

BID FORMS

BID ACKNOWLEDGEMENT

NAME OF BIDDER: HPS Mechanical, Inc.

The undersigned hereby declare that we have carefully examined the location of the proposed Work, and have read and examined the Contract, including all plans, specifications, and all addenda, if any, for the following Project:

MO2025-0006 District Office Gas Utility Upgrade

To the Newport-Mesa Unified School District, with its principal place of business at 2985 Bear Street, Costa Mesa, California 92626:

In response to the Notice Inviting Bids dated April 1, 2025 and in accordance with the accompanying Instructions to Bidders, the undersigned hereby proposes to the District to furnish all labor, technical and professional services, supervision, materials and equipment, other than materials and equipment specified as furnished by the District, and to perform all operations necessary and required to construct the Project in accordance with the provisions of the Contract Documents, including all plans, specifications, and all addenda, and at the prices stated opposite the respective items set forth in the Bid Schedule.

This Bid constitutes a firm offer to the District which cannot be withdrawn for 90 days after the date set for opening of Bids, or until a Contract is executed by the District and a third party, whichever is earlier.

The undersigned certifies that it has examined and is fully familiar with all of the provisions of the Contract Documents and any addenda thereto; that it has carefully checked all of figures shown in its Bid Schedule; that it has carefully reviewed the accuracy of all statements in this Bid and attachments hereto; and that it understands and agrees that the District will not be responsible for any errors or omissions on the part of the undersigned in preparing this Bid.

If awarded a Contract, the undersigned agrees to execute and deliver to the District within ten (10) calendar days after date of receipt of Notice of Award, a signed Contract and the necessary Performance Bond, Payment Bond, and Certificates of Insurance and Endorsements.

The following Bid Forms, which have been completed and executed by the undersigned Bidder, are incorporated by this reference and made a part of this Bid:

1. Completed Bid Schedule form.
2. Bid Guarantee in the amount of not less than 10% of the Total Bid Price.
3. Completed Designation of Subcontractors form.
4. Completed Bidder Information and Experience form.
5. Fully executed Noncollusion Declaration form.

6. Completed Public Works Contractor DIR Registration Certification form.

Bidder certifies that it is now licensed in accordance with the provisions of the Contractor's License Law of the State of California:

License number 793014

Expiration date March 31, 2027

License classification A, B, C2, C4, C10, C16, C20, C34, C36, C42, C43, C46

If the Bidder is a joint venture, each member of the joint venture must include the above information.

The undersigned acknowledges receipt, understanding, and full consideration of the following addenda to the Contract Documents:

Addenda No. _____

[SIGNATURES NEXT PAGE]

I hereby certify under penalty of perjury under the laws of the State of California that all of the information submitted in connection with this Bid and all of the representations made herein are true and correct.

BIDDER:

HPS Mechanical, Inc.
(Company Name)

Bidder's Business Address:

3100 E Belle Terrace
Bakersfield, CA 93307

By 
(Signature)

Scott DenHerder
(Type or print name)

President
(Title)

Bakersfield, CA - CA 23rd Congressional District
(Where signed) (District, State)

Dated: April 11, 20 25
State of Incorporation: California

(corporate seal)



(If the Contractor is a corporation, two signatures of corporate officers are required.)

Names and addresses of all partners or joint venturers:

N/A

Statement of the authority of signatory to bind Bidder:

PLEASE SEE ATTACHED CORPORATE RESOLUTION

CORPORATE RESOLUTION

RESOLVED that

Scott DenHerder, President

Stephanie DenHerder, Secretary/Treasurer

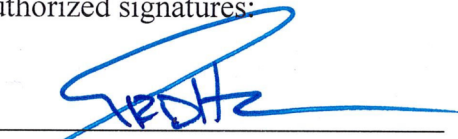
Leslie E. DenHerder, Director

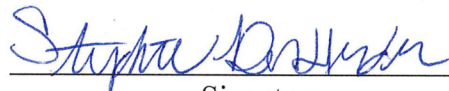
Jamie Ramos, Chief Administrative Officer

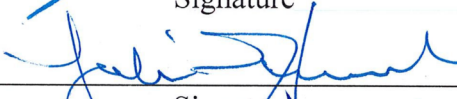
Gabriel Hernandez, Director of New Construction

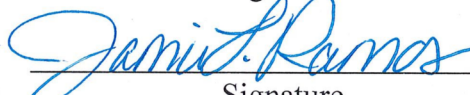
whose signatures appear below, or any of them, are hereby authorized, directed and empowered for and on behalf of this corporation and in its name with respect to any construction project or construction contract including, without limitations: Signing and submission of bid and related documents; signing of contract and related documents, whether resulting from bid, negotiations, or otherwise; signing of any other documents in connection with negotiating, bidding, entering into, or performing the project or contract; and applying for or signing any bonds in connection with the project or contract, or to sign any Labor Compliance Documents.

