1912 - 2012
OFFICE ENGINEER
100 Years of Construction Contracting Excellence

01 D3

PLC

Caltrans

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

BID

FOR CONSTRUCTION ON STATE HIGHWAY IN MENDOCINO COUNTY AT VARIOUS LOCATIONS

In District 01 On Route 101, 271

Under

Notice to Bidders and Special Provisions **dated April 2, 2013**	***Standard Specifications*** **dated 2010**
Project plans approved February 5, 2013	***Standard Plans*** **dated 2010**

Identified by
Contract No. 01-0A4204
01-Men-101, 271-Var
Project ID 0100020281

Electronic Advertising Contract

Bids open Tuesday, April 30, 2013

Dated April 2, 2013
AADD

DH

D3

B/C

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

BID TO THE DEPARTMENT OF TRANSPORTATION

DES-OE-0102.1 (REV. 3/2011)

CONTRACT NO. 01 - 0A4204

NAME OF BIDDER Myers and Sons Construction, LP

BUSINESS P.O. BOX

CITY, STATE, ZIP

BUSINESS STREET ADDRESS 2554 Millcreek Dr. *(Include even if P.O. Box used)*

CITY, STATE, ZIP Sacramento, CA 95833

TELEPHONE NO: **AREA CODE** (916) 649-4504

FAX NO: **AREA CODE** (916) 926-2246

CONTRACTOR LICENSE NO. 944155

1. Bidder agrees, if this bid is accepted, to enter into a contract with the Department, in the form included in the Standard Specifications, to perform the work provided in the Contract under the terms of the Contract for the price or prices bid.

   For a lump sum or unit price based bid, Bidder additionally agrees to perform the work within the number of working days shown on the *Notice to Bidders*.

   For a cost plus time based bid on a contract without a plant establishment period, Bidder additionally agrees to perform the work within the number of working days bid.

   For a cost plus time based bid on a contract with a plant establishment period, Bidder additionally agrees to perform the non–plant establishment work within the number of working days bid for non–plant establishment work.

2. For a lump sum based bid, Bidder submits this bid with a total price in the total bid space provided on the Bid Item List. For a unit price or cost plus time based bid, Bidder submits this bid with a unit price and the item total (the product of the unit price and the quantity) for each item and a total price (the sum of the item totals) in the spaces provided on the attached Bid Item List. For a unit price with additive item based bid, Bidder submits this bid with a unit price and an item total for each item and a total base bid (the sum of the item totals) and the additive items in the spaces provided on the attached Bid Item List. Additionally, for a cost plus time based bid, Bidder submits this bid with working days bid for non–plant establishment work, total bid for time, and total bid for bid comparison in the spaces provided on the Bid Item List. Bidder agrees:

   2.1. If a discrepancy between the unit price and the item total exists, the unit price prevails except:

      2.1.1. If the unit price is illegible, omitted, or the same as the item total, item total prevails and the unit price is the quotient of the item total and the quantity.

      2.1.2. If a decimal error is apparent in the product of the unit price and the quantity, the Department will use either the unit price or item total based on the closest by percentage to the unit price or item total in the Department's Final Estimate.

   2.2. If the unit price and the item total are illegible or are omitted, the bid may be determined nonresponsive. If a lump sum total price is illegible or is omitted, the bid may be determined nonresponsive.

   2.3. Bids on lump sum items are item totals. If a unit price for a lump sum item is entered and it differs from the item total, the item total prevails.

   2.4. Entries are to be expressed in dollars or decimal fractions of a dollar. Symbols such as commas and dollar signs are ignored and have no significance in establishing unit price or item total.

   2.5. Unit prices and item totals are interpreted by the number of digits and decimal placement. Do not round item totals or the total bid.

2.6. For a lump sum based bid, the item total is the bid amount the Department uses for bid comparison.

For a unit price based bid, the sum of the item totals is the bid amount the Department uses for bid comparison.

For a cost plus time based bid, the sum of the item totals and the total bid for time is the bid amount the Department uses for bid comparison.

