

A-4 11  
B/c



STATE OF CALIFORNIA  
DEPARTMENT OF TRANSPORTATION

**BID**

FOR BUILDING CONSTRUCTION IN IMPERIAL COUNTY IN EL CENTRO AT THE EL  
CENTRO MAINTENANCE STATION AT 1102 MONTENEGRO WAY

In District 11 On Route 5708

Under

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Notice to Bidders and Special Provisions dated February 10, 2014

Standard Specifications dated 2006

Project Plans approved January 6, 2014

Standard Plans dated 2006

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Identified by

Contract No. 11-076704

11-Imp-5708

Project ID 1100000035

Bids open Thursday, March 13, 2014

Dated February 10, 2014  
AADD



467

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

A-4  
B/w

**CONTRACT NO.** 11 . 076704

**NAME OF BIDDER** Hal Hays Construction, Inc.  
**BUSINESS P.O. BOX** N/A  
**CITY, STATE, ZIP** N/A  
**BUSINESS STREET ADDRESS** 4181 Latham Street  
(Include even if P.O. Box used)  
**CITY, STATE, ZIP** Riverside, CA 92501  
**TELEPHONE NO:** AREA CODE ( 951 ) 788-0703  
**FAX NO:** AREA CODE ( 951 ) 275-0752  
**CONTRACTOR LICENSE NO.** 667560

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.

**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 unit price with additive item based bid, the sum of the item totals and the amount bid for the additive bid item is the bid amount the Department uses for bid comparison if the additive bid item is included in the work.

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:

01 dated 02/28/2014

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

BV (Authorized Signature)



DATE SIGNED (Do not type)

03/13/2014

PRINTED NAME AND TITLE OF PERSON SIGNING

Kirby Hays, President/CEO

**ADA  
Notice**

For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3888 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

Contract No. 11-076704

**BID ITEM LIST**

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
1	074016	CONSTRUCTION SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	12,400.00
2	080050	PROGRESS SCHEDULE (CRITICAL PATH METHOD)	LS	LUMP SUM	LUMP SUM	3,300.00
3	130300	PREPARE STORM WATER POLLUTION PREVENTION PLAN	LS	LUMP SUM	LUMP SUM	1,750.00
4	130330	STORM WATER ANNUAL REPORT	EA	3	2,000.00	6,000.00
5	130620	TEMPORARY DRAINAGE INLET PROTECTION	EA	2	600.00	1,200.00
6	130710	TEMPORARY CONSTRUCTION ENTRANCE	EA	1	8,000.00	8,000.00
7	130730	STREET SWEEPING	LS	LUMP SUM	LUMP SUM	23,000.00
8	130900	TEMPORARY CONCRETE WASHOUT	LS	LUMP SUM	LUMP SUM	5,500.00
9	141000	TEMPORARY FENCE (TYPE ESA)	LF	660	4.00	2,640.00
10	170101	DEVELOP WATER SUPPLY	LS	LUMP SUM	LUMP SUM	5,200.00
11	190101	ROADWAY EXCAVATION	CY	7,250	19.40	140,650.00
12 (F)	192037	STRUCTURE EXCAVATION (RETAINING WALL)	CY	18	57.00	1,026.00
13 (F)	193013	STRUCTURE BACKFILL (RETAINING WALL)	CY	50	47.00	2,350.00
14	200001	HIGHWAY PLANTING	LS	LUMP SUM	LUMP SUM	62,500.00
15	204099	PLANT ESTABLISHMENT WORK	LS	LUMP SUM	LUMP SUM	4,700.00
16	208000	IRRIGATION SYSTEM	LS	LUMP SUM	LUMP SUM	33,700.00
17	208310	IRRIGATION SLEEVE	LF	56	20.00	1,120.00
18	026914	6" PLASTIC PIPE CONDUIT (SCHEDULE 80)	LF	380	22.80	8,664.00
19	210250	EROSION CONTROL (BONDED FIBER MATRIX) (SQFT)	SQFT	83,700	0.10	8,370.00
20	250401	CLASS 4 AGGREGATE SUBBASE	CY	8,280	41.50	343,620.00

