

REVIEW
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Caltrans[®]

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

RECEIVED
MAY 13 2014
RGW CONSTRUCTION

BID

FOR CONSTRUCTION ON STATE HIGHWAY IN THE CITY AND COUNTY OF SAN FRANCISCO ON ROUTE 101 AND ROUTE 280 AT ROUTE 101/280 SEPARATION.

In District 04 On Route 101/280

Under

Notice to Bidders and Special Provisions dated May 5, 2014

Standard Specifications dated 2010

Project plans approved September 30, 2013

Standard Plans dated 2010

Identified by

Contract No. 04-1A5514

04-SF-101/280-1.5/1.8,R4.1/R4.4

Project ID 0400000496

Federal-Aid Project

ACNHP-X075(042)E

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

CONTRACT NO. 04 - 1A5514

NAME OF BIDDER RGW Construction, Inc.
BUSINESS P.O. BOX _____
CITY, STATE, ZIP _____
BUSINESS STREET ADDRESS 550 Greenville Road
(Include even if P.O. Box used)
CITY, STATE, ZIP Livermore, CA 94550
TELEPHONE NO: AREA CODE (925) 606-2400
FAX NO: AREA CODE (925) 961-1925
CONTRACTOR LICENSE NO. 591940

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.

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
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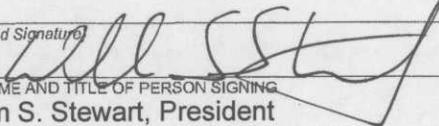
- 2.6. For a lump sum based bid, the item total is the bid amount the Department uses for bid comparison.
For a unit price based bid, the sum of the item totals is the bid amount the Department uses for bid comparison.
For a cost plus time based bid, the sum of the item totals and the total bid for time 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)

6-10-14

PRINTED NAME AND TITLE OF PERSON SIGNING

William S. Stewart, President

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	3500
2	080050	PROGRESS SCHEDULE (CRITICAL PATH METHOD)	LS	LUMP SUM	LUMP SUM	3000
3	090105	TIME-RELATED OVERHEAD (LS)	LS	LUMP SUM	LUMP SUM	650000
4	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	6000
5	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	1000008
6	120151	TEMPORARY TRAFFIC STRIPE (TAPE)	LF	56,800	2	113600
7	120152	TEMPORARY PAVEMENT MARKING (TAPE)	SQFT	760	15	11400
8	120300	TEMPORARY PAVEMENT MARKER	EA	3,540	3.75	13275
9	128652	PORTABLE CHANGEABLE MESSAGE SIGN (LS)	LS	LUMP SUM	LUMP SUM	65000
10	129000	TEMPORARY RAILING (TYPE K)	LF	26,600	15	399000
11	129100	TEMPORARY CRASH CUSHION MODULE	EA	170	95	16150
12	129150	TEMPORARY TRAFFIC SCREEN	LF	26,600	2	53200
13	130100	JOB SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	55000
14	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	LUMP SUM	35000
15	130620	TEMPORARY DRAINAGE INLET PROTECTION	EA	70	175	12250
16	130900	TEMPORARY CONCRETE WASHOUT	LS	LUMP SUM	LUMP SUM	11500
17	141103	REMOVE YELLOW THERMOPLASTIC TRAFFIC STRIPE (HAZARDOUS WASTE)	LF	12,600	1	12600
18	150310	RAPID SETTING CONCRETE (PATCH)	CF	8	2500	20000
19	150661	REMOVE GUARDRAIL	LF	200	25	5000
20	150714	REMOVE THERMOPLASTIC TRAFFIC STRIPE	LF	18,300	0.70	12810

