



BID

FOR CONSTRUCTION ON STATE HIGHWAY IN SAN DIEGO COUNTY AT VARIOUS
LOCATIONS

In District 11 On Route 5, 8, 67, 94, 163

Under

Notice to Bidders and Special Provisions dated April 2, 2013

Standard Specifications dated 2010

Project plans approved February 25, 2013

Standard Plans dated 2010

Identified by

Contract No. 11-2M1504

11-SD-5, 8, 67, 94, 163-Var

Project ID 1112000123

Electronic Advertising Contract

Bids open Thursday, May 2, 2013

Dated April 2, 2013
AADD



E-3
S/c

CONTRACT NO. 11 - 2M1504

NAME OF BIDDER WIER CONST. CORP.
BUSINESS P.O. BOX 2255 BARHAM DR.
CITY, STATE, ZIP ESCONDIDO, CA. 92029
BUSINESS STREET ADDRESS 2255 BARHAM DR.
(Include even if P.O. Box used)
CITY, STATE, ZIP ESCONDIDO, CA. 92029
TELEPHONE NO: AREA CODE (760) 743 6776
FAX NO: AREA CODE (760) 746 5224
CONTRACTOR LICENSE NO. 481419 A, B, C, C27

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

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

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

For a cost plus time based bid on a contract with a plant establishment period, Bidder additionally agrees to perform the non-plant establishment work within the number of working days bid for non-plant establishment work.
2. For a lump sum based bid, Bidder submits this bid with a total price in the total bid space provided on the Bid Item List. For a unit price or cost plus time based bid, Bidder submits this bid with a unit price and the item total (the product of the unit price and the quantity) for each item and a total price (the sum of the item totals) in the spaces provided on the attached Bid Item List. For a unit price with additive item based bid, Bidder submits this bid with a unit price and an item total for each item and a total base bid (the sum of the item totals) and the additive items in the spaces provided on the attached Bid Item List. Additionally, for a cost plus time based bid, Bidder submits this bid with working days bid for non-plant establishment work, total bid for time, and total bid for bid comparison in the spaces provided on the Bid Item List. Bidder agrees:
 - 2.1. If a discrepancy between the unit price and the item total exists, the unit price prevails except:
 - 2.1.1. If the unit price is illegible, omitted, or the same as the item total, item total prevails and the unit price is the quotient of the item total and the quantity.
 - 2.1.2. If a decimal error is apparent in the product of the unit price and the quantity, the Department will use either the unit price or item total based on the closest by percentage to the unit price or item total in the Department's Final Estimate.
 - 2.2. If the unit price and the item total are illegible or are omitted, the bid may be determined nonresponsive. If a lump sum total price is illegible or is omitted, the bid may be determined nonresponsive.
 - 2.3. Bids on lump sum items are item totals. If a unit price for a lump sum item is entered and it differs from the item total, the item total prevails.
 - 2.4. Entries are to be expressed in dollars or decimal fractions of a dollar. Symbols such as commas and dollar signs are ignored and have no significance in establishing unit price or item total.
 - 2.5. Unit prices and item totals are interpreted by the number of digits and decimal placement. Do not round item totals or the total bid.

- 2.6. For a lump sum based bid, the item total is the bid amount the Department uses for bid comparison.
For a unit price based bid, the sum of the item totals is the bid amount the Department uses for bid comparison.
For a cost plus time based bid, the sum of the item totals and the total bid for time is the bid amount the Department uses for bid comparison.
- 2.7. The Department's decision on the bid amount is final.

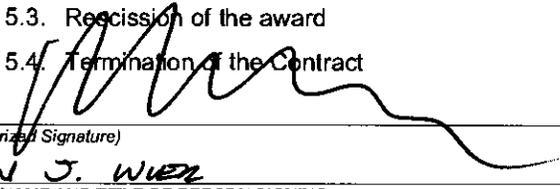
3. Bidder has and acknowledges the following addenda:

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

Cash \$ _____, Cashiers Check, Certified Check, Bidder's Bond

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

- 5.1. Criminal prosecution
- 5.2. Rejection of the bid
- 5.3. Rescission of the award
- 5.4. Termination of the Contract

X 

BY (Authorized Signature)

BRIAN J. WIED
PRINTED NAME AND TITLE OF PERSON SIGNING

DATE SIGNED (Do not type)

