

FI 84 08/2005
Division of Finance



Contract # 070964

STATE OF UTAH CONTRACT

1. CONTRACTING PARTIES: This contract is between the following Agency of the State of Utah:
550 - Schl & Inst Trust Lands Planning & Development referred to as STATE, and the following
Agency Name Division

CONTRACTOR Maya Landscaping, Inc.
Name
344 E. Sunland Dr.
Address
St. George Ut 84790
City State Zip
Lorena Picazo (435) 656-2377
Contact Person Phone Number
510451093 VC00010399 - 6
Federal ID# Vendor Number

LEGAL STATUS OF CONTRACTOR

- Sole Proprietor
- Non-Profit Corporation
- For-Profit Corporation
- Partnership
- Government Agency

Email _____
98852000000
Commodity Code(s)

2. GENERAL PURPOSE OF CONTRACT:

Construction of Entry Wall Features for Sienna Hills at Grapevine Crossing, Redstone Rd. and Sandy Talus.

- 3. PROCUREMENT: This contract is entered into as a result of the procurement process on RX# _____, FY _____, Bid# _____, or a pre-approved sole source authorization (from the Division of Purchasing) # SS _____.
- 4. CONTRACT PERIOD: Effective date 09/27/2006 . Termination date 03/01/2007 , unless terminated early or extended in accordance with the terms and conditions of this contract. Renewal options (if any) _____
- 5. CONTRACT COSTS: CONTRACTOR will be paid a maximum of \$121,000.00 for costs authorized by this contract. Additional information regarding costs: N/A
- 6. ATTACHMENT A: Division of Purchasing's Standard Terms and Conditions.
ATTACHMENT B: Scope of Work.
ATTACHMENT C: Additional Terms
Any conflicts between Attachment A and other Attachments will be resolved in favor of Attachment A.
- 7. DOCUMENTS INCORPORATED INTO THIS CONTRACT BY REFERENCE BUT NOT ATTACHED:
a. All other governmental laws, regulations, or actions applicable to the goods and/or services authorized by this contract.
b. Utah State Procurement Code, Procurement Rules, and Contractor's response to Bid # _____, dated _____.

IN WITNESS WHEREOF, the parties sign and cause this contract to be executed.

CONTRACTOR

Contractor's Signature
Maya Landscaping, Inc.
Contractor's Name
Dionicio L Lopez
Title
President.

STATE OF UTAH

Agency Signature
CONTRACT RECEIVED AND PROCESSED BY
DIVISION OF FINANCE
Director, Division of Finance
OCT 20 2006

Sue Stewart (801) 538-5121 (877) 526-3725 suestewart@utah.gov
Agency Contact Phone Number Fax Number Email

Exhibit B

2100 Bid Form

PROJECT IDENTIFICATION SIENNA HILLS PROJECT – ENTRY WALLS, FEATURES, AND LANDSCAPING WASHINGTON, UTAH

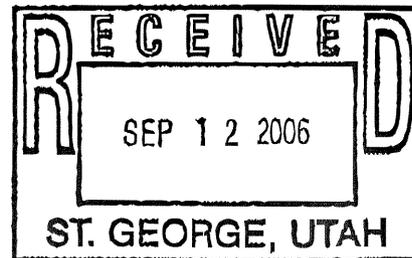
THIS BID IS SUBMITTED TO SITLA
 2303 NORTH CORAL CANYON BOULEVARD, SUITE 100-A
 WASHINGTON, UTAH 84780

Business Name:	Maya Landscaping Inc.		Seal
Representative:	Dionicio Lopez		
Title:	president		
Business Address:	P.O. Box 224		
	Santa Clara, UT 84765		
Telephone Number:	435-656-2377		
State of Incorporation:	UTah		

The above named BIDDER, having examined the Plans and Specifications with related documents and the site of the proposed work, and being familiar with all of the conditions surrounding the construction of the proposed project including the availability of materials and labor, hereby proposes to furnish all labor, materials, and supplies, and to construct the project in accordance with the Plans and Contract Documents, within the time set forth therein, and at the prices stated herein. The following prices are to cover all expenses incurred in performing the work required under the Plans and Contract Documents, of which this proposal is a part.

