

Contract No.: 04-3E3004

Project(s): ACSTP-S084(041)E

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

Bidder: VC0000500011 - Windsor Fuel Company

A-1

Standard Specifications Dated 2010  
Contract No.: 04-3E3004  
Name of Bidder: Windsor Fuel Company  
Business P.O. Box:  
City, State, Zip: Pittsburg, California, 94565  
Business Street Address: 1150 Willow Pass Road  
Telephone Number: 925-427-5266  
Fax Number: 925-427-1216  
Contractor License Number: 776848

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

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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)

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- 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

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BY (Authorized Signature)

DATE SIGNED (Do not type)

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PRINTED NAME AND TITLE OF PERSON SIGNING

Contract No.: 04-3E3004

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Bidder: VC0000500011 - Windsor Fuel Company

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								
1	070030	LEAD COMPLIANCE PLAN			LUMP SUM		1,500.00	
2	120090	CONSTRUCTION AREA SIGNS			LUMP SUM		10,000.00	
3	120100	TRAFFIC CONTROL SYSTEM			LUMP SUM		193,367.62	
4	120165	CHANNELIZER (SURFACE MOUNTED)	EA	140.000	100.00000		14,000.00	
5	128651	PORTABLE CHANGEABLE MESSAGE SIGN (EA)	EA	2.000	5,000.00000		10,000.00	
6	130100	JOB SITE MANAGEMENT			LUMP SUM		3,500.00	
7	130200	PREPARE WATER POLLUTION CONTROL PROGRAM			LUMP SUM		1,500.00	
8	130620	TEMPORARY DRAINAGE INLET PROTECTION	EA	35.000	225.00000		7,875.00	
9	148005	NOISE MONITORING			LUMP SUM		1,000.00	
10	150730	REMOVE CHANNELIZERS	EA	140.000	35.00000		4,900.00	

State of California  
 Dept of Transportation  
 Bid Item List

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 Date: 03-22-13  
 Revised: 04-16-13

Contract No.: 04-3E3004

Project(s): ACSTP-S084(041)E

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

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Item No.	Item Code	Item Description	Unit Of Meas	Quant	Unit Price Dollars	Cts	Item Total Dollars	Cts
11	150771	REMOVE ASPHALT CONCRETE DIKE	LF	1,050.000	2.00000		2,100.00	
12	153103	COLD PLANE ASPHALT CONCRETE PAVEMENT	SQYD	166,000.000	2.00000		332,000.00	
13	160102	CLEARING AND GRUBBING (LS)	LUMP SUM		LUMP SUM		25,000.00	
14	190185	SHOULDER BACKING	TON	500.000	63.00000		31,500.00	
15	374002	ASPHALTIC EMULSION (FOG SEAL COAT)	TON	2.000	475.00000		950.00	
16	390132	HOT MIX ASPHALT (TYPE A)	TON	840.000	200.00000		168,000.00	
17	390136	MINOR HOT MIX ASPHALT	TON	35.000	300.00000		10,500.00	
18	390141	HOT MIX ASPHALT (BONDED WEARING COURSE-GAP GRADED)	TON	11,000.000	92.00000		1,012,000.00	
19	390151	ASPHALTIC EMULSION MEMBRANE (BONDED WEARING COURSE)	TON	120.000	550.00000		66,000.00	
20	025438	CENTERLINE RUMBLE STRIP	STA	460.000	17.00000		7,820.00	

