

CALTRANS
STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
BID FOR

6

CONSTRUCTION ON STATE HIGHWAY IN
TULARE COUNTY NEAR TULARE FROM 0.2 MILE WEST OF RANCH ACRES ROAD TO ROUTE
65
In District 06 on Route 137

UNDER

Notice to Bidders and Special Provisions dated March 10, 2014
Project plans approved January 27, 2014
Standard Specifications dated 2010
Standard Plans dated 2010

Identified by

Contract No. 06-0R2204

06-Tul-137-18.2/27.4

Project ID 0614000059

Bids open Wednesday, April 9, 2014

Dated March 10, 2014

AADD

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
BID BOOK

Contract No.: 06-0R2204 Project ID: 0614000059
Bidder: VC0000103869 - Emmetts Excavation, Inc.

Name of Bidder: Emmetts Excavation, Inc.
Business Street Address: 1477 Menlo
Business P.O. Box:
City, State, Zip: Clovis, CA, 93611
Telephone Number: 659-299-1256
Fax Number: 559-299-0281
Contractor License Number: 579845A

STATE OF CALIFORNIA ♦ DEPARTMENT OF TRANSPORTATION
BID TO THE DEPARTMENT OF TRANSPORTATION

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

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

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

2. Bidder has and acknowledges the following addenda:1
04-01-14 Revise Bid Item List Notice to Bidders and Special Provisions
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

By: Lucretia Emmett Title: VP., Sec., Treas.
Bidder ID VC0000103869 Checksum DAD468D1

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
BID BOOK

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Bidder: VC0000103869 - Emmetts Excavation, Inc.

Item No.	Item Code	Item Description	Unit Of Meas	Quant	Unit Price		Item Total	
					Dollars	Cts	Dollars	Cts
Section 1 BID ITEM LIST								
1	070030	LEAD COMPLIANCE PLAN	LUMP SUM		LUMP SUM			700.00
2	120090	CONSTRUCTION AREA SIGNS	LUMP SUM		LUMP SUM			8,000.00
3	120100	TRAFFIC CONTROL SYSTEM	LUMP SUM		LUMP SUM			130,000.00
4	128652	PORTABLE CHANGEABLE MESSAGE SIGN (LS)	LUMP SUM		LUMP SUM			5,000.00
5	130100	JOB SITE MANAGEMENT	LUMP SUM		LUMP SUM			1,000.00
6	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LUMP SUM		LUMP SUM			750.00
7	152422	ADJUST MONUMENT COVER	EA	4.0		475.00		1,900.00
8	153103	COLD PLANE ASPHALT CONCRETE PAVEMENT	SQYD	20,400.0		2.67		54,468.00
9	190185	SHOULDER BACKING	TON	2,740.0		22.00		60,280.00

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
BID BOOK

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Item No.	Item Code	Item Description	Unit Of Meas	Quant	Unit Price		Item Total	
					Dollars	Cts	Dollars	Cts
10	027105	COLD IN-PLACE RECYCLING	SQYD	126,000.0		5.29		666,540.00
11	027106	CEMENT (COLD IN-PLACE RECYCLING)	TON	70.0		122.00		8,540.00
12	027107	EMULSIFIED RECYCLING AGENT (COLD IN-PLACE RECYCLING)	TON	680.0		692.00		470,560.00
13	027108	ASPHALTIC EMULSION (COLD IN-PLACE RECYCLING)	TON	69.0		692.00		47,748.00
14	027109	SAND COVER (COLD IN-PLACE RECYCLING)	TON	130.0		46.00		5,980.00
15	027110	INTELLIGENT COMPACTION (COLD IN-PLACE RECYCLING)	LUMP SUM			LUMP SUM		99,000.00
16	390300	HOT MIX ASPHALT, SUPERPAVE (TYPE A)	TON	26,500.0		75.50		2,000,750.00
17	394060	DATA CORE	LUMP SUM			LUMP SUM		2,800.00
18	397005	TACK COAT	TON	110.0		586.00		64,460.00
19	840504	4" THERMOPLASTIC TRAFFIC STRIPE	LF	115,000.0		0.39		44,850.00

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
BID BOOK

Contract No.: 06-0R2204

Project ID: 0614000059

Bidder: VC0000103869 - Emmetts Excavation, Inc.