BIDDER has completed and included the following in the Bid Package:

Section 2100	This Bid Form		
Section 2200	Bid Schedule		
Section 2400	Bid Bond		
Addendum No.			Dated
Addendum No.			Dated
Addendum No.			Dated



COSTANZA PS ASSOCIATES

Landscape Architecture

John J. Costanza
 P. O. Box 3122
 St. George, Utah 84771

Telephone (435) 674-7806

PS Associates

Bid Instructions

Sienna Hills – Washington, Utah

Please provide bid costs for the following entry walls, features, and landscaping.

All bids are to be all inclusive of materials as shown on the plans and verified by visual site inspection prior to bid submission. All entries will not be built at the same time. Owner has the right to accept a bid for a single entry and re-bid each other entry at a later date to accommodate subdivision construction. Layout of walls will be the responsibility of the contractor as per the dimensions on the plans. Any unforeseen conditions or additional costs shall be brought to the attention of the owner's representative.

Grapevine Crossing Entry

Grading, site prep, mobilization	\$ <u>3,500.00</u>
West Side Entry Portal and Walls (stucco and culture stone) lump sum	\$ <u>10,898.00</u>
East Side Entry Portal, Walls, and signage (stucco and Cultured Stone)- lump sum	\$ <u>10,898.00</u>
Electrical -meter panel, Portal lights, conduit, wire - lump sum	\$ <u>4,500.00</u>
Irrigation – as shown on plan and details - lump sum	\$ <u>2,200.00</u>
Boulders lump sum	\$ <u>2,500.00</u>
Gravel rock mulch - lump sum	\$ <u>9,374.00</u>
36" box trees <u>3</u> quantity	\$ <u>2,500.00</u>
24" box trees <u>7</u> quantity	\$ <u>1,400.00</u>
15 gal. plants <u>15</u> quantity	\$ <u>4,275.00</u>
5 gal. plants <u>102</u> quantity	\$ <u>7,530.00</u>
1 gal. plants <u>666</u> quantity	\$ <u>6660.00</u>
Joshua trees <u>3</u> quantity provided by SITLA	\$ <u>1,500.00</u>

TOTAL \$ 52,735.00

Ridge View Drive

Grading, site prep, mobilization	\$ <u>3,500.00</u>
West Side Entry Portal and Walls (stucco and culture stone) lump sum	\$ <u>11,046.00</u>
East Side Entry Portal, Walls, and Signage (stucco and Cultured stone) - lump sum	\$ <u>11,646.00</u>
Electrical -meter panel, Portal lights, conduit, wire - lump sum	\$ <u>4,500.00</u>
Irrigation – as shown on plan and details - lump sum	\$ <u>2,200.00</u>
Boulders - lump sum	\$ <u>2,500.00</u>

Gravel rock mulch - lump sum	\$ 9,500.00
36" box trees <u>0</u> quantity	\$ <u>0</u>
24" box trees <u>9</u> quantity	\$ <u>1,800.00</u>
15 gal. plants <u>10</u> quantity	\$ <u>1,360.00</u>
5 gal. plants <u>106</u> quantity	\$ <u>1,590.00</u>
1 gal. plants <u>48</u> quantity	\$ <u>480.00</u>
Joshua trees <u>4</u> quantity provided by SITLA	\$ <u>2,000.00</u>

