



City of San Diego PURCHASE ORDER

PO No. 4500096760**Date:** 01/02/2018 **Page 1 of 5**

Ship To: P & R COMMUNITY PARKS II DIV SEE NOTES SEE NOTES SAN DIEGO CA 92101-4806		Bill To: Community Parks II 202 C Street, MS 804C San Diego CA 92101		Billing Contact: JUANITA MOILANEN Telephone: E-Mail: jmoilanen@sandiego.gov		
Vendor: Pablo Kubilis Acacia Landscape Company PO Box 4270 Chula Vista CA 91909-4270 Vendor ID: 10012311 Telephone: 619-540-6433 E-Mail: pkubilis@yahoo.com			Terms: within 30 days Due net Delivery Terms: FOB Destination Buyer: Katrina McDonald Telephone: 619 236-6038 E-Mail: KMMcDonald@sandiego.gov			
Line #	Serv #	Item ID/Description Service Description	Del.Date	Quantity/Ord UoM	Unit Price/Prc UoM Conv Factor	Extended Price
1		LINE TRIMMING AROUND GRAVES THE FOUR (4) MAN CREW, INCLUDING A WORKING SUPERVISOR, WILL TRIM THE GRASS AROUND THE GRAVES AND ASSIST MOUNT HOPE CEMETERY STAFF WITH OTHER DAILY MAINTENANCE DUTIES AS REQUIRED AND DELEGATED BY CITY OF SAN DIEGO UTILITY SUPERVISOR/AREA MANAGER. DIR Project ID: 224305 DATES: MONDAY, WEDNESDAY, FRIDAY: JULY 1, 2017 - OCTOBER 2017 TUESDAY AND THURSDAY: NOVEMBER 1, 2017 - FEBRUARY 28, 2018 MONDAY, WEDNESDAY, FRIDAY: MARCH 1, 2018 - JUNE 30, 2018 WORK HOURS: 7:30 AM – 3:30 PM EACH EMPLOYEE WILL RECEIVE 1 FIFTEEN (15) MINUTE BREAK IN THE MORNING, 1 FIFTEEN (15) MINUTE BREAK IN THE AFTERNOON AND A HALF HOUR (½) UNPAID LUNCH. ***ALL WORKERS MUST SIGN IN AND OUT IN THE MAIN OFFICE.*** SCHEDULED DAYS THAT LAND ON A HOLIDAY WILL BE PREARRANGED WITH FRANCISCO CASTRUITA, AREA MANAGER. THERE WILL BE NO MAKEUP DATES FOR INCLEMENT WEATHER. SCHEDULE WILL BE DETERMINED BY CITY STAFF BY 7:30 AM DURING INCLEMENT WEATHER. CITY HOLIDAYS TO BE OBSERVED: NEW YEAR'S DAY, MARTIN L. KING JR DAY, PRESIDENTS' DAY, CESAR CHAVEZ DAY, MEMORIAL DAY, 4TH OF JULY, LABOR DAY, VETERANS' DAY, THANKSGIVING DAY AND CHRISTMAS DAY ***NOT TO EXCEED \$95,000.00 PER FISCAL YEAR.*** DEPARTMENT CONTACT: FRANCISCO CASTRUITA (619) 527-3414 SERVICE TO BE PERFORMED AT: MOUNT HOPE CEMETERY 3751 MARKET STREET SAN DIEGO, CA 92102 PLEASE EMAIL THE INVOICES: JMOILANEN@SANDIEGO.GOV OR USPS MAIL TO: MOUNT HOPE CEMETERY 202 C STREET, MS 804C	06/30/2018	136 EA	640.00 EA	USD 87,040.00
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****		SAN DIEGO, CA 92101 • PERIOD COVERED: JULY 1, 2017 THROUGH JUNE 30, 2018 • PAY PER INVOICE. • OTHER LABOR DEEMED NECESSARY WITH PRIOR APPROVAL OF AUTHORIZED PERSONNEL OF COMMUNITY PARKS II DIVISION. • INSURANCE AND CITY OF SAN DIEGO BUSINESS TAX CERTIFICATE MUST BE CURRENT AT ALL TIMES. FOR INVOICE INFORMATION: JUANITA MOILANEN, ACCOUNTS PAYABLE PHONE: (619) 525-8239 EMAIL: JMOILANEN@SANDIEGO.GOV Item completely delivered				
2		LITTER REMOVAL THE FOUR (4) MAN CREW, INCLUDING A WORKING SUPERVISOR, WILL PROVIDE LITTER REMOVAL WHEN THEY DO THE LINE TRIMMING SERVICES. Item completely delivered	06/30/2018	4 EA	160.00 EA	USD 640.00

3		FLAG INSTALLATION AND REMOVAL THE FOUR (4) MAN CREW, INCLUDING A WORKING SUPERVISOR, WILL ASSIST MOUNT HOPE CEMETERY STAFF WITH INSTALLATION AND REMOVAL OF FLAGS ON THE FOLLOWING LEGAL HOLIDAYS: 4TH OF JULY, LABOR DAY, AND MEMORIAL DAY Item completely delivered	06/30/2018	4 EA	152.00 EA	USD 608.00

4		SUPPLIES ON AN AS NEEDED BASIS A quote must be provided to department contact before invoicing for all supplies bought and charged against this line item. WAGE REQUIREMENTS: SERVICE AND MAINTENANCE CONTRACTS EXECUTED ON OR AFTER JANUARY 1, 2015 By signing this Contract, Bidder certifies that he or she is aware of the wage provisions described herein and shall comply with such provisions before commencing services. A. PREVAILING WAGES. Pursuant to San Diego Municipal Code section 22.3019, construction, alteration, demolition, repair and maintenance work performed under this Contract is subject to State prevailing wage laws. For construction work performed under this Contract cumulatively exceeding \$25,000 