

**EXHIBIT B: BID**

Date: 05/19/2022

The undersigned, as bidder, acknowledges that they have received and examined the Contract Documents, Plans, and Specifications for the:

**CITY OF SAN LUIS FIRE STATION #2**

By submission of this bid we certify this bid has been arrived at independently, without consultation, communication or agreement as to any matter related to this bid with any other bidder for this contract.

Attached is a Bid Guaranty Bond completed by a surety authorized to carry on a business in the State of Arizona, or a cashier's check, in the amount of at least ten (10%) percent of the total amount of this bid. If our bid is accepted, we agree to sign the Contract and to furnish the Performance Bond and Payment Bond and evidence of insurance within ten (10) days after receiving written Notice of Award.

We agree to commence work within ten (10) days of the date of the Notice to Proceed and to fully complete the contract within three hundred and sixty-five (365) calendar days after Notice to Proceed.

We acknowledge we have received the following addenda:

<u>1</u>	<u>4/5/22</u>	<u>2</u>	<u>5/12/22</u>
Addendum No.	Date	Addendum No.	Date

<u>RFI 001 - 013</u>			
Addendum No.	Date	Addendum No.	Date

	<u>Clint Harrington</u>	<u>President</u>
Contractor's Signature	(Print Name)	Title

Pilkington Contracting Co., Inc. dba Pilkington Construction Co.  
 Company Name

2975 South Avenue B, Yuma, AZ 85364  
 Address

<u>928-317-0345</u>	<u>clint@pilkingtonconst.com</u>
Telephone	Email

324433 (KB-1) / 324431 (A-17) / 332508 (CR-11)  
 Arizona Contractor's License #

**INVITATION FOR BIDS NO: BAN-2022-01**

City of San Luis Fire Station #2

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**TOTAL BID PRICE** BASE BID

\$ 1,321,111

(In Numbers)

One Million Three Hundred Twenty-One Thousand One Hundred Eleven

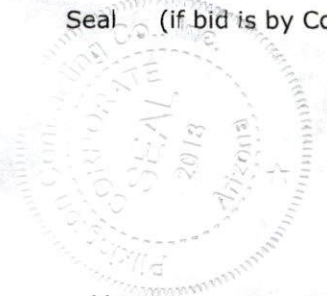
Dollars

(In Words)

and Zero

Cents

Seal (if bid is by Corporation)



Respectfully Submitted:

Bidder: Pilkington Contracting Co., Inc.  
dba Pilkington Construction Co.

Signature: \_\_\_\_\_

Title: President

License

No. 324433 (KB-1) / 324431 (A-17) / 332508 (CR-11)

Address: 2975 South Avenue B

Date: May 19, 2022

Yuma, AZ 85364

BID FORM

**OWNER:**                    **CITY OF SAN LUIS**  
1090 E. Union Street  
San Luis, Arizona 853649

**BID FOR:**                    **CITY OF SAN LUIS FIRE STATION #2**

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1. We, the undersigned, having familiarized ourselves with the local conditions, the project site, Instructions to Bidders, Form of Bid, the Plans and Specifications, and Addenda issues by the Architect, do hereby propose to furnish all labor, materials, necessary tools, expendable equipment, utility and transportation services necessary to complete the Work in strict accordance with the Contract Documents, including all Addenda.
2. Undersigned understands that Owner reserves the right to reject any or all bids, to waive any informality in receipt of this Bid, and to award Contract on the basis stated in the instructions to Bidders.
3. Undersigned declares that cost of Performance Bond in full amount of Contract, and Labor and Materials Payment Bond in full amount of Contract, is included in this Bid as an Additive Alternate price.
4. Undersigned agrees to enter into, prepare and execute a Contract, if awarded on the basis of this Bid, within ten (10) days after date of such notice, and to furnish Bonds and Insurance Certificates in accordance with Contract Documents.
5. This Bid is valid for 30 calendar days following the date for receiving Bids
6. Undersigned acknowledges receipt of the following Addenda:  
  
Addendum No.   1   through Addendum No.   2   and RFI's 001 thru 013
7. Time is of the essence of this Contract. Contractor's representations as to completion on time are principal and material inducements to Owner in entering into said contracts. The undersigned agrees to start the Work within 10 days after the Notice to Proceed.

It is understood that a detailed schedule shall be coordinated with Owner personnel prior to issuance of the Notice to Proceed. This schedule shall govern the project.

