

*Review
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B/C*



Caltrans
STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

BID

**FOR CONSTRUCTION ON STATE HIGHWAY IN SAN BERNARDINO
AT VARIOUS LOCATIONS**

In District 08 On Routes 15, 40, 127, 58, 95 and 247

Under

Notice to Bidders and Special Provisions dated April 7, 2014

Standard Specifications dated 2010

Project plans approved March 17, 2014

Standard Plans dated 2010

Identified by

Contract No. 08-1C4104

08-SBd-15, 40, 127, 58, 95 and 247-Varies

Project ID 0812000315

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B/C

CONTRACT NO. 08 - 1C4104

NAME OF BIDDER M.S. Construction mgmt. Group
BUSINESS P.O. BOX 32565B Golden LANTERN #475
CITY, STATE, ZIP DANA POINT, CA. 92629
BUSINESS STREET ADDRESS 32565 B Golden LANTERN # 475
(Include even if P.O. Box used)
CITY, STATE, ZIP DANA POINT, CA. 92629
TELEPHONE NO: AREA CODE (949) 276-5589
FAX NO: AREA CODE (949) 276-4874
CONTRACTOR LICENSE NO. 721738

1. Bidder agrees, if this bid is accepted, to enter into a contract with the Department, in the form included in the Standard Specifications, to perform the work provided in the Contract under the terms of the Contract for the price or prices bid.

For a lump sum or unit price based bid, Bidder additionally agrees to perform the work within the number of working days shown on the *Notice to Bidders*.

For a cost plus time based bid on a contract without a plant establishment period, Bidder additionally agrees to perform the work within the number of working days bid.

For a cost plus time based bid on a contract with a plant establishment period, Bidder additionally agrees to perform the non-plant establishment work within the number of working days bid for non-plant establishment work.
2. For a lump sum based bid, Bidder submits this bid with a total price in the total bid space provided on the Bid Item List. For a unit price or cost plus time based bid, Bidder submits this bid with a unit price and the item total (the product of the unit price and the quantity) for each item and a total price (the sum of the item totals) in the spaces provided on the attached Bid Item List. For a unit price with additive item based bid, Bidder submits this bid with a unit price and an item total for each item and a total base bid (the sum of the item totals) and the additive items in the spaces provided on the attached Bid Item List. Additionally, for a cost plus time based bid, Bidder submits this bid with working days bid for non-plant establishment work, total bid for time, and total bid for bid comparison in the spaces provided on the Bid Item List. Bidder agrees:
 - 2.1. If a discrepancy between the unit price and the item total exists, the unit price prevails except:
 - 2.1.1. If the unit price is illegible, omitted, or the same as the item total, item total prevails and the unit price is the quotient of the item total and the quantity.
 - 2.1.2. If a decimal error is apparent in the product of the unit price and the quantity, the Department will use either the unit price or item total based on the closest by percentage to the unit price or item total in the Department's Final Estimate.
 - 2.2. If the unit price and the item total are illegible or are omitted, the bid may be determined nonresponsive. If a lump sum total price is illegible or is omitted, the bid may be determined nonresponsive.
 - 2.3. Bids on lump sum items are item totals. If a unit price for a lump sum item is entered and it differs from the item total, the item total prevails.
 - 2.4. Entries are to be expressed in dollars or decimal fractions of a dollar. Symbols such as commas and dollar signs are ignored and have no significance in establishing unit price or item total.
 - 2.5. Unit prices and item totals are interpreted by the number of digits and decimal placement. Do not round item totals or the total bid.

- 2.6. For a lump sum based bid, the item total is the bid amount the Department uses for bid comparison.
For a unit price based bid, the sum of the item totals is the bid amount the Department uses for bid comparison.
For a cost plus time based bid, the sum of the item totals and the total bid for time is the bid amount the Department uses for bid comparison.
- 2.7. The Department's decision on the bid amount is final.

