

**AGENDA  
MEETING OF THE  
ANIMAL CARE JPA  
THURSDAY, AUGUST 2, 2012, 12:00 p.m.  
YUCCA VALLEY COMMUNITY CENTER MESQUITE ROOM**

**ROLL CALL:** Directors Cronin, Huntington, Lombardo, Chair Derry

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES**

Approve the minutes of May 31, 2012 Special Meeting as presented

**DIRECTORS REPORTS/UPDATES**

**DISCUSSION ITEMS**

1. Replacement Animal Shelter, Approval of Plans and Specifications, Authorization to Bid for Construction

Staff Report

**Recommendation:**

- A. Approve the Plans and Specifications
- B. Authorize construction bidding for the project;
- C. Direct the Town Clerk to advertise the project for construction bids;
- D. Direct staff to return to the JPA with a repayment plan for the project;
- E. And direct staff to return to the JPA with a recommendation for designation of the construction project manager.

**FUTURE AGENDA ITEMS**

- A. Adopt Reimbursement Strategies

**PUBLIC COMMENTS**

**ADJOURNMENT**

**ANIMAL CARE JPA MINUTES  
THURSDAY, MAY 31, 2012**

Alan Rasmussen called the meeting to order at 12:00 p.m. with Directors Hagerman, Huntington, Cronin and Alan Rasmussen sitting in for Chair Derry.

**PLEDGE OF ALLEGIANCE**

Led by Director Hagerman

**APPROVAL OF MINUTES**

Approve the minutes of February 23, 2012 as presented.

Upon motion by Director Huntington, second by Director Hagerman and no objections stated, the minutes stand approved

**DIRECTORS REPORTS/UPDATES**

None

**DISCUSSION ITEMS**

1. In-Kind Contribution Policies

Town Manager Nuaimi advised that the Town and County staffs have been working on formulating policies for accepting donations from private donors as well as contributions from each agency, and are forwarding the two policies for consideration. The only discussion between County Counsel and the Town was consideration as to whether staffing from the agencies should be fully burdened or not. Mr. Rasmussen requested a description of "fully burdened". Town Manager Nuaimi advised that is all salary and indirect benefits, which is how it is currently structured.

Director Cronin advised that the County agrees to accept the fully burdened costs. He recommended acceptance of the modification as recommended by the Town, for the Board to review and approve the In-Kind Contribution Policies and direct staff to forward the policies to their respective legislative bodies for their information. He noted there is no need for the legislative bodies to approve the items.

Directors Huntington and Hagerman advised they have no problem with that.

Motion by Director Cronin, seconded by Director Huntington that the Board review and approve the In-Kind Contribution Policies as presented, and direct staff to return the policies to the respective legislative bodies for their information

approved unanimously.

2. Shelter Design Contract Update
3. Approval of Bid Specifications

Town Manager Nuaimi advised that discussion is regarding both Items 2 and 3.

The design plans are at 100%, bid documents are being completed, are in County Counsel and A&E offices for review and will be brought back to the JPA for final approval. The County and Town staff continue to develop loan language which requires modifications to the JPA Agreement. The Town is accounting for all contributions made to the project and all project costs. In November when the initial site plans were brought forward for review, the total construction cost was estimated to be about \$3.8 million. We value engineered the project, reduced the scope and footprint of the administration building without sacrificing functionality, reduced the dimensions of the kennels and reduced that total construction cost estimate to \$3.2 million in December before receiving comments from the various agencies. After receiving comments the construction cost estimate is \$3.375 million which includes contingency dollars.

Staff believes we can take the project to bid and get bids below that number. We will bring back a request for a construction management cost allocation for Project Engineer Qishta's. The recommendation is revised to recommend that the Board approves the Plans and Specifications, and direct the JPA staff to make technical modifications as may be requested by County Counsel and the County's Architecture and Engineering Department; and Return to the JPA Board for final approval of the modified plans and specifications. This recommendation defers recommendations "B" through "F" to a subsequent meeting.