2.7. The Department's decision on the bid amount is final.

3. Bidder has and acknowledges the following addenda:

1

4. Bidder submits this bid with one of the following forms of bidder's security equal to at least 10 percent of the bid:

Cash $ _____, Cashiers Check, Certified Check, Bidder's Bond

5. Bidder's signature is an affirmation of the included certifications. Bidder is cautioned that making a false certification may result in one or more of the following:

5.1. Criminal prosecution

5.2. Rejection of the bid

5.3. Rescission of the award

5.4. Termination of the Contract

BY *(Authorized Signature)*	DATE SIGNED *(Do not type)*
	4/30/13
PRINTED NAME AND TITLE OF PERSON SIGNING	
Clinton Myers, Vice President	

ADA Notice For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

BID ITEM LIST

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
1	070030	LEAD COMPLIANCE PLAN	LS	LUMP SUM	LUMP SUM	$4,000.00
2	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	$8,000.00
3	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	$155,750.00
4	128652	PORTABLE CHANGEABLE MESSAGE SIGN (LS)	LS	LUMP SUM	LUMP SUM	$10,000.00
5	130100	JOB SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	$7,000.00
6	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	LUMP SUM	$2,500.00
7	130900	TEMPORARY CONCRETE WASHOUT	LS	LUMP SUM	LUMP SUM	$1,000.00
8	141000	TEMPORARY FENCE (TYPE ESA)	LF	200	$20.00	$4,000.00
9	141103	REMOVE YELLOW THERMOPLASTIC TRAFFIC STRIPE (HAZARDOUS WASTE)	LF	150	$11.00	$1,650.00
10	150310	RAPID SETTING CONCRETE (PATCH)	CF	354	$50.00	$17,700.00
11	150312	REPAIR SPALLED SURFACE AREA	SQFT	61	$600.00	$36,600.00
12	150714	REMOVE THERMOPLASTIC TRAFFIC STRIPE	LF	7,890	$0.50	$3945.00
13	150715	REMOVE THERMOPLASTIC PAVEMENT MARKING	SQFT	90	$1.75	$157.50
14	150857	REMOVE ASPHALT CONCRETE SURFACING	SQFT	46,780	$0.90	$42,102.00
15	044223	REMOVE POLYESTER CONCRETE OVERLAY	SQFT	4,640	$2.50	$11,600.00
16	153103	COLD PLANE ASPHALT CONCRETE PAVEMENT	SQYD	3,290	$6.50	$21,385.00
17	153223	REMOVE UNSOUND CONCRETE	CF	354	$35.00	$12,390.00
18	153225	PREPARE CONCRETE BRIDGE DECK SURFACE	SQFT	128,480	$0.25	$32,120.00
19	153227	FURNISH POLYESTER CONCRETE OVERLAY	CF	5,210	$85.00	$442,850.00
20 (F)	153228	PLACE POLYESTER CONCRETE OVERLAY	SQFT	45,920	$3.00	$137,760.00

BID ITEM LIST
01-0A4204

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
21	044224	POLYESTER CONCRETE EXPANSION DAM	CF	574	$105.00	$60,270.00
22 (F)	153233	TREAT BRIDGE DECK	SQFT	82,610	$0.25	$20,652.50
23	153234	FURNISH BRIDGE DECK TREATMENT MATERIAL	GAL	1,100	$55.00	$60,500.00
24	157561	BRIDGE REMOVAL (PORTION), LOCATION A	LS	LUMP SUM	LUMP SUM	$5,500.00
25	157562	BRIDGE REMOVAL (PORTION), LOCATION B	LS	LUMP SUM	LUMP SUM	$30,000.00
26	157563	BRIDGE REMOVAL (PORTION), LOCATION C	LS	LUMP SUM	LUMP SUM	$15,000.00
27	390132	HOT MIX ASPHALT (TYPE A)	TON	450	$300.00	$135,000.00
28	390161	HOT MIX ASPHALT (BRIDGE)	TON	35	$500.00	$17,500.00
29	397005	TACK COAT	TON	9	$1,200.00	$10,800.00
30 (F)	510053	STRUCTURAL CONCRETE, BRIDGE	CY	15	$1,500.00	$22,500.00
31	511106	DRILL AND BOND DOWEL	LF	120	$35.00	$4,200.00
32	511118	CLEAN EXPANSION JOINT	LF	1,401	$35.00	$49,035.00
33	519081	JOINT SEAL (MR 1/2")	LF	62	$30.00	$1,860.00
34	519088	JOINT SEAL (MR 1")	LF	221	$45.00	$9,945.00
35	519091	JOINT SEAL (MR 1 1/2")	LF	74	$70.00	$5,180.00
36	519100	JOINT SEAL (MR 2")	LF	122	$90.00	$10,980.00
37	044225	BONDED JOINT SEAL (MR 1")	LF	562	$50.00	$28,100.00
38	044226	BONDED JOINT SEAL (MR 2")	LF	180	$40.00	$7,200.00
39	044227	BONDED JOINT SEAL (MR 3")	LF	120	$65.00	$7,800.00
40	044228	BONDED JOINT SEAL (MR 4")	LF	60	$85.00	$5,100.00

