



**CORPORATE OFFICE**

3050 E. Birch Street  
Brea, CA 92821  
[714] 984-5500  
Fax [714] 854-9754

**SOUTHERN REGION**

12200 Bloomfield Avenue  
Santa Fe Springs, CA 90670  
[562] 929-1128  
Fax [562] 864-8970

**CENTRAL REGION**

1128 Carrier Parkway Avenue  
Bakersfield, CA 93308  
[661] 392-6640  
Fax [661] 393-9525

**SAN DIEGO OFFICE**

13400 Sabre Springs Parkway  
Suite 200  
San Diego, CA 92128  
[858] 727-3501

**CONCRETE DIVISION**

12200 Bloomfield Avenue  
Santa Fe Springs, CA 90670  
[562] 929-1128  
Fax [562] 929-7116

**LANDSCAPE DIVISION**

3050 E. Birch Street  
Brea, CA 92821  
[714] 984-5500  
Fax [714] 854-7843

**UNDERGROUND DIVISION**

3050 E. Birch Street  
Brea, CA 92821  
[714] 984-5500  
Fax [714] 854-0226

**STRUCTURE DIVISION**

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Brea, CA 92821  
[714] 984-5500  
Fax [714] 854-0227

**ENVIRONMENTAL DIVISION**

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[562] 929-1128  
Fax [562] 864-8970

**MATERIALS DIVISION**

3050 E. Birch Street  
Brea, CA 92821  
[714] 984-5500  
Fax [714] 854-7843

[www.griffithcompany.net](http://www.griffithcompany.net)

CA Contractors  
License #88

NV Contractors  
License #78889

AZ Contractors  
License #292209



April Perez-Hollins  
Office Chief  
Construction Contract Awards  
Department of Transportation  
Division of Engineering Services  
1727 30<sup>th</sup> Street, MS-43  
Sacramento, CA 95816-8041

RE: Contract No. 05-1Q4704, Protest of Non-Responsive Bid

Ms. Perez-Hollins,  
Griffith Company (Griffith) is in receipt of the letter sent by the Department of Transportation (Caltrans) dated April 11<sup>th</sup>, 2024, notifying Griffith that its bid was found to be non-responsive. Please consider this letter as a formal protest. Griffith submitted a responsive bid, complying fully with the Specifications outlined in the Notice to Bidders, Special Provisions and Standard Specifications.

Caltrans is asserting that the 5% SBE Requirement referenced in the Notice to Bidders, and the 25% Non-Small Business Preference (NSBP) that Griffith selected at the time of bid establishes a 30% Small Business Commitment. There is no language in the Notice to Bidders, Special Provisions or Standard Specifications stating that the SBE credit applied to the 5% SBE Requirement is not eligible to be applied as Small Business credit towards the NSBP 25% goal.

Paragraph 3 of Section 2-1.18D of the Special Provisions states:

“Meet or exceed the small business enterprise goal shown on the *Notice to Bidders*. A bid that demonstrates a small business enterprise participation commitment less than the goal is non-responsive.”

Griffith Company satisfied this requirement by submitting a timely, responsive SBE-Commitment (Form OCR-SB01) exceeding the 5% requirement (confirmed in Caltrans letter dated 4/11/2024).

Section 2-1.18C of the 2023 Standard Specifications states in part:

“The Department allows a bidder not certified as a small business by the Department of General Services, Office of Small Business and DVBE Services, a

*Griffith Company is an equal opportunity employer and an employee-owned company.*

preference if:

1. Bidder submitted a completed Request for Small Business Preference or Non-Small Business Preference form with its bid
2. Certified Small Business Listing for the Non-Small Business Preference form shows that you are subcontracting **at least 25 percent to certified small businesses.**" (emphasis added)

Griffith Company satisfied this requirement by submitting a timely, responsive Certified Small Business Listing for the Non-Small Business Preference (Form DES-OE-0102.8) exceeding the 25% requirement.

Caltrans also references California Code of Regulations § 1896, § 1896.5, and Gov. Code § 14838 Subd. (b). California Code of Regulations § 1896.5 states in part:

"In order to facilitate the participation of small businesses and achieve the **overall twenty-five percent (25%)** small business participation goal on the total awarded contracts, state agencies may establish contract-specific participation requirements for small businesses" (emphasis added).

The language in § 1896.5 distinctly states that the intent of the SBE participation requirement is to achieve the overall goal of 25%, moreover, there was no contract specific requirement of achieving 30% Small Business Participation. There is no evidence, nor can it be reasonably deduced, that the SBE credit applied to the 5% SBE Requirement cannot also be applied to the 25% NSBP.

Caltrans has in fact awarded a Contract with the same SBE Goal, and NSBP language. The attached Exhibit "A" includes supporting documentation on a recently awarded and approved contract in District 10. Contract No. 10-1H2804 was awarded under the same contract requirements as the subject project, utilizing the 2023 Standard Specifications, 5% SBE Goal (Addendum 1) and Non-Small Business Preference. Upon review of the post-bid files, the Contractor elected to pursue the NSBP, and did not achieve 30% overall Small Business Participation that Caltrans alleges is required. The Contractor listed the same SBE Participation on the OCR-SB01 and OBEO-0011 to achieve the respective 5% SBE requirement and 25% NSBP goal. Contract 10-1H2804 was awarded on February 6<sup>th</sup>, 2024, and approved on March 13<sup>th</sup>, 2024, rightfully so, as it adhered to the Contract Specifications. Based on the specifications of the subject project, and the award of Contract No. 10-1H2804, Caltrans must award Contract 05-1Q4704 to Griffith.



April Perez-Hollins  
RE: Contract No. 05-1Q4704, Protest of Non-Responsive Bid Letter  
April 11<sup>th</sup>, 2024  
Page 3 of 3

Caltrans cannot voluntarily decide when to enforce SBE Participation Goals, unfounded or not. Caltrans claim is baseless and is counteracting its own objective of attaining Small Business Participation on its Contracts. Based on the information above, the Notice to Bidders, Special Provisions, and Standard Specifications, it is clear that Griffith submitted a responsive bid. All minority goals and requirements were met and exceeded. Griffith should be awarded the Contract as the lowest responsive bidder.

Please reach out with any questions, or should you need any additional information.



Scott Miles  
Chief Estimator  
Griffith Company -- Central Region

Attachments: Exhibit A



GRIFFITH  
COMPANY

# CALIFORNIA ALL- PURPOSE CERTIFICATE OF 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 }

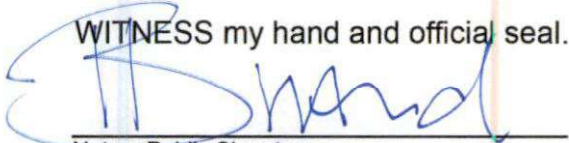
County of Kern }

On 4/15/2024 before me, Heather Paige Brand, Notary Public,  
(Here insert name and title of the officer)

personally appeared Scott Miles,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) (S) 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.



Notary Public Signature

(Notary Public Seal)



### ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

\_\_\_\_\_

(Title or description of attached document)

\_\_\_\_\_

(Title or description of attached document continued)

Number of Pages \_\_\_\_\_ Document Date \_\_\_\_\_

### CAPACITY CLAIMED BY THE SIGNER

- Individual (s)
- Corporate Officer  
VP/Regional Manager  
(Title)
- Partner(s)
- Attorney-in-Fact
- Trustee(s)
- Other \_\_\_\_\_

### INSTRUCTIONS FOR COMPLETING THIS FORM

*This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.*

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they~~, is /~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - ❖ Indicate title or type of attached document, number of pages and date.
  - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.



**DEPARTMENT OF TRANSPORTATION**

DIVISION OF ENGINEERING SERVICES

OFFICE ENGINEER

1727 30<sup>th</sup> Street MS-43

P.O. BOX 168041

SACRAMENTO, CA 95816-8041

<http://ppmoe.dot.ca.gov/des/oe/>



*Making Conservation  
a California Way of Life.*

September 20, 2023

10-Sta-5-10.7/25.5

10-1H2804

Project ID 1017000190

Addendum No. 1

Dear Contractor:

This addendum is being issued to the contract for CONSTRUCTION ON STATE HIGHWAY IN STANISLAUS COUNTY IN AND NEAR PATTERSON AT VARIOUS LOCATIONS FROM FINK ROAD UNDERCROSSING TO KHALSA ROAD UNDERCROSSING to revise the *Notice to Bidders and Special Provisions and Information Handout*.

Submit bids for this work with the understanding and full consideration of this addendum. The revisions declared in this addendum are an essential part of the contract.

Bids for this work will be opened on Thursday, October 26, 2023.

In the *Notice to Bidders and Special Provisions*, in the "SPECIAL NOTICES," the following Special Notice is added to the bullet list as follows:

- See sections 2-1.18 and 5-1.13F for Small Business Enterprises requirements."

