CALTRANS
STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
BID FOR

CONSTRUCTION ON STATE HIGHWAY IN
STANISLAUS COUNTY IN RIVERBANK AT ESTELLE AVENUE
In District 10 on Route 108

UNDER

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Notice to Bidders and Special Provisions dated October 6, 2014
Project plans approved March 17, 2014
Standard Specifications dated 2010
Standard Plans dated 2010

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Identified by

Contract No. 10-0C9004

10-Sta-108-31.2

Project ID 1000000017

Bids open Tuesday, October 28, 2014 Dated October 6, 2014

AADD

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Name of Bidder McGuire and Hester
Bidder ID VC0000017500
Business Street Address 9009 Railroad Avenue
(Include even if P.O. Box is used)
Business P.O. Box
City, State, Zip Oakland, CA, 94603
Telephone No. 5106327676
Fax No. 5105625209
Contractor License No.95879
Checksum 850B5FB3

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

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

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

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

2. Bidder has and acknowledges the following addenda:1
   10-23-14 Revise Project Plans, Notice to Bidders and Special Provisions,

3. Bidder submits this bid with one of the following forms of bidder's security equal to at least 10 percent of the bid: Bidder's Bond

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

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

PRINTED NAME:Michael R. Hester AND
TITLE OF PERSON SIGNING:President

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

| Item No. | Item Code | Item Description | Estimated Quantity | Unit of Measure | Unit Price | Item Total |
|---|---|---|---|---|---|---|
| 1 | 070030 | LEAD COMPLIANCE PLAN | LUMP SUM | LS | LUMP SUM | 3,500.00 |
| 2 | 120090 | CONSTRUCTION AREA SIGNS | LUMP SUM | LS | LUMP SUM | 5,000.00 |
| 3 | 120100 | TRAFFIC CONTROL SYSTEM | LUMP SUM | LS | LUMP SUM | 10,000.00 |
| 4 | 128652 | PORTABLE CHANGEABLE MESSAGE SIGN (LS) | LUMP SUM | LS | LUMP SUM | 6,000.00 |
| 5 | 130100 | JOB SITE MANAGEMENT | LUMP SUM | LS | LUMP SUM | 5,000.00 |
| 6 | 130200 | PREPARE WATER POLLUTION CONTROL PROGRAM | LUMP SUM | LS | LUMP SUM | 1,000.00 |
| 7 | 130620 | TEMPORARY DRAINAGE INLET PROTECTION | 3.0 | EA | 750.00 | 2,250.00 |
| 8 | 130650 | TEMPORARY GRAVEL BAG BERM | 230.0 | LF | 25.00 | 5,750.00 |
| 9 | 130730 | STREET SWEEPING | LUMP SUM | LS | LUMP SUM | 12,000.00 |
| 10 | 130900 | TEMPORARY CONCRETE WASHOUT | LUMP SUM | LS | LUMP SUM | 2,500.00 |
| 11 | 150715 | REMOVE THERMOPLASTIC PAVEMENT MARKING | 84.0 | SQFT | 3.00 | 252.00 |
| 12 | 150730 | REMOVE CHANNELIZERS | 28.0 | EA | 15.00 | 420.00 |

| Item No. | Item Code | Item Description | Estimated Quantity | Unit of Measure | Unit Price | Item Total |
|---|---|---|---|---|---|---|
| 13 | 150742 | REMOVE ROADSIDE SIGN | 1.0 | EA | 400.00 | 400.00 |
| 14 | 153103 | COLD PLANE ASPHALT CONCRETE PAVEMENT | 170.0 | SQYD | 20.00 | 3,400.00 |
| 15 | 160102 | CLEARING AND GRUBBING (LS) | LUMP SUM | LS | LUMP SUM | 1,000.00 |
| 16 | 190101 | ROADWAY EXCAVATION | 240.0 | CY | 175.00 | 42,000.00 |
| 17(F) | 192037 | STRUCTURE EXCAVATION (RETAINING WALL) | 205.0 | CY | 45.00 | 9,225.00 |
| 18(F) | 193013 | STRUCTURE BACKFILL (RETAINING WALL) | 145.0 | CY | 170.00 | 24,650.00 |
| 19 | 198010 | IMPORTED BORROW (CY) | 90.0 | CY | 50.00 | 4,500.00 |
| 20 | 260203 | CLASS 2 AGGREGATE BASE (CY) | 140.0 | CY | 170.00 | 23,800.00 |
| 21 | 390132 | HOT MIX ASPHALT (TYPE A) | 260.0 | TON | 225.00 | 58,500.00 |
| 22(F) | 510060 | STRUCTURAL CONCRETE, RETAINING WALL | 124.0 | CY | 1,400.00 | 173,600.00 |
| 23(F) | 510502 | MINOR CONCRETE (MINOR STRUCTURE) | 10.0 | CY | 1,500.00 | 15,000.00 |
| 24(F) | 520103 | BAR REINFORCING STEEL (RETAINING WALL) | 6,645.0 | LB | 2.00 | 13,290.00 |

