

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



157
A

FROM: TLMA - Transportation Department

SUBMITTAL DATE:
June 16, 2011

SUBJECT: Mountain View Road shoulder widening and striping safety project from Varner Road to Club House Drive, Desert Hot Springs area.

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve two addenda to the specifications and plans, issued prior to the May 25, 2011 bid opening; and
2. Accept the low bid of Cooley Construction, Inc. of Hesperia, CA in the amount of \$463,782; and
3. Award the contract to Cooley Construction, Inc. and authorize the Chairman of the Board to execute the contract documents.

Juan C. Perez
Director of Transportation

JCP:jj:sb
(Continued On Attached Page)

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 463,782	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2011/2012

SOURCE OF FUNDS: State Exchange Funds (12.1%), HR3-High Risk Rural Road (56.5%), Measure A/Coachella Valley (31.4%), There are no General Funds used in this project.	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY:
Tina Grande

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL
BY:
MARSHA L. VICTOR
DATE: 6/14/11

Departmental Concurrence

Dept'l Recomm.: Policy

Per Exec. Ofc.: Policy

Prev. Agn. Ref. 5/3/11, Item 3.53 | District: 5 | Agenda Number:

3.107

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

The Honorable Board of Supervisors

RE: Mountain View Road shoulder widening and striping safety project from Varner Road to Club House Drive, Desert Hot Springs area.

June 16, 2011

Page 2 of 2

BACKGROUND:

By Minute Order dated May 3, 2011 (agenda item 3.53), the Board authorized the Clerk of the Board to advertise for bids to construct the Mountain View Road safety project from Varner Road to Club House Drive, Desert Hot Springs area. Additionally, the Board approved the plans and specifications by this agenda item.

This safety project will pave shoulders on Mountain View Road a distance of 1.8 miles from Varner Road to Club House Drive, install left turn pockets, resurface portions of Mountain View Road and provide enhanced striping and pavement markers. The work includes widening the pavement on both sides by an average of 4' for a total width of 36' and providing a 4' graded shoulder on each side. The project will also provide pavement widening for left turn pockets at 20th Avenue east, 20th Avenue west and Club House Drive

During the advertisement period, two addenda were issued to all registered plan holders as a supplement to the specifications and special provisions. Bidders are required to acknowledge and to take into account addendum on their Contractor's Proposal. The addenda were issued to clarify and modify the contract documents. The addenda are attached as Addendum No. 1 and Addendum No. 2.

Bids were opened in the office of the Director of Transportation at 2:00 PM, Wednesday, May 25, 2011. Five bids were received. The basis for the selection of a contractor is the lowest responsive and responsible bid for all schedules of work. Cooley Construction, Inc. submitted the lowest responsible bid in the amount of \$463,782 which is \$67,318 (12.7%) below the Engineer's Estimate. The project is expected to finish within the existing budget as shown on Attachment A.

The County was successful in obtaining Federal Safety funds through a competitive process. This project will create construction jobs, improve the traffic operation and improve roadway safety.

The contractor is qualified and has executed the contract. The contractor has also provided performance bond and payment bond.

Project No. B8-0621

Project No. HRRRL – 5956(186) (Federal)

Attachment "A"

Riverside County Transportation Department

Project: **Mountain View Road from Varner Road to 500' n/o Club House Drive : Widen Roadway**

Project No. (s): **B8-0621**

Expenses as of: 05/26/2011

Project Costs and Budget

Activity	Incurred Costs	Projected Costs	Total Costs	Existing Budget
Preliminary Survey	72,440		72,440	75,000
Environmental	37,841		37,841	37,000
Design	254,944	1,000	255,944	211,000
Right-of-way				
Utilities				
Construction		463,782	510,160	560,000
Construction Contingency 10%		46,378		
Construction Engineering & Inspection	6,806	83,000	89,806	85,000
Construction Survey		60,000	60,000	60,000
Totals:	372,031	654,160	1,026,191	1,028,000

Project Funding

Code	Name	Existing Budget
101	State Exchange Funds	124,000
133	HR3 - High Risk Rural Roads	581,000
301	Measure A/Coachella Valley	323,000
Totals		1,028,000

Comments

Form 11 Attachment

Contract/Lease/Purchase Summary Data

Contract (for Services)

- Approval/Renewal
- Sole Source
- Personal Services
- Independent Contractor
- Other than Low Bid
- Change Order
- Public Works

Lease

- Approval/Renewal
- Multi-Year Lease
- Equipment
- Real Property
- Change Order

Purchase (for Materials)

- Sole Source
- Other than Low Bid
- Change Order

Selection Committee Member Names (RFP's Only)

User Department:	Transportation Department
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N/A

Vendor/Lessor Name:	Cooley Construction, Inc.
Vendor/Lessor Location:	Hesperia, CA

Minority Status:

M W DV None

Local Preference Applied: Yes No N/A

Local Preference Award Cost \$
(5% maximum preference)

Local Preference FYTD: Cost \$

of Orders

Applicable Board Policy #

Comments:

RFQ/RFP Process:

Date Mailed:
Response Date:
of Responses:
of Qualified Responses:

Bidding Process:

Bid Range: \$ 463,782.00 to \$ 761,551.00
Local Bid Range: N/A
Responsive and
Responsible Bid Range: \$ 463,782.00 to \$ 761,551.00

Contract/Lease Renewals Only

Existing Agreement Items

Proposed Agreement Items

1. Rates
2. Terms
3. Conditions
4. Legal Issues
5. Accountability
6. Utilities

(continue on blank sheet if necessary)

NOTE: COMPETITIVELY BID PUBLIC WORKS CONTRACT

**Riverside County Transportation Department
Summary of Bids**

PROJECT:
Mountain View Road Safety Project, Shoulder Widening and Striping
From Varner Road to Club House Drive

Advised: May 3, 2011 (Agenda Item: 3.53)
Addenda: 1 (5/5/11), 2 (5/19/11)
Bids Open: 2 pm Date: Wednesday, May 25, 2011

PROJECT NO. B8-0621, Federal Aid No. HRRRL-6956(186)