3. Bidder has and acknowledges the following addenda:

ONE

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)

PRINTED NAME AND TITLE OF PERSON SIGNING

MIKE SAGHAFI - PRESIDENT

DATE SIGNED (Do not type)

5/19/14

BID ITEM LIST
08-1C4104

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	2260.00
2	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	39,408.75
3	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	96,050 127,350.00 <i>MS</i>
4	128651	PORTABLE CHANGEABLE MESSAGE SIGN (EA)	EA	4	2825.00	11,300.00
5	130100	JOB SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	50,850.00
6	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	LUMP SUM	28250.00
7	140003	ASBESTOS COMPLIANCE PLAN	LS	LUMP SUM	LUMP SUM	13,560.00
8	141103	REMOVE YELLOW THERMOPLASTIC TRAFFIC STRIPE (HAZARDOUS WASTE) <i>5525</i>	LF	6,500	.85	5,508.75
9	141120	TREATED WOOD WASTE <i>2850</i>	LB	8,000	AA <i>0.36</i>	2,892.80 19,200.00 <i>MS</i>
10	150310	RAPID SETTING CONCRETE (PATCH)	CF	80	11.30	904.00
11	150661	REMOVE GUARDRAIL	LF	325	33.90	11,017.50
12	150714	REMOVE THERMOPLASTIC TRAFFIC STRIPE <i>6,205</i>	LF	7,300	.85	6,186.75
13	150715	REMOVE THERMOPLASTIC PAVEMENT MARKING	SQFT	5,600	2.26	12,656.00
14	150722	REMOVE PAVEMENT MARKER <i>10,912</i>	EA	17,600	.62	10,938.40
15	150771	REMOVE ASPHALT CONCRETE DIKE	LF	400	22.60	9,040.00
16	150857	REMOVE ASPHALT CONCRETE SURFACING	SQFT	6,804	2.26	15,377.04
17	BLANK					
18	153103	COLD PLANE ASPHALT CONCRETE PAVEMENT <i>70,242</i>	SQYD	13,800	5.09	70,173.00
19	153223	REMOVE UNSOUND CONCRETE	CF	80	226.00	18,080.00
20	153225	PREPARE CONCRETE BRIDGE DECK SURFACE <i>26,158.24</i>	SQFT	153,872	0.17	26,081.30

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
21	153227	FURNISH POLYESTER CONCRETE OVERLAY	CF	3,556	77.97	277,261.32
22 (F)	153228	PLACE POLYESTER CONCRETE OVERLAY 148,821.60	SQFT	31,530	4.72	148,928.80
23 (F)	153233	TREAT BRIDGE DECK 83,192.56	SQFT	122,342	.68	82,947.38
24	153234	FURNISH BRIDGE DECK TREATMENT MATERIAL 1,211.07	GAL	1,533	.79	1,212.60
25	153237	REMOVE CHIP SEAL	SQFT	96	11.30	1,084.80
26	374002	ASPHALTIC EMULSION (FOG SEAL COAT)	TON	411	67.80	27,865.80
27	377501	SLURRY SEAL	TON	1,260	84.75	106,785.00
28	390132	HOT MIX ASPHALT (TYPE A)	TON	3,110	107.35	333,858.50
29	394077	PLACE HOT MIX ASPHALT DIKE (TYPE F) 5,944	LF	400	14.86	5,943.80
30	397005	TACK COAT	TON	5	56.50	282.50
31	510502	MINOR CONCRETE (MINOR STRUCTURE)	CY	45	197.75	8,898.75
32	511118	CLEAN EXPANSION JOINT	LF	1,516	28.25	42,827.00
33	519088	JOINT SEAL (MR 1") 46,949.24	LF	884	53.11	46,949.24
34	519091	JOINT SEAL (MR 1 1/2")	LF	574	107.35	61,618.90
35	519100	JOINT SEAL (MR 2")	LF	50	135.60	6,780.00
36	519102	JOINT SEAL (TYPE AL)	LF	8	135.60	1,084.80
37	560248	FURNISH SINGLE SHEET ALUMINUM SIGN (0.063"-UNFRAMED) 11,717.16	SQFT	754	15.54	11,715.28
38	566011	ROADSIDE SIGN - ONE POST	EA	121	316.40	38,284.40
39	027204	PAINT BRIDGE NAME AND NUMBER	EA	80	119.78 10,735.00 110	9,582.40
40	802100	4' CHAIN LINK GATE (TYPE CL-4)	EA	3	2,135.70	6,407.10