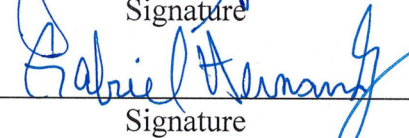
Authorized signatures:


Signature


Signature


Signature


Signature

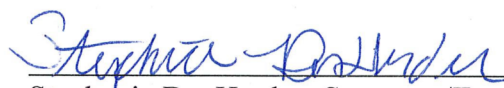

Signature

I, Stephanie DenHerder, Secretary/Treasurer of HPS Mechanical, Inc., a corporation, do hereby certify that the resolution appearing above is a full, true and correct copy of a resolution of the Board of Directors of said corporation which was duly and regularly called and held in all respects as required by law and by the bylaws of said corporation on the 31st day of December of 2024, and that the signatures appearing on the above-mentioned copy of said resolutions are the genuine signatures of the persons mentioned in said resolution and authorized to act on behalf of said corporation as set forth in said resolution.

I further certify that said resolution has not been amended or revoked and is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand as such Secretary/Treasurer this 31st day of December, 2024




Stephanie DenHerder- Secretary/Treasurer

BID SCHEDULE

TOTAL BID PRICE + \$18,000.00 ALLOWANCE	
\$ 172,443.00	
Total Bid in Numbers	

The costs for any work shown or required in the Contract Documents, but not specifically identified as a bid line item are to be included in the related bid line items and no additional compensation shall be due to Contractor for the performance of the work.

All blank spaces appearing above must be filled in. Failure to fill in any blank spaces may render the Bid non-responsive. In case of discrepancy between the Unit Price and Item Cost set forth for a unit basis item, the Unit Price shall prevail and be utilized as the basis for determining the lowest responsive, responsible Bidder. However, if the amount set forth as a Unit Price is ambiguous, unintelligible or uncertain for any cause, or is omitted, or is the same amount as the entry in the Item Cost column, then the amount set forth in the Item Cost column for the item shall prevail and shall be divided by the estimated quantity for the item and the price thus obtained shall be the Unit Price.

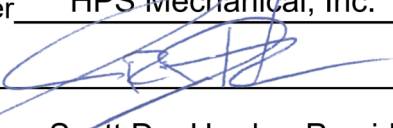
For purposes of evaluating Bids, the District will correct any apparent errors in the extension of unit prices and any apparent errors in the addition of lump sum and extended prices.

The estimated quantities for Unit Price items are for purposes of comparing Bids only and the District makes no representation that the actual quantities of work performed will not vary from the estimates. Final payment shall be determined by the District from measured quantities of work performed based upon the Unit Price.

The undersigned agrees that this Bid Schedule constitutes a firm offer to the District which cannot be withdrawn for the number of calendar days indicated in the Notice Inviting Bids from and after the bid opening, or until a Contract for the work is fully executed by the District and a third party, whichever is earlier.

If the Contract Documents specify alternate bid items, the District can choose to include any, all, or none of the alternate bid items in the Work. If the District selects any of the alternate bid items, the corresponding alternate bid prices shall be added to or deducted from Base Bid Price for the work. The District can award/select alternate bid items at any time(s).

Name of Bidder HPS Mechanical, Inc.

Signature 

Name and Title Scott DenHerder, President

Dated April 11, 2025

BID GUARANTEE

BID BOND

[Note: Not required when other form of Bidder's Security, e.g., cash, certified check, or cashier's check, accompanies Bid.]

The makers of this bond are, _____, as Principal, and _____, as Surety and are held and firmly bound unto the Newport-Mesa Unified School District, hereinafter called the District, in the penal sum of TEN PERCENT (10%) OF THE TOTAL BID PRICE of the Principal submitted to District for the work described below, for the payment of which sum in lawful money of the United States, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH that whereas the Principal has submitted the accompanying bid dated _____, 20____, for MO2025-0006 District Office Gas Utility Upgrade.