ITEM NO.	ITEM CODE	CONTRACT ITEM	UNITS	QUANTITY	COUNTY'S ESTIMATE			Cooley Construction, Inc. Hesperia, CA 92340	
					UNIT PRICE	ENG ESTIMATE	BID UNIT PRICE	BID ESTIMATE	
1	066102	DUST ABATEMENT	LS	1	5,000.00	5,000.00	5,200.00	5,200.00	
2	074020	WATER POLLUTION CONTROL	LS	1	5,000.00	5,000.00	2,900.00	2,900.00	
3	120100	TRAFFIC CONTROL SYSTEM	LS	1	50,000.00	50,000.00	18,770.00	18,770.00	
4	150717	REMOVE TRAFFIC STRIPE AND PAVEMENT MARKING	SQFT	5,000	2.50	12,500.00	1.22	6,100.00	
5	151284	SALVAGE ROADSIDE SIGN(WOOD POST)	EA	1	200.00	200.00	42.00	42.00	
6	152392	RELOCATE ROADSIDE SIGN(WOOD POST)	EA	7	250.00	1,750.00	210.00	1,470.00	
7	160101	CLEARING AND GRUBBING	LS	1	5,000.00	5,000.00	5,000.00	5,000.00	
8	170101	DEVELOP WATER SUPPLY	LS	1	2,500.00	2,500.00	2,500.00	2,500.00	
9	190101	ROADWAY EXCAVATION	CY	2,000	40.00	80,000.00	28.06	56,120.00	
10	190185	SHOULDER BACKING	LF	19,000	2.00	38,000.00	0.58	11,020.00	
11	013902	ASPHALT CONCRETE OVERSIDE DRAIN (CRS 306)	EA	1	2,000.00	2,000.00	1,280.00	1,280.00	
12	390132	HOT MIX ASPHALT (TYPE A)	TON	3,900	70.00	273,000.00	77.00	300,300.00	
13	013903	PLACE ASPHALT CONCRETE DIKE (CRS 212) (6")	LF	80	5.00	400.00	20.30	1,624.00	
14	394050	RUMBLE STRIP [STD PLAN NO. A40B & DETAILS SHOWN ON PLAN]	LF	6,600	1.00	6,600.00	0.78	5,148.00	
15	568011	ROADSIDE SIGN - ONE POST	EA	1	300.00	300.00	370.00	370.00	
16	820118	GUARD RAILING DELINEATOR	EA	20	40.00	800.00	44.40	888.00	
17	832001	METAL BEAM GUARD RAILING [STD PLAN NO. A77G4]	LF	125	50.00	6,250.00	29.60	3,700.00	
18	839565	TERMINAL SYSTEM (TYPE SRT)	EA	2	4,000.00	8,000.00	2,600.00	5,200.00	
19	840515	THERMOPLASTIC PAVEMENT MARKING	SQFT	300	4.00	1,200.00	6.30	1,890.00	
20	840656	PAINT TRAFFIC STRIPE (2-COAT)	LF	30,000	0.20	6,000.00	0.21	6,300.00	
21	850102	PAVEMENT MARKER (REFLECTIVE)	EA	400	4.00	1,600.00	7.40	2,960.00	
22	019901	DEMobilIZATION	LS	1	25,000.00	25,000.00	25,000.00	25,000.00	
PROJECT TOTAL						531,100.00		463,782.00	
ITEMS 1-22									

**Riverside County Transportation Department
Summary of Bids**

PROJECT:
Mountain View Road Safety Project, Shoulder Widening and Striping
From Varner Road to Club House Drive

Advertised: May 3, 2011 (Agenda Item: 3.53)
Addenda: 1 (5/5/11), 2 (5/19/11)
Bids Open: 2 pm Date: Wednesday, May 25, 2011

PROJECT NO. B8-0621, Federal Aid No. HRRRL-5956(186)

ITEM NO.	ITEM CODE	CONTRACT ITEM	UNITS	QUANTITY	2		3	
					BID UNIT PRICE	BID ESTIMATE	BID UNIT PRICE	BID ESTIMATE
1	066102	DUST ABATEMENT	LS	1	2,500.00	2,500.00	3,657.00	3,657.00
2	074020	WATER POLLUTION CONTROL	LS	1	1,700.00	1,700.00	2,700.00	2,700.00
3	120100	TRAFFIC CONTROL SYSTEM	LS	1	13,931.00	13,931.00	39,000.00	39,000.00
4	150717	REMOVE TRAFFIC STRIPE AND PAVEMENT MARKING	SQFT	5,000	1.35	6,750.00	1.20	6,000.00
5	151284	SALVAGE ROADSIDE SIGN(WOOD POST)	EA	1	50.00	50.00	108.00	108.00
6	152392	RELOCATE ROADSIDE SIGN(WOOD POST)	EA	7	125.00	875.00	270.00	1,890.00
7	160101	CLEARING AND GRUBBING	LS	1	5,000.00	5,000.00	46,500.00	46,500.00
8	170101	DEVELOP WATER SUPPLY	LS	1	2,500.00	2,500.00	4,000.00	4,000.00
9	190101	ROADWAY EXCAVATION	CY	2,000	42.00	84,000.00	25.00	50,000.00
10	190185	SHOULDER BACKING	LF	19,000	0.45	8,550.00	0.60	11,400.00
11	013902	ASPHALT CONCRETE OVERSIDE DRAIN (CRS 306)	EA	1	2,230.00	2,230.00	2,000.00	2,000.00
12	390132	HOT MIX ASPHALT (TYPE A)	TON	3,900	81.00	315,900.00	78.00	304,200.00
13	013903	PLACE ASPHALT CONCRETE DIKE (CRS 212) (6")	LF	80	38.00	3,040.00	23.75	1,900.00
14	394050	RUMBLE STRIP [STD PLAN NO. A40B & DETAILS SHOWN ON PLAN]	LF	6,600	0.50	3,300.00	1.25	8,250.00
15	566011	ROADSIDE SIGN - ONE POST	EA	1	300.00	300.00	265.00	265.00
16	820118	GUARD RAILING DELINEATOR	EA	20	40.00	800.00	24.00	480.00
17	832001	METAL BEAM GUARD RAILING (STD PLAN NO. A77G4)	LF	125	55.00	6,875.00	30.00	3,750.00
18	839665	TERMINAL SYSTEM (TYPE SRT)	EA	2	2,400.00	4,800.00	2,500.00	5,000.00
19	840515	THERMOPLASTIC PAVEMENT MARKING	SQFT	300	8.00	2,400.00	4.00	1,200.00
20	840656	PAINT TRAFFIC STRIPE (2-COAT)	LF	30,000	0.30	9,000.00	0.35	10,500.00
21	850102	PAVEMENT MARKER (REFLECTIVE)	EA	400	5.00	2,000.00	5.50	2,200.00
22	019901	DEMOBILIZATION	LS	1	25,000.00	25,000.00	25,000.00	25,000.00
PROJECT TOTAL						501,501.00		530,000.00
ITEMS 1-22								

