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11

Caltrans®

STATE OF CALIFORNIA

DEPARTMENT OF TRANSPORTATION

BID

FOR CONSTRUCTION ON STATE HIGHWAY IN IMPERIAL COUNTY IN EL CENTRO FROM 0.2 MILE WEST TO 0.1 MILE EAST OF DOGWOOD ROAD OVERCROSSING

In District 11 On Route 8

Under

Notice to Bidders and Special Provisions **dated May 5, 2014**	***Standard Specifications*** **dated 2010**
Project plans approved April 7, 2014	***Standard Plans*** **dated 2010**

Identified by

Contract No. 11-263304

11-Imp-8-R38.8/R39.1

Project ID 1100000743

Federal-Aid Project
ACNHPI-0081(313)E
HPLU-6211(122)E

Bids open Thursday, June 26, 2014

Dated May 5, 2014
AADD

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

BID TO THE DEPARTMENT OF TRANSPORTATION

DES-OE-0102.1 (REV. 3/2011)

CONTRACT NO. 11 - 263304

NAME OF BIDDER MCM CONSTRUCTION, INC.

BUSINESS P.O. BOX 620

CITY, STATE, ZIP NORTH HIGHLANDS, CA 95660

BUSINESS STREET ADDRESS 6413 32ND STREET

(Include even if P.O. Box used)

CITY, STATE, ZIP NORTH HIGHLANDS, CA 95660

TELEPHONE NO: **AREA CODE** (916) 334-1221

FAX NO: **AREA CODE** (916) 334-0562

CONTRACTOR LICENSE NO. 286430

1. Bidder agrees, if this bid is accepted, to enter into a contract with the Department, in the form included in the Standard Specifications, to perform the work provided in the Contract under the terms of the Contract for the price or prices bid.

   For a lump sum or unit price based bid, Bidder additionally agrees to perform the work within the number of working days shown on the *Notice to Bidders*.

   For a cost plus time based bid on a contract without a plant establishment period, Bidder additionally agrees to perform the work within the number of working days bid.

   For a cost plus time based bid on a contract with a plant establishment period, Bidder additionally agrees to perform the non–plant establishment work within the number of working days bid for non–plant establishment work.

2. For a lump sum based bid, Bidder submits this bid with a total price in the total bid space provided on the Bid Item List. For a unit price or cost plus time based bid, Bidder submits this bid with a unit price and the item total (the product of the unit price and the quantity) for each item and a total price (the sum of the item totals) in the spaces provided on the attached Bid Item List. For a unit price with additive item based bid, Bidder submits this bid with a unit price and an item total for each item and a total base bid (the sum of the item totals) and the additive items in the spaces provided on the attached Bid Item List. Additionally, for a cost plus time based bid, Bidder submits this bid with working days bid for non–plant establishment work, total bid for time, and total bid for bid comparison in the spaces provided on the Bid Item List. Bidder agrees:

   2.1. If a discrepancy between the unit price and the item total exists, the unit price prevails except:

      2.1.1. If the unit price is illegible, omitted, or the same as the item total, item total prevails and the unit price is the quotient of the item total and the quantity.

      2.1.2. If a decimal error is apparent in the product of the unit price and the quantity, the Department will use either the unit price or item total based on the closest by percentage to the unit price or item total in the Department's Final Estimate.

   2.2. If the unit price and the item total are illegible or are omitted, the bid may be determined nonresponsive. If a lump sum total price is illegible or is omitted, the bid may be determined nonresponsive.

   2.3. Bids on lump sum items are item totals. If a unit price for a lump sum item is entered and it differs from the item total, the item total prevails.

   2.4. Entries are to be expressed in dollars or decimal fractions of a dollar. Symbols such as commas and dollar signs are ignored and have no significance in establishing unit price or item total.

   2.5. Unit prices and item totals are interpreted by the number of digits and decimal placement. Do not round item totals or the total bid.

2.6. For a lump sum based bid, the item total is the bid amount the Department uses for bid comparison.

For a unit price based bid, the sum of the item totals is the bid amount the Department uses for bid comparison.

For a cost plus time based bid, the sum of the item totals and the total bid for time is the bid amount the Department uses for bid comparison.