and for alteration, demolition, repair and maintenance work performed under this Contract cumulatively exceeding \$15,000, Bidder and its subcontractors shall comply with State prevailing wage laws including, but not limited to, the requirements listed below. This requirement is in addition to the requirement to pay Living Wage pursuant to San Diego Municipal Code sections 22.4201 through 22.4245. Bidder must determine which per diem rate is highest for each classification of work (i.e. Prevailing Wage Rate or Living Wage Rate), and pay the highest of the two rates to their employees. Living Wage applies to workers who are not subject to Prevailing Wage Rates. 1. Compliance with Prevailing Wage Requirements. Pursuant to sections 1720 through 1861 of the California Labor Code, Bidder and its subcontractors shall ensure that all workers who perform work under this Contract are paid not less than the prevailing rate of per diem wages as determined by the Director of the California Department of Industrial Relations (DIR). This includes work performed during the design and	06/30/2018	6,687 EA	1.00 EA	USD 6,687.00
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		<p>preconstruction phases of construction including, but not limited to, inspection and land surveying work.</p> <p>1.1. Copies of such prevailing rate of per diem wages are on file at the City of San Diego's Equal Opportunity Contracting Department and are available for inspection to any interested party on request. Copies of the prevailing rate of per diem wages also may be found at http://www.dir.ca.gov/OPRL/DPreWageDetermination.htm. Bidder and its subcontractors shall post a copy of the prevailing rate of per diem wages determination at each job site and shall make them available to any interested party upon request.</p> <p>1.2. The wage rates determined by the DIR refer to expiration dates. If the published wage rate does not refer to a predetermined wage rate to be paid after the expiration date, then the published rate of wage shall be in effect for the life of this Contract. If the published wage rate refers to a predetermined wage rate to become effective upon expiration of the published wage rate and the predetermined wage rate is on file with the DIR, such predetermined wage rate shall become effective on the date following the expiration date and shall apply to this Contract in the same manner as if it had been published in said publication. If the predetermined wage rate refers to one or more additional expiration dates with additional predetermined wage rates, which expiration dates occur during the life of this Contract, each successive predetermined wage rate shall apply to this Contract on the date following the expiration date of the previous wage rate. If the last of such predetermined wage rates expires during the life of this Contract, such wage rate shall apply to the balance of the Contract.</p> <p>2. Penalties for Violations. Bidder and its subcontractors shall comply with California Labor Code section 1775 in the event a worker is paid less than the prevailing wage rate for the work or craft in which the worker is employed. This shall be in addition to any other applicable penalties allowed under Labor Code sections 1720 – 1861.</p> <p>3. Payroll Records. Bidder and its subcontractors shall comply with California Labor Code section 1776, which generally requires keeping accurate payroll records, verifying and certifying payroll records, and making them available for inspection. Bidder shall require its subcontractors to also comply with section 1776. Bidder and its subcontractors shall submit weekly certified payroll records online via the City's web-based Labor Compliance Program. Bidder is responsible for ensuring its subcontractors submit certified payroll records to the City. Bidder and its subcontractors shall also furnish the records specified in Labor Code section 1776 directly to the Labor Commissioner in the manner required in Labor Code section 1771.4.