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Caltrans

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

BID

FOR CONSTRUCTION ON STATE HIGHWAY IN IMPERIAL COUNTY AT ANDRADE FROM MEXICO BORDER TO 0.4 MILE NORTH OF MEXICO BORDER

In District 11 On Route 186

Under

Notice to Bidders and Special Provisions dated July 29, 2013

Standard Specifications dated 2010

Project plans approved June 10, 2013

Standard Plans dated 2010

Identified by

Contract No. 11-294804

11-Imp-186-0.0/0.4

Project ID 1100020250

Federal-Aid Project
ACSTPE-P186(004)E

THIS PROJECT HAS ADDENDUM(S)
INFORMATION AT:
www.dot.ca.gov/addenda/

Electronic Advertising Contract

Bids open Thursday, September 5, 2013

Dated July 29, 2013
AADD

KG

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

BID TO THE DEPARTMENT OF TRANSPORTATION

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

CONTRACT NO. 11 - 294804

NAME OF BIDDER **Desert Concepts Construction, Inc.**

BUSINESS P.O. BOX **N/A**

CITY, STATE, ZIP **N/A**

BUSINESS STREET ADDRESS **77-770 Country Club Dr, Ste. D.**

(Include even if P.O. Box used)

CITY, STATE, ZIP **Palm Desert, CA. 92211**

TELEPHONE NO: **AREA CODE (760) 200-9007**

FAX NO: **AREA CODE (760) 200-9014**

CONTRACTOR LICENSE NO. **849837**

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, 2, 3,

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)*
Julio Castro, President	10/24/13
PRINTED NAME AND TITLE OF PERSON SIGNING	

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BID ITEM LIST

11-294804

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
1	026402	TRIBAL PERMIT TO ENTER AND CONSTRUCT	DAY	85	**$150.00**	**$12,750.00**
2	070030	LEAD COMPLIANCE PLAN	LS	LUMP SUM	LUMP SUM	**$ 750.00**
3	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	**$4,443.00**
4	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	**$82,350.00**
5	120149	TEMPORARY PAVEMENT MARKING (PAINT) 15	SQFT	80	**$1.50**	**$1,200.00**
6	128651	PORTABLE CHANGEABLE MESSAGE SIGN (EA)	EA	2	**$12,000.00**	**$24,000.00**
7	130100	JOB SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	**$20,000.00**
8	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	LUMP SUM	**$2,000.00**
9	130620	TEMPORARY DRAINAGE INLET PROTECTION	EA	2	**$500.00**	**$1,000.00**
10	130640	TEMPORARY FIBER ROLL	LF	1,190	**$5.00**	**$5,950.00**
11	130710	TEMPORARY CONSTRUCTION ENTRANCE	EA	2	**$1,500.00**	**$3,000.00**
12	130730	STREET SWEEPING	LS	LUMP SUM	LUMP SUM	**$5,000.00**
13	130900	TEMPORARY CONCRETE WASHOUT	LS	LUMP SUM	LUMP SUM	**$2,500.00**
14	141120	TREATED WOOD WASTE	LB	3,330	**$.50**	**$1,665.00**
15	150605	REMOVE FENCE	LF	190	**$10.00**	**$1,900.00**
16	150711	REMOVE PAINTED TRAFFIC STRIPE	LF	6,470	**$1.50**	**$9,705.00**
17	150712	REMOVE PAINTED PAVEMENT MARKING	SQFT	80	**$3.50**	**$280.00**
18	150715	REMOVE THERMOPLASTIC PAVEMENT MARKING	SQFT	220	**$3.50**	**$770.00**
19	150742	REMOVE ROADSIDE SIGN	EA	11	**$150.00**	**$1,650.00**
20	152320	RESET ROADSIDE SIGN	EA	2	**$310.00**	**$620.00**