REVISED PER ADDENDUM NO. 1 DATED APRIL 24, 2013

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
41 (F)	520102	BAR REINFORCING STEEL (BRIDGE)	LB	1,340	$1.50	$2010.00
42 (F)	540100	DECK SEAL	SQFT	5,550	$1.00	$5,550.00
43 (F)	540115	SLURRY LEVELING COURSE	GAL	1,120	$60.00	$67,200.00
44 (F)	550102	STRUCTURAL STEEL (BRIDGE)	LB	150	$35.00	$5,250.00
45	590115	CLEAN AND PAINT STRUCTURAL STEEL	LS	LUMP SUM	LUMP SUM	$20,000.00
46	590135	SPOT BLAST CLEAN AND PAINT UNDERCOAT	SQFT	14	$1,000.00	$14,000.00
47	590301	WORK AREA MONITORING	LS	LUMP SUM	LUMP SUM	$2,000.00
48 (F)	750501	MISCELLANEOUS METAL (BRIDGE)	LB	90	$ 50.00	$4,500.00
49	840504	4" THERMOPLASTIC TRAFFIC STRIPE	LF	15,700	$1.00	$15,700.00
50	840515	THERMOPLASTIC PAVEMENT MARKING	SQFT	90	$10.00	$900.00
51	840525	4" THERMOPLASTIC TRAFFIC STRIPE (BROKEN 36-12)	LF	1,680	$1.00	$1,680.00
52	850101	PAVEMENT MARKER (NON-REFLECTIVE)	EA	120	$8.00	$960.00
53	850111	PAVEMENT MARKER (RETROREFLECTIVE)	EA	250	$8.00	$2,000.00
54	999990	MOBILIZATION	LS	LUMP SUM	LUMP SUM	$170,000.00

TOTAL BID: $1,771,382.00

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

SUBCONTRACTOR LIST

DES-OE-0102.2 (REV 3/2011)

Bidder Name: Myers and Sons Construction, LP

The bidder must identify each subcontractor performing work in an amount in excess of 1/2 of 1 percent of the total bid or $10,000, whichever is greater (Pub Cont Code § 4100 et seq.). Complete columns 1 and 4 and submit with the bid. Complete columns 2 and 3 and submit with the bid or fax to (916) 227-6282 within 24 hours after the bid opening. Failure to provide complete information in columns 1 through 4 within the time specified will result in a nonresponsive bid.

Column 1: Business Name and Location	**Column 2:** Bid Item Nos.	**Column 3:** Percentage of Bid Item Subcontracted	**Column 4:** Description of Subcontracted Work
S.T. Rhoades Construction Inc. Redding, CA			Cold Plane / HMA / Tack Coat
ABSL Construction Sacramento, CA			Remove AC Surfacing, Remove Poly Overlay
Extreme Pressure Systems, Inc. Camarillo, CA			Prepare Bridge Deck Surface
Extreme Pressure Systems, Inc. Camarillo, CA			Lead Compliance Plan, Remove Stripe + Markers
Central Valley Engineering and Asphalt, Inc. Roseville, CA			Slurry Leveling Course

ADA Notice For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

SUBCONTRACTOR LIST

DES-OE-0102.2 (REV 3/2011)

Bidder Name: Myers and Sons Construction, LP

The bidder must identify each subcontractor performing work in an amount in excess of 1/2 of 1 percent of the total bid or $10,000, whichever is greater (Pub Cont Code § 4100 et seq.). Complete columns 1 and 4 and submit with the bid. Complete columns 2 and 3 and submit with the bid or fax to (916) 227-6282 within 24 hours after the bid opening. Failure to provide complete information in columns 1 through 4 within the time specified will result in a nonresponsive bid.