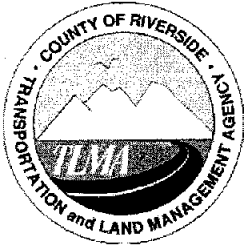
**Riverside County Transportation Department
Summary of Bids**

PROJECT:
Mountain View Road Safety Project, Shoulder Widening and Striping
From Varner Road to Club House Drive

Advertised: May 3, 2011 (Agenda Item: 3.53)
Addenda: 1 (5/5/11), 2 (5/19/11)
Bids Open: 2 pm Date: Wednesday, May 25, 2011

PROJECT NO. B8-0621, Federal Aid No. HRRRL-59566(186)

ITEM NO.	ITEM CODE	CONTRACT ITEM	UNITS	QUANTITY	4		5	
					BID UNIT PRICE	BID ESTIMATE	BID UNIT PRICE	BID ESTIMATE
1	066102	DUST ABATEMENT	LS	1	10,590.00	10,590.00	1.00	1.00
2	074020	WATER POLLUTION CONTROL	LS	1	3,000.00	3,000.00	1,000.00	1,000.00
3	120100	TRAFFIC CONTROL SYSTEM	LS	1	30,000.00	30,000.00	6,000.00	6,000.00
4	150717	REMOVE TRAFFIC STRIPE AND PAVEMENT MARKING	SQFT	5,000	1.35	6,750.00	5.00	25,000.00
5	151284	SALVAGE ROADSIDE SIGN(WOOD POST)	EA	1	100.00	100.00	200.00	200.00
6	152392	RELOCATE ROADSIDE SIGN(WOOD POST)	EA	7	150.00	1,050.00	200.00	1,400.00
7	160101	CLEARING AND GRUBBING	LS	1	30,000.00	30,000.00	15,000.00	15,000.00
8	170101	DEVELOP WATER SUPPLY	LS	1	1,000.00	1,000.00	3,000.00	3,000.00
9	190101	ROADWAY EXCAVATION	CY	2,000	30.00	60,000.00	40.00	80,000.00
10	190185	SHOULDER BACKING	LF	19,000	1.00	19,000.00	2.00	38,000.00
11	013902	ASPHALT CONCRETE OVERSIDE DRAIN (CRS 306)	EA	1	1,000.00	1,000.00	3,000.00	3,000.00
12	390132	HOT MIX ASPHALT (TYPE A)	TON	3,900	79.50	310,050.00	120.00	468,000.00
13	013903	PLACE ASPHALT CONCRETE DIKE (CRS 212) (6")	LF	80	25.00	2,000.00	40.00	3,200.00
14	394050	RUMBLE STRIP [STD PLAN NO. A40B & DETAILS SHOWN ON PLAN]	LF	6,600	1.00	6,600.00	2.00	13,200.00
15	566011	ROADSIDE SIGN - ONE POST	EA	1	330.00	330.00	300.00	300.00
16	820118	GUARD RAILING DELINEATOR	EA	20	24.00	480.00	50.00	1,000.00
17	832001	METAL BEAM GUARD RAILING [STD PLAN NO. A77G4]	LF	125	30.00	3,750.00	50.00	6,250.00
18	839565	TERMINAL SYSTEM (TYPE SRT)	EA	2	2,400.00	4,800.00	3,000.00	6,000.00
19	840515	THERMOPLASTIC PAVEMENT MARKING	SQFT	300	9.00	2,700.00	50.00	15,000.00
20	840655	PAINT TRAFFIC STRIPE (2-COAT)	LF	30,000	0.30	9,000.00	1.50	45,000.00
21	850102	PAVEMENT MARKER (REFLECTIVE)	EA	400	7.00	2,800.00	15.00	6,000.00
22	019901	DEMOBILIZATION	LS	1	25,000.00	25,000.00	25,000.00	25,000.00
PROJECT TOTAL						530,000.00		761,551.00
ITEMS 1-22								



COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY



Juan C. Perez, P.E., T.E.
Director of Transportation

Transportation Department

ADDENDUM NUMBER 1 Dated May 5, 2011

to the
Specifications and Contract Documents
for the construction of

**MOUNTAIN VIEW ROAD
SAFETY PROJECT
SHOULDER WIDENING AND STRIPING
FROM VARNER ROAD TO CLUB HOUSE DRIVE**

**PROJECT NO. B8-0621
FEDERAL AID NO. HRRRL – 5956(186)**

Bids Due: Wednesday, May 25, 2011; 2:00 PM
14th Street Transportation Annex
3525 14th Street, Riverside, CA 92501
(951) 955-6780

This Addendum is issued pursuant to Section 3-1.04 of the Contract Document for the referenced project. This Addendum is issued as a supplement to the specifications and special provisions for the referenced project. Any revisions to the specifications shall become a part of the Contract Documents, and each bidder shall acknowledge receipt thereof on the Contractor's Proposal. Bidders are directed to sign this addendum as acknowledged, and attach the signature page to the contractor's submitted proposal.

Note: During the advertisement period of this project, this document and attachments (if any) are available upon request at the office of the Transportation Department, and are available as a free download at the Transportation Department's website:

www.tlma.co.riverside.ca.us/trans/con_bid_advertisements.html

MODIFICATIONS / CLARIFICATIONS TO SPECIAL PROVISIONS

Item 1: UBDE Contract Goal is 2.0%

Refer to "UBDE Information – Good Faith Efforts, Exhibit 15-H", page B18, and first paragraph. Delete goal of 0% and replace with **2.0%**. Also refer to "Notice to Contractors", page 1 and delete the sentence "The UBDE Contract goal is 0% (zero percent)" and replace with "The UBDE Contract goal is **2.0% (two percent)**".

