

F-3  
B/e



**Caltrans**

STATE OF CALIFORNIA  
DEPARTMENT OF TRANSPORTATION

# BID

FOR CONSTRUCTION ON STATE HIGHWAY IN RIVERSIDE AND SAN BERNARDINO  
COUNTIES AT VARIOUS LOCATIONS

In District 08 On Route 15, 60, 66, 91, 210, 215

Under

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*Notice to Bidders and Special Provisions* dated April 15, 2013

*Standard Specifications* dated 2010

Project plans approved March 18, 2013

*Standard Plans* dated 2010

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Identified by

Contract No. 08-0R6604

08-Riv, SBd-15, 60, 66, 91, 210, 215-Var

Project ID 0812000131

(Handwritten mark)

**Electronic Advertising Contract**

Bids open Thursday, May 16, 2013

Dated April 15, 2013



#128

F-3  
B/C

**CONTRACT NO.** 08 - 0R6604

**NAME OF BIDDER** J. McLOUGHLIN ENGINEERING. CO., INC.

**BUSINESS P.O. BOX** \_\_\_\_\_

**CITY, STATE, ZIP** \_\_\_\_\_

**BUSINESS STREET ADDRESS** 10604 FULTON COURT  
(include even if P.O. Box used)

**CITY, STATE, ZIP** RANCHO CUCAMONGA, CA 91730

**TELEPHONE NO:** **AREA CODE** (909) 944-1037

**FAX NO:** **AREA CODE** (909) 944-3112

**CONTRACTOR LICENSE NO.** 676575 A, C-31

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 \$ \_\_\_\_\_, 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)

PRINTED NAME AND TITLE OF PERSON SIGNING

  
JOE McLOUGHLIN, PRESIDENT.

DATE SIGNED (Do not type)

5-15-13

**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	2,000-
2	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	9,000-
3	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	120,000-
4	128652	PORTABLE CHANGEABLE MESSAGE SIGN (LS)	LS	LUMP SUM	LUMP SUM	6,000-
5	130100	JOB SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	5,000-
6	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	LUMP SUM	1,000-
7	130900	TEMPORARY CONCRETE WASHOUT	LS	LUMP SUM	LUMP SUM	6,500-
8	141103	REMOVE YELLOW THERMOPLASTIC TRAFFIC STRIPE (HAZARDOUS WASTE)	LF	7,210	0 <sup>80</sup>	5,768-
9	150714	REMOVE THERMOPLASTIC TRAFFIC STRIPE	LF	8,180	0 <sup>70</sup>	5,726-
10	150715	REMOVE THERMOPLASTIC PAVEMENT MARKING	SQFT	910	1 <sup>00</sup>	910-
11	150722	REMOVE PAVEMENT MARKER	EA	910	0 <sup>50</sup>	455-
12	153225	PREPARE CONCRETE BRIDGE DECK SURFACE	SQFT	254,783	0 <sup>15</sup>	38,217 <sup>45</sup>
13 (F)	153233	TREAT BRIDGE DECK	SQFT	254,783	0 <sup>35</sup>	89,174 <sup>05</sup>
14	153234	FURNISH BRIDGE DECK TREATMENT MATERIAL	GAL	2,830	55. <sup>00</sup>	155,650-
15	157560	BRIDGE REMOVAL (PORTION)	LS	LUMP SUM	LUMP SUM	17,000-
16	193003	STRUCTURE BACKFILL (BRIDGE)	CY	130	220 <sup>00</sup>	28,600-
17 (F)	510053	STRUCTURAL CONCRETE, BRIDGE	CY	3	2,000 <sup>00</sup>	6,000-
18	510081	AGGREGATE BASE (APPROACH SLAB)	CY	21	350 <sup>00</sup>	7,350-
19	510087	STRUCTURAL CONCRETE, APPROACH SLAB (TYPE R)	CY	200	1,700 <sup>00</sup>	340,000-
20	510800	PAVING NOTCH EXTENSION	CF	78	200 <sup>00</sup>	15,600-

