

CALTRANS  
STATE OF CALIFORNIA  
DEPARTMENT OF TRANSPORTATION  
BID FOR

6

C3

CONSTRUCTION ON STATE HIGHWAY IN  
FRESNO COUNTY ABOUT 11 MILES EAST OF PRATHER AT MAYNARD MUNGER VISTA POINT  
In District 06 on Route 168

UNDER

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Notice to Bidders and Special Provisions dated February 9, 2015  
Project plans approved January 12, 2015  
Standard Specifications dated 2010  
Standard Plans dated 2010

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Identified by

Contract No. 06-0M0204

06-Fre-168-R36.0

Project ID 0600020389

FEDERAL-AID PROJECT  
STPE-P168(058)E

Bids open Tuesday, March 17, 2015

Dated February 9, 2015

AADD

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 06-0M0204 Project ID: 0600020389

Bidder Name: Agee Construction Corporation

Bidder ID: VC0000015783

BID TO THE DEPARTMENT OF TRANSPORTATION

DES-OE-0102.1

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Name of Bidder Agee Construction Corporation

Business Street Address P.O. Box 629

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

Business P.O. Box

City, State, Zip Clovis, CA, 93613

Telephone No: AREA CODE 559-299-3290

Fax No: AREA CODE 559-299-3503

Contractor License No. 631980

California Department of Industrial Relations' Registration No. 1000001994

Checksum D83AD909

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

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

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

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

2. Bidder has and acknowledges the following addenda:2  
03-04-15 Revise Project Plans, Federal Minimum Wages,
3. Bidder submits this bid with one of the following forms of bidder's security equal to at least 10 percent of the bid: Bidder's Bond
4. Bidder's signature is an affirmation of the included certifications. Bidder is cautioned that making a false certification may result in one or more of the following:
  - 4.1 Criminal prosecution
  - 4.2 Rejection of the bid
  - 4.3 Rescission of the award
  - 4.4 Termination of the Contract

PRINTED NAME: Gayle L. Salvucci AND

TITLE OF PERSON SIGNING: President/Manager

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BY (Authorized signature)

DATE SIGNED( Do not type)

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## STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 06-0M0204 Project ID: 0600020389

Bidder Name: Agee Construction Corporation

Bidder ID: VC0000015783

## BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
1	070030 PLAN	LEAD COMPLIANCE	LUMP SUM LS	LUMP SUM	3,500.00
2	120090 AREA SIGNS	CONSTRUCTION	LUMP SUM LS	LUMP SUM	1,600.00
3	120100 SYSTEM	TRAFFIC CONTROL	LUMP SUM LS	LUMP SUM	2,400.00
4	120120 BARRICADE	TYPE III	5.0 EA	90.00	450.00
5	120165 (SURFACE MOUNTED)	CHANNELIZER	54.0 EA	40.00	2,160.00
6	128652 (LS)	PORTABLE CHANGEABLE MESSAGE SIGN	LUMP SUM LS	LUMP SUM	12,500.00
7	130100 MANAGEMENT	JOB SITE	LUMP SUM LS	LUMP SUM	2,000.00
8	130200 PROGRAM	PREPARE WATER POLLUTION CONTROL	LUMP SUM LS	LUMP SUM	800.00
9	130620 PROTECTION	TEMPORARY DRAINAGE INLET	1.0 EA	1,100.00	1,100.00
10	130680 FENCE	TEMPORARY SILT	310.0 LF	6.00	1,860.00
11	130900	TEMPORARY CONCRETE WASHOUT	LUMP SUM LS	LUMP SUM	2,800.00
12	141000 (TYPE ESA)	TEMPORARY FENCE	310.0 LF	4.50	1,395.00

## STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

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## BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
13	026776	REMOVE TUBULAR HANDRAIL	83.0 LF	5.00	415.00
14	150604	REMOVE WOOD FENCE	48.0 LF	5.00	240.00
15	150608	REMOVE CHAIN LINK FENCE	240.0 LF	7.50	1,800.00
16	026777	REMOVE PARKING BUMPER	1.0 EA	25.00	25.00
17	150711	REMOVE PAINTED TRAFFIC STRIPE	30.0 LF	25.00	750.00
18	152390	RELOCATE ROADSIDE SIGN	1.0 EA	285.00	285.00
19	026778	RELOCATE TRASH RECEPTACLE	2.0 EA	110.00	220.00
20	026779	RELOCATE BENCH	3.0 EA	110.00	330.00
21	153131	REMOVE CONCRETE CURB (CY)	10.0 CY	100.00	1,000.00
22	153140	REMOVE CONCRETE SIDEWALK (SQYD)	60.0 SQYD	31.00	1,860.00
23	026780	RESET SNOW POLE SLEEVE	6.0 EA	275.00	1,650.00
24	028491	RESET BOULDER	1.0 EA	1,000.00	1,000.00

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## BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
25	160102	CLEARING AND GRUBBING (LS)	LUMP SUM LS	LUMP SUM	8,000.00
26	190101	ROADWAY EXCAVATION	130.0 CY	120.00	15,600.00
27(F)	192037	STRUCTURE EXCAVATION (RETAINING WALL)	172.0 CY	60.00	10,320.00
28(F)	193013	STRUCTURE BACKFILL (RETAINING WALL)	146.0 CY	120.00	17,520.00
29(F)	193119	LEAN CONCRETE BACKFILL	51.0 CY	250.00	12,750.00
30	200002	ROADSIDE CLEARING	LUMP SUM LS	LUMP SUM	2,500.00
31	026781	BOULDER	1.0 EA	27,500.00	27,500.00
32	028492	GRANITE CURB	100.0 LF	300.00	30,000.00
33	028493	GRANITE SEAT ROCK	7.0 TON	4,530.00	31,710.00
34	205035	WOOD MULCH	16.0 CY	340.00	5,440.00
35	210010	MOVE-IN/MOVE-OUT (EROSION CONTROL)	2.0 EA	1,100.00	2,200.00
36	210110	IMPORTED TOPSOIL (CY)	52.0 CY	74.00	3,848.00

BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
37	210210	EROSION CONTROL (DRY SEED) (SQFT)	4,130.0 SQFT	1.00	4,130.00
38	210350	FIBER ROLLS	300.0 LF	5.00	1,500.00
39	260203	CLASS 2 AGGREGATE BASE (CY)	66.0 CY	215.00	14,190.00
40	390136	MINOR HOT MIX ASPHALT	54.0 TON	260.00	14,040.00
41	394073	PLACE HOT MIX ASPHALT DIKE (TYPE A)	170.0 LF	10.00	1,700.00
42	026787	ARCHITECTURAL FINISH (ROCK FACING)	820.0 SQFT	136.00	111,520.00
43	510060	STRUCTURAL CONCRETE, RETAINING WALL	64.0 CY	1,100.00	70,400.00
44 (F)	510502	MINOR CONCRETE (MINOR STRUCTURE)	21.0 CY	425.00	8,925.00
45 (F)	520106	BAR REINFORCING STEEL (EPOXY COATED)	9,415.0 LB	2.00	18,830.00
46	560248	FURNISH SINGLE SHEET ALUMINUM SIGN (0.063"-UNFRAMED)	7.0 SQFT	24.00	168.00
47	566011	ROADSIDE SIGN - ONE POST	2.0 EA	300.00	600.00
48	026788	6" PLASTIC PIPE	74.0 LF	25.00	1,850.00

BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
49	680902	6" PERFORATED PLASTIC PIPE UNDERDRAIN	140.0 LF	35.00	4,900.00
50	682049	CLASS 3 PERMEABLE MATERIAL (BLANKET)	1.6 CY	475.00	760.00
51	721019	ROCK SLOPE PROTECTION (NO. 3, METHOD B) (CY)	16.0 CY	275.00	4,400.00
52	729011	ROCK SLOPE PROTECTION FABRIC (CLASS 8)	140.0 SQYD	5.00	700.00
53	731502	MINOR CONCRETE (MISCELLANEOUS CONSTRUCTION)	1.6 CY	1,500.00	2,400.00
54	731508	MINOR CONCRETE (EXPOSED AGGREGATE CONCRETE)	3,760.0 SQFT	13.75	51,700.00
55	733000	PRE/POST CONSTRUCTION SURVEYS	3.0 EA	2,500.00	7,500.00
56	735000	PARKING BUMPER (PRECAST CONCRETE)	1.0 EA	75.00	75.00
57(F)	750001	MISCELLANEOUS IRON AND STEEL	327.0 LB	8.00	2,616.00
58	026789	TIMBER FENCE	85.0 LF	95.00	8,075.00
59	800360	CHAIN LINK FENCE (TYPE CL-6)	150.0 LF	75.00	11,250.00
60	802520	6' CHAIN LINK GATE (TYPE CL-6)	1.0 EA	1,000.00	1,000.00

## STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 06-0M0204 Project ID: 0600020389

Bidder Name: Agee Construction Corporation

Bidder ID: VC0000015783

## BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
61	840656	PAINT TRAFFIC STRIPE (2-COAT)	30.0 LF	45.00	1,350.00
62	840666	PAINT PAVEMENT MARKING (2-COAT)	25.0 SQFT	75.00	1,875.00
63	994650	BUILDING WORK	LUMP SUM LS	LUMP SUM	700,000.00
64	999990	MOBILIZATION	LUMP SUM LS	LUMP SUM	160,000.00
		Total Bid			\$1,415,982.00

Bidding Firm: Agee Construction Corporation

List this sub? Yes

- 1) Business Name Nitta Erosion Control  
Location City Loomis State CA  
California Contractor License Number 401640  
CA Department of Industrial Relations' Registration Number 1000000478  
Portion of Work Subcontracted:

Item %	Description
34 100	Wood Mulch
35 100	Move in/Move out Erosion Control
37 100	Erosion Control
38 100	Fiber Rolls

List this sub? Yes

- 2) Business Name Stoney Masonry, Inc.  
Location City Madera State CA  
California Contractor License Number 777782  
CA Department of Industrial Relations' Registration Number 1000000855  
Portion of Work Subcontracted:

Item %	Description
31 100	Boulder
32 100	Granite Curb
33 100	Granite Seat Rock
42 100	Architectural Finish

List this sub? Yes

- 3) Business Name Fresno Concrete  
Location City Fresno State CA  
California Contractor License Number 389141  
CA Department of Industrial Relations' Registration Number 1000004109  
Portion of Work Subcontracted:

Item %	Description
44 100	Minor Concrete
53 100	Minor Concrete
54 100	Minor Concrete

Bidding Firm: Agee Construction Corporation

List this sub? Yes

- 4) Business Name Moren Industrial Metals Inc.  
Location City Fresno State CA  
California Contractor License Number 699872  
CA Department of Industrial Relations' Registration Number 1000014921  
Portion of Work Subcontracted:

Item %	Description
63 41 Railing	

List this sub? Yes

- 5) Business Name Harris Rebar  
Location City Livermore State CA  
California Contractor License Number 695035  
CA Department of Industrial Relations' Registration Number 1000000423  
Portion of Work Subcontracted:

Item %	Description
45 100 Bar Reinforcing Steel	
63 9 Rebar	

List this sub? Yes

- 6) Business Name Valley Fence Co.  
Location City Clovis State CA  
California Contractor License Number 237348  
CA Department of Industrial Relations' Registration Number 1000000118  
Portion of Work Subcontracted:

Item %	Description
59 100 Chain Link Fence	
60 100 Chain Link Gate	



STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

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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.: 06-0M0204 Project ID: 0600020389

Bidder Name: Agee Construction Corporation

Bidder ID: VC0000015783

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? :1129581

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

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 06-0M0204 Project ID: 0600020389

Bidder Name: Agee Construction Corporation

Bidder ID: VC0000015783

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

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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

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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:

Federal Use Only:

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

EQUAL EMPLOYMENT OPPORTUNITY REGULATION CERTIFICATION

Bidder Agee Construction Corporation, 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.

None

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

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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 California County of Fresno

Name Gayle L. Salvucci,

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

President/Manager of

Agee Construction Corporation

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 FRESNO COUNTY ABOUT 11 MILES EAST OF PRATHER AT MAYNARD MUNGER VISTA POINT In District 06 on Route 168 for which bids are to be opened at 1727 30th Street, Sacramento CA 95816 on 03-17-15.

