

INVITATION FOR BIDS (IFB) 7-2018
BOOK 1 OF 2

**CONSTRUCTION OF THE LAGUNA
NIGUEL TO SAN JUAN CAPISTRANO
PASSING SIDING PROJECT**



ORANGE COUNTY TRANSPORTATION AUTHORITY

550 South Main Street
P.O. Box 14184
Orange, CA 92863-1584
(714) 560-6282

Key IFB Dates

Issue Date:	August 27, 2018
Pre-Bid Conference/Site Visit:	September 6, 2018
Questions/Approved Equal Submittal:	September 12, 2018
Bid Submittal Date:	September 26, 2018

FEDERAL TRANSIT ADMINISTRATION FUNDED PROJECT

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August 27, 2018

**SUBJECT: NOTICE INVITING SEALED BIDS
IFB 7-2018, "CONSTRUCTION OF THE LAGUNA NIGUEL TO
SAN JUAN CAPISTRANO PASSING SIDING PROJECT "**

TO: ALL BIDDERS

FROM: ORANGE COUNTY TRANSPORTATION AUTHORITY

The Orange County Transportation Authority (Authority) invites sealed bids for **CONSTRUCTION OF THE LAGUNA NIGUEL TO SAN JUAN CAPISTRANO PASSING SIDING PROJECT .**

The description of this project is CONSTRUCTION OF THE LAGUNA NIGUEL TO SAN JUAN CAPISTRANO PASSING SIDING PROJECT.

The estimated cost for this project is \$14,032,310.21. Bidders will be required to hold a valid State of California "A" license.

The Authority has set a 13% Disadvantaged Business Enterprise (DBE) participation goal for this project.

Bids must be submitted at or before 11:00 a.m., September 26, 2018.

Bids delivered in person or by a means other than the U.S. Postal Service shall be submitted to the following:

**Orange County Transportation Authority
Contracts Administration and Materials Management
600 South Main Street, (Lobby Receptionist)
Orange, California 92868
Attention: Venita Anderson, Senior Contract Administrator**

Or bids delivered using the U.S. Postal Service shall be addressed as follows:

**Orange County Transportation Authority
Contracts Administration and Materials Management
550 South Main Street
P.O. Box 14184
Orange, California 92863-1584
Attention: Venita Anderson, Senior Contract Administrator**

Bids and amendments to bids received after the date and time specified above will be returned to the bidders unopened.

Bidders interested in obtaining a copy of this Invitation for Bids (IFB) may do so by downloading the IFB from CAMM NET the Authority's on-line website at <https://cammnet.octa.net>.

All bidders and sub contractors interested in doing business with the Authority are required to register their business on-line at CAMM NET. The website can be found at <https://cammnet.octa.net>. From the site menu, click on CAMM NET to register.

To receive all further information regarding this IFB, bidders and sub-contractors must be registered on CAMM NET with at least one of the following commodity codes for this solicitation selected as part of the vendor's on-line registration profile:

Category:
Construction

Professional Services

Commodity:
Construction (General)
Construction - Electrical
Installation
Concrete
Earthwork / Paving
Electrical Contractor
Fencing Contractor
General Contractor
Inspection Services
Pipeline
Metals - Fabricated / Structural
Utility Installation / Relocation
Welding
Railroad
Traffic Control Devices
Traffic Control Services
Land Surveying

Rail Services

Rail - Inspection & Testing Services

A pre-bid conference will be held on September 6, 2018, at 2:00 p.m. Immediately following the pre-bid conference, a job walk will be conducted. All prospective bidders are strongly encouraged to attend.

The contract to be awarded is subject to a financial assistance contract between the Orange County Transportation Authority, and the U.S. Department of Transportation. All Bidders will be required to certify that they are not on the Comptroller General's List of Ineligible Contractors.

All bidders are encouraged to subcontract with small businesses to the maximum extent possible.

Bidders will be required to submit the name, business address, and California contractor license number of each subcontractor who will perform work or labor or render service to the bidder in or about the work in an amount in excess of one-half of one percent ($1/2$ of 1 %) of the bidder's total bid. If a subcontractor's California contractor license number is submitted incorrectly, it will not be grounds for filing a bid protest or grounds for considering the bid nonresponsive if the corrected subcontractor's California contractor license number is submitted to the Authority within 24 hours after the bid opening.

