Bidder: Beador Construction Company, Inc.

#### **CALTRANS**

#### STATE OF CALIFORNIA

#### DEPARTMENT OF TRANSPORTATION

#### BID

FOR CONSTRUCTION ON STATE HIGHWAY IN
THE CITY AND COUNTY OF LOS ANGELES AT ANAHEIM STREET
OVERHEAD BRIDGE
In District 07 On Route 103

#### UNDER

Notice to Bidders and Special Provisions dated May 28, 2024

Project plans approved December 13, 2023

Standard Specifications dated 2023

Standard Plans dated 2023

Identified by

Contract No. 07-344904

07-LA-103-0.9/0.9

Project ID 0718000063

#### Electronic Bidding Contract

Bids open Wednesday, July 03, 2024

Dated May 28, 2024

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

NAME OF BIDDER Beador Construction Company, Inc.

BUSINESS STREET ADDRESS 2900 Bristol Street Suite D204

CITY, STATE, ZIP Costa Mesa, CA, 92626

TELEPHONE NO. with AREA CODE 9516747352

FAX NO. with AREA CODE

CONTRACTOR LICENSE NO. 720483

PUBLIC WORKS CONTRACTOR REGISTRATION NO. 1000009909

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:

Contract ID: 07-344904

- 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: 1
- 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

Contract ID: 07-344904 CALIFORNIA DEPARTMENT OF TRANSPORTATION

Letting ID: 07-344904 Bidder: Beador Construction Company, Inc. Bidder ID: VC0000008361

5.4 Termination of the Contract

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

PRINTED NAME AND TITLE OF PERSON SIGNING

Letting ID: 07-344904 Bidder ID: VC0000008361 Bidder: Beador Construction Company, Inc.

ITEM NUMBER	ITEM CO	DE QUANTITY	UNIT OF MEASURE	UNIT PRICE	ITEM TOTAL
BID ITEM LIST 1 BID ITEM LIST	,		,		
0001	070030	1.000 LEAD COMPLIANCE PLAN	LS	\$7,500.00	\$7,500.00
0002	080060	1.000	LS	\$10,000.00	\$10,000.00
		LEVEL 2 CRITICAL PATH METHOR	) SCHEDULE		
0003	090100	185.000 TIME-RELATED OVERHEAD (WDAY)		\$2,000.00	\$370,000.00
0004	090200	5.000 DISPUTE RESOLUTION ADVISOR (		\$2,000.00	\$10,000.00
0005	090207	30.000	HR	\$200.00	\$6,000.00
		HOURLY OFF-SITE DISPUTE-RESC	DLUTION-ADVISOR-REL	ATED TASKS	
0006	120090	1.000 CONSTRUCTION AREA SIGNS	LS	\$25,000.00	\$25,000.00
0007	120100	1.000 TRAFFIC CONTROL SYSTEM	LS	\$325,000.00	\$325,000.00
0008	120159	13800.000 TEMPORARY TRAFFIC STRIPE (PA		\$0.75	\$10,350.00
0009	120165	98.000 CHANNELIZER (SURFACE MOUNTED		\$47.00	\$4,606.00
0010	120300	260.000 TEMPORARY PAVEMENT MARKER	EA	\$6.00	\$1,560.00
0011	120320	5760.000 TEMPORARY BARRIER SYSTEM	LF	\$27.00	\$155,520.00
0012	000001	1.000 ITEM DELETED PER ADDENDUM	LS	\$0.00	\$0.00
0013	130100	1.000 JOB SITE MANAGEMENT	LS	\$55,000.00	\$55,000.00
0014	130201	1.000 WATER POLLUTION CONTROL PROC	-	\$3,500.00	\$3,500.00
0015	130570	4070.000 TEMPORARY COVER	SQYD	\$2.60	\$10,582.00
0016	130620			\$315.00	\$2,520.00
0017	130640			\$7.00	\$21,560.00
0018	130710			\$5,500.00	\$5,500.00
0019	130730			\$45,000.00	\$45,000.00
0020	130900	1.000	LS	\$50,000.00	\$50,000.00
0021	141103			\$1.10	\$10,582.00
0022	141120	REMOVE YELLOW THERMOPLASTIC 4360.000		ZARDOUS WASTE) \$2.40	\$10,464.00
		TREATED WOOD WASTE			
0023	190101	220.000	CY	\$190.00	\$41,800.00

Letting ID: 07-344904 Bidder ID: VC0000008361 Bidder: Beador Construction Company, Inc.