8. Undersigned proposes to enter into Contract for the following amounts:

**BASE BID:**

The undersigned agrees to provide all labor, materials, equipment and services necessary to complete the above referenced project, as indicated on the Drawings and as specified herein, for the lump sum price of

One Million Three Hundred Twenty One Thousand One Hundred Eleven Dollars  
( \$ 1,321,111 ).

The said amount constituting the Total Base Bid.

The undersigned agrees to provide all labor, materials, equipment and services necessary to complete the Alternative Bid Items, as indicated on the Drawings and as specified herein, for the lump sum price of:

**ADDITIVE BID ALTERNATE 'A' – Bonds:**

Performance Bond:


Five Thousand Five Hundred Dollars  
( \$ 5,500.00 ).

Payment Bond:

Five Thousand Five Hundred  
( \$ 5,500.00 ).

DEDUCTIVE BID ALTERNATE 'B': - All labor, materials, equipment to provide and install the Electric Drinking Fountain as noted on plans.

Two Thousand Three Hundred Ninety Five Dollars  
( \$ 2,395 ).

Pilkington Contracting Co., Inc.		Date	<u>5/19/2022</u>
Contractor	<u>dba Pilkington Construction Co.</u>		
By	 <u>Clint Harrington</u>	Title	<u>President</u>
License No.	<u>324433 KB-1, 324431 A-17, 332508 CR-11</u>	Address	<u>2975 S. Avenue B Yuma, AZ 85364</u>
Telephone	<u>928-317-0345</u>	Surety	<u>Western Surety</u>

END OF BID FORM

**EXHIBIT C: SURETY (BID) BOND**

(Penalty of this bond must not be less than 10% of the bid amount)

Pilkington Contracting Co., Inc. dba

**KNOW ALL MEN BY THESE PRESENTS**, that we, the undersigned Pilkington Construction Co.

as Principal, hereinafter called the Principal, and Western Surety Company,

a corporation duly organized under the laws of the State of South Dakota,

as Surety, hereinafter called the Surety, holding a certificate of authority to transact surety business in this State issued by the Director of the Department of Insurance, are held and firmly bound unto City of San Luis as Obligee, hereinafter called the Obligee, in the sum of ten percent (10%) of the amount bid, submitted by Principal to City of San Luis for the work described below, for the payment of which sum well and truly to be made, the said Principal and the said Surety bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

**WHEREAS**, the Principal is herewith submitting its bid for:

APN

**CONTRACT NO. 227-15-027 City of San Luis Fire Station #2**

**NOW THEREFORE**, if the Obligee, acting by and through its Public Works Director, accepts the bid of the Principal and the Principal shall enter into contract with the Obligee in accordance with the terms of such bid, and give such bonds and certificates of insurance as may be specified in the contract documents with good and sufficient surety for the faithful performance of such contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter into such contract and give such bonds and certificates of insurance, if the Principal shall pay to the Obligee the difference not to exceed the penalty of the bond between the amount specified in the bid and such larger amount for which the Obligee may in good faith contract with another party to perform the work covered by the bid then this obligation is void. Otherwise, it remains in full force and effect provided, however, that this bond is executed pursuant to the provisions of ARS 34-201, and all liabilities on this bond shall be determined in accordance with the provisions of the section to the extent as if it were copied at length herein.

**IN WITNESS WHEREOF**, we hereunto set our hands and seals: May 11, 2022

Pilkington Contracting Co., Inc. dba Pilkington Construction Co.      Western Surety Company

Principal

Surety

By *[Signature]*

By *[Signature]*

*Clint Flayrington*

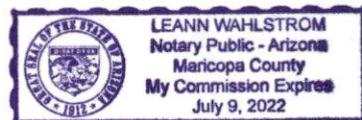
Cliff Spickler, Attorney-in-Fact  
Subscribed and sworn to before me  
this 11th day of May, 2022.

Title President

My commission expires: 7/9/2022

Notary Public

*Leann Wahlstrom*



# Western Surety Company

## POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

**Michael D Specht, Deborah K Anderson, Lori L Dawson-Brown, Cliff Spickler, Wendy Capirci, Blake C Johnson, Individually**

of Phoenix, AZ, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

**- In Unlimited Amounts -**

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 15th day of October, 2020.

