

CONTRACT NO. 11 - 410704

NAME OF BIDDER Daley Corporation  
BUSINESS P.O. BOX 12570 Highway 67  
CITY, STATE, ZIP Lakeside, CA 92040-1159  
BUSINESS STREET ADDRESS \_\_\_\_\_  
(Include even if P.O. Box used)  
CITY, STATE, ZIP \_\_\_\_\_  
TELEPHONE NO: AREA CODE (619) 390-3900  
FAX NO: AREA CODE (619) 390-3901  
CONTRACTOR LICENSE NO. A-749445

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

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:

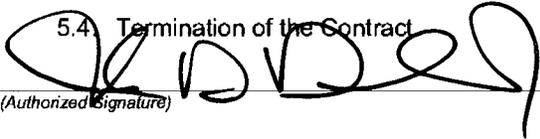
5.1. Criminal prosecution

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)

2-13-2013

PRINTED NAME AND TITLE OF PERSON SIGNING

JOHN H. DALEY, JR., PRESIDENT

**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	1300.00
2	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	3000.00
3	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	34,000
4	120199	TRAFFIC PLASTIC DRUM	EA	24	40.00	960.00
5	128651	PORTABLE CHANGEABLE MESSAGE SIGN (EA)	EA	2	2000.00	4000.00
6	129000	TEMPORARY RAILING (TYPE K)	LF	800	21.00	16,800.
7	129110	TEMPORARY CRASH CUSHION	EA	4	1100.	4400.
8	130100	JOB SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	14,000.
9	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	LUMP SUM	600.00
10	130620	TEMPORARY DRAINAGE INLET PROTECTION	EA	2	440.00	880.00
11	130900	TEMPORARY CONCRETE WASHOUT	LS	LUMP SUM	LUMP SUM	900.00
12	150662	REMOVE METAL BEAM GUARD RAILING	LF	150	9.50	1425.00
13	151572	RECONSTRUCT METAL BEAM GUARD RAILING	LF	1,470	22.00	32,340.00
14	190101	ROADWAY EXCAVATION	CY	1,490	40.00	59,600.00
15	374002	ASPHALTIC EMULSION (FOG SEAL COAT)	TON	2.3	1150.00	2645.00
16	390129	HOT MIX ASPHALT (TYPE C)	TON	2,920	131.00	382,520.00
17	390136	MINOR HOT MIX ASPHALT	TON	110	118.00	12,980.00
18	394074	PLACE HOT MIX ASPHALT DIKE (TYPE C)	LF	140	1.60	224.00
19	394076	PLACE HOT MIX ASPHALT DIKE (TYPE E)	LF	2,920	1.60	4672.00
20	394077	PLACE HOT MIX ASPHALT DIKE (TYPE F)	LF	970	1.60	1552.00

*nahe*

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
21	394090	PLACE HOT MIX ASPHALT (MISCELLANEOUS AREA)	SQYD	100	45. <sup>00</sup>	4500
22	397005	TACK COAT	TON	3	930.	2790.
23 (F)	510502	MINOR CONCRETE (MINOR STRUCTURE)	CY	7	2250.	15750
24	820118	GUARD RAILING DELINEATOR	EA	76	20. <sup>00</sup>	1520.
25	832001	METAL BEAM GUARD RAILING	LF	170	23. <sup>00</sup>	3910.
26	839541	TRANSITION RAILING (TYPE WB)	EA	4	3100.	12,400
27	839585	ALTERNATIVE FLARED TERMINAL SYSTEM	EA	4	3000	12,000
28	840504	4" THERMOPLASTIC TRAFFIC STRIPE	LF	13,100	1. <sup>00</sup>	13,100. <sup>00</sup>
29	840515	THERMOPLASTIC PAVEMENT MARKING	SQFT	360	7. <sup>00</sup>	2520. <sup>00</sup>
30	840655	PAINT TRAFFIC STRIPE (1-COAT)	LF	410	1. <sup>00</sup>	410. <sup>00</sup>
31	850111	PAVEMENT MARKER (RETROREFLECTIVE)	EA	20	10. <sup>00</sup>	200. <sup>00</sup>
32	850122	PAVEMENT MARKER (RETROREFLECTIVE-RECESSED)	EA	270	20. <sup>00</sup>	540. <sup>00</sup>
33	860090	MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION	LS	LUMP SUM	LUMP SUM	250. <sup>00</sup>
34	999990	MOBILIZATION	LS	LUMP SUM	LUMP SUM	16,000. <sup>00</sup>

