



## SUNRISE GRADING & PAVING

February 26, 2016

Dear Mr. George Parker,  
Director of Facilities Maintenance & Operations

I Jason Stanley owner of Sunrise Grading & Paving am requesting to withdrawal my bid proposal due to a mathematical clerical error on the North Davis Elementary School 555 14<sup>th</sup> Street Davis Ca 95616 ADA Parking/Walkway Improvements and Plaza Court Yard Project.

I am sorry for any and all inconvenience this may have caused.

Project No.16-02

D5A Application No. 02-101244 (PEND)

Bid No 16-02

Bid Date 02-23-2016

Bid Time 3:00 PM

Sincerely

Jason Stanley



February 26, 2016

Jason Stanley  
Sunrise Grading & Paving  
588 Lott Dr.  
Brentwood, CA 94513

**RE: Bid No. 16-02 - ADA Parking/Walkway Improvements and Plaza Court  
Yard Project at North Davis Elementary School**

Dear Mr. Stanley:

The Davis Joint Unified School District ("District") is in receipt of your letter dated February 26, 2016, wherein you request that the District withdraw Sunrise Grading & Paving's ("Sunrise") bid due to a "mathematical clerical error." Public Contract Code section 5103 states the following:

The bidder shall establish to the satisfaction of the court that:

- (a) A mistake was made.
- (b) He or she gave the public entity written notice within five days after the opening the bids of the mistake, specifying in the notice in detail how the mistake occurred.
- (c) The mistake made the bid materially different than he or she intended it to be.
- (d) The mistake was made in filling out the bid and not due to error in judgment or to carelessness in inspecting the site of the work, or in reading the plans or specifications.

Section 5103(d) sets forth the proper grounds in order to be relieved of a bid. Your letter dated February 26, 2016, wherein you state that the basis for the request to withdraw Sunrise's bid is due to "mathematical clerical error" does not satisfy the requirements of Section 5103(d). A mathematical error does not justify withdrawal of a bid.

Sunrise provided a bid bond in the amount of 10% of its bid. Based on the information to date, the District may take action on the bond if Sunrise withdraws its bid. Please also be aware that according to the bid documents, no bidder may withdraw its bid for a period of sixty (60) calendar days after the date set for the opening of bids.

February 26, 2016

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Without waiving any of the District's rights relative to Sunrise's bid or bid bond, the District requests you provide any additional documents you believe are relevant to your request that the District withdraw Sunrise's bid **no later than 12:00pm on March 1, 2016**.

Thank you for your cooperation. Please contact us if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'G. Parker', is written above the printed name.

George Parker  
Davis Joint Unified School District  
Director of Facilities, Maintenance & Operations





February 29, 2016

To: Davis Joint Unified School District / Mr. George Parker

Re: ADA PARKING/WALKWAY IMPROVEMENTS AND PLAZA COURT BID NO:  
16-02

Please be advised that we have reviewed your letter dated February 26<sup>th</sup> 2016 and would like to make the following response:

After having our attorney review the above referenced letter and our attached documents, it is our understanding that we have met the requirements set forth in section 5103:

- As shown in the attached spreadsheets, (9) Bid items in our spreadsheet under SITEWORK did not carry over to the total of Division-2. The total for Sitework is shown as \$ 26,582 and it should have totaled \$ 144,019. The excel spreadsheet cells did not bring the totals of each of the (9) items down to the grand total. I have included the original spreadsheet and a corrected spreadsheet that brings the correct numbers to the total. Please note that our final bid should have been \$ 249,972.75 instead of \$ 119,250.37. We feel that we have met item (a) – a mistake was made (I have highlighted what was totaled in yellow and green for clarification) Sunrise gave written notice that a mistake was made with (5) days (as stated (b))
- The mistake made the bid materially different (as stated in (c))
- A mistake was made in filling out bid (As stated in (d)) See attached spreadsheets





We are very sorry for the mistake and what this has caused to all the parties, but as you can see there is no way I would be able to take this project at the bid submitted. If you would like, I can make myself available to meet with you and discuss this further.

If you have any questions please do not hesitate to call our office.