ROADWAY EXCAVATION

	ROADWAY EXCAVATION		
0024	190105 120.000 CY ROADWAY EXCAVATION (TYPE Z-2) (AERIALLY DE		\$53,400.00
0025	260303 160.000 CY CLASS 3 AGGREGATE BASE (CY)	\$180.00	\$28,800.00
0026	280000 87.000 CY LEAN CONCRETE BASE	\$700.00	\$60,900.00
0027	390100 2.200 TON PRIME COAT	\$5,725.00	\$12,595.00
0028	390132 110.000 TON HOT MIX ASPHALT (TYPE A)	\$300.00	\$33,000.00
0029	390137 73.000 TON RUBBERIZED HOT MIX ASPHALT (GAP GRADED)	\$425.00	\$31,025.00
0030	394074 280.000 LF PLACE HOT MIX ASPHALT DIKE (TYPE C)	\$12.00	\$3,360.00
0031	394076 120.000 LF PLACE HOT MIX ASPHALT DIKE (TYPE E)	\$17.00	\$2,040.00
0032	394077 500.000 LF PLACE HOT MIX ASPHALT DIKE (TYPE F)	\$13.00	\$6,500.00
0033	398001 2450.000 SQFT REMOVE ASPHALT CONCRETE PAVEMENT (SQFT)	\$11.00	\$26,950.00
0034	510053 3.000 CY (F) - STRUCTURAL CONCRETE, BRIDGE	\$8,750.00	\$26,250.00
0035	511106 204.000 LF DRILL AND BOND DOWEL	\$47.00	\$9,588.00
0036	520102 1474.000 LB (F) - BAR REINFORCING STEEL (BRIDGE)	\$2.00	\$2,948.00
0037	600001 1.000 LS PUBLIC SAFETY PLAN	\$10,000.00	\$10,000.00
0038	600011 0.100 CF RAPID SETTING CONCRETE (PATCH)	\$50,000.00	\$5,000.00
0039	600031 323.000 SQFT REMOVE CONCRETE DECK SURFACE	\$48.00	\$15,504.00
0040	600033 0.100 CF REMOVE UNSOUND CONCRETE	\$50,000.00	\$5,000.00
0041	600037 323.000 SQFT PREPARE CONCRETE BRIDGE DECK SURFACE	\$32.00	\$10,336.00
0042	600039 2917.000 SQFT REFINISH BRIDGE DECK	\$7.00	\$20,419.00
0043	600041 33.000 CF FURNISH POLYESTER CONCRETE OVERLAY	\$320.00	\$10,560.00
0044	600043 323.000 SQFT (F) - PLACE POLYESTER CONCRETE OVERLAY	\$65.00	\$20,995.00
0045	600114 1.000 LS BRIDGE REMOVAL (PORTION)	\$1,325,000.00	\$1,325,000.00
0046	731504 1.500 CY MINOR CONCRETE (CURB AND GUTTER)	\$9,400.00	\$14,100.00
0047	731710 200.000 LF REMOVE CONCRETE CURB (LF)	\$80.00	\$16,000.00
0048	731840 770.000 LF	\$25.00	\$19,250.00

Bidder: Beador Construction Company, Inc.