2.7. The Department's decision on the bid amount is final.

3. Bidder has and acknowledges the following addenda:

1 (ONE), 2 (TWO),

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

Cash $ _____, Cashiers Check, Certified Check, (Bidder's Bond)

5. Bidder's signature is an affirmation of the included certifications. Bidder is cautioned that making a false certification may result in one or more of the following:

5.1. Criminal prosecution

5.2. Rejection of the bid

5.3. Rescission of the award

5.4. Termination of the Contract

BY *(Authorized Signature)* | DATE SIGNED *(Do not type)* 6-24-2014

PRINTED NAME AND TITLE OF PERSON SIGNING
EDMUNDO A. PUCHI, TREASURER

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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	2,500
2	080050	PROGRESS SCHEDULE (CRITICAL PATH METHOD)	LS	LUMP SUM	LUMP SUM	10,000
3	090100	TIME-RELATED OVERHEAD (WDAY)	WDAY	460	1,200	552,000
4	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	20,000
5	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	55,000
6	120159	TEMPORARY TRAFFIC STRIPE (PAINT)	LF	850	3	2,550
7	120199	TRAFFIC PLASTIC DRUM	EA	72	85	6,120
8	120300	TEMPORARY PAVEMENT MARKER	EA	7	6	42
9	128651	PORTABLE CHANGEABLE MESSAGE SIGN (EA)	EA	4	7,000	28,000
10	129000	TEMPORARY RAILING (TYPE K)	LF	9,460	30	283,800
11	129100	TEMPORARY CRASH CUSHION MODULE	EA	75	300	22,500
12	027466	ALTERNATIVE TEMPORARY CRASH CUSHION SYSTEM	EA	9	8,000	72,000
13	130100	JOB SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	50,000
14	130300	PREPARE STORM WATER POLLUTION PREVENTION PLAN	LS	LUMP SUM	LUMP SUM	5,000
15	130330	STORM WATER ANNUAL REPORT	EA	2	2,000.00	4,000.00
16	130505	MOVE-IN/MOVE-OUT (TEMPORARY EROSION CONTROL)	EA	2	900	1,800
17	130520	TEMPORARY HYDRAULIC MULCH	SQYD	14,800	0.40	5,920
18	130610	TEMPORARY CHECK DAM	LF	1,360	10	13,600
19	130620	TEMPORARY DRAINAGE INLET PROTECTION	EA	18	200	3,600
20	130640	TEMPORARY FIBER ROLL	LF	11,800	2.75	32,450

RS

BID ITEM LIST

11-263304

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
21	130710	TEMPORARY CONSTRUCTION ENTRANCE	EA	10	2,000	20,000
22	130730	STREET SWEEPING	LS	LUMP SUM	LUMP SUM	25,000
23	130900	TEMPORARY CONCRETE WASHOUT	LS	LUMP SUM	LUMP SUM	10,000
24	140003	ASBESTOS COMPLIANCE PLAN	LS	LUMP SUM	LUMP SUM	3,000
25	141120	TREATED WOOD WASTE	LB	22,500	0.30	6,750
26	150203	ABANDON CULVERT (EA)	EA	1	1,000	1,000
27	150605	REMOVE FENCE	LF	520	8	4,160
28	150661	REMOVE GUARDRAIL	LF	1,820	10	18,200
29	150711	REMOVE PAINTED TRAFFIC STRIPE	LF	14,600	1	14,600
30	150712	REMOVE PAINTED PAVEMENT MARKING	SQFT	970	2	1,940
31	150714	REMOVE THERMOPLASTIC TRAFFIC STRIPE	LF	9,060	1	9,060
32	150715	REMOVE THERMOPLASTIC PAVEMENT MARKING	SQFT	690	2	1,380
33	150742	REMOVE ROADSIDE SIGN	EA	12	150	1,800
34	150767	REMOVE BRIDGE MOUNTED SIGN	EA	2	1,600	3,200
35	152390	RELOCATE ROADSIDE SIGN	EA	17	235	3,995
36	153103	COLD PLANE ASPHALT CONCRETE PAVEMENT	SQYD	7,460	2	14,920
37	027467	STOCKPILE ROCK MULCH	SQFT	30,500	1.20	36,600
38	155232	SAND BACKFILL	CY	5.3	430	2,279
39	157550	BRIDGE REMOVAL	LS	LUMP SUM	LUMP SUM	100,000
40	160102	CLEARING AND GRUBBING (LS)	LS	LUMP SUM	LUMP SUM	10,000

