Contract No.: 08-0N1204 Project(s): ACSTP-P062(035)E

Bid Opening: 03-06-13 Call Order: 1
: SBd -
Bidder: VC0000021122 - Skanska

Standard Specifications Dated 2006
Contract No.: 08-0N1204
Name of Bidder: Skanska
Business P.O. Box:
City, State, Zip: , ,
Business Street Address:
City, State, Zip: , ,
Telephone Number:
Fax Number:
Contractor License Number:140069

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STATE OF CALIFORNIA ◆ DEPARTMENT OF TRANSPORTATION
BID TO THE DEPARTMENT OF TRANSPORTATION

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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 specified in 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 in 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. Additionally, for a cost plus time based bid, the 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 t 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 omittted, 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.

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.

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

4.0 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:

4.1 Criminal prosecution
4.2 Rejection of the bid
4.3 Rescission of the award
4.4 Termination of the Contract

_____|_____

BY (Authorized Signature) DATE SIGNED (Do not type)

_____

PRINTED NAME AND TITLE OF PERSON SIGNING

Contract No.: 08-0N1204 Project(s): ACSTP-P062(035)E

Bid Opening: 03-06-13 Call Order: 1
: SBd -
Bidder: VC0000021122 - Skanska

| Item No. | Item Code | Item Description | Unit Of Meas | Quant | Unit Price Dollars | Unit Price Cts | Item Total Dollars | Item Total Cts |
|---|---|---|---|---|---|---|---|---|
| Section BID | | PROPOSAL TO THE DEPARTMENT OF TRANSPORTATION | | | | | | |
| 1 | 120090 | CONSTRUCTION AREA SIGNS | LUMP SUM | | LUMP SUM | | 2,500.00 | |
| 2 | 120100 | TRAFFIC CONTROL SYSTEM | LUMP SUM | | LUMP SUM | | 150,000.00 | |
| 3 | 128651 | PORTABLE CHANGEABLE MESSAGE SIGN (EA) | EA | 4.000 | 550.00000 | | 2,200.00 | |
| 4 | 130100 | JOB SITE MANAGEMENT | LUMP SUM | | LUMP SUM | | 50,000.00 | |
| 5 | 130200 | PREPARE WATER POLLUTION CONTROL PROGRAM | LUMP SUM | | LUMP SUM | | 750.00 | |
| 6 | 150722 | REMOVE PAVEMENT MARKER | EA | 10,800.000 | 1.00000 | | 10,800.00 | |
| 7 | 390095 | REPLACE ASPHALT CONCRETE SURFACING | CY | 3,500.000 | 180.00000 | | 630,000.00 | |
| 8 | 390140 | RUBBERIZED HOT MIX ASPHALT (GAP GRADED) | TON | 47,000.000 | 93.00000 | | 4,371,000.00 | |
| 9 | 394060 | DATA CORE | LUMP SUM | | LUMP SUM | | 20,000.00 | |
| 10 | 397005 | TACK COAT | TON | 220.000 | 735.00000 | | 161,700.00 | |

Contract No.: 08-0N1204 Project(s): ACSTP-P062(035)E

Bid Opening: 03-06-13 Call Order: 1
: SBd -
Bidder: VC0000021122 - Skanska

| Item No. | Item Code | Item Description | Unit Of Meas | Quant | Unit Price Dollars | Unit Price Cts | Item Total Dollars | Item Total Cts |
|---|---|---|---|---|---|---|---|---|
| 11 | 840515 | THERMOPLASTIC PAVEMENT MARKING | SQFT | 75.000 | 6.00000 | | 450.00 | |
| 12 | 840560 | THERMOPLASTIC TRAFFIC STRIPE (SPRAYABLE) | LF | 674,000.000 | 0.15000 | | 101,100.00 | |
| 13 | 850111 | PAVEMENT MARKER (RETROREFLECTIVE) | EA | 10,800.000 | 2.00000 | | 21,600.00 | |
| 14 | 999990 | MOBILIZATION | LUMP SUM | LUMP SUM | | | 604,026.00 | |
| | | Section BID Total | | | | | 6,126,126.00 | |
| | | Total Bid | | | | | 6,126,126.00 | |

# SUBCONTRACTOR LIST

Bidder must identify subcontractors 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 Firm Name, City, State and Description of Subcontracted Work, and submit with the bid.