REPLACED PER ADDENDUM NO. 1 DATED AUGUST 14, 2013

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
21	026403	RELOCATE BOULDERS	EA	83	**$300.00**	**$24,900.00**
22	152390	RELOCATE ROADSIDE SIGN	EA	5	**$200.00**	**$1,000.00**
23	153103	COLD PLANE ASPHALT CONCRETE PAVEMENT	SQYD	630	**$22.50**	**$14,175.00**
24	153121	REMOVE CONCRETE (CY)	CY	53	**$100.00**	**$5,300.00**
25	153130	REMOVE CONCRETE CURB (LF)	LF	15	**$20.00**	**$300.00**
26	153140	REMOVE CONCRETE SIDEWALK (SQYD)	SQYD	83	**$36.00**	**$2,988.00**
27	026404	REMOVE WOOD BOLLARD	EA	16	**$75.00**	**$1,200.00**
28	026405	REMOVE METAL BOLLARD	EA	60	**$100.00**	**$6,000.00**
29	156576	REMOVE METAL RAILING	LF	210	**$30.00**	**$6,300.00**
30	190101	ROADWAY EXCAVATION	CY	1,210	**$35.00**	**$42,350.00**
31 (F)	192037	STRUCTURE EXCAVATION (RETAINING WALL)	CY	812	**$35.00**	**$28,420.00**
32 (F)	193013	STRUCTURE BACKFILL (RETAINING WALL)	CY	658	**$35.00**	**$23,030.00**
33 (F)	193031	PERVIOUS BACKFILL MATERIAL (RETAINING WALL)	CY	13	**$40.00**	**$520.00**
34	200002	ROADSIDE CLEARING	LS	LUMP SUM	LUMP SUM	**$10,000.00**
35	026406	PREPARE HOLE AT TREE GRATE	EA	8	**$250.00**	**$2,000.00**
36	026407	ROCK MULCH	SQYD	1,780	**$2.00**	**$3,560.00**
37	202004	IRON SULFATE (LB)	LB	35	**$10.00**	**$350.00**
38	202035	FERTILIZER (PACKET)	EA	2,540	**$1.00**	**$2,540.00**
39	204011	PLANT (GROUP K)	EA	28	**$280.00**	**$7,840.00**
40	204022	PLANT (GROUP Z)	EA	3	**$442.00**	**$1,326.00**

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
41	204036	PLANT (GROUP B)	EA	430	**$40.00**	**$17,200.00**
42	204038	PLANT (GROUP U)	EA	86	**$75.00**	**$6,450.00**
43	204099	PLANT ESTABLISHMENT WORK	LS	LUMP SUM	LUMP SUM	**$15,000.00**
44	026408	TRASH RECEPTACLE	EA	6	**$400.00**	**$2,400.00**
45	026409	DISPLAY CASE	EA	2	**$2,500.00**	**$5,000.00**
46	026410	INSTALL DEPARTMENT-FURNISHED TREE GRATE	EA	8	**$150.00**	**$1,200.00**
47	026411	ANTI-SKATING DEVICE	EA	35	**$20.00**	**$700.00**
48	206560	CONTROL AND NEUTRAL CONDUCTORS	LS	LUMP SUM	LUMP SUM	**$8,000.00**
49	206602	1" ELECTRIC REMOTE CONTROL VALVE	EA	11	**$400.00**	**$4,400.00**
50	026412	12 STATION IRRIGATION CONTROLLER	EA	1	**$4,500.00**	**$4,500.00**
51	208301	IRRIGATION CONTROLLER ENCLOSURE CABINET	EA	1	**$1,000.00**	**$1,000.00**
52	208310	IRRIGATION SLEEVE	LF	140	**$5.00**	**$700.00**
53	208415	CERTIFY BACKFLOW PREVENTERS	LS	LUMP SUM	LUMP SUM	**$2,500.00**
54	208421	BACKFLOW PREVENTER ASSEMBLY ENCLOSURE	EA	1	**$2,000.00**	**$2,000.00**
55	208423	1" BACKFLOW PREVENTER ASSEMBLY	EA	1	**$2,000.00**	**$2,000.00**
56	208476	SPRINKLER (TYPE B-6)	EA	170	**$40.00**	**$6,800.00**
57	208480	SPRINKLER (TYPE C-2 MOD)	EA	120	**$50.00**	**$6,000.00**
58	208482	SPRINKLER (TYPE C-2)	EA	60	**$10.00**	**$600.00**
59	208573	1 1/4" GATE VALVE	EA	3	**$375.00**	**$1,125.00**
60	208576	2 1/2" GATE VALVE	EA	1	**$290.00**	**$290.00**