State of California  
 Dept of Transportation  
 Bid Item List

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 Date: 03-22-13  
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Item No.	Item Code	Item Description	Unit Of Meas	Quant	Unit Price Dollars	Cts	Item Total Dollars	Cts
21	394073	PLACE HOT MIX ASPHALT DIKE (TYPE A)	LF	180.000	5.00000		900.00	
22	394075	PLACE HOT MIX ASPHALT DIKE (TYPE D)	LF	100.000	5.00000		500.00	
23	394076	PLACE HOT MIX ASPHALT DIKE (TYPE E)	LF	770.000	5.00000		3,850.00	
24	397005	TACK COAT	TON	1.000	750.00000		750.00	
25	840504	4" THERMOPLASTIC TRAFFIC STRIPE	LF	184,000.000	0.20000		36,800.00	
26	840515	THERMOPLASTIC PAVEMENT MARKING	SQFT	660.000	3.00000		1,980.00	
27	850111	PAVEMENT MARKER (RETROREFLECTIVE)	EA	11,500.000	2.50000		28,750.00	
28	999990	MOBILIZATION	LUMP SUM		LUMP SUM		75,000.00	
Section BID Total							2,052,042.62	
Total Bid							2,052,042.62	

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:Linear Options List this subcontractor? Yes  
City:Durham State:CA

Description of Subcontracted Work:

Striping

No.:3 %: .039  
No.:20 %: 100  
No.:25,26,27 %: 100  
No.:28 %: 12  
No.: %:

Multiple item numbers and percentages can be separated by a space

2) Firm Name:KRC Safety Company List this subcontractor? Yes  
City:Visalia State:CA

Description of Subcontracted Work:

Construction Area Signs and Channelizers

No.:4 %: 75  
No.: %:  
No.: %:  
No.: %:  
No.: %:

Multiple item numbers and percentages can be separated by a space

3) Firm Name:ANRAK Corporation List this subcontractor? Yes  
City:Sacramento State:CA

Description of Subcontracted Work:

Cold Plane Asphalt Concrete

No.:12 %: 25  
No.: %:  
No.: %:  
No.: %:  
No.: %:

Multiple item numbers and percentages can be separated by a space

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OPT OUT OF PAYMENT ADJUSTMENTS FOR PRICE INDEX FLUCTUATIONS

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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:      Name:

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SMALL BUSINESS STATUS

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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/NO: No Certification number? :

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

INSTRUCTIONS FOR COMPLETION OF SF-LLL DISCLOSURE OF LOBBYING ACTIVITIES

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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 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.
11. The certifying official shall sign and date the form, print his/her name title, and telephone number.

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DISCLOSURE OF LOBBYING ACTIVITIES

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Are there lobbying activities to disclose? 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 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.

Name: Mike Fain

Title: Operations Manager

Telephone No.: 925-427-5266

DATE: April 26, 2013

CALIFORNIA STATE DEPARTMENT OF TRANSPORTATION  
CALTRANS BIDDER DBE COMMITMENT - CONTRACT#:04-3E3004

Bidder: Windsor Fuel Company

IMPORTANT: Identify all DBE firms being claimed for credit, regardless of tier. Names of the First Tier DBE Subcontractors and their respective item(s) of work listed must be consistent, where applicable, with the names and items of work in the "Subcontractor List" submitted with your bid. Copies of the DBE quotes are required.

1. DBE prime contractors must enter their certification number and indicate all work to be performed by DBE's including work performed by its own forces
2. If 100% of an item is not performed or furnished by DBE, describe exact portion of item to be performed or furnished.
3. See Section titled "Disadvantaged Business Enterprises" in Section 2 "Bidding" of the special provisions to determine the credit allowed for DBE items.

Submit to: MSC43  
OFFICE ENGINEER  
DEPARTMENT OF TRANSPORTATION  
1727 30th STREET  
SACRAMENTO, CA 95816-7005

TOTAL DBE COMMITMENT FOR VENDOR:	Entered:	0.00% or	0.00
	Required:	5.00% or	102602.13
			<GOAL NOT MET>

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CERTIFICATIONS

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FEDERAL-AID PROJECTS DISCLOSURE OF LOBBY ACTIVITIES CERTIFICATION

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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 and office or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Memeber 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 teh 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 place 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.

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CERTIFICATIONS (cont'd)

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EQUAL EMPLOYMENT OPPORTUNITY REGULATION CERTIFICATION

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Bidder Windsor Fuel Company, proposed subcontractor As Listed, 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 require 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 CFG 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 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

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CERTIFICATIONS (cont'd)

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

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Bidder, under penalty of perjury, certifies that, except as noted below, it or any 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.

