

CALTRANS
STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
BID FOR

12

D-1

CONSTRUCTION ON STATE HIGHWAY IN
ORANGE COUNTY IN COSTA MESA FROM BRISTOL STREET UNDERCROSSING TO 0.2 MILE
NORTH OF PAULARINO AVENUE OVERCROSSING
In District 12 on Route 55

UNDER

Notice to Bidders and Special Provisions dated July 7, 2014
Project plans approved February 24, 2014
Standard Specifications dated 2010
Standard Plans dated 2010

Identified by

Contract No. 12-0H9004

12-Ora-55-4.6/5.9

Project ID 1200020233

FEDERAL-AID PROJECT
ACNH-P055(056)E

Bids open Thursday, August 14, 2014

Dated July 7, 2014

AADD

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 12-0H9004 Project ID: 1200020233

Bidder Name: O'Donnell Construction, Inc.

Bidder ID: VC0000023111

BID TO THE DEPARTMENT OF TRANSPORTATION

DES-OE-0102.1

Name of Bidder O'Donnell Construction, Inc.

Business Street Address 559 W Covina Blvd

(Include even if P.O. Box is used)

Business P.O. Box

City, State, Zip San Dimas, CA, 91773

Telephone No: AREA CODE 909-394-4510

Fax No: AREA CODE 909-394-4750

Contractor License No. 772905

Checksum 7CF44269

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 nonplant establishment work within the number of working days bid for nonplant establishment work.

2. Bidder has and acknowledges the following addenda: 2
08-05-14 Revise Project Plans, Bid Book,
3. Bidder submits this bid with one of the following forms of bidder's security equal to at least 10 percent of the bid: Bidder's Bond
4. 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:
 - 4.1 Criminal prosecution
 - 4.2 Rejection of the bid
 - 4.3 Rescission of the award
 - 4.4 Termination of the Contract

PRINTED NAME: Neil T. O'Donnell AND

TITLE OF PERSON SIGNING: President

BY (Authorized signature)

DATE SIGNED (Do not type)

BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
1	070030	LEAD COMPLIANCE PLAN	LUMP SUM LS	LUMP SUM	1,200.00
2	120090	CONSTRUCTION AREA SIGNS	LUMP SUM LS	LUMP SUM	11,000.00
3	120100	TRAFFIC CONTROL SYSTEM	LUMP SUM LS	LUMP SUM	80,000.00
4	120120	TYPE III BARRICADE	4.0 EA	100.00	400.00
5	128651	PORTABLE CHANGEABLE MESSAGE SIGN (EA)	10.0 EA	700.00	7,000.00
6	130100	JOB SITE MANAGEMENT	LUMP SUM LS	LUMP SUM	3,600.00
7	130300	PREPARE STORM WATER POLLUTION PREVENTION PLAN	LUMP SUM LS	LUMP SUM	6,000.00
8	130310	RAIN EVENT ACTION PLAN	3.0 EA	500.00	1,500.00
9	130320	STORM WATER SAMPLING AND ANALYSIS DAY	3.0 EA	650.00	1,950.00
10	130330	STORM WATER ANNUAL REPORT	1.0 EA	2,000.00	2,000.00
11	130620	TEMPORARY DRAINAGE INLET PROTECTION	54.0 EA	75.00	4,050.00
12	130640	TEMPORARY FIBER ROLL	13,000.0 LF	2.50	32,500.00

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BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
13	130650	TEMPORARY GRAVEL BAG BERM	2,560.0 LF	4.50	11,520.00
14	130710	TEMPORARY CONSTRUCTION ENTRANCE	1.0 EA	3,000.00	3,000.00
15	130730	STREET SWEEPING	LUMP SUM LS	LUMP SUM	4,000.00
16	130900	TEMPORARY CONCRETE WASHOUT	LUMP SUM LS	LUMP SUM	6,000.00
17	131103	WATER QUALITY SAMPLING AND ANALYSIS DAY	3.0 EA	2,100.00	6,300.00
18	131105	WATER QUALITY ANNUAL REPORT	1.0 EA	900.00	900.00
19	150608	REMOVE CHAIN LINK FENCE	260.0 LF	10.00	2,600.00
20	150685	REMOVE IRRIGATION FACILITY	LUMP SUM LS	LUMP SUM	17,000.00
21	151251	SALVAGE IRRIGATION FACILITY	LUMP SUM LS	LUMP SUM	10,000.00
22	190107	ROADWAY EXCAVATION (TYPE Y-1) (AERIALY DEPOSITED LEAD)	19.0 CY	260.00	4,940.00
23	200002	ROADSIDE CLEARING	LUMP SUM LS	LUMP SUM	15,000.00