In the *Notice to Bidders*, the following paragraph is added after the 8th paragraph as follows:

"The SBE Contract goal is 5 percent."

In the Special Provisions, Section 2-1.06B Supplemental Project Information, is replaced as attached.

In the Special Provisions, Section 2-1.18 is added as attached.

In the Special Provisions, Section 5-1.13F is added as attached

The *Information Handout* is replaced as attached.

Addendum No. 1  
Page 2  
September 20, 2023

10-Sta-5-10.7/25.5  
10-1H2804  
Project ID 1017000190

To *Bid* book holders:

Inquiries or questions about this addendum must be communicated as a bidder inquiry and must be made as noted in the *Notice to Bidders* section of the *Notice to Bidders and Special Provisions*.

Submit the *Bid* book as described in the *Electronic Bidding Guide* at the Contractor's Corner website:

**<http://ppmoe.dot.ca.gov/des/oe/electronic-bidding.html>**

Inform subcontractors and suppliers as necessary.

This addendum and attachments are available for the Contractors download on the website:

**<http://ppmoe.dot.ca.gov/des/oe/weekly-ads/oe-project.php?q=10-1H2804>**

If you are not a *Bid* book holder, but request a book to bid on this project, you must comply with the requirements of this letter before submitting your bid.

Sincerely,



DUNG (DOUG) NGUYEN  
Chief, Office of Construction Contract Advertisement & Quality Program  
Office Engineer  
Division of Engineering Services

Attachments



**Add between the 1st and 2nd paragraphs of section 2-1.06B:**

The Department makes the following supplemental project information available:

**Supplemental Project Information**

Means	Description
Included in the <i>Information Handout</i>	<ol style="list-style-type: none"><li>1. Existing Traffic Management System Elements Table and Fiber Optic</li><li>2. 8-0115R Corrosion Test Summary Report dated April 20,2016</li><li>3. The Asbestos Survey and Sampling Report</li><li>4. Traffic Stripe Tape Warranty Bond Form</li><li>5. OCR-SB01-Small Business Enterprises - Commitment form</li><li>6. OCR-SB02-Small Business Enterprise - Confirmation form</li><li>7. OCR-SB03-Final Report-Utilization of Small Business Enterprises form</li></ol>
Available as specified in the <i>Standard Specifications</i>	Bridge As-built drawings

**Add to section 2-1.18:**

**2-1.18D Small Business Enterprises Goal**

The Department shows a goal for small business enterprise participation to meet its overall rate of certified small business enterprise participation. This goal is in addition to the DVBE goal in the *Notice to Bidders* and those requirements in section 2-1.15.

Make work available to small business enterprises and select work parts consistent with the available small business enterprises, including subcontractors, suppliers, service providers, and truckers.

Meet or exceed the small business enterprise goal shown on the *Notice to Bidders*. A bid that demonstrates a small business enterprise participation commitment less than the goal is nonresponsive.

You are responsible to verify at bid opening that each small business enterprise firm is certified by the Department of General Services, Office of Small Business and DVBE Services as either a small business or a small business for the purpose of public works. Commitment credit towards satisfying the goal will not be given for noncertified firms.

Submit the following forms in addition to those required under section 2-1.33B(3):

Form	Submittal deadline
Small Business Enterprises - Commitment	No later than 4 p.m. on the 4th business day after bid opening
Small Business Enterprise - Confirmation	No later than 4 p.m. on the 4th business day after bid opening

Submit a copy of the quote from each small business shown on the Small Business Enterprises - Commitment form that describes the type and dollar amount of work shown on the form. Submit a Small Business Enterprise - Confirmation form for each small business shown on the Small Business Enterprises - Commitment form to establish that it will be participating in the Contract for the type and dollar amount of work shown on the form. If a small business is participating as a joint venture partner, submit a copy of the joint venture agreement.

If forms or supporting documentation are not submitted by the submittal deadline, the bid may be nonresponsive. The Department may contact you and small business enterprises to clarify quotes and commitment documentation.



**Replace section 5-1.13F with:**

**5-1.13F Small Business Enterprises**

Section 5-1.13F applies if a small business enterprise goal is shown on the *Notice to Bidders*.

Use each subcontractor as shown on the Small Business Enterprise – Commitment form unless you receive authorization for a substitution. The substitute must be another small business enterprise.

The requirement that small businesses be certified by the bid opening date does not apply to small business substitutions after contract award.

Maintain records of subcontracts made with small business subcontractors and records of materials from certified small business suppliers. Include in the records:

1. Name and business address of each business
2. Total amount paid to each business

Include in your substitution request:

1. Copy of the written notice issued to the small business enterprise with proof of delivery
2. Copy of the small business enterprise's response to the notice
3. Names and certification numbers of the listed small business enterprise and the proposed substitute

If the Department authorizes your small business enterprise substitution request, it will do so in writing.

Work performed by a firm other than the committed small business enterprise or authorized substitute will be a violation of these specifications. Such violations will result in permanent payment deductions for the value of the work of the listed small business enterprise.

For the purposes of determining compliance with this section:

1. Upon reasonable notice and during normal business hours, permit access to the small business enterprise premises for the purpose of:
  - 1.1. Interviewing employees.
  - 1.2. Inspecting and copying books, records, accounts, and other material that may be relevant to a matter under investigation.
2. Upon work completion, complete a Final Report – Utilization of Small Business Enterprises form and submit within 10 days of Contract acceptance. The Department withholds the greater of 10 percent of the small business enterprise commitment or \$10,000 until the form is submitted. The Department releases the withhold upon submission of the completed form. If additional payments are made to a small business enterprise after submittal of the completed form, submit an updated form to reflect such payments.

**CERTIFIED SMALL BUSINESS LISTING FOR THE NON-SMALL BUSINESS PREFERENCE**

OBEO-0011 (REV 04/2019)

**Low Bidder**

RECEIVED

CONSTRUCTION CONTRACT AWARDS

2023 OCT 31 PM 2:22

BIDDER NAME Myers & Sons Construction, LLC

CONTRACT NO: 10-1H2804

List the description of work, name, telephone number, certification number, and dollar amount of each certified small business who will be employed on this project. Per, Section 2-1.18c of the 2018 Revised Standard Specifications, failure to submit a completed Certified Small Business Listing for the Non-Small Business Preference form by 4 p.m. on the 2nd business day after bid opening will result in a nonresponsive bid. Attach additional sheets if necessary.

**OCT. 30-23**

Submit to: MS 43  
OFFICE ENGINEER  
DEPARTMENT OF TRANSPORTATION  
1727 30TH STREET  
SACRAMENTO, CA 95816-7005

Bid Item Number	Description of Work, Service, or Materials	Certified Small Business (Name, Telephone No., and Certification No.)	\$ Amount
1, 54, 63-68	Lead Compliance Plan, Striping and Markers	Safety Striping Service, Inc. 559-651-1022 SBE #: 14354	\$139,900.00
18, 53, 55-62, 72	Treated Wood Waste, Guard Railing Delineator, Midwest Guardrail System Steel Post, Furnish and Place Vegetation Control, Double Midwest Guardrail System, Transition Railing, Alt In Line Terminal, Alt Crash Cushion, Furnish and Place Concrete Barrier Transition, Remove Guardrail, Rail Tensioning Assembly	Midstate Barrier Inc. 209-944-9565 SBE #: 2021443	\$2,616,541.00



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**Joe Goehring**  
Person to Contact (Please Type or Print)

**Total Claimed Participation** \$2,756,441.00

**916) 283-9950**  
Area Code) Telephone Number

25.42 %

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# Low Bidder

EXHIBIT A  
Contract 05-1Q4704  
Page 8 of 53

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
SMALL BUSINESS ENTERPRISES - COMMITMENT  
OCR-SB01 (NEW 04/2023)

RECEIVED  
CALTRANS  
CONSTRUCTION CONTRACT AWARDS

PAGE 2 OF 4

2023 OCT 30 PM 3: 23  
OCT. 30-23

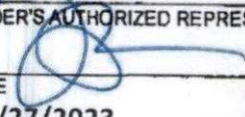
B.10-26

CONTRACT NUMBER 10-1H2804	BID AMOUNT \$10,843,840.00	BID OPENING DATE 10/26/2023
BIDDER NAME Myers & Sons Construction LLC		
<b>SMALL BUSINESS ENTERPRISE INFORMATION</b>		
SMALL BUSINESS NAME Midstate Barrier, Inc.	SMALL BUSINESS CERTIFICATION NUMBER 2021443	
SMALL BUSINESS ADDRESS PO Box 30550 Stockton, CA 95213	SMALL BUSINESS REPRESENTATIVE NAME Dan L. Nicholas	SMALL BUSINESS PHONE NUMBER 209-944-9565
	SMALL BUSINESS EMAIL ADDRESS dnicholas@midstatebarrier.com	
SMALL BUSINESS NAME Safety Striping Service Inc.	SMALL BUSINESS CERTIFICATION NUMBER 14354	
SMALL BUSINESS ADDRESS PO Box 1020 Goshen, CA 93227	SMALL BUSINESS REPRESENTATIVE NAME James Malloy	SMALL BUSINESS PHONE NUMBER 559-651-1022
	SMALL BUSINESS EMAIL ADDRESS james@safetystriping.com	
SMALL BUSINESS NAME	SMALL BUSINESS CERTIFICATION NUMBER	
SMALL BUSINESS ADDRESS	SMALL BUSINESS REPRESENTATIVE NAME	SMALL BUSINESS PHONE NUMBER
		SMALL BUSINESS EMAIL ADDRESS

### BIDDER'S SMALL BUSINESS ENTERPRISES COMMITMENT

Failure to submit signed Small Business Enterprises - Confirmation forms and submit copies of the small business quotes will result in disallowance of the small business's participation. As an authorized representative of the bidder, if the bidder is awarded the contract, the bidder is committed to use the small businesses shown on this form to meet the contract's small business enterprises participation goal.

