

A-2 SK 11



STATE OF CALIFORNIA  
DEPARTMENT OF TRANSPORTATION

**BID**

FOR BUILDING CONSTRUCTION IN IMPERIAL COUNTY IN EL CENTRO AT THE EL  
CENTRO MAINTENANCE STATION AT 1102 MONTENEGRO WAY

In District 11 On Route 5708

Under

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Notice to Bidders and Special Provisions dated February 10, 2014

Standard Specifications dated 2006

Project Plans approved January 6, 2014

Standard Plans dated 2006

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Identified by  
Contract No. 11-076704  
11-Imp-5708  
Project ID 1100000035

Bids open Thursday, March 13, 2014

Dated February 10, 2014  
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CONTRACT NO. 11 - 076704

NAME OF BIDDER Peter Vander Werff Construction, Inc.

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

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

BUSINESS STREET ADDRESS 125 W. Lexington Avenue

(Include even if P.O. Box used)

CITY, STATE, ZIP El Cajon, CA 92020

TELEPHONE NO: AREA CODE ( 619 ) 334-9077

FAX NO: AREA CODE ( 619 ) 334-9287

CONTRACTOR LICENSE NO. 689608

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.

**BID TO THE DEPARTMENT OF TRANSPORTATION**

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

- 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 unit price with additive item based bid, the sum of the item totals and the amount bid for the additive bid item is the bid amount the Department uses for bid comparison if the additive bid item is included in the work.  
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

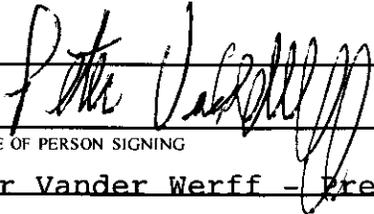
4. Bidder submits this bid with one of the following forms of bidder's security equal to at least 10 percent of the bid:

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)

3-13-2014

PRINTED NAME AND TITLE OF PERSON SIGNING

Peter Vander Werff - President

**ADA  
Notice**

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

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BID ITEM LIST

| Item No.  | Item Code | Item Description                                 | Unit of Measure | Estimated Quantity | Unit Price | Item Total |
|-----------|-----------|--|-----------------|--------------------|------------|------------|
| 1         | 074016    | CONSTRUCTION SITE MANAGEMENT                     | LS              | LUMP SUM           | LUMP SUM   | 25,000.00  |
| 2         | 080050    | PROGRESS SCHEDULE<br>(CRITICAL PATH METHOD)      | LS              | LUMP SUM           | LUMP SUM   | 5,000.00   |
| 3         | 130300    | PREPARE STORM WATER POLLUTION<br>PREVENTION PLAN | LS              | LUMP SUM           | LUMP SUM   | 6,500.00   |
| 4         | 130330    | STORM WATER ANNUAL REPORT                        | EA              | 3                  | 2,000.00   | 6,000.00   |
| 5         | 130620    | TEMPORARY DRAINAGE INLET<br>PROTECTION           | EA              | 2                  | 450.00     | 900.00     |
| 6         | 130710    | TEMPORARY CONSTRUCTION ENTRANCE                  | EA              | 1                  | 1,000.00   | 1,000.00   |
| 7         | 130730    | STREET SWEEPING                                  | LS              | LUMP SUM           | LUMP SUM   | 45,000.00  |
| 8         | 130900    | TEMPORARY CONCRETE WASHOUT                       | LS              | LUMP SUM           | LUMP SUM   | 3,000.00   |
| 9         | 141000    | TEMPORARY FENCE (TYPE ESA)                       | LF              | 660                | 4.75       | 3,135.00   |
| 10        | 170101    | DEVELOP WATER SUPPLY                             | LS              | LUMP SUM           | LUMP SUM   | 45,000.00  |
| 11        | 190101    | ROADWAY EXCAVATION                               | CY              | 7,250              | 3.00       | 21,750.00  |
| 12<br>(F) | 192037    | STRUCTURE EXCAVATION<br>(RETAINING WALL)         | CY              | 18                 | 75.00      | 1,350.00   |
| 13<br>(F) | 193013    | STRUCTURE BACKFILL<br>(RETAINING WALL)           | CY              | 50                 | 100.00     | 5,000.00   |
| 14        | 200001    | HIGHWAY PLANTING                                 | LS              | LUMP SUM           | LUMP SUM   | 50,000.00  |
| 15        | 204099    | PLANT ESTABLISHMENT WORK                         | LS              | LUMP SUM           | LUMP SUM   | 4,000.00   |
| 16        | 208000    | IRRIGATION SYSTEM                                | LS              | LUMP SUM           | LUMP SUM   | 27,500.00  |
| 17        | 208310    | IRRIGATION SLEEVE                                | LF              | 56                 | 16.00      | 896.00     |
| 18        | 026914    | 6" PLASTIC PIPE CONDUIT<br>(SCHEDULE 80)         | LF              | 380                | 22.50      | 8,550.00   |
| 19        | 210250    | EROSION CONTROL<br>(BONDED FIBER MATRIX) (SQFT)  | SQFT            | 83,700             | 0.08       | 6,712.74   |
| 20        | 250401    | CLASS 4 AGGREGATE SUBBASE                        | CY              | 8,280              | 47.00      | 389,160.00 |