==========

Complete Bid Item No.(s) and Percent of Bid Item Subcontracted and submit with bid, or fax to (916)227-6282 within 24 hours after the bid opening. Failure to provide complete information in all sections within the time specified will result in a non-responsive bid.

==========

**********NOTE**********

When submitting Bid Item Numbers and Percentage of Bid Items Subcontracted, Firm name, City, State, and Description of Work must be the same as stated in the original submittal. Percentages submitted are the responsibility of the bidder, and are not verified by the bidding software.

**********

1) Firm Name:Chrisp Company List this subcontractor? Yes
City:Bloomington State:CA
Description of Subcontracted Work:
Striping and Related
No.:2 %: 32
No.:11 %: 100
No.:12 %: 100
No.:13 %: 100
No.: %:
Multiple item numbers and percentages can be separated by a space

## OPT OUT OF PAYMENT ADJUSTMENTS FOR PRICE INDEX FLUCTUATIONS

You may opt out of the payment adjustments for price index fluctuations as specified in "Payment Adjustments for Price Index Fluctuations of the special provisions. If you elect to opt out of the provisions of this specification, complete this form and submit it with your bid.

I opt out of the payment adjustments for price index fluctuations

Enter Date and Name to opt out of payment adjustments for price index fluctuations

Date:  Name:

## SMALL BUSINESS STATUS

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/NO: No Certification number? :

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

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 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 commitements.
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 uder the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.
11. The certifying official shall sign and date the form, print his/her name title, and telephone number.

## DISCLOSURE OF LOBBYING ACTIVITIES

Are there lobbying activities to disclose? No

1. Type of Federal Action :
2. Status of Federal Action :
3. Report Type :
   For Material Change Only
   Year :
   Quarter :
   Date of last report :
4. Name and Address of Reporting Entity:

   Tier : ,if known
   Congressional District, if known :
5. If Reporting Entity in No. 4 is Subawardee Enter Name and Address of Prime

   Congressional District, if known :
6. Federal Department/ Agency

7. Federal Program Name/ Description

   CFDA Number, if applicable :
8. Federal Action Number, if known :
9. Award amount, if known :
10. a. Name and Address of Lobby Registrant (If individual, last name, first name, MI):

    b. Individuals Performing Services (Including address if different from 10a) (Last name, first name, MI)

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.

    Name:
    Title:
    Telephone No.:
    DATE:

CALIFORNIA STATE DEPARTMENT OF TRANSPORTATION
CERTIFIED DVBE SUMMARY - CONTRACT#:08-0N1204

Bidder: Skanska

Names of first tier DVBE subcontractors and their items of work listed must be consistent with the names and items of work in the Subcontractor List (Pub Cont Code 4100 et seq.) submitted with the bid. Identify second and lower tier subcontractors on this form.

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

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

Submit to: MSC43
OFFICE ENGINEER
DEPARTMENT OF TRANSPORTATION
1727 30th STREET
SACRAMENTO, CA 95816-7005

Contact Person:
Telephone Number:
Certification No.:
Firm Name: <Unknown>
Contractor ID:
Address:
City: State: Zip:
Amount of Bid Item Subcontracted: (Example: 10,000)
Description of Subcontracted Work:

| LINE NO. | ITEM NO. | ITEM DESC. | UNIT TYPE | SUBCONTRACTOR QUANTITY | SUBCONTRACTOR UNIT PRICE | EXTENDED AMOUNT |
|---|---|---|---|---|---|---|

DBE COMMITMENT TOTAL FOR SUBCONTRACTOR:

TOTAL DVBE COMMITMENT FOR VENDOR: Entered: 0.00% or 0.00
Required: 6.00% or 367567.56
<GOAL NOT MET>

## FEDERAL-AID PROJECTS DISCLOSURE OF LOBBY 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 and office or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Memeber 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 teh 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 place 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.

