (3) large<br>whiteboards adhered to the<br>south wall.                                                                                                                      | 1   | 0.00      | 0.00      |
| 09/03/2019 | Sales<br>Man Hours                                                                                                                                                                                                                               | 16  | 145.00    | 2,320.00  |
| 09/03/2019 | Sales<br>Materials                                                                                                                                                                                                                               |     | 400.00    | 400.00    |
| 09/03/2019 | carpet<br>Installation of carpet with<br>Mohawk Distinctive Appeal<br>#979 Sensory Touch.                                                                                                                                                        | 1   | 0.00      | 0.00      |

| DATE       | ACTIVITY                                                                                                                                                                                                                                                                                                                                                                            | QTY | RATE      | AMOUNT    |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----------|-----------|
| 09/03/2019 | Sales<br>Man Hours                                                                                                                                                                                                                                                                                                                                                                  | 48  | 145.00    | 6,960.00  |
| 09/03/2019 | Sales<br>Materials, Carpet and<br>adhesive                                                                                                                                                                                                                                                                                                                                          |     | 2,926.00  | 2,926.00  |
| 09/03/2019 | <b>carpentry</b><br>Addition of windowsills to<br>match other windowsill styles<br>within the building.                                                                                                                                                                                                                                                                             | 1   | 0.00      | 0.00      |
| 09/03/2019 | Sales<br>Man Hours                                                                                                                                                                                                                                                                                                                                                                  | 16  | 145.00    | 2,320.00  |
| 09/03/2019 | Sales<br>Materials                                                                                                                                                                                                                                                                                                                                                                  |     | 585.00    | 585.00    |
| 09/03/2019 | <b>carpentry</b><br>5 foot tall wainscoting on the<br>east and west walls. • 3 foot<br>tall wainscoting on the north<br>and south walls.                                                                                                                                                                                                                                            | 1   | 0.00      | 0.00      |
| 09/03/2019 | <b>Sales</b><br>Man Hours                                                                                                                                                                                                                                                                                                                                                           | 172 | 145.00    | 24,940.00 |
| 09/03/2019 | Paint:Painting<br>Painting of all interior walls<br>and accent trim within Council<br>Chambers.                                                                                                                                                                                                                                                                                     | 0   | 0.00      | 0.00      |
| 09/03/2019 | <b>Sales</b><br>Man Hours                                                                                                                                                                                                                                                                                                                                                           | 124 | 145.00    | 17,980.00 |
| 09/03/2019 | <b>Sales</b><br>Materials – Sherwin Williams<br>3 coats                                                                                                                                                                                                                                                                                                                             |     | 3,900.00  | 3,900.00  |
| 09/03/2019 | A/C<br>Option 1                                                                                                                                                                                                                                                                                                                                                                     | 1   | 29,200.00 | 29,200.00 |
| 09/03/2019 | A/C<br>Option 2                                                                                                                                                                                                                                                                                                                                                                     | 1   | 19,900.00 | 19,900.00 |
| 09/03/2019 | Insurance<br>Builders risk and general<br>liability                                                                                                                                                                                                                                                                                                                                 | 1   | 5,800.00  | 5,800.00  |
| 09/03/2019 | <b>P&amp;O</b><br>20% Profit and overhead.<br>This number is affected by<br>which options you choose<br>Between ceilings and HVAC<br>Option 1 and 1 =<br>$$219402.00 \times .20 =$ Total of<br>\$263282.00<br>Option 1 and 2 = $$210102.00 \times .20 =$ Total of $$252122.40$<br>Option 2 and 1 = $$232286.00 \times .20 =$ Total of $$278743.20$<br>Option 2 and 2 = $$222986.00$ | 1   | 0.00      | 0.00      |

| DATE        | ACTIVITY                                                                                                                    | QTY           | RATE | AMOUNT     |
|-------------|-----------------------------------------------------------------------------------------------------------------------------|---------------|------|------------|
| 09/03/2019  | Any and all items discovered<br>throughout the course of work<br>will be billed at labor rate and<br>material cost plus 20% |               |      |            |
|             |                                                                                                                             | TOTAL         | \$   | 278,102.00 |
| Accepted By |                                                                                                                             | Accepted Date |      |            |
|             |                                                                                                                             |               |      |            |
|             |                                                                                                                             |               |      |            |
|             |                                                                                                                             |               |      |            |
|             |                                                                                                                             |               |      |            |
|             |                                                                                                                             |               |      |            |

| GV Construction, Inc                  |                 |
|---------------------------------------|-----------------|
| 1381 Hackney Street                   |                 |
| Hemet, CA 92543                       |                 |
| callgvc4u@gmail.com                   |                 |
| www.gvc4u.com                         |                 |
| ADDRESS                               | Estimate 1013   |
| City of Beaumont<br>560 E. 6th Street | DATE 09/03/2019 |
| Beaumont, Ca 92223                    |                 |

| DATE       | ACTIVITY                                                                                                                                                                                                                                                                                             | QTY | RATE     | AMOUNT   |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----------|----------|
| 09/03/2019 | carpentry<br>Construction of 44 feet half<br>wall to enclose dias platform,<br>separate podium from Council<br>area and allow for installation<br>of a wheelchair ramp with<br>railing. Front face of dias wall<br>to be stained walnut finish.<br>The remaining wall will be 5/8<br>drywall finish. | 1   | 0.00     | 0.00     |
| 09/03/2019 | <b>Sales</b><br>Man Hours                                                                                                                                                                                                                                                                            | 48  | 145.00   | 6,960.00 |
| 09/03/2019 | <b>Sales</b><br>Materials – Walnut, drywall,<br>studs, Walnut moulding and<br>cap                                                                                                                                                                                                                    |     | 5,900.00 | 5,900.00 |

Agenda Item No. 11.

| DATE       | ACTIVITY                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | QTY | RATE     | AMOUNT   |
|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----------|----------|
| 09/03/2019 | Electrical<br>Installation of electrical,<br>microphone, HDMI, and<br>ethernet floor outlets in the<br>dais platform. Placement of<br>such to be coordinated with<br>the furniture contractor and<br>the audio/video contractor.<br>Estimated to be at least five<br>(5) outlets of each. Installation<br>of a dedicated outlet on the<br>dais platform for a 110v mini<br>refrigerator. Installation of<br>electrical, microphone, HDMI,<br>and ethernet floor outlets in<br>the staff desk areas adjacent<br>to the platform as well as the<br>west wall. Installation of<br>electrical outlets in the<br>audio/video control room in<br>coordination with the audio<br>and video contractor.<br>Relocation and conversion of<br>existing electrical wall outlets<br>to floor outlets. Installation of<br>conduit for electrical and<br>communication wiring above<br>ceiling in coordination with the<br>Audio and Video contractor. | 1   | 0.00     | 0.00     |
| 09/03/2019 | <b>Hours</b><br>Man Hours                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 64  | 145.00   | 9,280.00 |
| 09/03/2019 | <b>Sales</b><br>Materials – Boxes, conduit,<br>wire and finish                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |     | 7,800.00 | 7,800.00 |
| 09/03/2019 | <b>carpentry</b><br>Design and construction of<br>ADA compliant wheelchair<br>accessibility ramp to the<br>raised platform.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 1   | 0.00     | 0.00     |
| 09/03/2019 | Sales<br>Man Hours                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 16  | 145.00   | 2,320.00 |
| 09/03/2019 | <b>Sales</b><br>Materials – plywood, 2x4s,<br>handrails                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |     | 850.00   | 850.00   |
| 09/03/2019 | <b>Demo:Demo</b><br>Demo of existing closet<br>configuration to construct a<br>13' x 6'6" audio/video control<br>room.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 1   | 0.00     | 0.00     |
| 09/03/2019 | <b>Sales</b><br>Man Hours                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 40  | 145.00   | 5,800.00 |

Agenda Item No. 11.

| DATE       | ACTIVITY                                                                                                                                                                                                                                                                       | QTY   | RATE     | AMOUNT   |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|----------|----------|
| 09/03/2019 | <b>Sales</b><br>Materials – studs, drywall,<br>insulation, laminated glass<br>picture window and timely<br>door                                                                                                                                                                |       | 3,100.00 | 3,100.00 |
| 09/03/2019 | <b>plumbing</b><br>Relocation or deletion of<br>current vent ducting and<br>piping in the existing closet.                                                                                                                                                                     | 1     | 0.00     | 0.00     |
| 09/03/2019 | Sales<br>Man Hours                                                                                                                                                                                                                                                             | 8     | 145.00   | 1,160.00 |
| 09/03/2019 | <b>Sales</b><br>Materials                                                                                                                                                                                                                                                      |       | 164.00   | 164.00   |
| 09/03/2019 | <b>plumbing</b><br>Cap off two (2) existing gas<br>stubs to be flush with the wall.                                                                                                                                                                                            | 1     | 0.00     | 0.00     |
| 09/03/2019 | <b>Sales</b><br>Man Hours                                                                                                                                                                                                                                                      | 8     | 145.00   | 1,160.00 |
| 09/03/2019 | <b>Sales</b><br>Materials – custom threaded<br>black iron pipe and fittings                                                                                                                                                                                                    |       | 367.00   | 367.00   |
| 09/03/2019 | Drywall<br>Installation of new ceiling<br>tiles, re-locate some HVAC<br>duct work, build new 32inch<br>high walls to create a single<br>coffered space that measures<br>10x18 feet for mounting of TV<br>monitors and finished in same<br>raised panel work to match<br>walls. | 1     | 0.00     | 0.00     |
| 09/03/2019 | <b>Sales</b><br>Man Hours                                                                                                                                                                                                                                                      | 56    | 145.00   | 8,120.00 |
| 09/03/2019 | <b>Sales</b><br>Materials – All materials<br>needed for new coffered t-bar<br>system                                                                                                                                                                                           | 1,175 | 8.50     | 9,987.50 |
| 09/03/2019 | <b>Drywall</b><br>Possible dry wall repair after<br>removal of three (3) large<br>whiteboards adhered to the<br>south wall.                                                                                                                                                    | 1     | 0.00     | 0.00     |
| 09/03/2019 | Sales<br>Man Hours                                                                                                                                                                                                                                                             | 16    | 145.00   | 2,320.00 |
| 09/03/2019 | Sales<br>Materials                                                                                                                                                                                                                                                             |       | 400.00   | 400.00   |
| 09/03/2019 | <b>Trash Dumpster</b><br>Provide trash receptacle for<br>debris created by GV<br>Construction                                                                                                                                                                                  | 1     | 1,200.00 | 1,200.00 |

Agenda Item No. 11.

| DATE       | ACTIVITY                                                                                                                    | QTY | RATE      | AMOUNT    |
|------------|-----------------------------------------------------------------------------------------------------------------------------|-----|-----------|-----------|
| 09/03/2019 | A/C<br>New mini-split system for<br>audio room only                                                                         | 1   | 6,500.00  | 6,500.00  |
| 09/03/2019 | <b>Insurance</b><br>Builders risk and general<br>liability                                                                  | 1   | 2,700.00  | 2,700.00  |
| 09/03/2019 | P&O<br>Profit and overhead 15%                                                                                              | 1   | 11,413.27 | 11,413.27 |
| 09/03/2019 | Any and all items discovered<br>throughout the course of work<br>will be billed at labor rate and<br>material cost plus 15% |     |           |           |

| TOTAL | \$87,501.77 |
|-------|-------------|
|       |             |

Accepted By

Accepted Date

#### CITY OF BEAUMONT PUBLIC WORKS AGREEMENT (GV Construction, Inc.)

#### EXHIBIT "C"

Project Construction Schedule

(Insert behind this page.)

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# BEAUMONT

**Staff Report** 

| TO:      | Mayor and City Council Members                                                                                                                   |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| FROM:    | Kristine Day, Assistant City Manager                                                                                                             |
| DATE:    | October 1, 2019                                                                                                                                  |
| SUBJECT: | City Council Approval of Change Order No. 10 for the Wastewater<br>Treatment Plant Upgrade/Expansion in the Amount Not to Exceed<br>\$596,031.05 |

#### **Background and Analysis:**

#### Wastewater Treatment Plant Change Order No. 10:

Preliminary design of the wastewater treatment plant (Plant) began in November 2016 and was completed in May 2017. Final design of the Plant began in May 2017, and construction began in October 2018. During the design and up until March 2019, the Plant was operated by Utility Partners under contract to the City. The Utility Partners' operations team had no experience operating an MBR and/or reverse osmosis system and offered no meaningful feedback to the City or design team during the planning and design of the Plant upgrades. In October 2018, the City hired a new chief plant operator (CPO). The new CPO began attending construction meetings, reviewing the plans for the Plant, and hiring the Plant operations staff during the first quarter of 2019. The City took over operations of the Plant on March 1, 2019.

The City's new operations staff has considerable experience operating a membrane/RO plant and have provided significant feedback to the design team and City management regarding the operations, maintenance, and upgrades to the Plant. The feedback has led to potential changes in the design that will improve operator flexibility, reduce long-term operations costs, and attempt to minimize potential risks. The majority of the potential change is described below.

#### Item #1 - MBR Chemical Area Changes & Other Misc. Changes:

#### MBR Building Bulk Chemical Storage

The MBR building, as designed, included the following:

- 1. 4,400 gallon bulk storage tank for sodium hypochlorite along with the associated feed equipment for disinfection through the RO system.
- 2. Aqueous ammonia storage and feed system inside the MBR Building for disinfection through the RO system.
- 3. Citric acid tote storage and feed system inside the MBR Building for membrane cleaning.
- 4. Anti-scalant tote and feed system inside the MBR Building to reduce scaling in the RO effluent.
- 5. Open space for the future addition of sulfuric acid tote and feed system for pH adjustment (if necessary).

Based upon the CPO and operation's staff experience, they are recommending the following changes be made:

- 1. Relocate the sodium hypochlorite storage and feed system, as designed, across the road and combine all the bulk storage together into one facility.
- 2. Switch from aqueous ammonia to liquid ammonium sulfate (LAS). The benefits of LAS include that it is safer to handle for the operators, can be stored outside, and removes the requirement to install fire sprinklers in the MBR Building. A 1,000 gallon storage tank within a concrete containment area is proposed to be added. The addition of fire sprinklers in the MBR Building was specifically excluded from the contractor's bids due to unknowns about what was going to be required by the Fire Marshall. The separate storage room for the aqueous ammonia system would be removed along with the associated delivery system. The addition of the fire sprinklers was going to be handled via change order. Switching to LAS avoids a change order estimated at \$50,000 \$75,000.
- 3. Add bulk storage and feed system for sulfuric acid to lower the pH prior to the RO system. The normal pH range of the wastewater is within the specified operating range for the RO system but, in the experience of the CPO and staff, being able to lower the pH is a critical operating parameter when optimizing the RO system performance. A 1,000 gallon storage tank within a concrete containment area is proposed to be added.

The change to bulk chemical storage has other benefits to the City. 1) Purchasing bulk chemicals are far less expensive than buying them in smaller volume totes. This will reduce the City's long-term operating budget. 2) Bulk chemicals are delivered directly from a tanker truck into the storage tank and eliminates the manpower associated with changing out storage totes and also minimizes the potential hazards to the operators during tote change outs.

The estimated cost associated with these changes is \$390,457 and includes credits for changing the aqueous ammonia system to the LAS system but does not include credit for the avoided additional costs for fire sprinklers in the MBR Building. During the previous presentation to City Council, it was estimated that this item would cost up to \$350,000. In addition to Items #1-3 above, there were other enhancements made during the final design including:

- 1. A re-circulation system was added to the hypochlorite system. This includes two pumps, piping between the tank farm and the MBR Building, and associated electrical systems. This is crucial for future maintenance due to sodium hypochlorite crystalizing if not recirculating.
- 2. Spare chemical feed pipes under the new road for future use.
- 3. Enhanced level control radar system and control features for chemical storage tanks.

#### Above Ground Chemical Piping

The chemical piping, as designed, included the following:

- 1. Shorter piping lengths because the chemical pumping skids were inside the building.
- 2. All underground piping between the pump skids and the injection points.

Based upon the CPO, operation's staff, and City Staff experience, they are recommended the following changes be made:

- 1. Change under-slab chemical piping to above ground piping. The above ground piping will be mounted on the walls and on pipe supports.
- 2. The above ground piping required the installation of precast vaults to transition from below ground piping outside the building to above ground piping inside the building. Another precast vault is required for the leak detection system to be installed.

The benefits of these improvements is in future maintenance and operability. If the chemical piping was under the slab, it would be extremely difficult to access in the case of breakages and/or replacements. These improvements were not included with the previously presented owner initiated changes.

The cost for this work is \$79,766.00.

#### MBR Building Modifications

The MBR Building original design included one male bathroom and locker room and one female bathroom and locker room. Each restroom included one toilet and the men's restroom included a urinal. The lab area did not include a vent hood.

Based upon the CPO and operation's staff recommendations, the following changes were made:

1. Modified the men's restroom to include two toilets and no urinal. This will become a unisex facility.

- 2. Modified the women's restroom to include two toilets. This will become a unisex facility.
- 3. Add a vent hood in the lab and modify of the cabinets to accommodate the vent hood.
- 4. There was also a reconfiguration of the reverse osmosis (RO) skids, piping, electrical, and floor drain system to accommodate moving the RO skids to make more room for access in the building.

These changes will make the facility more for the operations staff and will maximize the available area in the MBR Building. These modifications were not included in the previously presented owner initiated changes.

The cost for this work is \$52,780.00. The MBR Chemical Area Changes plus the changes described above will necessitate a 30 day time extension to the project timeline.

#### Item #2 - Inclement Weather Impact Nov-18 to May-19

The project has also experienced inclement weather impacts from November 2018 through May 2019. This had been verified and thoroughly reviewed. The Phase 1 time extension is 51 calendar days and a Phase 2 / Project Completion time extension is 47 calendar days.

#### Summary of Change Order No. 10 Costs:

The costs associated for this change order is in the amount not to exceed \$596,031.05 and will have a time impact of 77 calendar days. The costs for the change order are as summarized below:

| Item                                                      | Cost         |
|-----------------------------------------------------------|--------------|
| Item #1 - MBR Chemical Area Changes & Other Misc. Changes | \$596,031.05 |
| Item #2 - Inclement Weather Impact Nov-18 to May-19       | \$0.00       |
| Total:                                                    | \$596,031.05 |

#### Wastewater Treatment Plant Change Order Summary:

| CO No. | Description                                                                   | <b>Reason for Change</b>                 | Amount           |
|--------|-------------------------------------------------------------------------------|------------------------------------------|------------------|
| 1      | MBR System Improvements                                                       | Enhance the performance of<br>MBR System | \$149,741<br>.00 |
| 2      | RO System Electrical<br>Modifications & Storm Drain<br>System Material Change | Design & Material Updates                | (\$245.00<br>)   |
| 3      | New Aeration Basin 1 through<br>3 Excavation                                  | Conflict with Existing Utilities         | \$19,998.<br>00  |
| 4      | Structural and Mechanical                                                     | Pre-Selected Submittals                  | \$57,450.        |

|      | Modific                                                                                                                                           | cations                                                             |                                                                           |                       | 64                     |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|---------------------------------------------------------------------------|-----------------------|------------------------|
| 5    | Vactor Truck<br>Modific                                                                                                                           | -                                                                   | Conflict with Construction                                                |                       | NTE<br>\$15,000.<br>00 |
| 6    | EDI/Fine Co<br>Diffuser E                                                                                                                         |                                                                     | Design                                                                    | Change                | \$24,298.<br>00        |
| 7    | Structural,<br>Headworks S                                                                                                                        | rious Changes – MBR/RO<br>Structural Site Civil &                   |                                                                           | Changes               | \$59,167.<br>49        |
| 8    | Various Change<br>Piping Realign<br>Change, and Ele<br>Valve Volta                                                                                | ment, Material<br>ectric Actuated                                   | Unforeseen Conditions and Value<br>Engineering                            |                       | \$7,942.0<br>0         |
| 9    | Various Change<br>Handling Bldg. (<br>Capacity Increas<br>Yard Vaults Cov<br>Additional Pothe<br>Investigation an<br>Bank Removal, a<br>Utilities | Conveyor<br>se, Electrical<br>er Changes,<br>ole<br>d Existing Duct | Design Changes, Conflict with<br>Construction, Owner Requested<br>Changes |                       | \$138,531<br>.73       |
| 10   | MBR Chemical A<br>Other Misc. Char<br>Inclement Weat<br>Nov-18 to May-2                                                                           | nges and<br>her Impact                                              | &<br>Owner Requested Changes &<br>Inclement Weather                       |                       | \$596,031<br>.05       |
| WWTP | Contingency                                                                                                                                       | Budget                                                              | Amount                                                                    | Change Orders<br>1-10 | Remaini<br>ng          |
|      |                                                                                                                                                   | \$4,000,000.00                                                      |                                                                           | \$1,067,914.91        | \$2,932,0<br>85.92     |

#### **Fiscal Impact:**

Wastewater Treatment Plant Expansion/Renovation:

The project accounting below represents the status of funds should the change order be approved by City Council. A contingency balance of \$2,932,085.09 would remain should City Council approve this item.

| WWTP         | Budget Amount  | Paid to Date   | Remaining      |
|--------------|----------------|----------------|----------------|
| Design       | \$2,709,798.23 | \$2,556,649.26 | \$153,148.97   |
| Construction | \$5,308,585.72 | \$2,148,433.80 | \$3,160,151.92 |

| Management   |                 |                 |                 |
|--------------|-----------------|-----------------|-----------------|
| Equipment    | \$252,906.00    | \$215,793.50    | \$37,112.50     |
| Permits      | \$324,776.76    | \$62,498.74     | \$262,278.02    |
| Construction | \$53,910,737.00 | \$18,703,626.12 | \$35,207,110.88 |
| Contingency  | \$4,000,000.00  | \$160,136.67    | \$3,839,863.33  |
| Total        | \$66,506,803.71 | \$23,847,138.09 | \$42,659,665.62 |

#### **Recommendation:**

1. Approval of Change Order No. 10 for the Wastewater Treatment Plant Upgrade/Expansion in the Amount Not to Exceed \$596,031.05.

R

City Manager Review: <u>Todd Parton</u> City Manager

#### **Attachments:**

Change Order No. 10





#### City of Beaumont Wastewater Treatment Plant Salt Mitigation Upgrade Project Change Order No. 10

#### Sept 25, 2019

|               |                                                               |                                        | Amount           | Calendar<br>Days | Comp.<br>Date |
|---------------|---------------------------------------------------------------|----------------------------------------|------------------|------------------|---------------|
| Contractor:   | W.M. Lyles Co.                                                | Original Contract:                     | \$ 53,312,000.00 | 820              | 1/26/2021     |
| Project Name: | Wastewater Treatment Plant Salt<br>Mitlgation Upgrade Project | Previous Approved Changes:             | \$455,008.86     | 18               | 2/13/2021     |
| Contract No.: | C18-80                                                        | This Change: Amount                    | \$596,031.05     | 77               |               |
| CO Number:    | 10                                                            | Revised Contract:                      | \$54,363,039.91  | 915              | 5/1/2021      |
|               |                                                               | Previous Phase 1 Completion Date       |                  |                  | 2/6/2020      |
|               |                                                               | <b>Revised Phase 1 Completion Date</b> |                  |                  | 4/26/2020     |

This change order covers changes to the subject contract as described herein. The Contractor shall supply all labor, equipment and materials to complete the Change Order items for the lump sum price agreed upon herein. All Change Order items must be submitted to the City for approval prior to fabrication.

| ltem<br>No. | PCO<br>No. | Description of Changes                                                              | Amount       | Phase 1 Time<br>Extension<br>(CD*) | Phase 2 / Project<br>Completion Time<br>Extension (CD*) |
|-------------|------------|-------------------------------------------------------------------------------------|--------------|------------------------------------|---------------------------------------------------------|
| 1           | 21         | DCM #8, CLAR-12, 12.1 and 13, MBR<br>Chemical Area Changes & Other Misc.<br>Changes | \$596,031.05 | 29                                 | 30                                                      |
| 2           | 22         | Inclement Weather Impact -Nov-18 to May-19                                          | \$0.00       | 51                                 | 47                                                      |
|             |            |                                                                                     |              |                                    |                                                         |
|             |            | NET CHANGE IN CONTRACT AMOUNT –<br>INCREASE (OR-DECREASE)                           | \$596,031.05 | 80                                 | 77                                                      |

#### \*Calendar Days

The amount of the Contract will be increased/decreased by the amount of Five Hundred Ninety-Six Thousand Thirty-One Dollars and five cents (\$596,031.05). The Contract Time will be increased by Seventy-seven (77) calendar days.

The Contractor agrees to furnish all labor, equipment and materials and to perform all other necessary work, inclusive of the directly or indirectly related work, within the approved time extension required to complete the above Change Order items. The undersigned Contractor approves the foregoing Change Order as to the changes, if any, in the Contract Price specified for each item including any and all supervision costs and other miscellaneous costs relating to the change in Work, and as to the extension of time allowed, if any, for the completion of the entire Work on account of said Change Order. The City and the Contractor hereby agree that this Change Order constitutes full mutual accord and satisfaction for all time, all costs, and all impacts related directly or indirectly to this Change Order. The Contractor hereby agrees that this Change Order. The Contractor hereby agrees that this Change Order represents the full equitable adjustment owed under the Contract, and further agrees on behalf of himself and all subcontractors to waive all right to file any further claims or request for equitable adjustment arising out of or as a result of this Change Order or the cumulative effect of this Change Order on the performance of the overall Work under the Contract. This document will become a supplement of the contract and all provisions will apply hereto. It is understood that the Change Order shall be effective when approved by the City.

Recommended:

MWH Constructors, Senior Resident Engineer

Accepted:

W.M. Lyles Co., Contractor

Approved:

Albert A. Webb Associates, Program Manager

Approved:

City of Beaumont, City Manager

City of Beaumont Wastewater Treatment Plant Salt Mitigation Upgrade Project

Date: 9-29-19.

Date: 9

9/25/2019 Date:

Date:

Sept 25, 2019 Change Order No. 10 Page 553 of 647

| WML  | COP-22.2 - MWHC Evaluation S   | Summary                   |                             |                                 |
|------|--------------------------------|---------------------------|-----------------------------|---------------------------------|
| Item | Description                    | WML COP-22<br>Cost Change | WML COP-22.1<br>Cost Change | WML COP-<br>22.2 Cost<br>Change |
| 1    | Labor                          | \$153,816.76              | \$140,804.93                | \$131,816.36                    |
| 2    | Material                       | \$251,050.33              | \$250,465.79                | \$249,993.18                    |
| 3    | Equipment                      | \$36,886.01               | \$35 <i>,</i> 858.65        | \$34,672.65                     |
|      |                                |                           |                             |                                 |
|      | Credits                        | \$0.00                    | \$0.00                      | \$0.00                          |
|      | Tax Credit                     | \$0.00                    | \$0.00                      | \$0.00                          |
|      | Net Total                      | \$441,753.10              | \$427,129.37                | \$416,482.19                    |
|      |                                |                           |                             |                                 |
|      | markup                         | \$66,262.97               | \$64,069.41                 | \$62,472.33                     |
|      | subtotal                       | \$508,016.07              | \$491,198.78                | \$478,954.52                    |
|      | Subcontractor                  | ,                         | , - ,                       |                                 |
| 4    | Subcontractors                 | \$118,238.48              | \$118,238.48                | \$106,520.48                    |
|      |                                | <i>+,</i>                 | \$0.00                      | \$0.00                          |
|      | Material                       | \$0.00                    |                             | \$0.00                          |
|      | Equipment                      | \$0.00                    | -                           | \$0.00                          |
|      | Labor                          | \$0.00                    |                             | \$0.00                          |
|      |                                | \$0.00                    |                             |                                 |
|      |                                |                           |                             |                                 |
|      | Subcontractors Net Cost        | \$118,238.48              | \$118,238.48                | \$106,520.48                    |
|      | Subcontractor Markup           | \$0.00                    | \$0.00                      | \$0.00                          |
|      |                                |                           |                             |                                 |
|      | Subcontractor credit           | \$0.00                    |                             | \$0.00                          |
|      | Subcontractor Tax on Material  | \$0.00                    | \$0.00                      | \$0.00                          |
|      | Subcontractor's total w/o Bond | \$118,238.48              | \$118,238.48                | \$106,520.48                    |
|      | Bond                           | \$0.00                    |                             | \$0.00                          |
|      |                                |                           | 4                           |                                 |
|      | subtotal                       | \$118,238.48              | \$118,238.48                | \$106,520.48                    |
|      | GC - Subcontract markup        | \$5,911.92                | \$5,911.92                  | \$5,326.02                      |
|      |                                | \$3,911.92                | \$5,911.92                  | 32,520.02                       |
|      | Total                          | \$632,166.47              | \$615,349.18                | \$590,801.02                    |
|      |                                |                           |                             |                                 |
|      | GC Bond & Ins                  | \$5,599.92                | \$5,453.68                  | \$5,230.03                      |
|      | Total                          | \$637,766.39              | \$620,802.86                | \$596,031.05                    |
|      |                                | <i>4037,700.33</i>        | <i>4020,002.00</i>          | \$550,051.05                    |

C.O. Cost

#### Change Order 22 Description - WWTP

Preliminary design of the wastewater treatment plant (Plant) began in November 2016 and was completed in May 2017. Final design of the Plant began in May 2017 and construction began in October 2018. During the design and up until March 2019, the Plant was operated by Utility Partners under contract to the City. The Utility Partners' operations team had no experience operating an MBR and/or reverse osmosis system and offered no meaningful feedback to the City or design team during the planning and design of the Plant Upgrades. In October 2018, the City hired a new Chief Plant Operator (CPO). The new CPO began attending construction meetings, reviewing the plans for the Plant, and hiring the Plant operations staff during the first quarter of 2019. The City took over operations of the Plant on March 1, 2019.

The City's new operations staff has considerable experience operating a membrane/RO plant and have provided significant feedback to the design team and City Management regarding the operations, maintenance, and upgrades to the Plant. The feedback has led to potential changes in the design that will improve operator flexibility, reduce long-term operations costs, and attempt to minimize potential risks. The majority of the potential changes involve chemical storage and usage at the Plant. Each potential change is described below.

#### MBR Building Bulk Chemical Storage

The MBR Building, as designed, included the following:

- 1. 4,400 gallon bulk storage tank for sodium hypochlorite along with the associated feed equipment for disinfection through the RO system
- 2. Aqueous ammonia storage and feed system inside the MBR Building for disinfection through the RO system
- 3. Citric acid tote storage and feed system inside the MBR Building for membrane cleaning
- 4. Anti-scalant tote and feed system inside the MBR Building to reduce scaling in the RO effluent
- 5. Open space for the future addition of sulfuric acid tote and feed system for pH adjustment (if necessary)

Based upon the CPO and operation's staff experience, they are recommending the following changes be made:

- 1. Keep the sodium hypochlorite storage and feed system, as designed, but move it across the road and combine all the bulk storage together into one facility.
- 2. Switch from aqueous ammonia to liquid ammonium sulfate (LAS). The benefits of LAS include that it is safer to handle for the operators, can be stored outside, and removes the requirement to install fire sprinklers in the MBR Building. A 1,000 gallon storage tank within a concrete containment area is proposed to be added. The addition of fire sprinklers in the MBR Building was specifically excluded from the contractor's bids due to unknowns about what was going to be required by the Fire Marshall. The separate storage room for the aqueous ammonia system would be removed along with the associated delivery system. The addition of the fire sprinklers was going to be handled via change order. Switching to LAS avoids a change order estimated at \$50,000 \$75,000.
- 3. Add bulk storage and feed system for sulfuric acid to lower the pH prior to the RO system. The normal pH range of the wastewater is within the specified operating range for the RO system but, in the experience of the CPO and staff, being able to lower the pH is a critical operating parameter when optimizing the RO system performance. A 1,000 gallon storage tank within a concrete containment area is proposed to be added.

The change to bulk chemical storage has other benefits to the City. 1) Purchasing bulk chemicals are far less expensive than buying them in smaller volume totes. This will reduce the City's long-term operating budget.

2) Bulk chemicals are delivered directly from a tanker truck into the storage tank and eliminates the manpower associated with changing out storage totes and also minimizes the potential hazards to the operators during tote change outs.

The estimated cost associated with these changes is \$390,457 and includes credits for changing the aqueous ammonia system to the LAS system but does not include credit for the avoided additional costs for fire sprinklers in the MBR Building. During the previous presentation to City Council, it was estimated that this item out cost up to \$350,000. In addition to Items #1-3 above, there were other enhancements made during the final design including:

- A. A recirculation system was added to the hypochlorite system was added. This includes two pumps, piping between the tank farm and the MBR Building, and associated electrical systems.
- B. Spare chemical feed pipes under the new road for future use.
- C. Enhanced level control radar system and control features for chemical storage tanks

#### Above Ground Chemical Piping

The chemical piping, as designed, included the following:

- 1. Shorter piping lengths because the chemical pumping skids were inside the building.
- 2. All underground piping between the pump skids and the injection points

Based upon the CPO, operation's staff, and City Staff experience, they are recommended the following changes be made:

- A. Change under-slab chemical piping to above ground piping. The above ground piping will be mounted on the walls and on pipe supports.
- B. The above ground piping required the installation of precast vaults to transition from below ground piping outside the building to above ground piping inside the building. Another precast vault is required for the leak detection system to be installed.

The benefits of these improvements is in future maintenance and operability. If the chemical piping was under the slab, it would be extremely difficult to access in the case of breakages and/or replacements. These improvements were not included with the previously presented Owner initiated changes. The total cost for these enhancements is \$79,766.

#### **MBR Building Modifications**

The MBR Building original design included one male bathroom and locker room and one female bathroom and locker room. Each restroom included one toilet and the men's restroom included a urinal. The lab area did not include a vent hood.

Based upon the CPO and operation's staff recommendations, the following changes were made:

- 1. Modified the men's restroom to include two toilets and no urinal. This will become a unisex facility.
- 2. Modified the women's restroom to include two toilets. This will become a unisex facility.
- 3. Addition of a vent hood in the lab and modification of the cabinets to accommodate the vent hood.
- 4. There was also a reconfiguration of the Reverse Osmosis (RO) skids, piping, electrical, and floor drain system to accommodate moving the RO skids to make more room for access in the building.

