

B3

CONTRACT NO. 01 - 498704

NAME OF BIDDER WINDSOR FUEL COMPANY
BUSINESS P.O. BOX P.O. Box 1029
CITY, STATE, ZIP PITTSBURG, CA 94565
BUSINESS STREET ADDRESS 1150 Willow Pass Road
(Include even if P.O. Box used)
CITY, STATE, ZIP PITTSBURG, CA 94565
TELEPHONE NO: AREA CODE (925) 427-5266
FAX NO: AREA CODE (925) 427-1214
CONTRACTOR LICENSE NO. 776848

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

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

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

For a cost plus time based bid on a contract with a plant establishment period, Bidder additionally agrees to perform the non-plant establishment work within the number of working days bid for non-plant establishment work.
2. For a lump sum based bid, Bidder submits this bid with a total price in the total bid space provided on the Bid Item List. For a unit price or cost plus time based bid, Bidder submits this bid with a unit price and the item total (the product of the unit price and the quantity) for each item and a total price (the sum of the item totals) in the spaces provided on the attached Bid Item List. For a unit price with additive item based bid, Bidder submits this bid with a unit price and an item total for each item and a total base bid (the sum of the item totals) and the additive items in the spaces provided on the attached Bid Item List. Additionally, for a cost plus time based bid, Bidder submits this bid with working days bid for non-plant establishment work, total bid for time, and total bid for bid comparison in the spaces provided on the Bid Item List. Bidder agrees:
 - 2.1. If a discrepancy between the unit price and the item total exists, the unit price prevails except:
 - 2.1.1. If the unit price is illegible, omitted, or the same as the item total, item total prevails and the unit price is the quotient of the item total and the quantity.
 - 2.1.2. If a decimal error is apparent in the product of the unit price and the quantity, the Department will use either the unit price or item total based on the closest by percentage to the unit price or item total in the Department's Final Estimate.
 - 2.2. If the unit price and the item total are illegible or are omitted, the bid may be determined nonresponsive. If a lump sum total price is illegible or is omitted, the bid may be determined nonresponsive.
 - 2.3. Bids on lump sum items are item totals. If a unit price for a lump sum item is entered and it differs from the item total, the item total prevails.
 - 2.4. Entries are to be expressed in dollars or decimal fractions of a dollar. Symbols such as commas and dollar signs are ignored and have no significance in establishing unit price or item total.
 - 2.5. Unit prices and item totals are interpreted by the number of digits and decimal placement. Do not round item totals or the total bid.

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

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

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

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

3. Bidder has and acknowledges the following addenda:

0

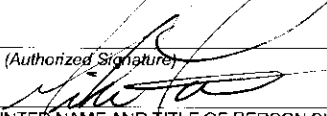
4. Bidder submits this bid with one of the following forms of bidder's security equal to at least 10 percent of the bid.

Cash \$ _____, Cashiers Check, Certified Check, **Bidder's Bond**

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

- 5.1. Criminal prosecution
- 5.2. Rejection of the bid
- 5.3. Rescission of the award
- 5.4. Termination of the Contract

BY (Authorized Signature)



DATE SIGNED (Do not type)

1/4/2012

PRINTED NAME AND TITLE OF PERSON SIGNING

Mike Faw OPERATIONS MANAGER

BID ITEM LIST

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
1	074016	CONSTRUCTION SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	5,000 ¹⁸
2	074017	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	LUMP SUM	1,000 ¹⁸
3	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	10,000 ¹⁸
4	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	412,800 ¹⁸
5	120165	CHANNELIZER (SURFACE MOUNTED)	EA	7	50 ¹⁸	350 ¹⁸
6	128650	PORTABLE CHANGEABLE MESSAGE SIGN	EA	2	5000 ¹⁸	10,000 ¹⁸
7	129000	TEMPORARY RAILING (TYPE K)	LF	60	40 ¹⁸	2,400 ¹⁸
8	022107	ALTERNATIVE TEMPORARY CRASH CUSHION	EA	2	360 ¹⁸	720 ¹⁸
9	150715	REMOVE THERMOPLASTIC PAVEMENT MARKING	SQFT	500	6 ¹⁸	3,000 ¹⁸
10	150742	REMOVE ROADSIDE SIGN	EA	12	150 ¹⁸	1,800 ¹⁸
11	150748	REMOVE ROADSIDE SIGN PANEL	EA	6	100 ¹⁸	600 ¹⁸
12	150771	REMOVE ASPHALT CONCRETE DIKE	LF	2,870	2 ¹⁸	5,740 ¹⁸
13	151272	SALVAGE METAL BEAM GUARD RAILING	LF	38	22 ¹⁸	836 ¹⁸
14	151625	RECONSTRUCT METAL BEAM GUARD RAILING (WOOD POST)	LF	250	38 ¹⁸	9,500 ¹⁸
15	152386	RELOCATE ROADSIDE SIGN-ONE POST	EA	1	200 ¹⁸	200 ¹⁸
16	022108	ADJUST METAL BEAM GUARD RAILING ELEMENTS	LF	425	11 ¹⁸	4,675 ¹⁸
17	153103	COLD PLANE ASPHALT CONCRETE PAVEMENT	SQYD	32,400	2 ¹⁸	81,000 ¹⁸
18	190110	LEAD COMPLIANCE PLAN	LS	LUMP SUM	LUMP SUM	1,500 ¹⁸
19	260201	CLASS 2 AGGREGATE BASE	CY	2	2,500 ¹⁸	5,000 ¹⁸
20	390095	REPLACE ASPHALT CONCRETE SURFACING	CY	2,070	312 ¹⁸	645,840 ¹⁸