## EQUAL EMPLOYMENT OPPORTUNITY REGULATION CERTIFICATION

Bidder Skanska USA Civil West California District Inc., proposed subcontractor J he has 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 require 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 CFG 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 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 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 CA  County of :Riverside

Name: Jeffrey Langevin

being first duly sworn, deposes and says that he or she is

Company Title: Vice President of

Company Name: Skanska USA Civil West California District 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.

## 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? No
If the answer is yes, explain the circumstances in the following space.

Explanation:

## 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.

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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 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.

Explanation:

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BIDDER RESPONSIBILITY QUESTIONNAIRE

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

1. Within the past 10 years, has the Bidder been found to be a nonresponsible bidder by any public entity, including federal, State, local, or regional entities?
   No

2. Within the past 10 years, have any of the Bidder's officers or employees with a proprietary interest in the Bidder been determined to be a nonresponsible bidder by a public entity, including federal, State, local or regional entities?
   No

3. Is there any officer or employee of the Bidder who now has or has had any proprietary interest in another company that bid or bids on public works projects whose company has been determined to be a nonresponsible bidder by any public entity, including federal, State, local, or regional entities?
   No

4. If the answer is 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

   Explanation:

BIDDER's BOND

Contract No. 08-0N1204

Bond No. _____

We_____

_____

_____ as Principal, and

_____

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 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
CONSTRUCTION ON STATE HIGHWAY IN
SAN BERNARDINO COUNTY NEAR TWENTYNINE PALMS AND RICE FROM GOPHER GROVE LANE TO 1
for which bids are to be opened at 1727 30th Street, Sacramento CA 95816 on
03-06-13

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 judgement is recovered, the Surety shall pay all costs incurred by the Obligee in such a suit, including reasonable attorney's fee to be fixed by the court.

Dated:_____, 20_____. _____

Correspondence or claims relating to this bond should be sent to the surety at the following address:

Principal

Surety

_____

_____ _____

Attorney-in-Fact

CALIFORNIA ALL PURPOSE ACKNOWLEDGEMENT

State of California

County of _____

On this _____ before me, _____

Date Here insert Name and Title of Officer

personally appeared _____

Name(s) of Signer(s)

_____

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

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

WITNESS my hand and official seal

SIGNATURE _____

Signature of Notary Public

(SEAL)

# SKANSKA

**Skanska USA Civil West**
**California District Inc.**
**Estimating Department**
1995 Agua Mansa Road
Riverside, CA 92509-2405
Phone 951 684 5360
Fax 951 788 2449
Web www.skanska.com

March 1, 2013

**VIA FED EX**

MSC43
Office Engineer
Department of Transportation
Attn: Mulissa Smith Contract Award Unit
1727 30TH Street
Sacramento, California 95816-7005

Subject: FOR CONSTRUCTION ON STATE HIGHWAY IN SAN BERNARDINO COUNTY NEAR TWENTYNINE PALMS AND RICE FROM GOPHER GROVE LANE TO 11 MILES EAST OF IRONAGE ROAD AND FROM 0.8 MILE WEST OF COLORADO RIVER AQUEDUCT TO 3.8 MILES EAST OF CADIZ ROAD
District 08 on Route 62
Contract No. #08-0N1204
Bid Date: March 6, 2013
Bidder's Bond

Enclosed please find our Bidder's Bond for the above referenced contract that bids on March 7, 2013.

Please review and if you have any questions, please do not hesitate to contact me at (951) 684-5360.

Sincerely,

Irene Rumbaugh
Estimating/Engineering
Systems Administrator

Enclosure

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

# BIDDER'S BOND

ADM-2010 (REV. 8/2007)

Contract No. 08-0N1204

Bond No. N/A

We SKANSKA USA CIVIL WEST CALIFORNIA DISTRICT, INC.

as Principal, and

ZURICH AMERICAN INSURANCE COMPANY / 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 State Highway in San Bernardino County Near Twetynine Palms and Rice From Gopher Grove Lane to11 Miles East of Ironage Road and and From 0.8 Mile West of Colorado River Aqueduct to 3.8 East of Cadiz Road

*(Copy here the exact description of work, including location, as it appears on the proposal)*

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

*(Insert place where bids will be opened)*

on 02/28/2013.

*(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: February 19, 20 13.

