



**Caltrans**

STATE OF CALIFORNIA  
DEPARTMENT OF TRANSPORTATION

# BID

FOR CONSTRUCTION ON STATE HIGHWAY IN ORANGE COUNTY IN LAKE FOREST,  
LAGUNA HILLS AND IRVINE ON ROUTE 5 FROM LAKE FOREST DRIVE  
OVERCROSSING TO ALTON PARKWAY OVERCROSSING AND ON ROUTE 405 FROM  
405/5 SEPARATION TO 0.2 MILE NORTH OF IRVINE CENTER DRIVE OVERCROSSING

In District 12 On Route 5, 405

Under

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*Notice to Bidders and Special Provisions* dated June 2, 2014

*Standard Specifications* dated 2010

Project plans approved January 27, 2014

*Standard Plans* dated 2010

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Identified by

Contract No. 12-0J61U4

12-Ora-5, 405-19.2/22.2, 0.0/1.2

Project ID 1212000029

Federal-Aid Project

ACIM-X059(055)E

A-5

CONTRACT NO. 12 - 0J61U4

NAME OF BIDDER Marina Landscape, Inc.  
BUSINESS P.O. BOX \_\_\_\_\_  
CITY, STATE, ZIP \_\_\_\_\_  
BUSINESS STREET ADDRESS 1900 South Lewis Street  
(Include even if P.O. Box used)  
CITY, STATE, ZIP Anaheim, CA 92805  
TELEPHONE NO: \_\_\_\_\_ AREA CODE (714) 939-6600  
FAX NO: \_\_\_\_\_ AREA CODE (714) 935-1199  
CONTRACTOR LICENSE NO. 492862: A,B,C27,C36,C61/D49

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.

PB

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION  
**BID TO THE DEPARTMENT OF TRANSPORTATION**  
DES-OE-0102.1 (REV. 3/2011)

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:

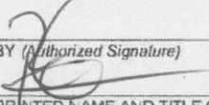
5.1. Criminal prosecution

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)*

06/27/14

PRINTED NAME AND TITLE OF PERSON SIGNING

Robert B. Cowan: President/Secretary/CEO

**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, MC-89, Sacramento, CA 95814.

**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	1,600.00
2	080050	PROGRESS SCHEDULE (CRITICAL PATH METHOD)	LS	LUMP SUM	LUMP SUM	2,000.00
3	090100	TIME-RELATED OVERHEAD (WDAY)	WDAY	250	800.00	200,000.00
4	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	11,000.00
5	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	65,000.00
6	128652	PORTABLE CHANGEABLE MESSAGE SIGN (LS)	LS	LUMP SUM	LUMP SUM	8,000.00
7	130100	JOB SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	5,000.00
8	130300	PREPARE STORM WATER POLLUTION PREVENTION PLAN	LS	LUMP SUM	LUMP SUM	2,800.00
9	130310	RAIN EVENT ACTION PLAN	EA	15	500.00	7,500.00
10	130320	STORM WATER SAMPLING AND ANALYSIS DAY	EA	18	128.00	2,304.00
11	130330	STORM WATER ANNUAL REPORT	EA	2	2,000.00	4,000.00
12	130570	TEMPORARY COVER	SQYD	2,500	125.	3,125.00
13	130610	TEMPORARY CHECK DAM	LF	360	3.00	1,080.00
14	130620	TEMPORARY DRAINAGE INLET PROTECTION	EA	42	135.00	5,670.00
15	130640	TEMPORARY FIBER ROLL	LF	40,000	2.30	92,000.00
16	130650	TEMPORARY GRAVEL BAG BERM	LF	400	3.00	1,200.00
17	130710	TEMPORARY CONSTRUCTION ENTRANCE	EA	2	2,700.00	5,400.00
18	130730	STREET SWEEPING	LS	LUMP SUM	LUMP SUM	10,000.00
19	130900	TEMPORARY CONCRETE WASHOUT	LS	LUMP SUM	LUMP SUM	5,000.00
20	150685	REMOVE IRRIGATION FACILITY	LS	LUMP SUM	LUMP SUM	5,400.00

