

FORM APPROVED COUNTY COUNSEL
 BY: *[Signature]*
 GREGORY P. PRIAMOS
 DATE: 9/23/15

Departmental Concurrence

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

337



FROM: Riverside County Department of Waste Resources

SUBMITTAL DATE:
 September 22, 2015

SUBJECT: Contract Award for the Construction of 2015 Site Improvements at the Closed Edom Hill, Beaumont, Mead Valley and Coachella Landfills, District 4 & 5 [\$569,050.85 – Department of Waste Resources Enterprise Funds], CEQA – Nothing Further Required.

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that nothing further is required pursuant to the California Environmental Quality Act (CEQA), whereas on August 18, 2015, the Board of Supervisors determined that the Project was exempt from CEQA pursuant to the State CEQA Guidelines Section 15061(b)(3) (General Rule for Exemption), and categorically exempt from CEQA pursuant to Section 15301 Existing Facilities and Section 1530 Minor Alterations of Land; and
2. Accept the bid submitted by Road Builders, Inc., in the amount of \$569,050.85 for the Construction of 2015 Site Improvements at the Closed Edom Hill, Beaumont, Mead Valley and Coachella Landfills; and
3. Authorize the Chairman to execute the Agreement on behalf of the Department (continued)

BACKGROUND:

Summary

(See Page 2)

[Signature]
 Hans Kernkamp
 General Manager-Chief Engineer

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 569,050.85	\$	\$ 569,050.85	\$	Consent <input type="checkbox"/> Policy <input type="checkbox"/>
NET COUNTY COST	\$	\$	\$	\$	

SOURCE OF FUNDS:

Budget Adjustment:

For Fiscal Year:

C.E.O. RECOMMENDATION:

APPROVE

BY: *[Signature]*
 Steven C. Horn

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley
 Nays: None
 Absent: None
 Date: October 6, 2015
 xc: Waste

Kecia Harper-Ihem
 Clerk of the Board
 By: *[Signature]*
 Deputy
 COUNTY

Prev. Agn. Ref.: 8/18/2015 (12-2C) | District: 4 & 5 | Agenda Number:

12-4

- A-30
- Positions Added
- 4/5 Vote
- Change Order

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Contract Award for the Construction of 2015 Site Improvements at the Closed Edom Hill,
Beaumont, Mead Valley and Coachella Landfills, District 4 & 5 [\$569,050.85 – Department of Waste
Resources Enterprise Funds], CEQA – Nothing Further Required.**

DATE: September 22, 2015

PAGE: 2 of 2

Recommended Motion (Continued)

4. Authorize the General Manager–Chief Engineer of the Department of Waste Resources to execute change orders to the contract as approved by County Counsel, in accordance with Article 3.5 of the Public Contract Code, and the limits set forth in Section 20142 therein.

BACKGROUND:

Summary (continued)

On August 18, 2015, the Board approved the contract documents for the Construction of 2015 Site Improvements at the Closed Edom Hill, Beaumont, Mead Valley and Coachella Landfills, and authorized the Department to advertise for bids. On September 8, 2015, a total of three (3) bids were received, with Road Builders, Inc. submitting the lowest responsible bid. After review of the bid results, Department staff has determined that Road Builders, Inc. has the necessary experience and capability to perform the work, and County Counsel has determined that the bid documents are in order. A summary of the received bids along with the Contract Agreement between the County and Road Builders, are attached herewith.

California Environmental Quality Act (CEQA) Findings

On August 18, 2015, the Board of Supervisors approved contract documents for the construction of site improvements at the closed Edom Hill, Beaumont, Mead Valley and Coachella Landfills (Project). As such, a Notice of Exemption (NOE) was filed, identifying that the Project was exempt from CEQA pursuant to the State CEQA Guidelines Section 15061(b)(3) (General Rule for Exemption), and categorically exempt from CEQA pursuant to Section 15301 Existing Facilities and Section 15304 Minor Alterations of Land. The 35-day statute of limitations for review and comment has expired, with no comments or challenges to the NOE received. As stated in the NOE, the Project involved on-going site maintenance, drainage improvements and repairs, and security enhancements at several closed landfills with no expansion of approved uses. Since the proposed motion in this F11 simply involves the award of a contract to complete the work already assessed under the NOE, nothing further is required under CEQA.

Impact on Citizens and Businesses

Completion of the Project will improve and repair drainage structures within existing public facilities. As a result, water quality within the facilities storm water discharge shall improve. In addition, the Project will improve site security; thereby reducing occurrences of trespass. This will result in cost savings due to a reduction in maintenance costs associated with site security.