TOTAL \$ 52,722.00

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Sandy Talus Drive

Grading, site prep, mobilization	\$ <u>3,500.00</u>
West Side Entry Portal and Walls (stucco and culture stone) lump sum	\$ <u>11,907.00</u>
East Side Entry Portal, Walls, and signage (stucco and Cultured stone) lump sum	\$ <u>11,907.00</u>
Electrical -meter panel, Portal lights, conduit, wire lump sum	\$ <u>4,500.00</u>
Irrigation - as shown on plan and details lump sum	\$ <u>1,575.00</u>
Boulders lump sum	\$ <u>2,500.00</u>
Gravel rock mulch lump sum	\$ <u>5,225.00</u>
36" box trees _____ quantity	\$ <u>2,850.00</u>
24" box trees _____ quantity	\$ <u>1,250.00</u>
15 gal. plants _____ quantity	\$ <u>1,800.00</u>
5 gal. plants _____ quantity	\$ <u>2,375.00</u>
1 gal. plants _____ quantity	\$ <u>620.00</u>
Joshua trees _____ quantity provided by SITLA	\$ <u>1,500.00</u>

TOTAL \$ 51,509.00

TOTAL BID AMOUNT

IS		Total Bid Amount <u>151,966.00</u>
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Contractor Representative Dionicio Lopez

Contractor Name Maya Landscaping Inc.

Date 9/12/06

Exhibit C

Additional Terms

The parties acknowledge that Bid date 9/12/2006 (the "Bid"), submitted by Contractor, included work in addition to the scope of work attached hereto (the "Additional Work"). The parties further acknowledge that the Trust Lands Administration and Contractor intend for such Additional Work to be performed by Contractor for the amounts detailed in the Bid. Such Additional Work will be performed by Contractor upon execution of a change order to this Contract # _____, for the amounts detailed in the Bid, unless requested otherwise by the Trust Lands Administration. Said change order will be implemented upon Contractor's posting of all required bonds for the Additional Work.

Sienna Hills Entry Feature Bid Tabulation Sheet

<u>Bidder Name</u>	<u>Total Bid Amount</u>
Maya Landscaping Inc.	\$156,966.00
Riverbend Landscape, LC	\$199,404.20
Interstate Rock Products, Inc.	\$429,452.22
BT Builders, Inc.	\$267,297.00

Apparent Low Bidder: Maya Landscaping, Inc.

Procurement Form			
Project: MPI13-01.0		Project Manager: Curt Gordon	
Short Job Description: Sienna Hills Entry Feature Construction			
<input type="checkbox"/> Under \$2,000 No bids required			
<input type="checkbox"/> Sole Source: Attach director's finding			
<input type="checkbox"/> \$2,000 - \$20,000 Two telephone bids			
Provider	Date	Bid Amount	Chosen
Comments: (if the lowest bid is not chosen attach director's finding)			
<input checked="" type="checkbox"/> Over \$20,000: Written RFP and at least three written responses Construction projects over \$50,000 require consultation with Division of Purchasing and performance and payment bonds.			
Provider	Date	Amount	Chosen
Maya Landscaping, Inc.	9/15/2006	\$156,966	YES
Riverbend Landscape, LC	9/15/2006	\$199,404	NO
BT Builders, Inc.	9/15/2006	\$267,297	NO
Interstate Rock Products, Inc.	9/15/2006	\$429.452	NO
Comments:			

070964**Memorandum**

To: File
From: Kyle Pasley
Date: October 10, 2006
Re: Sienna Hills Entry Feature Contract.

On September 15, 2006 we received bids back from 4 contractors concerning the entry features at Sienna Hills. Maya Landscaping, Inc. was the apparent low bidder at the time. After reviewing their bid and meeting with representatives from Maya it was determined that their bid amount was feasible and that they could execute on the ground to our satisfaction. However it was also discovered that Maya's bond limit was only \$121,000 on a bid amount of \$156,000. Due to the substantial savings over other contractors it was decided to pursue if means were possible to undertake this contract. After conferring with our legal department it was decided to pursue the contract in a 2 step approach. The contract was to be awarded initially for the amount of their bond limit. Upon paying this amount the contract will be amended for the remaining amount and a new bond received from Maya for this portion.

To mitigate Maya changing prices on the second phase legal drafted additional terms stating that all prices are to be charged according to the original bid amount. We are also keeping the bid bond amount until the beginning of phase 2.

Please call the Southwestern office with any questions.