Director Huntington questioned if it is true that, other than the revision to Item A, we cannot move forward with B-F at this time. Director Cronin advised that, from the County's perspective, we need to review the plans and specifications first.

Motion by Director Huntington and second by Director Hagerman to approve the Plans and Specifications and direct the JPA staff to make technical modifications as may be requested by County Counsel and the County's Architecture and Engineering Department; and return to the JPA board for final approval of the modified plans and specifications passed unanimously.

Margo Sturgis, Yucca Valley, stated the plans and specifications are going to County counsel for review and wondered when it would be going to Town Council for their review. Also, she didn't see Malin Way street improvements credited to the Town's expenditures.

Town Manager Nuaimi advised that the Council delegated authority to the JPA

Board to approve the plans and specs, and will come back to the Council when it goes to bid, as well as the financing package for the process. He noted that Malin Way was not included as a part of this project and had already been completed.

**FUTURE AGENDA ITEMS**

- A. Adopt Reimbursement Strategies

**PUBLIC COMMENTS**

None

**ADJOURNMENT**

There being no further business the meeting was adjourned at 12:20 p.m.

Respectfully submitted

Jamie Anderson  
Town Clerk

**ANIMAL CARE JOINT POWERS AUTHORITY  
STAFF REPORT**

**To:** JPA Board Members  
**From:** Mark Nuaimi, Town Manager  
**Date:** July 30, 2012  
**For JPA Meeting:** August 2, 2012

**Subject:** Replacement Animal Shelter  
Approval of Plans and Specifications  
Authorization to Bid for Construction

**Prior JPA Review:** The JPA Board has been reviewing various matters related to the Replacement Animal Shelter project over the past year. The JPA Board reviewed this matter at its meeting of May 31, 2012, and directed staff to return with final plans and specifications.

**Recommendation:** That the ACJPA adopts the Resolution and:

- A. Approves the Plans and Specifications;
- B. Authorizes construction bidding for the project;
- C. Directs the Town Clerk to advertise the project for construction bids;
- D. Directs staff to return to the JPA with a repayment plan for the project;
- E. And directs staff to return to the JPA with a recommendation for designation of the construction project manager.

**Executive Summary:** The Plans and Specification have been completed. Technical modifications were made as requested by County Counsel and the County Architecture and Engineering Department.

**Order of Procedure:**

Request Staff Report  
Request Public Comment  
JPA Discussion/Questions of Staff  
Motion/Second  
Discussion on Motion  
Call the Question (Voice Vote)

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Reviewed By:                      \_\_\_\_\_                      \_\_\_\_\_                      \_\_\_\_\_                      SRS  
    Town Manager                      Town Attorney                      Mgmt Services                      Dept Head

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Department Report                       Ordinance Action                       Resolution Action                       Public Hearing  
 Consent                       Minute Action                       Receive and File                       Study Session

**Discussion:** Williams Architects completed the preparation of the Plans and Technical Specifications for the project. Town staff completed the Project Specifications package, and the project is ready to be advertised for construction bidding.

Project No.1 is ready to advertise for bids. A “Notice Inviting Bids” and the Resolution authorizing advertisement are attached.

Plans and specifications are on file in the Town Clerk’s Office for review.

