



Caltrans

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

BID

FOR CONSTRUCTION ON STATE HIGHWAY IN KERN COUNTY AT VARIOUS
LOCATIONS

In District 06 On Route 43, 58, 223

Under

Notice to Bidders and Special Provisions dated November 18, 2013

Standard Specifications dated 2010

Project plans approved September 16, 2013

Standard Plans dated 2010

Identified by

Contract No. 06-0Q8404

06-Ker-43, 58, 223-Var

Project ID 0613000262

Federal-Aid Project

ACSTP-X029(111)E

Electronic Advertising Contract

Bids open Tuesday, January 7, 2014



Dated November 18, 2013
AADD

DH

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

CONTRACT NO. 06 - 0Q8404

NAME OF BIDDER Griffith Company

BUSINESS P.O. BOX

CITY, STATE, ZIP

BUSINESS STREET ADDRESS 1128 Carrier Parkway Avenue

(Include even if P.O. Box used)

CITY, STATE, ZIP Bakersfield, CA 93308

TELEPHONE NO: AREA CODE (661) 392-6640

FAX NO: AREA CODE (661) 393-9525

CONTRACTOR LICENSE NO. 88

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.

Contract No. 06-0Q8404

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

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)

1/6/17

PRINTED NAME AND TITLE OF PERSON SIGNING

Lucas J. Walker, Regional Manager

ADA Notice For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-8410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

BID ITEM LIST

| Item No. | Item Code | Item Description | Unit of Measure | Estimated Quantity | Unit Price | Item Total |
|----------|-----------|--|-----------------|--------------------|-------------------|--------------|
| ✓ 1 | 070030 | LEAD COMPLIANCE PLAN | LS | LUMP SUM | LUMP SUM | 1500 |
| ✓ 2 | 120090 | CONSTRUCTION AREA SIGNS | LS | LUMP SUM | LUMP SUM | 7100 |
| ✓ 3 | 120100 | TRAFFIC CONTROL SYSTEM | LS | LUMP SUM | LUMP SUM | 26200 |
| ✓ 4 | 128652 | PORTABLE CHANGEABLE MESSAGE SIGN (LS) | LS | LUMP SUM | LUMP SUM | 7300 |
| ✓ 5 | 130100 | JOB SITE MANAGEMENT | LS | LUMP SUM | LUMP SUM | 9600 |
| ✓ 6 | 130200 | PREPARE WATER POLLUTION CONTROL PROGRAM | LS | LUMP SUM | LUMP SUM | 750 |
| ✓ 7 | 150714 | REMOVE THERMOPLASTIC TRAFFIC STRIPE | LF | 16,300 | .23 | 3,749 |
| ✓ 8 | 150715 | REMOVE THERMOPLASTIC PAVEMENT MARKING | SQFT | 8,050 | 2.50 | 20,125 |
| ✓ 9 | 153103 | COLD PLANE ASPHALT CONCRETE PAVEMENT | SQYD | 2,510 | 13.30 | 33,383 |
| ✓ 10 | 370001 | SAND COVER (SEAL) | TON | 820 | 42.00 | 34,440 |
| ✓ 11 | 374004 | ASPHALTIC EMULSION (FLUSH COAT) | TON | 140 | 680 | 95,200 |
| ✓ 12 | 374493 | POLYMER ASPHALTIC EMULSION (SEAL COAT) | TON | 1,350 | 588 | 793,800 |
| ✓ 13 | 375001 | SCREENINGS | TON | 12,200 | 69.00 | 841,800 |
| ✓ 14 | 390132 | HOT MIX ASPHALT (TYPE A) | TON | 430 | 241 | 103,630 |
| ✓ 15 | 397005 | TACK COAT | TON | 1 | 50 | 50 |
| ✓ 16 | 840504 | 4" THERMOPLASTIC TRAFFIC STRIPE | LF | 376,000 | 45 .45 | 169,200 (SD) |
| ✓ 17 | 840506 | 8" THERMOPLASTIC TRAFFIC STRIPE | LF | 8,150 | 90 .90 | 7,335 (SD) |
| ✓ 18 | 840515 | THERMOPLASTIC PAVEMENT MARKING | SQFT | 10,200 | 4.00 | 40,800 |
| ✓ 19 | 840523 | 4" THERMOPLASTIC TRAFFIC STRIPE (BROKEN 12-3) | LF | 8,860 | .20 | 1,772 |
| ✓ 20 | 840525 | 4" THERMOPLASTIC TRAFFIC STRIPE (BROKEN 36-12) | LF | 185,000 | .20 | 37,000 |