</p> <p>4. Apprentices. Bidder and its subcontractors shall comply with California Labor Code sections 1777.5, 1777.6 and 1777.7 concerning the employment and wages of apprentices. Bidder shall be held responsible for their compliance as well as the compliance of their subcontractors with sections 1777.5, 1777.6 and 1777.7.</p> <p>5. Working Hours. Bidder and its subcontractors shall comply with California Labor Code sections 1810 through 1815, including but not limited to: (i) restrict working hours on public works contracts to eight hours a day and forty hours a week, unless all hours worked in excess of 8 hours per day are compensated at not less than 1½ times the basic rate of pay; and (ii) specify penalties to be imposed on design professionals and subcontractors of \$25 per worker per day for each day the worker works more than 8 hours per day and 40 hours per week in violation of California Labor Code sections 1810 through 1815.</p> <p>6. Required Provisions for Subcontracts. Bidder shall include at a minimum a copy of the following provisions in any contract they enter into with a subcontractor: California Labor Code sections 1771, 1771.1, 1775, 1776, 1777.5, 1810, 1813, 1815, 1860 and 1861.</p> <p>7. Labor Code Section 1861 Certification. Bidder in accordance with California Labor Code section 3700 is required to secure the payment of compensation of its employees and by signing this Contract, Bidder certifies that "I am aware of the provisions of Section 3700 of the California Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such</p>				
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		<p>provisions before commencing the performance of the work of this Contract."</p> <p>8. Labor Compliance Program. The City has its own Labor Compliance Program authorized in August 2011 by the DIR. The City will withhold contract payments when payroll records are delinquent or deemed inadequate by the City or other governmental entity, or it has been established after an investigation by the City or other governmental entity that underpayment(s) have occurred. For questions or assistance, please contact the City of San Diego's Equal Opportunity Contracting Department at 619-236-6000.</p> <p>9. Contractor and Subcontractor Registration Requirements. This project is subject to compliance monitoring and enforcement by the DIR. A Bidder 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 enter into any contract for public work, as defined in this chapter of the Labor Code unless currently registered and qualified to perform the work pursuant to Section 1725.5. In accordance with Labor Code section 1771.1.(a), "[i]t 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."</p> <p>9.1. A Bidder's inadvertent error in listing a subcontractor who is not registered pursuant to Labor Code section 1725.5 in a response to a solicitation shall not be grounds for filing a bid protest or grounds for considering the bid non-responsive provided that any of the following apply: (1) the subcontractor is registered prior to bid opening; (2) within twenty-four hours after the bid opening, the subcontractor is registered and has paid the penalty registration fee specified in Labor Code section 1725.5; or (3) the subcontractor is replaced by another registered contractor pursuant to Public Contract Code section 4107.</p> <p>9.2. A Contract entered into with any Bidder or subcontractor in violation of Labor Code section 1771.1(a) shall be subject to cancellation, provided that a Contract for public work shall not be unlawful, void, or voidable solely due to the failure of the awarding body, Bidder, or any subcontractor to comply with the requirements of section 1725.5 of this section.