

Contract No.: 03-4M5104

Project(s):

Bid Opening: 04-26-13 Call Order: 1

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Bidder: VC0000007841 - Penhall Company

Standard Specifications Dated 2010

Contract No.: 03-4M5104

Name of Bidder: Penhall Company

Business Street Address: PO Box 310

Business P.O. Box: 14045 Northdale Blvd

City, State, Zip: Rogers, MN, 55374

Telephone Number: 763-428-2244

Fax Number: 763-428-2245

Contractor License Number: 568673

STATE OF CALIFORNIA ♦ DEPARTMENT OF TRANSPORTATION
BID TO THE DEPARTMENT OF TRANSPORTATION

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 specified in 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 in 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. Additionally, for a cost plus time based bid, the 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:

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STATE OF CALIFORNIA ♦ DEPARTMENT OF TRANSPORTATION
BID TO THE DEPARTMENT OF TRANSPORTATION (cont'd)

- 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.
- 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.
- 3.0 Bidder submits this bid with one of the following forms of bidder's security equal to at least 10 percent of the bid: Bidder's Bond
- 4.0 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:
 - 4.1 Criminal prosecution
 - 4.2 Rejection of the bid
 - 4.3 Rescission of the award
 - 4.4 Termination of the Contract

BY (Authorized Signature)

DATE SIGNED (Do not type)

PRINTED NAME AND TITLE OF PERSON SIGNING

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Item No.	Item Code	Item Description	Unit Of Meas	Quant	Unit Price Dollars	Cts	Item Total Dollars	Cts
Section BID PROPOSAL TO THE DEPARTMENT OF TRANSPORTATION								
Alt Group								
1	070030	LEAD COMPLIANCE PLAN	LUMP SUM		LUMP SUM		2,424.00	
2	120090	CONSTRUCTION AREA SIGNS	LUMP SUM		LUMP SUM		21,701.00	
3	120100	TRAFFIC CONTROL SYSTEM	LUMP SUM		LUMP SUM		100,000.00	
4	128652	PORTABLE CHANGEABLE MESSAGE SIGN (LS)	LUMP SUM		LUMP SUM		6,228.00	
5	130100	JOB SITE MANAGEMENT	LUMP SUM		LUMP SUM		3,261.00	
6	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LUMP SUM		LUMP SUM		946.00	
7	130900	TEMPORARY CONCRETE WASHOUT	LUMP SUM		LUMP SUM		1,362.00	
8	141103	REMOVE YELLOW THERMOPLASTIC TRAFFIC STRIPE (HAZARDOUS WASTE)	LF	190.000	24.00000		4,560.00	
9	150100	PUBLIC SAFETY PLAN	LUMP SUM		LUMP SUM		9,879.00	

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DEPARTMENT OF TRANSPORTATION

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Item No.	Item Code	Item Description	Unit Of Meas	Quant	Unit Price Dollars	Cts	Item Total Dollars	Cts
10	150310	RAPID SETTING CONCRETE (PATCH)	CF	398.000	50.00000		19,900.00	
11	150711	REMOVE PAINTED TRAFFIC STRIPE	LF	9,690.000	0.49000		4,748.10	
12	150712	REMOVE PAINTED PAVEMENT MARKING	SQFT	42.000	24.00000		1,008.00	
13	150714	REMOVE THERMOPLASTIC TRAFFIC STRIPE	LF	850.000	0.49000		416.50	
14	150715	REMOVE THERMOPLASTIC PAVEMENT MARKING	SQFT	13.000	24.00000		312.00	
15	153103	COLD PLANE ASPHALT CONCRETE PAVEMENT	SQYD	4,160.000	17.00000		70,720.00	
16	153223	REMOVE UNSOUND CONCRETE	CF	398.000	50.00000		19,900.00	
17	153225	PREPARE CONCRETE BRIDGE DECK SURFACE	SQFT	233,370.000	0.20000		46,674.00	
18	153227	FURNISH POLYESTER CONCRETE OVERLAY	CF	12,360.000	83.00000		1,025,880.00	
19(F)	153228	PLACE POLYESTER CONCRETE OVERLAY	SQFT	123,600.000	1.60000		197,760.00	

