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# 470,000  
SO WD

S! DATE



**Caltrans**

STATE OF CALIFORNIA

DEPARTMENT OF TRANSPORTATION

# BID

FOR CONSTRUCTION ON STATE HIGHWAY IN KERN COUNTY NEAR GLENNVILLE AT  
VARIOUS LOCATIONS FROM 3.1 MILES EAST OF ROUTE 65 TO 0.6 MILE EAST OF  
PASCOE ROAD

In District 06 On Route 155

Under

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*Notice to Bidders and Special Provisions* dated March 11, 2013

*Standard Specifications* dated 2010

Project plans approved February 4, 2013

*Standard Plans* dated 2010

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Identified by

Contract No. 06-0P6304

06-Ker-155-R14.0/41.0

Project ID 0612000190

**Electronic Advertising Contract**

Bids open Wednesday, April 10, 2013

Dated March 11, 2013  
AADD



MAH

CONTRACT NO. 06-OP6304

NAME OF BIDDER Brough Construction INC  
BUSINESS P.O. BOX \_\_\_\_\_  
CITY, STATE, ZIP \_\_\_\_\_  
BUSINESS STREET ADDRESS 634 Printz Rd  
(Include even if P.O. Box used)  
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

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:

1

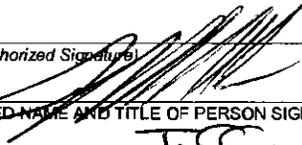
4. Bidder submits this bid with one of the following forms of bidder's security equal to at least 10 percent of the bid:

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)

4/9/13

PRINTED NAME AND TITLE OF PERSON SIGNING

Jeffrey L. Brough - President

**BID ITEM LIST**  
**06-0P6304**

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
1	BLANK					
2	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	2,850. <sup>00</sup>
3	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	41,500. <sup>00</sup>
4	128652	PORTABLE CHANGEABLE MESSAGE SIGN (LS)	LS	LUMP SUM	LUMP SUM	20,000. <sup>00</sup>
5	130100	JOB SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	3,300. <sup>00</sup>
6	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	LUMP SUM	1,500. <sup>00</sup>
7	130640	TEMPORARY FIBER ROLL	LF	50	19. <sup>00</sup>	950. <sup>00</sup>
8	130900	TEMPORARY CONCRETE WASHOUT	LS	LUMP SUM	LUMP SUM	725. <sup>00</sup>
9	150812	REMOVE PIPE (LF)	LF	540	62. <sup>00</sup>	33,480. <sup>00</sup>
10	150821	REMOVE HEADWALL	EA	3	1,142. <sup>00</sup>	3,426. <sup>00</sup>
11	155212	CLEANING, INSPECTING, AND PREPARING CULVERT (CY)	CY	220	25. <sup>00</sup>	5,500. <sup>00</sup>
12	155230	CONCRETE INVERT PAVING	LF	150	180. <sup>00</sup>	27,000. <sup>00</sup>
13	155314	18" CURED-IN-PLACE PIPELINER	LF	120	290. <sup>00</sup>	34,800. <sup>00</sup>
14	155316	24" CURED-IN-PLACE PIPELINER	LF	50	459. <sup>00</sup>	22,950. <sup>00</sup>
15	155319	36" CURED-IN-PLACE PIPELINER	LF	260	335. <sup>00</sup>	87,100. <sup>00</sup>
16 (F)	193006	STRUCTURE BACKFILL (SLURRY CEMENT)	CY	120	222. <sup>00</sup>	26,640. <sup>00</sup>
17	390132	HOT MIX ASPHALT (TYPE A)	TON	70	450. <sup>00</sup>	31,500. <sup>00</sup>
18	397005	TACK COAT	TON	0.1	13,000. <sup>00</sup>	1,300. <sup>00</sup>
19 (F)	510502	MINOR CONCRETE (MINOR STRUCTURE)	CY	5	1,555. <sup>00</sup>	7,775. <sup>00</sup>
20 (F)	510526	MINOR CONCRETE (BACKFILL)	CY	60	262. <sup>00</sup>	15,720. <sup>00</sup>

