STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

BID TO THE DEPARTMENT OF TRANSPORTATION

DES-OE-0102.1 (REV. 3/2011)

S/C B1

CONTRACT NO. 05- 1A7904

NAME OF BIDDER O'Donnell Construction, Inc.

BUSINESS P.O. BOX

CITY, STATE, ZIP

BUSINESS STREET ADDRESS 559 W. Covina Blvd.

(Include even if P.O. Box used)

CITY, STATE, ZIP San Dimas, CA 91773

TELEPHONE NO: **AREA CODE** (909) 394-4510

FAX NO: **AREA CODE** (909) 394-4750

CONTRACTOR LICENSE NO. 772905 A

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.

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:

_____

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)*
	3/11/13

PRINTED NAME AND TITLE OF PERSON SIGNING

Neil T. O'Donnell, President

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.

BID ITEM LIST

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
1	070030	LEAD COMPLIANCE PLAN	LS	LUMP SUM	LUMP SUM	2,100 -
2	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	15,000 -
3	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	82,000 -
4	128652	PORTABLE CHANGEABLE MESSAGE SIGN (LS)	LS	LUMP SUM	LUMP SUM	7,000 -
5	130100	JOB SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	4,000 -
6	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	LUMP SUM	1,000 -
7	130900	TEMPORARY CONCRETE WASHOUT	LS	LUMP SUM	LUMP SUM	500 -
8	141103	REMOVE YELLOW THERMOPLASTIC TRAFFIC STRIPE (HAZARDOUS WASTE)	LF	4,160	1 40	5,824 -
9	150100	PUBLIC SAFETY PLAN	LS	LUMP SUM	LUMP SUM	3,500 -
10	150310	RAPID SETTING CONCRETE (PATCH)	CF	33	150 -	4,950 -
11	150711	REMOVE PAINTED TRAFFIC STRIPE	LF	1,420	1 10	1,562 -
12	150714	REMOVE THERMOPLASTIC TRAFFIC STRIPE	LF	9,360	1 10	10,296 -
13	150715	REMOVE THERMOPLASTIC PAVEMENT MARKING	SQFT	520	2 10	1,092 -
14	153103	COLD PLANE ASPHALT CONCRETE PAVEMENT	SQYD	720	6 -	4,320 -
15	153223	REMOVE UNSOUND CONCRETE	CF	33	90 -	2,970 -
16	153225	PREPARE CONCRETE BRIDGE DECK SURFACE	SQFT	141,390	0 14	19,794 60
17	153227	FURNISH POLYESTER CONCRETE OVERLAY	CF	1,000	74 -	74,000 -
18 (F)	153228	PLACE POLYESTER CONCRETE OVERLAY	SQFT	13,320	3 -	39,960 -
19 (F)	153233	TREAT BRIDGE DECK	SQFT	128,070	0 25	32,017 50
20	153237	REMOVE CHIP SEAL	SQFT	88	6 -	528 -

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Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
21	044185	FURNISH BRIDGE DECK RESIN TREATMENT MATERIAL	GAL	1,435	52 -	74,620 -
22	044186	CORE TREATED BRIDGE DECK	EA	42	35 -	1,470 -
23	157561	BRIDGE REMOVAL (PORTION), LOCATION A	LS	LUMP SUM	LUMP SUM	18,000 -
24	157562	BRIDGE REMOVAL (PORTION), LOCATION B	LS	LUMP SUM	LUMP SUM	4,000 -
25	157563	BRIDGE REMOVAL (PORTION), LOCATION C	LS	LUMP SUM	LUMP SUM	15,000 -
26	390132	HOT MIX ASPHALT (TYPE A)	TON	72	320 -	23,040 -
27	397005	TACK COAT	TON	0.2	8,000 -	1,600 -
28 (F)	510053	STRUCTURAL CONCRETE, BRIDGE	CY	8	3,200 -	25,600 -
29	511118	CLEAN EXPANSION JOINT	LF	173	25 -	4,325 -
30	519088	JOINT SEAL (MR 1")	LF	107	35 -	3,745 -
31	519091	JOINT SEAL (MR 1 1/2")	LF	68	70 -	4,760 -
32	519093	JOINT SEAL ASSEMBLY (MR 3")	LF	40	300 -	12,000 -
33	519100	JOINT SEAL (MR 2")	LF	68	110 -	7,480 -
34	519133	JOINT SEAL (ASPHALTIC PLUG)	LF	656	130 -	85,280 -
35 (F)	520102	BAR REINFORCING STEEL (BRIDGE)	LB	632	2 -	1,264 -
36	840515	THERMOPLASTIC PAVEMENT MARKING	SQFT	540	6 50	3,570 -
37	840560	THERMOPLASTIC TRAFFIC STRIPE (SPRAYABLE)	LF	10,500	1 70	17,850 -
38	850101	PAVEMENT MARKER (NON-REFLECTIVE)	EA	120	15 -	1,800 -
39	850111	PAVEMENT MARKER (RETROREFLECTIVE)	EA	300	11 -	3,300 -
40	999990	MOBILIZATION	LS	LUMP SUM	LUMP SUM	65,000 -