SUPPLEMENTAL:

Additional Fiscal Information

Budget for this project will be provided from Fund 40200, Department ID – 4500100000.

Price Reasonableness

Due to the competitive bid process and also based on similar work performed recently at County landfills, Department engineering staff believes that the submitted bid amount is reasonable.

Riverside County
 Department of Waste Resources
 2015 Site Improvements Project
 Bidders Comparison

Bid Item No.	Item of Work	Unit	Quantity	Engineer Estimate		Road Builders Inc.		Husker Engineering Inc.		Jeremy Harris Construction, Inc.	
				Unit Cost	Sub-Total Cost	Unit Cost	Sub-Total Cost	Unit Cost	Sub-Total Cost	Unit Cost	Sub-Total Cost
1	Earthwork – Bench Grading / Erosion Repair (Edom Hill)	LF	29,768	\$ 1.99	\$ 59,104.78	\$ 1.40	\$ 41,675.20	\$ 5.00	\$ 148,840.00	\$ 6.35	\$ 189,026.80
2	Earthwork – Slope & Top Deck Erosion Repair (Edom Hill)	SF	126,076	\$ 0.13	\$ 15,812.50	\$ 0.60	\$ 75,645.60	\$ 0.45	\$ 56,734.20	\$ 0.56	\$ 70,602.56
3a	Earthwork – Berm Install (Edom Hill)	LF	5,207	\$ 1.86	\$ 9,690.11	\$ 6.15	\$ 32,023.05	\$ 7.00	\$ 36,449.00	\$ 13.25	\$ 68,992.75
3b	Earthwork – Berm Install (Beaumont)	LF	595	\$ 1.86	\$ 1,107.28	\$ 27.00	\$ 16,065.00	\$ 7.00	\$ 4,165.00	\$ 48.25	\$ 28,708.75
4	Earthwork – Basin Excavation, Haul & Stockpile (Edom Hill)	LS	1	\$ 9,100.00	\$ 9,100.00	\$ 28,600.00	\$ 28,600.00	\$ 10,000.00	\$ 10,000.00	\$ 31,566.00	\$ 31,566.00
5	Earthwork – Engineered Fill (Edom Hill)	LS	1	\$ 14,600.00	\$ 14,600.00	\$ 56,000.00	\$ 56,000.00	\$ 19,000.00	\$ 19,000.00	\$ 23,957.00	\$ 23,957.00
6	Earthwork – Access Bench Re-Grading / Erosion Backfill (Edom Hill)	LS	1	\$ 21,300.00	\$ 21,300.00	\$ 31,400.00	\$ 31,400.00	\$ 29,000.00	\$ 29,000.00	\$ 74,997.00	\$ 74,997.00
7	Concrete Drainage Structures (Beaumont)	SF	708	\$ 12.00	\$ 8,496.00	\$ 26.00	\$ 18,408.00	\$ 10.00	\$ 7,080.00	\$ 14.00	\$ 9,912.00
8	Shotcrete Drainage Structures (Beaumont)	LF	877	\$ 49.75	\$ 43,630.75	\$ 43.00	\$ 37,711.00	\$ 34.00	\$ 29,818.00	\$ 40.00	\$ 35,080.00
9	Masonry Splash Walls (Edom Hill)	LF	489	\$ 57.34	\$ 28,038.58	\$ 72.00	\$ 35,208.00	\$ 80.00	\$ 39,120.00	\$ 75.00	\$ 36,675.00
10	Rip-Rap (Edom Hill)	LS	1	\$ 1,000.00	\$ 1,000.00	\$ 2,000.00	\$ 2,000.00	\$ 6,350.00	\$ 6,350.00	\$ 13,077.00	\$ 13,077.00
11	Edom Hill - Palm Waste Installation	LS	1	\$ 63,400.00	\$ 63,400.00	\$ 78,000.00	\$ 78,000.00	\$ 63,700.00	\$ 63,700.00	\$ 61,557.00	\$ 61,557.00
12	Authorized Time & Materials	LS	1	\$ 46,000.00	\$ 46,000.00	\$ 46,000.00	\$ 46,000.00	\$ 46,000.00	\$ 46,000.00	\$ 46,000.00	\$ 46,000.00
	Optional Bid Items - Awarded at County Discretion		Subtotal		\$ 321,280.00		\$ 498,735.85		\$ 496,256.20		\$ 690,151.86
13	Rock Boulder Relocation / Placement	LF	1,900	\$ 30.67	\$ 58,275.56	\$ 8.85	\$ 16,815.00	\$ 10.00	\$ 19,000.00	\$ 74.00	\$ 140,600.00
14a	Mead Valley - Green Waste Spread, Relocate and Track-Walk	LS	1	\$ 77,000.00	\$ 77,000.00	\$ 14,000.00	\$ 14,000.00	\$ 29,000.00	\$ 29,000.00	\$ 71,000.00	\$ 71,000.00
14b	Coachella - Palm Waste Spread, Relocate and Track-Walk	LS	1	\$ 46,100.00	\$ 46,100.00	\$ 18,000.00	\$ 18,000.00	\$ 8,000.00	\$ 8,000.00	\$ 38,000.00	\$ 38,000.00
15	Compost Facility Basin Area Improvements: Eng Fill, CMP Clean-out & Shotcrete Drainage Structures (Edom Hill)	LS	1	\$ 9,200.00	\$ 9,200.00	\$ 21,500.00	\$ 21,500.00	\$ 27,200.00	\$ 27,200.00	\$ 60,000.00	\$ 60,000.00
	Total Cost		Subtotal		\$ 190,575.56		\$ 70,315.00		\$ 83,200.00		\$ 309,600.00
					\$ 511,855.56		\$ 569,050.85		\$ 579,456.20		\$ 999,751.86

