

C4

CONTRACT NO. 05 - 061604

NAME OF BIDDER Raminha Construction, Inc.  
BUSINESS P.O. BOX 6805 Sycamore Road  
CITY, STATE, ZIP Atascadero, CA 93422  
BUSINESS STREET ADDRESS 6805 Sycamore Road  
(Include even if P.O. Box used)  
CITY, STATE, ZIP Atascadero, CA 93422  
TELEPHONE NO: AREA CODE (805) 461-0052  
FAX NO: AREA CODE (805) 461-0053  
CONTRACTOR LICENSE NO. 409531

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

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

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

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

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**BID TO THE DEPARTMENT OF TRANSPORTATION**  
DES-OE-0102.1 (REV. 3/2011)

- 2.6. For a lump sum based bid, the item total is the bid amount the Department uses for bid comparison.  
For a unit price based bid, the sum of the item totals is the bid amount the Department uses for bid comparison.  
For a cost plus time based bid, the sum of the item totals and the total bid for time is the bid amount the Department uses for bid comparison.
- 2.7. The Department's decision on the bid amount is final.

3. Bidder has and acknowledges the following addenda:

None

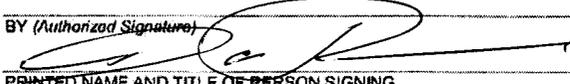
4. Bidder submits this bid with one of the following forms of bidder's security equal to at least 10 percent of the bid:

Cash \$ \_\_\_\_\_, Cashiers Check, Certified Check, Bidder's Bond

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

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

BY (Authorized Signature)



DATE SIGNED (Do not type)

2/12/2013

PRINTED NAME AND TITLE OF PERSON SIGNING

David Raminha, President

**BID ITEM LIST**

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
1	071325	TEMPORARY FENCE (TYPE ESA)	LF	570	2 <sup>-</sup>	1,140 <sup>-</sup>
2	074019	PREPARE STORM WATER POLLUTION PREVENTION PLAN	LS	LUMP SUM	LUMP SUM	2,500 <sup>-</sup>
3	074033	TEMPORARY CONSTRUCTION ENTRANCE	EA	8	<del>250</del> 500 <sup>-</sup>	<del>2,000</del> 4,000 <sup>-</sup> AC
4	074035	TEMPORARY CHECK DAM	LF	200	10 <sup>-</sup>	2,000 <sup>-</sup>
5	074041	STREET SWEEPING	LS	LUMP SUM	LUMP SUM	10,000 <sup>-</sup>
6	074042	TEMPORARY CONCRETE WASHOUT (PORTABLE)	LS	LUMP SUM	LUMP SUM	2,000 <sup>-</sup>
7	074057	STORM WATER ANNUAL REPORT	EA	1	2,000.00	2,000.00
8	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	7,000 <sup>-</sup>
9	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	30,000 <sup>-</sup>
10	128652	PORTABLE CHANGEABLE MESSAGE SIGN (LS)	LS	LUMP SUM	LUMP SUM	20,000 <sup>-</sup>
11	130100	JOB SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	80,000 <sup>-</sup>
12	150662	REMOVE METAL BEAM GUARD RAILING	LF	48	30 <sup>-</sup>	1,440 <sup>-</sup>
13	150668	REMOVE FLARED END SECTION	EA	13	300 <sup>-</sup>	3,900 <sup>-</sup>
14	150809	REMOVE CULVERT (LF)	LF	2,060	5 <sup>-</sup>	10,300 <sup>-</sup>
15	150812	REMOVE PIPE (LF)	LF	810	3 <sup>-</sup>	2,430 <sup>-</sup>
16	150817	REMOVE REINFORCED CONCRETE BOX CULVERT (LF)	LF	71	15 <sup>-</sup>	1,065 <sup>-</sup>
17	150821	REMOVE HEADWALL	EA	50	250 <sup>-</sup>	12,500 <sup>-</sup>
18	150857	REMOVE ASPHALT CONCRETE SURFACING	SQFT	1,330	2 <sup>-</sup>	2,660 <sup>-</sup>
19	151572	RECONSTRUCT METAL BEAM GUARD RAILING	LF	270	40 <sup>-</sup>	10,800 <sup>-</sup>
20	152255	RESET MAILBOX	EA	15	100 <sup>-</sup>	1,500 <sup>-</sup>

