



Caltrans[®]

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

BID

FOR CONSTRUCTION ON STATE HIGHWAY IN SAN DIEGO COUNTY IN SAN DIEGO
FROM MISSION BAY DRIVE OVERCROSSING TO 0.5 MILE SOUTH OF LA JOLLA
PARKWAY VIADUCT

In District 11 On Route 5

Under

Notice to Bidders and Special Provisions dated June 3, 2013

Standard Specifications dated 2010

Project plans approved April 2, 2013

Standard Plans dated 2010

Identified by

Contract No. 11-404304

11-SD-5-R23.9/R25.5

Project ID 1100020014

Federal-Aid Project

ACHSNHPIG-005-1(624)E

Electronic Advertising Contract

Bids open Thursday, July 11, 2013

Dated June 3, 2013
AADD



146

CM

CONTRACT NO. 11-404304

NAME OF BIDDER LB CIVIL CONSTRUCTION

BUSINESS P.O. BOX _____

CITY, STATE, ZIP _____

BUSINESS STREET ADDRESS 11585 SORRENTO VALLEY RD #104
(Include even if P.O. Box used)

CITY, STATE, ZIP SAN DIEGO, CA 92121

TELEPHONE NO: AREA CODE (858) 481-5222

FAX NO: AREA CODE (858) 481-5010

CONTRACTOR LICENSE NO. B88696

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

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)

7-25-13

PRINTED NAME AND TITLE OF PERSON SIGNING

JAMES LUMM

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	1500
2	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	3000
3	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	50000
4	120159	TEMPORARY TRAFFIC STRIPE (PAINT)	LF	50,800	0.45	22860
5	120300	TEMPORARY PAVEMENT MARKER	EA	3,100	3.50	10850
6	128651	PORTABLE CHANGEABLE MESSAGE SIGN (EA)	EA	3	7500	22500
7	129000	TEMPORARY RAILING (TYPE K)	LF	7,640	13	99320
8	025794	TEMPORARY CRASH CUSHION (TYPE QUADGUARD CZ)	EA	1	5000	5000
9	130100	JOB SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	6000
10	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	LUMP SUM	800
11	130620	TEMPORARY DRAINAGE INLET PROTECTION	EA	3	350	1050
12	130710	TEMPORARY CONSTRUCTION ENTRANCE	EA	2	6000	12000
13	130900	TEMPORARY CONCRETE WASHOUT	LS	LUMP SUM	LUMP SUM	2500
14	141120	TREATED WOOD WASTE	LB	8,440	0.30	2532
15	150608	REMOVE CHAIN LINK FENCE	LF	5,800	2.50	14500
16	150662	REMOVE METAL BEAM GUARD RAILING	LF	450	7	3150
17	150685	REMOVE IRRIGATION FACILITY	LS	LUMP SUM	LUMP SUM	7500
18	150711	REMOVE PAINTED TRAFFIC STRIPE	LF	26,800	0.80	21440
19	150714	REMOVE THERMOPLASTIC TRAFFIC STRIPE	LF	530	1.20	636
20	151572	RECONSTRUCT METAL BEAM GUARD RAILING	LF	480	27	12960

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BID ITEM LIST
11-404304

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
21	152356	RELOCATE IRRIGATION FACILITIES	LS	LUMP SUM	LUMP SUM	4500
22	153130	REMOVE CONCRETE CURB (LF)	LF	85	25	2125
23	160102	CLEARING AND GRUBBING (LS)	LS	LUMP SUM	LUMP SUM	18000
24	190101	ROADWAY EXCAVATION	CY	3,080	35	107800
25	190107	ROADWAY EXCAVATION (TYPE Y-1) (AERIALY DEPOSITED LEAD)	CY	1,470	25	36750
26	200002	ROADSIDE CLEARING	LS	LUMP SUM	LUMP SUM	5000
27	BLANK					
28	BLANK					
29	202011	MULCH	CY	170	70	11900
30	202035	FERTILIZER (PACKET)	EA	510	2.50	1275
31	202036	SLOW RELEASE OR CONTROLLED RELEASE FERTILIZER	LB	230	5.50	1265
32 (F)	204008	PLANT (GROUP H)	EA	18,905	0.60	11343
33	204036	PLANT (GROUP B)	EA	260	33.00 33.00	8580
34	204096	MAINTAIN EXISTING PLANTED AREAS	LS	LUMP SUM	LUMP SUM	3500
35	204099	PLANT ESTABLISHMENT WORK	LS	LUMP SUM	LUMP SUM	14500
36	206400	CHECK AND TEST EXISTING IRRIGATION FACILITIES	LS	LUMP SUM	LUMP SUM	4500
37	206401	MAINTAIN EXISTING IRRIGATION FACILITIES	LS	LUMP SUM	LUMP SUM	3500
38	206560	CONTROL AND NEUTRAL CONDUCTORS	LS	LUMP SUM	LUMP SUM	27000
39	206602	1" ELECTRIC REMOTE CONTROL VALVE	EA	2	400	800
40	206604	1 1/2" ELECTRIC REMOTE CONTROL VALVE	EA	15	425	6375