REPLACED PER ADDENDUM NO. 1 DATED JUNE 13, 2014

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
41	190101	ROADWAY EXCAVATION	CY	8,900	25	222,500
42 (F)	192003	STRUCTURE EXCAVATION (BRIDGE)	CY	3,350	80	268,000
43 (F)	192020	STRUCTURE EXCAVATION (TYPE D)	CY	300	75	22,500
44 (F)	192037	STRUCTURE EXCAVATION (RETAINING WALL)	CY	1,452	25	36,300
45 (F)	193003	STRUCTURE BACKFILL (BRIDGE)	CY	3,300	90	297,000
46 (F)	193013	STRUCTURE BACKFILL (RETAINING WALL)	CY	1,636	50	81,800
47 (F)	193031	PERVIOUS BACKFILL MATERIAL (RETAINING WALL)	CY	91	75	6,825
48	198010	IMPORTED BORROW (CY)	CY	7,350	13	95,550
49	027468	REMOVE TREE	EA	2	600	1,200
50	027469	CONDUIT FOR CONTROL AND NEUTRAL CONDUCTORS	LF	570	40	22,800
51 (F)	208028	3" SUPPLY LINE (BRIDGE)	LF	320	90	28,800
52	208304	WATER METER	EA	1	6,000	6,000
53 (F)	208607	3" PLASTIC PIPE (CLASS 315) (SUPPLY LINE)	LF	563	20	11,260
54	208739	10" CORRUGATED HIGH DENSITY POLYETHYLENE PIPE CONDUIT	LF	430	40	17,200
55	210010	MOVE-IN/MOVE-OUT (EROSION CONTROL)	EA	2	1,000	2,000
56	210250	EROSION CONTROL (BONDED FIBER MATRIX) (SQFT)	SQFT	133,000	0.15	19,950
57	210350	FIBER ROLLS	LF	11,800	3	35,400
58	260203	CLASS 2 AGGREGATE BASE (CY)	CY	8,680	55	477,400
59	374002	ASPHALTIC EMULSION (FOG SEAL COAT)	TON	0.7	4,600	3,220
60	390011	PREPAVING INERTIAL PROFILER	LS	LUMP SUM	LUMP SUM	40,000

PS

BID ITEM LIST

11-263304

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
61	390020	PREPAVING GRINDING DAY	EA	6	4,500	27,000
62	390300	HOT MIX ASPHALT, SUPERPAVE (TYPE A)	TON	8,650	110	951,500
63	394060	DATA CORE	LS	LUMP SUM	LUMP SUM	2,000
64	394076	PLACE HOT MIX ASPHALT DIKE (TYPE E)	LF	1,790	4	7,160
65	394090	PLACE HOT MIX ASPHALT (MISCELLANEOUS AREA)	SQYD	250	30	7,500
66	397005	TACK COAT	TON	3.8	4,000	15,200
67	490744	FURNISH PILING (CLASS 140) (ALTERNATIVE V)	LF	25,583	42	1,074,486
68	490745	DRIVE PILE (CLASS 140) (ALTERNATIVE V)	EA	336	1,600	537,600
69	500001	PRESTRESSING CAST-IN-PLACE CONCRETE	LS	LUMP SUM	LUMP SUM	100,000
70 (F)	510051	STRUCTURAL CONCRETE, BRIDGE FOOTING	CY	760	375	285,000
71 (F)	510053	STRUCTURAL CONCRETE, BRIDGE	CY	2,080	838	1,743,040
72 (F)	510060	STRUCTURAL CONCRETE, RETAINING WALL	CY	385	400	154,000
73 (F)	510086	STRUCTURAL CONCRETE, APPROACH SLAB (TYPE N)	CY	215	750	161,250
74 (F)	510502	MINOR CONCRETE (MINOR STRUCTURE)	CY	72	1,300	93,600
75 (F)	511035	ARCHITECTURAL TREATMENT	SQFT	1,998	15	29,970
76 (F)	044635	RANDOM FLUTE TEXTURE	SQFT	1,320	15	19,800
77	519091	JOINT SEAL (MR 1 1/2")	LF	190	55	10,450
78 (F)	520102	BAR REINFORCING STEEL (BRIDGE)	LB	719,000	1	719,000
79 (F)	520103	BAR REINFORCING STEEL (RETAINING WALL)	LB	38,895	1.80	70,011
80 (F)	520120	HEADED BAR REINFORCEMENT	EA	445	15	6,675