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
61 (F)	208595	1" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)	LF	2,856	**$2.00**	**$5,712.00**
62 (F)	208596	1 1/4" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)	LF	688	**$1.75**	**$1,204.00**
63 (F)	208598	2" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)	LF	858	**$4.00**	**$3,432.00**
64	208645	3/4" QUICK COUPLING VALVE	EA	9	**$260.00**	**$2,340.00**
65 (F)	208738	8" CORRUGATED HIGH DENSITY POLYETHYLENE PIPE CONDUIT	LF	85	**$55.00**	**$4,675.00**
66	026413	COMPOST (BASIN)	CY	21	**$50.00**	**$1,050.00**
67	374002	ASPHALTIC EMULSION (FOG SEAL COAT)	TON	0.3	**$4,000.00**	**$1,200.00**
68	390132	HOT MIX ASPHALT (TYPE A)	TON	500	**$125.00**	**$62,500.00**
69	390136	MINOR HOT MIX ASPHALT	TON	5	**$120.00**	**$600.00**
70	394076	PLACE HOT MIX ASPHALT DIKE (TYPE E)	LF	75	**$51.00**	**$3,825.00**
71	394090	PLACE HOT MIX ASPHALT (MISCELLANEOUS AREA)	SQYD	140	**$30.00**	**$4,200.00**
72	397005	TACK COAT	TON	0.4	**$2,500.00**	**$1,000.00**
73 (F)	475000	RETAINING WALL STEM (TYPE 6)	SQFT	240	**$125.00**	**$30,000.00**
74 (F)	510060	STRUCTURAL CONCRETE, RETAINING WALL	CY	133	**$475.00**	**$63,175.00**
75 (F)	026414	MINOR CONCRETE (MINOR STRUCTURE) (COLORED)	CY	67	**$550.00**	**$36,850.00**
76 (F)	520103	BAR REINFORCING STEEL (RETAINING WALL)	LB	9,109	**$2.00**	**$18,218.00**
77	560248	FURNISH SINGLE SHEET ALUMINUM SIGN (0.063"-UNFRAMED)	SQFT	30	**$15.85**	**$475.50**
78	560251	FURNISH SINGLE SHEET ALUMINUM SIGN (0.063"-FRAMED)	SQFT	27	**$17.85**	**$481.95**
79	560252	FURNISH SINGLE SHEET ALUMINUM SIGN (0.080"-FRAMED)	SQFT	63	**$19.85**	**$1,250.55**
80	566011	ROADSIDE SIGN - ONE POST	EA	4	**$310.00**	**$1,240.00**