The successful Bidder will be required to comply with all applicable equal opportunity laws and regulations.

Award of this contract is subject to receipt of federal, state and/or local funds adequate to carry out the provisions of the agreement including the project specification.

All bidders must register with the Department of Industrial Relations pursuant to Labor Code Section 1725.5. A bidder is exempt from this requirement pursuant to Labor Code Section 1771.1(a) if the bidder submits a bid authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the bidder is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded.

A bid submitted by a contractor or subcontractor will not be accepted or entered into without proof of the contractor or subcontractor's current registration to perform public work pursuant to Labor Code Section 1725.5.

SECTION I: INSTRUCTIONS TO BIDDERS

SECTION I. INSTRUCTIONS TO BIDDERS

A. PRE-BID CONFERENCE/SITE VISIT

A pre-bid conference will be held on September 6, 2018 at 2:00 p.m. at 550 South Main Street, Orange CA 92863, Conference Room 9. Immediately following the pre-bid conference, a job walk will be conducted at _____TBD_____. All prospective bidders are strongly encouraged to attend the pre-bid conference and the site visit.

By investigation of the work site, bidder shall be satisfied as to the nature and location of the work and shall be fully informed as to all conditions and matters, which can in any way affect the work or the cost thereof. Prospective bidders should familiarize themselves with Authority safety rules that require that pedestrians must wear approved safety vests. **Please bring a safety vest for the job walk.**

B. EXAMINATION OF DOCUMENTS

By submitting a bid, the bidder represents that it has thoroughly examined and become familiar with the work required under this IFB and that it is capable of performing quality work to achieve the authority's objective.

A Bid Booklet has been furnished as Book 2 of this IFB.

C. ADDENDA

The Authority reserves the right to revise the IFB documents. Such, if any, will be made by written addendum to this IFB. Any written addenda issued pertaining to this IFB shall be incorporated into the terms and conditions of any resulting Agreement. The Authority will not be bound to any modifications to or deviations from the requirements set forth in this IFB as the result of oral instructions. Bidders shall acknowledge receipt of Addenda in their bids. Failure to acknowledge receipt of Addenda may cause the bid to be deemed non-responsive to this IFB and be rejected.

D. AUTHORITY CONTACT

All communication and/or contacts with Authority staff regarding this IFB are to be directed to the following Contract Administrator:

Venita Anderson, Senior Contract Administrator
 Contracts Administration and Materials Management Department
 600 South Main Street
 P.O. Box 14184
 Orange, CA 92863-1584
 Phone: 714.560. 5427, Fax: 714.560.5792
 Email: vanderson@octa.net

Commencing on the date of the issuance of this IFB and continuing until award of the contract or cancellation of this IFB, no bidder, subcontractor, lobbyist or agent hired by the proposer shall have any contact or communications regarding this IFB with any Authority's staff; member of the evaluation committee for this IFB; or any contractor or consultant involved with the procurement, other than the Contract Administrator named above or unless expressly permitted by this IFB. Contact includes face-to-face, telephone, electronic mail (e-mail) or formal written communication. Any bidder, subcontractor, lobbyist or agent hired by the bidder that engages in such prohibited communications may result in disqualification of the bidder at the sole discretion of the Authority.

E. CLARIFICATIONS OF SPECIFICATIONS AND APPROVED EQUALS

1. Specifications Review

Should a bidder find discrepancies in, or omissions from, the drawings or specifications, or be in doubt as to their meaning, the bidder shall notify the Authority in writing in accordance with item 3 ("Submitting Requests"), below. Should it be found that the point in question is not clearly and fully set forth; a written addendum clarifying the matter will be sent to all firms registered on CAMM NET under the commodity codes specified in the IFB.

2. Preference for Materials

In accordance with the California Public Contract Code Section 3400, reference to any equipment, material, article or patented process, by trade name, make, or catalog number, shall not be construed as limiting competition. In those cases where the specifications call for a designated material, product, or service by specific brand or trade name and there is only one brand or trade name listed, the item involves a unique or novel product application required to be used in the public interest or is the only brand or trade name known to the Authority.

Where the specifications or drawings identify any material, product or service by one or more brand names, whether or not "or equal" is added, and the bidder wishes to propose the use of another item as being equal, approval shall be requested as set forth in below.

