

**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:jrs:sb  
(Continued On Attached Page)

<b>FINANCIAL DATA</b>	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

<b>SOURCE OF FUNDS:</b> 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.	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

APPROVE

BY:   
Tina Grande

**County Executive Office Signature**

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

Departmental Concurrence

Dept't Recomm.:  Consent  Policy

Per Exec. Ofc.:  Consent  Policy

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Buster, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley  
Nays: None  
Absent: None  
Date: June 28, 2011  
xc: Transp.

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

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)

## 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)

<b>User Department:</b>	Transportation Department
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N/A

<b>Vendor/Lessor Name:</b>	Cooley Construction, Inc.
<b>Vendor/Lessor Location:</b>	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**

**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 Bob Buster  
Chairman, Board of Supervisors

BY Paul R. Cooley Jr.

Dated JUN 28 2011

**BOB BUSTER** TITLE: President  
(If Corporation, Affix Seal)

ATTEST:

Kecia Harper-Ihem, Clerk of the Board

ATTEST:

Cheryl Olson  
Cheryl Olson

BY Karl Gustafson  
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: Marshall Victor DATE 6/14/11  
MARSHAL VICTOR

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/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 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, + Striping <sup>Shoulder Widening</sup> at Mountain View Rd From  
Varner Rd to Club House Dr B8-0621  
Contract no. HRRL-5956 (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 \_\_\_\_\_

(Corporate Seal)

(If corporation, affix 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 \_\_\_\_\_

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

(Corporate Seal)

Fidelity and Deposit Company of Maryland

By \_\_\_\_\_

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.



Place Notary Seal Above

Signature *Betty L. Tolentino*  
Signature of Notary Public

**OPTIONAL**

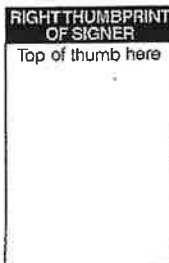
*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**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: \_\_\_\_\_



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



(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)

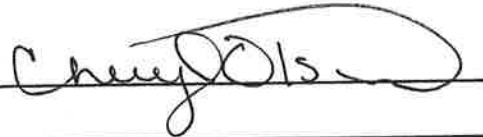
On May 31, 2011 before me, Cheryl Olson, Notary Public  
(insert name and title of the officer)

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.

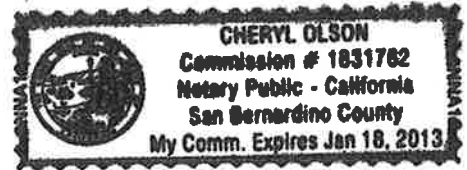
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

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: \_\_\_\_\_

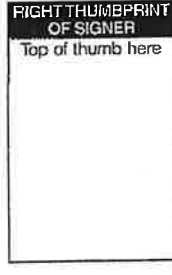
- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_



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

Signer's Name: \_\_\_\_\_

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



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

**Power of Attorney**  
**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, undertakings, 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**

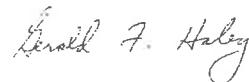
I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was 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?