B3

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
21	390136	MINOR HOT MIX ASPHALT	TON	77	125 ¹⁸	9,625 ¹⁸
22	390151	ASPHALTIC EMULSION MEMBRANE (BONDED WEARING COURSE)	TON	80	800 ¹⁸	64,000 ¹⁸
23	390158	HOT MIX ASPHALT (BONDED WEARING COURSE-OPEN GRADED)	TON	7,170	100 ¹⁸	717,000 ¹⁸
24	022109	CENTERLINE RUMBLE STRIP	STA	270	25 ¹⁸	6,750 ¹⁸
25	394076	PLACE HOT MIX ASPHALT DIKE (TYPE E)	LF	2,870	3 ²⁵	9,327 ¹⁸
26	394090	PLACE HOT MIX ASPHALT (MISCELLANEOUS AREA)	SQYD	25	125 ¹⁸	3,125 ¹⁸
27	566011	ROADSIDE SIGN - ONE POST	EA	22	375 ¹⁸	8,250 ¹⁸
28	820107	DELINEATOR (CLASS 1)	EA	10	55 ¹⁸	550 ¹⁸
29	820118	GUARD RAILING DELINEATOR	EA	14	23 ¹⁸	322 ¹⁸
30	839585	ALTERNATIVE FLARED TERMINAL SYSTEM	EA	1	2,300 ¹⁸	2,300 ¹⁸
31	840504	4" THERMOPLASTIC TRAFFIC STRIPE	LF	106,000	0 ⁴⁸	50,880 ¹⁸
32	840506	8" THERMOPLASTIC TRAFFIC STRIPE	LF	150	0 ⁴⁸	72 ¹⁸
33	840515	THERMOPLASTIC PAVEMENT MARKING	SQFT	820	3 ¹⁸	2,870 ¹⁸
34	840525	4" THERMOPLASTIC TRAFFIC STRIPE (BROKEN 36-12)	LF	18,300	0 ⁴⁸	8,784 ¹⁸
35	850122	PAVEMENT MARKER (RETROREFLECTIVE-RECESSED)	EA	2,560	9 ¹⁸	23,040 ¹⁸

TOTAL BID:

\$ 2,108,856⁵⁰

KE

1150 Willow Pass Road
Pittsburg, CA 94565
Phone: (925) 427-5266 Fax: (925) 427-1216
Contractor's License #776848-A

Windsor Fuel Company

WFC

To: Caltrans **From:** Marc Armstrong

Attention: Office Engineer

Fax: 916-227-6282 **Pages:** 3

Phone: 916-324-6985 **Date:** 1/5/2012

Re: Contract No. 01-498704

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

● **Comments:**

As required here is a copy of Subcontractors List All Columns completed as required. Please let me know if you need any further information to complete the following. Please confirm receipt.