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Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
24	200114	ROCK BLANKET	19,700.0 SQFT	7.50	147,750.00
25	202028	RELOCATE IRRIGATION CONTROLLER	LUMP SUM LS	LUMP SUM	17,000.00
26	205033	GRAVEL MULCH	1,980.0 SQYD	15.00	29,700.00
27	206400	CHECK AND TEST EXISTING IRRIGATION FACILITIES	LUMP SUM LS	LUMP SUM	20,000.00
28	206402	OPERATE EXISTING IRRIGATION FACILITIES	LUMP SUM LS	LUMP SUM	17,500.00
29	206559	CONTROL AND NEUTRAL CONDUCTORS (ARMOR-CLAD)	LUMP SUM LS	LUMP SUM	28,000.00
30	206564	1 1/2" REMOTE CONTROL VALVE	99.0 EA	930.00	92,070.00
31	206758	24-32 STATION IRRIGATION CONTROLLER (WALL MOUNTED)	1.0 EA	9,000.00	9,000.00
32	206762	30-42 STATION IRRIGATION CONTROLLER (PEDESTAL MOUNTED)	2.0 EA	860.00	1,720.00
33	208301	IRRIGATION CONTROLLER ENCLOSURE CABINET	1.0 EA	3,200.00	3,200.00
34	208588	3" GATE VALVE	1.0 EA	1,100.00	1,100.00
35(F)	208598	2" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)	4,340.0 LF	12.50	54,250.00

BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
36(F)	208603	8" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)	710.0 LF	39.00	27,690.00
37(F)	208607	3" PLASTIC PIPE (CLASS 315) (SUPPLY LINE)	2,490.0 LF	16.00	39,840.00
38	208683	BALL VALVE	10.0 EA	1,100.00	11,000.00
39	208820	10" WELDED STEEL PIPE CONDUIT	55.0 LF	180.00	9,900.00
40	210250	EROSION CONTROL (BONDED FIBER MATRIX) (SQFT)	9,300.0 SQFT	0.70	6,510.00
41	260203	CLASS 2 AGGREGATE BASE (CY)	110.0 CY	160.00	17,600.00
42	394095	ROADSIDE PAVING (MISCELLANEOUS AREAS)	710.0 SQYD	37.00	26,270.00
43	721810	SLOPE PAVING (CONCRETE)	370.0 CY	600.00	222,000.00
44	731530	MINOR CONCRETE (TEXTURED PAVING)	290.0 CY	465.00	134,850.00
45	800360	CHAIN LINK FENCE (TYPE CL-6)	310.0 LF	33.00	10,230.00
46	802501	4' CHAIN LINK GATE (TYPE CL-6)	1.0 EA	1,200.00	1,200.00
47	802601	14' CHAIN LINK GATE (TYPE CL-6)	2.0 EA	1,600.00	3,200.00

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BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
48	860090	MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION	LUMP SUM LS LS LS	LUMP SUM	900.00
49	860797	ELECTRIC SERVICE (IRRIGATION)	LUMP SUM LS	LUMP SUM	6,100.00
50	999990	MOBILIZATION	LUMP SUM LS	LUMP SUM	90,000.00
Total Bid					\$1,261,040.00

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

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Bidder Name: ODonnell Construction, Inc.

Bidder ID: VC0000023111

SUBCONTRACTOR LIST

DES-OE-0102.2B(REV 5/2014)

Bidding Firm: ODonnell Construction, Inc.

Under Public Contract Code ♦ 4100 et seq., the Bidder must set forth in the bid the name, the location of the place of business, the California contractor license number, and the portion of work of each subcontractor who will perform work or labor or render service to the prime contractor in or about the construction of the work or improvement, or a subcontractor licensed by the State of California who, under subcontract to the prime contractor, specially fabricates and installs a portion of the work or improvement according to detailed drawings contained in the plans and specifications, in an amount in excess of one-half of 1 percent of the prime contractor's total bid or ten thousand dollars (\$10,000), whichever is greater.

