

B7

CONTRACT NO. 08 - 0P7304

NAME OF BIDDER Sully-Miller Contracting Company  
BUSINESS P.O. BOX N/A  
CITY, STATE, ZIP \_\_\_\_\_  
BUSINESS STREET ADDRESS \_\_\_\_\_  
(Include even if P.O. Box used)  
CITY, STATE, ZIP 135 S. State College Blvd., Ste. 400, Brea, CA 92821  
TELEPHONE NO: AREA CODE ( 714 ) 578-9600  
FAX NO: AREA CODE ( 714 ) 578-9672  
CONTRACTOR LICENSE NO. 747612-A, C-10

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:

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~~ 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)

Gary Downey, Assistant Secretary

PRINTED NAME AND TITLE OF PERSON SIGNING

DATE SIGNED (Do Not type)

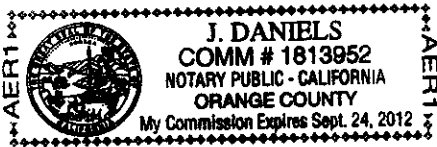
1/10/2012

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT**

STATE OF CALIFORNIA }  
COUNTY OF ORANGE

On January 10, 2012 before me, J. Daniels, Notary Public, personally appeared Gary Downey

who proved to me on the basis of satisfactory evidence to be the person(s) whose name 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 *J. Daniels*  
J. Daniels, Notary Public

Notary Seal

**OPTIONAL**

**Description of Attached Document**

Title or Type of Document: Bid Proposal-Signature Page

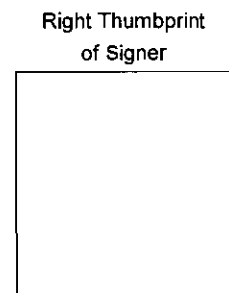
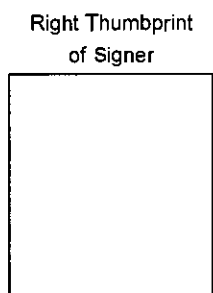
Document Date: January 10, 2012 Number of Pages: 1

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s):**

Signer's Name Gary Downey Signer's Name \_\_\_\_\_

- |   |   |
|---|---|
| <input type="checkbox"/> Individual   | <input type="checkbox"/> Individual                         |
| <input checked="" type="checkbox"/> Corporate Officer – Title(s) <u>Assistant Secretary</u> | <input type="checkbox"/> Corporate Officer – Title(s) _____ |
| <input type="checkbox"/> Partner – Limited/General _____                                    | <input type="checkbox"/> Partner – Limited/General _____    |
| <input type="checkbox"/> Attorney In Fact   | <input type="checkbox"/> Attorney In Fact                   |
| <input type="checkbox"/> Trustee  | <input type="checkbox"/> Trustee                            |
| <input type="checkbox"/> Guardian or Conservator  | <input type="checkbox"/> Guardian or Conservator            |
| <input type="checkbox"/> Other  | <input type="checkbox"/> Other                              |