| Item No. | Item Code | Item Description | Estimated Quantity | Unit of Measure | Unit Price | Item Total |
|---|---|---|---|---|---|---|
| 25 | 650014 | 18" REINFORCED CONCRETE PIPE | 22.0 | LF | 135.00 | 2,970.00 |
| 26 | 650018 | 24" REINFORCED CONCRETE PIPE | 180.0 | LF | 118.00 | 21,240.00 |
| 27 | 705500 | AUTOMATIC DRAINAGE GATE | 2.0 | EA | 2,500.00 | 5,000.00 |
| 28 | 731502 | MINOR CONCRETE (MISCELLANEOUS CONSTRUCTION) | 53.0 | CY | 725.00 | 38,425.00 |
| 29(F) | 750001 | MISCELLANEOUS IRON AND STEEL | 717.0 | LB | 3.00 | 2,151.00 |
| 30 | 027756 | WATERLINE (CITY OF RIVERBANK) | LUMP SUM | LS | LUMP SUM | 15,430.00 |
| 31(F) | 839521 | CABLE RAILING | 319.0 | LF | 30.00 | 9,570.00 |
| 32 | 840504 | 4" THERMOPLASTIC TRAFFIC STRIPE | 520.0 | LF | 5.50 | 2,860.00 |
| 33 | 840515 | THERMOPLASTIC PAVEMENT MARKING | 90.0 | SQFT | 30.00 | 2,700.00 |
| 34 | 840525 | 4" THERMOPLASTIC TRAFFIC STRIPE (BROKEN 36-12) | 510.0 | LF | 4.00 | 2,040.00 |
| 35 | 850111 | PAVEMENT MARKER (RETROREFLECTIVE) | 11.0 | EA | 55.00 | 605.00 |

| Item No. | Item Code | Item Description | Estimated Quantity Unit of Measure | Unit Price | Item Total |
|---|---|---|---|---|---|
| 36 | 860090 | MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION | LUMP SUM<br>LS<br>LS<br>LS | LUMP SUM | 1,000.00 |
| | Total Bid | | | | $527,028.00 |

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

# SUBCONTRACTOR LIST

DES-OE-0102.2B (REV 5/2014)

Bidding Firm: McGUIRE AND HESTER

Under Public Contract Code § 4100 et seq., the Bidder must set forth in the bid the name, the location of the place of business, the California contractor license number, and the portion of work of each subcontractor who will perform work or labor or render service to the prime contractor in or about the construction of the work or improvement, or a subcontractor licensed by the State of California who, under subcontract to the prime contractor, specially fabricates and installs a portion of the work or improvement according to detailed drawings contained in the plans and specifications, in an amount in excess of one-half of 1 percent of the prime contractor's total bid or ten thousand dollars ($10,000), whichever is greater.

The Bidder must submit within 24 hours of the bid opening, the bid item numbers with percentages of the portion of work subcontracted.

| Business Name and Location | California Contractor License Number [a] | Description of Portion of Work | Bid Items Numbers | Percentage of Bid Item Subcontracted |
|---|---|---|---|---|
| UNITED SYNERGY CORP 12305 LOCKSLEY LANE AUBURN, CA. 95602 | | EROSION CONTROL MATERIAL (PARTIAL) | 7, 8 | 0.25% |
| MIDSTATE BARRIER, INC. P.O. BOX 30550 STOCKTON, CA. 95213 | 529261 | CABLE RAILING | 31 | 1.91% |
| TITAN DVBE P.O. BOX 492336 REDDING, CA. 96049 | 913725 | SIGNAGE | 20 | 0.38% |
| SAPPER WEST 1947 49TH STREET SACRAMENTO, CA. 95819 | 939685 | LEAD COMPLIANCE WATER POLLUTION CONTROL PROGRAM (PARTIAL) | 1, 5, 6 | 1.20% |
| SAFETY STRIPING SERVICE 6868 AVENUE 305 GOSHEN, CA. 93227 | 308669 | STRIPING | 11, 32, 33, 34, 35 | 1.28% |
| MISSION CITY REBAR 542 McGRAW AVE LIVERMORE, CA 94551 | 273978 | REBAR | 24 | 2.16% |
| DVBE TRUCKING 1217 DELL AVE CAMPBELL, CA. 95008 | 848175 | TRUCKING | 16, 19, 20, 21 | 2.66% |

[a] Not required on contracts with Federal-Aid.