**BID ITEM LIST.**  
**12-0J61U4**

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
21	151251	SALVAGE IRRIGATION FACILITY	LS	LUMP SUM	LUMP SUM	19,200.00
22	027531	RELOCATE BOOSTER PUMP	EA	1	3,500.00	3,500.00
23	160102	CLEARING AND GRUBBING (LS)	LS	LUMP SUM	LUMP SUM	35,000.00
24	200002	ROADSIDE CLEARING	LS	LUMP SUM	LUMP SUM	88,000.00
25	200114	ROCK BLANKET	SGFT	33,000	8.00	264,000.00
26	202006	SOIL AMENDMENT	CY	660	20.00	13,200.00
27	202039	SLOW-RELEASE FERTILIZER	LB	5,560	1.40	7,784.00
28	204006	PLANT (GROUP F)	EA	53,400	0.30	16,020.00
29	204008	PLANT (GROUP H)	EA	253,000	0.15	37,950.00
30	204011	PLANT (GROUP K)	EA	17	225.00	3,825.00
31	204035	PLANT (GROUP A)	EA	43,700	5.00	218,500.00
32	204036	PLANT (GROUP B)	EA	140	14.00	1,960.00
33	204038	PLANT (GROUP U)	EA	88	78.00	6,864.00
34	204096	MAINTAIN EXISTING PLANTED AREAS	LS	LUMP SUM	LUMP SUM	16,000.00
35	204099	PLANT ESTABLISHMENT WORK	LS	LUMP SUM	LUMP SUM	260,000.00
36	205035	WOOD MULCH	CY	4,940	35.00	172,900.00
37	206400	CHECK AND TEST EXISTING IRRIGATION FACILITIES	LS	LUMP SUM	LUMP SUM	2,500.00
38	206402	OPERATE EXISTING IRRIGATION FACILITIES	LS	LUMP SUM	LUMP SUM	8,000.00
39	206560	CONTROL AND NEUTRAL CONDUCTORS	LS	LUMP SUM	LUMP SUM	129,000.00
40	206564	1 1/2" REMOTE CONTROL VALVE	EA	46	260.00	11,960.00

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
41	206565	2" REMOTE CONTROL VALVE	EA	250	300.00	75,000.00
42	206566	2 1/2" REMOTE CONTROL VALVE	EA	6	1,215.00	7,290.00
43	206567	3" REMOTE CONTROL VALVE	EA	4	1,300.00	5,200.00
44	206568	4" REMOTE CONTROL VALVE	EA	3	2,800.00	8,400.00
45	206636	3" WYE STRAINER ASSEMBLY	EA	1	740.00	740.00
46	206761	24-32 STATION IRRIGATION CONTROLLER (PEDESTAL MOUNTED)	EA	2	13,500.00	27,000.00
47	206762	30-42 STATION IRRIGATION CONTROLLER (PEDESTAL MOUNTED)	EA	6	14,800.00	88,800.00
48	027532	48 STATION CONTROLLER (PEDESTAL MOUNTED)	EA	1	14,700.00	14,700.00
49	206851	MASTER IRRIGATION CONTROLLER	EA	1	11,800.00	11,800.00
50	208008	3" GALVANIZED STEEL PIPE (SUPPLY LINE)	LF	600	32.00	19,200.00
51	208009	4" GALVANIZED STEEL PIPE (SUPPLY LINE)	LF	140	40.00	5,600.00
52	208046	4" GALVANIZED STEEL PIPE (SUPPLY LINE ON BRIDGE)	LF	110	61.00	6,710.00
53	208304	WATER METER	EA	2	56,000.00	112,000.00
54	208416	CERTIFY EXISTING BACKFLOW PREVENTERS	LS	LUMP SUM	LUMP SUM	1,200.00
55	208430	4" BACKFLOW PREVENTER ASSEMBLY	EA	2	11,500	23,000.00
56	208442	FLOW SENSOR	EA	9	900.00	8,100.00
57	208446	RISER SPRINKLER ASSEMBLY (GEAR DRIVEN)	EA	1,920	30.00	57,600.00
58	208447	POP-UP SPRINKLER ASSEMBLY (GEAR DRIVEN)	EA	590	62.00	36,580.00
59	208448	RISER SPRINKLER ASSEMBLY	EA	150	12.00	1,800.00
60	027533	RISER SPRINKLER ASSEMBLY (WITH ROTARY NOZZLE)	EA	1,130	16.00	18,080.00

