

ROSSMOOR

COMMUNITY SERVICES DISTRICT



Special Meeting of the Board Agenda Package

NOVEMBER 5, 2013

PUBLIC COPY

CALL AND NOTICE OF A SPECIAL MEETING

TO THE MEMBERS OF THE BOARD OF DIRECTORS OF THE ROSSMOOR COMMUNITY SERVICES DISTRICT:

NOTICE IS HEREBY GIVEN that the President has called a Special Meeting of the Board to be held in the Kitchen area of Rush Park, 3001 Blume Drive, Rossmoor, California at 5:00 p.m. on Tuesday, November 5, 2013 for the purposes of convening a closed session of the Board. Please note that the Board may move any item scheduled for the closed session to the open session agenda. The agenda for the meeting is set forth below:

**BOARD OF DIRECTORS
ROSSMOOR COMMUNITY SERVICES DISTRICT**

SPECIAL MEETING

OPEN SESSION

RUSH PARK

Kitchen

3001 Blume Drive

Rossmoor, California 90720

CLOSED SESSION

RUSH PARK

WEST ROOM

3021 Blume Drive

Rossmoor, California 90720

Tuesday, November 5, 2013

5:00 p.m.

A. ORGANIZATION

1. CALL TO ORDER: 5:00 p.m.
2. ROLL CALL: Directors Casey, Coletta, DeMarco, Kahlert
President Maynard
3. PLEDGE OF ALLEGIANCE

B. PUBLIC COMMENT ON CLOSED SESSION AGENDA

C. ANNOUNCEMENT IN OPEN SESSION OF ITEMS TO BE DISCUSSED IN CLOSED SESSION AS FOLLOWS:

1. PUBLIC EMPLOYMENT
Pursuant to Government Code Section 54957
Title: District General Manager

2. CONFERENCE WITH LABOR NEGOTIATOR

Pursuant to Government Code Section 54957.6

District Representative: Michael Maynard

Unrepresented Employee: General Manager

D. RECESS INTO CLOSED SESSION

E. RECONVENE INTO OPEN SESSION

1. CLOSED SESSION ANNOUNCEMENT.

2. REJECT BID-RUSH PARK PLAYGROUND PROJECT AND REBID-RE: DEMOLITION, AND PREPARATION OF PLAYGROUND.

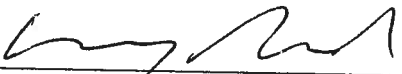
G. ADJOURNMENT

It is the intention of the Rossmoor Community Services District to comply with the Americans With Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, the District will attempt to accommodate you in every reasonable manner. Please contact the District Office at (562) 430-3707 as soon as possible prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible. Please advise us at that time if you will need accommodations to attend or participate in meetings on a regular basis.

CERTIFICATION OF POSTING

I hereby declare, under penalty of perjury, that this Agenda for the Tuesday, November 5, 2013, 5:00 p.m. Special Meeting of the Board of Directors of the Rossmoor Community Services District was posted on Friday November 1, 2013 at the Rush Park, Rossmoor Park and Montecito bulletin Boards and on the Rossmoor CSD website at 1:00 p.m. on November 5, 2013.

ATTEST:



Henry Taboada
Interim General Manager

Date 11/01/13

ROSSMOOR COMMUNITY SERVICES DISTRICT

AGENDA ITEM E-1

Date: November 5, 2013
To: Honorable Board of Directors
From: Interim General Manager
Subject: APPROVAL OF AGREEMENT WITH MALIBU PACIFIC INC. FOR DEMOLITION/PREPARATION OF RUSH PARK PLAYGROUND

RECOMMENDATION:

Authorize General Manager to execute agreement with Malibu Pacific Inc. for the demolition/preparation of the Rush Park Playground at a cost of \$67,278.00.

BACKGROUND:

At your October 8, 2013 meeting, the Board voted to approve the reconstruction of the Rush Park Playground. As a part of that action, the Board authorized the General Manager to advertise for bids from qualified contractors for the demolition and preparation phase of the project. One contractor submitted a bid even though the project was widely circulated. Malibu Pacific, however, was deemed to be qualified and the lowest responsible bidder. The bid price was compared to estimates provided by Game Time which was higher, but reasonably comparable. Nonetheless, our consultant was able to reduce the bid price from \$70,278.00 to the lesser amount.