I certify under penalty of perjury that the foregoing is true and correct.

BIDDER'S AUTHORIZED REPRESENTATIVE SIGNATURE 	BIDDER'S AUTHORIZED REPRESENTATIVE PRINTED NAME Troy J. Peake
DATE 10/27/2023	CONTACT PERSON NAME Joe Goehring
EMAIL ADDRESS CONTACT PERSON estimating@myers-sons.com	PHONE NUMBER CONTACT PERSON (916) 283-9950

Attachments: Small Business Enterprise - Confirmation (OCR-SB-02) form from each small business shown.  
 Small Business Enterprise - Confirmation (OCR-SB-02) form from each small business shown.  
 Quote from each small business shown.

ADA  
Notice

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STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**SMALL BUSINESS ENTERPRISE - CONFIRMATION**  
 OCR-SB02 (NEW 04/2023)

PAGE 1 OF 2

CONTRACT NUMBER <b>10-1H2804</b>		DATE <b>10/26/2023</b>
NAME OF SMALL BUSINESS <b>Midstate Barrier, Inc.</b>		SMALL BUSINESS CERTIFICATION NUMBER <b>2021443</b>
NAME OF SMALL BUSINESS REPRESENTATIVE <b>Dan L. Nicholas</b>		
NAME OF BIDDER <b>Myers &amp; Sons Construction LLC</b>		NAME OF BIDDER REPRESENTATIVE <b>Joe Goehring</b>
<b>SMALL BUSINESS CONFIRMATION</b>		
Bid Item Number	Item of Work <sup>1</sup>	Amount (\$)
18	BID ITEM DESCRIPTION <b>Treated Wood Waste</b>	<b>\$29,000.00</b>
	DESCRIPTION OF PORTION OF WORK SUBCONTRACTED OR MATERIALS TO BE PROVIDED  <b>100%</b>	
53	BID ITEM DESCRIPTION <b>GR Delineator</b>	<b>\$ 8,640.00</b>
	DESCRIPTION OF PORTION OF WORK SUBCONTRACTED OR MATERIALS TO BE PROVIDED  <b>100%</b>	
55	BID ITEM DESCRIPTION <b>Midwest Guardrail -Steel Post</b>	<b>\$142,450.00</b>
	DESCRIPTION OF PORTION OF WORK SUBCONTRACTED OR MATERIALS TO BE PROVIDED  <b>100%</b>	
<b>TOTAL \$</b>		<b>See Attached</b>
<sup>1</sup> If 100% of an item is not to be performed or furnished by the small business, describe the exact portion of the item to be performed or furnished.		
<b>SMALL BUSINESS CERTIFICATION</b>		
As an authorized representative of a certified small business, I confirm that my business was contacted by the bidder shown above regarding the contract shown above. If the bidder is awarded the contract, my business will enter into a contractual agreement with the bidder or prime contractor to perform the type and dollar amount of work shown on the Small Business Enterprise - Commitment form.		
I certify under penalty of perjury that the foregoing is true and correct.		
SIGNATURE OF SMALL BUSINESS AUTHORIZED REPRESENTATIVE <i>Dx</i>		PRINTED NAME OF SMALL BUSINESS AUTHORIZED REPRESENTATIVE <b>Dan L. Nicholas</b>
TITLE OF SMALL BUSINESS AUTHORIZED REPRESENTATIVE <b>Vice President</b>		DATE <b>10/26/2023</b>

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STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**SMALL BUSINESS ENTERPRISE - CONFIRMATION**  
 OCR-SB02 (NEW 04/2023)

PAGE 1 OF 2

CONTRACT NUMBER 10-1H2804		DATE 10/26/2023
NAME OF SMALL BUSINESS Midstate Barrier, Inc.		SMALL BUSINESS CERTIFICATION NUMBER 2021443
NAME OF SMALL BUSINESS REPRESENTATIVE Dan L. Nicholas		
NAME OF BIDDER Myers & Sons Construction LLC		NAME OF BIDDER REPRESENTATIVE Joe Goehring
<b>SMALL BUSINESS CONFIRMATION</b>		
Bid Item Number	Item of Work <sup>1</sup>	Amount (\$)
57	BID ITEM DESCRIPTION Double Midwest Guardrail - Steel Post	\$261,495.00
	DESCRIPTION OF PORTION OF WORK SUBCONTRACTED OR MATERIALS TO BE PROVIDED 100%	
58	BID ITEM DESCRIPTION Trans. Rail (Type WB-31)	\$189,150.00
	DESCRIPTION OF PORTION OF WORK SUBCONTRACTED OR MATERIALS TO BE PROVIDED 100%	
59	BID ITEM DESCRIPTION Alt. In-Line Terminal TL-3	\$ 74,000.00
	DESCRIPTION OF PORTION OF WORK SUBCONTRACTED OR MATERIALS TO BE PROVIDED 100%	
TOTAL \$		See Attached
<p><sup>1</sup>If 100% of an item is not to be performed or furnished by the small business, describe the exact portion of the item to be performed or furnished.</p>		
<b>SMALL BUSINESS CERTIFICATION</b>		
<p>As an authorized representative of a certified small business, I confirm that my business was contacted by the bidder shown above regarding the contract shown above. If the bidder is awarded the contract, my business will enter into a contractual agreement with the bidder or prime contractor to perform the type and dollar amount of work shown on the Small Business Enterprise - Commitment form.</p> <p>I certify under penalty of perjury that the foregoing is true and correct.</p>		
SIGNATURE OF SMALL BUSINESS AUTHORIZED REPRESENTATIVE <i>Dx</i>		PRINTED NAME OF SMALL BUSINESS AUTHORIZED REPRESENTATIVE Dan L. Nicholas
TITLE OF SMALL BUSINESS AUTHORIZED REPRESENTATIVE Vice President		DATE 10/26/2023

ADA  
 Notice

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STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**SMALL BUSINESS ENTERPRISE - CONFIRMATION**  
 OCR-SB02 (NEW 04/2023)

PAGE 1 OF 2

CONTRACT NUMBER 10-1H2804		DATE 10/26/2023
NAME OF SMALL BUSINESS Midstate Barrier, Inc.		SMALL BUSINESS CERTIFICATION NUMBER 2021443
NAME OF SMALL BUSINESS REPRESENTATIVE Dan L. Nicholas		
NAME OF BIDDER Myers & Sons Construction LLC		NAME OF BIDDER REPRESENTATIVE Joe Goehring
<b>SMALL BUSINESS CONFIRMATION</b>		
Bid Item Number	Item of Work <sup>1</sup>	Amount (\$)
60	BID ITEM DESCRIPTION Alt Crash Cushion TL-3	\$597,420.00
	DESCRIPTION OF PORTION OF WORK SUBCONTRACTED OR MATERIALS TO BE PROVIDED  100%	
62	BID ITEM DESCRIPTION REmove Guardrail	\$ 47,530.00
	DESCRIPTION OF PORTION OF WORK SUBCONTRACTED OR MATERIALS TO BE PROVIDED  100%	
72	BID ITEM DESCRIPTION Rail Tensioning Assembly	\$ 13,050.00
	DESCRIPTION OF PORTION OF WORK SUBCONTRACTED OR MATERIALS TO BE PROVIDED  100%	
<b>TOTAL \$</b>		See Attached
<p><sup>1</sup>If 100% of an item is not to be performed or furnished by the small business, describe the exact portion of the item to be performed or furnished.</p>		
<b>SMALL BUSINESS CERTIFICATION</b>		
<p>As an authorized representative of a certified small business, I confirm that my business was contacted by the bidder shown above regarding the contract shown above. If the bidder is awarded the contract, my business will enter into a contractual agreement with the bidder or prime contractor to perform the type and dollar amount of work shown on the Small Business Enterprise - Commitment form.</p> <p>I certify under penalty of perjury that the foregoing is true and correct.</p>		
SIGNATURE OF SMALL BUSINESS AUTHORIZED REPRESENTATIVE <i>Dx</i>		PRINTED NAME OF SMALL BUSINESS AUTHORIZED REPRESENTATIVE Dan L. Nicholas
TITLE OF SMALL BUSINESS AUTHORIZED REPRESENTATIVE Vice President		DATE 10/26/2023