B-4  
S/C

**TOTAL BID:**

\$ 669,548.<sup>00</sup>

OK JS

Yan



General Engineering Contractors – License # 749995  
12570 Hwy 67, Lakeside, Ca. 92040  
619.390.3900 FAX 619.390.3901

**To:** Caltrans **From:** Sandra Valero ext 545  
**Attn:** Department of Transportation **Date:** 02/15/2013  
**Phone:** **Pages:** 2  
**Fax:** (916) 227-6282 **RE:** 11-410704 Subcontractor List

**Urgent**     **For Review**     **Please Comment**     **Please Reply**

**•Comment:**

**Department of Transportation:**

**See attach - Subcontractor List for project 11-410704.**

**If you have any questions I can be reach at (619) 390-3900 ext 545 or by e-mail  
svalero@daleycorp.com**

Thank you,

*Sandra Valero*

**Estimating Administrative Coordinator**

**If problems occur with transmission please contact**

**Sandra Valero at (619) 390-3900 Ext. 545**

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

Bidder Name: **Daley Corporation**

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
MUNY & MOORE San Diego	16	3.2%	Asphalt QC Testing
Arrow Signs Temecula	2	89.6%	Construction Signs
Atlas Fence Chula Vista	12 13 24	93% 95% 95%	Guard Rail
	25 26 27	99% 96% 95%	
ARLO Goshen	18 19 20	94% 94% 94%	Place AC Dike
Pavement Rec Systems MIRA LOMA	14 34	58% 9%	Roadway Etc.
CAI - STRIPE Colton	28 29 30 31 32 34	100% 100% 100% 100% 100% 15%	Striping & Marking

**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.



General Engineering Contractors – License # 749995  
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Arrow Signs Temecula, ca.			Construction Signs
Atlas Fence Chula Vista, ca			Guard Rail
Appco Goshen, ca.			Place AC Dike
Pavement Recycling System Mira Loma, ca.			Roadway Excavation
CAL Stripe Colton, ca.			Striping : marking

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*hale*

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

DES-OE-0102.7 (REV 02/2010)

**CONTRACT NO. 11 - 410704**

**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: 1040261

Date: 2-13-2013

Signature:   
JOHN H. DALEY, JR., PRESIDENT

• **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: 2-13-2012

Signature of Bidder: 

**JOHN H. DALEY, JR., PRESIDENT**

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Department of  
**General Services**  
 BUILDING GREEN · BUYING GREEN · WORKING GREEN

## Daley Corporation - #1040261

### SUPPLIER PROFILE

Legal Business Name	Nicholas Grant Corporation		
Doing Business As	Daley Corporation		
Address	12570 Highway 67 LAKE SIDE, CA 92040	Phone	(619) 390-3900
		FAX	(619) 390-3901
Email	<a href="mailto:svalero@daleycorp.com">svalero@daleycorp.com</a>		
Web Page	<a href="http://www.daleycorp.com">http://www.daleycorp.com</a>		
Business Types	Construction		
Service Areas	Imperial, Riverside, San Diego,		
Keywords	ASPHALT PAVING, CONCRETE PAVING, GRADING, AGGREGATE BASE, PCC CURB, GUTTER, SIDEWALK		
Construction License Types	A - General Engineering		
Classifications	721411 - Infrastructure building and surfacing and paving services 721527 - Concrete installation and repair services		

### Active Certifications

TYPE	STATUS	FROM	TO
SB	Approved	May 3, 2012	May 31, 2013

### Certification History

TYPE	STATUS	FROM	TO
SB	Expired	Apr 5, 2011	Apr 30, 2012

We Daley Corporation

12570 Highway 67, Lakeside, CA 92040

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 11-410704 Roadway Excavation, Hot Mix Asphalt Paving, and Striping  
(Copy here the exact description of work, including location, as it appears on the proposal)

for which bids are to be opened at Irvine, CA

(Insert place where bids will be opened)

on January 31, 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: January 28, 20 13

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

251 S. Lake Avenue, Suite 360  
Pasadena, CA 91105

Daley Corporation

JOHN H. DALEY, JR., PRESIDENT

Philadelphia Indemnity Insurance Company

Surety

By

Janina Monroe, Attorney-in-Fact

**\*\*See Surety Notarial Acknowledgment Attached\*\***

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California }  
County of \_\_\_\_\_ }

On this \_\_\_\_\_ before me,

Date

Here Insert Name and Title of the Officer

personally appeared \_\_\_\_\_

Name(s) of Signer(s)

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.