3. Submitting Requests

- a. All requests for approved equals, clarification of specifications, or questions must be put in writing and must be received by the Authority no later than 5:00 p.m., on September 12, 2018.
- b. Requests for approved equals, clarifications, questions must be clearly labeled, "Written Questions". The Authority is not responsible for failure to respond to a request that has not been labeled as such.
- c. Any of the following methods of delivering written questions are acceptable as long as the questions are received no later than the date and time specified above:
 1. U.S. Mail: Orange County Transportation Authority, P.O. Box 14184, Orange, California 92863-1584.
 2. Courier/Overnight: Orange County Transportation Authority, 600 South Main Street, 4th floor, Orange, California 92868
 3. Facsimile: (714) 560-5792.
 4. E-Mail: vanderson@octa.net
- d. Any request for an approved equal or clarification of the specifications must be fully supported with technical data, test results, or other pertinent information as evidence that the substitute offered is equal to or better than the specification requirements. The burden of proof as to the equality, substitutability, and the compatibility of proposed alternates or equals shall be upon the bidder, who shall furnish all necessary information at no cost to the Authority. The Authority shall be the sole judge as to the equality, substitutability and compatibility of the proposed alternatives or equals.

4. Authority Responses

Responses from the Authority will be posted on CAMM NET, no later than five (5) calendar days before the scheduled date of bid opening. Bidders may download responses from CAMM NET at <https://cammnet.octa.net>, or request responses may be sent via U.S. Mail by e-mailing or faxing the request to Venita Anderson, Senior Contract Administrator.

To receive e-mail notification of Authority responses when they are posted on CAMM NET, bidders and their subcontractors must be registered on CAMM NET with at least one of the following commodity codes for this solicitation selected as part of the vendor's on-line registration profile:

Category:
Construction

Commodity:
Construction (General)
Construction - Electrical
Installation
Concrete
Earthwork / Paving
Electrical Contractor
Fencing Contractor
General Contractor
Inspection Services
Pipeline
Metals - Fabricated / Structural
Utility Installation / Relocation
Welding
Railroad
Traffic Control Devices
Traffic Control Services
Land Surveying
Rail - Inspection & Testing
Services

Professional Services
Rail Services

Inquiries received after 5:00 p.m. on September 12, 2018, will not be responded to.

F. SUBMISSION OF BIDS

1. Date and Time

Bids must be submitted at or before 11:00 a.m., September 26, 2018.

Bids received after the time due will be rejected without consideration or evaluation.

Bids will be publicly opened in the Authority's Administration Office, 600 South Main Street, Orange, California 92863 at the submission time indicated above.

2. Address

Bids delivered in person or by a means other than the U.S. Postal Service shall be submitted to the following:

**Orange County Transportation Authority
Contracts Administration and Materials Management (CAMM)
600 South Main Street, (Lobby Receptionist)
Orange, California 92868
Attention: Venita Anderson, Senior Contract Administrator**

Or bids delivered using the U.S. Postal Services shall be addressed as follows:

**Orange County Transportation Authority
Contracts Administration and Materials Management (Camm)
P.O. Box 14184
Orange, California 92863-1584
Attention: Venita Anderson, Senior Contract Administrator**

3. Bid Booklet and Identification of Bids

Bids must be submitted on the forms provided in the Bid Booklet (Book 2 of 2) that accompanies this IFB. Bids shall include properly completed bidding forms. The bid forms must be enclosed in a sealed package clearly marked as follows:

**IFB 7-2018, "CONSTRUCTION OF THE LAGUNA
NIGUEL TO SAN JUAN CAPISTRANO PASSING SIDING
PROJECT "**

Bidder shall be entirely responsible for any consequences, including disqualification of the bid, resulting from any inadvertent opening of unsealed or improperly identified packages. It is the bidder's sole responsibility to see that its bid is received as required.

G. PRE-CONTRACTUAL EXPENSES

The Authority shall not, in any event, be liable for any pre-contractual expenses incurred by bidder in the preparation of its bid. Bidder shall not include any such expenses as part of its bid.

Pre-contractual expenses are defined as expenses incurred by bidder in:

1. Preparing a bid in response to this IFB;
2. Submitting that bid to the Authority;
3. Negotiating with the Authority any matter related to this bid; and
4. Any other expenses incurred by bidder prior to date of award, if any, of the Agreement.

