

CALTRANS  
STATE OF CALIFORNIA  
DEPARTMENT OF TRANSPORTATION  
BID FOR

9 c1

CONSTRUCTION ON STATE HIGHWAY IN  
INYO COUNTY NEAR BISHOP FROM BARLOW LANE TO 0.1 MILE WEST OF PIONEER LANE  
In District 09 on Route 168

UNDER

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Notice to Bidders and Special Provisions dated July 20, 2015  
Project plans approved April 6, 2015  
Standard Specifications dated 2010  
Standard Plans dated 2010

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Identified by

Contract No. 09-350604

09-Iny-168-16.8/17.5

Project ID 0912000002

FEDERAL-AID PROJECT  
ACSTP-S168(061)E

Bids open Tuesday, August 18, 2015

Dated July 20, 2015

AADD

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 09-350604 Project ID: 0912000002

Bidder Name: Spiess Construction Co., Inc.

Bidder ID: VC1200001642

BID TO THE DEPARTMENT OF TRANSPORTATION

DES-OE-0102.1

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Name of Bidder Spiess Construction Co., Inc.

Business Street Address PO Box 2849

(Include even if P.O. Box is used)

Business P.O. Box

City, State, Zip Santa Maria, CA, 93457

Telephone No: AREA CODE 8059375859

Fax No: AREA CODE 8059344432

Contractor License No. 333989

California Department of Industrial Relations' Registration No. 1000003665

Checksum CA98F21A

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. Bidder has and acknowledges the following addenda:1  
08-07-15 Revise Federal Minimum Wages,
3. Bidder submits this bid with one of the following forms of bidder's security equal to at least 10 percent of the bid: Electronic Bidder's Bond
4. 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

PRINTED NAME: Scott A. Coleman AND

TITLE OF PERSON SIGNING: President

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BY (Authorized signature)

DATE SIGNED( Do not type)

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## STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 09-350604 Project ID: 0912000002

Bidder Name: Spiess Construction Co., Inc.

Bidder ID: VC1200001642

## BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
1	070030	LEAD COMPLIANCE PLAN	LUMP SUM LS	LUMP SUM	900.00
2	120090	CONSTRUCTION AREA SIGNS	LUMP SUM LS	LUMP SUM	7,000.00
3	120100	TRAFFIC CONTROL SYSTEM	LUMP SUM LS	LUMP SUM	60,500.00
4	120200	FLASHING BEACON (PORTABLE)	2.0 EA	1,100.00	2,200.00
5	128652	PORTABLE CHANGEABLE MESSAGE SIGN (LS)	LUMP SUM LS	LUMP SUM	3,500.00
6	130100	JOB SITE MANAGEMENT	LUMP SUM LS	LUMP SUM	33,000.00
7	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LUMP SUM LS	LUMP SUM	7,000.00
8	130620	TEMPORARY DRAINAGE INLET PROTECTION	3.0 EA	550.00	1,650.00
9	130680	TEMPORARY SILT FENCE	3,080.0 LF	3.30	10,164.00
10	130730	STREET SWEEPING	LUMP SUM LS	LUMP SUM	16,500.00
11	130900	TEMPORARY CONCRETE WASHOUT	LUMP SUM LS	LUMP SUM	2,200.00
12	141000	TEMPORARY FENCE (TYPE ESA)	56.0 LF	28.00	1,568.00

BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
13	141120	TREATED WOOD WASTE	330.0 LB	2.50	825.00
14	150668	REMOVE FLARED END SECTION	3.0 EA	225.00	675.00
15	150711	REMOVE PAINTED TRAFFIC STRIPE	25.0 LF	6.00	150.00
16	150715	REMOVE THERMOPLASTIC PAVEMENT MARKING	270.0 SQFT	6.00	1,620.00
17	150742	REMOVE ROADSIDE SIGN	16.0 EA	55.00	880.00
18	150768	REMOVE ASPHALT CONCRETE PAVEMENT (CY)	270.0 CY	110.00	29,700.00
19	150801	REMOVE OVERSIDE DRAIN	2.0 EA	330.00	660.00
20	150808	REMOVE CULVERT (EA)	2.0 EA	550.00	1,100.00
21	151224	REMOVE DELINEATOR	12.0 EA	27.00	324.00
22	152320	RESET ROADSIDE SIGN	2.0 EA	250.00	500.00
23	029343	MODIFY SIGNAL BASE	2.0 EA	1,200.00	2,400.00
24	153130	REMOVE CONCRETE CURB (LF)	130.0 LF	22.00	2,860.00

BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
25	153215	REMOVE CONCRETE (CURB AND GUTTER)	55.0 LF	22.00	1,210.00
26	153240	REMOVE CONCRETE (CURB, GUTTER, AND SIDEWALK) (CY)	2.6 CY	330.00	858.00
27	029344	SALVAGE MAILBOX	15.0 EA	55.00	825.00
28	029345	REMOVE UTILITY POLE	1.0 EA	600.00	600.00
29	160102	CLEARING AND GRUBBING (LS)	LUMP SUM LS	LUMP SUM	33,000.00
30	190101	ROADWAY EXCAVATION	1,040.0 CY	143.00	148,720.00
31	210210	EROSION CONTROL (DRY SEED) (SQFT)	5,600.0 SQFT	0.30	1,680.00
32	260203	CLASS 2 AGGREGATE BASE (CY)	830.0 CY	135.00	112,050.00
33	390132	HOT MIX ASPHALT (TYPE A)	270.0 TON	297.00	80,190.00
34	524027	WELDED WIRE FABRIC (4"X4", W2.9XW2.9)	1,460.0 SQFT	0.60	876.00
35	560248	FURNISH SINGLE SHEET ALUMINUM SIGN (0.063"-UNFRAMED)	66.0 SQFT	25.00	1,650.00
36	029347	ROADSIDE SIGN-ONE SQUARE METAL POST	11.0 EA	225.00	2,475.00

BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
37	029348	ROADSIDE SIGN-TURNABLE POST	4.0 EA	1,100.00	4,400.00
38	029349	FURNISH SINGLE SHEET ALUMINUM SIGN (0.063"-UNFRAMED) FOR RETROREFLECTIVE SHEETING (TYPE XI)	46.0 SQFT	25.00	1,150.00
39	029350	FURNISH SINGLE SHEET ALUMINUM SIGN (0.080"-UNFRAMED) FOR RETROREFLECTIVE SHEETING (TYPE XI)	16.0 SQFT	25.00	400.00
40	029351	RETROREFLECTIVE SHEETING (TYPE XI)	62.0 SQFT	25.00	1,550.00
41	597401	PAINT CURB (2-COAT)	1,710.0 SQFT	2.20	3,762.00
42	730020	MINOR CONCRETE (CURB) (CY)	1.0 CY	700.00	700.00
43	730045	MINOR CONCRETE (GUTTER) (CY)	35.0 CY	550.00	19,250.00
44	730070	DETECTABLE WARNING SURFACE	510.0 SQFT	37.00	18,870.00
45	731504	MINOR CONCRETE (CURB AND GUTTER)	210.0 CY	300.00	63,000.00
46	731516	MINOR CONCRETE (DRIVEWAY)	58.0 CY	495.00	28,710.00
47	731521	MINOR CONCRETE (SIDEWALK)	260.0 CY	350.00	91,000.00

## STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 09-350604 Project ID: 0912000002

Bidder Name: Spiess Construction Co., Inc.

Bidder ID: VC1200001642

## BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
48	029352	MAILBOX CLUSTER BOX UNIT	2.0 EA	3,500.00	7,000.00
49	840515	THERMOPLASTIC PAVEMENT MARKING	680.0 SQFT	8.00	5,440.00
50	840656	PAINT TRAFFIC STRIPE (2-COAT)	3,970.0 LF	1.00	3,970.00
51	860090	MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION	LUMP SUM LS LS LS	LUMP SUM	1,500.00
52	861502	MODIFY SIGNAL	LUMP SUM LS	LUMP SUM	55,000.00
53	999990	MOBILIZATION	LUMP SUM LS	LUMP SUM	33,000.00
Total Bid					\$910,712.00

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

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DES-OE-0102.2B(REV 5/2014)

Bidding Firm: Spiess Construction Co., Inc.