Thanks,

Marc

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
SUBCONTRACTOR LIST
 DES-OE-0102.2 (REV 3/2011)

Bidder Name: WINDSOR FUEL COMPANY

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

Column 1: Business Name and Location	Column 2: Bid Item Nos.	Column 3: Percentage of Bid Item Subcontracted	Column 4: Description of Subcontracted Work
APEX FENCE CO. ANDERSON, CA	13	100%	SALVAGE MBR
	14	100%	RECONSTRUCT MBR
	16	100%	ADJUST MBR
	28-30	100%	DELIMITOR MBR DELIMITOR ALT PLANS DEMAND END SECT.
AC DIKE COMPANY LINCOLN, CA	25 (PART)	69%	PLACE HMA DIB
	26 (PART)	43%	PLACE HMA MISC
S.T. RHOADES CONST REDDING, CA	20 (PART)	95%	REPLACE AC SUPERCURVES
TRAFFIC SOLUTIONS REDDING, CA	5	100%	CHANNELIZED
	9	100%	REMOVE THP STRIP
	10	100%	REMOVE SIGN
	11	100%	REMOVE SIGN
	15	100%	RELOCATE SIGN
	18	100%	LCP
	24	100%	REMOVE STRIP
	27	100%	ROAD SIDE SIGN
	31	100%	4" THP STRIDE
	32	100%	8" THP STRIDE
	33	100%	THP MARKING
34	100%	4" THP STRIP 36-12	
35	100%	PAVEMENT MARKER RECESS	

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SUBCONTRACTOR LIST

DES-OE-0102.2 (REV 3/2011)

Bidder Name: *Nindson Fuel Company*

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

Column 1: Business Name and Location	Column 2: Bid Item Nos.	Column 3: Percentage of Bid Item Subcontracted	Column 4: Description of Subcontracted Work
AC DIKE CO Lincoln, CA	25 (PART) 26 (PART)		PLACE HMA DIKE PLACE HMA
APEX FENCE ANDERSON, CA	13-14-16 28-29-30		MBGR - MBGR - ADJ - MBGR Delimiters - MBGR DELINEATOR ALT. PLACE SYSTEM
ST. RHOADES CONST. REDDING, CA	20		Replace AC SURFACING
TRAFFIC SOLUTIONS REDDING, CA	5 9 10 11 15 18 24 27 31 32 33 34 35		Channel Remove THP Remove SIGN Remove SIGN Rel SIGN LCP Rumble STRIP SIGN 4" STRIPES 8" STRIPES Pavement MARK 4" STRIPES 36-12 RECESSED MARKERS

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BIDDER'S BDND

DES-OE-0102.3 (REV. 3/2008)

Bond No. BBSU

We WINDSOR FUEL CO., 1150 WILLOW PASS ROAD, PITTSBURG, CALIFORNIA 94565

as Principal, and

WESTERN SURETY COMPANY, 2210 PLAZA DRIVE, SUITE 150, ROCKLIN, CALIFORNIA 95765

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 CONTRACT NO: 01-498704
FOR CONSTRUCTION ON STATE HIGHWAY IN DEL NORTE COUNTY NEAR CRESCENT CITY FROM 2.9 MILES
NORTH OF WILSON CREEK ROAD TO 0.2 MILES NORTH OF MILL CREEK PARK ENTRANCE 01-DN-101-15.4/20.5

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

for which bids are to be opened at SACRAMENTO, CALIFORNIA on JANUARY 4, 2012

(Insert place where bids will be opened) (Insert date of bid opening)

NOW, THEREFORE, if the Principal is awarded the contract and, within the time and manner required under the specifications, after the prescribed forms are presented to him for signature, enters into a written contract, in the prescribed form, in accordance with the bid, and files two bonds with the Obligee, one to guarantee faithful performance (if specified in the contract) of the contract and the other to guarantee payment for labor and materials as provided by law, then this obligation shall be null and void; otherwise, it shall remain in full force.

In the event suit is bought 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: NOVEMBER 28, 2011.

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

WESTERN SURETY COMPANY
2210 PLAZA DRIVE, SUITE 150
ROCKLIN, CALIFORNIA 95765

WINDSOR FUEL CO.

[Signature]
Principal
WESTERN SURETY COMPANY
By *[Signature]*
Surety
Christopher J. Angelo, Attorney-In-Fact

CERTIFICATE OF ACKNOWLEDGMENT

State of California
County of Sacramento SS

On this November 28, 2011 before me, Anitra L. Dumlao – Notary Public

Date Here Insert Name and Title of the Officer

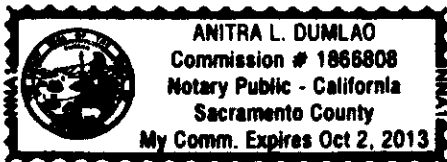
personally appeared Christopher J. Angelo

Name(s) of Signer(s)

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

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

WITNESS my hand and official seal.