These changes will make the facility more usable of the operations staff and will maximize the available area in the MBR Building. These modifications were not included in the previously presented Owner initiated changes. The cost associated with these changes is \$52,780.

#### CITY OF BEAUMONT WWTP SALT MITIGATION UPGRADE PROJECT

#### CHANGE ORDER PROPOSAL (COP) # 022.2 (By Contractor)

To (Engineer/CM): MWH Constructors Attention: Charles Reynolds Phone: 702-497-8024 Email: Charles.w.reynolds@mwhconstructors.com

From (Contractor): W.M. Lyles Co. Attention: Juan C. Ahumada Phone: 951-972-2056 Email: jahumada@wmlylesco.com

PCO/DCM No.: DCM No. 8 and 10

Subject: MBR Chemical area changes and other misc. changes

Reference Documents: Clarification no. 12, 12.1 and 13

DESCRIPTION

Please review the attached change order associated with changes included in clarifications no. 12, 12.1 and 13.

This change order addresses the changes in the MBR chemical feed area. These cover the removal of the Aqueous Ammonia room and associated equipment, modifications in the layout of chemical skids and piping, and addition of sulfuric acid chemical skid and ammonia sulfate chemical skid. In addition, miscellaneous changes associated with the addition of a lab-hood and modifications of the restroom layouts are included. In addition, additional piping associated with the location of the RO skids issued in Clarification #11.

This change order also includes changes in the MBR chemical feed area and the addition of chemical storage tank farm (Chemical Storage Area #1). Included are the removal of buried chemical distribution piping inside of the MBR building and addition of a chemical storage tank farm with three single wall chemical tanks for Sodium Hypochlorite, Liquid Ammonium Sulfate and Sulfuric Acid.

The change order also include grading and yard piping changes associated with the chemical distribution piping from the chemical storage area to the MBR building. Electrical and instrumentation for all above referenced work is also included.

Notes/Exclusions:

- Concrete coating
- Chemically resistant anchors or hardware inside the MBR building.
- Pulsafeeder EH05 is being proposed in lieu of model EH25 for the chemical gear pumps.
- Fire hydrant installations per BCVWD plate 1 is not included
- Interior MBR building plastic chemical pipe coating is not included

#### COST ESTIMATE

| Fotal cost \$ 596,031.05 – see attached breakdown                           |                                                                                                                 |
|-----------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
|                                                                             |                                                                                                                 |
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|                                                                             |                                                                                                                 |
| SCHEDULE IMPACT                                                             |                                                                                                                 |
| Ves, WML is requesting 29 calendar days for milestone #1 and 30 calendar    | ar dave for milestone #2. See time import                                                                       |
| nalysis #03 rev. 1 attached.                                                | ar days for innestone #2. See time impact                                                                       |
| extended indirect and overhead costs associated with this change order      | will not be pursued by W.M. Lyles Co.                                                                           |
| owever we reserve the right to include said costs on future City directed c | contract changes.                                                                                               |
|                                                                             |                                                                                                                 |
|                                                                             |                                                                                                                 |
| Received by MWH Constructors (Date):                                        |                                                                                                                 |
| RESPONSE                                                                    | A STATE OF A |
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|                                                                             |                                                                                                                 |

Final Distribution: Juan C. Ahumada, W.M. Lyles Co. Brian Knoll, Webb Associates MWH Inspector

#### W. M. Lyles Co. 42142 Roick Drive Temecula, CA 92590

Date: 20-Sep-19

Reference #: Clar. 12 & 13

Attention:

Charles W. Reynolds

JOB LOCATION: City of Beaumont WWTP Salt Mitigation Upgrade Project

DESCRIPTION: MBR Chemical Area Changes

| Item:   |                                                 | Unit | Total MH | To | tal MH Cost | Eq. | Cost       | Ma | iterial    | Subcont.      | Total Cost |            |
|---------|-------------------------------------------------|------|----------|----|-------------|-----|------------|----|------------|---------------|------------|------------|
| 1       | Chemical Pipe Changes-Underslab Pipe to exposed | 1 LS | 68       | \$ | 3,752.91    | \$  | (2,284.46) | \$ | 80,693.25  | \$ (2,396.00) | \$         | 79.765.70  |
| 2       | Changes in the MBR building (Clar. 13)          | 1 LS | 169      | \$ | 12,601.47   | \$  | 2,315.46   | \$ | 14,512.85  | \$ 23,349.84  | \$         | 52,779.62  |
| 3       | MBR Chemical Tank Farm (Clar. 12)               | 1 LS | 1444     | \$ | 115,461.98  | \$  | 34,641.65  | \$ | 154,787.08 | \$ 85,566.64  | \$         | 390,457.35 |
|         | · · · · · · · · · · · · · · · · · · ·           |      |          |    |             |     |            |    |            |               |            |            |
|         |                                                 |      |          |    |             |     |            |    |            |               |            |            |
| Total ( | Costs                                           |      | 1681     | \$ | 131,816.36  | \$  | 34,672.65  | \$ | 249,993.18 | \$106,520.48  | \$         | 523,002.67 |
|         |                                                 |      |          |    |             |     |            |    |            |               |            |            |

| Subtotal                |      | \$<br>523,002.67 |
|-------------------------|------|------------------|
| Mark-up - Labor         | 15%  | \$<br>19,772.45  |
| Mark-up - Equipment     | 15%  | \$<br>5,200.90   |
| Mark-up - Materials     | 15%  | \$<br>37,498.98  |
| Mark-up - Subcontractor | 5%   | \$<br>5,326.02   |
| Bond                    | 1.0% | \$<br>5,230.03   |
| Total This Change Order |      | \$<br>596,031.05 |

Comments:

#### City of Beaumont WWTP Salt Mitigation Upgrade Project

#### Chemical Pipe Changes-Underslab Pipe to exposed

#### A. Labor

|                                  |        | Descriptio   | on          |          | La       | ab Pipe | FM    | L         | ab Pip | е  | 0       | perat | or | c  | arp F | M  |    | Car | р  | 1.000    | Lab |    | en       | nent l    | Masc |
|----------------------------------|--------|--------------|-------------|----------|----------|---------|-------|-----------|--------|----|---------|-------|----|----|-------|----|----|-----|----|----------|-----|----|----------|-----------|------|
|                                  |        |              |             |          | ST       | PT      | DT    | ST        | PT     | DT | ST      | PT    | DT | ST | PT    | DT | ST | PT  | DT | ST       | PT  | DT | ST       | PT        | DT   |
| Underslab Che                    | m Co   | nt. ex/lay/e | encase/back | cfill    | (88)     |         |       | (176)     |        |    | (88)    |       |    |    |       |    |    |     |    | (20)     |     |    |          |           |      |
| MBR building S                   |        |              |             |          | 32       |         |       | 64        |        |    |         |       |    |    |       |    |    |     |    |          |     |    |          |           |      |
| MBR building L                   |        |              |             | all      | 12       |         |       | 24        |        |    |         | l II  |    |    |       |    |    |     |    |          |     |    |          |           |      |
| MBR building A                   |        |              |             |          | 12       | -       |       | 24        |        |    |         |       |    |    |       |    |    |     |    |          |     |    |          | $\square$ |      |
| MBR build. Sod                   |        |              |             | )        | 56<br>40 | -       | _     | 112<br>40 | _      | _  |         | -     |    | -  |       | -  |    |     |    | -        |     |    | _        | $\vdash$  | _    |
| MBR building C<br>Ex/Grade and s |        |              |             |          | 40       |         |       | 40        |        |    | 12      |       |    |    |       |    |    |     |    | <u> </u> |     |    | +        | $\vdash$  |      |
| LAGrade and a                    | set pr | ccast vaun   | .5          |          | 4        | -       | -     | 0         |        | _  | 12      |       |    |    |       |    |    |     |    |          |     |    | $\vdash$ | +         |      |
|                                  |        |              |             |          |          |         |       |           |        |    |         |       |    |    |       |    |    |     |    |          |     |    | $\vdash$ | H         |      |
|                                  |        |              |             |          |          |         |       |           |        |    |         |       |    |    |       | 1  |    |     |    |          |     |    |          |           |      |
|                                  |        |              |             |          |          | 1       |       |           |        |    |         |       |    |    |       |    |    |     |    |          |     | 6  |          |           | -    |
|                                  |        |              |             |          | -        |         | -     |           |        |    |         |       |    |    |       | _  | _  | -   | _  |          | _   |    |          | $\vdash$  | _    |
|                                  |        |              |             |          | 68       | 0       | 0     | 96        | 0      | 0  | (76)    | 0     | 0  | 0  | 0     | 0  | 0  | 0   | 0  | (20)     | 0   | 0  | 0        | 0         | 0    |
|                                  |        |              | Rate        | 10       |          |         | Hours | 3         |        | 1  |         | 1     |    |    |       |    |    |     |    |          |     |    |          | 1         |      |
| Name                             | -      | ST           | PT          | DT       |          | ST      | PT    | DT        |        | Ex | tensi   | on    |    |    |       |    |    |     |    |          |     |    |          |           |      |
| Lab Pipe FM                      |        | \$77.80      | \$103.90    | \$129.98 |          | 68      | 0     | 0         |        |    | \$5,29  | 0.69  |    |    |       |    |    |     |    |          |     |    |          |           |      |
| Lab Pipe                         |        | \$75.19      | \$99.97     | \$124.75 |          | 96      | 0     | 0         |        | :  | \$7,21  | 8.07  |    |    |       |    |    |     |    |          |     |    |          |           |      |
| Operator                         |        | \$96.33      | \$128.99    | \$161.66 |          | -76     | 0     | 0         |        | -  | \$7,32  | 1.40  |    |    |       |    |    |     |    |          |     |    |          |           |      |
| Carp FM                          |        | \$85.03      | \$115.33    | \$145.63 |          | 0       | 0     | 0         |        |    | \$      | 0.00  |    |    |       |    |    |     |    |          |     |    |          |           |      |
| Carp                             |        | \$81.11      | \$109.45    | \$137.79 |          | 0       | 0     | 0         |        |    | \$      | 0.00  |    |    |       |    |    |     |    |          |     |    |          |           |      |
| Lab                              |        | \$71.72      | \$94.78     | \$117.82 |          | -20     | 0     | 0         |        | -5 | \$1,434 | 4.44  |    |    |       |    |    |     |    |          |     |    |          |           |      |
| Cement Mason                     |        | \$78.05      | \$102.25    | \$126.45 |          | 0       | 0     | 0         |        |    | \$0     | 0.00  |    |    |       |    |    |     |    |          |     |    |          |           |      |
|                                  | 0      | \$0.00       | \$0.00      | \$0.00   |          | 0       | 0     | 0         |        |    | \$0     | 0.00  |    |    |       |    |    |     |    |          |     |    |          |           |      |
|                                  | 0      | \$0.00       | \$0.00      | \$0.00   |          | 0       | 0     | 0         |        |    | \$0     | 0.00  |    |    |       |    |    |     |    |          |     |    |          |           |      |
|                                  |        |              |             |          |          | 68      | 0     | 0         |        |    |         |       |    |    |       |    |    |     |    |          |     |    |          |           |      |
|                                  |        |              |             |          |          |         |       |           |        |    |         |       |    |    |       |    |    |     |    |          |     |    |          |           |      |

#### B. Equipment

|                                                                                                                                                                          | Description                                                                                                                                                                                                                  | 17.12                                                       | 32.037                                                                            | 31.028                                                                                                                              | 30.048 | 20.041 | 77.02 | 14.037   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|-----------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|--------|--------|-------|----------|
| Underslab Che                                                                                                                                                            | m Cont, ex/lay/encase/backfill                                                                                                                                                                                               | (88)                                                        | (12)                                                                              | 01.020                                                                                                                              | (88)   | 20.011 | 77.02 | 1.001    |
|                                                                                                                                                                          | Sulfuric Acid piping install                                                                                                                                                                                                 | 32                                                          | 2                                                                                 |                                                                                                                                     | 1/     |        | 16    |          |
|                                                                                                                                                                          | iquid Ammonium piping install                                                                                                                                                                                                | 12                                                          | 1                                                                                 |                                                                                                                                     |        |        | 6     |          |
|                                                                                                                                                                          | nti Scalant piping install                                                                                                                                                                                                   | 12                                                          | 1                                                                                 |                                                                                                                                     |        |        | 6     |          |
|                                                                                                                                                                          | lium Hypo & Citric Acid pipe                                                                                                                                                                                                 | 56                                                          | 4                                                                                 |                                                                                                                                     |        |        |       |          |
|                                                                                                                                                                          | hem pipe all pipe supports                                                                                                                                                                                                   | 40                                                          |                                                                                   |                                                                                                                                     |        |        | 16    | <u> </u> |
| Ex/Grade and s                                                                                                                                                           | set precast vaults                                                                                                                                                                                                           | 4                                                           |                                                                                   | 2                                                                                                                                   | 6      |        |       |          |
|                                                                                                                                                                          |                                                                                                                                                                                                                              |                                                             |                                                                                   |                                                                                                                                     |        |        |       |          |
|                                                                                                                                                                          |                                                                                                                                                                                                                              | 68                                                          | (4)                                                                               | 2                                                                                                                                   | (82)   | 0      | 44    | 0        |
| Number                                                                                                                                                                   | Description                                                                                                                                                                                                                  | <u>Rate</u>                                                 | Hours                                                                             | Extension                                                                                                                           |        |        |       |          |
| 17.12                                                                                                                                                                    | Foreman Truck                                                                                                                                                                                                                | \$29.60                                                     | 68                                                                                | \$2,012.80                                                                                                                          |        |        |       |          |
| 2.037                                                                                                                                                                    | ReachliftXtremeXR1055                                                                                                                                                                                                        | \$58.61                                                     | -4                                                                                | -\$234.44                                                                                                                           |        |        |       |          |
| 31.028                                                                                                                                                                   | Hydro Crane - 80 TonLink BeltR                                                                                                                                                                                               | T \$164.01                                                  | 2                                                                                 | \$328.02                                                                                                                            |        |        |       |          |
| 80.048                                                                                                                                                                   | Loader Backhoe 410John Deere                                                                                                                                                                                                 | 4 \$64.30                                                   | -82                                                                               | -\$5,272.60                                                                                                                         |        |        |       |          |
| 20.041                                                                                                                                                                   | ExcavatorJohn Deere350GLC                                                                                                                                                                                                    | \$151.12                                                    | 0                                                                                 | \$0.00                                                                                                                              |        |        |       |          |
| 77.02                                                                                                                                                                    | Scissor LiftJLG2646ES                                                                                                                                                                                                        | \$20.04                                                     | 44                                                                                | \$881.76                                                                                                                            |        |        |       |          |
| 7                                                                                                                                                                        | Foreman Truck                                                                                                                                                                                                                | \$29.60                                                     | 0                                                                                 | \$0.00                                                                                                                              |        |        |       |          |
| 810                                                                                                                                                                      | , e, endir Hadi                                                                                                                                                                                                              | 410.00                                                      | 28 -                                                                              |                                                                                                                                     |        |        |       |          |
|                                                                                                                                                                          |                                                                                                                                                                                                                              | Total Equi                                                  |                                                                                   | (\$2,284.46)                                                                                                                        |        |        |       |          |
|                                                                                                                                                                          |                                                                                                                                                                                                                              | i otal Equi                                                 | hueur -                                                                           | (42,204.40)                                                                                                                         |        |        |       |          |
| _                                                                                                                                                                        |                                                                                                                                                                                                                              |                                                             |                                                                                   |                                                                                                                                     |        |        |       |          |
| C. Materials                                                                                                                                                             |                                                                                                                                                                                                                              | Unit Price                                                  |                                                                                   | Extension                                                                                                                           |        |        |       |          |
|                                                                                                                                                                          | Quantity                                                                                                                                                                                                                     |                                                             | (127.00)                                                                          | Extension                                                                                                                           |        |        |       |          |
| Concrete                                                                                                                                                                 | <u>Quantity</u><br>45                                                                                                                                                                                                        | CY \$                                                       | (127.00)                                                                          | -\$5,715.00                                                                                                                         |        |        |       |          |
| Concrete<br>Aisc items and                                                                                                                                               | Quantity<br>45<br>consumables 68                                                                                                                                                                                             | CY \$<br>MHF \$                                             | 3.50                                                                              | -\$5,715.00<br>\$238.00                                                                                                             |        |        |       |          |
| Concrete<br>Nisc items and<br>Double contain                                                                                                                             | Quantity<br>45<br>consumables 68<br>PVC pipe material 1                                                                                                                                                                      | CY \$<br>MHF \$<br>LS \$                                    | 3.50                                                                              | -\$5,715.00<br>\$238.00<br>\$0.00                                                                                                   |        |        |       |          |
| Concrete<br>Misc items and<br>Double contain<br>Sulfuric Acid do                                                                                                         | Quantity<br>45<br>consumables 68<br>PVC pipe material 1<br>uble contain pipe 1                                                                                                                                               | CY \$<br>MHF \$<br>LS \$<br>LS                              | 3.50<br>-<br>\$32,770                                                             | -\$5,715.00<br>\$238.00<br>\$0.00<br>\$32,769.72                                                                                    |        |        |       |          |
| Concrete<br>Aisc items and<br>Double contain<br>Sulfuric Acid do                                                                                                         | Quantity         45           consumables         68           PVC pipe material         1           uble contain pipe         1           tubing material         1                                                         | CY \$<br>MHF \$<br>LS \$<br>LS<br>LS                        | 3.50<br>\$32,770<br>\$3,185                                                       | -\$5,715.00<br>\$238.00<br>\$0.00                                                                                                   |        |        |       |          |
| Concrete<br>Misc items and<br>Double contain<br>Sulfuric Acid do<br>CPVC pipe and                                                                                        | Quantity         45           consumables         68           PVC pipe material         1           uble contain pipe         1           tubing material         1                                                         | CY \$<br>MHF \$<br>LS \$<br>LS                              | 3.50<br>-<br>\$32,770                                                             | -\$5,715.00<br>\$238.00<br>\$0.00<br>\$32,769.72                                                                                    |        |        |       |          |
| Concrete<br>Misc items and<br>Double contain<br>Sulfuric Acid do<br>CPVC pipe and<br>/alves                                                                              | Quantity         45           consumables         68           PVC pipe material         1           uble contain pipe         1           tubing material         1                                                         | CY \$<br>MHF \$<br>LS \$<br>LS<br>LS                        | 3.50<br>\$32,770<br>\$3,185                                                       | -\$5,715.00<br>\$238.00<br>\$0.00<br>\$32,769.72<br>\$3,185.48                                                                      |        |        |       |          |
| Concrete<br>Misc items and<br>Jouble contain<br>Sulfuric Acid do<br>CPVC pipe and<br>Valves<br>Supports & ancl                                                           | Quantity       45       consumables     68       PVC pipe material     1       uble contain pipe     1       tubing material     1       hors materials     1                                                                | CY \$<br>MHF \$<br>LS \$<br>LS LS<br>LS LS<br>LS            | 3.50<br>\$32,770<br>\$3,185<br>\$3,193                                            | -\$5,715.00<br>\$238.00<br>\$0.00<br>\$32,769.72<br>\$3,185.48<br>\$3,193.49                                                        |        |        |       |          |
| Concrete<br>Misc items and<br>Double contain<br>Sulfuric Acid do<br>CPVC pipe and<br>/alves<br>Supports & ancl<br>Pipe Id labels/ta                                      | Quantity       45       consumables     68       PVC pipe material     1       uble contain pipe     1       tubing material     1       hors materials     1       igs     1                                                | CY \$<br>MHF \$<br>LS \$<br>LS<br>LS<br>LS<br>LS            | 3,50<br>\$32,770<br>\$3,185<br>\$3,193<br>\$8,403<br>\$1,077                      | -\$5,715.00<br>\$238.00<br>\$0.00<br>\$32,769.72<br>\$3,185.48<br>\$3,193.49<br>\$8,403.14                                          |        |        |       |          |
| Concrete<br>Misc items and<br>Double contain<br>Sulfuric Acid do<br>CPVC pipe and<br>/alves<br>Supports & ancl<br>Pipe Id labels/ta                                      | Quantity     45       consumables     68       PVC pipe material     1       uble contain pipe     1       tubing material     1       hors materials     1       tigs     1       achine rent     1                         | CY \$ MHF \$ LS \$ LS L | 3.50<br>\$32,770<br>\$3,185<br>\$3,193<br>\$8,403<br>\$1,077<br>\$500             | -\$5,715.00<br>\$238.00<br>\$0.00<br>\$32,769.72<br>\$3,185.48<br>\$3,193.49<br>\$8,403.14<br>\$1,076.50<br>\$500.00                |        |        |       |          |
| Concrete<br>Misc items and<br>Jouble contain<br>Sulfuric Acid do<br>CPVC pipe and<br>/alves<br>Supports & ancl<br>Pipe Id labels/ta<br>PVDF Fusion m<br>Precast Vaults ( | Quantity       45       consumables     68       PVC pipe material     1       uble contain pipe     1       tubing material     1       hors materials     1       tigs     1       tachine rent     1       (2 each)     1 | CY \$ MHF \$ LS \$ LS LS LS LS LS LS LS LS LS               | 3,50<br>\$32,770<br>\$3,185<br>\$3,193<br>\$8,403<br>\$1,077                      | -\$5,715.00<br>\$238.00<br>\$0.00<br>\$32,769.72<br>\$3,185.48<br>\$3,193.49<br>\$8,403.14<br>\$1,076.50                            |        |        |       | (r       |
| Sulfuric Acid do                                                                                                                                                         | Quantity       45       consumables     68       PVC pipe material     1       uble contain pipe     1       tubing material     1       hors materials     1       tigs     1       tachine rent     1       (2 each)     1 | CY \$ MHF \$ LS \$ LS   | 3.50<br>\$32,770<br>\$3,185<br>\$3,193<br>\$8,403<br>\$1,077<br>\$500<br>\$15,742 | -\$5,715.00<br>\$238.00<br>\$0.00<br>\$32,769.72<br>\$3,185.48<br>\$3,193.49<br>\$8,403.14<br>\$1,076.50<br>\$500.00<br>\$15,742.00 |        |        |       | ä        |

|                           | -        | 1    | Fotal Material = | \$80,693.25 |  |
|---------------------------|----------|------|------------------|-------------|--|
| D. Subcontractor          |          |      |                  |             |  |
|                           | Quantity | Unit | Price            | Extension   |  |
| Rebar Sub Labor only      | 1        | LS   | -\$3,146.00      | -\$3,146.00 |  |
| Seismic Calcs engineering | 1        | LS   | \$750.00         | \$750.00    |  |
|                           | 1        | LS   | \$0.00           | \$0.00      |  |
|                           |          |      |                  | \$0.00      |  |

-\$2,396.00

Total Subcontract =

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#### City of Beaumont WWTP Salt Mitigation Upgrade Project

#### Changes in the MBR building (Clar. 13)

#### A. Labor

|                  | Descrip       | tion        |          | La       | b Pipe   | FM   | ٤    | .ab Pi   | pe       | 0        | Орега    | tor | 0        | Cerp F | M        | 1  | Carp     | ,  | 1  | .ab Fi | M  | Cen      | nent M | lason | Γ        | Lab |    |    |    |    |
|------------------|---------------|-------------|----------|----------|----------|------|------|----------|----------|----------|----------|-----|----------|--------|----------|----|----------|----|----|--------|----|----------|--------|-------|----------|-----|----|----|----|----|
|                  |               |             |          | ST       | PT       | DT   | ST   | PT       | DT       | ST       | РТ       | DT  | ST       | PT     | DT       | ST | PT       | DT | ST | PT     | DT | ST       | РТ     | DT    | ST       | PT  | DT | ST | PT | DT |
| Fume Hood Ins    | tallation, in | cludes mis  | : pipe   | 4        | 1        |      | 4    |          | 1        | 1        | 1        |     | 8        |        | 1        | 12 |          |    |    |        |    |          | 1      | 1     |          |     | 1  |    |    |    |
| New skid conc    | rete pads a   | nd modific: | ation    |          |          |      |      | 1        | -        | 1        | 1        | 1   | 8        |        |          | 8  |          |    |    |        |    | 4        | 1      |       |          |     | 1  |    |    |    |
| Restroom Fixtu   |               |             |          | 8        |          |      | 8    |          |          |          |          |     |          |        |          |    |          |    |    |        |    |          |        |       |          |     |    |    |    |    |
| Additional pipe  |               |             |          | 18       | 1        |      | 26   |          |          |          |          |     |          | [      |          |    |          |    |    |        |    |          |        |       | Ľ        |     | ·  | Į' |    | L  |
| Additional orain |               |             |          | 8        | <u> </u> |      | 8    |          |          |          |          |     | ļ        | ļ      | ļ        |    | ļ        |    | ļ  |        |    | L        | ļ      | ļ     |          | L   |    | ļ  |    | ļ  |
| Rollup door cor  | icrete appr   | oach and b  | ollards  |          |          |      |      |          | 1        | 2        | 1        | 1   | 8        | ļ      | <u> </u> | 16 |          |    |    |        |    | 8        | ļ      | <br>  | 10       | ļ   |    | ļ! |    |    |
|                  |               |             |          |          |          |      |      |          | 1        |          | 1        | 1   | _        | 1      |          | ļ  |          |    |    |        | •  | <u> </u> |        |       |          |     |    |    | -  | įl |
|                  |               |             |          |          |          |      |      | 1        | <u> </u> | <u> </u> | <u>t</u> |     | <u> </u> |        |          |    | <u> </u> | 1  |    |        |    | <u> </u> |        |       | <b> </b> |     |    |    |    |    |
|                  |               |             |          | <u> </u> | -        |      | h    | <u> </u> |          |          | <u> </u> | ł   |          |        | -        |    | 1        | •  |    |        |    |          |        |       |          |     | -  |    |    |    |
|                  |               |             |          |          | 1        |      |      | İ        | <b></b>  |          |          |     |          |        | <u> </u> |    |          |    |    |        |    |          |        |       |          |     |    |    |    |    |
| h                |               |             |          | 38       | 0        | 0    | 46   | 0        | 0        | 3        | 0        | 0   | 24       | 0      | 0        | 36 | 0        | 0  | 0  | 0      | 0  | 12       | 0      | 0     | 10       | 0   | 0  | 0  | 0  | 0  |
|                  |               | Rate        |          |          |          | Hour | s    | _        |          |          |          |     |          |        |          |    |          |    |    |        |    |          |        |       |          |     |    |    |    |    |
| Name             | ST            | P۲          | DT       |          | ST       | ΡT   | DT   |          | E        | dens     | lon      |     |          |        |          |    |          |    |    |        |    |          |        |       |          |     |    |    |    |    |
| Lab Pipe FM      | \$77.80       | \$103.90    | \$129.98 |          | 38       | 0    | 0    |          | \$       | \$2,95   | 6.56     |     |          |        |          |    |          |    |    |        |    |          |        |       |          |     |    |    |    |    |
| Lab Pipe         | \$75.19       | \$99.97     | \$124.75 |          | 46       | 0    | 0    |          | \$       | \$3,45   | 8.66     |     |          |        |          |    |          |    |    |        |    |          |        |       |          |     |    |    |    |    |
| Operator         | \$96,33       | \$128,99    | \$161.66 |          | 3        | 0    | 0    |          |          | \$28     | 9,00     |     |          |        |          |    |          |    |    |        |    |          |        |       |          |     |    |    |    |    |
| Carp FM          | \$85.03       | \$115.33    | \$145.63 |          | 24       | 0    | 0    |          | \$       | 62,04    | 0.74     |     |          |        |          |    |          |    |    |        |    |          |        |       |          |     |    |    |    |    |
| Carp             | \$81.11       | \$109.45    | \$137.79 |          | 36       | 0    | 0    |          | \$       | 62,91    | 9.85     |     |          |        |          |    |          |    |    |        |    |          |        |       |          |     |    |    |    |    |
| Lab FM           | \$75.06       | \$99.78     | \$124.49 |          | 0        | 0    | 0    |          |          | \$       | 0.00     |     |          |        |          |    |          |    |    |        |    |          |        |       |          |     |    |    |    |    |
| Cement Masor     | \$78.05       | \$102.25    | \$126.45 |          | 12       | 0    | 0    |          |          | \$93     | 6.66     |     |          |        |          |    |          |    |    |        |    |          |        |       |          |     |    |    |    |    |
| Lab              | \$71.72       | \$94.78     | \$117.82 |          | 10       | 0    | 0    |          |          | \$71     | 7.22     |     |          |        |          |    |          |    |    |        |    |          |        |       |          |     |    |    |    |    |
| 0                | \$0,00        | \$0.00      | \$0.00   |          | 0        | 0    | 0    |          |          | \$       | 0,00     |     |          |        |          |    |          |    |    |        |    |          |        |       |          |     |    |    |    |    |
| -                |               |             |          |          | 169      | 0    | 0    |          |          |          |          |     |          |        |          |    |          |    |    |        |    |          |        |       |          |     |    |    |    |    |
|                  |               |             |          |          | Total    | Lab  | or = |          | \$       | 12,60    | 1.47     |     |          |        |          |    |          |    |    |        |    |          |        |       |          |     |    |    |    |    |

#### B. Equipment

|            | Description                          | 17.12        | 32.037 | 31.028     | 30.048 | 20.041 | 77.02 | 14.037 |         |   |
|------------|--------------------------------------|--------------|--------|------------|--------|--------|-------|--------|---------|---|
|            | d Installation, includes misc pipe   | 12           | 2      |            |        |        |       |        |         |   |
|            | concrete pads and modification       | 8            |        |            |        |        |       |        |         |   |
|            | Fixtures additional labor            | 8            |        |            |        |        |       |        |         | [ |
|            | pipe install due to RO pads shifting | 18           | _      |            |        |        |       |        | <u></u> |   |
|            | drain & plumbing pipe install        | 8            |        |            |        |        |       |        |         |   |
| Rollup doo | r concrete approach and bollards     | 8            | 4      |            | 2      |        |       |        |         |   |
|            |                                      |              |        |            |        |        |       |        |         |   |
|            |                                      |              |        |            |        |        | ļ     |        |         |   |
| }          |                                      |              |        |            | 1      | 1      |       |        |         |   |
|            |                                      |              |        |            |        |        |       |        |         |   |
|            |                                      | 62           | 6      | 0          | 2      | 0      | 0     | 0      | 0       | 0 |
| Number     | Description                          | Rate         | Hours  | Extension  |        |        |       |        |         |   |
| 17.12      | Foreman Truck                        | \$29.60      | 62     | \$1,835.20 |        |        |       |        |         |   |
| 32.037     | ReachliftXtremeXR1055                | \$58.61      | 6      | \$351.66   |        |        |       |        |         |   |
| 31.028     | Hydro Crane - 80 TonLink BeltR       | \$164.01     | 0      | \$0.00     |        |        |       |        |         |   |
| 30.048     | Loader Backhoe 410John Deere         | \$64.30      | 2      | \$128.60   |        |        |       |        |         |   |
| 20.041     | ExcavatorJohn Deere350GLC            | \$151.12     | 0      | \$0.00     |        |        |       |        |         |   |
| 77.02      | Scissor LiftJLG2646ES                | \$20.04      | 0      | \$0.00     |        |        |       |        |         |   |
| 14.037     | Water TruckFordF750 2000 Gall        | \$46.23      | 0      | \$0.00     |        |        |       |        |         |   |
|            |                                      | Total Equips | nent = | \$2,315.46 |        |        |       |        |         |   |

C. Materials

|                                     | Quantity | Uni | Price            | Extension   |
|-------------------------------------|----------|-----|------------------|-------------|
| H20 [Legs for control panels]       | 1        | LS  | \$597.00         | \$597.00    |
| Accurate Door Solutions             | 1        | LS  | -\$5,400.00      | -\$5,400.00 |
| Fume Hood                           | 1        | LS  | \$7,895.13       | \$7,895.13  |
| Concrete                            | 7        | CY  | \$150.00         | \$1,050.00  |
| Misc items and consumables          | 169      | MHF | \$3,50           | \$591.50    |
| Wall mounted toilet systems + acces | 2        | EA  | \$960.00         | \$1,920.00  |
| Urinal Credit                       | 1        | ΕA  | -\$458.00        | -\$458.00   |
| PVC, copper, supports               | 1        | LS  | \$6,033.00       | \$6,033,00  |
| Bollards                            | 2        | EA  | \$300.00         | \$600.00    |
|                                     |          |     |                  | \$0.00      |
| Tax                                 | 7.750%   |     |                  | \$994.22    |
| Freight                             |          |     |                  | \$690.00    |
|                                     |          |     | Total Material = | \$14,512.85 |

#### D. Subcontractor

|                              | Quantity | <u>Unit</u> | Price         | Extension   |
|------------------------------|----------|-------------|---------------|-------------|
| Electrical & Instrumentation | 1        | LS          | \$22,442.84   | \$22,442.84 |
| HVAC                         | 1        | LS          | -\$1,093.00   | -\$1,093.00 |
| Metal Frame                  | 1        | LS          | -\$2,753.00   | -\$2,753.00 |
| Doors Installation           | 1        | LS          | -\$1,400.00   | -\$1,400.00 |
| Overhead roll up doors       | 1        | LS          | \$4,800.00    | \$4,800.00  |
| Restroom/Toilet Accessories  | 1        | LS          | \$1,944.00    | \$1,944.00  |
| Tile                         | 1        | LS          | \$2,040.00    | \$2,040.00  |
| Coatings                     | 1        | LS          | -\$2,682.00   | -\$2,682.00 |
| Cabinetry                    | 1        | LS          | -\$585.00     | -\$585.00   |
| Giazing (doors 3 & 13)       | 1        | LS          | -\$864.00     | -\$864.00   |
| Seismic Calos engineering    | 2        | EA          | \$750.00      | \$1,500.00  |
|                              |          | Total       | Subcontract = | \$23,349.84 |