REPLACED PER ADDENDUM NO. 1 DATED JUNE 13, 2014

RS

BID ITEM LIST

11-263304

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
81 (F)	560203	FURNISH SIGN STRUCTURE (BRIDGE MOUNTED WITH WALKWAY)	LB	14,604	4	58,416
82 (F)	560204	INSTALL SIGN STRUCTURE (BRIDGE MOUNTED WITH WALKWAY)	LB	14,604	3	43,812
83	560244	FURNISH LAMINATED PANEL SIGN (1"-TYPE A)	SQFT	310	20	6,200
84	560248	FURNISH SINGLE SHEET ALUMINUM SIGN (0.063"-UNFRAMED)	SQFT	220	25	5,500
85	560251	FURNISH SINGLE SHEET ALUMINUM SIGN (0.063"-FRAMED)	SQFT	45	25	1,125
86	560252	FURNISH SINGLE SHEET ALUMINUM SIGN (0.080"-FRAMED)	SQFT	260	25	6,500
87	566011	ROADSIDE SIGN - ONE POST	EA	14	310	4,340
88	566012	ROADSIDE SIGN - TWO POST	EA	8	850	6,800
89	568001	INSTALL SIGN (STRAP AND SADDLE BRACKET METHOD)	EA	2	200	400
90	027470	ROADSIDE SIGN - ONE POST (WEED CONTROL MAT RUBBER)	EA	4	400	1,600
91	027471	3" ALTERNATIVE PIPE CULVERT	LF	200	25	5,000
92	620060	12" ALTERNATIVE PIPE CULVERT	LF	88	65	5,720
93	620140	24" ALTERNATIVE PIPE CULVERT	LF	540	75	40,500
94	650018	24" REINFORCED CONCRETE PIPE	LF	280	110	30,800
95	698140	24" ALTERNATIVE PIPE DOWNDRAIN	LF	940	90	84,600
96	703233	GRATED LINE DRAIN	LF	18	150	2,700
97	703450	WELDED STEEL PIPE CASING (BRIDGE)	LF	125	200	25,000
98	705315	24" ALTERNATIVE FLARED END SECTION	EA	12	500	6,000
99	027472	FLAP GATE	EA	2	5,000	10,000
100	721420	CONCRETE (DITCH LINING)	CY	19	750	14,250

REPLACED PER ADDENDUM NO. 1 DATED JUNE 13, 2014

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
101 (F)	721612	CONCRETED-ROCK SLOPE PROTECTION (FACING, METHOD B) (CY)	CY	118	165	19,470
102	729011	ROCK SLOPE PROTECTION FABRIC (CLASS 8)	SQYD	280	4	1,120
103	731502	MINOR CONCRETE (MISCELLANEOUS CONSTRUCTION)	CY	440	300	132,000
104	731530	MINOR CONCRETE (TEXTURED PAVING)	CY	84	250	21,000
105	731656	CURB RAMP DETECTABLE WARNING SURFACE	SQFT	310	35	10,850
106 (F)	750001	MISCELLANEOUS IRON AND STEEL	LB	6,453	2	12,906
107 (F)	750505	BRIDGE DECK DRAINAGE SYSTEM	LB	4,100	17	69,700
108 (F)	044636	PERFORATED STEEL SCREEN (SCONCE)	EA	10	5,000	50,000
109	800360	CHAIN LINK FENCE (TYPE CL-6)	LF	32	55	1,760
110	802520	6' CHAIN LINK GATE (TYPE CL-6)	EA	1	1,700	1,700
111	820107	DELINEATOR (CLASS 1)	EA	29	60	1,740
112	820118	GUARD RAILING DELINEATOR	EA	120	13	1,560
113	832005	MIDWEST GUARDRAIL SYSTEM	LF	1,030	33	33,990
114 (F)	833032	CHAIN LINK RAILING (TYPE 7)	LF	614	80	49,120
115	833088	TUBULAR HANDRAILING	LF	320	50	16,000
116 (F)	833142	CONCRETE BARRIER (TYPE 26 MODIFIED)	LF	520	210	109,200
117 (F)	833143	CONCRETE BARRIER (TYPE 26A MODIFIED)	LF	507	165	83,655
118	839543	TRANSITION RAILING (TYPE WB-31)	EA	4	3,800	15,200
119	839581	END ANCHOR ASSEMBLY (TYPE SFT)	EA	4	900	3,600
120	839584	ALTERNATIVE IN-LINE TERMINAL SYSTEM	EA	6	3,200	19,200