Signature *[Signature]*
Signature of Notary Public

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Randall L Jorgensen, Joseph H Weber, Christopher J Angelo, Paul F Bystrowski, Carol Dunn, John E Murphy, Sandi Pullen, Individually

of Sacramento, CA, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Senior Vice President and its corporate seal to be hereto affixed on this 3rd day of November, 2006.



WESTERN SURETY COMPANY

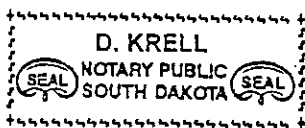
Paul T. Bruflat

Paul T. Bruflat, Senior Vice President

State of South Dakota }
County of Minnehaha } ss

On this 3rd day of November, 2006, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Senior Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires
November 30, 2012



D. Krell

D. Krell, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 28th day of November, 2011.



WESTERN SURETY COMPANY

L. Nelson

L. Nelson, Assistant Secretary

OPT OUT OF PAYMENT ADJUSTMENTS FOR PRICE INDEX FLUCTUATIONS

DES-OE-0102.12 (NEW 12/2009)

You may opt out of the payment adjustments for price index fluctuations as specified in "Payment Adjustments for Price Index Fluctuations" of the special provisions. If you elect to opt out of the provisions of this specification, complete this form and submit it with your bid.

Bidder Name: WINDSOR FUEL Company CONTRACT NO. 01 - 498704

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

Date: _____ Signature: _____

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SMALL BUSINESS STATUS

DES-OE-0102.4 (REV 3/2008)

CONTRACT NO. 01 - 498704

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

Yes: Certification number? _____

No

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 § 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

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

**INSTRUCTIONS FOR COMPLETION OF SF-LLL,
DISCLOSURE OF LOBBYING ACTIVITIES**

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

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

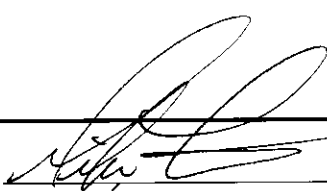
According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information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

DISCLOSURE OF LOBBYING ACTIVITIES

Approved by OMB

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

0348-0046

<p>1. Type of Federal Action:</p> <p><input type="checkbox"/> a. contract</p> <p>b. grant</p> <p>c. cooperative agreement</p> <p>d. loan</p> <p>e. loan guarantee</p> <p>f. loan insurance</p>	<p>2. Status of Federal Action:</p> <p><input type="checkbox"/> a. bid/offer/application</p> <p>b. initial award</p> <p>c. post-award</p>	<p>3. Report Type:</p> <p><input type="checkbox"/> a. initial</p> <p>b. material change</p> <p>For Material Change Only:</p> <p>year _____ quarter _____</p> <p>date of last report _____</p>
<p>4. Name and Address of Reporting Entity:</p> <p><input type="checkbox"/> Prime <input type="checkbox"/> Subawardee</p> <p>Tier _____, <i>if known</i></p> <p>Congressional District, <i>if known:</i></p>	<p>5. If Reporting Entity in No. 4 is Subawardee Enter Name and Address of Prime:</p> <p align="center">Congressional District, <i>if known:</i></p>	
<p>6. Federal Department/Agency:</p>	<p>7. Federal Program Name/Description:</p> <p>CFDA Number, if applicable _____</p>	
<p>8. Federal Action Number, if known:</p>	<p>9. Award Amount, if known:</p> <p>\$ _____</p>	
<p>10 a. Name and Address of Lobby Registrant <i>(if individual, last name, first name, MI):</i></p>	<p>b. Individuals Performing Services (including address if different from No. 10a) <i>(last name, first name, MI):</i></p>	
<p>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.</p>	<p>Signature: </p> <p>Print Name: <u>Mike Fain</u></p> <p>Title: <u>Operations Manager</u></p> <p>Telephone No.: <u>925 407-5066</u> Date: <u>11/4/12</u></p>	
<p>Federal Use Only:</p>		<p align="center">Authorized for Local Reproduction Standard Form - LLL (Rev. 7-97)</p>

EQUAL EMPLOYMENT OPPORTUNITY REGULATION CERTIFICATION

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

Notes:

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

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

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

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

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

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

UNDOCUMENTED ALIENS EMPLOYMENT

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

NONCOLLUSION

NONCOLLUSION AFFIDAVIT TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

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

State of California County of CONTRA COSTA

Mike Fain, being first duly sworn, deposes and says that he or she is OPERATIONS MANAGER of WINDSOR FUEL COMPANY 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.

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.

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.

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.

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 nonresponsive 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 nonresponsive 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 nonresponsive 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