AGREEMENT

THIS AGREEMENT is made as of September 10, 2015 and is between the COUNTY OF RIVERSIDE (County) and Road Builders, Inc. (Contractor).

IT IS AGREED BY THE PARTIES AS FOLLOWS:

1. The Work. Contractor shall furnish all tools, equipment, apparatus, facilities, labor and material necessary to perform the work for the project, the 2015 Site Improvements Project, in exact conformity with the Contract Documents, subject to such inspection as County deems appropriate.

2. Contract Documents. The Contract Documents for the project are:
 - (a) Notice to Contractors;
 - (b) Instructions To Bidders;
 - (c) Contractor's Proposal;
 - (d) Agreement;
 - (e) Bid Bond;
 - (f) Performance Bond;
 - (g) Payment Bond;
 - (h) General Provisions;
 - (i) Special Provisions;
 - (j) Appendix A – BMP Installation Details from the CASQA Stormwater BMP Handbook;
 - (k) Any other documents included in or incorporated into the Contract Documents or in the County's bid package;
 - (l) Addenda Nos. (NA)

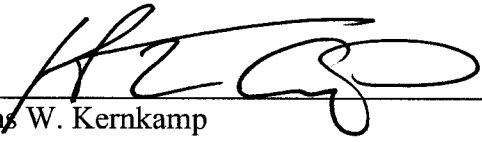
Each of the above-mentioned documents presently in existence are by this reference incorporated into this Agreement and each of these documents not now in existence are incorporated herein as of the time of their issuance.

3. Contract Price - Payment. **Exhibit A** is attached to and incorporated into this Agreement and states the basis for full payment for this project. Contractor represents that it fully understands the payment method for the work.

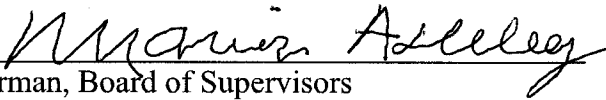
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RIVERSIDE COUNTY
DEPARTMENT OF WASTE RESOURCES
14310 Frederick Street
Moreno Valley, CA 92553

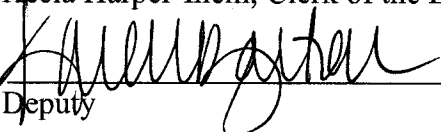
By: 
Hans W. Kernkamp
General Manager - Chief Engineer

COUNTY OF RIVERSIDE

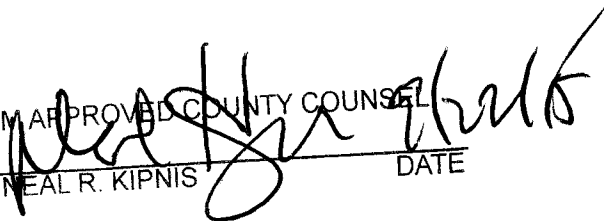
By: 
Chairman, Board of Supervisors
MARION ASHLEY

ATTEST:

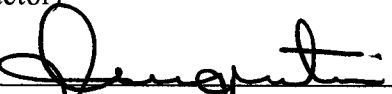
By: _____
Kecia Harper-Ihem, Clerk of the Board

By: 
Deputy

(Seal)

FORM APPROVED COUNTY COUNSEL
BY:  DATE _____
NEAL R. KIPNIS

ROAD BUILDERS, INC
(Contractor)

By: 

Name: JOSEPH AUGUSTINE

Title: PRESIDENT

(If corporation, attach corporate seal)

EXHIBIT A

(To Agreement for the Riverside County Department of Waste Resources Project, 2015 Site Improvements Project located at various Riverside County Landfills.)