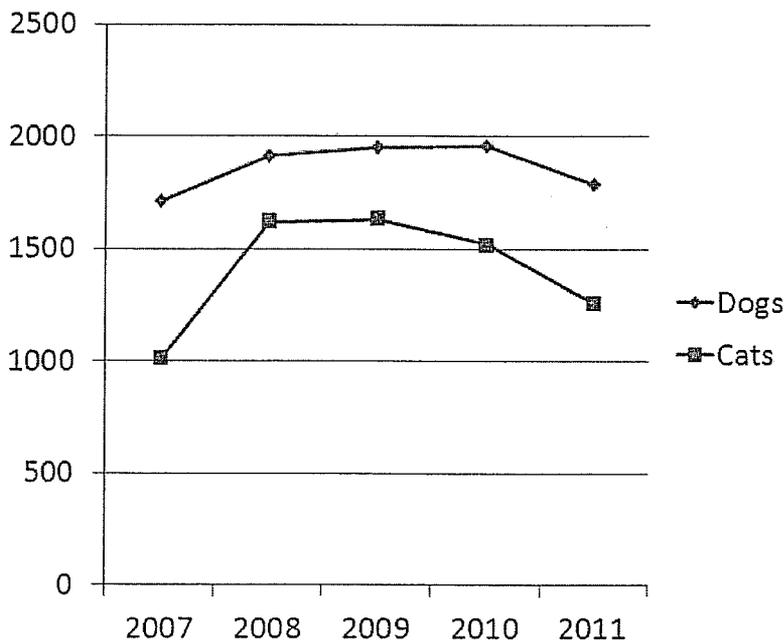
Additional Analysis Completed. Town Staff and the architects also completed additional analysis of the Replacement Shelter design in response to questions raised during the final design review. This analysis included:

- Consistency between Replacement Shelter design and “Guidelines for Standards of Care in Animal Shelters” from the Association of Shelter Veterinarians (2010);
- Shelter Capacity Analysis

Town staff completed a matrix demonstrating the design’s consistency with the ASV 2010 Guidelines. This is included as an Attachment to the staff report.

Based upon the Dog and Cat Animal Intake history (shown below), calculations were completed to demonstrate that adequate sheltering capacity exists within the replacement shelter.

## Dog & Cat Intake 2007 to 2011



<u>Year</u>	<u>Dog</u>	<u>Cat</u>
2007	1,712	1,010
2008	1,911	1,621
2009	1,954	1,634
2010	1,959	1,521
2011	1,786	1,260

Note: These numbers include (4-6%) dead animals

Based upon the animal intake history, the following capacity requirements exist:

	FY 08/09	FY 09/10	FY 10/11	FY 11/12
<b>DOGS</b>				
Annual Intake	1,948	1,970	1,775	1,716
Average length of stay	10	10	10	10
stay ( <i>animal care days</i> )	19480	19700	17750	17160
	Divide by 365 days			
<b>Minimum capacity for dogs</b>	<b>53</b>	<b>54</b>	<b>49</b>	<b>47</b>
	FY 08/09	FY 09/10	FY 10/11	FY 11/12
<b>CATS</b>				
Annual Intake	1,664	1,530	1,416	944
Average length of stay	10	10	10	10
Intake x length of stay ( <i>animal care days</i> )	16640	15300	14160	9440
	Divide by 365 days			
<b>Minimum capacity for cats</b>	<b>46</b>	<b>42</b>	<b>39</b>	<b>26</b>

Given the current shelter design, dog capacity sits at 59 kennel runs and cat rooms have capacity for over 50 cat cages. This meets the demands for the facility using the highest volumes of 54 dogs and 46 cats.

**Alternatives:** Staff recommends no alternative action. The project is ready for construction bidding. The results of the bid process will provide the JPA Board, the Board of Supervisors, and the Town Council with the necessary project cost information for completing the project reimbursement agreement(s), and any necessary financing program modifications.

**Fiscal impact:** The Architect's construction cost estimate is \$3,385,000. The JPA will review bid results following the bidding process.