Item 2: Federal Minimum Wages. Update

Refer to section 5-2 entitled "Federal Prevailing Wages Decision", pages 1 through 21. Delete and replace these pages with the following:

"Federal wage determination, General Decision no. CA20080036 – CA36, Modification no. 21, dated **4/29/2011**, shall apply to this project. This document is available upon request from the Transportation Department: (951) 955-6780.

Item 3: Insurance. Additional insured

The following Special Provisions are added hereby:

"In addition to the requirements of Section 3-1.01B, "Insurance – Hold Harmless" of the contract documents, the Contractor's Certificate of Insurance and endorsements for the project shall name **the City of Cathedral City, its officers, directors, agents and employees and agents** as additional insured under the Contractor's general liability, excess liability and auto liability insurance policies and on the Waiver of Subrogation for the Contractor's Workers Compensation policy.

Full compensation for compliance with the requirements of this Section shall be considered as included in the various items of work and no additional compensation will be allowed therefore."

Item 4: Permits.

Following Special Provisions are added and made part hereof:

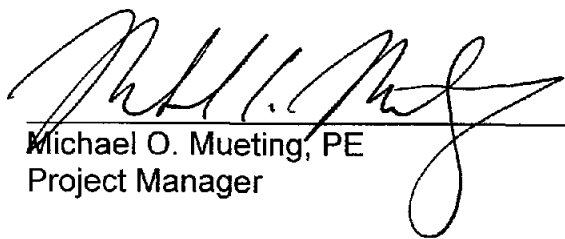
"It is the responsibility of the Contractor to obtain any required permits from the **City of Cathedral City**, including Encroachment Permit and Traffic Control, to perform any work done within their Right-of-Way. Permits must be obtained prior to commencing any work and all work shall comply with the permit requirements. No encroachment permit fees will apply to the Contractor from the County of Riverside or from the City of Cathedral City."

Item 5: Coordination.

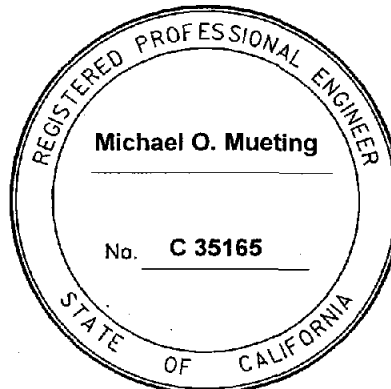
Contractors are required to coordinate construction activities with the City of Cathedral City and utility companies throughout the construction period.

Addendum No. 1
Mountain View Road Safety Project
Shoulder Widening and Striping; from Varner Road to Club House Drive
Project No. B8-0621
Federal Aid No. HRRRL-5659(186)
May 5, 2011
Page 3 of 3

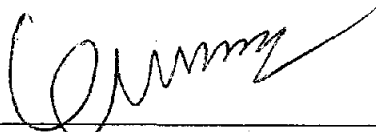
This addendum has been prepared under the direction of the following registered Civil Engineer:



Michael O. Mueeting, PE
Project Manager



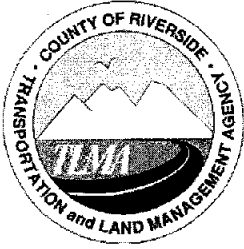
Concurrence:



Khalid Nasim, PE
Engineering Division Manager

Acknowledged: _____ Date: _____
(Contractor)

JRJ:sb



COUNTY OF RIVERSIDE TRANSPORTATION AND LAND MANAGEMENT AGENCY



Juan C. Perez, P.E., T.E.
Director of Transportation

Transportation Department

ADDENDUM NUMBER 2 Dated May 19, 2011

to the
Specifications and Contract Documents
for the construction of

**MOUNTAIN VIEW ROAD
SAFETY PROJECT
SHOULDER WIDENING AND STRIPING
FROM VARNER ROAD TO CLUB HOUSE DRIVE**

**PROJECT NO. B8-0621
FEDERAL AID NO. HRRRL – 5956(186)**

Bids Due: Wednesday, May 25, 2011; 2:00 PM
14th Street Transportation Annex
3525 14th Street, Riverside, CA 92501
(951) 955-6780

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www.tlma.co.riverside.ca.us/trans/con_bid_advertisements.html

MODIFICATIONS / CLARIFICATIONS TO SPECIAL PROVISIONS

Item 1: Federal Minimum Wages. Update

Refer to Addendum No. 1, Item 2, "Federal Minimum Wages". Delete and replace the second paragraph with the following:

"Federal wage determination, General Decision no. CA20080036 – CA36, Modification no. 22, dated 5/6/2011, shall apply to this project. This document is available upon request from the Transportation Department: (951) 955-6780.

Prepared by: 
Joel Jimenez, PE; Senior Civil Engineer; Contracts/Bidding Unit

Acknowledged: _____ Date: _____
(Contractor)

JRJ:sb

AGREEMENT

COUNTY OF RIVERSIDE

PROJECT NO. B8-0621

FEDERAL AID NO. HRRRL-5956 (186)

THIS AGREEMENT, made and concluded in duplicate as of the date set forth below, between the County of Riverside, party of the first part, and Cooley Construction, Inc. Contractor, party of the second part.

ARTICLE I: WITNESSETH, that for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the said party of the first part, and under the conditions expressed in the two bonds, bearing even date with these presents, the said party of the second part agrees with the said party of the first part, at his own proper cost and expense, to do all the work and furnish all the materials, except such as are mentioned in the specifications to be furnished by said party of the first part, necessary to construct and complete in a good, workmanlike and substantial manner and to the satisfaction of the County of Riverside, in accordance with the Special Provisions, "Notice to Contractors", the State of California Department of Industrial Relations Wage Determination, the Federal Wage Determination, the Proposal to the County of Riverside for the Project, addendum No. 1, 2, the Bid Bond, the Performance Bond, the Payment Bond, any specific plans for the project not covered by the Standard Specifications and Standard Plans, any change orders issued, and any written instructions and drawings executed and delivered to the Contractor by the County pursuant to the Contract Documents. Also in accordance with the **Standard Plans, dated May 2006**, the **Standard Specifications, dated May 2006**, the General Prevailing Wage Rates of the Department of Transportation, with the effective date being the date of advertisement, and the Labor Surcharge and Equipment Rental Rates, with the effective date being the date of advertisement, and the Labor Surcharge and Equipment Rental Rates, with the effective date being the date of accomplishing the work, which said special provisions Standard Plans, Standard Specifications, Prevailing Wage Rates, and Labor Surcharge and Equipment Rental Rates are hereby specially referred to and by such reference, made a part hereof.

