

CALTRANS  
STATE OF CALIFORNIA  
DEPARTMENT OF TRANSPORTATION  
BID FOR

4

A3

CONSTRUCTION ON STATE HIGHWAY IN  
SAN MATEO COUNTY IN BRISBANE AT SIERRA POINT OVERHEAD  
In District 04 on Route 101

UNDER

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Notice to Bidders and Special Provisions dated March 16, 2015  
Project plans approved November 24, 2014  
Standard Specifications dated 2010  
Standard Plans dated 2010

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Identified by

Contract No. 04-3E7904

04-SM-101-23.7

Project ID 0413000299

FEDERAL-AID PROJECT  
ACNHP-Q101(265)E

Bids open Tuesday, April 14, 2015

Dated March 16, 2015

AADD

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 04-3E7904 Project ID: 0413000299

Bidder Name:Murphy Industrial Coatings, Inc.

Bidder ID:VC0000021859

BID TO THE DEPARTMENT OF TRANSPORTATION

DES-OE-0102.1

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Name of Bidder Murphy Industrial Coatings, Inc.

Business Street Address 2704 Gundry Ave

(Include even if P.O. Box is used)

Business P.O. Box

City, State, Zip Signal Hill, CA, 90755

Telephone No: AREA CODE 562 427-7720

Fax No: AREA CODE 562 426-6751

Contractor License No. 310594

California Department of Industrial Relations' Registration No. 1000005885

Checksum B350B360

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 nonplant establishment work within the number of working days bid for nonplant establishment work.

2. Bidder has and acknowledges the following addenda:1  
04-02-15 Revise Federal Minimum Wages,
3. 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. 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:Tom Hutchinson AND

TITLE OF PERSON SIGNING:Tom Hutchinson

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BY (Authorized signature)

DATE SIGNED( Do not type)

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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	5,650.00
2	080050	PROGRESS SCHEDULE (CRITICAL PATH METHOD)	LUMP SUM LS	LUMP SUM	11,000.00
3	090105	TIME-RELATED OVERHEAD (LS)	LUMP SUM LS	LUMP SUM	22,000.00
4	120090	CONSTRUCTION AREA SIGNS	LUMP SUM LS	LUMP SUM	3,400.00
5	120100	TRAFFIC CONTROL SYSTEM	LUMP SUM LS	LUMP SUM	31,900.00
6	128652	PORTABLE CHANGEABLE MESSAGE SIGN (LS)	LUMP SUM LS	LUMP SUM	26,400.00
7	130100	JOB SITE MANAGEMENT	LUMP SUM LS	LUMP SUM	12,285.00
8	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LUMP SUM LS	LUMP SUM	500.00
9	141110	WORK AREA MONITORING (BRIDGE)	LUMP SUM LS	LUMP SUM	10,000.00
10	148005	NOISE MONITORING	LUMP SUM LS	LUMP SUM	8,500.00
11	590106	CLEAN STRUCTURAL STEEL (EXISTING BRIDGE)	LUMP SUM LS	LUMP SUM	1,899,285.00
12	590111	PAINT STRUCTURAL STEEL (EXISTING BRIDGE)	LUMP SUM LS	LUMP SUM	676,761.00

## STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 04-3E7904 Project ID: 0413000299

Bidder Name:Murphy Industrial Coatings, Inc.

Bidder ID:VC0000021859

## BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
13	590135	SPOT BLAST CLEAN AND PAINT UNDERCOAT	35,860.0 SQFT	20.00	717,200.00
14	999990	MOBILIZATION	LUMP SUM LS	LUMP SUM	170,000.00
		Total Bid			\$4,649,381.00

TOTAL BID

TOTAL BID FOR BID ITEMS:	\$3,594,881.00
TOTAL BID FOR TIME: 185 X \$5,700.00 =	\$1,054,500.00
WORKING DAYS BID (Not to exceed 250 Days)	
TOTAL BID FOR COMPARISON (COST PLUS TIME):	\$4,649,381.00

Bidding Firm: Murphy Industrial Coatings, Inc.