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
21	152299	RESET MILEPOST MARKER	EA	4	200 <sup>-</sup>	800 <sup>-</sup>
22	152316	RESET ROADSIDE SIGN (ONE POST)	EA	30	200	6,000 <sup>-</sup>
23	160102	CLEARING AND GRUBBING (LS)	LS	LUMP SUM	LUMP SUM	10,000 <sup>-</sup>
24	190101	ROADWAY EXCAVATION	CY	61,400	6.50	399,100 <sup>-</sup>
25	203021	FIBER ROLLS	LF	1,420	3 <sup>-</sup>	4,260 <sup>-</sup>
26	203026	MOVE-IN/MOVE-OUT (EROSION CONTROL)	EA	8	1,500 <sup>-</sup>	12,000 <sup>-</sup>
27	210430	HYDROSEED	SQFT	1,260,000	.07 <del>0.05</del>	<del>63,000</del> 88,200 <sup>-</sup>
28	260203	CLASS 2 AGGREGATE BASE (CY)	CY	1,100	45 <sup>-</sup>	49,500 <sup>-</sup>
29	390132	HOT MIX ASPHALT (TYPE A)	TON	870	110 <sup>-</sup>	95,700 <sup>-</sup>
30 (F)	510502	MINOR CONCRETE (MINOR STRUCTURE)	CY	99	1,100 <sup>-</sup>	108,900 <sup>-</sup>
31 (F)	520101	BAR REINFORCING STEEL	LB	1,530	10 <sup>-</sup>	15,300 <sup>-</sup>
32	620100	18" ALTERNATIVE PIPE CULVERT	LF	270	30 <sup>-</sup>	8,100 <sup>-</sup>
33	620140	24" ALTERNATIVE PIPE CULVERT	LF	2,190	40 <sup>-</sup>	87,600 <sup>-</sup>
34	620180	30" ALTERNATIVE PIPE CULVERT	LF	180	45 <sup>-</sup>	8,100 <sup>-</sup>
35	620220	36" ALTERNATIVE PIPE CULVERT	LF	120	52 <sup>-</sup>	6,240 <sup>-</sup>
36 (F)	620800	CONCRETE BACKFILL (PIPE TRENCH)	CY	340	135 <sup>-</sup>	45,900 <sup>-</sup>
37 (F)	720121	ROCK SLOPE PROTECTION (1/2 T, METHOD A) (CY)	CY	260	75 <sup>-</sup>	19,500 <sup>-</sup>
38 (F)	721015	ROCK SLOPE PROTECTION (LIGHT, METHOD B) (CY)	CY	160	80 <sup>-</sup>	12,800 <sup>-</sup>
39 (F)	721026	ROCK SLOPE PROTECTION (NO. 1, METHOD B) (CY)	CY	1,080	81 <sup>-</sup>	87,480 <sup>-</sup>
40 (F)	721028	ROCK SLOPE PROTECTION (NO. 2, METHOD B) (CY)	CY	170	82 <sup>-</sup>	13,940 <sup>-</sup>

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Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
41	721430	CONCRETE (CHANNEL LINING)	CY	9	600-	5,400-
42	729011	ROCK SLOPE PROTECTION FABRIC (CLASS 8)	SQYD	2,620	2-	5,240-
43	800007	FENCE (TYPE BW, 5 STRAND, METAL POST)	LF	11,300	6-	67,800-
44	820107	DELINEATOR (CLASS 1)	EA	29	100-	2,900-
45	820132	OBJECT MARKER (TYPE L)	EA	17	110-	1,870-
46	832002	METAL BEAM GUARD RAILING (STEEL POST)	LF	700	30-	21,000-
47	839584	ALTERNATIVE IN-LINE TERMINAL SYSTEM	EA	2	5000-	10,000-
48	840504	4" THERMOPLASTIC TRAFFIC STRIPE	LF	5,700	.70	3,990-
49	840515	THERMOPLASTIC PAVEMENT MARKING	SQFT	140	8-	1,120-
50	850111	PAVEMENT MARKER (RETROREFLECTIVE)	EA	130	5-	650-
51	861501	MODIFY SIGNAL AND LIGHTING	LS	LUMP SUM	LUMP SUM	60,000-
52	861503	MODIFY LIGHTING	LS	LUMP SUM	LUMP SUM	4,000-
53	999990	MOBILIZATION	LS	LUMP SUM	LUMP SUM	105,500-