5/2/13

BID ITEM LIST

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
1	070030	LEAD COMPLIANCE PLAN	LS	LUMP SUM	LUMP SUM	2,280
2	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	17,100
3	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	121,800
4	128651	PORTABLE CHANGEABLE MESSAGE SIGN (EA)	EA	2	4,320	8,640
5	130100	JOB SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	2,400
6	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	LUMP SUM	840
7	141101	REMOVE YELLOW PAINTED TRAFFIC STRIPE (HAZARDOUS WASTE)	LF	3,130	1.20	3,756
8	150100	PUBLIC SAFETY PLAN	LS	LUMP SUM	LUMP SUM	1,800
9	150312	REPAIR SPALLED SURFACE AREA	SQFT	27	96	2,592
10	150711	REMOVE PAINTED TRAFFIC STRIPE	LF	31,300	.60	18,780
11	150712	REMOVE PAINTED PAVEMENT MARKING	SQFT	40	2.40	96
12	150714	REMOVE THERMOPLASTIC TRAFFIC STRIPE	LF	1,550	1.20	1,860
13	150715	REMOVE THERMOPLASTIC PAVEMENT MARKING	SQFT	820	2.40	1,968
14	150720	REMOVE CONTRAST TREATMENT	SQFT	2,070	2.40	4,968
15	044250	REMOVE POLYESTER CONCRETE DECK SURFACE	SQFT	1,780	3.60	6,408
16	153225	PREPARE CONCRETE BRIDGE DECK SURFACE	SQFT	366,210	.12	43,945.20
17	153227	FURNISH POLYESTER CONCRETE OVERLAY	CF	148	97.20	14,385.60
18 (F)	153228	PLACE POLYESTER CONCRETE OVERLAY	SQFT	1,780 ^{2.40}	68 2.40	4,272.00
19 (F)	153233	TREAT BRIDGE DECK	SQFT	364,430	.36	131,194.80
20	153234	FURNISH BRIDGE DECK TREATMENT MATERIAL	GAL	4,575	54 36	247,050 256,200

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
21	157560	BRIDGE REMOVAL (PORTION)	LS	LUMP SUM	LUMP SUM	3,000
22	511118	CLEAN EXPANSION JOINT	LF	3,910	6	23,460
23	519081	JOINT SEAL (MR 1/2")	LF	2,330	21.60	50,328
24	519091	JOINT SEAL (MR 1 1/2")	LF	594	42	24,948
25	519100	JOINT SEAL (MR 2")	LF	96	72	6,912
26	519102	JOINT SEAL (TYPE AL)	LF	890	14.40	12,816
27 (F)	550102	STRUCTURAL STEEL (BRIDGE)	LB	820	18	14,760
28	044251	HEAT STRAIGHTEN STEEL GIRDER	LS	LUMP SUM	LUMP SUM	12,000
29	590115	CLEAN AND PAINT STRUCTURAL STEEL	LS	LUMP SUM	LUMP SUM	42,000
30	590135	SPOT BLAST CLEAN AND PAINT UNDERCOAT	SQFT	20	360 900	7,200
31	840516	THERMOPLASTIC PAVEMENT MARKING (ENHANCED WET NIGHT VISIBILITY)	SQFT	820	6	4,920
32	840655	PAINT TRAFFIC STRIPE (1-COAT)	LF	17,900	.42	7,518
33	846001	4" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY)	LF	19,700	1.25	24,625
34	846004	4" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY) (BROKEN 17-7)	LF	900	1.80	1,620
35	846005	4" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY) (BROKEN 36-12)	LF	6,880	.98	6,742
36	846009	8" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY)	LF	660	3.60	2,376
37	846010	8" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY) (BROKEN 12-3)	LF	600	2.56	1,536
38	850101	PAVEMENT MARKER (NON-REFLECTIVE)	EA	470	10	4,700
39	850111	PAVEMENT MARKER (RETROREFLECTIVE)	EA	490	10	4,900
40	860090	MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION	LS	LUMP SUM	LUMP SUM	3,100

51,736.80
CSU
18,000
CSU

6742 40 →

E-3
SLC

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
41	999990	MOBILIZATION	LS	LUMP SUM	LUMP SUM	88,560

TOTAL BID:

1,014,343.80
\$ 993,807.00

SUBCONTRACTOR LIST

DES-OE-0102.2 (REV 3/2011)

Bidder Name: Wier Const. Corp

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
DIVERSEIFIED CONC CUTTING. SPARK SPARKS, NEVADA	16	100%	PREPARE BRIDGE DECK PREPARE BRIDGE DECK
- ABRASIVE BLASTING SERVICE, RIVERSIDE, CA	17, 10-14	100%	STRIPES REMOVAL
+ SLS CONST. INC., SANTEE, CA	6	100%	RE WPCP PLAN
CERTIFIED COATINGS, FAIRFIELD, CA	29, 30	100%	CLEAN + PAINT STRUC. STEEL
+ ? CAROLINO CAROLINO NATIONALITY, CA	2, 3 CSW	100% to CSW 71%	CONST. AREA STOPS / TRAFFIC CONTROL CSW
- ? PACIFIC COAST PHELAN, CA	31-39	100%	STRIPING

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.



