

#### City of San Diego **PURCHASE ORDER**

4500102208

Page 1 of 4 Date: 07/24/2018

Ship To:

Bill To:

PUD ACCOUNTS PAYABLE 9192 TOPAZ WAY SAN DIEGO CA 92123

**Billing Contact:** 

James N Massello Massello

Telephone:

E-Mail: JMassello@SANDIEGO.GOV

Vendor:

Applied Engineering Concepts 1105 North Allen Avenue Pasadena CA 91104

Terms:

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

Buyer: Michael Warner

Telephone: 619-236-6154

Vendor ID: 10037023 Telephone:619-822-1106 E-Mail: ryan.f@aec-us.com

E-Mail: MWarner@sandiego.gov

| ne #<br>Serv #  | Item ID/Description Service Description   | Del.Date       | Quantity/Ord UoN | Unit Price/Pr<br>Conv Fac | c UoM<br>tor | Exter | nded Price |
|---|---|----------------|------------------|---------------------------|--------------|-------|------------|
| 1 ORPS - Mainte   | nance/repair of med V swgr  | 07/30/2018     | 10 HR            | 118.45                    | HR           | USD   | 1,184.50   |
| 2 ORPS - 480V f   | eeder switchgears   | 07/30/2018     | 25 HR            | 118.45                    | HR           | USD   | 2,961.25   |
| 3 ORPS - Refurb   | ishment of class 1 breaker  | 07/30/2018     | 6 EA             | 5871.00                   | EA           | USD   | 35,226.00  |
|   | TE purchase order value or as may be modified and Business Tax Certificate as required.   | d by the City. |                  |                           |              |       |            |
| DIR Project ID  | : 136806  |                |                  |                           |              |       |            |
| WAGE REQUI  | WAGE REQUIREMENTS: PURCHASE ORDERS EXECUTED ON OR AFTER JANUARY 1, 2015   |                |                  |                           |              |       |            |
| is entering into or she is aware with such prov A. PREVAILIN 22.3019, consi work performe laws. For cons exceeding \$25 work performe Contractor and wage laws incl This requireme pursuant to Sa | 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 |                |                  |                           |              |       |            |

#### **IMPORTANT!**

To ensure prompt payments, PO # must appear on all shipments and invoices; all invoices must be directed to Billing Contact person at Bill-To address listed above

**SEE LAST PAGE FOR TOTAL** 



### City of San Diego PURCHASE ORDER

PO No. | 4500102208

Date: 07/24/2018

Page 2 of 4

| 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, 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/DPRLD/PreValgad party on request. Copies of the prevailing rate of per diem wages also may be found at http://www.dir.ca.gov/DPRLD/PreValgad party on request.  1.2. The wage rates determined by the DIR refer to expiration date. 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 become effective upon expiration of the published wage rate and the predetermined wage rate is on file with the DIR, such predetermined wage rate 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 in that 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 the balance of the Contract.  2. Penalties for Violations. Contractor and its subcontractors shall comply with California Labor Code section 1776 in the date following the e published because a contractor and its subcontractors shall comply with California Labor Code section 1778, interest on large time to the contract subc |  |
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|  |  |
|  |  |
|  |  |
| 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  |  |
| a Terms and Conditions of this Purchase Order are available at http://www.condiggo.gov/purchasing/yonder   |  |
| e Terms and Conditions of this Purchase Order are available at http://www.sandiego.gov/purchasing/vendor   |  |

IMPORTANT!