Due to the required timeline for meeting safety and ADA requirements, this action has been scheduled for this meeting.

ATTACHMENTS:

1. Public Notice Advertisement-Invitation to Submit Bids.
2. Malibu Pacific Bid.



**INVITATION TO SUBMIT
BIDS
INSTALLATION OF
NEW PLAYGROUND
EQUIPMENT—RUSH
PARK
ROSSMOOR COMMUNITY
SERVICES DISTRICT**

The Rossmoor Community Services District (Owner) is soliciting bids for installation of new playground equipment for the Rush Park Playground located at 3001 Blume Dr. in Rossmoor, CA, 90720. The scope of work for the 5,065 SF area includes:

1. Remove and Dispose of (2) Existing composite play structures and adjacent play equipment (excluding swing set)
2. Remove & Dispose of off-site approximately 5,065 sq. feet of existing sand per playground specs and transfer of 2,260 sq. feet of sand to existing sand volleyball court and playground areas at Rossmoor Park (3232 Hedwig Rd., Rossmoor, CA 90720).
3. Receive, inventory and store Game Time play equipment provided by the Rossmoor Community Services District until time of install
4. Install Game Time play equipment (provided by Rossmoor Community Services District)
5. Provide and install concrete sub-base for 2,260 sq. feet
6. Provide and install approximately 2,260 sq. feet of new washed plaster sand 48 hours following Tot Turf's install of pour-in-place (It is the responsibility of contractor to coordinate this with Tot Turf)

This is a public playground, and construction must be completed no later than December 31, 2013 subject to timely delivery of equipment. Bids must include all labor, tools, materials and hardware necessary to accomplish work in accordance with manufacturer's specifications. No substitute materials will be accepted.

Contractor is responsible for all necessary permits and approvals for construction of the projects. Cost associated with permits and fees will be paid by contractor with no allowance for profit or overhead.

Contractor is responsible for properly securing closed play area with temporary chain-link fencing and appropriate safety signage and ensuring entry to the construction zone will be restricted from the public. Also, that pour-in-place surfacing is protected during the required 48 hours setting phase. Failure to do so resulting in damage to equipment or surfacing will be the contractor's responsibility to properly restore.

Contractor is responsible for ensuring all damage to property surrounding construction site and play area is restored back to pre-construction condition at the conclusion of the contract.

Prior to removal of safety fencing and opening of playground to the general public, the general contractor must notify the Owner in order to schedule a construction walk-thru and safety audit (provided by the Owner) and any efficiencies noted will be corrected by contractor prior to remittance of payment.

Bids must include a list of prevailing wages to be paid to employees on this project and must comply with all requirements of the Davis-Bacon Act. A bid bond, equivalent to five percent (5%) of the bid amount, must accompany each bid. Bidder must qualify for a Performance Bond, funded by the Owner. The successful bidder must provide proof of liability insurance, auto insurance and worker's comp insurance for at least one million dollars (\$1,000,000), naming Rossmoor Community Services District as an insured. This applies to any sub-contractors used for project by the general contractor.

Bids must be sealed and received at the District Office, located at 3001 Blume Dr. in Rossmoor no later than 1:00 PM on Thursday, 24 October 2013, and will be opened publicly at 2:00 PM. An apparent low bid will be named, but the Owner reserves the right to study the bids for completeness, and will determine a successful bidder by 5:00 PM on Friday, 25 October 2012. Bidders may download Bid packet materials from www.rossmoor-csd.org

www.rossmoor-csd.org . All questions should be addressed to the Design Consultant at playitsafesigns@aol.com <<mailto:playitsafesigns@aol.com>> .

