

**PROJECT STABILIZATION AGREEMENT
PRIME CONTRACTOR LETTER OF ASSENT**

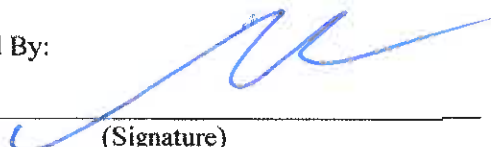
TO: SAN DIEGO UNIFIED SCHOOL DISTRICT, a California Public School District, acting by and through its Board of Education ("the District").

FROM: T.B. Penick & Sons, Inc.
(Name of Contractor)
15435 Innovation Drive, Suite 100
(Address)
San Diego, CA 92128
(City, State, Zip Code)
(858) 558-1800 / (858) 558-1881
(Telephone/Fax)
div3estimating@tbpenick.com
(Email Address)

Greg Lee, Stacey Coughlan
(Name(s) of Contractor's Authorized Executive(s))

This is to confirm that my Company agrees to be party to and bound by the San Diego Unified School District Project Stabilization Agreement – School Construction Major Rehabilitation Funded by Propositions S and Z, effective July 28, 2009, as such Agreement may from time to time be amended by the negotiating parties or interpreted pursuant to its terms. Such obligation to be a party and bound by this Agreement shall extend to all work covered by the Agreement undertaken by this Company on the Project pursuant to CZ-14-0443-29 – STADIUM AND ATHLETIC FIELD IMPROVEMENTS AT KEARNY HIGH SCHOOL, and this Company shall require all of its subcontractors and others covered by the PSA of whatever tier to be similarly bound for all work within the scope of the Agreement by signing and furnishing to the District's Contract Compliance Office an identical Letter of Assent prior to their commencement of work.

Executed By:


(Signature) 10/31/13
(Date)

Greg Lee
(Typed or Printed Name) Executive Vice President
(Title)

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SUBCONTRACTORS LIST

Bidder: T.B. Penick & Sons, Inc.Address: 15435 Innovation Drive, Suite 100, San Diego, CA 92128Telephone: (858) 558-1800Fax: (858) 558-1881Bidder(s) Authorized Representative(s): Greg Lee

PROJECT: STADIUM AND ATHLETIC FIELD IMPROVEMENTS AT KEARNY HIGH SCHOOL

TRADE/PORTION OF THE WORK	SUBCONTRACTOR NAME AND LICENSE NUMBER	LICENSE CLASSIFICATION	SUBCONTRACTOR BUSINESS LOCATION	% OF CONTRACT VALUE	DVBE/SBE?
DIVISION 2					
Site Demolition	FJ Willert Contracting Co. 402473	A	1869 Nirvana Ave. Chula Vista, CA 91911-6117	1.5%	
AC Paving					
Site Concrete	Triton Structural Concrete 903428	C-8	15435 Innovation Dr. Suite 225 San Diego, CA 92128	7.5%	
DIVISION 3					
Structural Concrete	Triton Structural Concrete 903428	C-8	15435 Innovation Dr. Suite 225 San Diego, CA 92128	3.7%	
Rebar	Quality Reinforcing, Inc. 683317	C-50	13275 Gregg Street Poway, CA 92064	1.25%	

TRADE/PORTION OF THE WORK	SUBCONTRACTOR NAME AND LICENSE NUMBER	LICENSE CLASSIFICATION	SUBCONTRACTOR BUSINESS LOCATION	% OF CONTRACT VALUE	DVBE/SBE?
DIVISION 4					
Concrete Masonry Units	Bratton Masonry 274525	C-29	2763 N Argyle Fresno, CA 93727	2.5%	
DIVISION 5					
Structural Steel	Palmer Steel Supplies, Inc. 735895	C-51	4300 Acapulco Ave. Mc Allen, TX 78503	1.1%	
Misc. Steel GL					
Rough Carpentry	Rocky Coast Builders, Inc. 745061	A	135 So Market Place Escondido, CA 92029	1.5%	SB
Metal Studs	Standard Drywall, Inc. 444328	C-9	PO Box 730 Lakeside, CA 92040	0.9%	
Roofing	Roof Construction 647203	C-39	1563 Sterling Court Escondido, CA 92029	0.75%	SB
DIVISION 9					
Gypsum Board Assys	Standard Drywall, Inc. 444328	C-9	PO Box 730 Lakeside, CA 92040	0.65%	
Casework	Woodcraft Company 940315	C-6	6700 Gateway Park Dr. Suite 4 San Diego, CA 92154	0.51%	
Tile	Global Design 849925	C-54	2991 Fulton Avenue Suite C Sacramento, CA 95825	1.3%	

TRADE/PORION OF THE WORK	SUBCONTRACTOR NAME AND LICENSE NUMBER	LICENSE CLASSIFI-CATION	SUBCONTRACTOR BUSINESS LOCATION	% OF CONTRACT VALUE	DVBE/ SBE?
DIVISION 10					
Building Specialties GL					
DIVISION 11					
Athletic Equipment and Specialties GL					
DIVISION 13					
Prefab Bldgs GL					
Grandstands and Bleachers	Triton Structural Concrete 903428	A, B, C-8	15435 Innovation Dr. Suite 225 San Diego, CA 92128	9.8%	

TRADE/PORION OF THE WORK	SUBCONTRACTOR NAME AND LICENSE NUMBER	LICENSE CLASSIFI- CATION	SUBCONTRACTOR BUSINESS LOCATION	% OF CONTRACT VALUE	DVBE/ SBE?
DIVISION 22					
Plumbing	Advance Plumbing Company 272557	C-36	PO Box 1706 El Cajon, CA 92022-1706	4%	SB
DIVISION 23					
HVAC	Simco Mechanical 974288	C-20	2222 Foothill Blvd. #E119 La Canada, CA 91011	0.5%	SB
DIVISION 26					
Electrical	Neal Electric, Inc. 802588	C-10	PO Box 1655 Poway, CA 92074	9%	
DIVISION 27					
Low Voltage Electrical	Standard Electronics 590876	C-7, C-10	9340 Stevens Road Santee, CA 92071	1%	SB

TRADE/PORION OF THE WORK	SUBCONTRACTOR NAME AND LICENSE NUMBER	LICENSE CLASSIFI-CATION	SUBCONTRACTOR BUSINESS LOCATION	% OF CONTRACT VALUE	DVBE/ SBE?
Fire Alarm	Standard Electronics 590876	C-7, C-10	9340 Stevens Road Santee, CA 92071	0.52%	SB
DIVISION 31					
Earthwork	F.J. Willert Contracting Co. 402473	A	1869 Nirvana Ave. Chula Vista, CA 91911-6117	3%	
Erosion Control GL					
DIVISION 32					
Chain Link Fencing	Ace Fence Co. 801674	A, B, C-13	15135 Salt Lake Ave City of Industry, CA 91746-3316	6.2%	
Landscaping and Irrigation	Pacific Premier Landscape, Inc. 986885	C-27	41929 Shorewood Ct Temecula, CA 92591	5.3%	

TRADE/PORTION OF THE WORK	SUBCONTRACTOR NAME AND LICENSE NUMBER	LICENSE CLASSIFICATION	SUBCONTRACTOR BUSINESS LOCATION	% OF CONTRACT VALUE	DVBE/SBE?
DIVISION 33					
Site Utilities	Xing, Inc. 941614	A	8880 Gainsborough Ave. San Diego, CA 92129	4%	SB

NOTE: Under Public Contract Code section 4100 et. seq. known as the Subletting and Subcontracting Fair Practices Act, all subcontractors (defined under Public Contract Code section 4113 and Business & Professions Code section 7026) to the prime contractor performing work in excess of 0.5% of the bid must be listed. At time of bid, a listed subcontractor must be licensed with the California State Contractors License Board (CSLB).

NOTE: LIST ALL DVBE SUBCONTRACTORS IN THE DVBE/SDVOB BIDDER DECLARATION DUE AT TIME OF BID AS WELL AS IN THIS SUBCONTRACTORS LIST.

The Bidder shall designate/identify the listed subcontractors as DVBE's in the DVBE/SDVOB Bidder Declaration at **time of bid** and within twenty-four (24) hours after the opening Bid Proposals on the Subcontractor List under Public Contract Code section 4104(a)(2)(A). Failure of a Bidder to meet the 3% DVBE participation percentage requirement pursuant to Resolution In Support of Service Disabled Veterans Owned Businesses (SDVOB) and Disabled Veteran Business Enterprises (DVBE) approved on May 10, 2011 by Board of Education shall result in rejection of the Bidder's Bid Proposal for non-responsiveness. DVBE's need to have a current and valid certification from the State of California Department of General Services. SDVOB's need to have a current and valid verification letter from the Department of Veteran's Affairs Center for Veterans Enterprise; self-representation will not be accepted. DVBE and SDVOB eligibility is a one year period and must be renewed annually; eligibility must be current at time of bid and contract award. Failure of a Bidder to submit the designation/identification of subcontractors pursuant to the preceding may result in rejection of the Bidder's Bid Proposal for non-responsiveness. For purposes of the preceding, the following definitions shall apply:

Small Business: A business concern, independently owned and operated, not dominant in the field of operation and who's size determinations and annual receipts are in accordance with the U.S. Department of Commerce "*Standard Industrial Classification Manual*". Size determination is set by either (1) annual receipts or (2) number of employees. In size determinations where the standard is "annual receipts", size eligibility requires that the concern may not exceed the "annual receipts" in that standard. In size determinations where the standard is "number of employees", size eligibility requires that the concern may not exceed the number of employees in that standard. "Number of employees" means the average employment of the concern for the preceding completed 12 calendar month period. A concern is "not dominant in its field of operation" when it does not exercise a controlling or major influence on a national basis in a kind of business activity in which a number of business concerns are primarily engaged. The designation of small business shall include:

"DVBE" Disabled Veteran Business Enterprise. A business concern that is certified by the State of California Department of General Services Office of Small and Minority Business, 51% owned and operated by a disabled veteran.

"SBE" Small Business Enterprise. A small business concern independently owned and operated by a non-minority, qualifying in one of the above categories.

Percentage of Contract value. The Bidder shall stipulate what percentage of work a small business; a DVBE or a SBE will perform in relation to the total bid value.