6,690

Contract No. 11-076704

**BID ITEM LIST**

| Item No.  | Item Code | Item Description                            | Unit of Measure | Estimated Quantity | Unit Price | Item Total |
|-----------|-----------|---|-----------------|--------------------|------------|------------|
| 21        | 260203    | CLASS 2 AGGREGATE BASE (CY)                 | CY              | 8,170              | 56.00      | 457,520.00 |
| 22        | 390131    | HOT MIX ASPHALT                             | TON             | 7,770              | 112.00     | 870,240.00 |
| 23        | 390136    | MINOR HOT MIX ASPHALT                       | TON             | 6                  | 1,111.00   | 6,666.00   |
| 24        | 394073    | PLACE HOT MIX ASPHALT DIKE (TYPE A)         | LF              | 230                | 28.00      | 6,440.00   |
| 25        | 397005    | TACK COAT                                   | TON             | 10                 | 2,470.00   | 24,700.00  |
| 26<br>(F) | 510060    | STRUCTURAL CONCRETE, RETAINING WALL         | CY              | 11                 | 450.00     | 4,950.00   |
| 27<br>(F) | 510502    | MINOR CONCRETE (MINOR STRUCTURE)            | CY              | 12                 | 110.25     | 1,323.00   |
| 28        | 026915    | RETAINING WALL STEM (TYPE 6B)               | SQFT            | 240                | 18.00      | 4,320.00   |
| 29<br>(F) | 520103    | BAR REINFORCING STEEL (RETAINING WALL)      | LB              | 820                | 2.08       | 1,705.60   |
| 30        | 641101    | 12" PLASTIC PIPE                            | LF              | 25                 | 64.00      | 1,600.00   |
| 31        | 731502    | MINOR CONCRETE (MISCELLANEOUS CONSTRUCTION) | CY              | 120                | 51.45      | 6,174.00   |
| 32        | 800320    | CHAIN LINK FENCE (TYPE CL-4)                | LF              | 220                | 20.29      | 4,463.80   |
| 33        | 800363    | CHAIN LINK FENCE (TYPE CL-6, EXTENSION ARM) | LF              | 2,560              | 22.25      | 56,960.00  |
| 34        | 026916    | ORNAMENTAL STEEL FENCING                    | LF              | 300                | 108.86     | 32,658.00  |
| 35        | 026917    | ORNAMENTAL STEEL ROLLING GATE               | EA              | 4                  | 7,274.23   | 29,096.92  |

BID ITEM LIST

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| Item No. | Item Code | Item Description                | Unit of Measure | Estimated Quantity | Unit Price | Item Total   |
|----------|-----------|---------------------------------|-----------------|--------------------|------------|--------------|
| 36       | 802100    | 4' CHAIN LINK GATE (TYPE CL-4)  | EA              | 1                  | 1,654.64   | 1,654.64     |
| 37       | 802501    | 4' CHAIN LINK GATE (TYPE CL-6)  | EA              | 2                  | 1,687.69   | 3,375.38     |
| 38       | 802580    | 12' CHAIN LINK GATE (TYPE CL-6) | EA              | 1                  | 1,798.39   | 1,798.39     |
| 39       | 026918    | ELECTRICAL SYSTEMS              | LS              | LUMP SUM           | LUMP SUM   | 835,000.00   |
| 40       | 994650    | BUILDING WORK                   | LS              | LUMP SUM           | LUMP SUM   | 5,880,000.00 |

TOTAL BASE BID: = \$8,886,099.47

8,886,082.73

ADDITIVE ITEM: = \$450,000.00

TOTAL BASE BID + ADDITIVE ITEM = \$9,336,099.47

9,336,082.73

46

**SUBCONTRACTOR LIST**

OES-OE-0102.2 (REV 3/2011)