If the Principal does not withdraw its Bid within the time specified in the Contract; and if the Principal is awarded the Contract and provides all documents to the District as required by the Contract; then this obligation shall be null and void. Otherwise, this bond will remain in full force and effect.

Surety, for value received, hereby stipulates, and agrees that no change, extension of time, alteration, or addition to the terms of the Contract shall affect its obligation under this bond, and Surety does hereby waive notice of any such changes.

In the event a lawsuit is brought upon this bond by the District and judgment is recovered, the Surety shall pay all litigation expenses incurred by the District in such suit, including reasonable attorneys' fees, court costs, expert witness fees and expenses.

IN WITNESS WHEREOF, the above-bound parties have executed this instrument under their several seals this _____ day of _____, 20____, the name and corporate seal of each corporation.

(Corporate Seal)

Contractor/ Principal

By _____

Title _____

(Corporate Seal)

Surety

By _____
Attorney-in-Fact

(Attach Attorney-in-Fact Certificate)

Title _____

Notary 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 _____

On _____, 20____, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory

Name(s) of Signer(s)

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 Public

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.

CAPADISTRICT CLAIMED BY SIGNER

DESCRIPTION OF ATTACHED DOCUMENT

- .. Individual
- .. Corporate Officer

Title(s)

- .. Partner(s) .. Limited
- .. General

- .. Attorney-In-Fact
- .. Trustee(s)
- .. Guardian/Conservator
- .. Other:

Signer is representing:
Name Of Person(s) Or Entity(ies)

Title or Type of Document

Number of Pages

Date of Document

Signer(s) Other Than Named Above

NOTE: This acknowledgment is to be completed for Contractor/Principal.

Notary 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 _____

On _____, 20____, before me, _____, 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 of Notary Public

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.. General

- .. Attorney-In-Fact
- .. Trustee(s)
- .. Guardian/Conservator
- .. Other:

Signer is representing:
Name Of Person(s) Or Entity(ies)

Title or Type of Document

Number of Pages

Date of Document

Signer(s) Other Than Named Above

NOTE: This acknowledgment is to be completed for the Attorney-in-Fact. The Power-of-Attorney to local representatives of the bonding company must also be attached.

END OF BID BOND

DESIGNATION OF SUBCONTRACTORS

The subcontractor listed below will perform work or labor or render service to the successful Bidder in or about the construction of the work or improvement, or are subcontractors licensed by the State of California who will, under subcontract to the successful Bidder, specially fabricate and install a portion of the work or improvement according to detailed drawings contained in the Contract Documents, in an amount in excess of one-half of one percent (1/2 of 1%) of the Bidder's total bid. Notwithstanding the foregoing, if the work involves the construction of streets and highways, then the Bidder shall list each subcontractor who will perform work or labor or render service to the Bidder in or about the work in an amount in excess of one-half of one percent (0.5%) of the Bidder's Total Bid Price or \$10,000, whichever is greater. No additional time shall be granted to provide the below requested information.

In compliance with the Subletting and Subcontracting Fair Practices Act Chapter 4 (commencing at Section 4100), Part 1, Division 2 of the California Public Contract Code, the Bidder shall set forth below:

- (a) The portion of the work to be done by the subcontractor;
- (b) The name and the location of the place of business;
- (c) The California contractor license number; and
- (d) The DIR public works contractor registration number.

If a Bidder fails to specify a subcontractor or if a Bidder specifies more than one subcontractor for the same portion of work, then the Bidder shall be deemed to have agreed that it is fully qualified to perform that portion of work and that it shall perform that portion itself.

Portion of Work to be done by Subcontractor	Name of Subcontractor	Location of Business	CSLB Contractor License No.	DIR Registration Number
Paving	Bowcon Company Inc.	Valley Center	922893	1000004992

Portion of Work to be done by Subcontractor	Name of Subcontractor	Location of Business	CSLB Contractor License No.	DIR Registration Number

BIDDER INFORMATION AND EXPERIENCE FORM

INFORMATION ABOUT BIDDER

(Indicate not applicable ("N/A") where appropriate.)

NOTE: Where Bidder is a joint venture, pages shall be duplicated and information provided for all parties to the joint venture.