Item No.	Item Code	Item Description	Unit Of Meas	Quant	Unit Price		Item Total	
					Dollars	Cts	Dollars	Cts
20	840506	8" THERMOPLASTIC TRAFFIC STRIPE	LF	1,990.0		0.80		1,592.00
21	840515	THERMOPLASTIC PAVEMENT MARKING	SQFT	3,000.0		3.68		11,040.00
22	840523	4" THERMOPLASTIC TRAFFIC STRIPE (BROKEN 12-3)	LF	1,750.0		0.28		490.00
23	840525	4" THERMOPLASTIC TRAFFIC STRIPE (BROKEN 36-12)	LF	41,800.0		0.28		11,704.00
24	850111	PAVEMENT MARKER (RETROREFLECTIVE)	EA	1,710.0		3.00		5,130.00
25	BLANK		LUMP SUM		LUMP SUM			0.00
26	861502	MODIFY SIGNAL	LUMP SUM		LUMP SUM			12,000.00
27	027286	MODIFY VEHICLE CLASSIFICATION STATION	LUMP SUM		LUMP SUM			25,000.00
Section 1		Total						3,740,282.00
Total Bid								3,740,282.00

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
BID BOOK

Contract No.: 06-OR2204 Project ID: 0614000059
Bidder: VC0000103869 - Emmetts Excavation, Inc.

SUBCONTRACTOR LIST

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 business name, location, and description of subcontracted work and submit with the bid. Complete bid item numbers and percentage of bid item subcontracted and submit with the bid, or fax to (916)227-6282 within 24 hours after the bid opening. Failure to provide complete information in all areas within the time specified will result in a nonresponsive bid.

List this sub? Yes

1) Business Name:Pavement Recycling Systems

City:Jurupa Valley State:CA

Description of Subcontracted Work:

CIPR, Cement (CIPR), Emulsified Recycle Agent(CIPR), Intelligent Compaction

Bid Item Numbers:

10

Percentages of Bid item Subcontracted:

85

Bid Item Numbers:

11

Percentages of Bid item Subcontracted:

100

Bid Item Numbers:

12

Percentages of Bid item Subcontracted:

100

Bid Item Numbers:

13

Percentages of Bid item Subcontracted:

100

Bid Item Numbers:

15

Percentages of Bid item Subcontracted:

100

List this sub? Yes

2) Business Name:Loop Electric

City:Bakersfield State:CA

Description of Subcontracted Work:

Electrical

Bid Item Numbers:

26

Percentages of Bid item Subcontracted:

100

Bid Item Numbers:

27

Percentages of Bid item Subcontracted:

100

Bid Item Numbers:

Percentages of Bid item Subcontracted:

Bid Item Numbers:

Percentages of Bid item Subcontracted:

Bid Item Numbers:

Percentages of Bid item Subcontracted:

List this sub? Yes

3) Business Name:Talley Oil

City:Madera State:CA

Description of Subcontracted Work:

Tack Coat

Bid Item Numbers:

18

Percentages of Bid item Subcontracted:

100

Bid Item Numbers:

Percentages of Bid item Subcontracted:

List this sub? Yes

4) Business Name:Safety Striping Service

City:Goshen State:CA

Description of Subcontracted Work:

Pavement Striping & Markings, Traffic Control (Partial)

Bid Item Numbers:

19,20,21,22,23,24

Percentages of Bid item Subcontracted:

100

Bid Item Numbers:

3 (Partial)

Percentages of Bid item Subcontracted:

10

Bid Item Numbers:

Percentages of Bid item Subcontracted:

Bid Item Numbers:

Percentages of Bid item Subcontracted:

Bid Item Numbers:

Percentages of Bid item Subcontracted:

List this sub? Yes

5) Business Name:Sambrano Traffic Control

City:Wilton State:CA

Description of Subcontracted Work:

Construction Area Signs, Traffic Control (Partial)

Bid Item Numbers:

2

Percentages of Bid item Subcontracted:

100

Bid Item Numbers:

3

Percentages of Bid item Subcontracted:

90

Bid Item Numbers:

Percentages of Bid item Subcontracted:

Bid Item Numbers:

Percentages of Bid item Subcontracted:

Bid Item Numbers:

Percentages of Bid item Subcontracted:

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
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REQUEST FOR SMALL BUSINESS PREFERENCE OR NON-SMALL BUSINESS PREFERENCE

COMPLETE ONE OF THE FOLLOWING:

*Small Business Preference

The undersigned 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.

Example: mm/dd/yyyy

Date: Certification Number:

*Non-Small Business Preference

The undersigned 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.

Example: mm/dd/yyyy

Date:

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
BID BOOK

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Bidder: VC0000103869 - Emmetts Excavation, Inc.

CALIFORNIA COMPANY PREFERENCE

This form must be completed by all bidders. Failure of a non-California company to submit 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 submit 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 (enter requested information):

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

or

2. I 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

3. I 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."

4. I a California company.

My principal place of business is in:

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. (Submit additional sheets if necessary.)