Signer is Representing: SULLY-MILLER CONTRACTING COMPANY

**BID ITEM LIST**

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
1	074016	CONSTRUCTION SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	15,000.-
2	074017	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	LUMP SUM	6,400.-
3	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	15,000.-
4	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	302,000.-
5	128650	PORTABLE CHANGEABLE MESSAGE SIGN	EA	4	3,200.-	12,800.-
6	150722	REMOVE PAVEMENT MARKER	EA	30,000	1.10	33,000.-
7	153103	COLD PLANE ASPHALT CONCRETE PAVEMENT	SQYD	13,300	1.40	18,620.-
8	374002	ASPHALTIC EMULSION (FOG SEAL COAT)	TON	160	575.-	92,000.-
9	374207	CRACK TREATMENT	MI	52	2,100.-	109,200.-
10	390095	REPLACE ASPHALT CONCRETE SURFACING	CY	3,250	205.-	666,250.-
11	390138	RUBBERIZED HOT MIX ASPHALT (OPEN GRADED)	TON	18,900	93.-	1,757,700.-
12	022102	CENTERLINE RUMBLE STRIP (GROUND-IN INDENTATION)	STA	660	26.-	17,160.-
13	394060	DATA CORE	LS	LUMP SUM	LUMP SUM	4,600.-
14	397005	TACK COAT	TON	110	540.-	59,400.-
15	840515	THERMOPLASTIC PAVEMENT MARKING	SQFT	6,540	3.80	24,852.-
16	840560	THERMOPLASTIC TRAFFIC STRIPE (SPRAYABLE)	LF	263,000	0.22	57,860.-
17	850101	PAVEMENT MARKER (NON-REFLECTIVE)	EA	25,900	1.65	42,735.-
18	850111	PAVEMENT MARKER (RETROREFLECTIVE)	EA	41,700	2.75	114,675.-
19	850122	PAVEMENT MARKER (RETROREFLECTIVE-RECESSED)	EA	5,850	6.55	38,317.50
20	860090	MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION	LS	LUMP SUM	LUMP SUM	250.-

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Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
21	860810	INDUCTIVE LOOP DETECTOR	EA	24	250.-	6,000.-

**TOTAL BID:**

\$ 3,393,819.50

*nah*

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**SUBCONTRACTOR LIST**  
 DES-08-0\*02.2 (REV 3/2011)

Bidder Name: Sully-Miller Contracting 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
Carolino Traffic Control National City, CA	3	100%	Construction Area Signs Traffic Control (P) PCMS
	4	25%	
	5	100%	
Chrisp Co. Bloomington, CA	15-19	100%	Striping & Marking
James David Lawrence Auburn, CA	15-19	36%	Supply Markers/ Thermoplastic
Global Road Sealing Garden Grove, CA	9	100%	Crack Treatment
Global Environmental Network Fountain Valley, CA	2	17%	Prepare WPCP
Pavement Recycling Systems Mira Loma, CA	7	64%	Cold Plane (P) Remove AC Surfacing (P) Grind Rumble Strip
	10	5%	
	12	100%	

ADA Notice: For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3800 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

**SUBCONTRACTOR LIST**

DES-OE-0102.2 (REV 3/2011)

Bidder Name: Sully-Miller Contracting 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
Global Road Sealing Garden Grove, CA	9		Crack treatment
Pavement Recycling Systems Mira Loma, CA	7p, 10p, 12		Cold Plane Remove AC Surface Grind Reumble Strip.
Global Environmental Network Fountain Valley, CA	2		Prepare water pollution control plan
Chrisp Co. Bloomington, CA	15 <del>1</del> -19	(GD)	Striping
Carolino Traffic Control National City, CA	3, 4p, 5,	(GD)	<del>1</del> Construction area signs Traffic Control (Portion) PCMS
(GD) James David Lawrence <del>1</del> Auburn, CA	15-19 (supplier)		Supply pavement markers/ Thermoplastic

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*[Handwritten signature]*

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

DES-OE-0102.7 (REV 02/2010)

CONTRACT NO. 08 - 0P7304

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: \_\_\_\_\_

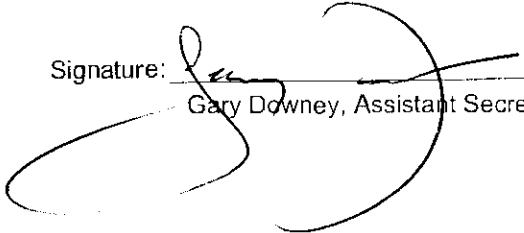
Date: \_\_\_\_\_

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: January 9, 2012

Signature:  \_\_\_\_\_  
Gary Downey, Assistant Secretary

**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.

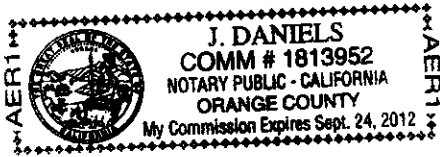
Contract No. 08-0P7304

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT**

STATE OF CALIFORNIA }  
COUNTY OF ORANGE

On January 10, 2012 before me, J. Daniels, Notary Public, personally appeared Gary Downey

who proved to me on the basis of satisfactory evidence to be the person(s) whose name 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 J. Daniels  
J. Daniels, Notary Public

