

**CALTRANS**

**STATE OF CALIFORNIA**

**DEPARTMENT OF TRANSPORTATION**

**BID**

FOR CONSTRUCTION ON STATE HIGHWAY IN  
LOS ANGELES COUNTY IN LOS ANGELES AT ROUTE 91/110 SEPARATION  
In District 07 on Route 91, 110

**UNDER**

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*Notice to Bidders and Special Provisions* dated July 15, 2019

Project plans approved March 4, 2019

*Standard Specifications* dated 2018

*Standard Plans* dated 2018

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Identified by

Contract No. 07-331604

07-LA-91, 110-R6.3, 9.8

Project ID 0716000233

Federal-Aid Project

ACNH-X037(213)E

**Electronic Bidding Contract**

Bids open Tuesday, August 6, 2019

Dated July 15, 2019

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

NAME OF BIDDER American Civil Constructors West Coast LLC

BUSINESS STREET ADDRESS 2990 Bay Vista Court, Suite D

CITY, STATE, ZIP Benicia, CA, 94510

TELEPHONE NO. with AREA CODE 707-746-8028

FAX NO. with AREA CODE 707-747-0593

CONTRACTOR LICENSE NO. 1011546

PUBLIC WORKS CONTRACTOR REGISTRATION NO. 1000035713

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: 0

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

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					
1	070030	1	LS	\$5,000.00	\$5,000.00
	LEAD COMPLIANCE PLAN				
2	120090	1	LS	\$5,250.00	\$5,250.00
	CONSTRUCTION AREA SIGNS				
3	120100	1	LS	\$185,000.00	\$185,000.00
	TRAFFIC CONTROL SYSTEM				
4	120165	14	EA	\$39.00	\$546.00
	CHANNELIZER (SURFACE MOUNTED)				
5	129000	120	LF	\$185.00	\$22,200.00
	TEMPORARY RAILING (TYPE K)				
6	129100	14	EA	\$195.00	\$2,730.00
	TEMPORARY CRASH CUSHION MODULE				
7	130100	1	LS	\$3,000.00	\$3,000.00
	JOB SITE MANAGEMENT				
8	130200	1	LS	\$1,500.00	\$1,500.00
	PREPARE WATER POLLUTION CONTROL PROGRAM				
9	130620	6	EA	\$75.00	\$450.00
	TEMPORARY DRAINAGE INLET PROTECTION				
10	130640	100	LF	\$2.00	\$200.00
	TEMPORARY FIBER ROLL				
11	130900	1	LS	\$4,000.00	\$4,000.00
	TEMPORARY CONCRETE WASHOUT				
12	141103	1220	LF	\$4.00	\$4,880.00
	REMOVE YELLOW THERMOPLASTIC TRAFFIC STRIPE (HAZARDOUS WASTE)				
13	141120	1300	LB	\$2.00	\$2,600.00
	TREATED WOOD WASTE				
14	190101	15	CY	\$400.00	\$6,000.00
	ROADWAY EXCAVATION				
15	198010	5	CY	\$650.00	\$3,250.00
	IMPORTED BORROW (CY)				
16	037934	2810	SQYD	\$78.00	\$219,180.00
	HIGH FRICTION SURFACE TREATMENT				
17	390132	403	TON	\$154.00	\$62,062.00
	HOT MIX ASPHALT (TYPE A)				
18	394074	75	LF	\$57.00	\$4,275.00
	PLACE HOT MIX ASPHALT DIKE (TYPE C)				
19	394077	50	LF	\$57.00	\$2,850.00
	PLACE HOT MIX ASPHALT DIKE (TYPE F)				
20	397005	0.3	TON	\$3,000.00	\$900.00
	TACK COAT				
21	398000	200	CY	\$98.00	\$19,600.00
	REMOVE ASPHALT CONCRETE PAVEMENT (CY)				
22	398100	150	LF	\$52.00	\$7,800.00
	REMOVE ASPHALT CONCRETE DIKE				
23(F)	510502	27	CY	\$2,400.00	\$64,800.00

