City of San Diego
PURCHASE ORDER

PO No. 4500097300

Ship To:
MWWD-FINANCIAL SERVICES
ACCOUNTS PAYABLE MS 901A
9192 TOPAZ WAY
SAN DIEGO CA 92123-1119

Bill To:
CITY OF SD - PUD TRAINING CTR
5510 KIOWA DRIVE
SAN DIEGO CA 91942-1331

Billing Contact:
CAROL LOTT-KNIGHT

Telephone:

E-Mail: clottknight@sandiego.gov

Vendor:
South Bay Fence Inc
3084 Main Street
Chula Vista CA 91911-5704

Terms:
within 30 days Due net
Delivery Terms:
FOB FOB Destination

Buyer: Tammy Ferguson
Telephone: 619-236-6043

E-Mail: TFerguson@sandiego.gov

Vendor ID: 10013418   **Telephone:** 619-420-3410   **E-Mail:**   lea@southbayfence.com

Line #	Item ID/Description / Serv # / Service Description	Del.Date	Quantity/Ord UoM	Unit Price/Prc UoM Conv Factor	Extended Price
1	**FY18 LABOR - REPAIR AND INSTALL - METRO** FY18 LABOR - REPAIR AND INSTALL - METRO DEPARTMENT CONTACT - CURTIS GUERRERO 619 527-7611 **** Item partially delivered	06/30/2018	125 HR	92.50 HR	USD 11,562.50
2	**FY18 LABOR - REPAIR AND INSTALL - METRO** FY18 LABOR - REPAIR AND INSTALL - METRO DEPARTMENT CONTACT - CURTIS GUERRERO 619 527-7611	06/30/2018	125 HR	115.00 HR	USD 14,375.00
3	**FY18 MISC PARTS** FY18 MISCELLANEOUS PARTS DEPARTMENT CONTACT - CURTIS GUERRERO 619 527-7611 Non-Deductible Tax **** Item partially delivered	07/01/2016	3,000 EA	1.00 EA	USD 3,000.00 USD 232.50
4	**FY18 BRACE BANDS** FY18 BRACE BANDS DEPARTMENT CONTACT - CURTIS GUERRERO 619 527-7611. Non-Deductible Tax **** Item partially delivered	06/30/2018	10 EA	1.05 EA	USD 10.50 USD 0.81
5	**FY18 CEMENT POST FOOTINGS** FY18 CEMENT POST FOOTINGS DEPARTMENT CONTACT - CURTIS GUERRERO 619 527-7611.	06/30/2018	8 EA	10.00 EA	USD 80.00

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	Non-Deductible Tax				USD 6.20
****	Item partially delivered				
6	**FY18 CHAIN LINK 8' HIGH 9 GA** FY18 CHAIN LINK 9' HIGH 9 GA DEPARTMENT CONTACT - CURTIS GUERRERO 619 527-7611	06/30/2018	100 FT	4.28 FT	USD 428.00
	Non-Deductible Tax				USD 33.17
7	**FY18 FENCE TIES** FY18 FENCE TIES DEPARTMENT CONTACT - CURTIS GUERRERO 619 527-7611	06/30/2018	250 EA	0.10 EA	USD 25.00
	Non-Deductible Tax				USD 1.94
****	Item partially delivered				
8	**FY18 HOT RINGS 9 GA** FY18 HOT RINGS 9 GA DEPARTMENT CONTACT - CURTIS GUERRERO 619 527-7611	06/30/2018	10 LB	2.70 LB	USD 27.00
	Non-Deductible Tax				USD 2.10
****	Item partially delivered				
9	**FY18 PIPE 1 7/8" O.D.** FY18 PIPE 1 7/8" O.D. DEPARTMENT CONTACT - CURTIS GUERRERO 619 527-7611	06/30/2018	8 FT	1.84 FT	USD 14.72
	Non-Deductible Tax				USD 1.13
10	**FY18 PIPE 2 3/8" O.D.** FY18 PIPE 2 3/8" O.D. DEPARTMENT CONTACT - CURTIS GUERRERO 619 527-7611	06/30/2018	100 FT	2.47 FT	USD 247.00
	Non-Deductible Tax				USD 19.15
11	**FY18 PIPE 4" O.D.**	06/30/2018	16 FT	6.29 FT	USD 100.64
	Non-Deductible Tax				USD 7.80