**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	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	
3	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	
4	128652	PORTABLE CHANGEABLE MESSAGE SIGN (LS)	LS	LUMP SUM	LUMP SUM	
5	130100	JOB SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	
6	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	LUMP SUM	
7	130640	TEMPORARY FIBER ROLL	LF	50		
8	130900	TEMPORARY CONCRETE WASHOUT	LS	LUMP SUM	LUMP SUM	
9	150812	REMOVE PIPE (LF)	LF	540		
10	150821	REMOVE HEADWALL	EA	3		
11	155212	CLEANING, INSPECTING, AND PREPARING CULVERT (CY)	CY	220		
12	155230	CONCRETE INVERT PAVING	CY	20		
13	155314	18" CURED-IN-PLACE PIPELINER	LF	120		
14	155316	24" CURED-IN-PLACE PIPELINER	LF	50		
15	155319	36" CURED-IN-PLACE PIPELINER	LF	260		
16	193006	STRUCTURE BACKFILL (SLURRY CEMENT)	CY	120		
17	390132	HOT MIX ASPHALT (TYPE A)	TON	70		
18	397005	TACK COAT	TON	0.1		
19 (F)	510502	MINOR CONCRETE (MINOR STRUCTURE)	CY	5		
20	510526	MINOR CONCRETE (BACKFILL)	CY	60		

**BID ITEM LIST**  
**06-0P6304**

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
21	650014	18" REINFORCED CONCRETE PIPE	LF	110	175. <sup>00</sup>	19,250. <sup>00</sup>
22	650018	24" REINFORCED CONCRETE PIPE	LF	290	180. <sup>00</sup>	52,200. <sup>00</sup>
23	650026	36" REINFORCED CONCRETE PIPE	LF	130	290. <sup>00</sup>	37,700. <sup>00</sup>
24	665018	18" CORRUGATED STEEL PIPE (.109" THICK)	LF	9	294. <sup>00</sup>	2,646. <sup>00</sup>
25	705011	18" STEEL FLARED END SECTION	EA	2	226. <sup>00</sup>	452. <sup>00</sup>
26	705204	18" CONCRETE FLARED END SECTION <del>#2,664</del>	EA	3	888. <sup>00</sup>	2,264. <sup>00</sup>
27	705206	24" CONCRETE FLARED END SECTION	EA	6	1,100. <sup>00</sup>	6,600. <sup>00</sup>
28	705210	36" CONCRETE FLARED END SECTION	EA	3	2,200. <sup>00</sup>	6,600. <sup>00</sup>
29	709522	INLET DEPRESSION	EA	1	1,800. <sup>00</sup>	1,800. <sup>00</sup>
30 (F)	750001	MISCELLANEOUS IRON AND STEEL	LB	508	3. <sup>00</sup>	1,524. <sup>00</sup>
31	860090	MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION	LS	LUMP SUM	LUMP SUM	2,500. <sup>00</sup>

**TOTAL BID:**

\$ 501,952.<sup>00</sup>

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Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
21	650014	18" REINFORCED CONCRETE PIPE	LF	110		
22	650018	24" REINFORCED CONCRETE PIPE	LF	290		
23	650026	36" REINFORCED CONCRETE PIPE	LF	130		
24	665018	18" CORRUGATED STEEL PIPE (.109" THICK)	LF	9		
25	705011	18" STEEL FLARED END SECTION	EA	2		
26	705204	18" CONCRETE FLARED END SECTION	EA	3		
27	705206	24" CONCRETE FLARED END SECTION	EA	5		
28	705210	36" CONCRETE FLARED END SECTION	EA	3		
29	709522	INLET DEPRESSION	EA	1		
30 (F)	750001	MISCELLANEOUS IRON AND STEEL	LB	508		
31	860090	MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION	LS	LUMP SUM	LUMP SUM	

**TOTAL BID:**

**\$**

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

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**FACSIMILE TRANSMITTAL SHEET**

