CONTRACT FOR LABOR AND MATERIALS

This Contract for Labor and Materials ("Contract") is entered into this 15th day of April, 2021 by and between OHLONE COMMUNITY COLLEGE DISTRICT ("District") and Selway Construction ("Contractor") for the Work of the Project. In consideration of the mutual covenants set forth herein, the Contractor and District agree as follows:

A. In consideration of the payment of the sum of One Hundred Forty One Thousand Two Hundred Ninety Dollars ($141,290.00) ("the Contract Price"), and includes alternates 2-4 and 6-8 (Exhibit A), the Contractor shall perform and complete the Work generally described as:

Ohlone Community College Project
Buildings 7 & 12 Exterior Painting
Project #6142/43

B. Contractor shall commence the Work on the date indicated in the Notice to Proceed issued by or on behalf of the District and shall complete the Work by July 16, 2021. Failure to complete the Work within the Contract Time will subject the Contractor to Liquidated Damages at the rate of One Thousand Dollars ($1,000.00) per day until the Work is completed.

C. The location of the Work is Ohlone Community College - Fremont Campus ("the Site").

D. At all times during the Work, the Contractor and each Subcontractor shall obtain and maintain the following insurance coverages:

  Contractor:
  
  Workers Compensation  Per applicable law
  Employer’s Liability  $1,000,000
  Commercial General Liability
  Per Occurrence  $1,000,000
  Aggregate  $2,000,000
  Automobile
  Per Occurrence  $1,000,000
  Aggregate  $2,000,000

  Subcontractors:

  Workers Compensation  Per applicable law
  Employer’s Liability  $1,000,000
  Commercial General Liability
  Per Occurrence  $1,000,000
  Aggregate  $2,000,000
  Automobile
  Per Occurrence  $1,000,000
  Aggregate  $2,000,000
E. The Contract Documents consists of this Contract for Labor and Materials, the attached Contract Terms and Conditions, the Bid Proposal and other documents submitted by the Contractor to the District as a Bidder and the documents identified below. By executing this Contract, the Contractor acknowledges its receipt and review of the Contract Documents; based upon this review, the Contractor confirms that the work can be completed for the Contract Price and within the Contract Time. The Contract Documents consist of:

- Notice Calling for Bids
- Instructions For Bidders
- Scope of Work
- Subcontractors List
- Non-Collusion Declaration
- Contract for Labor and Materials
- Certificate of Worker’s Compensation Ins.
- Bid Proposal
- W-9 Form
- Bid Bond
- Performance Bond
- Labor and Materials Payment Bond
- Drawings & Specifications
- Drug-Free Workplace Certification
- Tobacco-Free Environment Certification
- Sex Offender Registration Act Certification
- Bid Addenda, if any

F. The District Representative is Elaine Trujillo (510) 979-7567.

CONTRACTORS ARE REQUIRED BY LAW TO BE LICENSED AND REGULATED BY THE CONTRACTORS’ STATE LICENSE BOARD. ANY QUESTIONS CONCERNING A CONTRACTOR MAY BE REFERRED TO THE REGISTRAR, CONTRACTORS’ STATE LICENSE BOARD, P.O. BOX 2600, SACRAMENTO, CALIFORNIA 95826

IN WITNESS WHEREOF, the District and Contractor have executed this Contract as of the date set forth above.

“DISTRICT”
Ohlone Community College District

By: ____________________________  Title: Director of Purchasing Contracts & Auxiliary Services

“CONTRACTOR”
Selway Construction

By: ____________________________  Title: ____________________________

Buildings 7 & 12 Exterior Painting
Project #6142/43
**EXHIBIT "A"**

**Contract Cost Breakdown**

**Building 7**

- Building 7 Base Price: $48,760.00
- Alternate #2 – Building 7 Doors: $7,070.00
- Alternate #3 – Building 7 Stairs: $16,030.00
- Alternate #4 – Building 7 Railings: $15,890.00

**Total Building 7 Cost:** $87,750.00

**Building 12 (Hyman Hall)**

- Building 12 Base Price: $33,005.00
- Alternate #6 – Building 12 Doors: $6,580.00
- Alternate #7 – Building 12 Stairs: $6,405.00
- Alternate #8 – Building 12 Railings: $7,550.00

**Total Building 12 Cost:** $53,540.00

**Total Contract Cost:** $141,290.00

**Separate pay applications required for each building**