The work to be done is shown on plans entitled **Mountain View Road Safety Project, Shoulder Widening and Striping from Varner Road to Club House Drive** Sheets 1 through 12, approved **April 21, 2011** on file with the County Surveyor file **No.955-S**, and as revised by addenda, which said project plans are hereby made a part of this contract.

ARTICLE II: The said party of the first part hereby promises and agrees with the said Contractor to employ, and does hereby employ, the said Contractor to provide the materials and to do the work according to the terms and conditions herein contained and

referred to, for the prices hereinafter set forth, and hereby contracts to pay the same at the time, in the manner and upon the conditions herein set forth; and the said parties for themselves, their heirs, executors, administrators, successors and assigns, do hereby agree to the full performance of the covenants herein contained.

ARTICLE III: The statement of prevailing wages appearing in the General Prevailing Wage Rates is hereby specifically referred to and by this reference is made a part of this contract.

It is further expressly agreed by and between the parties hereto that should there be any conflict between the terms of this instrument and the bid or proposal of said Contractor, then this instrument shall control and nothing herein shall be considered as an acceptance of the said terms of said proposal conflicting herewith.

ARTICLE IV: By my signature hereunder, as Contractor, I certify that I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workmen's compensation or to undertake self-insurance in accordance with the provisions of that code and I will comply with such provisions before commencing the performance of the work of this contract.

ARTICLE V: And the said Contractor agrees to receive and accept the following prices as full compensation for furnishing all materials and for doing all the work contemplated and embraced in this agreement; also for all loss or damage, arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work until its acceptance by the County of Riverside, and for all risks of every description connected with the work; also for all expenses incurred by or in consequence of the suspension or discontinuance of work and for well and faithfully completing the work, and the whole thereof, in the manner and according to the plans and specifications, and the requirements of the Engineer under them, to wit:

**MOUNTAIN VIEW ROAD, SAFETY PROJECT
SHOULDER WIDENING AND STRIPING
VARNER ROAD TO CLUB HOUSE DRIVE**

**PROJECT No. B8-0621
FEDERAL AID No. HRRRL-5956(186)**

AGREEMENT

ITEM NO.	ITEM CODE	ITEM	UNIT	ESTIMATED QUANTITY	ITEM PRICE (IN FIGURES)	TOTAL (IN FIGURES)
1.	066102	DUST ABATEMENT	LS	1	5,200.00	5,200.00
2.	074020	WATER POLLUTION CONTROL	LS	1	2,900.00	2,900.00
3.	120100	TRAFFIC CONTROL SYSTEM	LS	1	18,770.00	18,770.00
4.	150717	REMOVE TRAFFIC STRIPE AND PAVEMENT MARKING	SQFT	5,000	1.22	6,100.00
5.	151284	SALVAGE ROADSIDE SIGN(WOOD POST)	EA	1	42.00	42.00
6.	152392	RELOCATE ROADSIDE SIGN(WOOD POST)	EA	7	210.00	1,470.00
7.	160101	CLEARING AND GRUBBING	LS	1	5,000.00	5,000.00
8.	170101	DEVELOP WATER SUPPLY	LS	1	2,500.00	2,500.00
9.	190101	ROADWAY EXCAVATION	CY	2,000	28.06	56,120.00
10.	190185	SHOULDER BACKING	LF	19,000	0.58	11,020.00
11.	013902	ASPHALT CONCRETE OVERSIDE DRAIN (CRS 306)	EA	1	1,280.00	1,280.00
12.	390132	HOT MIX ASPHALT (TYPE A)	TON	3,900	77.00	300,300.00
13.	013903	PLACE ASPHALT CONCRETE DIKE (CRS 212) (6")	LF	80	20.30	1,624.00
14.	394050	RUMBLE STRIP [STD PLAN NO. A40B & DETAILS SHOWN ON PLAN]	LF	6,600	0.78	5,148.00
15.	566011	ROADSIDE SIGN - ONE POST	EA	1	370.00	370.00
16.	820118	GUARD RAILING DELINEATOR	EA	20	44.40	888.00
17.	832001	METAL BEAM GUARD RAILING [STD PLAN NO. A77G4]	LF	125	29.60	3,700.00
18.	839565	TERMINAL SYSTEM (TYPE SRT)	EA	2	2,600.00	5,200.00
19.	840515	THERMOPLASTIC PAVEMENT MARKING	SQFT	300	6.30	1,890.00
20.	840656	PAINT TRAFFIC STRIPE (2-COAT)	LF	30,000	0.21	6,300.00
21.	850102	PAVEMENT MARKER (REFLECTIVE)	EA	400	7.40	2,960.00
22.	019901	DEMOBILIZATION	LS	1	25,000.00	25,000.00

PROJECT TOTAL,

ITEMS 1-22: Four hundred sixty three thousand, seven hundred eighty two dollars and zero cents. \$ 463,782.00

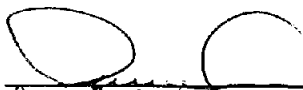
Words

IN WITNESS WHEREOF the parties hereto have executed this agreement as of the date set forth below.

COUNTY OF RIVERSIDE

COOLEY CONSTRUCTION INC.

BY _____
Chairman, Board of Supervisors

BY 
Paul R. Cooley, Jr.