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BID ITEM LIST
11-404304

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
41	208301	IRRIGATION CONTROLLER ENCLOSURE CABINET	EA	1	4000	4000
42	BLANK					
43	208459	SPRINKLER (TYPE A-11)	EA	68	145	9860
44	208465	SPRINKLER (TYPE A-5)	EA	46	145	6670
45	208467	SPRINKLER (TYPE A-7)	EA	4	145	580
46	208471	SPRINKLER (TYPE B-1)	EA	86	40	3440
47	208482	SPRINKLER (TYPE C-2)	EA	320	55	17600
48	208565	REPLACE VALVE BOX COVER	EA	36	33	1188
49	208572	1" GATE VALVE	EA	2	220	440
50	208574	1 1/2" GATE VALVE	EA	5	330	1650
51	208575	2" GATE VALVE	EA	8	350	2800
52	208576	2 1/2" GATE VALVE	EA	3	440	1320
53	208588	3" GATE VALVE	EA	2	550	1100
54 (F)	208595	1" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)	LF	4,455	3	13365
55 (F)	208596	1 1/4" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)	LF	2,730	3.50 9.555	9555
56 (F)	208597	1 1/2" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)	LF	1,690	4	6760
57 (F)	208598	2" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)	LF	800	4.50	3600
58 (F)	208599	2 1/2" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)	LF	1,400	5	7000
59 (F)	208600	3" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)	LF	7,595	7	53165
60	208906	EXTEND 8" CONDUIT	LF	42	450	18900

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Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
61	209202	RECYCLED WATER WARNING SIGNS	LS	LUMP SUM	LUMP SUM	1500
62	260203	CLASS 2 AGGREGATE BASE (CY)	CY	700	50	35000
63	374002	ASPHALTIC EMULSION (FOG SEAL COAT)	TON	1.1	2500	2750
64	390132	HOT MIX ASPHALT (TYPE A)	TON	1,130	100	113000
65	394053	SHOULDER RUMBLE STRIP (HMA,GROUND-IN INDENTATIONS)	STA	63	75	4725
66	394076	PLACE HOT MIX ASPHALT DIKE (TYPE E)	LF	85	48	4080
67	397005	TACK COAT	TON	1.6	1500	2400
68	490601	16" CAST-IN-DRILLED-HOLE CONCRETE PILING	LF	7,290	60	437400
69 (F)	025795	STRUCTURAL CONCRETE, JUNCTION STRUCTURE	CY	12	1400	16800
70 (F)	510502	MINOR CONCRETE (MINOR STRUCTURE)	CY	24	2400	57600
71	620100	18" ALTERNATIVE PIPE CULVERT	LF	7	325	2275
72	620140	24" ALTERNATIVE PIPE CULVERT	LF	790	85	67150
73	690964	18" PLASTIC PIPE DOWNDRAIN	LF	19	270	5130
74	721028	ROCK SLOPE PROTECTION (NO. 2, METHOD B) (CY)	CY	2.2	1800	3960
75	721420	CONCRETE (DITCH LINING)	CY	14	325	4550
76	729011	ROCK SLOPE PROTECTION FABRIC (CLASS 8)	SQYD	10	65	650
77 (F)	750001	MISCELLANEOUS IRON AND STEEL	LB	4,689	2	9378
78	800360	CHAIN LINK FENCE (TYPE CL-6)	LF	5,770	13	75010
79	802501	4' CHAIN LINK GATE (TYPE CL-6)	EA	8	800	6400
80	820118	GUARD RAILING DELINEATOR	EA	6	30	180

