



Caltrans[®]

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

BID

FOR CONSTRUCTION ON STATE HIGHWAY IN ALAMEDA AND CONTRA COSTA
COUNTIES, IN OAKLAND AND ORINDA FROM EAST TEMESCAL SEPARATION TO 0.2
MILE EAST OF GATEWAY BOULEVARD OVERCROSSING

In District 04 On Route 24

Under

Notice to Bidders and Special Provisions dated May 5, 2014

Standard Specifications dated 2010

Project plans approved January 21, 2014

Standard Plans dated 2010

Identified by

Contract No. 04-294944

04-Ala,CC-24-5.3/6.2

0.0/1.3

Project ID 0412000634

CONTRACT NO. 04-294944

NAME OF BIDDER Empire Landscaping Inc.
BUSINESS P.O. BOX _____
CITY, STATE, ZIP _____
BUSINESS STREET ADDRESS 118 Hrcbory Ln
(Include even if P.O. Box used)
CITY, STATE, ZIP Davis CA 95616
TELEPHONE NO: AREA CODE (530) 400-3943
FAX NO: AREA CODE (530) 757-1355
CONTRACTOR LICENSE NO. 811554

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 on 6-6-14, #2 on 6-24-14, #3 on 6-25-14

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)

7-5-2014

PRINTED NAME AND TITLE OF PERSON SIGNING

Ahmet Gulcu 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	3,000
2	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	20,000
3	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	15,000
4	128652	PORTABLE CHANGEABLE MESSAGE SIGN (LS)	LS	LUMP SUM	LUMP SUM	20,000
5	130100	JOB SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	10,000
6	130300	PREPARE STORM WATER POLLUTION PREVENTION PLAN	LS	LUMP SUM	LUMP SUM	5,000
7	130310	RAIN EVENT ACTION PLAN	EA	38	500.00	19,000.00
8	130320	STORM WATER SAMPLING AND ANALYSIS DAY	EA	25	400	10,000
9	130330	STORM WATER ANNUAL REPORT	EA	2	2,000.00	4,000.00
10	130505	MOVE-IN/MOVE-OUT (TEMPORARY EROSION CONTROL)	EA	4	1,500	6,000
11	130540	TEMPORARY TACKED STRAW	SQYD	244,000	.35	85,400
12	130570	TEMPORARY COVER	SQYD	1,500	5	7,500
13	130610	TEMPORARY CHECK DAM	LF	720	5	3,600
14	130620	TEMPORARY DRAINAGE INLET PROTECTION	EA	120	110	13,200
15	130640	TEMPORARY FIBER ROLL	LF	16,000	2.50	40,000
16	130680	TEMPORARY SILT FENCE	LF	3,680	3	11,040
17	130710	TEMPORARY CONSTRUCTION ENTRANCE	EA	2	2,000	4,000
18	130730	STREET SWEEPING	LS	LUMP SUM	LUMP SUM	4,000
19	130900	TEMPORARY CONCRETE WASHOUT	LS	LUMP SUM	LUMP SUM	5,000
20	200002	ROADSIDE CLEARING	LS	LUMP SUM	LUMP SUM	20,000

BID ITEM LIST
04-294944

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
21	200052	PRUNE EXISTING PLANTS	LS	LUMP SUM	LUMP SUM	20,000
22	200114	ROCK BLANKET	SQYD	2,670	90	240,300
23	200122	WEED GERMINATION	SQYD	20,200	.50	10,100
24	200123	CULTIVATION	SQYD	20,200	3	60,600
25	202006	SOIL AMENDMENT	CY	650	35	22,750
26	202039	SLOW-RELEASE FERTILIZER	LB	680	1	680
27	204009	PLANT (GROUP I)	EA	4,320	6	25,920
28	204035	PLANT (GROUP A)	EA	2,300	9	20,700
29	204036	PLANT (GROUP B)	EA	740	22	16,280
30	204038	PLANT (GROUP U)	EA	210	90	18,900
31	204096	MAINTAIN EXISTING PLANTED AREAS	LS	LUMP SUM	LUMP SUM	75,000
32	204099	PLANT ESTABLISHMENT WORK	LS	LUMP SUM	LUMP SUM	504,000
33	205035	WOOD MULCH	CY	6,660	35	233,100
34	027455	WOOD MULCH (PLANT ESTABLISHMENT WORK)	CY	3,820	40	152,800
35	205051	FOLIAGE PROTECTOR	EA	3,290	18	59,220
36	206400	CHECK AND TEST EXISTING IRRIGATION FACILITIES	LS	LUMP SUM	LUMP SUM	10,000
37	206559	CONTROL AND NEUTRAL CONDUCTORS (ARMOR-CLAD)	LS	LUMP SUM	LUMP SUM	45,000
38	206561	3/4" REMOTE CONTROL VALVE	EA	11	175	1,925
39	206564	1 1/2" REMOTE CONTROL VALVE	EA	3	275	825
40	206565	2" REMOTE CONTROL VALVE	EA	2	375	750