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20	044219	MULTILAYER POLYMER OVERLAY	SQFT	45,010.000	3.70000		166,537.00	
21(F)	153233	TREAT BRIDGE DECK	SQFT	64,760.000	0.40000		25,904.00	
22	153234	FURNISH BRIDGE DECK TREATMENT MATERIAL	GAL	720.000	54.00000		38,880.00	
23	153237	REMOVE CHIP SEAL	SQFT	108,860.000	0.47000		51,164.20	
24	157561	BRIDGE REMOVAL (PORTION), LOCATION A	LUMP SUM		LUMP SUM		680.00	
25	157562	BRIDGE REMOVAL (PORTION), LOCATION B	LUMP SUM		LUMP SUM		2,040.00	
26	390132	HOT MIX ASPHALT (TYPE A)	TON	460.000	397.00000		182,620.00	
27	420201	GRIND EXISTING CONCRETE PAVEMENT	SQYD	130.000	33.00000		4,290.00	
28(F)	510053	STRUCTURAL CONCRETE, BRIDGE	CY	1.000	2,202.00000		2,202.00	
29	511118	CLEAN EXPANSION JOINT	LF	1,888.000	10.00000		18,880.00	

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Item No.	Item Code	Item Description	Unit Of Meas	Quant	Unit Price Dollars	Cts	Item Total Dollars	Cts
30	519081	JOINT SEAL (MR 1/2")	LF	540.000	28.00000		15,120.00	
31	519088	JOINT SEAL (MR 1")	LF	568.000	27.00000		15,336.00	
32	519091	JOINT SEAL (MR 1 1/2")	LF	650.000	47.00000		30,550.00	
33	519100	JOINT SEAL (MR 2")	LF	130.000	74.00000		9,620.00	
34	840516	THERMOPLASTIC PAVEMENT MARKING (ENHANCED WET NIGHT VISIBILITY)	SQFT	40.000	7.30000		292.00	
35	025434	4" TWO-COMPONENT PAINT TRAFFIC STRIPE (BROKEN 36-12)	LF	2,770.000	2.00000		5,540.00	
36	025435	4" TWO-COMPONENT PAINT TRAFFIC STRIPE (RECESSED) (BROKEN 36-12)	LF	660.000	9.80000		6,468.00	
37	840582	4" TWO-COMPONENT PAINT TRAFFIC STRIPE	LF	8,930.000	2.00000		17,860.00	
38	840584	8" TWO-COMPONENT PAINT TRAFFIC STRIPE	LF	650.000	3.90000		2,535.00	
39	025436	4" TWO-COMPONENT PAINT TRAFFIC STRIPE (RECESSED)	LF	1,620.000	12.00000		19,440.00	

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					Dollars	Cts	Dollars	Cts	
40	025437	4" TWO-COMPONENT PAINT TRAFFIC STRIPE (RECESSED) (BROKEN 17-7)	LF	660.000	9.80000		6,468.00		
41	840661	TWO-COMPONENT PAINT PAVEMENT MARKING	SQFT	84.000	24.00000		2,016.00		
42	846001	4" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY)	LF	4,530.000	0.73000		3,306.90		
43	846004	4" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY) (BROKEN 17-7)	LF	1,010.000	0.49000		494.90		
44	846005	4" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY) (BROKEN 36-12)	LF	3,460.000	0.49000		1,695.40		
45	846009	8" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY)	LF	1,150.000	1.50000		1,725.00		
46	846010	8" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY) (BROKEN 12-3)	LF	40.000	1.50000		60.00		
47	850111	PAVEMENT MARKER (RETROREFLECTIVE)	EA	260.000	6.10000		1,586.00		
48	999990	MOBILIZATION	LUMP SUM		LUMP SUM		102,000.00		
Section BID Total								2,272,990.00	

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Item No.	Item Code	Item Description	Unit Of Meas	Quant	Unit Price		Item Total	
					Dollars	Cts	Dollars	Cts
		Total Bid					2,272,990.00	

SUBCONTRACTOR LIST

Bidder must identify subcontractors 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 Firm Name, City, State and Description of Subcontracted Work, and submit with the bid.

Complete Bid Item No.(s) and Percent of Bid Item Subcontracted and submit with bid, or fax to (916)227-6282 within 24 hours after the bid opening. Failure to provide complete information in all sections within the time specified will result in a non-responsive bid.

*****NOTE*****

When submitting Bid Item Numbers and Percentage of Bid Items Subcontracted, Firm name, City, State, and Description of Work must be the same as stated in the original submittal. Percentages submitted are the responsibility of the bidder, and are not verified by the bidding software.