MINOR CONCRETE (MINOR STRUCTURE)				
24	511106	9 LF	\$150.00	\$1,350.00
	DRILL AND BOND DOWEL			
25 (F)	750500	1600 LB	\$12.00	\$19,200.00
	MISCELLANEOUS METAL			
26	810120	250 EA	\$3.00	\$750.00
	REMOVE PAVEMENT MARKER			
27	810190	5 EA	\$26.00	\$130.00
	GUARD RAILING DELINEATOR			
28	810230	120 EA	\$25.00	\$3,000.00
	PAVEMENT MARKER (RETROREFLECTIVE)			
29	820270	4 EA	\$195.00	\$780.00
	REMOVE ROADSIDE SIGN (WOOD POST)			
30	037935	53 SQFT	\$14.95	\$792.35
	FURNISH SINGLE SHEET ALUMINUM SIGN (0.063"-UNFRAMED) FOR RETROREFLECTIVE SHEETING (TYPE XI)			
31	037936	53 SQFT	\$4.50	\$238.50
	RETROREFLECTIVE SHEETING (TYPE XI)			
32	820840	7 EA	\$355.00	\$2,485.00
	ROADSIDE SIGN - ONE POST			
33	832070	29 SQYD	\$500.00	\$14,500.00
	VEGETATION CONTROL (MINOR CONCRETE)			
34	839543	1 EA	\$4,280.00	\$4,280.00
	TRANSITION RAILING (TYPE WB-31)			
35	839584	1 EA	\$4,585.00	\$4,585.00
	ALTERNATIVE IN-LINE TERMINAL SYSTEM			
36	839752	63 LF	\$30.00	\$1,890.00
	REMOVE GUARDRAIL			
37	840615	1700 LF	\$0.95	\$1,615.00
	6" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY) (BROKEN 18-12)			
38	840656	4730 LF	\$0.63	\$2,979.90
	PAINT TRAFFIC STRIPE (2-COAT)			
39	846007	2920 LF	\$1.30	\$3,796.00
	6" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY)			
40	846009	490 LF	\$1.80	\$882.00
	8" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY)			
41	846030	3090 LF	\$0.50	\$1,545.00
	REMOVE THERMOPLASTIC TRAFFIC STRIPE			
42	870009	1 LS	\$500.00	\$500.00
	MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION			
43	872130	1 LS	\$50,965.00	\$50,965.00
	MODIFYING EXISTING ELECTRICAL SYSTEM			
44	999990	1 LS	\$80,000.00	\$80,000.00
	MOBILIZATION			
Section 1 Total				\$824,336.75
Item Total				\$824,336.75

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:

Table with 3 columns: Item, %, Description. Rows: 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
16 7.9 Sawcut re-establish existing transverse & longitudinal joints

2) List this subcontractor? YES NO
Business Name Payco Specialties, Inc. Location City Chula Vista State CA
California Contractor License Number 298637 Public Works Contractor Registration
Number 1000003515
Portion of Work Subcontracted
Item % Description
1 100
12 100
26 100
28 100
37 100

3) List this subcontractor? YES NO
Business Name Payco Specialties, Inc. Location City Chula Vista State CA
California Contractor License Number 298637 Public Works Contractor Registration
Number 1000003515
Portion of Work Subcontracted
Item % Description
38 100
39 100
40 100
41 100

4) List this subcontractor? YES NO
Business Name All American Asphalt Location City Corona State CA
California Contractor License Number 267073 Public Works Contractor Registration
Number 1000001051

Portion of Work Subcontracted		Description
Item	%	
17	100	
18	100	
19	100	
20	100	
21	100	

5) List this subcontractor?  YES  NO  
 Business Name All American Asphalt Location City Corona State CA  
 California Contractor License Number 267073 Public Works Contractor Registration  
 Number 1000001051

Portion of Work Subcontracted		Description
Item	%	
22	100	

6) List this subcontractor?  YES  NO  
 Business Name Ferreira Location City Rancho Cucamonga State CA  
 California Contractor License Number 985180 Public Works Contractor Registration  
 Number 1000001634

Portion of Work Subcontracted		Description
Item	%	
13	100	
27	100	
34	100	
35	100	
36	100	

7) List this subcontractor?  YES  NO  
 Business Name California Professional Engineering, Inc. Location City La Puente State CA  
 California Contractor License Number 793907 Public Works Contractor Registration  
 Number 1000377609

Portion of Work Subcontracted		Description
Item	%	
42	100	
43	100	

8) List this subcontractor?  YES  NO  
 Business Name Maneri Traffic Control, Inc. Location City Fallbrook State CA  
 California Contractor License Number 1017741 Public Works Contractor Registration  
 Number 1000043135

Portion of Work Subcontracted		Description
Item	%	
2	100	
3	100	
4	100	
6	100	
29	100	

9) List this subcontractor?  YES  NO  
 Business Name Maneri Traffic Control, Inc. Location City Fallbrook State CA  
 California Contractor License Number 1017741 Public Works Contractor Registration  
 Number 1000043135

Portion of Work Subcontracted		Description
Item	%	
30	100	
31	100	
32	100	

10) 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

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

**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: \_\_\_\_\_

**STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION**

**SMALL BUSINESS STATUS**

**DES-OE-0102.4 (REV 3/2008)**

Are you certified as a "Small Business" by the Office of Small Business and DVBE Services of the Department of General Services of the State of California?:

YES       NO      Certification number?:

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

**CERTIFICATIONS**

**FEDERAL-AID PROJECTS DISCLOSURE OF LOBBYING ACTIVITIES CERTIFICATION**

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

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

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

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 USC section 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.