- 1.0 Name of Bidder: HPS Mechanical, Inc.
- 2.0 Type, if Entity: Corporation
- 3.0 Bidder Address: 3100 E Belle Terrace, Bakersfield, CA 93307
- 661/396-2589 661/397-2121
Facsimile Number Telephone Number
alma@hpsmechanical.com
Email Address
- 4.0 How many years has Bidder's organization been in business as a Contractor?
66
- 5.0 How many years has Bidder's organization been in business under its present name? 24
- 5.1 Under what other or former names has Bidder's organization operated?
Harry's Plumbing Services #3214211959 - 1985
HPS Plumbing Services, Inc. #7519121985-2001
- 6.0 If Bidder's organization is a corporation, answer the following:
- 6.1 Date of Incorporation: 03/27/2001
- 6.2 State of Incorporation: California
- 6.3 President's Name: Scott DenHerder
- 6.4 Vice-President's Name(s): n/a
- 6.5 Secretary's Name: Stephanie DenHerder
- 6.6 Treasurer's Name: Stephanie DenHerder

7.0 If an individual or a partnership, answer the following:

7.1 Date of Organization: N/A

7.2 Name and address of all partners (state whether general or limited partnership):

8.0 If other than a corporation or partnership, describe organization and name principals:

N/A

9.0 List other states in which Bidder's organization is legally qualified to do business.

Nevada

10.0 What type of work does the Bidder normally perform with its own forces?

Plumbing and Site Utilities

11.0 Has Bidder ever failed to complete any work awarded to it? If so, note when, where, and why:

No.

12.0 Within the last five years, has any officer or partner of Bidder's organization ever been an officer or partner of another organization when it failed to complete a contract? If so, attach a separate sheet of explanation:

No.

13.0 List Trade References:

Ferguson Enterprise	Pace Supply
6300 District Blvd	PO Box 6407
Bakersfield, CA 93313	Rohnert Park, CA
(661) 396-3200	(661) 381-2700
Raul Felix, raul.felix@ferguson.com	"Ron Smith, rsmith@pacesupply.com"

14.0 List Bank References (Bank and Branch Address):

Mission Bank	Cheri Huebner
1330 Truxtun Ave.	VP/Treasury
Bakersfield, CA 93301	Management Officer
(661) 401-2082	huebnerc@missionbank.com

15.0 Name of Bonding Company and Name and Address of Agent:

Zurich North American Surety c/o Clifford and Bradford Insurance Agency
1800 19th Street, Bakersfield, CA 93301
Jo Griffith 661-283-8100
jogrif@cliffordandbradford.com

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LIST OF CURRENT PROJECTS (BACKLOG)

[**Duplicate Page if needed for listing additional current projects. **]

Project	Client Reference (agency name/contact info)	Description of Bidder's Work	Completion Date	Cost of Bidder's Work
PLEASE SEE	ATTACHED.			

LIST OF COMPLETED PROJECTS – LAST THREE YEARS

[**Duplicate Page if needed for listing additional completed projects. **]

Please include only those projects which are similar enough to demonstrate Bidder's ability to perform the required Work.

Project	Client Reference (agency name/contact info)	Description of Bidder's Work	Completion Date	Cost of Bidder's Work
PLEASE SEE ATTACHED				

EXPERIENCE AND TECHNICAL QUALIFICATIONS QUESTIONNAIRE

Personnel:

The Bidder shall identify the key personnel to be assigned to this project in a management, construction supervision or engineering capacity.

1. List each person's job title, name, and percent of time to be allocated to this project:

Sammy Crow, Project Manager

2. Summarize each person's specialized education:

Joe Ahrens, Project Superintendent

3. List each person's years of construction experience relevant to the project:

PLEASE SEE ATTACHED RESUME'S

4. Summarize such experience:

PLEASE SEE ATTACHED RESUME'S

Bidder agrees that personnel named in this Bid will remain on this Project until completion of all relevant Work, unless substituted by personnel of equivalent experience and qualifications approved in advance by the District.

Additional Bidder's Statements:

If the Bidder feels that there is additional information which has not been included in the questionnaire above, and which would contribute to the qualification review, it may add that information in a statement here or on an attached sheet, appropriately marked:

Samantha Crow

Project Manager

CAREER SUMMARY

Over 10 years of experience in the construction industry. Skilled in all phases of construction project management; commercial, municipal and public works.

