

TO: HARBOR DEPARTMENT PURCHASING OFFICE

BY MAIL: P. O. Box 786, Wilmington, CA 90748

DELIVERY: 500 Pier "A" Street, Berth 161

Wilmington, CA 90744

BID NO. F-761 Page 1

Show this number on envelope

Contract No. 39604

1. COMPLETE CONTRACT

This entire Bid Request shall become the contract upon its execution by the Executive Director on behalf of the Harbor Department of the City of Los Angeles. The complete contract shall consist of the entire Bid (including Specifications), this page and the reverse side, any addendums and when required, CONTRACTOR'S BOND. Contractor will be provided with a copy of the executed contract.

2. GOODS AND SERVICES TO BE PROVIDED BY THE CONTRACTOR

The Contractor agrees, upon acceptance of this offer by the City, to furnish the goods and services herein specified according to the terms and conditions as set forth herein.

3. AMOUNT TO BE PAID

The City agrees to pay the contractor for the goods or services in the manner described in the paragraph entitled "PAYMENTS" on the reverse side of this form. Unless otherwise indicated by the Bidder, remittance by the City for goods or services will be made to the address below.

4. CHOICE OF ALTERNATIVE PROVISIONS; OPTIONS; NOTIFICATION

When alternative provisions are requested, or options are offered, the contractor will be notified as to which provision, or option, is being accepted when notification is sent that the Contractor is the successful bidder.

5. DECLARATION OF NON-COLLUSION

The undersigned certifies (or declares) under penalty of perjury that this bid is genuine and not sham or collusive, or made in the interest or on behalf of any person, firm, or corporation not herein named; that the bidder has not directly or indirectly induced or solicited any other bidder to put up a sham bid, or any other person, firm or corporation to refrain from bidding, and that the bidder has not in any manner sought by collusion to secure any advantage over other bidders.

6. LEGAL JUSTIFICATION

This agreement shall be deemed entered into in Los Angeles, California, and shall be governed and construed in accordance with the laws of the State of California.

EXECUTED AT: Bellingham, WA ON THE 20<sup>th</sup> DAY OF July, 2011  
City, State Date Month Year

BIDDER MUST COMPLETE AND SIGN BELOW:

Firm Name All American Marine, Inc.

Phone (360) 647-7602 Fax (360) 647-7607

Address 200 Harris Ave Bellingham WA 98225  
Street City State Zip

Matt Mullett Matt Mullett V.P.  
Signature Printed Name Printed Title

Nina D. Mullett Nina D. Mullett Sec.  
Signature Printed Name Printed Title

(Approved Corporate Signature Methods)

(AFFIX CORPORATE SEAL HERE)

a) Two signatures: One by Chairman of Board of Directors, President, or a Vice-President and one by Secretary, Assistant Secretary, Chief Financial Officer or an Assistant Treasurer.

b) One signature by corporate designated individual together with properly attested resolution of Board of Directors authorizing person to sign.

NOTARIZATION: Bids executed outside the State of California must be sworn to and notarized below.

County of WHATCOM  
State of WASHINGTON S.S.

Subscribed and sworn to before me on this 20 day of July, 2011  
Nancy M. Thomas  
Notary Public  
My Commission Expires March 14, 2012

In witness whereof the Board of Harbor Commissioners of the City of Los Angeles has caused this contract to be executed by the Executive Director of the Harbor Department of said City and said Contractor has executed this contract the day and year written below.

By \_\_\_\_\_  
Executive Director Harbor Department

Approved as to Form  
7/26, 2011  
City Attorney

BY \_\_\_\_\_  
Deputy KANU

Notary Signature

Date

# FORMAL REQUEST FOR BID

**CITY OF LOS ANGELES  
HARBOR DEPARTMENT**

**BID NO. F-761**

<p style="text-align: center;"><b>SUBMIT BID TO :</b></p> <p><b>By Hand:</b> Los Angeles Harbor Department Purchasing Office, 1st Floor 500 Pier A Street Wilmington, CA 90744</p> <p><b>By Mail:</b> Los Angeles Harbor Department Purchasing Office P. O. Box 786 Wilmington, CA 90748</p>	<p><b>BID DUE BEFORE</b> <b>2:00 P.M.</b> <b>July 22, 2011</b></p>
<p><b>Buyer:</b> Juan Benitez, Procurement Supervisor      (310) 732-3890</p>	<p><b>BIDS WILL BE PUBLICLY OPENED</b></p>

ALL ITEMS REQUESTED MAY BE QUOTED AS OR EQUAL.  
AFFIRMATIVE ACTION – AN APPROVED AA PLAN OR CERTIFICATION, IF NOT ON FILE, WILL BE REQUIRED PRIOR TO AWARD OF CONTRACT.