**TOTAL BID:**

\$ 1,584,125.<sup>00</sup>/<sub>100</sub>

One Million Five Hundred Eighty four Thousand One Hundred Twenty Five Dollars +  
00/100.

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Bidder Name: Raminha Construction, Inc.

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

Column 1: Business Name and Location	Column 2: Bid Item Nos.	Column 3: Percentage of Bid Item Subcontracted	Column 4: Description of Subcontracted Work
Super Seal & Stripes P.O. Box 755 Fillmore, CA 93016	48	84 %	striping & marking
	49	75 %	
	50	80 %	
	53	3 %	
Underground Speciality Central Coast, Inc. 1550 Belgium Woods Rd Templeton, CA 93465	51	85 %	modify Signal & lighting
	52	62 %	
	53	3 %	
The Jungle 1900 Sawtelle Blvd. West Los Angeles, CA 90025	2	90 %	Hydro Seeding & SWPPP
	3	93 %	
	4	33 %	
	7	33 %	
	11	5 %	
	25	88 %	
	26	23 %	
27	85 %		
<del>Alcorn Fence Company 9901 Glen Oaks Blvd. Sun Valley, CA 91352</del>	<del>19</del>	<del>36 %</del>	<del>Fencing &amp; Guardrail</del>
	<del>43</del>	<del>87 %</del>	
	<del>44</del>	<del>28 %</del>	
	<del>45</del>	<del>95 %</del>	
	<del>46</del>	<del>75 %</del>	
	<del>47</del>	<del>66 %</del>	
	<del>48</del>	<del>80 %</del>	
Central Coast Fence 540 South 4th Street Grover Beach, CA 93433	12	50 %	Fencing & Guardrail
	19	46 %	
	43	68 %	
	46	82 %	
	47	62 %	

**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.

We Raminha Construction, Inc.

\_\_\_\_\_ as Principal, and  
The Guarantee Company of North America USA

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:**

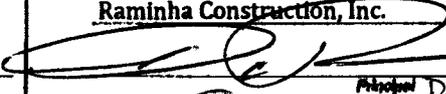
WHEREAS, the Principal is submitting a bid to the Obligee, for Construction on State Highway in Santa Barbara County  
(Copy how the exact description of work, including location, as it appears on the proposal)  
near Guadalupe from Simas Street to 1.5 Miles East of Simas Street and from Bonita School Road to Black Road  
for which bids are to be opened at 1727 30th Street, Sacramento, CA 95816  
(Exact place where bids will be opened)  
on February 12, 2013  
(Exact 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: February 6, 2013

Correspondence or claims relating to this bond should be sent to the surety at the following address:  
1800 Sutter Street, Suite 880  
Concord CA 94520

Raminha Construction, Inc.  
  
Principal David Raminha, President  
The Guarantee Company of North America USA  
Surety  
By   
Attorney-in-Fact Charles M. Griswold

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California }  
County of \_\_\_\_\_ }  
On this \_\_\_\_\_ Date \_\_\_\_\_ before me, \_\_\_\_\_  
personally appeared \_\_\_\_\_  
Here Insert Name and Title of the Officer  
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/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.

(SEAL) Signature See attached notary acknowledgment  
Signature of Notary Public

ADA Notice For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 664-6119 or TDD (916) 664-3860 or write Records and Forms Management, 1120 N Street, MS-08, Sacramento, CA 95834.