List this sub? Yes

- 1) Business Name Global Environmental Network Inc.  
Location City Fountain Valley State CA  
California Contractor License Number 24765  
CA Department of Industrial Relations' Registration Number 1000005273  
Portion of Work Subcontracted:

Item %	Description
1 50	Lead Plan
7 100	Job Site Management
8 100	Prepare Water Pullution Plan
10 50	Noise Monitoring

List this sub? Yes

- 2) Business Name Cal-Vet Services Inc  
Location City San Jose State CA  
California Contractor License Number 894938  
CA Department of Industrial Relations' Registration Number 1000010671  
Portion of Work Subcontracted:

Item %	Description
5 90	Traffic Control
6 100	Portable Message Signs

List this sub? Yes

- 3) Business Name Peterson Industrial Scaffolding  
Location City Martinez State CA  
California Contractor License Number 970819  
CA Department of Industrial Relations' Registration Number 1000003225  
Portion of Work Subcontracted:

Item %	Description
11 40	installation of Scaffolding

List this sub? Yes

5) Business Name American Civil Constructors  
Location City Benicia State CA  
California Contractor License Number 526319  
CA Department of Industrial Relations' Registration Number 1000005381  
Portion of Work Subcontracted:

Item %	Description
11 2	Access ramp

List this sub? Yes

6) Business Name Schotka Construction  
Location City America Canyon State CA  
California Contractor License Number 723309  
CA Department of Industrial Relations' Registration Number 1000002520  
Portion of Work Subcontracted:

Item %	Description
4 50	Construction Area signs



STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 04-3E7904 Project ID: 0413000299

Bidder Name: Murphy Industrial Coatings, Inc. Bidder ID: VC0000021859

OPT OUT OF PAYMENT ADJUSTMENTS FOR PRICE INDEX FLUCTUATIONS

DES-OE-0102.12A (REV. 8/2012)

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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: 04/14/15 Bidder's Name: Murphy Industrial Coatings, Inc Tom Hutchinson

Signature: \_\_\_\_\_

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 04-3E7904 Project ID: 0413000299

Bidder Name:Murphy Industrial Coatings, Inc.

Bidder ID:VC0000021859

SMALL BUSINESS STATUS

DES-OE-0102.4 (REV 3/2008)

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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?:

YES/NO: Yes Certification number? :1008397

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

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 04-3E7904 Project ID: 0413000299

Bidder Name: Murphy Industrial Coatings, Inc.

Bidder ID: VC0000021859

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.

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 04-3E7904 Project ID: 0413000299

Bidder Name:Murphy Industrial Coatings, Inc. Bidder ID:VC0000021859

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.

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 04-3E7904 Project ID: 0413000299

Bidder Name:Murphy Industrial Coatings, Inc. Bidder ID:VC0000021859

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.

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: Tom Hutchinson  
Title: Project Manager  
Telephone No.: 562 427-7720  
DATE: 4/13/15

Federal Use Only:

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

EQUAL EMPLOYMENT OPPORTUNITY REGULATION CERTIFICATION

Bidder Murphy Industrial Coatings, Inc, proposed subcontractor Peteron Scaffold 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.

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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.

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 Los Angeles

Name Tom Hutchinson,  
being first duly sworn, deposes and says that he or she is  
Tom Hutchinson of  
Murphy Industrial Coatings, 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.

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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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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.

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 04-3E7904 Project ID: 0413000299

Bidder Name:Murphy Industrial Coatings, Inc.

Bidder ID:VC0000021859

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.

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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.

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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 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 3/2008)  
Contract No. 04-3E7904

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 SAN MATEO COUNTY IN BRISBANE AT SIERRA POINT OVERHEAD In District 04 on Route 101 for which bids are to be opened at 1727 30th Street, Sacramento CA 95816 on 04-14-15.