H. JOINT BIDS

Where two or more firms desire to submit a single bid in response to this IFB, they should do so on a prime-subcontractor basis rather than as a joint venture. The Authority intends to contract with a single firm and not with multiple firms doing business as a joint venture.

I. TAXES

Bids are subject to State and Local sales taxes. However, the Authority is exempt from the payment of Federal Excise and Transportation Taxes. Contractor is responsible for payment of all taxes for any goods, services, processes, and operations incidental to or involved in the contract.

J. BID SECURITY FORMS

Bids shall be accompanied by a certified or cashier's check, or an acceptable bid bond for an amount not less than ten percent (10%) of the bid, made payable to the order of the Orange County Transportation Authority. A corporate surety (not an individual surety), registered in the state of California and registered to do business in the county of Orange must issue bid bonds. Said check or bond shall be given as a guarantee that the bidder will enter into a contract if awarded the work and in case of refusal or failure to enter into said contract, the check or bond, as the case may be, shall be forfeited to the Authority.

K. WITHDRAWAL OF BIDS

Bidders may withdraw its bid at any time prior to the time set for opening of bids by means of written request signed by the bidder or its proper authorized representative. Such written request shall be delivered to the Contracts Administrator at the address noted in the cover notice of this IFB.

L. PREVAILING WAGES

This project is funded under a financial assistance contract by the U.S. Department of Transportation and is subject to all conditions of the Davis-Bacon Act (40 U.S.C. 3141-48), as supplemented by the Department of Labor regulations 29 CFR part 5, and the Labor Code of the State of California commencing in Section 1770 et. seq. It is required that all mechanics and laborers employed or working at the site be paid not less than the current basic hourly rates of pay and fringe benefits. Wage schedules are available at the Authority's Offices, which shall be made available to any interested party upon request, or on the internet at:

http://www.dir.ca.gov/OPRL/statistics_research.html and
<http://www.access.gpo.gov/davisbacon/>.

A copy of said rates shall be posted at each job site during the course of construction.

Bidders shall utilize the relevant prevailing wage determinations in effect on the first advertisement date of the Notice Inviting Sealed Bids. In the event there are any differences between the minimum wage rates as determined by the United States Secretary of Labor and those determined by the State of California, the highest rate must be paid.

This contract is subject to overview by the California Division of Labor Standard Compliance Monitoring Unit (CMU). The California Department of Industrial Relations shall monitor and enforce compliance with applicable prevailing wage requirements for this contract. The reporting requirements and other information regarding the CMU may be found at <http://www.dir.ca.gov/Public-Works/PublicWorksEnforcement.html>. The Contractor is responsible for complying with all requirements of the CMU, including filing electronic payroll reports.

A contractor or subcontractor will not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work on a public works project unless registered with the Department of Industrial Relations pursuant to Labor Code Section 1725.5. It is not a violation of Labor Code Section 1771.1 for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded.

A contractor or subcontractor will not be qualified to bid on, be listed in a bid proposal, subject to Section 6190 of the public Contract Code, or engage in the performance of any contract for public work on a public works project if the contractor or subcontractor is ineligible to perform work pursuant to Section 1777.1 or 1777.7 of the Labor Code.

A bid submitted by a contractor or subcontractor will not be accepted or entered into without proof of the contractor or subcontractor's current registration to perform public work pursuant to Labor Code Section 1725.5.

M. SUBCONTRACTORS AND ASSIGNMENTS

The successful bidder shall perform work equivalent to **at least ten percent (10%) of the total amount of the construction work** at the site; and, perform the work on the site with its own staff.

Pursuant to the provisions of the California Public Contract Code Section 4104, every bidder shall in the bid set forth:

1. The name, business address, California contractor license number, and public works contractor registration number issued pursuant to Section 1725.5 of the Labor Code of each subcontractor who will perform work or labor or render service to the bidder in or about the work in an amount in excess of one-half of one percent (1/2 of 1 %) of the bidder's total bid; and

2. The portion of the work that will be done by each subcontractor. The bidder shall list only one subcontractor for each portion of work as defined by the bidder in its bid.
3. The dollar amount of the work, which will be done by each such subcontractor.

Bidder shall complete Exhibit D "List of Subcontractors" with the above requested information.