- Responsible for negotiating, bidding and administration of contracts
- Proven ability to manage multiple large projects

RELEVANT PRIOR PROJECT EXPERIENCE

Manchester Pacific Gateway - Navy Bldg, San Diego, CA – HPS performed the plumbing work and assisted on the design build for the Navy building on the Manchester property as a subcontractor for Turner Construction.

Phase 2 of the Expansion & Renovation at the San Ysidro Land Port of Entry – HPS performed the plumbing work and assisted on the design build for the expansion and renovation project as a subcontractor to Hensel Phelps.

UCSD P703 Energy Storage Innovation Lab Expansion, San Diego, CA – The University project consisted of installation of a 2000KVA Electrical Distribution at P703 to accommodate Energy Storage Innovation Lab's growing research scope, complete with all necessary site improvements. The new distribution system, to be connected to the existing campus 12kV system. *Owner: The Regents of California, San Diego*

UCSD Pepper Canyon Amphitheater, San Diego, CA – Project was a multi-prime job, HPS performed the plumbing work. This project is composed of the Pepper Canyon Amphitheater, the surrounding public realm, Design & Innovation building landscaping, a Stuart Collection art installation consisting of the Rupertus Concordance walk and east façade enhancements for three existing Visual Art Buildings and a temporary fieldhouse replacement at Warren field. *Owner: The Regents of California, San Diego*

UCSD Cryo Electron Micro Lab Renovation, San Diego, CA – The project consists of demo of remaining finishes within the current 1,312 SF lab space on level 1 of Bonner Hall. The build out will consist of adding new wall/ceiling, flooring, ACT grid and tiles, mechanical equipment, ductwork electrical conduit and wire, and low voltage raceways. *Owner: The Regents of California, San Diego*

CERTIFICATIONS

- Essentials of PHC Project Management Course
- Project Management Boot Camp

EDUCATION

- Point Loma Nazarene University, San Diego – Master's in Educational Leadership
- San Diego State University – Bachelor's Degree in Applied Science (Liberal Studies)



Joe Ahrens

Project Superintendent

CAREER SUMMARY

Over 20 years of experience in the construction industry field, including leadership as project superintendent of large-scale institutional infrastructure and plant contracts.

PROJECT EXPERIENCE

Replacement of Grit Lines at South Bay International WWTP - Work consisted of the removal of existing underground 2-6in glass lined ductile iron pipes encased in concrete and excavation of open trench to accommodate the installation of 40" width by 16" depth precast concrete trench system with solid bottom and removable covers.

P800 Steam Distribution System Decentralization, San Diego Naval Facilities - Installed the underground heating steam, condensate return, domestic hot water and hot water return piping.

SDSU Gateway Steam and Chilled Water and Branch Replacement (Design-Build) - Replace and refurbished portions of the underground high-pressure steam distribution system. The work consisted of new steam manholes and asbestos abatement. HPS' work included the following: Chilled water booster pumps, site utilities, electrical, site paving, site fencing, underground chilled water valve replacement.

CSU San Diego State University, Steam Utility Infrastructure Repairs Phase II - Repair existing steam & condensate infrastructure including utilidor, steam manholes and other utilities including chilled water, gas, water, storm drain and electrical. HPS also removed and replaced over 20,000 SF decorative pavements at historic Hepner Hall.

CSU San Diego State University, Steam Utility Infrastructure Repairs Phase III - Repair existing steam & condensate infrastructure including utilidor, steam manholes and other utilities including 24" chilled water, gas, water, storm drain, electrical and complete AC road repairs and replacement at Aztec Circle Drive.

CERTIFICATIONS

- First Aid
- Confined Space Entry
- 24 Hour Full Protection EM 385
- Trench and Excavation Competent Person
- Trane Refrigeration System Piping
- Basic Qualified Rigging ASME & OSHA Standards
- Scissor Lift Competent Person
- OSHA 10 & 30
- Excavation Safety & Competent Person
- 2018 Harassment
- Trane Refrigeration System Piping
- Full Protection OSHA



NON-COLLUSION DECLARATION

The undersigned declares:

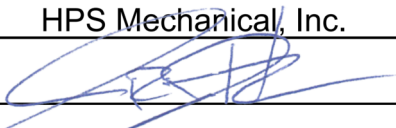
I am the President of HPS Mechanical, Inc., the party making the foregoing Bid.

The Bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation. The Bid is genuine and not collusive or sham. The Bidder has not directly or indirectly induced or solicited any other Bidder to put in a false or sham bid. The Bidder has not directly or indirectly colluded, conspired, connived, or agreed with any Bidder or anyone else to put in a sham bid, or to refrain from bidding. The Bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the Bid Price of the Bidder or any other Bidder, or to fix any overhead, profit, or cost element of the Bid Price, or of that of any other Bidder. All statements contained in the Bid are true. The Bidder has not, directly or indirectly, submitted his or her Bid Price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid, and has not paid, and will not pay, any person or entity for such purpose.

Any person executing this declaration on behalf of a Bidder that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that he or she has full power to execute, and does execute, this declaration on behalf of the Bidder.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration is executed on 04/11/2025 [date], at Bakersfield - CA 23 [District], California [state].

Name of Bidder HPS Mechanical, Inc.

Signature 

Name Scott DenHerder

Title President

PUBLIC WORKS CONTRACTOR DIR REGISTRATION CERTIFICATION

Pursuant to Labor Code sections 1725.5 and 1771.1, all contractors and subcontractors that wish to bid on, be listed in a bid proposal, or enter into a contract to perform public work must be registered with the Department of Industrial Relations. See <http://www.dir.ca.gov/PublicWorks/PublicWorks.html> for additional information.

No Bid will be accepted nor any contract entered into without proof of the contractor's and subcontractors' current registration with the Department of Industrial Relations to perform public work.

Bidder hereby certifies that it is aware of the registration requirements set forth in Labor Code sections 1725.5 and 1771.1 and is currently registered as a contractor with the Department of Industrial Relations.¹

Name of Bidder: HPS Mechanical, Inc.

DIR Registration Number: 1000001107

DIR Registration Expiration: 06/30/2026

Small Project Exemption: Yes or X No

Unless Bidder is exempt pursuant to the small project exemption, Bidder further acknowledges:

1. Bidder shall maintain a current DIR registration for the duration of the Project.
2. Bidder shall include the requirements of Labor Code sections 1725.5 and 1771.1 in its contract with subcontractors and ensure that all subcontractors are registered at the time of bid opening and maintain registration status for the duration of the Project.
3. Failure to submit this form or comply with any of the above requirements may result in a finding that the Bid is non-responsive.

Name of Bidder HPS Mechanical, Inc.

Signature 

Name and Title Scott DenHerder, President

Dated April 10, 2025

¹ If the Project is exempt from the contractor registration requirements pursuant to the small project exemption under Labor Code Sections 1725.5 and 1771.1, please mark "Yes" in response to "Small Project Exemption."

EXHIBIT “A”

SERVICES / SCHEDULE

SEE PLANETBIDS DOCUMENTS FILE

EXHIBIT "B"
PLANS AND SPECIFICATIONS
SEE PLANETBIDS DOCUMENTS FILE

EXHIBIT "C"
SPECIAL CONDITIONS

Article 1. GENERAL

This Section supplements and/or modifies certain provisions of the General Conditions and both General and Supplementary Conditions shall be deemed to be a part of every Specifications Section, as if wholly embodied and repeated in every Section. The CONTRACTOR and subcontractor shall be held to have read and thoroughly familiarized themselves with their content.

Article 2. \$18,000.00 ALLOWANCE

Provide a \$18,000.00 allowance to be used at the discretion of the DISTRICT for unforeseen conditions. All work pertaining to the allowance must be approved by the DISTRICT. If work authorized is less than the allowance, a deductive change order will be issued. Work to be directed by the DISTRICT. The allowance shall be listed as a line item on the CONTRACTOR'S schedule of values.

ASBESTOS-FREE MATERIALS CERTIFICATION

The undersigned declares that he or she is the person who executed bid MO2025-0006 District Office Gas Utility Upgrade (hereinafter referred to as the "Project"), and submitted it to the **NEWPORT-MESA UNIFIED SCHOOL DISTRICT** (hereinafter referred to as the "District") on behalf of HPS Mechanical, Inc. (hereinafter referred to as the "Contractor").

To the best of my knowledge, information and belief, in completing the Contractor's Work for the Project, no material furnished, installed or incorporated into the Project will contain, or in itself be composed of, any materials listed by the federal or state EPA or federal or state health agencies as a hazardous material.

Any disputes involving the question of whether or not material installed with asbestos-containing equipment is settled by electron microscopy; the cost of any such tests shall be paid by the Contractor.