Dated _____

TITLE: President
(If Corporation, Affix Seal)

ATTEST:

Kecia Harper-Ihem, Clerk of the Board

ATTEST:


Cheryl Olsen


BY _____
Deputy

TITLE: VP, Asst Secretary

Licensed in accordance with an act providing for the registration of Contractors,

License No. 348038

Federal Employer Identification Number: 95-3134038

FORM APPROVED COUNTY COUNSEL
BY:  6/14/11
MARSHAL L. VICTOR DATE

BY _____
"County"
(Seal)

"Corporation"
(Seal)

ACKNOWLEDGMENT

State of California
County of San Bernardino)

On May 27, 2011 before me, Karen M Shackelford, Notary Public
(insert name and title of the officer)

personally appeared Paul R Cooley Jr and Cheryl Olson -----,
who proved to me on the basis of satisfactory evidence to be the pers on (s) whose name (s) is (are)
subscribed to the within instrument and acknowledged to me that he (s) / she (s) / they executed the same in
his (s) / her (s) / their authorized capacity (ies) and that by his (s) / her (s) / their signature (s) on the instrument the
person (s) or the entity upon behalf of which the pers on (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

Karen M Shackelford

(Seal)



AFFIDAVIT NAMING PERSON AUTHORIZED TO SIGN PAYROLL/INVOICES

STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

I, PAUL R. COOLEY, JR., PRESIDENT do until
(Name of owner, partner or corporate officer and title)

further notice appoint CRYSTAL BLOUNT as paymaster
(Name of individual being appointed)

and appoint KAREN SHACKELFORD as designated officer to

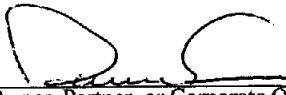
sign invoices on the construction work of the Mountain View Rd
(Title of Project)

Safety Project, Shoulder Widening
+ Striping at Mountain View Rd From
Varner Rd to Club House Dr B8-0621
Contract no. HRRRL-5926 (186)

I, do further appoint CRYSTAL BLOUNT
(Name of individual being authorized)

and authorized (him) (her) to execute the combination Copeland, Davis-Bacon, Work Hours Act of 1962 compliance statements required to be filed with the payrolls and hereby certify that (he) (she) is in a position to have full knowledge of the facts set for the in this statement.

COOLEY CONSTRUCTION, INC.
Contracting Company or Firm Name

By 
Owner, Partner, or Corporate Officer
Paul R Cooley Jr - President

The Prime Contractor is required to obtain and deliver a similar affidavit for each of his subcontractors if such authorization is required.

Authorization is required if any individual other than an owner, partner of (Corporate Officer) is to execute the combination (Copeland, Davis-Bacon, Work Hours Act of 1962) compliance Statement required to be filed with each weekly payroll report. This affidavit is to be submitted with the first payroll only unless a change is made in the person authorized to supervise the payroll, in which case an new affidavit is required covering that person.

MINUTES OF ACTION OF BOARD OF DIRECTORS

OF

COOLEY CONSTRUCTION, INC.

TAKEN WITHOUT A MEETING BY UNANIMOUS WRITTEN CONSENT

July 16, 2007

The actions described in these Minutes of Action were taken by the Board of Directors of the Corporation by unanimous written consent pursuant to a provision in the Corporation's Bylaws permitting such action to be taken.

The Directors hereby adopt the following recitals, resolutions, and statements:

Delegation of Authority to Officers

WHEREAS, the Bylaws of the Corporation provide that the Board of Directors of the Corporation may empower Officers or agents to execute contracts and instruments for and on behalf of the Corporation; and


WHEREAS, the Board of Directors deems it to be in the best interest of the Corporation to delegate such signing authority to the Officers of the Corporation;

NOW BE IT RESOLVED: That the following Officers of the Corporation, whether acting alone or in concert with each other, are each authorized to negotiate and enter into contracts and to execute any instruments or documents in the name of or on behalf of the Corporation, to pledge its credit, or to render it liable for any purpose or for any amount:

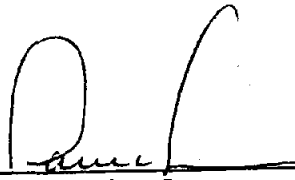
<u>Name</u>	<u>Office</u>
Paul R. Cooley, Jr.	President
Glen Wesley Daniels	Vice President/Chief Financial Officer
Scott C. Daniels	Vice President/Secretary
Thomas Sternfield	Vice President
Cheryl Olson	Vice President/Assistant Secretary

RESOLVED FURTHER: That the authority granted to the Officers of the Corporation named immediately above shall remain in effect until revoked by action of the Directors of the Corporation.

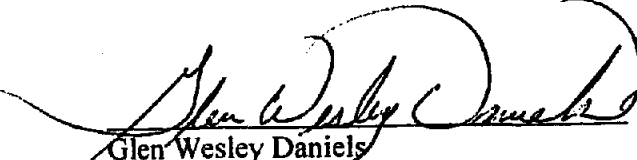
The undersigned, constituting all of the Directors of the Corporation, hereby adopt these Minutes of Action effective on and as of July 16, 2007.



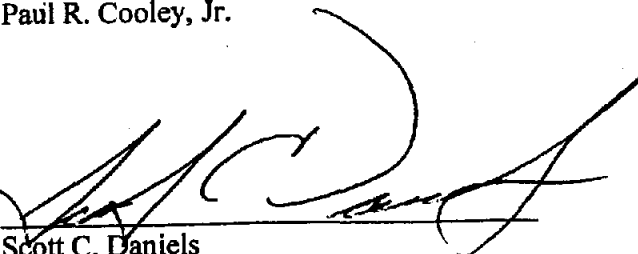
Paul R. Cooley, Sr.



Paul R. Cooley, Jr.



Glen Wesley Daniels



Scott C. Daniels

PERFORMANCE BOND

Recitals:

1. **Cooley Construction, Inc.,** (Contractor) has entered into an Agreement with COUNTY OF RIVERSIDE (County) for construction of public work known as **Mountain View Road Safety Project, Shoulder Widening and Striping from Varner Road to Club House Drive, Project No. B8-0621, Federal Aid No.HRRRL-5956(186).**

2. _____, a _____ corporation (Surety), is the Surety under this Bond.

Agreement:

We, Contractor, as Principal, and Surety, as Surety, jointly and severally agree, state, and are bound unto County, as obligee, as follows:

1. The amount of the obligation of this Bond is 100% of the estimated contract price for the Project of \$ **463,782.00 (Four hundred sixty three thousand, seven hundred eighty two dollars and zero cents)**, and inures to the benefit of County.

2. This Bond is exonerated by Contractor doing all things to be kept and performed by it in strict conformance with the Contract Documents for the Project, otherwise it remains in full force and effect for the recovery of loss, damage and expense of County resulting from failure of Contractor to so act. All of said Contract Documents are incorporated herein.

