E3

CALTRANS
STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
BID FOR

CONSTRUCTION ON STATE HIGHWAY IN
TULARE COUNTY NEAR WOODLAKE FROM ROUTE 201 TO 0.2 MILE NORTH OF AVENUE 404 AND FROM 0.2 MILE NORTH OF COTTONWOOD CREEK TO 2.4 MILES NORTH OF DRUM VALLEY ROAD
In District 06 on Route 245

UNDER

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Notice to Bidders and Special Provisions dated February 23, 2015
Project plans approved February 2, 2015
Standard Specifications dated 2010
Standard Plans dated 2010

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Identified by

Contract No. 06-0S2004

06-Tul-245-12.0/16.0, 21.0/26.0

Project ID 0614000119

Bids open Tuesday, March 17, 2015 Dated February 23, 2015

AADD

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
Contract No.: 06-0S2004 Project ID: 0614000119
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
Bidder ID VC0000015783
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. 559-299-3290
Fax No. 559-299-3503
Contractor License No.631980
California Department of Industrial Relations Registration number** 1000001994
Checksum CF22073E

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

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

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

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

2. Bidder has and acknowledges the following addenda:2
   03-16-15 Revise Bid Opening date, 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: Electronic Bidder's Bond

4. Bidder's signature is an affirmation of the included certifications. Bidder is cautioned that making a false certification may result in one or more of the following:

   4.1 Criminal prosecution
   4.2 Rejection of the bid
   4.3 Rescission of the award
   4.4 Termination of the Contract

PRINTED NAME:Gayle L. Salvucci AND
TITLE OF PERSON SIGNING:President/Manager

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BY (Authorized signature) DATE SIGNED( Do not type)

| Item No. | Item Code | Item Description | Estimated Quantity | Unit of Measure | Unit Price | Item Total |
|---|---|---|---|---|---|---|
| 1 | 070030 | LEAD COMPLIANCE PLAN | LUMP SUM | LS | LUMP SUM | 770.00 |
| 2 | 120090 | CONSTRUCTION AREA SIGNS | LUMP SUM | LS | LUMP SUM | 2,755.00 |
| 3 | 120100 | TRAFFIC CONTROL SYSTEM | LUMP SUM | LS | LUMP SUM | 38,000.00 |
| 4 | 128652 | PORTABLE CHANGEABLE MESSAGE SIGN (LS) | LUMP SUM | LS | LUMP SUM | 2,000.00 |
| 5 | 130100 | JOB SITE MANAGEMENT | LUMP SUM | LS | LUMP SUM | 550.00 |
| 6 | 130200 | PREPARE WATER POLLUTION CONTROL PROGRAM | LUMP SUM | LS | LUMP SUM | 600.00 |
| 7 | 153103 | COLD PLANE ASPHALT CONCRETE PAVEMENT | 410.0 | SQYD | 23.00 | 9,430.00 |
| 8 | 190185 | SHOULDER BACKING | 220.0 | TON | 71.00 | 15,620.00 |
| 9 | 390132 | HOT MIX ASPHALT (TYPE A) | 7,300.0 | TON | 81.00 | 591,300.00 |
| 10 | 397005 | TACK COAT | 34.0 | TON | 690.00 | 23,460.00 |
| 11 | 840504 | 4" THERMOPLASTIC TRAFFIC STRIPE | 154,000.0 | LF | 0.45 | 69,300.00 |
| 12 | 840523 | 4" THERMOPLASTIC TRAFFIC STRIPE (BROKEN 12-3) | 370.0 | LF | 1.05 | 388.50 |

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
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| Item No. | Item Code | Item Description | Estimated Quantity | Unit of Measure | Unit Price | Item Total |
|---|---|---|---|---|---|---|
| 13 | 840525 | 4" THERMOPLASTIC TRAFFIC STRIPE (BROKEN 36-12) | 11,800.0 | LF | 0.37 | 4,366.00 |
| 14 | 850111 | PAVEMENT MARKER (RETROREFLECTIVE) | 1,550.0 | EA | 3.19 | 4,944.50 |
| 15 | 860090 | MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION | LUMP SUM | LS LS LS | LUMP SUM | 500.00 |
| | Total Bid | | | | | $763,984.00 |

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
Contract No.: 06-0S2004 Project ID: 0614000119
Bidder Name: Agee Construction Corporation Bidder ID: VC0000015783
DES-OE-0102.2B(REV 5/2014)

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Bidding Firm: Agee Construction Corporation

List this sub? Yes

1) Business Name Mallard Construction, Inc.
Location City Orange State CA
California Contractor License Number 826607
CA Department of Industrial Relations' Registration Number 1000007027
Portion of Work Subcontracted:

| Item | % | Description |
|---|---|---|
| 11 | 100 | Thermoplastic Stripe |
| 12 | 100 | Thermoplastic Stripe |
| 13 | 100 | Thermoplastic Stripe |
| 14 | 100 | Pavement Marker |

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: 1129581

Date: 03/10/15 Signature:_____

*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.