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
121	839585	ALTERNATIVE FLARED TERMINAL SYSTEM	EA	2	3,000	6,000
122	027473	ALTERNATIVE CRASH CUSHION SYSTEM	EA	2	35,000	70,000
123	839701	CONCRETE BARRIER (TYPE 60)	LF	220	150	33,000
124	840516	THERMOPLASTIC PAVEMENT MARKING (ENHANCED WET NIGHT VISIBILITY)	SQFT	2,070	4	8,280
125	840655	PAINT TRAFFIC STRIPE (1-COAT)	LF	27,200	0.50	13,600
126	840665	PAINT PAVEMENT MARKING (1-COAT)	SQFT	1,560	2	3,120
127	846001	4" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY)	LF	16,300	1	16,300
128	846002	4" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY) (BROKEN 6-1)	LF	43	1	43
129	846004	4" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY) (BROKEN 17-7)	LF	3,370	1	3,370
130	846005	4" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY) (BROKEN 36-12)	LF	1,650	1	1,650
131	846009	8" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY)	LF	2,150	1.50	3,225
132	846010	8" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY) (BROKEN 12-3)	LF	630	1.50	945
133	850101	PAVEMENT MARKER (NON-REFLECTIVE)	EA	310	2	620
134	850111	PAVEMENT MARKER (RETROREFLECTIVE)	EA	1,310	4	5,240
135	860090	MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION	LS	LUMP SUM	LUMP SUM	3,000
136	027474	SIGNAL & LIGHTING (TEMPORARY LOCATION 1)	LS	LUMP SUM	LUMP SUM	25,000
137	027475	SIGNAL & LIGHTING (TEMPORARY LOCATION 2)	LS	LUMP SUM	LUMP SUM	35,000
138	860251	SIGNAL AND LIGHTING (LOCATION 1)	LS	LUMP SUM	LUMP SUM	100,000
139	860252	SIGNAL AND LIGHTING (LOCATION 2)	LS	LUMP SUM	LUMP SUM	110,000
140	860402	LIGHTING (CITY STREET)	LS	LUMP SUM	LUMP SUM	350,000
Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
141	860460	LIGHTING AND SIGN ILLUMINATION	LS	LUMP SUM	LUMP SUM	90,000

142	860501	SIGN ILLUMINATION	LS	LUMP SUM	LUMP SUM	10,000
143	027476	CHANGEABLE MESSAGE SIGN SYSTEM (LOCATION 2)	LS	LUMP SUM	LUMP SUM	25,000
144	027477	CHANGEABLE MESSAGE SIGN SYSTEM (LOCATION 1)	LS	LUMP SUM	LUMP SUM	39,000
145	999990	MOBILIZATION	LS	LUMP SUM	LUMP SUM	1,234,883

TOTAL BID: $12,361,023

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION

SUBCONTRACTOR LIST

DES-OE-0103.2 (REV 3/2011)

Bidder Name: MCM Construction, Inc.

The bidder must identify each subcontractor performing work in an amount in excess of 1/2 of 1 percent of the total bid or $10,000, whichever is greater (Pub Cont Code § 4100 et seq.) Complete columns 1 and 4 and submit with the bid. Complete columns 2 and 3 and submit with the bid or fax to (916) 227-6282 within 24 hours after the bid opening. Failure to provide complete information in columns 1 through 4 within the time specified will result in a non-responsive 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
Ace Fence Co. La Puente, CA	25, 27, 28 109, 110 112-115 118-122	100% 100% 100% 100%	Fence & Guardrail
CMC Rebar Etiwanda, CA	68 73 78-80 116 117	9.2% 29% 100% 17% 23%	Rebar
Hardy & Harper, Inc. Santa Ana, CA	59, 62-66	100%	HMA Paving
Perry Electric Santee, CA	135-142 143, 144	100% 90%	Electrical
Pacific Coast Marking Phelan, CA	1 6, 29-32 124-134	24% 100% 100%	Striping
Evolution Concrete Construction San Diego, CA	103, 104, 105	100%	Flatwork

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STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION

SUBCONTRACTOR LIST

DES-OE-0102J (REV 3/2011)

Bidder Name: MCM Construction, Inc.