A5

| Item No. | Item Code | Item Description | Unit of Measure | Estimated Quantity | Unit Price | Item Total |
|----------|-----------|---|-----------------|--------------------|------------|----------------------|
| ✓ 21 | 850111 | PAVEMENT MARKER (RETROREFLECTIVE) | EA | 9,100 | 2.50 | 22,750 P |
| 22 | 860090 | MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION | LS | LUMP SUM | LUMP SUM | 10 ⁰⁰ - |
| 23 | 999990 | MOBILIZATION | LS | LUMP SUM | LUMP SUM | 58,480 ⁰⁰ |

TOTAL BID:

\$ 2,315,974⁰⁰

DH

SUBCONTRACTOR LIST

DES-OE-0102.2 (REV 3/2011)

Bidder Name: Griffith Company

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

| Column 1: Business Name and Location | Column 2: Bid Item Nos. | Column 3: Percentage of Bid Item Subcontracted | Column 4: Description of Subcontracted Work |
|--|-------------------------|--|---|
| <i>austin Enterprises, Bkfst., CA</i> | | | <i>Construction AREA Signs</i> |
| <i>Pacific Const, Markings, Phelan, CA</i> | | | <i>striping, marking removals, markers</i> |

ADA Notice

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STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
SUBCONTRACTOR LIST
 DES-05-0102.2 (REV 3/2011)

Bidder Name: Griffith Company

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) 227-8282 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 |
|---------------------------------------|-------------------------|--|---|
| AUSTIN ENTERPRISE BAKERSFIELD, CA. | # 2 | 100% | CONSTRUCTION AREA SIGNS |
| PACIFIC COAST MARKINGS PHELAN, CA. | # 1 | 100% | STRIPIES, MARKINGS, REMOVALS MARKERS |
| | # 3 | 76% | LEAD PLAN |
| | # 7 | 196% | PORTION OF TRAFFIC CONTROL |
| | # 8 | 50% | STRIPE REMOVAL |
| | # 16 | 87% | MARKING REMOVAL |
| | # 17 | 100% | THERMO STRIPE |
| | # 18 | 63% | THERMO STRIPE |
| | # 19 | 250% | THERMO STRIPE |
| | # 20 | 90% | THERMO STRIPE |
| | # 21 | 86% | MARKERS |

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Contract No. 06-0Q8404

We Griffith Company

as Principal, and

Liberty Mutual 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 Kern County
(Copy here the exact description of work, including location, as it appears on the proposal)
at various locations
for which bids are to be opened at Sacramento, CA

Sacramento, CA

(insert place where bids will be opened)

on January 7, 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: December 26, 2013.

Correspondence or claims relating to this bond should be sent to the surety at the following address:
330 N. Brand Blvd., Suite 500
Glendale, CA 91203

Griffith Company
LUCAS J. WALKER
REGIONAL MANAGER
Principal
Liberty Mutual Insurance Company
Heather Saltarelli
Surety
By Heather Saltarelli
Attorney-in-Fact

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Orange

On this 12/26/13 before me, K. Luu, Notary Public

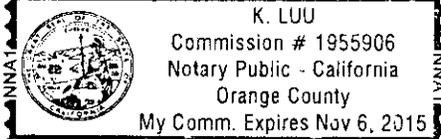
Here Insert Name and Title of the Officer

personally appeared Heather Saltarelli

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/hers/their authorized capacity(ies), and that by his/hers/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.


K. LUU
Commission # 1955906
Notary Public - California
Orange County
My Comm. Expires Nov 6, 2015

WITNESS my hand and official seal.

Signature

Signature of Notary Public

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CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Kern

On January 6, 2014 before me, Michele Marquez, Notary Public
(Here insert name and title of the officer)

personally appeared Lucas J. Walker

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~the~~ 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.

Michele Marquez
 Signature of Notary Public

(Notary Seal)

ADDITIONAL OPTIONAL INFORMATION

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

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 _____

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Certificate No. 6282358

American Fire and Casualty Company
The Ohio Casualty Insurance Company

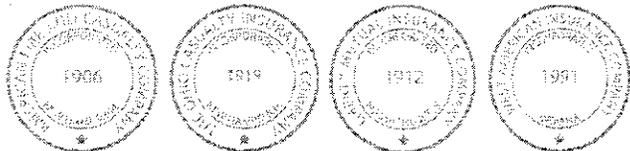
Liberty Mutual Insurance Company
West American Insurance Company

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That American Fire & Casualty Company and The Ohio Casualty Insurance Company are corporations duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Heather Saffarelli; James A. Schaller; Jeri Apodaca; Kim Luu; Michael D. Parizino; Rachelle Rheault; Rhonda C. Abel

all of the city of Newport Beach, state of CA each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surely and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 11th day of September, 2013.