**BID ITEM LIST**  
**12-0J61U4**

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
61	027534	POP-UP SPRINKLER ASSEMBLY (WITH ROTARY NOZZLE)	EA	74	54.00	3,996.00
62	208576	2 1/2" GATE VALVE	EA	2	600.00	1,200.00
63	208588	3" GATE VALVE	EA	19	660.00	12,540.00
64	208589	4" GATE VALVE	EA	11	800.00	8,800.00
65	208590	6" GATE VALVE	EA	1	1,260.00	1,260.00
66 (F)	208594	3/4" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)	LF	42,695	1.90	81,120.50
67 (F)	208595	1" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)	LF	23,708	2.00	47,416.00
68 (F)	208596	1 1/4" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)	LF	35,640	2.20	78,408.00
69 (F)	208597	1 1/2" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)	LF	17,335	1.80	31,203.00
70 (F)	208598	2" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)	LF	27,825	3.00	83,475.00
71 (F)	208599	2 1/2" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)	LF	2,620	4.00	10,480.00
72 (F)	208601	4" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)	LF	256	8.00	2,048.00
73 (F)	208602	6" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)	LF	128	11.00	1,408.00
74 (F)	208607	3" PLASTIC PIPE (CLASS 315) (SUPPLY LINE)	LF	22,450	6.50	145,925.00
75 (F)	208608	4" PLASTIC PIPE (CLASS 315) (SUPPLY LINE)	LF	7,800	8.00	62,400.00
76 (F)	208609	6" PLASTIC PIPE (CLASS 315) (SUPPLY LINE)	LF	4,200	12.00	50,400.00
77	208683	BALL VALVE	EA	91	300.00	27,300.00
78	208739	10" CORRUGATED HIGH DENSITY POLYETHYLENE PIPE CONDUIT	LF	520	60.	31,200.
79	208815	2" WELDED STEEL PIPE CONDUIT	LF	710	18.00	12,780.00
80	208820	10" WELDED STEEL PIPE CONDUIT	LF	220	225.00	49,500.00

A-5

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
81	210010	MOVE-IN/MOVE-OUT (EROSION CONTROL)	EA	3	400.00	1,200.00
82	210220	EROSION CONTROL (DRILL SEED) (SQYD)	SQYD	3,550	1.70	6,035.00
83	210270	ROLLED EROSION CONTROL PRODUCT (NETTING)	SQFT	22,400	0.60	13,440.00
84	210600	COMPOST	SQFT	636,000	0.22	139,920.00
85	210630	INCORPORATE MATERIALS	SQFT	31,800	0.20	6,360.00
86	260203	CLASS 2 AGGREGATE BASE (CY)	CY	470	48.00	22,560.00
87	390136	MINOR HOT MIX ASPHALT	TON	4	500.00	2,000.00
88	394090	PLACE HOT MIX ASPHALT (MISCELLANEOUS AREA)	SQYD	20	150.00	3,000.00
89	394095	ROADSIDE PAVING (MISCELLANEOUS AREAS)	SQYD	1,670	95.00	158,650.00
90	720110	SMALL-ROCK SLOPE PROTECTION	CY	150	200.00	30,000.00
91	721017	ROCK SLOPE PROTECTION (FACING, METHOD B) (CY)	CY	420	185.00	77,700.00
92	721810	SLOPE PAVING (CONCRETE)	CY	190	320.00	60,800.00
93	729011	ROCK SLOPE PROTECTION FABRIC (CLASS 8)	SQYD	1,600	5.50	8,800.00
94	731530	MINOR CONCRETE (TEXTURED PAVING)	CY	390	380.00	149,200.00
95	860090	MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION	LS	LUMP SUM	LUMP SUM	2,112.00
96	860797	ELECTRIC SERVICE (IRRIGATION)	LS	LUMP SUM	LUMP SUM	210,000.00
97	999990	MOBILIZATION	LS	LUMP SUM	LUMP SUM	90,000.00

**TOTAL BID:**

\$400,6678.50

20

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

Bidder Name: Marina Landscape, Inc.