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BID ITEM LIST
11-404304

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
81	839701	CONCRETE BARRIER (TYPE 60)	LF	800	75	60000
82	025796	CONCRETE BARRIER (TYPE 60 MODIFIED)	LF	1,500	130	195000
83	025797	CONCRETE BARRIER (TYPE 736SV MODIFIED)	LF	5,300	150	795000
84	840655	PAINT TRAFFIC STRIPE (1-COAT)	LF	7,250	0.30	2175
85	846001	4" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY)	LF	15,600	0.38	5928
86	846005	4" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY) (BROKEN 36-12)	LF	27,300	0.32	8736
87	846009	8" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY)	LF	400	1	400
88	846010	8" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY) (BROKEN 12-3)	LF	1,650	0.70	1155
89	850101	PAVEMENT MARKER (NON-REFLECTIVE)	EA	2,280	1.30	2964
90	850111	PAVEMENT MARKER (RETROREFLECTIVE)	EA	850	3.30	2805
91	860090	MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION	LS	LUMP SUM	LUMP SUM	550
92	861088	MODIFY RAMP METERING SYSTEM	LS	LUMP SUM	LUMP SUM	65000
93	861503	MODIFY LIGHTING	LS	LUMP SUM	LUMP SUM	31000
94	BLANK					
95	597600	PREPARE AND PAINT CONCRETE	SQFT	53,700	1.10	59070
96	999990	MOBILIZATION	LS	LUMP SUM	LUMP SUM	132000

TOTAL BID:

\$ 2,943,525

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STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
SUBCONTRACTOR LIST
 DES-OE-0102.2 (REV 3/2011)

Bidder Name: LB CIVIL

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
PAYCO SPECIALTIES CHULAVISTA, CA	4, 5, 18, 19 84-90	100	STRIPING
REAL ESCAPE SPRING VALLEY, CA	17, 21, 29-41 43-60	100	LANDSCAPING
FENCECORP CLEANSIDE, CA	20, 78, 79 80	100	FENCING / MBGR
LEKOS ELECTRIC EL CAJON, CA	91, 92, 93	100	ELECTRICAL
CURTIS HOLE DRILLING SAN MARCOS, CA	68	68	CIDH
ACL CHINO HILLS, CA	81 82 83	46 29 25	CONCRETE BARRIER
SOLID STR LA MESA, CA	69 70	70 60	DRAINAGE STRUCTURES
HARDY & HARPER SANTA ANA, CA	63 64 67	100 90 100	ASPHALT
CNJ SCOTTSDALE, AZ	95	100	PAINTING

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STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
SUBCONTRACTOR LIST
DES-OE-0102.2 (REV 3/2011)

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INTEGRITY REBAR	81	13	REBAR
PERRIS, CA	82	14	
	83	20	

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REAL ESCAPE SPRING VALLEY, CA			LANDSCAPING
FENCECORP OCEANSIDE, CA			FENCING / MBGR
LEKOS EL CAJON, CA			ELECTRICAL
CURTIS DRILLING SAN MARCOS, CA			CIDH
ACL CHINO HILLS, CA			CONCRETE BARRIER
SOLID STRUCTURES LA MESA			DRAINAGE STRUCTURES
HARDY & HARPER SANTA ANA, CA			ASPHALT
CNJ ENTERPRISES SCOTTSDALE, AZ			PAINTING

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SUBCONTRACTOR LIST

DES-OE-0102.2 (REV 3/2011)

Bidder Name: **LB CIVIL**

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INTEGRITY REBAR PERRIS, CA			REBAR

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We LB Civil Construction, Inc.

11585 Sorrento Valley Road, Suite 104, San Diego, CA 92121

as Principal, and

The Guarantee Company of North America USA

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 Construct Outer Separation Barrier, Widen Shoulder, Modify Drainage
(Copy here the exact description of work, including location, as it appears on the proposal)

on State Highway in San Diego County in San Diego from Mission Bay Drive Overcrossing to 0.5 Mile South of La Jolla Parkway Viaduct for which bids are to be opened at 3347 Michelson Drive, Suite 100, Irvine, CA 92612

(insert place where bids will be opened)

on July 11, 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: July 5, 2013.

LB Civil Construction, Inc.

By: [Signature]

Principal

The Guarantee Company of North America USA

Surety

By [Signature]

Charlotte Aquino Attorney-in-Fact

Correspondence or claims relating to this bond should be sent to the surety at the following address: The Guarantee Company of North America USA
1800 Sutter St., Suite 880
Concord, CA 94520

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of San Diego }

On this July 5, 2013 before me, Janice R. Martin, Notary Public
Date Here insert Name and Title of the Officer

personally appeared Charlotte Aquino
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

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The Guarantee Company of North America USA
Southfield, Michigan

POWER OF ATTORNEY

KNOW ALL BY THESE PRESENTS: That **THE GUARANTEE COMPANY OF NORTH AMERICA USA**, a corporation organized and existing under the laws of the State of Michigan, having its principal office in Southfield, Michigan, does hereby constitute and appoint

Lawrence F. McMahon, Maria Vhanneza Gulse, Sarah Myers, Charlotte Aquino, James D. Castle, Jennifer L. Clampert, Janice Martin
Alliant Insurance Services, Inc.

its true and lawful attorney(s)-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise.