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
81	566012	ROADSIDE SIGN - TWO POST	EA	2	**$410.00**	**$820.00**
82	568001	INSTALL SIGN (STRAP AND SADDLE BRACKET METHOD)	EA	2	**$95.00**	**$190.00**
83	731504	MINOR CONCRETE (CURB AND GUTTER)	CY	26	**$450.00**	**$11,700.00**
84	026415	MINOR CONCRETE (COLORED)	CY	150	**$550.00**	**$82,500.00**
85	026416	MINOR CONCRETE (SEEDED AGGREGATE)	CY	33	**$550.00**	**$18,150.00**
86	800320	CHAIN LINK FENCE (TYPE CL-4)	LF	180	**$43.00**	**$7,740.00**
87 (F)	839514	HANDRAILING	LF	480	**$400.00**	**$192,000.00**
88 (F)	839527	CABLE RAILING (MODIFIED)	LF	243	**$56.00**	**$13,608.00**
89	840655	PAINT TRAFFIC STRIPE (1-COAT)	LF	1,350	**$1.00**	**$1,350.00**
90	846001	4" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY)	LF	5,450	**$1.50**	**$8,175.00**
91	846012	THERMOPLASTIC CROSSWALK AND PAVEMENT MARKING (ENHANCED WET NIGHT VISIBILITY)	SQFT	300	**$7.00**	**$2,100.00**
92	850111	PAVEMENT MARKER (RETROREFLECTIVE)	EA	120	**$35.84**	**$4,300.80**
93	860090	MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION	LS	LUMP SUM	LUMP SUM	**$2,000.00**
94	026417	LIGHTING (LOCATION 1)	LS	LUMP SUM	LUMP SUM	**$30,000.00**
95	026418	LIGHTING (LOCATION 2)	LS	LUMP SUM	LUMP SUM	**$30,000.00**
96	860797	ELECTRIC SERVICE (IRRIGATION)	LS	LUMP SUM	LUMP SUM	**$75.000.00**
97	026419	SHELTER	EA	3	**$36,000.00**	**$108,000.00**
98	999990	MOBILIZATION	LS	LUMP SUM	LUMP SUM	**$130,000.00**

TOTAL BID: **$ 1,414,559.80**

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

SUBCONTRACTOR LIST

DES-OE-0102.2 (REV 3/2011)

Bidder Name: **Desert Concepts 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
Arrow Signs 42085 Vandamere Ct. Temecula, CA. 92592	3	100%	Construction Area Sign.
	12 Partial	1.9%	Street Sweeping
	20	100%	Reset Roadside Sign
	77	100%	Furnish single sheet Aluminum .063" Unframed
	78	100%	Furnish single sheet Alum. .063" Framed
	79	100%	Furnish single sheet Alum. .080" Framed
	80	100%	Roadside Sign - One post
	81	100%	Roadside Sign - Two post
	82	100%	Install sign (Strap & Saddle Bracket method)
Cecilia's Safety Serv. P.O. Box 970 Solano Beach, CA. 92075	4	100%	Traffic Control System
	6	100%	Portable Changeable Message Sign
Cal Stripe Inc. 2040 East Steel Road Colton, CA. 92324	2	100%	Lead Compliance Plan
	5	100%	Temporary Pavement Marking
	16	100%	Remove Painted Stripe
	17	100%	Remove Painted Marking
	18	100%	Remove Thermo Marking
	89	100%	Paint Traffic Stripe (1-Coat)
	90	100%	4" Thermo Traffic Stripe (EWNW)
	91	100%	Thermo Crosswalk & Marking
	92	100%	Pavement Marker (Retroreflective)
James Transportation Group 1120 Iron Point Road, Ste 120 Folsom, CA. 95630	7	100%	Jobsite Management
	8	100%	Prepare Water Pollution Control Program
A.C. Dike Co. 2788 Ventura Dr. Lincoln, CA. 95648	70	100%	Place Hot Mix Asphalt Dike (Type E)

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STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

BIDDER'S BOND

DES-OE-0102.3 (REV 3/2008)

Contract No. 11-294804

Bond No. Not Applicable

We DESERT CONCEPTS CONSTRUCTION, INC., 77-770 Country Club Drive, Suite D, Palm Desert, California 92211

as Principal, and

THE OHIO CASUALTY INSURANCE COMPANY

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

THE CONDITION OF THIS OBLIGATION IS SUCH, THAT:

WHEREAS, the Principal is submitting a bid to the Obligee, for Construction on State Highway in Imperial County at

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

Andrade from Mexico Border to 0.4 Mile North of Mexico Border, District-County-Route-Post Mile: *

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

(Insert place where bids will be opened)

on October 24, 2013

(Insert date of bid opening)

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

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

Dated: October 24, 20 13.