Column 1: Business Name and Location	**Column 2:** Bid Item Nos.	**Column 3:** Percentage of Bid Item Subcontracted	**Column 4:** Description of Subcontracted Work
Chrisp Company Woodland, CA			Place Striping + Markers
Certified Coatings Company Fairfield, CA			Clean and Paint Structural Steel, Spot Blast Clean and Paint Undercoat, Work Area Monitoring, Lead Compliance Plan
Caroline Traffic Control, Inc. National City, CA			Traffic Control

ADA Notice For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

DH

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

SUBCONTRACTOR LIST

DES-OE-0102.2 (REV 3/2011)

Bidder Name: Myers and Sons Construction, LP

The bidder must identify each subcontractor performing work in an amount in excess of 1/2 of 1 percent of the total bid or $10,000, whichever is greater (Pub Cont Code § 4100 et seq.). Complete columns 1 and 4 and submit with the bid. Complete columns 2 and 3 and submit with the bid or fax to (916) 227-6282 within 24 hours after the bid opening. Failure to provide complete information in columns 1 through 4 within the time specified will result in a nonresponsive bid.

Column 1: Business Name and Location	**Column 2:** Bid Item Nos.	**Column 3:** Percentage of Bid Item Subcontracted	**Column 4:** Description of Subcontracted Work
S.T. Rhoades Construction Inc. Redding, CA	16	77 %	Cold Plane AC
	27	100 %	HMA (Type A)
	28	100 %	HMA (Bridge)
	29	100 %	Tack Coat
ABSL Construction Sacramento, CA	14	93 %	Remove AC Surfacing
	15	82 %	Remove Polyester Overlay
Extreme Pressure Systems, Inc. Camarillo, CA	18	78 %	Prepare Concrete Bridge Deck
Extreme Pressure Systems, Inc. Camarillo, CA	1	40 %	Lead Compliance Plan,
	9	100 %	Remove Striping and Markers
	12	100 %	" "
	13	100 %	" "

ADA Notice For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

SUBCONTRACTOR LIST

DES-OE-0102.2 (REV 3/2011)

Bidder Name: Myers and Sons Construction, LP

The bidder must identify each subcontractor performing work in an amount in excess of 1/2 of 1 percent of the total bid or $10,000, whichever is greater (Pub Cont Code § 4100 et seq.). Complete columns 1 and 4 and submit with the bid. Complete columns 2 and 3 and submit with the bid or fax to (916) 227-6282 within 24 hours after the bid opening. Failure to provide complete information in columns 1 through 4 within the time specified will result in a nonresponsive bid.

Column 1: Business Name and Location	**Column 2:** Bid Item Nos.	**Column 3:** Percentage of Bid Item Subcontracted	**Column 4:** Description of Subcontracted Work
Chrisp Company Woodland, CA	49	100%	Place Striping and Markers
	50	100%	" "
	51	100%	" "
	52	100%	" "
	53	100%	" "
Central Valley Engineering and Asphalt, Inc. Roseville, CA.	43	95%	Slurry Leveling Course
Certified Coatings Company Fairfield, CA	1	60%	Lead Compliance Plan,
	45	95%	Clean and Paint Structural Steel
	46	95%	Spot Blast Clean and Paint Undercoat
	47	100%	Work Area Monitoring
Carolina Traffic Control, Inc. National City, CA	3	30%	Traffic Control

ADA Notice For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

REQUEST FOR SMALL BUSINESS PREFERENCE OR NON-SMALL BUSINESS PREFERENCE

DES-OE-0102.7 (REV 02/2010)

CONTRACT NO. 01 - 0A4204

Complete one of the following:

- **Small Business Preference**

The undersigned requests small business preference and certifies, under penalty of perjury, that the firm meets the requirements of 2 CA Code of Regs § 1896 et seq. and is certified as a small business at the time and day of bid opening or has submitted a complete application to the Department of General Services (DGS) and is subsequently certified. The complete application and any required substantiating documentation must be received by DGS by 5:00 p.m. on bid opening date.

