1912 - 2012 OFFICE ENGINEER
100 Years of Construction Contracting Excellence

07 C-5 B/C

Caltrans

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

BID

FOR CONSTRUCTION ON STATE HIGHWAY IN LOS ANGELES COUNTY IN LOS ANGELES AT WILMINGTON OVERHEAD

In District 07 On Route 1

Under

Notice to Bidders and Special Provisions **dated March 24, 2014**	***Standard Specifications*** **dated 2010**
Project plans approved March 3, 2014	***Standard Plans*** **dated 2010**

Identified by
Contract No. 07-1W6204
07-LA-1-9.9
Project ID 0712000413

TM

Bids open Thursday, April 24, 2014

Dated March 24, 2014
AADD

UNION LABEL

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

BID TO THE DEPARTMENT OF TRANSPORTATION

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

C-5
B/C

CONTRACT NO. 07 - 1W6204

NAME OF BIDDER Beador Construction Company, Inc

BUSINESS P.O. BOX —

CITY, STATE, ZIP —

BUSINESS STREET ADDRESS 26320 Lester Circle
(Include even if P.O. Box used)

CITY, STATE, ZIP Corona, Ca 92883

TELEPHONE NO: AREA CODE (951) 674-7352

FAX NO: AREA CODE (951) 674-7485

CONTRACTOR LICENSE NO. 720483

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)*
PRESIDENT	4/24/14
PRINTED NAME AND TITLE OF PERSON SIGNING	
DAVID A. BEAMER, PRESIDENT	

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

BID ITEM LIST

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
1	070030	LEAD COMPLIANCE PLAN	LS	LUMP SUM	LUMP SUM	2,100.00
2	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	5,200.00
3	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	10,189.00
4	130100	JOB SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	7,700.00
5	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	LUMP SUM	1,000.00
6	130900	TEMPORARY CONCRETE WASHOUT	LS	LUMP SUM	LUMP SUM	500.00
7	141120	TREATED WOOD WASTE	LB	130	20.00	2600.00
8	150100	PUBLIC SAFETY PLAN	LS	LUMP SUM	LUMP SUM	2,500.00
9	150310	RAPID SETTING CONCRETE (PATCH)	CF	655	66.00	43,230.00
10	150857	REMOVE ASPHALT CONCRETE SURFACING	SQFT	26,115	1.20	31,338.00
11	153223	REMOVE UNSOUND CONCRETE	CF	655	21.00	13,755.00
12	153225	PREPARE CONCRETE BRIDGE DECK SURFACE	SQFT	26,115	0.20	5,223.00
13	153227	FURNISH POLYESTER CONCRETE OVERLAY	CF	7,835	66.00	517,110.00
14 (F)	153228	PLACE POLYESTER CONCRETE OVERLAY	SQFT	26,115	2.00	52,230.00
15	157560	BRIDGE REMOVAL (PORTION)	LS	LUMP SUM	LUMP SUM	2,750.00
16	511118	CLEAN EXPANSION JOINT	LF	713	20.00	14,260.00
17	519088	JOINT SEAL (MR 1")	LF	713	35.00	24,955.00
18 (F)	570115	ABUTMENT LUMBER BLOCKING	LS	LUMP SUM	LUMP SUM	3,500.00
19	840504	4" THERMOPLASTIC TRAFFIC STRIPE	LF	820	1.50	1,230.00
20	840526	4" THERMOPLASTIC TRAFFIC STRIPE (BROKEN 17-7)	LF	1,640	0.75	1,230.00

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
21	850111	PAVEMENT MARKER (RETROREFLECTIVE)	EA	140	5.00	700.00
22	999990	MOBILIZATION	LS	LUMP SUM	LUMP SUM	85,000.00

C-5
B/C

TOTAL BID: $ 828,300.00

JM

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

SUBCONTRACTOR LIST

DES-OE-0102.2 (REV 3/2011)

Bidder Name: Beador Construction Company

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
1). Mallard Construction Orange, CA 92865 760-550-1645	2	96 %	Construction Area Signs
	3	2 %	Traffic Control Systems
	19	100 %	4" Thermoplastic Traffic Stripe
	20	93 %	4" Thermoplastic Traffic Stripe
	21	100 %	Pavement Marker

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.

TM

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

REQUEST FOR SMALL BUSINESS PREFERENCE OR NON-SMALL BUSINESS PREFERENCE

DES-OE-0102.7 (REV 02/2010)

CONTRACT NO. 07 - 1W6204

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: _____

Date: _____ 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: 4/24/14 Signature: President

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

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

CALIFORNIA COMPANY PREFERENCE

DES-OE-0102.9 (REV 11/2008)

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

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

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

or

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

Name of State: _____.

or

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

Name of State: _____.

California Sales or Use Tax No.: _____.

or

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

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

(Enter state or country)

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

_____

_____

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

Date: 4/24/19 Signature of Bidder: _____

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.

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

BIDDER'S BOND

DES-OE-0102.3 (REV 3/2008)

Contract No. 07-1W6204

Bond No. B29395

We Beador Construction Company, Inc.

as Principal, and

ACSTAR 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 Los Angeles County At Wilmington Overhead

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

Treat Bridge Deck with Methacrylate and replace joint seals

for which bids are to be opened at

(Insert place where bids will be opened)

on 4/24/14

(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 22, 20 14.

Correspondence or claims relating to this bond should be sent to the surety at the following address:
30 South Road
Farmington, CT 06032

Beador Construction Company, Inc.
Principal

ACSTAR Insurance Company
Surety

By
Attorney-in-Fact

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT Henry W. Nozko, Jr., President

State of California }

County of }

On this *Date* before me, *Here Insert Name and Title of the Officer*

personally appeared *Name(s) of Signer(s)*

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

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

WITNESS my hand and official seal.