The bidder must identify each subcontractor performing work in an amount in excess of 1/2 of 1 percent of the total bid or $10,000, whichever is greater (Pub Cont Code § 4100 et seq.) Complete columns 1 and 4 and submit with the bid. Complete columns 2 and 3 and submit with the bid or fax to (916) 227-6282 within 24 hours after the bid opening. Failure to provide complete information in columns 1 through 4 within the time specified will result in a non-responsive 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
Schwager Davis, Inc. San Jose, CA	69	100%	Prestressing
Coral Construction Co. Wilsonville, OR	34, 81, 82	100%	Sign Structures
Acacia Environmental Los Angeles, CA	16,17, 20 55, 56, 57	100% 100%	Erosion Control
Statewide Traffic Safety & Signs Poway, CA	4, 33, 35, 84-90	100% 100%	Signs
Bert W Salas, Inc. Santee, CA	26, 38, 91-96 98, 99 101, 102	100% 100% 100% 100%	Drainage

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FAX COVER SHEET

SENT TO THE FOLLOWING: Fax: (916) 227-6282

To: Caltrans Office Engineer

From: **Marlena Pena for Edmundo Puchi, General Counsel**

Subject: Contract No. 11-263304

Date: June 27, 2014

DOCUMENT	NUMBER OF PAGES
Subcontractor List 11-263304	2

As required by the Special Provisions.

Marlena Pena

CAUTION- CONFIDENTIAL

The information contained in this facsimile is confidential and may also contain privileged attorney-client information or work product. The information is intended only for the use of the individual or entity to whom it is addressed. If you are not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this facsimile in error, please immediately notify us by telephone, and return the original message to use at the address above via the U.S. Postal Service. Thank You.

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STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

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DES-OE-0102.2 (REV 3/2011)

Bidder Name: MCM CONSTRUCTION, INC.

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Column 1: Business Name and Location	**Column 2:** Bid Item Nos.	**Column 3:** Percentage of Bid Item Subcontracted	**Column 4:** Description of Subcontracted Work
ACE FENCE CO LA PUENTE, CA			FENCE & GUARDRAIL
CMC REBAR ETIWANDA, CA			REBAR
HARDY & HARPER, INC SANTA ANA, CA			AMA PAVING
PERRY ELECTRIC SANTEE, CA			ELECTRICAL
PACIFIC COAST MARKING PALMDALE, CA			STRIPING
EVOLUTION CONCRETE CONSTRUCTION SAN DIEGO, CA			FLATWORK
SCHWARZ-DAVIS, INC SAN JOSE, CA			PRESTRESSING

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RS

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

SUBCONTRACTOR LIST

DES-OE-0102.2 (REV 3/2011)

Bidder Name: MCM CONSTRUCTION, INC.

The bidder must identify each subcontractor performing work in an amount in excess of 1/2 of 1 percent of the total bid or $10,000, whichever is greater (Pub Cont Code § 4100 et seq.). Complete columns 1 and 4 and submit with the bid. Complete columns 2 and 3 and submit with the bid or fax to (916) 227-6282 within 24 hours after the bid opening. Failure to provide complete information in columns 1 through 4 within the time specified will result in a nonresponsive bid.

