B-1

CALTRANS
STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
BID FOR

CONSTRUCTION ON STATE HIGHWAY IN
ALAMEDA COUNTY AT VARIOUS LOCATIONS
In District 04 on Route 13, 24, 80, 84, 880

UNDER

Notice to Bidders and Special Provisions dated October 10, 2016
Project plans approved June 20, 2016
Standard Specifications dated 2010
Standard Plans dated 2010

Identified by

Contract No. 04-2G5024

04-Ala-13, 24, 80, 84, 880-VAR

Project ID 0414000057

FEDERAL-AID PROJECT
ACHSNHG-X001(615)E

Bids open Thursday, November 10, 2016 Dated October 10, 2016

AADD

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
Contract No.: 04-2G5024 Project ID: 0414000057
Bidder Name:Midstate Barrier, Inc. Bidder ID:VC0000013893
BID TO THE DEPARTMENT OF TRANSPORTATION
DES-OE-0102.1

Name of Bidder Midstate Barrier, Inc.
Business Street Address PO Box 30550
(Include even if P.O. Box is used)
Business P.O. Box
City, State, Zip Stockton, CA, 95213
Telephone No: AREA CODE 209-944-9565
Fax No: AREA CODE 209-944-9569
Contractor License No. 529261
Public Works Contractor Registration No. 1000000538
Checksum 2021AD62

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. Bidder has and acknowledges the following addenda:3
   11-14-16 Revise Notice to Bidders and Special Provisions,

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

4. 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

PRINTED NAME:Clark Ebinger AND
TITLE OF PERSON SIGNING:President

BY (Authorized signature) DATE SIGNED(Do not type)

BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity	Unit of Measure	Unit Price	Item Total
1	070030	LEAD COMPLIANCE PLAN	LUMP SUM	LS	LUMP SUM	1,300.00
2	120090	CONSTRUCTION AREA SIGNS	LUMP SUM	LS	LUMP SUM	38,000.00
3	120100	TRAFFIC CONTROL SYSTEM	LUMP SUM	LS	LUMP SUM	390,000.00
4	120165	CHANNELIZER (SURFACE MOUNTED)	400.0	EA	38.00	15,200.00
5	128652	PORTABLE CHANGEABLE MESSAGE SIGN (LS)	LUMP SUM	LS	LUMP SUM	11,000.00
6	129000	TEMPORARY RAILING (TYPE K)	4,200.0	LF	33.50	140,700.00
7	032416	TEMPORARY ALTERNATIVE CRASH CUSHION	40.0	EA	1,200.00	48,000.00
8	130100	JOB SITE MANAGEMENT	LUMP SUM	LS	LUMP SUM	4,000.00
9	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LUMP SUM	LS	LUMP SUM	1,000.00
10	130530	TEMPORARY HYDRAULIC MULCH (BONDED FIBER MATRIX)	1,330.0	SQYD	2.00	2,660.00
11	130620	TEMPORARY DRAINAGE INLET PROTECTION	18.0	EA	200.00	3,600.00
12	130640	TEMPORARY FIBER ROLL	3,980.0	LF	6.00	23,880.00

BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity	Unit of Measure	Unit Price	Item Total
13	130680	TEMPORARY SILT FENCE	1,510.0	LF	6.00	9,060.00
14	130730	STREET SWEEPING	LUMP SUM	LS	LUMP SUM	3,000.00
15	130900	TEMPORARY CONCRETE WASHOUT	LUMP SUM	LS	LUMP SUM	1,500.00
16	141000	TEMPORARY FENCE (TYPE ESA)	1,500.0	LF	6.00	9,000.00
17	141120	TREATED WOOD WASTE	45,000.0	LB	0.25	11,250.00
18	150605	REMOVE FENCE	20.0	LF	45.00	900.00
19	150630	REMOVE MARKER	170.0	EA	9.00	1,530.00
20	150661	REMOVE GUARDRAIL	3,750.0	LF	15.00	56,250.00
21	150685	REMOVE IRRIGATION FACILITY	LUMP SUM	LS	LUMP SUM	8,300.00
22	150771	REMOVE ASPHALT CONCRETE DIKE	1,210.0	LF	11.00	13,310.00
23	150772	REMOVE CURB	50.0	LF	110.00	5,500.00
24	152320	RESET ROADSIDE SIGN	17.0	EA	180.00	3,060.00

BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity	Unit of Measure	Unit Price	Item Total
25	157560	BRIDGE REMOVAL (PORTION)	LUMP SUM	LS	LUMP SUM	15,900.00
26	160102	CLEARING AND GRUBBING (LS)	LUMP SUM	LS	LUMP SUM	23,300.00
27	032417	RELOCATE IRRIGATION VALVE	7.0	EA	1,000.00	7,000.00
28	032418	RUBBER WEED MAT VEGETATION CONTROL	210.0	SQYD	46.00	9,660.00
29	206400	CHECK AND TEST EXISTING IRRIGATION FACILITIES	LUMP SUM	LS	LUMP SUM	13,000.00
30	206402	OPERATE EXISTING IRRIGATION FACILITIES	LUMP SUM	LS	LUMP SUM	9,000.00
31	208448	RISER SPRINKLER ASSEMBLY	6.0	EA	46.00	276.00
32	208449	POP-UP SPRINKLER ASSEMBLY	36.0	EA	91.00	3,276.00
33(F)	208594	3/4" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)	100.0	LF	8.00	800.00
34(F)	208595	1" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)	270.0	LF	9.00	2,430.00
35(F)	208596	1 1/4" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)	50.0	LF	10.00	500.00
36(F)	208597	1 1/2" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)	160.0	LF	11.00	1,760.00

BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity	Unit of Measure	Unit Price	Item Total
37	210270	ROLLED EROSION CONTROL PRODUCT (NETTING)	800.0	SQFT	1.70	1,360.00
38	210350	FIBER ROLLS	5,930.0	LF	3.00	17,790.00
39	210600	COMPOST	17,800.0	SQFT	0.50	8,900.00
40	390136	MINOR HOT MIX ASPHALT	13.0	TON	450.00	5,850.00
41	394074	PLACE HOT MIX ASPHALT DIKE (TYPE C)	190.0	LF	13.00	2,470.00
42	394077	PLACE HOT MIX ASPHALT DIKE (TYPE F)	1,020.0	LF	13.00	13,260.00
43	800051	FENCE (TYPE WM, METAL POST)	20.0	LF	10.00	200.00
44	820118	GUARD RAILING DELINEATOR	260.0	EA	15.00	3,900.00
45	820134	OBJECT MARKER (TYPE P)	44.0	EA	95.00	4,180.00
46	820151	OBJECT MARKER (TYPE L-1)	25.0	EA	55.00	1,375.00
47	832007	MIDWEST GUARDRAIL SYSTEM (WOOD POST)	2,400.0	LF	44.20	106,080.00
48	832070	VEGETATION CONTROL (MINOR CONCRETE)	3,990.0	SQYD	90.00	359,100.00

BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity	Unit of Measure	Unit Price	Item Total
49	839539	TERMINAL SYSTEM (TYPE SKT)	1.0	EA	3,000.00	3,000.00
50	839540	TRANSITION RAILING (TYPE STB)	2.0	EA	3,800.00	7,600.00
51	839543	TRANSITION RAILING (TYPE WB-31)	43.0	EA	3,900.00	167,700.00
52	839581	END ANCHOR ASSEMBLY (TYPE SFT)	2.0	EA	700.00	1,400.00
53	839585	ALTERNATIVE FLARED TERMINAL SYSTEM	25.0	EA	2,400.00	60,000.00
54	839701	CONCRETE BARRIER (TYPE 60)	200.0	LF	220.00	44,000.00
55	839704	CONCRETE BARRIER (TYPE 60D)	10.0	LF	1,300.00	13,000.00
56	045616	CONCRETE BARRIER (TYPE 60 MODIFIED)	237.0	LF	240.00	56,880.00
57	839745	CONCRETE BARRIER TRANSITION	457.0	LF	1,200.00	548,400.00
58	872130	MODIFYING EXISTING ELECTRICAL SYSTEM	LUMP SUM	LS	LUMP SUM	133,000.00
59	999990	MOBILIZATION	LUMP SUM	LS	LUMP SUM	133,000.00
	Total Bid					$2,986,347.00

TOTAL BID

TOTAL BID FOR BID ITEMS:	$2,581,347.00
TOTAL BID FOR TIME: 75 X $5,400.00 =	$405,000.00
WORKING DAYS BID (Not to exceed 100 Days)	
TOTAL BID FOR COMPARISON (COST PLUS TIME):	$2,986,347.00

Bidding Firm: Midstate Barrier, Inc.

List this sub? Yes

1) Business Name Quimu Contracting
Location City Dixon State CA
California Contractor License Number 809085
Public Works Contractor Registration Number 1000013683
Portion of Work Subcontracted:

Item	%	Description
47	80	Form and Pour Vegetation Control Concrete
59	5	Mobilization (Partial)

List this sub? Yes

2) Business Name AC Dike
Location City Lincoln State CA
California Contractor License Number 407417
Public Works Contractor Registration Number 1000005929
Portion of Work Subcontracted:

Item	%	Description
41	100	
42	100	
40	100	

List this sub? Yes

3) Business Name Marina Landscape
Location City Orange State CA
California Contractor License Number 492862
Public Works Contractor Registration Number 1000000079
Portion of Work Subcontracted:

Item	%	Description
10	100	
11	100	
12	100	
13	100	
16	100	

Bidding Firm: Midstate Barrier, Inc.