**ADA Notice** For individuals with sensory disabilities, this document is available in alternate formats. For information, call (916) 445-1233, TTY 711, or write to Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

McGUIRE and HESTER

# Fax Letter of Transmittal

Date / Time Sent : 10/28/2014 17:11

**Reply Requested**

☐ YES

☐ NO

To: State of California - Depart. Of Transportation

Attn: Bidders' Exchange / Office Engineer

Fax # : (916) 227-6282 Phone:

From : Annie Hester Project: Stanislaus County - Riverbank

Project #: 10-0C9004 / 10-Sta-108-31.2

My Fax # : (510) 562-5209 My Phone # : (510) 632-7676

**We are sending you :**

☐ SHOP DRAWINGS ☐ SPECIFICATIONS

☐ COPY OF LETTER ☐

Pages Sent Including Cover : 2

Comments:

Please see attached sub listing for Contract No. 10-0C9004. Feel free to call with any questions or concerns.

Thank you,

Annie Hester

☐ FOR YOUR USE ☐ APPROVED AS NOTED

☐ FOR APPROVAL ☐ APPROVED AS SUBMITTED

☐ AS REQUESTED ☐ RETURNED FOR CORRECTIONS

☐ FOR REVIEW AND COMMENT ☐ RETURN FULLY EXECUTED COPY FOR OUR FILES

☐ FOR BID OR QUOTE ☐

9009 Railroad Avenue, Oakland, CA 94603 * Phone: (510) 632-7676 * Fax: (510) 562-5209 * License # 95879 A, B, C21, C31, HAZ

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
Contract No.: 10-0C9004 Project ID: 1000000017
Bidder Name: McGuire and Hester Bidder ID: VC0000017500
SUBCONTRACTOR LIST
DES-OE-0102.2B(REV 5/2014)

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Bidding Firm: McGuire and Hester

Under Public Contract Code ♦ 4100 et seq., the Bidder must set forth in the bid the name, the location of the place of business, the California contractor license number, and the portion of work of each subcontractor who will perform work or labor or render service to the prime contractor in or about the construction of the work or improvement, or a subcontractor licensed by the State of California who, under subcontract to the prime contractor, specially fabricates and installs a portion of the work or improvement according to detailed drawings contained in the plans and specifications, in an amount in excess of one-half of 1 percent of the prime contractor's total bid or ten thousand dollars ($10,000), whichever is greater.

The Bidder must submit within 24 hours of the bid opening the bid item numbers with percentages of the portion of work subcontracted.

a Not required on contracts with Federal-Aid.

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
Contract No.: 10-0C9004 Project ID: 1000000017
Bidder Name: McGuire and Hester Bidder ID: VC0000017500
List this sub? Yes
2) Business NameUnited Synergy Corp
Location City Auburn State CA
California Contractor License Number (a) N/A
Description of Portion of Work
Erosion Control Material (Partial)
Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
Contract No.: 10-0C9004 Project ID: 1000000017
Bidder Name: McGuire and Hester Bidder ID: VC0000017500

List this sub? Yes
4) Business NameMidstate Barrier
Location City Stockton State CA
California Contractor License Number (a) 529261
Description of Portion of Work
Cable Railing
Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

List this sub? Yes
5) Business NameTitan DVBE
Location City Redding State CA
California Contractor License Number (a) N/A
Description of Portion of Work
Signage
Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

List this sub? Yes
7) Business NameSapper West
Location City Sacramento State CA
California Contractor License Number (a) 939685
Description of Portion of Work
Lead Compliance/Water Pollution Control Program (Partial)
Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
Contract No.: 10-0C9004 Project ID: 1000000017
Bidder Name: McGuire and Hester Bidder ID: VC0000017500
List this sub? Yes
8) Business NameSafety Striping Service
Location City Goshen State CA
California Contractor License Number (a) 308669
Description of Portion of Work
Striping
Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
Contract No.: 10-0C9004 Project ID: 1000000017
Bidder Name: McGuire and Hester Bidder ID: VC0000017500
List this sub? Yes
10) Business NameMission City Rebar
Location City Livermore State CA
California Contractor License Number (a) 273978
Description of Portion of Work
Rebar
Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

List this sub? Yes
11) Business NameDVBE Trucking
Location City Campbell State CA
California Contractor License Number (a) N/A
Description of Portion of Work
Trucking (Partial)
Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
Contract No.: 10-0C9004 Project ID: 1000000017
Bidder Name: McGuire and Hester Bidder ID: VC0000017500
CALIFORNIA COMPANY PREFERENCE
DES-OE-102.9 (REV 11/2008)

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

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

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

or

2. I a California company which has its principal place of business in a state in which there is no local contractor preference on construction contracts.
   Name of State:

or

3. I a California company which has its principal place of business in a state in which there is a local contractor preference and my company has paid not less than $5,000 in sales or use taxes to California for construction related activity for each of the 5 years immediately preceding the submission of the bid.
   Name of State:
   California Sales or Use Tax No.:

or

The undersigned certifies that it is not a "California company."