**Bidder Name:** Peter Vander Werff Construction 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                        |
|---|--------------------------|--|--|
| Atlas Fence Company<br>Chula Vista, CA          | 32,33,34,35,36<br>,37,38 | 100% All Items                                 | All Fencing complete 32,33,34,35,36,37,38                          |
| F.J. Willert Contracting Co.<br>Chula Vista, CA | 40,11,12,13              | 40-8%<br>11,12,13 - 100%                       | Site Work-40<br>11,12,13   |
| Precision Electric Company<br>Lakeside, CA      | 39                       | 100%   | Complete Electrical Systems - 39                                   |
| Miller Paving Corp<br>Spring Valley, CA         | 20,21,22,23,24<br>,25    | 100% All Items                                 | Asphalt/Aggregate/paving<br>Complete all items - 20,21,22,23,24,25 |
| Quality Rebar Inc.<br>San Diego, CA             | 40                       | 1.8%   | Rebar - 40   |
| S.R. Clarke Landscape<br>Oceanside, CA          | 40,14,15,16,17           | 40-0.4%<br>14,15,16,17,- 100%                  | Landscape and planting - 40<br>Complete all items - 14,15,16,17    |
| Allied Steel<br>Riverside, CA                   | 40,                      | 40- 10%  | Structural Steel/ Misc.Steel - 40                                  |

**SUBCONTRACTOR LIST**

DES-OE-0102.2 (REV 3/2011)

**Bidder Name:** Peter Vander Werff Construction Inc

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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 |
|--|-------------------------|--|---|
| Certified Air Conditioning<br>San Diego, CA  | 40                      | 40 - 3%  | HVAC - 40                                   |
| Bravo Concrete<br>Riverside, CA  | 40                      | 40 - 10%                                       | Site/Bldg Misc Concrete - 40                |
| Haxton Masonry<br>Yuma, AZ   | 40                      | 40 - .5%                                       | Masonry - 40                                |
| Tandem West<br>Indio, CA   | 40                      | 40 - 3%  | Glazing / Windows- 40                       |
| E. L. Hobbs<br>El Cajon, CA  | 40                      | 40 - 11.5%                                     | Studs and Drywall - 40                      |
| Nurse Stucco<br>Lakeside, CA   | 40                      | 40 - 5%  | EIFIS Wall System - 40                      |
| <del>XXXXXXXXXX</del> <i>MIB</i><br><del>XXXXXXXXXX</del><br>Armstrong + Aceves<br>Norco, CA | 40                      | 40 - 3.8%                                      | Roofing, Siding, Tile / 40                  |

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**SUBCONTRACTOR LIST**

DES-OE-0102.2 (REV 3/2011)

Bidder Name: Peter Vander Werff Construction Inc

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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 |
|---|-------------------------|--|---|
| Buxcom Sheet Metal<br>Lakeside, CA                          | 40                      | 40 - <del>45%</del><br>45%                     | Sheet Metal - 40                            |
| Commercial Openings<br>Lakeside, CA                         | 40                      | 40 - 1%  | Doors & Hardware - 40                       |
| <del>Superior Doors</del> MMS<br>Superior Doors<br>El Cajon | 40                      | 40 - 1%  | Roll up Doors - 40                          |
| Tile Tech<br>Oceanside                                      | 40                      | 40 - .8%                                       | Ceramic Tile - 40                           |
| Advanced Plumbing<br>Oceanside, CA                          | 40                      | 40 - 14%                                       | Plumbing, site Utilities - 40<br>Fuel       |
| A-1 FIRE SPRINKLER  | 40                      | 2%   | FIRE SPRINKLERS - 40                        |

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

DES-OE-0102.7 (REV 02/2010)

CONTRACT NO. 11 - 076704

**Complete one of the following:**

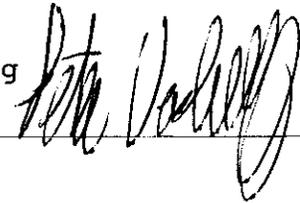
• **Small Business Preference**

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: Application Pending

Date: 3-13-2014

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: \_\_\_\_\_

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)

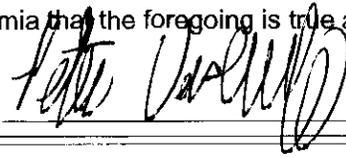
Describe any and all bid preferences provided to your company by the state or country in which your company has its principal place of business. (Attach additional sheets if necessary.)

\_\_\_\_\_

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

Date: 3-13-14

Signature of Bidder: \_\_\_\_\_



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**BIDDER'S BOND**

DES-OE-0102.3 (REV 3/2008)

Bond No. n/a

We Peter Vander Werff Construction, Inc.