3. This obligation is binding on our successors and assigns.

4. For value received, Surety stipulates and agrees that no change, time extension, prepayment to Contractor, alteration or addition to the terms and requirements of the Contract Documents or the work to be performed thereunder shall affect its obligations hereunder and waives notice as to such matters, except the total contract price cannot be increased by more than 10% without approval of Surety.

THIS BOND is executed as of _____.

By _____

By _____

By _____

Type Name _____

Its Attorney in Fact
"Surety"

Title _____

"Contractor"

(Corporate Seal)

(Corporate Seal)

NOTE: This Bond must be executed by both parties with corporate seal affixed. All signatures must be acknowledged. (Attach acknowledgements).

PAYMENT BOND

(Public Work - Civil Code 3247 et seq.)

The makers of this Bond are Cooley Construction, Inc., as Principal and Original Contractor and _____, a corporation, authorized to issue Surety Bonds in California, as Surety, and this Bond is issued in conjunction with that certain public works contract to be executed between Principal and COUNTY OF RIVERSIDE a public entity, as Owner, for **\$463,782.00 (Four hundred sixty three thousand, seven hundred eighty two dollars and zero cents)**, the total amount payable. THE AMOUNT OF THIS BOND IS ONE HUNDRED PERCENT OF SAID SUM. Said contract is for public work generally consisting of **Mountain View Road Safety Project, Shoulder Widening and Striping from Varner Road to Club House Drive, Project No. B8-0621, Federal Aid No.HRRRL-5956(186).**

The beneficiaries of this Bond are as is stated in 3248 of the Civil Code and requirements and conditions of this Bond are as is set forth in 3248, 3249, 3250 and 3252 of said code. Without notice, Surety consents to extension of time for performance, change in requirements, amount of compensation, or prepayment under said contract.

DATED: _____

Original Contractor - Principal

Surety

By _____

By _____
Its Attorney In Fact

Title _____

(If corporation, affix seal)

(Corporate Seal)

(Corporate Seal)

STATE OF CALIFORNIA
COUNTY OF _____

} ss. SURETY'S ACKNOWLEDGEMENT

On _____ before me, _____ personally appeared, _____, known to me, or 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/she executed the same in his/her authorized capacities, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature of Notary Public

Notary Public (Seal)

NOTE: This Bond must be executed by both parties with corporate seal affixed. All signatures must be acknowledged. (Attach acknowledgements).

PERFORMANCE BOND

Recitals:

1. **Cooley Construction, Inc.** (Contractor) has entered into an Agreement with COUNTY OF RIVERSIDE (County) for construction of public work known as **Mountain View Road Safety Project, Shoulder Widening and Striping from Varner Road to Club House Drive, Project No. B8-0621, Federal Aid No.HRRRL-5956(186).**
2. Fidelity and Deposit Company of Maryland, a Maryland corporation (Surety), is the Surety under this Bond.

Agreement:

We, Contractor, as Principal, and Surety, as Surety, jointly and severally agree, state, and are bound unto County, as obligee, as follows:

1. The amount of the obligation of this Bond is 100% of the estimated contract price for the Project of \$ **463,782.00 (Four hundred sixty three thousand, seven hundred eighty two dollars and zero cents)**, and inures to the benefit of County.
2. This Bond is exonerated by Contractor doing all things to be kept and performed by it in strict conformance with the Contract Documents for the Project, otherwise it remains in full force and effect for the recovery of loss, damage and expense of County resulting from failure of Contractor to so act. All of said Contract Documents are incorporated herein.
3. This obligation is binding on our successors and assigns.
4. For value received, Surety stipulates and agrees that no change, time extension, prepayment to Contractor, alteration or addition to the terms and requirements of the Contract Documents or the work to be performed thereunder shall affect its obligations hereunder and waives notice as to such matters, except the total contract price cannot be increased by more than 10% without approval of Surety.

THIS BOND is executed as of May 27, 2011

Cooley Construction, Inc.

By Cooley Construction, Inc.

By [Signature]

Title Paul R. Cooley Jr. - President
"Contractor"

(Corporate Seal)

Fidelity and Deposit Company of Maryland

By [Signature]

Type Name M. Moody, Attorney-in-Fact
Its Attorney in Fact
"Surety"

(Corporate Seal)

NOTE: This Bond must be executed by both parties with corporate seal affixed. All signatures must be acknowledged. (Attach acknowledgements).

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of San Francisco

On May 27, 2011 before me, Betty L. Tolentino, Notary Public
Date Here Insert Name and Title of the Officer

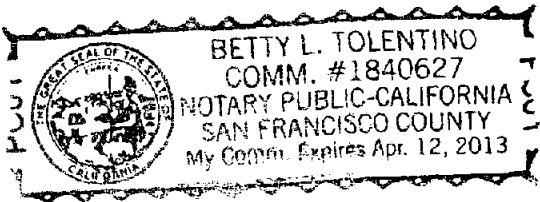
personally appeared M. Moody
Name(s) of Signer(s)

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 *Betty L. Tolentino*
Signature of Notary Public



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: _____

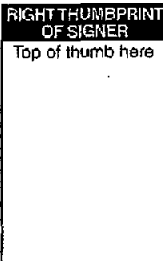
Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

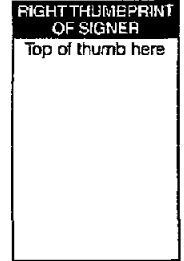
- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



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: _____

ACKNOWLEDGMENT

State of California
County of San Bernardino)

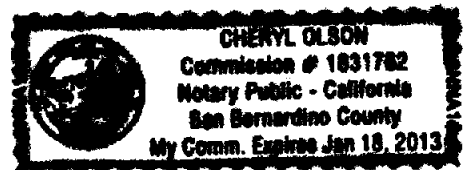
On May 31, 2011 before me, Cheryl Olson, Notary Public
(insert name and title of the officer)

personally appeared Paul R. Cooley, Jr.
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 Cheryl Olson (Seal)



Bond No. 09053242
Premium included in charge
for performance bond

PAYMENT BOND

(Public Work - Civil Code 3247 et seq.)