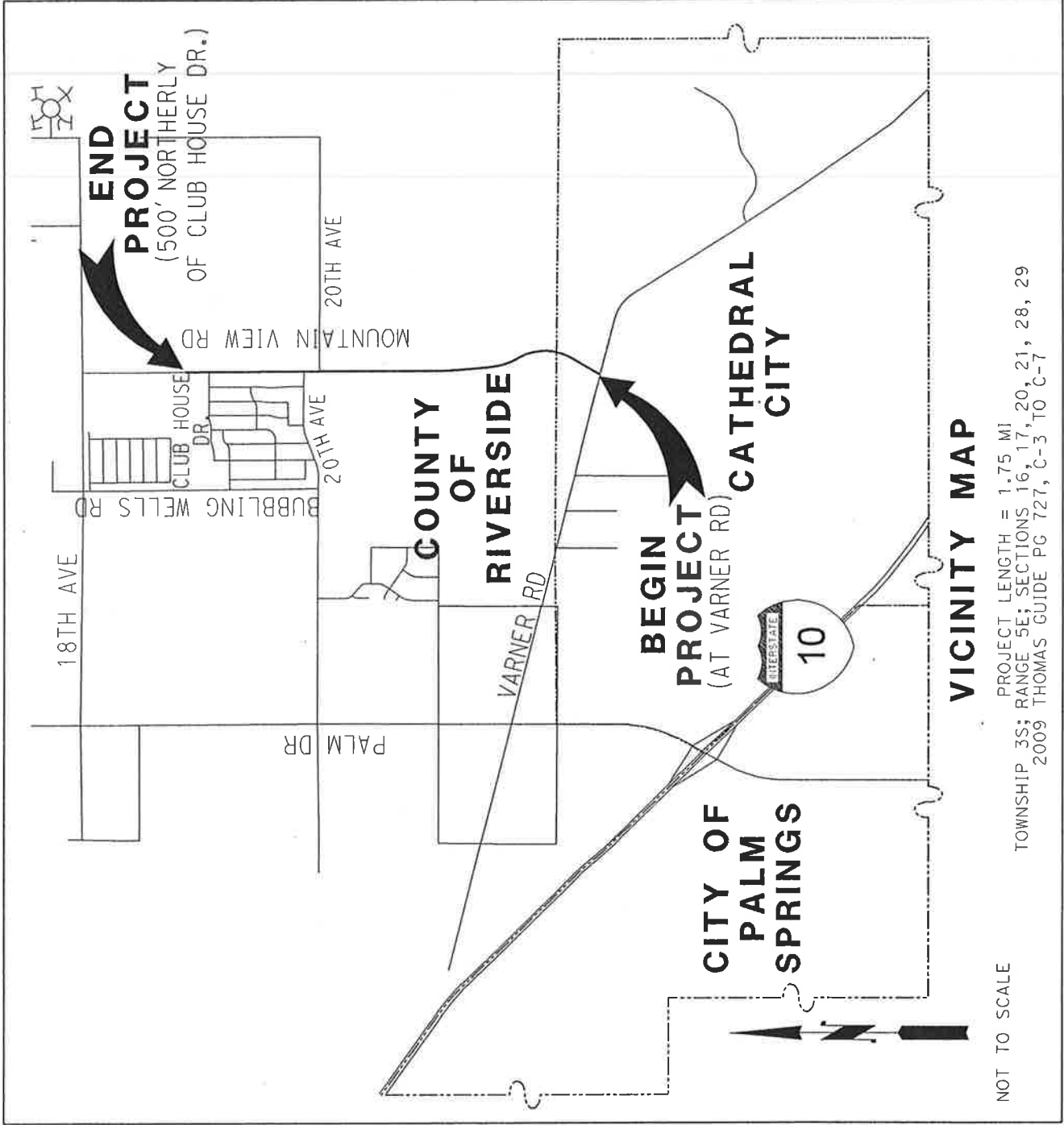
### Reference Information

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



NOT TO SCALE

TOWNSHIP 3S; RANGE 5E; SECTIONS 16, 17, 20, 21, 28, 29  
 2009 THOMAS GUIDE PG 727, C-3 TO C-7

**VICINITY MAP**

PROJECT LENGTH = 1.75 MI

# 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
<b>Totals:</b>	<b>372,031</b>	<b>654,160</b>	<b>1,026,191</b>	<b>1,028,000</b>

## 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
<b>Totals</b>		<b>1,028,000</b>

## Comments



**Riverside County Transportation Department  
Summary of Bids**

**PROJECT:**  
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)

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

ITEM NO.	ITEM CODE	CONTRACT ITEM	UNITS	QUANTITY	COUNTY'S ESTIMATE			BID ESTIMATE
					UNIT PRICE	ENG ESTIMATE	BID UNIT PRICE	
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	566011	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
<b>PROJECT TOTAL</b>						<b>531,100.00</b>		<b>463,782.00</b>
<b>ITEMS 1-22</b>								