The Hanover Insurance Company

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 Building Construction in Imperial County in El Centro at The El Centro Maintenance Station at 1102 Montenegro Way in District 11 On Route 5708

for which bids are to be opened at 3347 Michelson Drive, Suite 100, Irvine, CA 92612-1692

on March 13, 2014

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: February 26, 2014

Correspondence or claims relating to this bond should be sent to the surety at the following address: The Hanover Insurance Company, 440 Lincoln Street, Worcester, MA 01653

Signature lines for Peter Vander Werff Construction, Inc. (Principal) and Tara Bacon (Attorney-in-Fact)

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT** Tara Bacon, Attomey-in-fact

State of California } County of San Diego } On this March 12, 2014 before me, Teresa R Patterson, notary public personally appeared Peter Vander Werff

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) was 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 that the foregoing paragraph is true and correct.



WITNESS my hand and official seal. Signature: Teresa R Patterson, Signature of Notary Public

(SEAL)

**ACKNOWLEDGMENT**

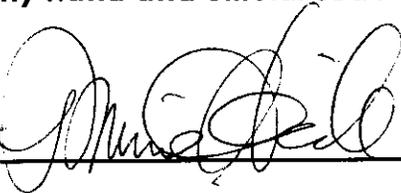
**State of California  
County of San Diego**

**On February 26, 2014 before me, Minna Huovila, Notary Public, personally appeared Tara Bacon, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument the person, or the entity upon behalf of which the person 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)**

THE HANOVER INSURANCE COMPANY  
MASSACHUSETTS BAY INSURANCE COMPANY  
CITIZENS INSURANCE COMPANY OF AMERICA

POWERS OF ATTORNEY  
CERTIFIED COPY

KNOW ALL MEN BY THESE PRESENTS: That THE HANOVER INSURANCE COMPANY and MASSACHUSETTS BAY INSURANCE COMPANY, both being corporations organized and existing under the laws of the State of New Hampshire, and CITIZENS INSURANCE COMPANY OF AMERICA, a corporation organized and existing under the laws of the State of Michigan, do hereby constitute and appoint

**Dale Harshaw, Bradley R. Orr, Tara Bacon, Geoffrey Shelton, Kyle King and/or John R. Quain**

of San Diego, CA and each is a true and lawful Attorney(s)-in-fact to sign, execute, seal, acknowledge and deliver for, and on its behalf, and as its act and deed any place within the United States, or, if the following line be filled in, only within the area therein designated any and all bonds, recognizances, undertakings, contracts of indemnity or other writings obligatory in the nature thereof, as follows:

- Any such obligations in the United States, in any amount -

and said companies hereby ratify and confirm all and whatsoever said Attorney(s)-in-fact may lawfully do in the premises by virtue of these presents. These appointments are made under and by authority of the following Resolution passed by the Board of Directors of said Companies which resolutions are still in effect:

"RESOLVED, That the President or any Vice President, in conjunction with any Vice President, be and they are hereby authorized and empowered to appoint Attorneys-in-fact of the Company, in its name and as its acts, to execute and acknowledge for and on its behalf as Surety any and all bonds, recognizances, contracts of indemnity, waivers of citation and all other writings obligatory in the nature thereof, with power to attach thereto the seal of the Company. Any such writings so executed by such Attorneys-in-fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company in their own proper persons." (Adopted October 7, 1981 - The Hanover Insurance Company; Adopted April 14, 1982 - Massachusetts Bay Insurance Company; Adopted September 7, 2001 - Citizens Insurance Company of America)

IN WITNESS WHEREOF, THE HANOVER INSURANCE COMPANY, MASSACHUSETTS BAY INSURANCE COMPANY and CITIZENS INSURANCE COMPANY OF AMERICA have caused these presents to be sealed with their respective corporate seals, duly attested by two Vice Presidents, this 4th day of November 2013.

THE HANOVER INSURANCE COMPANY  
MASSACHUSETTS BAY INSURANCE COMPANY  
CITIZENS INSURANCE COMPANY OF AMERICA



*Robert Thomas*  
Robert Thomas, Vice President

*Mark Fitzgerald*  
Mark Fitzgerald, Vice President

THE COMMONWEALTH OF MASSACHUSETTS )  
COUNTY OF WORCESTER ) ss.

On this 4th day of November 2013 before me came the above named Vice Presidents of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, to me personally known to be the individuals and officers described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, respectively, and that the said corporate seals and their signatures as officers were duly affixed and subscribed to said instrument by the authority and direction of said Corporations.