Small Business Certification (Reference) Number: _____

Date: _____ Signature: _____

- **Non-Small Business Preference**

The undersigned requests non-small business preference and notifies the Department on the Certified Small Business Listing for the Non-Small Business Preference form that it commits to subcontract at least 25 percent of its bid amount with one or more firms that meets the requirements of 2 CA Code of Regs § 1896 et seq. and the firms are certified as small businesses at the time and day of bid opening or have submitted a complete application and are subsequently certified by the Department of General Services (DGS). The complete application and any required substantiating documentation must be received by DGS by 5:00 p.m. on bid opening date. List these firms on the Certified Small Business Listing for the Non-Small Business Preference form.

Date: 4/30/13 Signature: _____

ADA Notice For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

CALIFORNIA COMPANY PREFERENCE

DES-OE-0102.9 (REV 11/2008)

This form must be completed and signed by all bidders. Failure of a non-California company to fill out and sign this form may be cause for rejection of its bid. Eligibility for a reciprocal preference for a California company is waived if the California company fails to complete and sign this form under penalty of perjury.

The undersigned certifies that it is a "California company" as defined in Pub Cont Code § 6107 and meets <u>one</u> of the following (check appropriate box and enter requested information):

☒ I am a California company which has its principal place of business in California.

or

☐ I am a California company which has its principal place of business in a state in which there is no local contractor preference on construction contracts.

Name of State: _____.

or

☐ I am a California company which has its principal place of business in a state in which there is a local contractor preference and my company has paid not less than $5,000 in sales or use taxes to California for construction related activity for each of the 5 years immediately preceding the submission of the bid.

Name of State: _____.

California Sales or Use Tax No.: _____.

or

The undersigned certifies that it is not a "California company." (Check box and enter requested information.)

☐ I am not a California company. My principal place of business is in _____.

(Enter state or country)

Describe any and all bid preferences provided to your company by the state or country in which your company has its principal place of business. (Attach additional sheets if necessary.)

_____

_____

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 4/30/13 Signature of Bidder: _____

ADA Notice For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-69, Sacramento, CA 95814.

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

Contract No. 01-0A4204

BIDDER'S BOND

DES-OE-0102.3 (REV 3/2008)

Bond No. N/A

We Myers and Sons Construction, LP
2554 Millcreek Dr., Sacramento CA 95833
as Principal, and
Travelers Casualty and Surety Company of America

as Surety are bound unto the State of California, Department of Transportation, hereafter referred to as "Obligee", in the penal sum of ten percent (10%) of the total amount of the bid of the Principal submitted to the Obligee for the work described below, for the payment of which sum we bind ourselves, jointly and severally,

THE CONDITION OF THIS OBLIGATION IS SUCH, THAT:

WHEREAS, the Principal is submitting a bid to the Obligee, for Rehabilitate Bridges, In Mendocino County At Various Locations
(Copy here the exact description of work, including location, as it appears on the proposal)

for which bids are to be opened at California Department of Transportation
(Insert place where bids will be opened)
on April 30, 2013
(Insert date of bid opening)

NOW, THEREFORE, if the Principal is awarded the contract and, within the time and manner required under the specifications, after the prescribed forms are presented to him for signature, enters into a written contract, in the prescribed form, in accordance with the bid, and files two bonds with the Obligee, one to guarantee faithful performance (if specified in the contract) of the contract and the other to guarantee payment for labor and materials as provided by law, then this obligation shall be null and void; otherwise, it shall remain in full force.

In the event a suit is brought upon this bond by the Obligee and judgment is recovered, the Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorney's fee to be fixed by the court.

Dated: April 26, 20 13.