**Attachments:**      **Consistency Analysis to ASV Guidelines  
Resolution  
Notice Inviting Bid**

ASV 2010 Guidelines vs. YV Shelter Design			
ASV 2010 Recommendation/Guideline	Satisfied in YV Shelter Design?	Staff Comments	
<b>Primary Enclosure (defined as a cage, run, kennel, stall, or pen)</b>			
1	Must be structurally sound and maintained in a safe, working condition to properly confine animals, prevent injury, keep other animals out, and enable animals to remain dry and clean.	yes	Careful consideration and thought was put into place when designing the runs and cages for areas identified.
2	Must not be any sharp edges, gaps or other defects that could cause an injury or trap a limb or other body part.	yes	Careful consideration and thought was put into place to when designing the runs and cages.
3	Secure latches or other closing devices must be present.	yes	kennels/catteries will be equipped with secure latches
4	Wire mesh bottoms or slatted floors are not acceptable.	yes	There will be no wire mesh bottoms/slatted floors used
5	Enclosures that permit care and cleaning without removal of the animals (e.g., double-sided or compartmentalized enclosures) are very important.	yes	All dog kennels are double-sided. Future cat cages will allow cats to stay in their cages safely while their area is cleaned.
6	Should be readily cleaned and disinfected.	yes	kennels/catteries are designed to be easily cleaned & disinfected
7	Must provide sufficient space to allow each animal to make normal postural adjustments without touching the top of the enclosure, lie comfortably with limbs extended, move about and assume a comfortable posture for feeding, drinking, urinating and defecating.	yes	This recommendation is satisfied in the dog kennels designed for the replacement shelter. The cat cages, once purchased, will meet this recommendation.
8	Should allow animals to see out but should also provide at least some opportunity to avoid visual contact with other animals.	yes	Careful design consideration was taken to allow the animals some "openness" while screening them from adjacent animals to eliminate "fence fighting"
9	Less than 2 feet of triangulated distance between litterbox, resting place and feeding area has been shown to adversely affect food intake for cats.	?	Also written: Separation between food, urination/defecation and resting areas should be maximized. 30 X 30 cat cages are the size currently being considered for cats. This recommendation is unclear in its application.
10	Elevated resting places should be provided wherever possible.	yes	Kuranda beds or similar will be provided to the dogs when possible/needed. All of the cat cages will be equipped with an elevated resting place.
11	A soft resting place should be made available for all animals.	yes	Blankets and similar will be provided to dogs & cats.
12	Cages and crates intended for short-term temporary confinement or travel are unacceptable as primary enclosures.	yes	The replacement kennel <b>does not</b> use cages or crates as primary enclosures.
13	Cats must have places to hide (e.g., paper bag or box large enough to provide concealment) and should have high points to perch upon.	yes	Plans include meeting these recommendations for cats/kittens. These are a function of the cat enclosures selected and not the design of the replacement shelter specifically.
14	For animals housed long-term, the physical environment must include opportunities for hiding, playing, resting, feeding and eliminating.	yes	There will be four large outdoor exercise, playing, hiding, resting, feeding and eliminating areas for the dogs. Plus, volunteers will be there to walk dogs. Cats housed for long term will have the opportunity to play, etc. outside of their cages.
15	Outdoor spaces must be suitably enclosed to protect from adverse weather, vandalism, and prevent escape or predation.	yes	Replacement Shelter design meets these recommendations.