B-1
B/C

BID ITEM LIST
08-1C4104

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
41	832007	MIDWEST GUARDRAIL SYSTEM (WOOD POST)	LF	100	58.76	5,876.00
42	839543	TRANSITION RAILING (TYPE WB-31)	EA	4	4,126.76	16,507.04
43	839578	END CAP (TYPE TC)	EA	4	171.76	687.04
44	839584	ALTERNATIVE IN-LINE TERMINAL SYSTEM	EA	4	3,667.98	14,671.92
45	840515	THERMOPLASTIC PAVEMENT MARKING	SQFT	6,000	3.39	20,340.00
46	840560	THERMOPLASTIC TRAFFIC STRIPE (SPRAYABLE)	LF	1,560,000	.15	229,164.00
47	850101	PAVEMENT MARKER (NON-REFLECTIVE)	EA	530	2.26	1,197.80
48	850111	PAVEMENT MARKER (RETROREFLECTIVE)	EA	17,400	3.39	58,986.00
49	860090	MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION	LS	LUMP SUM	LUMP SUM	42,940.00
50	860806	INDUCTIVE LOOP DETECTOR (EA)	EA	4	1,299.50	5,198.00
51	860890	MODIFY TRAFFIC MONITORING STATION (COUNT)	LS	LUMP SUM	LUMP SUM	39,154.50
52	BLANK			—	—	—
53	420203	GRIND EXISTING BRIDGE DECK	SQYD	1040	20.34	21,153.60
54	999990	MOBILIZATION	LS	LUMP SUM	LUMP SUM	135,600

TOTAL BID:

~~\$ 2,242,329.06~~
 2,242,329.06
 ↑
 2,247,384.33

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SUBCONTRACTOR LIST

DES-OE-0102.2 (REV 3/2011)

Bidder Name: *M.S. Construction Management Group*

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
<i>A.C. DIKE CO. LINCOLN, CA.</i>	<i>29</i>		<i>AC DIKE</i>
<i>ABRASIVE BLASTING SERVICE</i>	<i>1, 8, 12, 13, 14</i>		<i>REMOVE STRIPING</i>
<i>WESTERN STRUCTURES, RIVERSIDE, CA.</i>	<i>22</i>		<i>POLYESTER CONC. OVERLAY</i>
<i>TRAFFIC LOOPS CRACK FILLING ANAHEIM, CA</i>	<i>49, 50, 51</i>		<i>MODIFY TRAFFIC MONITORING STATION</i>
<i>FERRERA CONSTRUCTION CO</i>	<i>9, 11, 40, 41 42, 43, 44</i>		<i>FENCING & GUARDRAIL</i>

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

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REQUEST FOR SMALL BUSINESS PREFERENCE OR NON-SMALL BUSINESS PREFERENCE

DES-OE-0102.7 (REV 02/2010)

CONTRACT NO. 08 - 1C4104

Complete one of the following:

• **Small Business Preference**

The undersigned requests small business preference and certifies, under penalty of perjury, that the firm meets the requirements of 2 CA Code of Regs § 1896 et seq. and is certified as a small business at the time and day of bid opening or has submitted a complete application to the Department of General Services (DGS) and is subsequently certified. The complete application and any required substantiating documentation must be received by DGS by 5:00 p.m. on bid opening date.

