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08

B-3
B/C

Caltrans

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

BID

FOR CONSTRUCTION ON STATE HIGHWAY IN SAN BERNARDINO AT VARIOUS LOCATIONS

In District 08 On Routes 15, 40, 127, 58, 95 and 247

Under

Notice to Bidders and Special Provisions **dated April 7, 2014**	***Standard Specifications*** **dated 2010**
Project plans approved March 17, 2014	***Standard Plans*** **dated 2010**

Identified by
Contract No. 08-1C4104
08-SBd-15, 40, 127, 58, 95 and 247-Varies
Project ID 0812000315

Bids open Thursday, May 8, 2014

Dated April 7, 2014
AADD

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

BID TO THE DEPARTMENT OF TRANSPORTATION

DES-OE-0102.1 (REV 3/2011)

B-3

B/C

CONTRACT NO. 08 - 1C4104

NAME OF BIDDER MYERS AND SONS CONSTRUCTION, LP

BUSINESS P.O. BOX

CITY, STATE, ZIP

BUSINESS STREET ADDRESS 4600 NORTHGATE BLVD, STE 100
(Include even if P.O. Box used)

CITY, STATE, ZIP SACRAMENTO CA 95834

TELEPHONE NO: AREA CODE (916) 283-9950

FAX NO: AREA CODE (916) 614-9520

CONTRACTOR LICENSE NO. 944155

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) 5/22/14

PRINTED NAME AND TITLE OF PERSON SIGNING
Clinton Myers, VP

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

08-1C4104

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	1,000
2	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	15,000
3	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	188,000
4	128651	PORTABLE CHANGEABLE MESSAGE SIGN (EA)	EA	4	3,000	12,000
5	130100	JOB SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	8,000
6	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	LUMP SUM	1,500
7	140003	ASBESTOS COMPLIANCE PLAN	LS	LUMP SUM	LUMP SUM	2,500
8	141103	REMOVE YELLOW THERMOPLASTIC TRAFFIC STRIPE (HAZARDOUS WASTE)	LF	6,500	.80	5,200
9	141120	TREATED WOOD WASTE	LB	8,000	.30	2,400
10	150310	RAPID SETTING CONCRETE (PATCH)	CF	80	140	11,200
11	150661	REMOVE GUARDRAIL	LF	325	6	1,950
12	150714	REMOVE THERMOPLASTIC TRAFFIC STRIPE	LF	7,300	.80	5,840
13	150715	REMOVE THERMOPLASTIC PAVEMENT MARKING	SQFT	5,600	2.	11,200
14	150722	REMOVE PAVEMENT MARKER	EA	17,600	.25	4,400
15	150771	REMOVE ASPHALT CONCRETE DIKE	LF	400	2.50	1,000
16	150857	REMOVE ASPHALT CONCRETE SURFACING	SQFT	6,804	.30	2,041.20
17	BLANK					
18	153103	COLD PLANE ASPHALT CONCRETE PAVEMENT	SQYD	13,800	3.50	48,300
19	153223	REMOVE UNSOUND CONCRETE	CF	80	65	5,200
20	153225	PREPARE CONCRETE BRIDGE DECK SURFACE	SQFT	153,872	.20	30,774.40

REPLACED PER ADDENDUM NO. 1 DATED MAY 6, 2014

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
21	153227	FURNISH POLYESTER CONCRETE OVERLAY	CF	3,556	70	248,920
22 (F)	153228	PLACE POLYESTER CONCRETE OVERLAY	SQFT	31,530	3.50	110,355
23 (F)	153233	TREAT BRIDGE DECK	SQFT	122,342	.15	18,351.30
24	153234	FURNISH BRIDGE DECK TREATMENT MATERIAL	GAL	1,533	50	76,650
25	153237	REMOVE CHIP SEAL	SQFT	96	65	6,240
26	374002	ASPHALTIC EMULSION (FOG SEAL COAT)	TON	411	695	285,645
27	377501	SLURRY SEAL	TON	1,260	280	352,800
28	390132	HOT MIX ASPHALT (TYPE A)	TON	3,110	103	320,330
29	394077	PLACE HOT MIX ASPHALT DIKE (TYPE F)	LF	400	11.75	4,700
30	397005	TACK COAT	TON	5	825	4,125
31	510502	MINOR CONCRETE (MINOR STRUCTURE)	CY	45	1,700	76,500
32	511118	CLEAN EXPANSION JOINT	LF	1,516	25	37,900
33	519088	JOINT SEAL (MR 1")	LF	884	23	20,332
34	519091	JOINT SEAL (MR 1 1/2")	LF	574	53	30,422
35	519100	JOINT SEAL (MR 2")	LF	50	95	4,750
36	519102	JOINT SEAL (TYPE AL)	LF	8	200	1,600
37	560248	FURNISH SINGLE SHEET ALUMINUM SIGN (0.063"-UNFRAMED)	SQFT	754	13 ~~62~~ CM	9,802 ~~4,960~~ CM
38	566011	ROADSIDE SIGN - ONE POST	EA	121	200 ~~1,400~~ CM	24,200 ~~5,700~~ CM
39	027204	PAINT BRIDGE NAME AND NUMBER	EA	80	62	4,960
40	802100	4' CHAIN LINK GATE (TYPE CL-4)	EA	3	1,900	5,700