#### City of Beaumont WWTP Salt Mitigation Upgrade Project MBR Chemical Tank Farm (Clar. 12)

| Descript                      | ion                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    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                   | Pipe<br>PT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | FM<br>DT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         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\$99.97<br>S96.33 \$128.99<br>S55.03 \$115.33<br>S11.1 \$109.45<br>S77.80 \$103.90<br>S75.19 \$99.78<br>S76.05 \$102.25<br>S71.72 \$94.90<br>S00.00 \$0.00<br>S0.00 \$0.00<br>S0.00 \$0.00<br>S0.00 \$0.00<br>S0.00 \$0.00<br>S0.00 \$0.00<br>S0.00 \$0.00<br>S0.00<br>S0.00 \$0.00<br>S0.00<br>S0.00 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| detection system credit           m Excavable           with alls and walls           stap all abs and walls           stap and walls           stab and walls           a pipe, stank Install credit           a pipe, supports, pumps & skids           FRP safely ladder rabs           case/Backfill           stab and walls           stab.al stab.and walls           stab.al stab.and walls           stab and wal | detection system credit         [4]           m Excavailon         [12]           wr Tank Farm         [8]           bitip alaba and walls         [3]           sib and walls         [2]           wr Tank Farm         [8]           bitip alaba and walls         [2]           y cure, chamfer, waterstop etc         [4]           #1 place concrete         [8] concrete form/stip credit           #1 finite, uce, etc credit         [6]           se and backfil chemical pipe         [3]           appe, at nich Istal         [4]           nick, itin, ladder, restraints         [6]           appe, supports, pumps & skids         [7]           ST         PT         DT           \$77.80         \$103.00         \$129.98           \$75.19         \$99.97         \$124.75           \$96.33         \$115.33         \$145.63           \$81.11         \$109.45         \$137.79           \$76.05         \$102.25         \$128.45           \$71.72         \$94.76         \$117.82           \$0.00         \$0.00         \$0.00           stip slabs and walls         slab and walls           alsh and walls         \$129           cu | detection system credit         (4)           m Excavation         12           wr Tank Farm         18           bitip alabs and walls         12           wr Tank Farm         8           stab and walls         12           accer, chamfer, waterstop eld         4           #f inshe, cue, ele cerdit         2           seard Backfil chemical pipe         32           ackfil 1.5 "Wand 1" NPW         10           ontain pipe/acak detection sys         64           nks, tim, ladder, restraints         36           aft pipe & tank Install credit         (10)           appe, supports, pumps & skids         72           FFP safety ladder rats         224           searBackfill         8           syst 23.99         \$161.66           \$80.33<\$115.33<\$145.63 | detection system credit         (4)           m Excavalion         12           w Tank Farm         12           m Tank Farm         12           w Tank Farm         12           stop and the stop credit         11           # I pace concrete 18 cy credit         11           as and backfil chemical pipe 22         22           asc/fil 1.5 "Wand 1" NPW         16           ontain pipe/teak detection sys         64           nks, tim, ladder, restraints         36           appe, supports, pumps & skids         72           FFP asfely ladder rats         24           stop and the stop of the stop o | detection system credit         [4]         (b)         (b)           m Tank Farm 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        1         1         1         1         1         1         1 <td>detection system credit         (i)         (i)</td> <td>detection system credit         (a)         (b)         (b)         (c)         (c)</td> <td>delection system credit         (4)         (b)         32         (a)           is bar and walls         0         322         0         (a)           is bar and walls         20         0         (a)         (b)         (c)         (c)           is bar and walls         120         0         (c)         (c)<td>delection system credit         (a)         (b)         (b)         (c)         (c)</td><td>delacion system codi         fbi         fbi</td><td>detection system credit         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)       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1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1&lt;</td><td>detection system credit         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10</td><td>detacles         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         &lt;</td><td>decides nythen codd       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)&lt;</td><td>debdeding space       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10<!--</td--><td>detection protection         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10<td>deficiency and the second se</td><td>deficiency and material and set of the set of</td><td>decide operation       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10&lt;</td></td></td></td> | detection system credit         (i)         (i) | detection system credit         (a)         (b)         (b)         (c)         (c) | delection system credit         (4)         (b)         32         (a)           is bar and walls         0         322         0         (a)           is bar and walls         20         0         (a)         (b)         (c)         (c)           is bar and walls         120         0         (c)         (c) <td>delection system credit         (a)         (b)         (b)         (c)         (c)</td> <td>delacion system codi         fbi         fbi</td> <td>detection system credit         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)</td> <td>detection system credit         (a)         (b)         (c)         (c)</td> <td>detection system credit         (4)         (1)         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1&lt;</td> <td>detection system credit         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10</td> <td>detacles         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         &lt;</td> <td>decides nythen codd       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)&lt;</td> <td>debdeding space       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10<!--</td--><td>detection protection         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10<td>deficiency and the second se</td><td>deficiency and material and set of the set of</td><td>decide operation       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10&lt;</td></td></td> | delection system credit         (a)         (b)         (b)         (c)         (c) | delacion system codi         fbi         fbi | detection system credit         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4)         (4) | detection system credit         (a)         (b)         (c)         (c) | detection system credit         (4)         (1)         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1         1< | detection system credit         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10 | detacles         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         < | decides nythen codd       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)       (0)< | debdeding space       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10 </td <td>detection protection         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10<td>deficiency and the second se</td><td>deficiency and material and set of the set of</td><td>decide operation       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10&lt;</td></td> | detection protection         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10         10 <td>deficiency and the second se</td> <td>deficiency and material and set of the set of</td> <td>decide operation       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10&lt;</td> | deficiency and the second se | deficiency and material and set of the set of | decide operation       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10       10< |

City of Beaumont Waste Water Treatment Plant Salt Mitigation Upgrade Project



## Time Impact Analysis 03 Rev 1



## WM Lyles Co.

#### INTRODUCTION

The following narrative outlines the Time Impact Analysis procedure and findings relating to Unforeseen Event 03 – MBR CHEMICAL AREA AND MISC CHANGES – CLARIFICATIONS #12 / #13.

#### IDENTIFICATION OF SCHEDULE:

| Schedule Update Base File: | COB_UP08    |
|----------------------------|-------------|
| Schedule Analysis File:    | COB_TIA03R1 |

#### TIME IMPACT ANALYSIS METHODOLOGY

The methodology used in this analysis follows a retroactive, "forward-looking" Time Impact Analysis (TIA) procedure. It compares the last approved schedule prior to the first impact event being analyzed to a copy of the same schedule with the addition of modeled schedule impact(s).

The modeled schedule impact events used in the analysis, herein are referred to as "Unforeseen Events" (UFEs), represent events that may impact the schedule and could not have been reasonably foreseen at the time of submitting the original bid for construction These events are beyond the control, and without fault or negligence of the General Contractor.

#### Analysis procedure for TIA03R1:

- 1. The last submitted schedule (As-Planned Schedule) prior to the start of the first UFE is the August 2019 schedule progress update (UP08).
- 2. The As-Planned schedule was copied to create the Impacted Schedule of Comparison (TIAO3R1)
- 3. UFE(s) being analyzed were logically inserted into the Impacted Schedule of Comparison.
- 4. The affected Project Milestone(s) in the As-Planned schedule were compared to the affected Project Milestone(s) in the Impacted Schedule of Comparison to quantify any impacts resulting from UFE(s).

#### **UNFORESEEN EVENTS**

An Unforeseen Event (UFE) is defined herein as an impact and/or change to the project schedule could not have been reasonably foreseen at the time of submitting a bid for construction and which is beyond the control and without fault or negligence of the General Contractor. As described in clarifications #12 / #13, the following changes have been made to the project:

#### UFE03\_MBR CHEMICAL AREA AND MISC CHANGES - CLARIFICATIONS #12 / #13

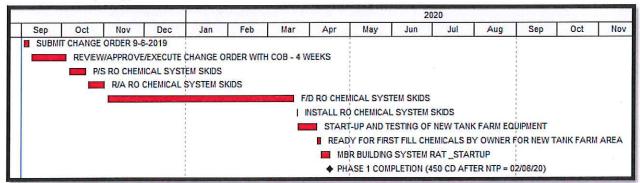
This change order addresses the changes in the MBR chemical feed area. These cover the removal of the Aqueous Ammonia room and associated equipment, modifications in the layout of chemical skids and piping, and addition of sulfuric acid chemical skid and ammonia sulfate chemical skid. In addition, miscellaneous changes associated with the addition of a lab-hood and modifications of

the restroom layouts are included. In addition, additional piping associated with the location of the RO skids issued in Clarification #11.

This change order also includes changes in the MBR chemical feed area and the addition of chemical storage tank farm (Chemical Storage Area #1). Included are the removal of buried chemical distribution piping inside of the MBR building and addition of a chemical storage tank farm with three single wall chemical tanks for Sodium Hypochlorite, Liquid Ammonium Sulfate and Sulfuric Acid. The change order also includes grading and yard piping changes associated with the chemical distribution piping from the chemical storage area to the MBR building. Electrical and instrumentation for all above referenced work is also included.

The RO Chemical Skids are driving the critical path of the delay. The current forecast for the fabrication and delivery of the RO Chemical Skids is 20 weeks. Activities representing the steps necessary to implement this change order have been logically added to the schedule. These activities replaced the existing activities in the schedule representing the scope of work being modified / replaced by this change order.

#### Schedule Delay Fragnet



#### **Milestone** Comparison

| Activity ID Activity Name |        | Activity Name                                        | Start 7 | Finish     | Total<br>Float |
|---------------------------|--------|------------------------------------------------------|---------|------------|----------------|
| = (                       | COB WW | TP Salt Mitigation Upgrade Project_AUG 2019          |         |            |                |
| -                         | MILEST | DNES                                                 |         |            |                |
|                           | MS01   | PHASE 1 COMPLETION (450 CD AFTER NTP = 02/06/20)     |         | 18-Mar-20* | -42            |
|                           | MS01.1 | PROJECT SUBSTANTIAL COMPLETION (4 WKS PRIOR TO MS02) |         | 24-Feb-21  | -41            |
|                           | MS02   | PHASE 2 COMPLETION (820 CD AFTER NTP = 02/13/21)     |         | 24-Mar-21* | -39            |

| Activity ID | Activity Name                                    | Start   | Finish     | Total<br>Float |
|-------------|--------------------------------------------------|---------|------------|----------------|
|             | WTP Salt Mitigation Upgrade Project_TI           | A03R1   |            |                |
| - MILES     | TONES                                            |         |            |                |
| MS01        | PHASE 1 COMPLETION (450 CD AFTER NTP = 02/06/20) |         | 16-Apr-20* | -71            |
| MS01.       | 1 PROJECT SUBSTANTIAL COMPLETION (4 WKS PRIOR T  | D MS02) | 26-Mar-21  | -71            |
| MS02        | PHASE 2 COMPLETION (820 CD AFTER NTP = 02/13/21) |         | 23-Apr-21* | -69            |

Salt Mitigation Upgrade Project Time Impact Analysis 03R1

The Phase 1 Completion and Phase 2 Completion Milestones were impacted by UFE03 as follows:

| MS01: | 29 Calendar Days |
|-------|------------------|
| MS02: | 30 Calendar Days |

#### CONCLUSION

WML is requesting that the Phase 1 Completion Milestone be extended by 29 Calendar days and the Phase 2 Completion Milestone be extended by 30 calendar days to compensate for schedule impacts resulting from UFE03.

#### ATTACHMENTS

P6 Schedule Analysis File:

COB\_TIA03 – Impacted Schedule



Southern Contracting Company P.O. Box 445 San Marcos, CA 92079-0445 Tel 760-744-0760 Fax 760-744-6475 website: www.southerncontracting.com email: info@southerncontracting.com

## Change Order Request

#### 103801 - Wastewater Treatment Plant Salt Mitigation Upgrade COR Subject: CLAR#12 / CLAR#13

То

Contract No: 55.1173 Juan C. Ahumada COR Number: 103801-COR#012 W.M. Lyles COR Revision Number: 0 42142 Roick Drive COR Date: 9/3/2019 Temecula, CA 92590 Price / Do Not 951-973-7393 Work Type: Proceed Days Valid: 7 Dan Alcantar **Return To** Southern Contracting Company 760-744-0760x621 619-778-0681 DAlcantar@southerncontracting.com

#### Scope Of Work / Time Extension Request

Changes associated with Contract Design Changes -CLAR#12 and CLAR#13

Tavik tarm= 70% - \$52,366.64 Summary Building - 30% - \$2,442.84 Total: \$74,809.48

#### **Reservation of Rights**

This COR does not include any amount for impacts such as interference, disruptions, rescheduling, changes in the sequence of work, delays and/or associated acceleration. We expressly reserve the right to submit our request for any of these items.

Signed By:

**Daniel Alcantar** PM

Dated: 9/3/2019

#### **Bid Summary Report**

#### 103801 Beaumont Chang Orders Estimator: Dan Alcantar

Job Name: 103801 Beaumont Chang Orders

#### Contractor:

Estimator: Dan Alcantar

Notes:

#### Bid Date:

|                     |            | Material    |                    | Labor     |         |                 |  |  |  |
|---------------------|------------|-------------|--------------------|-----------|---------|-----------------|--|--|--|
| Summary Description | Extended   | %           | Adjusted           | Extended  | %       | Adjusted        |  |  |  |
| CLAR 12 and CLAR 13 | \$8,606.42 | 100.00%     | \$8,606.42         | 281.80    | 100.00% | 281.80          |  |  |  |
| Top Sheet           |            |             |                    |           |         |                 |  |  |  |
| Raw Cost            |            | \$63,827.65 | Sales per Mo       | nth       |         | \$0.00          |  |  |  |
| Tax                 |            | \$667.00    | Return per Mo      | onth      |         | \$0.00          |  |  |  |
| Raw Cost with Tax   |            | \$64,494.65 | Price per Squ      | are Foot  |         | \$0.00          |  |  |  |
| Overhead            |            | \$9,574.15  | Hours per Squ      | uare Foot |         | 0.00            |  |  |  |
| Profit              |            | \$0.00      | Square Feet        |           |         | 0.00            |  |  |  |
| Total Return Amount |            | \$9,574.15  | Job Months         |           |         | 0.00            |  |  |  |
| Total Return %      |            | 12.80%      | Hours per We       | ek        |         | 40.00           |  |  |  |
| Price               |            | \$74,068.79 | Workers per [      | Day       |         | 0.00            |  |  |  |
| Bond                |            | \$740.69    | <b>Total Hours</b> |           |         | 281.80          |  |  |  |
| Sell Price          |            | \$74,809.48 | Mark Up Sale       | s Tax     |         | Yes             |  |  |  |
| Adjusted Sell ()    |            | \$0.00      | Use Bond Tat       | ble       |         | Yes             |  |  |  |
|                     | 0.00 %     | \$0.00      |                    |           |         | · . · · · · · · |  |  |  |

| Labor                    | Percent  | Hours       | Hourly  | Burd   | en      |             |
|--------------------------|----------|-------------|---------|--------|---------|-------------|
| <b>Class Description</b> | of Total | Distributed | Rate    | Rate   | Percent | Labor Cost  |
| General Foreman          | 15.00%   | 42.27       | \$90.37 | \$0.00 | 0.00%   | \$3,819.95  |
| Foreman                  | 25.00%   | 70.45       | \$84.25 | \$0.00 | 0.00%   | \$5,935.43  |
| Journeyman               | 45.00%   | 126.81      | \$78.19 | \$0.00 | 0.00%   | \$9,915.30  |
| Appr-78%                 | 15.00%   | 42.27       | \$68.18 | \$0.00 | 0.00%   | \$2,881.98  |
| Totals                   | 100.00%  | 281.80      | \$80.03 | \$0.00 | 0.00%   | \$22,552.66 |

| Mark Ups        |             | • | OVE        | RHEAD            | • • |             | OFIT           |
|-----------------|-------------|---|------------|------------------|-----|-------------|----------------|
| -               | Total       |   | %          | Amount           |     | %           | Amount         |
| Materials       | \$8,606.42  | + | 15.00%     | \$9,897.38       | +   | 0.00%       | \$9,897.38     |
| Labor           | \$22,552.66 | ÷ | 15.00%     | \$25,935.56      | +   | 0.00%       | \$25,935.56    |
| Supplier Quotes | \$27,932.65 | + | 15.00%     | \$32,122.55      | +   | 0.00%       | \$32,122.55    |
| •               |             |   | 0/3/2010 3 | 46.30 PM McCormi | ck  | Sveteme Inc | Page 568 of 64 |

9/3/2019 3:46:30 PM McCormick Systems, Inc. Page PUF2

Job #2336

<sup>647</sup> 

#### **Bid Summary Report**

| 103801 Beaumont Chang Orders | Estimator:  | Da | an Alcantar |             |   |       | Job #2336   |
|------------------------------|-------------|----|-------------|-------------|---|-------|-------------|
| SubContractors               | \$0.00      | +  | 5.00%       | \$0.00      | + | 0.00% | \$0.00      |
| Direct Job Expense           | \$4,735.92  | +  | 15.00%      | \$5,446.31  | Ŧ | 0.00% | \$5,446.31  |
| Equipment Rental             | \$0.00      | +  | 15.00%      | \$0.00      | + | 0.00% | \$0.00      |
| Totals                       | \$63,827.65 |    | 15.00%      | \$73,401.80 |   | 0.00% | \$73,401.80 |

| Tax Report         | Taxed Amount | Tax Rate % | Tax Amount |
|--------------------|--------------|------------|------------|
| Materials          | \$8,606.42   | 7.75%      | \$667.00   |
| Labor              | \$22,552.66  | 0.00%      | \$0.00     |
| Supplier Quotes    | \$2,500.65   | 0.00%      | \$0.00     |
| SubContractors     | \$0.00       | 0.00%      | \$0.00     |
| Direct Job Expense | \$0.00       | 0.00%      | \$0.00     |
| Equipment Rental   | \$0.00       | 0.00%      | \$0.00     |
| •••                |              | Total Tax: | \$667.00   |

## Supplier Quotes

| Name                                | Supplier | Tax (0.0 %) | Unit Cost M | ultiplier | Amount      |
|-------------------------------------|----------|-------------|-------------|-----------|-------------|
| TSI Instrument Ch<br>CLAR 12 and 13 | anges    | No          | \$11,058.00 | 1.00      | \$11,058.00 |
| TSI CLar 12 LCP A                   | Adder    | No          | \$14,374.00 | 1.00      | \$14,374.00 |
| Stanchions                          |          | Yes         | \$225.55    | 3.00      | \$676.65    |
| L11 Fixtures                        |          | Yes         | \$456.00    | 4.00      | \$1,824.00  |
|                                     |          |             | Тс          | otal:     | \$27,932.65 |

## Direct Job Expense

| Name       | Supplier | Tax (0.0 %) | Unit Cost N | Aultiplier | Amount     |
|------------|----------|-------------|-------------|------------|------------|
| Site Truck |          | No          | \$18.36     | 126.00     | \$2,313.36 |
| FM Truck   |          | No          | \$21.63     | 112.00     | \$2,422.56 |
|            |          |             | Т           | otal:      | \$4,735.92 |

| Job Name: 103801 Beaumont Chang Orders | Job Number: 2336 | Extension Name: CLAR 12 and CLAR 13 |
|----------------------------------------|------------------|-------------------------------------|
|----------------------------------------|------------------|-------------------------------------|

| Extension Name: CLAR 12 and CLAR 13                        |                         | [Items and ByProducts] |
|------------------------------------------------------------|-------------------------|------------------------|
| Item # Item Name                                           | Quantity                | Ext Price              |
| Label Set: Combined, Combined, Combined, Combined, Combin- | ined, Combined, Combine | \$8,606.42             |
| Cost Code: 010 - Conduit/Raceway                           |                         | <u>\$6,535.99</u>      |
| 2,502 1/2" WEDGE ANCHOR                                    | 16.00                   | \$8.83                 |
| 2,598 1/4" SS WEDGE ANCHOR                                 | 26.00                   | \$59.80                |
| 2,599 3/8" SS WEDGE ANCHOR                                 | 24.00                   | \$138.60               |
| 2,600 1/2" SS WEDGE ANCHOR                                 | 12.00                   | \$138.00               |
| 2,615 3/8x1" SS SCREWS                                     | 42.00                   | \$38.51                |
| 2,622 3/8" SS SADDLE WASHER                                | 24.00                   | \$14.31                |
| 2,625 3/8" SS WASHER                                       | 60.00                   | \$10.05                |
| 2,632 3/8" SS NUT                                          | 42.00                   | \$10.97                |
| 2,640 3/8" SS ALL THREAD                                   | 12.00                   | \$30.60                |
| 2,658 1 5/8 STRUT-STAINLESS                                | 32.00                   | \$380.00               |
| 2,684 3/4 GRC/PVC COATED                                   | -72.00                  | (\$313.18)             |
| 2,685 1 GRC/PVC COATED                                     | 296.00                  | \$1,666.88             |
| 2,697 3/4 GRC/PVC COUP                                     | -2.00                   | (\$9.05)               |
| 2,698 1 GRC/PVC COUP                                       | 28.00                   | \$164.73               |
| 2,711 3/4 GRC/PVC ELBOW                                    | 7.00                    | \$112.86               |
| 2,712 1 GRC/PVC ELBOW                                      | 20.00                   | \$369.83               |
| 2,765 1 GRC/PVC HUB                                        | 8.00                    | \$348.17               |
| 2,823 1 GRC/PVC LB BODY                                    | 4.00                    | \$244.31               |
| 2,920 1 GRC/PVC 1H STRAP                                   | 32.00                   | \$214.62               |
| 2,945 1 GRC/PVC CHNL STP                                   | 12.00                   | \$77.64                |
| 2,972 1 GRC/PVC CLAMP BAK                                  | 24.00                   | \$307.69               |
| 3,000 1 GRC/PVC CLAMP                                      | 8.00                    | \$65.34                |
| 3,055 3/4 GRC/PVC C105 STRP                                | -4.00                   | (\$8.58)               |
| 3,804 1/2 FLEX WP                                          | 16.00                   | \$19.01                |
| 3,882 1/2 FLEX WP 90 CONN                                  | 8.00                    | \$45.86                |
| 15,688 10X10X4" NMA3R RT J Box                             | 3.00                    | \$333.21               |
| 0 15,714 24x24x8 N4X SS PULLBOX                            | 1.00                    | \$1,656.00             |
| G 60,040 Stanchion Installation                            | 3.00                    | \$0.00                 |
| 0<br>Bourtesy of McCormick Systems Inc.<br>9               |                         | Page 4                 |
| 7                                                          |                         |                        |

[ltems and ByProducts]

**281.80** 118.26

Ext Labor

4.02

Material Filter: <None> Report: COR - 2 9/3/2019 3:32 PM

Job Name: 103801 Beaumont Chang Orders Job Number: 2336 Extension Name: CLAR 12 and CLAR 13

| Extension Name: CLAR 12 and CLAR 13       |          | [Items and ByProducts] |           |
|-------------------------------------------|----------|------------------------|-----------|
| Item # Item Name                          | Quantity | Ext Price              | Ext Labor |
| 60,041 Aluminium Back Board by section    | 3.00     | \$411.00               | 3.00      |
| Cost Code: 020 - Wire/Cable               |          | <u>\$1,838.39</u>      | 91.41     |
| 4 16 TSP - SHIELDED CABLE BELDEN          | 1,480.00 | \$1,065.60             | 18.59     |
| 44 12 THHN CU STRANDED                    | 1,440.00 | \$187.45               | 10.85     |
| 565 12/3 MC PVC CABLE                     | 600.00   | \$270.00               | 21.10     |
| 602 14/4 MC PVC CABLE                     | 300.00   | \$127.50               | 10.17     |
| 619 12/12 MC PVC CABLE                    | 300.00   | \$101.04               | 15.83     |
| 4,080 14 GA TERMINATION                   | 22.00    | \$22.00                | 3.32      |
| 4,081 12 GA TERMINATION                   | 48.00    | \$52.80                | 9.04      |
| 4,122 100A CIRCUIT TERM                   | 4.00     | \$12.00                | 2.51      |
| Cost Code: 030 - Power Distribution       |          | <u>\$0.00</u>          | 4.90      |
| 7,016 100A MAIN CB 3P 600V                | 1.00     | \$0.00                 | 1.88      |
| 9,088 0 STARTER 3P FV,N4                  | 1.00     | \$0.00                 | 3.01      |
| Cost Code: 040 - Lighitng                 |          | <u>\$0.00</u>          | 24.12     |
| 10,540 EXIT LIGHT WALL MTD.               | -1.00    | \$0.00                 | -1.00     |
| 10,786 POLE LIGHT SMALL                   | 4.00     | \$0.00                 | 10.05     |
| 10,840 STEEL POLE 8'                      | 4.00     | \$0.00                 | 15.07     |
|                                           |          | <u>\$232.04</u>        | 26.43     |
| 3,188 1 PVC 40 (TRENCH)                   | 500.00   | \$229.03               | 25.12     |
| 3,460 3/4 PVC FEMALE ADPT                 | 2.00     | \$0.81                 | 0.40      |
| 3,461 1 PVC FEMALE ADPT                   | 4.00     | \$2.20                 | 0.90      |
| Cost Code: 140-Instrumentation            |          | <u>\$0.00</u>          | 16.69     |
| 15,775 AE/AIT -DO ELEMENT                 | 1.00     | \$0.00                 | 4.40      |
| 15,779 AE/AIT -ORP                        | 2.00     | \$0.00                 | 8.79      |
| 15,782 AE/XXX -GAS SENSOR                 | -1.00    | \$0.00                 | -4.40     |
| 15,783 AE/AIT -ANALYZING ELEMENT          | 1.00     | \$0.00                 | 4.40      |
| 15,785 FE/FIT -FLOW METER, MAG            | 1.00     | \$0.00                 | 4.40      |
| T 15,819 LE/LIT -LEVEL, FBO               | -1.00    | \$0.00                 | -4.40     |
| 60,036 Mount Control Panle                | 1.00     | \$0.00                 | 3.50      |
| Hems and ByProducts] Total:<br>L          |          | <u>\$8,606.42</u>      | 281.80    |
| Bourtesy of McCormick Systems Inc.<br>242 |          | Page 5                 |           |

Material Filter: <None> Report: COR - 2

9/3/2019 3:32 PM

#### Scope Letter: 2 pages

August 21, 2019

Quote Number: CO#01A

\$11,058.00

| To:<br>Attn: | Southern Contracting<br>Dan Alcantar                                                                              |               | Technical<br>Systems<br>Incorporated                                                                             |
|--------------|-------------------------------------------------------------------------------------------------------------------|---------------|------------------------------------------------------------------------------------------------------------------|
| Project:     | Beaumont WWTP Salt Mitigation<br>Beaumont Wastewater Treatment Plant<br>CLAR 12 & CLAR 13 Instrumentation Changes |               | 2303 196th Street SW<br>Lynnwood, WA 98036<br>Tel: (425) 775-5696<br>Fax: (425) 775-9074<br>info@tsicontrols.com |
| Reference:   |                                                                                                                   |               |                                                                                                                  |
| Bid Date:    | N/A                                                                                                               | Bid Time: N/A |                                                                                                                  |

Technical Systems, Inc. (TSI) is pleased to provide a quote for the above referenced project. Material for this project will be shipped FOB Lynnwood WA, complete, ready for field termination by others. TSI's price includes CA sales tax and does not include the cost to bond TSI's portion of the project.

TSI's price for the scope of work detailed on the following pages:

#### **Change Order Proposal Pricing:**

#### **Change Instrumentation as Follows:**

- Credit Deleted Ammonia Gas Monitor and Calibration Gas
   AE/AIT-5230
  - AE/AIT-5250
  - Add (2) Hach pHD pH Sensors • AE-4004, AE-30095
- Add (2) Hach SC200 Controllers
  - AIT-4004, AE-30095
- Add Mounting for Hach pH Probes
- Credit (1) Ultrasonic Level Transmitter
  - LE/LIT-5002
  - Add (1) Level Display, Trident PD765 X2
    - LI-5002
- Add (1) Magnetic Flow Meter, 1", for NaOCL Service
  - FE/FIT-5072

Terms: Net 30 FOB: Lynnwood WA Freight: Prepaid

This quote is valid for 90 days.

Please call with any questions you may have concerning pricing or any technical questions.

Sincerely,

Colin Dightman-Kovak

Colin Dightman-Kovak Technical Systems, Inc. 1-425-678-4116

#### <u>Scope of Work</u>

#### Misc Equipment:

Including:

- 1. Hardware Procurement
- 2. Required Testing
- 3. O&M, drawings updates

#### **GENERAL**

- 1. TSI supplies a bill of materials, CAD-based drawings, and Operations and Maintenance Manuals for all equipment furnished by TSI.
- 2. TSI supplies the required field startup services for this project.
- 3. Panels fabricated by TSI are UL 508 labeled.

#### STANDARD INCLUSIONS

We provide the following unless specifically excluded on our bill of material:

- 1) Equipment shipped FOB factory with freight allowed, tailgate, destination.
- 2) Field wiring diagrams showing interconnection of field instruments and instrumentation panels.
- 3) Instruction manuals as required.
- 4) All necessary field start-up and calibration of the equipment we supply.

#### STANDARD EXCLUSIONS

We do <u>NOT</u> include the following unless specifically included in our bill of material:

- 1) Pipe, tubing, valves or fittings between the instrument and the process.
- 2) Conduit, wire or cable not an integral part of the instrument.
- 3) Mounting brackets, stanchions, supports or mounting pads not an integral part of the instrument.
- 4) Labor to install the equipment.
- 5) The Cost, (if due to local union regulations), to have local craftsman make adjustments or wiring modifications to our equipment during start-up and calibration.
- 6) Any material or services not in our quoted sections.
- This proposal is based on award of a supply purchase order and does not include any of the costs associated with bonding or subcontract administration. If bonding or a subcontract is required they can be provided for additional cost.

### SPECIFIC EXCLUSIONS

1) No Specific Exclusions.

#### Scope Letter: 2 pages

August 30, 2019

To:

Attn:

Project:

Reference:

Quote Number: CO#01A1



<u>Agenda Item No. 12</u>

Technical Systems Incorporated

2303 196th Street SW Lynnwood, WA 98036 Tel: (425) 775-5696 Fax: (425) 775-9074 info@tsicontrols.com

Bid Date: N/A

Bid Time: N/A

Technical Systems, Inc. (TSI) is pleased to provide a quote for the above referenced project. Material for this project will be shipped FOB Lynnwood WA, complete, ready for field termination by others. TSI's price includes CA sales tax and does not include the cost to bond TSI's portion of the project.

TSI's price for the scope of work detailed on the following pages:

Beaumont WWTP Salt Mitigation

Beaumont Wastewater Treatment Plant

#### **Change Order Proposal Pricing:**

<u>\$14,374.00</u>

LCP-5061 per specification 432356

Southern Contracting

CLAR 12 - LCP-5061

Dan Alcantar

- o 304 SS Enclosure, 30"Hx24"W
- o (2) NEMA 0 Size Starters (Up to 5hp, 480VAC)
- o Operators, Controls, and Pilot Devices as Specified

Terms: Net 30 FOB: Lynnwood WA Freight: Prepaid

This quote is valid for 90 days.

Please call with any questions you may have concerning pricing or any technical questions.

Sincerely,

Colin Dightman-Kovak

Colin Dightman-Kovak Technical Systems, Inc. 1-425-678-4116

#### <u>Scope of Work</u>

#### Misc Equipment:

Including:

- 1. Hardware Procurement
- 2. Required Testing
- 3. O&M, drawings updates

#### **GENERAL**

- 1. TSI supplies a bill of materials, CAD-based drawings, and Operations and Maintenance Manuals for all equipment furnished by TSI.
- 2. TSI supplies the required field startup services for this project.
- 3. Panels fabricated by TSI are UL 508 labeled.

#### STANDARD INCLUSIONS

We provide the following unless specifically excluded on our bill of material:

- 1) Equipment shipped FOB factory with freight allowed, tailgate, destination.
- 2) Field wiring diagrams showing interconnection of field instruments and instrumentation panels.
- 3) Instruction manuals as required.
- 4) All necessary field start-up and calibration of the equipment we supply.

#### STANDARD EXCLUSIONS

We do <u>NOT</u> include the following unless specifically included in our bill of material:

- 1) Pipe, tubing, valves or fittings between the instrument and the process.
- 2) Conduit, wire or cable not an integral part of the instrument.
- 3) Mounting brackets, stanchions, supports or mounting pads not an integral part of the instrument.
- 4) Labor to install the equipment.
- 5) The Cost, (if due to local union regulations), to have local craftsman make adjustments or wiring modifications to our equipment during start-up and calibration.
- 6) Any material or services not in our quoted sections.
- This proposal is based on award of a supply purchase order and does not include any of the costs associated with bonding or subcontract administration. If bonding or a subcontract is required they can be provided for additional cost.

#### SPECIFIC EXCLUSIONS

1) No Specific Exclusions.



