



**Caltrans**

STATE OF CALIFORNIA  
DEPARTMENT OF TRANSPORTATION

# BID

FOR CONSTRUCTION ON STATE HIGHWAY IN MARIN COUNTY AT MARIN CITY AT  
ROSS DRIVE

In District 04 On Route 1

Under

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*Notice to Bidders and Special Provisions* dated September 23, 2013

*Standard Specifications* dated 2010

Project plans approved June 10, 2017

*Standard Plans* dated 2010

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Identified by

Contract No. 04-4S7704

04-Mrn-1-1.0

Project ID 0400020144

## Electronic Advertising Contract

Bids open Wednesday, October 16, 2013



Dated September 23, 2013

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STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION  
**BID TO THE DEPARTMENT OF TRANSPORTATION**  
DES-OE-0102.1 (REV. 3/2011)

**CONTRACT NO.** 04 - 457704

**NAME OF BIDDER** Team Ghilotti, Inc.

**BUSINESS P.O. BOX** N/A

**CITY, STATE, ZIP** N/A

**BUSINESS STREET ADDRESS** Team Ghilotti, Inc. 2531 Petaluma Blvd. S., Petaluma, CA 94952  
(Include even if P.O. Box used)

**CITY, STATE, ZIP** Team Ghilotti, Inc. 2531 Petaluma Blvd. S., Petaluma, CA 94952

**TELEPHONE NO:** **AREA CODE** (707) 763-8700

**FAX NO:** **AREA CODE** (707) 763-8711

**CONTRACTOR LICENSE NO.** 895384

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:
- 
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)

PRINTED NAME AND TITLE OF PERSON SIGNING

*Kevin Chioffi - Vice President*

*10-16-13*

**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	2000 <sup>00</sup>
2	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	1500 <sup>00</sup>
3	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	14,439 <sup>00</sup>
4	128652	PORTABLE CHANGEABLE MESSAGE SIGN (LS)	LS	LUMP SUM	LUMP SUM	4000 <sup>00</sup>
5	130100	JOB SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	1800 <sup>00</sup>
6	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	LUMP SUM	650 <sup>00</sup>
7	130520	TEMPORARY HYDRAULIC MULCH	SQYD	150	13 <sup>00</sup>	1950 <sup>00</sup>
8	130570	TEMPORARY COVER	SQYD	20	32 <sup>00</sup>	640 <sup>00</sup>
9	130620	TEMPORARY DRAINAGE INLET PROTECTION	EA	15	300 <sup>00</sup>	4500 <sup>00</sup>
10	130640	TEMPORARY FIBER ROLL	LF	250	7 <sup>00</sup>	1750 <sup>00</sup>
11	130730	STREET SWEEPING	LS	LUMP SUM	LUMP SUM	2500 <sup>00</sup>
12	130900	TEMPORARY CONCRETE WASHOUT	LS	LUMP SUM	LUMP SUM	1200 <sup>00</sup>
13	141103	REMOVE YELLOW THERMOPLASTIC TRAFFIC STRIPE (HAZARDOUS WASTE)	LF	76	30 <sup>00</sup>	2280 <sup>00</sup>
14	141120	TREATED WOOD WASTE	LB	26	20 <sup>00</sup>	520 <sup>00</sup>
15	148005	NOISE MONITORING	LS	LUMP SUM	LUMP SUM	1800 <sup>00</sup>
16	150714	REMOVE THERMOPLASTIC TRAFFIC STRIPE	LF	27	20 <sup>00</sup>	540 <sup>00</sup>
17	150715	REMOVE THERMOPLASTIC PAVEMENT MARKING	SQFT	205	10 <sup>00</sup>	2050 <sup>00</sup>
18	150722	REMOVE PAVEMENT MARKER	EA	5	5 <sup>00</sup>	25 <sup>00</sup>
19	150809	REMOVE CULVERT (LF)	LF	180	24 <sup>00</sup>	4320 <sup>00</sup>
20	150820	REMOVE INLET	EA	1	1200 <sup>00</sup>	1200 <sup>00</sup>

