

Review
Key



STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

BID

FOR CONSTRUCTION ON STATE HIGHWAY IN BUILDING CONSTRUCTION IN SAN
BERNARDINO COUNTY ON ROUTE 15 ABOUT 30 MILES EAST OF BARSTOW AT
C.V.KANE SAFETY ROADSIDE REST AREA AND IN SACRAMENTO COUNTY ON ROUTE
5 ABOUT 0.2 MILES SOUTH OF ROUTE 275

In District 08 On Route 5,15

Under

Notice to Bidders and Special Provisions dated October 21, 2013

Standard Specifications dated 2006

Project Plans approved September 16, 2013

Standard Plans dated 2006

Identified by

Contract No. 08-0G8404

08-SBd,Sac-5,15-23.3,107.3

Project ID 0800000229

Federal-Aid Project

HSNHPIG-015-2(037)E

Electronic Advertising Contract

Bids open Thursday, November 21, 2013

Dated October 21, 2013

A4

CONTRACT NO. 08 - 0G 8404

NAME OF BIDDER RSM2 Contractors, Inc.
BUSINESS P.O. BOX _____
CITY, STATE, ZIP La Mesa CA 91942
BUSINESS STREET ADDRESS 8191 Center Street
(Include even if P.O. Box used)
CITY, STATE, ZIP La Mesa CA 91942
TELEPHONE NO: AREA CODE (619) 698-7777
FAX NO: AREA CODE (619) 698-7701
CONTRACTOR LICENSE NO. 819649

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:

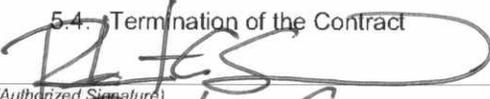
Cash \$ _____, Cashiers Check, Certified Check, Bidder's Bond

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)

PRINTED NAME AND TITLE OF PERSON SIGNING


Robert C. Samuel

President

DATE SIGNED (Do not type)

21 / Nov / 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	1,500.00
2	074016	CONSTRUCTION SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	5,000.00
3	080050	PROGRESS SCHEDULE (CRITICAL PATH METHOD)	LS	LUMP SUM	LUMP SUM	5,000.00
4	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	1,250.00
5	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	1,190.00
6	120120	TYPE III BARRICADE	EA	6	45	270
7	120165	CHANNELIZER (SURFACE MOUNTED)	EA	70	42	2,940.00
8	130300	PREPARE STORM WATER POLLUTION PREVENTION PLAN	LS	LUMP SUM	LUMP SUM	2,000.00
9	130330	STORM WATER ANNUAL REPORT	EA	3	2,000.00	6,000.00
10	130560	TEMPORARY SOIL BINDER	SQYD	5,000	0.598	2,990.00
11	130640	TEMPORARY FIBER ROLL	LF	5,700	3.5	19,950.00
12	130900	TEMPORARY CONCRETE WASHOUT	EA	2	5000	10,000.00
13	141120	TREATED WOOD WASTE	LB	2,400	1	2,400.00
14	150230	DESTROY WELL	LS	LUMP SUM	LUMP SUM	30,260.00
15	150607	REMOVE FENCE (TYPE WM)	LF	250	7.90	1,975.00
16	150860	REMOVE BASE AND SURFACING	CY	1,230	45.95	56,518.50
17	153103	COLD PLANE ASPHALT CONCRETE PAVEMENT	SQYD	8,050	1.93	15,536.50
18	025019	REMOVE CONCRETE CURB AND SIDEWALK	CY	450	40.00	18,000.00
19	160102	CLEARING AND GRUBBING (LS)	LS	LUMP SUM	LUMP SUM	100,000.00
20	170101	DEVELOP WATER SUPPLY	LS	LUMP SUM	LUMP SUM	129,880.00