Column 1: Business Name and Location	**Column 2:** Bid Item Nos.	**Column 3:** Percentage of Bid Item Subcontracted	**Column 4:** Description of Subcontracted Work
CORAL CONSTRUCTION CO. WILSONVILLE, OR			SIGN STRUCTURES
ACACIA ENVIRONMENTAL LOS ANGELES, CA			EROSION CONTROL
STATEWIDE TRAFFIC SAFETY & SIGNS POWAY, CA			SIGNS
PERT W SALAS, INC SANTEE, CA			DRAINAGE

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STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

BIDDER'S BOND

DES-OE-0102.3 (REV 3/2008)

Contract No. 11-263304

Bond No. N/A

We M.C.M. Construction, Inc.

as Principal, and

Travelers Casualty and Surety Company of America

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 CONOITION OF THIS OBLIGATION IS SUCH, THAT:

WHEREAS, the Principal is submitting a bid to the Obligee, for Construction on State Highway in Imperial County in El Centro

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

From 0.2 Mile West To 0.1 Mile East of Dogwood Road Overcrossing

for which bids are to be opened at Irvine, CA

(Insert place where bids will be opened)

on June 26, 2014

(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: June 20, 20 14.

Correspondence or claims relating to this bond should be sent to the surety at the following address: Travelers Casualty and Surety Company of America
100 California Street, Suite 300
San Francisco, CA 94111

M.C.M. Construction, Inc.

By: _____
Principal

Travelers Casualty and Surety Company of America

Surety

By _____
Jean L. Neu, *Attorney-in-Fact*

CALIFORNIA ALL-PURPOSE ACKNOWLEOGMENT

State of California

County of Santa Clara

On this June 20, 2014 *Date* before me, Erin Bautista, Notary Public *Here Insert Name and Title of the Officer*,

personally appeared Jean L. Neu *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.

(SEAL)

ERIN BAUTISTA
Commission # 2062702
Notary Public - California
Santa Clara County
My Comm. Expires Apr 25, 2018

WITNESS my hand and official seal.

Signature _____
Signature of Notary Public

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

TRAVELERS

POWER OF ATTORNEY

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. 223488

Certificate No. 005617909

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

Bryan D. Martin, Bradley N. Wright, Jean L. Neu, Erin Bautista, and Frances Murphy

of the City of San Jose, 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 23rd day of August, 2013.

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: _____
Robert L. Raney, Senior Vice President

On this the 23rd day of August, 2013, 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.

MARIE C. TETREAULT NOTARY PUBLIC CONNECTICUT

Marie C. Tetreault
Marie C. Tetreault, Notary Public

58440-8-12 Printed in U.S.A.

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

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 Attomey 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 20th day of June, 20 14.

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. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATIDN

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: MCM CONSTRUCTION, INC. Contract No. 11-263304

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

Date: _____ Signature: NOT APPLICABLE

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STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

SMALL BUSINESS STATUS

DES-OE-0102.4 (REV 3/2008)

CONTRACT NO. 11 - 263304

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? _____ _____ [X] No

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

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CALTRANS BIDDER DBE COMMITMENT
Form

Page 15
has been removed From Bid Package

To be filled in later in the case of

MCM CONSTRUCTION, INC.

Being the low responsible bidder
Or 2nd, 3rd as required in the Special Provisions

Route 8 - El Centro
Caltrans Contract No. 11-263304

Bids: June 26, 2014 at 2:00 PM

GOOD FAITH EFFORTS
DOCUMENTATION
Forms

Page 16-18
have been removed From Bid Package

To be filled in later in the case of

MCM CONSTRUCTION, INC.

Being the low responsible bidder
Or 2nd, 3rd as required in the Special Provisions

Route 8 - El Centro
Caltrans Contract No. 11-263304

Bids: June 26, 2014 at 2:00 PM

CERTIFICATIONS

FEDERAL-AID PROJECTS DISCLOSURE OF LOBBYING ACTIVITIES CERTIFICATION

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

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities," in conformance with its instructions.

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

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

INSTRUCTIONS FOR COMPLETION OF SF-LLL,

DISCLOSURE OF LOBBYING ACTIVITIES

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

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

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

DISCLOSURE OF LOBBYING ACTIVITIES

Approved by OMB

0348-0046

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

1. Type of Federal Action:	2. Status of Federal Action:	3. Report Type:
☐ a. contract	☐ a. bid/offer/application	☐ a. initial
b. grant	b. initial award	b. material change
c. cooperative agreement	c. post-award	For Material Change Only:
d. loan		year _____ quarter _____
e. loan guarantee		date of last report _____
f. loan insurance		