Correspondence or claims relating to this bond should be sent to the surety at the following address:
One Tower Square, Bond/5PB
Hartford, CT 06183

Myers and Sons Construction, LP
Principal

Travelers Casualty and Surety Company of America
Surety

By Lupe Tyler
Attorney-in-Fact

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of Texas
County of Harris

Aon Risk Services Southwest, Inc. dba Aon Risk Insurance Services Southwest, Inc.
CA License 0559715

On this 4/26/13 (Date) before me, Stephenie Howell, Notary Public (Here Insert Name and Title of the Officer),
personally appeared Lupe Tyler (Name(s) of Signer(s)),

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

(SEAL)

STEPHENIE HOWELL
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 9/26/15

WITNESS my hand and official seal.
Signature Stephenie Howell
Signature of Notary Public

ADA Notice For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

TRAVELERS

POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 224618

Certificate No. 004947786

KNOW ALL MEN BY THESE PRESENTS: That St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Michael J. Herrod, Wendy W. Stuckey, Lupe Tyler, Margaret Buboltz, Lisa A. Ward, U. Theresa Gardner, Nancy Thomas, Donna L. Williams, and Jennifer Copeland

of the City of Houston, State of Texas, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 3rd day of July, 2012.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

State of Connecticut
City of Hartford ss.

By: George W. Thompson, Senior Vice President

On this the 3rd day of July, 2012, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2016.

Marie C. Tetreault, Notary Public

58440-6-11Printed in U.S.A.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

OPT OUT OF PAYMENT ADJUSTMENTS FOR PRICE INDEX FLUCTUATIONS

DES-OE-0102.12A (REV. 8/2012)

To opt out of payment adjustments for price index fluctuations as specified, complete this form.

Bidder's Name: _____ Contract No. ___ - _____

I opt out of the payment adjustments for price index fluctuations.

Date: _____ Signature: _____

ADA Notice For individuals with sensary disabilities, this decumant is available in alternate formats. Far information call (916) 654-6410 or TDD (916) 654-3880 or write Records and Farms Menagement, 1120 N Street, MS-69, Sacramento, CA 95814.

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

CERTIFIED DVBE SUMMARY

DES-OE-0102.5 (REV 3/2008)

DISTRICT-COUNTY-ROUTE: _____ - _____ - _____

CONTRACT NO.: _____

TOTAL BID: _____

BID OPENING DATE: _____

BIDDER'S NAME: _____

DVBE PRIME CONTRACTOR CERTIFICATION [1] _____

Bid Item Number	Description of Work to Be Subcontracted to DVBE or Materials to Be Supplied by DVBE [2]	For Caltrans Only	DVBE (Name, Telephone No., and Certification No.)	$ Amount
Names of first tier DVBE subcontractors and their items of work listed must be consistent with the names and items of work in the Subcontractor List (Pub Cont Code § 4100 et seq.) submitted with the bid. Identify second and lower tier subcontractors on this form.			**Total Claimed Participation**	$ _____ _____ %

1. DVBE prime contractors must enter their DVBE reference number or their DBA name as listed with Department of General Services (DVBE prime contractors are credited with 100 percent DVBE participation and need not complete the above table).

2. If 100% of an item is not performed or supplied by the DVBEs, describe the exact part, including the planned location of work to be performed, of item to be performed or supplied by DVBE.

Signature of Bidder Date

(Area Code) Telephone Number

Contact Person (Type or Print)

Submit to:

MSC 43
OFFICE ENGINEER
DEPARTMENT OF TRANSPORTATION
1727 30TH STREET
SACRAMENTO, CA 95816-7005

ADA Notice For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

CERTIFIED SMALL BUSINESS LISTING FOR THE NON–SMALL BUSINESS PREFERENCE

DES-OE-0102.8 (REV 2/2011)

BIDDER NAME _____ **CONTRACT NO.** ___ - _____

List the description of work, name, telephone number, certification number, and dollar amount of each certified small business who will be employed on this project. Failure to provide this information may be cause for denial of the non-small business subcontractor preference. Attach additional sheets if necessary.

Submit to:

MSC 43
OFFICE ENGINEER
DEPARTMENT OF TRANSPORTATION
1727 30TH STREET
SACRAMENTO, CA 95816-7005

Bid Item Number	Description of Work, Service, or Materials	Certified Small Business (Name, Telephone No., and Certification No.)	$ Amount

_____
Person to Contact (Please Type or Print)

_____
(Area Code) Telephone Number

Total Claimed Participation

$ _____

_____ % of Contract

ADA Notice For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95614.