List this sub? Yes

- 1) Business Name Black Gold Asphalt, Inc.
- Location City Mammoth Lakes State CA
- California Contractor License Number 626721
- CA Department of Industrial Relations' Registration Number 1000009374
- Portion of Work Subcontracted:

Item %	Description
32 40	Class 2 Aggregate Base Placement
33 95	Hot Mix Asphalt (Type A)

List this sub? Yes

- 2) Business Name Super Seal and Stripe
- Location City Fillmore State CA
- California Contractor License Number 396627
- CA Department of Industrial Relations' Registration Number 1000000752
- Portion of Work Subcontracted:

Item %	Description
1 100	Lead Compliance Plan
41 55	Paint Curb
49 43	Thermoplastic Pavement Marking
50 20	Paint Traffic Stripe
53 12	Mobilization

List this sub? Yes

- 3) Business Name Samrod Corporation
- Location City Lancaster State CA
- California Contractor License Number 295891
- CA Department of Industrial Relations' Registration Number 1000024449
- Portion of Work Subcontracted:

Item %	Description
43 90	Minor Concrete (Gutter)
44 90	Detectable Warning Surface
45 90	Minor Concrete (Curb and Gutter)
46 91	Minor Concrete (Driveway)
47 92	Minor Concete (Sidewalk)

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

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Bidder ID: VC1200001642

DES-OE-0102.2B(REV 5/2014)

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Bidding Firm: Spiess Construction Co., Inc.

List this sub? Yes

4) Business Name Par Electric

Location City Reno State NV

California Contractor License Number 687343

CA Department of Industrial Relations' Registration Number 1000007254

Portion of Work Subcontracted:

Item #	Description
51 100	Maintain Existing TMS
52 65	Modify Signal



STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

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Bidder Name: Spiess Construction Co., Inc.

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OPT OUT OF PAYMENT ADJUSTMENTS FOR PRICE INDEX FLUCTUATIONS

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

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

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: Bidder's Name:

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

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 09-350604 Project ID: 0912000002

Bidder Name: Spiess Construction Co., Inc.

Bidder ID: VC1200001642

SMALL BUSINESS STATUS

DES-OE-0102.4 (REV 3/2008)

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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?:

YES/NO: No Certification number? :

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

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

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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.

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

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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.

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

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DISCLOSURE OF LOBBYING ACTIVITIES

Approved by OMB 0348-0046

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

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 No. 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.

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

Print Name:

Title:

Telephone No.:

DATE:

Authorized for Local Reproduction  
Standard Form - LLL(Rev. 7-97)

Federal Use Only:

EQUAL EMPLOYMENT OPPORTUNITY REGULATION CERTIFICATION

Bidder Spiess Construction Co., Inc., proposed subcontractor n/a, certifies that 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 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.

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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 Santa Barbara

Name Scott A. Coleman,

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

President of

Spiess Construction Co., 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.

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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.

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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? No

If the answer is yes, explain the circumstances in the following space.

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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.

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**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 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 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

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 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 INYO COUNTY NEAR BISHOP FROM BARLOW LANE TO 0.1 MILE WEST OF PIONEER LANE In District 09 on Route 168 for which bids are to be opened at 1727 30th Street, Sacramento CA 95816 on 08-18-15.

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 suit, including a reasonable attorney's fee to be fixed by the court.

Dated: \_\_\_\_\_, 20\_\_\_\_.

Principal \_\_\_\_\_

Surety \_\_\_\_\_

By \_\_\_\_\_

Attorney-in-Fact

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

\_\_\_\_\_  
\_\_\_\_\_

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

State of California

County of \_\_\_\_\_

On this \_\_\_\_\_ before me, \_\_\_\_\_

Date Here insert Name and Title of the Officer

personally appeared \_\_\_\_\_

Name(s) of Signer(s)

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

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

WITNESS my hand and official seal

SIGNATURE \_\_\_\_\_

Signature of Notary Public

(SEAL)

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION  
**BIDDER'S BOND**  
DES-OE-0102.3 (REV 3/2008)