All work or materials installed by the Contractor which is found to contain asbestos, or work or material installed with asbestos-containing equipment, will be immediately rejected and this work shall be removed and replaced by the Contractor at no additional cost to the District. Decontamination and removal of work found to contain asbestos, or work installed with asbestos-containing equipment shall be done only under supervision of a qualified consultant, knowledgeable in the field of asbestos abatement and accredited by the Environmental Protection Agency.

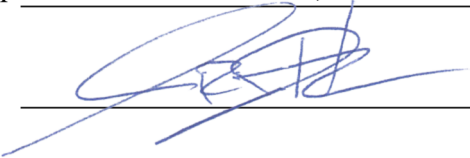
The ASBESTOS REMOVAL CONTRACTOR shall be an EPA accredited contractor qualified in the removal of asbestos and shall be chosen and approved by the Asbestos Consultant who shall have sole discretion and final determination in this matter.

The asbestos consultant shall be chosen and approved by the Architect or the District who shall have sole discretion and final determination in this matter. The work will be not accepted until asbestos contamination is reduced to levels deemed acceptable by the Asbestos Consultant.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on this 11th day of April, 2025 at Bakersfield, CA.

Name of Bidder HPS Mechanical, Inc.

Signature 

Name and Title Scott DenHerder, President

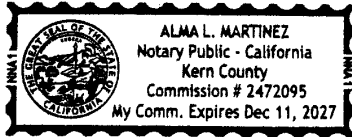
Dated 04/11/2025

Notary 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 Kern

On April 11, 2025, before me, Alma L. Martinez, Notary Public, personally appeared Scott DenHerder, 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.



Signature of Notary Public

WITNESS my hand and official seal.

A handwritten signature in blue ink, appearing to be 'Alma L. Martinez', written over a horizontal line.

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.

CAPACITY CLAIMED BY SIGNER

DESCRIPTION OF ATTACHED DOCUMENT

- ☐ Individual
☐ Corporate Officer

Title(s)

- ☐ Partner(s) ☐ Limited
☐ General

- ☐ Attorney-In-Fact
☐ Trustee(s)
☐ Guardian/Conservator
☐ Other:

Signer is representing:
Name Of Person(s) Or Entity(ies)

Title or Type of Document

Number of Pages

Date of Document

Signer(s) Other Than Named Above

RECYCLED CONTENT CERTIFICATION

The undersigned declares that he or she is the person who executed bid MO2025-0006 District Office Gas Utility Upgrade (hereinafter referred to as the "Project"), and submitted it to the **NEWPORT-MESA UNIFIED SCHOOL DISTRICT** (hereinafter referred to as the "District") on behalf of hereinafter referred to as the "Contractor").

Pursuant to Public Contract Code Section 10308.5, all contractors are required to certify in writing under penalty of perjury the minimum (if not exact) percentage of recycled content in materials, goods, or supplies offered or products used in the performance of their contract, regardless of whether the product meets the required recycled product percentage as defined in Sections 12161 and 12200. The recycled content shall include both post-consumer material and secondary material as defined in Public Contract Code Sections 12161 and 12200 shall apply.

I declare under penalty of perjury under the laws of the State of California that the following percentages of Post consumer Material and Secondary Material is in the materials, goods or supplies offered for, or products used in, the performance of the Contract for the Project:

14 % Post consumer Material % Secondary Material.

Executed on this 11th day of April, 20²⁵ at Bakersfield, CA
_____.

Name of Bidder HPS Mechanical, Inc.

Signature 

Name and Title Scott DenHerder, President

Dated April 11, 2025

Notary Acknowledgment

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STATE OF CALIFORNIA
COUNTY OF Kern

On April 11, 2025, before me, Alma L. Martinez, Notary Public, personally appeared Scott DenHerder, who proved to me on the basis of satisfactory

evidence to be the person(x) whose name(x) 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(x), or the entity upon behalf of which the person(x) 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 Public

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.

CAPACITY CLAIMED BY SIGNER

- ☐ Individual
☐ Corporate Officer

Title(s)
☐ Partner(s) ☐ Limited
☐ General
☐ Attorney-In-Fact
☐ Trustee(s)
☐ Guardian/Conservator
☐ Other:
Signer is representing:
Name Of Person(s) Or Entity(ies)

DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document

Number of Pages

Date of Document

Signer(s) Other Than Named Above

BID GUARANTEE

BID BOND

[Note: Not required when other form of Bidder's Security, e.g., cash, certified check, or cashier's check, accompanies Bid.]