Notary Seal

**OPTIONAL**

**Description of Attached Document**

Title or Type of Document: Request for Small Business Preference or Non-Small Business Preference

Document Date: January 9, 2012 Number of Pages: 1

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s):**

Signer's Name Gary Downey Signer's Name \_\_\_\_\_

- |   |   |
|---|---|
| <input type="checkbox"/> Individual   | <input type="checkbox"/> Individual                         |
| <input checked="" type="checkbox"/> Corporate Officer – Title(s) <u>Assistant Secretary</u> | <input type="checkbox"/> Corporate Officer – Title(s) _____ |
| <input type="checkbox"/> Partner – Limited/General _____                                    | <input type="checkbox"/> Partner – Limited/General _____    |
| <input type="checkbox"/> Attorney In Fact   | <input type="checkbox"/> Attorney In Fact                   |
|   | Right Thumbprint of Signer                                  |
| <input type="checkbox"/> Trustee  | <input type="checkbox"/> Trustee                            |
|   | Right Thumbprint of Signer                                  |
| <input type="checkbox"/> Guardian or Conservator  | <input type="checkbox"/> Guardian or Conservator            |
| <input type="checkbox"/> Other  | <input type="checkbox"/> Other                              |

Signer is Representing: SULLY-MILLER CONTRACTING COMPANY

**CALIFORNIA COMPANY PREFERENCE**

DES-DE-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: January 9, 2012

Signature of Bidder:

  
Gary Dowdrey, Assistant Secretary

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Contract No. 08-0P7304

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT**

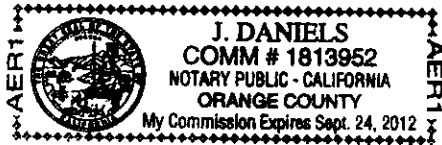
STATE OF CALIFORNIA

COUNTY OF ORANGE



On January 10, 2012 before me, J. Daniels, Notary Public, personally appeared Gary Downey

who proved to me on the basis of satisfactory evidence to be the person(s) whose name 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

*J. Daniels*  
J. Daniels, Notary Public

Notary Seal

**OPTIONAL**

**Description of Attached Document**

Title or Type of Document: California Company Preference

Document Date: January 9, 2012

Number of Pages: 1

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s):**

Signer's Name Gary Downey

Signer's Name \_\_\_\_\_

Individual

Individual

Corporate Officer – Title(s)

Assistant Secretary

Corporate Officer – Title(s) \_\_\_\_\_

Partner – Limited/General

Partner – Limited/General \_\_\_\_\_

Attorney In Fact

Right Thumbprint  
of Signer

Attorney In Fact

Right Thumbprint  
of Signer

Trustee

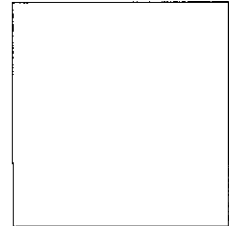
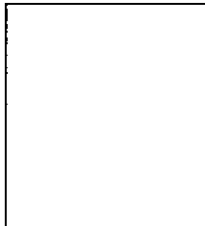
Trustee

Guardian or Conservator

Guardian or Conservator

Other

Other



Signer is Representing:

SULLY-MILLER CONTRACTING COMPANY

We **Sully-Miller Contracting Company**

as Principal, and

**Liberty Mutual Insurance Company**

as Surety are bound unto the State of California, Department of Transportation, hereafter referred to as "Obligee", in the penal sum of ten percent (10%) of the total amount of the bid of the Principal submitted to the Obligee for the work described below, for the payment of which sum we bind ourselves, jointly and severally,

**THE CONDITDN OF THIS OBLIGATION IS SUCH, THAT:**

WHEREAS, the Principal is submitting a bid to the Obligee, for Construction on State Highway in San Bernardino County on Route 210 from Los Angeles County  
*(Copy here the exact description of work, including location, as it appears on the proposal)*