4. I a California company.
   My principal place of business is in:
   (Enter state or country)
   Describe any and all bid preferences provided to your company by the state or country in which your company has its principal place of business. (Attach additional sheets if necessary.)
   Describe:

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

DATE_____Signature of Bidder_____

# OPT OUT OF PAYMENT ADJUSTMENTS FOR PRICE INDEX FLUCTUATIONS

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

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

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

Enter Date and Name to opt out of payment adjustments for price index fluctuations.

Date: Bidder's Name:

Signature:_____

UNDOCUMENTED ALIENS EMPLOYMENT

Under Pub Cont Code ♦ 6101, the Bidder certifies compliance with state and federal law respecting the employment of undocumented aliens.

NONCOLLUSION

NONCOLLUSION AFFIDAVIT TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

Under PCC 7106 and 23 USC 112, the bidder declares as follows:
State of California County of Alameda
Name: Michael R. Hester,
being first duly sworn, deposes and says that he or she is
President of
McGuire and Hester
the party making the foregoing bid that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

CHILD SUPPORT COMPLIANCE ACT

Under Pub Cont Code ♦ 7110, the contractor acknowledges that:

1. The contractor recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with section 5200) of Part 5 of Division 9 of the Family Code; and
2. The contractor to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the Employment Development Department.

NATIONAL LABOR RELATIONS BOARD

Under Pub Cont Code ♦ 10232, the contractor, swears under penalty of perjury, that no more than one final unappealable finding of contempt of court by a federal court has been issued against the contractor within the immediately preceding two year period because of the contractor's failure to comply with an order of a federal court which orders the contractor to comply with an order of the National Labor Relations Board.

VIOLATION OF LAW OR A SAFETY REGULATION

Under Pub Cont Code ♦ 10162, the Bidder must complete, under penalty of perjury, the following questionnaire:

Has the Bidder, any officer of the Bidder, or any employee of the Bidder who has a proprietary interest in the Bidder, ever been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of a violation of law or a safety regulation? No
If the answer is yes, explain the circumstances in the following space.

ANTITRUST LAW

Under Pub Con Code ♦ 10285.1, the Bidder declares under penalty of perjury under the laws of the State of California that the Bidder Has Not been convicted within the preceding three years of any offenses referred to in that section, including any charge of fraud, bribery, collusion, conspiracy, or any other act in violation of any state or federal antitrust law in connection with the bidding upon, award of, or performance of, any public works contract, as defined in Pub Cont Code ♦ 1101, with any public entity, as defined in Pub Cont Code ♦ 1100, including the Regents of the University of California or the Trustees of the California State University. The term "Bidder" includes any partner, member, officer, director, responsible managing officer, or responsible managing employee thereof, as referred to in Section 10285.1.

If the Bidder has been convicted of an offense within the past 3 years, provide the conviction details including the date and ultimate resolution of each conviction in the space below.

PERMITS, LICENSES, AGREEMENTS, CERTIFICATIONS, AND RAILROAD RELATIONS AND INSURANCE REQUIREMENTS

Bidder acknowledges that permits, licenses, agreements, certifications, and the requirements in the document titled "Railroad Relations and Insurance Requirements" are components of the Contract under section 5-1.02 of the Standard Specifications.

BIDDER RESPONSIBILITY QUESTIONNAIRE

Failure to truthfully answer the following questions will result in a finding that the bid is nonresponsive. The Bidder must complete, under penalty of perjury, the following questionnaire:

1. Within the past 10 years, has the Bidder been found to be a nonresponsible bidder by any public entity, including federal, State, local, or regional entities?
No

2. Within the past 10 years, have any of the Bidder's officers or employees with a proprietary interest in the Bidder been determined to be a nonresponsible bidder by a public entity, including federal, State, local or regional entities?
No

3. Is there any officer or employee of the Bidder who now has or has had any proprietary interest in another company that bid or bids on public works projects whose company has been determined to be a nonresponsible bidder by any public entity, including federal, State, local, or regional entities?
No