To ensure prompt payments, PO # must appear on all shipments and invoices; all invoices must be directed to *Billing* Contact person at *Bill-To* address listed above

SEE LAST PAGE FOR TOTAL



# City of San Diego PURCHASE ORDER

PO No. | 4500102208

**FOR TOTAL** 

Date: 07/24/2018

Page 3 of 4

| Line#  | Item ID/Description  | Del.Date           | Quantity/Ord UoM      | Unit Price/Prc Uom | Extended Price |
|--------|--|--------------------|-----------------------|--------------------|----------------|
|        | Serv# Service Description into with a subcontractor: California Labor Code sections 1771, 17 | 771.1,             |                       | Conv Factor        |                |
|        | 1775, 1776, 1777.5, 1810, 1813, 1815, 1860 and 1861.   | ,                  |                       |                    |                |
|        | 7. Labor Code Section 1861 Certification. Contractor in accordance                           | ce with            |                       |                    |                |
|        | California Labor Code section 3700 is required to secure the payr                            |                    |                       |                    |                |
|        | compensation of its employees and by signing this Contract, Cont                             |                    |                       |                    |                |
|        | certifies that "I am aware of the provisions of Section 3700 of the                          |                    |                       |                    |                |
|        | California Labor Code which require every employer to be insured                             | d against          |                       |                    |                |
|        | liability for workers' compensation or to undertake self-insurance in                        | <del>-</del>       |                       |                    |                |
|        | accordance with the provisions of that code, and I will comply with                          |                    |                       |                    |                |
|        | provisions before commencing the performance of the work of this                             | S                  |                       |                    |                |
|        | Contract."   |                    |                       |                    |                |
|        | 8. Labor Compliance Program. The City has its own Labor Compl                                | iance              |                       |                    |                |
|        | Program authorized in August 2011 by the DIR. The City will withl                            | hold               |                       |                    |                |
|        | contract payments when payroll records are delinquent or deeme                               | d                  |                       |                    |                |
|        | inadequate by the City or other governmental entity, or it has been                          | n                  |                       |                    |                |
|        | established after an investigation by the City or other government                           | al                 |                       |                    |                |
|        | entity that underpayment(s) have occurred. For questions or assis                            | stance,            |                       |                    |                |
|        | please contact the City of San Diego's Equal Opportunity Contract                            |                    |                       |                    |                |
|        | 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 liste                       | ed                 |                       |                    |                |
|        | in a bid proposal, subject to the requirements of Section 4104 of t                          | he                 |                       |                    |                |
|        | Public Contract Code, or enter into any contract for public work, a                          | S                  |                       |                    |                |
|        | defined in this chapter of the Labor Code unless currently register                          | red                |                       |                    |                |
|        | 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 viola                          | tion               |                       |                    |                |
|        | of this section for an unregistered contractor to submit a bid that is                       | S                  |                       |                    |                |
|        | authorized by Section 7029.1 of the Business and Professions Co                              | ode or by          |                       |                    |                |
|        | Section 10164 or 20103.5 of the Public Contract Code, provided t                             | :he                |                       |                    |                |
|        | contractor is registered to perform public work pursuant to Section                          | า                  |                       |                    |                |
|        | 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 respon                             | se 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 for                        | ee                 |                       |                    |                |
|        | specified in Labor Code section 1725.5; or (3) the subcontractor is                          | S                  |                       |                    |                |
|        | replaced by another registered contractor pursuant to Public Cont                            | tract              |                       |                    |                |
|        | 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 u                         |                    | ble solely due to the |                    |                |
|        | awarding body, Contractor, or any subcontractor to comply with the                           | ne                 |                       |                    |                |
|        | 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 of                       | on                 |                       |                    |                |
|        | this public works project are registered with the DIR in compliance                          |                    |                       |                    |                |
|        | Labor Code sections 1771.1 and 1725.5, and Contractor shall pro                              |                    |                       |                    |                |
|        | 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                           |                    |                       |                    |                |
|        | performance of any public work contract without having been regi                             | stered             |                       |                    |                |
|        | in violation of Labor Code sections 1725.5 or 1771.1, the Labor                              |                    |                       |                    |                |
|        | Commissioner shall issue and serve a stop order prohibiting the u                            |                    |                       |                    |                |
|        | the unregistered Contractor or unregistered subcontractor(s) on A                            | <b>LL</b>          |                       |                    |                |
|        | public works until the unregistered Contractor or unregistered                               |                    |                       |                    |                |
|        | 1  |                    |                       |                    |                |
| e Term | ns and Conditions of this Purchase Order are available at http                               | o://www.sandiego.g | ov/purchasing/vendor  |                    |                |
|        |  |                    |                       | SEE LA             | ST PAG         |
|        |  |                    |                       | <b></b>            | <del></del>    |

IMPORTANT!