American Fire and Casualty Company
The Ohio Casualty Insurance Company
Liberty Mutual Insurance Company
West American Insurance Company

By: Gregory W. Davenport
Gregory W. Davenport, Assistant Secretary

STATE OF WASHINGTON ss
COUNTY OF KING

On this 11th day of September, 2013, before me personally appeared Gregory W. Davenport, who acknowledged himself to be the Assistant Secretary of American Fire and Casualty Company, Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Seattle, Washington, on the day and year first above written.



By: KD Riley
KD Riley, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV – OFFICERS – Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surely any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

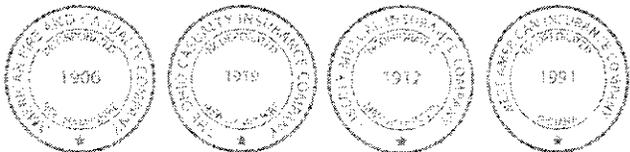
ARTICLE XIII – Execution of Contracts – SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surely any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation – The President of the Company, acting pursuant to the Bylaws of the Company, authorizes Gregory W. Davenport, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surely any and all undertakings, bonds, recognizances and other surety obligations.

Authorization – By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, David M. Carey, the undersigned, Assistant Secretary, of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this DEC 26 day of 2013.



By: David M. Carey
David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
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: Griffith Company Contract No. 06 - 0Q8404

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

Date: _____ Signature: N/A

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Contract No. 06-0Q8404

SMALL BUSINESS STATUS

DES-OE-0102.4 (REV 3/2008)

CONTRACT NO. 06 - 0Q8404

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 subawardee recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitments for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.
(b) Enter the full names of the individual(s) performing services and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name title, and telephone number.

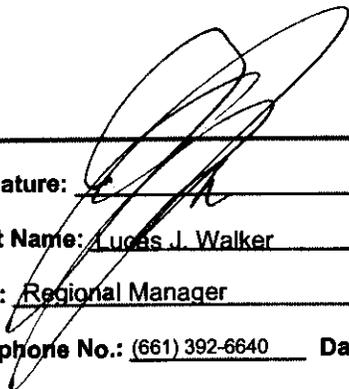
According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

DISCLOSURE OF LOBBYING ACTIVITIES

Approved by OMB

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

0348-0046

| | | |
|---|--|--|
| <p>1. Type of Federal Action:</p> <p><input checked="" type="checkbox"/> a. contract</p> <p>b. grant</p> <p>c. cooperative agreement</p> <p>d. loan</p> <p>e. loan guarantee</p> <p>f. loan insurance</p> | <p>2. Status of Federal Action:</p> <p><input checked="" type="checkbox"/> a. bid/offer/application</p> <p>b. initial award</p> <p>c. post-award</p> | <p>3. Report Type:</p> <p><input checked="" type="checkbox"/> a. Initial</p> <p>b. material change</p> <p>For Material Change Only:</p> <p>year _____ quarter _____</p> <p>date of last report _____</p> |
| <p>4. Name and Address of Reporting Entity:</p> <p align="center"><small>Griffith Company</small></p> <p><input checked="" type="checkbox"/> Prime 1128 Carrier Parkway <input checked="" type="checkbox"/> Subawardee <small>Bakersfield, CA 93308</small></p> <p>Tier _____, <i>if known</i></p> <p>Congressional District, <i>if known</i>:</p> | <p>5. If Reporting Entity in No. 4 is Subawardee Enter Name and Address of Prime:</p> <p align="center">Congressional District, <i>if known</i>:</p> | |
| <p>6. Federal Department/Agency:</p> <p align="center">None</p> | <p>7. Federal Program Name/Description:</p> <p align="center">CFDA Number, if applicable _____</p> | |
| <p>8. Federal Action Number, if known:</p> | <p>9. Award Amount, if known:</p> <p align="center">\$ _____</p> | |
| <p>10 a. Name and Address of Lobby Registrant <i>(If individual, last name, first name, MI):</i></p> | <p>b. individuals Performing Services (including address if different from No. 10a) <i>(last name, first name, MI):</i></p> | |
| <p>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.</p> | <p>Signature: </p> <p>Print Name: Lucas J. Walker</p> <p>Title: Regional Manager</p> <p>Telephone No.: (661) 392-6640 Date: 1/6/14</p> | |
| <p>Federal Use Only:</p> | <p align="center">Authorized for Local Reproduction Standard Form - LLL (Rev. 7-97)</p> | |

EQUAL EMPLOYMENT OPPORTUNITY REGULATION CERTIFICATION

Bidder Griffith Co., proposed subcontractor N/A, 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 Kern

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

CHILD SUPPORT COMPLIANCE ACT

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

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

NATIONAL LABOR RELATIONS BOARD

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

VIOLATION OF LAW OR A SAFETY REGULATION

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

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

Yes

No

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

ANTITRUST LAW

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

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

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

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

BIDDER RESPONSIBILITY QUESTIONNAIRE

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

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

END CERTIFICATIONS



CORPORATE OFFICE
3050 E Birch Street
Brea, CA 92821
(714) 984-5500
Fax (714) 854-9754