WESTERN SURETY COMPANY

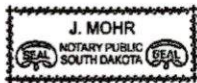


Paul T. Bruflat  
Paul T. Bruflat, Vice President

State of South Dakota }  
County of Minnehaha } ss

On this 15th day of October, 2020, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires  
June 23, 2021



J. Mohr  
J. Mohr, Notary Public

### CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 11th day of May, 2022

WESTERN SURETY COMPANY



L. Nelson  
L. Nelson, Assistant Secretary

**Authorizing By-Law**

**ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY**

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.



**EXHIBIT D: QUALIFICATION AND CERTIFICATION FORM**

**Purpose**

This exhibit shall serve as a requirement to enable the evaluation team to assess the qualifications of Contractors under consideration for final award.

The information may be a determining factor in award.

The applicant submitting this Bid warrants the following:

1. Name, Address, and Telephone Number of Principal Contractor:  
Clint Harrington  
3111 S. Horseshoe Bend Ave. Yuma, AZ 85364  
928-503-1519
  
2. Has Contractor (under its present or any previous name) ever failed to complete a contract?  
           Yes   X   No. If “Yes”, give details, including the date, the contracting agency, and the reasons Contractor failed to perform, in the narrative part of this Contract.
  
3. Has Contractor (under its present or any previous name) ever been disbarred or prohibited from competing for a contract?            Yes   X   No. If “Yes”, give details, including the date, the contracting agency, the reasons for the Contractors disqualification, and whether this disqualification remains in effect, in the narrative part of this Contract.
  
4. Has a contracting agency ever terminated a contract for cause with Contractor (under your firm’s present or any previous name)?            Yes   X   No. If “Yes”, give details including the date, the contracting agency, and the reasons Contractor was terminated, in the narrative part of this Contract.
  
5. Contractor must also provide at least the following information:
  - a. A brief history of the Contractors Firm.
  - b. A list of previous and current customers, which are considered identical or similar to the Scope of Work described herein; shall be submitted on the Reference List, attached hereon and made a full part of this contract by this reference.
  - c. List of any subcontractors (if applicable) to be used in performing the service must accompany the Bid. The subcontractors Arizona ROC License number, contact name, and phone # must be included.
  - d. List the specific qualifications the Contractor has in supplying the specified services.
  - e. City of San Luis reserves the right to request additional information.

**EXHIBIT E: CONTRACTOR REFERENCE LIST**

These references are required to enable the evaluation team to assess the qualifications of the Contractor under consideration for final award. The information may be a determining factor in award.

**References**

Please list a minimum of four (4) references for projects of similar size and scope as this Invitation for Bid during the past twelve (12) months, in, or as close to the City of San Luis as possible.

1. **Company:** CDB Valley View Apartments, LP  
Contact: Gary Black, Deputy Director  
Phone: 928-315-5543  
Address: 963 E. B St., San Luis, AZ 853649
  
2. **Company:** Somerton School District #11  
Contact: Laura Noel, Ed. D - Superintendent  
Phone: 928-341-6000  
Address: 429 N. Carlisle Avenue, Somerton, AZ 85350
  
3. **Company:** Regional Center for Border Health  
Contact: Amanda Aguirre, M.A., R.D. - President & CEO  
Phone: 928-315-7910  
Address: 950 E. Main St., Bldg. A, Somerton, AZ 85350
  
4. **Company:** Arizona Western College  
Contact: Steve Eckert, Director of AWC Facilities Management  
Phone: 928-580-0446  
Address: 2020 S. Ave 8E, Yuma, AZ 85365

Pilkington Contracting Co., Inc.  
dba Pilkington Construction Co.

**Name of Business**

  
**Signature of Authorized Representative**

**EXHIBIT F: AFFIDAVIT BY CONTRACTOR CERTIFYING THAT THERE WAS NO COLLUSION IN BIDDING FOR CONTRACT**

STATE OF ARIZONA            )  
  )§  
COUNTY OF YUMA            )

Clint Harrington

(Name of Individual)

being first duly sworn, deposes and says:

That he/she is President  
(Title)

of Pilkington Contracting Co., Inc. dba Pilkington Construction Co. and  
(Name of Business)

That he/she is bidding on the **City of San Luis Fire Station #2**  
and,

That neither he/she nor anyone associated with the \_\_\_\_\_

Pilkington Contracting Co., Inc. dba Pilkington Construction Co.  
(Name of Business)

has directly or indirectly entered into any agreement, participated in any collusion or otherwise taken any action in restraint of free competitive bidding in connection with the above-mentioned project.