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of San Luis Obispo }

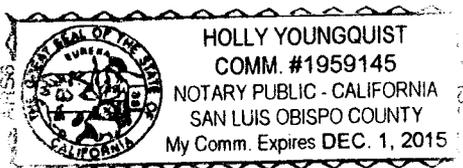
On 2/11/2013 before me, Holly Youngquist, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared David Raminha  
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 Holly Youngquist  
Signature of Notary Public

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 this form to another document.*

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

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

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

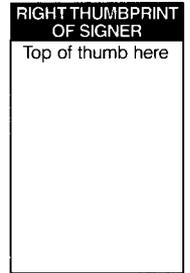
- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_

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

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



Signer Is Representing: \_\_\_\_\_

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

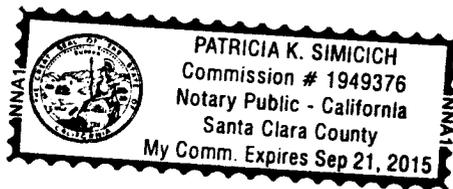
CIVIL CODE § 1189

State of California }  
County of Santa Clara }

On February 6, 2013 before me, Patricia K. Simicich, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared Charles M. Griswold  
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: [Handwritten Signature]  
Signature of Notary Public

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 this form to another document.*

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

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

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

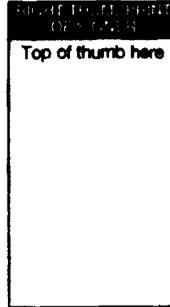
- Corporate Officer — Title(s): \_\_\_\_\_
- Individual
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



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

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

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



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

**THE GUARANTEE COMPANY OF NORTH AMERICA USA**  
Southfield, Michigan  
**POWER OF ATTORNEY**

KNOW ALL BY THESE PRESENTS: That THE GUARANTEE COMPANY OF NORTH AMERICA USA, a corporation organized and existing under the laws of the State of Michigan, having its principal office in Southfield, Michigan, does hereby constitute and appoint

*Vincent M. Scolari, Patricia K. Simicich, Felicia R. Gardner, Wendy R. Pastora, David J. Bachan, F. R. Hudson, III,  
Deborah L. Tablak, Charles M. Griswold, Yesenia Rivera  
McSherry & Hudson*

its true and lawful attorney(s)-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise.

The execution of such instrument(s) in pursuance of these presents, shall be as binding upon THE GUARANTEE COMPANY OF NORTH AMERICA USA as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at the principal office.

The Power of Attorney is executed and may be certified so, and may be revoked, pursuant to and by authority of Article IX, Section 9.03 of the By-Laws adopted by the Board of Directors of THE GUARANTEE COMPANY OF NORTH AMERICA USA at a meeting held on the 31<sup>st</sup> day of December, 2003. The President, or any Vice President, acting with any Secretary or Assistant Secretary, shall have power and authority:

1. To appoint Attorney(s)-in-fact, and to authorize them to execute on behalf of the Company, and attach the Seal of the Company thereto, bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof; and
2. To revoke, at any time, any such Attorney-in-fact and revoke the authority given, except as provided below
3. In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.
4. In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner - Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

Further, this Power of Attorney is signed and sealed by facsimile pursuant to resolution of the Board of Directors of the Company adopted at a meeting duly called and held on the 6th day of December 2011, of which the following is a true excerpt:

RESOLVED that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any Power of Attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, contracts of indemnity and other writings obligatory in the nature thereof, and such signature and seal when so used shall have the same force and effect as though manually affixed.



IN WITNESS WHEREOF, THE GUARANTEE COMPANY OF NORTH AMERICA USA has caused this instrument to be signed and its corporate seal to be affixed by its authorized officer, this 23rd day of February, 2012.