Sincerely

Jason

Sunrise Grading & Paving

925-513-7373 Office

925-382-5625 Mobile

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| CSI CODE | TASK DESCRIPTION                                 | WORK UNIT | UNIT COST | TAKE-OFF QUANTITY | LABOR | MATLS & EQUIP. | SUB CONTRACT | ITEM TOTALS  | PERFORMS WORK           |
|----------|--|-----------|-----------|-------------------|-------|----------------|--------------|--------------|-------------------------|
| 01000    | <b>GENERAL CONDITIONS</b>                        |           |           |                   |       |                |              |              |                         |
| 01010    | Project Superintendent                           | WKS       | 750       | 8.00              | 6,000 |                |              | 6,000        | Half time               |
| 01080    | Supt. Pick-Up Truck                              | MO        | 500       | 2.00              |       | 1,000          |              | 1,000        |                         |
| 01030    | Supt. Vehicle Expense - Gasoline, Etc.           | WKS       | 150       | 8.00              |       | 1,200          |              | 1,200        |                         |
| 01045    | Supt. Per Diem / Substance                       | MO        | 500       | 2.00              |       | 1,000          |              | 1,000        | N / A                   |
| 01000    | Project Manager                                  | HRS       | 60        | 0.00              | 0     |                |              | 0            | In OH                   |
| 01030    | Project Manager - Vehicle Expenses               | WKS       | 50        | 0.00              |       | 0              |              | 0            |                         |
| 01020    | Project Engineer                                 | WKS       | 0         | 0.00              |       | 0              |              | 0            |                         |
| 01030    | Project Engineer - Vehicle Expenses.             | WKS       | 0         | 0.00              |       | 0              |              | 0            |                         |
| 01410    | Tols / Parking Fees                              | WKS       | 0         | 0.00              |       | 0              |              | 0            | In OH                   |
| 01550    | Safety Program / Traffic Control                 | WKS       | 0         | 0.00              |       | 0              |              | 0            | N / A                   |
| 01100    | Surveyor / Engineer                              | LS        | 1,500     | 1.00              |       | 1,500          |              | 1,500        |                         |
| 01050    | Small Tools                                      | LS        | 3,560     | 1.00              |       |                | 3,560        | 3,560        | Allowance               |
| 01520    | Temporary Facilities (Trailer, Chem Toilet, Box) | WK        | 350       | 8.00              |       | 2,800          |              | 2,800        |                         |
| 01510    | Telephone Service                                | MO        | 250       | 0.00              |       | 0              |              | 0            |                         |
| 01520    | Temporary Chemical Toilets - Extras              | MO        | 150       | 0.00              |       | 0              |              | 0            |                         |
| 01120    | Temp. Utilities (Water / Electrical) - Set-up    | MO        | 100       | 0.00              |       |                |              | 0            |                         |
| 01120    | Temp. Power - Distribution                       | LS        | 500       | 1.00              |       |                | 500          | 500          |                         |
| 01510    | Electrical Usage Fees / Costs                    | LS        | 0         | 0.00              |       |                | 0            | 0            |                         |
| 01200    | Debris Boxes / Dump Fees                         | EA        | 300       | 0.00              |       | 0              |              | 0            | By Owner                |
| 01130    | Security Fencing - Chain Link                    | LF        | 600       | 0.00              |       | 0              |              | 0            |                         |
| 01130    | Security Fencing - 20' Gates                     | EA        | 3         | 400.00            |       |                | 1,200        | 1,200        |                         |
| 01115    | Builder's Risk Insurance                         | LS        | 200       | 2.00              |       |                | 400          | 400          |                         |
| 01600    | Jobsite Equipment                                | MO        | 0         | 0.00              |       |                | 0            | 0            |                         |
| 01180    | Project Signs                                    | EA        | 1,500     | 2.00              |       |                | 3,000        | 3,000        | In OH                   |
| 01210    | Course of Const. - Cleanup & Misc. Labor         | WK        | 0         | 0.00              |       |                | 0            | 0            | Forklift / Scissor Lift |
| 01220    | Final Clean-Up @ Bldg.                           | LS        | 420       | 0.00              |       |                | 0            | 0            |                         |
| 01230    | Permits & Related Fees                           | LS        | 750       | 0.00              |       |                | 0            | 0            |                         |
| 01410    | Parking / Encroachment Fees                      | LS        | 0         | 0.00              |       |                | 0            | 0            | By Owner                |
| 01240    | As-Builts / O & M Manuals / Closeout Docs        | LS        | 0         | 0.00              |       |                | 0            | 0            | By Owner                |
| 01260    | Blueprinting Costs                               | LS        | 300       | 0.00              |       |                | 0            | 0            |                         |
| 01270    | CPM Schedule Prep. & Updates                     | MO        | 500       | 0.00              |       |                | 0            | 0            |                         |
| 01250    | Punchlist  | MO        | 300       | 0.00              |       |                | 0            | 0            | In OH                   |
| 01450    | Special Inspections / Materials Testing          | CHR       | 45        | 0.00              |       |                | 0            | 0            |                         |
| 01725    | SWPPP  | LS        | 0         | 0.00              | 0     |                | 0            | 0            | By Owner                |
|          |  | LS        | 3,500     | 1.00              |       |                | 3,500        | 3,500        | N / A                   |
|          | <b>TOTAL DIVISION 1</b>                          |           |           |                   |       |                |              | <b>3,500</b> | <b>25,660</b>           |

