

CALTRANS  
STATE OF CALIFORNIA  
DEPARTMENT OF TRANSPORTATION  
BID FOR

5

E2

CONSTRUCTION ON STATE HIGHWAY IN  
SANTA BARBARA COUNTY AT VARIOUS LOCATIONS  
In District 05 on Route 1,101,192,246

UNDER

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Notice to Bidders and Special Provisions dated September 15, 2014  
Project plans approved May 27, 2014  
Standard Specifications dated 2010  
Standard Plans dated 2010

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Identified by

Contract No. 05-0S0304

05-SB-1,101,192,246-Var

Project ID 0500000398

FEDERAL-AID PROJECT  
ACSTP-X083(018)E

Bids open Wednesday, October 8, 2014

Dated September 15, 2014

AADD

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 05-0S0304 Project ID: 0500000398

Bidder Name: Brough Construction, Inc.

Bidder ID: VC0000005908

BID TO THE DEPARTMENT OF TRANSPORTATION

DES-OE-0102.1

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Name of Bidder Brough Construction, Inc.  
Business Street Address 634 Printz Road  
(Include even if P.O. Box is used)  
Business P.O. Box  
City, State, Zip Arroyo Grande, CA, 93420  
Telephone No: AREA CODE (805) 489-7779  
Fax No: AREA CODE (805) 473-2479  
Contractor License No. 851220  
Checksum 6C173249

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

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

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

For a cost plus time based bid on a contract with a plant establishment period, Bidder additionally agrees to perform the non-plant establishment work within the number of working days bid for non-plant establishment work.

2. Bidder has and acknowledges the following addenda: 1  
09-30-14 Revise Project Plans, Notice to Bidders and Special Provisions, Bid
3. Bidder submits this bid with one of the following forms of bidder's security equal to at least 10 percent of the bid: Electronic Bidder's Bond
4. Bidder's signature is an affirmation of the included certifications. Bidder is cautioned that making a false certification may result in one or more of the following:
  - 4.1 Criminal prosecution
  - 4.2 Rejection of the bid
  - 4.3 Rescission of the award
  - 4.4 Termination of the Contract

PRINTED NAME: JEFF BROUGH AND  
TITLE OF PERSON SIGNING: PRESIDENT

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BY (Authorized signature)

DATE SIGNED (Do not type)

BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
1	070030	LEAD COMPLIANCE PLAN	LUMP SUM LS	LUMP SUM	2,915.00
2	120090	CONSTRUCTION AREA SIGNS	LUMP SUM LS	LUMP SUM	10,000.00
3	120100	TRAFFIC CONTROL SYSTEM	LUMP SUM LS	LUMP SUM	67,863.00
4	120120	TYPE III BARRICADE	58.0 EA	84.00	4,872.00
5	128652	PORTABLE CHANGEABLE MESSAGE SIGN (LS)	LUMP SUM LS	LUMP SUM	7,700.00
6	130100	JOB SITE MANAGEMENT	LUMP SUM LS	LUMP SUM	2,335.00
7	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LUMP SUM LS	LUMP SUM	920.00
8	130620	TEMPORARY DRAINAGE INLET PROTECTION	3.0 EA	128.00	384.00
9	130900	TEMPORARY CONCRETE WASHOUT	LUMP SUM LS	LUMP SUM	3,272.00
10	150630	REMOVE MARKER	3.0 EA	25.00	75.00
11	150715	REMOVE THERMOPLASTIC PAVEMENT MARKING	280.0 SQFT	3.50	980.00
12	150742	REMOVE ROADSIDE SIGN	2.0 EA	73.00	146.00

BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
13	150771	REMOVE ASPHALT CONCRETE DIKE	11.0 LF	29.00	319.00
14	027935	RESET PAVERS	52.0 SQFT	25.00	1,300.00
15	152300	RESET OBJECT MARKER	2.0 EA	83.00	166.00
16	152316	RESET ROADSIDE SIGN (ONE POST)	4.0 EA	194.00	776.00
17	152386	RELOCATE ROADSIDE SIGN- (ONE POST)	6.0 EA	194.00	1,164.00
18	152454	ADJUST PULL BOX	1.0 EA	1,380.00	1,380.00
19	152469	ADJUST UTILITY COVER TO GRADE	1.0 EA	151.00	151.00
20	153103	COLD PLANE ASPHALT CONCRETE PAVEMENT	46.0 SQYD	127.00	5,842.00
21	153240	REMOVE CONCRETE (CURB, GUTTER, AND SIDEWALK) (CY)	76.0 CY	577.00	43,852.00
22	160102	CLEARING AND GRUBBING (LS)	LUMP SUM LS	LUMP SUM	2,352.00
23	190101	ROADWAY EXCAVATION	12.0 CY	400.00	4,800.00
24	390095	REPLACE ASPHALT CONCRETE SURFACING	32.0 CY	802.00	25,664.00

## STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 05-0S0304 Project ID: 0500000398

Bidder Name: Brough Construction, Inc.

Bidder ID: VC0000005908

## BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
25	390132	HOT MIX ASPHALT (TYPE A)	4.5 TON	320.00	1,440.00
26	560248	FURNISH SINGLE SHEET ALUMINUM SIGN (0.063"-UNFRAMED)	20.0 SQFT	34.00	680.00
27	566011	ROADSIDE SIGN (ONE POST)	2.0 EA	490.00	980.00
28	730070	DETECTABLE WARNING SURFACE	430.0 SQFT	31.00	13,330.00
29	731502	MINOR CONCRETE (MISCELLANEOUS CONSTRUCTION)	91.0 CY	846.00	76,986.00
30	733000	PRE/POST CONSTRUCTION SURVEYS	5.0 EA	1,139.00	5,695.00
31	820141	OBJECT MARKER (TYPE K-1)	3.0 EA	105.00	315.00
32	833077	PEDESTRIAN BARRICADE	5.0 EA	1,300.00	6,500.00
33	840515	THERMOPLASTIC PAVEMENT MARKING	280.0 SQFT	9.00	2,520.00
34	840560	THERMOPLASTIC TRAFFIC STRIPE (SPRAYABLE)	240.0 LF	3.50	840.00
35	850111	PAVEMENT MARKER (RETROREFLECTIVE)	8.0 EA	9.00	72.00

## BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
36	860090	MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION	LUMP SUM LS LS LS	LUMP SUM	1,500.00
37	861501	MODIFY SIGNAL AND LIGHTING	LUMP SUM LS	LUMP SUM	47,036.00
38	999990	MOBILIZATION	LUMP SUM LS	LUMP SUM	13,850.00
Total Bid					\$360,972.00

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION

**SUBCONTRACTOR LIST**

DES-OE-0102.2B (REV 5/2014)

Bidding Firm: Brough Construction Inc

Under Public Contract Code § 4100 et seq., the Bidder must set forth in the bid the name, the location of the place of business, the California contractor license number, and the portion of work of each subcontractor who will perform work or labor or render service to the prime contractor in or about the construction of the work or improvement, or a subcontractor licensed by the State of California who, under subcontract to the prime contractor, specially fabricates and installs a portion of the work or improvement according to detailed drawings contained in the plans and specifications, in an amount in excess of one-half of 1 percent of the prime contractor's total bid or ten thousand dollars (\$10,000), whichever is greater.

The Bidder must submit within 24 hours of the bid opening, the bid item numbers with percentages of the portion of work subcontracted.

Business Name and Location	California Contractor License Number (a)	Description of Portion of Work	Bid Items Numbers	Percentage of Bid Item Subcontracted
La Firma Inc Nipomo CA	N/A	Prepare WPCP	7	100
California Land Surveying Three Rivers CA	PLS # 6408	Pre & Post Survey	30	100
Statewide Traffic Safety & Signs Nipomo CA	975518	Construction Area Signs	2	100
Lee Wilson Electric Arroyo Grande CA	851738	Adjust Box	18	100
		Modify Signal & Lighting	37	100
Super Seal & Stripe Fillmore CA	396627	Lead Compliance Plan	1	100
		Remove Thermoplastic Marking	11	100
		Thermoplastic Pavement Marking	33	100
AS ABOVE		Thermoplastic Traffic Stripe	34	100
		Pavement Marker	35	100
		Mobilization	38	25
KRC Safety Visalia CA	507950	Traffic Control System	3	100

<sup>a</sup> Not required on contracts with Federal-Aid.