BARBARA A. GARLICK  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires Sept. 21, 2018

*Barbara A. Garlick*  
Barbara A. Garlick, Notary Public  
My Commission Expires September 21, 2018

I, the undersigned Vice President of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, hereby certify that the above and foregoing is a full, true and correct copy of the Original Power of Attorney issued by said Companies, and do hereby further certify that the said Powers of Attorney are still in force and effect.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America.

"RESOLVED, That any and all Powers of Attorney and Certified Copies of such Powers of Attorney and certification in respect thereto, granted and executed by the President or any Vice President in conjunction with any Vice President of the Company, shall be binding on the Company to the same extent as if all signatures therein were manually affixed, even though one or more of any such signatures thereon may be facsimile." (Adopted October 7, 1981 - The Hanover Insurance Company; Adopted April 14, 1982 - Massachusetts Bay Insurance Company; Adopted September 7, 2001 - Citizens Insurance Company of America)

GIVEN under my hand and the seals of said Companies, at Worcester, Massachusetts, this 26th day of February 2014.

THE HANOVER INSURANCE COMPANY  
MASSACHUSETTS BAY INSURANCE COMPANY  
CITIZENS INSURANCE COMPANY OF AMERICA

*Glenn Margosian*  
Glenn Margosian, Vice President

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

OES-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: \_\_\_\_\_ Contract No. \_\_\_\_ - \_\_\_\_\_

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

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

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**ADA Notice** For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-8410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

**CERTIFIED DVBE SUMMARY**

DES-OE-0102.5 (REV 3/2008)

DISTRICT-COUNTY-ROUTE: 11 - Imp - 5708

CONTRACT NO.: 11-076704

TOTAL BID: \_\_\_\_\_

BID OPENING DATE: 3-13-14

BIDDER'S NAME: Peter Vander Werff Constreuction, Inc.

DVBE PRIME CONTRACTOR CERTIFICATION <sup>1</sup> \_\_\_\_\_

| Bid Item Number   | Description of Work to Be Subcontracted to DVBE or Materials to Be Supplied by DVBE <sup>2</sup> | 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. |  |                   |   | <p><b>Total Claimed Participation</b></p> <p>\$ _____ %</p> |

1. DVBE prime contractors must enter their DVBE reference number or their OBA 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.

*Peter Vander Werff*  
 Signature of Bidder

3-13-14  
 Date

Submit to:

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

619-334-9077  
 (Area Code) Telephone Number

Peter Vander Werff  
 Contact Person (Type or Print)

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

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

DES-OE-0102.8 (REV 2/2011)

**BIDDER NAME** Peter Vander Werff Construction Inc.

**CONTRACT NO.** 11 - 076704

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 |
|-----------------|--|---|-----------|
|                 |  |   |           |

Peter Vander Werff  
 Person to Contact (Please Type or Print)

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

619-334-9077  
 (Area Code) Telephone Number

**Total Claimed Participation** \_\_\_\_\_ % of Contract

## 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 Diego

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

### CHILD SUPPORT COMPLIANCE ACT

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

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

### VIOLATION OF LAW OR A SAFETY REGULATION

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

Has the Bidder, any officer of the Bidder, or any employee of the Bidder who has a proprietary interest in the Bidder, ever been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of a violation of law or a safety regulation?

Yes     No

If the answer is yes, explain the circumstances in the following space.

## NATIONAL LABOR RELATIONS BOARD

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

## ANTITRUST LAW

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

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

## BIDDER RESPONSIBILITY QUESTIONNAIRE

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

1. Within the past 10 years, has the Bidder been found to be a nonresponsive bidder by any public entity, including federal, State, local, or regional entities?  
 Yes  No
2. Within the past 10 years, have any of the Bidder's officers or employees with a proprietary interest in the Bidder been determined to be a nonresponsive bidder by a public entity, including federal, State, local or regional entities?  
 Yes  No
3. Is there any officer or employee of the Bidder who now has or has had any proprietary interest in another company that bid or bids on public works projects whose company has been determined to be a nonresponsive bidder by any public entity, including federal, State, local, or regional entities?  
 Yes  No
4. If the answer to any of the 3 preceding questions is yes, disclose all pertinent details of the determination of nonresponsibility, including:
  - 4.1. Date of each nonresponsibility determination
  - 4.2. Name of each public agency issuing the nonresponsibility determination and a contact person at that agency who would have information about the determination
  - 4.3. Contract number for each nonresponsibility determination

## END CERTIFICATIONS