**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	839565	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	4		5	
				BID UNIT PRICE	BID ESTIMATE	BID UNIT PRICE	BID ESTIMATE
1	066102	DUST ABATEMENT	LS	10,590.00	10,590.00	1.00	1.00
2	074020	WATER POLLUTION CONTROL	LS	3,000.00	3,000.00	1,000.00	1,000.00
3	120100	TRAFFIC CONTROL SYSTEM	LS	30,000.00	30,000.00	6,000.00	6,000.00
4	150717	REMOVE TRAFFIC STRIPE AND PAVEMENT MARKING	SQFT	1.35	6,750.00	5.00	25,000.00
5	151284	SALVAGE ROADSIDE SIGN(WOOD POST)	EA	100.00	100.00	200.00	200.00
6	152392	RELOCATE ROADSIDE SIGN(WOOD POST)	EA	150.00	1,050.00	200.00	1,400.00
7	160101	CLEARING AND GRUBBING	LS	30,000.00	30,000.00	15,000.00	15,000.00
8	170101	DEVELOP WATER SUPPLY	LS	1,000.00	1,000.00	3,000.00	3,000.00
9	190101	ROADWAY EXCAVATION	CY	30.00	60,000.00	40.00	80,000.00
10	190185	SHOULDER BACKING	LF	1.00	19,000.00	2.00	38,000.00
11	013902	ASPHALT CONCRETE OVERSIDE DRAIN (CRS 306)	EA	1,000.00	1,000.00	3,000.00	3,000.00
12	390132	HOT MIX ASPHALT (TYPE A)	TON	79.50	310,050.00	120.00	468,000.00
13	013903	PLACE ASPHALT CONCRETE DIKE (CRS 212) (6")	LF	25.00	2,000.00	40.00	3,200.00
14	394050	RUMBLE STRIP [ STD PLAN NO. A40B & DETAILS SHOWN ON PLAN]	LF	1.00	6,600.00	2.00	13,200.00
15	566011	ROADSIDE SIGN - ONE POST	EA	330.00	330.00	300.00	300.00
16	820118	GUARD RAILING DELINEATOR	EA	24.00	480.00	50.00	1,000.00
17	832001	METAL BEAM GUARD RAILING [STD PLAN NO. A77G4]	LF	30.00	3,750.00	50.00	6,250.00
18	839565	TERMINAL SYSTEM (TYPE SRT)	EA	2,400.00	4,800.00	3,000.00	6,000.00
19	840515	THERMOPLASTIC PAVEMENT MARKING	SQFT	9.00	2,700.00	50.00	15,000.00
20	840656	PAINT TRAFFIC STRIPE (2-COAT)	LF	0.30	9,000.00	1.50	45,000.00
21	850102	PAVEMENT MARKER (REFLECTIVE)	EA	7.00	2,800.00	15.00	6,000.00
22	019901	DEMOBILIZATION	LS	25,000.00	25,000.00	25,000.00	25,000.00
<b>PROJECT TOTAL</b>					<b>530,000.00</b>		<b>761,551.00</b>



# 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**  
14<sup>th</sup> Street Transportation Annex  
3525 14<sup>th</sup> 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](http://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."

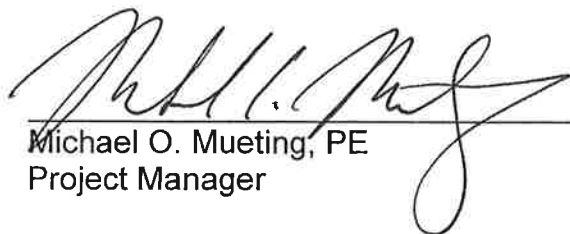
**Item 5: Coordination.**

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

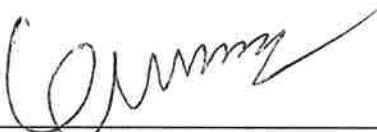
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This addendum has been prepared under the direction of the following registered Civil Engineer:

  
\_\_\_\_\_  
Michael O. Mueting, PE  
Project Manager



Concurrence:

  
\_\_\_\_\_  
Khalid Nasim, PE  
Engineering Division Manager

Acknowledged: \_\_\_\_\_ Date: \_\_\_\_\_  
(Contractor)

JRJ:sb



**COUNTY OF RIVERSIDE**  
**TRANSPORTATION AND**  
**LAND MANAGEMENT AGENCY**  
**Transportation Department**



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

**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**  
14<sup>th</sup> Street Transportation Annex  
3525 14<sup>th</sup> 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](http://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

**BID TO THE COUNTY OF RIVERSIDE**

 ORIGINAL

**MOUNTAIN VIEW ROAD  
SAFETY PROJECT  
SHOULDER WIDENING & STRIPING  
FROM VARNER ROAD TO CLUB HOUSE DRIVE  
PROJECT NO. B8-0621  
FEDERAL AID NO. HRRRL-5956(186)**

**NAME OF BIDDER:** Cooley Construction Inc

The work for which this bid is submitted is for construction in conformance with the special provisions (including the payment of not less than the State general prevailing wage rates or Federal minimum wage rates), the project plans described below, including any addenda thereto, the contract annexed hereto, and also in conformance with the California Department of Transportation Standard Plans, dated May 2006, the Standard Specifications, dated May 2006, and the Labor Surcharge and Equipment Rental Rates in effect on the date the work is accomplished.