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
21	150715	REMOVE THERMOPLASTIC PAVEMENT MARKING	SQFT	380	3	1140
22	150722	REMOVE PAVEMENT MARKER	EA	1,710	1	1710
23	150742	REMOVE ROADSIDE SIGN	EA	5	100	500
24	044643	CLEAN BRIDGE DECK DRAINAGE SYSTEM	LF	5,129	12	61548
25	151270	SALVAGE METAL BRIDGE RAILING	LF	24,437	3.50	85529.50
26	044644	RECONSTRUCT DECK DRAIN GRATE	EA	39	800	31200
27	153223	REMOVE UNSOUND CONCRETE	CF	8	2000	16000
28	153226	REFINISH BRIDGE DECK	SQFT	23,976	32	767232
29	044645	CARBON FIBER REINFORCED POLYMER STRIP	LF	464	235	109040
30	153318	CORE CONCRETE (1 1/8")	LF	24	155	3720
31	156590	REMOVE CRASH CUSHION (SAND FILLED)	EA	1	1000	1000
32	157561	BRIDGE REMOVAL (PORTION), LOCATION A	LS	LUMP SUM	LUMP SUM	185000
33	157562	BRIDGE REMOVAL (PORTION), LOCATION B	LS	LUMP SUM	LUMP SUM	180000
34	157563	BRIDGE REMOVAL (PORTION), LOCATION C	LS	LUMP SUM	LUMP SUM	85000
35	157564	BRIDGE REMOVAL (PORTION), LOCATION D	LS	LUMP SUM	LUMP SUM	295000
36	157565	BRIDGE REMOVAL (PORTION), LOCATION E	LS	LUMP SUM	LUMP SUM	245000
37	157566	BRIDGE REMOVAL (PORTION), LOCATION F	LS	LUMP SUM	LUMP SUM	315000
38	157567	BRIDGE REMOVAL (PORTION), LOCATION G	LS	LUMP SUM	LUMP SUM	205000
39	157568	BRIDGE REMOVAL (PORTION), LOCATION H	LS	LUMP SUM	LUMP SUM	152000
40	157569	BRIDGE REMOVAL (PORTION), LOCATION I	LS	LUMP SUM	LUMP SUM	95000

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
41	157570	BRIDGE REMOVAL (PORTION), LOCATION J	LS	LUMP SUM	LUMP SUM	174000
42 (F)	510053	STRUCTURAL CONCRETE, BRIDGE	CY	15	3800	57000
43 (F)	510072	STRUCTURAL CONCRETE, BARRIER SLAB	CY	450	1250	562500
44	510800	PAVING NOTCH EXTENSION	CF	60	530	31800
45	044646	CLEAN EXPANSION JOINT (MODIFIED)	LF	961	150	144150
46	519088	JOINT SEAL (MR 1")	LF	576	150	86400
47	519091	JOINT SEAL (MR 1 1/2")	LF	319	150	47850
48	519092	JOINT SEAL ASSEMBLY (MR 2 1/2")	LF	68	150	10200
49	519093	JOINT SEAL ASSEMBLY (MR 3")	LF	68	150	10200
50	519100	JOINT SEAL (MR 2")	LF	385	150	57750
51 (F)	520102	BAR REINFORCING STEEL (BRIDGE) 5655.15	LB	4,189	1.35	5655.50
52	560249	FURNISH SINGLE SHEET ALUMINUM SIGN (0.080"-UNFRAMED)	SQFT	190	30	5700
53	562002	METAL (BARRIER MOUNTED SIGN)	LB	2,230	10	22300 22230 (F)
54 (F)	750501	MISCELLANEOUS METAL (BRIDGE)	LB	1,592	12	19104
55	832015	MIDWEST GUARDRAIL SYSTEM (7' WOOD POST)	LF	80	100	8000
56	044647	CONCRETE BARRIER (TRANSITION)	LF	57	165	9405
57	044648	CONCRETE BARRIER (TRANSITION CFRP)	LF	45	405	18225
58	839543	TRANSITION RAILING (TYPE WB-31)	EA	1	6500	6500
59	839576	END CAP (TYPE A)	EA	1	350	350
60	839591	CRASH CUSHION, SAND FILLED	EA	1	7000	7000

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
61	839710	CONCRETE BARRIER (TYPE 60S)	LF	360	125	45000
62 (F)	839717	CONCRETE BARRIER (TYPE 732 MODIFIED)	LF	24,114	141	3400074
63 (F)	839723	CONCRETE BARRIER (TYPE 732B)	LF	261	200	52200
64	840504	4" THERMOPLASTIC TRAFFIC STRIPE	LF	25,200	1	25200
65	840506	8" THERMOPLASTIC TRAFFIC STRIPE	LF	1,810	2	3620
66	840515	THERMOPLASTIC PAVEMENT MARKING	SQFT	380	6	2280
67	840525	4" THERMOPLASTIC TRAFFIC STRIPE (BROKEN 36-12)	LF	11,600	0.85	9860
68	850101	PAVEMENT MARKER (NON-REFLECTIVE)	EA	970	3	2910
69	850111	PAVEMENT MARKER (RETROREFLECTIVE)	EA	840	6	5040
70	860090	MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION	LS	LUMP SUM	LUMP SUM	5000
71	860415	LIGHTING (STAGE CONSTRUCTION)	LS	LUMP SUM	LUMP SUM	187000
72	860460	LIGHTING AND SIGN ILLUMINATION	LS	LUMP SUM	LUMP SUM	1000060 1000060 (10)
73	999990	MOBILIZATION	LS	LUMP SUM	LUMP SUM	1237000