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12		**FY18 PIPE 1 5/8" O.D.**	06/30/2018	100 FT	1.56 FT	USD 156.00
		FY18 PIPE 1 5/8" O.D.				
		DEPARTMENT CONTACT - CURTIS GUERRERO 619 527-7611				
		Non-Deductible Tax				USD 12.09
13		**FY18 POST CAPS**	06/30/2018	4 EA	1.46 EA	USD 5.84
		Non-Deductible Tax				USD 0.45
****		Item partially delivered				
14		**FY18 RAIL ENDS**	06/30/2018	10 EA	0.57 EA	USD 5.70
		Non-Deductible Tax				USD 0.44
****		Item partially delivered				
15		**FY18 TENSION BANDS**	06/30/2018	10 EA	0.29 EA	USD 2.90
		Non-Deductible Tax				USD 0.22
****		Item completely delivered				
16		**FY18 TOP RAIL SLEEVES**	06/30/2018	10 EA	0.77 EA	USD 7.70

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WAGE REQUIREMENTS: PURCHASE ORDERS EXECUTED ON OR AFTER JANUARY 1, 2015

By performing the services detailed in this purchase order, Contractor
is entering into a contract with the City. Contractor 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,
Contractor 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.
Contractor 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, Contractor 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
preconstruction phases of construction including, but not limited to,

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	inspection and land surveying work.				

inspection and land surveying work.
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. Contractor 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.
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 e
xpiration 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.
2. Penalties for Violations. Contractor 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.
3. Payroll Records. Contractor 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. Contractor shall require its
subcontractors to also comply with section 1776. Contractor and its
subcontractors shall submit weekly certified payroll records online via
the City's web-based Labor Compliance Program. Contractor is responsible
for ensuring its subcontractors submit certified payroll records to the
City. Contractor 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.
4. Apprentices. Contractor and its subcontractors shall comply with
California Labor Code sections 1777.5, 1777.6 and 1777.7 concerning the
employment and wages of apprentices. Contractor shall be held
responsible for their compliance as well as the compliance of their
subcontractors with sections 1777.5, 1777.6 and 1777.7.
5. Working Hours. Contractor 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 sections1810 through 1815.
6. Required Provisions for Subcontracts. Contractor 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.
7. Labor Code Section 1861 Certification. Contractor in accordance with
California Labor Code section 3700 is required to secure the payment of
compensation of its employees and by signing this Contract, Contractor
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
provisions before commencing the performance of the work of this

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	Contract."				

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.

9. Contractor and Subcontractor Registration Requirements. This project is subject to compliance monitoring and enforcement by the DIR. A contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or 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."

9.1. A Contractor'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.

9.2. A Contract entered into with any Contractor or subcontractor in violation of Labor Code section 1771.1(a) shall be subject to c ancellation, provided that a Contract for public work shall not be unlawful, void, or voidable solely due to the failure of the awarding body, Contractor, or any subcontractor to comply with the requirements of section 1725.5 of this section.

9.3. By submitting a bid or proposal to the City, Contractor 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 Contractor 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.

10. Stop Order. For Contractor 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 Contractor or unregistered subcontractor(s) on ALL public works until the unregistered Contractor or unregistered subcontractor(s) is registered. Failure to observe a stop order is a misdemeanor.

11. List of all Subcontractors. The City may ask Contractor 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 Contractor shall provide the list within ten (10) working days of the City's request. Additionally, Contractor 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 Contractor until at least 30 days after this information is provided to the City.

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 Contractor shall still comply with Labor Code sections 1720 et. seq. The only recognized exemptions are listed below:

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	12.1. Registration. Contractor will not be required to register with the DIR for small projects. (Labor Code section 1771.1).				
	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. Contractor will need to keep those records for at least three years following the completion of the contract. (Labor Code section 1771.4).				
	12.3. List of all Subcontractors. Contractor 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).				
	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 Contractor 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, Contractor 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.				
	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, Contractor must complete the Living Wage Ordinance Application for Exemption.				
	C. Highest Wage Rate Applies. Contractor is required to pay the highest applicable wage rate where more than one wage rate applies.				
	Non-Deductible Tax				USD 0.60
17	**FY18 MOD PO#4500097300 Gate Fork Latch**	06/30/2018	4 EA	9.10 EA	USD 36.40
	FY18 MOD PO#4500097300- Gate Fork Latch Department Contact: Curtis Guerrero 619-527-7611				
	Non-Deductible Tax				USD 2.82
****	Item partially delivered				
18	**FY18 MOD PO#4500097300 Gate Hinges**	06/30/2018	8 EA	8.10 EA	USD 64.80
	FY18 MOD PO#4500097300- Gate Hinges Department Contact: Curtis Guerrero 619-527-7611				
	Non-Deductible Tax				USD 5.02
****	Item partially delivered				
19	**FY18 MOD PO#4500097300 Tension Bars 6'**	06/30/2018	10 EA	1.77 EA	USD 17.70
	FY18 MOD PO#4500097300- Tension Bars 6' Department Contact: Curtis Guerrero 619-527-7611				
	Non-Deductible Tax				USD 1.37
****	Item partially delivered				

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Line Item Total $	30,167.40
Tax $	327.81
PO Total $	**30,495.21**

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