The makers of this Bond are Cooley Construction, Inc., as Principal and Original Contractor and Fidelity and Deposit Company of Maryland _____, a corporation, authorized to issue Surety Bonds in California, as Surety, and this Bond is issued in conjunction with that certain public works contract to be executed between Principal and COUNTY OF RIVERSIDE a public entity, as Owner, for \$463,782.00 (Four hundred sixty three thousand, seven hundred eighty two dollars and zero cents), the total amount payable. THE AMOUNT OF THIS BOND IS ONE HUNDRED PERCENT OF SAID SUM. Said contract is for public work generally consisting of Mountain View Road Safety Project, Shoulder Widening and Striping from Varner Road to Club House Drive, Project No. B8-0621, Federal Aid No. HRRRL-5956(186).

The beneficiaries of this Bond are as is stated in 3248 of the Civil Code and requirements and conditions of this Bond are as is set forth in 3248, 3249, 3250 and 3252 of said code. Without notice, Surety consents to extension of time for performance, change in requirements, amount of compensation, or prepayment under said contract.

DATED: May 27, 2011

Cooley Construction, Inc.
Original Contractor - Principal

Fidelity and Deposit Company of Maryland
Surety

By [Signature]

By [Signature]
M. Moody, Its Attorney In Fact

Title Paul R. Cooley, Jr. - President
(If corporation, affix seal)

(Corporate Seal)

(Corporate Seal)

STATE OF CALIFORNIA }
COUNTY OF _____ } ss. SURETY'S ACKNOWLEDGEMENT

On _____ before me, _____ personally appeared, _____, known to me, or 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/she executed the same in his/her authorized capacities, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Notarial Certificates Attached

Signature of Notary Public

Notary Public (Seal)

NOTE: This Bond must be executed by both parties with corporate seal affixed. All signatures must be acknowledged. (Attach acknowledgements).

ACKNOWLEDGMENT

State of California
County of San Bernardino)

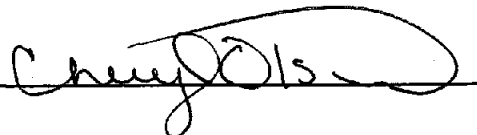
On May 31, 2011 before me, Cheryl Olson, Notary Public
(insert name and title of the officer)

personally appeared Paul R. Cooley, Jr.
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.

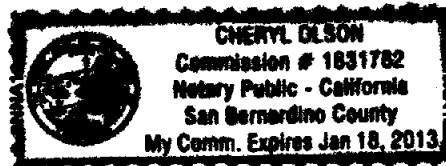
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of San Francisco

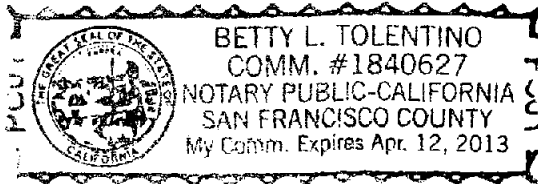
On May 27, 2011 before me, Betty L. Tolentino, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared M. Moody
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.



Place Notary Seal Above

Signature [Handwritten Signature]
Signature of Notary Public

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: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

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

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer Is Representing: _____

Signer's Name: _____

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

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer Is Representing: _____

Power of Attorney
FIDELITY AND DEPOSIT COMPANY OF MARYLAND

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by THEODORE G. MARTINEZ, Vice President, and ERIC D. BARNES, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint **Susan HECKER, Janet C. ROJO, Betty L. TOLENTINO, M. MOODY, Maureen O'CONNELL, J.M. ALBADA, Brian F. COOPER, Robert P. WRIXON and Virginia L. BLACK**, all 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 Company, 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 Company at its office in Baltimore, Md., in their own proper persons. This power of attorney, revokes that issued on behalf of Susan HECKER, Janet C. ROJO, Betty L. TOLENTINO, M. MOODY, Maureen O'CONNELL, J.M. ALBADA, Brian F. COOPER, Robert P. WRIXON, dated July 14, 2008.

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 15th day of October, A.D. 2008.

ATTEST:

FIDELITY AND DEPOSIT COMPANY OF MARYLAND



Eric D. Barnes

Eric D. Barnes Assistant Secretary

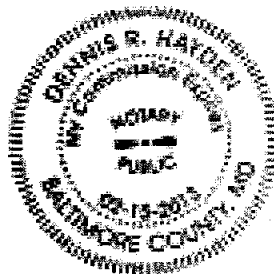
Theodore G. Martinez

By: Theodore G. Martinez

State of Maryland }
Baltimore County } ss:

On this 15th day of October, A.D. 2008, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came THEODORE G. MARTINEZ, Vice President, and ERIC D. BARNES, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself depose and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

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



Dennis R. Hayden

Dennis R. Hayden Notary Public
My Commission Expires: February 15, 2013

EXTRACT FROM BY-LAWS OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND

"Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertaking, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages and instruments in the nature of mortgages,....and to affix the seal of the Company thereto."

CERTIFICATE

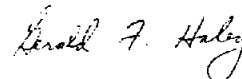
I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

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 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 seal of the said Company,

this 27th day of May, 2011.



Assistant Secretary

Company Profile

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

1400 AMERICAN LANE, 19TH FLOOR TOWER 1
SCHUAMBURG, IL 60196-1056
800-382-2150

Agent for Service of Process

KAREN HARRIS, C/O CORPORATION SERVICE COMPANY 2730 GATEWAY OAKS DRIVE, SUITE 100
SACRAMENTO, CA 95833

Unable to Locate the Agent for Service of Process?

Reference Information

NAIC #:	39306
NAIC Group #:	<u>0212</u>
California Company ID #:	2479-4
Date authorized in California:	January 01, 1982
License Status:	UNLIMITED-NORMAL
Company Type:	Property & Casualty
State of Domicile:	MARYLAND

Lines of Insurance Authorized to Transact

The company is authorized to transact business within these lines of insurance. For an explanation of any of these terms, please refer to the glossary.

AIRCRAFT
AUTOMOBILE
BOILER AND MACHINERY
BURGLARY
CREDIT
FIRE
LIABILITY
MARINE
MISCELLANEOUS
PLATE GLASS
SPRINKLER
SURETY
TEAM AND VEHICLE
WORKERS' COMPENSATION