LICENSE CERTIFICATE

CENTRAL REGION
1128 Carrer Parkway Ave
Bakersfield, CA 93308
(661) 392-6640
Fax (661) 393-9525

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

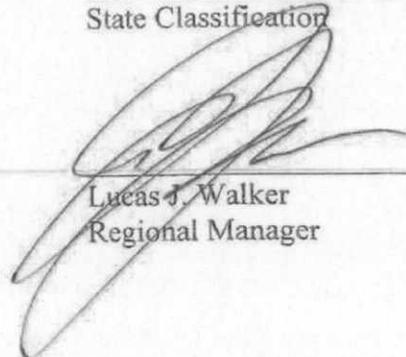
SOUTHERN REGION
12200 Bloomfield Ave.
Santa Fe Springs, CA 90670
(562) 929-1128
Fax (562) 864-8970

88
Contractors License No.

A B C-8 C12 C27 HAZ
State Classification

STRUCTURE DIVISION
3050 E. Birch Street
Brea, CA 92821
(714) 984-5500
Fax (714) 854-0227

09/30/2014
Expiration Date


Lucas J. Walker
Regional Manager

UNDERGROUND DIVISION
3050 E. Birch Street
Brea, CA 92821
(714) 984-5500
Fax (714) 854-0226

LANDSCAPE DIVISION
12200 Bloomfield Ave.
Santa Fe Springs, CA 90670
(562) 929-1128
Fax (562) 863-3488

State Of California
CONTRACTORS STATE LICENSE BOARD
ACTIVE LICENSE 
88 - CORP
GRIFFITH COMPANY

12200 Bloomfield Ave.
Santa Fe Springs, CA 90670
(562) 929-1128
Fax (562) 864-8970

A B C-8 C12 C27 HAZ
09/30/2014 www.cslb.ca.gov 

www.griffithcompany.net

Contractors
License #88





CORPORATE OFFICE

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Brea, CA 92821
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Fax [714] 854-9754

CENTRAL REGION

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Bakersfield, CA 93308
[661] 392-6640
Fax [661] 393-9525

SOUTHERN REGION

12200 Bloomfield Ave.
Santa Fe Springs, CA 90670
[562] 929-1128
Fax [562] 864-8970

STRUCTURE DIVISION

3050 F. Birch Street
Brea, CA 92821
[714] 984-5500
Fax [714] 854-0227

UNDERGROUND DIVISION

3050 E. Birch Street
Brea, CA 92821
[714] 984-5500
Fax [714] 854-0226

LANDSCAPE DIVISION

3050 E. Birch Street
Brea, CA 92821
[714] 984-5500
Fax [714] 854-7843

CONCRETE DIVISION

12200 Bloomfield Ave.
Santa Fe Springs, CA 90670
[562] 929-1128
Fax [562] 929-7116

www.griffithcompany.net

Contractors
License #BB



MEMORANDUM

TO: ALL GRIFFITH COMPANY EMPLOYEES

FROM: GRIFFITH COMPANY BOARD OF DIRECTORS
GORDON M. CSUTAK, SECRETARY

DATE: MAY 13, 2013

SUBJECT: AUTHORIZED SIGNERS

GRIFFITH COMPANY BOARD OF DIRECTORS IS PLEASED TO ANNOUNCE THAT ANY ONE OR MORE OF THE FOLLOWING POSITIONS ARE APPOINTED AS AUTHORIZED SIGNERS AND HEREBY AUTHORIZED TO EXECUTE AND DELIVER IN THE NAME OF AND BEHALF OF THIS CORPORATION ANY AND ALL BIDS, AUTHORIZATIONS, CONTRACTS, CERTIFICATIONS, DECLARATIONS AND RELEASES, INCLUDING: BID BONDS, LABOR AND MATERIAL BONDS, PERFORMANCE BONDS AND STOP NOTICE BONDS.

| | |
|--------------------|------------------|
| BRADLEY E. AUSTIN | CHIEF ESTIMATOR |
| RICHARD S. CARLSON | DIVISION MANAGER |
| JASON C. SPEAR | CHIEF ESTIMATOR |
| JASON R. DENNIS | DIVISION MANAGER |
| DONALD R. PETERSON | DIVISION MANAGER |
| RONALD B. PIERCE | GENERAL COUNSEL |
| MAC A. TARROSA | DIVISION MANAGER |
| LUCAS J. WALKER | REGIONAL MANAGER |
| WALT WEISHAAR | CHIEF ESTIMATOR |