**ADA Notice**

For individuals with sensory disabilities, this document is available in alternate formats. For information, call (916) 445-1233, TTY 711, or write to Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.



634 PRINTZ ROAD  
ARROYO GRANDE, CA. 93420  
OFFICE (805) 489-7779 · FAX (805) 473-2479

FACSIMILE TRANSMITTAL SHEET

To:	From:
916-227-6282	John
Fax Number:	Date:
	10-08-14
COMPANY:	TOTAL NO. OF PAGES INCLUDING COVER:
	11
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
Re:	YOUR REFERENCE NUMBER:

URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY     PLEASE RECYCLE

NOTES/COMMENTS:

ATTACHED IS OUR SUB-CONTRACTOR LIST & DBE  
COMENMENT FORMS  
FOR CONTRACT # 05-0S0304  
BID DATE 10-08-2014

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 05-0S0304 Project ID: 0500000398

Bidder Name: Brough Construction, Inc.

Bidder ID: VC0000005908

SUBCONTRACTOR LIST

DES-OE-0102.2B (REV 5/2014)

Bidding Firm: Brough Construction, Inc.

Under Public Contract Code ♦ 4100 et seq., the Bidder must set forth in the bid the name, the location of the place of business, the California contractor license number, and the portion of work of each subcontractor who will perform work or labor or render service to the prime contractor in or about the construction of the work or improvement, or a subcontractor licensed by the State of California who, under subcontract to the prime contractor, specially fabricates and installs a portion of the work or improvement according to detailed drawings contained in the plans and specifications, in an amount in excess of one-half of 1 percent of the prime contractor's total bid or ten thousand dollars (\$10,000), whichever is greater.

The Bidder must submit within 24 hours of the bid opening the bid item numbers with percentages of the portion of work subcontracted.

a Not required on contracts with Federal-Aid.

List this sub? Yes

1) Business Name STATEWIDE SAFETY AND SIGNS  
Location City NIPOMO State CA  
California Contractor License Number (a) 975518  
Description of Portion of Work

CONSTRUCTION AREA SIGNS

Bid Item Numbers

2  
Percentage of Bid Item Subcontracted  
100

Bid Item Numbers

Percentage of Bid Item Subcontracted

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 05-0S0304 Project ID: 0500000398

Bidder Name: Brough Construction, Inc.

Bidder ID: VC0000005908

List this sub? Yes

2) Business Name: LEE WILSON ELECTRIC  
Location City: ARROYO GRANDE, State: CA  
California Contractor License Number (a): 851738  
Description of Portion of Work

ELECTRICAL

Bid Item Numbers

18

Percentage of Bid Item Subcontracted

100

Bid Item Numbers

37

Percentage of Bid Item Subcontracted

100

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

List this sub? Yes

3) Business Name: SUPER SEAL AND STRIPE  
Location City: FILLMORE State: CA  
California Contractor License Number (a): 396627  
Description of Portion of Work

STRIPING, MARKING

Bid Item Numbers

1

Percentage of Bid Item Subcontracted

100

Bid Item Numbers

11

Percentage of Bid Item Subcontracted

100

Bid Item Numbers

33

Percentage of Bid Item Subcontracted

100

Bid Item Numbers

35

Percentage of Bid Item Subcontracted

100

Bid Item Numbers

38

Percentage of Bid Item Subcontracted

100

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 05-0S0304 Project ID: 0500000398

Bidder Name: Brough Construction, Inc.

Bidder ID: VC0000005908

List this sub? Yes

4) Business Name LA FIRMA, INC.