1048 La Mirada Court Vista, CA 92081 (760) 598-2206

| DATE: | 24-Jul-19 |
|-------|-----------|
|       |           |

Quote No: CO-007

Project Information: Project Name: City of

Location:

Contact :

Client :

Project Number: U18865

Quote

City of Beaumont RO System

Beaumont, CA

**City of Beaumont** 

borisp@aquaeng.com

| Client :     | Administrator, City of Beaumont |  |
|--------------|---------------------------------|--|
| Client PO# : |                                 |  |
| Contact :    | Amer Jakher                     |  |
| Project MR#: |                                 |  |
| City :       | Beaumont, CA                    |  |
| Country      | USA                             |  |
| Telephone    | 951 769 8520                    |  |

| Quantity | Unit | Description                                                                                                                                                                                                                                                                                                                  | Unit price |           | Amount          |
|----------|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-----------|-----------------|
|          |      | Chemical Dosing Skids, each with 2 on-line redundant dosing pumps, piping, valves,<br>instruments, frame, PLC and HMI programming - One (1) ammonia sulfate skid and one (1)<br>sulfuric acid skid (parts and labor).                                                                                                        | s          | 28,780.00 | \$<br>28,780.00 |
|          |      |                                                                                                                                                                                                                                                                                                                              |            |           |                 |
| +        |      |                                                                                                                                                                                                                                                                                                                              |            |           |                 |
|          |      |                                                                                                                                                                                                                                                                                                                              | -          |           | <br>            |
|          |      |                                                                                                                                                                                                                                                                                                                              |            |           |                 |
|          |      |                                                                                                                                                                                                                                                                                                                              |            |           | <br>            |
|          |      |                                                                                                                                                                                                                                                                                                                              |            |           |                 |
|          |      |                                                                                                                                                                                                                                                                                                                              |            |           |                 |
|          |      |                                                                                                                                                                                                                                                                                                                              |            |           |                 |
|          |      |                                                                                                                                                                                                                                                                                                                              |            |           |                 |
|          |      |                                                                                                                                                                                                                                                                                                                              |            |           | <br>            |
|          |      |                                                                                                                                                                                                                                                                                                                              |            |           |                 |
|          |      | At this time, H2O does not feel that this change will cause a delay in the construction of the<br>project and are therefore, not requesting an extension to the Contract Time. However, H2O<br>reserves the right to review the impact of this change along with all other changes on the<br>Contract Time at a future date. |            |           | <br>            |

Total without tax

TOTAL

\$

\$

\$

\*Please note that taxes are not included and will be added as appplicable

28,780.00

28,780.00

•

| Pay | yment                             |  |
|-----|-----------------------------------|--|
| •   | yment<br>As per existing contract |  |
|     |                                   |  |
|     |                                   |  |
|     |                                   |  |
|     |                                   |  |
|     |                                   |  |

| Dan Dragland   |  |      |           |  |
|----------------|--|------|-----------|--|
| Dan Diagianu   |  |      |           |  |
| 7/24/2019      |  |      |           |  |
| Date Signature |  | Date | Signature |  |
|                |  |      |           |  |



1048 La Mirada Court Vista, CA 92081 (760) 598-2206

| DATE: | 24-Jul-19 |
|-------|-----------|
|       |           |

CO-008

Quote No :

Quote

| 1 |              |                                 |
|---|--------------|---------------------------------|
|   | Client :     | Administrator, City of Beaumont |
|   | Client PO# : |                                 |
|   | Contact :    | Amer Jakher                     |
|   | Project MR#: |                                 |
|   | City :       | Beaumont, CA                    |
|   | Country      | USA                             |
| ( | Telephone    | 951 769 8520                    |

| Project Name:   | City of Beaumont RO System |  |
|-----------------|----------------------------|--|
| Project Number: | U18865                     |  |
| Location:       | Beaumont, CA               |  |
| Client :        | City of Beaumont           |  |
| Contact :       | borisp@aquaeng.com         |  |
|                 |                            |  |

| Quantity | Unit | Description                                                                                                                                                                                                                                                                                                                  | Unit price | Amount      |
|----------|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-------------|
|          |      | Hammond Manufacturing Floor Stand. Includes two mounting feet and hardware kit. Pre-<br>punched mounting feet may be used to drill holes on the bottom of the enclosure. Natural<br>brushed stainless steel. Electrical labor and shipping included.                                                                         | \$ 597.0   | 0 \$ 597.00 |
|          |      |                                                                                                                                                                                                                                                                                                                              |            |             |
|          |      |                                                                                                                                                                                                                                                                                                                              |            |             |
|          |      |                                                                                                                                                                                                                                                                                                                              |            |             |
|          |      |                                                                                                                                                                                                                                                                                                                              |            |             |
|          |      |                                                                                                                                                                                                                                                                                                                              |            |             |
|          |      |                                                                                                                                                                                                                                                                                                                              |            |             |
|          |      |                                                                                                                                                                                                                                                                                                                              |            |             |
|          |      |                                                                                                                                                                                                                                                                                                                              |            |             |
|          |      | At this time, H2O does not feel that this change will cause a delay in the construction of the<br>project and are therefore, not requesting an extension to the Contract Time. However, H2O<br>reserves the right to review the impact of this change along with all other changes on the<br>Contract Time at a future date. |            |             |

Total without tax

TOTAL

Admin fee

\$

\*Please note that taxes are not included and will be added as appplicable

597.00

•

597.00

| Payment                          |  |
|----------------------------------|--|
| Payment As per existing contract |  |
|                                  |  |
|                                  |  |
|                                  |  |
|                                  |  |

| Prepared by    |     | Authorized by  |  |
|----------------|-----|----------------|--|
| Dan Dragland   | _   |                |  |
| 7/24/2019      |     |                |  |
| Date Signature | ) ( | Date Signature |  |



May 20, 2019

Michael Bonser W. M. Lyles Co 42142 Roick Drive Temecula, CA 92590 Ph.: (951) 973-7393 Email: mbonser@wmlyesco.com

Re: Beaumont WWTP – Packaged Aq. Ammonia Feed System Specification Section 46 31 16 IMS Project Number: 40112

Dear Mr. Bonser,

It is unfortunate that the Owner has decided to delete the Aqueous Ammonia Feed system from the procured list of equipment. We understand that this is out of your control.

However, we have already invested our engineering resources in preparing the equipment design submittal, we kindly request reimbursement for such service accordingly. Please see below for the breakdown.

| Packaged Aq. Ammonia Feed System | -\$46,500.00 |
|----------------------------------|--------------|
| Startup Service                  | -\$750.00    |
| Freight from factory to jobsite  | -\$750.00    |
| Total Contract Price             | -\$48,000.00 |
|                                  |              |
|                                  |              |

Engineering Service in preparing equipment design submittal (\$85 / hr. x 60 hr.) \$5,100.00

Upon our receipt of the signed copy of this change order by email, we will sign and return a copy to you for your final execution.

Please do not hesitate to call me if you have any questions.

Sincerely,

Integrity Municipal Systems, LLC

W. M. Lyles Co. (Company Name)

(Signature)

Khaled Roueiheb, Vice President

(Printed Name & Title)

(Date)

Page 579 of 647



**Providing Life Safety & Security Solutions** 

### CHANGE ORDER REQUEST

| Accurate Door Solutions, Inc. | Change Order No.: 01 |
|-------------------------------|----------------------|
| 17861 Georgetown Lane         | Page 1 OF 1          |
| Huntington Beach, CA 92647    | Date: 4/11/2019      |
|                               | JOB # 218175         |
| SUBMITTED TO:                 | LOCATION OF JOB:     |
| W. M. Lyles Corporation       | Beaumont WWTP        |
| 335 North Throne Ave.         | Salt Mitigation      |
| Fresno, CA                    | Beaumont, CA         |

ATTN:

**TOTAL CREDIT \$-5,400.00** 

Delete Doors, Frames and Finish hardware for openings 03 & 13 entirely from the scope per MBR Changes.

SUBMITTED BY: David A. Parker, AHC

Note: This Change Order Request may be withdrawn if not accepted in thirty (30) days.

### PLEASE SIGN AND RETURN THIS FORM WITH YOUR APPROVAL. THANK YOU

SIGNATURE

DATE\_

### QUOTATION

Prepared For: Armando Cayama

Company: WM Lyles Co

Beaumont, CA 92223 Phone: (951) 973-7393 Email: acayama@wmlylesco.com

> THANK YOU FOR THE OPPORTUNITY TO EARN YOUR BUSINESS. Submit Purchase Orders to: VWRFurniture\_Orders@vwr.com or Fax to (972) 753-1389.

### Notes:

Lead time is approximately (8) to (10) weeks after receipt of approved purchase order and Tech Sheet by VWR, plus transit time. Transit time is typically (5) to (7) business days. Production levels vary and depending upon when an approved purchase order is received by VWR, lead time may fluctuate. Freight is included in this proposal and is quoted F.O.B. Shipping Point, Freight Charged as Quoted. VWR will not be responsible for any fees associated with any Bonds, Permits, or Taxes unless otherwise stated within this quotation/scope letter. Once an order is placed for any custom products, the client will be held responsible for any accrued charges from our manufacturers should the order be cancelled for any reason. **NO TAXES** are included in this bid. Certification and balancing of hoods is not included in this proposal and shall be the responsibility of others. Fume hoods quoted do not include ductwork, exhaust fans, roof penetrations, flashing and sealing, roof curbs, guy wires and weather caps or any mechanical, plumbing or electrical connections. Fume hoods and base cabinet colors TO BE DETERMINED. Installation/assembly is not included but is available if required at an additional cost.

Lab Hood exhaust fan to be supplied by HVAC provider.

| Line # | Qty | Catalog # Finish                                                                                                                                                                                     |
|--------|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1      | 1   | 019243-48R-BK<br>EPOXY RESIN BENCH HOOD TOP<br>Includes: Black Kemresin.                                                                                                                             |
| 2      | 1   | 0491-BP<br>POLY OVAL CUPSINK BLACK                                                                                                                                                                   |
| 3      | 1   | G08C352224L-03F24PTD<br>BC-1 LH DR-35Hx22Dx24L<br>Includes: Add Removable Back - for PTD Steel.                                                                                                      |
| 4      | 1   | G80C352224-03<br>BC-FH-ACID-1 RH DR-35Hx22Dx24L                                                                                                                                                      |
| 5      | 1   | H05K5448-00-HW27<br>SUPREME AIR FUME HOOD - OPEN BY-PASS<br>Includes: Pre-Wired (UL Approved), Air Alert 300 Alarm (Location 1), Safety Glass<br>(Painted Steel Frame), Stainless Steel Duct Collar. |
| 6      | 1   | W-0864-3WAPU<br>REMOTE CONTROL WATER GOOSENECK<br>Includes: Pre-piped Up.                                                                                                                            |
| 7      | 1   | W-0864-3WAPU-X<br>REMOTE CONTROL WATER GOOSENECK - X = DISTILLED WATER<br>Includes: Pre-piped Up.<br>X = DL191647.1cg.1                                                                              |
|        |     | USD Total Sell: \$7,895.13<br>FOB Shipping Point Freight: \$690.00                                                                                                                                   |
|        |     | USD Total: \$8,585.13                                                                                                                                                                                |



VWR Quote #: CG-060619 Revision: 2 Valid From: 8/8/2019 Valid To:10/8/2019 Prepared By: Charles Gordon Phone: 972-819-7424 Email: charles.gordon@vwr.com 3021 Gateway Drive Suite 280 Irving, TX 75063

| Ву: |     |
|-----|-----|
|     | Ву: |

Date:

PO#: \_\_\_\_\_

# Contact VWR for details about flexible financing programs.

**Financing Available** 

Agenda Item No. 12.

When placing your order, please sign and date above and indicate your P.O. number. Submit your P.O. along with this signed form to **VWRFurniture\_Orders@vwr.com or Fax to (972) 753-1389**, and reference the VWR Quote # in all communications. If you have any questions regarding this proposal or if we can be of further assistance, please contact the VWR team below.

| Your Estimator is: | Charles Gordon         | Your Specialist is: | Brennon Smith         |
|--------------------|------------------------|---------------------|-----------------------|
| Phone:             | 972-819-7424           | Phone:              | (831) 227-7565        |
| Email:             | charles.gordon@vwr.com | Email:              | brennon_smith@vwr.com |

In the absence of a definitive products supply agreement between the parties, VWR International's Terms and Conditions of Sale apply. A copy is available on our website

(https://us.vwr.com/store/content/externalContentPage.jsp?path=/en\_US/about\_vwr\_terms\_conditions\_product\_sales.jsp), or by request. Customer represents that it has read and agrees to VWR International's Terms and Conditions of Sale.

Customer is responsible for unloading and providing standard receiving facilities for large and/or heavy shipments. Special unloading or delivery cam be arranged, provided VWR International is notified at the time of order placement. For such arrangements, please contact VWR International for a quotation. Installation or other services are not included in this quotation, unless otherwise noted on the quotation.

Identified stock status is based on product availability at time of the quote and may change at time of order. Delivery dates are based on standard lead times from suppliers. Items prefixed with "MISC" are subject to regulatory approval once VWR International receives acceptance from the customer. They are special order, and as such may not be returnable. **Customer signed approvals are required when drawings are supplied for these items allong with Purchase Order before order can be scheduled.** Please see the "Notes" section on first page for lead times on special order items.

Any changes to the above agreement must be done so in writing and approved by both VWR International, LLC and customer.

VWR TRADE SECRET/CONFIDENTIAL/PROPRIETARY INFORMATION

### ANDERSON AIR CONDITIONING, L.P. AMS AMERICA, G.P. 2100 E. WALNUT AVE., FULLERTON, ca 92831 PHONE: 714/888-6800FAX: 714-888-2697 LICENSE NO. 894408

# CHANGE ORDER/EXTRA

| DATE <u>6-20-19</u>                                    |                                       |                     |              |                 | OFFICE        | $\boxtimes$ |
|--------------------------------------------------------|---------------------------------------|---------------------|--------------|-----------------|---------------|-------------|
| JOB NAME Salt Mitigat<br>ESTIMATED HOURS:              | tion                                  | JOB # <u>19j117</u> | EXTRA #      |                 | FIELD         |             |
| ESTIMATED HOURS:                                       | DATE:                                 | INSTA               | ALLER:       |                 |               |             |
| I AUTHORIZE ANDERSO<br>TO THE WORK ORIGINA             | LLY SET FORTH                         |                     |              |                 |               |             |
| Deductive Changes as follo<br>1. Delete louver H-3934. |                                       | Τ - μ               |              | Tatal Da        | duct \$948.0  | 00          |
|                                                        |                                       |                     |              |                 | educt \$948.0 |             |
| 2. Delete Friedrich unit H-3                           | 5970 Material \$43                    | 3.00 Labor 532      | 24.00        | I otal De       | eauct 5/5/.   | <u> </u>    |
| Additive Changes:                                      |                                       |                     |              |                 |               |             |
| 1. Relocate exhaust fan H-3                            | 905 and add additi                    | onal ductwork a     | s per plans. |                 |               |             |
|                                                        | Mterial \$ 89.(                       |                     | 23.00        |                 | dd \$612.00   | 1           |
|                                                        |                                       |                     |              |                 |               |             |
| AN ADDITION OF \$                                      |                                       | WILL BE MAI         | DE TO THE    | CONTRAC         | CT PRICE      |             |
| A DEDUCTION OF \$ (\$1                                 | ,093.00 )                             | WILL BE MAI         | DE FROM T    | HE CONTE        | RACT PRIC     | CE          |
| INSTALLER OR                                           | <u> </u>                              |                     |              |                 |               |             |
| SALESPERSON                                            | · · · · · · · · · · · · · · · · · · · | CUSTON              | MER          |                 |               |             |
| AUTHORIZED BY Mitch                                    | Hovnom                                | SIGNED              |              |                 |               |             |
|                                                        |                                       |                     |              | Authorized agen | nf            |             |
|                                                        |                                       | NAME                | PRINTED _    |                 |               |             |
|                                                        |                                       | DATE                |              |                 |               |             |

#### W.M. Lyles Co.

P.O. Box 4377 Fresno, CA 93744



04/15/19

Attention: Allen Hickernell

Project: Beaumont WWTP

Reference: Deduct Aqueos Ammonia Storage/Area 102

Infinity COR#: 002

Deduct labor and material to build Aqueos Ammonia Storage/Area 102. Cost includes layout, framing, drywall, tape, sand, finish, and cle 1. 28'-0" lf of 6" 18ga metal wall framing @10'-0"

2. 560 sq ft of gypsum board on wall framing

3. 16'-0" If of 8" 18ga joisted metal ceiling framing @12'-0"

4. 384 sq ft of gypsum board on ceiling framing

5. 472 sq ft of R-19 insulation

6. 944 sq ft of drywall finishing

| Description                        | Quantity | Unit  | Cost      | Total        |
|------------------------------------|----------|-------|-----------|--------------|
| LABOR                              |          |       |           |              |
| Lather / Carpenter                 | -7       | Hours | \$79.88   | (\$559.17)   |
| Taper Journeyman                   | -2       | Hours | \$79.88   | (\$159.76)   |
| Quality Control / Inspections @ 6% | -0.54    | Hours | \$79.88   | (\$43.14)    |
| Clean-Up                           | -0.72    | Hours | \$62.30   | (\$44.86)    |
| Total Labor:                       |          |       |           | (\$806.92)   |
| MATERIAL                           |          |       |           |              |
| 6" 18ga C-Stud                     | -210     | lf    | \$1.78    | (\$429.72)   |
| 6" 18ga Track                      | -60      | lf    | \$1.57    | (\$108.47)   |
| 8" 18ga C-Stud                     | -144     | lf    | \$2.14    | (\$354.50)   |
| 8" 18ga Track                      | -30      | lf    | \$1.93    | (\$66.50)    |
| 5/8" XP Mold Guard                 | -944     | sf    | \$0.50    | (\$539.54)   |
| R19 Unfaced Insulation             | -472     | sf    | \$0.48    | (\$258.37)   |
| Taping Compound                    | -1       | Box   | \$11.55   | (\$13.28)    |
| Smooth Set                         | -2       | Box   | \$11.14   | (\$25.63)    |
| Corner bead                        | -40      | lf    | \$0.23    | (\$10.49)    |
| Subtotal Material:                 |          |       |           | (\$1,806.50) |
| Material Tax                       |          |       | 7.75%     | (\$140.00)   |
| Total Materials:                   |          |       |           | (\$1,946.50) |
|                                    |          |       | Subtotal: | (\$2,753.42) |
|                                    |          |       | TOTAL:    | (\$2,753.42) |

The total for the above changes will be an **ADD** of:

(\$2,753)

Respectfully, Infinity DW Contracting, Inc.

Project Manager, Aaron Sanchez

# CHANGE ORDER REQUEST

DDH/DAVE'S DOOR AND HARDWARE 17861 GEORGETOWN LANE HUNTINGTON BEACH, CA 92647

DAVE'S DOOR AND HARDWARE

SUBMITTED TO: W. M. Lyles Corporation 335 North Throne Ave. Fresno, CA

DDH

LICENSE # 600031

CHANGE ORDER NO.: 01 PAGE 1 OF 1 August 7, 2019

August 7, 2019

LOCATION OF JOB: Beaumont WWTP Salt Mitigation Beaumont, CA

ATTN:

**TOTAL CREDIT \$-1,400.00** 

Delete Installation of Doors and Finish hardware for openings 03 & 13 entirely from the scope per MBR Changes.

SUBMITTED BY: David A. Parker, AHC

Note: This Change Order Request may be withdrawn if not accepted in thirty (30) days.

### PLEASE SIGN AND RETURN THIS FORM WITH YOUR APPROVAL. THANK YOU

SIGNATURE

DATE

DDH JOB # 218175

# GMAT Inc dba Inland Overhead Door Company 12401 S La Cadena Dr Colton CA 92324 909-783-3131 fax 909-783-3478

# Subcontractor Change Order

| Project:              | Water Water Treatm                               | ent Plant City of Beaumont  |
|-----------------------|--------------------------------------------------|-----------------------------|
| Contract:             | #55.1170.010                                     |                             |
| Date:                 | 4/10/2019                                        | н<br>2                      |
|                       |                                                  |                             |
| Subcontractor:        | GMAT Inc. dba Inl                                | and Overhead Doop Company   |
| Contract for:         | <u>W.M. Lyles Company</u><br>P.O. Box 4377 Fresh | y Contractor<br>lo CA 93744 |
| ADD 1 10X12 COILLING  | G DOOR                                           |                             |
| Contract Amount       | •?                                               | \$ 33,500.00                |
| Change Order          | <u>    #01     </u>                              | _\$_4,800.00                |
| Sub Total             |                                                  | \$.38,300.00                |
|                       |                                                  |                             |
|                       |                                                  |                             |
| Total Contract Amoun  | t                                                | \$38,300.00                 |
|                       |                                                  |                             |
| Subcontractor Sign-Da | ate                                              | Contractor Sign-Date        |
| R y/10/19             |                                                  |                             |
| 1                     |                                                  |                             |

| STUMBAUGH            |
|----------------------|
| AND ASSOCIATES, INC. |

Contractors License (CA) 288724 | www.stumbaugh.com

| Corporate: | Agenda Item No. 12.<br>3303 N. San Fernando Boulevard<br>Burbank, California 91504   818-240-1627 |
|------------|---------------------------------------------------------------------------------------------------|
| San Diego: | 8920 N. Kenamar Drive, Suite 212<br>San Diego, CA 92121   858-444-1683                            |
| Fremont:   | 47602 Kato Road<br>Fremont, CA 94538   650-999-0700                                               |
| Date:      | 05/31/2019                                                                                        |

To: W.M. Lyles Co.

Site: 715 W 4th Street Beaumont, CA 92223

#### Project #: 246306 **Project:** Salt Mitigation WWTP Upgrade Beaumont TP ADD CO

### We propose the following for the sum of: \$1,944.00

### **Toilet Partitions**

ADD - (2) Powder Coat Metal Overhead Braced Partitions NOTE: Bid based on work performed during normal business

### **Toilet Accessories**

2 Multi-roll Toilet Tissue Dispenser Surface Mounted

### Inclusions

hours. Overtime is not included unless stated.

Note: Bidding Standard Toilet Partition colors (unless otherwise indicated)

NOTE: Price includes our Standard Insurance Coverages with General Liability Additional Insured forms CG 20 33 0704 & CG 20 37 0704.

Note: Price includes delivery, installation & tax. (See Important Note below)

### Exclusions

Exclude: All backing & wall recessed openings

ADD: Based on revised plan set 042219

| except a<br>and prov | cordance with plans and specifications<br>as noted above, and all subject to terms<br>visions listed below.<br>augh & Associates, Inc. | nd all subject to terms<br>w.<br>The above price(s), specifications and conditions<br>are satisfactory and are hereby accepted. You are<br>authorized to do the work as specified. Payments<br>will be made as outlined below or as contractually |  |
|----------------------|----------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
|                      | , · · · · · · · · · · · · · · ·                                                                                                        | agreed upon.                                                                                                                                                                                                                                      |  |
|                      |                                                                                                                                        | Date:                                                                                                                                                                                                                                             |  |
| Ву:                  | Jeff Stumbaugh                                                                                                                         | Ву:                                                                                                                                                                                                                                               |  |

#### IMPORTANT NOTE: Due to the current stainless steel price fluctuation this quote is subject to change and/or increase if not accepted, and Product ordered, within thirty (30) days of the proposal date above.

1. If a contract is the result of this proposal this proposal becomes the basis for and a part of the formal contract

- 6. A 50% deposit of the contract price is due at time of proposal acceptance and the remaining 50% is due upon installers arrival on the property for installation unless prior credit or payment
- terms have been made in writing. Any alteration or deviation from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the proposa

8. Upon acceptance of this proposal it is agreed that in case suit is instituted to collect any sum due under this contract or any portion thereof, you will pay such addition thereof adjudge reasonable Attorney's Fees in said suit.

\*Contractor's State License Board, 1020 N St., Sacramento, CA 95814.

All proposals are made for prompt acceptance and may be withdrawn or changed without notice after thirty (30) days.
 All agreements are contingent upon strikes, accidents, delays or carriers and other delays unavoidable or beyond our control.
 Price includes our standard insurance coverage & forms. Special insurance requirements will be subject to review & may result in additional costs or exclusions.
 An additional fee will be charged for all bonds.

439 E. HARRISON ST UNIT #E CORONA, CA - 92879 PHONE: 951-735-2050 FAX: 951-735-2051



| ESTI | MATE   |
|------|--------|
| R    | EVISED |

| DATE      | EST. NO. | REP  |
|-----------|----------|------|
| 5/21/2019 | 19585    | DAVE |

| NAME / ADDRESS                |                     |              |
|-------------------------------|---------------------|--------------|
| WM LYLES CO.<br>P.O. BOX 4377 | PROJECT INFORMATION | ATTN:        |
| FRESNO, CA 93744-4377         | City of Beaumont    | Armondo      |
|                               | Membrane Building   | Customer Fax |
|                               | Beaumont            | 951-698-3031 |

| REVISED DESCRIPTION                                                                                                                                                                                                                                                                                                                                      | QTY       | COST     | TOTAL       |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|----------|-------------|
| Add for ceramic tile to 4ft. at wet wall of restrooms #111 and #112.                                                                                                                                                                                                                                                                                     |           | 2,040.00 | 2,040.00    |
| Alternate add for:<br>- Sink side of privacy partition wall in both baths.<br>Not included<br>in change orde                                                                                                                                                                                                                                             | V         | 612.00   | 612.00      |
|                                                                                                                                                                                                                                                                                                                                                          |           |          | ×           |
| CLUSIONS:<br>X, FREIGHT, 1 HOUR OF MINOR FLOOR PREP, 1 YEAR WARRANTY.<br>SCLAIMER:<br>ADDT'L LABOR eg. FLOOR PREP, SCRAPING RESIDUAL ADHESIVE, SANDING @ \$67.50<br>R MAN HOUR PLUS MATERIAL.<br>ADD FOR WAIVER OF SUBROGATION = \$250.00<br>RICING IS SUBJECT TO CHANGE AFTER 30 DAYS FOR LABOR OR MANUFACTURE<br>CREASES.                              | ΤΟΤΑ      | L:       | \$2,652.00  |
| MATERIAL DRAWS MAY BE REQUIRED DUE TO SIZE OF PROJECT OR VENDOR<br>EQUIREMENT.<br>XCLUDES: DEMO, MAJOR FLOOR PREP, WAXING/SEALING, FLOOR PROTECTION,<br>AMAGE DUE TO MOISTURE, & FURNITURE MOVING, VACUMING & FINAL CLEAN, OFF<br>DURS<br>ORK UNLESS NOTED ABOVE.<br>*CUSTOMER IS RESPONSIBLE FOR INCURED COLLECTION FEES AND CHARGED 1 1/2%<br>ER MONTH | signature |          | Page 588 of |



LICENSE: CA 742112 • AZ ROC188614 • NV 0072066 DIR No. 1000004724 www.paradapainting.com

### **CREDIT MEMO**

| To:        | W M Lyles Co.                                   |
|------------|-------------------------------------------------|
| Date:      | 8/7/19                                          |
| Attention: | Armando Cayama                                  |
| Project:   | City of Beaumont WWTP – Salt Mitigation Upgrade |
| Re:        | Deduct coating in Ammonia room                  |

Parada is submitting a Deductive Credit for coating in ammonia room:

### Deduct Amount: \$2,682.00

Please forward a deductive change order to Lisa Greenelsh, lgreenelsh@paradapainting.com .

Should you have any questions, please contact me at 858-602-6037 or email <u>davidparadajr@yahoo.com</u>.

Sincerely,

David Parada Jr. Superintendent

> Mailing Address: 14281 Palisades Drive, Poway CA 92064 Office - Admin: (P) 951-878-7051, (F) 951-878-7052 Office - A/P: (P) 858-748-3540, (F) 858-748-3774 Estimating: (P) 858-602-6036

# **Cabinetry Specialties Products**

Quotation

DATE August 26, 2019 Rev. 2

177 East Colorado Blvd., 2nd Floor Pasadena, California 91105 Attn: Bob Sherbondy Phone: (909) 519-0059 Email: bobsherbondy@aol.com

Sold To: Lisa Moran W.M. LYLES COMPANY 42142 Roick Drive Temecula, California 92590 Phone: (951) 973-7393 Quotation valid until: September 1, 2018 Prepared by: Bob Sherbondy Delivery 365 days

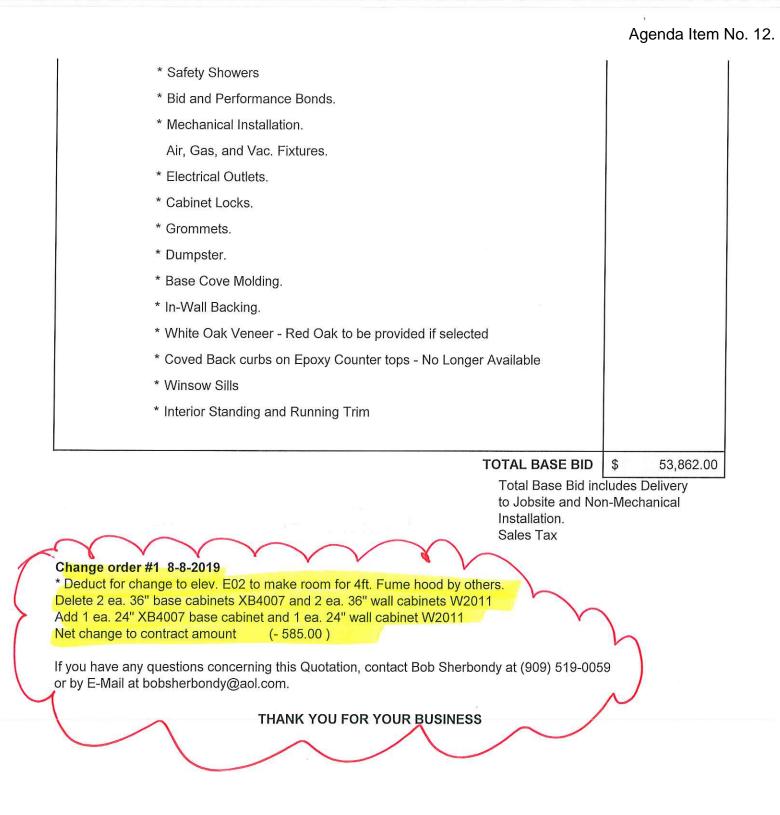
### Re: Beaumont WWTP Upgrades

Lab Cabinetry, and Lunch Room Cabinetry, as noted below.

|                                                                                        |                                                    | Description                                                                                                                                                                                                                       | AMOUNT                                |
|----------------------------------------------------------------------------------------|----------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|
| Plastic Lamina                                                                         | ite Lab Cabinetry,                                 | Epoxy Countertops, Plastic Laminate                                                                                                                                                                                               | · · · · · · · · · · · · · · · · · · · |
| Break Room C                                                                           | abinetry, Solid Su                                 | urface Counter tops as described in Section 064020                                                                                                                                                                                |                                       |
| Interior Archite                                                                       | ctural Woodwork                                    | Specific inclusions noted below.                                                                                                                                                                                                  |                                       |
| Section 06402                                                                          | 0 Interior Architec                                | tural Woodwork                                                                                                                                                                                                                    |                                       |
| Cabinetry:                                                                             | Manufactured                                       | by Wood-Metal Co. Plastic Laminate with particle board co                                                                                                                                                                         | bres                                  |
|                                                                                        | Door and Dra                                       | wer Front Style: Overlay                                                                                                                                                                                                          |                                       |
|                                                                                        | Wilson Art La                                      | minate at all exposed and semi exposed surfaces                                                                                                                                                                                   |                                       |
| Countertops:                                                                           | 1" Thick Black                                     | Epoxy Resin with 4" High Applied Curb in Lab room                                                                                                                                                                                 |                                       |
|                                                                                        | Solid Surface                                      | counter tops in Break room                                                                                                                                                                                                        |                                       |
|                                                                                        |                                                    |                                                                                                                                                                                                                                   |                                       |
| Room 110-Lab                                                                           | Room - Elev. G                                     |                                                                                                                                                                                                                                   |                                       |
|                                                                                        | Room - Elev. G                                     | / MBA-10                                                                                                                                                                                                                          |                                       |
|                                                                                        | Room - Elev. G<br>B4007                            |                                                                                                                                                                                                                                   |                                       |
| 5 each                                                                                 | Room - Elev. G                                     | / MBA-10                                                                                                                                                                                                                          |                                       |
| 5 each<br>5 each                                                                       | Room - Elev. G<br>B4007                            | / MBA-10<br>Base Cabinets 36" Wide - 2 door - 2 dwr                                                                                                                                                                               |                                       |
| 5 each<br>5 each<br>1 each                                                             | Room - Elev. G<br>B4007<br>W2011                   | / MBA-10<br>Base Cabinets 36" Wide - 2 door - 2 dwr<br>Wall Cabinets 36" Wide                                                                                                                                                     |                                       |
| 5 each<br>5 each<br>1 each<br>1 each                                                   | B4007<br>W2011<br>W2011                            | / MBA-10<br>Base Cabinets 36" Wide - 2 door - 2 dwr<br>Wall Cabinets 36" Wide<br>Wall Cabinet 24" Wide - 2 Door                                                                                                                   |                                       |
| 5 each<br>5 each<br>1 each<br>1 each<br>1 each<br>1 each                               | B4007<br>W2011<br>W2011<br>B5028                   | / MBA-10<br>Base Cabinets 36" Wide - 2 door - 2 dwr<br>Wall Cabinets 36" Wide<br>Wall Cabinet 24" Wide - 2 Door<br>Sink Base Cabinet 36" Wide                                                                                     |                                       |
| 5 each<br>5 each<br>1 each<br>1 each<br>1 each<br>1 each                               | B4007<br>W2011<br>W2011<br>B5028<br>W2010          | / MBA-10<br>Base Cabinets 36" Wide - 2 door - 2 dwr<br>Wall Cabinets 36" Wide<br>Wall Cabinet 24" Wide - 2 Door<br>Sink Base Cabinet 36" Wide<br>Wall Cabinet 36" Wide x 18"h                                                     |                                       |
| Room 110-Lab<br>5 each<br>5 each<br>1 each<br>1 each<br>1 each<br>20 ft.<br>Beaumont W | B4007<br>W2011<br>W2011<br>B5028<br>W2010<br>Epoxy | / MBA-10<br>Base Cabinets 36" Wide - 2 door - 2 dwr<br>Wall Cabinets 36" Wide<br>Wall Cabinet 24" Wide - 2 Door<br>Sink Base Cabinet 36" Wide<br>Wall Cabinet 36" Wide x 18"h<br>Counter top - Black 1" thk. With 4" applied curb | Quotation                             |

Lab Island - Elevations E & F / MBA 12

| 5 each        | B4007                  | Base Cabinets 2 doors - 2 dwr                       |             |
|---------------|------------------------|-----------------------------------------------------|-------------|
| 1 each        | B5028                  | Sink Base Cabinet 36" Wide                          |             |
| 4ft. X 9 ft.  | Ероху                  | Counter top 1 " thk. Black                          |             |
| Break Room    | #109 Elev, D / MBA-9   |                                                     |             |
| 1 each        | B4007                  | Base Cabinet 36" Wide - 2 Drawer - 2 door           |             |
| 1 each        | B5028                  | Sink Base Cabinet 36" Wide                          |             |
| 1 each        | B4007                  | Base Cabinet 30" wide 2 drawer - 2 door             |             |
| 1 each        | W2011                  | Wall Cabinet 36" Wide                               |             |
| 1 each        | W2011                  | Wall Cabinet 24" wide                               |             |
| 1 each        | W2011                  | Wall Cabinet 30" wide                               |             |
| 1 each        | W2010                  | Wall Cabinet 36" Wide x 18"h                        |             |
| 10 ft.        | Counter top            | Solid Surface with 4 " h. coved back curb - Grade B |             |
| Miscellaneous | s items included:      |                                                     |             |
| Miscellarieou | s tierns included.     |                                                     |             |
| 2 each        | KDTE 704DSS            | Kitchen Aid Dishwashers                             |             |
| 3 each        | L412-8VB               | Hot & Cold Faucets                                  |             |
| 1 each        | S19-200B               | Bradley Eyewash                                     |             |
| 2 each        | Epoxy Sinks            | D30C & D50C models                                  |             |
| 1 each        | Stainless Steel sink   | Just - double bowl                                  |             |
| 2 each        | Garbage disposers      | Sears or equal 1/4 hp                               |             |
| 1 each        | Scullery Sink          | Eagle model #414-24-1-18                            |             |
|               |                        | stainless steel scullery sink                       |             |
|               |                        | located in Solids Handling sheet SH-A1              |             |
| Beaumont V    | WWTP                   |                                                     | Quotation   |
| July 25 2018  | *** * * *              |                                                     | Page 3 of 4 |
|               |                        |                                                     |             |
|               |                        |                                                     |             |
| NIC - EXCLUS  | SIONS:                 |                                                     |             |
|               | * Refrigerators        |                                                     |             |
|               | * Appliances in Lunch  | Room: Stove, Microwave, etc.                        |             |
|               | * Ceramic Tile on wall | s                                                   |             |





6/15/19

FALLBROOK GLASS, INC.

umlyles

Salt Mitigation Bearement

alternate #2

mit-3-24+30 DUAL tomp au Justemar doores print Exterior doore sql.

deduct \$364 U How

attention amando

Ally Thess

Quote may be withdrawn after 30 days

 GLAZING CONTRACTOR LIC. #C17-417447
 Page 593 of 647

 616 E. ALVARADO ST. • SUITE A • FALLBROOK, CA 92028 • PHONE (760) 728-4493 • FAX (760) 728-8576

### Quote



Juan Ahumada W.M. Lyles Company 42142 Roick Drive Temecula, CA 92590 951-973-7393 ext jahumada@wmlylesco.com

Quote # DSN1183Q1

Dear Juan,

Thank you for the opportunity to provide the following quote. We quoted the tanks and all of the accessories per the specification noted. We also included pricing for the radar level control units.