TOTAL BID

FOR BID ITEMS:

12,593,245.65 ————— \$ 13,453,177.65

TOTAL BID

FOR TIME:

290 X \$5,400.00 = \$ 1,566,000
WORKING DAYS BID (Not to exceed 330 Days) COST PER DAY

TOTAL BID FOR COMPARISON (COST PLUS TIME):

\$ 15,019,177.65
 14,159,245.65 —————

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

Bidder Name: RGW 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
Western Traffic Supply, Inc. Pleasanton, CA	5 partial	5	Traffic Control System (partial)
Chrisp Company Fremont, CA	6	100	Temporary Traffic Stripe (tape),
	7	100	Temporary Pavement Marking (tape),
	8	100	Temporary Pavement Marker,
	17	100	Remove Yellow Thermoplastic Traffic Stripe (Hazardous Waste),
	20	100	Remove Thermoplastic Traffic Stripe,
	21	100	Remove Thermoplastic Pavement Marking,
	22	100	Remove Pavement Marker,
	64	100	4" Thermoplastic Traffic Stripe,
	65	100	8" Thermoplastic Traffic Stripe,
	66	100	Thermoplastic Pavement Marking,
	67	100	4" Thermoplastic Traffic Stripe (Broken 36-12),
	68	100	Pavement Marker (Non-Reflective),
	69	100	Pavement Marker (Retroreflective)

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Column 1: Business Name and Location	Column 2: Bid Item Nos.	Column 3: Percentage of Bid Item Subcontracted	Column 4: Description of Subcontracted Work
W. C. Maloney, Inc. Stockton, CA	25	100	Salvage Metal Bridge Railing,
	28 partial	61	Refinish Bridge Deck (partial),
	32	100	Bridge Removal (portion), Location A,
	33	100	Bridge Removal (portion), Location B,
	34	100	Bridge Removal (portion), Location C
	35	100	Bridge Removal (portion), Location D,
	36	100	Bridge Removal (portion), Location E,
	37	100	Bridge Removal (portion), Location F,
	38	100	Bridge Removal (portion), Location G,
	39	100	Bridge Removal (portion), Location H,
	40	100	Bridge Removal (portion), Location I,
41	100	Bridge Removal (portion), Location J,	

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Column 1: Business Name and Location	Column 2: Bid Item Nos.	Column 3: Percentage of Bid Item Subcontracted	Column 4: Description of Subcontracted Work
FBD Vanguard Construction Livermore, CA	43 partial	66	Structural Concrete Barrier Slab (partial), Paving Notch Extension (partial), Concrete Barrier (Transition), Concrete Barrier (Transition CFRP)(partial), Concrete Barrier (Type 60S), Concrete Barrier (Type 732 Modified)(partial), Concrete Barrier (Type 732B)(partial)
	44 partial	52	
	56	100	
	57 partial	42	
	61	100	
	62 partial	64	
	63 partial	89	
Columbia Electric San Leandro, CA	62 partial	18	Electrical Conduits in Concrete Barrier (Type 732 Modified)(partial), Maintain Existing Traffic Management System Elements During Construction, Lighting (Stage Construction), Lighting and Sign Illumination
	70	100	
	71	100	
	72	100	
ESWPPP Consultants Walnut Creek, CA	14	100	Prepare Water Pollution Control Program

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Column 1: Business Name and Location	Column 2: Bid Item Nos.	Column 3: Percentage of Bid Item Subcontracted	Column 4: Description of Subcontracted Work
HJ3 Composite Technology Tucson, AZ	29 57	100 55	Carbon Fiber Reinforced Polymer Strip, Concrete Barrier (Transition CFRP) (partial)

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RGW CONSTRUCTION, INC.

Date: 6/11/14

FAX TRANSMITTAL INFORMATION SHEET

Name of Individual: Caltrans

Name of Firm: Caltrans

Fax Number: 916-227-6282

Person Transmitting: Gail Pierson

Total pages including this information sheet: 5

Comments:

Please see attached Subcontractor Listing with bid items and percentages.