If a subcontractor's California contractor license number or public works contractor registration number are submitted incorrectly in the bid, it will not be grounds for filing a bid protest or grounds for considering the bid nonresponsive if the corrected subcontractor's California contractor license number is submitted to the Authority within 24 hours after the bid opening.

If the bidder fails to specify a subcontractor for any portion of the work to be performed under the contract in excess of one-half of one percent ($1/2$ of 1 %) of the bidder's total bid, or if the bidder specifies more than one (1) subcontractor for the same portion of the work to be performed under the contract in excess of one-half of one percent ($1/2$ of 1 %) of the bidder's total bid, the bidder agrees to perform that portion. **The successful bidder shall not, without the express written consent of the Authority, either:**

1. Substitute any person, firm, or corporation as subcontractor in place of the subcontractor designed in the original bid; or
2. Permit any subcontract to be assigned or transferred; or
3. Allow it to be performed by anyone other than the original subcontractor listed in the bid.

Each Bidder shall set forth in its bid the name and location of the place of business address of each subcontractor certified as a Disadvantaged Business Enterprise who will perform work or labor or render service to the prime contractor in connection with the performance of the contract.

Bidder shall not assign any interest it may have in any Agreement with the Authority, nor shall bidder assign any portion of the work under any such Agreement with a value in excess of one-half of one percent ($1/2$ of 1%) of Agreement price to be sub-contracted to any one other than these subcontractors listed in Exhibit D in the "List of Subcontractors," except by prior written consent of Authority. Authority's consent to any assignment shall not be deemed to relieve bidder of its obligations to fully comply with its obligations under its Agreement with the Authority. Bidder with its own forces shall perform minimum of ten percent (10%) (calculated as a percentage of the total cost of the project) under this Agreement. Bidder shall also include in its subcontract agreements the provisions of its Agreement with Authority including the stipulation that each subcontractor

shall maintain adequate insurance coverage compatible to the insurance coverage required of the bidder.

N. BIDDER'S LICENSING REQUIREMENTS

In conformance with the current statutory requirements of Section 7028.15 of the Business and Professions Code of the State of California, regarding submission of a bid without a license, the bidder shall provide as part of the bid a valid State of California license number, class or type and date of expiration.

Furthermore, the bidder shall ensure that all subcontractors fully comply with the appropriate licensing requirements. The bidder shall also certify that all information provided and representations made in the bid are true and correct, and made under penalty of perjury. Bidders shall provide this information on Exhibit D, "List of Subcontractors" presented in the IFB. Failure to provide the information on the certification form or elsewhere as part of the bid shall render the bidder nonresponsive to this solicitation and will result in the rejection of the bid.

O. PERMITS AND INSPECTION COSTS

Successful bidder shall procure all permits and licenses; pay all charges, assessments and fees, as may be required by the ordinances and regulations of the public agencies having jurisdiction over the areas in which the work is located, and shall comply with all the terms and conditions thereof and with all lawful orders and regulations of each such public agency relating to construction operations under the jurisdiction of such agency.

P. LIQUIDATED DAMAGES

In the event bidder, after entering into an Agreement with the Authority, fails to complete the work within the time specified in the Agreement, the bidder will be required to pay the Authority the amount of **\$2,722.00 per calendar day** of delay as agreed to liquidated damages.

Q. PROTEST PROCEDURES

The Authority has on file a set of written protest procedures applicable to this solicitation that may be obtained by contacting the Contract Administrator responsible for this procurement. Any protest filed by a bidder in connection with this IFB must be submitted in accordance with the Authority's written procedures.

R. CONTRACT AWARD

Any contract awarded as a result of this IFB, will be awarded to the lowest responsive and responsible bidder and shall be on a lump sum basis, in accordance with the requirements of this IFB. The contract to be awarded is the Agreement presented in Section VI of this IFB.

S. EXECUTION OF CONTRACT

The successful bidder shall submit to the Authority the required contract bonds, "Guaranty" and acceptable insurance certificates within ten (10) calendar days after notification of contract award from the Authority. Failure to sign the contract and submit applicable bonds, "Guaranty", and acceptable insurance certificates within the specified time shall be cause to cancel the award and the forfeiture of the Bid Bond. Transfers of contract, or of interest in contracts, are prohibited.