Letting ID: 07-344904 Bidder ID: VC0000008361

#### REMOVE CONCRETE (CURB AND GUTTER)

	REMOV	YE CONCRETE (CURB AND GUTTER)		
0049	810120 REMOV	670.000 EA /E PAVEMENT MARKER	\$1.10	\$737.00
0050	810230 PAVEM	440.000 EA MENT MARKER (RETROREFLECTIVE)	\$5.00	\$2,200.00
0051	820270 REMOV	8.000 EA /E ROADSIDE SIGN (WOOD POST)	\$130.00	\$1,040.00
0052	820300 REMOV	1.000 EA /E ROADSIDE SIGN (STRAP AND SADDLE BRACKE	\$130.00 ET METHOD)	\$130.00
0053	820310 REMOV	1.000 EA /E ROADSIDE SIGN PANEL	\$260.00	\$260.00
0054	820330 REMOV	2.000 EA /E ROADSIDE SIGN (STEEL POST)	\$210.00	\$420.00
0055	820750 FURNI	76.000 SQFT SH SINGLE SHEET ALUMINUM SIGN (0.063"-UN	\$30.00 NFRAMED)	\$2,280.00
0056	820760 FURNI	150.000 SQFT SH SINGLE SHEET ALUMINUM SIGN (0.080"-UN	\$30.00 NFRAMED)	\$4,500.00
0057	820790 FURNI	120.000 SQFT SH SINGLE SHEET ALUMINUM SIGN (0.080"-FF	\$30.00 RAMED)	\$3,600.00
0058		18.000 EA SIDE SIGN - ONE POST	\$445.00	\$8,010.00
0059	820850 ROADS	2.000 EA SIDE SIGN - TWO POST	\$945.00	\$1,890.00
0060	820860 INSTA	3.000 EA ALL SIGN (STRAP AND SADDLE BRACKET METHOD	\$210.00	\$630.00
0061	820900 INSTA	1.000 EA ALL ROADSIDE SIGN PANEL ON EXISTING POST	\$525.00	\$525.00
0062	832015 MIDWE	130.000 LF CST GUARDRAIL SYSTEM (7' WOOD POST)	\$60.00	\$7,800.00
0063	832019 MIDWE	380.000 LF CST GUARDRAIL SYSTEM (8' WOOD POST)	\$80.00	\$30,400.00
0064	832070 VEGET	310.000 SQYD TATION CONTROL (MINOR CONCRETE)	\$120.00	\$37,200.00
0065	833033 (F) -	3105.000 LF CHAIN LINK RAILING (TYPE 7 MODIFIED)	\$165.00	\$512,325.00
0066	016055 TRANS	4.000 EA SITION RAILING (TYPE AGT)	\$14,000.00	\$56,000.00
0067	000002 ITEM	1.000 LS DELETED PER ADDENDUM	\$0.00	\$0.00
0068	839744 (F) -	3552.000 LF CONCRETE BARRIER (TYPE 836 MODIFIED)	\$220.00	\$781,440.00
0069	839745 (F) -	60.000 LF CONCRETE BARRIER TRANSITION	\$350.00	\$21,000.00
0070	839752 REMOV	260.000 LF /E GUARDRAIL	\$18.00	\$4,680.00
0071	839758 SALVA	3500.000 LF AGE METAL BRIDGE RAILING	\$11.00	\$38,500.00
0072	840516 THERM	190.000 SQFT  10PLASTIC PAVEMENT MARKING (ENHANCED WET	\$11.00 NIGHT VISIBILITY)	\$2,090.00
0073	840517	250.000 SQFT	\$21.00	\$5,250.00

Bidder: Beador Construction Company, Inc.

#### PREFORMED THERMOPLASTIC PAVEMENT MARKING

		PREFORMED THERMOPLASTIC PAVEMENT MARKING		
0074	846007	5980.000 LF 6" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET N	\$3.70 NIGHT VISIBILITY)	\$22,126.00
0075	846009	160.000 LF 8" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET N	\$4.60 NIGHT VISIBILITY)	\$736.00
0076	846013	200.000 LF 12" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET	\$5.25 NIGHT VISIBILITY)	\$1,050.00
0077	846030	15900.000 LF REMOVE THERMOPLASTIC TRAFFIC STRIPE	\$1.00	\$15,900.00
0078	846035	280.000 SQFT REMOVE THERMOPLASTIC PAVEMENT MARKING	\$5.60	\$1,568.00
0079	847103	180.000 LF 12" TRAFFIC STRIPE TAPE (WARRANTY)	\$13.00	\$2,340.00
0080	847210	6710.000 LF 6" TRAFFIC STRIPE TAPE (WARRANTY)	\$6.40	\$42,944.00
0081	847211	9420.000 LF 6" TRAFFIC STRIPE TAPE (WARRANTY) (BROKEN 18-12	\$3.20	\$30,144.00
0082	847213	800.000 LF 6" TRAFFIC STRIPE TAPE (WARRANTY) (BROKEN 17-7)	\$3.20	\$2,560.00
0083	847216	43.000 LF 8" TRAFFIC STRIPE TAPE (WARRANTY)	\$9.00	\$387.00
0084	871900	1.000 LS FIBER OPTIC CABLE SYSTEMS	\$265,000.00	\$265,000.00
0085	872131	1.000 LS MODIFYING LIGHTING SYSTEMS	\$290,000.00	\$290,000.00
0086	000003	1.000 LS ITEM DELETED PER ADDENDUM	\$0.00	\$0.00
0087	129105	2.000 EA TEMPORARY CRASH CUSHION TL-2	\$3,900.00	\$7,800.00
0088	129108	2.000 EA TEMPORARY CRASH CUSHION TL-3	\$3,900.00	\$7,800.00
0089	120207	320.000 DAY PORTABLE RADAR SPEED FEEDBACK SIGN SYSTEM	\$80.00	\$25,600.00
0090	015299	2.000 EA ALTERNATIVE IN-LINE TERMINAL TL-3	\$5,800.00	\$11,600.00
0091	015300	2.000 EA ALTERNATIVE IN-LINE TERMINAL TL-2	\$5,800.00	\$11,600.00
0092	999990	1.000 LS MOBILIZATION	\$501,674.00	\$501,674.00
Section 1 Total				\$5,715,300.00
Item Total				\$5,715,300.00