ADA  
 Notice

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STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**SMALL BUSINESS ENTERPRISE - CONFIRMATION**  
 OCR-SB02 (NEW 04/2023)

PAGE 1 OF 2

CONTRACT NUMBER <b>10-1H2804</b>	DATE <b>10/26/2023</b>
NAME OF SMALL BUSINESS <b>Midstate Barrier, Inc.</b>	SMALL BUSINESS CERTIFICATION NUMBER <b>2021443</b>
NAME OF SMALL BUSINESS REPRESENTATIVE <b>Dan L. Nicholas</b>	
NAME OF BIDDER <b>Myers &amp; Sons Construction LLC</b>	NAME OF BIDDER REPRESENTATIVE <b>Joe Goehring</b>

**SMALL BUSINESS CONFIRMATION**

Bid Item Number	Item of Work <sup>1</sup>	Amount (\$)
56	BID ITEM DESCRIPTION <b>Furnish &amp; Place Vegetation Control</b>	<b>\$674,656.00</b>
	DESCRIPTION OF PORTION OF WORK SUBCONTRACTED OR MATERIALS TO BE PROVIDED  90%	
61	BID ITEM DESCRIPTION <b>Furnish &amp; Place Concrete Barrier Transition</b>	<b>\$579,150.00</b>
	DESCRIPTION OF PORTION OF WORK SUBCONTRACTED OR MATERIALS TO BE PROVIDED  40%	
	BID ITEM DESCRIPTION	
	DESCRIPTION OF PORTION OF WORK SUBCONTRACTED OR MATERIALS TO BE PROVIDED	
<b>TOTAL \$</b>		<b>2,616,541.00</b>

<sup>1</sup>If 100% of an item is not to be performed or furnished by the small business, describe the exact portion of the item to be performed or furnished.

**SMALL BUSINESS CERTIFICATION**

As an authorized representative of a certified small business, I confirm that my business was contacted by the bidder shown above regarding the contract shown above. If the bidder is awarded the contract, my business will enter into a contractual agreement with the bidder or prime contractor to perform the type and dollar amount of work shown on the Small Business Enterprise - Commitment form.

I certify under penalty of perjury that the foregoing is true and correct.

SIGNATURE OF SMALL BUSINESS AUTHORIZED REPRESENTATIVE <i>Dx</i>	PRINTED NAME OF SMALL BUSINESS AUTHORIZED REPRESENTATIVE <b>Dan L. Nicholas</b>
TITLE OF SMALL BUSINESS AUTHORIZED REPRESENTATIVE <b>Vice President</b>	DATE <b>10/26/2023</b>

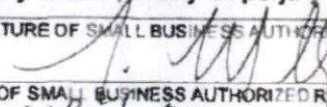
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STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION  
**SMALL BUSINESS ENTERPRISE - CONFIRMATION**  
 OCR-SB02 (NEW 04 2023)

PAGE 1 OF 2

CONTRACT NUMBER <b>10-1H2804</b>		DATE <b>10/27/2023</b>
NAME OF SMALL BUSINESS <b>Safety Striping Service Inc.</b>		SMALL BUSINESS CERTIFICATION NUMBER
NAME OF SMALL BUSINESS REPRESENTATIVE <b>James Malloy</b>		
NAME OF BIDDER <b>Myers &amp; Sons Construction LLC</b>		NAME OF BIDDER REPRESENTATIVE <b>Joe Goehring</b>
<b>SMALL BUSINESS CONFIRMATION</b>		
Bid Item Number	Item of Work <sup>1</sup>	Amount (\$)
1	BID ITEM DESCRIPTION <b>Lead Compliance Plan</b>	\$ 2,000.00
	DESCRIPTION OF PORTION OF WORK SUBCONTRACTED OR MATERIALS TO BE PROVIDED  100%	
54	BID ITEM DESCRIPTION <b>Pavement Marker (Retroreflective)</b>	\$ 4,200.00
	DESCRIPTION OF PORTION OF WORK SUBCONTRACTED OR MATERIALS TO BE PROVIDED  100%	
63	BID ITEM DESCRIPTION <b>6" Thermo Stripe (EWNV) Broken 36-12</b>	\$ 11,325.00
	DESCRIPTION OF PORTION OF WORK SUBCONTRACTED OR MATERIALS TO BE PROVIDED  100%	
<b>TOTAL \$</b>		<b>See Attached</b>
If 100% of an item is not to be performed or furnished by the small business, describe the exact portion of the item to be performed or furnished.		
<b>SMALL BUSINESS CERTIFICATION</b>		
As an authorized representative of a certified small business, I confirm that my business was contacted by the bidder shown above regarding the contract shown above. If the bidder is awarded the contract, my business will enter into a contractual agreement with the bidder or prime contractor to perform the type and dollar amount of work shown on the Small Business Enterprise - Commitment form.		
I certify under penalty of perjury that the foregoing is true and correct.		
SIGNATURE OF SMALL BUSINESS AUTHORIZED REPRESENTATIVE 		PRINTED NAME OF SMALL BUSINESS AUTHORIZED REPRESENTATIVE <b>James Malloy</b>
TITLE OF SMALL BUSINESS AUTHORIZED REPRESENTATIVE <b>VP of Ops</b>		DATE <b>10/27/23</b>

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STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION  
**SMALL BUSINESS ENTERPRISE - CONFIRMATION**  
 OCR-SB02 (NEW 04 2023)

CONTRACT NUMBER <b>10-1H2804</b>		DATE <b>10/27/2023</b>
NAME OF SMALL BUSINESS <b>Safety Striping Service Inc.</b>		SMALL BUSINESS CERTIFICATION NUMBER
NAME OF SMALL BUSINESS REPRESENTATIVE <b>James Malloy</b>		
NAME OF BIDDER <b>Myers &amp; Sons Construction LLC</b>		NAME OF BIDDER REPRESENTATIVE <b>Joe Goehring</b>

**SMALL BUSINESS CONFIRMATION**

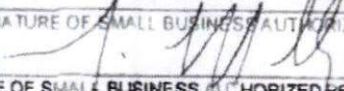
Bid Item Number	Item of Work <sup>1</sup>	Amount (\$)
64	BID ITEM DESCRIPTION <b>6" Thermo Stripe (EWNV)</b>	\$ 23,125.00
	DESCRIPTION OF PORTION OF WORK SUBCONTRACTED OR MATERIALS TO BE PROVIDED  <b>100%</b>	
65	BID ITEM DESCRIPTION <b>Contrast Stripe Paint (1-Coat)</b>	\$ 7,470.00
	DESCRIPTION OF PORTION OF WORK SUBCONTRACTED OR MATERIALS TO BE PROVIDED  <b>100%</b>	
66	BID ITEM DESCRIPTION <b>6" Traffic Stripe Tape (Warranty)</b>	\$ 34,720.00
	DESCRIPTION OF PORTION OF WORK SUBCONTRACTED OR MATERIALS TO BE PROVIDED  <b>100%</b>	
<b>TOTAL \$</b>		<b>See Attached</b>

<sup>1</sup>If 100% of an item is not to be performed or furnished by the small business, describe the exact portion of the item to be performed or furnished.

**SMALL BUSINESS CERTIFICATION**

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I certify under penalty of perjury that the foregoing is true and correct.

SIGNATURE OF SMALL BUSINESS AUTHORIZED REPRESENTATIVE 	PRINTED NAME OF SMALL BUSINESS AUTHORIZED REPRESENTATIVE <b>James Malloy</b>
TITLE OF SMALL BUSINESS AUTHORIZED REPRESENTATIVE <b>VP of Ops</b>	DATE <b>10/27/23</b>

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STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION  
**SMALL BUSINESS ENTERPRISE - CONFIRMATION**  
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CONTRACT NUMBER <b>10-1H2804</b>	DATE <b>10/27/2023</b>
NAME OF SMALL BUSINESS <b>Safety Striping Service Inc.</b>	SMALL BUSINESS CERTIFICATION NUMBER
NAME OF SMALL BUSINESS REPRESENTATIVE <b>James Malloy</b>	
NAME OF BIDDER <b>Myers &amp; Sons Construction LLC</b>	NAME OF BIDDER REPRESENTATIVE <b>Joe Goehrin</b>

**SMALL BUSINESS CONFIRMATION**

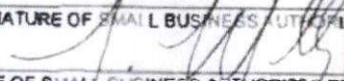
Bid Item Number	Item of Work <sup>1</sup>	Amount (\$)
67	BID ITEM DESCRIPTION <b>6" Traffic Stripe Tape w/Contrast (Warranty)</b>	\$ 44,820.00
	DESCRIPTION OF PORTION OF WORK SUBCONTRACTED OR MATERIALS TO BE PROVIDED <b>100%</b>	
68	BID ITEM DESCRIPTION <b>6" Traffic Stripe Tape w/Contrast (Warranty) Br 36-12</b>	\$ 12,240.00
	DESCRIPTION OF PORTION OF WORK SUBCONTRACTED OR MATERIALS TO BE PROVIDED <b>100%</b>	
	BID ITEM DESCRIPTION	
	DESCRIPTION OF PORTION OF WORK SUBCONTRACTED OR MATERIALS TO BE PROVIDED	
<b>TOTAL \$</b>		<b>139,900.00</b>

<sup>1</sup>If 100% of an item is not to be performed or furnished by the small business, describe the exact portion of the item to be performed or furnished.