CORPORATE OFFICE

3050 E. Birch Street
Brea, CA 92821
[714] 984-5500
Fax [714] 854-9754

CENTRAL REGION

1128 Corner Parkway Ave
Bakersfield, CA 93308
[661] 392-6640
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LANDSCAPE DIVISION

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Santa Fe Springs, CA 90670
[562] 929-1128
Fax [562] 863-3488

CONCRETE DIVISION

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Fax [562] 864-8970

www.griffithcompany.net

Contractors
License #88



MEMORANDUM

TO: ALL GRIFFITH COMPANY EMPLOYEES

FROM: GRIFFITH COMPANY BOARD OF DIRECTORS
GORDON M. CSUTAK, SECRETARY

DATE: MARCH 18, 2013

SUBJECT: ELECTION OF COMPANY OFFICERS

**GRIFFITH COMPANY BOARD OF DIRECTORS IS PLEASED TO ANNOUNCE
ELECTION OF THE FOLLOWING OFFICERS FOR THE ENSUING YEAR:**

THOMAS L. FOSS: PRESIDENT AND CHIEF EXECUTIVE OFFICER

JAIMIE R. ANGUS: EXECUTIVE VICE PRESIDENT

RYAN J. AUKERMAN: VICE PRESIDENT
REGIONAL MANAGER

GORDON M. CSUTAK: VICE PRESIDENT
TREASURER AND CHIEF FINANCIAL OFFICER
SECRETARY

DAVID A. DIAZ: VICE PRESIDENT
FIELD OPERATIONS MANAGER

DANIEL A. MCGREW: VICE-PRESIDENT, BUSINESS DEVELOPMENT

GARY A. HYLES: ASSISTANT SECRETARY

MARY MCGEE: ASSISTANT SECRETARY

PROPOSED RESOLUTION
AUTHORIZED SIGNERS OF THE CORPORATION

BE IT RESOLVED, THAT ANY ONE OR MORE OF THE OFFICERS OF THIS CORPORATION ARE HEREBY AUTHORIZED TO EXECUTE AND DELIVER IN THE NAME OF THIS CORPORATION ANY AND ALL BIDS, AUTHORIZATIONS, CONTRACTS, NOTES, DEEDS, BONDS, STOCKS, DECLARATIONS, RELEASES AND AGREEMENTS OF ANY NATURE OR SORT WHATEVER.

FURTHER RESOLVED, THAT ANY ONE OR MORE OF THE FOLLOWING ARE APPOINTED AS AUTHORIZED SIGNERS AND HEREBY AUTHORIZED TO EXECUTE AND DELIVER IN THE NAME OF AND BEHALF OF THIS CORPORATION ANY AND ALL BIDS, AUTHORIZATIONS, CONTRACTS, CERTIFICATIONS, DECLARATIONS AND RELEASES, INCLUDING: BID BONDS, LABOR AND MATERIAL BONDS, PERFORMANCE BONDS AND STOP NOTICE BONDS.

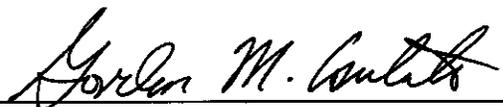
REGIONAL MANAGERS, DIVISION MANAGERS, CHIEF ESTIMATOR, GENERAL COUNSEL.

FURTHER RESOLVED, THAT ANY AND ALL PERSONS, FIRMS, CORPORATIONS, AND OTHER ENTITIES SHALL BE ENTITLED TO RELY ON THE AUTHORITY OF ANY ONE OR MORE OF THE OFFICERS OR AUTHORIZED SIGNERS NAMED TO BIND THIS CORPORATION BY THE EXECUTION AND DELIVERY OF ANY OF THE DOCUMENTS OR PAPERS SET FORTH HEREINABOVE.

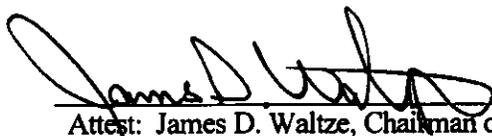
FURTHER RESOLVED, THAT THE AUTHORITY GRANTED HEREBY SHALL NOT BE MODIFIED OR REVOKED EXCEPT BY A RESOLUTION TO THAT EFFECT PASSED BY THE BOARD OF DIRECTORS OF THIS CORPORATION.

FURTHER RESOLVED, THAT ANY AND ALL AUTHORIZATION HERETOFORE GRANTED BY THIS CORPORATION TO ANY OFFICERS OR AUTHORIZED SIGNERS OTHER THAN THOSE NAMED, TO PERFORM ACTS IN THE NAME OF AND ON BEHALF OF THIS CORPORATION SIMILAR TO THE ACTS AUTHORIZED ABOVE, BE AND THEY ARE HEREBY REVOKED, RESCINDED AND ANNULLED.