REPLACED PER ADDENDUM NO. 2 DATED JUNE 24, 2014

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

BID ITEM LIST

04-294944

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
41	206630	3/4" WYE STRAINER ASSEMBLY	EA	4	175	700
42	206761	24-32 STATION IRRIGATION CONTROLLER (PEDESTAL MOUNTED)	EA	1	1300	1300
43	206908	12 STATION IRRIGATION CONTROLLER (PEDESTAL MOUNTED)	EA	1	1100	1100
44 (F)	208008	3" GALVANIZED STEEL PIPE (SUPPLY LINE)	LF	540	8	4,320
45 (F)	208044	3" GALVANIZED STEEL PIPE (SUPPLY LINE ON BRIDGE)	LF	310	8	2,480
46 (F)	208222	5/8" DRIP IRRIGATION TUBING	LF	482	2	964
47	208301	IRRIGATION CONTROLLER ENCLOSURE CABINET	EA	2	1250	2500
48	208441	BACKFLOW PREVENTER BLANKET	EA	1	150	150
49	208442	FLOW SENSOR	EA	2	1500	3000
50	208448	RISER SPRINKLER ASSEMBLY	EA	3,290	13	42,770
51	208449	POP-UP SPRINKLER ASSEMBLY	EA	39	19	741
52	208450	DRIP VALVE ASSEMBLY	EA	14	300	4200
53	208562	CAM COUPLER ASSEMBLY	EA	9	200	1800
54	208588	3" GATE VALVE	EA	13	750	9750
55 (F)	208594	3/4" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)	LF	58,098	1.20	69,717.60
56 (F)	208595	1" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)	LF	401	2	802
57 (F)	208596	1 1/4" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)	LF	405	2	810
58 (F)	208597	1 1/2" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)	LF	1,232	3	3,696
59 (F)	208598	2" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)	LF	815	3.50	2,852.50
60 (F)	208607	3" PLASTIC PIPE (CLASS 315) (SUPPLY LINE)	LF	9,050	7	63,350

REPLACED PER ADDENDUM NO. 2 DATED JUNE 24, 2014

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

BID ITEM LIST
04-294944

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
61	208640	PRESSURE REGULATING VALVE	EA	6	100	600
62	027456	COMBINATION AIR/VACUUM RELEASE VALVE	EA	11	100	1,100
63	027457	FLUSH VALVE	EA	7	25	175
64	208649	QUICK COUPLING VALVE	EA	8	200	1600
65	208683	BALL VALVE	EA	25	50	1,250
66	208738	8" CORRUGATED HIGH DENSITY POLYETHYLENE PIPE CONDUIT	LF	52	25	1300
67	210110	IMPORTED TOPSOIL (CY)	CY	3,850	35	134,750
68	210350	FIBER ROLLS	LF	28,600	2.50	71,500
69	860090	MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION	LS	LUMP SUM	LUMP SUM	5,000
70	860797	ELECTRIC SERVICE (IRRIGATION)	LS	LUMP SUM	LUMP SUM	17,500
71	BLANK					—
72	160102	CLEARING AND GRUBBING (LS)	LS	LUMP SUM	10,000	10,000
73	190101	ROADWAY EXCAVATION	CY	3	500	1,500
74	202038	PACKET FERTILIZER	EA	10	10	100
75	204008	PLANT (GROUP H)	EA	10	30	300
76	731510	MINOR CONCRETE (CURB, GUTTER, SIDEWALK AND DRIVEWAY)	CY	3	500	1500
77	860774	SPRINKLER CONTROL CONDUIT (BRIDGE) (LF)	LF	310	10	3,100
78	999990	MOBILIZATION	LS	LUMP SUM	200,000	200,000

TOTAL BID:

\$ 2,492,868.10

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REPLACED PER ADDENDUM NO. 2 DATED JUNE 24, 2014

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

JM

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
SUBCONTRACTOR LIST
 DES-OE-0102.2B (REV 5/2014)

Bidding Firm: Empire Landscaping

Under Public Contract Code § 4100 et seq., the Bidder must set forth in the bid the name, the location of the place of business, the California contractor license number, and the portion of work of each subcontractor who will perform work or labor or render service to the prime contractor in or about the construction of the work or improvement, or a subcontractor licensed by the State of California who, under subcontract to the prime contractor, specially fabricates and installs a portion of the work or improvement according to detailed drawings contained in the plans and specifications, in an amount in excess of one-half of 1 percent of the prime contractor's total bid or ten thousand dollars (\$10,000), whichever is greater.