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To:  
Office Engineer

From:  
John Souza

Fax Number: 916-227-6282

Date:  
4-10-2013

COMPANY:

TOTAL NO. OF PAGES INCLUDING COVER:  
5

PHONE NUMBER:

SENDER'S REFERENCE NUMBER:

Re:

YOUR REFERENCE NUMBER:

06-0P6304

X URGENT

FOR REVIEW

PLEASE COMMENT

PLEASE REPLY

PLEASE RECYCLE

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NOTES/COMMENTS:

Attached is our DVBE Summary along with our Subcontractor  
List for the above referenced project that bid 4-10-2013

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**SUBCONTRACTOR LIST**  
 DES-02-0102.2 (REV 3/2011)

Bidder Name: B. J. 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 amount, 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
SAMBRANO TRAFFIC Control Wilton, CA.	3	70.75%	TRAFFIC CONTROL SYS.
MICHELS CORP SALEM, OR	13	68.96%	CIPP
	14	63.18%	CIPP
	15	76.12%	CIPP
NOI-CAI PIPELINE SERVICE YUBA CITY, CA	13	13.69%	PRE-LINING Cleaning & CCTV
	14	20.77%	PRE-LINING Cleaning & CCTV
	15	5.47%	PRE-LINING Cleaning & CCTV

ADA Notice: For persons with sensory disabilities, this document is available in alternate formats. For information call (916) 864-6410 or TDD (916) 854-3880 or visit the Power Management, 1120 N Street, MS-89, Sacramento, CA 95814.

Contract No. 06-0P6304

**SUBCONTRACTOR LIST**

DES-OE-0102.2 (REV 3/2011)

Bidder Name: Buogh Construction LLC

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
• Sambrano Traffic Control Inc. Wilton, CA			Traffic Control (partial)
• Michaels Corporation Salem, OR			CIPP Lining (partial)
• Norcal Pipeline Services Yuba City, CA			Preline Cleaning CCTB (partial)

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MH

**REQUEST FOR SMALL BUSINESS PREFERENCE OR NON-SMALL BUSINESS PREFERENCE**

DES-OE-0102.7 (REV 02/2010)

CONTRACT NO. 06-0P6304

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: 048882

Date: 4/9/13

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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**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.)**

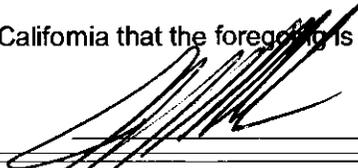
I am not a California company. My principal place of business is in \_\_\_\_\_.  
(Enter state or country)

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: 4/9/13

Signature of Bidder: 

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**BIDDER'S BOND**

DES-OE-0102.3 (REV 3/2008)

Bond No. BBSU

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 INSTALL CURED-IN-PLACE PIPE LINERS &

*(Copy here the exact description of work, including location, as it appears on the proposal)*

REPLACE CULVERTS

for which bids are to be opened at \_\_\_\_\_

*(Insert place where bids will be opened)*

on APRIL 10TH, 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: APRIL 5TH, 2013

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

BROUGH CONSTRUCTION, INC.

*Principal*

THE OHIO CASUALTY INSURANCE COMPANY

*Surety*

By \_\_\_\_\_

PHILIP E. VERA *Attorney-In-Fact*

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

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

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

\* PLEASE SEE 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*

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CERTIFIED COPY OF POWER OF ATTORNEY  
THE OHIO CASUALTY INSURANCE COMPANY  
WEST AMERICAN INSURANCE COMPANY

No. 44-315

Know All Men by These Presents: That THE OHIO CASUALTY INSURANCE COMPANY, an Ohio Corporation, and WEST AMERICAN INSURANCE COMPANY, an Indiana Corporation, pursuant to the authority granted by Article III, Section 9 of the Code of Regulations and By-Laws of The Ohio Casualty Insurance Company and West American Insurance Company, do hereby nominate, constitute and appoint: Philip Vega, Jadon H. Smith, Britton Christiansen or Kevin Vega of Covina, California its true and lawful agent (s) and attorney (s)-in-fact, to make, execute, seal and deliver for and on its behalf as surety, and as its act and deed any and all BONDS, UNDERTAKINGS, and RECOGNIZANCES, not exceeding in any single instance FIFTEEN MILLION (\$15,000,000.00) DOLLARS, excluding, however, any bond(s) or undertaking(s) guaranteeing the payment of notes and interest thereon

And the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Companies at their administrative offices in Fairfield, Ohio, in their own proper persons.