Contract No. 09-350604

Bond No. Bid Bond

We Spieß Construction Co., Inc.  
P.O. Box 2849, Santa Maria, CA 93457  
\_\_\_\_\_ 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 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 For Construction on State Highway in Inyo County near  
*(Copy here the exact description of work, including location, as it appears on the proposal)*  
Bishop from Barlow Lane to 0.1 Mile West of Pioneer Lane  
for which bids are to be opened at Sacramento, CA  
*(Insert place where bids will be opened)*  
on August 18, 2015  
*(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: August 12, 2015

Correspondence or claims relating to this bond should be sent to the surety at the following address:  
100 California Street, Suite 100  
San Francisco, CA 94111

Spieß Construction Co., Inc.  
By: *[Signature]*  
SCOTT A. GLEMAN, PRESIDENT/Principal  
Travelers Casualty and Surety Company of America  
*Surety*  
By: *[Signature]*  
Jean L. Neu, Attorney-in-Fact

See Attached Required California Notary Acknowledgment)

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California }  
County of \_\_\_\_\_ }  
On this \_\_\_\_\_ before me, \_\_\_\_\_  
*Date Here Insert Name and Title of the Officer*  
personally appeared \_\_\_\_\_  
*Name(s) of Signer(s)*

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

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

WITNESS my hand and official seal.

(SEAL) Signature \_\_\_\_\_  
*Signature of Notary Public*

### ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Santa Clara )

On AUG 12 2015 before me, Erin Bautista, Notary Public  
(insert name and title of the officer)

personally appeared Jean L. Neu,  
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 *Erin Bautista* (Seal)





POWER OF ATTORNEY

08-14-15A10:44 RCVD

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 229560

Certificate No. 006428473

KNOW ALL MEN BY THESE PRESENTS: That Farmington Casualty Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company are corporations duly organized under the laws of the State of Connecticut, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

H. Michael Vreeburg, Stephen Leveroni, Bryan D. Martin, Jean L. Neu, and Erin Bautista

of the City of San Mateo, State of California, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 18th day of June, 2015.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company



State of Connecticut
City of Hartford ss.

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

On this the 18th day of June, 2015, before me personally appeared Robert L. Raney, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal. My Commission expires the 30th day of June, 2016.



[Signature]
Marie C. Tetreault, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

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

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

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

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

I, Kevin E. Hughes, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this \_\_\_\_\_ day of AUG 12 2015, 20 \_\_\_\_\_.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

*Kevin E. Hughes*  
Kevin E. Hughes, Assistant Secretary



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



# LETTER OF TRANSMITTAL

AZ #119975 • CA #333989 • NV #0038929

Spiess Construction Co., Inc.

P. O. Box 2849  
 Santa Maria, CA. 93457  
 (805) 937-5859  
 Fax (805) 934-4432

**DATE:** August 13, 2015

**To:** State of CA Dept. of Transportation  
 Office of Engineering  
 1727 – 30<sup>th</sup> Street, MS-43  
 Sacramento, CA 95816

**PROJECT:** n/a

**Re:** Contract 09-350604 Construct Curb,  
 Gutter and Sidewalks – Inyo County near  
 Bishop

**Attn:** Contracts, Awards and Services

**WE ARE SENDING YOU:**

Copies	Date	Description
1	8-12-15	Original Bid Bond

**TRANSMITTED:**

- For Approval  
 For Your Use  
 As Requested  
 For Review & Comment

- Approved as Submitted  
 Approved as Noted  
 Returned for Correction

- Resubmit \_\_\_\_\_ Copies for Approval  
 Submit \_\_\_\_\_ Copies for Distribution  
 \_\_\_\_\_

**THESE ARE TRANSMITTED VIA:**

- Mail  
 UPS

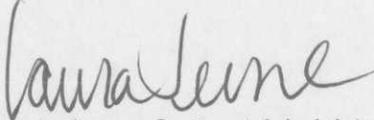
- OnTrac Overnight  
 Fedex

- Hand  
 \_\_\_\_\_

**REMARKS:**

Bidder ID number VC1200001642

Copy To:

  
 Laurie Jevne, Contract Administrator  
 ljevne@sccitanks.com