None

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.

None

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CERTIFICATIONS (cont'd)

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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

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UNDOCUMENTED ALIENS EMPLOYMENT

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

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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 : Contra Costa

Name: Mike Fain

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

Company Title: Operations Manager of

Company Name: 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."

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CERTIFICATIONS (cont'd)

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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:

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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:



**General Engineering Contractors – Paving, Chip Seal, Oil Spreading**

1150 Willow Pass Road • Pittsburg, CA 94565 • TELEPHONE (925) 427-5266 FAX (925) 427-1216

STATE CONTRACTORS LICENSE # 776848

## TRANSMITTAL COVER LETTER

**Date: April 23, 2013**

**To: Caltrans  
MSC 43  
Office Engineer  
1727 30<sup>th</sup> Street  
Sacramento, CA 95816-7005**

**Re: Caltrans Contract 04-3E3004, 04-SM-84-8.3/17.0**

**Attention: Office Engineer**

**We enclose herewith:**

- |                                     |                                           |                          |                     |
|-------------------------------------|-------------------------------------------|--------------------------|---------------------|
| <input checked="" type="checkbox"/> | Submittals                                | <input type="checkbox"/> | For Your Signature  |
| <input type="checkbox"/>            | Change Order                              | <input type="checkbox"/> | For Your Approval   |
| <input type="checkbox"/>            | Request for Information                   | <input type="checkbox"/> | For Your Correction |
| <input type="checkbox"/>            | Subcontract/Purchase Order                | <input type="checkbox"/> | For Your Records    |
| <input checked="" type="checkbox"/> | Other: <u>Bid Bond for Electronic Bid</u> |                          |                     |

**REMARKS:**

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**By: Marc Armstrong** **cc: Mike Fain, Karl Meyers**

**Title: Estimator/Project Manager**

**Receipt**

**BIDDER'S BOND**

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, 8880 CAL CENTER DRIVE, SUITE 410, SACRAMENTO, CALIFORNIA 95826

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: 04-3E3004  
FOR CONSTRUCTION ON STATE HIGHWAY IN SAN MATEO COUNTY AT LA HONDA, SKY LONDA AND IN AND  
NEAR WOODSIDE FROM PESCADERO ROAD TO 1.0 MILE NORTH OF FRIARS LANE. 04-SM-84-8.3/17.0, 04-3E3004

*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 APRIL 26, 2013

*(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: APRIL 19, 2013

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

**WESTERN SURETY COMPANY**  
**8880 CAL CENTER DRIVE, SUITE 410,**  
**SACRAMENTO, CALIFORNIA 95826**

WINDSOR FUEL CO.

*Michael Stein*  
Principal

WESTERN SURETY COMPANY

By *Christopher J. Angelo*  
Christopher J. Angelo, Attorney-In-Fact

**CERTIFICATE OF ACKNOWLEDGMENT**

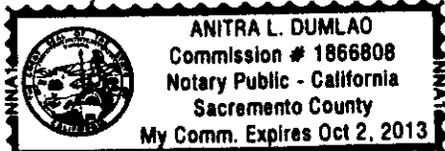
State of California  
County of Sacramento SS

On this April 19, 2013 before me, Anitra L. Dumlaog – 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 *Anitra L. Dumlaog*  
Signature of Notary Public

(SEAL)

# 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 Frances Pullen, John J Weber, 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 11th day of May, 2012.



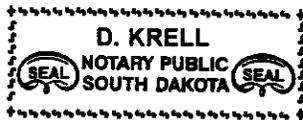
WESTERN SURETY COMPANY

Paul T. Brufat  
Paul T. Brufat, Senior Vice President

State of South Dakota }  
County of Minnehaha } ss

On this 11th day of May, 2012, before me personally came Paul T. Brufat, 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 19th day of April, 2013.



WESTERN SURETY COMPANY

L. Nelson  
L. Nelson, Assistant Secretary