The Bidder must submit within 24 hours of the bid opening the bid item numbers with percentages of the portion of work subcontracted.

a Not required on contracts with Federal-Aid.

List this sub? Yes

1) Business Name KRC Safety Co., Inc.

Location City Visalia State CA

California Contractor License Number (a) 507950

Description of Portion of Work

Construction Area Signs

Bid Item Numbers

2

Percentage of Bid Item Subcontracted

100

Bid Item Numbers

Percentage of Bid Item Subcontracted

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 12-OH9004 Project ID: 1200020233

Bidder Name: O'Donnell Construction, Inc.

Bidder ID: VC0000023111

List this sub? Yes

2) Business Name Hardy & Harper Inc.

Location City Santa Ana State CA

California Contractor License Number (a) 215962

Description of Portion of Work

Aggregate Base, AC Paving

Bid Item Numbers

41, 42

Percentage of Bid Item Subcontracted

100, 100

Bid Item Numbers

Percentage of Bid Item Subcontracted

List this sub? Yes

3) Business Name Ace Fence Company

Location City La Puente State CA

California Contractor License Number (a) 801674

Description of Portion of Work

Fencing

Bid Item Numbers

19, 45, 46, 47

Percentage of Bid Item Subcontracted

100, 100, 100, 100

Bid Item Numbers

Percentage of Bid Item Subcontracted

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 12-0H9004 Project ID: 1200020233

Bidder Name: ODonnell Construction, Inc.

Bidder ID: VC0000023111

List this sub? Yes

4) Business Name VT Electric, Inc.
Location City Ontario State CA
California Contractor License Number (a) 763236
Description of Portion of Work

Electrical

Bid Item Numbers

48, 49

Percentage of Bid Item Subcontracted

100, 100

Bid Item Numbers

Percentage of Bid Item Subcontracted

List this sub? Yes

5) Business Name Southwest V Ditch, Inc.
Location City Riverside State CA
California Contractor License Number (a) 569779
Description of Portion of Work

Slope Paving

Bid Item Numbers

43

Percentage of Bid Item Subcontracted

75

Bid Item Numbers

Percentage of Bid Item Subcontracted

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 12-0H9004 Project ID: 1200020233

Bidder Name: ODonnell Construction, Inc.

Bidder ID: VC0000023111

List this sub? Yes

6) Business Name Hardy Landscape Construction
Location City Diamond Bar State CA
California Contractor License Number (a) 905954
Description of Portion of Work

Irrigation & Landscaping

Bid Item Numbers

21, 25, 27, 28, 29, 30, 31, 32

Percentage of Bid Item Subcontracted

100, 100, 100, 100, 100, 100, 100, 100

Bid Item Numbers

33, 24, 25, 36, 37, 38, 40

Percentage of Bid Item Subcontracted

100, 100, 100, 100, 100, 100, 100

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

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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.

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

Enter Date and Name to opt out of payment adjustments for price index fluctuations.

Date: Bidder's Name:

Signature: _____

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 12-0H9004 Project ID: 1200020233

Bidder Name: ODonnell Construction, Inc.

Bidder ID: VC0000023111

SMALL BUSINESS STATUS

DES-OE-0102.4 (REV 3/2008)

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?:

YES/NO: Yes Certification number? :20611

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

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

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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.

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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.

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
No

1. Type of Federal Action:
2. Status of Federal Action:
3. Report Type:
 - For Material Change Only:
 - Year
 - Quarter
 - Date of last report
4. Name and Address of Reporting Entity:
 - Tier ,if known
 - Congressional District, if known:
5. If Reporting Entity in No. 4 is Subawardee Enter Name and Address of Prime:
 - Congressional District, if known:
6. Federal Department/Agency:
7. Federal Program Name/Description:
 - CFDA Number, if applicable
8. Federal Action Number, if known:
9. Award amount, if known (\$):
10. a. Name and Address of Lobby Registrant (if individual, last name, first name, MI):
 - b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):
11. Information requested through this form is authorized by Title 31 U.S.C. Section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature: _____

Print Name:
Title:
Telephone No.:
DATE:

Federal Use Only:

Authorized for Local Reproduction
Standard Form - LLL(Rev. 7-97)

EQUAL EMPLOYMENT OPPORTUNITY REGULATION CERTIFICATION

Bidder O'Donnell Construction, Inc., proposed subcontractor, certifies that he has 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 CA County of Los Angeles

Name Neil T. O'Donnell,

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

President of

O'Donnell 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? 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 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?