IN WITNESS WHEREOF, THE UNDERSIGNED HAS HEREUNTO SET HIS HAND AND AFFIXED THE SEAL OF GRIFFITH COMPANY THIS 18TH DAY OF MARCH 2013.



Gordon M. Csutak, Vice President/Secretary/CFO



Attest: James D. Waltze, Chairman of the Board

**EQUAL EMPLOYMENT OPPORTUNITY
AND
AFFIRMATIVE ACTION
UNDER EXECUTIVE ORDER 11246**

Effective January 10, 1964, Griffith Company developed an affirmative action plan for equal employment opportunity.

On April 11, 1978, this plan was revised and amplified.

In January, 1985, this plan was updated to meet the additional requirement of the Century Freeway (I-105).

In March, 1987, this plan was revised and amplified.

The February 7, 1992 revision was a restatement of said program, including additional requirements of the Century Freeway.

In January, 2005, this plan was updated with the current EEO Officer information.

In January 2008, this plan was updated with the current President information.

In January 2011, this plan was updated with the current President and CEO information.

Statement of policy In order to provide equal employment opportunities to all qualified persons without regard to race, color, religion, sex, national origin, or disability, this company agrees to do the following: (1) recruit, hire, train, and promote persons in all job titles, without regard to race, color, religion, sex, national origin, or disability, (2) base decisions on employment so as to further the principle of equal employment opportunity, (3) ensure that promotion decisions are in accord with principles of equal employment opportunity by imposing only valid requirements for promotional opportunities, (4) ensure that all personnel actions, including but not limited to compensation, benefits, transfers, lay-offs, return from layoffs, company sponsored training, education, tuition assistance, social and recreational programs, will be administered without regard to race, color, religion, sex, national origin, or disability.

Responsibility for the Program Thomas L. Foss, President and CEO, will personally oversee the program and will appoint Gordon M. Csutak as the Equal Employment Opportunity Officer (hereinafter referred to as the EEO Officer) to carry out the program. The EEO Officer is hereby given full authority to carry out the program and is given the responsibility and authority to:

1. Develop policy statements and internal and external communication procedures.
2. Assist line management in collecting and analyzing employment data, identifying problem areas, setting goals and timetables and developing programs to achieve goals. Such programs shall include specific remedies to eliminate any discriminatory practices

discovered in the employment system.

3. Design, implement and monitor internal audit and reporting systems to measure program effectiveness and to determine where progress has been made and where further action is needed and, if necessary, to assure that such action is taken.
4. Report, at least quarterly, to Thomas L. Foss on the progress of each unit in relation to company goals.
5. Serve as liaison between the company, government regulatory agencies, minority and female's organizations and other community groups.
6. Assure that current legal information affecting affirmative action is disseminated to responsible officials.

Dissemination of policy

1. Internal Dissemination of Policy In order to disseminate the EEO Policy to all members of the company staff who are authorized to hire, supervise, promote and discharge employees, or who recommend such action, the company will take the following steps:
 - (a) Include the policy in the company's policy manual;
 - (b) Publicize the policy in company newspapers, magazines, annual reports, and other available media devices;
 - (c) Conduct special meetings with executive, management, and supervisory personnel to explain the intent of the policy and individual responsibility for effective implementation, making clear the chief executive officer's attitude with respect to affirmative action obligations;
 - (d) Schedule special meetings with all other employees to discuss policy and explain individual employee responsibilities;
 - (e) Discuss the policy thoroughly in both employee orientation and management training programs;
 - (f) Meet with union officials as appropriate to inform them of the policy, and to request their cooperation;
 - (g) Include non-discrimination clauses in any union agreements, and review all contractual provisions to ensure they are non-discriminatory;
 - (h) Publish articles in company publications covering EEO programs, progress reports, promotions, etc., for minority and female employees;

- (i) Post policy on the company bulletin boards;
- (j) Ensure that employees featured in product or consumer advertising, employee handbooks or similar publications include both minority and non-minority males and females;
- (k) Inform employees of the existence of the company's affirmative action policy and enable employees to avail themselves of its benefits;
- (l) Maintain a working environment free of harassment, intimidation, and coercion at all sites and in all facilities at which Griffith Company employees are assigned to work. Griffith Company shall specifically ensure that all foremen, superintendents, and other onsite supervisory personnel are aware of and carry out the Griffith Company's obligation to maintain such a working environment, with specific attention to minorities or females working at such sites or in such facilities.

