

**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.R. 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  
(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 Proposition S, 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-14-0437-57 – Athletic Fields Upgrades and Stadium Improvements at Mission Bay 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)

11/4/13  
\_\_\_\_\_  
(Date)

Greg Lee  
\_\_\_\_\_  
(Typed or Printed Name)

Executive Vice President  
\_\_\_\_\_  
(Title)

## 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: ATHLETIC FIELDS UPGRADES AND STADIUM IMPROVEMENTS AT MISSION BAY HIGH SCHOOL**

TRADE/PORTION OF THE WORK	SUBCONTRACTOR NAME AND LICENSE NUMBER	LICENSE CLASSIFICATION	SUBCONTRACTOR BUSINESS LOCATION	% OF CONTRACT VALUE	DVBE/SBE?
Earthwork	Roberts General Engineering 813645	A	PO Box 461330 Escondido, CA 92046	2.7%	
AC Paving	Calmex Engineering 685954	A	2764 S Vista Ave. Bloomington, CA 92315	.7%	SB
Site Concrete	Triton Structural Concrete, Inc. 903428	C-8	15435 Innovation Dr. Suite 225 San Diego, CA 92128	5.1%	
Dewatering	Xing, Inc. 941614	A	8880 Gainsborough Ave. San Diego, CA 92129	1%	SB
Fencing	Alcorn Fence Company 176374	C-13	PO Box 1249 Sun Valley, CA 91353	3.5%	
Landscape	Marina Landscape, Inc.	C-27	1900 S Lewis St. Anaheim, CA 92805	4.2%	
Concrete	Triton Structural Concrete 903428	C-8	15435 Innovation Dr. Suite 225 San Diego, CA 92128	4.6%	

TRADE/PORION OF THE WORK	SUBCONTRACTOR NAME AND LICENSE NUMBER	LICENSE CLASSIFICATION	SUBCONTRACTOR BUSINESS LOCATION	% OF CONTRACT VALUE	DVBE/SBE?
Rebar	Quality Reinforcing 683317	C-50	13275 Gregg Street Poway, CA 92064	2%	
Masonry	Precision Masonry Builders, Inc.	C-29	8880 North Magnolia Ave Suite 363 Santee, CA 92071	3.4%	
Rough Carpentry	Rocky Coast Builders, Inc. 745061	A, B	135 So Market Place Escondido, CA 92029	.9%	SB
Millwork	Xing, Inc. 941614	A, B	8880 Gainsborough Ave. San Diego, CA 92129	1.4%	SB
Structural Steel	San Diego Steel Solutions 932783	C-51	PO Box 463091 Escondido, CA 92046	1.4%	SB
Miscellaneous Steel <i>GL</i>					
Sheet Metal	RGB Rice General Building 814805	C-43	4467 Salisbury Drive Carlsbad, CA 92010	1.6%	
Overhead Colling Doors	Caldwell Specialties 981923	D-34	1121 N First Street El Cajon, CA 92021	.7%	
Drywall	N-U Enterprise 888647	C-9, C-35	17401 Armstrong Ave #200 Irvine, CA 92614	.7%	

TRADE/PORION OF THE WORK	SUBCONTRACTOR NAME AND LICENSE NUMBER	LICENSE CLASSIFICATION	SUBCONTRACTOR BUSINESS LOCATION	% OF CONTRACT VALUE	DVBE/SBE?
Metal Studs	N-U Enterprise 888647	C-9, C-35	17401 Armstrong Ave #200 Irvine, CA 92614	.7%	
Signage	Architectural Sign Identity, Inc. 773134	C-45, D-42	1247 S Buena Vista Stunit E San Jacinto, CA 92583	.5%	
Terrazzo	Mike Payne & Associates, Inc. 624448	C-54	33370 Mission Trail Wildomar, CA 92595	.9%	SB
Painting GL					
Grandstands	Dant Clayton Corporation 844204	A, D-34	1500 Bernheim Lane Louisville, KY 40210	6%	
Modular Elevator	TL Shield & Associates, Inc. 605460	C-11	PO Box 6845 Thousand Oaks, CA 91359	1.4%	
Plumbing	Advance Plumbing Company 272557	C-4, C-36	PO Box 1706 El Cajon, CA 92022	.9%	SB
Site Utilities	Xing, Inc. 941614	A	8880 Gainsborough Ave San Diego, CA 92129	2%	SB

TRADE/PORION OF THE WORK	SUBCONTRACTOR NAME AND LICENSE NUMBER	LICENSE CLASSIFI- CATION	SUBCONTRACTOR BUSINESS LOCATION	% OF CONTRACT VALUE	DVBE/ SBE?
HVAC	Simco Mechanical 974288	C-20	2222 Foothill Blvd. #E 119 La Canada, CA 91011	.5%	SB
Electrical	Neal Electric, Inc. 802588	C-10	PO Box 1655 Poway, CA 92074	10.5%	
<del>Division 27 Low Voltage E/L</del>					
Communications	Thompson Engineering 665844	C-7, C-10	2205 Fleetwood Drive Riverside, CA 92509	.8%	SB
Fire Alarm	Simplexgrinnell LP 986047	C-10, C-16	12728 Shoemaker Ave. Santa Fe Springs, CA 90670	1.2%	
Audio Visual	Audio Associates 728789	C-7	8200 Center Drive La Mesa, CA 91942	1%	SB DVBE
Scoreboards	Xing, Inc. 941614	A	8880 Gainsborough Ave San Diego, CA 92129	.9%	SB

TRADE/PORION OF THE WORK	SUBCONTRACTOR NAME AND LICENSE NUMBER	LICENSE CLASSIFI-CATION	SUBCONTRACTOR BUSINESS LOCATION	% OF CONTRACT VALUE	DVBE/ SBE?

**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 dominate 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.