



Bids  
Received

Nextech Systems Inc.  
13885 Alton Pkwy  
Ste A  
Irvine, CA 92618

#2 *llg*  
SD CNTY PURCH \*15 JUN 10 PM 12:01

San Diego County Purchasing & Contracts  
5500 Overland Avenue, Ste 270  
San Diego CA 92123

RF B#6896-AS needed traffic signal &  
related electrical equipment

**REQUEST FOR BID (RFB) 6896**  
**DEPARTMENT OF PUBLIC WORKS, ROADS DIVISION**  
**AS-NEEDED TRAFFIC SIGNAL AND RELATED ELECTRICAL EQUIPMENT**  
**SECTION A – P&C 600 FORM**

COUNTY OF SAN DIEGO  
SECTION A-P&C 600 FORM

This is not an order

MAIL OR DELIVER TO:

DEPARTMENT OF PURCHASING & CONTRACTING

COUNTY OF SAN DIEGO, RFB No. 6896

5560 OVERLAND AVE., SUITE 270

SAN DIEGO, CA 92123

AWARD WILL BE MADE TO THE LOWEST RESPONSIVE,  
RESPONSIBLE BIDDER BASED ON:

ALL OR NONE

EACH LOT

TOTAL PRICE

UNSPSC Commodity Code: 461615.0400

ISSUED: APRIL 28, 2015

FOR INFORMATION PLEASE CONTACT:

MARTHA F. TREVEJO

MARTHA.TREVEJO@SDCOUNTY.CA.GOV

BID OPENING DATE: MAY 26, 2015

BIDS MUST BE RECEIVED AT THE ABOVE

ADDRESS PRIOR TO 11:00 A.M.

ON DATE OF BID OPENING.

PLEASE STATE YOUR LOWEST PRICE

F.O.B. DESTINATION AND BRAND NAME

OR TRADE NAME IF APPLICABLE.

(Please use typewriter or black ink)

YOUR ENVELOPE MUST INCLUDE RFB NO. 6896

**DESCRIPTION**

THE COUNTY OF SAN DIEGO (COUNTY), DEPARTMENT OF PUBLIC WORKS - ROAD DIVISION HAS A REQUIREMENT FOR TRAFFIC SIGNAL AND RELATED ELECTRICAL EQUIPMENT ON AS-NEEDED BASIS IN ACCORDANCE WITH THE TERMS & CONDITIONS REFLECTED HEREIN.

TERM PERIOD: DATE OF AWARD THRU JUNE 30, 2016

PRICING SUBMITTED IS TO REMAIN FIRM FIXED FOR THE TERM PERIODS IDENTIFIED ABOVE. AWARD WILL BE MADE TO LOWEST RESPONSIVE RESPONSIBLE BIDDER. BIDDERS ARE REQUIRED TO SUBMIT PRICING ON ALL ITEMS IN ORDER TO BE CONSIDERED RESPONSIVE. BIDDERS SUBMITTING MORE THAN ONE (1) UNIT PRICE OR RANGE OF UNIT PRICES PER ITEM WILL BE CONSIDERED NON-RESPONSIVE.

BIDDER ACKNOWLEDGES ADDENDUM NO. 1  2  3  4  5

SUBJECT TO ACCEPTANCE WITHIN 90 DAYS

PAYMENT TERMS NET 30 DAYS OR % DAY

NAME AND ADDRESS OF BIDDER

NexTech Systems Inc

STREET, CITY, STATE, ZIP  
13885 Alton Parkway, Ste A

Irvine, CA 92618

TELEPHONE: NUMBER (949) 910-2664

FAX TELEPHONE: (949) 910-2665

E-MAIL: jmckhannextechsystemsinc.com

NAME AND TITLE OF PERSON AUTHORIZED

TO SIGN OFFER:

Janna McKhann 6/9/15  
SIGNATURE OFFEROR DATE

PRINTED NAME: Janna McKhann

NOTIFICATION OF AWARD

ACCEPTANCE AS TO ITEM(S) NUMBERED:

(THIS SECTION FOR COUNTY USE ONLY)

COUNTY OF SAN DIEGO

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

JOHN M. PELLEGRINO, DIRECTOR

DEPT. OF PURCHASING & CONTRACTING

TOTAL AMOUNT

AWARD NO.

NAME AND TITLE OF CONTRACTING OFFICER

**SUBMIT THIS COMPLETED FORM AS PAGE 1 OF THE BID**

County of San Diego  
Department of Purchasing and Contracting  
REPRESENTATIONS AND CERTIFICATIONS

The following representations and certifications are to be completed, signed and returned with the offer.

1. BUSINESS TYPE

For-profit  Non-profit  Government  
Attach proof of status for Non-profit.