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B/C

BID ITEM LIST
08-1C4104

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
41	832007	MIDWEST GUARDRAIL SYSTEM (WOOD POST)	LF	100	52	5,200
42	839543	TRANSITION RAILING (TYPE WB-31)	EA	4	3,700	14,800
43	839578	END CAP (TYPE TC)	EA	4	150	600
44	839584	ALTERNATIVE IN-LINE TERMINAL SYSTEM	EA	4	3,300	13,200
45	840515	THERMOPLASTIC PAVEMENT MARKING	SQFT	6,000	3	18,000
46	840560	THERMOPLASTIC TRAFFIC STRIPE (SPRAYABLE)	LF	1,560,000	.15	234,000
47	850101	PAVEMENT MARKER (NON-REFLECTIVE)	EA	530	2.00	1,060
48	850111	PAVEMENT MARKER (RETROREFLECTIVE)	EA	17,400	3.00	52,200
49	860090	MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION	LS	LUMP SUM	LUMP SUM	1,200
50	860806	INDUCTIVE LOOP DETECTOR (EA)	EA	4	850	3,400
51	860890	MODIFY TRAFFIC MONITORING STATION (COUNT)	LS	LUMP SUM	LUMP SUM	32,200
52	BLANK				38	39,520
53	420203	GRIND EXISTING BRIDGE DECK	SQYD	1040		
54	999990	MOBILIZATION	LS	LUMP SUM	LUMP SUM	260,000

TOTAL BID: $ 2,677,167.90

REPLACED PER ADDENDUM NO. 1 DATED MAY 6, 2014

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STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

SUBCONTRACTOR LIST

DES-OE-0102.2 (REV 3/2011)

Bidder Name: MYERS AND SONS CONSTRUCTION LP

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
Extreme Pressure Systems, Inc. Camarillo, CA			Prepare Concrete Bridge Deck Surface
MSL Electric Inc. Anaheim, CA			Electrical
Cal-Stripe Colton, CA			Striping and Markers
KRC Safety Co, Inc Visalia, CA			Construction Area Signs Furnish Single Sheet Aluminum Sign, Roadside Sign-One Post
Ferreira Construction Co. Inc. Chino, CA			Treated wood waste, remove guard rail, Midwest Guardrail, Transition Railing, End Cap, Alt. In-Line Terminal System, Chain Link Gate

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STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

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Column 1: Business Name and Location	**Column 2:** Bid Item Nos.	**Column 3:** Percentage of Bid Item Subcontracted	**Column 4:** Description of Subcontracted Work
ABSL Construction Sacramento, CA			Grind existing Bridge Deck
Pavement Coatings Co. Jurupa Valley, CA			Slurry Seal, Remove AC surfacing, Cold Plane AC Pavement, Asphaltic Emulsion, HMA Type A, Place HMA Dike, Tack Coat.

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STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

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Column 1: Business Name and Location	**Column 2:** Bid Item Nos.	**Column 3:** Percentage of Bid Item Subcontracted	**Column 4:** Description of Subcontracted Work

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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. 08 - 1C4104

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: 5/22/14 Signature:

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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: 5/22/14 Signature of Bidder: _____

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STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

BIDDER'S BOND

DES-OE-0102.3 (REV 3/2008)

Contract No. 08-1C4104

Bond No. N/A

We Myers and Sons Construction, LP
4600 Northgate Blvd., Suite 100, Sacramento, CA 95834
as Principal, and

Travelers Casualty and Surety Company of America

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 Place Meth/Poly at Various Locations In San Bernardino County
(Copy here the exact description of work, including location, as it appears on the proposal)

for which bids are to be opened at California Department of Transportation
(Insert place where bids will be opened)
on May 22, 2014
(Insert date of bid opening)

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

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

Dated: May 9, 20 14.