Describe:

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

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
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OPT OUT OF PAYMENT ADJUSTMENTS FOR PRICE INDEX FLUCTUATIONS

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: 04/09/14 Name: Lucretia Emmett

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
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CERTIFIED DVBE SUMMARY

DVBE Prime contractor certification:

DVBE prime contractors must enter their DVBE reference number on 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 remainder of the form).

Contact Person Name:

Telephone Number:

Total Claimed Participation \$
%

Submit to:

MSC 43
Office Engineer
Department of Transportation
1727 30th Street
Sacramento, CA 95816-7005

Names of first tier DVBE subcontractors and their items of work listed must be consistent with the names and items of work in the Subcontractors List (Pub Cont Code ♦ 4100 et seq.). Identify second and lower tier subcontractors.

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.

Bid Item Number(s):

Description of Work to Be Subcontracted to DVBE or Materials to be Supplied by DVBE:

DVBE Name:

DVBE Telephone Number:

DVBE Certification Number:

\$Amount:

Bid Item Number(s):

Description of Work to Be Subcontracted to DVBE or Materials to be Supplied by DVBE:

DVBE Name:

DVBE Telephone Number:

DVBE Certification Number:

\$Amount:

STATE OF CALIFORNIA
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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 CA County of :Fresno

Name: Lucretia Emmett,

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

Company Title: VP., Sec., Treas. of

Company Name: Emmett's Excavation, 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.

STATE OF CALIFORNIA
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CERTIFICATIONS (continued)

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? No

If the answer is yes, explain the circumstances in the following space.

Explanation:

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
BID BOOK

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CERTIFICATIONS (continued)

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.

Explanation:

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.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
BID BOOK

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CERTIFICATIONS (continued)

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 is 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

Explanation:

END CERTIFICATIONS

BIDDER'S BOND
State of California - Department of Transportation

Contract No. 06-0R2204

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
TULARE COUNTY NEAR TULARE FROM 0.2 MILE WEST OF RANCH ACRES ROAD TO ROUTE
65

In District 06 on Route 137
for which bids are to be opened at 1727 30th Street, Sacramento CA 95816 on
04-09-14.

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

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

Dated: _____, 20____.

Principal: _____

Surety: _____

By: _____

Attorney-in-Fact

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

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

State of California

County of _____

On this _____ before me, _____

Date

Here insert Name and Title of 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)

We Emmett's Excavation, Inc.

1477 Menlo, Clovis, CA 93611

as Principal, and

Fidelity and Deposit Company of Maryland

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

From 0.2 Mile West Of Ranch Acres Road To Route 65 Contract No 06-0R2204

for which bids are to be opened at Sacramento CA

(insert place where bids will be opened)

on April 9, 2014
(insert date of bid opening)

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

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

Dated: March 11, 2014

Correspondence or claims relating to this bond should be sent to the surety at the following address: Fidelity and Deposit Company of Maryland

1400 American Lane, Tower I, 18th Floor

Schaumburg, IL 60196-1056

Emmett's Excavation, Inc.

By: Lucretia Emmett
Principal

Lucretia Emmett, V.P., Sec., Treas
Fidelity and Deposit Company of Maryland
Surety

By: Lyn Genito
Attorney-in-Fact



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of CA

County of Fresno

On this March 11, 2014

before me,

Bonnie Gonzalez, Notary Public

Date

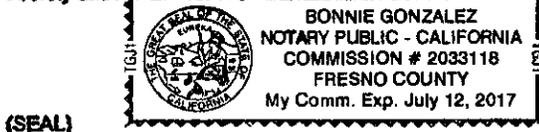
Here Insert Name and Title of the Officer

personally appeared Lyn Genito

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 Bonnie Gonzalez
Signature of Notary Public
Bonnie Gonzalez

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Maryland, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Maryland (herein collectively called the "Companies"), by **Geoffrey Delisio, Vice President**, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint Lyn Genito its true and lawful agent and Attorney-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 and undertakings, 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 ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland, in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 17th day of May, A.D. 2012.

ATTEST:

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**



By: Gerald F. Haley
Gerald F. Haley
Assistant Secretary
Gerald F. Haley

Geoffrey Delisio
Geoffrey Delisio
Vice President
Geoffrey Delisio

State of Maryland
County of Baltimore

On this 17th day of May, A.D. 2012, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **Geoffrey Delisio, Vice President and Gerald F. Haley, Assistant Secretary** of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, deposed and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such 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 the day and year first above written.

Constance A. Dunn
Constance A. Dunn, Notary Public
My Commission Expires: July 14, 2015



EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 11th day of March, 2014.



Thomas O. McClellan

Thomas O. McClellan, Vice President