TOTAL BID: $686,058 10

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STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

SUBCONTRACTOR LIST

DES-OE-0102.2 (REV 3/2011)

Bidder Name: O'Donnell 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
EXTREME PRESSURE SYSTEMS, INC, CAMARILLO	16	100%	PREPARE CONCRETE BRIDGE DECK SURFACE
SUPER SEAL & STRIPE, INC, FILLMORE	3	13%	TRAFFIC CONTROL
	1, 8, 11, 12, 13, 20, 36-39	100%	STRIPING

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STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

REQUEST FOR SMALL BUSINESS PREFERENCE OR NON-SMALL BUSINESS PREFERENCE

DES-OE-0102.7 (REV 02/2010)

CONTRACT NO. 05 - 1A7904

Complete one of the following:

- **Small Business Preference**

The undersigned requests small business preference and certifies, under penalty of perjury, that the firm meets the requirements of 2 CA Code of Regs § 1896 et seq. and is certified as a small business at the time and day of bid opening or has submitted a complete application to the Department of General Services (DGS) and is subsequently certified. The complete application and any required substantiating documentation must be received by DGS by 5:00 p.m. on bid opening date.

Small Business Certification (Reference) Number: 20611

Date: 3/11/13 Signature: _____

- **Non-Small Business Preference**

The undersigned requests non-small business preference and notifies the Department on the Certified Small Business Listing for the Non-Small Business Preference form that it commits to subcontract at least 25 percent of its bid amount with one or more firms that meets the requirements of 2 CA Code of Regs § 1896 et seq. and the firms are certified as small businesses at the time and day of bid opening or have submitted a complete application and are subsequently certified by the Department of General Services (DGS). The complete application and any required substantiating documentation must be received by DGS by 5:00 p.m. on bid opening date. List these firms on the Certified Small Business Listing for the Non-Small Business Preference form.

Date: _____ Signature: _____

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Department of
General Services
BUILDING GREEN · BUYING GREEN · WORKING GREEN

O'DONNELL CONSTRUCTION INC - #20611

SUPPLIER PROFILE			
Legal Business Name	O'DONNELL CONSTRUCTION INC		
Doing Business As	O'DONNELL CONSTRUCTION INC		
Address	559 W COVINA BLVD SAN DIMAS, CA 91773-2911	Phone FAX	(909) 394-4510 (909) 394-4750
Email	neil@odonnellconst.com		
Business Types	Construction		
Service Areas	Fresno, Imperial, Inyo, Kern, Kings, Los Angeles, Madera, Monterey, Orange, Riverside, San Benito, San Diego, San Luis Obispo, Santa Barbara, Santa Cruz, Tulare, Ventura,		
Keywords	General Engineering Construction Contractor		
Construction License Types	A - General Engineering		
Classifications	721410 - Highway and road construction services		