CERTIFICATIONS

UNDOCUMENTED ALIENS EMPLOYMENT

Under Pub Cont Code § 6101, the Bidder certifies compliance with state and federal law respecting the employment of undocumented aliens.

NONCOLLUSION

NONCOLLUSION AFFIDAVIT TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

Under PCC 7106 and 23 USC 112, the bidder declares as follows:

State of California County of Sacramento

Clinton Myers, being first duly sworn, deposes and says that he or she is Vice President of Myers and Sons Construction, LP the party making the foregoing bid that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

CHILD SUPPORT COMPLIANCE ACT

Under Pub Cont Code § 7110, the contractor acknowledges that:

1. The contractor recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with section 5200) of Part 5 of Division 9 of the Family Code; and
2. The contractor to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the Employment Development Department.

NATIONAL LABOR RELATIONS BOARD

Under Pub Cont Code § 10232, the contractor, swears under penalty of perjury, that no more than one final unappealable finding of contempt of court by a federal court has been issued against the contractor within the immediately preceding two year period because of the contractor's failure to comply with an order of a federal court which orders the contractor to comply with an order of the National Labor Relations Board.

VIOLATION OF LAW OR A SAFETY REGULATION

Under Pub Cont Code § 10162, the Bidder must complete, under penalty of perjury, the following questionnaire:

Has the Bidder, any officer of the Bidder, or any employee of the Bidder who has a proprietary interest in the Bidder, ever been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of a violation of law or a safety regulation?

☐ Yes ☒ No If the answer is yes, explain the circumstances in the following space.

ANTITRUST LAW

Under Pub Con Code § 10285.1, the Bidder declares under penalty of perjury under the laws of the State of California that the Bidder ☐ has ☒ has not been convicted within the preceding three years of any offenses referred to in that section, including any charge of fraud, bribery, collusion, conspiracy, or any other act in violation of any state or federal antitrust law in connection with the bidding upon, award of, or performance of, any public works contract, as defined in Pub Cont Code § 1101, with any public entity, as defined in Pub Cont Code § 1100, including the Regents of the University of California or the Trustees of the California State University. The term "Bidder" includes any partner, member, officer, director, responsible managing officer, or responsible managing employee thereof, as referred to in Section 10285.1.

If the Bidder has been convicted of an offense within the past 3 years, provide the conviction details including the date and ultimate resolution of each conviction in the space below.

PERMITS, LICENSES, AGREEMENTS, CERTIFICATIONS, AND RAILROAD RELATIONS AND INSURANCE REQUIREMENTS

Bidder acknowledges that permits, licenses, agreements, certifications, and the requirements in the document titled "Railroad Relations and Insurance Requirements" are components of the Contract under section 5-1.02 of the *Standard Specifications*.

BIDDER RESPONSIBILITY QUESTIONNAIRE

Failure to truthfully answer the following questions will result in a finding that the bid is nonresponsive. The Bidder must complete, under penalty of perjury, the following questionnaire:

1. Within the past 10 years, has the Bidder been found to be a nonresponsible bidder by any public entity, including federal, State, local, or regional entities?
   ☐ Yes ☒ No
2. Within the past 10 years, have any of the Bidder's officers or employees with a proprietary interest in the Bidder been determined to be a nonresponsible bidder by a public entity, including federal, State, local or regional entities?
   ☐ Yes ☒ No
3. Is there any officer or employee of the Bidder who now has or has had any proprietary interest in another company that bid or bids on public works projects whose company has been determined to be a nonresponsible bidder by any public entity, including federal, State, local, or regional entities?
   ☐ Yes ☒ No
4. If the answer to any of the 3 preceding questions is yes, disclose all pertinent details of the determination of nonresponsibility, including:
   - 4.1. Date of each nonresponsibility determination
   - 4.2. Name of each public agency issuing the nonresponsibility determination and a contact person at that agency who would have information about the determination
   - 4.3. Contract number for each nonresponsibility determination

END CERTIFICATIONS