The makers of this bond are, HPS MECHANICAL, INC., as Principal, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, as Surety and are held and firmly bound unto the Newport-Mesa Unified School District, hereinafter called the District, in the penal sum of TEN PERCENT (10%) OF THE TOTAL BID PRICE of the Principal submitted to District for the work described below, for the payment of which sum in lawful money of the United States, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH that whereas the Principal has submitted the accompanying bid dated APRIL 18, 20 25, for MO2025-0006 District Office Gas Utility Upgrade.

If the Principal does not withdraw its Bid within the time specified in the Contract; and if the Principal is awarded the Contract and provides all documents to the District as required by the Contract; then this obligation shall be null and void. Otherwise, this bond will remain in full force and effect.

Surety, for value received, hereby stipulates, and agrees that no change, extension of time, alteration, or addition to the terms of the Contract shall affect its obligation under this bond, and Surety does hereby waive notice of any such changes.

In the event a lawsuit is brought upon this bond by the District and judgment is recovered, the Surety shall pay all litigation expenses incurred by the District in such suit, including reasonable attorneys' fees, court costs, expert witness fees and expenses.

IN WITNESS WHEREOF, the above-bound parties have executed this instrument under their several seals this 11TH day of APRIL, 20 25, the name and corporate seal of each corporation.

(Corporate Seal)

HPS MECHANICAL, INC.

Contractor/ Principal

By Jamie Ramos

Title JAMIE RAMOS, CHIEF ADMINISTRATIVE OFFICER

(Corporate Seal)

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

Surety

By Julie Sanders

Attorney-in-Fact

(Attach Attorney-in-Fact Certificate)

Title JULIE SANDERS, ATTORNEY-IN-FACT

CALIFORNIA ALL-PURPOSE 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.

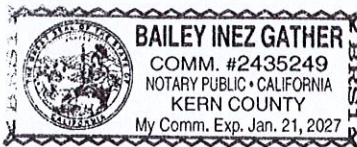
State of California

County of KERN

On 04/11/2025 before me, Bailey Inez Gather, Notary Public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Julie Sanders
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(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 the 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.

Bailey Inez Gather
Signature of Notary

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document

Title or Type of Document: Bid Bond
Document Date: 04/11/2024 Number of Pages: _____
Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

- ☐ Corporate Officer – Titles(s) _____
☐ Partner(s) ☐ Limited ☐ General
☐ Individual ☒ Attorney in Fact
☐ Trustee(s) ☐ Guardian/Conservator
☐ Other: _____

Signer is Representing: Fidelity and Deposit Company of Maryland

Name of Person(s) or Entity(ies) _____

RIGHT THUMBPRINT
OF SIGNER

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Illinois, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Illinois (herein collectively called the "Companies"), by Christopher Nolan, Vice President, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint Wes BRADFORD, Elizabeth AGUINAGA, Johannah GRIFFITH, Lorinda HOFFMANN, Julie SANDERS, Lori MCQUILLIAMS of Bakersfield, California, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said **ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND**, this 28th day of January, A.D. 2025.



ATTEST:
**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

Christopher Nolan

By: Christopher Nolan
Vice President

Dawn E. Brown

By: Dawn E. Brown
Secretary

**State of Maryland
County of Baltimore**

On this 28th day of January, A.D. 2025, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **Christopher Nolan, Vice President and Dawn E. Brown, Secretary** of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, depose and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.

Genevieve M. Maison

Genevieve M. Maison
Notary Public
My Commission Expires January 27, 2029



CALIFORNIA 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 Kern

On 04/11/2025

Date

before me,

Alma L. Martinez, Notary Public

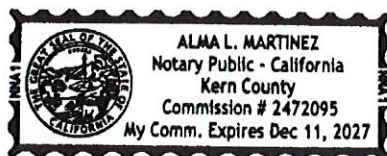
Here Insert Name and Title of the Officer

personally appeared

Jamie Ramos

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(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

[Handwritten Signature]

Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Bid Bond

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer – Title(s): _____

☐ Partner – ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer is Representing: _____

Signer's Name: _____

☐ Corporate Officer – Title(s): _____

☐ Partner – ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer is Representing: _____