The work to be done is shown upon plans entitled, Mountain View Road, Safety Project, Shoulder Widening and Striping from Varner Road to Club House Drive.

**ADDENDA -**

This Bid is submitted with respect to the changes to the contract included in addenda number/s: 1, 2

*(Fill in addenda numbers if addenda have been received and insert, in this Bid, any Engineer's Estimate sheets that were received as part of the addenda.)*

**TO THE COUNTY OF RIVERSIDE:**

The undersigned, as bidder, declares that the only persons or parties interested in this Bid as principals are those named herein; that this Bid is made without collusion with any other person, firm, or corporation and in submitting this Bid, the undersigned bidder agrees that if it is determined that he is the successful bidder, he will execute the non-collusion affidavit required by the Federal requirements set forth under Section 6 of these Special Provisions; that he has carefully examined the location of the proposed work, the annexed proposed form of contract, and the plans therein referred to; and he proposes and agrees if this Bid is accepted that he will contract with the County of Riverside in the form of the copy of the contract annexed hereto, and will deliver the Faithful Performance Bond, Payment Bond, and Insurance Certificate with endorsements, which comply with the requirements set forth in the contract documents, within 10 working days of the date of the Notice of Acceptance of Bid and Intent to Award as issued by the County of Riverside, and agrees to provide all necessary machinery, tools, apparatus, and other means of construction, and to do all the work and furnish all the materials specified in the contract, in the manner and time herein prescribed, and according to the requirements of the Engineer as therein set forth, and that he will take in full payment therefore the following item prices, to wit:



**MOUNTAIN VIEW ROAD  
SAFETY PROJECT  
SHOULDER WIDENING & STRIPING  
FROM VARNER ROAD TO CLUB HOUSE DRIVE  
PROJECT NO. B8-0621  
FEDERAL AID NO. HRRRL-5956(186)**

**PROPOSAL**

ITEM No.	ITEM CODE	ITEM	UNIT	ESTIMATED QUANTITY	ITEM PRICE (IN FIGURES)	TOTAL (IN FIGURES)
1	066102	DUST ABATEMENT	LS	1	5200.00	5200.00
2	074020	WATER POLLUTION CONTROL	LS	1	2900.00	2900.00
3	120100	TRAFFIC CONTROL SYSTEM	LS	1	18770.00	18770.00
4	150717	REMOVE TRAFFIC STRIPE AND PAVEMENT MARKING	SQFT	5,000	1.22	6100.00
5	151284	SALVAGE ROADSIDE SIGN(WOOD POST)	EA	1	42.00	42.00
6	152392	RELOCATE ROADSIDE SIGN(WOOD POST)	EA	7	210.00	1470.00
7	160101	CLEARING AND GRUBBING	LS	1	5000.00	5000.00
8	170101	DEVELOP WATER SUPPLY	LS	1	2500.00	2500.00
9	190101	ROADWAY EXCAVATION	CY	2,000	28.06	56120.00
10	190185	SHOULDER BACKING	LF	19,000	0.58	11020.00
11	013902	ASPHALT CONCRETE OVERSIDE DRAIN (CRS 306)	EA	1	1280.00	1280.00
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	1624.00
14	394050	RUMBLE STRIP [ STD PLAN NO. A40B & DETAILS SHOWN ON PLAN]	LF	6,600	0.78	5148.00
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	3700.00
18	839565	TERMINAL SYSTEM (TYPE SRT)	EA	2	2600.00	5200.00
19	840515	THERMOPLASTIC PAVEMENT MARKING	SQFT	300	6.30	1890.00
20	840656	PAINT TRAFFIC STRIPE (2-COAT)	LF	30,000	0.21	6300.00
21	850102	PAVEMENT MARKER (REFLECTIVE)	EA	400	7.40	2960.00
22	019901	DEMOBILIZATION	LS	1	25,000.00	25,000.00

FOUR HUNDRED SIXTY-THREE THOUSAND, SEVEN HUNDRED

PROJECT TOTAL:  
ITEMS 1-22

EIGHTY-TWO DOLLARS AND NO CENTS

"WORDS"

\$463,782.00

Accompanying this Bid is a certified check, cashier check or bid bond in an amount equal to at least 10 percent of the total bid.