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B/C

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
21	511118	CLEAN EXPANSION JOINT	LF	1,454	12 <sup>00</sup>	17,448-
22	025561	PAINT BRIDGE NAME AND NUMBER	EA	14	110 <sup>00</sup>	1,540-
23	519081	JOINT SEAL (MR 1/2")	LF	514	18 <sup>00</sup>	9,252-
24	519088	JOINT SEAL (MR 1")	LF	724	22 <sup>00</sup>	15,928-
25	519091	JOINT SEAL (MR 1 1/2")	LF	152	33 <sup>00</sup>	5,016-
26	519100	JOINT SEAL (MR 2")	LF	248	38 <sup>00</sup>	9,424-
27	519102	JOINT SEAL (TYPE AL)	LF	91	12 <sup>00</sup>	1,092-
28 (F)	520102	BAR REINFORCING STEEL (BRIDGE)	LB	626	4 <sup>00</sup>	2,504-
29	560248	FURNISH SINGLE SHEET ALUMINUM SIGN (0.063"-UNFRAMED)	SQFT	52	16 <sup>00</sup>	832-
30	566011	ROADSIDE SIGN - ONE POST	EA	7	250 <sup>00</sup>	1,750-
31	840515	THERMOPLASTIC PAVEMENT MARKING	SQFT	700	5 <sup>00</sup>	3,500-
32	840560	THERMOPLASTIC TRAFFIC STRIPE (SPRAYABLE)	LF	33,900	0 <sup>55</sup>	18,645-
33	850101	PAVEMENT MARKER (NON-REFLECTIVE)	EA	890	3 <sup>00</sup>	2,670-
34	850111	PAVEMENT MARKER (RETROREFLECTIVE)	EA	740	8 <sup>00</sup>	5,920-
35	999990	MOBILIZATION	LS	LUMP SUM	LUMP SUM	85,000-

**TOTAL BID:**

\$ 1,040,471 <sup>50</sup>

(LW)

Bidder Name: J. McLOUGHLIN ENG. CO., INC.

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

Column 1: Business Name and Location	Column 2: Bid Item Nos.	Column 3: Percentage of Bid Item Subcontracted	Column 4: Description of Subcontracted Work
			<del>LEAD COMPLIANCE PLAN</del> <del>REMOVE YELLOW THERMO STRIPE</del> <del>REMOVE THERMO STRIPE</del> <del>REMOVE THERMO MARKING</del> <del>REMOVE PAVEMENT MARKER</del> JM
CMZ REBAR	19	12%	REBAR
RANCHO CUCAMONGA, CA	28	4%	
Arrow Signs	2	96%	CONSTRUCTION AREA SIGNS
TRACULA, CA.	29	99%	FURNISH ALUM. SIGN
	30	99%	ROADSIDE SIGN - ONE POST

**ADA Notice**

For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 854-8410 or TDD (916) 854-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

Contract No. 08-0R6604

Bidder Name: J. McLOUGHLIN ENG. CO.

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
PACIFIC COAST	31	100%	THERMO PAVEMENT MARKING
MARKINGS	32	100%	THERMO STRIPE (SPRAYABLE)
PHILAN, CA	33	100%	PAVEMENT MARKER (NON REFLI)
	34	60%	PAVEMENT MARKER (RETROREF)

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Contract No. 08-0R6604

**SUBCONTRACTOR LIST**

DES-OE-0102.2 (REV 3/2011)

Bidder Name: J. McLOUGHAN ENG. CO., INC.

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

Column 1: Business Name and Location	Column 2: Bid Item Nos.	Column 3: Percentage of Bid Item Subcontracted	Column 4: Description of Subcontracted Work
CM2 REBAR RANCHO CUCAMONGA, CA			<del>LEAD COMPLIANCE PLAN Jm</del> <del>REMOVE YELLOW THERMO STRIPE Jm</del> <del>REMOVE THERMO STRIPE Jm</del> <del>REMOVE THERMO MARKING Jm</del> <del>REMOVE PAVEMENT MARKER Jm</del>  REBAR
ARROW SIGNS TEMECULA, CA			CONSTRUCTION AREA SIGNS FURNISH ALUM. SIGN ROADSIDE SIGN - ONE POST

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**SUBCONTRACTOR LIST**

DES-OE-0102.2 (REV 3/2011)

Bidder Name: J. McLOUGHLIN ENGR. CO.

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
PACIFIC COAST MARKINGS PHELAN, CA			THERMO PAVEMENT MARKING THERMO STRIPE (SPRAYABLE) PAVEMENT MARKER (NON REFL) PAVEMENT MARKER (RETROREFL)

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**SUBCONTRACTOR LIST**

DES-OE-0102.2 (REV 3/2011)

Bidder Name: J. McLOUGHLIN ENG. CO.

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.