ASV 2010 Guidelines vs. YV Shelter Design			
ASV 2010 Recommendation/Guideline	Satisfied in YV Shelter Design?	Staff Comments	
<b>Surfaces and Drainage</b>			
16	Non-porous surfaces (easily disinfected, durable) should be used in all animal areas and must be used in those areas housing puppies, kittens or infectious animals.	yes	Careful consideration and thought was put into place to when designing the runs and cages for areas identified.
17	Carpeting should not be used in animal housing areas.	yes	Carpeting is not used in animal housing areas in the replacement shelter.
18	Points where walls meet floors should be sealed.	yes	
19	Soft bedding or slip proof mats is required for animals with arthritis, weakness or mobility impairments.	yes	Operations issue; these accommodations are routinely made for impaired animals.
20	Floors should be gently sloped to enable wastes and water to run off into drains.	yes	All kennel runs designed with the gradual sloping floors.
21	Waste water should not run off into common areas or adjacent kennels.	yes	Individual drains for each kennel run are designed into the project.
22	Adequate drainage must be provided.	yes	Drainage has been sized to meet the needs of the facility.
23	Drain covers should be designed to prevent toes from being caught in drains.	yes	
<b>Heating, Ventilation and Air Quality</b>			
24	It is essential that each primary enclosure allows an animal to comfortably maintain body temperature.	yes	All facilities have HVAC to allow for comfortable body temperature. Outside kennel components under roofline to provide adequate shade / comfort.
25	Fresh air is essential for maintenance of good health and well being and limiting the spread of infectious diseases.	yes	
26	Ventilation systems must be adequately maintained and air quality should be monitored at the level of the animal. Between 10 and 20 room air exchanges per hour is the standard recommendation for adequate ventilation of animal facilities.	yes	Maintenance issue; the HVAC systems in all Town facilities are routinely monitored and maintained.
27	Ventilation must be accomplished without compromising maintenance of appropriate temperatures.	yes	
28	Isolation areas for dogs should have separate air circulation from the rest of the facility.	yes	Separate air handling incorporated into dog isolation kennels. Separate air handling incorporated into three phase cat handling facilities.
29	Cat cages facing each other should be spaced more than 4 feet apart.	agree	

ASV 2010 Guidelines vs. YV Shelter Design			
ASV 2010 Recommendation/Guideline	Satisfied in YV Shelter Design?	Staff Comments	
<b>Light</b>			
30	Facilities should be designed to offer as much natural light as possible.	yes	Design incorporates natural lighting throughout the facilities
31	Artificial light should closely approximate natural light in both duration and intensity.	yes	
32	Enclosures should be positioned so individual animals can avoid being exposed to excessive amounts of light or darkness.	yes	
<b>Sound Control</b>			
33	Noise producing equipment should be positioned as far from the animals as possible.	yes	
34	Sound absorbent materials must be durable enough to permit repeated cleaning and should be either out of the animal's reach or resistant to destruction.	yes	
35	Shelters should be designed so that cats are not exposed to the noise of barking dogs.	yes	Cats are housed in the administration building, separate from the dog impound and adoptable kennels
<b>Drop Boxes</b>			
36	The use of unattended drop boxes where live animals are placed by the public in receptacles...should be avoided.	no	The dumping of dogs and cats is a common practice in our area. Therefore, staff decided it is safer for the animals and the public to have a drop off point.

**RESOLUTION NO.**

**A RESOLUTION OF THE ANIMAL CARE JOINT POWERS  
AUTHORITY APPROVING PLANS AND SPECIFICATIONS FOR THE  
CONSTRUCTION OF THE YUCCA VALLEY ANIMAL SHELTER IN  
THE TOWN OF YUCCA VALLEY AND AUTHORIZING AND  
DIRECTING THE TOWN CLERK TO ADVERTISE TO RECEIVE BIDS.**

**WHEREAS:** It is the intention of the Animal Care Joint Powers Authority "ACJPA" to construct certain improvements in the Town; and

**WHEREAS:** The ACJPA has prepared plans and specifications for the construction of certain improvements.

**NOW, THEREFORE, BE IT RESOLVED:**

**SECTION 1:** That the plans and specifications presented to this ACJPA be and are hereby approved as the plans and specifications for: **ACJPA YUCCA VALLEY ANIMAL SHELTER, PROJECT NO.1.**

**SECTION 2:** That the Town Clerk is hereby authorized and directed to advertise as required by law for the receipt of sealed bids or proposals for doing of the work specified in the aforesaid plans and specifications, which said advertisement shall be in form and content as approved by the ACJPA and a copy of this Resolution shall be contained in each specification package for the work.

