Ship To:
LIBRARY-CENTRAL
CENTRAL LIBRARY-BUSNSS OFFC MS 17
330 PARK BLVD
SAN DIEGO CA 92101-7416

Bill To:
PUBLIC WORKS DEPARTMENT
1245 CAMINITO CENTRO
SAN DIEGO CA 92102

Billing Contact:
YUKIKO KAWAI

Telephone:

E-Mail: ykawai@sandiego.gov

Vendor:
Southwest Entrances Inc
1363 North Cuyamaca St.
El Cajon CA 92020

Terms:
within 30 days Due net

Delivery Terms:
FOB Destination

Buyer: Michael Warner

Telephone: 619-236-6154

E-Mail: MWarner@sandiego.gov

Vendor ID: 10035714   **Telephone:** 888-793-6879   **E-Mail:** linda@southwestentrances.com

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Line #	Item ID/Description Serv # Service Description	Del.Date	Quantity/Ord UoM	Unit Price/Prc UoM Conv Factor	Extended Price
1	**Service for Automatic and Manual Doors**	06/30/2019	25,000 EA	1.00 EA	USD 25,000.00
	Vendor will service automatic and manual doors and door hardware repair as needed for the Central Libraries for the period 7/1/18 through 6/30/19.				
	Department Contact: Phyllis Swanegan, PSwanegan@sandiego.gov, (619) 236-5875				
****	Billing Contact: Yukiko Kawai, YKawai@sandiego.gov, (619)525-8545 Item partially delivered				

Notes:

PO released NTE purchase order value or as may be modified by the City.
Update Insurance and Business Tax Certificate as required.

DIR Project ID: 253903

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

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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, 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 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

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	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.				

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
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
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

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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:

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.

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Line Item Total $	25,000.00
Tax $	0.00
PO Total **$**	**25,000.00**