The names of all persons interested in the foregoing Bid as principals are as follows:

**IMPORTANT NOTICE** If bidder or other interested person is a corporation, state legal name of corporation, also names of the president, secretary, treasurer and manager thereof; if a co-partnership, state true name of firm, also names of all individual co-partners composing firm; if bidder or other interested person is an individual, state first and last names in full.

TRUE NAME OF BIDDER: Cooley Construction Inc

By my signature on this Bid I certify, under penalty of perjury under the laws of the State of California, that the foregoing questionnaire and statements are true and correct and that the bidder has complied with the requirements of Section 8103 of the Fair Employment and Housing Commission Regulations (Chapter 5, Title 2 of the California Administrative Code). By my signature on this Bid I further certify, under penalty of perjury under the laws of State of California and the United States of America, that the Title 23 United States Code, Section 112 Non-Collusion Affidavit and Title 49 code of Federal Regulations, Part 29 Debarment and Suspension Certification are true and correct.

Date: 5-24-2011 Paul R Cooley Jr. President  
PRINT NAME AND TITLE

[Signature]  
Signature of Bidder

President  
TITLE

If the bidder is a corporation, attach the Corporate Resolution which authorizes the signatory to represent the Corporation)

NAME OF BIDDER Cooley Construction Inc

BUSINESS P.O. BOX 401810

CITY, STATE, ZIP Hesperia

BUSINESS STREET ADDRESS 17525 Eucalyptus St

(Please include even if P.O. Box used)

CITY, STATE, ZIP Hesperia CA 92340

TELEPHONE NO: AREA CODE (760 ) 948-8400

FAX NO: AREA CODE (760 ) 948-8439

ELECTRONIC MAIL: estimatingcci@aol.com

CONTRACTOR LICENSE NO. 348038

EXPIRATION DATE: 2/2013

LICENSE CLASSIFICATIONS: A

**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

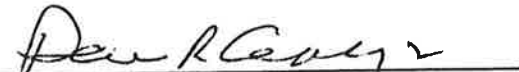
WHEREAS, the Board of Directors deems it to be in the best interest of the Corporation to delegate such signing authority to the Officers of the Corporation;


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:

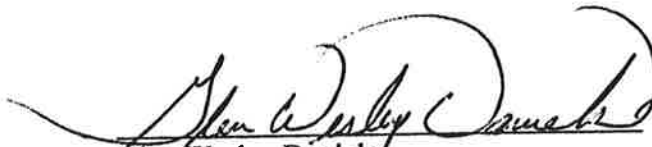
<u>Name</u>	<u>Office</u>
Paul R. Cooley, Jr.	President
Glen Wesley Daniels	Vice President/Chief Financial Officer
Scott C. Daniels	Vice President/Secretary
Thomas Sternfield	Vice President
Cheryl Olson	Vice President/Assistant Secretary

**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

SUBCONTRACTORS :

The undersigned bidder herewith sets forth the name and location of the place of business of each subcontractor who will perform work or labor or render service to the general Contractor in or about the construction of the work or improvement in an amount in excess of one-half (1/2) of the one percent (1%) of the general Contractor's total bid or \$10,000 whichever is greater, and the portion of the work which will be done by each subcontractor as follows:

Subcontractor's Name	License No.	Place of Business	Description of Work
AUSTIN ENTERPRISE	764893	BAKERSFIELD, CA	RUMBLE STRIPES
ACE FENCE	801274	CITY OF INDUSTRY, CA	ROAD GUARD RAIL
JP STRIPING	742266	BEAUMONT, CA	STRIPING

Percent of work to be performed by sub-contractors: 8 %  
(Note: 50% of work required to be performed by general contractor)

TITLE 49, CODE OF FEDERAL REGULATIONS, PART 29

DEBARMENT AND SUSPENSION CERTIFICATION

The bidder, under penalty of perjury, certifies that, except as noted below, he/she or any 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 judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

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

Exceptions will not necessarily result in denial of award, but will be considered in determining bidder responsibility. For any exception noted above, indicate below to whom it applies, initiating agency, and dates of action.

Note: Providing false information may result in criminal prosecution or administrative sanctions.

The above certification is part of the Bid. Signing this Bid on the signature portion thereof shall also constitute signature of this Certification.

DECLARATION

The bidder hereby declares under penalty of perjury that the bidder has \_\_\_\_\_, has not  been convicted within the preceding three years by a court of competent jurisdiction of 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 Public Contract Code Section 1101, with any public entity, as defined in Public Contract Code Section 1100.