The bidder must identify each subcontractor performing work in an amount in excess of 1/2 of 1 percent of the total bid or \$10,000, whichever is greater (Pub Cont Code § 4100 et seq.). Complete columns 1 and 4 and submit with the bid. Complete columns 2 and 3 and submit with the bid or fax to (916) 227-6282 within 24 hours after the bid opening. Failure to provide complete information in columns 1 through 4 within the time specified will result in a nonresponsive bid.

Column 1: Business Name and Location

Column 2: Bid Item Nos.

Column 3: Percentage of Bid Item Subcontracted

Column 4: Description of Subcontracted Work

- G&G ELECTRIC RIVERSIDE	95#96	100%	ELECTRIC SERVICE
- SUE CORPORATION LA MIRADA	80(P)	60%	10" STEEL PIPE JACK & BORE
- MAMERI TRAFFIC CONTROL TEMECULA	4	100%	CONSTRUCTION AREA SIGNS
- INNOVATIVE QUARTZ HILL	92#94 (P)	70%	SLOPE PAVING MINOR CONCRETE
- WESTERN PAVING IRVINDALE	88#89 (P)	30%	ROADSIDE PAVING

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RS

We Marina Landscape, Inc.

Berkley Insurance Company

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 Highway Planting and irrigation on Route 405 and Interstate 5 - Irvine  
(Copy here the exact description of work, including location, as it appears on the proposal)

for which bids are to be opened at ORANGE COUNTY - CITY OF IRVING  
(Insert place where bids will be opened)  
on July 17, 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: June 12, 2014

Correspondence or claims relating to this bond should be sent to the surety at the following address: Berkley Insurance Company  
505 N. Brand Blvd., Suite 1040  
Glendale, CA 91203

Marina Landscape, Inc.  
[Signature] Robert B. Cowan  
President/secretary/CEO Principal  
Berkley Insurance Company  
Surety  
By [Signature] Linda D. Coats  
Attorney-in-Fact

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

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

} Please See attachment

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 CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Orange

On JUNE 30, 2014 before me, Deborah Weed, Notary Public  
(Here insert name and title of the officer)

personally appeared Robert B. Cowan

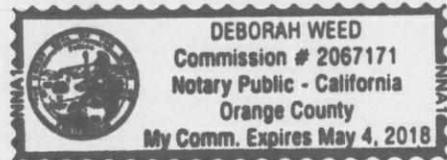
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),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

Deborah Weed  
 Signature of Notary Public

(Notary Seal)



## ADDITIONAL OPTIONAL INFORMATION

### DESCRIPTION OF THE ATTACHED DOCUMENT

\_\_\_\_\_  
(Title or description of attached document)

\_\_\_\_\_  
(Title or description of attached document continued)

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

\_\_\_\_\_  
(Additional information)

### CAPACITY CLAIMED BY THE SIGNER

- Individual (s)  
 Corporate Officer

\_\_\_\_\_  
(Title)

- Partner(s)  
 Attorney-in-Fact  
 Trustee(s)  
 Other \_\_\_\_\_

### INSTRUCTIONS FOR COMPLETING THIS FORM

*Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.*

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he/she/they~~, is /are ) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - ❖ Indicate title or type of attached document, number of pages and date.
  - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

# CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

State of California

County of Orange

On June 12, 2014 before me, Summer L. Reyes, Notary Public  
(insert name and title of the officer)

personally appeared Linda D. Coats,  
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 *S Reyes*



POWER OF ATTORNEY  
BERKLEY INSURANCE COMPANY  
WILMINGTON, DELAWARE

NOTICE: The warning found elsewhere in this Power of Attorney affects the validity thereof. Please review carefully.