79

80

100 100

Number 100000306

Business Name Chrisp Company Location City Fremont State CA

California Contractor License Number 374600

Contract ID: 07-344904 CALIFORNIA DEPARTMENT OF TRANSPORTATION Letting ID: 07-344904 Bidder: Beador Construction Company, Inc. Bidder ID: VC0000008361

#### 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: % Description Ttem 6 75 striping 15 reinforcement 42 54 100 Business Name Chrisp Company Location City Fremont State CA California Contractor License Number 374600 Public Works Contractor Registration Number 100000306 Portion of Work Subcontracted Description It.em 24.67 LCP for their scope only 100 100 10 100 21 49 100 Business Name Chrisp Company Location City Fremont State CA California Contractor License Number 374600 Public Works Contractor Registration Number 100000306 Portion of Work Subcontracted Description It.em % 50 100 72 100 7.3 100 74 100 75 100 Business Name Chrisp Company Location City Fremont State CA California Contractor License Number 374600 Public Works Contractor Registration Number 100000306 Portion of Work Subcontracted Item 용 Description 76 100 100 77 78 100

Check: 40483846C8 Page 9

Public Works Contractor Registration

CALIFORNIA DEPARTMENT OF TRANSPORTATION Letting ID: 07-344904

Bidder: Beador Construction Company, Inc.

Bidder ID: VC0000008361

Portion of Work Subcontracted Description 81 100 100 82 83 100 92 2.99 mobilization for their scope only Business Name Ace Fence Company Location City La Puente State CA California Contractor License Number 996577 Public Works Contractor Registration Number 1000004092 Portion of Work Subcontracted 용 Description 22 72.25 Partial TWW per their quote 100 62 63 100 100 65 66 100 Business Name Ace Fence Company Location City La Puente State CA California Contractor License Number 996577 Public Works Contractor Registration Number 1000004092 Portion of Work Subcontracted % Item Description 70 100 71 100 90 100 91 100 91 California Contractor License Number 763236 Public Works Contractor Registration Number 100005674 mber 10000056/4
Portion of Work Subcontracted

© Description 84 100 85 100 Number 100003852 Portion of Work Subcontracted Item Description % furnish & place reinforcing steel Business Name Synergy Traffic Control Location City Gardena State CA California Contractor License Number 931953 Public Works Contractor Registration Number 1000007079 Portion of Work Subcontracted Item % 6 100 Description 42.46 partial TC shifts per their quote 100 55 100 100

10) List this subcontractor? lacktriangle YES lacktriangle NO

Letting ID: 07-344904

Bidder: Beador Construction Company, Inc.

Bidder	ID:	VC0000008361

Business Name Synergy Traffic Control Location City Gardena State CA California Contractor License Number 931953 Public Works Contractor Registration

Number 1000007079

Portion of Work Subcontracted

Item % Description

57 100

11) List this subcontractor? • YES • NO

Business Name Global Environmental Location City Fountain Valley State CA California Contractor License Number N/A Public Works Contractor Registration

Number 1000395771

Portion of Work Subcontracted

Description

Item %
1 21.47 LCP for ADL only
13 20 WPCP inspections 13 20 WPCP inspections
14 100

12) List this subcontractor? O YES O NO Business Name Location City State

California Contractor License Number Public Works Contractor Registration Number

Portion of Work Subcontracted

Item Description

Business Name Location City State California Contractor License Number

Public Works Contractor Registration Number Portion of Work Subcontracted
Ttem % Description

14) List this subcontractor? C YES C NO

Business Name Location City State
California Contractor License Number Public Works Contractor Registration Number

Portion of Work Subcontracted

It.em Description

15) List this subcontractor? C YES C NO

Business Name Location City State

California Contractor License Number Public Works Contractor Registration Number

Portion of Work Subcontracted

Description Item

16) List this subcontractor? O YES O NO Business Name Location City State

Item

Letting ID: 07-344904 Bidder ID: VC0000008361

Bidder: Beador Construction Company, Inc.