2. INTERLOCKING DIRECTORATE

In accordance with Board of Supervisors Policy A-79, if Offeror is a non-profit as indicated in paragraph 1 above, Offeror is required to identify any related for-profit subcontractors in which an interlocking directorate, management or ownership relationship exists. By submission of this offer, Offeror certifies it will not enter into a subcontract relationship with a related for-profit entity if Offeror is a non-profit entity. If Offeror is a non-profit and will be subcontracting with a related for-profit entity, Offeror must list the entity(ies) on an attached separate sheet listing them all and the contract must be approved by the Board of Supervisors

3. BUSINESS REPRESENTATION

Offeror represents as a part of this offer that the ownership, operation, and control of the business are:

3.1. Are you a small business with:  
100 or fewer employees and average annual gross receipts of \$14 million or less or; a manufacturer with 100 or fewer employees?  Yes  No

3.2. Are you a local business with a physical address within the County of San Diego?  Yes  No

3.3. Are you certified by the State of California as a:  
 Disabled Veteran Business Enterprise (DVBE)  
Certification #: \_\_\_\_\_

Small Business Enterprise (SBE)  
Certification #: 1791204

See the State of California, Department of General Services website for details on "Certified Small Business" and "Certified DVBE" requirements.  
<http://www.dgs.ca.gov/pd/Programs/OSDS.aspx>

3.4. Estimated percentage of work in this offer to be performed or fulfilled locally (within the geographic boundaries of the County of San Diego): 0 %

4. CERTIFICATE REGARDING DEBARMENT, SUSPENSION AND RELATED MATTERS

Offeror hereby certifies to the best of its knowledge that neither it nor any of its officers:

4.1. Are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency; and

4.2. Have within a three (3) year period preceding this agreement been convicted of or had a civil judgment rendered against them for commission of fraud or criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; and

4.3. Are presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with the commission of any of the offenses enumerated in paragraph 4.2 of this certification; and

4.4. Have within a three (3) year period preceding this agreement had one or more public transactions (Federal, State or local) terminated for cause or default.

4.5. Are presently the target or subject of any investigation, accusation or charges by any Federal, State or local law enforcement, licensing or certification body and if they are, the appropriate information is disclosed and included in the offer.

4.6. Offeror will report in writing to the County Department of Purchasing and Contracting within five business days of knowing or have any reason to know any change in status as certified in the preceding paragraphs 4.1 through 4.5, and that occur prior to award (in the case of bids) and contract execution (in the case of negotiated procurements).

4.7. Offeror and its proposed subcontractors, agents and consultants have not previously contracted with the County to perform work on or related to this project (e.g. preparing components of the statement of work or plans and specifications for this project). If Offeror or any of its subcontractors, agents or consultants, have previously contracted with the County to perform work on this project, Offeror shall identify those previous agreement(s) and submit that list along with the proposal.

5. CERTIFICATE OF CURRENT COST OR PRICING

This is to certify that, to the best of the Offeror's knowledge and belief cost and/or pricing data submitted with this offer, or specifically identified by reference if actual submission of the data is impracticable, is/are accurate, complete, and current as of the date signed below.

6. CERTIFICATE OF INDEPENDENT PRICING

By submission of this offer, each Offeror certifies, and in the case of a joint offer, each party thereto certifies as to its own organization, that in relation to this procurement:

6.1. The prices in this offer have been arrived at independently, without consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with other Offeror; with any competitor; or with any County employee(s) or consultant(s) involved in this or related procurements; and

6.2. Unless otherwise required by law, the prices which have been quoted in this offer have not been knowingly disclosed by the Offeror and will not knowingly be disclosed by the Offeror prior to opening, in the case of a bid, or prior to award, in the case of a proposal, directly or indirectly to any other Offeror or to any competitor; and

6.3. No attempt has been made or will be made by the Offeror to induce any other person or firm to submit or not to submit an offer for the purpose of restricting competition.

7. The Offeror understands that prior to receiving a contract award from the County, the Offeror must submit a completed IRS W-9 form to provide a Federal Tax ID number, or if not available, to provide a Social Security Number (SSN).

CERTIFICATION

The information furnished in Paragraphs 1 through 7 is certified to be factual and correct as of the date submitted and this certification is made under penalty of perjury under the laws of the State of California.

Name: Janna McKhann  
Title: President  
Company/Organization: NexTech Systems, Inc.

Signature: Janna McKhann  
Date: 6/9/15

SUBMIT THIS FORM AS DIRECTED IN THE REQUEST FOR SOLICITATION DOCUMENTS OR WITH THE OFFER

**REQUEST FOR BID (RFB) 6896**  
**DEPARTMENT OF PUBLIC WORKS, ROADS DIVISION**  
**SECTION A – INDEMNIFICATION AGREEMENT**

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THE FOLLOWING INDEMNIFICATION AGREEMENT IS TO BE COMPLETED, SIGNED AND RETURNED WITH THE OFFER.