QUANTITY AND UNIT	ITEMS and DESCRIPTION	UNIT PRICE QUOTED	EXTENSION
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## BASE BOAT- DIVE AND PATROL CATAMARAN

The Los Angeles Port Police Department will be purchasing an approximately 65 foot catamaran vessel with federal grant funding. In accordance with Los Angeles City Charter §375 and Los Angeles Administrative Code §10.18, the City of Los Angeles is issuing bid specifications for the purchase of a Base Boat – Dive and Patrol Catamaran, and is seeking the prequalification simultaneously with the bidding documents. All bidders are required to complete the attached Prequalification Questionnaire (2 pages) and submit at the same time as this bidding document. The vessel must be completed within nine months of the approval of the purchase order. Delivery of the vessel will be taken upon the successful sea trial, no later than nine months from the acceptance of the purchase order. The vessel must meet the following specifications and comply with all United States Coast Guard regulations and commercial vessel standards.

PRICE TO INCLUDE ALL CHARGES AND FEES EXCLUDING SALES TAX.

- |    |   |   |  |
|----|---|---|--|
| 1. | 1 | EA<br>DIVE PATROL BASE BOAT as per Los Angeles Port Police Specification [(39) pages] and drawing [(1) page]. | Each <del>\$2,069,511.84</del> <u>\$2,069,511.84</u> |
| 2. | 1 | EA<br>HYDRAULICS PACKAGE as per Los Angeles Port Police Specification [(39) pages] and drawing [(1) page].    | Each <del>\$38,860.74</del> <u>\$38,860.74</u>       |

REQ. NO.: Z-11127 NOTIFY: Petty Santos 07/06/11 JB:ap <b>PAGE 2</b>	STATE TIME OF DELIVERY: <u>210</u> DAYS AFTER RECEIPT OF ORDER TERMS <u>0</u> % DISCOUNT FOR PAYMENT WITHIN <u>30</u> DAYS. BIDDER MUST SIGN THIS BID ON PAGE 1
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HARBOR DEPARTMENT

BID NO. F-761

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BID DUE BEFORE 2:00 PM ON: July 22, 2011

3. 1 EA Each ~~\$32,499.43~~ \$32,499.43  
A-FRAME PACKAGE as per Los Angeles Port Police Specification [(39) pages] and drawing [(1) page].
4. 1 EA Each ~~\$56,105.52~~ \$56,105.52  
GENERATOR PACKAGE as per Los Angeles Port Police Specification [(39) pages] and drawing [(1) page].
5. 1 EA Each ~~\$15,915.00~~ \$15,915.00  
ANCHOR SYSTEM PACKAGE as per Los Angeles Port Police Specification [(39) pages] and drawing [(1) page].
6. 1 EA Each ~~\$8,574.30~~ \$8,574.30  
ELECTRONICS PACKAGE as per Los Angeles Port Police Specification [(39) pages] and drawing [(1) page].
7. 1 EA Each ~~\$30,986.29~~ \$30,986.29  
DELIVERY to Harbor Department, Port Police – Fiscal Operations, 300 E. Water Street, Wilmington, CA 90744 (if prices above are FOB destination, indicate "ZERO" for this item, otherwise indicate price for delivery to destination)

\*\*\* All payments shall be made upon successful sea trials and delivery subject to compliance with United States Coast Guard regulations and commercial vessel standards. Any exceptions to these payment terms shall be bid as an attachment to the bid document. \*\*\*\*\*

## DELIVERY.

DELIVERY SHALL BE NO LATER THAN NINE (9) MONTHS AFTER RECEIPT OF ORDER.

GRANT FUNDED PROJECT: As this is a grant funded project and needs to be delivered within NINE (9) months after receipt of order, please initial that you have read this requirement:

MJM (please initial)

# FORMAL REQUEST FOR BID

CITY OF LOS ANGELES  
HARBOR DEPARTMENT

**BID NO. F-761**

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## **DEBARMENT**

### **Special Note for Agreements/Contracts Utilizing Federal Funds:**

"The OMB Circular A-133, Suspension and Debarment federal requirements prohibit the Harbor Department from contracting with or making sub-awards to parties that are suspended or debarred or whose principals are suspended or debarred. Covered transactions include procurement contracts for goods or services equal to or in excess of \$100,000."