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|       |                       |    |       |          |  |  |        |        |           |
|-------|-----------------------|----|-------|----------|--|--|--------|--------|-----------|
| 03000 | DIVISION 3 - CONCRETE |    |       |          |  |  |        |        |           |
|       | BLDG                  |    |       |          |  |  |        |        |           |
|       | Site Concrete         | LS | 0.00  | 1.00     |  |  | 0      | 0      | Inc.      |
|       | Sitting Wall          | LF | 55.00 | 120.00   |  |  | 6,600  | 6,600  | Allowance |
|       | Flatwork              | SF | 10.00 | 4,329.00 |  |  | 43,290 | 43,290 | Allowance |
|       | TOTAL - DIVISION 3    |    |       |          |  |  |        |        | 49,890    |

|                                |    |        |        |  |  |       |       |  |         |
|--------------------------------|----|--------|--------|--|--|-------|-------|--|---------|
| DIVISION 16 - ELECTRICAL       |    |        |        |  |  |       |       |  |         |
| Electrical - Site Work         | LS | 0      | 1.00   |  |  | 0     | 0     |  |         |
| Electrical System - Fire Alarm | LS | 5,000  | 1.00   |  |  | 5,000 | 5,000 |  |         |
| TOTAL - DIVISION 16            |    |        |        |  |  |       |       |  | 5,000   |
| TOTAL COSTS                    |    | 96,769 | 59,250 |  |  |       |       |  | 224,569 |



|              |               |                    |                     |
|--------------|---------------|--------------------|---------------------|
|              |               | <b>TOTAL COSTS</b> |                     |
| OH           | 7.00%         |                    | \$224,569.25        |
|              |               |                    | \$15,719.85         |
| <b>SUB</b>   | <b>TOTAL</b>  |                    | <b>\$240,289.10</b> |
| Fee          | 3.00%         |                    | \$7,208.67          |
| <b>SUB</b>   | <b>TOTAL</b>  |                    | <b>\$247,497.77</b> |
| Contingency  | 1.0%          |                    | \$2,474.98          |
| <b>TOTAL</b> | <b>BUDGET</b> |                    | <b>\$249,972.75</b> |

|       |                       |    |       |          |  |  |        |        |           |
|-------|-----------------------|----|-------|----------|--|--|--------|--------|-----------|
| 03000 | DIVISION 3 - CONCRETE |    |       |          |  |  |        |        |           |
|       | BLDG                  |    |       |          |  |  |        |        |           |
|       | Site Concrete         | LS | 0.00  | 1.00     |  |  | 0      | 0      | Inc.      |
|       | Sitting Wall          | LF | 55.00 | 120.00   |  |  | 6,600  | 6,600  | Allowance |
|       | Flatwork              | SF | 10.00 | 4,329.00 |  |  | 43,290 | 43,290 | Allowance |
|       | TOTAL - DIVISION 3    |    |       |          |  |  |        |        | 49,890    |

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|             |        |             |              |
|-------------|--------|-------------|--------------|
|             |        | TOTAL COSTS |              |
| OH          | 7.00%  |             | \$107,131.54 |
|             |        |             | \$7,499.21   |
| SUB         | TOTAL  |             | \$114,630.75 |
| Fee         | 3.00%  |             | \$3,438.92   |
| SUB         | TOTAL  |             | \$118,069.67 |
| Contingency | 1.0%   |             | \$1,180.70   |
| TOTAL       | BUDGET |             | \$119,250.37 |

March 4, 2016

Jason Stanley  
Sunrise Grading & Paving  
588 Lott Dr.  
Brentwood, CA 94513

**RE: Request for Relief for Bid No. 16-02 - ADA Parking/Walkway Improvements and Plaza Court Yard Project at North Davis Elementary School**

Dear Mr. Stanley:

The Davis Joint Unified School District ("District") is in receipt of your letter dated February 29, 2016, wherein you provided additional supporting documents to indicate that an error was made in preparation of your submitted bid proposal for the above subject project. We have made an extensive evaluation the submitted documents in accordance with Public Contract Code 5103(d). After consulting with our legal counsel, the District has determined that we can honor your request to withdraw your bid proposal and will not seek any recourse against your bid bond submitted with your proposal.

We recommend that greater care be exercised by your firm in any future bid proposals relating to any of our District's requests for proposals. Please contact us if you have any questions regarding this matter.

Sincerely,



George Parker  
Davis Joint Unified School District  
Director of Facilities, Maintenance & Operations

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