THE GUARANTEE COMPANY OF NORTH AMERICA USA

Stephen C. Ruschak, Vice President

Randall Musselman, Secretary

STATE OF MICHIGAN  
County of Oakland

On this 23rd day of February, 2012 before me came the individuals who executed the preceding instrument, to me personally known, and being by me duly sworn, said that each is the herein described and authorized officer of The Guarantee Company of North America USA; that the seal affixed to said instrument is the Corporate Seal of said Company; that the Corporate Seal and each signature were duly affixed by order of the Board of Directors of



Cynthia A. Takai  
Notary Public, State of Michigan  
County of Oakland  
My Commission Expires February 27, 2018  
Acting in Oakland County

IN WITNESS WHEREOF, I have hereunto set my hand at The Guarantee Company of North America USA offices the day and year above written.

I, Randall Musselman, Secretary of THE GUARANTEE COMPANY OF NORTH AMERICA USA, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by THE GUARANTEE COMPANY OF NORTH AMERICA USA, which is still in full force and effect.



IN WITNESS WHEREOF, I have thereunto set my hand and attached the seal of said Company this 6th day of February, 2013

Randall Musselman, Secretary

\*Left Blank Intentionally

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

**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.

Bidder's Name: \_\_\_\_\_ Contract No. \_\_\_\_ - \_\_\_\_\_

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

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

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**SMALL BUSINESS STATUS**

DES-OE-0102.4 (REV 3/2008)

CONTRACT NO. 05 - 061604

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

Yes: Certification number? 10639  No

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

**CERTIFICATIONS**

**FEDERAL-AID PROJECTS DISCLOSURE OF LOBBYING ACTIVITIES CERTIFICATION**

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

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

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 USC § 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

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

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

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

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

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

\*Left blank intentionally

DISCLOSURE OF LOBBYING ACTIVITIES

Approved by OMB

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

0348-0046

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

**EQUAL EMPLOYMENT OPPORTUNITY REGULATION CERTIFICATION**

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

Notes:

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

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

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

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

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

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

★ Raminha Construction, Inc.

★ ★ Super Seal & Stripe, Underground Specialties Central Coast, Inc.,  
The Jungle, ~~XXXXXX~~, Central Coast Fence  
cc

**UNDOCUMENTED ALIENS EMPLOYMENT**

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

**NONCOLLUSION**

**NONCOLLUSION AFFIDAVIT TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID**  
Under PCC 7106 and 23 USC 112, the bidder declares as follows:

State of California County of San Luis Obispo

David Raminha, being first duly sworn, deposes and says that he or she is President of Raminha Construction, 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?

Yes

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  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 nonresponsive bidder by any public entity, including federal, State, local, or regional entities?  
 Yes  No
2. Within the past 10 years, have any of the Bidder's officers or employees with a proprietary interest in the Bidder been determined to be a nonresponsive bidder by a public entity, including federal, State, local or regional entities?  
 Yes  No
3. Is there any officer or employee of the Bidder who now has or has had any proprietary interest in another company that bid or bids on public works projects whose company has been determined to be a nonresponsive bidder by any public entity, including federal, State, local, or regional entities?  
 Yes  No
4. If the answer to any of the 3 preceding questions is yes, disclose all pertinent details of the determination of nonresponsibility, including:
  - 4.1. Date of each nonresponsibility determination
  - 4.2. Name of each public agency issuing the nonresponsibility determination and a contact person at that agency who would have information about the determination
  - 4.3. Contract number for each nonresponsibility determination

### END CERTIFICATIONS



LIC# 469531

February 12<sup>th</sup>, 2013

State of California  
Department of Transportation  
Bidder's Exchange MS-26  
1727 30<sup>th</sup> Street – Room 104  
Sacramento, CA 95816

RE: Contract No. 05-0G1604  
Bidder Responsibility Questionnaire

To Whom It May Concern-

Raminha Construction, Inc. was deemed a non-responsive bidder by the County of San Luis Obispo Department of Public Works on Decemeber 28<sup>th</sup>, 2012. The project for which we were deemed non-responsive was the Templeton Road Widening Project Contract No. 300386. Jeff Werst, Design Engineer for the County of San Luis Obispo Public Works Department can be contacted at (805) 781-5252 for further information regarding the determination. Should you have any further questions or concerns for Raminha Construction, Inc. regarding this matter, please feel free to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "David Raminha", is written over a horizontal line. The signature is stylized and cursive.

David Raminha  
President