### BEAUMONT WWTP SALT MITIGATION UPGRADE- TANKS

| Spec Section               | Title and Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 434143Change<br>Package #1 | <ul> <li>3 HIGH DENSITY CROSS-LINKED POLYETHYLENE STORAGE<br/>TANKS <ul> <li>(2) 1,150 Gallon (1) 4,600 Gallon Poly Processing Tanks</li> <li>Safe Surge Manways</li> <li>FRP Ladders</li> <li>SST Seismic Restraints with CA Wet Stamped Job Specific Calculations</li> <li>Float Level Indication</li> <li>Fittings per specification</li> <li>PTFE Flexi Joints</li> <li>Material and Tank Testing</li> <li>3.2 B, C,D,E Field Service Technician one person one day included</li> <li>Hastelloy for tank fittings only are included on NaOCI Tank Drawing C-36 note 7</li> </ul> </li> </ul> |
|                            | No Exceptions taken to specification 434143 Part 1 through 3.1C and 3.2 B-E<br>2 HIGH DENSITY CROSS-LINKED POLYETHYLENE STORAGE<br>TANKS                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 434143<br>Package #2       | <ul> <li>(2) 1,550 Gallon Poly Processing Tanks</li> <li>Poly Wrap Insulation Panels</li> <li>Heat Tracing</li> <li>Safe Surge Manways</li> <li>FRP Ladders</li> <li>SST Seismic Restraints with CA Wet Stamped Job Specific Calculations</li> <li>Float Level Indication</li> <li>Fittings per specification</li> </ul>                                                                                                                                                                                                                                                                         |

|             | PTFE Flexi Joints                                                                                   |
|-------------|-----------------------------------------------------------------------------------------------------|
|             | <ul> <li>Material and Tank Testing</li> </ul>                                                       |
|             | <ul> <li>3.2 B, C,D,E Field Service Technician one person one day included</li> </ul>               |
|             | <ul> <li>Hastelloy for tank fittings only are included on NaOCI Tank Drawing C-36 note 7</li> </ul> |
|             | No Exceptions taken to specification 434143 Part 1 through 3.1C and 3.2 B-E                         |
|             | Flowline                                                                                            |
| 2.6 B       | Echo Pulse LR20 Radar Liquid Level Transmitter with 316L Antenna and PTFE                           |
| Radar Level | inner shield-                                                                                       |
|             | No Exceptions to the spec                                                                           |

### Pricing

| (3) Poly Processing Tanks and Accessories noted above       | FOB:    | 62 212 |  |
|-------------------------------------------------------------|---------|--------|--|
| Package #1                                                  | Factory | 63,212 |  |
| Tank Freight                                                |         | 8,000. |  |
| (2) Poly Processing Tanks and Accessories noted above       | FOB:    | 50,188 |  |
| Package #2                                                  | Factory | 50,188 |  |
| Tank Freight                                                |         | 5,200. |  |
| (5) Radar Units noted above\$2,590. Ea (Transmitter only)   | FOB:    | 12,950 |  |
| (5) Radar Offits Hoted aboveş2,590. Ea (Transfilitter Offy) | Factory | 12,930 |  |
| Radar Freight                                               |         | 300.   |  |

### **Notes & Exceptions**

| Spec Section   | Comment                                                                                       |
|----------------|-----------------------------------------------------------------------------------------------|
| 3.2 A and 3.3  | Field Testing and Installation by Others (1 day site inspection/ training is included)        |
| General        | Anchor bolts by others                                                                        |
| General        | Piping beyond vessel connections is not included                                              |
| Standard Terms | 25% with order / balance 70% N20 after shipment / 5% retention 90 days                        |
| Sales Tax      | Sales tax will be billed at the rate in effect at the time of shipment and not included above |
| Disclosure     | Items not specifically identified within proposal are not included                            |

Credits

WM Lyles PO # 55.1173-4010 (2) 4,400 Gallon Safe Tanks and Accessories Tax <4,028.45> Freight <4,240.00> Tanks <\$42,080> Total Credit Amount....\$50,348.45

Tanks L&21,0407 preight L2,1207

63,212 - tanks 7,770 - Rador units \$70,982 \$8,300 - freight

Thank you,

Doug Roughen

Doug Roughen | 3300 E. 19th Street | Signal Hill, CA 90755 | 562-986-5238 FAX 562-986-5246 Cell 949-633-9499 Preferred

### 2.0 Terms and Conditions

| Shipment                   | 4-5 weeks                                                 |
|----------------------------|-----------------------------------------------------------|
| Manufacturer's Warranty    | 3 years and 5 years per specification                     |
| FOB Point                  | Poly Processing Factories                                 |
| Prices Effective           | 30 days                                                   |
| Freight                    | Quoted as an option                                       |
| Sales Tax                  | Not included unless otherwise indicated                   |
| Sales Tax                  | Will be charged unless a resale card is on file (CA & AZ) |
| Freight Billing            | To be by purchaser specified at time of order placement   |
| Terms                      | 25% with order, balance net 20 days after shipment - OAC  |
| Cancellation Charges       | 100% after fabrication commences                          |
| Damaged Freight            | Must be noted on the freight bill to establish liability  |
| Off-Loading / Installation | By others                                                 |
| Anchor Bolts               | Not included unless otherwise indicated                   |
| Flange Gaskets / Bolt Kits | Not included unless otherwise indicated                   |
| Flexible Connections       | Required for most connections to preserve tank warranty   |
| Missing Parts              | Claims must be made within 30 days of delivery            |



WM Lyles Attn: Juan Ahumada Re: Pulsatron pumps

Juan,

Here is the pricing

Pulsafeeder said the EH25 was too big for the flow and pressure and are recommending the EH05

|                                            | EH05KBVF-X pump with 56C frame       | \$6500 | \$13,000 |
|--------------------------------------------|--------------------------------------|--------|----------|
|                                            | IDNM3538 1/2hp inverter duty motor   | \$600  | \$1,200  |
| 1.30 I I I I I I I I I I I I I I I I I I I | onal VFD<br>ABB ACQ580-01-04A6-2 VFD | \$1104 | \$2,208  |

Please issue PO to JPR Systems

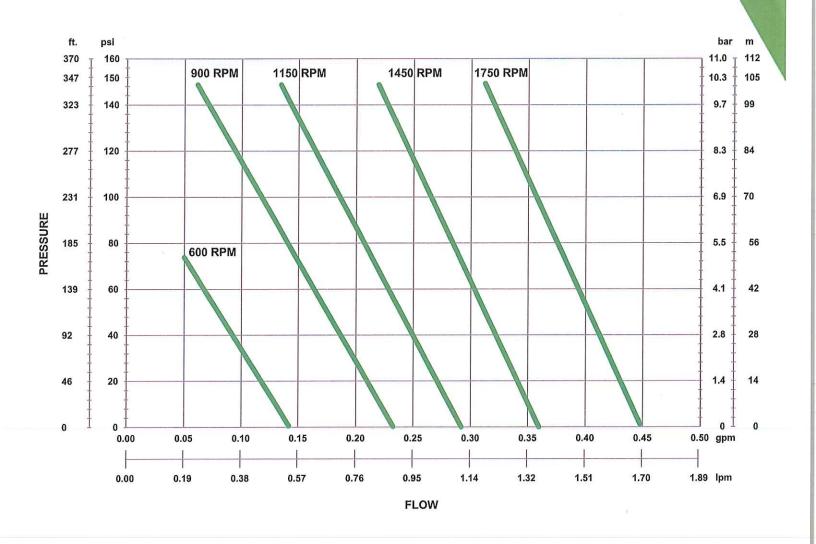
Thank you

John Hamilton 909-660-1022 John.hamilton@jprsystems.com

# ECLIPSE® 02 EXTERNAL GEAR PUMP

## **PERFORMANCE CURVE**

1 cPs, 1/4 HP / .18 kW, Specific Gravity 1.0, Pump needs 56C motor



Pulsafeeder, Inc. 2883 Brighton Henrietta Town Line Rd. Rochester, NY 14623 Phone: +1 (585) 292-8000 pulsa@idexcorp.com • pulsa.com

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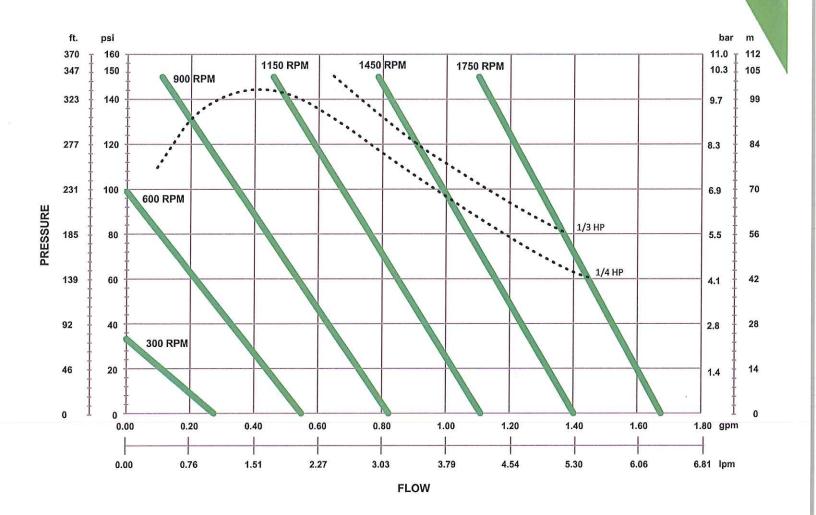
Pulsafeeder is an ISO 9001:2008 certified company.



# ECLIPSE® 05 EXTERNAL GEAR PUMP

## **PERFORMANCE CURVE**

1 cPs, 1/2 HP / .55 kW, Specific Gravity 1.0



Pulsafeeder, Inc. 2883 Brighton Henrietta Town Line Rd. Rochester, NY 14623 Phone: +1 (585) 292-8000 pulsa@idexcorp.com • pulsa.com

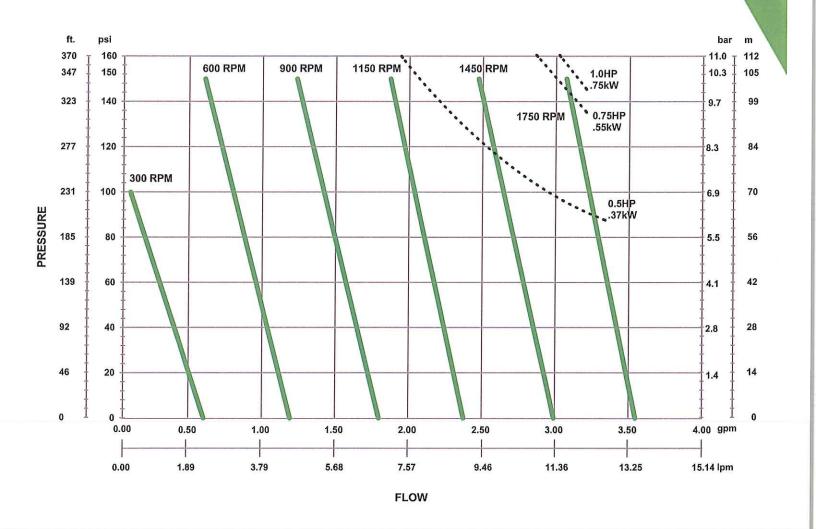
Pulsafeeder is an ISO 9001:2008 certified company.



# ECLIPSE® 12 EXTERNAL GEAR PUMP

**PERFORMANCE CURVE** 

1 cPs, Specific Gravity 1.0



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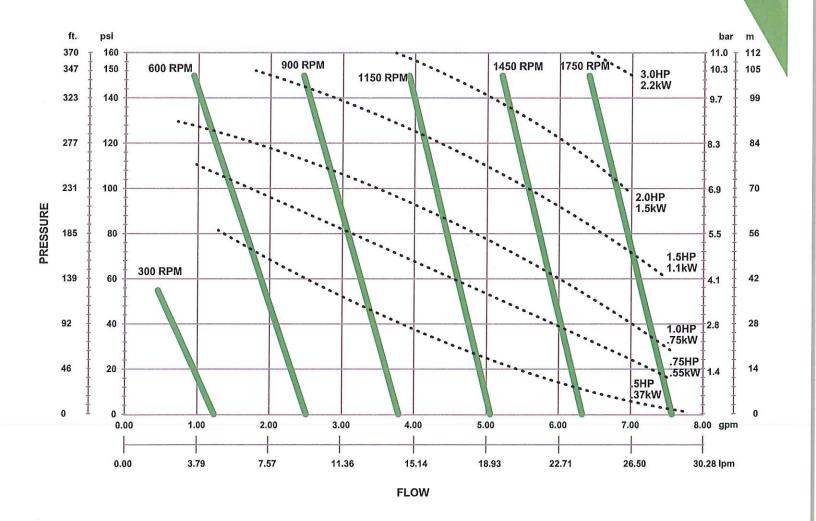
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# ECLIPSE® 25 EXTERNAL GEAR PUMP

# **PERFORMANCE CURVE**

1 cPs, Specific Gravity 1.0



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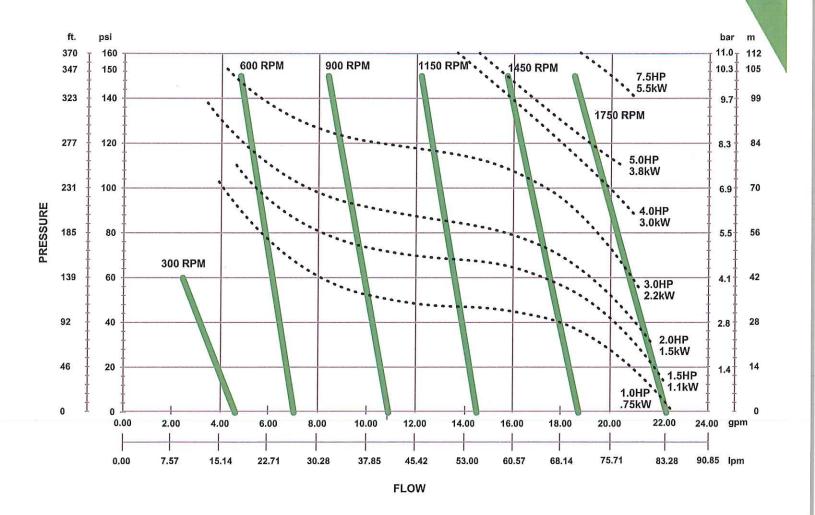
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# ECLIPSE® 75 EXTERNAL GEAR PUMP

# **PERFORMANCE CURVE**

1 cPs, Specific Gravity 1.0



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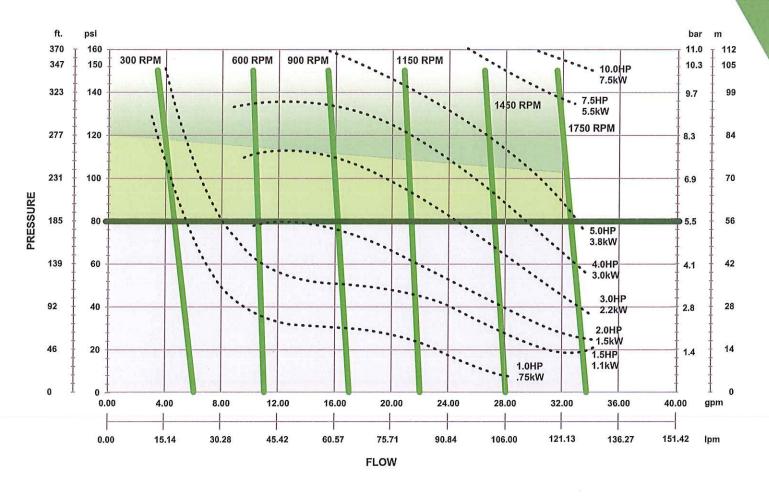


# ECLIPSE® 125

EXTERNAL GEAR PUMP

# PERFORMANCE CURVE

1 cPs, Specific Gravity 1.0



Shaft/Gear Combinations: Metal/Metal and Metal/PEEK Bearings: GF-PTFE

All Shaft/Gear Combinations: GF-PTFE Bearing and Silicon Carbide Bearing

All Shaft/Gear Combinations: GF-PTFE Bearing, Carbon Bearing, Silicon Carbide Bearing

Pulsafeeder, Inc. 2883 Brighton Henrietta Town Line Rd. Rochester, NY 14623 Phone: +1 (585) 292-8000 pulsa@idexcorp.com • pulsa.com

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# PULSAFEEDE A Unit of IDEX Corporation

Eclipse Hypopump is specifically designed to pump (meter and transfer) sodium hypochlorite (NaOCI). Based on the patented technology of the Eclipse, significant enhancements were made to increase the reliability and sealing capability of troublesome hypo, while offering easy, fast maintenance (only a few minutes every year or two<sup>1</sup>). This new pump offers the highest quality, longest life and provides the lowest total cost of ownership. This pump's ability to handle entrained gases, sealless design, ease of maintenance, and long service life, make it a superior pump for use in sodium hypochlorite applications.

### **Key Features**

- Eclipse technology, wetted components are completely non-metallic (not coated like others)
- Pump housings, gears and gear liner are made of engineered composites. Magnetically driven eliminating mechanical seals
- Powder coated external reinforcements ensure zero leakage, no crystallization, or emissions
- Front pull-out design makes for fast and easy maintenance, no piping or electric to disconnect
- Pre-defined KOPkits<sup>®</sup> allow for easy ordering and kitting of all necessary parts to bring the pump back to optimum factory performance
- Engineered **PVDF** composite fluoropolymer provides superior chemical resistance; titanium hardware option for the most severe applications
- Pump is bidirectional, can be run in either direction
- Modular design allows for the pump to be mounted in 45° increments (to a full 360°); vertical, horizontal, or any configuration imaginable.

1. Actual service life will depend on system conditions. Servicing and inspection can be as little as two minutes and last multiple years.



### **MPC Vector**

The MPC Vector is a microprocessor based motor speed controller. When coupled with an Eclipse in closed loop operation (w/flowmeter & inverter duty motor), the user can achieve over 100:1 turndown. This controller has been designed for simplicity and accessibility. It has many standard features: multiple analog & digital inputs & outputs, alarms, level control, and communications. See its techsheet for all its capabilities.

### pulsafeeder.com

### **Operating Benefits**

- Long life and reduced down time means less maintenance costs and more production time
- Highly reliable and accurate metering to maintain consistent flow and ensure dosing compliance
- Ability to pump gases and not become air bound
- High suction lift capability allows for a variety of application conditions and variables
- Sealless design means zero leakage and less maintenance - No dynamic seals
- Fewer number of parts makes it fast and easy to service, as little as 2 minutes
- Maintenance in place; piping and electrical remain intact during servicing, requiring less labor and improving safety
- Robust and chemical resistant



### Aftermarket & Accessory Offerings

- KOPkit<sup>®</sup>, KOPkit Lite, or Kopkit Pro
- Pressure Relief Valves
- **Back Pressure Valves**
- **Calibration Columns** 120
- **Y-Strainers**
- Gauges

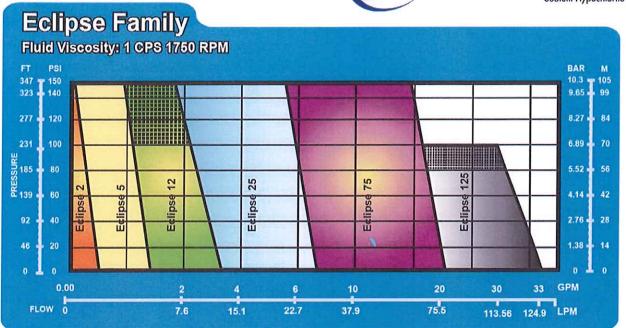






# **Ethos Sodium Hypochlorite Pump**

### **Specifications and Model Selection**



### **Engineering Data**

Housings and containment can: PVDF

Magnet : Neodymium Encapsulated Virgin ETFE

Gears and Liners: Carbon Reinforced PTFE

Shafts: Alumina Ceramic

Bearings: Graphite-Impregnated Silicon-Carbide

O-rings : FKM

Port Size and Type: thread and flanged, varies by model (1/4" or ISO 7-1 to 1.5" ANSI 150# or DIN 32/40)

- Gear Type: External Spur Gear
- Direction of Rotation: Bi-directional
- Maximum Differential Pressure: 150 psig (10 bar)

Maximum Allowable Working Pressure: 200 psig (14 bar)

Maximum Speed: 1750 rpm

- Maximum Fluid Temperature: 150°F (66°C)
- Maximum Suction Lift: 29 inHg
- NPSHr: 2ft (0.6m) at 1750 RPM

Motor Frame Sizes- NEMA: 56C to 213/215TC

IEC: 63 to 100/112 B14 Face

### **Custom Engineered Designs and Options**

- Chemical Feed Systems
- Special Chem-duty, wash down duty, inverterduty, 1000:1 turndown motor with SS shafts, moisture resistant windings, and epoxy coated
- O-Rings-Perfluoroelastomer (FFKM)
- MPC Vector for speed control
- Gear Reducers
- Titanium hardware
- Alternate Motors

### Dimensions

THE ALL

See individual pump data for details



### pulsafeeder.com



# PULSAFEEDER

2883 Brighton Henrietta Townline Road Rochester, NY 14623 Phone: ++1 (585) 292-8000 Fax: ++1 (585) 424-5619

An ISO 9001 and ISO 14001 Certified Company

Page 605 of 647 ECLHYP 0312

### **OLSON PRECAST COMPANY**

| 2239 W. Stonehurst Dr. * Rialto, CA 92377 | Phone (909) 427-1138                  | • Fax (909) 427-1810 |
|-------------------------------------------|---------------------------------------|----------------------|
| CONTRACTORS LICENSE NO. 751277            | (DIR) PUBLIC WORKS CONTRACTOR REGISTR | ATION NO. 1000010073 |
| ☑ MATERIAL QUOTE                          | QUOTE NO.                             | 081419H              |
| PROJECT: SALT MITIGATION WWTP UPG         | RADE DATE: 8/14/19                    | TIME:                |
| CONTRACTOR: W.M. LYLES                    | CITY: BEAUMONT                        |                      |
| PHONE NO.: (951) 973-7393                 | PAYMENT TERMS: NET                    | 30 DAYS              |
| QUOTED TO: JUAN                           | PRICE FIRM FOR:                       |                      |
|                                           |                                       |                      |

### \*PROPER ACCESS REQUIRED FOR OPC BOOM TRUCKS\*

*INCLUDES*: Delivery, (1) hour each to set with OPC Boom Truck (if within reach), <u>Sales Tax is Included</u>. Contractor to provide labor to set.

**EXCLUDES:** Excavation, Backfill, Shoring, Subgrade Prep, Compaction, Paving, Final Adjustment and Concrete Collars, Bond, Barricades and Traffic Control, Pumps, Dewatering, Pipe, Pipe Work, Waterstops, Sewage Bypass and Diversion, Plugs, Night Work and Plant Opening Charges, Permits, Staking, Testing, Inspections, Interior Linings, Exterior Coatings or Waterproofings, Slope in floor, Pipe Sleeves, Link Seals, Any Hardware not Specifically Mentioned, Installation of Hardware, Retention, and Anything not included in "Includes".

Olson Precast Company (OPC) respects and appreciates your business. OPC will make every effort to meet Contractors schedules but will not accept charges or penalties for delays beyond our control or from conflicting schedules. Any problem arising on the jobsite and remedied by the Contractor prior to notifying or consulting OPC Management or any of its representatives will relieve OPC of any financial responsibility.

| BID ITEM  | DESCRIPTION                                      | QTY                                   | UNIT PRICE      | TOTAL PRICE                           |
|-----------|--------------------------------------------------|---------------------------------------|-----------------|---------------------------------------|
| А         | 6'-0" x 5'-0" x 5'-0" DEEP PRECAST VAULT         |                                       | \$8,367.00 each |                                       |
|           | INCLUDES:                                        |                                       | Includes        |                                       |
|           | - 36" x 36" ALUMINUM H-20 RATED (FOR INCIDENTAL  |                                       | Delivery        |                                       |
|           | TRAFFIC IN OFF-STREET LOCATIONS ONLY)            |                                       |                 | · · · · · · · · · · · · · · · · · · · |
|           | SPRING ASSIST ACCESS HATCH CAST INTO             |                                       |                 |                                       |
|           | PRECAST TOP SLAB                                 | No. 2 1 1000 1000 1000 1000           |                 |                                       |
|           | - PRECAST VAULT SECTION W/ STEPS                 |                                       | 18589 M         |                                       |
|           | - PRECAST BASE SLAB                              | · · · · · · · · · · · · · · · · · · · |                 |                                       |
|           | - JOINT SEALANT & EXTERIOR JOINT WRAP            |                                       |                 |                                       |
| В         | 4'-0" x 4'-0" x 5'-0" DEEP PRECAST VAULT         | 1                                     | \$7,375.00 each |                                       |
|           | INCLUDES: SAME AS BID ITEM "A"                   |                                       | Includes        |                                       |
|           |                                                  |                                       | Delivery        |                                       |
|           |                                                  |                                       |                 | · · · · ·                             |
|           |                                                  |                                       |                 | <u></u>                               |
|           |                                                  | . <u> </u>                            |                 | <b>***</b> ***                        |
| RICH ALJL | AN Cell: (909) 215-3438 E-Mail: richa@opmb.net T | OTAL                                  | QUOTE: \$       |                                       |

1

Page 606 of 647

### AMERICAN GRATING, LLC Fiberglass Reinforced Plastics (FRP) Composite Gratings and Structures

1191 Center Point Dr. Henderson, NV 89074, USA (702)567-0303 (702)567-0323 FAX



Manufacturer of Fiberglass Grating and Structural

| QUOTE NUMBER | Q2019-383 REVISION NO. Original |        | QUOTED FIRM     |
|--------------|---------------------------------|--------|-----------------|
| Customer:    | W. M. LYLES CO.                 | Date:  | August 14, 2019 |
| Address:     | 2810 UNICORN ROAD               | Phone: | 661-387-1600    |
|              | BAKERSFIELD, CA 93308           | Fax:   |                 |
| Attention:   | ALLEN HICKERNELL                |        |                 |
|              | Project: Ladder                 |        |                 |
|              | Location: BEAUMONT, CA 92220    |        |                 |
|              | Specification Section (s): None |        |                 |

American Grating, LLC is a leading designer, manufacturer and fabricator of FRP gratings and structural systems. We are pleased to offer our quotation of FRP materials for the referenced project.

All material take-offs are derived from construction drawings supplied by customer.

#### MATERIALS of CONSTRUCTION:

Proposed **FRP Molded Gratings** are **GridWalk Type IFR Molded Gratings** as manufactured by American Grating, LLC. Type IFR is manufactured with premium isophthalic polyester resin systems and exhibit a class I flame spread rating of 25 or less when tested in accordance with ASTM E-84. Top surface of the gratings are gritted for optimal slip resistance. Color is light gray. Molded gratings included in this quotation are of the following styles: 1-1/2" deep, 1-1/2" square mesh.

Proposed **FRP Handrails** are **AmeriRail Type IFR Handrail Systems** as manufactured by American Grating, LLC. Handrails are our standard 2 rail system with kick-plate supplied at all horizontal handrail sections. Handrail posts mid rail and top rail are fabricated utilizing 2" x 3/16" square tube. AmeriRail handrails are designed and fabricated in full compliance with OSHA 1910.23. Color is safety yellow.

Proposed **FRP Structural Shapes** are **Type IFR Pultruded Structural Shapes** as manufactured by American Grating, LLC. Type IFR is manufactured with a premium isophthalic polyester resin system and exhibits a class I flame spread rating of 25 or less when tested in accordance with ASTM E-84. Color is dark gray.

Proposed **FRP Ladders** are **AmeriRail Type IFR Ladder Systems** as manufactured by American Grating, LLC. The standard AmeriRail ladder has 18"clear inside width and rungs spaced 12" on center. The ladder rails are fabricated utilizing 2"x3/16" square tube. The ladder rungs are 1-1/4" diameter splined tube. Ladders are supplied with all required walk-throughs, returns, safety cage and mounting brackets. Color is safety yellow.

Grating hold down clips and structural fasteners are 316 SS.

#### SCOPE OF WORK

#### C1S-1 - CHEMICAL STORAGE #1 STRUCTURAL PLAN AND SECTION

1 each - 2' W x 2'-6" L x 3.5' H FRP platform with 2 each - FRP access ladder, complete with FRP grating, framing and handrail.

|                 | PRICING:   |                                            |
|-----------------|------------|--------------------------------------------|
| Lot Price       | \$1,408.00 | (tax not included)<br>F.O.B. Henderson, NV |
| Freight         | \$225.00   | *Est. 1 LTL shipment to 92220              |
| Total Bid Price | \$1,633.00 |                                            |
|                 | DELIVERY   |                                            |

Please allow American Grating 1-2 weeks to generate approval drawings ARO. Fabricated materials will ship approximately 6-8 weeks after return of approved drawings and based on work load at time of release.

#### NOTES & EXCEPTIONS:

1. American Grating's standard fabrication and manufacturing tolerances are based upon the recommendations of the Fiberglass Grating Manufacturers Council and shall be:

Structural shapes & plate = +/- 1/8"; Cut grating = + 1/8" / - 5/16".