2. External Dissemination of Policy In order to make the company's Equal Employment Opportunity Policy known to all employees, prospective employees, and potential sources of employees, such as schools, employment agencies, labor unions, and college placement offices, the company will take the following action:

- (a) Inform all recruitment sources verbally and in writing of the company policy, stipulating that these sources actively recruit and refer minorities and females for all positions listed;
- (b) Incorporate the equal opportunity clause in all purchase orders, leases, and contracts covered by Executive Order 11246, as amended, and its implementing regulations;
- (c) Notify minority and female organizations, community agencies, community leaders, secondary schools, and colleges of the company policy, preferably in writing;
- (d) Inform prospective employees of the existence of the company's affirmative action policy and enable such prospective employees to avail themselves of its benefits;
- (e) Ensure that employees pictured in consumer or help wanted advertising include both minority and non-minority males and females;
- (f) Send written notification of the company policies to all subcontractors, vendors, and suppliers with requests for appropriate action on their part.

Sexual Harassment - Definition and Policy

It is the policy of Griffith Company to maintain a work place free of sexual harassment, intimidation and coercion. All allegations of sexual harassment will be fully reviewed. Disciplinary action will be taken against any employee found to have sexually harassed another employee. Sexual harassment is defined as, but not limited to:

Any repeated or unwarranted verbal, visual or physical sexual action, sexually explicit derogatory statement or remark of a sexual nature made by someone in the work place which can be reasonably determined by the recipient and the person(s) reviewing the complaint to be offensive or objectionable or which may cause the recipient or anyone in the immediate area discomfort or humiliation.

The company will investigate all complaints of alleged sexual harassment in connection with its obligations under its contracts, will attempt to resolve such complaints, and will take appropriate corrective action. If the investigation indicates that the sexual harassment may affect persons other than the complainant, such corrective action shall include such other persons. Upon completion of each investigation, the company will inform the complainant of its finding and of all avenues of appeal within thirty (30) days of receiving the complaint.

To minimize the occurrence of sexual harassment in the work place, and to ensure that all employees understand that such actions will not be tolerated, managers and supervisors shall distribute the policy to every employee and periodically reinforce the importance of compliance.

Utilization of Minorities and Females The company will make a good faith effort to meet the designated goals set for the by the Office of Federal Contract Compliance Programs for utilizing minorities and females in the various crafts on all construction jobs during the time this contractor has a federally-assisted or direct federal construction contract.

Recruitment

1. When advertising for employees, the company will include in all advertisements for employees the notation: "An Equal Opportunity Employer". The company will insert advertisements in newspapers or other publications having a large circulation among minority and female groups in the area from which the company's workforce would normally be derived.
2. The company will conduct systematic and direct recruitment through public and private employee referral sources likely to yield qualified minority group applicants, including, but not limited to, state employment agencies, schools, colleges and minority group organizations. To meet these requirements, the company will, through the EEO Officer, identify sources of potential minority and female group employees and establish procedures whereby applicants may be referred to the company for employment consideration.

3. The company will encourage its present employees to refer minority and female group applicants for employment by posting appropriate notices or bulletins in areas accessible to all such employees.

Personnel Actions Wages, working conditions, and employee benefits shall be established and administered, and personnel action of every type, including hiring, upgrading, promotion, transfer, demotion, layoff, leave of absence, and termination, will be taken without regard to race, color, religion, sex, national origin or disability. The following procedures will be followed:

1. Periodic inspections of project sites will be conducted to ensure that working conditions and employee facilities do not allow discriminatory treatment of project site personnel.
2. The spread of wages paid within each classification will be periodically evaluated to determine any evidence of discriminatory wage practices.
3. The company will periodically review selected personnel actions in depth to determine whether there is evidence of discrimination. Where evidence is found, the company will promptly take corrective action. If the review indicates that the discrimination may extend beyond the actions reviewed, such corrective action shall include all affected persons.
4. The company will investigate all complaints of alleged discrimination in connection with its obligations under its contracts, will attempt to resolve such complaints, and will take appropriate corrective action. If the investigation indicates that the discrimination may affect persons other than the complainant, such corrective action shall include such other persons. Upon completion of each investigation, the company will inform the complainant of its finding and of all avenues of appeal within thirty (30) days of receiving the complaint.

Training and Promotion

1. The company will assist in locating, qualifying and increasing the skills of minority and female employees and applicants for employment.
2. Consistent with its requirements and as permissible under Federal and State regulations, the company will make full use of training programs, such as pre-apprenticeship, apprenticeship, or on-the-job training programs, for the geographical area of contract performance.
3. To the extent possible, the company will advise employees and applicants for employment of available training programs and entrance requirements for such programs.
4. The company will periodically review the training and promoting potential of

minority and female employees and will encourage eligible employees to apply for such training and promotion.

Unions The company will use its best efforts to obtain the cooperation of any unions with which it has collective bargaining relationships to increase minority and female opportunities within the unions, and to effect referrals of minority and female employees by such unions.