Department of
General Services

BUILDING GREEN BUYING GREEN WORKING GREEN

WIER CONSTRUCTION CORPORATION - #13355

SUPPLIER PROFILE			
Legal Business Name	WIER CONSTRUCTION CORPORATION		
Doing Business As	WIER CONSTRUCTION CORPORATION		
Address	2255 BARHAM DR ESCONDIDO, CA 92029	Phone	(760) 743-6776
		FAX	(760) 746-5224
Email	cjw@wierconstruction.com		
Business Types	Construction		
Service Areas	Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Imperial, Inyo, Kern, Kings, Lake, Lassen, Los Angeles, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Mono, Monterey, Napa, Nevada, Orange, Placer, Plumas, Riverside, Sacramento, San Benito, San Bernardino, San Diego, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Ventura, Yolo, Yuba,		
Keywords	GENERAL BUILDING CONTRACTOR GENERAL ENGINEERING STRUCTURAL CONCRETE FOUNDATIONS INFRASTRUCTURE LANDSCAPING FRAMING ESTIMATING CONSTRUCTION PROJECT MANAGEMENT UNDERGROUND UTILITIES WATER SEWER STORM DRAIN GRADING HEAVY HIGHWAY PEAK DEMAND POWER PLANTS		
Construction License Types	A - General Engineering B - General Building Contractor C-08 - Concrete C-27 - Landscaping HAZ - Hazardous Substance Removal Certification		
Classifications	721211 - Commercial and office building construction services 721411 - Infrastructure building and surfacing and paving services 721527 - Concrete installation and repair services 801016 - Project management		

Active Certifications

TYPE	STATUS	FROM	TO
SB	Approved	Mar 27, 2013	Mar 31, 2014

Certification History

TYPE	STATUS	FROM	TO
SB	Expired	Mar 7, 2012	Mar 31, 2013
SB	Expired	Jan 31, 2011	Feb 29, 2012
SB	Expired	Nov 3, 2009	Jan 31, 2011
SB	Expired	Mar 21, 2008	Nov 30, 2009
SB	Denied	Mar 13, 2008	Mar 13, 2008
SB	Expired	Apr 27, 2007	Apr 30, 2008
SB	Expired	Feb 6, 2006	Apr 30, 2007
SB	Expired	Jan 12, 2005	Feb 28, 2006
SB	Expired	May 18, 2000	Apr 30, 2003
SB	Denied	Oct 31, 1997	Oct 31, 1997

REQUEST FOR SMALL BUSINESS PREFERENCE OR NON-SMALL BUSINESS PREFERENCE

DES-OE-0102.7 (REV 02/2010)

CONTRACT NO. 11 - 2M1504

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: 13355

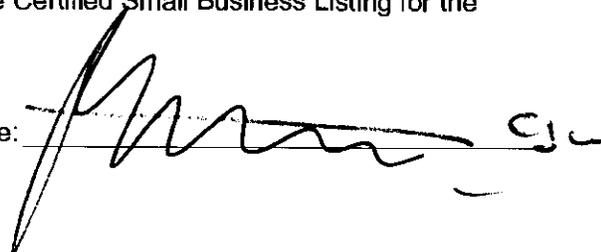
Date: 5/2/13

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: 

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CALIFORNIA COMPANY PREFERENCE

DES-OE-0102.9 (REV 11/2008)

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

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

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

or

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

Name of State: _____

or

I am a California company which has its principal place of business in a state in which there is a local contractor preference and my company has paid not less than \$5,000 in sales or use taxes to California for construction related activity for each of the 5 years immediately preceding the submission of the bid.

Name of State: _____

California Sales or Use Tax No.: _____

or

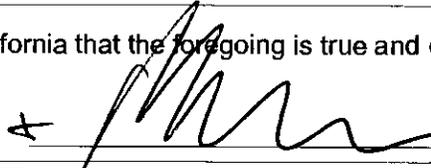
The undersigned certifies that it is not a "California company." (Check box and enter requested information.)