</p> <p>9.3. By submitting a bid or proposal to the City, Bidder is certifying that he or she has verified that all subcontractors used on this public works project are registered with the DIR in compliance with Labor Code sections 1771.1 and 1725.5, and Bidder shall provide proof of registration for themselves and all listed subcontractors to the City at the time of bid or proposal due date or upon request.</p> <p>10. Stop Order. For Bidder or its subcontractor(s) engaging in the performance of any public work contract without having been registered in violation of Labor Code sections 1725.5 or 1771.1, the Labor Commissioner shall issue and serve a stop order prohibiting the use of the unregistered Bidder or unregistered subcontractor(s) on ALL public works until the unregistered Bidder or unregistered subcontractor(s) is registered. Failure to observe a stop order is a misdemeanor.</p> <p>11. List of all Subcontractors. The City may ask Bidder for the most current list of subcontractors (regardless of tier), along with their DIR registration numbers, utilized on this contract at any time during performance of this contract, and Bidder shall provide the list within ten (10) working days of the City's request. Additionally, Bidder shall provide the City with a complete list of all subcontractors utilized on this contract (regardless of tier), within ten working days of the completion of the contract, along with their DIR registration numbers. The City shall withhold final payment to Bidder until at least 30 days after this information is provided to the City.</p> <p>12. Exemptions for Small Projects. There are limited exemptions for installation, alteration, demolition, or repair work done on projects of \$25,000 or less. The Bidder shall still comply with Labor Code sections 1720 et. seq. The only recognized exemptions are listed below:</p> <p>12.1. Registration. The Bidder will not be required to register with the</p>				
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		<p>DIR for small projects. (Labor Code section 1771.1).</p> <p>12.2. Certified Payroll Records. The records required in Labor Code section 1776 shall be required to be kept and submitted to the City of San Diego, but will not be required to be submitted online with the DIR directly. The Bidder will need to keep those records for at least three years following the completion of the contract. (Labor Code section 1771.4).</p> <p>12.3. List of all Subcontractors. The Bidder shall not be required to hire only registered subcontractors and is exempt from submitting the list of all subcontractors that is required in section 11 above. (Labor Code section 1773.3).</p> <p>B. Living Wages. This Contract is subject to the City's Living Wage Ordinance (LWO), codified at SDMC sections 22.4201 through 22.4245. The LWO requires payment of minimum hourly wage rates and other benefits unless an exemption applies. SDMC section 22.4225 requires each Bidder to fill out and file a living wage certification with the City Manager within thirty (30) days of Award of the Contract. LWO wage and health benefit rates are adjusted annually in accordance with SDMC section 22.4220(b) to reflect the Consumer Price Index. Service contracts, financial assistance agreements, and City facilities agreements must include this upward adjustment of wage rates to covered employees on July 1 of each year. In addition, Bidder agrees to require all of its subcontractors, sublessees, and concessionaires subject to the LWO to comply with the LWO and all applicable regulations and rules.</p> <p>1.1. Exemption from Living Wage Ordinance. Pursuant to SDMC section 22.4215, this Contract may be exempt from the LWO. For a determination on this exemption, Bidder must complete the Living Wage Ordinance Application for Exemption.</p> <p>C. Highest Wage Rate Applies. Bidder is required to pay the highest applicable wage rate where more than one wage rate applies.</p>				
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					Line Item Total \$	94,975.00
					Tax \$	0.00
					PO Total \$	94,975.00