Correspondence or claims relating to this bond should be sent to the surety at the following address: 7800 South Elati Street
Suite 100
Littleton, Colorado 80120

DESERT CONCEPTS CONSTRUCTION, INC.

By _____
Principal

THE OHIO CASUALTY INSURANCE COMPANY
Surety

By Diane M Nielsen
Attorney-in-Fact

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }
County of Riverside }

On this 10/24/13 *Date* before me, Linda Rocha, Notary Public *Here Insert Name and Title of the Officer*,

personally appeared Diane M. Nielsen *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)

LINDA ROCHA
Commission # 1958006
Notary Public - California
Riverside County
My Comm. Expires Nov 20, 2015

WITNESS my hand and official seal.

Signature Linda Rocha
Signature of Notary Public

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*11-Imp-186-0.0/0.4, Federal aid project No. ACSTP-P186(004)E - Construction Bicycle and Pedestrian Facilities

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND. 5200716

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

Certificate No. _____

American Fire and Casualty Company
The Ohio Casualty Insurance Company
West American Insurance Company
Liberty Mutual Insurance Company
Peerless Insurance Company

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That American Fire & Casualty Company and The Ohio Casualty Insurance Company are corporations duly organized under the laws of the State of Ohio, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, that Peerless Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, **DIANE M. NIELSEN, MATT SCOTT COSTELLO,** .....

.....

.....

all of the city of **PALM DESERT**, state of **CALIFORNIA** each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this **27th** day of **February**, **2012**.

American Fire and Casualty Company
The Ohio Casualty Insurance Company
Liberty Mutual Insurance Company
Peerless Insurance Company
West American Insurance Company

By: _____
Gregory W. Davenport, Assistant Secretary

STATE OF WASHINGTON ss
COUNTY OF KING

On this **27th** day of **February**, **2012**, before me personally appeared Gregory W. Davenport, who acknowledged himself to be the Assistant Secretary of American Fire and Casualty Company, Liberty Mutual Insurance Company, The Ohio Casualty Company, Peerless Insurance Company and West American Insurance Company, and that he, as such, being authorized so to do, execute 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 have hereunto subscribed my name and affixed my notarial seal at Seattle, Washington, on the day and year first above written.

By: _____
KD Riley , Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, West American Insurance Company and Peerless Insurance Company, which resolutions are now in full force and effect reading as follows:

ARTICLE IV – OFFICERS – Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII – Execution of Contracts – SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation – The President of the Company, acting pursuant to the Bylaws of the Company, authorizes Gregory W. Davenport, Assistant Secretary to appoint such attorney-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization – By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and biding upon the Company with the same force and effect as though manually affixed.

I, David M. Carey, the undersigned, Assistant Secretary, of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, West American Insurance Company and Peerless Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full 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 24th day of October, 2013.

By: _____
David M. Carey, Assistant Secretary

POA - AFCC, LMIC, OCIC, PIC & WAIC
LMS_12873_012012

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

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

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Riverside

On 10/24/13 (Date) before me, Linda Rocha, Notary Public (Here Insert Name and Title of the Officer),

personally appeared Julio Castro (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.

LINDA ROCHA
Commission # 1958006
Notary Public - California
Riverside County
My Comm. Expires Nov 20, 2015

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 Linda Rocha (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: Bidders Bond

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
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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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: **Desert Concepts Construction, Inc.** Contract No. **11 - 294804**

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

Date: **10/24/13** 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

SMALL BUSINESS STATUS

DES-OE-0102.4 (REV 3/2008)

CONTRACT NO. 11 - 294804

Are you certified as a "Small Business" by the Office of Small Business and DVBE Services of the Department of General Services of the State of California? Check one:

☐ Yes: Certification number? _____ ☒ No

Note: This small business questionnaire is included for statistical reporting only.

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

CERTIFICATIONS

FEDERAL-AID PROJECTS DISCLOSURE OF LOBBYING ACTIVITIES CERTIFICATION

Bidder certifies, to the best of his or her knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities," in conformance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 USC § 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Bidder also agrees by submitting a bid that it must require the language of this certification be included in subcontracts over $100,000 and these subcontractors shall certify and disclose.