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 \_\_\_\_\_

By \_\_\_\_\_

Attorney-in-Fact

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

\_\_\_\_\_  
\_\_\_\_\_

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

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)

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)

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

Contract No. 04-3E7904

**BIDDER'S BOND**

DES-OE-0102.3 (REV 3/2008)

Bond No. MURIN-1

We Murphy Industrial Coatings, Inc.

as Principal, and

American Contractors Indemnity Company

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. 04-3E7904 - Construction on State Highway in San Mateo County in Brisbane at Sierra Point Overhead in District 04 on Route 101  
*(Copy here the exact description of work, including location, as it appears on the proposal)*

for which bids are to be opened at Sacramento, CA

*(Insert place where bids will be opened)*

on April 14th, 2015

*(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 a suit is brought 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 9th, 2015

Correspondence or claims relating to this bond should be sent to the surety at the following address:  
American Contractors Indemnity Company  
625 The City Drive So., Ste. 130  
Orange, CA 92868

Murphy Industrial Coatings, Inc.

*(Signature of Stephen B. Murphy)*  
Principal

American Contractors Indemnity Company

Surety

By *(Signature of Arturo Ayala)*  
Arturo Ayala Attorney-in-Fact

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of \_\_\_\_\_

On this \_\_\_\_\_ Date before me, \_\_\_\_\_ Here Insert Name and Title of the Officer

personally appeared \_\_\_\_\_ 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.

(SEAL)

Signature \_\_\_\_\_  
Signature of Notary Public

**ADA Notice**

For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

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 Orange

On 4/9/15 before me, Susan Pugh, Notary Public,  
Date Insert Name of Notary exactly as it appears on the official seal

personally appeared Arturo Ayala  
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/hers/their authorized capacity(ies), and that by his/hers/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 Susan Pugh  
Signature of Notary Public Susan Pugh

Place Notary Seal Above

## OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of the form to another document.

### Description of Attached Document

Title or Type of Document: Bid Bond

Document Date: 4/9/15 Number of Pages: One

Signer(s) Other Than Named Above: None

### Capacity(ies) Claimed by Signer(s)

Signer's Name: Arturo Ayala

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER

Top of thumb here

Signer is Representing:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER

Top of thumb here

Signer is Representing:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

POWER OF ATTORNEY

AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS: That American Contractors Indemnity Company, a California corporation, Texas Bonding Company, an assumed name of American Contractors Indemnity Company, United States Surety Company, a Maryland corporation and U.S. Specialty Insurance Company, a Texas corporation (collectively, the "Companies"), do by these presents make, constitute and appoint:

Daniel Huckabay, Arturo Ayala, Dwight Reilly or Andrew Waterbury of Orange, California

its true and lawful Attorney(s)-in-fact, each in their separate capacity if more than one is named above, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include riders, amendments, and consents of surety, providing the bond penalty does not exceed \*\*\*\*\*Ten Million\*\*\*\*\* Dollars (\$ \*10,000,000.00\* ). This Power of Attorney shall expire without further action on December 20, 2017. This Power of Attorney is granted under and by authority of the following resolutions adopted by the Boards of Directors of the Companies:

Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

Attorney-in-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings, including any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts, and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

Be it Resolved, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, The Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 1st day of December, 2014.

AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY

Corporate Seals



By:

[Signature]
Daniel P. Aguilar, Vice President

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 Los Angeles SS:

On this 1st day of December, 2014, before me, Maria G. Rodriguez-Wong, a notary public, personally appeared Dan P. Aguilar, Vice President of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person 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] (Seal)



I, Michael Chalekson, Assistant Secretary of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Los Angeles, California this 9th day of April, 2015.

Corporate Seals



Bond No. MURIN-1
Agency No. 8472

[Signature]
Michael Chalekson, Assistant Secretary

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

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 Los Angeles )

On April 10, 2015 before me, Linda Rae Mendibles, Notary  
Date Here Insert Name and Title of the Officer

personally appeared Stephen B. Murphy  
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 Linda R. Mendibles  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: Bond Document Date: 4/9/2015  
Number of Pages: one Signer(s) Other Than Named Above: None

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: Stephen B. Murphy  
 Corporate Officer — Title(s): President  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_