It is understood that the quantities listed (except for those shown as "Lump Sum, [L.S]") are but estimates only and final payment will be based on actual quantities, whatever they may be, subject to such adjustments and alterations as elsewhere provided for in the Contract Documents.

Item No.	Item of Work	Unit	Quantity	Unit Cost	Sub-Total Cost
1	Earthwork – Bench Grading / Erosion Repair (Edom Hill)	LF	29,768	\$1.40	\$41,675.20
2	Earthwork – Slope & Top Deck Erosion Repair (Edom Hill)	SF	126,076	\$0.60	\$75,645.60
3a	Earthwork – Berm Install (Edom Hill)	LF	5,207	\$6.15	\$32,023.05
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5	Earthwork – Engineered Fill (Edom Hill)	LS	1	\$56,000.00	\$56,000.00
6	Earthwork – Access Bench Re-Grading / Erosion Backfill (Edom Hill)	LS	1	\$31,400.00	\$31,400.00
7	Concrete Drainage Structures (Beaumont)	SF	708	\$26.00	\$18,408.00
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9	Masonry Splash Walls (Edom Hill)	LF	489	\$72.00	\$35,208.00
10	Rip-Rap (Edom Hill)	LS	1	\$2,000.00	\$2,000.00
11	Palm Waste Installation (Edom Hill)	LS	1	\$78,000.00	\$78,000.00
12	Authorized Time & Materials	NA	NA	\$46,000	\$46,000.00
Optional Bid Items - Awarded at County Discretion:					
13	Rock Boulder Relocation / Placement (Mead Valley)	LF	1,900	\$8.85	\$16,815.00
14a	Green Waste - Spread, Relocate and Track-Walk (Mead Valley)	LS	1	\$14,000.00	\$14,000.00
14b	Palm Waste – Spread, Relocate and Track-Walk (Coachella)	LS	1	\$18,000.00	\$18,000.00
15	Compost Facility Basin Area Improvements: Eng Fill, CMP Clean-out & Shotcrete Drainage Structures (Edom Hill)	LS	1	\$21,500.00	\$21,500.00

Total Cost \$ \$569,050.85

BID BOND

Recitals:

1. Road Builders, Inc. (Contractor) has submitted its Contractor's Proposal to the County of Riverside, by and for the Department of Waste Resources, for the construction of the public work known as the 2015 Site Improvements Project in accordance with a Notice to Contractors dated August 18, 2015.
2. Western Surety Company a South Dakota corporation, hereafter called Surety, is the surety on 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 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 and certificates of insurance 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.
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: August 25, 2015

Western Surety Company

By: 

Title: Charlotte Aquino, Attorney-in-Fact
(Surety)

Road Builders, Inc.

By: 

Title: President
(Contractor)

NOTE. This Bond must be executed by both parties with corporate seal affixed. All signatures must be acknowledge by a notary (attach acknowledgments).

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT Civil Code § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy or validity of that document.

STATE OF CALIFORNIA

County of San Diego

On AUG 25 2015 before me, John Richard Flores JR. Notary Public.
Date Insert Name of Notary exactly as it appears on the official seal

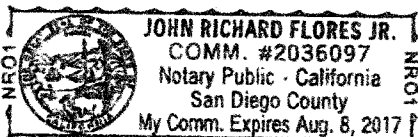
personally appeared Charlotte Aquino

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person ~~(s)~~ whose name ~~(s)~~ is ~~(s)~~ subscribed to the within instrument and acknowledged to me that ~~he~~/she/~~it~~ executed the same in ~~his~~/her/~~their~~ authorized capacity ~~(s)~~, 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 John Richard Flores JR.