Active Certifications

TYPE	STATUS	FROM	TO
SB	Approved	Nov 13, 2012	Dec 31, 2013

Certification History

TYPE	STATUS	FROM	TO
SB	Expired	Nov 7, 2011	Nov 30, 2012
SB	Expired	Nov 9, 2010	Nov 30, 2011
SB	Expired	Oct 28, 2009	Oct 31, 2010
SB	Expired	Aug 10, 2006	Jul 31, 2009
SB	Expired	May 7, 2003	Apr 30, 2006
SB	Expired	Apr 19, 2000	Mar 31, 2003

Department of
General Services
BUILDING GREEN · BUYING GREEN · WORKING GREEN

O'DONNELL CONSTRUCTION INC - #20611

SUPPLIER PROFILE			
Legal Business Name	O'DONNELL CONSTRUCTION INC		
Doing Business As	O'DONNELL CONSTRUCTION INC		
Address	559 W COVINA BLVD SAN DIMAS, CA 91773-2911	Phone FAX	(909) 394-4510 (909) 394-4750
Email	neil@odonnellconst.com		
Business Types	Construction		
Service Areas	Fresno, Imperial, Inyo, Kern, Kings, Los Angeles, Madera, Monterey, Orange, Riverside, San Benito, San Diego, San Luis Obispo, Santa Barbara, Santa Cruz, Tulare, Ventura,		
Keywords	General Engineering Construction Contractor		
Construction License Types	A - General Engineering		
Classifications	721410 - Highway and road construction services		

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SB	Expired	Apr 19, 2000	Mar 31, 2003

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

CALIFORNIA COMPANY PREFERENCE

DES-OE-0102.9 (REV 11/2008)

This form must be completed and signed by all bidders. Failure of a non-California company to fill out and sign this form may be cause for rejection of its bid. Eligibility for a reciprocal preference for a California company is waived if the California company fails to complete and sign this form under penalty of perjury.

The undersigned certifies that it is a "California company" as defined in Pub Cont Code § 6107 and meets one of the following (check appropriate box and enter requested information):

☒ I am a California company which has its principal place of business in California.

or

☐ I am a California company which has its principal place of business in a state in which there is no local contractor preference on construction contracts.

Name of State: _____.

or

☐ I am a California company which has its principal place of business in a state in which there is a local contractor preference and my company has paid not less than $5,000 in sales or use taxes to California for construction related activity for each of the 5 years immediately preceding the submission of the bid.

Name of State: _____.

California Sales or Use Tax No.: _____.

or

The undersigned certifies that it is not a "California company." (Check box and enter requested information.)

☐ I am not a California company. My principal place of business is in _____.

(Enter state or country)

Describe any and all bid preferences provided to your company by the state or country in which your company has its principal place of business. (Attach additional sheets if necessary.)

_____

_____

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 3/11/13 Signature of Bidder: _____

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STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

BIDDER'S BOND

DES-OE-01023 (REV 3/2008)

Contract No. 05-1A7904

Bond No. N/A - Bid Bond Only

We O'Donnell Construction, Inc. as Principal, and

Allegheny Casualty 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 Construction on State Highway in Santa Barbara County at Various Locations (05-SB-101,154,166,192,217-Var)

(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 March 12, 2013

(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: March 6, 20 13.

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

Allegheny Casualty Company
13400 Sabre Springs Pkwy., Suite 245
San Diego, CA 92128

O'Donnell Construction, Inc.

Principal

Allegheny Casualty Company

Surety

By

Attorney-In-Fact Lourdes Landa

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

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ACKNOWLEDGMENT

State of California
County of Orange)

On March 6, 2013 before me, Susan Ponsell, Notary Public
(insert name and title of the officer)

personally appeared Lourdes Landa,
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/~~the~~y 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 _____ **(Seal)**

GMN1 SUSAN PONSELL GMN1
COMM. # 1927069
NOTARY PUBLIC - CALIFORNIA
ORANGE COUNTY
My Commission Expires March 27, 2015

Tel (973) 624-7200

POWER OF ATTORNEY

INTERNATIONAL FIDELITY INSURANCE COMPANY
ALLEGHENY CASUALTY COMPANY

ONE NEWARK CENTER, 20TH FLOOR NEWARK, NEW JERSEY 07102-5207

KNOW ALL MEN BY THESE PRESENTS: That **INTERNATIONAL FIDELITY INSURANCE COMPANY**, a corporation organized and existing under the laws of the State of New Jersey, and **ALLEGHENY CASUALTY COMPANY** a corporation organized and existing under the laws of the State of Pennsylvania, having their principal office in the City of Newark, New Jersey, do hereby constitute and appoint

MARK ROSSKOPF, ADRIANA VALENZUELA, LOURDES LANDA

Fullerton, CA.

their 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, and the execution of such instrument(s) in pursuance of these presents, shall be as binding upon the said INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY, as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by their regularly elected officers at their principal offices.