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## City of San Diego PURCHASE ORDER

PO No. 4500102208

Date: 07/24/2018

Page 4 of 4

|                   | Serv# Service Description 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 mos 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 DIF 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 belor 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 keep those records for at least three | R<br>W:           |                      | Conv Factor        |          |
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|                   | San Diego, but will not be required to be submitted online with the DIF directly. Contractor will need to keep those records for at least three  | R                 |                      |                    |          |
| <b>I</b>          | directly. Contractor will need to keep those records for at least three  |                   |                      |                    |          |
| 1                 |  |                   |                      |                    |          |
|                   | years following the completion of the contract. (Labor Code section  |                   |                      |                    |          |
|                   | 1771.4).   |                   |                      |                    |          |
| <b>I</b>          | 12.3. List of all Subcontractors. Contractor shall not be required to  |                   |                      |                    |          |
| <b>I</b>          | hire only registered subcontractors and is exempt from submitting the  |                   |                      |                    |          |
| <b>I</b>          | 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<br>Ordinance (LWO), codified at SDMC sections 22.4201 through 22.424   | 5 The             |                      |                    |          |
| <b>I</b>          | LWO requires payment of minimum hourly wage rates and other benef  |                   |                      |                    |          |
| <b>I</b>          | unless an exemption applies. SDMC section 22.4225 requires each  | 1.0               |                      |                    |          |
|                   | Contractor to fill out and file a living wage certification with the   |                   |                      |                    |          |
|                   | City Manager within thirty (30) days of Award of the Contract. LWO wa  | ge                |                      |                    |          |
|                   | and health benefit rates are adjusted annually in accordance with SDM  | IC                |                      |                    |          |
|                   | 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 cov  | ered              |                      |                    |          |
|                   | employees on July 1 of each year. In addition, Contractor agrees to  |                   |                      |                    |          |
|                   | require all of its subcontractors, sublessees, and concessionaires<br>subject to the LWO to comply with the LWO and all applicable regulati  | one               |                      |                    |          |
|                   | and rules.   | J115              |                      |                    |          |
| <b>I</b>          | 1.1. Exemption from Living Wage Ordinance. Pursuant to SDMC secti  | on                |                      |                    |          |
| <b>I</b>          | 22.4215, this Contract may be exempt from the LWO. For a determina   |                   |                      |                    |          |
| I                 | on this exemption, Contractor must complete the Living Wage Ordinan  |                   |                      |                    |          |
|                   | Application for Exemption.   |                   |                      |                    |          |
| <b>I</b>          | C. Highest Wage Rate Applies. Contractor is required to pay the highe  | st                |                      |                    |          |
|                   | applicable wage rate where more than one wage rate applies.  |                   |                      |                    |          |
|                   |  |                   |                      |                    |          |
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| ho Torma          | and Conditions of this Durahasa Order are sucilable at http://www  | www.condings.co.  | hurchasinghunder     |                    |          |
| ne reims a        | and Conditions of this Purchase Order are available at http://w  | ww.sariulego.gov/ | purchasing/vendor    |                    | 00.07:-  |
|                   |  |                   |                      | Line Item Total \$ | ,        |
|                   | IMPORTANT!   |                   |                      | Tax \$             | 0.0      |
|                   | prompt poumonts. DO # sourt conserve = " = " = " = "   | and invalent      | ll invoiges asset !  |                    |          |
| ensure proceed to | prompt payments, PO # must appear on all shipments<br>Billing Contact person at Bill-To address listed above   | and invoices; al  | ii irivoices must be | PO Total \$        | 39,371.7 |