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California Contractor License Number Public Works Contractor Registration Number Portion of Work Subcontracted

Description Item 90

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

Description

18) List this subcontractor? O YES O NO Business Name Location City State California Contractor License Number

Public Works Contractor Registration Number

Pertian of Work Subcontracted Portion of Work Subcontracted Description

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

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

21) List this subcontractor? C YES C NO Business Name Location City State California Contractor License Number

Public Works Contractor Registration Number Portion of Work Subcontracted Description Item

Business Name Location City State California Contractor License Number Public Works Contractor Registration Number Portion of Work Subcontracted Description Item 8

Bidder: Beador Construction Company, Inc.

Letting ID: 07-344904 Bidder ID: VC0000008361

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

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

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

9 Description

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

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

Letting ID: 07-344904 Bidder ID: VC0000008361 Bidder: Beador Construction Company, Inc.

29) List this subcontractor? O YES O NO Business Name Location City State California Contractor License Number
Portion of Work Subcontracted
Item % Description

30) List this subcontractor?  $\square$  YES  $\square$  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? C YES C NO Business Name Location City State California Contractor License Number Public Works Contractor Registration Number Portion of Work Subcontracted Description

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

33) List this subcontractor? O YES O 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?  $\bigcirc$  YES  $\bigcirc$  NO Business Name Location City State California Contractor License Number Public Works Contractor Registration Number Portion of Work Subcontracted Description Item

Bidder: Beador Construction Company, Inc.

35)	List this sub	contractor?	C YES	C NO					
	Business Name	Location C	ity	State					
	California Cor	ntractor Licen	se Numb	er	Public	Works	Contractor	Registration	Number
	Portion of Wor	k Subcontract	ed						
	Item	%		Desc	ription				

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

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

Letting ID: 07-344904 Bidder ID: VC0000008361

Bidder: Beador Construction Company, Inc.

Portion of Work Subcontracted Item %

Description

42) List this subcontractor? O YES O NO Business Name Location City State

California Contractor License Number Public Works Contractor Registration Number

California Contracted
Portion of Work Subcontracted
Thom % Description

43) List this subcontractor? C YES C NO Business Name Location City State California Contractor License Number

Public Works Contractor Registration Number California Contractor Breenes ...

Portion of Work Subcontracted

% Description

44) List this subcontractor? O YES O NO Business Name Location City State

California Contractor License Number
Portion of Work Subcontracted
Item % Description

Business Name Location City State
California Contractor License Number Public Works Contractor Registration Number

Portion of Work Subcontracted
Item % Description

46) List this subcontractor? O YES O 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? C YES C NO

Eist this subcontractor. Business Name Location City State
California Contractor License Number Public Works Contractor Registration Number

California Contractor Breenes ...

Portion of Work Subcontracted

Description

Bidder: Beador Construction Company, Inc.

Letting ID: 07-344904 Bidder ID: VC0000008361

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

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

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

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

Portion of Work Subcontracted

Poscription

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

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

Bidder: Beador Construction Company, Inc.

Letting ID: 07-344904 Bidder ID: VC0000008361

54) List this subcontractor? O YES O NO Business Name Location City State

California Contractor License Number Public Works Contractor Registration Number

Portion of Work Subcontracted

Item 용 Description

55) List this subcontractor?  $\bigcirc$  YES  $\bigcirc$  NO Business Name Location City State

California Contractor License Number Public Works Contractor Registration Number

Portion of Work Subcontracted

Description Item

56) List this subcontractor? C YES C NO Business Name Location City State

California Contractor License Number Public Works Contractor Registration Number

Portion of Work Subcontracted

Description Item

Business Name Location City State

California Contractor License Number Public Works Contractor Registration Number

Portion of Work Subcontracted

Description Item 용

58) List this subcontractor? C YES C NO

Business Name Location City State California Contractor License Number Public Works Contractor Registration Number

Portion of Work Subcontracted

Description Item

59) List this subcontractor? O YES O NO

Business Name Location City State

California Contractor License Number Public Works Contractor Registration Number

Portion of Work Subcontracted

Description Item 용

60) List this subcontractor?  $\bigcirc$  YES  $\bigcirc$  NO

Contract ID: 07-344904 CALIFORNIA DEPARTMENT OF TRANSPORTATION

Letting ID: 07-344904 Bidder ID: VC0000008361 Bidder: Beador Construction Company, Inc.