(SEAL)

Signature \_\_\_\_\_

Signature of Notary Public

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# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of San Diego

On Jan. 28, 2013 before me, Myrna Alvarez  
Date Here Insert Name and Title of the Officer

personally appeared John H. Daley, Jr.  
Name(s) of Signer(s)

-----intentionally left blank-----

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 *Myrna Alvarez*  
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: \_\_\_\_\_

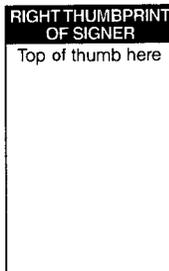
Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

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: \_\_\_\_\_

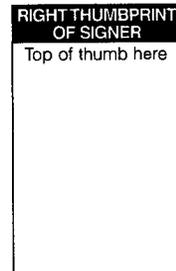


Signer Is Representing: \_\_\_\_\_

\_\_\_\_\_

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_

\_\_\_\_\_

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA

County of Orange }

On JAN 28 2013 before me, Michelle Haase, Notary Public,  
Date Insert Name of Notary exactly as it appears on the official seal

personally appeared Janina Monroe  
Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose name~~(s)~~ is/~~is~~ 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 Michelle Haase  
Signature of Notary Public

Place Notary Seal Above

## OPTIONAL

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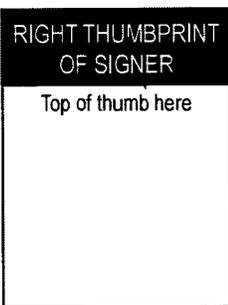
Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

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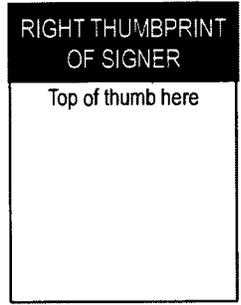
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- Partner  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer is Representing:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



Signer is Representing:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**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: **JANINA MONROE, PAUL E. BOUCHER, THOMAS G. MCCALL, TIMOTHY J. NOONAN, JEREMY YEUNG AND MICHELLE HAASE** of **LOCKTON COMPANIES, LLC**

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.

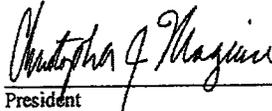
This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of **PHILADELPHIA INDEMNITY INSURANCE COMPANY** at a meeting duly called the 11<sup>th</sup> day of July, 2011.

**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 18<sup>TH</sup> DAY OF JULY, 2011.

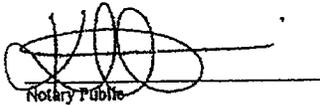


  
\_\_\_\_\_  
President

Christopher J. Maguire  
President Philadelphia Indemnity Insurance Company, a Pennsylvania Corporation.

On this 18<sup>TH</sup> day of July 2011, 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.

**COMMONWEALTH OF PENNSYLVANIA**  
Notarial Seal  
Kimberly A. Kessalek, Notary Public  
Lower Merion Twp., Montgomery County  
My Commission Expires Dec. 18, 2012  
Member, Pennsylvania Association of Notaries

  
\_\_\_\_\_  
Notary Public

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 on this 18<sup>TH</sup> day of July 2011 are true and correct and are still in full force and effect. I do further certify that Christopher J. Maguire, 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 \_\_\_\_\_ day of **JAN 28 2013** 20\_\_.

  
\_\_\_\_\_  
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: \_\_\_\_\_

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

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

DES-OE-0102.8 (REV 2/2011)

**BIDDER NAME** \_\_\_\_\_

**CONTRACT NO.** \_\_\_\_ - \_\_\_\_\_

List the description of work, name, telephone number, certification number, and dollar amount of each certified small business who will be employed on this project. Failure to provide this information may be cause for denial of the non-small business subcontractor preference. Attach additional sheets if necessary.

Submit to:

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

Bid Item Number	Description of Work, Service, or Materials	Certified Small Business (Name, Telephone No., and Certification No.)	\$ Amount
	N/A		

Person to Contact \_\_\_\_\_ (Please Type or Print) \$ \_\_\_\_\_

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

(Area Code) Telephone Number \_\_\_\_\_

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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

JOHN H. DALEY, JR., PRESIDENT, being ~~DALEY CORPORATION~~ DALEY CORPORATION deposes and says that he or she is PRESIDENT of DALEY CORPORATION 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