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
21	190101	ROADWAY EXCAVATION	CY	7,520	15.50	116,560 ⁰⁰
22	260203	CLASS 2 AGGREGATE BASE (CY)	CY	1,100	72.50	79,750 ⁰⁰
23	377501	SLURRY SEAL	TON	2	77.60	15,520 ⁰⁰
					155.20	
24	390129	HOT MIX ASPHALT (TYPE C)	TON	3,660	92.44	338,330.40
25	390136	MINOR HOT MIX ASPHALT	TON	43	100.76	4,332.68
26	394076	PLACE HOT MIX ASPHALT DIKE (TYPE E)	LF	1,690	4.28	7,233.20
27	397005	TACK COAT	TON	13	620.25	8,063.25
28	044116	PIPE JACKING	LF	200	1000 ⁰⁰	200,000 ⁰⁰
29	510502	MINOR CONCRETE (MINOR STRUCTURE)	CY	14	1,164.00	16,296.00
30	025020	PERIMETER WALL	LF	602	377.00	226,954.00
31	025021	PILASTER	EA	1	6,027.00	6,027.00
32	025022	ENTRY MONUMENT SIGN	EA	1	7,540.00	7,540.00
33	025023	INSTALL MONUMENT PLAQUE	EA	2	3,000.00	6,000.00
34	560249	FURNISH SINGLE SHEET ALUMINUM SIGN (0.080"-UNFRAMED)	SQFT	71	17.85	1,267.35
35	560252	FURNISH SINGLE SHEET ALUMINUM SIGN (0.080"-FRAMED)	SQFT	60	20.65	1,239.00
36	566011	ROADSIDE SIGN - ONE POST	EA	9	POS 325	2,925.00
37	566012	ROADSIDE SIGN - TWO POST	EA	2	534	1,068.00
38	650014	18" REINFORCED CONCRETE PIPE	LF	810	50	40,500.00
39	705204	18" CONCRETE FLARED END SECTION	EA	1	1,000.00	1,000.00
40	721015	ROCK SLOPE PROTECTION (LIGHT, METHOD B) (CY)	CY	15	RCS 45 300	4,500.00

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
41	729011	ROCK SLOPE PROTECTION FABRIC (CLASS 8)	SQYD	40	10.00	400.00
42	731502	MINOR CONCRETE (MISCELLANEOUS CONSTRUCTION)	CY	410	320.00	131,200.00
43	750001	MISCELLANEOUS IRON AND STEEL	LB	2,300	2.45	5,635.00
44	025024	SIGN BASE AND SIGN FRAME	EA	5	1,500.00	7,500.00
45	760011	WELL DEVELOPMENT	LS	LUMP SUM	LUMP SUM	39,490.00
46	760012	TESTING WELL	LS	LUMP SUM	LUMP SUM	14,480.00
47	044117	WELL CONSTRUCTION	LF	410	257.00	105,370.00
48	044118	WELL INVESTIGATION	LF	400	162.00	64,800.00
49	044119	WELL DISINFECTION	LS	LUMP SUM	LUMP SUM	12,240.00
50	760035	WELL SCREEN	LF	100	116.00	11,600.00
51	044120	WATER QUALITY TESTING	LS	LUMP SUM	LUMP SUM	5,750.00
52	025025	PERMANENT FENCE (TYPE DESERT TORTOISE)	LF	3,430	5.80	19,894.00
53	800051	FENCE (TYPE WM, METAL POST)	LF	250	17.20	4,300.00
54	800365	CHAIN LINK FENCE (TYPE CL-6, SLATTED)	LF	620	47.30	29,326.00
55	801150	8' WIRE MESH GATE	EA	4	1,100.00 KCS 4,400.00	4,400.00
56	802504	4' CHAIN LINK GATE (TYPE CL-6, SLATTED)	EA	3	1,125.00 KCS	3,375.00
57	026589	6' CHAIN LINK GATE (TYPE CL-6 SLATTED)	EA	4	1,285.00 KCS 5,140.00	5,140.00
58	820108	DELINEATOR (CLASS 2)	EA	75	60	4,500.00
59	840515	THERMOPLASTIC PAVEMENT MARKING	SQFT	600	5.08	3,048.00
60	840560	THERMOPLASTIC TRAFFIC STRIPE (SPRAYABLE)	LF	8,860	1.05	9,303.00

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
61	850111	PAVEMENT MARKER (RETROREFLECTIVE)	EA	120	3.03	363.60
62	025026	FLAG POLE	EA	2	4,000 ⁰⁰	8,000 ⁰⁰
63	025027	FROST PROOF YARD HYDRANT ASSEMBLY	EA	2	2500 ⁰⁰	5,000 ⁰⁰
64	025028	PRECAST CONCRETE TRASH RECEPTACLE	EA	14	600	8,400.00
65	025029	PRECAST CONCRETE PICNIC TABLE AND BENCHES	EA	6	750	4,500.00
66	025030	PREFABRICATED METAL BENCH	EA	13	1,263 ⁰⁰	16,419 ⁰⁰
67	994650	BUILDING WORK	LS	LUMP SUM	LUMP SUM	6,150,427.77 6,150,427.77 ACS
68	025031	PRECAST CONCRETE ASH URN	EA	5	250	1,250.00