NOW, THEREFORE, if the Principal is awarded the contract and, within the time and manner required under the specifications, after the prescribed forms are presented to him for signature, enters into a written contract, in the prescribed form, in accordance with the bid, and files two bonds with the Obligee, one to guarantee faithful performance (if specified in the contract) of the contract and the other to guarantee payment for labor and materials as provided by law, then this obligation shall be null and void; otherwise, it shall remain in full force.

In the event a suit is brought upon this bond by the Obligee and judgement is recovered, the Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorney's fee to be fixed by the court.

Dated: \_\_\_\_\_, 20\_\_\_\_.

Principal \_\_\_\_\_

Surety \_\_\_\_\_

By \_\_\_\_\_

Attorney-in-Fact

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

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

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

State of California

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

On this \_\_\_\_\_ before me, \_\_\_\_\_

Date Here insert Name and Title of the Officer

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

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

SIGNATURE \_\_\_\_\_

Signature of Notary Public

(SEAL)

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

Contract No. 06-0M0204

Bond No. Bid Bond

We Agee Construction Corporation

P.O. Box 629, Clovis, CA 93613 as Principal, and  
Liberty Mutual 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 CONSTRUCTION ON STATE HIGHWAY IN FRESNO COUNTY  
(Copy here the exact description of work, including location, as it appears on the proposal)  
ABOUT 11 MILES EAST OF PRATHER AT MAYNARD MUNGER VISTA POINT CONTRACT NO 06-0M0204  
for which bids are to be opened at Sacramento, CA

(Insert place where bids will be opened)

on March 17, 2015  
(Insert date of bid opening)

NOW, THEREFORE, if the Principal is awarded the contract and, within the time and manner required under the specifications, after the prescribed forms are presented to him for signature, enters into a written contract, in the prescribed form, in accordance with the bid, and files two bonds with the Obligee, one to guarantee faithful performance (if specified in the contract) of the contract and the other to guarantee payment for labor and materials as provided by law, then this obligation shall be null and void; otherwise, it shall remain in full force.

In the event a suit is brought upon this bond by the Obligee and judgment is recovered, the Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorney's fee to be fixed by the court.

Dated: March 13, 2015.

Correspondence or claims relating to this bond should be sent to the surety at the following address: Liberty Mutual Insurance Company  
1340 Treat Blvd Suite 550  
Wainut Creek, California 94597

Agee Construction Corporation

By: [Signature]  
Alan D. Dirlam - Chief Estimator

Liberty Mutual Insurance Company  
Surety

By: [Signature]  
Bonnie Gdzalez  
Attorney-in-Fact



**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

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

**SEE ATTACHED SURETY ACKNOWLEDGEMENT**

On this \_\_\_\_\_ before me,  
Date  
personally appeared \_\_\_\_\_

\* **PLEASE SEE ATTACHED ACKNOWLEDGEMENT**  
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/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

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**Civil Code § 1189**

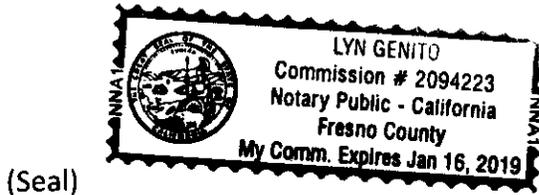
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
 ) ss  
County of Fresno )

On March 3, 2015 before me, Lyn Genito, Notary Public, personally appeared Bonnie Gonzalez \_\_\_\_\_, 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:   
Lyn Genito, Notary Public

### ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

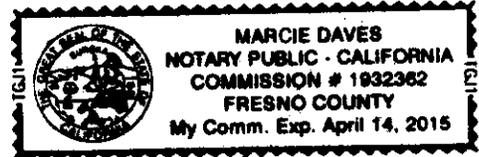
State of California  
County of Fresno

On March 16, 2015 before me, Marcie Daves  
(insert name and title of the officer)

personally appeared Alan D. Dirlam,  
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  (Seal)

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. 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 610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

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, Bonnie Gonzalez of the city of Fresno, state of CA its true and lawful attorney-in-fact, with full power and authority hereby conferred to sign, execute and acknowledge the following surety bond:

Principal Name: Agee Construction Corporation

Obligee Name: State of California, Department of Transportation

Surety Bond Number: Bid Bond

Bond Amount: See Bond Form

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 18<sup>th</sup> day of November, 2013.