T. AUTHORITY'S RIGHTS

1. The Authority reserves the right to accept or reject any and all bids, or any item or part thereof, or to waive any informalities or irregularities in bids.
2. The Authority reserves the right to withdraw or cancel this IFB at any time without prior notice. The Authority makes no representations that any contract will be awarded to any bidder responding to this IFB.
3. The Authority reserves the right to issue a new IFB for the project.
4. The Authority reserves the right to postpone the bid opening for its own convenience.
5. Each bid will be received with the understanding that acceptance by the Authority of the bid to provide the goods and services described herein shall constitute a contract between the bidder and Authority which shall bind the bidder on its part to furnish and deliver at the prices given and in accordance with conditions of said accepted bid and specifications.
6. The Authority reserves the right to investigate the qualifications of any bidder, and/or require additional evidence of qualifications to perform the work.
7. Submitted IFBs are not to be copyrighted.

U. PUBLIC RECORDS AND INFORMATION

Bids received by Authority are considered public information and will be made available to the public if requested to do so.

V. CONFLICT OF INTEREST

All bidders responding to this IFB must avoid organizational conflicts of interest, which would restrict full and open competition in this procurement. An organizational conflict of interest means that due to other activities, relationships or contracts, a bidder is unable, or potentially unable to render impartial assistance or advice to the Authority; a bidder's objectivity in performing the work identified in the Project Specifications is or might be otherwise impaired; or a bidder has an

unfair competitive advantage. Conflict of Interest issues must be fully disclosed in the bidder's bid.

W. CODE OF CONDUCT

Bidders agree to comply with the Authority's Code of Conduct as it relates to Third-Party contracts, which is hereby referenced and by this reference is incorporated herein. Bidders agree to include these requirements in all of its subcontracts.

DRAFT

SECTION II: INSTRUCTIONS TO BIDDING FORMS

SECTION II. INSTRUCTIONS TO BIDDING FORMS

The Bidder shall complete all the forms identified below, and contained in the Bid Booklet Book 2 of this IFB. The bid may not contain exceptions to or deviations from the requirements of this IFB.

A. BID FORM

The bidder must complete and execute the Bid Form, which must be submitted in its entirety. Failure to submit the executed Bid Form in its entirety will result in the bid being non-responsive. In addition to providing the lump sum bid, the bidder affirms the Bid Form statements.

B. BID SECURITY FORM - BID BOND

The bidder shall include the Bid Security Form and include the appropriate bid bond or cashier check with the bid.

C. INFORMATION REQUIRED OF BIDDER

Bidder must provide all the information requested in this form.

D. NOTICE OF REQUIREMENT FOR AFFIRMATIVE ACTION TO ENSURE EQUAL EMPLOYMENT OPPORTUNITY (EXECUTIVE ORDER 11246) (NO FORM REQUIRED)

The bidder shall include the Notice of Requirement for Affirmative Action to Ensure Equal Employment Opportunity provides notice to Bidder regarding the "Equal Opportunity Clause" and the "Standard Federal Equal Employment Opportunity Construction Contract Specifications".

E. BIDDER'S CERTIFICATE OF COMPLIANCE - WORKERS' COMPENSATION INSURANCE

In conformance with current statutory requirements of Section 1860, et. seq., of the Labor Code of the State of California, bidder shall execute the bidder's Certificate of Compliance Regarding Workers' Compensation Insurance.

F. BIDDER'S CERTIFICATE OF COMPLIANCE - BUSINESS AND PROFESSIONS CODE SECTION 7028

Bidder shall execute the Bidder's Certificate of Compliance Regarding State of California Business and Professions Code Section 7028.15.

G. LIST OF SUBCONTRACTORS FORM

Bidder shall complete Exhibit D, which lists all subcontractors performing work in excess of one-half of one percent ($\frac{1}{2}$ of 1%) of the bid amount per the instructions set forth in Section I "Instructions to Bidders".

H. CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS - PRIMARY PARTICIPANT AND LOWER-TIER PARTICIPANTS (NO FORM REQUIRED)

Unless otherwise permitted by law, any person or firm that is debarred, suspended, or voluntarily excluded may not take part in any federally funded transaction, as either a participant or a principal, during the period of debarment, suspension, or voluntary exclusion. Accordingly, the Authority may not enter into any transaction with such debarred, suspended, or voluntarily excluded persons or firms during such period, in accordance with 2 CFR part 180, as adopted and supplemented by 2 CFR part 1200. Debarment is defined in 2 CFR Section 180.925, suspension is defined in 2 CFR Section 180.1015, and voluntary exclusion or voluntarily excluded is defined in 2 CFR Section 180.1020. (These provisions apply to each contract and any tier, equal or greater than \$25,000).