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
21	150821	REMOVE HEADWALL	EA	3	2200 <sup>00</sup>	6600 <sup>00</sup>
22	150836	REMOVE RETAINING WALL (LS)	LS	LUMP SUM	LUMP SUM	3000 <sup>00</sup>
23	152255	RESET MAILBOX	EA	1	300 <sup>00</sup>	300 <sup>00</sup>
24	192053	STRUCTURE EXCAVATION (TYPE Z-2) (AERIALY DEPOSITED LEAD)	CY	150	340 <sup>00</sup>	51,000 <sup>00</sup>
25	210270	ROLLED EROSION CONTROL PRODUCT (NETTING)	SQFT	160	5 <sup>00</sup>	800 <sup>00</sup>
26	390132	HOT MIX ASPHALT (TYPE A)	TON	115	210 <sup>00</sup>	24,150 <sup>00</sup>
27	394076	PLACE HOT MIX ASPHALT DIKE (TYPE E)	LF	240	31 <sup>00</sup>	7440 <sup>00</sup>
28	394090	PLACE HOT MIX ASPHALT (MISCELLANEOUS AREA)	SQYD	110	62 <sup>50</sup>	6875 <sup>00</sup>
29	510090	STRUCTURAL CONCRETE, BOX CULVERT	CY	8	3700 <sup>00</sup>	29,600 <sup>00</sup>
30	510501	MINOR CONCRETE	CY	30	950 <sup>00</sup>	28,500 <sup>00</sup>
31 (F)	510502	MINOR CONCRETE (MINOR STRUCTURE)	CY	27	1700 <sup>00</sup>	45,900 <sup>00</sup>
32	510526	MINOR CONCRETE (BACKFILL)	CY	98	680 <sup>00</sup>	66,640 <sup>00</sup>
33	620060	12" ALTERNATIVE PIPE CULVERT	LF	17	115 <sup>00</sup>	1955 <sup>00</sup>
34	620100	18" ALTERNATIVE PIPE CULVERT	LF	270	132 <sup>00</sup>	35,640 <sup>00</sup>
35	026582	8" PLASTIC PIPE	LF	4	246 <sup>00</sup>	984 <sup>00</sup>
36	665007	10" CORRUGATED STEEL PIPE	LF	5	178 <sup>00</sup>	890 <sup>00</sup>
37	667023	42" X 29" CORRUGATED STEEL PIPE ARCH (.079" THICK)	LF	10	242 <sup>00</sup>	2,420 <sup>00</sup>
38 (F)	750001	MISCELLANEOUS IRON AND STEEL	LB	5,282	1.50	7,923 <sup>00</sup>
39	840504	4" THERMOPLASTIC TRAFFIC STRIPE	LF	503	3 <sup>00</sup>	1509 <sup>00</sup>
40	840515	THERMOPLASTIC PAVEMENT MARKING	SQFT	205	7 <sup>00</sup>	1,435 <sup>00</sup>

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
41	850111	PAVEMENT MARKER (RETROREFLECTIVE)	EA	6	10 <sup>00</sup>	60 <sup>00</sup>

TOTAL BID:

\$ 373,285<sup>00</sup>

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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. 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
AC Dyke Co., 2788 Venture Dr. Lincoln CA 95648	27	52%	AC Dyke
BTF 402 Hartz Ave Danville CA 94526	24	9.8%	Aerial deposited seeds
Nitta - Erosion Control 3770 Del Mar Ave. Loomis CA 95650	7 25	77% 100%	erosion control
Central Striping 9847 Reno Dr. Elk Grove CA 95624	13 16 17 18 29 40 41	75% 100%	striping

**ADA Notice** For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 854-8410 or TDD (916) 854-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

**SUBCONTRACTOR LIST**

DES-OE-0102.2 (REV 3/2011)

Bidder Name: Team Ghilotti, Inc.

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
Central Stripping Services Rancho Condoba, CA			Stripping
NITTA Erosion Control Lomis, CA			Erosion Control
AC Dyke Co. Lincoln, CA			AC Dyke
B.T.I DANVILLE, CA			A.B.L.

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**REQUEST FOR SMALL BUSINESS PREFERENCE OR NON-SMALL BUSINESS PREFERENCE**

DES-OE-0102.7 (REV 02/2010)

CONTRACT NO. 04-457704

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: 10-16-13~~  
~~Signature: [Signature]~~  
~~Kevin Gilotti  
Vice President~~

• **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: 10-16-13

Signature of Bidder: Kevin G. G. G.

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*Kevin G. G. G.  
Vice President*

We Team Ghilotti, Inc.  
\_\_\_\_\_ as Principal, and  
Berkley Regional Insurance Company

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 Marin County at Marin City  
(Copy here the exact description of work, including location, as it appears on the proposal)  
at Ross Drive; In District 04 On Route 1  
for which bids are to be opened at 1727 30th Street, Bidders' Exchange, MS 26, Sacramento, CA 95816  
(Insert place where bids will be opened)  
on Wednesday, October 16, 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: September 24, 2013

Correspondence or claims relating to this bond should be sent to the surety at the following address:  
Berkley Regional Insurance Company  
505 N. Brand Blv., Suite 1040  
Glendale, CA 91203

Team Ghilotti, Inc.  
William Ghilotti - Kevin Ghilotti  
Principal Vice President  
Berkley Regional Insurance Company  
Shaina E. Glischinski  
Surety Attorney-in-Fact

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California }  
County of San Francisco }  
On this September 24, 2013 before me, Jessica L. Nowlin, Notary Public  
Date Here Insert Name and Title of the Officer  
personally appeared Shaina E. Glischinski  
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 [Signature]  
Signature of Notary Public

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POWER OF ATTORNEY
BERKLEY REGIONAL INSURANCE COMPANY
WILMINGTON, DELAWARE

NOTICE: The warning found elsewhere in this Power of Attorney affects the validity thereof. Please review carefully.