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

DES-OE-0102.7 (REV 02/2010)

CONTRACT NO. 08-OR6604

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: 5-15-13

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

**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: 5-15-13

Signature of Bidder: 

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We J. M'CLOUGHLIN ENGINEERING COMPANY, INC.

as Principal, and

GREAT AMERICAN 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 08-OR6604 Replace Joint Seals, Treat Bridge Decks and Replace Approach Slabs  
(Copy here the exact description of work, including location, as it appears on the proposal)

In Riverside And San Bernardino Counties At Various Locations

for which bids are to be opened at 3347 Michelson Dr., Irvine, CA 92612

(Insert place where bids will be opened)  
on May 16, 2013

(Insert date of bid opening)

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

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

Dated: May 6, 2013

Correspondence or claims relating to this bond should be sent to the surety at the following address:  
750 THE CITY DRIVE SOUTH, STE. 300  
ORANGE, CA 92868

J. M'CLOUGHLIN ENGINEERING COMPANY, INC.

*Joe M. Cloughlin*  
JOE M'CLOUGHLIN Principal PRESIDENT  
GREAT AMERICAN INSURANCE COMPANY  
Surety

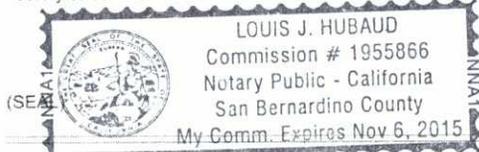
By *Yung T. Mollick*  
Attorney-in-Fact YUNG T. MOLLICK, ATTORNEY-IN-FACT

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California  
County of San Bernardino  
On this 5-15-13 before me, LOUIS J. HUBAUD, Notary Public  
personally appeared JOE M'CLOUGHLIN  
Date Here insert Name and Title of the Officer 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 *Yung T. Mollick*  
Signature of Notary Public

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**ACKNOWLEDGMENT**

State of California  
County of Orange )

On May 6, 2013 before me, Jennifer C. Anaya, Notary Public  
(insert name and title of the officer)

personally appeared Yung T. Mullick,  
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 

(Seal)



**GREAT AMERICAN INSURANCE COMPANY®**

Administrative Office: 301 E 4TH STREET • CINCINNATI, OHIO 45202 • 513-369-5000 • FAX 513-723-2740

The number of persons authorized by this power of attorney is not more than THREE

No. 0 14759

**POWER OF ATTORNEY**

**KNOW ALL MEN BY THESE PRESENTS:** That the GREAT AMERICAN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below, each individually if more than one is named, its true and lawful attorney-in-fact, for it and in its name, place and stead to execute on behalf of the said Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below.

Name	Address	Limit of Power
YUNG T. MULLICK	ALL OF	ALL
JAMES W. MOILANEN	MISSION VIEJO,	\$75,000,000.00
JENNIFER C. ANAYA	CALIFORNIA	

This Power of Attorney revokes all previous powers issued on behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 3RD day of JANUARY 2012  
GREAT AMERICAN INSURANCE COMPANY



*Michael C. B...*  
Assistant Secretary

*David C. Kitchin*  
Divisional Senior Vice President

DAVID C. KITCHIN (877-377-2405)

STATE OF OHIO, COUNTY OF HAMILTON - ss:

On this 3RD day of JANUARY, 2012, before me personally appeared DAVID C. KITCHIN, to me known, being duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is a Divisional Senior Vice President of the Bond Division of Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.



**KAREN L. GROSHEIM**  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES 02-20-16

*Karen L. Grosheim*

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of Great American Insurance Company by unanimous written consent dated June 9, 2008.

*RESOLVED: That the Divisional President, the several Divisional Senior Vice Presidents, Divisional Vice Presidents and Divisional Assistant Vice Presidents, or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment at any time.*

*RESOLVED FURTHER: That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract of suretyship, or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.*

**CERTIFICATION**

I, STEPHEN C. BERAHA, Assistant Secretary of Great American Insurance Company, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of June 9, 2008 have not been revoked and are now in full force and effect.

Signed and sealed this 6th day of May, 2013



**KAREN L. GROSHEIM**  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES 02-20-16

*Michael C. B...*  
Assistant Secretary

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

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

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

Bidder's Name: J. McLOUGHLIN ENG CO., INC Contract No. 08 - OR 6604

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

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

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

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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 California County of SAN BERNARDINO

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

PRESIDENT of J. McLOUGHLIN ENG. CO., 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 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