The execution of such instrument(s) in pursuance of these presents, shall be as binding upon **THE GUARANTEE COMPANY OF NORTH AMERICA USA** as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at the principal office.

The Power of Attorney is executed and may be certified so, and may be revoked, pursuant to and by authority of Article IX, Section 9.03 of the By-Laws adopted by the Board of Directors of **THE GUARANTEE COMPANY OF NORTH AMERICA USA** at a meeting held on the 31st day of December, 2003. The President, or any Vice President, acting with any Secretary or Assistant Secretary, shall have power and authority:

1. To appoint Attorney(s)-in-fact, and to authorize them to execute on behalf of the Company, and attach the Seal of the Company thereto, bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof; and
2. To revoke, at any time, any such Attorney-in-fact and revoke the authority given, except as provided below
3. In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.
4. In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner - Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

Further, this Power of Attorney is signed and sealed by facsimile pursuant to resolution of the Board of Directors of the Company adopted at a meeting duly called and held on the 6th day of December 2011, of which the following is a true excerpt:

RESOLVED that the signature of any authorized officer and the seal of the Company may be affixed by facsimile to any Power of Attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, contracts of indemnity and other writings obligatory in the nature thereof, and such signature and seal when so used shall have the same force and effect as though manually affixed.



IN WITNESS WHEREOF, **THE GUARANTEE COMPANY OF NORTH AMERICA USA** has caused this instrument to be signed and its corporate seal to be affixed by its authorized officer, this 23rd day of February, 2012.

THE GUARANTEE COMPANY OF NORTH AMERICA USA

Stephen C. Ruschak, Vice President

Randall Musselman, Secretary

STATE OF MICHIGAN
County of Oakland

On this 23rd day of February, 2012 before me came the individuals who executed the preceding instrument, to me personally known, and being by me duly sworn, said that each is the herein described and authorized officer of The Guarantee Company of North America USA; that the seal affixed to said instrument is the Corporate Seal of said Company; that the Corporate Seal and each signature were duly affixed by order of the Board of Directors of

Cynthia A. Takai
Notary Public, State of Michigan
County of Oakland
My Commission Expires February 27, 2018
Acting in Oakland County

IN WITNESS WHEREOF, I have hereunto set my hand at The Guarantee Company of North America USA offices the day and year above written.

I, **Randall Musselman**, Secretary of **THE GUARANTEE COMPANY OF NORTH AMERICA USA**, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by **THE GUARANTEE COMPANY OF NORTH AMERICA USA**, which is still in full force and effect.



IN WITNESS WHEREDF, I have thereunto set my hand and attached the seal of said Company this 5th day of July, 2013

Randall Musselman, Secretary

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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SMALL BUSINESS STATUS

DES-OE-0102.4 (REV 3/2008)

CONTRACT NO. 11-404304

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? 44949 No

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

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
CALTRANS BIDDER - DBE - COMMITMENT
 DES-OE-0102.10C (NEW 06/2012)

This information may be submitted with your bid proposal. If it is not, and you are the apparent low bidder or the second or third low bidder, it must be submitted and received as specified in section 2 of the specifications. Failure to submit the required DBE information will be grounds for finding the bid nonresponsive.

CONTRACT NO: _____

BID AMOUNT:

\$ _____

BID OPENING DATE: _____

BIDDER'S NAME: _____

DBE GOAL FROM CONTRACT, %: _____

DBE PRIME CONTRACTOR CERTIFICATION¹: _____

BID ITEM NO.	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED ²	FOR CALTRANS USE ONLY	NAME OF OBEs (Must be certified on the date bids are opened - include Caltrans certification #, DBE address and phone number) (indicate 2nd and lower tier subcontractors)	DOLLAR AMOUNT DBE ³

IMPORTANT: Identify all OBE firms being claimed for credit, regardless of tier. Names of the First Tier DBE Subcontractors and their respective item(s) of work listed above must be consistent, where applicable, with the names and items of work in the "Subcontractor List" submitted with your bid. Copies of the DBE quotes are required.

1. DBE prime contractors must enter their certification number and indicate all work to be performed by DBEs including work performed by its own forces.
2. If 100% of item is not to be performed or furnished by DBE, describe exact portion of item to be performed or furnished.
3. See section 2-1.12 of the specifications to determine the credit allowed for DBE firms.

Submit to:

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

Total Claimed Participation

\$ _____

%

Signature of Bidder _____

Date _____

(Area Code) Tel. No. _____

Person to Contact _____

(Please Type or Print)

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.