The authority granted hereunder supersedes any previous authority heretofore granted the above named attorney(s)-in-fact.

In WITNESS WHEREOF, the undersigned officer of the said The Ohio Casualty Insurance Company and West American Insurance Company has hereunto subscribed his name and affixed the Corporate Seal of each Company this 28th day of April, 2011.



J. Timothy D'Errico, Assistant Secretary

STATE OF OHIO,  
COUNTY OF BUTLER

On this 28th day of April, 2011 before the subscriber, a Notary Public of the State of Ohio, in and for the County of Butler, duly commissioned and qualified, came J. Timothy D'Errico, Assistant Secretary of THE OHIO CASUALTY INSURANCE COMPANY and WEST AMERICAN INSURANCE COMPANY, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn deposes and says that he is the officer of the Companies aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and the said Corporate Seals and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

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



Notary Public in and for County of Butler, State of Ohio  
My Commission expires August 17, 2013.

This power of attorney is granted under and by authority of Article III, Section 9 of the Code of Regulations and By-Laws of The Ohio Casualty Insurance Company and West American Insurance Company, extracts from which read:

Article III, Section 9. Appointment of Attorneys-in-Fact. The Chairman of the Board, the President, any Vice-President, the Secretary or any Assistant Secretary of the corporation shall be and is hereby vested with full power and authority to appoint attorneys-in-fact for the purpose of signing the name of the corporation as surety to, and to execute, attach the seal of the corporation to, acknowledge and deliver any and all bonds, recognizances, stipulations, undertakings or other instruments of suretyship and policies of insurance to be given in favor of any individual, firm, corporation, partnership, limited liability company or other entity, or the official representative thereof, or to any county or state, or any official board or boards of any county or state, or the United States of America or any agency thereof, or in any other political subdivision thereof

This instrument is signed and sealed as authorized by the following resolution adopted by the Boards of Directors of the Companies on October 21, 2004:

**RESOLVED**, That the signature of any officer of the Company authorized under Article III, Section 9 of its Code of Regulations and By-laws and the Company seal may be affixed by facsimile to any power of attorney or copy thereof issued on behalf of the Company to make, execute, seal and deliver for and on its behalf as surety any and all bonds, undertakings or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment. Such signatures and seal are hereby adopted by the Company as original signatures and seal and shall, with respect to any bond, undertaking or other written obligations in the nature thereof to which it is attached, be valid and binding upon the Company with the same force and effect as though manually affixed.

CERTIFICATE

I, the undersigned Assistant Secretary of The Ohio Casualty Insurance Company and West American Insurance Company, do hereby certify that the foregoing power of attorney, the referenced By-Laws of the Companies and the above resolution of their Boards of Directors are true and correct copies and are in full force and effect on this date.

IN WITNESS WHEREOF, I have hereunto set my hand and the seals of the Companies this 5TH day of APRIL, 2013



Assistant Secretary

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

CIVIL CODE § 1189

State of California

County of Los Angeles

}

On APR 05 2013

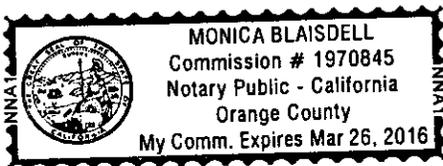
Date

before me, Monica Blaisdell, Notary Public

Here Insert Name and Title of the Officer

personally appeared Philip E. Vega

Name(s) of Signer(s)



Place Notary Seal Above

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: Monica Blaisdell  
Signature of Notary Public

**BIDDER'S BOND**

DES-OE-0102.3 (REV 3/2008)

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 \_\_\_\_\_  
*(Copy here the exact description of work, including location, as it appears on the proposal)*

for which bids are to be opened at \_\_\_\_\_  
*(Insert place where bids will be opened)*  
on \_\_\_\_\_  
*(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: \_\_\_\_\_, 20 \_\_\_\_\_.