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?

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?

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

Bond No. _____

We _____

_____ as Principal, and

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

THE CONDITION OF THIS OBLIGATION IS SUCH, THAT:

WHEREAS, the Principal is submitting a bid to the Obligee, for CONSTRUCTION ON STATE HIGHWAY IN ORANGE COUNTY IN COSTA MESA FROM BRISTOL STREET UNDERCROSSING TO 0.2 MILE NORTH OF PAULARINO AVENUE OVERCROSSING In District 12 on Route 55 for which bids are to be opened at 1727 30th Street, Sacramento CA 95816 on 08-14-14.

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 judgement 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: _____, 20____.

Principal _____

Surety _____

By _____

Attorney-in-Fact

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

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

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

SIGNATURE _____

Signature of Notary Public

(SEAL)

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
BIDDER'S BOND
DES-OE-0102.3 (REV 3/2008)

Contract No. 12-0H9004

Bond No. 1000838988-40

We O'Donnell Construction, Inc.

as Principal, and

U.S. Specialty 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 Orange County in Costa Mesa from Bristol Street
(Copy here the exact description of work, including location, as it appears on the proposal)
Undercrossing to 0.2 Mile North of Paularino Ave Overcrossing (12-Ora-55-4.6/5.9)

for which bids are to be opened at Sacramento, CA

(insert place where bids will be opened)

on August 14, 2014

(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: August 8, 2014

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

U.S. Specialty Insurance Company
625 The City Drive South, Suite 130
Orange, CA 92869

O'Donnell Construction, Inc.

Principal

U.S. Specialty Insurance Company

Surety

By

Attorney-in-Fact

Lourdes Landa

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.

SEE ATTACHED DOCUMENT

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

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.

12-0H9004

POWER OF ATTORNEY

AMERICAN CONTRACTORS INDEMNITY COMPANY UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS: That American Contractors Indemnity Company, a California corporation, United States Surety Company, a Maryland corporation and U.S. Specialty Insurance Company, a Texas corporation (collectively, the "Companies"), do by these presents make, constitute and appoint:

Lourdes Landa, Adriana Valenzuela or Mark Rosekopf of Fullerton, California

its true and lawful Attorney(s)-in-fact, each in their separate capacity if more than one is named above, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver **any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include riders, amendments, and consents of surety, providing the bond penalty does not exceed** *****Three Million***** Dollars (\$ **3,000,000.00**).

This Power of Attorney shall expire without further action on March 18, 2015. This Power of Attorney is granted under and by authority of the following resolutions adopted by the Boards of Directors of the Companies:

Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

Attorney-in-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

Be it Resolved, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, The Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 31st day of March, 2011.

AMERICAN CONTRACTORS INDEMNITY COMPANY UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY

Corporate Seals



By:

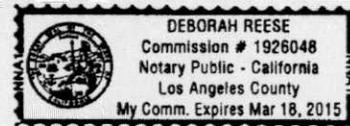
[Signature]
Daniel P. Aguilar, Vice President

State of California
County of Los Angeles SS:

On this 31st day of March, 2011, before me, Deborah Reese, a notary public, personally appeared Daniel P. Aguilar, Vice President of American Contractors Indemnity Company, United States Surety Company and U.S. Specialty Insurance Company who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature 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 *Deborah reese* (Seal)



I, Jeannie J. Kim, Assistant Secretary of American Contractors Indemnity Company, United States Surety Company and U.S. Specialty Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Los Angeles, California this 8th day of August, 2014.

Corporate Seals



[Signature]
Jeannie J. Kim, Assistant Secretary

Bond No. 1000838988-40
Agency No. 8450

ACKNOWLEDGMENT

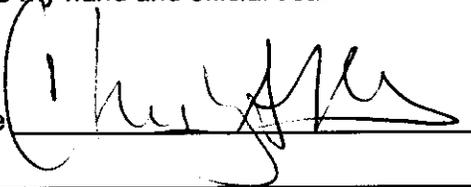
State of California
County of Orange)

On August 08, 2014 before me, Christy A. Mata, Notary Public
(insert name and title of the officer)

personally appeared Lourdes Landa
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  (Seal)