GOOD FAITH EFFORTS DOCUMENTATION - DBE

DES-OE-0102.11A (NEW 06/2012)

2. List the names of certified DBEs and the dates on which they were solicited to bid on this project. Include the items of work offered and the dates and methods used for following up initial solicitations to determine with certainty whether the DBEs were interested. Attach copies of solicitations, telephone records, fax confirmations, etc.

Name of DBEs Solicited	Date of Initial Solicitation	Item(s) of Work	Follow Up Methods and Dates

3. For each item of work made available, list the selected firm and its status as a DBE, the DBEs that provided quotes, the price quote for each firm, and the price difference for each DBE if the selected firm is not a DBE.

Item(s) of Work	Name of Selected Firm	DBE or non-DBE	Name of Rejected Firm	Quote (\$)	Price Difference (\$)

If the firm selected for the item is not a DBE, provide the reasons for the selection on a separate sheet and attach names, addresses, and phone numbers for the firms listed above.

GOOD FAITH EFFORTS DOCUMENTATION - DBE

DES-OE-0102.11A (NEW 06/2012)

4. List the names and dates of each publication in which a request for DBE participation for this project was placed by the bidder. Attach copies of published advertisements or proofs of publication:

Publications	Dates of Advertisement

5. List the names of agencies and the dates on which they were contacted to provide assistance in contacting, recruiting and using DBE firms. If the agencies were contacted in writing, provide copies of supporting documents.

Name of Agency	Date of Contact	Method of Contact	Results

6. List efforts made to provide interested DBEs with adequate information about the plans, specifications, and requirements of the contract to assist them in responding to a solicitation. Identify the DBE assisted, the information provided, and the date of contact. Provide copies of supporting documents.

7. List efforts made to assist interested DBEs in obtaining bonding, lines of credit, insurance, necessary equipment, supplies, materials, or related assistance or services, excluding supplies and equipment the DBE subcontractor purchases or leases from the prime contractor or its affiliate. Identify the DBE assisted, the assistance offered, and the date. Provide copies of supporting documents.

B. Include additional data to support a demonstration of good faith efforts.

NOTE: USE ADDITIONAL SHEETS OF PAPER IF NECESSARY.

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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

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

0348-0046

<p>1. Type of Federal Action:</p> <p><input type="checkbox"/> a. contract</p> <p>b. grant</p> <p>c. cooperative agreement</p> <p>d. loan</p> <p>e. loan guarantee</p> <p>f. loan insurance</p>	<p>2. Status of Federal Action:</p> <p><input type="checkbox"/> a. bid/offer/application</p> <p>b. initial award</p> <p>c. post-award</p>	<p>3. Report Type: N/A</p> <p><input type="checkbox"/> a. initial</p> <p>b. material change</p> <p>For Material Change Only:</p> <p>year _____ quarter _____</p> <p>date of last report _____</p>
<p>4. Name and Address of Reporting Entity:</p> <p><input type="checkbox"/> Prime <input type="checkbox"/> Subawardee</p> <p>Tier _____, <i>if known</i></p> <p>Congressional District, <i>if known</i>:</p>	<p>5. If Reporting Entity in No. 4 is Subawardee Enter Name and Address of Prime:</p> <p align="center">Congressional District, <i>if known</i>:</p>	
<p>6. Federal Department/Agency:</p>	<p>7. Federal Program Name/Description:</p> <p align="center">CFDA Number, if applicable _____</p>	
<p>8. Federal Action Number, if known:</p>	<p>9. Award Amount, if known:</p> <p align="center">\$ _____</p>	
<p>10 a. Name and Address of Lobby Registrant <i>(if individual, last name, first name, MI):</i></p>	<p>b. Individuals Performing Services (including address if different from No. 10a) <i>(last name, first name, MI):</i></p>	
<p><small>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.</small></p>	<p>Signature: <u>James Lumm</u></p> <p>Print Name: <u>JAMES LUMM</u></p> <p>Title: <u>PRESIDENT</u></p> <p>Telephone No.: <u>858-481-5222</u> Date: <u>7/25/13</u></p>	
<p>Federal Use Only:</p>		<p align="center">Authorized for Local Reproduction Standard Form - LLL (Rev. 7-97)</p>

EQUAL EMPLOYMENT OPPORTUNITY REGULATION CERTIFICATION

Bidder ✓ , proposed subcontractor _____, certifies that he 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 SAN DIEGO

JAMES LUMM, being first duly sworn, deposes and says that he or she is

PRESIDENT of LB CIVIL 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 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