Location City NIPOMO State CA

California Contractor License Number (a) NA

Description of Portion of Work

PREPARE WPCP

Bid Item Numbers

7

Percentage of Bid Item Subcontracted

100

Bid Item Numbers

Percentage of Bid Item Subcontracted

List this sub? Yes

5) Business Name CALIFORNIA LAND SURVEYING

Location City THREE RIVERS State CA

California Contractor License Number (a) PLS 6408

Description of Portion of Work

PRE AND POST SURVEY

Bid Item Numbers

30

Percentage of Bid Item Subcontracted

100

Bid Item Numbers

Percentage of Bid Item Subcontracted

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 05-0S0304 Project ID: 0500000398

Bidder Name: Brough Construction, Inc.

Bidder ID: VC0000005908

List this sub? Yes

6) Business Name: KRC SAFETY CO., INC.

Location City: VISALIA State: CA

California Contractor License Number (a) 507950

Description of Portion of Work

TRAFFIC CONTROL

Bid Item Numbers

3

Percentage of Bid Item Subcontracted

100

Bid Item Numbers

Percentage of Bid Item Subcontracted



STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 05-0S0304 Project ID: 0500000398

Bidder Name: Brough Construction, Inc.

Bidder ID: VC0000005908

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: Bidder's Name:

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

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 05-0S0304 Project ID: 0500000398

Bidder Name: Brough Construction, Inc.

Bidder ID: VC0000005908

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? :48882

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

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 05-0S0304 Project ID: 0500000398

Bidder Name: Brough Construction, Inc.

Bidder ID: VC0000005908

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.

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 05-0S0304 Project ID: 0500000398

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

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 05-0S0304 Project ID: 0500000398

Bidder Name: Brough Construction, Inc.

Bidder ID: VC0000005908

DISCLOSURE OF LOBBYING ACTIVITIES

Approved by OMB 0348-0046

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352 No

- 1. Type of Federal Action:
- 2. Status of Federal Action:
- 3. Report Type:

For Material Change Only:  
 Year  
 Quarter  
 Date of last report

- 4. Name and Address of Reporting Entity:

Tier ,if known

Congressional District, if known:

- 5. If Reporting Entity in No. 4 is Subawardee Enter Name and Address of Prime:

Congressional District, if known:

- 6. Federal Department/Agency:

- 7. Federal Program Name/Description:

CFDA Number, if applicable

- 8. Federal Action Number, if known:

- 9. Award amount, if known (\$):

- 10. a. Name and Address of Lobby Registrant (if individual, last name, first name, MI):

- b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):

- 11. Information requested through this form is authorized by Title 31 U.S.C. Section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

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

Print Name:  
 Title:  
 Telephone No.:  
 DATE:

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

Federal Use Only:

EQUAL EMPLOYMENT OPPORTUNITY REGULATION CERTIFICATION

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

Notes:

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

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

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

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

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

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

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

does not have a proposed debarment pending; and

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

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

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

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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 SLO

Name JEFF BROUGH,

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

PRESIDENT of

BROUGH 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.

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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.

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

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 SANTA BARBARA COUNTY AT VARIOUS LOCATIONS In District 05 on Route 1,101,192,246 for which bids are to be opened at 1727 30th Street, Sacramento CA 95816 on 10-08-14.

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 - Chris Rice

**Bond Number: SCA14582008**

**Contractor Information**

**Principal:** Brough Construction, Inc. 805-489-7779

**Address:** 634 Printz Road Arroyo Grande California 93420 United States

**Contractor's State Vendor ID Number:** VC0000005908

**Owner/Obligee Information**

**Bond Form:** Bid Bond in accordance with Contract Specifications

**Owner / Obligee:** State of California, Department of Transportation

**Address:** 1727 30th Street, Bidders` Exchange, MS 26 Sacramento California 95816 United States

**Bond Information**

**Surety:** The Ohio Casualty Insurance Company

**Rider Present:** [Click here to view](#)

**Amount of Bid Security:** ten percent of amount bid

**Contract ID Number:** 05-0S0304

**Description of Job:** CONSTRUCT CURB RAMPS SIDEWALKS, MOFIFY SIGNAL & LIGHTING

[View AMBest Information](#)   [View Surety Profile](#)   [Treasury List](#)