List this sub? Yes

4) Business Name Marina Landscape
Location City Orange State CA
California Contractor License Number 492862
Public Works Contractor Registration Number 1000000079
Portion of Work Subcontracted:

Item	%	Description
37	100	
38	100	
39	100	

List this sub? Yes

5) Business Name Statewide Traffic Safety & Signs
Location City Fairfield State CA
California Contractor License Number 975518
Public Works Contractor Registration Number 1000001109
Portion of Work Subcontracted:

Item	%	Description
2	100	
3	90	Lane and Ramp Closures

List this sub? Yes

6) Business Name KRC Safety Co.
Location City Visalia State CA
California Contractor License Number 507950
Public Works Contractor Registration Number 1000004730
Portion of Work Subcontracted:

Item	%	Description
4	25	Furnish & Install Channelizers
6	25	K-rail rental and delivery
7	25	Crash Cushion rental and delivery

Bidding Firm: Midstate Barrier, Inc.

List this sub? Yes

7) Business Name Marina Landscape
Location City Orange State CA
California Contractor License Number 492862
Public Works Contractor Registration Number 1000000079
Portion of Work Subcontracted:

Item	%	Description
21	100	
27	100	
29	100	
30	100	
31	100	

List this sub? Yes

8) Business Name Marina Landscape
Location City Orange State CA
California Contractor License Number 492862
Public Works Contractor Registration Number 1000000079
Portion of Work Subcontracted:

Item	%	Description
32	100	
33	100	
34	100	
35	100	
36	100	

List this sub? Yes

9) Business Name Mike Brown Elec
Location City Cotati State CA
California Contractor License Number 306767
Public Works Contractor Registration Number 1000000469
Portion of Work Subcontracted:

Item	%	Description
58	100	

OPT OUT OF PAYMENT ADJUSTMENTS FOR PRICE INDEX FLUCTUATIONS
DES-OE-0102.12A(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:_____

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: No Certification number? :

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

CERTIFICATIONS

FEDERAL-AID PROJECTS DISCLOSURE OF LOBBYING ACTIVITIES CERTIFICATION

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

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities," in conformance with its instructions.

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

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
Contract No.: 04-2G5024 Project ID: 0414000057
Bidder Name:Midstate Barrier, Inc. Bidder ID:VC0000013893
DISCLOSURE OF LOBBYING ACTIVITIES Approved by OMB 0348-0046

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
No
1. Type of Federal Action:
2. Status of Federal Action:
3. Report Type:
For Material Change Only:
Year
Quarter
Date of last report
4. Name and Address of Reporting Entity:

Tier ,if known
Congressional District, if known:
5. If Reporting Entity in No. 4 is Subawardee Enter Name and Address of Prime:

Congressional District, if known:
6. Federal Department/Agency:

7. Federal Program Name/Description:

CFDA Number, if applicable
8. Federal Action Number, if known:
9. Award amount, if known ($):
10. a. Name and Address of Lobby Registrant (if individual, last name, first name, MI):

b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):
11. Information requested through this form is authorized by Title 31 U.S.C. Section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Signature:_____

Print Name:
Title:
Telephone No.:
DATE:

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

Federal Use Only:

EQUAL EMPLOYMENT OPPORTUNITY REGULATION CERTIFICATION

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

Notes:

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

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

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

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

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

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

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

does not have a proposed debarment pending; and

has not been indicted, convicted, or had a civil judgement rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

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

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

UNDOCUMENTED ALIENS EMPLOYMENT

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

NONCOLLUSION

NONCOLLUSION AFFIDAVIT TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID
Under PCC 7106 and 23 USC 112, the bidder declares as follows:
State of CA County of San Joaquin
Name Clark Ebinger,
being first duly sworn, deposes and says that he or she is
President of
Midstate Barrier, 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, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

CHILD SUPPORT COMPLIANCE ACT

Under Pub Cont Code ◆ 7110, the contractor acknowledges that:

1. The contractor recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with section 5200) of Part 5 of Division 9 of the Family Code; and
2. The contractor to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the Employment Development Department.

NATIONAL LABOR RELATIONS BOARD

Under Pub Cont Code ◆ 10232, the contractor, swears under penalty of perjury, that no more than one final unappealable finding of contempt of court by a federal court has been issued against the contractor within the immediately preceding two year period because of the contractor's failure to comply with an order of a federal court which orders the contractor to comply with an order of the National Labor Relations Board.