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

Letting ID: 07-344904 Bidder ID: VC0000008361

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 requests 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 2000838

Date: 07/03/2024

Signature:

\* NON-SMALL BUSINESS PREFERENCE

The undersigned 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:
Signature:\_\_\_\_\_\_

Letting ID: 07-344904 Bidder ID: VC0000008361

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 <u>one</u> 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

 ${
m C\,I}$  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

OI 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."

OI 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:			

# 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:			

CALIFORNIA DEPARTMENT OF TRANSPORTATION Letting ID: 07-344904
Bidder ID: VC0000008361

# STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION SMALL BUSINESS/DVBE/DBE CERTIFICATION STATUS DES-OE-0102.4 (REV 1/2024)

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?: 2000838

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

C YES • NO Certification number?:

Are you certified as a "Disadvantaged Business Enterprise" by the California Unified Certification Program (CUCP)?:

O YES • NO Certification number?:

Note: This questionnaire is included for statistical reporting only.

CALIFORNIA DEPARTMENT OF TRANSPORTATION

Letting ID: 07-344904

Bidder ID: VC0000008361

## STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION CERTIFIED SMALL BUSINESS LISTING FOR THE NON-SMALL BUSINESS PREFERENCE DOT OCR-0011 (REV 01/2024)

List the description of work, name, telephone number, certification number, and dollar amount of each certified small business who will be used for non-small business preference on this project. Failure to submit a completed Certified Small Business Listing for the Non-Small Business Preference form by 4 p.m. on the 4th 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

#### Non-Small Business Preference-Certification

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 non-small business preference. The work to be performed in fulfillment of the contract requirements will be Commercially Useful Function (CUF) complaint in accordance with the requirements in Government Code section 14837, subdivision(d)(4). I certify under penalty of the perjury that the foregoing is true and correct.

Bidder's Authorized Representative Name

Bidder's Authorized Representative Signature DATE Email Address Total Claimed Participation for Non-Small Business Preference: \$ Total Claimed Participation for Non-Small Business Preference: % 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. :

Bidder: Beador Construction Company, Inc.

#### 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 Orange

Name: David Beador ,

being first duly sworn, deposes and says that he or she is President of Beador Construction Company, inc.

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

Contract ID: 07-344904
Bidder: Beador Construction Company, Inc.

Letting ID: 07-344904 Bidder ID: VC0000008361

#### 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 Chas on the State of California that the Bidder Chas of 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.

Contract ID: 07-344904
Bidder: Beador Construction Company, Inc.

Letting ID: 07-344904 Bidder ID: VC0000008361

#### 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?

CYES • 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?

OYES ONO

- 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
- 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,

Contract ID: 07-344904 CALIFORNIA DEPARTMENT OF TRANSPORTATION
Bidder: Beador Construction Company, Inc.

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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: <a href="http://www.dot.ca.gov/hq/esc/oe/electronic bidding/electronic bidding.html">http://www.dot.ca.gov/hq/esc/oe/electronic bidding.html</a>. Bid Bond forms are also the last 2 pages of the printout of the electronic bid.

Bond ID: SCA0625262067 Verify Clear

Bond Registry: Surety2000

Bond Percent: 10

Letting ID: 07-344904 Bidder ID: VC0000008361

DES-OE-0102.3 (REV	3/2008)
We	
	as Principal, and
Transportation, he percent (10%) of t	bound unto the State of California, Department of ereafter referred to as "Obligee", in the penal sum of ten the total amount of the bid of the Principal submitted to the work described below, for the payment of which sum we bind and severally,
TH	HE CONDITION OF THIS OBLIGATION IS SUCH, THAT:
STATE HIGHWAY IN	cipal is submitting a bid to the Obligee, for CONSTRUCTION ON
OVERHEAD BRIDGE In District 07 Or	n Route 103 for which bids are to be opened at 1727 30th CA 95816 on Wednesday, July 03, 2024
the time and mann forms are presente the prescribed for Obligee, one to gr of the contract ar	EFORE, if the Principal is awarded the contract, and, within her required under the specifications, after the prescribed ed to him for signature, enters into a written contract, in tem, in accordance with the bid, and files two bonds with the parantee faithful performance (if specified in the contract) and the other to guarantee payment for labor and materials as then this obligation shall be null and void; otherwise, it all force.
judgment is recove	event a suit is brought upon this bond by the Obligee and ered, the Surety shall pay all costs incurred by the Obligee uding a reasonable attorney's fee to be fixed by the court.
Dated	, 20
Principal	
Surety	Address of Surety (For correspondence or claims)
<b>D</b> 17	
Бy	Attorney-in-Fact