4. If the answer to any of the 3 preceding questions is yes, disclose all pertinent details of the determination of nonresponsibility, including:

4.1. Date of each nonresponsibility determination

4.2. Name of each public agency issuing the nonresponsibility determination and a contact person at that agency who would have information about the determination

4.3. Contract number for each nonresponsibility determination

END CERTIFICATIONS

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
BIDDER'S BOND
DES-OE 0102.3(REV 3/2008)
Contract No. 10-0C9004

Bond No. _____

We_____

_____

_____ as Principal, and

_____

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

THE CONDITION OF THIS OBLIGATION IS SUCH, THAT:

WHEREAS, the Principal is submitting a bid to the Obligee, for
CONSTRUCTION ON STATE HIGHWAY IN
STANISLAUS COUNTY IN RIVERBANK AT ESTELLE AVENUE
In District 10 on Route 108
for which bids are to be opened at 1727 30th Street, Sacramento CA 95816 on 10-28-14.

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

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

Dated:_____, 20_____. _____

Principal_____

Surety_____

By_____

Attorney-in-Fact

Correspondence or claims relating to this bond should be sent to the surety at the following address:

_____

_____

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CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

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State of California

County of _____

On this _____ before me, _____

Date Here insert Name and Title of the Officer

personally appeared _____

Name(s) of Signer(s)

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

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

WITNESS my hand and official seal

SIGNATURE _____

Signature of Notary Public

(SEAL)

10-27-14A10:02 RCVD

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

**BIDDER'S BOND**

DES-OE-0102.3 (REV 3/2008)

Contract No. 10-0C9004

Bond No. N/A

We McGuire and Hester as Principal, and

Western Surety 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 CONSTRUCTION ON STATE HIGHWAY IN STANISLAUS COUNTY IN RIVERBANK AT ESTELLE AVENUE, CONTRACT NO. 10-0C9004

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

for which bids are to be opened at Sacramento, California

*(Insert place where bids will be opened)*

on October 28, 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: October 21, 2014.

Correspondence or claims relating to this bond should be sent to the surety at the following address:
555 Mission Street, Suite 200
San Francisco, CA 94105

McGuire and Hester

By: [signature]
*Principal*

Robert C. Doud, Executive VP/CFO

Western Surety Company
*Surety*

By [signature]
Yvonne Roncagliolo, *Attorney-in-Fact*

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California
County of San Francisco

On this October 21, 2014 *Date* before me, Nancy Hamilton, Notary Public *Here Insert Name and Title of the Officer*,

personally appeared Yvonne Roncagliolo *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)

NANCY HAMILTON
Commission # 1979082
Notary Public - California
San Francisco County
My Comm. Expires Jun 17, 2016

WITNESS my hand and official seal.

Signature [signature]
*Signature of Notary Public*

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McGUIRE AND HESTER

10-27-14A10:02 RCVD

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Alameda

On October 23, 2014 (Date) before me, Anne Hester, Notary Public (Here Insert Name and Title of the Officer),

personally appeared Robert C. Doud (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.

ANNE HESTER
Commission # 2050521
Notary Public - California
Alameda County
My Comm. Expires Dec 26, 2017

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: Bidder's Bond (10-0C9004)

Document Date: October 21, 2014 Number of Pages: ONE

Signer(s) Other Than Named Above: Yvonne Roncagliolo

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

Signer's Name: Robert C. Doud
☐ Individual
☒ Corporate Officer — Title(s): Executive VP/CFO
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: McGuire and Hester

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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
Top of thumb here

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McGUIRE AND HESTER

# Western Surety Company

10-27-14A10:02 RCVD

## POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

**Know All Men By These Presents,** That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

**Lawrence J Coyne, Charles R Shoemaker, Nancy L Hamilton, Roger C Dickinson, Stanley D Loar, Joan De Luca, Thomas E Hughes, Mark M Munekawa, Kelly Holtemann, Yvonne Roncagliolo, Nerissa S Bartolome, S Nicole Evans, Individually**

of San Francisco, CA, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

**- In Unlimited Amounts -**

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

**In Witness Whereof,** WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 16th day of September, 2014.

WESTERN SURETY COMPANY

Paul T. Bruflat, Vice President

State of South Dakota
County of Minnehaha } ss

On this 16th day of September, 2014, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires
June 23, 2015

J. MOHR
NOTARY PUBLIC
SOUTH DAKOTA

J. Mohr, Notary Public

**CERTIFICATE**

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 21st day of October, 2014

WESTERN SURETY COMPANY

L. Nelson, Assistant Secretary

Form F4280-7-2012

McGUIRE AND HESTER