WM Lyles Attn: Juan Ahumada Re: Leak Detection System

Juan,

Here is the pricing

Leak detection system probes and panel

| 4ea | Leak detection probes          | \$ 1999 | \$7,996 |
|-----|--------------------------------|---------|---------|
| 1ea | Leak detection control station | \$ 7500 | \$7,500 |

Please issue PO to JPR Systems

Thank you

John Hamilton 909-660-1022 John.hamilton@jprsystems.com

### Juan Ahumada

From: Sent: To: Subject: John Hamilton <john.hamilton@jprsystems.com> Monday, August 26, 2019 7:44 AM Juan Ahumada Enduro 433

Juan

The cover with fan is \$6,600 delivery is \$700

Thank you John Hamilton 909-660-1022

| MATERIALS SUMMARY DESCRIPTION                             | QTY | UOM      | Unit \$        | Total                                                                                                           |
|-----------------------------------------------------------|-----|----------|----------------|-----------------------------------------------------------------------------------------------------------------|
| Yard Chem DC pipe - concrete encased and Precast Vaults   |     |          |                |                                                                                                                 |
| 2.5" CPVC PIPE                                            | 420 | LF       | \$6.30         | \$2,646.00                                                                                                      |
| 2.5" CPVC 90 DEG ELL LONG RADIUS                          | 15  | EA       | \$82.46        | \$1,236.94                                                                                                      |
| 2.5" CPVC CAP                                             | 6   | EA       | \$16.94        | \$101.62                                                                                                        |
| 2.5" CPVC TEE                                             | 4   | EA       | \$21.04        | \$84.16                                                                                                         |
| 2.5" CPVC 90 DEG ELL                                      | 2   | EA       | \$14.29        | \$28.58                                                                                                         |
| 2.5" CPVC BALL VALVE                                      | 2   | EA       | \$512.07       | \$1,024.14                                                                                                      |
| 2.5" CPVC FLANGE                                          | 2   | EA       | \$18.37        | \$36.74                                                                                                         |
| 2.5" CPVC BLIND FLANGE                                    | 2   | EA       | \$24.50        | \$49.00                                                                                                         |
| 3" CPVC PIPE                                              | 360 | LF       | \$7.81         | \$2,812.32                                                                                                      |
| 3" CPVC 90 DEG ELL LONG RADIUS                            | 8   | EA       | \$87.26        | \$698.08                                                                                                        |
| 3" CPVC TEE                                               | 4   | EA       | \$21.04        | \$84.16                                                                                                         |
| 3" CPVC 90 DEG ELL                                        | 2   | EA       | \$16.18        | \$32.36                                                                                                         |
| 3" CPVC BALL VALVE                                        | 2   | EA       | \$368.35       | \$736.69                                                                                                        |
| 3" CPVC FLANGE                                            | 2   | EA       | \$18.72        | \$37.44                                                                                                         |
| 3" CPVC BLIND FLANGE                                      | 2   | EA       | \$30.46        | \$60.92                                                                                                         |
| 3" CPVC CAP                                               | 6   | EA       | \$18.57        | \$111.39                                                                                                        |
| 1/2" ID TYGON 2375-C TUBING                               | 309 | LF       | \$5.00         | \$1,545.80                                                                                                      |
| 1" ID TYGON 2375-C TUBING                                 | 110 | LF       | \$8.17         | \$899.10                                                                                                        |
| 2.5" BNG FOR PVC                                          | 2   | EA       | \$145.00       | \$290.00                                                                                                        |
| 3" BNG FOR PVC                                            | 2   | EA       | \$17.00        | \$34.00                                                                                                         |
| 4'X4'X5' DEEP PRECAST VAULT                               | 1   | EA       | \$7,375.00     | \$7,375.00                                                                                                      |
| 5'X5'X5' DEEP PRECAST VAULT                               | 1   | EA       | \$8,367.00     | \$8,367.00                                                                                                      |
| EAK DETECTION SYSTEM MONITORING STATION - 4 PROBES        | 1   | LS       | \$15,496.00    | A CONTRACTOR OF |
| EAK DETECTION WIRE CONDUIT                                | 1   | LS       | \$400.00       | \$400.00                                                                                                        |
| 5" FLOOR SLEEVE X 16" LG - CS HDG                         | 8   | EA       | \$150.00       | \$1,200.00                                                                                                      |
| RP SUPPORTS INSIDE VAULTS W/HASTELLOY ANCHORS             | 8   | EA       | \$200.00       | \$1,600.00                                                                                                      |
| I-1/2" HDPE POTABLE WATER underground to eyewash          | 80  | LF       | \$0.90         | \$72.00                                                                                                         |
| Emergency eyewash station                                 | 1   | EA       | \$0.00         | \$0.00                                                                                                          |
| L" HDPE non potable water underground to hose station     | 40  | LF       | \$0.50         | \$20.00                                                                                                         |
| /ard hydrant                                              | 1   | EA       | \$150.00       | \$150.00                                                                                                        |
| lose rack and hose                                        | 1   | EA       | \$0.00         | \$0.00                                                                                                          |
|                                                           |     |          | 90.00          | Q0.00                                                                                                           |
| Chemical Tank Farm - Tanks/Pump Skid/Piping               |     |          |                |                                                                                                                 |
| Fank anchor bolts                                         | 28  | EA       | \$15.00        | \$420.00                                                                                                        |
| " Expansion joints by tank supplier                       | 6   | EA       | <i>Q</i> 15.00 | \$0.00                                                                                                          |
| " Strainer Hayward YS PVDF w/FPM seals and plastic screen | 4   | EA       | \$2,101.52     | \$8,406.08                                                                                                      |
| " Ball check PVDF Asahi w/PTFE seat and o-ring            | 1   | EA       | \$609.89       | \$609.89                                                                                                        |
| " Ball valves true union PVDF Asahi type 21               | 3   | EA       | \$663.72       | \$1,991.16                                                                                                      |
| " Tantalum Treated Sulfuric acid tank quick connect w/cap | 1   | EA       | \$20.00        | \$20.00                                                                                                         |
| PVDF PIPE                                                 | 50  | LF       |                | \$3,361.02                                                                                                      |
| 2.5" X 1/2" FERNCO coupling                               | 2   | EA       | \$67.22        | \$40.00                                                                                                         |
| /2" TUBE X 2" PVDF Transition fitting                     | 1   | EA       | \$20.00        | \$40.00                                                                                                         |
| PVDF Union                                                | 1   | EA       | \$32.36        | \$32.36                                                                                                         |
| PVDF Union<br>PVDF 90 ELL                                 | 6   | EA       | \$144.44       |                                                                                                                 |
| " PVDF 90 ELL<br>" PVDF 45 ELL                            | 1   | EA       | \$86.11        | \$516.63                                                                                                        |
| PVDF45 ELL                                                |     |          | \$58.33        | \$58.33                                                                                                         |
| PVDF FLANGES                                              | 1   | EA       | \$102.08       | \$102.08                                                                                                        |
| PVDF FLANGES                                              | /   | EA<br>EA | \$83.81        | \$586.68                                                                                                        |

| 40.00<br>20.00<br>23.10<br>23.10<br>40.00<br>40.00<br>40.00<br>33.30<br>36.86<br>33.36<br>30.00<br>22.00                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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| 20.00<br>30.00<br>23.10<br>11.87<br>40.00<br>31.90<br>16.71<br>20.97<br>36.86<br>30.00<br>72.00                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <ul> <li>23.10</li> <li>23.10</li> <li>11.87</li> <li>40.00</li> <li>31.90</li> <li>1.6.71</li> <li>20.97</li> <li>36.86</li> <li>13.36</li> <li>30.00</li> <li>72.00</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 23.10<br>11.87<br>40.00<br>31.90<br>16.71<br>20.97<br>36.86<br>13.36<br>30.00<br>72.00                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 11.87<br>40.00<br>31.90<br>16.71<br>20.97<br>36.86<br>13.36<br>30.00<br>72.00                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 10.00<br>31.90<br>16.71<br>20.97<br>36.86<br>13.36<br>30.00<br>72.00                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 31.90<br>16.71<br>20.97<br>36.86<br>13.36<br>30.00<br>72.00                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 16.71<br>20.97<br>36.86<br>13.36<br>30.00<br>72.00                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 20.97<br>36.86<br>13.36<br>30.00<br>72.00                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 36.86<br>13.36<br>30.00<br>72.00                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 13.36<br>30.00<br>72.00                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| MBR Building - Liquid Ammonium Sulfate Piping                        |      |       | - 0      |            |
|----------------------------------------------------------------------|------|-------|----------|------------|
| 1/2" Tube x CPVC transition fitting                                  | 1    | EA    | \$10.00  | \$10.00    |
| 1/2" CPVC Pipe                                                       | 40   | LF    | \$0.89   | \$35.46    |
| 1/2" CPVC ball valve Asahi type 21                                   | 2    | EA    | \$36.76  | \$73.53    |
| 1/2" Air release valve CPVC [accu-vent model AV]                     | 1    | EA    | \$154.53 | \$154.53   |
| 1/2" CPVC 90 Deg ells                                                | 4    | EA    | \$1.05   | \$4.20     |
| 3/8" CPVC Pipe                                                       | 120  | LF    | \$1.21   | \$145.08   |
| 3/8" CPVC Tee                                                        | 1    | EA    | \$2.53   | \$2.53     |
| 3/8" CPVC 90 deg ell                                                 | 5    | EA    | \$2.76   | \$13.78    |
| 3/8" CPVC couplings                                                  | 3    | EA    | \$2.93   | \$8.80     |
| 3/8" CPVC 45 deg ell                                                 | 2    | EA    | \$4.10   | \$8.20     |
| 3/8" CPVC ball valve Asahi type 21                                   | 1    | EA    | \$30.75  | \$30.75    |
| MBR Building - Anti Scalant Piping                                   |      |       |          |            |
| 1/4" CPVC pipe                                                       | 120  | LF    | \$0.87   | \$104.90   |
| 1/2" CPVC ball valve Asahi type 21                                   | 1    | EA    | \$36.76  | \$36.76    |
| 1/4" Air release valve CPVC [accu-vent model AV]                     | 1    | EA    | \$150.00 | \$150.00   |
| 1/2" CPVC Pipe                                                       | 40   | LF    | \$0.89   | \$35.46    |
| 1/2" CPVC 90 Deg ells                                                | 4    | EA    | \$1.05   | \$4.20     |
| MBR Building - Sodium Hypochlorite & Citric Acid Piping              |      |       |          | y in Lo    |
| 1" Tube x 1" CPVC transition fitting                                 | 10   | EA    | \$8.94   | \$89.38    |
| 1" Ball valves true union VENTED CPVC Asahi type 21                  | 3    | EA    | \$83.00  | \$249.00   |
| 1" BNG for sodium hypo                                               | 2    | EA    | \$40.00  | \$80.00    |
| 1" CPVC Flanges                                                      | 2    | EA    | \$5.00   | \$10.00    |
| 1/2" Air release valve CPVC [accu-vent model AV]                     | 1    | EA    | \$154.53 | \$154.53   |
| 1/4" Air release valve CPVC [accu-vent model AV]                     | 1    | EA    | \$154.00 | \$150.00   |
| 1/2" CPVC ball valve Asahi type 21                                   | 2    | EA    | \$130.00 | \$73.53    |
| 1" CPVC Pipe                                                         | 1300 | LF    | \$1.63   | \$2,119.26 |
| 1/2" CPVC Pipe                                                       | 80   | LF    | \$0.89   | \$70.93    |
| 1/2" CPVC 90 Deg ells                                                | 8    | EA    | \$1.05   | \$8.40     |
| 1" CPVC Tee                                                          | 8    | EA    |          | \$24.58    |
| 1 CPVC 100<br>1" CPVC 90 deg ells                                    | 76   | EA    | \$3.07   |            |
|                                                                      | 2    | EA    | \$2.13   | \$161.90   |
| 2" Ball valves true union VENTED CPVC Asahi type 21                  |      | EA    | \$167.41 | \$334.82   |
| 1" PRV CPVC Hayward PR series w/0-30 psi gauge - set at outlet 5 psi | 1    | 100 M |          | \$1,219.58 |
| 1" CPVC 45 deg ells                                                  | 28   | EA    | \$2.95   | \$82.71    |
| 1/4" CPVC Pipe                                                       | 175  | LF    | \$0.87   | \$152.99   |
| 1/4" CPVC 90 deg ell                                                 | 7    | EA    | \$2.76   | \$19.29    |
| 1/4" CPVC 45 deg ell                                                 | 2    | EA    | \$4.10   | \$8.20     |
| 1/4" CPVC Tee                                                        | 1    | EA    | \$2.53   | \$2.53     |
| 1" CPVC Couplings                                                    | 30   | EA    | \$2.09   | \$62.69    |
| SUPPORTS<br>FRP Strut support x 6" lg                                | 6    | EA    | 60.00    | £10.00     |
|                                                                      | 4    |       | \$8.00   | \$48.00    |
| FRP Strut support x 1' lg                                            |      | EA    | \$8.00   | \$32.00    |
| FRP Strut support x 2' lg                                            | 5    | EA    | \$16.00  | \$80.00    |
| FRP Strut support x 2'-6" lg                                         | 42   | EA    | \$21.00  | \$882.00   |
| RP Strut support x 3' Ig                                             | 9    | EA    | \$24.00  | \$216.00   |
| RP Strut support x 6' lg                                             | 22   | EA    | \$48.00  | \$1,056.00 |
| 2" Polyurethane Rigid pipe clamps                                    | 36   | EA    | \$6.19   | \$222.77   |
| L" Polyurethane Rigid pipe clamps                                    | 253  | EA    | \$5.80   | \$1,467.40 |
| 3/8" Polyurethane Rigid pipe clamps                                  | 35   | EA    | \$5.00   | \$175.00   |
| L/4" Polyurethane Rigid pipe clamps                                  | 35   | EA    | \$4.75   | \$166.25   |
| 1/2" Polyurethane Rigid pipe clamps                                  | 20   | EA    | \$5.14   | \$102,72   |

| 1/2" SST Wedge anchors                  | 74  | EA | \$10.00 | \$740.00   |
|-----------------------------------------|-----|----|---------|------------|
| Single strut channel 304 SST            | 40  | LF | \$10.00 | \$400.00   |
| Double strut channel 304 SST            | 100 | LF | \$20.00 | \$2,000.00 |
| Double strut channel post bases 304 SST | 7   | EA | \$60.00 | \$420.00   |
| 5/8" SST Wedge anchors                  | 28  | EA | \$10.00 | \$280.00   |
| Grout post bases                        | 7   | EA | \$5.00  | \$35.00    |



J

J

Sell To: W M Lyles Company P O Box 4377 Attn: Karen Higham

Fresno, CA 93744

Ship To: W M Lyles Company 14903 River Road

Corona, CA 92880

Billing Inquiries: (951) 340-4444

QUOTATION

Page: 1 of 6 Bid Number: 6657445 Quote Date: 08/14/2019 Entered By: Darryl McCormick - 001 Description: DEM-BEAUMONT CHANGE ORDER

Account Number: 079562 Contact Name: Contact Phone: (951) 973-7393

Note: The following does not include Shipping & Handling, Tax, or other applicable charges.

| Product #  | Description/Notes                                             | Uom | Qty   | Price                                   | Total     |
|------------|---------------------------------------------------------------|-----|-------|-----------------------------------------|-----------|
|            | NQ HAST WEDGE ANCHORS & BNG KITS                              |     |       | ſ                                       |           |
|            |                                                               |     |       |                                         |           |
| 2010 201   | SS BOLT KITS FOR BLEACH                                       |     | 10    |                                         | 70.00     |
| 3860.306   | 316SS FLG BOLT PACK $1" - 1.5"$<br>BOLTS = $1/2" \times 2.5"$ | EA  | 10    | 7.0900                                  | 70.90     |
| 3867.010   | VIT FLG GSK 1"                                                | EA  | 10    | 7.3550                                  | 73.55     |
| 00077010   | 1/8" THICK, 150# FULL FACE                                    |     | 10    | ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, | 10100     |
| 3860.307   | 316SS BOLT PACK FOR 2" FLG                                    | EA  | 6     | 11.1975                                 | 67.19     |
|            | BOLTS = 5/8" X 3"LONG                                         |     |       |                                         |           |
| 3867.020   | VIT FLG GSK 2"                                                | EA  | 6     | 15.1200                                 | 90.72     |
|            | 1/8" THICK, 150# FULL FACE                                    |     |       |                                         |           |
|            | SS BOLT KITS FOR SULFURIC                                     |     |       |                                         |           |
| 3860.307   | 316SS BOLT PACK FOR 2" FLG                                    | EA  | 20    | 11.1975                                 | 223.95    |
| 5000.00.   | BOLTS = $5/8"$ X 3"LONG                                       |     | 20    |                                         | 220.00    |
| 3862.020   | TEF AV GSK 2"                                                 | EA  | 20    | 26.5408                                 | 530.82    |
|            |                                                               |     |       |                                         |           |
|            | BNG FOR PVC                                                   |     |       |                                         |           |
| 3860.308   | 316SS FLG BOLT PACK 2.5" - 3"<br>BOLTS = 5/8" X 3.25"         | EA  | 4     | 13.7700                                 | 55.08     |
|            | BOLIS - 376 X 3.23                                            |     |       |                                         |           |
|            | LEAK DETECTION                                                |     |       |                                         |           |
|            |                                                               |     |       |                                         |           |
| 3670.010   | CPVC PIPE N80 1"                                              | EA  | 1,360 | 1.6302                                  | 2,217.07  |
| 3670.005   | CPVC PIPE N80 1/2"                                            | EA  | 160   | .8866                                   | 141.86    |
| 35540.005  | SYGEF 25/50 STD PIPE 1/2" 20MM                                | EA  | 1     | 165.6200                                | 165.62    |
| 3670.002   | 16 BAR, 175.484.203<br>CPVC PIPE N80 1/4"                     | EA  | 300   | .8742                                   | 262.26    |
| 3670.002   | CPVC PIPE NOU 1/4                                             | EA  | 500   | .0742                                   | 202.20    |
| 4000H020   | CLR PVC PIPE N40 2" HARVEL 10'                                | EA  | 20    | 5.5803                                  | 111.61    |
|            | CLEAR CPVC N/A                                                |     |       |                                         |           |
| 3670.020   | CPVC PIPE N80 2"                                              | EA  | 100   | 3.8190                                  | 381.90    |
| 35540.020  | SYGEF 25/50 STD PIPE 2" 63MM                                  | EA  | 4     | 840.2550                                | 3,361.02  |
|            | 16 BAR, 175.484.208                                           |     |       |                                         |           |
| 3670.025   | CPVC PIPE N80 2.5"                                            | EA  | 220   | 6.2992                                  | 1,385.82  |
| 070.161147 | 2-1/2"PVDF-GEN PIPE (230-PSI)                                 | EA  | 13    | 1,092.4200                              | 14,201.46 |
| 3670.030   | CPVC PIPE N80 3"                                              | EA  | 360   | 7.8120                                  | 2,812.32  |
| 3670.003   | CPVC PIPE N80 3/8"                                            | EA  | 120   | 1.2090                                  | 145.08    |
| 3617G010   | CPVC 45 EL N80 1" S SLOANE                                    | EA  | 28    | 2,9538                                  | 82.71     |
|            | 1                                                             |     |       |                                         |           |

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Sell To: W M Lyles Company P O Box 4377 Attn: Karen Higham

Fresno, CA 93744

Ship To: W M Lyles Company 14903 River Road

Corona, CA 92880

**QUOTATION** 

Billing Inquiries: (951) 340-4444

Page: 2 of 6 Bid Number: 6657445 Quote Date: 08/14/2019 Entered By: Darryl McCormick - 001 Description: DEM-BEAUMONT CHANGE ORDER

Account Number: 079562 Contact Name: Contact Phone: (951) 973-7393

| Product #   | Description/Notes                                          | Uom | Qty | Price      | Total     |
|-------------|------------------------------------------------------------|-----|-----|------------|-----------|
| 3606G010    | CPVC 90 EL N80 1" S SLOANE                                 | EA  | 84  | 2.1303     | 178.95    |
| 3629G010    | CPVC CPLG N80 1" S SLOANE                                  | EA  | 30  | 2.0898     | 62.69     |
| 3855G010    | PVC VAN STONE FLG N80 1"S SLOANE                           | EA  | 2   | 3.7476     | 7.50      |
| 3601G010    | CPVC TEE N80 1" S SLOANE                                   | EA  | 9   | 3.0726     | 27.65     |
| 3657S010    | CPVC UNION N80 1" S SPEARS<br>1" TUBE X 1" CPVC            | EA  | 2   | 6.1404     | 12.28     |
| 3635G010    | CPVC FEM ADPT N80 1" SXT SLOANE                            | EA  | 12  | 4.3794     | 52.55     |
| 0703.233    | PVDF HOSE ADPT 3/4"MT X 1"H                                | EA  | 12  | 4.5485     | 54.58     |
| 3606G005    | CPVC 90 EL N80 1/2" S SLOANE                               | EA  | 16  | 1.0503     | 16.80     |
| 33382.305   | 1/2" PVDF BUTT X-LEG 90 ELL                                | EA  | 2   | 9.7483     | 19.50     |
| 6033.607    | MTRG PUMP INJ QUILL PVDF/CER/HAS<br>1/4" DISCHARGE ORIFICE | EA  | 1   | 267.7760   | 267.78    |
|             | 1/2" TUBE X 2" CPVC                                        |     |     |            |           |
| 3629G020    | CPVC CPLG N80 2" S SLOANE                                  | EA  | 2   | 4.5792     | 9.16      |
| 3638G247    | CPVC BUSH N80 2X1/2" SPGXT SLOAN                           | EA  | 2   | 8.9559     | 17.91     |
| )703.120    | PVDF HOSE ADPT 1/2"MT X 1/2"H                              | EA  | 2   | 3.1735     | 6.35      |
|             | 1/2" TUBE X 2" PVDF                                        |     |     | 20.2570    | 20.00     |
| 3296.249    | SYGEF RDC BUSH 63X32MM IR/B-FUS<br>735.908.660             | EA  | 1   | 32.3570    | 32.36     |
| 3296.130    | SYGEF RDC BUSH 32X20MM IR/B-FUS<br>735.908.642             | EA  | 1   | 15.7625    | 15.76     |
| 3359.105    | SYGEF FEM ADPT 1/2" IR/BCF                                 | EA  | 1   | 29.1590    | 29.16     |
| )703.120    | PVDF HOSE ADPT 1/2"MT X 1/2"H                              | EA  | 1   | 3.1735     | 3.17      |
|             | 2" CPVC                                                    |     |     |            |           |
| 3617S002    | CPVC 45 EL N80 1/4" S SPEARS                               | EA  | 2   | 4.0992     | 8.20      |
| 3606S002    | CPVC 90 EL N80 1/4" S SPEARS                               | EA  | 7   | 2.7552     | 19.29     |
| 3601S002    | CPVC TEE N80 1/4" S SPEARS                                 | EA  | 1   | 2.5340     | 2.53      |
| 3617G020    | CPVC 45 EL N80 2" S SLOANE                                 | EA  | 2   | 6.6798     | 13.36     |
| 3606G020    | CPVC 90 EL N80 2" S SLOANE                                 | EA  | 14  | 6.2046     | 86.86     |
| 3855G020    | PVC VAN STONE FLG N80 2" S                                 | EA  | 12  | 5.2461     | 62.95     |
| 3801G020    | PVC TEE N80 2" S SLOANE                                    | EA  | 2   | 7.3062     | 14.61     |
| 36578020    | CPVC UNION N80 2" S SPEARS                                 | EA  | 1   | 20.9664    | 20.97     |
| 3637G249    | CPVC BUSH N80 2X1" SPGXS SLOANE                            | EA  | 1   | 7.1253     | 7.13      |
| 601G249     | CPVC RDC TEE N80 2" X 1" S                                 | EA  | 1   | 15.4278    | 15.43     |
|             | DUO PRO PVDF X PVDF FITTINGS                               |     |     |            |           |
| 07102575604 | 1/2 X 2 DUO PRO PIPE PVDFXPVDF                             | EA  | 9   | 2,351.4315 | 21,162.88 |



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Sell To: W M Lyles Company P O Box 4377 Attn: Karen Higham

Fresno, CA 93744

Ship To: W M Lyles Company 14903 River Road

Corona, CA 92880

## Billing Inquiries: (951) 340-4444 Page: 3 of 6 Bid Number: 6657445 Quote Date: 08/14/2019 Entered By: Darryl McCormick - 001 Description: DEM-BEAUMONT CHANGE ORDER Account Number: 079562

Contact Name: Contact Phone: (951) 973-7393

**QUOTATION** 

| Product #    | Description/Notes                                                                                                       | Uom | Qty | Price      | Total    |
|--------------|-------------------------------------------------------------------------------------------------------------------------|-----|-----|------------|----------|
| /07102574889 | MFG# 90806<br>07102574889 1/2 x 2 DUOPRO PF X PF 90 ELL<br>MFG# 90807<br>1/2 x 2 DUOPRO PF X PF 45 ELL                  |     | 3   | 1,144.8855 | 3,434.66 |
| /07102575611 | **COUPLERS N/A FOR BUTT FUSION<br>1/2 X 2 DUOPRO PF X PF TEE<br>MFG# 91317                                              | EA  | 2   | 1,041.5625 | 2,083.13 |
|              | OTHER ITEMS FOR CONSIDERATION:<br>END TERM FITTINGS, WELDING EQUIP<br>MINI ANNULAR MIRROR FOR WELDING<br>LEAK DETECTION |     |     |            |          |
| 3294.020     | SYGEF 45 EL 2" IR/B-FUS                                                                                                 | EA  | 1   | 58.3310    | 58.33    |
| 3295.020     | 735.158.611<br>SYGEF 90 EL 2" IR/B-FUS<br>735.108.611                                                                   | EA  | 6   | 86.1055    | 516.63   |
| 3297.020     | 735.108.641<br>SYGEF FLG ADPT 2" IR/B-FUS<br>735.798.811                                                                | EA  | 7   | 25.2070    | 176.45   |
| 3299.020     | PVDF FLG RING SYGEF 2" (63MM)                                                                                           | EA  | 7   | 58.6040    | 410.23   |
| 3293.020     | 155.701.811<br>SYGEF TEE 2" IR/B-FUS<br>735.208.611                                                                     | EA  | 1   | 102.0760   | 102.08   |
| 3291.020     | SYGEF UNION 2" IR/B-FUS<br>735.528.611                                                                                  | EA  | 1   | 144.4365   | 144.44   |
| 3295.020     | SYGEF 90 EL 2" IR/B-FUS<br>735.108.611                                                                                  | EA  | 5   | 86.1055    | 430.53   |
| 3296.249     | SYGEF RDC BUSH 63X32MM IR/B-FUS<br>735.908.660                                                                          | EA  | 5   | 32.3570    | 161.79   |
| 3296.130     | SYGEF RDC BUSH 32X20MM IR/B-FUS<br>735.908.642                                                                          | EA  | 5   | 15.7625    | 78.81    |
| 3296.249     | SYGEF RDC BUSH 63X32MM IR/B-FUS                                                                                         | EA  | 3   | 32.3570    | 97.07    |
| 3296.130     | 735.908.660<br>SYGEF RDC BUSH 32X20MM IR/B-FUS<br>735.908.642                                                           | EA  | 3   | 15.7625    | 47.29    |
| 3293.020     | SYGEF TEE 2" IR/B-FUS                                                                                                   | EA  | 2   | 102.0760   | 204.15   |
| 3296.249     | 735.208.611<br>SYGEF RDC BUSH 63X32MM IR/B-FUS                                                                          | EA  | 2   | 32.3570    | 64.71    |



Ryan Herco Flow Solutions

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Fresno, CA 93744

Ship To: W M Lyles Company 14903 River Road

Corona, CA 92880

Billing Inquiries: (951) 340-4444

Page: 4 of 6 Bid Number: 6657445 Quote Date: 08/14/2019 Entered By: Darryl McCormick - 001 Description: DEM-BEAUMONT CHANGE ORDER

Account Number: 079562 Contact Name: Contact Phone: (951) 973-7393

| Product #    | Description/Notes                              | Uom | Qty | Price    | Total  |
|--------------|------------------------------------------------|-----|-----|----------|--------|
|              |                                                |     |     |          |        |
| 3296.130     | 735.908.660<br>SYGEF RDC BUSH 32X20MM IR/B-FUS | EA  | 2   | 15.7625  | 31.53  |
| 735.908.642  |                                                | EA  | 2   | 10.7625  | 34,33  |
|              | 2-1/2" CPVC                                    |     |     |          |        |
| 3606G025     | CPVC 90 EL N80 2.5" S SLOANE                   | EA  | 1   | 14.2884  | 14.29  |
| 36098025     | CPVC LS 90 EL N80 2.5" SPEARS                  | EA  | 7   | 82.4625  | 577.2  |
| 36538025     | CPVC BLD FLG N80 2.5" SPEARS                   | EA  | 1   | 24.5000  | 24.5   |
| 3647G025     | CPVC CAP N80 2.5" S SLOANE                     | EA  | 3   | 16.9371  | 50.8   |
| 86558025     | CPVC VAN STONE FLG N80 2.5" SPEA               | EA  | 1   | 18.3708  | 18.3   |
| 3601G025     | CPVC TEE N80 2.5" S SLOANE                     | EA  | 2   | 21.0411  | 42.00  |
| 3294.025     | SYGEF 45 EL 2.5" IR/B-FUS                      | EA  | 1   | 124.2995 | 124.30 |
|              | 735.158.612                                    |     |     |          |        |
|              | 2.5" LS 90                                     |     |     |          |        |
|              | 2.5" BLIND FLANGE                              |     |     |          |        |
|              | 2.5"PVDF CAP                                   |     |     |          |        |
| 3297.025     | SYGEF FLG ADPT 2.5" IR/B-FUS                   | EA  | 1   | 62.2830  | 62.28  |
|              | 735.798.812                                    |     |     |          |        |
| 3299.025     | PVDF FLG RING SYGEF 2.5" (75MM)                | EA  | 1   | 71.4740  | 71.4   |
|              | 155.701.812                                    |     |     |          |        |
| 3293.025     | SYGEF TEE 2.5" IR/B-FUS                        | EA  | 2   | 181.2460 | 362.49 |
|              | 735.208.612                                    |     |     |          |        |
| 2839.025     | FLEX CPLG CI TO PLASTIC 2.5"                   | EA  | 2   | 10,8150  | 21.63  |
|              | CONTAINS INSERT BUSHING & CLAMPS               |     |     |          |        |
| /25302573847 | FERNCO 1/2" BUSHING                            | EA  | 2   | 9.5315   | 19.06  |
|              | MFG# 2.875-1.125R'                             |     |     |          |        |
|              | CLR PVC 2 X 1/2 RDCR BSHG N/A                  |     |     |          |        |
| 3606G030     | CPVC 90 EL N80 3" S SLOANE                     | EA  | 2   | 16.1784  | 32.36  |
| 36095030     | CPVC LS 90 EL F80 3" S SPEARS                  | EA  | 8   | 87.2595  | 698.08 |
| 36538030     | CPVC BLD FLG N80 3" SPEARS                     | EA  | 2   | 30.4584  | 60.92  |
| 3647G030     | CPVC CAP N80 3" S SLOANE                       | EA  | 6   | 18.5652  | 111.39 |
| 3655G030     | CPVC VAN STONE FLG N80 3" SLOANE               | EA  | 2   | 18.7191  | 37.44  |
| 3601G030     | CPVC TEE N80 3" S SLOANE                       | EA  | 4   | 21.0411  | 84.16  |
| 2839.030     | FLEX CPLG CI TO PLASTIC 3"                     | EA  | 2   | 5.9185   | 11.84  |
| /25302573851 | FERNCO 1" BUSHING                              | EA  | 2   | 9.6305   | 19.26  |
|              | MFG3 3.490-1.315R                              | 1   |     |          |        |
| 36178003     | CPVC 45 EL N80 3/8" S SPEARS                   | EA  | 2   | 4.0992   | 8.20   |
| 36065003     | CPVC 90 EL N80 3/8" S SPEARS                   | EA  | 5   | 2.7552   | 13.78  |
| 1629S003     | CPVC CPLG N80 3/8" S SPEARS                    | EA  | 3   | 2.9344   | 8.80   |
| 36015003     | CPVC TEE N80 3/8" S SPEARS                     | EA  | 1   | 2.5340   | 2.53   |



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Sell To: W M Lyles Company P O Box 4377 Attn: Karen Higham

Fresno, CA 93744

Ship To: W M Lyles Company 14903 River Road

Corona, CA 92880

Billing Inquiries: (951) 340-4444

QUOTATION

Page: 5 of 6 Bid Number: 6657445 Quote Date: 08/14/2019 Entered By: Darryl McCormick - 001 Description: DEM-BEAUMONT CHANGE ORDER

Account Number: 079562 Contact Name: Contact Phone: (951) 973-7393

Note: The following does not include Shipping & Handling, Tax, or other applicable charges.

| Product #  | Description/Notes                                                | Uom | Qty    | Price                | Total            |
|------------|------------------------------------------------------------------|-----|--------|----------------------|------------------|
|            |                                                                  |     |        |                      |                  |
|            | FRP UNISTRUT/CLAMPS                                              |     |        |                      |                  |
| 1956.010   | ENDURO PIPE CLAMP 1" NY HDWE                                     | EA  | 253    | 5.6600               | 1,431.98         |
| 1956.005   | ENDURO PIPE CLAMP 1/2" NY HDWE                                   | EA  | 20     | 5.1360               | 102.72           |
|            | 1/4" PIPE CLAMPS N/A                                             |     |        |                      |                  |
| 1958.110   | FRP VESTR SGL POST BASE                                          | EA  | 18     | 37.1480              | 668.66           |
| 1956.020   | ENDURO PIPE CLAMP 2" NY HDWE                                     | EA  | 31     | 6.1880               | 191.83           |
|            | 3/8 PIPE CLAMPS N/A                                              |     |        |                      |                  |
| 1958.310   | FRP VESTR DBL STRUT POST BASE                                    | EA  | 3      | 44.9040              | 134.71           |
|            | STRUT SUPPORTS                                                   |     |        |                      |                  |
|            | TYGON TUBING                                                     |     |        | :                    |                  |
| 2375.180   | TYGON 2375 TUBING 3/4" X 1"                                      | EA  | 3      | 299.7015             | 899.10           |
|            | HIGH-PERFORMANCE, DISPOSABLE                                     |     |        |                      |                  |
|            | SOLD/STOCKED/PRICED PER 50' LGTH                                 |     |        |                      |                  |
|            | ABOVE IN 50' COILS STANDARD                                      |     |        |                      |                  |
|            | 1" ID N/A                                                        |     |        |                      |                  |
| 2375.138   | TYGON 2375 TUBING 1/2" X 3/4"                                    | EA  | 6      | 220.8240             | 1,324.94         |
|            | HIGH-PERFORMANCE, DISPOSABLE                                     |     |        |                      |                  |
|            | SOLD/STOCKED/PRICED PER 50' LGTH                                 |     |        |                      |                  |
|            | 50' COILS STANDARD                                               |     |        |                      |                  |
| 070.156773 | 1 CPVC/FKM T-21 BV S/T 1/8                                       |     | 7      | 82.7190              | 579.03           |
| 5106A010   | CPVC/VIT TU B CK VLV 1" SXT                                      | EA  | -      | 4                    |                  |
| 375,153077 | 1" CPVC REGULATOR VLV THD FPM                                    | EA  | 2      | 62.5695              | 125.14           |
| 5383.105   | PVC/VIT AIR RLS VLV 1/2"T                                        | EA  | 2      | 1,219.5768           | 1,219.58         |
| 3370.505   | PVDF/VIT VAC BRKR 1/2" THD                                       | EA  | 2      | 154.5300<br>235.5975 | 309.06           |
| )70.156771 | CPVC/VIT VENTED B VLV 1/2" SXT                                   | EA  |        |                      | 235.60           |
| 5098A005   | CPVC/VIT VENIED B VEV 1/2 SXI<br>CPVC/VIT TU B VEV 1/2"SXT ASAHI | EA  | 1      | 61.0545              | 61.05            |
| 00904003   | TYPE-21 230PSI                                                   | EA  | 6      | 36.7640              | 220.58           |
| 5015A505   | PVDF/VIT TU B VLV 1/2" B-FUS                                     |     | ~      | 147 0500             | 204 11           |
| DUIDADUD   | ASAHI TYPE-21 230PSI                                             | EA  | 2      | 147.0560             | 294.11           |
|            | 1/4" AIR RELEASE VLV                                             |     |        |                      |                  |
| 5106A020   | CPVC/VIT TU B CK VLV 2" SXT                                      | EA  | 2      | 161.5495             | 323.10           |
| 70.158865  | 2 PVDF BUTT TU BALL CHECK FKM                                    | EA  | 1      | 609,8885             | 323.10<br>609.89 |
| 098A020    | CPVC/VIT TU B VLV 2" SXT ASAHI                                   | EA  | 1<br>4 | 127.9670             |                  |
| JUJOAUZU   | TYPE-21 230PSI                                                   | EA  | 4      | 127.9070             | 511.87           |
| 015A520    | PVDF/VIT TU B VLV 2" B-FUS ASAHI                                 | EA  | 3      | 663.7215             | 1,991.16         |
|            | ASAHI TYPE-21 230PSI                                             |     | ũ –    | 5000.210             | 1,001.10         |
| 70.156776  | 2 CPVC/FKM T-21 BV S/T 1/8                                       | EA  | 4      | 167.4075             | 669.63           |
| 321.020    | CPVC LINE STRAINER 2" S                                          | EA  | 2      | 466.5505             | 933.10           |