Small Business Certification (Reference) Number: _____

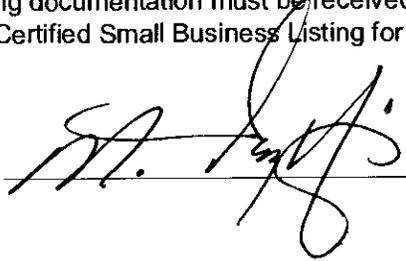
Date: _____

Signature: _____

• **Non-Small Business Preference**

The undersigned requests non-small business preference and notifies the Department on the Certified Small Business Listing for the Non-Small Business Preference form that it commits to subcontract at least 25 percent of its bid amount with one or more firms that meets the requirements of 2 CA Code of Regs § 1896 et seq. and the firms are certified as small businesses at the time and day of bid opening or have submitted a complete application and are subsequently certified by the Department of General Services (DGS). The complete application and any required substantiating documentation must be received by DGS by 5:00 p.m. on bid opening date. List these firms on the Certified Small Business Listing for the Non-Small Business Preference form.

Date: 5/19/14

Signature: 

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CALIFORNIA COMPANY PREFERENCE

DES-OE-0102.9 (REV 11/2008)

This form must be completed and signed by all bidders. Failure of a non-California company to fill out and sign this form may be cause for rejection of its bid. Eligibility for a reciprocal preference for a California company is waived if the California company fails to complete and sign this form under penalty of perjury.

The undersigned certifies that it is a "California company" as defined in Pub Cont Code § 6107 and meets one of the following (check appropriate box and enter requested information):

I am a California company which has its principal place of business in California.

or

I am a California company which has its principal place of business in a state in which there is no local contractor preference on construction contracts.

Name of State: _____

or

I am a California company which has its principal place of business in a state in which there is a local contractor preference and my company has paid not less than \$5,000 in sales or use taxes to California for construction related activity for each of the 5 years immediately preceding the submission of the bid.

Name of State: _____

California Sales or Use Tax No.: _____

or

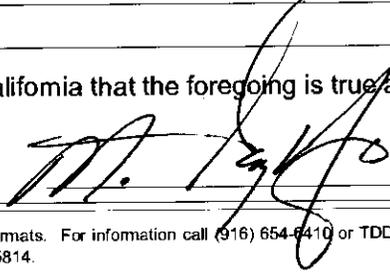
The undersigned certifies that it is not a "California company." (Check box and enter requested information.)

I am not a California company. My principal place of business is in _____
(Enter state or country)

Describe any and all bid preferences provided to your company by the state or country in which your company has its principal place of business. (Attach additional sheets if necessary.)

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

Date: 5/19/14

Signature of Bidder: 

ADA Notice For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-4410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

We M.S. Construction Management Group

as Principal, and

U.S. Specialty Insurance Company

as Surety are bound unto the State of California, Department of Transportation, hereafter referred to as "Obligee", in the penal sum of ten percent (10%) of the total amount of the bid of the Principal submitted to the Obligees 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 Obligees, for Contract No. 08-1C4104 - Bridge Rehab. Shoulder & Ramp
(Copy here the exact description of work, including location, as it appears on the proposal)

Seal, Install G-11s and Guardrail

for which bids are to be opened at Irvine, CA

(insert place where bids will be opened)

on May 8th, 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 Obligees, 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 Obligees and judgment is recovered, the Surety shall pay all costs incurred by the Obligees in such suit, including a reasonable attorney's fee to be fixed by the court.

Dated: May 5th, 2014

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

U.S. Specialty Insurance Company
501 West Broadway, Suite 1470
San Diego, CA 92101

M.S. Construction Management Group

Mike Saghati, President Principal

U.S. Specialty Insurance Company Surety

By Arturo Ayala Attorney-in-Fact

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Orange

On this 5/5/14 before me, Susan Pugh, Notary Public

Date

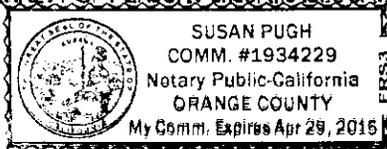
Here Insert Name and Title of the Officer

personally appeared Arturo Ayala

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.