Correspondence or claims relating to this bond should be sent to the surety at the following address:
One Tower Square, Bond/5PB
Hartford, CT 06183

Myers and Sons Construction, LP
Principal

Travelers Casualty and Surety Company of America
Surety

By Stephenie Whittington
Attorney-in-Fact Stephenie Whittington

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of Texas
County of Harris

Aon Risk Services Southwest, Inc. dba Aon Risk Insurance Services Southwest, Inc.
CA License 0559715

On this 5/9/14 *Date* before me, Vanessa Marie Dominguez, Notary Public *Here Insert Name and Title of the Officer*,
personally appeared Stephenie Whittington *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.

(SEAL)

NOTARY PUBLIC STATE OF TEXAS
VANESSA MARIE DOMINGUEZ
Notary Public
STATE OF TEXAS
My Commission Expires FEBRUARY 7, 2016

WITNESS my hand and official seal.

Signature Vanessa Marie Dominguez
Signature of Notary Public

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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Sacramento

On 05/06/14before me, U. Andrae McClain, Notary Public, personally appeared

Susan Holtam,

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.

ESI1 U. ANDRAE MCCLAIN COMM. #1915502 Notary Public-California SACRAMENTO COUNTY My Comm. Exp. DEC 18, 2014 ESI1

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

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer-Title(s): _____
☐ Partner- ☐ Limited ☐ General
☐ Attorney in fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer is Representing: _____

Right Thumbprint of Signer

Signer's Name: _____
☐ Individual
☐ Corporate Officer-Title(s): _____
☐ Partner- ☐ Limited ☐ General
☐ Attorney in fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer is Representing: _____

Right Thumbprint of Signer

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

TRAVELERS

POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 226556

Certificate No. 005604035

KNOW ALL MEN BY THESE PRESENTS: That Farmington Casualty Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company are corporations duly organized under the laws of the State of Connecticut, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Michael J. Herrod, Wendy W. Stuckey, Lupe Tyler, Margaret Buboltz, Lisa A. Ward, Nancy Thomas, Donna L. Williams, Jennifer Copeland, David Wightman, Stephanie Wiggins, and Stephenie Whittington

of the City of Houston, State of Texas, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 16th day of August, 2013.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

State of Connecticut
City of Hartford ss.

By: _____
Robert L. Raney, Senior Vice President

On this the 16th day of August, 2013, before me personally appeared Robert L. Raney, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2016.

Marie C. Tetreault
Marie C. Tetreault, Notary Public

58440-8-12 Printed in U.S.A.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kevin E. Hughes, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 9th day of May, 20 14.

Kevin E. Hughes, Assistant Secretary

To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

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: MYERS AND SONS CONSTRUCTION, LP Contract No. 08- 1C4104

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

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

CERTIFIED DVBE SUMMARY

DES-OE-0102.5 (REV 3/2008)

DISTRICT-COUNTY-ROUTE: _____ - _____ - _____

CONTRACT NO.: _____

TOTAL BID: _____

BID OPENING DATE: _____

BIDDER'S NAME: _____

DVBE PRIME CONTRACTOR CERTIFICATION [1] _____

Bid Item Number	Description of Work to Be Subcontracted to DVBE or Materials to Be Supplied by DVBE [2]	For Caltrans Only	DVBE (Name, Telephone No., and Certification No.)	$ Amount
Names of first tier DVBE subcontractors and their items of work listed must be consistent with the names and items of work in the Subcontractor List (Pub Cont Code § 4100 et seq.) submitted with the bid. Identify second and lower tier subcontractors on this form.			**Total Claimed Participation**	$ _____ _____ %

1. DVBE prime contractors must enter their DVBE reference number or their DBA name as listed with Department of General Services (DVBE prime contractors are credited with 100 percent DVBE participation and need not complete the above table).

2. If 100% of an item is not performed or supplied by the DVBEs, describe the exact part, including the planned location of work to be performed, of item to be performed or supplied by DVBE.

Signature of Bidder _____ Date _____

(Area Code) Telephone Number _____

Contact Person _____ (Type or Print)

Submit to:

MSC 43
OFFICE ENGINEER
DEPARTMENT OF TRANSPORTATION
1727 30TH STREET
SACRAMENTO, CA 95816-7005

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STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION

CERTIFIED SMALL BUSINESS LISTING FOR THE NON-SMALL BUSINESS PREFERENCE

DES-OE-0102 8 (REV 2/2011)

BIDDER NAME MYERS AND SONS CONSTRUCTION, LP **CONTRACT NO.** 08 - 1C4104

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

$

Person to Contact (Please Type or Print)

Total Claimed Participation

% of Contract

(Area Code) Telephone Number

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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 SACRAMENTO

CLINTON MYERS, being first duly sworn, deposes and says that he or she is VICE PRESIDENT of MYERS AND SONS CONSTRUCTION, LP 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 compty 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