The selected contractor will need to possess and provide the appropriate general contractor licenses in the State of California and for this type of work being completed with Bid documents. The contractor will need to be a certified Game Time installer and must possess current CPSI certification during the length of the contract. The contractor must also be knowledgeable of Orange County permitting requirements and submit referrals for similar work performed with five (5) public agencies.

News Enterprise 13-9157
Publish October 16, 2013

CONTRACTOR'S BID

**FOR THE GENERAL CONTRACT WORK ON THE RUSH PARK PLAYGROUND PROJECT
3001 BLUME DRIVE, ROSSMOOR, CA 90720**

ADDRESSED TO:

Mr. Henry Taboada, General Manager
Rossmoor Community Services District
3001 Blume Drive
Rossmoor, CA 90720

PLAYGROUND DESIGN CONSULTANT:

DESIGN FOR PLAY
J.C. Boush
708 S. Montebello Blvd.
Montebello, CA 90640

1. Having carefully examined the Notice to Bidders, Instructions to Bidders and Construction Documents as follows:
 - a. Construction scope of work
 - b. Invitation to Bid, as published

and having carefully examined the site of the work, existing physical conditions, and all other conditions effecting the work on the subject project, the Undersigned hereby proposes to furnish all labor, equipment, material, tools, transportation, services, licenses, fees, permits, etc., required by said documents to complete all divisions of the Work stipulated above for the sum of:

SIXTY SEVEN THOUSAND TWO HUNDRED SEVENTY EIGHT
DOLLARST ZERO CENTS
(\$ 67,278.00)

2. The Undersigned hereby certifies the qualification for a Performance Bond and Labor & Material Payment Bond, if requested and purchased by the Owner.

Respectfully Submitted:

SEAL
(if a corporation)

MALIBU PACIFIC TENNIS COURTS, INC.
Company

By [Signature]
Title

PRESIDENT
Street Address

31133 VIA COLINAS, #107
WESTLAKE VILLAGE, CA 91362
City and State

10-23-13
Date

THE AMERICAN INSTITUTE OF ARCHITECTS



AIA Document A310

Bid Bond

BOND # 102413

KNOW ALL MEN BY THESE PRESENTS, that we

MALIBU PACIFIC TENNIS COURTS, INC.

31133 Via Colinas, Suite 107
Westlake Village, CA 91362

(Here insert full name, and address or legal title of Contractor)

as Principal, hereinafter called the Principal, and
NORTH AMERICAN SPECIALTY INSURANCE COMPANY

6 Hutton Centre Dr., Ste. 850
Santa Ana, CA 92707

(Here insert full name, and address or legal title of Surety)

a corporation duly organized under the laws of the State of **NH**

as Surety, hereinafter called the Surety, are held and firmly bound unto

ROSSMOOR COMMUNITY SERVICES DISTRICT

3001 BLUME DRIVE
ROSSMOOR, CA 90720

(Here insert full name, and address or legal title of Owner)

as Obligee, hereinafter called the Obligee, in the sum of

Five Percent of Amount Bid----- Dollars (**\$ 5.00%**),

for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for

INSTALLATION OF NEW PLAYGROUND EQUIPMENT AT RUSH PARK

(Here insert full name, address and description of project)

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the Work covered by said bid then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this **22nd** day of **October**, 2013

(Witness)

(Witness)

MALIBU PACIFIC TENNIS COURTS, INC.

(Principal) (Seal)

PHIL CARTER (Title) **PRESIDENT**

NORTH AMERICAN SPECIALTY INSURANCE COMPANY

(Surety) (Seal)

(Title)
Yung T. Mulhick, Attorney-in-Fact

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA

County of ORANGE

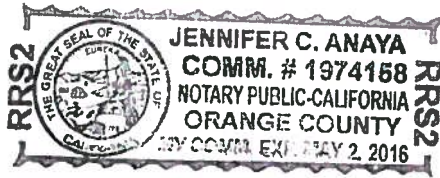
On OCTOBER 22, 2013 before me, JENNIFER C. ANAYA, NOTARY PUBLIC

Date

Here Insert Name and Title of the Officer

personally appeared YUNG T. MULLICK

Name(s) of Signer(s)