KNOW ALL MEN BY THESE PRESENTS, that BERKLEY REGIONAL INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Delaware, having its principal office in Urbandale, Iowa, has made, constituted and appointed, and does by these presents make, constitute and appoint: Gordon Scott Gaddy; David Alvarado; Jeffrey Parkhurst; Jessica L. Nowlin; Lisa M. Lucas; William Phillips, Jr.; Teri L. Koehler or Shaina E. Glischinski of Edgewood Partners Insurance Center of San Francisco, CA its true and lawful Attorney-in-Fact, to sign its name as surety only as delineated below and to execute, seal, acknowledge and deliver any and all bonds and undertakings, with the exception of Financial Guaranty Insurance, providing that no single obligation shall exceed Twenty Five Million and 00/100 U.S. Dollars (U.S.\$25,000,000.00), to the same extent as if such bonds had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office in their own proper persons.

This Power of Attorney shall be construed and enforced in accordance with, and governed by, the laws of the State of Delaware, without giving effect to the principles of conflicts of laws thereof. This Power of Attorney is granted pursuant to the following resolutions which were duly and validly adopted at a meeting of the Board of Directors of the Company held on August 21, 2000:

"RESOLVED, that the proper officers of the Company are hereby authorized to execute powers of attorney authorizing and qualifying the attorney-in-fact named therein to execute bonds, undertakings, recognizances, or other suretyship obligations on behalf of the Company, and to affix the corporate seal of the Company to powers of attorney executed pursuant hereto; and further

RESOLVED, that such power of attorney limits the acts of those named therein to the bonds, undertakings, recognizances, or other suretyship obligations specifically named therein, and they have no authority to bind the Company except in the manner and to the extent therein stated; and further

RESOLVED, that such power of attorney revokes all previous powers issued on behalf of the attorney-in-fact named; and further

RESOLVED, that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any power of attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligation of the Company; and such signature and seal when so used shall have the same force and effect as though manually affixed. The Company may continue to use for the purposes herein stated the facsimile signature of any person or persons who shall have been such officer or officers of the Company, notwithstanding the fact that they may have ceased to be such at the time when such instruments shall be issued."

IN WITNESS WHEREOF, the Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 3 day of June, 2013.

Attest:
By Ira S. Lederman
Senior Vice President & Secretary

Berkley Regional Insurance Company
By Jeffrey M. Hafter
Senior Vice President

WARNING: THIS POWER INVALID IF NOT PRINTED ON BLUE "BERKLEY" SECURITY PAPER.

STATE OF CONNECTICUT )
) ss:
COUNTY OF FAIRFIELD )

Sworn to before me, a Notary Public in the State of Connecticut, this 3 day of June, 2013, by Jeffrey M. Hafter and Ira S. Lederman who are sworn to me to be the Senior Vice President, and the Senior Vice President and Secretary, respectively, of Berkley Regional Insurance Company.

KATHLEEN COREY
NOTARY PUBLIC
CONNECTICUT
MY COMMISSION EXPIRES OCTOBER 31, 2017

CERTIFICATE

the undersigned, Assistant Secretary of BERKLEY REGIONAL INSURANCE COMPANY, DO HEREBY CERTIFY that the foregoing is a true, correct and complete copy of the original Power of Attorney; that said Power of Attorney has not been revoked or rescinded and that the authority of the Attorney-in-Fact set forth therein, who executed the bond or undertaking to which this Power of Attorney is attached, is in full force and effect as of this date.

Given under my hand and seal of the Company, this 24th day of September, 2013.

(Seal)

Andrew M. Tuma

WARNING - Any unauthorized reproduction or alteration of this document is prohibited. This power of attorney is void unless seals are readable and the background image at the bottom is embossed. The background image, warning and confirmation (on reverse) must be in blue ink.



**OPT OUT OF PAYMENT ADJUSTMENTS FOR PRICE INDEX FLUCTUATIONS**

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

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

Bidder's Name: Team Ghilotti, Inc.

Contract No. 04 - 457704

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

Date: 10-16-13

Signature: \_\_\_\_\_

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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 Sonoma

Kevin Ghilotti, being first duly sworn, deposes and says that he or she is Vice President of Team Ghilotti, 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