Pilkington Contracting Co., Inc.  
dba Pilkington Construction Co.  
(Name of Business)

Clint Harrington  
(By)

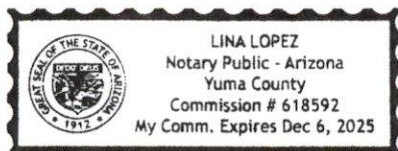
President  
(Title)

Subscribed and sworn to before me this 19<sup>th</sup> day of May, 2022

My Commission expires: Dec. 06, 2025

Notary Public Lina Lopez

County: Yuma  
STATE: ARIZONA



**EXHIBIT G: SUBCONTRACTORS AND MATERIAL SUPPLIERS LIST**

The successful bidder shall list below the names of all qualified subcontractors or material suppliers he will employ for the various portions of the work indicated. This list shall be provided at the pre-construction meeting.

SPECIALTY	SUBCONTRACTOR/MATERIAL SUPPLIER	LICENSE #
Concrete	Steve Evans Concrete	313788 CR-9
Structural Steel	Southwestern Steel	073127 A-11
Rough Carpentry	Pro Builders	326913 KB-2
Insulation/Roofing	Lines & Lundgreen	069354 CR-42
Flooring	Yuma Carpets	217708 CR-48
Fire Sprinklers	Precision Fire	275029 CR-16 302282 CR-67
Plumbing	PHD	265203 CR-77
HVAC	Polar Cooling	262295 C-39
Electrical	Somerton Electric	316206 CR-11
Utilities	Legacy Excavating	315357 CR-80

**EXHIBIT H: SUBCONTRACTOR CERTIFICATION**  
**INTENTIONS CONCERNING SUBCONTRACTORS**

At the time of the submission of bids on: **City of San Luis Fire Station #2**

my intention concerning subcontracting a portion of the work is as indicated below.

In indicating that it is my intention to subcontract a portion of the work, this will acknowledge that such subcontractors will be identified and approved by the City prior to award of this contract; and that documentation, such as copies of letters, request for quotations, quotations, etc., substantiating the actions taken and the responses to such actions is on file and available for review.

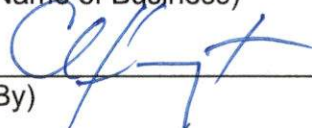
A list of any subcontractors to be used in performing the service must accompany the Bid. The list must include the subcontractors name, address, and phone number.

  X   It is my intention to subcontract a portion of the work.

           It is not my intention to subcontract a portion of the work.

Pilkington Contracting Co., Inc.  
dba Pilkington Construction Co.

(Name of Business)



(By)

President

(Title)

May 19, 2022

(Date)

**EXHIBIT L: CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND  
OTHER RESPONSIBILITY MATTERS**

The bidder certifies to the best of its knowledge and belief that it and its principals:

- A. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- B. Have not within a three year period preceding this bid been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- C. Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local with commission of any of the offenses enumerated in paragraph (B) of this certification; and
- D. Have not within a three-year period preceding this application/bid had one or more public transactions (Federal, State, or local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this bid or termination of the award. In addition, under 18 USC Sec. 1001, a false statement may result in a fine of up to \$10,000 or imprisonment for up to 5 years, or both.

Clint Harrington, President

\_\_\_\_\_  
Typed Name and Title of Authorized Representative

  
\_\_\_\_\_  
Signature of Authorized Representative

\_\_\_\_\_ I am unable to certify the above statements. My explanation is attached.

**EXHIBIT M: NOTICE OF AWARD**

**City of San Luis**

Project No: \_\_\_\_\_ **CITY OF SAN LUIS FIRE STATION #2**

To: Pilkington Contracting Co., Inc.  
dba Pilkington Construction Co.

2975 S. Avenue B

Yuma, AZ 85364

The bid submitted by you on \_\_\_\_\_, 2022 for the above referenced work has been reviewed and evaluated by the City and its Engineer. You are hereby notified you bid has been accepted in the amount of \$\_\_\_\_\_.

You are required by the Instructions to Bidders to execute the Contract and furnish the required Performance Bond and Payment Bond within ten (10) calendar days of receipt of this Notice.

If you fail to execute the Contract and/or to furnish the required bonds within ten (10) days of receipt of this Notice, the City will be entitled to consider your bid abandoned and as a forfeiture of your Bid Bond. The City will be entitled to such other rights as may be granted by law.

You are required to return a signed copy of this Notice of Award to the City.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

CITY OF SAN LUIS:

\_\_\_\_\_  
Gerardo Sanchez, Mayor, City of San Luis

CONTRACTOR:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date