The term "bidder" is understood to include any partner, member, officer, director, responsible managing officer, or responsible managing employee thereof.

Note:

The bidder must place a check mark after "has" or "has not" in one of the blank spaces provided.

The above Statement is part of the Bid. Signing this Bid on the signature portion thereof shall also constitute signature of this Statement.

Bidders are cautioned that making a false certification may subject the certifier to criminal prosecution.

QUESTIONNAIRE

The Bidder shall 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 circumstances on a separate page.

COMPLIANCE WITH ORDERS OF NATIONAL LABOR RELATIONS BOARD STATEMENT

The Contractor, hereby states 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.

NON-COLLUSION AFFIDAVIT

In accordance with Public Contract Code Section 7106, the bidder shall execute the Non-Collusion Affidavit that is a part of this Bid, as appropriate for the bidder's business category.



EQUAL EMPLOYMENT OPPORTUNITY CERTIFICATION

The bidder ✓, proposed subcontractor \_\_\_\_\_, hereby certifies that he has ✓, has not \_\_\_\_\_, participated in a previous contract or subcontract subject to the equal opportunity clause, as required by Executive Orders 10925, 11114, or 11246, and that, where 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 applicable filing requirement.

Coolay Construction Inc  
(Company)

By: \_\_\_\_\_

President  
(Title)

Date: 5-24-2011

NOTE:

The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFP 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.

Proposed 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 that 41 CFR 60-1.7(b) (1) prevents the award of contracts and subcontracts unless such 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.

AFFIDAVIT FOR INDIVIDUAL CONTRACTORS

\_\_\_\_\_ declares as follows:

That he or she is the party making the foregoing proposal or 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 County of Riverside or 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.

I declare, under penalty of perjury, that the foregoing is true and correct.

Dated this \_\_\_\_\_ (day) of \_\_\_\_\_ (month),  
\_\_\_\_\_ (year) at \_\_\_\_\_, California

Signature of affiant: \_\_\_\_\_

Note: Notarization of signature required

**AFFIDAVIT FOR JOINT VENTURE OR COPARTNERSHIP CONTRACTOR**

\_\_\_\_\_ Declares as follows:

That he or she is a member of the joint venture or copartnership firm designated as \_\_\_\_\_ which is the party making the foregoing proposal or 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 County of Riverside or 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.

That he has been and is duly vested with authority to make and sign instruments for the joint venture or copartnership by \_\_\_\_\_ who constitute the other members of the joint venture or copartnership.

**I declare, under penalty of perjury, that the foregoing is true and correct.**

Dated this \_\_\_\_\_ (day) of \_\_\_\_\_ (month),  
\_\_\_\_\_ (year)  
at \_\_\_\_\_, California

**Signature of affiant:** \_\_\_\_\_

Note: Notarization of signature required

AFFIDAVIT FOR CORPORATE CONTRACTOR

Paul Cooley Jr declares as follows:

That he or she is President of Cooley Construction Inc a corporation which is the party making the foregoing proposal or 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 County of Riverside or 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.

I declare, under penalty of perjury, that the foregoing is true and correct.

Dated this 24th (day) of May (month),  
2011 (year)  
at Hesperia, California

Signature of affiant: 

Note: Notarization of signature required

## ACKNOWLEDGMENT

State of California  
County of San Bernardino)

On May 24, 2011 before me, Karen M Shackelford, 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 pers on(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 pers on(s) acted, executed the instrument.

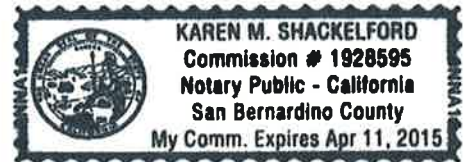
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Karen M Shackelford

(Seal)



## Non Lobbying Certification For Federal Aid Contracts

The prospective participant certifies, by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:

- (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 accordance 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 Section 1352, Title 31, U.S. Code. 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 \$10,000 for each such failure.

The prospective participant also agrees by submitting his or her bid or proposal that he or she shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such subrecipients shall certify and disclose accordingly.