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 the form to another document

Description of Attached Document

Title or Type of Document: _____

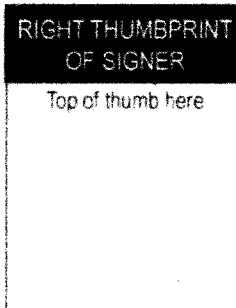
Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

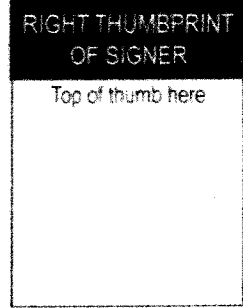
- Individual
- Corporate Officer — Title(s): _____
- Partner Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer is Representing:
Surety Company

Signer's Name: _____

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



Signer is Representing:

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

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

Lawrence F Mc Mahon, James Baldassare Jr, Sarah Myers, Maria Guise, Lilia Robinson, Charlotte Aquino, Jennifer L Clampert, Janice Martin, Individually

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

- In Unlimited Amounts -

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

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

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 16th day of June, 2015.



WESTERN SURETY COMPANY

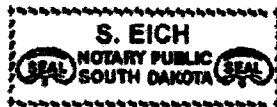
Paul T. Bruflat

Paul T. Bruflat, Vice President

State of South Dakota }
County of Minnehaha } ss

On this 16th day of June, 2015, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires
February 12, 2021



S. Eich

S. Eich, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this _____ day of AUG 25 2015, _____.



WESTERN SURETY COMPANY

L. Nelson

L. Nelson, Assistant Secretary

PAYMENT BOND

(Public Work - Civil Code, Section 3247 et seq.)

The makers of this Bond are Road Builders, Inc. as Principal and Original Contractor and Western Surety Company a corporation, authorized to issue surety bonds in California, as Surety, and this bond is issued in conjunction with that certain public works contract dated September 10, 2015, between Principal and the COUNTY OF RIVERSIDE (County), a public entity, for \$ *, the total amount payable. Said contract is for the public work generally consisting of the 2015 Site Improvements Project. The beneficiaries of this Bond are as is stated in Section 3248 of the Civil Code and Sections 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: September 11, 2015

Western Surety Company
By: *CAQUINO*

Title: Charlotte Aquino, Attorney-in-Fact
(Surety)

Road Builders, Inc.
By: *[Signature]*

Title: PRESIDENT
(Contractor)

NOTE: This Bond must be executed by both parties with corporate seal affixed. All signatures must be acknowledge by a notary (attach acknowledgments).

* Five Hundred Sixty Nine Thousand Fifty and 85/100 Dollars (\$569,050.85)



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT Civil Code § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy or validity of that document.

STATE OF CALIFORNIA

County of San Diego

On SEP 11 2015 before me, Maria Guise, Notary Public,
Date Insert Name of Notary exactly as it appears on the official seal

personally appeared Charlotte Aquino
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 
Signature of Notary Public Maria Guise



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 the 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: Surety Company

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: _____

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

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

Lawrence F Mc Mahon, James Baldassare Jr, Sarah Myers, Maria Guise, Lilia Robinson, Charlotte Aquino, Jennifer L Clampert, Janice Martin, Individually

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

- In Unlimited Amounts -

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

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

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 16th day of June, 2015.



WESTERN SURETY COMPANY

Paul T. Bruflat

Paul T. Bruflat, Vice President

State of South Dakota }
County of Minnehaha } ss

On this 16th day of June, 2015, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires
February 12, 2021



S. Eich

S. Eich, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 11th day of September, 2015.



WESTERN SURETY COMPANY

L. Nelson

L. Nelson, Assistant Secretary

ALL-PURPOSE ACKNOWLEDGMENT

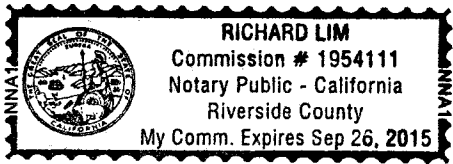
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this Certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
 County of Riverside } SS.

On Sept 14 2015, before me, RICHARD LIM, Notary Public,
DATE

personally appeared JOSEPH AUGUSTINE, 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]
 NOTARY'S SIGNATURE

PLACE NOTARY SEAL IN ABOVE SPACE

OPTIONAL INFORMATION

The information below is optional. However, it may prove valuable and could prevent fraudulent attachment of this form to an unauthorized document.

CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

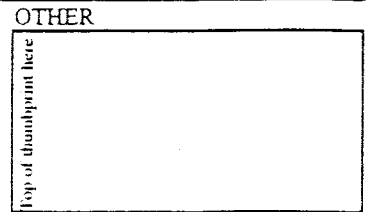
- INDIVIDUAL
- CORPORATE OFFICER PRESIDENT TITLE(S)
- PARTNER(S)
- ATTORNEY-IN-FACT
- GUARDIAN/CONSERVATOR
- SUBSCRIBING WITNESS
- OTHER: _____

DESCRIPTION OF ATTACHED DOCUMENT

Payment Bond
TITLE OR TYPE OF DOCUMENT
1
NUMBER OF PAGES
September 11, 2015
DATE OF DOCUMENT

SIGNER (PRINCIPAL) IS REPRESENTING:
NAME OF PERSON(S) OR ENTITY(IES)

RIGHT THUMBPRINT OF SIGNER



PERFORMANCE BOND

Recitals:

1. Road Builders, Inc. (Contractor) has entered into an Agreement dated September 10, 2015 with the COUNTY OF RIVERSIDE (County) for construction of the public work known as 2015 Site Improvements Project (Project).
2. Western Surety Company, 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 \$ _____ * and inures to the benefit of the 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 there under shall affect its obligations hereunder and waives notice as to such matters, except the total contract price cannot be increased by more than 25% without approval of Surety. (If the total contract price is inadvertently increased by more than 25% without approval of Surety, this performance bond will remain in effect for that portion of the contract existent prior to the 25% exceedance).

THIS BOND is executed as of September 11, 2015.

Western Surety Company
By: [Signature]

Title: Charlotte Aquino, Attorney-in-Fact
(Surety)

Road Builders, Inc.
By: [Signature]

Title: PRESIDENT
(Contractor)

NOTE: This Bond must be executed by both parties with corporate seal affixed. All signatures must be acknowledge by a notary (attach acknowledgments).

* Five Hundred Sixty Nine Thousand Fifty and 85/100 Dollars (\$569,050.85)



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT Civil Code § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy or validity of that document.

STATE OF CALIFORNIA

County of San Diego

SEP 11 2015

On _____ before me, Maria Guise, Notary Public,
Date Insert Name of Notary exactly as it appears on the official seal

personally appeared Charlotte Aquino
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/~~it~~/~~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 Maria Guise
Signature of Notary Public Maria Guise



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 the form to another document.

Description of Attached Document

Title or Type of Document: _____

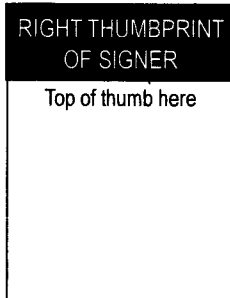
Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

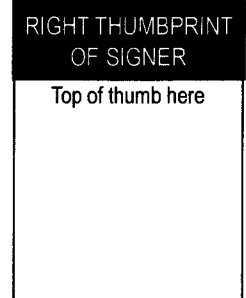
- Individual
- Corporate Officer — Title(s): _____
- Partner Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer is Representing:
Surety Company

Signer's Name: _____

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



Signer is Representing:

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

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

Lawrence F Mc Mahon, James Baldassare Jr, Sarah Myers, Maria Guise, Lilia Robinson, Charlotte Aquino, Jennifer L Clampert, Janice Martin, Individually

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

- In Unlimited Amounts -

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

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

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 16th day of June, 2015.



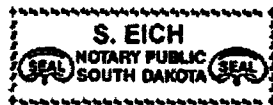
WESTERN SURETY COMPANY

Paul T. Bruflat
Paul T. Bruflat, Vice President

State of South Dakota }
County of Minnehaha } ss

On this 16th day of June, 2015, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires
February 12, 2021



S. Eich
S. Eich, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 11th day of September, 2015.



WESTERN SURETY COMPANY

L. Nelson
L. Nelson, Assistant Secretary

ALL-PURPOSE ACKNOWLEDGMENT

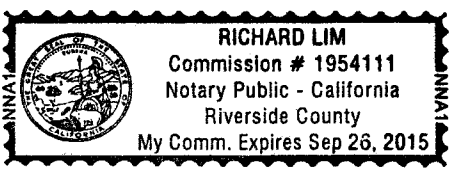
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WITNESS my hand and official seal.
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NOTARY'S SIGNATURE

PLACE NOTARY SEAL IN ABOVE SPACE

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- PARTNER(S)
- ATTORNEY-IN-FACT
- GUARDIAN/CONSERVATOR
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- OTHER: _____

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NUMBER OF PAGES
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RIGHT THUMBPRINT OF SIGNER