This Power of Attorney is executed, and may be revoked, pursuant to and by authority of the By-Laws of INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY and is granted under and by authority of the following resolution adopted by the Board of Directors of INTERNATIONAL FIDELITY INSURANCE COMPANY at a meeting duly held on the 20th day of July, 2010 and by the Board of Directors of ALLEGHENY CASUALTY COMPANY at a meeting duly held on the 15th day of August, 2000:

"RESOLVED, that (1) the President, Vice President, or Secretary of the Corporation shall have the power to appoint, and to revoke the appointments of, Attorneys-in-Fact or agents with power and authority as defined or limited in their respective powers of attorney, and to execute on behalf of the Corporation and affix the Corporation's seal thereto, bonds, undertakings, recognizances, contracts of indemnity and other written obligations in the nature thereof or related thereto; and (2) any such Officers of the Corporation may appoint and revoke the appointments of joint-control custodians, agents for acceptance of process, and Attorneys-in-fact with authority to execute waivers and consents on behalf of the Corporation; and (3) the signature of any such Officer of the Corporation and the Corporation's seal may be affixed by facsimile to any power of attorney or certification given for the execution of any bond, undertaking, recognizance, contract of indemnity or other written obligation in the nature thereof or related thereto, such signature and seals when so used whether heretofore or hereafter, being hereby adopted by the Corporation as the original signature of such officer and the original seal of the Corporation, to be valid and binding upon the Corporation with the same force and effect as though manually affixed."

IN WITNESS WHEREOF, INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY have each executed and attested these presents on this 12th day of March, 2012.

INTERNATIONAL FIDELITY INSURANCE COMPANY CORPORATE SEAL 1904 NEW JERSEY

ALLEGHENY CASUALTY COMPANY 1936 PENNSYLVANIA

STATE OF NEW JERSEY
County of Essex

ROBERT W. MINSTER
Executive Vice President/Chief Operating Officer
(International Fidelity Insurance Company)
and President (Allegheny Casualty Company)

On this 12th day of March 2012, before me came the individual who executed the preceding instrument, to me personally known, and, being by me duly sworn, said he is the therein described and authorized officer of INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY; that the seals affixed to said instrument are the Corporate Seals of said Companies; that the said Corporate Seals and his signature were duly affixed by order of the Boards of Directors of said Companies.

IN TESTIMONY WHEREOF, I have hereunto set my hand affixed my Official Seal, at the City of Newark, New Jersey the day and year first above written.

CATHY VAZQUEZ NOTARY PUBLIC STATE OF NEW JERSEY

A NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Mar. 27, 2014

CERTIFICATION

I, the undersigned officer of INTERNATIONAL FIDELITY INSURANCE COMPANY and ALLEGHENY CASUALTY COMPANY do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Sections of the By-Laws of said Companies as set forth in said Power of Attorney, with the originals on file in the home office of said companies, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect.

IN TESTIMONY WHEREOF, I have hereunto set my hand this day of MAR 06 2013

MARIA BRANCO, Assistant Secretary

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

OPT OUT OF PAYMENT ADJUSTMENTS FOR PRICE INDEX FLUCTUATIONS

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

To opt out of payment adjustments for price index fluctuations as specified, complete this form.

Bidder's Name: _____ Contract No. ___ - _____

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

Date: _____ Signature: _____

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CERTIFICATIONS

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 Los Angeles

Neil T. O'Donnell, being first duly sworn, deposes and says that he or she is

President of O'Donnell 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 nonresponsible 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 nonresponsible 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 nonresponsible 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