4. Name and Address of Reporting Entity:	5. If Reporting Entity in No. 4 is Subawardee Enter Name and Address of Prime:
☐ Prime ☐ Subawardee	
Tier_____, *if known*	
Congressional District, *if known*:	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	b. Individuals Performing Services (*including address if different from No. 10a*)
(*if individual, last name, first name, MI*):	(*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: NOT APPLICABLE

Print Name: _____

Title: _____

Telephone No.: _____ Date: _____

Federal Use Only:

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

EQUAL EMPLOYMENT OPPORTUNITY REGULATION CERTIFICATION

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

Notes:

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

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

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

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

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

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

UNDOCUMENTED ALIENS EMPLOYMENT

Under Pub Cont Code § 6101, the Bidder certifies compliance with state and federal law respecting the employment of undocumented aliens.

NONCOLLUSION

NONCOLLUSION AFFIDAVIT TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

Under PCC 7106 and 23 USC 112, the bidder declares as follows:

State of California County of SACRAMENTO

EDMUNDO A. PUCHI, being first duly sworn, deposes and says that he or she is

TREASURER of M C M CONSTRUCTION, INC. the party making the foregoing bid that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

CHILD SUPPORT COMPLIANCE ACT

Under Pub Cont Code § 7110, the contractor acknowledges that:

1. The contractor recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with section 5200) of Part 5 of Division 9 of the Family Code; and
2. The contractor to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the Employment Development Department.

NATIONAL LABOR RELATIONS BOARD

Under Pub Cont Code § 10232, the contractor, swears under penalty of perjury, that no more than one final unappealable finding of contempt of court by a federal court has been issued against the contractor within the immediately preceding two year period because of the contractor's failure to comply with an order of a federal court which orders the contractor to comply with an order of the National Labor Relations Board.

VIOLATION OF LAW OR A SAFETY REGULATION

Under Pub Cont Code § 10162, the Bidder must complete, under penalty of perjury, the following questionnaire:

Has the Bidder, any officer of the Bidder, or any employee of the Bidder who has a proprietary interest in the Bidder, ever been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of a violation of law or a safety regulation?

☐ Yes ☒ No If the answer is yes, explain the circumstances in the following space.

ANTITRUST LAW

Under Pub Con Code § 10285.1, the Bidder declares under penalty of perjury under the laws of the State of California that the Bidder ☐ has ☒ has not been convicted within the preceding three years of any offenses referred to in that section, including any charge of fraud, bribery, collusion, conspiracy, or any other act in violation of any state or federal antitrust law in connection with the bidding upon, award of, or performance of, any public works contract, as defined in Pub Cont Code § 1101, with any public entity, as defined in Pub Cont Code § 1100, including the Regents of the University of California or the Trustees of the California State University. The term "Bidder" includes any partner, member, officer, director, responsible managing officer, or responsible managing employee thereof, as referred to in Section 10285.1.

If the Bidder has been convicted of an offense within the past 3 years, provide the conviction details including the date and ultimate resolution of each conviction in the space below.

PERMITS, LICENSES, AGREEMENTS, CERTIFICATIONS, AND RAILROAD RELATIONS AND INSURANCE REQUIREMENTS

Bidder acknowledges that permits, licenses, agreements, certifications, and the requirements in the document titled "Railroad Relations and Insurance Requirements" are components of the Contract under section 5-1.02 of the *Standard Specifications.*

BIDDER RESPONSIBILITY QUESTIONNAIRE

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

1. Within the past 10 years, has the Bidder been found to be a nonresponsible 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 nonresponsible 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 nonresponsible 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

SEE NEXT PAGE FOR DETAILS

END CERTIFICATIONS

Attachment to BIDDER RESPONSIBILITY QUESTIONNAIRE

MCM CONSTRUCTION, INC.

Bidder Responsibility Questionnaire:

4.1 - November 6, 2007.

4.2 - State of California - Department of Transportation; Robert Pieplow, Chief, Division of Engineering Services.

4.3 - Contract No. 08-452204

MCM Construction, Inc. was determined to be a non-responsible bidder by the Department of Transportation in connection with Contract No. 08-452204 as a result of post-bid communications with a listed subcontractor. The Department of Transportation determined that these post-bid communications violated the spirit of the provisions of the Sections 100 and 4101 of the Public Contract Code. The Department of Transportation has since awarded numerous contracts to MCM Construction, Inc. on State of California DOT projects.