Additionally, vendor agrees that its firm is not subject to debarment and suspension to any State, Local or Federal Government Agency.

## **ETHICS CLAUSE**

Persons who submit a response to this solicitation (bidders) are subject to Charter section 470(c)(12) and related ordinances. As a result, bidders may not make campaign contributions to and or engage in fundraising for certain elected City officials or candidates for elected City office from the time they submit the response until either the contract is approved or, for successful bidders, 12 months after the contract is signed. The bidder's principals and subcontractors performing \$100,000 or more in work on the contract, as well as the principals of those subcontractors, are also subject to the same limitations on campaign contributions and fundraising.

Bidders must submit CEC Form 55 (provided in Appendix B) to the awarding authority at the same time the response is submitted. The form requires bidders to identify their principals, their subcontractors performing \$100,000 or more in work on the contract, and the principals of those subcontractors. Bidders must also notify their principals and subcontractors in writing of the restrictions and include the notice in contracts with subcontractors. Responses submitted without a completed CEC Form 55 shall be deemed nonresponsive. Bidders who fail to comply with City law may be subject to penalties, termination of contract, and debarment. Additional information regarding these restrictions and requirements may be obtained from the City Ethics Commission at (213) 978-1960 or [ethics.lacity.org](http://ethics.lacity.org).

## **BUY AMERICAN**

### **NOTICE REGARDING THE PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS -- SENSE OF CONGRESS**

**It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available under this award should be American-made.**

\*Special Note: Definitization of the Provisions entitled, "REQUIRED USE OF AMERICAN IRON, STEEL, AND MANUFACTURED GOODS – SECTION 1605 OF THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009" and "REQUIRED USE OF AMERICAN IRON, STEEL, AND MANUFACTURED GOODS (COVERED UNDER INTERNATIONAL AGREEMENTS) – SECTION 1605 OF THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009" will be done upon definition and review of final activities.

# FORMAL REQUEST FOR BID

CITY OF LOS ANGELES  
HARBOR DEPARTMENT

**BID NO. F-761**

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## **BID SUBMITTAL TIMELINESS**

Bidders solely are responsible for the timeliness of their submittals. As such, bidders are cautioned to budget adequate time to ensure that their bids are delivered at the location designated at or before the deadline set forth above. Bidders are cautioned that matters including, but not limited to, traffic congestion, security measures and/or events in or around the Harbor Department, may lengthen the amount of time necessary to deliver the bid, whether the bid is submitted in person or by mail.

**REQUEST FOR QUOTATION BIDDER RESPONSIVENESS.** In order to be responsive, bidders shall complete and return all Quotation documents requested by the Port, including addenda, specifications, drawings and all forms.

It shall be the bidder's responsibility to **provide one (1) original and one (1) copy** of the completed Quotation documents. The original and all copies shall include all quotation documents requested by the Port, including addenda, specifications, drawings and all forms.

The Purchasing Agent may deem a bidder non-responsive if the bidder fails to provide all Quotation documents requested by the Port at the Quotation closing date and time.

**ADDENDUMS.** From time to time the Harbor Department may deem it necessary to issue an addendum(s) to modify or cancel a Bid Request. Such addendum(s) will be available on the Port of Los Angeles internet website – [www.portoflosangeles.org](http://www.portoflosangeles.org) and the Los Angeles Business Assistance Virtual Network website – [www.labavn.org](http://www.labavn.org). It is the responsibility of the bidder to be aware of and respond to any such addendum(s) before the deadline of the applicable bid request. Failure to do so may deem the bid non-responsive.

**AWARD.** The Harbor Department reserves the right to reject any or all Bids, award Bid as a whole, split award or delete line items as it may deem necessary, unless otherwise stated herein.