1. The company will cooperate with unions, as appropriate, to develop joint training programs aimed at qualifying more minority and female employees for membership in the unions and increasing the skills of minority and female employees so that they may have the opportunity to qualify for higher paying employment.
2. The company will encourage the incorporation of an equal employment opportunity clause into any union agreements stating that such unions will be bound contractually to refer applicants without regard to race, color, religion, sex, national origin, or disability.
3. In the event a union is unable to refer minority and female applicants as requested by the company within the time limit set forth in a union agreement, the company will, through its own recruitment procedures, fill the employment vacancies without regard to race, color, religion, sex, national origin, or disability, making every effort to obtain qualified female employees.
4. The company will provide immediate written notification to the Director when a union with which it has a collective bargaining agreement fails to refer a minority or female, or when the company has other information that the union referral process is impeding its efforts to meet its obligations.

Subcontracting

1. When required by federal contract the company will use its best effort to utilize minority group subcontractors, suppliers and vendors. The company, however, reserves the right to determine if the firm is a bona fide Minority Business Enterprise.
2. The company will use its best effort to assure subcontractor compliance with equal employment opportunity obligations through monitoring and enforcement of "Section 21 - Recourse by Contractor" and "Section 22 - Indemnity Clause for Equal Employment Opportunity Violations" contained in Griffith Company's construction subcontract.

Records and Reports

1. The company will keep such records as are necessary to determine compliance with its equal employment opportunity obligations. The records kept by the company will be designed to indicate:

(a) The number of minority, non-minority and female group member employees in each work classification.

(b) The progress and efforts being made (in cooperation with unions, if appropriate) to increase protected group employment opportunities.

(c) The progress and efforts being made in locating, hiring, training, qualifying and upgrading protected group employees.

(d) The progress and efforts being made in securing the services of minority group subcontractors.

2. All such records will be retained for a period of three years following completion of the contract work and shall be available at reasonable times and places for inspection by authorized representatives of the State and Federal governments. The company reserves the right to require these representatives to show proper credentials.

3. The company will submit all reports required by Executive Order 11246 and appropriate state and federal agencies, and will permit access to its books, records, and accounts by the appropriate governmental agencies and the Secretary of Labor for purposes of investigation to ascertain compliance with the rules, regulations and orders of the Secretary of Labor promulgated pursuant to Executive Order 11246.

Other Work The company agrees that it will be bound by the Equal Opportunity Clause required by Executive Order 11246 with respect to its own employment practices when it participates in nonfederal construction work during which time it also has a federally-assisted or direct federal contract.

Assistance in Compliance The company agrees it will assist and cooperate actively with the appropriate governmental agencies and the Secretary of Labor in obtaining the compliance of contractors and subcontractors with the Equal Opportunity Clause and the rules, regulations, and relevant orders of the Secretary of Labor. The company will furnish such information as may be required for the supervision of such compliance.

Non-Segregated Facilities All employee facilities provided by the company shall be non-segregated. These include, but are not limited to, rest areas, parking lots, drinking fountains, and all other such common facilities. Toilets and necessary changing facilities will offer privacy to both males and females.

Post-Award Compliance It is understood that the OFCCP may review the company's employment practices as well as those of any subcontractors the company has employed during the performance of a federally-assisted or direct federal contract. If the goals for the employment of minorities and females set by the OFCCP are not being met, the company shall still be given an opportunity to demonstrate that it has made every good faith effort to meet its commitment.

For the purpose of this policy statement, the term "minority" means Black, Hispanic, Asian and Pacific Islander, American Indian and Alaskan Native.

For the purpose of this policy statement, a bona fide Minority Business Enterprise is a business, firm, or corporation which is at least fifty one percent (51%) owned and operated by a minority person or persons.

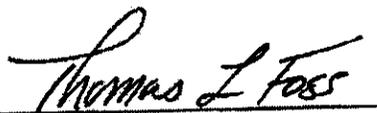
The purpose of the company's commitment to specific goals for the utilization of minority and/or female employees is to meet the affirmative action obligations under the Equal Opportunity Clause of a federal or federally-assisted contract. This commitment is not intended and shall not be used to discriminate against any qualified applicant or employee.

Refusal to Deal with Debarred or Ineligible Contractors or Subcontractors The company agrees that it will refrain from entering into any contract or contract modifications subject to Executive Order 11246 with a contractor or subcontractor debarred from or who has not demonstrated eligibility for direct federal or federally-assisted construction contracts pursuant to Executive Order 11246.

Griffith Company will use its best effort to meet the goals set forth in the contract specifications.

Complaints of non-compliance and grievances are to be directed to the attention of the company's designated Equal Opportunity Officer:

Gordon M. Csutak
Griffith Company
3050 E. Birch St.
Brea, CA 92821
(714) 984-5500



Thomas L. Foss, President/CEO

Griffith Company

Company Name

January 2, 2011

Date