Place Notary Seal Above

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Signature

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____

Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

RIGHT THUMBPRINT OF SIGNER

Top of thumb here

Signer Is Representing: _____

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

RIGHT THUMBPRINT OF SIGNER

Top of thumb here

Signer Is Representing: _____

NAS SURETY GROUP

NORTH AMERICAN SPECIALTY INSURANCE COMPANY
WASHINGTON INTERNATIONAL INSURANCE COMPANY

GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, THAT North American Specialty Insurance Company, a corporation duly organized and existing under laws of the State of New Hampshire, and having its principal office in the City of Manchester, New Hampshire, and Washington International Insurance Company, a corporation organized and existing under the laws of the State of New Hampshire and having its principal office in the City of Schaumburg, Illinois, each does hereby make, constitute and appoint:

JENNIFER C. ANAYA, JAMES W. MOILANEN

and YUNG T. MULLICK

JOINTLY OR SEVERALLY

Its true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver, for and on its behalf and as its act and deed, bonds or other writings obligatory in the nature of a bond on behalf of each of said Companies, as surety, on contracts of suretyship as are or may be required or permitted by law, regulation, contract or otherwise, provided that no bond or undertaking or contract or suretyship executed under this authority shall exceed the amount of:

FIFTY MILLION (\$50,000,000.00) DOLLARS

This Power of Attorney is granted and is signed by facsimile under and by the authority of the following Resolutions adopted by the Boards of Directors of both North American Specialty Insurance Company and Washington International Insurance Company at meetings duly called and held on the 9th of May, 2012:

"RESOLVED, that any two of the Presidents, any Managing Director, any Senior Vice President, any Vice President, any Assistant Vice President, the Secretary or any Assistant Secretary be, and each or any of them hereby is authorized to execute a Power of Attorney qualifying the attorney named in the given Power of Attorney to execute on behalf of the Company bonds, undertakings and all contracts of surety, and that each or any of them hereby is authorized to attest to the execution of any such Power of Attorney and to attach therein the seal of the Company; and it is

FURTHER RESOLVED, that the signature of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be binding upon the Company when so affixed and in the future with regard to any bond, undertaking or contract of surety to which it is attached."



By [Signature] Steven P. Anderson, Senior Vice President of Washington International Insurance Company & Senior Vice President of North American Specialty Insurance Company



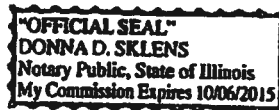
By [Signature] David M. Layman, Vice President of Washington International Insurance Company & Vice President of North American Specialty Insurance Company

IN WITNESS WHEREOF, North American Specialty Insurance Company and Washington International Insurance Company have caused their official seals to be hereto affixed, and these presents to be signed by their authorized officers this 26th day of June, 2012.

North American Specialty Insurance Company
Washington International Insurance Company

State of Illinois
County of Cook ss:

On this 26th day of June, 2012, before me, a Notary Public personally appeared Steven P. Anderson, Senior Vice President of Washington International Insurance Company and Senior Vice President of North American Specialty Insurance Company and David M. Layman, Vice President of Washington International Insurance Company and Vice President of North American Specialty Insurance Company, personally known to me, who being by me duly sworn, acknowledged that they signed the above Power of Attorney as officers of and acknowledged said instrument to be the voluntary act and deed of their respective companies.



[Signature] Donna D. Sklens, Notary Public

I, Jeffrey Goldberg, the duly elected Assistant Secretary of North American Specialty Insurance Company and Washington International Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney given by said North American Specialty Insurance Company and Washington International Insurance Company, which is still in full force and effect.

IN WITNESS WHEREOF, I have set my hand and affixed the seals of the Companies this 22 day of OCTOBER, 2013.

[Signature] Jeffrey Goldberg, Vice President & Assistant Secretary of Washington International Insurance Company & North American Specialty Insurance Company

ACKNOWLEDGMENT

State of California
County of Los Angeles)

On October 23, 2013 before me, Steve Fiedler, Notary Public
(insert name and title of the officer)

personally appeared Phil Carter
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature  (Seal)