Line to Arrowhead Avenue Overcrossing and on Route 395 from Route 15/395 Separation to 0 Miles South of Kern County Line, District 08, Route 210, 395, Contract No. 08-0P7304 08-SBd-210,395-0.0/23.5,3.9/65.5

for which bids are to be opened at **Irvine, CA**

*(insert place where bids will be opened)*

on **1/12/12**

*(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: **December 2**, 20 **11**

Correspondence or claims relating to this bond should be sent to the surety at the following address: **Liberty Mutual Insurance Company**  
**8044 Montgomery Rd, Ste. 150**  
**Cincinnati, OH 45236**

**Sully-Miller Contracting Company**

Gary Downey, Assistant Secretary

**Liberty Mutual Insurance Company**

By **Victoria M. Campbell, Attorney-in-Fact**

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT**

State of California

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

**\*See Attached\***

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

*Date*

*Here Insert Name and Title of the Officer*

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

*Name(s) of Signar(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)

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**CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT**

STATE OF CALIFORNIA

COUNTY OF ORANGE



On January 10, 2012 before me, J. Daniels, Notary Public, personally appeared Gary Downey

who proved to me on the basis of satisfactory evidence to be the person(s) whose name 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

J. Daniels, Notary Public



Notary Seal

**OPTIONAL**

**Description of Attached Document**

Title or Type of Document: Bidder's Bond

Document Date: December 2, 2011

Number of Pages: 1

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s):**

Signer's Name Gary Downey

Signer's Name \_\_\_\_\_

Individual

Individual

Corporate Officer – Title(s) Assistant Secretary

Corporate Officer – Title(s) \_\_\_\_\_

Partner – Limited/General \_\_\_\_\_

Partner – Limited/General \_\_\_\_\_

Attorney In Fact

Attorney In Fact

Trustee

Trustee

Guardian or Conservator

Guardian or Conservator

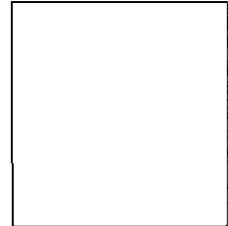
Other

Other

Right Thumbprint  
of Signer



Right Thumbprint  
of Signer



Signer is Representing:

SULLY-MILLER CONTRACTING COMPANY

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Orange

On December 2, 2011 before me, Kim Heredia, Notary Public,  
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared Victoria M. Campbell, who proved to me on the basis of satisfactory evidence to be the person(s) whose names (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

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
- CORPORATE OFFICER

\_\_\_\_\_  
TITLE(S)

- PARTNER(S)       LIMITED
- GENERAL

ATTORNEY-IN-FACT

TRUSTEE(S)

GUARDIAN/CONSERVATOR

OTHER: \_\_\_\_\_

DESCRIPTION OF ATTACHED DOCUMENT

\_\_\_\_\_  
TITLE OR TYPE OF DOCUMENT

\_\_\_\_\_  
NUMBER OF PAGES

DEC 02 2011

\_\_\_\_\_  
DATE OF DOCUMENT

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

Liberty Mutual Insurance Company

\_\_\_\_\_  
SIGNER(S) OTHER THAN NAMED ABOVE.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

LIBERTY MUTUAL INSURANCE COMPANY
BOSTON, MASSACHUSETTS
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS: That Liberty Mutual Insurance Company (the "Company"), a Massachusetts stock insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint VICTORIA M. CAMPBELL, KIM HEREDIA, ALL OF THE CITY OF IRVINE, STATE OF CALIFORNIA, ERIK JOHANSSON, CHRISTINA JOHNSON, LISA CLARK, SHIRLEY BAUMAN, ALL OF THE CITY OF LOS ANGELES, STATE OF CALIFORNIA.

, each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations in the penal sum not exceeding ONE HUNDRED MILLION AND 00/100 DOLLARS (\$ 100,000,000.00 ) each, and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company in their own proper persons.

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

By the following instrument the chairman or the president has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article XIII, Section 5 of the By-Laws, David M. Carey, Assistant Secretary of Liberty Mutual Insurance Company, is hereby authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this day of 5th day of August 2011.