A-6

TOTAL BID:

\$8,173,877.25



Key

8158512.45

467



FACSIMILE TRANSMITTAL

TO: Department of Transportation - Sub List
Bid: Contract 11-294804

FAX: 916-227-6282

FROM: RSM2 Contractors, Inc.
Katie Smith

DATE: November 22, 2013

RE: Subcontractor List-08-0G8404

PAGES: 3 (including cover page)

CC:

SUB:

URGENT

FOR REVIEW

PLEASE COMMENT

PLEASE REPLY

PLEASE RECYCLE

NOTES:

To Whom It May Concern:

Please see the attached subcontractor list for the Caltans Contract 08-0G8404 Upgrade Existing Roadside Rest Area that bid yesterday, 11/21/13. If you need anything further, please let us know.

Katie Smith
RSM2 Contractors, Inc.

RSM² Contractors, Inc.
8191 Center Street, La Mesa, CA 91942
Office: 619-698-7777
Fax: 619-698-7701

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION

SUBCONTRACTOR LIST

DES-OE-0102.2 (REV 3/2011)

Bidder Name: RSM2 Contractors, LLC

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
Maneri Temecula, CA	4,5,6,7 34,35,36,37	100.0%	Construction Signs & Barricades
Trl County San Diego, CA	14,20, 45-51	100.0%	Water Well
Cindy Trump, Inc. La Habra, CA	16, 17	100.0%	AC Grinding & Removal
Patterson Orange, CA	30-32 67	100.0% 9.1%	Masonry & Stone
PCM Phelan, CA	59-61	100.0%	Striping
Cardinal Riverside, CA	67	1.6%	Sheet Metal
California Fencing, Inc. Lancaster, CA	52-57	100.0%	Fencing
Absolute Fresno, CA	67	1.0%	Roofing
Brady La Mesa, CA	67	1.0%	Glass & Glazing
All State Plumbing Yuma, AZ	67	2.4%	Building Plumbing
Brady La Mesa, CA	67	0.5%	Toilet Partitions & Accessories
SG Plastering El Cajon, CA	67	2.4%	Plaster
Visalia Tile Visalia, CA	67	1.0%	Floor Tile
AAF Steet Irvine, CA	67	5.6%	Structural Steel
Flatiron Chino, CA	67	30.4%	Electrical
Bitheil Covina, CA	67	0.5%	Painting

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STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION

SUBCONTRACTOR LIST

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Innovative Quartz Hill, CA	29, 42-43 67	100.0% 2.4%	Concrete
Mulvihill Beaumont, CA	67	0.5%	Doors
Progression Drywall Lancaster, CA	67	1.0%	Drywall
Golden State Pipe Jacking Chino, CA	28	54.0%	Pipe Jacking
Daley Lakeside, CA	18,19,21 22 23-27 38-39 40-41 67	100%, 50%, 100% 25.0% 100.0% 100.0% 100.0% 3.6%	Earthwork/Demo AG AC Paving Storm Drain Earthwork Building Demo/Ponds
Environmental Waste Disposal Irvine, CA	67	2.3%	

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Column 1: Business Name and Location	Column 2: Bid Item Nos.	Column 3: Percentage of Bid Item Subcontracted	Column 4: Description of Subcontracted Work
Maneri Temecula, CA			Construction Signs and Barricades
TRI COUNTY SAN DIEGO, CA			Water well RCS Building Demo
Cindy Trump Inc. La Habra, CA			AZ Grinding + Removal RCS Boring + Sower Pond Construction

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Column 1: Business Name and Location	Column 2: Bid Item Nos.	Column 3: Percentage of Bid Item Subcontracted	Column 4: Description of Subcontracted Work
PATTERSON ORANGE, CA			Masonry & Stone RCS: Reinforcing Steel
PCM Phelan, CA			Striping RCS AC Paving
CARDINAL RIVERSIDE, CA			Sheetmetal
RCS PC DE HAVES CONSTRUCTION YUCAPA, CA CALIFORNIA FENCING LANCASTER, CA			Fencing

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SUBCONTRACTOR LIST

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ABSOLUTE FRESNO, CA			Roofing
BRADY LA MESA, CA			Glass & Glazing
ALL STATE PLUMBING YUMA, AZ			Building Plumbing
BRADY LA MESA, CA		RCS	Survey Toilet Partitions & Accessories
SG PLASTERING EL COJON, CA			Plaster
VISALIA TILE VISALIA, CA			Floor tile
AAF STEEL IRVINE, CA		RCS	Metal Deck