**DISCLOSURE OF LOBBYING ACTIVITIES**

Approved by OMB 0348-0046

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352       YES       NO

1. Type of Federal Action:

2. Status of Federal Action:

3. Report Type:

For Material Change Only:

Year

Quarter

Date of last report

4. Name and Address of Reporting Entity:

Tier , if known

Congressional District, if known :

5. If Reporting Entity in No. 4 is Subawardee Enter Name and Address of Prime:

Congressional District, if known:

6. Federal Department/Agency:

7. Federal Program Name/Description:

CFDA Number, if applicable

8. Federal Action Number, if known:

9. Award amount, if known (\$):

10. a. Name and Address of Lobby Registrant (if individual, last name, first name, MI):

b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):

11. Information requested through this form is authorized by Title 31 U.S.C. Section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Print Name:

Title:

Telephone No.:

Date:

Signature\_\_\_\_\_

Federal Use Only:

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

### **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.



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

## EQUAL EMPLOYMENT OPPORTUNITY REGULATION CERTIFICATION

Bidder American Civil Constructors West Coast LLC, proposed subcontractor, certifies that he has participated in a previous contract or subcontract subject to the equal opportunity clauses, as required by Executive Orders 10925, 11114, or 11246, and that, if required, he has filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the filing requirements.

## Notes:

The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7(b) (1)), and must be submitted by bidders and proposed subcontractors only in connection with contracts and subcontracts which are subject to the equal opportunity clause. Contracts and subcontracts which are exempt from the equal opportunity clause are set forth in 41 CFR 60-1.5. (Generally only contracts or subcontracts of \$10,000 or under are exempt.)

Currently, Standard Form 100 (EEO-1) is the only report required by the Executive Orders or their implementing regulations.

Prime contractors and subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note 41 CFR 60-1.7(b)(1) prevents the award of contracts and subcontracts unless the Contractor submits a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor.

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

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

is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;

has not been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past 3 years;

does not have a proposed debarment pending; and

has not been indicted, convicted, or had a civil judgement rendered against it by a court of competent jurisdiction in any matter involving fraud or official

misconduct within the past 3 years.

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

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

#### 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 Solano

Name: Jeff Foerste ,

being first duly sworn, deposes and says that he or she is President of American Civil Constructors West Coast 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

END CERTIFICATIONS

**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: SCA19697214

Bond Registry: Surety2000

Bond Percent: 10

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

Contract No. 07-331604

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 LOS ANGELES COUNTY IN LOS ANGELES AT ROUTE 91/110 SEPARATION In District 07 on Route 91, 110 for which bids are to be opened at 1727 30th Street, Sacramento CA 95816 on Tuesday, August 6, 2019

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



**Bond Number: SCA19697214**

**Contractor Information**

**Principal:** American Civil Constructors West Coast LLC

**Address:** 2990 Bay Vista Court, Suite D Benicia California 94510 United States

**Owner/Obligee Information**

**Bond Form:** Bid Bond in accordance with Contract Specifications

**Owner/Obligee:** State of California, Department of Transportation

**Address:** 1727 30th Street, Bidders` Exchange, MS 26 Sacramento California 95816 United States

**Bond Information**

**Surety:** XL Specialty Insurance Company

**Bid Date:** 8/6/2019

**Estimated Contract Price:** \$570,000.00

**Time For Completion:**

**Liquidated Damages:**

**Estimated Work On Hand:**

**Amount of Bid Security:** Ten Percent (10%) of Amount Bid

**Contract # or IFB #:** 07-331604

**Description of Job:** CONSTRUCTION ON STATE HIGHWAY IN LOS ANGELES COUNTY IN LOS ANGELES ON ROUTE 91/110 SEPARATION in District 07 on Route 91, 110; Apply high friction surface treatment, place minor concrete and HMA; Project ID 0716000233

**Job Breakdown:**

**Electronic Bidding Information**

**Bid Security Percentage:** 10

**Bid Security Maximum:**

**Owner Assigned Contractor Number:**VC1700004388

**Primary Agency:**

AON Risk Services Central, Inc.

Power of Attorney Limited to: 100,000,000

**Executed**

**Entered By:** Wayne G. McVaugh - 8/1/2019 12:54:36 PM ET

**Approved & Executed By:**

*Wayne G. McVaugh*

Wayne G. McVaugh (Signed: 02-Aug-2019 10:00 AM EDT (UTC-04:00))

[Signature Information](#)

Know all men by these presents that XL Specialty Insurance Company, a Corporation duly organized under the laws of the State of Delaware, are held and firmly bound unto the above owner/obligee by this 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.

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