## 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 covered Federal action or a material change to previous filing pursuant to title 31 U.S.C. section 1352. The filing of a form is required for such payment or agreement to make payment to 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. Attach a continuation sheet for additional information if the space on the form is inadequate. 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 follow-up 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 first 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 organization level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description of 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 identification 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 entity engaged by the reporting entity identified in item 4 to influenced 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. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.
12. Check the appropriate box(es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.
13. Check the appropriate box(es). Check all boxes that apply. If other, specify nature.
14. Provide a specific and detailed description of the services that the lobbyist has performed or will be expected to perform and the date(s) of any services rendered. Include all preparatory and related activity not just time spent in actual contact with Federal officials. Identify the Federal officer(s) or employee(s) contacted or the officer(s) employee(s) or Member(s) of Congress that were contacted.
15. Check whether or not a continuation sheet(s) is attached.
16. The certifying official shall sign and date the form, print his/her name title and telephone number.

Public Reporting burden for this collection of information is estimated to average 30 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, D.C. 20503.

**DISCLOSURE OF LOBBYING ACTIVITIES**  
 COMPLETE THIS FORM TO DISCLOSE LOBBYING ACTIVITIES PURSUANT TO 31 U.S.C. 1352

<b>1. Type of Federal Action:</b> <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	<b>2. Status of Federal Action:</b> <input type="checkbox"/> a. <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	<b>3. Report Type:</b> <input type="checkbox"/> a. initial <input type="checkbox"/> b. material change  For Material Change Only: year _____ quarter _____ date of last report _____
---	---	--

<b>4. Name and Address of Reporting Entity</b>  <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier, if known  Congressional District, if known	<b>5. If Reporting Entity in No. 4 is Subawardee,</b> Enter Name and Address of Prime:  Congressional District, if known
--	---

<b>6. Federal Department/Agency:</b>  <b>8. Federal Action Number, if known:</b>  <b>10. a. Name and Address of Lobby Entity</b> (If individual, last name, first name, MI)  (attach Continuation Sheet(s) if necessary)	<b>7. Federal Program Name/Description:</b>  CFDA Number, if applicable _____  <b>9. Award Amount, if known:</b>  <b>b. Individuals Performing Services</b> (including address if different from No. 10a) (last name, first name, MI)
---	--

<b>11. Amount of Payment (check all that apply)</b> \$ _____ <input type="checkbox"/> actual <input type="checkbox"/> planned	<b>13. Type of Payment (check all that apply)</b> <input type="checkbox"/> a. retainer <input type="checkbox"/> b. one-time fee <input type="checkbox"/> c. commission <input type="checkbox"/> d. contingent fee <input type="checkbox"/> e. deferred <input type="checkbox"/> f. other, specify _____
--	---

**12. Form of Payment (check all that apply):**  
 a. cash  
 b. in-kind, specify: nature \_\_\_\_\_ value \_\_\_\_\_

**14. Brief Description of Services Performed or to be performed and Date(s) of Service, including officer(s), employee(s), or member(s) contacted, for Payment Indicated in Item 11:**  
 (attach Continuation Sheet(s) if necessary)

**15. Continuation Sheet(s) attached:**     Yes     No

**16. Information requested through this form is authorized by Title 31 U.S.C. Section 1352. This disclosure of lobbying reliance was placed by the tier above when his transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to Congress semiannually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.**

Signature: \_\_\_\_\_  
 Print Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Telephone No.: \_\_\_\_\_ Date: \_\_\_\_\_

Federal Use Only: Authorized for Local Reproduction  
Standard Form - LLL



## 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 covered Federal action or a material change to previous filing pursuant to title 31 U.S.C. section 1352. The filing of a form is required for such payment or agreement to make payment to 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. Attach a continuation sheet for additional information if the space on the form is inadequate. 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 follow-up 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 first 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 organization 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 identification 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 entity engaged by the reporting entity identified in item 4 to influenced 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. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.
12. Check the appropriate box(es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.
13. Check the appropriate box(es). Check all boxes that apply. If other, specify nature.
14. Provide a specific and detailed description of the services that the lobbyist has performed or will be expected to perform and the date(s) of any services rendered. Include all preparatory and related activity not just time spent in actual contact with Federal officials. Identify the Federal officer(s) or employee(s) contacted or the officer(s) employee(s) or Member(s) of Congress that were contacted.
15. Check whether or not a continuation sheet(s) is attached.
16. The certifying official shall sign and date the form, print his/her name title and telephone number.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instruction, 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, D.C. 20503.



**COUNTY OF RIVERSIDE**  
**TRANSPORTATION AND**  
**LAND MANAGEMENT AGENCY**  
**Transportation Department**



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

**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**  
14<sup>th</sup> Street Transportation Annex  
3525 14<sup>th</sup> 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](http://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."