The Bidder must submit within 24 hours of the bid opening, the bid item numbers with percentages of the portion of work subcontracted.

Business Name and Location	California Contractor License Number ^(a)	Description of Portion of Work	Bid Items Numbers	Percentage of Bid Item Subcontracted
N/A				

^a Not required on contracts with Federal-Aid.

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REQUEST FOR SMALL BUSINESS PREFERENCE OR NON-SMALL BUSINESS PREFERENCE

DES-OE-0102.7 (REV 02/2010)

CONTRACT NO. 04-294944

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: 1676340

Date: 7-5-14

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: _____

Signature: _____

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 one 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

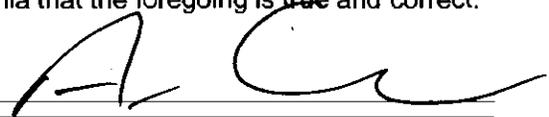
The undersigned certifies that it is not a "California company." (Check box and enter requested information.)

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: 7-5-14

Signature of Bidder: 

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BIDDER'S BOND

DES-OE-0102.3 (REV 3/2008)

Bond No. n/a

We EMPIRE LANDSCAPING, INC.

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 Construction on State Highway in Alameda and Contra Costa Counties,
(Copy here the exact description of work, including location, as it appears on the proposal.
In Oakland and Orinda From East Temescal Separation to 0.2 Mile East of Gateway Boulevard Crossing District-County-Route-Post Mile: 04-A1a, CC-24.5.3/6.20.0/1.3
Contract No. 04-294944

for which bids are to be opened at Sacramento, CA

(Insert place where bids will be opened)

on July 8, 2014

(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: June 6, 2014

Correspondence or claims relating to this bond should be sent to the surety at the following address:
11070 White Rock Rd., Ste. 130
Rancho Cordova, CA 95670

EMPIRE LANDSCAPING, INC.

Principal

TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA

Surety

By

Attorney-in-Fact, Karen Amin

Please See Attached

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of _____ }
Date

On this _____ before me,

Here Insert Name and Title of the Officer

personally appeared _____

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.

WITNESS my hand and official seal.

(SEAL)

Signature _____

Signature of Notary Public

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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of San Joaquin

On June 6, 2014
Date

before me,

Jennifer Loper, Notary Public
Here Insert Name and Title of the Officer

personally appeared

Karen Amin
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.

WITNESS my hand and official seal.

Signature

Jennifer Loper
Signature of Notary Public



Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Bidder's Bond

Document Date: June 6, 2014

Number of Pages: 1

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Karen Amin

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer Is Representing: _____
Travelers Casualty and Surety Company
of America

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer Is Representing: _____



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. 220512

Certificate No. 005808759

KNOW ALL MEN BY THESE PRESENTS: That Farmington Casualty Company, 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 are corporations duly organized under the laws of the State of Connecticut, 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

Diane Kelley, Stan Ward, Daniel M. Connolly, Karen Amin, and David Schnapp

of the City of Lodi, State of California, 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 20th day of February, 2014.

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: [Signature]
Robert L. Raney, Senior Vice President

On this the 20th day of February, 2014, before me personally appeared Robert L. Raney, 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.



[Signature]
Marie C. Tetreault, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors 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, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

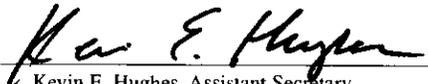
FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kevin E. Hughes, the undersigned, Assistant Secretary, 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 do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this Cath day of June, 2014


Kevin E. Hughes, Assistant Secretary



To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

OPT OUT OF PAYMENT ADJUSTMENTS FOR PRICE INDEX FLUCTUATIONS

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

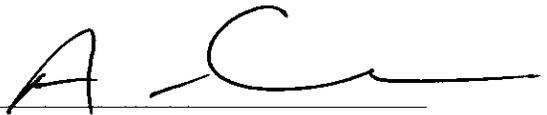
To opt out of payment adjustments for price index fluctuations as specified, complete this form.

Bidder's Name: Empire Landscaping Inc

Contract No. 04 - 294944

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

Date: 7-5-14

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.

CERTIFIED SMALL BUSINESS LISTING FOR THE NON-SMALL BUSINESS PREFERENCE

DES-OE-0102.8 (REV 2/2011)

BIDDER NAME Empire Landscaping Inc.

CONTRACT NO. 04-294944

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
	N/A.		

Person to Contact _____ (Please Type or Print)

Total Claimed Participation

\$ _____

(Area Code) Telephone Number _____

_____ % of Contract

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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 Yolo

Ahmet Gulcu, being first duly sworn, deposes and says that he or she is President of Empire Landscaping Inc 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 nonresponsive 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 nonresponsive 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 nonresponsive 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