## **SUPPLIER CONTACT INFORMATION:**

Contact Person: Joe Hudspeth

Title: Business Development Manager

Telephone No.: (310) 647-7602 ext 3003

Fax No.: (310) 647-7607

E-Mail Address: jhudspeth@allamericanmarine.com

24 Hour Contact No.: (310) 920-2133

# FORMAL REQUEST FOR BID

CITY OF LOS ANGELES  
HARBOR DEPARTMENT

BID NO. F-761

(SHOW THIS NUMBER ON ENVELOPE)

**BID DUE BEFORE 2:00 PM ON: July 22, 2011**

**MAKES, MODELS & BRAND NAMES.** Makes, Models & Brand Names referenced are for illustrative or descriptive purposes only, and are not intended to be restrictive to any particular product. If bidder proposes to furnish another product equal in quality and purpose, such bids will be considered as long as they materially comply with the specifications. Alternate Make, Model, Brand Names, and/or Catalog Number(s) must be indicated opposite each item in the space provided.

The specified Make, Model, and Brand Name must be furnished unless otherwise specified by bidder.

**ILLUSTRATIVE AND TECHNICAL DATA.** When quoting other than the specified brand or when no brand is indicated, Bidder must submit with bid, complete illustrative and technical data on materials or equipment proposed to be furnished. Failure to furnish such data may void bid.

**SPECIFICATION CHANGES.** If provisions of the Specifications preclude bidder from submitting bid, he may request in writing that the specifications be modified. Such request must be received by the Purchasing Officer at least five (5) working days before bid opening date. All bidders will be notified by Addendum of any approved changes in the specifications.

**DEVIATION FROM SPECIFICATIONS.** Specifications contained herein are to describe the construction, design, size, and quality of the desired product and are not intended to be restrictive to any particular product. If bidder proposes to furnish another product equal in quality and purpose, such bids will be considered as long as they materially comply with the specifications. Each deviation from the specifications must be stated in a letter, attached to bidder's submittal and must identify the specific section and subsection of the specification to which the deviation applies. Failure to do so may void bid.

**AUTHORIZED DISTRIBUTOR/DEALER:** Bidder must indicate if it is an authorized factory distributor/dealer for the manufacturer being quoted (please initial).

Yes: MM No: \_\_\_\_\_  
(manufacturer)

If bidder is not an authorized distributor/dealer, the bidder shall submit with its Quotation a formal Letter of Certification from the manufacturer, stating that the manufacturer will honor any warranty claims by the City for equipment, parts, and/or materials provided by the bidder.

The manufacturer will be responsible for any default of the supplier that is not corrected by the supplier in a timely and efficient manner. This responsibility includes replacing incorrect or defective parts, trouble shooting, and correcting problems that are traceable to the manufacturer.

**PERFORMANCE BOND.** Successful bidder will be required to post a Faithful Performance Bond for 100% of the total contract price on the form provided by the City (see attached). Bond required shall be furnished when requested by the Purchasing Officer and shall be furnished at contractor's expense. Bonds shall be placed with insurance carriers which are rated VII, A- or better in Best's Insurance Guide. If a Best's Insurance Guide rating is not available, then the proposed carrier must meet comparable standards in another rating service satisfactory to City.

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CITY OF LOS ANGELES  
HARBOR DEPARTMENT

**BID NO. F-761**

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**PAYMENT BONDS.** Successful bidder will be required to post a Faithful Payment Bond for 100% of the total contract price on the form provided by the City (see attached). Bonds required shall be furnished when requested by the Purchasing Officer and shall be furnished at contractor's expense. Bonds shall be placed with insurance carriers, which are rated VII, A- or better in Best's Insurance Guide. If a Best's Insurance Guide rating is not available, then the proposed carrier must meet comparable standards in another rating service satisfactory to City.

**ADDITIONAL QUANTITIES.** The Harbor Department desires the option to purchase additional quantities of above item(s) at the same prices, terms and conditions, providing that the total of any of the additional quantities does not exceed the total for that item, and providing that the Harbor Department exercise the option before: October 1, 2011.

**NEW AND UNUSED.** The equipment furnished shall be new and unused, current model.

**DEALER SERVICE.** All equipment furnished shall be completely serviced locally by the vendor prior to delivery. It shall be ready for operation when delivered. Any further servicing by the vendor will not be required except in connection with repairs or adjustments covered by the Manufacturer's or Dealer's warranty.

**LICENSES.** The vendor shall make the necessary applications and complete all transfer papers, including applying for exempt license. He/She shall furnish the Director of Port Construction and Maintenance, or his/her designated representative, evidence of having applied for license at time vehicle is delivered. The registered owner shall be shown exactly as outlined below on all forms where the registered owner is listed, (using abbreviations exactly as shown):

HARBOR DEPARTMENT  
CITY OF LOS ANGELES  
500 Pier A St.  
Wilmington, CA 90744-6433

**NOTIFICATION.** The vendor shall notify the Harbor Department at (310) 732-3550 not less than five (5) days in advance that the vessel is ready for the following inspections: (1) Pre-delivery inspection of completed vessel, (2) Final inspection at point of delivery.