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Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
21	260203	CLASS 2 AGGREGATE BASE (CY)	CY	8,170	50.00	408,500.00
22	390131	HOT MIX ASPHALT	TON	7,770	95.00	738,150.00
23	390136	MINOR HOT MIX ASPHALT	TON	6	210.00	1,260.00
24	394073	PLACE HOT MIX ASPHALT DIKE (TYPE A)	LF	230	40.00	9,200.00
25	397005	TACK COAT	TON	10	950.00	9,500.00
26 (F)	510060	STRUCTURAL CONCRETE, RETAINING WALL	CY	11	510.00	5,610.00
27 (F)	510502	MINOR CONCRETE (MINOR STRUCTURE)	CY	12	1,700.00	20,400.00
28	026915	RETAINING WALL STEM (TYPE 6B)	SQFT	240	80.00	19,200.00
29 (F)	520103	BAR REINFORCING STEEL (RETAINING WALL)	LB	820	1.80	1,476.00
30	641101	12" PLASTIC PIPE	LF	25	30.00	750.00
31	731502	MINOR CONCRETE (MISCELLANEOUS CONSTRUCTION)	CY	120	630.00	75,600.00
32	800320	CHAIN LINK FENCE (TYPE CL-4)	LF	220	27.00	5,940.00
33	800363	CHAIN LINK FENCE (TYPE CL-6, EXTENSION ARM)	LF	2,560	19.00	48,640.00
34	026916	ORNAMENTAL STEEL FENCING	LF	300	140.00	42,000.00
35	026917	ORNAMENTAL STEEL ROLLING GATE	EA	4	6,200.00	24,800.00

A-4  
B/C

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
36	802100	4' CHAIN LINK GATE (TYPE CL-4)	EA	1	525.0	525.00
37	802501	4' CHAIN LINK GATE (TYPE CL-6)	EA	2	526.00	1052.00
38	802580	12' CHAIN LINK GATE (TYPE CL-6)	EA	1	1,150.00	1,150.00
39	026918	ELECTRICAL SYSTEMS	LS	LUMP SUM	LUMP SUM	28,000.00
40	994650	BUILDING WORK	LS	LUMP SUM	LUMP SUM	6,568,000.00

TOTAL BASE BID: = 8,685,443.00

ADDITIVE ITEM: = 550,000.00

TOTAL BASE BID + ADDITIVE ITEM: = 9,235,443.00

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

Bidder Name: Hal Hays Construction, Inc.

The bidder must identify each subcontractor performing work in an amount in excess of 1/2 of 1 percent of the total bid or \$10,000, whichever is greater (Pub Cont Code § 4100 et seq.). Complete columns 1 and 4 and submit with the bid. Complete columns 2 and 3 and submit with the bid or fax to (916) 227-8282 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
CHRISTIAN BROTHERS Flooring LAKESIDE CA	Portion 40	1.4%	Flooring tile
Commercial Plumbing valley Center CA	Portion 40	2.5%	Plumbing
WC BROWN Welding Fontana CA	Portion 40	3.4%	STRUCTURAL STEEL
Air & Lube systems Sacramento CA	Portion 40	5.5%	Equipment

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

Bidder Name: Hal Hays Construction, Inc.

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

Column 1: Business Name and Location	Column 2: Bid Item Nos.	Column 3: Percentage of Bid Item Subcontracted	Column 4: Description of Subcontracted Work
• OMT-ALPINE ELECTRIC EL CAJON CA	Portion 40 Portion 39	10.5% 20%	ELECTRIC
• REX AIR CONDITIONING EL CENTRO CA	Portion 40	1.8%	HVAC
Loti ENT LA. CA	Portion 40	2.2%	GLAZING
SUPERIOR DOOR SYST EL CAJON CA	Portion 40	1%	OVERHEAD DOOR

ADA Notice For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 854-8410 or TDD (916) 854-3880 or write Records and Forms Management, 1120 N Street, MS-88, Sacramento, CA 95814.

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**SUBCONTRACTOR LIST**  
DES-05-D102.2 (REV 3/2011)

Bidder Name: Hal Hays Construction, Inc.

The bidder must identify each subcontractor performing work in an amount in excess of 1/2 of 1 percent of the total bid or \$10,000, whichever is greater (Pub Cont Code § 4100 et seq.). Complete columns 1 and 4 and submit with the bid. Complete columns 2 and 3 and submit with the bid or fax to (916) 227-8282 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

Dave Wipple Sheet Metal El Cajon, Ca	Portion 40	2.7%	Sheet Metal
NURSE STUCCO LAKESIDE CA.	Portion 40	3.6%	STUCCO
millennium FIRE PROTECTION Oceanside CA	Portion 40	1.3%	FIRE PROTECTION
BUXCON Santee CA	Portion 40	1.2%	Aluminum Canopy
Golden State ROOFING Carson CA	Portion 40	1.4%	ROOFING

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Contract No. 11-076704

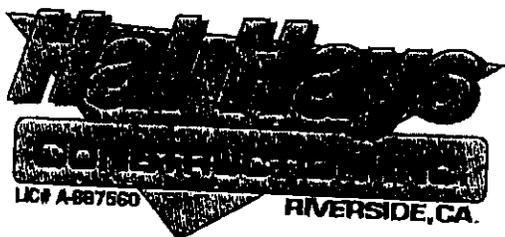
STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**SUBCONTRACTOR LIST**  
DES-OE-0102.2 (REV 3/2011)

Bidder Name: Hal Hays Construction, Inc.