1) Firm Name:Central Striping Service List this subcontractor?
City:Rancho Cordova State:CA
Description of Subcontracted Work:
Pavement Marking
No.:8, 11, 12, 13, 14, 34, 35, 36, %: 100
No.:1 %: 30
No.: %:
No.: %:
No.: %:
Multiple item numbers and percentages can be separated by a space

2) Firm Name:DVBE Trucking List this subcontractor? Yes
City:Campbell State:CA
Description of Subcontracted Work:
Trucking
No.:23 %: 30
No.: %:
No.: %:
No.: %:
No.: %:
Multiple item numbers and percentages can be separated by a space

3) Firm Name:Global Environmental Network, Inc List this subcon
City:Fountain Valley State:CA
Description of Subcontracted Work:
Traffic Control
No.:1 %: 20
No.:4, 6, 9 %: 100
No.: %:
No.: %:
No.: %:
Multiple item numbers and percentages can be separated by a space

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SUBCONTRACTOR LIST (cont'd)

- 4) Firm Name: Titan DVBE, Inc . List this subcontractor? Yes
City: Redding State: CA
Description of Subcontracted Work:
Traffic Control - Flagging
No.: 3 %: 20
No.: %:
No.: %:
No.: %:
No.: %:
Multiple item numbers and percentages can be separated by a space
- 5) Firm Name: Vintage Paving Company List this subcontractor? Y
City: Winters State: CA
Description of Subcontracted Work:
Asphalt
No.: 15, 26 %: 100
No.: 48 %: 25
No.: %:
No.: %:
No.: %:
Multiple item numbers and percentages can be separated by a space
- 6) Firm Name: Wells Sweeping List this subcontractor? Yes
City: Sacramento State: CA
Description of Subcontracted Work:
Sweeping
No.: 20 %: 7
No.: 21 %: 16
No.: %:
No.: %:
No.: %:
Multiple item numbers and percentages can be separated by a space
- 7) Firm Name: Anrak Corporation List this subcontractor? Yes
City: Sacramento State: CA
Description of Subcontracted Work:
Milling
No.: 23 %: 55
No.: %:
No.: %:
No.: %:
No.: %:
Multiple item numbers and percentages can be separated by a space

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REQUEST FOR SMALL BUSINESS PREFERENCE OR NON-SMALL BUSINESS PREFERENCE

Small Business Preference

The undersigned _____ small business preference and certifies, under penalty of perjury, that the firm meets the requirements of 2 CA Code of Regs ♦ 1896 et seq. and is certified as a small business at the time and day of bid opening or has applied for certification and is subsequently certified by the

Department of General Services. To further verify its small business status, the undersigned attaches a copy of its small business certification letter.

Example: mm/dd/yyyy

Date: Certification Number:

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 applied for certification and are subsequently certified by the Department of General Services. List these firms on the Certified Small Business Listing for the Non-Small Business Preference form.

Example: mm/dd/yyyy

Date:

CALIFORNIA COMPANY PREFERENCE

This form must be completed and signed by all bidders. Failure of a non-California company to fill out and sign this form may be cause for rejection of its bid. Eligibility for a reciprocal preference for a California company is waived if the California company fails to complete and sign this form under penalty of perjury. The undersigned certifies that it is a "California company" as defined in Pub Cont Code ♦ 6107 and meets one of the following (enter requested information):

1. I am a California company which has its principal place of business in California.
2. I 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:
3. I 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.:

The undersigned certifies that it is not a "California company."

4. I a California company.
My principal place of business is in:
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. (Attach additional sheets if necessary.)
Describe:

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

OPT OUT OF PAYMENT ADJUSTMENTS FOR PRICE INDEX FLUCTUATIONS

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.

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: 04/26/2013 Name: C. George Bush

CERTIFICATIONS

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

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

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: C. George Bush

being first duly sworn, deposes and says that he or she is

Company Title: President and CEO of

Company Name: Penhall 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."

CERTIFICATIONS (cont'd)

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.
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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? No

If the answer is yes, explain the circumstances in the following space.

Explanation:

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 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.

Explanation:

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?
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?
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?
No
 4. If the answer is 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
- Explanation:



Bond Number: SCA13936331

Contractor Information

Principal: Penhall Company and subsidiaries

Address: 14045 Northdale Blvd. PO Box 310 Rogers Minnesota 55374 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: Arch Insurance Company

Bid Date: 4/26/2013

Estimated Contract Price:

Time For Completion:

Liquidated Damages:

Estimated Work On Hand:

Amount of Bid Security: 10%

Contract # or IFB #: 03-4M5104

Description of Job: Pavement Grinding/Rehabilitation. El Darado, Sacramento, and Yolo Counties. Caltrans - 03-4M5104 Proj ID. 0312000008 03-ED, SAC, YOL-50,51-VAR

Job Breakdown:

Electronic Bidding Information

Bid Security Percentage: 10

Bid Security Maximum:

Owner Assigned Contractor Number:VC0000007841

Primary Agency:

Alliant Insurance Services, Inc.

Power of Attorney Limited to: 60,000,000

Executed

Entered By: Susan Lupski - 4/19/2013 11:08:30 AM ET

Approved & Executed By:

Susan Lupski

Susan Lupski (Signed: 22-Apr-2013 08:09 AM EDT (UTC-04:00))

Signature Information

Know all men by these presents that Arch Insurance Company, a Corporation duly organized under the laws of the State of Missouri, 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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