**"NOTICE INVITING SEALED BIDS OR PROPOSALS"**

Pursuant to a Resolution of the ACJPA, directing this notice, **NOTICE IS HEREBY GIVEN** that the said ACJPA will receive at the Office of the Town Clerk in the Town Hall of the Town of Yucca Valley, on or before the hour of 3:00 P.M. **on the September 6<sup>th</sup>, 2012** sealed bids or proposals for the construction of:

**ACJPA YUCCA VALLEY ANIMAL SHELTER, PROJECT NO.1**

in said Town.

Bids will be opened and publicly read immediately thereafter.

Bids must be made on a form provided for the purpose, addressed to the ACJPA, in care of the Town of Yucca Valley marked: Bid for Construction of:

**ACJPA YUCCA VALLEY ANIMAL SHELTER, PROJECT NO.1**

**PREVAILING WAGE:** Notice is hereby given that in accordance with the provisions of California Labor Code, Division 2, Part 7, Chapter 1, Articles 1 and 2, the Contractor is required to pay not less than the general prevailing rate of per diem wages for work of a similar character in the locality in which the public work is performed, and not less than the general prevailing rate of per diem wages for holiday and overtime work. In that regard, the Director of the Department of Industrial Relations of the State of California is required to and has determined such general prevailing rates of per diem wages. Copies of such prevailing rates of per diem wages are on file in the office of the Town Clerk, 57090 29 Palms Highway, Yucca Valley, California, and are

available to any interested party on request. The ACJPA also shall cause a copy of such determinations to be posted at the job site.

Pursuant to Labor Code § 1775, the Contractor shall forfeit, as penalty to the ACJPA, not more than fifty dollars (\$50.00) for each laborer, workman, or mechanic employed for each calendar day or portion thereof, if such laborer, workman, or mechanic is paid less than the general prevailing rate of wages hereinbefore stipulated for any work done under the contract, by him or by any subcontractor under him, in violation of the provisions of said Labor Code.

In accordance with the provisions of § 1777.5 of the Labor Code, as amended, and in accordance with the regulations of the California Apprenticeship Council, properly indentured apprentices may be employed in the prosecution of the work.

Attention is directed to the provisions in §§ 1777.5 and 1777.6 of the Labor Code concerning the employment of apprentices by the Contractor or any subcontractor under him.

§ 1777.5, as amended, requires the Contractor or subcontractor employing tradesmen in any apprenticeable occupation to apply to the joint apprenticeship committee nearest the site of the public works project and which administers the apprenticeship program in that trade for a certificate of approval. The certificate will also fix the ratio of apprentices to journeymen that will be used in the performance of the contract. The ratio of apprentices to journeymen in such cases shall not be less than one to five except:

- A. When employment in the area of coverage by the joint apprenticeship committee has exceeded an average of 15 percent in the 90 days prior to the request for certificate, or
- B. When the number of apprentices in training in the area exceeds a ratio of one to five, or
- C. When the trade can show that it is replacing at least 1/30 of its membership through apprenticeship training on an annual basis statewide or locally, or
- D. When the Contractor provides evidence that he employs registered apprentices on all of his contracts on an annual average of not less than one apprentice to eight journeymen.

The Contractor is required to make contributions to funds established for the administration of apprenticeship programs if he employs registered apprentices or journeymen in any apprenticeable trade on such contracts and if other contractors on the public works site are making such contributions.

The Contractor and subcontractor under him shall comply with the requirements of §§ 1777.5 and 1777.6 in the employment of apprentices.

Information relative to apprenticeship standards, wage schedules, and other requirements may be obtained from the Director of Industrial Relations, *ex-officio* the Administrator of Apprenticeship, San Francisco, California, or from the Division of Apprenticeship Standards and its branch offices.

Eight (8) hours of labor shall constitute a legal day's work for all workmen employed in the execution of this contract and the Contractor and any subcontractor under him shall comply with and be governed by the laws of the State of California having to do with working hours as set

forth in Division 2, Part 7, Chapter 1, Article 3 of the Labor Code of the State of California as amended.