KNOW ALL MEN BY THESE PRESENTS, that BERKLEY INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Delaware, having its principal office in Greenwich, CT, has made, constituted and appointed, and does by these presents make, constitute and appoint: *Linda D. Coats, Matthew J. Coats, Douglas A. Rapp or Timothy D. Rapp of Coats Surety Insurance Services, Inc. of Laguna Hills, CA* its true and lawful Attorney-in-Fact, to sign its name as surety only as delineated below and to execute, seal, acknowledge and deliver any and all bonds and undertakings, with the exception of Financial Guaranty Insurance, providing that no single obligation shall exceed **Twenty Five Million and 00/100 U.S. Dollars (U.S.\$25,000,000.00)**, to the same extent as if such bonds had been duly executed and acknowledged by the regularly elected officers of the Company at its principal office in their own proper persons.

This Power of Attorney shall be construed and enforced in accordance with, and governed by, the laws of the State of Delaware, without giving effect to the principles of conflicts of laws thereof. This Power of Attorney is granted pursuant to the following resolutions which were duly and validly adopted at a meeting of the Board of Directors of the Company held on January 25, 2010:

**RESOLVED**, that, with respect to the Surety business written by Berkley Surety Group, the Chairman of the Board, Chief Executive Officer, President or any Vice President of the Company, in conjunction with the Secretary or any Assistant Secretary are hereby authorized to execute powers of attorney authorizing and qualifying the attorney-in-fact named therein to execute bonds, undertakings, recognizances, or other suretyship obligations on behalf of the Company, and to affix the corporate seal of the Company to powers of attorney executed pursuant hereto; and said officers may remove any such attorney-in-fact and revoke any power of attorney previously granted; and further

**RESOLVED**, that such power of attorney limits the acts of those named therein to the bonds, undertakings, recognizances, or other suretyship obligations specifically named therein, and they have no authority to bind the Company except in the manner and to the extent therein stated; and further

**RESOLVED**, that such power of attorney revokes all previous powers issued on behalf of the attorney-in-fact named; and further

**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, recognizance, or other suretyship obligation of the Company; and such signature and seal when so used shall have the same force and effect as though manually affixed. The Company may continue to use for the purposes herein stated the facsimile signature of any person or persons who shall have been such officer or officers of the Company, notwithstanding the fact that they may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF, the Company has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 10 day of May, 2013.

Attest:  
By [Signature]  
Ira S. Lederman  
Senior Vice President & Secretary

Berkley Insurance Company  
By [Signature]  
Jeffrey M. Hafter  
Senior Vice President

**WARNING: THIS POWER INVALID IF NOT PRINTED ON BLUE "BERKLEY" SECURITY PAPER.**

STATE OF CONNECTICUT )  
 ) ss:  
COUNTY OF FAIRFIELD )

Sworn to before me, a Notary Public in the State of Connecticut, this 10 day of May, 2013, by Ira S. Lederman and Jeffrey M. Hafter who are sworn to me to be the Senior Vice President and Secretary, and the Senior Vice President, respectively, of Berkley Insurance Company.

[Signature]  
KATHLEEN COREY  
NOTARY PUBLIC  
CONNECTICUT  
MY COMMISSION EXPIRES OCTOBER 31, 2017

**CERTIFICATE**

I, the undersigned, Assistant Secretary of BERKLEY INSURANCE COMPANY, DO HEREBY CERTIFY that the foregoing is a true, correct and complete copy of the original Power of Attorney; that said Power of Attorney has not been revoked or rescinded and that the authority of the Attorney-in-Fact set forth therein, who executed the bond or undertaking to which this Power of Attorney is attached, is in full force and effect as of this date.

Given under my hand and seal of the Company, this 12<sup>th</sup> day of June, 2014.