**SMALL BUSINESS CERTIFICATION**

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I certify under penalty of perjury that the foregoing is true and correct.

SIGNATURE OF SMALL BUSINESS AUTHORIZED REPRESENTATIVE 	PRINTED NAME OF SMALL BUSINESS AUTHORIZED REPRESENTATIVE <b>James Malloy</b>
TITLE OF SMALL BUSINESS AUTHORIZED REPRESENTATIVE <b>VP of Ops</b>	DATE <b>10/27/23</b>

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**CALTRANS**  
**STATE OF CALIFORNIA**  
**DEPARTMENT OF TRANSPORTATION**  
**BID**

FOR CONSTRUCTION ON STATE HIGHWAY IN  
STANISLAUS COUNTY IN AND NEAR PATTERSON AT VARIOUS  
LOCATIONS FROM FINK ROAD UNDERCROSSING TO KHALSA ROAD  
UNDERCROSSING  
In District 10 On Route 5

**UNDER**

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*Notice to Bidders and Special Provisions* dated September 18, 2023

Project plans approved May 08, 2023

*Standard Specifications* dated 2023

*Standard Plans* dated 2023

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Identified by

Contract No. 10-1H2804

10-Sta-5-10.7/25.5

Project ID 1017000190

**Electronic Bidding Contract**

Bids open Thursday, October 26, 2023

Dated September 18, 2023



**STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
BID TO THE DEPARTMENT OF TRANSPORTATION  
DES-OE-0102.1 (REV 1/13/2017)**

NAME OF BIDDER Myers & Sons Construction, LLC

BUSINESS STREET ADDRESS 45 Morrison Avenue

CITY, STATE, ZIP Sacramento, CA, 95838

TELEPHONE NO. with AREA CODE 916-283-9950

FAX NO. with AREA CODE 916-614-9520

CONTRACTOR LICENSE NO. 1033752

PUBLIC WORKS CONTRACTOR REGISTRATION NO. 1000054678

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 or permanent erosion control 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 or permanent erosion control establishment period, Bidder additionally agrees to perform the non-establishment work within the number of working days bid for non-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-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 omitted, or the same as the item total, the 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 omitted, the bid may be determined nonresponsive. If a lump sum total price 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 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: 2

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

Electronic 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



Bidder: Myers & Sons Construction, LLC

5.4 Termination of the Contract

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

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PRINTED NAME AND TITLE OF PERSON SIGNING

ITEM NUMBER	ITEM CODE	QUANTITY	UNIT OF MEASURE	UNIT PRICE	ITEM TOTAL
BID ITEM LIST 1					
BID ITEM LIST					
0001	070030	1.000	LS	\$2,000.00	\$2,000.00
	LEAD COMPLIANCE PLAN				
0002	080060	1.000	LS	\$4,000.00	\$4,000.00
	LEVEL 2 CRITICAL PATH METHOD SCHEDULE				
0003	090100	145.000	WDAY	\$3,250.00	\$471,250.00
	TIME-RELATED OVERHEAD (WDAY)				
0004	090200	5.000	EA	\$2,000.00	\$10,000.00
	DISPUTE RESOLUTION ADVISOR ON-SITE MEETING				
0005	090207	50.000	HR	\$200.00	\$10,000.00
	HOURLY OFF-SITE DISPUTE-RESOLUTION-ADVISOR-RELATED TASKS				
0006	120090	1.000	LS	\$11,000.00	\$11,000.00
	CONSTRUCTION AREA SIGNS				
0007	120100	1.000	LS	\$693,000.00	\$693,000.00
	TRAFFIC CONTROL SYSTEM				
0008	120103	150.000	DAY	\$415.00	\$62,250.00
	STATIONARY IMPACT ATTENUATOR VEHICLE				
0009	120204	150.000	EA	\$200.00	\$30,000.00
	PORTABLE RADAR SPEED FEEDBACK SIGN SYSTEM DAY				
0010	128652	1.000	LS	\$24,000.00	\$24,000.00
	PORTABLE CHANGEABLE MESSAGE SIGN (LS)				
0011	130100	1.000	LS	\$4,577.50	\$4,577.50
	JOB SITE MANAGEMENT				
0012	130201	1.000	LS	\$1,500.00	\$1,500.00
	WATER POLLUTION CONTROL PROGRAM				
0013	130620	1.000	EA	\$300.00	\$300.00
	TEMPORARY DRAINAGE INLET PROTECTION				
0014	130640	7510.000	LF	\$4.00	\$30,040.00
	TEMPORARY FIBER ROLL				
0015	130730	1.000	LS	\$25,000.00	\$25,000.00
	STREET SWEEPING				
0016	130900	1.000	LS	\$8,000.00	\$8,000.00
	TEMPORARY CONCRETE WASHOUT				
0017	140003	1.000	LS	\$5,000.00	\$5,000.00
	ASBESTOS COMPLIANCE PLAN				
0018	141120	145000.000	LB	\$0.20	\$29,000.00
	TREATED WOOD WASTE				
0019	192020	312.000	CY	\$200.00	\$62,400.00
	(F) - STRUCTURE EXCAVATION (TYPE D)				
0020	193003	306.000	CY	\$115.00	\$35,190.00
	(F) - STRUCTURE BACKFILL (BRIDGE)				
0021	198010	240.000	CY	\$300.00	\$72,000.00
	IMPORTED BORROW (CY)				
0022	210212	63200.000	SQFT	\$0.10	\$6,320.00
	DRY SEED (SQFT)				
0023	210350	9680.000	LF	\$4.00	\$38,720.00



FIBER ROLLS

0024	210610	200.000 CY	\$118.00	\$23,600.00
	COMPOST (CY)			
0025	390132	2810.000 TON	\$280.00	\$786,800.00
	HOT MIX ASPHALT (TYPE A)			
0026	394074	5380.000 LF	\$5.00	\$26,900.00
	PLACE HOT MIX ASPHALT DIKE (TYPE C)			
0027	397005	8.000 TON	\$1,500.00	\$12,000.00
	TACK COAT			
0028	398200	16600.000 SQYD	\$11.00	\$182,600.00
	COLD PLANE ASPHALT CONCRETE PAVEMENT			
0029	420203	4938.000 SQYD	\$34.00	\$167,892.00
	GRIND EXISTING BRIDGE DECK			
0030	480300	1.000 LS	\$250,000.00	\$250,000.00
	TEMPORARY SUPPORT			
0031	510081	45.000 CY	\$500.00	\$22,500.00
	AGGREGATE BASE (APPROACH SLAB)			
0032	510087	446.000 CY	\$2,100.00	\$936,600.00
	STRUCTURAL CONCRETE, APPROACH SLAB (TYPE R)			
0033	048460	12.000 CY	\$2,900.00	\$34,800.00
	STRUCTURAL CONCRETE, BRIDGE (REPAIR) (CY)			
0034	510800	214.000 CF	\$300.00	\$64,200.00
	PAVING NOTCH EXTENSION			
0035	511118	1335.000 LF	\$44.00	\$58,740.00
	CLEAN EXPANSION JOINT			
0036	519081	1621.000 LF	\$48.00	\$77,808.00
	JOINT SEAL (MR 1/2")			
0037	048539	79.000 SQYD	\$95.00	\$7,505.00
	WELDED WIRE REINFORCEMENT (EPOXY COATED)			
0038	600001	1.000 LS	\$6,000.00	\$6,000.00
	PUBLIC SAFETY PLAN			
0039	600011	298.000 CF	\$215.00	\$64,070.00
	RAPID SETTING CONCRETE (PATCH)			
0040	600033	415.000 CF	\$235.00	\$97,525.00
	REMOVE UNSOUND CONCRETE			
0041	600037	124919.000 SQFT	\$0.50	\$62,459.50
	PREPARE CONCRETE BRIDGE DECK SURFACE			
0042	600041	10506.000 CF	\$100.00	\$1,050,600.00
	FURNISH POLYESTER CONCRETE OVERLAY			
0043	600043	113990.000 SQFT	\$4.00	\$455,960.00
	(F) - PLACE POLYESTER CONCRETE OVERLAY			
0044	600045	10929.000 SQFT	\$2.00	\$21,858.00
	(F) - TREAT BRIDGE DECK			
0045	600047	122.000 GAL	\$70.00	\$8,540.00
	FURNISH BRIDGE DECK TREATMENT MATERIAL			
0046	604100	360.000 EA	\$28.00	\$10,080.00
	GALVANIC ANODES			
0047	690117	140.000 LF	\$215.00	\$30,100.00
	18" CORRUGATED STEEL PIPE DOWNDRAIN (.079" THICK)			
0048	692007	1.000 EA	\$4,000.00	\$4,000.00