Signature *Signature of Notary Public*

(SEAL)

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.

Bond No. B29395

ACSTAR INSURANCE COMPANY
30 SOUTH ROAD • FARMINGTON, CT 06032 • (860) 415-8400

POWER OF ATTORNEY

No. 35575

This Power of Attorney must have original corporate seal and red and blue ACSTAR logo to be valid.

Know all men by these presents: That **ACSTAR Insurance Company**, a corporation of the State of Illinois, having its principal office in the Town of Farmington, Connecticut, pursuant to the following Resolution, which was adopted by the Board of Directors of the said Company on November 14, 2013, to wit:

RESOLVED, That the following Rules shall govern the execution for the Company of bonds, undertakings, recognizances, contracts and other writings in the nature thereof:

(1) That the Chairman, the President, Executive Vice President and General Counsel, or any Attorney-in-fact, may execute for and on behalf of the Company any and all bonds, undertakings, recognizances, contracts and other writings in the nature thereof, the same to be attested when necessary by the Corporate Secretary, or any Assistant Corporate Secretary, and the seal of the Company affixed thereto; and that the Chairman or President may appoint and authorize any other Officer (elected or appointed) of the Company, and Attorneys-in-Fact to so execute or attest to the execution of all such writings on behalf of the Company and to affix the seal of the Company thereto.

(2) Any such writing executed in accordance with these Rules shall be as binding upon the Company in any case as though signed by the President and attested to by the Corporate Secretary.

(3) The signature of the Chairman, the President, or Executive Vice President of the Company may be affixed by facsimile on any power of attorney granted pursuant to this Resolution, and the signature of a facsimile to any certificate of any such power, and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company.

(4) Such other Officers of the Company, and Attorneys-in-Fact shall have authority to certify or verify copies of this Resolution, the By-Laws of the Company, and any affidavit or record of the Company necessary to the discharge of their duties.

does hereby nominate, constitute and appoint

HENRY W. NOZKO, JR., HENRY W. NOZKO III, GARY M. CASE, CARMEN CARLTON, each individually, its true and lawful Attorney-in-fact, to make, execute, seal and deliver on its behalf, and as its act and deed any and all bonds, undertakings, recognizances, contracts and other writings in the nature thereof in penalties not exceeding TEN MILLION DOLLARS ($10,000,000.00) each, and the execution of such writings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office.

IN WITNESS WHEREOF, Henry W. Nozko, Jr., President, have hereunto subscribed his name and affixed the corporate seal of the **ACSTAR INSURANCE COMPANY** this 15th day of November 2013.

ACSTAR Insurance Company

By _____
Henry W. Nozko, Jr., President

STATE OF CONNECTICUT)
) ss. FARMINGTON
COUNTY OF HARTFORD)

On this 15th day of November A.D. 2013, before me, a Notary Public of the State of Connecticut came, Henry W. Nozko, Jr., President of the **ACSTAR Insurance Company**, to me personally known to be the individual and officer who executed the preceding instrument, and he acknowledged that he executed the same, and the seal affixed to the preceding instrument is the corporate seal of said Company; that the said corporate seal and his signature was duly affixed by the authority and direction of the said corporation, and the Resolution adopted by the Board of Directors of said Company, referred to in the preceding instrument, is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at the Town of Farmington the day and year first above written.

DIANE L. PLANTE NOTARY PUBLIC CONNECTICUT

_____
Diane L. Plante - Notary Public
My Commission Expiration Date: November 30, 2018

I, the undersigned, Secretary or Assistant Secretary of **ACSTAR Insurance Company**, do hereby certify that the original POWER OF ATTORNEY of which the foregoing is a full, true and correct copy, is in full force and effect.

In witness whereof, I have hereunto subscribed my name as Secretary or Assistant Secretary, and affixed the corporate seal of the Corporation, this 22nd day of April, 2014.

_____
Henry W. Nozko III/Maurice C. Shea
Secretary/Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rare, interest rate or residual value guarantees

ACKNOWLEDGEMENT

State of Connecticut
County of Hartford

On April 22, 2014 before me, Tamara Lee Kokiel, Notary Public,
(here insert name and title of the officer)

personally appeared Henry W. Nozko, Jr.

personally known to me (or 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 acknowledge 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.

WITNESS my hand and official seal.

TAMARA LEE KOKIEL
NOTARY PUBLIC
MY COMMISSION EXPIRES JAN. 31, 2016

Signature Tamara Lee Kokiel

(Seal)

OPTIONAL

Though the data below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent reattachment of this form.

CAPACITY CLAIMED BY SIGNER

- [ ] INDIVIDUAL
- [x] CORPORATE OFFICER

TITLE(S)

- [ ] PARTNER(S)
  - [ ] LIMITED
  - [ ] GENERAL
- [x] ATTORNEY-IN-FACT
- [ ] TRUSTEE(S)
- [ ] GUARDIAN/CONSERVATOR
- [ ] OTHER:

SIGNER IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

DESCRIPTION OF ATTACHED DOCUMENT

Bond No. B29395
TITLE OR TYPE OF DOCUMENT

4
NUMBER OF PAGES

4/22/14
DATE OF DOCUMENT

SIGNER(S) OTHER THAN NAMED ABOVE

S-4067/GE 1/06

FRP

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

OPT OUT OF PAYMENT ADJUSTMENTS FOR PRICE INDEX FLUCTUATIONS

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

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

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

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

Date: _____ Signature: _____

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.

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 Riverside

David A. Beador, being first duly sworn, deposes and says that he or she is President of Beador Construction Company, 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