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

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

STATE OF PENNSYLVANIA ss  
COUNTY OF MONTGOMERY

On this 18<sup>th</sup> day of November, 2013, before me personally appeared David M. Carey, 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 Plymouth Meeting, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Teresa Pastella, Notary Public  
Plymouth Twp., Montgomery County  
My Commission Expires March 28, 2017

By: Teresa Pastella  
Teresa Pastella, 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 David M. Carey, 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, Gregory W. Davenport, 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 13<sup>th</sup> day of March, 2015.



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

ACTION BY UNANIMOUS WRITTEN CONSENT  
IN LIEU OF A SPECIAL MEETING OF  
THE BOARD OF DIRECTORS OF  
AGEE CONSTRUCTION CORPORATION,  
A CALIFORNIA CORPORATION

In accordance with Article III, Section 13 of the Bylaws of the Corporation and Section 307(b) of the California Corporations Code, the Board of Directors of AGEE CONSTRUCTION CORPORATION, a California corporation (the "Corporation"), hereby takes the following actions and adopts the following resolutions without a meeting:

REMOVAL OF AUTHORIZED SIGNATORY OF CONSTRUCTION DOCUMENTS ON BEHALF OF THE CORPORATION

WHEREAS, Marshall W. Agee was previously authorized to sign construction bids, construction contracts and related documents (collectively, "Construction Documents") on behalf of the Corporation; and

WHEREAS, Marshall W. Agee is now unable to fulfill such duties; it is therefore

RESOLVED, that effective immediately, Marshall W. Agee is removed as an authorized signatory of Construction Documents.

AUTHORIZATION FOR PATSY A. AGEE, GAYLE L. SALVUCCI, ALAN D. DIRLAM, ROBERT SERVADIO, AND GORDON COFFMAN TO SIGN CONSTRUCTION DOCUMENTS ON BEHALF OF THE CORPORATION

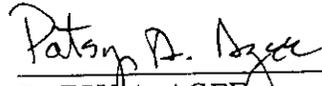
WHEREAS, the Board of Directors of the Corporation recognizes that from time to time Construction Documents need to be signed on behalf of the Corporation on an expedited basis; and

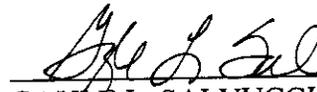
WHEREAS, the Board of Directors has deemed it in the Corporation's best interests to authorize not only the officers of the Corporation to execute such Construction Documents but also to authorize certain other employees to execute such documents; it is therefore

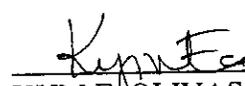
RESOLVED FURTHER, that PATSY A. AGEE, GAYLE L. SALVUCCI, ALAN D. DIRLAM, ROBERT SERVADIO and GORDON COFFMAN, *any one of them acting alone*, is hereby authorized, from time to time, in the name of the Corporation and as its corporate act and deed, to execute Construction Documents, and further authorized to execute any and all documents and to take any further actions necessary, desirable, or convenient in order to consummate such the transactions contemplated by the Construction Documents; and

RESOLVED FURTHER, that the authority given hereunder shall be deemed retroactive and any and all acts authorized hereunder performed prior to the passage of this resolution are hereby ratified and affirmed.

This Action by Unanimous Written Consent of the Board of Directors of AGEE CONSTRUCTION CORPORATION is hereby taken by the undersigned, constituting all of the members of the Board of Directors, to be effective for all purposes on January 15, 2014.

  
\_\_\_\_\_  
PATSY A. AGEE

  
\_\_\_\_\_  
GAYLE L. SALVUCCI

  
\_\_\_\_\_  
KYM E. OLIVAS

  
\_\_\_\_\_  
TAMARA M. SEALS