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Column 1: Business Name and Location

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Column 4: Description of Subcontracted Work

FLATIRON
CHINO, CA

Electrical

BITHELL
COVINA, CA

Painting

INNOVATIVE
QUARTZ HILL

CONCRETE

MULVHILL
BEAUMONT, CA

DOORS

PROGRESSION DRYWALL
LANCASTER, CA

DRYWALL

GOLDEN STATE
CHINO, CA

PIPE JACKING

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Column 1: Business Name and Location	Column 2: Bid Item Nos.	Column 3: Percentage of Bid Item Subcontracted	Column 4: Description of Subcontracted Work
<p>DALEY COMP. LAKESIDE, CA</p>			<p>^{RCS} DALEY</p> <p>EARTHWORK / DEMO AG BASE / STORM DRAIN AC PAVING BUILDING DEMO PONDS</p> <p>SLUDGE</p>
<p>ENVIRONMENTAL WASTE DISPOSAL IRVINE, CA</p>			

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KG

SUBCONTRACTOR LIST

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We RSM2 Contractors, Inc.

8191 Center Street, La Mesa, CA 91942

as Principal, and

Fidelity and Deposit Company of Maryland

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 building construction in San Bernardino County on
(Copy here the exact description of work, including location, as it appears on the proposal)

Route 15 about 30 miles east of Barstow at C.V. Kane Safety Roadside Rest Area and in Sacramento County on Route 5 about 0.2 miles south of Route 275

for which bids are to be opened at 3347 Michelson Drive, Suite 100, Irvine, CA 92612-1692

(insert place where bids will be opened)

on November 21, 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: November 8, 2013.

Correspondence or claims relating to this bond should be sent to the surety at the following address: Fidelity and Deposit Company of Maryland

777 S. Figueroa Street, Ste. 3900

Los Angeles, CA 90017

RSM2 Contractors, Inc.

By: [Signature]

Principal

Fidelity and Deposit Company of Maryland

Surety

By [Signature]

Charlotte Aquino

Attorney-in-Fact

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of San Diego

On this November 8, 2013 before me,

Janice R. Martin, Notary Public

Date

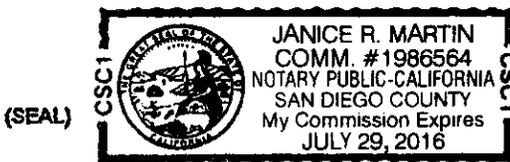
Here insert Name and Title of the Officer

personally appeared Charlotte Aquino

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
Janice R. Martin

Power of Attorney
FIDELITY AND DEPOSIT COMPANY OF MARYLAND

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by FRANK E. MARTIN JR., Vice President, and ERIC D. BARNES, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint Lawrence F. MCMAHON, Maria GUISE and Charlotte AGLINO, all of San Diego, California, EACH its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons.

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 15th day of March, A.D. 2011.

ATTEST:

FIDELITY AND DEPOSIT COMPANY OF MARYLAND



Eric D. Barnes

Eric D. Barnes Assistant Secretary

Frank E. Martin Jr.

By: *Frank E. Martin Jr.* Vice President

State of Maryland } ss:
City of Baltimore }

On this 15th day of March, A.D. 2011, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came FRANK E. MARTIN JR., Vice President, and ERIC D. BARNES, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself deposed and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



Maria D. Adamski

Maria D. Adamski Notary Public
My Commission Expires: July 8, 2011

EXTRACT FROM BY-LAWS OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND

“Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages and instruments in the nature of mortgages,...and to affix the seal of the Company thereto.”

CERTIFICATE

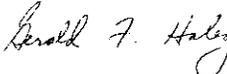
I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company,

this _____ day of **NOV 08 2013**, _____.


Gerald F. Halby
Assistant Secretary

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: RSMZ Contractors, Inc. Contract No. 08 - 0G8404

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

Date: _____

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.

SMALL BUSINESS STATUS

DES-OE-0102.4 (REV 3/2008)

CONTRACT NO. 08 - 068404

Are you certified as a "Small Business" by the Office of Small Business and DVBE Services of the Department of General Services of the State of California? Check one:

Yes: Certification number? 37010 No

Note: This small business questionnaire is included for statistical reporting only.

CERTIFICATIONS

FEDERAL-AID PROJECTS DISCLOSURE OF LOBBYING ACTIVITIES CERTIFICATION

Bidder certifies, to the best of his or her knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities," in conformance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 USC § 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Bidder also agrees by submitting a bid that it must require the language of this certification be included in subcontracts over \$100,000 and these subcontractors shall certify and disclose.

**INSTRUCTIONS FOR COMPLETION OF SF-LLL,
DISCLOSURE OF LOBBYING ACTIVITIES**

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence, the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last, previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitments for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.
(b) Enter the full names of the individual(s) performing services and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

DISCLOSURE OF LOBBYING ACTIVITIES

Approved by OMB

0348-0046

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

<p>1. Type of Federal Action:</p> <p><input checked="" type="checkbox"/> a. contract</p> <p>b. grant</p> <p>c. cooperative agreement</p> <p>d. loan</p> <p>e. loan guarantee</p> <p>f. loan insurance</p>	<p>2. Status of Federal Action:</p> <p><input type="checkbox"/> a. bid/offer/application</p> <p>b. initial award</p> <p>c. post-award</p>	<p>3. Report Type:</p> <p><input type="checkbox"/> a. initial</p> <p>b. material change</p> <p>For Material Change Only:</p> <p>year _____ quarter _____</p> <p>date of last report _____</p>
<p>4. Name and Address of Reporting Entity:</p> <p><input type="checkbox"/> Prime <input type="checkbox"/> Subawardee</p> <p>Tier _____, <i>if known</i></p> <p>Congressional District, <i>if known</i>:</p>	<p>5. If Reporting Entity in No. 4 is Subawardee Enter Name and Address of Prime:</p> <p>Congressional District, <i>if known</i>:</p>	
<p>6. Federal Department/Agency:</p>	<p>7. Federal Program Name/Description:</p> <p>CFDA Number, if applicable _____</p>	
<p>8. Federal Action Number, if known:</p>	<p>9. Award Amount, if known:</p> <p>\$ _____</p>	
<p>10 a. Name and Address of Lobby Registrant</p> <p><i>(if individual, last name, first name, MI):</i></p>	<p>b. Individuals Performing Services (including address if different from No. 10a)</p> <p><i>(last name, first name, MI):</i></p>	
<p>11. Information requested through this form is authorized by Title 31 U.S.C. Section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.</p>	<p>Signature: _____</p> <p>Print Name: _____</p> <p>Title: _____</p> <p>Telephone No.: _____ Date: _____</p>	
<p>Federal Use Only:</p>		<p align="center">Authorized for Local Reproduction Standard Form - LLL (Rev. 7-97)</p>

EQUAL EMPLOYMENT OPPORTUNITY REGULATION CERTIFICATION

Bidder KM², proposed subcontractor _____, certifies that he has has not participated in a previous contract or subcontract subject to the equal opportunity clauses, as required by Executive Orders 10925, 11114, or 11246, and that, if required, he has filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the filing requirements.

Notes:

- The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7(b) (1)), and must be submitted by bidders and proposed subcontractors only in connection with contracts and subcontracts which are subject to the equal opportunity clause. Contracts and subcontracts which are exempt from the equal opportunity clause are set forth in 41 CFR 60-1.5. (Generally only contracts or subcontracts of \$10,000 or under are exempt.)
- Currently, Standard Form 100 (EEO-1) is the only report required by the Executive Orders or their implementing regulations.
- Prime contractors and subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note 41 CFR 60-1.7(b) (1) prevents the award of contracts and subcontracts unless the Contractor submits a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor.

TITLE 49, CODE OF FEDERAL REGULATIONS, PART 29, DEBARMENT AND SUSPENSION CERTIFICATION

Bidder, under penalty of perjury, certifies that, except as noted below, it or any other person associated therewith in the capacity of owner, partner, director, officer, manager:

- is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;
- has not been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past 3 years;
- does not have a proposed debarment pending; and
- has not been indicted, convicted, or had a civil judgement rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

If there are any exceptions to this certification, insert the exceptions in the following space.

Exceptions will not necessarily result in denial of award, but will be considered in determining bidder responsibility. For any exception noted above, indicate below to whom it applies, initiating agency, and dates of action.

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 San Diego

Robert Samuel
President of BSM² Contractors Inc, being first duly sworn, deposes and says that he or she is 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.

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.

NATIONAL LABOR RELATIONS BOARD

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.

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.

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