Item ID	Description	Quantity	Unit	Price	Total
	18" ENTRANCE TAPER				
0049	692307	12.000	EA	\$300.00	\$3,600.00
	18" ANCHOR ASSEMBLY				
0050	705011	1.000	EA	\$3,000.00	\$3,000.00
	18" STEEL FLARED END SECTION				
0051	723080	13.000	CY	\$600.00	\$7,800.00
	ROCK SLOPE PROTECTION (60 LB, CLASS II, METHOD B) (CY)				
0052	729011	7.000	SQYD	\$150.00	\$1,050.00
	ROCK SLOPE PROTECTION FABRIC (CLASS 8)				
0053	810190	360.000	EA	\$24.00	\$8,640.00
	GUARD RAILING DELINEATOR				
0054	810230	420.000	EA	\$10.00	\$4,200.00
	PAVEMENT MARKER (RETROREFLECTIVE)				
0055	832006	4070.000	LF	\$35.00	\$142,450.00
	MIDWEST GUARDRAIL SYSTEM (STEEL POST)				
0056	832070	9280.000	SQYD	\$80.00	\$742,400.00
	VEGETATION CONTROL (MINOR CONCRETE)				
0057	839219	4470.000	LF	\$58.50	\$261,495.00
	DOUBLE MIDWEST GUARDRAIL SYSTEM (STEEL POST)				
0058	839543	39.000	EA	\$4,850.00	\$189,150.00
	TRANSITION RAILING (TYPE WB-31)				
0059	015299	20.000	EA	\$3,700.00	\$74,000.00
	ALTERNATIVE IN-LINE TERMINAL TL-3				
0060	015019	18.000	EA	\$33,190.00	\$597,420.00
	ALTERNATIVE CRASH CUSHION TL-3				
0061	839745	585.000	LF	\$2,500.00	\$1,462,500.00
	(F) - CONCRETE BARRIER TRANSITION				
0062	839752	6790.000	LF	\$7.00	\$47,530.00
	REMOVE GUARDRAIL				
0063	840623	4530.000	LF	\$2.50	\$11,325.00
	6" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY) (BROKEN 36-12)				
0064	846007	9250.000	LF	\$2.50	\$23,125.00
	6" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY)				
0065	847194	2490.000	LF	\$3.00	\$7,470.00
	CONTRAST STRIPE PAINT (1-COAT)				
0066	847210	2480.000	LF	\$14.00	\$34,720.00
	6" TRAFFIC STRIPE TAPE (WARRANTY)				
0067	847218	2490.000	LF	\$18.00	\$44,820.00
	6" TRAFFIC STRIPE TAPE WITH CONTRAST (WARRANTY)				
0068	847222	2040.000	LF	\$6.00	\$12,240.00
	6" TRAFFIC STRIPE TAPE WITH CONTRAST (WARRANTY) (BROKEN 36-12)				
0069	870009	1.000	LS	\$3,000.00	\$3,000.00
	MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION				
0070	000001	1.000	LS	\$0.00	\$0.00
	ITEM DELETED PER ADDENDUM				
0071	394090	10.000	SQYD	\$17.00	\$170.00
	PLACE HOT MIX ASPHALT (MISCELLANEOUS AREA)				
0072	839561	18.000	EA	\$725.00	\$13,050.00
	RAIL TENSIONING ASSEMBLY				
0073	999990	1.000	LS	\$1,050,000.00	\$1,050,000.00



MOBILIZATION

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Section 1 Total	\$10,843,840.00
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Item Total	\$10,843,840.00
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**STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
SUBCONTRACTOR LIST  
DES-OE-0102.2C (REV. 3/2015)**

Enter Bid Item Number. (Item)

Enter percent of Bid Item subcontracted. (%)

If the percentage of the bid item work is less than 100 percent, list the description of the portion of the work to be subcontracted. Enter the description of the percentage of work to be performed by subcontractor. (Description)

DO NOT USE SEMICOLONS (;) IN YOUR INPUT.

Sample Data Entry:

Item	%	Description
6	75	striping
42	15	reinforcement
54	100	

1) List this subcontractor?  YES  NO  
 Business Name Austin Enterprise Location City Bakersfield State CA  
 California Contractor License Number 764893 Public Works Contractor Registration  
 Number 1000001896

Portion of Work Subcontracted

Item	%	Description
32	6	Sawcutting
73	0.5	Mobilization for their work

2) List this subcontractor?  YES  NO  
 Business Name ABSL Construction Location City Hayward State CA  
 California Contractor License Number 621781 Public Works Contractor Registration  
 Number 1000002818

Portion of Work Subcontracted

Item	%	Description
29	66	Grind and Remove Existing Bridge Deck

3) List this subcontractor?  YES  NO  
 Business Name Midstate Barrier Inc Location City Stockton State CA  
 California Contractor License Number 529261 Public Works Contractor Registration  
 Number 1000000538

Portion of Work Subcontracted

Item	%	Description
18	100	Items 18, 53, 55, 57-60, 62, 72
56	90	Furnish and Place Vegetation Control
61	40	Furnish and Place Concrete Barrier Transition

4) List this subcontractor?  YES  NO  
 Business Name QA Constructors Location City San Francisco State CA  
 California Contractor License Number 1013265 Public Works Contractor Registration  
 Number 1000047727



Bidder: Myers & Sons Construction, LLC

Portion of Work Subcontracted		Description
Item	%	
21	100	Items 21, 25, 26, 27, 28, 71
73	10	Mobilization for their work

5) List this subcontractor?  YES  NO  
 Business Name Camblin Steel Location City Roseville State CA  
 California Contractor License Number 218839 Public Works Contractor Registration Number 1000003852

Portion of Work Subcontracted		Description
Item	%	
32	13	Rebar
34	3	Rebar

6) List this subcontractor?  YES  NO  
 Business Name Green Growth Industries Location City Sacramento State CA  
 California Contractor License Number 662718 Public Works Contractor Registration Number 1000004803

Portion of Work Subcontracted		Description
Item	%	
22	100	Items 22-24
14	100	

7) List this subcontractor?  YES  NO  
 Business Name Safety Striping Service Inc Location City Goshen State CA  
 California Contractor License Number 308669 Public Works Contractor Registration Number 1000001574

Portion of Work Subcontracted		Description
Item	%	
1	100	Items 1, 54, 63, 64, 65, 66, 67, 68

8) List this subcontractor?  YES  NO  
 Business Name Location City State  
 California Contractor License Number Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item % Description

9) List this subcontractor?  YES  NO  
 Business Name Location City State  
 California Contractor License Number Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item % Description

10) List this subcontractor?  YES  NO  
 Business Name Location City State  
 California Contractor License Number Public Works Contractor Registration Number

Bidder: Myers & Sons Construction, LLC

Portion of Work Subcontracted		
Item	%	Description

11) List this subcontractor?  YES  NO  
 Business Name    Location City    State  
 California Contractor License Number    Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                    %                    Description

12) List this subcontractor?  YES  NO  
 Business Name    Location City    State  
 California Contractor License Number    Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                    %                    Description

13) List this subcontractor?  YES  NO  
 Business Name    Location City    State  
 California Contractor License Number    Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                    %                    Description

14) List this subcontractor?  YES  NO  
 Business Name    Location City    State  
 California Contractor License Number    Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                    %                    Description

15) List this subcontractor?  YES  NO  
 Business Name    Location City    State  
 California Contractor License Number    Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                    %                    Description

16) List this subcontractor?  YES  NO  
 Business Name    Location City    State  
 California Contractor License Number    Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                    %                    Description



17) List this subcontractor?  YES  NO  
 Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

18) List this subcontractor?  YES  NO  
 Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

19) List this subcontractor?  YES  NO  
 Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

20) List this subcontractor?  YES  NO  
 Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

21) List this subcontractor?  YES  NO  
 Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

22) List this subcontractor?  YES  NO  
 Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

23) List this subcontractor?  YES  NO  
 Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

24) List this subcontractor?  YES  NO  
 Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

25) List this subcontractor?  YES  NO  
 Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

26) List this subcontractor?  YES  NO  
 Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

27) List this subcontractor?  YES  NO  
 Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

28) List this subcontractor?  YES  NO  
 Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

29) List this subcontractor?  YES  NO



Bidder: Myers & Sons Construction, LLC

Business Name	Location	City	State	
California Contractor License Number				Public Works Contractor Registration Number
Portion of Work Subcontracted				
Item	%			Description