(SEAL)

WITNESS my hand and official seal.

Signature Susan Pugh
Signature of Notary Public

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

STATE OF CALIFORNIA

County of Orange }

On 5/5/14 before me, Arturo Ayala, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Mike Saghafi
Name(s) of Signer(s)

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

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Signature [Handwritten Signature]
Signature of Notary Public Arturo Ayala



Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Bid Bond

Document Date: 5/5/14 Number of Pages: One

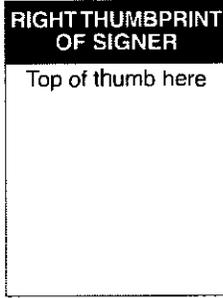
Signer(s) Other Than Named Above: None

Capacity(ies) Claimed by Signer(s)

Signer's Name: Mike Saghafi

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

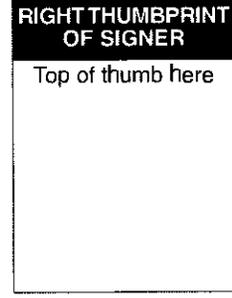
Signer Is Representing:



Signer's Name: _____

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

Signer Is Representing:



POWER OF ATTORNEY

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

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

Daniel Huckabay, Arturo Ayala, Dwight Reilly or Andrew Waterbury of Orange, California

its true and lawful Attorney(s)-in-fact, each in their separate capacity if more than one is named above, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include riders, amendments, and consents of surety, providing the bond penalty does not exceed *****Ten Million***** Dollars (\$ *10,000,000.00*).

This Power of Attorney shall expire without further action on December 08, 2016. This Power of Attorney is granted under and by authority of the following resolutions adopted by the Boards of Directors of the Companies:

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

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

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

IN WITNESS WHEREOF, The Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 10th day of December, 2012.

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

Corporate Seals



[Signature] Daniel P. Aguilar, Vice President

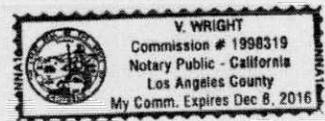
State of California

County of Los Angeles SS:

On 10th day of December, 2012, before me, Vanessa Wright, a notary public, personally appeared Daniel P. Aguilar, Vice President of American Contractors Indemnity Company, United States Surety Company and U.S. Specialty Insurance Company who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal.

Signature [Signature] (Seal)



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

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Los Angeles, California this 5th day of May, 2014.

Corporate Seals

Bond No. MCON-113 Agency No. 8472



[Signature] Jeannie Lee, Assistant Secretary

OPT OUT OF PAYMENT ADJUSTMENTS FOR PRICE INDEX FLUCTUATIONS

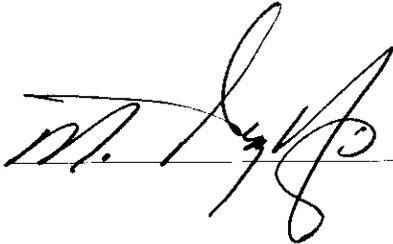
DES-OE-0102.12A (REV. 8/2012)

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

Bidder's Name: M.S. Construction Mgmt. Group Contract No. 08-1C4104

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

Date: 5/19/14

Signature: 

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CERTIFICATIONS

UNDOCUMENTED ALIENS EMPLOYMENT

Under Pub Cont Code § 6101, the Bidder certifies compliance with state and federal law respecting the employment of undocumented aliens.

NONCOLLUSION

NONCOLLUSION AFFIDAVIT TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

Under PCC 7106 and 23 USC 112, the bidder declares as follows:

State of California County of ORANGE

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

CHILD SUPPORT COMPLIANCE ACT

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

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

NATIONAL LABOR RELATIONS BOARD

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

VIOLATION OF LAW OR A SAFETY REGULATION

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

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

Yes

No

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

ANTITRUST LAW

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

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

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

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

BIDDER RESPONSIBILITY QUESTIONNAIRE

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

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

END CERTIFICATIONS