**BILLING DISCOUNT TERMS.** Billing Discount terms offering 20 days or more will be considered in making evaluation for award.

**SALES TAXES.** Do not include Sales Taxes in your Bid. Sales Taxes will be added at time of order.

**FEDERAL EXCISE TAX.** The City of Los Angeles Harbor Department is exempt from payment of Federal Excise Taxes, and will furnish vendor with a Tax Exemption Certificate. **PRICING NOT TO INCLUDE ANY FEDERAL EXCISE TAX.**

**SALES TAX PERMIT.** Vendor's California State Board of Equalization Permit No. required to collect California State Sales Tax. Permit Number: N/A.

## FORMAL REQUEST FOR BID

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HARBOR DEPARTMENT

BID NO. F-761

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**VENDOR PAYMENT.** Please note. Vendor name and address must be submitted exactly as it will appear on the invoice. If invoice remit to (remittance) name and address are different from the bid name and address, please indicate:

REMIT TO: NAME: All American Marine, Inc.

ADDRESS: 200 Harris Ave

Bellingham, WA. 98225

Invoices submitted for payment where the invoice name and address does not match the name as it appears on the purchase order or as indicated in the space above, will not be processed and will be returned to the vendor.

**COMPLIANCE WITH LAWS.** Vendor shall comply with all applicable Ordinances, laws, Rules and Regulations of the City and of any County, State or Federal Government, or subdivision thereof.

**DEFAULT BY SUPPLIER.** In case of default by Vendor, the City reserves the right to procure the articles or services from other sources and to hold the vendor responsible for any excess costs occasioned to the City thereby.

**EQUAL BENEFITS POLICY.** The Board of Harbor Commissioner of the City of Los Angeles adopted Resolution No. 6328 on January 12, 2005, agreeing to adopt the provisions of Los Angeles City Ordinance 172,908, as amended, relating to Equal Benefits (Section 10.8.2 et seq. of the Los Angeles Administrative Code) as a policy of the Harbor Department. Bidder shall comply with the policy whenever applicable. Violation of the policy shall entitle the City to terminate any agreement with Bidder and pursue any or all other legal remedies that may be available.

**MINORITY, WOMEN, AND OTHER BUSINESS ENTERPRISE (MBE/WBE/OBE):** It is the policy of the Los Angeles Harbor Department to provide minority (MBE), women (WBE) and all other (OBE) business enterprises an equal opportunity to participate in the performance of all Harbor Department contracts. Such opportunities have resulted in combined M/WBE participation of over 20%. Bidders are encouraged to continue assisting the Department in implementing this policy by taking all reasonable steps to ensure that all available business enterprises have an equal opportunity to compete for and participate in Department contracts. All bidders are encouraged to reach out to M/W/OBEs when opportunities are available.

**BUSINESS TAX REGISTRATION CERTIFICATE (BTRC).** In accordance with the City of Los Angeles Municipal Code, a Business Tax Registration Certificate may be required of persons engaged in business activity within the City. The Office of Finance, Tax and Permit Division, (213) 473-5901, has sole authority in determining a firm's tax requirements and in issuing Business Tax Registration Certificates or Business Tax Exemption Numbers. Accordingly, firm's current Business Tax Registration Certificate or Business Tax Exemption Number must be clearly shown on all invoices submitted for payment. Bidder, in submitting this bid, acknowledges and accepts the above requirements and recognizes that no invoice will be processed for payment without inclusion of the Business Tax Registration Certificate or Business Tax Exemption Number.



**FORMAL REQUEST FOR BID**

**CITY OF LOS ANGELES  
HARBOR DEPARTMENT**

**BID NO. F-761**  
(SHOW THIS NUMBER ON ENVELOPE)

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**TAXPAYER IDENTIFICATION NUMBER.** Contractor declares that it has an authorized Taxpayer Identification Number (TIN), which must be indicated on all invoices. No payments will be made under this agreement without a valid TIN number.

**SPECIAL NOTE.** If you are not bidding, please state reason for not bidding and return bid to the Purchasing Office:

N/A