30) List this subcontractor?  YES  NO

Business Name	Location	City	State	
California Contractor License Number				Public Works Contractor Registration Number
Portion of Work Subcontracted				
Item	%			Description

31) List this subcontractor?  YES  NO

Business Name	Location	City	State	
California Contractor License Number				Public Works Contractor Registration Number
Portion of Work Subcontracted				
Item	%			Description

32) List this subcontractor?  YES  NO

Business Name	Location	City	State	
California Contractor License Number				Public Works Contractor Registration Number
Portion of Work Subcontracted				
Item	%			Description

33) List this subcontractor?  YES  NO

Business Name	Location	City	State	
California Contractor License Number				Public Works Contractor Registration Number
Portion of Work Subcontracted				
Item	%			Description

34) List this subcontractor?  YES  NO

Business Name	Location	City	State	
California Contractor License Number				Public Works Contractor Registration Number
Portion of Work Subcontracted				
Item	%			Description

35) List this subcontractor?  YES  NO

Business Name	Location	City	State	
California Contractor License Number				Public Works Contractor Registration Number
Portion of Work Subcontracted				

- | Item   | % | Description |
|--|---|-------------|
| 36) List this subcontractor? <input type="radio"/> YES <input type="radio"/> NO<br>Business Name    Location City    State<br>California Contractor License Number                      Public Works Contractor Registration Number<br>Portion of Work Subcontracted<br>Item                      %                      Description |   |             |
| 37) List this subcontractor? <input type="radio"/> YES <input type="radio"/> NO<br>Business Name    Location City    State<br>California Contractor License Number                      Public Works Contractor Registration Number<br>Portion of Work Subcontracted<br>Item                      %                      Description |   |             |
| 38) List this subcontractor? <input type="radio"/> YES <input type="radio"/> NO<br>Business Name    Location City    State<br>California Contractor License Number                      Public Works Contractor Registration Number<br>Portion of Work Subcontracted<br>Item                      %                      Description |   |             |
| 39) List this subcontractor? <input type="radio"/> YES <input type="radio"/> NO<br>Business Name    Location City    State<br>California Contractor License Number                      Public Works Contractor Registration Number<br>Portion of Work Subcontracted<br>Item                      %                      Description |   |             |
| 40) List this subcontractor? <input type="radio"/> YES <input type="radio"/> NO<br>Business Name    Location City    State<br>California Contractor License Number                      Public Works Contractor Registration Number<br>Portion of Work Subcontracted<br>Item                      %                      Description |   |             |
| 41) List this subcontractor? <input type="radio"/> YES <input type="radio"/> NO<br>Business Name    Location City    State<br>California Contractor License Number                      Public Works Contractor Registration Number<br>Portion of Work Subcontracted<br>Item                      %                      Description |   |             |



42) List this subcontractor?  YES  NO  
 Business Name    Location City    State  
 California Contractor License Number                      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

43) List this subcontractor?  YES  NO  
 Business Name    Location City    State  
 California Contractor License Number                      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

44) List this subcontractor?  YES  NO  
 Business Name    Location City    State  
 California Contractor License Number                      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

45) List this subcontractor?  YES  NO  
 Business Name    Location City    State  
 California Contractor License Number                      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

46) List this subcontractor?  YES  NO  
 Business Name    Location City    State  
 California Contractor License Number                      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

47) List this subcontractor?  YES  NO  
 Business Name    Location City    State  
 California Contractor License Number                      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

48) List this subcontractor?  YES  NO  
 Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                    %                    Description

49) List this subcontractor?  YES  NO  
 Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                    %                    Description

50) List this subcontractor?  YES  NO  
 Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                    %                    Description

51) List this subcontractor?  YES  NO  
 Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                    %                    Description

52) List this subcontractor?  YES  NO  
 Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                    %                    Description

53) List this subcontractor?  YES  NO  
 Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                    %                    Description

54) List this subcontractor?  YES  NO  
 Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number



Portion of Work Subcontracted  
Item % Description

55) List this subcontractor?  YES  NO  
Business Name Location City State  
California Contractor License Number Public Works Contractor Registration Number  
Portion of Work Subcontracted  
Item % Description

56) List this subcontractor?  YES  NO  
Business Name Location City State  
California Contractor License Number Public Works Contractor Registration Number  
Portion of Work Subcontracted  
Item % Description

57) List this subcontractor?  YES  NO  
Business Name Location City State  
California Contractor License Number Public Works Contractor Registration Number  
Portion of Work Subcontracted  
Item % Description

58) List this subcontractor?  YES  NO  
Business Name Location City State  
California Contractor License Number Public Works Contractor Registration Number  
Portion of Work Subcontracted  
Item % Description

59) List this subcontractor?  YES  NO  
Business Name Location City State  
California Contractor License Number Public Works Contractor Registration Number  
Portion of Work Subcontracted  
Item % Description

60) List this subcontractor?  YES  NO  
Business Name Location City State  
California Contractor License Number Public Works Contractor Registration Number  
Portion of Work Subcontracted  
Item % Description

**STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
REQUEST FOR SMALL BUSINESS PREFERENCE OR NON-SMALL BUSINESS PREFERENCE  
DES-OE-0102.7 (NEW 2/2010)**

COMPLETE ONE OF THE FOLLOWING:

\* SMALL BUSINESS PREFERENCE

The undersigned small business preference and certifies, under penalty of perjury, that the firm meets the requirements of 2 CA Code of Regs 1896 et seq. and is certified as a small business at the time and day of bid opening or has submitted a complete application to the Department of General Services (DGS) and is subsequently certified. The complete application and any required substantiating documentation must be received by DGS by 5:00 p.m. on bid opening date.

Small Business Certification (Reference) Number

Date:

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

\* NON-SMALL BUSINESS PREFERENCE

The undersigned requests non-small business preference and notifies the Department on the Certified Small Business Listing for the Non-Small Business Preference form that it commits to subcontract at least 25 percent of its bid amount with one or more firms that meets the requirements of 2 CA Code of Regs 1896 et seq. and the firms are certified as small businesses at the time and day of bid opening or have submitted a complete application and are subsequently certified by the Department of General Services (DGS). The complete application and any required substantiating documentation must be received by DGS by 5:00 p.m. on bid opening date. List these firms on the Certified Small Business Listing for the Non-Small Business Preference form.

Date: 10/26/23

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



Bidder: Myers & Sons Construction, LLC

**STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
CALIFORNIA COMPANY PREFERENCE  
DES-OE-0102.9 (NEW 11/2008)**

This form must be completed by all bidders. Failure of a non-California company to fill out and sign this form may be cause for rejection of its bid. Eligibility for a reciprocal preference for a California company is waived if the California company fails to complete and sign this form under penalty of perjury.

The undersigned certifies that it is a "California company" as defined in Pub Cont Code §6107 and meets one of the following (check appropriate box and enter requested information):

I am a California company which has its principal place of business in California.

or

I am a California company which has its principal place of business in a state in which there is no local contractor preference on construction contracts.

Name of State \_\_\_\_\_

or

I am a California company which has its principal place of business in a state in which there is a local contractor preference and my company has paid not less than \$5,000 in sales or use taxes to California for construction related activity for each of the 5 years immediately preceding the submission of the bid.

Name of State \_\_\_\_\_

California Sales or Use Tax No. \_\_\_\_\_

or

**The undersigned certifies that it is not a "California Company."**

I am not a California company. My principal place of business is in: (Enter state or country)

Describe any and all bid preferences provided to your company by the state or country in which your company has its principal place of business.

Describe \_\_\_\_\_

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: \_\_\_\_\_

Signature of Bidder: \_\_\_\_\_

Bidder: Myers & Sons Construction, LLC

**STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
OPT OUT OF PAYMENT ADJUSTMENTS FOR PRICE INDEX FLUCTUATIONS  
DES-OE-01012.a (REV 8/2012)**

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 of Bidder: \_\_\_\_\_



Bidder: Myers & Sons Construction, LLC

**STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
CERTIFIED DVBE SUMMARY  
DES-OE-0102.5 (REV 3/2008)**

DVBE Prime Contractor certification:

Contact Person:

(Type or Print)

(Area Code) Telephone Number:

Total Claimed Participation \$

Total Claimed Participation %

Submit to:

MS 43  
Office Engineer  
Department of Transportation  
1727 30th Street  
Sacramento, CA 95816-7005

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

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

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

Bid Item Number:

Description of Work to Be Subcontracted to DVBE or Materials to be Supplied by DVBE:

DVBE Name: DVBE Telephone Number:

DVBE Certification Number: \$ Amount:

Bid Item Number:

Description of Work to Be Subcontracted to DVBE or Materials to be Supplied by DVBE:

DVBE Name: DVBE Telephone Number:

DVBE Certification Number: \$ Amount:

Bid Item Number:

Description of Work to Be Subcontracted to DVBE or Materials to be Supplied by DVBE:

DVBE Name: DVBE Telephone Number:

DVBE Certification Number: \$ Amount:

Bidder: Myers & Sons Construction, LLC

Bid Item Number:

Description of Work to Be Subcontracted to DVBE or Materials to be Supplied by DVBE:

DVBE Name: DVBE Telephone Number:

DVBE Certification Number: \$ Amount:

Bid Item Number:

Description of Work to Be Subcontracted to DVBE or Materials to be Supplied by DVBE:

DVBE Name: DVBE Telephone Number:

DVBE Certification Number: \$ Amount:

Bid Item Number:

Description of Work to Be Subcontracted to DVBE or Materials to be Supplied by DVBE:

DVBE Name: DVBE Telephone Number:

DVBE Certification Number: \$ Amount:

Bid Item Number:

Description of Work to Be Subcontracted to DVBE or Materials to be Supplied by DVBE:

DVBE Name: DVBE Telephone Number:

DVBE Certification Number: \$ Amount:

Bid Item Number:

Description of Work to Be Subcontracted to DVBE or Materials to be Supplied by DVBE:

DVBE Name: DVBE Telephone Number:

DVBE Certification Number: \$ Amount:

Bid Item Number:

Description of Work to Be Subcontracted to DVBE or Materials to be Supplied by DVBE:

DVBE Name: DVBE Telephone Number:

DVBE Certification Number: \$ Amount:



**STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
CERTIFIED SMALL BUSINESS LISTING FOR THE NON-SMALL BUSINESS PREFERENCE  
OBEO-0011 (REV 04/2019)**

List the description of work, name, telephone number, certification number, and dollar amount of each certified small business who will be employed on this project. Per, Section 2-1.18c of the 2018 Revised Standard Specifications, failure to submit a completed Certified Small Business Listing for the Non-Small Business Preference form by 4 p.m. on the 2nd business day after bid opening will result in a nonresponsive bid. Attach additional sheets if necessary.

Submit to:

MS 43  
Office Engineer  
Department of Transportation  
1727 30th Street  
Sacramento, CA 95816-7005

Person to contact

(Area Code) Telephone Number

Total Claimed Participation: \$ \_\_\_\_\_  
% of Contract

Bid Item Number:  
Description of Work, Service, or Materials:  
Certified Small Business Name: Telephone No. :  
Certification No. : \$ Amount :

Bid Item Number:  
Description of Work, Service, or Materials:  
Certified Small Business Name: Telephone No. :  
Certification No. : \$ Amount :

Bid Item Number:  
Description of Work, Service, or Materials:  
Certified Small Business Name: Telephone No. :  
Certification No. : \$ Amount :

Bid Item Number:  
Description of Work, Service, or Materials:  
Certified Small Business Name: Telephone No. :  
Certification No. : \$ Amount :

Bid Item Number:  
Description of Work, Service, or Materials:  
Certified Small Business Name: Telephone No. :  
Certification No. : \$ Amount :

Bid Item Number:

Description of Work, Service, or Materials:  
Certified Small Business Name: Telephone No. :  
Certification No. : \$ Amount :

Bid Item Number:  
Description of Work, Service, or Materials:  
Certified Small Business Name: Telephone No. :  
Certification No. : \$ Amount :

Bid Item Number:  
Description of Work, Service, or Materials:  
Certified Small Business Name: Telephone No. :  
Certification No. : \$ Amount :



**STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
CERTIFICATIONS****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 Sacramento

Name: Clinton Myers ,  
being first duly sworn, deposes and says that he or she is President of Myers & Sons Construction, LLC  
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

**Executive Order N-6-22 - Russia Sanctions**

On March 4, 2022, Governor Gavin Newsom issued Executive Order N-6-22 (the EO) regarding Economic Sanctions against Russia and Russian entities and individuals. "Economic Sanctions" refers to sanctions imposed by the U.S. government in response to Russia's actions in Ukraine, as well as any sanctions imposed under state law unless the contract has been Federalized (i.e. there is federal participation in any phase). By submitting a bid or proposal, Contractor represents that it is not a target of Economic Sanctions. Should the State determine Contractor is a target of Economic Sanctions or is conducting prohibited transactions with sanctioned individuals or entities,



that shall be grounds for rejection of the Contractor's bid/proposal any time prior to contract execution, or, if determined after contract execution, shall be grounds for termination by the State.

END CERTIFICATIONS - STATE

### Bidder's Bond

DES-OE-0102.3 (REV 3/2008)

Bidder's Security: Electronic Bidder's Bond

If electronic Bid Bond data is not submitted with bid, submit Bidder's Security. Bidder's Security must be received by Office Engineer before bid opening date and time. Bid Bond forms can be downloaded from the Caltrans Electronic Bidding website at: [http://www.dot.ca.gov/hq/esc/oe/electronic\\_bidding/electronic\\_bidding.html](http://www.dot.ca.gov/hq/esc/oe/electronic_bidding/electronic_bidding.html). Bid Bond forms are also the last 2 pages of the printout of the electronic bid.

Bond ID: SCA10185150

Bond Registry: Surety2000

Bond Percent: 10



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

Contract No. 10-1H2804

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 STANISLAUS COUNTY IN AND NEAR PATTERSON AT VARIOUS LOCATIONS FROM FINK ROAD UNDERCROSSING TO KHALSA ROAD UNDERCROSSING

In District 10 On Route 5 for which bids are to be opened at 1727 30th Street, Sacramento CA 95816 on Thursday, October 26, 2023

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 \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
*Principal*

\_\_\_\_\_  
*Surety*

\_\_\_\_\_  
Address of Surety (For correspondence or claims)

By \_\_\_\_\_

*Attorney-in-Fact*

**CALIFORNIA ALL-PURPOSE 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 \_\_\_\_\_

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



## Bid Bond in Accordance with Contract Specifications

SCA10185150	Myers & Sons Construction, LLC
Bond Number	Principal Name
45 Morrison Ave, Sacramento, CA, 95838, US	
Principal Address	Principal Signature
State of California, Department of Transportation	1727 30th Street, Bidders' Exchange, MS 26, Sacramento, CA, 95816, US
Owner/Obligee Name	Owner/Obligee Address

### Bond Information

10-26-2023	Nationwide Mutual Insurance Company	VC1800002280
Bid Date	Surety	Contractor Vendor ID Number

10-1H2804  
Contract ID Number

10-1H2804 CONSTRUCTION ON STATE HIGHWAY IN STANISLAUS COUNTY IN AND NEAR PATTERSON AT VARIOUS LOCATIONS FROM FINK ROAD UNDERCROSSING TO KHALSA ROAD UNDERCROSSING

Description of Job

Ten Percent of Amount Bid		10%
Amount of Bid Security	Bid Security Maximum	Bid Security Percentage

S. Nicole Evans	Attorney-in-Fact	Alliant Insurance Services, Inc
Bond Entered and Executed By	Primary Agency	

S. Nicole Evans

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Attorney-In-Fact Signature

**Know all men by these presents that** Nationwide Mutual Insurance Company, a Corporation duly organized under the laws of the State of OH, are held and firmly bound unto the above owner/obligee by the transmission. The surety agrees to waive the statute of Fraud defense and further agrees that the owner/obligee is a third party beneficiary of the waiver for the purposes of enforcing this bid bond.





## Contract Award Status Search

Select Contract M ▼ View Award Status

Choose a contract from the drop-down list to view its progress through the award process. Data current as of 04/11/2024 at 07:46 am.

### Award status for 10-1H2804

Bid opening date: 10/26/2023

Processing award for				
MYERS & SONS CONSTRUCTION, LLC				
Award recommendation	Requested	10/26/2023	Received	11/15/2023
Civil rights evaluation	Requested	11/02/2023	Received	12/01/2023
Funding certification	Requested	10/27/2023	Received	02/05/2024
<b>READY FOR AWARD</b>	Award date	02/06/2024	Approval date	03/13/2024

A note on the Caltrans award process:

We have several major milestones we process when preparing a project for award.

- Bid opening: This is the event that triggers the award process. Once a bid has opened, we immediately begin looking at the results to process the contract award.
- Award recommendation: The district responsible for designing the project will take a look at all the bids submitted and determine whether or not it is in the department's best interest to award the contract, by taking a look at the item prices submitted and the working schedule, if necessary. This can involve calls to the bidders to determine if there were any problems with bids or the contract itself.
- Civil rights evaluation: Our Office of Civil Rights reviews the DBE or DVBE submittals on all projects to determine if the project goals have been achieved, or if a good faith effort has been obtained.
- Funding certification: Once we have determined a low bidder, we begin an analysis that determines how much of the allocated funding will need to be used to award the contract, and in the case of projects where funding has multiple fund sources, we determine what portion of each allocation will go toward paying for construction.

Once all milestones have been achieved for the bidder we are processing the award for, the contract will be ready to award. We will proceed with the contract award and contract approval. In the event that there is a re-ranking of bidders, both the funding certification and civil rights evaluation will need to be re-processed for the new bidder.





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