The Contractor shall forfeit, as a penalty to the Town, twenty-five dollars (\$25.00) for each laborer, workman, or mechanic employed in the execution of the contract, by him or any subcontractor under him, upon any of the work hereinbefore mentioned, for each calendar day during which said laborer, workman, or mechanic is required or permitted to labor more than eight (8) hours in violation of said Labor Code.

Contractor agrees to pay travel and subsistence pay to each workman needed to execute the work required by this contract as such travel and subsistence payments are defined in the applicable collective bargaining agreements filed in accordance with Labor Code § 1773.8.

The bidder must submit with his proposal cash, cashier's check, certified check, or bidder's bond, payable to the Town for an amount equal to at least ten percent (10%) of the amount of said bid as a guarantee that the bidder will enter into the proposed contract if the same is awarded to him, and in event of failure to enter into such contract said cash, cashier's check, certified check, or bond shall become the property of the Town.

If the Town awards the contract to the next lowest bidder, the amount of the lowest bidder's security shall be applied by the Town to the difference between the low bid and the second lowest bid, and the surplus, if any, shall be returned to the lowest bidder.

The amount of the bond to be given to secure a faithful performance of the contract for said work shall be one hundred percent (100%) of the contract price thereof, and an additional bond in an amount equal to one hundred (100%) of the contract price for said work (except as otherwise modified in the General Provisions section of the contract documents) shall be given to secure the payment of claims for any materials or supplies furnished for the performance of the work contracted to be done by the Contractor, or any work or labor of any kind done thereon, and the Contractor will also be required to furnish a certificate that he carries compensation insurance covering his employees upon work to be done under contract which may be entered into between him and the said Town for the construction of said work.

No proposal will be considered from a Contractor who is not properly licensed as required by the Notice Inviting Bids at time of bid in accordance with the provisions of the Contractor's License Law (California Business and Professions Code, § 7000, *et seq.*) and rules and regulations adopted pursuant thereto or to whom a proposal form has not been issued by the Town.

The work is to be done in accordance with the profiles, plans, and specifications of the Town of Yucca Valley on file in the Office of the Town Clerk. Copies of the plans and specifications will be furnished upon application to the Town and payment of \$45.00, said \$45.00 is nonrefundable.

Upon written request by the bidder, copies of the plans and specifications will be mailed when said request is accompanied by payment stipulated above, together with an additional non-reimbursable payment of \$20.00 to cover the cost of mailing charges and overhead.

The successful bidder will be required to enter into a contract satisfactory to the Town.

In accordance with the requirements of the General Provisions, as set forth in the Plans and Specifications regarding the work contracted to be done by the Contractor, the Contractor may, upon the Contractor's request and at the Contractor's sole cost and expense, substitute authorized securities in lieu of moneys withheld (performance retention).

The Town of Yucca Valley reserves the right to reject any and all bids.

ADOPTED AND APPROVED this \_\_\_\_\_ day of August, 2012.

\_\_\_\_\_  
JPA CHAIR

ATTEST:

\_\_\_\_\_  
TOWN CLERK

## **NOTICE INVITING SEALED BIDS OR PROPOSALS**

Pursuant to a Resolution of the Animal Care Joint Powers Authority (“ACJPA” or “Joint Power Authority”), directing this notice, NOTICE IS HEREBY GIVEN that the said Joint Power Authority will receive at the Office of the Town Clerk in the Town Hall of the Town of Yucca Valley (“Town”), on or before the hour of 3:00 o'clock P.M. on the 6<sup>th</sup> day of September, 2012, sealed bids or proposals for the Construction of:

### **ACJPA Project No. 1, Yucca Valley Animal Shelter**

in said Town. Bids will be opened and publicly read immediately thereafter.