Correspondence or claims relating to this bond should be sent to the surety at the following address: 1400 American Lane
19th Floor
Schaumburg, IL 60196-1056

SKANSKA USA CIVIL WEST CALIFORNIA DISTRICT, INC.
*Principal*

ZURICH AMERICAN INSURANCE COMPANY /
FIDELITY AND DEPOSIT COMPANY *Surety* OF MARYLAND

By Jeanette Conley
Jeanette Conley *Attorney-in-Fact*

**CERTIFICATE OF ACKNOWLEDGMENT**

State of California

***SEE ATTACHED ACKNOWLEDGEMENT****

County of _____ SS

On this _____ day of _____ in the year 20 _____ before me, a notary public in and for the county and state aforesaid, personally appeared _____, known to me to be the person whose name is subscribed to the within instrument and known to me to be the Attorney-in-Fact of _____, and acknowledged to me that he (she) subscribed the name of the said company thereto as surety, and his (her) own name as Attorney-in-Fact.

*Attorney-in-Fact*

03-04-13A11:22 RCVD

(SEAL)

*Notary Public*

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**ZURICH AMERICAN INSURANCE COMPANY**
**COLONIAL AMERICAN CASUALTY AND SURETY COMPANY**
**FIDELITY AND DEPOSIT COMPANY OF MARYLAND**
**POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Maryland, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Maryland (herein collectively called the "Companies"), by **THOMAS O. MCCLELLAN, Vice President,** in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint **James W. UNTIEDT, Michael E. SHEAHAN, Jeanette CONLEY and Patrick MOUGHAN, all of San Jose, 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 Companies, 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 ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said **ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND**, this 28th day of September, A.D. 2012.

**ATTEST:**

**ZURICH AMERICAN INSURANCE COMPANY**
**COLONIAL AMERICAN CASUALTY AND SURETY COMPANY**
**FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

By: _____
*Assistant Secretary*
*Eric D. Barnes*

_____
*Vice President*
*Thomas O. McClellan*

**State of** Maryland
City of Baltimore

On this 28th day of September, A.D. 2012, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **THOMAS O. MCCLELLAN, Vice President, and ERIC D. BARNES, Assistant Secretary,** of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, deposeth and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

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

_____
Maria D. Adamski, Notary Public
My Commission Expires: July 8, 2015

POA-F 016-4159C

## EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify of revoke any such appointment or authority at any time."

## CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and 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 Article V, Section 8, of the By-Laws of the Companies is still in force.

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 ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

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 COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and 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 seals of the said Companies, this ____ day of FEB 19 2013 20____.

James M Carroll

James M. Carroll, Vice President

STATE OF CALIFORNIA }
} ss.
COUNTY OF SANTA CLARA }
}

On February 19, 2013, before me, C. Reynolds, Notary Public, personally appeared Jeanette Conley, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person 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.

C. REYNOLDS
Commission # 1905325
Notary Public - California
Santa Clara County
My Comm. Expires Oct 22, 2014

(Seal)

C. Reynolds, Notary Public - California

Description of Attached Document:

## CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

**State of California**
**County of Riverside**

On February 22, 2013 before me, Irene C. Rumbaugh, Notary Public,

personally appeared Jeffrey Langevin,

IRENE C. RUMBAUGH
Commission # 1949009
Notary Public - California
Riverside County
My Comm. Expires Aug 21, 2015

who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person 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.

Irene C. Rumbaugh
Signature of Notary Public

***OPTIONAL***

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

**Description of Attached Document**

Title or Type of Document: Bidder's Bond

Document Date: February 19, 2013 Pages: 1

Signer(s) Other Than Named Above: _____

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: Jeffrey Langevin
- ☐ Individual
- ☒ Corporate Officer
  Title(s): Vice President
- ☐ Partner - ☐ Limited ☐ General
- ☐ Attorney-in-Fact
- ☐ Trustee
- ☐ Guardian or Conservator
- ☐ Other: _____

Signer is Representing:
Skanska USA Civil West California District Inc.

RIGHT THUMBPRINT OF SIGNER
TOP OF THUMB HERE

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

Signer is Representing:
_____

RIGHT THUMBPRINT OF SIGNER
TOP OF THUMB HERE