Caltran's Contract No. 04-1a5514

Bid Date: June 10th, 2014

If you have any questions, please contact our office.

Thank you,

Gail Pierson

AN EQUAL OPPORTUNITY EMPLOYER



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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
WESTON TRAFFIC SUPPLY INC PLASANTON, CA			Construction Area Signs, Traffic Control System (partial), MB Remove Roadside Sign, Furnish Single Sheet Aluminum Sign (0-080" unframed), Metal (Barrier Mounted Sign) TRAFFIC CONTROL SYSTEM (Partial)
CHRISP FREMONT, CA			Temporary Traffic Stripe (tape), Temporary Pavement Marking (tape), Temporary Pavement Marker, Remove Yellow Thermoplastic Traffic Stripe (Hazardous Waste), Remove Thermoplastic Traffic Stripe, Remove Thermoplastic Pavement Marking, Remove Pavement Marker, 4" Thermoplastic Traffic Stripe, 8" Thermoplastic Traffic Stripe, Thermoplastic Pavement Marking, 4" Thermoplastic Traffic Stripe (Broken 36-12), Pavement Marker (Non-Reflective), Pavement Marker (Retroreflective)

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<p><i>WC MALONEY, INC. Stockton</i></p>			<p>Salvage Metal Bridge Railing, Refinish Bridge Deck (partial), Bridge Removal (portion), Location A, Bridge Removal (portion), Location B, Bridge Removal (portion), Location C Bridge Removal (portion), Location D, Bridge Removal (portion), Location E, Bridge Removal (portion), Location F, Bridge Removal (portion), Location G, Bridge Removal (portion), Location H, Bridge Removal (portion), Location I, Bridge Removal (portion), Location J,</p>
			<p>Clean Expansion Joint (modified), Joint Seal (MR 1"), Joint Seal (MR 1-1/2"), Joint Seal Assembly (MR 2-1/2"), Joint Seal Assembly (MR 3"), Joint Seal (MR 2") M/A</p>

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Column 1: Business Name and Location	Column 2: Bid Item Nos.	Column 3: Percentage of Bid Item Subcontracted	Column 4: Description of Subcontracted Work
FBI VANGUARD CONST. CO. LIVERMORE, CA			Structural Concrete Barrier Slab (partial), Paving Notch Extension (partial), Concrete Barrier (Transition), Concrete Barrier (Transition CFRP)(partial), Concrete Barrier (Type 60S), Concrete Barrier (Type 732 Modified)(partial), Concrete Barrier (Type 732B)(partial)
(OV) STERNY & CO. HAYES, CA COLUMBIA ELECTRIC SAN LEANDRO, CA			Electrical Conduits in Concrete Barrier (Type 732 Modified)(partial), Maintain Existing Traffic Management System Elements During Construction, Lighting (Stage Construction), Lighting and Sign Illumination
ESOPP CONSULTANTS WALNUT CREEK, CA			Prepare Water Pollution Control Program

SUBCONTRACTOR LIST

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<p><i>HJ3 Composite Technology</i> <i>TUCSON, AZ</i></p>			<p>Carbon Fiber Reinforced Polymer Strip, Concrete Barrier (Transition CFRP) (partial)</p>

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We **RGW Construction Inc.**

as Principal, and

Fidelity and Deposit Company of Maryland

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 the City and County of**

San Francisco on Route 101 and Route 280 at Route 101/280 Separation

for which bids are to be opened at **Sacramento, CA**

(Insert place where bids will be opened)

on **June 10th, 2014**

(Insert date of bid opening)

NOW, THEREFORE, if the Principal is awarded the contract and, within the time and manner required under the specifications, after the prescribed forms are presented to him for signature, enters into a written contract, in the prescribed form, in accordance with the bid, and files two bonds with the Obligee, one to guarantee faithful performance (if specified in the contract) of the contract and the other to guarantee payment for labor and materials as provided by law, then this obligation shall be null and void; otherwise, it shall remain in full force.

In the event a suit is brought upon this bond by the Obligee and judgment is recovered, the Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorney's fee to be fixed by the court.

Dated: **June 5th**, 20 **14**

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

**525 Market Street, Ste 2900
San Francisco, CA 94105**

RGW Construction Inc.

William S. Stewart *Principal* **President**
Fidelity and Deposit Company of Maryland

By

Kelly Holtemann
Surety

Attorney-in-Fact

Kelly Holtemann

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of _____ }
_____ }

On this _____ before me.