Bids must be made on a form provided for the purpose, addressed to the ACJPA in care of the Yucca Valley marked: Bid for Construction of

### **ACJPA Project No. 1, Yucca Valley Animal Shelter**

**PREVAILING WAGE:** Notice is hereby given that in accordance with the provisions of California Labor Code, Division 2, Part 7, Chapter 1, Articles 1 and 2, the Contractor is required to pay not less than the general prevailing rate of per diem wages for work of a similar character in the locality in which the public work is performed, and not less than the general prevailing rate of per diem wages for holiday and overtime work. In that regard, the Director of the Department of Industrial Relations of the State of California is required to and has determined such general prevailing rates of per diem wages. Copies of such prevailing rates of per diem wages are on file in the office of the Town Clerk, 57090 29 Palms Highway, Yucca Valley, California, and are available to any interested party on request. The ACJPA also shall cause a copy of such determinations to be posted at the job site.

Pursuant to Labor Code § 1775, the Contractor shall forfeit, as penalty to the ACJPA, not more than fifty dollars (\$50.00) for each laborer, workman, or mechanic employed for each calendar day or portion thereof, if such laborer, workman, or mechanic is paid less than the general prevailing rate of wages hereinbefore stipulated for any work done under the attached contract, by him or by any subcontractor under him, in violation of the provisions of said Labor Code.

In accordance with the provisions of § 1777.5 of the Labor Code, as amended, and in accordance with the regulations of the California Apprenticeship Council, properly indentured apprentices may be employed in the prosecution of the work.

Attention is directed to the provisions in §§ 1777.5 and 1777.6 of the Labor Code concerning the employment of apprentices by the Contractor or any subcontractor under him.

**SUBCONTRACTED WORK:** The name and location of business of any subcontractor who will perform work exceeding 1/2 of 1% of the prime contractor’s total bid or ten thousand dollars (\$10,000), whichever is greater, must be submitted with the bid. Any other information regarding the foregoing subcontractors that is required by ACJPA to be submitted may be submitted with the bid, or may be submitted to ACJPA up to 24 hours after the deadline established herein for receipt of bids. The additional

information must be submitted by the bidder to the same address and in the same form applicable to the initial submission of bid.

**INELIGIBLE SUBCONTRACTORS:** The successful bidder shall be prohibited from performing work on this project with a subcontractor who is ineligible to perform work on the project pursuant to Section 1999.1 or 1777.7 of the Labor Code.

**YOU MUST SUBMIT** with your proposal cash, cashier's check, certified check, or bidder's bond, payable to the ACJPA in an amount equal to at least ten percent (10%) of the bid as a guarantee that the bidder will enter into the contract if the same is awarded to him, and in the event of failure to enter into such contract said cash, cashier's check, certified check, or bond shall become the property of the ACJPA. If the ACJPA awards the contract to the next lowest bidder, the amount of the lowest bidder's security shall be applied to the difference between the low bid and second lowest bid, and the surplus, if any, shall be returned to the lowest bidder.

The Contractor shall be required to post a faithful performance bond in the amount of 100% of the contract price and a labor and material bond equal to 100% of the contract price. No proposal will be considered from a Contractor who is not licensed as a Class "B" contractor, at time of bid, or to whom a proposal form has not been issued by the ACJPA.

The work is to be done in accordance with the plans and specifications on file in the Office of the Town Clerk. Copies of the plans and specifications will be furnished upon application to the Town and payment of \$200.00 which sum is nonrefundable. Upon written request, copies of the plans and specifications will be mailed when said request is accompanied by payment stipulated above, together with a nonrefundable payment of \$40.00 to cover mailing charges and overhead.

The Contractor may, upon the Contractor's request and the Contractor's sole cost and expense, substitute authorized securities in lieu of moneys withheld (performance retention).

The successful bidder will be required to enter into a contract satisfactory to the ACJPA. The ACJPA reserves the right to reject any and all bids, or to waive any irregularities in the bids.

By order of the Animal Care Joint Powers Authority.

By: \_\_\_\_\_  
Town Clerk  
Town of Yucca Valley