I am not a California company. My principal place of business is in _____
(Enter state or country)

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

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

Date: 5/2/13

Signature of Bidder: 

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We Wier Construction Corporation

as Principal, and

Philadelphia Indemnity 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 San Diego County at various locations

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

Clean and treat bridge decks with methacrylate and repair joint seals

for which bids are to be opened at

Irvine, California

(insert place where bids will be opened)

on May 2, 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: April 23, 2013

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

251 S. Lake Ave., Suite 360
Pasadena, CA 91101

Wier Construction Corporation

(Signature)
Principal

Philadelphia Indemnity Insurance Company

(Signature)
By Dana Michaelis

Attorney-in-Fact

Dana Michaelis
Attorney-in-Fact

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of San Diego

On this April 23, 2013 before me, Pam Davis, Notary Public

(Here insert Name and Title of the Officer)

personally appeared Dana Michaelis

(Name(s) of Signer(s))

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

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

WITNESS my hand and official seal.

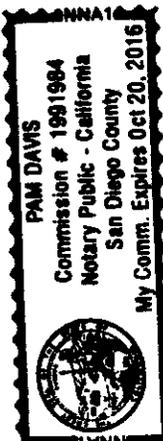
Signature

(Signature)

(Signature of Notary Public)

(SEAL)

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PHILADELPHIA INDEMNITY INSURANCE COMPANY

231 St. Asaph's Rd., Suite 100
Bala Cynwyd, PA 19004-0950

Power of Attorney

KNOW ALL PERSONS BY THESE PRESENTS: that **PHILADELPHIA INDEMNITY INSURANCE COMPANY** (the Company), a corporation organized and existing under the laws of the Commonwealth of Pennsylvania, does hereby constitute and appoint: **CYNDI BEILMAN, ANNE WRIGHT AND DANA MICHAELIS OF SURETY ASSOCIATES OF SOUTHERN CALIFORNIA INSURANCE SERVICES** its true and lawful Attorney(s) in fact with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an amount not to exceed \$5,000,000.00.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of PHILADELPHIA INDEMNITY INSURANCE COMPANY at a meeting duly called the 1st day of July, 2011.

RESOLVED: That the Board of Directors hereby authorizes the President or any Vice President of the Company to: (1) Appoint Attorney(s) in Fact and authorize the Attorney(s) in Fact to execute on behalf of the Company bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and to attach the seal of the Company thereto; and (2) to remove, at any time, any such Attorney-in-Fact and revoke the authority given. And, be it

FURTHER RESOLVED: That the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with the respect to any bond or undertaking to which it is attached.

IN TESTIMONY WHEREOF, PHILADELPHIA INDEMNITY INSURANCE COMPANY HAS CAUSED THIS INSTRUMENT TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY ITS AUTHORIZED OFFICE THIS 15TH DAY OF NOVEMBER 2012.

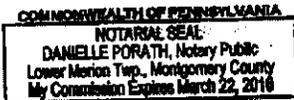


(Seal)

President

Sean S. Sweeney, President
Philadelphia Indemnity Insurance Company

On this 15th day of November 2012, before me came the individual who executed the preceding instrument, to me personally known, and being by me duly sworn said that he is the therein described and authorized officer of the **PHILADELPHIA INDEMNITY INSURANCE COMPANY**; that the seal affixed to said instrument is the Corporate seal of said Company; that the said Corporate Seal and his signature were duly affixed.



Notary Public:

residing at:

Bala Cynwyd, PA

(Notary Seal)

My commission expires:

March 22, 2016

I, Craig P. Keller, Executive Vice President, Chief Financial Officer and Secretary of PHILADELPHIA INDEMNITY INSURANCE COMPANY, do hereby certify that the foregoing resolution of the Board of Directors and this Power of Attorney issued pursuant thereto are true and correct and are still in full force and effect. I do further certify that Sean S. Sweeney, who executed the Power of Attorney as President, was on the date of execution of the attached Power of Attorney the duly elected President of PHILADELPHIA INDEMNITY INSURANCE COMPANY,

In Testimony Whereof I have subscribed my name and affixed the facsimile seal of each Company this 23rd day of April 2013.



Craig P. Keller, Executive Vice President, Chief Financial Officer & Secretary
PHILADELPHIA INDEMNITY INSURANCE COMPANY

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: _____

Contract No. _____

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

Date: _____

Signature: _____

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CERTIFICATIONS

UNDOCUMENTED ALIENS EMPLOYMENT

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

NONCOLLUSION

NONCOLLUSION AFFIDAVIT TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

Under PCC 7106 and 23 USC 112, the bidder declares as follows:

State of California County of SAN DIEGO
BRIAN WIER

~~WIER CONST. CORP.~~ CSU, being first duly sworn, deposes and says that he or she is

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

CHILD SUPPORT COMPLIANCE ACT

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

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

NATIONAL LABOR RELATIONS BOARD

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

VIOLATION OF LAW OR A SAFETY REGULATION

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

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

Yes

No

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

ANTITRUST LAW

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

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

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

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

BIDDER RESPONSIBILITY QUESTIONNAIRE

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

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

END CERTIFICATIONS