Date

****SEE ATTACHED****

Here Insert Name and Title of the Officer

personally appeared _____

Name(s) of Signer(s)

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

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

WITNESS my hand and official seal.

(SEAL)

Signature _____

Signature of Notary Public

ADA Notice For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 854-6410 or TDD (916) 854-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

ACKNOWLEDGMENT

State of California
County of Marin)

On June 5th, 2014 before me, J. DeLuca, Notary Public
(insert name and title of the officer)

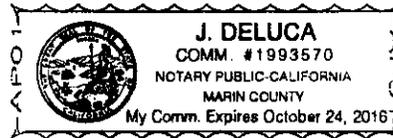
personally appeared Kelly Holtemann
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that ~~he/she/they~~ executed the same in
~~his/her/their~~ authorized capacity(ies), and that by ~~his/her/their~~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

(Seal)



**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Maryland, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Maryland (herein collectively called the "Companies"), by **THOMAS O. MCCLELLAN, Vice President**, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint **Kelly HOLTEMANN and Joan DELUCA, both of San Francisco, California, EACH** its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 14th day of May, A.D. 2012.

ATTEST:

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**



By: *Eric D. Barnes*
Assistant Secretary
Eric D. Barnes

Thomas O. McClellan
Vice President
Thomas O. McClellan

State of Maryland
City of Baltimore

On this 14th day of May, A.D. 2012, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **THOMAS O. MCCLELLAN, Vice President, and ERIC D. BARNES, Assistant Secretary**, of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, depose and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.

Maria D. Adamski

Maria D. Adamski, Notary Public
My Commission Expires: July 8, 2015



EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney... Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 5th day of June, 2014.



Geoffrey Delisio

Geoffrey Delisio, Vice President

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: RGW Construction, Inc.

Contract No. 04 - 1A5514

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

Date: _____

Signature: _____

ADA Notice For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3980 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

Contract No. 04-1A5514

SMALL BUSINESS STATUS

DES-OE-0102.4 (REV 3/2008)

CONTRACT NO. 04 - 1A5514

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.

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Contract No. 04-1A5514

CERTIFICATIONS

FEDERAL-AID PROJECTS DISCLOSURE OF LOBBYING ACTIVITIES CERTIFICATION

Bidder certifies, to the best of his or her knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities," in conformance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 USC § 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Bidder also agrees by submitting a bid that it must require the language of this certification be included in subcontracts over \$100,000 and these subcontractors shall certify and disclose.

**INSTRUCTIONS FOR COMPLETION OF SF-LLL,
DISCLOSURE OF LOBBYING ACTIVITIES**

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

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

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

EQUAL EMPLOYMENT OPPORTUNITY REGULATION CERTIFICATION

Bidder X , proposed subcontractor _____, certifies that he has has not participated in a previous contract or subcontract subject to the equal opportunity clauses, as required by Executive Orders 10925, 11114, or 11246, and that, if required, he has filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the filing requirements.

Notes:

- The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7(b) (1)), and must be submitted by bidders and proposed subcontractors only in connection with contracts and subcontracts which are subject to the equal opportunity clause. Contracts and subcontracts which are exempt from the equal opportunity clause are set forth in 41 CFR 60-1.5. (Generally only contracts or subcontracts of \$10,000 or under are exempt.)
- Currently, Standard Form 100 (EEO-1) is the only report required by the Executive Orders or their implementing regulations.
- Prime contractors and subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note 41 CFR 60-1.7(b) (1) prevents the award of contracts and subcontracts unless the Contractor submits a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor.

TITLE 49, CODE OF FEDERAL REGULATIONS, PART 29, DEBARMENT AND SUSPENSION CERTIFICATION

Bidder, under penalty of perjury, certifies that, except as noted below, it or any other person associated therewith in the capacity of owner, partner, director, officer, manager:

- is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;
- has not been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past 3 years;
- does not have a proposed debarment pending; and
- has not been indicted, convicted, or had a civil judgement rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

If there are any exceptions to this certification, insert the exceptions in the following space.

None

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 Alameda

William S. Stewart, being first duly sworn, deposes and says that he or she is

President of RGW Construction, Inc. the party

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

CHILD SUPPORT COMPLIANCE ACT

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

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

NATIONAL LABOR RELATIONS BOARD

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

VIOLATION OF LAW OR A SAFETY REGULATION

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

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

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