**Primary Agency:**

Contractors and Developers Bonding

Power of Attorney Limited to: No Stated Limit

Executed

**Executed By:**

Philip E. Vega - 10/8/2014 11:14:20 AM ET

Phone: 805-556-4465

Email: surety2000@cndbonding.com

Know all men by these presents that The Ohio Casualty Insurance Company, a Corporation duly organized under the laws of the State of New Hampshire, are held and firmly bound unto the above owner/obligee by this transmission. The surety agrees to waive the Statute of Fraud defense and further agrees that the owner/obligee is a third party beneficiary of the waiver for the purposes of enforcing this bid bond.

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[Privacy Policy](#)

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION  
**BIDDER'S BOND**  
DES-OE-0102.3 (REV 3/2008)

Contract No. 05-0S0304

Bond No. \_\_\_\_\_

We BROUGH CONSTRUCTION, INC.

\_\_\_\_\_ as Principal, and

THE OHIO CASUALTY INSURANCE 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 CONSTRUCT CURB RAMPS SIDEWALKS, MODIFY  
*(Copy here the exact description of work, including location, as it appears on the proposal)*

SIGNAL & LIGHTING

for which bids are to be opened at 1727 30TH ST. SACRAMENTO, CA 95816  
*(Insert place where bids will be opened)*  
on OCTOBER 8TH, 2014  
*(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: OCTOBER 6TH, 2014

Correspondence or claims relating to this bond should be sent to the surety at the following address: C&D BONDING & INSURANCE SERVICES  
534 E. BADILLO ST.  
COVINA, CA 91723

BROUGH CONSTRUCTION, INC.

*Principal*

THE OHIO CASUALTY INSURANCE COMPANY

*Surety*

By Myrna Smith  
*Attorney-in-Fact*

MYRNA SMITH

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California }  
County of \_\_\_\_\_ }

\* ATTACHED \*

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.

(SEAL)

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

**THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.**

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Certificate No. 5750733

American Fire and Casualty Company  
The Ohio Casualty Insurance Company

Liberty Mutual Insurance Company  
West American Insurance Company

**POWER OF ATTORNEY**

KNOWN ALL PERSONS BY THESE PRESENTS: That American Fire & Casualty Company and The Ohio Casualty Insurance Company are corporations duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Philip E. Vega; Britton Christiansen; Kevin E. Vega; Jadon H. Smith; Myrna Smith

all of the city of Covina, state of CA each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 1st day of December, 2012.

American Fire and Casualty Company  
The Ohio Casualty Insurance Company  
Liberty Mutual Insurance Company  
West American Insurance Company

By: Gregory W. Davenport  
Gregory W. Davenport, Assistant Secretary



STATE OF WASHINGTON ss  
COUNTY OF KING

On this 1st day of December, 2012, before me personally appeared Gregory W. Davenport, who acknowledged himself to be the Assistant Secretary of American Fire and Casualty Company, Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Seattle, Washington, on the day and year first above written.



By: KD Riley  
KD Riley, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

**ARTICLE IV - OFFICERS** - Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

**ARTICLE XIII - Execution of Contracts - SECTION 5. Surety Bonds and Undertakings.** Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

**Certificate of Designation** - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes Gregory W. Davenport, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

**Authorization** - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, David M. Carey, the undersigned, Assistant Secretary, of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 6<sup>th</sup> day of October, 2014.



By: David M. Carey  
David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

CIVIL CODE § 1189

State of California }  
County of San Luis Obispo }

On Oct. 6, 2014 before me, Christina Doherty, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared Myrna Smith  
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: Christina Doherty  
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: \_\_\_\_\_

**RIGHT THUMBPRINT OF SIGNER**

Top of thumb here

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

Corporate Officer — Title(s): \_\_\_\_\_

Individual

Partner —  Limited  General

Attorney in Fact

Trustee

Guardian or Conservator

Other: \_\_\_\_\_

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

**RIGHT THUMBPRINT OF SIGNER**

Top of thumb here