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

Column 1: Business Name and Location	Column 2: Bid Item Nos.	Column 3: Percentage of Bid Item Subcontracted	Column 4: Description of Subcontracted Work
Sun Landscape El Centro	14, 15, 16 17, 18	100%	Landscape Irrigation
All Valley Fence Imperial CA	32 33 35 36 37 38	100% 100% 100% 100% 100% 100%	Fencing
	34 Partial	47%	
	39 Partial	75%	

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# Fax Transmittal

DATE: 3-13-14

NO. OF PAGES: 5  
*(Including Cover Sheet)*

ATTENTION: Office Engineer Dept of Transportation

COMPANY: Caltrans

FAX NUMBER: 916-227-6282

PHONE NUMBER:

FROM: Denia Lanza - [dianza@halhays.com](mailto:dianza@halhays.com)

SUBJECT: Form DES-OE-0102.2 Subcontractors List Contract No 11-076704

MESSAGE:

**Hal Hays Construction Inc. Sub list for Caltrans Contract No 11-076704  
 El Centro Maintenance Station Bldgs  
 Attached is the Subcontractor List Columns 1 thru 4 complete.  
 Please contact me if you need anything else**

**Denia Lanza  
 951-788-0703  
[dianza@halhays.com](mailto:dianza@halhays.com)**

4181 Latham Street; Riverside, CA 92501 Phone (951) 788-0703 Fax (951) 788-1517

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**If you did not receive all pages or if any of this transmittal is illegible, please call the number above.**

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

Bidder Name: Hal Hays Construction, Inc.

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

Column 1: Business Name and Location	Column 2: Bid Item Nos.	Column 3: Percentage of Bid Item Subcontracted	Column 4: Description of Subcontracted Work
CHRISTIAN BROTHERS Flooring LAKESIDE CA			Flooring tile
Commercial Plumbing valley Center CA			Plumbing
WC BROWN Welding Fontana CA			STRUCTURED STEEL
AIR & LUBE SYSTEMS SACRAMENTO CA			Equipment

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Contract No. 11-076704

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

Bidder Name: Hal Hays Construction, Inc.

The bidder must identify each subcontractor performing work in an amount in excess of 1/2 of 1 percent of the total bid or \$10,000, whichever is greater (Pub Cont Code § 4100 et seq.). Complete columns 1 and 4 and submit with the bid. Complete columns 2 and 3 and submit with the bid or fax to (916) 227-6262 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
OMIT-ALPINE ELECTRIC EL CAJON CA			ELECTRIC
REK AIR CONDITIONING EL CENTRO CA			HVAC
Loti ENT L.A. CA			GLAZING
SUPERIOR DOOR SYST EL CAJON CA			OVERHEAD DOOR

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Contract No. 11-076704

K67

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

Bidder Name: Hal Hays Construction, Inc.

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

Column 1: Business Name and Location	Column 2: Bid Item Nos.	Column 3: Percentage of Bid Item Subcontracted	Column 4: Description of Subcontracted Work
Dave Wipple Sheet Metal El Cajon, Ca			Sheet Metal
NURSE STUCCO LAKESIDE CA.			STUCCO
Millennium FIRE PROTECTION Oceanside CA			FIRE PROTECTION
BUXCON Santee CA			Aluminum Canopy
Golden State ROOFING CARSON CA			Roofing

**ADA Notice** For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 954-8410 or TDD (916) 684-3880 or write Records and Forms Management, 1120 N Street, MS-88, Sacramento, CA 95814.

Contract No. 11-076704

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STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**SUBCONTRACTOR LIST**  
 DES-06-0102.2 (REV 3/2011)

Bidder Name: Hal Hays Construction, Inc.

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

Column 1: Business Name and Location      Column 2: Bid Item Nos.      Column 3: Percentage of Bid Item Subcontracted      Column 4: Description of Subcontracted Work

Column 1: Business Name and Location	Column 2: Bid Item Nos.	Column 3: Percentage of Bid Item Subcontracted	Column 4: Description of Subcontracted Work
Sun Landscape El Centro			Landscape irrigation
All Valley Fence Imperial CA			Fencing

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Contract No. 11-076704

KG

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

DES-OE-0102.7 (REV 02/2010)

CONTRACT NO. 11 - 076704

Complete one of the following:

• **Small Business Preference N/A**

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: \_\_\_\_\_

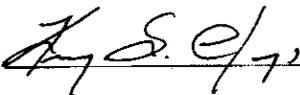
Date: \_\_\_\_\_

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: 03/13/2014

Signature: 