Letting ID: 07-344904 Bidder ID: VC0000008361

#### CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

identity of the individu	officer completing this certificate verifies only the al who signed the document to which this certificate truthfulness, accuracy, or validity of that document.
State of California	
County of	
On this	before me,, Here Insert Name and Title of the Officer
Date	Here Insert Name and Title of the Officer
personally appeared	
	Name(s) of Signer(s)
me that he/she/they exections), and that by his/he or the entity upon be instrument.	scribed to the within instrument and acknowledged to cuted the same in his/her/their authorized capacity er/their signature(s) on the instrument the person(s), half of which the person(s) acted, executed the OF PERJURY under the laws of the State of California caph is true and correct.
	WITNESS my hand and official seal.
(SEAL)	SignatureSignature of Notary Public
	Signature of Notary Public



Bond No.: SCA0625262067

### **Bid Bond in Accordance with Contract Specifications**

Be sure to refer to the actual bond documents referenced in the contract specifications for specific terms before completing this form.

PRINCIPAL NAME	PRINCIPAL ADDRESS		
Beador Construction Company, Inc.	2900 Bristol Street, Suite D204, Costa Mesa, CA 92626		
SURETY NAME	SURETY ADDRESS		
Great Midwest Insurance Company	800 Gessner Road Suite 600, Houston, TX 77024		
OBLIGEE NAME	OBLIGEE ADDRESS		
State of California, Department of Transportation	1727 30th Street, Bidders' Exchange, MS 26, Sacramento, CA 95816		

#### **Bond Information**

BID DATE	CONTRACT ID	CONTRACT VENDOR ID			
07/03/2024	07-344904	VC000008361			
PROJECT DESCRIPTION  FOR CONSTRUCTION ON STATE HIGHWAY IN THE CITY AND COUNTY OF LOS ANGELES AT ANAHEIM STREET OVERHEAD BRIDGE					
AMOUNT OF BID SECURITY	AMOUNT OF BID SECURITY-SPELLED OUT				
TEN PERCENT (10%) of the Total Amount Bid  10%					
BOND ENTERED AND EXECUTED BY	ATTORNEY-IN-FACT SIGNATURE				
Edward Hackett	Edward Hackett				

Know all men by these presents that <u>Great Midwest Insurance Company</u>, a Corporation duly organized under the laws of the State of <u>Texas</u>, 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.



#### **POWER OF ATTORNEY**

### **Great Midwest Insurance Company**

KNOW ALL MEN BY THESE PRESENTS, that **GREAT MIDWEST INSURANCE COMPANY**, a Texas Corporation, with its principal office in Houston, TX, does hereby constitute and appoint:

**Edward Hackett** 

its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of **GREAT MIDWEST INSURANCE COMPANY**, on the 1<sup>st</sup> day of October, 2018 as follows:

Resolved, that the President, or any officer, be and hereby is, authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed Twenty Million dollars (\$20,000,000.00), which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed in the Company's sole discretion and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, **GREAT MIDWEST INSURANCE COMPANY**, has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 11th day of February, 2021.

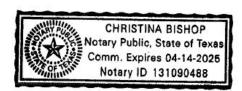


**GREAT MIDWEST INSURANCE COMPANY** 

Mark W. Haushill President

#### **ACKNOWLEDGEMENT**

On this 11th day of February, 2021, before me, personally came Mark W. Haushill to me known, who being duly sworn, did depose and say that he is the President of **GREAT MIDWEST INSURANCE COMPANY**, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



BY\_\_\_\_\_Christina Bishop Notary Public

#### **CERTIFICATE**

I, the undersigned, Secretary of **GREAT MIDWEST INSURANCE COMPANY**, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the foregoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Sealed at Houston, TX this 07/03/2024



Leslie K. Shaunty
Secretary

"WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties.