



**Caltrans**

STATE OF CALIFORNIA  
DEPARTMENT OF TRANSPORTATION

# BID

FOR CONSTRUCTION ON STATE HIGHWAY IN SAN BERNARDINO COUNTY FROM 13.9  
MILES NORTH OF HAVASU LAKE ROAD TO 5.5 MILES SOUTH OF ROUTE 40/95  
SEPARATION

In District 08 On Route 95

Under

---

*Notice to Bidders and Special Provisions* dated June 17, 2013

*Standard Specifications* dated 2010

Project plans approved March 18, 2013

*Standard Plans* dated 2010

---

Identified by

Contract No. 08-0K3104

08-SBd-95-51.2/51.7

Project ID 0800000340

Federal-Aid Project

ACSTP-P095(024)E

DH

## Electronic Advertising Contract

Bids open Thursday, July 11, 2013

Dated June 17, 2013

B-1

CONTRACT NO. 08-OK3104

NAME OF BIDDER CHESTER BROSS CONSTRUCTION  
BUSINESS P.O. BOX N/A  
CITY, STATE, ZIP N/A  
BUSINESS STREET ADDRESS 39 CALIFORNIA ST. PMB 118  
(Include even if P.O. Box used)  
CITY, STATE, ZIP VALLEY SPRINGS, CA. 95252  
TELEPHONE NO: AREA CODE (209) 747-3595  
FAX NO: AREA CODE (209) 263-0123  
CONTRACTOR LICENSE NO. 978879

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.

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

- 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:

Ø

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)

*Mike Bross*

DATE SIGNED (Do not type)

6/27/2013

PRINTED NAME AND TITLE OF PERSON SIGNING

Mike Bross - Vice President

**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. <sup>00</sup>
2	025546	TEMPORARY FENCE (TYPE DESERT TORTOISE)	LF	5,310	12. <sup>00</sup>	63,720. <sup>00</sup>
3	080050	PROGRESS SCHEDULE (CRITICAL PATH METHOD)	LS	LUMP SUM	LUMP SUM	4,250. <sup>00</sup>
4	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	23,000. <sup>00</sup>
5	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	125,000. <sup>00</sup>
6	120159	TEMPORARY TRAFFIC STRIPE (PAINT)	LF	17,600	1. <sup>50</sup>	26,400. <sup>00</sup>
7	120165	CHANNELIZER (SURFACE MOUNTED)	EA	66	45. <sup>50</sup>	3,003. <sup>00</sup>
8	120199	TRAFFIC PLASTIC DRUM	EA	26	95. <sup>00</sup>	2,470. <sup>00</sup>
9	128651	PORTABLE CHANGEABLE MESSAGE SIGN (EA)	EA	2	7,000. <sup>00</sup>	14,000. <sup>00</sup>
10	129000	TEMPORARY RAILING (TYPE K)	LF	4,200	10. <sup>00</sup>	42,000. <sup>00</sup>
11	129100	TEMPORARY CRASH CUSHION MODULE	EA	56	200. <sup>00</sup>	11,200. <sup>00</sup>
12	130100	JOB SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	25,000. <sup>00</sup>
13	130300	PREPARE STORM WATER POLLUTION PREVENTION PLAN	LS	LUMP SUM	LUMP SUM	1,650. <sup>00</sup>
14	130330	STORM WATER ANNUAL REPORT	EA	1	2,000.00	2,000.00
15	130570	TEMPORARY COVER	SQYD	2,500	5. <sup>00</sup>	12,500. <sup>00</sup>
16	130640	TEMPORARY FIBER ROLL	LF	2,300	3. <sup>00</sup>	6,900. <sup>00</sup>
17	130650	TEMPORARY GRAVEL BAG BERM	LF	1,800	10. <sup>00</sup>	18,000. <sup>00</sup>
18	130730	STREET SWEEPING	LS	LUMP SUM	LUMP SUM	15,000. <sup>00</sup>
19	141103	REMOVE YELLOW THERMOPLASTIC TRAFFIC STRIPE (HAZARDOUS WASTE)	LF	6,400	1. <sup>00</sup>	6,400. <sup>00</sup>
20	146002	CONTRACTOR-SUPPLIED BIOLOGIST (LS)	LS	LUMP SUM	LUMP SUM	12,150. <sup>00</sup>

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
21	146003	NATURAL RESOURCE PROTECTION PLAN	LS	LUMP SUM	LUMP SUM	500. <sup>00</sup>
22	150711	REMOVE PAINTED TRAFFIC STRIPE	LF	16,500	0. <sup>65</sup>	10,725. <sup>00</sup>
23	150714	REMOVE THERMOPLASTIC TRAFFIC STRIPE	LF	3,200	0. <sup>80</sup>	2,560. <sup>00</sup>
24	150722	REMOVE PAVEMENT MARKER	EA	280	1. <sup>00</sup>	280. <sup>00</sup>
25	150744	REMOVE ROADSIDE SIGN (WOOD POST)	EA	5	250. <sup>00</sup>	1,250. <sup>00</sup>
26	150768	REMOVE ASPHALT CONCRETE PAVEMENT (CY)	CY	470	30. <sup>00</sup>	14,100. <sup>00</sup>
27	153103	COLD PLANE ASPHALT CONCRETE PAVEMENT	SQYD	2,710	5. <sup>00</sup>	13,550. <sup>00</sup>
28	160102	CLEARING AND GRUBBING (LS)	LS	LUMP SUM	LUMP SUM	125,000. <sup>00</sup>
29	190101	ROADWAY EXCAVATION	CY	42,500	15. <sup>00</sup>	637,500. <sup>00</sup>
30	190185	SHOULDER BACKING	TON	70	50. <sup>00</sup>	3,500. <sup>00</sup>
31	204035	PLANT (GROUP A)	EA	971	28. <sup>00</sup>	27,188. <sup>00</sup>
32	204099	PLANT ESTABLISHMENT WORK	LS	LUMP SUM	LUMP SUM	25,000. <sup>00</sup>
33	210010	MOVE-IN/MOVE-OUT (EROSION CONTROL)	EA	2	800. <sup>00</sup>	1,600. <sup>00</sup>
34	210130	DUFF	ACRE	2.7	7,000. <sup>00</sup>	18,900. <sup>00</sup> <del>18,900.<sup>00</sup></del>
35	210280	ROLLED EROSION CONTROL PRODUCT (BLANKET)	SQFT	116,000	0. <sup>25</sup>	29,000. <sup>00</sup>
36	210430	HYDROSEED	SQFT	116,000	0. <sup>10</sup>	11,600. <sup>00</sup>
37	260203	CLASS 2 AGGREGATE BASE (CY)	CY	4,260	38. <sup>00</sup>	161,880. <sup>00</sup>
38	390129	HOT MIX ASPHALT (TYPE C)	TON	4,200	90. <sup>00</sup>	378,000. <sup>00</sup>
39	025547	RUMBLE STRIP (GROUND-IN)	STA	26	350. <sup>00</sup>	9,100. <sup>00</sup>
40	395000	LIQUID ASPHALT (PRIME COAT)	TON	10	1,250. <sup>00</sup>	12,500. <sup>00</sup>

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
41	397005	TACK COAT	TON	6	750. <sup>00</sup>	4,500. <sup>00</sup>
42	820107	DELINEATOR (CLASS 1)	EA	28	100. <sup>00</sup>	2,800. <sup>00</sup>
43	840560	THERMOPLASTIC TRAFFIC STRIPE (SPRAYABLE)	LF	9,600	1. <sup>50</sup>	14,400. <sup>00</sup>
44	850111	PAVEMENT MARKER (RETROREFLECTIVE)	EA	280	15. <sup>00</sup>	4,200. <sup>00</sup>
45	999990	MOBILIZATION	LS	LUMP SUM	LUMP SUM	292,599. <sup>00</sup>

B.1

**TOTAL BID:**

~~\$ 2,218,025.<sup>00</sup>~~  
2,218,475.<sup>00</sup>

DH



July 12, 2013

MSC 43  
Office Engineer  
Department of Transportation  
1727 30<sup>th</sup> Street  
Sacramento, CA., 95816-7005

**Subject: 08-0K3104 RT 95 IN SAN BERNADINO COUNTY 13.9 MILES NORTH OF HAVASU  
LAKE ROAD TO 5.5 MILES SOUTH OF ROUTE 40/95 SEPERATION  
FEDERAL PROJECT NO. ACSTP- P095(024)E**

**Re: CALTRANS BIDDER SUBCONTRACTOR LISTING (COMPLETE)  
- DES-OE-0102.2 (REV 3/2011)**

Dear Sir/Ms:

Please find the attached completed subcontractor listing information in keeping with the special provisions for the subject project proposal documentation.

Should you have any questions, please contact our office.

Best Regards,

Shawn N. Simmons  
Western Division Manager

—WESTERN DIVISION—  
30 California Street, PMB 218  
Valley Springs, CA. 95252  
209-920-3593 Phone  
209-263-0123 Fax  
209-747-3595 Cellular  
Shawn.Simmons@christiancross.com

—CORPORATE OFFICE—  
6729 CR 423  
Palmyra, MO 63461  
P.O. Box 430  
Hennibel, MO 63401  
573-221-8888 Phone  
573-221-1882 Fax  
E-mail: info@christiancross.com

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**SUBCONTRACTOR LIST**  
 DES-OE-0102.2 (REV 3/2011)

Bidder Name: CHESTER BROSS CONST.

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
CAL STRIPE INC 2040 E. STEEL RD. COLTON, CA. 92324	1 19 22 23 24 43 44	100% 100% 100% 100% 100% 100% 100%	STRIPING + RELATED ↓
LANDSCAPE SUPPORT SERVICES 15260 VENTURA BLVD. #1190 SHERMAN OAKS, CA. 91403	16 17 31 32 36	100% 100% 100% 98% 95%	EROSION CONTROL + RELATE ↓ (P) (P)
ACACIA EROSION CONTROL INC. 604 S. SAN MARCOS SANTA BARBARA, CA. 93111	33 35	100% 99%	EROSION CONTROL + RELATE ↓ (P)

ADA Notice For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3990 or write Records and Forms Management, 1120 N Street, MS-69, Sacramento, CA 95814.

Contract No. 08-OK3104

STATE OF CALIFORNIA · DEPARTMENT OF TRANSPORTATION  
**SUBCONTRACTOR LIST**  
DES-OE-0102.2 (REV 3/2011)

Bidder Name: CHESTER CROSS CONST.

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
LAMPRIDES ENVIRONMENTAL ORGANIZATION 4856 FIL STREET SAN DIEGO, CA. 92102	20	100%	BIOLOGIST + RELATED ↓
	21	100%	
PAVEMENT RECYCLING SYSTEMS 10240 SAN SEVAINNE WAY JURUPA, CA. 91752	27	37%	COOPERAGE, RUMBLE STRIP + RELATED (P)
	39	37%	
D.C. HURBS CONST. 37306 VISTA VIEW DR YUCAIPA, CA. 92399	2	100%	TORTOISE FENCE

**ADA Notice** For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 854-8410 or TDD (916) 864-3880 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: Chester Cross Construction Co

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
Cal stripe Inc. Colton, CA			striping + related.
Landscape Support Services Inc. Sherman Oaks, CA			Erosion Control + related (P)
Acia Erosion Control inc. San Barbara CA			Erosion Control + related (P)
LAMPRIDES ENV. ORG. SAN DIEGO, CA			BIOLUST + RELATED
PAVEMENT RECYCLING SYSTEMS. JURUPA VALLEY, CA			COLD PLANE, RUMBLE STRIP + RELATED (P)
D.C. HOBBS YUCIPA, CA			TORTOISE FENCE

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

*Handwritten initials: JCH*

We Chester Bross Construction Company, 6739 County Road 423, Palmyra, MO 63461

as Principal, and

Western Surety Company, 333 S Wabash Avenue, Chicago, IL 60604

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 San Bernardino County From 13.9 Miles North of  
(Copy here the exact description of work, including location, as it appears on the proposal)  
Havasu Lake Rd to 5.5 Miles South of Route 40/95 Separation Contract No. 08-OK3104  
for which bids are to be opened at Caltrans, 3347 Michelson Drive, Suite 100, Irvine, CA 92612  
(insert place where bids will be opened)  
on July 11, 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: July 11, 2013

Correspondence or claims relating to this bond should be sent to the surety at the following address:  
CNA Surety  
333 S Wabash Ave, 41st Floor  
Chicago, IL 60604

Chester Bross Construction Company

Mike Bross  
Principal Vice President  
Western Surety Company

By Dana A. Dragoy  
Dana A. Dragoy, Attorney-in-Fact

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of ~~California~~ Missouri  
County of St. Louis

On this July 11, 2013 before me, Myranda Bohannon, Notary Public  
Date Here Insert Name and Title of the Officer  
personally appeared Dana A. Dragoy  
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 under the laws of the State of California that the foregoing paragraph is true and correct.

**MYRANDA BOHANNON**  
Notary Public - Notary Seal  
STATE OF MISSOURI  
St. Louis County  
My Commission Expires: Oct. 15, 2016  
Commission # 12404745

WITNESS my hand and official seal.

Signature Myranda Bohannon  
Signature of Notary Public  
Myranda Bohannon, Notary Public

MYRANDA BOHANNON  
Notary Public - Notary Seal  
STATE OF MISSOURI  
St. Louis County  
My Commission Expires: Oct. 15, 2016  
Commission # 12404745

**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.

**ACKNOWLEDGMENT**

*mb*  
Missouri

State of California

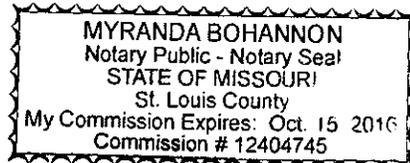
County of St. Louis

On July 11, 2013 before me, Myranda Bohannon, Notary Public  
(insert name and title of the officer)

personally appeared Dana A. Dragoy, Attorney-in-Fact,  
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 *Myranda Bohannon* (Seal)  
Myranda Bohannon, Notary Public

State of Missouri  
County of St. Louis

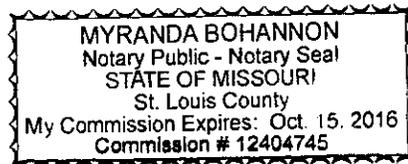
On 7/11/2013, before me, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared Dana A. Dragoy known to me to be Attorney-in-Fact of

## WESTERN SURETY COMPANY

the corporation described in and that executed the within and foregoing instrument, and known to me to be the person who executed the said instrument in behalf of said corporation, and he duly acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year stated in this certificate above.

Myranda Bohannon  
Myranda Bohannon, Notary Public



My Commission Expires: \_\_\_\_\_

# Western Surety Company

## POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

**Dana A Dragoy, Andrew P Thome, Debra A Woodard, Kristan L Lucas, Barbara Buchhold, Individually**

of Chesterfield, MO, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

### - In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 29th day of November, 2012.



WESTERN SURETY COMPANY

*Paul T. Bruflat*

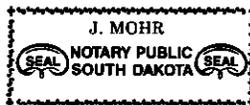
Paul T. Bruflat, Vice President

State of South Dakota }  
County of Minnehaha } ss

On this 29th day of November, 2012, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

June 23, 2015



*J. Mohr*

J. Mohr, Notary Public

### CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 11 day of July, 2013.



WESTERN SURETY COMPANY

*L. Nelson*

L. Nelson, Assistant Secretary

**ACKNOWLEDGMENT**

State of ~~California~~ <sup>Missouri</sup>  
County of Marion

On June 27, 2013 before me, Jack W. Hamilton - Notary Public  
(insert name and title of the officer)

personally appeared Mike Bross - Vice President  
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 Jack W. Hamilton (Seal)

JACK W. HAMILTON  
Notary Public - Notary Seal  
State of Missouri  
Commissioned for Ralls County  
My Commission Expires: October 20, 2013  
Commission Number: 09452041

**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: CHESTER BROSS CONST.

Contract No. 08-0K3104

**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) 654-3990 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. *08-0K3104*

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? \_\_\_\_\_  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

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

0348-0046

<p><b>1. Type of Federal Action:</b></p> <p><input 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><b>2. Status of Federal Action:</b></p> <p><input type="checkbox"/> a. bid/offer/application</p> <p>b. initial award</p> <p>c. post-award</p>	<p><b>3. Report Type:</b></p> <p><input type="checkbox"/> a. initial</p> <p>b. material change</p> <p><b>For Material Change Only:</b></p> <p>year _____ quarter _____</p> <p>date of last report _____</p>
<p><b>4. Name and Address of Reporting Entity:</b></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><b>5. If Reporting Entity in No. 4 is Subawardee Enter Name and Address of Prime:</b></p> <p>Congressional District, <i>if known</i>:</p>
<p><b>6. Federal Department/Agency:</b></p>	<p><b>7. Federal Program Name/Description:</b></p> <p>CFDA Number, if applicable _____</p>	
<p><b>8. Federal Action Number, if known:</b></p>	<p><b>9. Award Amount, if known:</b></p> <p>\$ _____</p>	
<p><b>10 a. Name and Address of Lobby Registrant</b> <i>(if individual, last name, first name, MI):</i></p>	<p><b>b. Individuals Performing Services (including address if different from No. 10a)</b> <i>(last name, first name, MI):</i></p>	
<p><b>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.</b></p>	<p>Signature: <u>Mike Bross</u></p> <p>Print Name: <u>Mike Bross</u></p> <p>Title: <u>Vice-President</u></p> <p>Telephone No.: <u>573-221-5958</u> Date: <u>6/27/13</u></p>	
<p><b>Federal Use Only:</b></p>		<p>Authorized for Local Reproduction Standard Form - LLL (Rev. 7-97)</p>

### EQUAL EMPLOYMENT OPPORTUNITY REGULATION CERTIFICATION

Bidder X, 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 <sup>Missouri</sup> ~~California~~ County of Marion

Mike Bross, being first duly sworn, deposes and says that he or she is Vice President of Chester Bross Construction Co. 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