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Fresno, CA 93744

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Billing Inquiries: (951) 340-4444

**QUOTATION** 

Page: 6 of 6 Bid Number: 6657445 Quote Date: 08/14/2019 Entered By: Darryl McCormick - 001 Description: DEM-BEAUMONT CHANGE ORDER

Account Number: 079562 Contact Name: Contact Phone: (951) 973-7393

| Product #            | Description/Notes                                                                                                       | Uom      | Qty    | Price            | Total        |
|----------------------|-------------------------------------------------------------------------------------------------------------------------|----------|--------|------------------|--------------|
| 5329.620             | PVDF LINE STRAINER 2" FLG<br>HAYWARD PVDF 2" N/A                                                                        | EA       | 4      | 2,101.5200       | 8,406.08     |
| 5098A325             | CPVC/VIT TU B VLV 2.5" FLG ASAHI<br>TYPE-21 230PSI                                                                      | EA       | 1      | 512.0700         | 512.07       |
| 5015A525             | PVDF/VIT TU B VLV 2.5" B-FUS<br>ASAHI TYPE-21 230PSI                                                                    | EA       | 1      | 1,223.0595       | 1,223.06     |
| 098A030              | CPVC/VIT TU B VLV 3" S ASAHI<br>TYPE-21 230PSI                                                                          | EA       | 2      | 368.3470         | 736.69       |
| 310s503              | CPVC/VIT LAB VLV 3/8" SXS                                                                                               | EA       | 1      | 30.7515          | 30.75        |
| .301.020<br>.314.020 | BANJO PP CAM LOCK FITTINGS<br>Q-D MALE ADPT 2" MT PP BLK BANJO<br>Q-D DUST CAP 2" PP BLK<br>Package Subtotal: 82,887.33 | EA<br>EA | 1<br>1 | 3.9816<br>9.4458 | 3.98<br>9.45 |
|                      |                                                                                                                         |          |        |                  |              |
|                      |                                                                                                                         |          |        |                  |              |
|                      |                                                                                                                         |          |        |                  |              |
|                      |                                                                                                                         |          |        |                  |              |
|                      |                                                                                                                         |          |        |                  |              |
|                      |                                                                                                                         |          |        |                  |              |
|                      |                                                                                                                         |          |        |                  |              |
|                      |                                                                                                                         |          |        |                  |              |
|                      |                                                                                                                         |          |        |                  |              |
|                      |                                                                                                                         |          |        |                  |              |
|                      |                                                                                                                         |          | -      |                  |              |
|                      |                                                                                                                         | 1        |        |                  |              |



WM Lyles Attn: Mike Bonser Re: PVDF Injection quill

Mike

The cost for the PVDF injection quill with 50 psi crack:

\$361.00/ea

Please issue PO to JPR Systems

Thank you

John Hamilton 909-660-1022 John.hamilton@jprsystems.com



## **Machine and Tool Rental Rates**

Т

Ph: 818.972,5883

Fax: 818-450-0679 | rentals@rhfs.com

akhodai@rhfs.com

Effective 04/01/2019

| ित्र मिल्लगेल्ट                         | वित्र विद्यालय                     | OneAlleck                      | nweweeken       | three weeks |             |
|-----------------------------------------|------------------------------------|--------------------------------|-----------------|-------------|-------------|
| HR225 Plus                              | \$ 235.00                          | \$ 1,434.00                    | \$ 2,162.00     | \$.2,821.00 | \$ 3,526.00 |
| IR110 Plus                              | \$ 235.00                          | \$ 1,132.00                    | \$ 1,763.00     | \$ 2,243.00 | \$ 3,205.00 |
| IR63 Plus                               | \$ 206.00                          | \$ 1,093.00                    | \$ 1,650.00     | \$ 2,165.00 | \$ 2,680.00 |
| BCF Plus                                | \$ 237.00                          | \$ 1,091.00                    | \$ 1,647.00     | \$ 2,161.00 | \$ 3,087.00 |
| SG125                                   | \$ 144.00                          | \$ 609.00                      | \$ 898.00       | \$ 1,154.00 | \$ 1,346.00 |
| TM160 .                                 | \$ 134.00                          | \$ 792.00                      | \$ 1,157.00     | \$ 1,523.00 | \$ 1,827.00 |
| TM315                                   | \$ 245.00                          | \$ 1,458-60                    | \$ 2,122.00     | \$ 2,791.00 | \$ 3,350.00 |
| TM400                                   | \$ 272.00                          | \$ 1,605.00                    | \$ 2,346.00     | \$ 3,088.00 | \$ 3,705.00 |
| MSA340                                  | \$ 42.00                           | \$ 219.00                      | \$ 295:00       | \$ 418.00   | \$ 589.00   |
| MSA250 / ELECTRO+                       | \$ 42.00                           | \$ 219.00                      | \$ 295,00       | \$ 418.00   | \$ 589,00   |
| MSE63 / MSE110                          | \$ 42.00                           | \$ 124.00                      | \$ 217.00       | \$ 310.00   | \$ 419.00   |
| MANUAL CONTAIN IT                       | \$ 36.00                           | \$ 98.00                       | \$ 195.00       | \$ 293.00   | \$ 406.00   |
| PNEUM. CONTAIN IT                       | \$ 40.00                           | \$ 110.00                      | \$ 221.00       | \$ 331.00   | \$ 460.00   |
| 🐣 ASAHI MINIPLAST                       | \$ 128.00                          | \$ 498.00                      |                 |             | \$ 1,565.00 |
| ASAHI-MIXIPLAST 6                       | \$ 204.00                          | \$ 635,00                      |                 |             | \$ 1,962.00 |
| ASAHI SHOP 12                           | \$ 272.00                          | \$ 885.00                      |                 |             | \$ 2,835.00 |
| ASAHI FIELD 6                           | \$ 250.00                          | \$ 1,112.00.5                  |                 |             | \$ 4,169.00 |
| ASAHI FIELD 12                          | \$ 306.00                          | \$ 1,168.00                    |                 |             | \$ 4,468.00 |
| ASAHLBENCH 4                            | \$ 204,00                          | \$ 658.00                      |                 |             | \$ 1950.00  |
| ASAHI SOCKET HANDHELD                   | \$ 42.00                           | \$ 124.00                      | \$ 217.00       | \$ 310.00   | \$ 419.00   |
| Aloce: Olicemeninely<br>Dicodine: 816-9 | 165 End Eoocsson<br>124008 FOEDUST | esareovalianie.<br>14297-11579 | eosononnaraisin |             | ornies      |

The undersigned has read and agrees to the terms and conditions of this agreement and to Ryan Herco Flow Solutions' Standard Terms and Conditions.

\* Printed Name: \_\_\_\_

\* Customer Signature: \_\_\_\_\_\_ \* Date: \_\_\_\_\_\_ \_\_\_\_\_ \* Estimated Return Date:

\* Prior to return at end of rental, contact Ashid for RMA nos. and shipping instructions.

Date Out: \_\_\_\_\_ Date In : \_\_\_\_

\* Required Information - Missing information will delay shipment.



LICENSE: CA 742112 • AZ ROC188614 • NV 0072066 DIR No. 1000004724 www.paradapainting.com

To:W M Lyles Co.Date:8/15/19Attention:Juan AhumadaProject:City of Beaumont WWTP – Salt Mitigation UpgradeRe:Sulfuric acid area of the tank farm

Parada is submitting a quote for the above referenced project. Quote is limited to the following:

Sulfuric Acid area of Tank Farm:

Surface preparation abrasive blast per SSPC13

Coating with Sherwin Williams Vinyl ester

Prime: SW Cor Cote VEN Grey, 3-5 mils daft

Intermediate: Cor Cote VEN FF, 15-20 mils dft

Finish: Cor Cote VEN FF, 15-20 mils dft

Sulfuric acid containment coating e not included **Quote Price:** \$12,900.00

Chemical pipe coating **Quote Price:** \$12,918.00

If you have any questions, please contact me at 858-602-6037 or email davidparadajr@yahoo.com .

Sincerely,

David Parada Jr. Superintendent

> Mailing Address: 14281 Palisades Drive, Poway CA 92064 Office - Admin: (P) 951-878-7051, (F) 951-878-7052 Office - A/P: (P) 858-748-3540, (F) 858-748-3774 Estimating: (P) 858-602-6036



Contractor:WM LylesDate:9/6/2019Job Name:Salt Mitigation WWTP UpgradesPSG Job #:L18161

PACIFIC STEEL

— G R O U P ———

Extra No.: 7c

# Description: Added Material and Labor for MBR Chemical changes per combined clarifications 12 and 13. 3. Credit for labor only for MBR chemical lines routed above ground. - 6,000 Lbs.

|          | TD   | and a second sec |                                                                                         |                                                                                         |
|----------|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
|          | LB   | \$ 0.60                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                         | \$                                                                                      |
|          | LB   | \$ 1.50                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                         | \$                                                                                      |
|          | SQFT | \$ 0.35                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                         | \$ -                                                                                    |
|          | Each | \$ 1.75                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                         | \$                                                                                      |
| 网络白色白色白色 | Each | \$ -                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                         | \$ -                                                                                    |
|          |      | - SQFT<br>- Each                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | -         SQFT         \$         0.35           -         Each         \$         1.75 | -         SQFT         \$         0.35           -         Each         \$         1.75 |

| Labor Impact:   | Quantity:    | Unit: | Unit Price: | Comments:                    | Extend | led Price: |
|-----------------|--------------|-------|-------------|------------------------------|--------|------------|
| Rebar           | (32)         | Hours | \$ 84.27    |                              | \$     | (2,697.00) |
| Specialty Rebar | 21           | Hours | \$ 84.27    | Subject to the second second | \$     |            |
| Mesh            | . <b>–</b> ≷ | Hours | \$ 84.27    |                              | \$     | েন্দ্র     |
| Couplers        | -            | Hours | \$ 84.27    |                              | \$     | -          |
| Other           | -            | Hours | \$ 84.27    |                              | \$     | -          |
|                 |              |       |             |                              | \$     | (2,697.00) |

| FWA Labor: | Quantity:       | Unit: | Unit Price: | Comments:            | Extended | d Price: |
|------------|-----------------|-------|-------------|----------------------|----------|----------|
| Ironworker | han baay and    | Hours | \$ 84.27    | Regular Base Pay     | \$       | -        |
| Overtime   | THE REPORT OF A | Hours | \$ 22.68    | Premium Portion Only | \$       | -3       |
| Doubletime |                 | Hours | \$ 46.26    | Premium Portion Only | \$       | -        |
|            |                 |       |             |                      | \$       | -        |

| Other:      | Quantity:             | Unit: | Unit Price: | Comments: | Extended Price: |
|-------------|-----------------------|-------|-------------|-----------|-----------------|
| Engineering |                       | Hours | \$ 70.00    |           | \$ -            |
| Crane       | and the second second | Hours | \$ 300.00   | No state  | \$ -            |
| Delivery    |                       | Each  | \$ 550.00   |           | \$ -            |
| Other       |                       | Each  | \$ -        |           | \$ -            |
|             | 2                     |       |             |           | \$ -            |

Sub Total = (2,697.00)

Overhead & Profit @ 10% & 5% = (418.00)

Sub Total = \$ (3,115.00)

Bond Fee =  $\frac{$(31,00)}{$Page 623 of 647}$ 

Total Extra To Contract = \$ (3,146.00)



Contractor: WM Lyles

Date: 9/6/2019

Job Name: Salt Mitigation WWTP Upgrades

PSG Job #: \_\_\_\_\_ L18161

Extra No.: 7a

#### Description: Added Material and Labor for MBR Chemical changes per combined clarifications

**12 and 13.** 1. New Chemical Storage #1 - **18,036 Lbs.** 

Please see attached correspondence

| Material:       | Quantity: | Unit: | <b>Unit Price:</b> | Comments: | Extende | d Price:  |
|-----------------|-----------|-------|--------------------|-----------|---------|-----------|
| Rebar           | 18,036    | LB    | \$ 0.60            |           | \$      | 10,822.00 |
| Specialty Rebar |           | LB    | \$ 1.50            |           | \$      |           |
| Mesh            |           | SQFT  | \$ 0.35            |           | \$      | -         |
| Couplers        | 18 - 18   | Each  | \$ 1.75            |           | \$      | · •       |
| Other           | 201       | Each  | \$ -               |           | \$      | -         |
|                 |           | •     |                    |           | \$      | 10,822.00 |

PACIFIC STEEL

| Labor Impact:   | Quantity: | Unit: | Unit Price: | Comments:                     | Extended Price: |
|-----------------|-----------|-------|-------------|-------------------------------|-----------------|
| Rebar           | 96        | Hours | \$ 93.04    |                               | \$ 8,932.00     |
| Specialty Rebar |           | Hours | \$ 93.04    | Desired and the second second | \$ -            |
| Mesh            | -         | Hours | \$ 93.04    |                               | \$ -            |
| Couplers        | -         | Hours | \$ 93.04    |                               | \$ -            |
| Other           | -         | Hours | \$ 93.04    | Subjects and the first of     | \$ -            |
|                 |           |       |             |                               | \$ 8,932.00     |

| FWA Labor: | Quantity:           | Unit: | Unit Price: | Comments:            | Extended Price: |
|------------|---------------------|-------|-------------|----------------------|-----------------|
| Ironworker | The second second   | Hours | \$ 93.04    | Regular Base Pay     | \$ -            |
| Overtime   | Max Ellis in elli   | Hours | \$ 53.90    | Premium Portion Only | \$ -            |
| Doubletime | Contract states and | Hours | \$ 83.80    | Premium Portion Only | \$ -            |
|            |                     |       |             |                      | \$ -            |

| Other:      | Quantity:           | Unit: | Unit Price: | Comments:            | Exten | ded Price: |
|-------------|---------------------|-------|-------------|----------------------|-------|------------|
| Engineering | 12.00               | Hours | \$ 85.00    | Additional Detailing | \$    | 840.00     |
| Crane       | <b>的时候,</b> 我们把自己的  | Hours | \$ 300.00   |                      | \$    | -          |
| Delivery    | 1.00                | Each  | \$ 550.00   |                      | \$    | 550.00     |
| Other       | picer distance - us | Each  | \$ -        |                      | \$    |            |
|             |                     | *     |             | •                    | \$    | 1,390.00   |

Sub Total = \$21,144.00Overhead & Profit @ 10% & 5% = \$3,277.00Sub Total = \$24,421.00Bond Fee = \$244.00

#### Page 624 of 647

Total Extra To Contract = \$ 24,665.00



Contractor:WM LylesDate:9/6/2019Job Name:Salt Mitigation WWTP UpgradesPSG Job #:L18161

PACIFIC STEEL

— G R O U P ——

Extra No.: 7e

# Description:Added Material and Labor for MBR Chemical changes per combined clarifications12 and 13.

5. Added 103 LF 2'x1' Ductbank DB206 - 750 Lbs.

| Ple             | ase see attached corre     | spondence. |         |                         |         |           |
|-----------------|----------------------------|------------|---------|-------------------------|---------|-----------|
| Material:       | Quantity:                  | Unit:      |         | Comments:               | Extende | ed Price: |
| Rebar           | 750                        | LB         | \$ 0.60 |                         | \$      | 450.00    |
| Specialty Rebar | A STRANGER                 | LB         | \$ 1.50 |                         | \$      |           |
| Mesh            | . 00068942890 <u>-</u>     | SQFT       | \$ 0.35 |                         | \$      | -         |
| Couplers        | -                          | Each       | \$ 1.75 |                         | \$      | -         |
| Other           | ent entreffe for the state | Each       | \$ -    | the state of the second | \$      |           |
|                 |                            |            |         |                         | \$      | 450.00    |

| Labor Impact:   | Quantity:                             | Unit: | Unit Price: | Comments:                  | Extend | ed Price: |
|-----------------|---------------------------------------|-------|-------------|----------------------------|--------|-----------|
| Rebar           | 8                                     | Hours | \$ 84.27    |                            | \$     | 674.00    |
| Specialty Rebar | -                                     | Hours | \$ 84.27    |                            | \$     | -         |
| Mesh            | · · · · · · · · · · · · · · · · · · · | Hours | \$ 84.27    | and the state of the state | \$     |           |
| Couplers        |                                       | Hours | \$ 84.27    |                            | \$     | 14        |
| Other           | -                                     | Hours | \$ 84.27    | and the second states      | \$     | 1         |
|                 |                                       | 27    |             |                            | \$     | 674.00    |

| FWA Labor: | Quantity:        | Unit: | Unit Price: | Comments:            | Extended | Price:        |
|------------|------------------|-------|-------------|----------------------|----------|---------------|
| Ironworker | Selected and - 1 | Hours | \$ 84.27    | Regular Base Pay     | \$       | -             |
| Overtime   | (Hilling of the  | Hours | \$ 22.68    | Premium Portion Only | \$       | . <del></del> |
| Doubletime |                  | Hours | \$ 46.26    | Premium Portion Only | \$       | ÷             |
|            |                  |       |             |                      | \$       | -             |

| Other:      | Quantity: | Unit: | Unit Price: | Comments:                           | <b>Extended Price:</b> |
|-------------|-----------|-------|-------------|-------------------------------------|------------------------|
| Engineering |           | Hours | \$ 70.00    | and a contract of the second second | \$ -                   |
| Crane       |           | Hours | \$ 300.00   |                                     | \$ -                   |
| Delivery    | -         | Each  | \$ 550.00   |                                     | \$ -                   |
| Other       |           | Each  | \$ -        |                                     | \$ -                   |
|             | 2         |       |             |                                     | \$ -                   |

Sub Total = \$ 1,124.00

Overhead & Profit @ 10% & 5% = \$ 174.00

Sub Total = \$ 1,298.00

Bond Fee =  $\frac{$13.00}{$125$ of 647}$ 

Total Extra To Contract = \$ 1,311.00



| Contractor: | WM Lyles  |
|-------------|-----------|
| Contractor: | WIM Lyles |

Date: 9/6/2019

PSG Job #: \_\_\_\_\_ L18161

Job Name: Salt Mitigation WWTP Upgrades

Extra No.: 7b

 Description:
 Added Material and Labor for MBR Chemical changes per combined clarification

 12 and 13.
 2. New concrete encased chemical lines from tank farm to the MBR Building - 2,400 Lbs.

| Material:       | Quantity:          | Unit: | Unit Price: | Comments:              | Extended Price: |
|-----------------|--------------------|-------|-------------|------------------------|-----------------|
| Rebar           | 2,400              | LB    | \$ 0.60     |                        | \$ 1,440.0      |
| Specialty Rebar | and instanting the | LB    | \$ 1.50     | in Selecter (de la dis | \$ -            |
| Mesh            |                    | SQFT  | \$ 0.35     |                        | \$ -            |
| Couplers        |                    | Each  | \$ 1.75     | and the said for the   | \$ -            |
| Other           |                    | Each  | \$ -        |                        | \$ -            |
|                 |                    |       | •           |                        | \$ 1,440.0      |

GROUP

| Labor Impact:   | Quantity:   | Unit: | Unit Price: | Comments:              | Extend | ed Price: |
|-----------------|-------------|-------|-------------|------------------------|--------|-----------|
| Rebar           | 20          | Hours | \$ 84.27    |                        | \$     | 1,685.00  |
| Specialty Rebar | <b>-</b> 11 | Hours | \$ 84.27    |                        | \$     | 15        |
| Mesh            | ÷           | Hours | \$ 84.27    | AB THE REAL PROPERTY.  | \$     | 12        |
| Couplers        | -           | Hours | \$ 84.27    | and the design of Anna | \$     | -         |
| Other           | -           | Hours | \$ 84.27    |                        | \$     | -         |
|                 |             |       |             |                        | \$     | 1,685.00  |

| FWA Labor: | Quantity:       | Unit: | Unit Price: | Comments:            | · Extended Price: |
|------------|-----------------|-------|-------------|----------------------|-------------------|
| Ironworker |                 | Hours | \$ 84.27    | Regular Base Pay     | \$ -              |
| Overtime   | hidita (mayan   | Hours | \$ 22.68    | Premium Portion Only | \$ -              |
| Doubletime | an industry was | Hours | \$ 46.26    | Premium Portion Only | \$ -              |
|            |                 |       |             |                      | \$ -              |

| Other:      | Quantity:                               | Unit: | Unit Price: | Comments:               | <b>Extended Price:</b> |  |
|-------------|-----------------------------------------|-------|-------------|-------------------------|------------------------|--|
| Engineering |                                         | Hours | \$ 70.00    | Colorest in Californial | \$ -                   |  |
| Crane       | - 11- 11- 11- 11- 11- 11- 11- 11- 11- 1 | Hours | \$ 300.00   |                         | \$ -                   |  |
| Delivery    |                                         | Each  | \$ 550.00   |                         | \$ -                   |  |
| Other       |                                         | Each  | \$ -        |                         | \$ -                   |  |
|             |                                         |       |             |                         | \$ -                   |  |

Sub Total = \$ 3,125.00

Overhead & Profit @ 10% & 5% = <u>\$</u> 484.00

Sub Total = \$ 3,609.00

Bond Fee =  $\frac{$36.00}{Page 626}$  of 647

Total Extra To Contract = \$ 3,645.00



| Contractor: | WM Lyles                      | Date:      | 9/6/2019 |
|-------------|-------------------------------|------------|----------|
| Job Name:   | Salt Mitigation WWTP Upgrades | PSG Job #: | L18161   |

PACIFIC STEEL

—— G R O U P ———

Extra No.: 12

 Description:
 Added Material and Labor for MBR Chemical changes per combined clarifications

 12 and 13.
 4. Credit to delete Chemical Tank Slab outside the MBR Building - 3,156 Lbs.

| Material:       | Quantity: | Unit: | <b>Unit Price:</b> | Comments:                       | <b>Extended Price:</b> |
|-----------------|-----------|-------|--------------------|---------------------------------|------------------------|
| Rebar           | (3,156)   | LB    | \$ 0.60            |                                 | \$ (1,894.00           |
| Specialty Rebar |           | LB    | \$ 1.50            | A REAL PRIME                    | \$ -                   |
| Mesh            |           | SQFT  | \$ 0.35            |                                 | \$ -                   |
| Couplers        |           | Each  | \$ 1.75            |                                 | \$ -                   |
| Other           |           | Each  | \$ -               | the of the second second second | \$ -                   |
|                 |           |       |                    |                                 | \$ (1,894.00           |

| Labor Impact:   | Quantity:          | Unit: | Unit Price: | Comments:                                                                                                      | <b>Extended Price:</b> |
|-----------------|--------------------|-------|-------------|----------------------------------------------------------------------------------------------------------------|------------------------|
| Rebar           | (17)               | Hours | \$ 84.27    |                                                                                                                | \$ (1,433.00)          |
| Specialty Rebar | -                  | Hours | \$ 84.27    | - 6764 - 25                                                                                                    | \$ -                   |
| Mesh            | -                  | Hours | \$ 84.27    |                                                                                                                | \$ -                   |
| Couplers        | -                  | Hours | \$ 84.27    |                                                                                                                | \$ -                   |
| Other           | а <del>н</del> . ( | Hours | \$ 84.27    | the second s | \$ -                   |
|                 |                    |       |             |                                                                                                                | \$ (1,433.00)          |

| FWA Labor: | Quantity:       | Unit: | Unit Price: | Comments:            | Extended Pric |   |
|------------|-----------------|-------|-------------|----------------------|---------------|---|
| Ironworker | - Harris -      | Hours | \$ 84.27    | Regular Base Pay     | \$            | - |
| Overtime   |                 | Hours | \$ 22.68    | Premium Portion Only | \$            | - |
| Doubletime | Man Loc dis 1 - | Hours | \$ 46.26    | Premium Portion Only | \$            | - |
|            |                 |       |             |                      | \$            | - |

| Other:      | Quantity: | Unit: | Unit Price: | Comments: | Extended Price: |  |
|-------------|-----------|-------|-------------|-----------|-----------------|--|
| Engineering |           | Hours | \$ 70.00    |           | \$ -            |  |
| Crane       |           | Hours | \$ 300.00   |           | \$ -            |  |
| Delivery    |           | Each  | \$ 550.00   |           | \$ -            |  |
| Other       |           | Each  | \$ -        |           | \$ -            |  |
|             |           |       |             |           | \$ -            |  |

Sub Total = (3,327.00)

Overhead & Profit @ 10% & 5% = (516.00)

Sub Total =\$ (3,843.00)

Bond Fee =  $\frac{$ Page (38.00)}{$ Page 627 of 647}$ 

Total Extra To Contract = \$ (3,881.00)



# Shop Drawing Review

|                                                                            |                                                   | Date 7/24//2019              |  |  |
|----------------------------------------------------------------------------|---------------------------------------------------|------------------------------|--|--|
| То:                                                                        | Project Owner<br>City of Beaumont<br>Project Name |                              |  |  |
| W. M. Lyle Co.                                                             |                                                   |                              |  |  |
| Attention: Juan C. Ahumada                                                 | Beaumont WWTP Expansion                           |                              |  |  |
| Reference<br>Submittal 013200-7-Construction Progress Documentation-TIA #2 | Construction Contract N                           | lo. C18-80                   |  |  |
| TIA #2                                                                     |                                                   | Specification Section 013200 |  |  |

Subject submittal has been reviewed and review action is as shown below:

| Submittal<br>No. | Subject                                                                                                                                                                       | No. of<br>Copies | No<br>Exception<br>Taken | Approved<br>as Noted | Amend<br>and<br>Resubmit | Rejected<br>Resubmit |
|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|--------------------------|----------------------|--------------------------|----------------------|
| 13200-7          | <ul> <li>CPM Baseline Schedule Submittal including:</li> <li>1. P6 files: COB_TIA02.1, TIA02.2, TIA02.3, and TIA02.4.</li> <li>2. COB Schedule Narrative_TIA02.pdf</li> </ul> | e-files          |                          | Х                    |                          |                      |
|                  |                                                                                                                                                                               |                  |                          |                      |                          |                      |

WML submitted TIA 2 showing inclement weather impact as 53 calendar days to MS01 and 52 calendar days to MS02. A summary is shown in the following table:

| Milestone | Period | Calendar Day Impact | Cumulative Impact |
|-----------|--------|---------------------|-------------------|
| MS01      | 1      | -10                 | -10               |
|           | 2      | -26                 | -36               |
|           | 3      | -14                 | -50               |
|           | 4      | -3                  | -53               |
|           |        |                     |                   |
| MS01      | 1      | -14                 | -14               |
|           | 2      | -22                 | -36               |
|           | 3      | -16                 | -52               |
|           | 4      | 0                   | -52               |

MWH has reviewed the TIA 2 and agrees with the methodology. However, it is necessary to include working days during some of the City holidays that WML performed work on critical path activities.

| Milestone | Period | Calendar Day Impact | Cumulative Impact |
|-----------|--------|---------------------|-------------------|
| MS01      | 1      | -8                  | -8                |
|           | 2      | -26                 | -34               |
|           | 3      | -14                 | -48               |
|           | 4      | -3                  | <mark>-51</mark>  |
|           |        |                     |                   |
| MS01      | 1      | -9                  | -9                |
|           | 2      | -22                 | -31               |
|           | 3      | -16                 | -47               |
|           | 4      | 0                   | <mark>-47</mark>  |

The adjusted summary table becomes as follows:

#### Accordingly, the approved TIA 2 resulting impact of 51 calendar days to MS01 and 47 calendar days to MS02.

This TIA review analysis is performed during four periods. In each period, we compare the milestone dates based on the approved schedule at the beginning of the period with the milestone dates of same schedule with its calendar adjusted to reflect non-working days during the inclement weather days and working days if City allowed for work during City holidays.

1. <u>Period 1</u>: NTP Thru January 2019: WML worked on December 26, 2018 and on January 21, 2019 which were City holidays. Accordingly and for the purpuse of this TIA, these 2 days are considered working days.

#### Baseline schedule:

| COB WWTP Sa | It Mitigation Upgrade Project_Baseline | Global - Schedule Layout by | WBS |           |            |                |
|-------------|----------------------------------------|-----------------------------|-----|-----------|------------|----------------|
| Activity ID | ity ID Activity Name                   |                             | OD  | Start     | Finish     | Total<br>Float |
| COBW        | NTP Salt Mitigation Upgrade Pro        | oject_Baseline Schedule     | 370 | 21-Jan-20 | 25-Jan-21  | 0              |
| MILEST      | ONES                                   |                             | 370 | 21-Jan-20 | 25-Jan-21  | 0              |
| MS01        | PHASE 1 COMPLETION (450 CD AFTER NTP   | = 01/21/20)                 | 0   |           | 21-Jan-20* | 0              |
| MS02        | PHASE 2 COMPLETION (820 CD AFTER NTP   | = 01/25/21)                 | 0   |           | 25-Jan-21* | 0              |

 Baseline schedule with an adjusted calendar to reflect non-working days during Period 1 inclement weather days and working days during City's holdiays (COB\_ES1.xer)\*:

|             |                                                   | -   |           |            |       |
|-------------|---------------------------------------------------|-----|-----------|------------|-------|
| Activity ID | Activity Name                                     | OD  | Start     | Finish     | Tota  |
|             |                                                   |     |           |            | Float |
| COB W       | NTP Salt Mitigation Upgrade Project_Rain Period 1 | 371 | 29-Jan-20 | 03-Feb-21  | -9    |
| MILEST      | ONES                                              | 371 | 29-Jan-20 | 03-Feb-21  | -9    |
| MS01        | PHASE 1 COMPLETION (450 CD AFTER NTP = 01/21/20)  | 0   |           | 29-Jan-20* | -8    |
| MS02        | PHASE 2 COMPLETION (820 CD AFTER NTP = 01/25/21)  | 0   |           | 03-Feb-21* | -9    |

Hence, the resulting impact of rain days and mitigation working days during Period 1 is: 8 days for MS1 and 9 days for MS2.

2. <u>Peiod 2</u>: Inclement weather days encountered in February 2019.

Although WML worked on February 18 (a City Holiday), the work was only for non-essential work and cleanup. Accordingly and for the purpuse of this TIA, this day remains a non-working day.

January schedule update (COB\_UP01.xer):

| COB WWTP S  | Salt Mitigation Upgrade Project_JAN 2019 | Global - Schedule Layout | by WBS |           |            |               |
|-------------|------------------------------------------|--------------------------|--------|-----------|------------|---------------|
| Activity ID | Activity Name                            |                          | OD     | Start     | Finis h    | Tota<br>Float |
| COB W       | WTP Salt Mitigation Upgrade              | Project_JAN 2019         | 375    | 13-Feb-20 | 22-Feb-21  | -28           |
| MILEST      | TONES                                    |                          | 375    | 13-Feb-20 | 22-Feb-21  | -28           |
| MS01        | PHASE 1 COMPLETION (450 CD AFTER N       | TP = 01/21/20)           | 0      |           | 13-Feb-20* | -23           |
| MS02        | PHASE 2 COMPLETION (820 CD AFTER N       | ATP = 01/25/21)          | 0      |           | 22-Feb-21* | -28           |

#### January schedule update with an adjusted calendar to reflect non-working days during Perod 2 inclement weather days (COB\_ES2.xer)\*:

| Activity ID | Activity Name                                     | OD  | Start     | Finis h    | Tota<br>Float |
|-------------|---------------------------------------------------|-----|-----------|------------|---------------|
| COB W       | WTP Salt Mitigation Upgrade Project_Rain Period 2 | 371 | 10-Mar-20 | 16-Mar-21  | -50           |
| MILEST      | ONES                                              | 371 | 10-Mar-20 | 16-Mar-21  | -50           |
| MS01        | PHASE 1 COMPLETION (450 CD AFTER NTP = 01/21/20)  | 0   |           | 10-Mar-20* | -49           |
| MS02        | PHASE 2 COMPLETION (820 CD AFTER NTP = 01/25/21)  | 0   |           | 16-Mar-21* | -50           |

Hence, the resulting impact of rain days and mitigation working days during Period 2 is: 26 days for MS1 and 22 days for MS2.

3. <u>Period 3:</u> Inclement weather days encountered in March 2019.

Hence, the resulting impact of rain days during Period 3 is: 14 days for MS1 and 16 days for MS2.

• February schedule update (UP02.1.xer):

| Activity ID | Activity Name                                    | OD  | Start     | Finis h    | Tota<br>Float |
|-------------|--------------------------------------------------|-----|-----------|------------|---------------|
| COB W       | WTP Salt Mitigation Upgrade Project_FEB 2019 R1  | 389 | 04-Mar-20 | 08-Mar-21  | -42           |
| MILEST      | ONES                                             | 369 | 04-Mar-20 | 08-Mar-21  | -42           |
| MS01        | PHASE 1 COMPLETION (450 CD AFTER NTP = 01/21/20) | 0   |           | 04-Mar-20* | -43           |
| MS02        | PHASE 2 COMPLETION (820 CD AFTER NTP = 01/25/21) | 0   |           | 08-Mar-21* | -42           |

#### February schedule update with an adjusted calendar to reflect non-working days during Period 3 inclement weather days (COB\_ES3.xer)\*:

| Activity ID Activity Name                               | OD    | Start     | Finis h    | Tota  |
|---------------------------------------------------------|-------|-----------|------------|-------|
|                                                         |       |           |            | Float |
| COB WW TP Salt Mitigation Upgrade Project_Rain Period 3 | 3 371 | 18-Mar-20 | 24-Mar-21  | -58   |
| MILESTONES                                              | 371   | 18-Mar-20 | 24-Mar-21  | -58   |
| MS01 PHASE 1 COMPLETION (450 CD AFTER NTP = 01/21/20)   | 0     |           | 18-Mar-20* | -57   |
| MS02 PHASE 2 COMPLETION (820 CD AFTER NTP = 01/25/21)   | 0     |           | 24-Mar-21* | -58   |

Hence, the resulting impact of rain days during Period 3 is: 14 days for MS1 and 16 days for MS2.