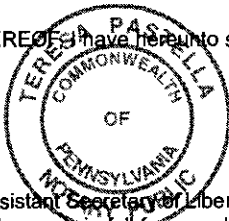
LIBERTY MUTUAL INSURANCE COMPANY

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

COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 5th day of August, 2011, before me, a Notary Public, personally came David M. Carey, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires Mar. 28, 2013
Member, Pennsylvania Association of Notaries

By Teresa Pastella
Teresa Pastella, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of Liberty Mutual 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 on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article XIII, Section 5 of the By-laws of Liberty Mutual Insurance Company.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of Liberty Mutual Insurance Company at a meeting duly called and held on the 12th day of March, 1980.

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said company, this 2 day of December, 2011.



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

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

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

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

DES-OE-0102.12 (NEW 12/2009)

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You may opt out of the payment adjustments for price index fluctuations as specified in "Payment Adjustments for Price Index Fluctuations" of the special provisions. If you elect to opt out of the provisions of this specification, complete this form and submit it with your bid.

Bidder Name: \_\_\_\_\_ CONTRACT NO. \_\_\_\_ - \_\_\_\_\_

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

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

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

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**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.

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

DES-OE-0102.8 (REV 2/2011)

**BIDDER NAME** Sully-Miller Contracting Company

**CONTRACT NO.** 08 - 0P7304

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

Ray Sanchez, Chief Estimator  
 Person in Contact (Please Type or Print)

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

**Total Claimed Participation**

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

714-578-9600  
 (Area Code) Telephone Number

**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 Orange

Gary Downey, being first duly sworn, deposes and says that he or she is Assistant Secretary of Sully-Miller Contracting Company 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.

### 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.

## 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.

## 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.

## 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 nonresponsive 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 nonresponsive 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 nonresponsive 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**

**CERTIFICATE OF INCUMBENCY AND RESOLUTION**

I, Gary Downey, do hereby certify that I am the Assistant Secretary of Sully-Miller Contracting Company, a Delaware corporation, and that as such I have access to and custody of the corporate records and minute books of said corporation.

And I do hereby further certify that the following persons are duly elected officers of said corporation.

<b><u>TITLE</u></b>	<b><u>NAME</u></b>
Chairman of the Board	Gordon R. Crawley
President	David Martinez
Chief Financial Officer/Treasurer/Vice President	Timothy P. Orchard
Vice President/Assistant Secretary	Michael Edwards
Vice President	Scott Bottomley
Secretary	Anthony L. Martino II
Assistant Secretary	George Aldrich
Assistant Secretary	Gary Downey
Assistant Secretary	Dennis Gansen

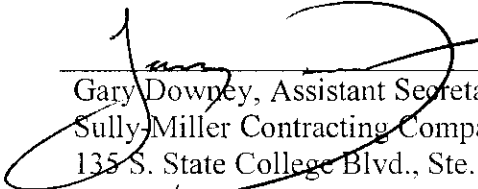
I further certify that the following is a true and correct copy of a resolution duly adopted by the Board of Directors of said Company at a meeting held on August 11, 2009, and that this resolution has not been in any way rescinded, annulled, or revoked but the same is still in full force and effect:

**“AUTHORITY TO EXECUTIVE BIDS AND CONTRACTS”**

Resolved, that any officer or assistant officer of this Company be and each of them is hereby authorized to execute in the name and on behalf of this Company under its corporate seal any and all proposals for the sale of products, merchandise and services of this Company and any bids and performance bonds required in connection therewith, to the United States, and of the State, territories and dependencies of the United States, the District of Columbia, cities, towns, townships, counties, school districts, and to the department, political subdivisions, agencies or wholly-owned corporations thereof, or to any other person.”

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal this 1<sup>st</sup> day of September 2011.

(SEAL)

  
\_\_\_\_\_  
Gary Downey, Assistant Secretary  
Sully-Miller Contracting Company  
135 S. State College Blvd., Ste. 400  
Brea, CA 92821