(Seal) [Signature]  
Andrew M. Tuma

WARNING - Any unauthorized reproduction or alteration of this document is prohibited. This power of attorney is void unless seals are readable and the certification seal at the bottom is embossed. The background imprint, warning and confirmation (on reverse) must be in blue ink.

**OPT OUT OF PAYMENT ADJUSTMENTS FOR PRICE INDEX FLUCTUATIONS**

DES-OE-0102 12A (REV. 8/2012)

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To opt out of payment adjustments for price index fluctuations as specified, complete this form.

Bidder's Name: Marina Landscape, Inc.

Contract No. 12 - 0J61U4

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

Date: 06/27/14

Signature: 

Robert B. Cowan: President/Secretary/CEO

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**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-88, Sacramento, CA 95814.

**CONTRACT NO. 12 - 0J61U4**

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

Yes: Certification number? \_\_\_\_\_  No

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

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><b>1. Type of Federal Action:</b></p> <p><input type="checkbox"/> a. contract</p> <p>b. grant Not Applicable</p> <p>c. cooperative agreement</p> <p>d. loan</p> <p>e. loan guarantee</p> <p>f. loan insurance</p>	<p><b>2. Status of Federal Action:</b></p> <p><input type="checkbox"/> a. bid/offer/application</p> <p>b. initial award</p> <p>c. post-award</p> <p>Not Applicable</p>	<p><b>3. Report Type:</b></p> <p><input type="checkbox"/> a. initial Not Applicable</p> <p>b. material change</p> <p>For Material Change Only:</p> <p>year _____ quarter _____</p> <p>date of last report _____</p>
<p><b>4. Name and Address of Reporting Entity:</b></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>Not Applicable</p>	<p><b>5. If Reporting Entity in No. 4 is Subawardee Enter Name and Address of Prime:</b></p> <p>Not Applicable</p> <p>Congressional District, <i>if known</i>:</p>	
<p><b>6. Federal Department/Agency:</b></p> <p>Not Applicable</p>	<p><b>7. Federal Program Name/Description:</b></p> <p>Not Applicable</p> <p>CFDA Number, if applicable _____</p>	
<p><b>8. Federal Action Number, if known:</b></p> <p>Not Applicable</p>	<p><b>9. Award Amount, if known:</b></p> <p>\$ Not Applicable</p>	
<p><b>10 a. Name and Address of Lobby Registrant</b></p> <p><i>(if individual, last name, first name, MI):</i></p> <p>Not Applicable</p>	<p><b>b. Individuals Performing Services (including address if different from No. 10a)</b></p> <p><i>(last name, first name, MI):</i></p> <p>Not Applicable</p>	
<p><b>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.</b></p>	<p><b>Signature:</b> </p> <p><b>Print Name:</b> <u>Robert B. Cowan</u></p> <p><b>Title:</b> <u>President/Secretary/CEO</u></p> <p><b>Telephone No.:</b> <u>714-939-6600</u> <b>Date:</b> <u>06/27/14</u></p>	
<p><b>Federal Use Only:</b></p>		<p><b>Authorized for Local Reproduction Standard Form - LLL (Rev. 7-97)</b></p>

### EQUAL EMPLOYMENT OPPORTUNITY REGULATION CERTIFICATION

Bidder X, 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 Orange

Robert B. Cowan, being first duly sworn, deposes and says that he or she is President/Secretary/CEO of Marina Landscape, 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

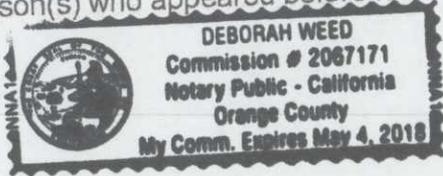
No

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

State of California  
County of ORANGE

Subscribed and sworn to (or affirmed) before me on this 30  
day of JUNE, 2014, by ROBERT B. COWAN

proved to me on the basis of satisfactory evidence to be the  
person(s) who appeared before me.



(Seal)

Signature Deborah Weed

### 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