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

\_\_\_\_\_  
Principal  
\_\_\_\_\_  
Surety  
By \_\_\_\_\_  
Attorney-in-Fact

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

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.

(SEAL)

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

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

**OPT OUT OF PAYMENT ADJUSTMENTS FOR PRICE INDEX FLUCTUATIONS**

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

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

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

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

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

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**CERTIFIED DVBE SUMMARY**

DES-OE-0102.5 (REV 3/2008)

DISTRICT-COUNTY-ROUTE: 06 - Ker - 155-114.0/41.0

CONTRACT NO.: 06-0P6304

TOTAL BID: \_\_\_\_\_

BID OPENING DATE: 4-10-13

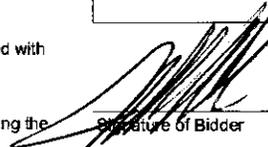
BIDDER'S NAME: Brough Construction Inc

DVBE PRIME CONTRACTOR CERTIFICATION <sup>1</sup> \_\_\_\_\_

Bid Item Number	Description of Work to Be Subcontracted to DVBE or Materials to Be Supplied by DVBE <sup>2</sup>	For Caltrans Only	DVBE (Name, Telephone No., and Certification No.)	\$ Amount
Names of first tier DVBE subcontractors and their items of work listed must be consistent with the names and items of work in the Subcontractor List (Pub Cont Code § 4100 et seq.) submitted with the bid. Identify second and lower tier subcontractors on this form.				Total Claimed Participation \$ _____ _____ %

1. DVBE prime contractors must enter their DVBE reference number or their DBA name as listed with Department of General Services (DVBE prime contractors are credited with 100 percent DVBE participation and need not complete the above table).

2. If 100% of an item is not performed or supplied by the DVBEs, describe the exact part, including the planned location of work to be performed, of item to be performed or supplied by DVBE.

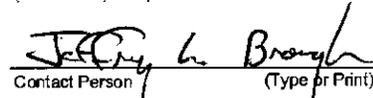
  
 \_\_\_\_\_  
 Signature of Bidder

4/9/13  
 \_\_\_\_\_  
 Date

Submit to:

MSC 43  
 OFFICE ENGINEER  
 DEPARTMENT OF TRANSPORTATION  
 1727 30TH STREET  
 SACRAMENTO, CA 95816-7005

(805) 489-7779  
 \_\_\_\_\_  
 (Area Code) Telephone Number

  
 \_\_\_\_\_  
 Contact Person (Type or Print)

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**CERTIFIED SMALL BUSINESS LISTING FOR THE NON-SMALL BUSINESS PREFERENCE**

DES-OE-0102.8 (REV 2/2011)

**BIDDER NAME** \_\_\_\_\_

**CONTRACT NO.** \_\_\_\_ - \_\_\_\_\_

List the description of work, name, telephone number, certification number, and dollar amount of each certified small business who will be employed on this project. Failure to provide this information may be cause for denial of the non-small business subcontractor preference. Attach additional sheets if necessary.

Submit to:

MSC 43  
 OFFICE ENGINEER  
 DEPARTMENT OF TRANSPORTATION  
 1727 30TH STREET  
 SACRAMENTO, CA 95816-7005

Bid Item Number	Description of Work, Service, or Materials	Certified Small Business (Name, Telephone No., and Certification No.)	\$ Amount

Person to Contact \_\_\_\_\_ (Please Type or Print)

**Total Claimed Participation**

\$ \_\_\_\_\_

(Area Code) Telephone Number \_\_\_\_\_

\_\_\_\_\_ % of Contract

**ADA Notice** For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-8410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

**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 San Luis Obispo

Jeffrey L. 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.

**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