**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.)**

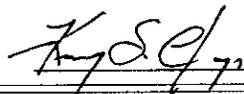
I am not a California company. My principal place of business is in \_\_\_\_\_  
(Enter state or country)

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: 03/13/2014

Signature of Bidder:  Kirby Hays, President/CEO

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We Hal Hays Construction, Inc.

as Principal, and

Western Surety 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 Building Construction in Imperial County in El Centro  
(Copy here the exact description of work, including location, as it appears on the proposal)  
at the El Centro Maintenance Station at 1102 Montenegro Way  
for which bids are to be opened at 3347 Michelson Drive, Suite 100, Irvine, CA 92612-1692  
(Insert place where bids will be opened)  
on March 13, 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: March 4, 2014.

Correspondence or claims relating to this bond should be sent to the surety at the following address: Western Surety Company  
915 Wilshire Blvd, Suite 1650  
Los Angeles, CA 90017

Hal Hays Construction, Inc.

*[Handwritten Signature]*

Principal Kirby Hays, President/CEO

Western Surety Company

Surety

By *[Handwritten Signature]*  
Attorney-in-Fact Rebecca Haas-Bates

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of Riverside }

\*\*Please See Attached\*\*

On this \_\_\_\_\_ before me, \_\_\_\_\_  
Date Here Insert Name and Title of the Officer

personally appeared \_\_\_\_\_  
Name(s) of Signer(s)

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

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

*See Attached*

WITNESS my hand and official seal.

(SEAL)

Signature \_\_\_\_\_  
Signature of Notary Public

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**  
**CIVIL CODE § 1189**

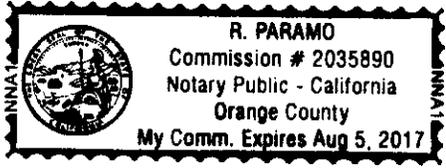
State of California

County of Orange



On 3/04/2014 before me, R. Paramo, Notary Public  
*Date Here Insert Name and Title of the Officer*

personally appeared Rebecca Haas-Bates  
*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*

Place Notary Seal Above

**OPTIONAL**

*Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.*

**Description of Attached Document**

Title or Type of Document: Bid Bond Document Date: 3/04/2014

Number of Pages: One (1) Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: Rebecca Haas-Bates  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Individual  Attorney in Fact  
 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_

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

Signer Is Representing: \_\_\_\_\_  
Fidelity and Deposit Company of Maryland

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

**ACKNOWLEDGMENT**

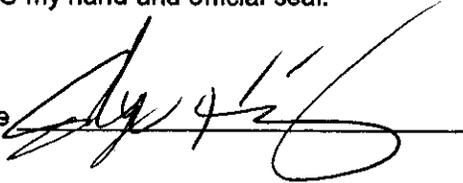
State of California  
County of Riverside )

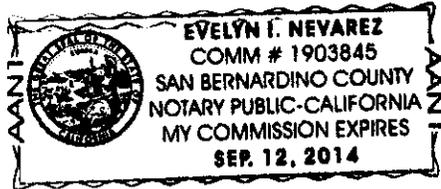
On March 12, 2014 before me, Evelyn Nevarez, Notary Public  
(insert name and title of the officer)

personally appeared Kirby Hays  
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/it~~ executed the same in  
his/~~her/its~~ authorized capacity(~~ies~~), and that by his/~~her/its~~ signature(~~s~~) on the instrument the  
person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature  (Seal)



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.*

**Further Description of Any Attached Document**

Title or Type of Document: Bidder's Bond- Contract # 11-076704

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

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

RIGHT THUMBPRINT  
OF SIGNER #1  
Top of thumb here

RIGHT THUMBPRINT  
OF SIGNER #2  
Top of thumb here

# Western Surety Company

## POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

**Owen Brown, Richard Adair, William Syrkin, Sergio D Bechara, Margaret Gilmore, Rebecca Haas-Bates, Individually**

of Irvine, CA, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

**- In Unlimited Amounts -**

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 10th day of October, 2012.



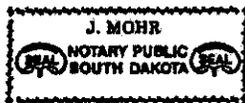
WESTERN SURETY COMPANY

Paul T. Bruflat  
Paul T. Bruflat, Vice President

State of South Dakota }  
County of Minnehaha } ss

On this 10th day of October, 2012, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires  
June 23, 2015



J. Mohr  
J. Mohr, Notary Public

### CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 4th day of March, 2014



WESTERN SURETY COMPANY

L. Nelson  
L. Nelson, Assistant Secretary

## 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 Riverside

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

### CHILD SUPPORT COMPLIANCE ACT

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

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

### 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.

### NATIONAL LABOR RELATIONS BOARD

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.

### 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.

### 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