Date: Signature:_____

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
Contract No.: 06-0S2004 Project ID: 0614000119
Bidder Name: Agee Construction Corporation Bidder ID: VC0000015783
CALIFORNIA COMPANY PREFERENCE
DES-OE-102.9 (REV 11/2008)

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This form must be completed 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 (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:
   (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.)
   Describe:

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

DATE_____Signature of Bidder_____

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:_____

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.

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.

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.

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

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
BIDDER'S BOND
DES-OE 0102.3(REV 3/2008)
Contract No. 06-0S2004

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 WOODLAKE FROM ROUTE 201 TO 0.2 MILE NORTH OF AVENUE 404 AND FROM 0.2 MILE NORTH OF COTTONWOOD CREEK TO 2.4 MILES NORTH OF DRUM VALLEY ROAD
In District 06 on Route 245
for which bids are to be opened at 1727 30th Street, Sacramento CA 95816 on 03-25-15.

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:

_____

_____

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CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

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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)

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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)

# Bond Details for: Bid Bond

| | |
|---|---|
| **Status:** | In Effect |
| **Bond Form:** | CA DOT eBond Bid Bond Only UP 3-15 (Bid Bond) |
| **Current Effective Date:** | 3/25/2015 |
| **Expiration Date:** | 6/23/2015 |
| **Subsidiary:** | |
| **Description:** | CONSTRUCTION ON STATE HIGHWAY IN TULARE COUNTY NEAR WOODLAKE FROM ROUTE 201 TO 0.2 MILE NORTH OF AVENUE 404 AND FROM 0.2 MILE NORTH OF COTTONWOOD CREEK TO 2.4 MILES NORTH OF DRUM VALLEY ROAD in District 06 on Route 245 |
| **Contract Date:** | |
| **Type of Bond:** | Contract |
| **SAA Code:** | Bid Bond(000) |
| **Initial Effective Date:** | 3/25/2015 |

## Principal

| | |
|---|---|
| **Name:** | Agee Construction Corporation |
| **Address:** | P.O. Box 629<br>Clovis, CA 93613 |
| **State of Incorporation:** | CA |

## Obligee

| | |
|---|---|
| **Name:** | California Department of Transportation |
| **Address:** | |
| | CA |
| **State of Obligation:** | CA |
| **Obligee Type:** | unknown |

## Agency Information

| | |
|---|---|
| **Agency:** | Alliant Insurance Services, Inc. |
| **Site:** | Alliant Insurance Services, Inc. (Fresno, CA) |
| **Attorney-in-fact:** | Bonnie Gonzalez |
| **State of Execution:** | CA |

## Bond Form Custom Fields

| | |
|---|---|
| **Bid Location:** | Sacramento, CA |
| **Contract ID No. Required for Electronic Bidding:** | 06-0S2004 |
| **Contractors ID No. Required for Electronic Bidding:** | 0000015783 |
| **N/A - Electronic Bid Bond:** | N/A - Electronic Bid Bond |
| **See Attached Digital Signature:** | See Attached Digital Signature |

## Public Custom Fields (Viewable by All Users)

| | |
|---|---|
| **Bond Request By::** | Marcie |

## Other Information

| | |
|---|---|
| **Bid Date:** | 3/25/2015 |
| **Bid Bond Amount:** | 10% |
| **SurePath ID (Long):** | {E027230A-5481-4A17-A6DE-2B3F846FD35D} |
| **Bond Validation Number(BVN):** | 6SUG-DYKM-T6WN-XWA4 E-Mail BVN |

## Issuing Carriers

**Liberty Mutual Insurance Company**

| | |
|---|---|
| **Bond Number:** | Bid Bond |
| **Premium Amount:** | $0.00 |
| **State Surcharge:** | $0.00 |
| **Municipal Tax:** | $0.00 |

## Comments

Per Marcie bid date changed from 3/17/2015 to 3/25/2015 2015-3-25 LOW 1 @ $763,984.00