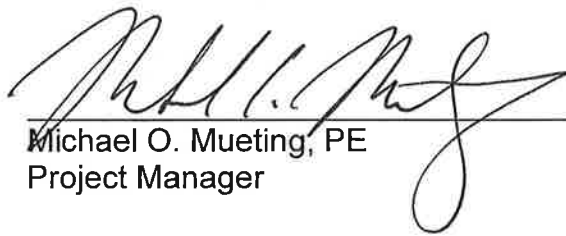
**Item 5: Coordination.**

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

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



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Michael O. Mueting, PE  
Project Manager



Concurrence:



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Khalid Nasim, PE  
Engineering Division Manager

Acknowledged: \_\_\_\_\_

(Contractor)

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

5-24-2011

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**  
14<sup>th</sup> Street Transportation Annex  
3525 14<sup>th</sup> 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/contract\\_bid\\_advertisements.html](http://www.tlma.co.riverside.ca.us/trans/contract_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:

  
(Contractor)

Date:

5-24-2011

JRJ:sb

**BID BOND**

**Recitals:**

1. Cooley Construction, Inc. "Contractor", has submitted his Contractor's Proposal to County of Riverside, "County", for the construction of public work for Mountain View Road Safety Project in accordance with a Notice Inviting Bids of County dated May 25, 2011.
2. Fidelity and Deposit Company of Maryland a Maryland corporation, hereafter called "Surety", is the surety of this Bond.

**Agreement:**

We, Contractor as principal and Surety as surety, jointly and severally agree and state as follows:

1. The amount of the obligation of this bond is 10% of the amount of the Contractor's Proposal, including bid alternates, and inures to the benefit of County.
2. This Bond is exonerated by (1) County rejecting said Proposal or, in the alternate, (2) if said Proposal is accepted, Contractor executes the Agreement and furnishes the Bonds as agreed to in its Proposal, otherwise it remains in full force and effect for the recovery of loss, damage and expense of County resulting from failure of Contractor to act as agreed to in its Proposal. Some types of possible loss, damage and expense are specified in the Contractor's Proposal.
3. Surety, for value received, stipulates and agrees that its obligations hereunder shall in no way be impaired or affected by any extension of time within which County may accept the Proposal and waives notice of any such extension.
4. This Bond is binding on our heirs, executors, administrators, successors and assigns.

Dated: May 16, 2011

Fidelity and Deposit Company of Maryland

Cooley Construction, Inc.

By Janet C. Rojo  
Title: Attorney in Fact  
"Surety"

By [Signature]  
Title: President  
"Contractor"

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: All signatures must be notarized



# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of San Francisco

On May 16, 2011

Date

before me, Virginia L. Ledford-Black, Notary Public

Here Insert Name and Title of the Officer

personally appeared

Janet C. Rojo

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.

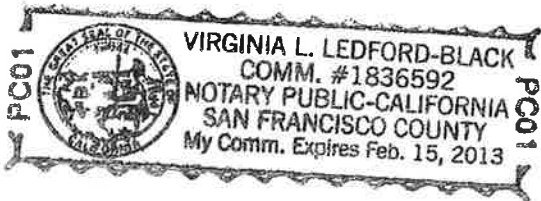
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

*Virginia L. Ledford-Black*

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: \_\_\_\_\_

**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 acquisition 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

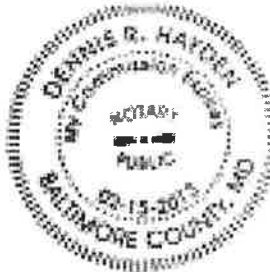
*Theodore G. Martinez*

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



## ACKNOWLEDGMENT

State of California  
County of San Bernardino )

On May 24, 2011 before me, Karen M Shackelford, Notary Public  
(insert name and title of the officer)

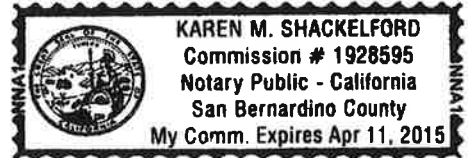
personally appeared Paul R Cooley Jr.  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) (is) are  
subscribed to the within instrument and acknowledged to me that (he) she/they executed the same in  
(his) her/their authorized capacity(ies), and that by (his) 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 Karen M Shackelford

(Seal)



## 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