INSTRUCTIONS FOR COMPLETION OF SF-LLL,

DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence, the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last, previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitments for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.
    (b) Enter the full names of the individual(s) performing services and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

DISCLOSURE OF LOBBYING ACTIVITIES

Approved by OMB

0348-0046

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

1. Type of Federal Action:	2. Status of Federal Action:	3. Report Type:
[a] a. contract	[a] a. bid/offer/application	[a] a. initial
b. grant	b. initial award	b. material change
c. cooperative agreement	c. post-award	For Material Change Only:
d. loan		year _____ quarter _____
e. loan guarantee		date of last report _____
f. loan insurance		

4. Name and Address of Reporting Entity: [X] Prime [ ] Subawardee Tier_____, *if known* Congressional District, *if known*:	5. If Reporting Entity in No. 4 is Subawardee Enter Name and Address of Prime: Congressional District, *if known:*
6. Federal Department/Agency:	7. Federal Program Name/Description: CFDA Number, if applicable _____
8. Federal Action Number, *if known*:	9. Award Amount, *if known*: $
10 a. Name and Address of Lobby Registrant (*if individual, last name, first name, MI*): **Desert Concepts Construction,Inc.** **77-770 Country Club Dr, Ste. D.** **Palm Desert, CA. 92211**	b. Individuals Performing Services (*including address if different from No. 10a*) (*last name, first name, MI*):
11. Information requested through this form is authorized by Title 31 U.S.C. Section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.	Signature: _____ Print Name: Julio Castro Title: President Telephone No.: 760-200-9007 Date: 10/24/13
Federal Use Only:	Authorized for Local Reproduction Standard Form - LLL (Rev. 7-97)

EQUAL EMPLOYMENT OPPORTUNITY REGULATION CERTIFICATION

Bidder **Desert Concepts**, proposed subcontractor **All Subs**, certifies that he [x] has [ ] has not participated in a previous contract or subcontract subject to the equal opportunity clauses, as required by Executive Orders 10925, 11114, or 11246, and that, if required, he has filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the filing requirements.

Notes:

- The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7(b) (1)), and must be submitted by bidders and proposed subcontractors only in connection with contracts and subcontracts which are subject to the equal opportunity clause. Contracts and subcontracts which are exempt from the equal opportunity clause are set forth in 41 CFR 60-1.5. (Generally only contracts or subcontracts of $10,000 or under are exempt.)
- Currently, Standard Form 100 (EEO-1) is the only report required by the Executive Orders or their implementing regulations.
- Prime contractors and subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note 41 CFR 60-1.7(b) (1) prevents the award of contracts and subcontracts unless the Contractor submits a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor.

TITLE 49, CODE OF FEDERAL REGULATIONS, PART 29, DEBARMENT AND SUSPENSION CERTIFICATION

Bidder, under penalty of perjury, certifies that, except as noted below, it or any other person associated therewith in the capacity of owner, partner, director, officer, manager:

- is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;
- has not been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past 3 years;
- does not have a proposed debarment pending; and
- has not been indicted, convicted, or had a civil judgement rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

If there are any exceptions to this certification, insert the exceptions in the following space.

Exceptions will not necessarily result in denial of award, but will be considered in determining bidder responsibility. For any exception noted above, indicate below to whom it applies, initiating agency, and dates of action.

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 **Riverside**

Regina Castro, being first duly sworn, deposes and says that he or she is

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

CHILD SUPPORT COMPLIANCE ACT

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

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

NATIONAL LABOR RELATIONS BOARD

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

VIOLATION OF LAW OR A SAFETY REGULATION

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

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

☐ Yes ☒ No If the answer is yes, explain the circumstances in the following space.

ANTITRUST LAW

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

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

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

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

BIDDER RESPONSIBILITY QUESTIONNAIRE

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

1. Within the past 10 years, has the Bidder been found to be a 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