This indemnification agreement ("Agreement") is made and entered into by and between the County of San Diego ("County") and NexTech Systems Offeror") with reference to the following facts:

WHEREAS the County may receive a request for disclosure of Offeror's submission under the California Public Records Act, Government Code Section 6250, et seq.; and

WHEREAS, Offeror has included in its submission an exhibit entitled "*EXHIBIT – CONFIDENTIAL/PROPRIETARY*" containing records that Offeror has determined to constitute trade secrets or other proprietary information exempt from disclosure under the California Public Records Act; and

WHEREAS the County requires defense and indemnity from Offeror for the County's ongoing non-disclosure of Offeror's *EXHIBIT-CONFIDENTIAL/PROPRIETARY*;

NOW, THEREFORE, for good and valuable consideration and the mutual promises contained herein, the parties agree to the following:

1. The above recitals are incorporated herein by this reference.
2. Except as otherwise provided herein, the County will not release Offeror's *EXHIBIT-CONFIDENTIAL/PROPRIETARY* based on Offeror's representation that the records contained therein are proprietary and exempt from disclosure under the California Public Records Act and/or are trade secrets as that term is defined in Government Code Section 6250, et seq.. Notwithstanding the foregoing, however, the County may release Offeror's *EXHIBIT-CONFIDENTIAL/PROPRIETARY* in the event of any of the following:
  - a. Offeror fails to comply with the terms and conditions of this Agreement; or
  - b. Offeror provides the County with written notice that some or all of the records may be released; or
  - c. A court of competent jurisdiction orders the County to release the records and the County has exhausted or waived its appeal rights.
3. To the fullest extent allowed by law, the County shall not be liable for, and Offeror shall defend and indemnify County and its Board of Supervisors, officers, directors, employees and agents of County (collectively "County Parties"), against any and all claims, demands, liability, judgments, awards, fines, mechanics' liens or other liens, labor disputes, losses, damages, expenses, charges or costs of any kind or character, including attorneys' fees (whether incurred by County attorneys or attorneys employed by County) and court costs (hereinafter collectively referred to as "Claims"), related to Offeror's *EXHIBIT-CONFIDENTIAL/PROPRIETARY*.
4. Offeror waives any and all claims in law or equity and hereby releases the County Parties from any and all claims, deductibles, self-insured retentions, demands, liability, judgments, awards, fines, mechanics' liens or other liens, labor disputes, losses, damages, expenses, charges or costs of any kind or character, including attorneys' fees and court costs, which arise out of or are in any way connected to Offeror's *EXHIBIT-CONFIDENTIAL/PROPRIETARY*.

OFFEROR

Name: <u>Janna Mckhann</u>	Signature: <u>Janna Mckhann</u>
Title: <u>President</u>	Date: <u>6/9/15</u>
Company/Organization: <u>NexTech Systems, Inc</u>	

**SUBMIT THIS COMPLETED FORM AS PAGE 3 OF THE BID**

**REQUEST FOR BID (RFB) 6896**  
**DEPARTMENT OF PUBLIC WORKS, ROADS DIVISION**  
**AS-NEEDED TRAFFIC SIGNAL AND RELATED ELECTRICAL EQUIPMENT**  
**SECTION A – PRICING SCHEDULE - 1**

ITEM	DESCRIPTION	ESTIMATED QUANTITY	UNIT COST	TOTAL COST
1	12" Red Ball Signal Indications	500 units	\$ <u>22.66</u> ea	\$ <u>11,330.00</u>
2	12" Yellow Ball Signal Indications	400 units	\$ <u>22.66</u> ea	\$ <u>9,064.00</u>
3	12" Green Ball Signal Indications	500 units	\$ <u>22.66</u> ea	\$ <u>11,330.00</u>
4	12" Red Arrow Signal Indications	250 units	\$ <u>26.52</u> ea	\$ <u>6,630.00</u>
5	12" Yellow Arrow Signal Indications	250 units	\$ <u>29.20</u> ea	\$ <u>7,300.00</u>
6	12" Green Arrow Signal Indications	250 units	\$ <u>26.52</u> ea	\$ <u>6,630.00</u>
7	Conflict Monitors	10 units	\$ <u>710.60</u> ea	\$ <u>7,106.00</u>
8	Solar Powered Flasher	5 systems	\$ <u>2,106.00</u> ea	\$ <u>10,530.00</u>
9	Solar Powered Driver Feedback Sign	4 systems	\$ <u>16,087.50</u> ea	\$ <u>64,350.00</u>
10	In-Pavement Flasher System	2 systems	\$ <u>15,312.22</u> ea	\$ <u>30,624.44</u>
<b>BASIS OF AWARD</b>				\$ <u>164,894.44</u>

**SUBMIT THIS COMPLETED FORM AS PAGE 4a OF THE BID**