VIOLATION OF LAW OR A SAFETY REGULATION

Under Pub Cont Code ◆ 10162, the Bidder must complete, under penalty of perjury, the following questionnaire:

Has the Bidder, any officer of the Bidder, or any employee of the Bidder who has a proprietary interest in the Bidder, ever been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of a violation of law or a safety regulation? No

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

ANTITRUST LAW

Under Pub Con Code ◆ 10285.1, the Bidder declares under penalty of perjury under the laws of the State of California that the Bidder Has Not been convicted within the preceding three years of any offenses referred to in that section, including any charge of fraud, bribery, collusion, conspiracy, or any other act in violation of any state or federal antitrust law in connection with the bidding upon, award of, or performance of, any public works contract, as defined in Pub Cont Code ◆ 1101, with any public entity, as defined in Pub Cont Code ◆ 1100, including the Regents of the University of California or the Trustees of the California State University. The term "Bidder" includes any partner, member, officer, director, responsible managing officer, or responsible managing employee thereof, as referred to in Section 10285.1.

If the Bidder has been convicted of an offense within the past 3 years, provide the conviction details including the date and ultimate resolution of each conviction in the space below.

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

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

BIDDER RESPONSIBILITY QUESTIONNAIRE

Failure to truthfully answer the following questions will result in a finding that the bid is nonresponsive. The Bidder must complete, under penalty of perjury, the following questionnaire:

1. Within the past 10 years, has the Bidder been found to be a nonresponsible bidder by any public entity, including federal, State, local, or regional entities?
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?
No

3. Is there any officer or employee of the Bidder who now has or has had any proprietary interest in another company that bid or bids on public works projects whose company has been determined to be a nonresponsible bidder by any public entity, including federal, State, local, or regional entities?
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

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
BIDDER'S BOND
DES-OE 0102.3(REV 4/2016)
Contract No. 04-2G5024

Bond No. _____

We_____

_____ as Principal, and

_____

as Surety are bound unto the State of California, Department of Transportation, hereafter referred to as "Obligee", in the penal sum of ten percent (10%) of the total amount of the bid of the Principal submitted to the Obligee for the work described below, for the payment of which sum we bind ourselves, jointly and severally,

THE CONDITION OF THIS OBLIGATION IS SUCH, THAT:

WHEREAS, the Principal is submitting a bid to the Obligee, for
CONSTRUCTION ON STATE HIGHWAY IN
ALAMEDA COUNTY AT VARIOUS LOCATIONS
In District 04 on Route 13, 24, 80, 84, 880
for which bids are to be opened at 1727 30th Street, Sacramento CA 95816 on 11-17-16.

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

In the event a suit is brought upon this bond by the Obligee and judgement is recovered, the Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorney's fee to be fixed by the court.

Dated:_____, 20_____.

Principal:_____

Surety:_____

Address of Surety:_____

(for correspondence or claims)

By_____

Attorney-in-Fact

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of _____

On this _____ before me, _____

Date Here insert Name and Title of the Officer

personally appeared _____

Name(s) of Signer(s)

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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 of Notary Public

(SEAL)

Bond Details for: Bid Bond

Status: In Effect
Bond Form: CA DOT eBond Bid Bond Only UP 3-15 (Bid Bond)
Current Effective Date: 10/17/2016
Expiration Date: 1/15/2017
Subsidiary: Midstate Barrier, Inc.
Description: Construction on State Highway in Alameda County at various locations. Upgrade existing transition railings.
Contract Date:
Type of Bond: Contract
SAA Code: Bid Bond(000)
Initial Effective Date: 10/17/2016

Principal

Name: Midstate Barrier, Inc.
Address: 3291 S. Highway 99
Stockton, CA 95215
State of Incorporation: CA

Obligee

Name: State of California, Department of Transportation
Address: 1727 30th St. 1st Floor
Sacramento, CA 95816
State of Obligation: CA
Obligee Type: state

Agency Information

Agency: ROHM Insurance Agency
Site: ROHM Insurance Agency (Orange, CA)
Attorney-in-fact: Todd M. Rohm
State of Execution: CA

Bond Form Custom Fields

Bid Location: 1727 30th Street, Bidder's Exchange, MS 26, Sacramento, CA 95816
Contract ID No. Required for Electronic Bidding: 04-2G5024
Principal Signature Name: Clark Ebinger
Principal Signature Name Title: President

Other Information

Project, Invitation or Bid Number: 04-2G5024
Bid Date: 11/10/2016
Bid Bond Amount: 10%
SurePath ID (Long): {97ED7343-CCE1-4C1E-BA7C-4D9BB45DF85E}
Bond Validation Number(BVN): B1GJ-M2NS-WVQH-2YKL E-Mail BVN

Issuing Carriers

Western Surety Company

Bond Number: Bid Bond
Premium Amount: $0.00
State Surcharge: $0.00
Municipal Tax: $0.00

Comments