#### 4. <u>Period 4:</u> Inclement weather days encountered in April 2019.

#### March schedule update (COB\_UP03.1.xer):

| Activity ID | Activity Name                                    | OD  | Start     | Finis h    | Tota<br>Float |
|-------------|--------------------------------------------------|-----|-----------|------------|---------------|
| COB W       | WTP Salt Mitigation Upgrade Project_MAR 2019     | 375 | 06-Mar-20 | 16-Mar-21  | -31           |
| MILEST      | ONES                                             | 375 | 06-Mar-20 | 16-Mar-21  | -31           |
| MS01        | PHASE 1 COMPLETION (450 CD AFTER NTP = 02/08/20) | 0   |           | 06-Mar-20* | -30           |
| MS02        | PHASE 2 COMPLETION (820 CD AFTER NTP = 02/13/21) | 0   |           | 16-Mar-21* | -31           |

#### March schedule update with an adjusted calendar to reflect non-working days during Period 3 inclement weather days (COB\_ES4.xer)\*:

|                                                        | ,   | 1         |            |               |
|--------------------------------------------------------|-----|-----------|------------|---------------|
| Activity ID Activity Name                              | OD  | Start     | Finish     | Tota<br>Float |
| COB WWTP Salt Mitigation Upgrade Project_Rain Period 4 | 372 | 09-Mar-20 | 16-Mar-21  | -31           |
| MILESTONES                                             | 372 | 09-Mar-20 | 16-Mar-21  | -31           |
| MS01 PHASE 1 COMPLETION (450 CD AFTER NTP = 02/08/20)  | 0   |           | 09-Mar-20* | -33           |
| MS02 PHASE 2 COMPLETION (820 CD AFTER NTP = 02/13/21)  | 0   |           | 16-Mar-21* | -31           |

Hence, the resulting impact of rain days during Period 4 is: 3 days for MS1 and 0 day for MS2.

\*Relevant P6 files are includede with this review comments.

Corrections or comments made relative to submittals during this review do not relieve the contractor from compliance with the requirements of the drawings and specifications. This check is only for review of general conformance with the design concept of the project and general compliance with the information given in the contract documents. The contractor is responsible for confirming and correlating all qualities and dimensions; selecting fabrication processes and techniques of construction; coordinating work with other trades; and performing work in a safe and satisfactory manner. Very truly yours,

Hgp rqg#V d|hjk#

EDMOND SAYEGH, P. E.

Sr. Construction Manager

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#### **Staff Report**

| TO:      | Mayor and City Council Members                                                                           |
|----------|----------------------------------------------------------------------------------------------------------|
| FROM:    | Kristine Day, Assistant City Manager                                                                     |
| DATE:    | October 1, 2019                                                                                          |
| SUBJECT: | Wastewater Treatment Plant Expansion/Renovation and Brine Pipeline<br>Installation Project Status Update |

#### **Background and Analysis:**

#### Reach 1

- The contractor continues to work three crews on pipe installation, paving, restoration, ground water assessment and boring.
- Contractor is working at nights on Live Oak Canyon Road installing bypass pumping connections.
- Contractor has encountered significant groundwater at bore crossing and Palmer. They are working with the Regional Board regarding discharge which will be implemented through a Groundwater Discharge Plan.
- Approximately 54,263 linear feet of brine line have been installed to date.
- Contractor has requested 38 inclement weather days to date.
- The three week look ahead schedule is included as an attachment to this report (Attachment A).

#### Reach 2

- The contractor is now working several crews in separate areas focusing on pipe installation, bore pits and paving. Specific locations can be seen on the look ahead schedule.
- Connection plans for the brine line to SAWPA and the monitoring stations have been submitted to SAWPA. They are under review.
- Approximately 37,279 linear feet of brine line have been installed to date.
- Contractor has requested 13 inclement weather days to date.
- The three week look ahead schedule is included as an attachment to this report (Attachment B).

Approved Change Orders:

| CO No.            | Contracto<br>r           | Description                                                                                     | Reason for<br>Change                                                                      | Amount                                                          |
|-------------------|--------------------------|-------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| 1 (Potrero CO 10) | Ortiz                    | Brine Line<br>Improvements<br>(Pre-Authorized)                                                  | Addition of 12"<br>Brine Line<br>during<br>construction                                   | \$238,615.70                                                    |
| 2 (Potrero CO 11) | Ortiz                    | Brine Line<br>Improvements<br>(Remaining Work)<br>(Force Account)                               | Addition of 12"<br>Brine Line<br>during<br>Construction                                   | \$324,043.15<br>Not to Exceed<br>but direct to<br>Force Account |
| 3                 | Weka, Inc.               | Brine Line<br>Improvements<br>Potrero Boulevard<br>– 4th Street                                 | Addition of 12"<br>Brine Line<br>During<br>Construction                                   | \$646,482.65                                                    |
| 4                 | Weka, Inc.               | County of<br>Riverside<br>Encroachment<br>Permit Credit                                         | City paid fee for<br>encroachment<br>permit, but                                          | (\$45,460.00)                                                   |
| 5                 | Weka, Inc.               | Potrero Bridge /<br>Caltrans Right-of-<br>Way                                                   | Brine Line<br>Installation<br>Requirements                                                | \$110,394.90                                                    |
| 6                 | Weka, Inc.               | Changes and<br>Modifications to<br>Brine Line<br>Installation on 4th<br>Street & Potrero<br>Rd. | Drain<br>Installation, Add<br>Vent Line to MH,<br>and 4th Street<br>Brine Line<br>Changes | \$12,821.87                                                     |
| 7                 | T.E.<br>Roberts,<br>Inc. | Unknown Utility<br>Crossings and<br>Associated<br>Potholing                                     | Additional<br>Potholes Not on<br>Plans                                                    | \$14,300.00                                                     |
| 8                 | Weka, Inc.               | Heartland<br>Parkway and<br>Potrero Boulevard<br>Site Condition<br>Restorations                 | Site Condition<br>Changes                                                                 | \$41,076.93                                                     |
| Brine Line Cont   | ingency                  | Budget Amount                                                                                   | Change Orders<br>1-8                                                                      | Remaining                                                       |
|                   |                          | \$2,600,000.00                                                                                  | \$1,342,275.20                                                                            | \$1,257,724.80                                                  |

| Agency                                      | Description                            | Amount       |
|---------------------------------------------|----------------------------------------|--------------|
| City of San Bernardino                      | Brine Line Encroachment Permit         | \$682.50     |
| Riverside County Tax                        | Permit for Brine Line                  | \$2,000.00   |
| Collection                                  |                                        |              |
| Union Pacific Railroad (UPRR)               | Pipeline Crossing Agreement &          | \$98,655.00  |
|                                             | Encroachment Permit                    |              |
| San Bernardino Flood Control                | Brine Line Encroachment Permit         | \$9,539.00   |
| San Bernardino Flood Control                | 408 Permit                             | \$48,500.00  |
| City of Redlands                            | Plan Check Fees                        | \$2,500.00   |
| City of Loma Linda                          | Plan Check Fee for Brine Line          | \$13,000.00  |
| SAWPA                                       | Brine Line Encroachment Permit Deposit | \$20,000.00  |
| County of San Bernardino                    | CEQA Environmental Filing Fee          | \$50.00      |
| Riverside County – Paid by                  | Permit for Brine Line – Supplemental   | \$45,460.00  |
| Weka                                        | Inspection Fee                         |              |
| California Department of Fish<br>& Wildlife | 1602 Permit                            | \$5,145.75   |
| State Water Resources<br>Control Board      | 401 WQC                                | \$24,197.00  |
| Various monitoring required by EIR          | Paid Hourly                            | \$250,000.00 |
| Southern California Edison                  | Permit                                 | \$6,951.84   |
| Total                                       |                                        | \$526,681.09 |

The project accounting for the Brine Line Project is as follows:

| Brine Line                 | Budget Amount   | Actual          | Remaining       |
|----------------------------|-----------------|-----------------|-----------------|
| Design                     | \$2,082,357.37  | \$1,746,174.83  | \$336,182.55    |
| Construction<br>Management | \$3,436,471.38  | \$1,807,770.19  | \$1,628,701.19  |
| Permit                     | \$508,240.25    | \$276,681.09    | \$231,559.16    |
| Construction               | \$31,884,226.35 | \$19,131,700.96 | \$12,752,525.39 |
| Contingency                | \$2,600,000.00  | \$1,342,275.20  | \$1,257,724.80  |
| Total                      | \$40,511,295.35 | \$24,304,602.27 | \$16,206,693.09 |

#### Wastewater Treatment Plant Expansion/Renovation Project:

- Construction work continues on the MBR/RO Startup, aeration basin formwork & Reinforcing, Electrical Building PEMB erection, MBR metals and gates, Headworks Duct Bank 104, A-Basin False Work, MBR Metal Building assembly, Fine Screens Canopy, and Recycled Water Pump Station F/R/P slab.
- Upcoming pours include duct-banks , aeration basin and aeration basin walkway

- Contractor will continue to dig/lay/backfill the 30" MBR/RO effluent line and 24" storm drain, 20" reuse water pump station effluent, and 16" reuse water effluent.
- Contractor has requested 38 inclement weather days to date and 37 days have been approved.
- The three week look ahead schedule is attached for review (Attachment C).

| CO No.              | Description                                                                                                                     | Reason for Change                                 | Amount             |
|---------------------|---------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|--------------------|
| 1                   | MBR System<br>Improvements                                                                                                      | Enhance the<br>performance of MBR<br>System       | \$149,741.00       |
| 2                   | RO System Electrical<br>Modifications &<br>Storm Drain System<br>Material Change                                                | Design & Material<br>Updates                      | (\$245.00)         |
| 3                   | New Aeration Basin<br>1 through 3<br>Excavation                                                                                 | Conflict with<br>Existing Utilities               | \$19,998.00        |
| 4                   | Structural and<br>Mechanical<br>Modifications                                                                                   | Pre-Selected<br>Submittals                        | \$57,450.64        |
| 5                   | Vactor Truck Dump<br>Station<br>Modifications                                                                                   | Conflict with<br>Construction                     | NTE<br>\$15,000.00 |
| 6                   | EDI/Fine Coarse<br>Bubble Diffuser<br>Equipment                                                                                 | Design Change                                     | \$24,298.00        |
| 7                   | Various Changes –<br>MBR/RO Structural,<br>Site Civil &<br>Headworks SCADA<br>Design<br>Modifications                           | Design Changes                                    | \$59,167.49        |
| 8                   | Various Changes -<br>Demolition, Piping<br>Realignment,<br>Material Change,<br>and Electric<br>Actuated Valve<br>Voltage Change | Unforeseen<br>Conditions and<br>Value Engineering | \$7,942.00         |
| WWTP<br>Contingency | Budget Amount                                                                                                                   | Change Orders 1-8                                 | Remaining          |
|                     | \$4,000,000.00                                                                                                                  | \$333,352.13                                      | \$3,666,647.87     |

Approved Change Orders:

| WWTP                       | Budget Amount   | Paid to Date    | Remaining       |
|----------------------------|-----------------|-----------------|-----------------|
| Design                     | \$2,709,798.23  | \$2,556,649.26  | \$153,148.97    |
| Construction<br>Management | \$5,308,585.72  | \$2,148,433.80  | \$3,160,151.92  |
| Equipment                  | \$252,906.00    | \$215,793.50    | \$37,112.50     |
| Permits                    | \$324,776.76    | \$62,498.74     | \$262,278.02    |
| Construction               | \$53,910,737.00 | \$18,703,626.12 | \$35,207,110.88 |
| Contingency                | \$4,000,000.00  | \$160,136.67    | \$3,839,863.33  |
| Total                      | \$66,506,803.71 | \$23,847,138.09 | \$42,659,665.62 |

#### **Fiscal Impact:**

No additional fiscal impacts beyond the project budget.

#### **Recommendation:**

1. Receive and file the project updates.

City Manager Review: <u>Todd Parton</u> City Manager

#### **Attachments:**

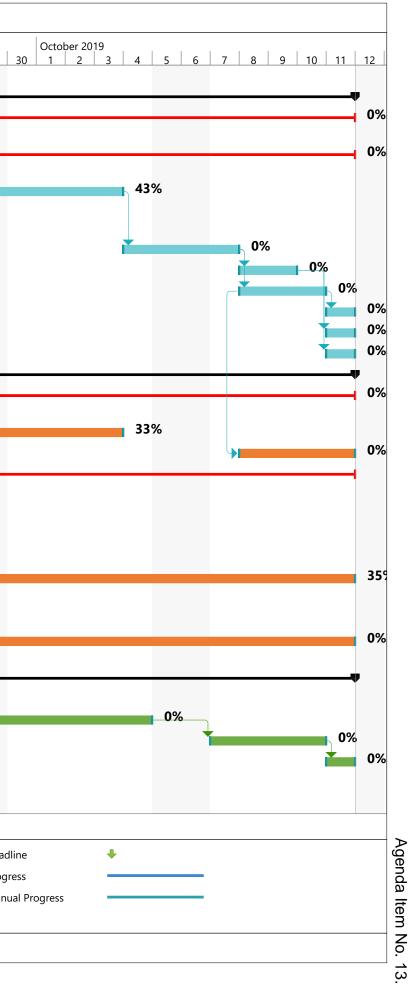
Attachment A - Brine Line Reach 1 - 3 Week Schedule Attachment B - Brine Line Reach 2 - 3 Week Schedule Attachment C - WWTP - 3 Week Schedule

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| )  | Task Name                                                                                                        | Duration | Start          | Finish            | . 1     | .   .       |       | 1 1   |    |             |         | 1     |
|----|------------------------------------------------------------------------------------------------------------------|----------|----------------|-------------------|---------|-------------|-------|-------|----|-------------|---------|-------|
| 1  | THREE WEEK LOOK AHEAD SCHEDULE 9/24/19                                                                           |          |                |                   | 15   10 | 5 17 18     | 19 20 | 21 22 | 23 | 24   25   2 | 26   27 | 28 29 |
| 2  |                                                                                                                  | 20 days  | Mon 9/16/19    | Fri 10/11/19      | ς       |             |       |       |    |             |         |       |
| 3  |                                                                                                                  | 20 days  | Mon<br>9/16/19 | Fri 10/11/19      | _       |             |       |       |    |             |         |       |
| 4  | Differing Site Conditions Ground Water Delay Skip Maintenance Manholes STA 359+25, 355+24, 340+75, & 325+25      | 20 days  | Mon<br>9/16/19 | Fri 10/11/19      | -       |             |       |       |    |             |         |       |
| 5  | Commence w/ Night Work STA 71+45 - 19+50                                                                         | 15 days  | Sun 9/15/19    | Thu 10/3/19       | _       |             |       |       | _  |             | _       |       |
| 6  | Stack & Backfill Maintenance Manholes STA 135+27, 132+95, 120+00, 105+00, 88+00, 74+55, & 71+45 (DAY SHIFT)      | 1 day    | Mon<br>9/16/19 | Mon<br>9/16/19    |         | 100%        |       |       |    |             |         |       |
| 7  | Install Bypass Pumping Connections Live Oak Canyon Road (NIGHT / DAY)                                            | 2 days   | Fri 10/4/19    | Mon 10/7/19       |         |             |       |       |    |             |         |       |
| 8  | Form & Pour 5' Diameter Manholes Live Oak Canyon Road (DAYS)                                                     | 2 days   | Tue 10/8/19    | Wed 10/9/19       |         |             |       |       |    |             |         |       |
| 9  | Install Brine Line STA 19+50 - 8+87 (DAYS)                                                                       | 3 days   | Tue 10/8/19    | Thu 10/10/19      |         |             |       |       |    |             |         |       |
| 10 | Join Existing Brine Line STA 8+87 (DAY)                                                                          | 1 day    | Fri 10/11/19   | Fri 10/11/19      |         |             |       |       |    |             |         |       |
| 11 | Stack & Backfill 5' Diameter Manholes Live Oak Canyon Road (DAY)                                                 | 1 day    | Fri 10/11/19   | Fri 10/11/19      |         |             |       |       |    |             |         |       |
| 12 | Mobilize Equipment & Labor to STA 417+00 to Install Brine Line (DAYS)                                            | 1 day    | Fri 10/11/19   | Fri 10/11/19      |         |             |       |       |    |             |         |       |
| 13 | PAVING, RESTORATION, & TESTING CREW                                                                              | 20 days  | Mon 9/16/19    | Fri 10/11/19      | -       |             |       |       |    |             |         |       |
| 14 | Differing Site Conditions Ground Water Delay Skip Base Pave San Timoteo<br>Canyon Road STA 355+50 - 301+00 (COR) | 20 days  | Mon<br>9/16/19 | Fri 10/11/19      | -       |             |       |       |    |             |         |       |
| 15 | Base Pave San Timoteo Canyon Road STA 71+45 - 19+50 (NIGHTS)                                                     | 15 days  | Sun 9/15/19    | Thu 10/3/19       |         |             |       |       |    |             |         |       |
| 16 | Base Pave San Timoteo Canyon Road 19+50 - 8+87 (DAYS)                                                            | 4 days   | Tue 10/8/19    | Fri 10/11/19      |         |             |       |       |    |             |         |       |
| 17 | Prep & Hydro Test Segment No's 6, 7, 8, & 9 (GW Delay)                                                           | 20 days  | Mon 9/16/19    | Fri 10/11/19      | _       |             |       |       |    |             |         |       |
| 18 | Hydro Test Segment #11 STA 187+00 - 137+00 (DAY)                                                                 | 1 day    | Mon 9/16/19    | 0 Mon 9/16/19     |         | <b>100%</b> |       |       |    |             |         |       |
| 19 | Prep & Pre-test Segment #12 STA 137+00 - 87+00 (DAYS)                                                            | 4 days   | Mon 9/23/19    | ) Thu 9/26/19     |         |             |       |       |    |             | 259     | 6     |
| 20 | Base Pave Around MH's San Timoteo Canyon Road (DAYS)                                                             | 3 days   | Mon 9/23/19    | Wed 9/25/19       |         |             |       |       |    |             | 33%     |       |
| 21 | Hydro Test Segment #12 STA 137+00 - 87+00 (DAY)                                                                  | 1 day    | Fri 9/27/19    | Fri 9/27/19       |         |             |       |       |    |             | ř.      | 0%    |
| 22 | Miscellaneous Site Cleanup and Restoration - On Going (DAYS)                                                     | 20 days  | Mon 9/16/19    | Fri 10/11/19      |         |             |       |       |    |             |         |       |
| 23 | Form & Pour Maintenance Manholes (DAYS)                                                                          | 5 days   | Mon 9/16/19    | Fri 9/20/19       |         |             |       | 100%  |    |             |         |       |
| 24 | Install Test Plates and Prep for Hydro Testing Various Locations (DAYS)                                          | 5 days   | Mon 9/23/19    | Fri 9/27/19       |         |             |       |       |    | _           | 1       | 25%   |
| 25 | Form & Pour Maintenance Manholes STA 71+45, 56+50, 41+50, 26+50, & 11+50 (NIGHTS)                                | 11 days  | Sun 9/29/19    | Fri 10/11/19      |         |             |       |       |    |             |         |       |
| 26 | <b>GROUND WATER ASSESSMENT / PIPE JACKING CREW</b>                                                               | 20 days  | Mon 9/16/19    | Fri 10/11/19      | -       |             |       |       |    |             |         |       |
| 27 | Mobilize Equipment & Shoring STA 303+16 (DAYS)                                                                   | 8 days   | Mon 9/16/19    | Wed 9/25/19       | 5       |             |       |       |    |             | 25%     |       |
| 28 | Install De-watering System Bore & Receiving Pits UPRR (DAYS)                                                     | 15 days  | Mon 9/16/19    | Fri 10/4/19       |         |             |       |       |    |             |         |       |
| 29 | Excavate and Install Bore Pit STA 306+64 (DAYS)                                                                  | 4 days   | Mon 10/7/19    | )<br>Thu 10/10/19 |         |             |       |       |    |             |         |       |
| 30 | GSB - Mobilize and Prep (DAYS)                                                                                   | 1 day    | Fri 10/11/19   | Fri 10/11/19      |         |             |       |       |    |             |         |       |
| 31 | UPRR Flagman (Rail Pro's) STA 306+00 - 557+25                                                                    | 1 day    | Mon 9/23/19    | Mon 9/23/19       |         |             |       |       |    | 100%        |         |       |
| 32 | Install Survey Grid UPRR Tracks STA 306+00 & 557+25                                                              | 1 day    | Mon 9/23/19    | 0<br>Mon 9/23/19  |         |             |       |       |    | 100%        |         |       |

| ן נ | WEKA INC               | Task<br>Split |             | Project Summary<br>Inactive Task |            | Manual Task<br>Duration-only |   | Start-only<br>Finish-only | с<br>Э     | Dead<br>Prog |
|-----|------------------------|---------------|-------------|----------------------------------|------------|------------------------------|---|---------------------------|------------|--------------|
|     | 9/16/2019 - 10/11/2019 | Milestone     | •           | Inactive Milestone               | $\diamond$ | Manual Summary Rollup        |   | External Tasks            |            | Man          |
|     |                        | Summary       | · · · · · · | Inactive Summary                 |            | Manual Summary               | 1 | External Milestone        | $\diamond$ |              |

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#### BEAUMONT BRINE LINE DISPOSAL - REACH 2

|                               |                                    | T.E. ROBERTS LOOK AHEAD        | SCHEDULE                                                              |            |          |          |  |  |  |
|-------------------------------|------------------------------------|--------------------------------|-----------------------------------------------------------------------|------------|----------|----------|--|--|--|
| MONDAY                        | TUESDAY                            | WEDNESDAY                      |                                                                       |            |          |          |  |  |  |
| 09/23/19                      | 09/24/19                           | 09/25/19                       | 09/26/19                                                              | 09/27/19   | 09/28/19 | 09/29/19 |  |  |  |
| SAN TIMOTEC<br>PIPE INSTALL C |                                    | BASE                           | SAN TIMOTEO CANYON RD SAN TIMOTEO CANYON RD<br>BASE PAVING DEMOBILIZE |            |          |          |  |  |  |
|                               |                                    | HYDRO                          | TESTING                                                               |            |          |          |  |  |  |
|                               |                                    | REDLANDS BLVD.                 |                                                                       |            |          |          |  |  |  |
|                               |                                    | PIPE INSTALL                   |                                                                       |            |          |          |  |  |  |
| ANDERSON ST BORE              |                                    | N ST BORE                      |                                                                       | DN ST BORE | NO WORK  |          |  |  |  |
| PUSH PIPE                     |                                    | SHORING                        |                                                                       | ILL PIT    |          |          |  |  |  |
| BACKEIIL RECEIVING PIT        |                                    | <u>I PIPE</u>                  | i                                                                     |            |          |          |  |  |  |
| CALTI                         | RANS                               |                                | REDLANDS BLVD                                                         |            |          |          |  |  |  |
| POTHOLING CALTRAN             | NS & VARIOUS AREAS                 |                                | DIRECTIONAL DRILL                                                     |            |          |          |  |  |  |
| MONDAY                        | TUESDAY                            | WEDNESDAY                      | THURSDAY                                                              | FRIDAY     | SATURDAY | SUNDAY   |  |  |  |
| 09/30/19                      | 10/01/19                           | 10/02/19                       | 10/02/19 10/03/19 10/04/19                                            |            |          |          |  |  |  |
|                               |                                    | REDLANDS BLVD                  |                                                                       |            |          |          |  |  |  |
|                               |                                    | PIPE INSTALL                   |                                                                       |            |          |          |  |  |  |
|                               |                                    | NEW JERSEY & ORANGE            |                                                                       |            | NO WORK  |          |  |  |  |
|                               | MOBILIZE, EXCAVATE & INSTALL PIPE  |                                |                                                                       |            |          |          |  |  |  |
| GAGE CAN                      | GAGE CANAL BORE                    |                                |                                                                       |            |          |          |  |  |  |
| MOBILIZE E                    | QUIPMENT                           | GAGE CANAL BORE PIT EXCAVATION | AGE CANAL BORE PIT EXCAVATION GSB MOBILIZE & START GAGE CANAL BORE    |            |          |          |  |  |  |
| MONDAY                        | TUESDAY                            | WEDNESDAY                      | THURSDAY                                                              | FRIDAY     | SATURDAY | SUNDAY   |  |  |  |
| 10/07/19                      | 10/08/19                           | 10/09/19                       | 10/10/19                                                              | 10/11/19   | 10/12/19 | 10/13/19 |  |  |  |
|                               | REDLANDS BLVD                      |                                |                                                                       |            |          |          |  |  |  |
|                               | PIPE INSTALL                       |                                |                                                                       |            |          |          |  |  |  |
|                               | REDLANDS & CALIFORNIA              |                                |                                                                       |            |          |          |  |  |  |
|                               | PIPE INSTALL                       |                                | NO V                                                                  | NO WORK    |          |          |  |  |  |
|                               |                                    |                                | 1                                                                     |            |          |          |  |  |  |
|                               | GAGE CANAL BORE OPERATIONS ONGOING |                                |                                                                       |            |          |          |  |  |  |
| NOTES:                        |                                    |                                |                                                                       |            |          |          |  |  |  |

NOTES:

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| W. M. Lyles Co. Project No. 55.1173<br>City of Beaumont WWTP - Salt Mitigation Upgrade<br>3 Week Look Ahead Schedule<br>Week of 9/23/19 |                   |                   |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      | W. M. LYLES CO.<br>CONTRACTOR<br>Society<br>Progress Through Performance <sup>®</sup> |      |      |      |      |       |       |       |
|-----------------------------------------------------------------------------------------------------------------------------------------|-------------------|-------------------|------|------|---------------------------------------------------------------------------|------|------|------|------|------|------|------|------|------|------|------|------|------|---------------------------------------------------------------------------------------|------|------|------|------|-------|-------|-------|
|                                                                                                                                         |                   |                   |      |      | Previous Week 2 Week 3<br>M T W TH F Sa M T W TH F Sa M T W TH F Sa M T W |      |      |      |      |      |      |      |      |      |      |      |      |      | TH F Sa                                                                               |      |      |      |      |       |       |       |
| Description                                                                                                                             | Activity ID       | Responsibility    | 9/16 | 9/17 | 9/18                                                                      | 9/19 | 9/20 | 9/21 | 9/23 | 9/24 | 9/25 | 9/26 | 9/27 | 9/28 | 9/30 | 10/1 | 10/2 | 10/3 | 10/4                                                                                  | 10/5 | 10/7 | 10/8 | 10/9 | 10/10 | 10/11 | 10/12 |
| Yard/Site Piping/Demo                                                                                                                   |                   |                   |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      |      |      |      |       |       |       |
| Install Ductbank DB 201.1/201.2/205.1/300 (Pending SCE LayOut)                                                                          | 4555              | Southern          |      |      |                                                                           |      |      |      |      |      |      |      |      |      | 1    |      |      |      |                                                                                       |      |      |      |      |       |       |       |
| Grade & F/R/P MV Switch Gear Pad (ON HOLD)                                                                                              | N/A               | WML-Jaime         |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      |      |      |      |       |       |       |
| Dig/Lay/Backfill 24" Storm Drain                                                                                                        | 4160              | WML-Dennis        |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      | _    |      |      |       |       |       |
| 16" RW Distribution Line                                                                                                                | 4165              | WML-Ernesto       |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      |      |      |      |       |       |       |
| Dig/Lay/Backfill 30" Grit Effluent                                                                                                      | 4280              | WML-Ernesto       |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      |      |      |      |       |       |       |
| Dig/Lay/Backfill MBR 30" Effluent                                                                                                       | 4170              | WML-Ernesto       |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      |      |      |      |       |       |       |
| Install Electrical Ductbank DB-201.3 and DB-201.2 to XFMR-MB                                                                            | 4640              | Southern          |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      | Pour |      |                                                                                       |      |      |      |      |       |       |       |
| Install Electrical Ductbank DB-201.6 to Generator                                                                                       | 4625              | Southern          |      |      |                                                                           |      |      |      |      |      |      |      |      |      | -    |      | Pour |      |                                                                                       |      |      |      |      |       |       |       |
| Install Electrical Ductbank DB-107 and DB-201.5 to XFMR-MB                                                                              | 4640              | Southern          |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      | _    |      | Pour |       |       |       |
| Coating AG DIP Piping                                                                                                                   | 8165              | Parada Painting   |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      | _    |      |      |       |       |       |
| Headworks Screen                                                                                                                        |                   |                   |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      |      |      |      |       |       |       |
| Duct Bank 50.1 /104                                                                                                                     | 4510/4540         | WML/Southern      |      |      |                                                                           |      | Pour |      |      |      |      |      |      |      |      |      |      | Pour |                                                                                       |      |      |      | Pour |       |       |       |
| Install Barscreen                                                                                                                       | 6085              | WML-Jaime         |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      |      |      |      |       |       |       |
| Install Washer Compactor                                                                                                                | 6090              | WML-Jaime         |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      |      |      |      |       |       |       |
| Install Gates G1121 & G1123                                                                                                             | 6040              | WML-Jaime         |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      |      |      |      |       |       |       |
| Grit Chamber                                                                                                                            |                   |                   |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      |      |      |      |       |       |       |
| Install Gates                                                                                                                           | 7105              | WML-Jaime         |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      |      |      |      |       |       |       |
| Fine Screens                                                                                                                            |                   |                   |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      |      |      |      |       |       |       |
| Сапору                                                                                                                                  | 9125              | G&W               |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      |      |      |      |       |       |       |
| MBR Building                                                                                                                            |                   |                   |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      |      |      |      |       |       |       |
| Metal Building Assembly                                                                                                                 | 12200             | G&W               |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      |      |      |      |       |       |       |
| MBR Misc Metals                                                                                                                         | 12205             | WML-Jaime         |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      |      |      |      |       |       |       |
| Install 5 Ton Bridge Crane                                                                                                              | 12215             | OCIENG            |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      |      |      |      |       |       |       |
| MBR GateS Install                                                                                                                       | 12160             | WML-Jaime         |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      |      |      |      |       |       |       |
| Install Electrical Equipment                                                                                                            | 12325             | WML/Southern      |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      |      |      |      |       |       |       |
| Install Metal Framing                                                                                                                   | 12220             | Infinity          |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      |      |      |      |       |       |       |
| RO Piping/Support Install                                                                                                               | 12345/12350/12355 | WML-Martin        |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      |      |      |      |       |       |       |
| RO Equipment Anchor                                                                                                                     | 12195             | WML-Martin        |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      |      |      |      |       |       |       |
| Aeration Basin                                                                                                                          |                   |                   |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      |      |      |      |       |       |       |
| Install RAS Piping Tank 1 & 2 / Hydrotest                                                                                               | 11220             | WML-Martin        |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      |      |      |      |       |       |       |
| F/R/S Aeration Basin Walls                                                                                                              | 11055/75/80/85    | WML-Jaime         |      |      |                                                                           |      |      |      |      | Pour |      |      |      |      |      |      |      |      |                                                                                       |      |      |      |      |       |       |       |
| F/R/S Aeration Basin SOG                                                                                                                | 11040             | WML-Jaime         |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      |      |      | Pour |       |       |       |
| Walkway Rebar/Pour                                                                                                                      | 11145/11150       | PSG/Jaime         |      |      |                                                                           |      |      |      |      | Pour |      | Pour |      |      |      |      |      | Pour |                                                                                       |      |      |      |      |       |       |       |
| Walkway concealed electrical conduit                                                                                                    | 11023             | Southern          |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      |      |      |      |       |       |       |
| False Work                                                                                                                              | 11140             | Vertical Horizons |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      |      |      |      |       |       |       |
| Recycled Water Pump Station                                                                                                             |                   |                   |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      |      |      |      |       |       |       |
| Electrical Building                                                                                                                     |                   |                   |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      |      |      |      |       |       |       |
| Metal Building                                                                                                                          | 20040             | G&W               |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      |      |      |      |       |       |       |
| Install Electrical Equipment                                                                                                            | 20060             | Southern          |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      |      |      |      |       |       |       |
| Install Electrical Control Panels                                                                                                       | 20055             | Southern          |      |      |                                                                           |      |      |      |      |      |      |      |      |      |      |      |      |      |                                                                                       |      |      |      |      |       |       |       |

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# BEAUMONT

#### **Staff Report**

| TO:      | Mayor and City Council Members                    |
|----------|---------------------------------------------------|
| FROM:    | Todd Parton, City Manager                         |
| DATE:    | October 1, 2019                                   |
| SUBJECT: | Set Date and Time for a FY2020-21 Budget Workshop |

#### **Background and Analysis:**

As City staff begins to develop a budget for the Fiscal Year 2020-21, a workshop consisting of the City Council is necessary to prioritize and discuss budget goals. Staff will present data of existing financial conditions as well as forecasted trends to develop a plan for the FY2020-21 budget.

#### **Fiscal Impact:**

No fiscal impact at this time.

#### **Recommendation:**

1. Set a date and time for a workshop to discuss the FY2020-21 budget.

City Manager Review: <u>Todd Parton</u> City Manager

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To:City CouncilFrom:John O. Pinkney, City AttorneyDate:September 23, 2019Re:Status of Pending Litigation Against City of Beaumont

#### Pending Litigation Against the City (does not include litigation initiated by the City)

- 1. Urban Logic v. City of Beaumont et al., Case No. RIC 1707201 (Pre-Trial)
- 2. Talley / Aguirre et al. v. City of Beaumont et al., Case No. RIC 1810937 (Pre-Trial)
- 3. Elizabeth Serrato v. City of Beaumont, Case No. RIC 1820593 (Pre-Trial)
- 4. Angela Santa Cruz, individually and as Guardian ad litem for M.L.V., a minor v. City of Beaumont et al., Case No. 2:18-CV-08427 (Pre-Trial)
- 5. Charles Peters dba Pioneer Mobile Village v. City of Beaumont, et. al, Case No. RIC 1707116