I. STATUS OF PAST AND PRESENT CONTRACTS FORM

Bidder is required to complete and sign the form entitled "Status of Past and Present Contracts" provided in this IFB and submit as part of the bid. Bidder shall identify the status of past and present contracts where the firm has either provided services as a prime vendor or a subcontractor during the past five (5) years in which the contract has been the subject of or may be involved in litigation with the contracting authority. This includes, but is not limited to, claims, settlement agreements, arbitrations, administrative proceedings, and investigations arising out of the contract. Bidder shall have an ongoing obligation to update the Authority with any changes to the identified contracts and any new litigation, claims, settlement agreements, arbitrations, administrative proceedings, or investigations that arise subsequent to the submission of the bid.

A separate form must be completed for each identified contract. Each form must be signed by the Bidder confirming that the information provided is true and accurate. Bidder is required to submit one copy of the completed form(s) as part of its bid.

J. CERTIFICATION OF NON-COLLUSION

This form requires the Bidder to certify that the bid is not collusive or a sham. This form is to be signed, dated and is part of the bid package in Book 2 of 2.

K. DISADVANTAGED BUSINESS ENTERPRISE

Bidders shall complete the following forms set forth in "DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROVISIONS FOR DOT-ASSISTED CONTRACTS":

- DBE Participation Commitment(s) Form
- Bidders List
- DBE Information – Good Faith Efforts

L. IRAN CONTRACTING ACT CERTIFICATION

This form requires the Bidder to certify that the Bidder is not engaged in specified investment activities in the energy sector of Iran. (Required if the bid is equal to or greater than \$1,000,000).

M. "BUY AMERICA" REQUIREMENTS

If the bid is valued for greater than one hundred and -fifty thousand dollars (\$150,000), Bidder is required to complete the form titled "Bidder's Certificate of Noncompliance Regarding 'Buy America' Requirements for Steel, Iron, or Manufactured Products." This form requires Bidder to certify that it will meet the requirements of 49 U.S.C. 5323(j) and the applicable regulations in 49 C.F.R. Part 661.

N. DISCLOSURE OF LOBBYING ACTIVITIES

This form requires the bidder to certify compliance with the lobbying requirements of 31 U.S.C. Section 1352 and the applicable regulations under 49 CFR part 19 and 20. (Required if the bid is equal or greater than \$100,000).



BID FORM

The undersigned hereby proposes to perform all work for which a contract may be awarded and to furnish any and all plant, labor, services, material, tools, equipment, supplies, transportation, utilities, and all other items and facilities necessary therefore as required in the IFB 7-2018, "CONSTRUCTION OF THE LAGUNA NIGUEL TO SAN JUAN CAPISTRANO PASSING SIDING PROJECT ", and to do everything required therein; and further proposes that, if this bid is accepted, will contract in the form and manner stipulated to perform all the work in strict conformity therewith within the time limits set forth therein, and will accept as full payment therefore, the following price:

<u>Description</u>	<u>Total Lump Sum</u> <u>Bid Amount</u>
--------------------	--

	\$
--	---

A cashier's check/certified check/bid bond (circle applicable term) properly made payable to Orange County Transportation Authority, hereinafter designated as the Owner, for the sum of

Dollars

(\$)

which amount is not less than ten percent (10%) of the total amount of this bid, is attached hereto and is given as a guarantee that the undersigned will execute the Agreement and furnish the required bonds, "Guaranty" and "Certificate of Insurance", if awarded the contract, and in case of failure to do so within the time provided, (a) the proceeds of said check shall be forfeited to the Authority; or (b) surety's liability to the Authority for forfeiture of the face amount of the bond shall be considered as established [circle (a) or (b)].

The undersigned hereby represents that:

BID FORM, PAGE 2

1. Bidder has thoroughly examined and become familiar with the work required and documents included under this IFB. The bidder understands that the award of the contract, if it is awarded, will be based on the lowest total bid submitted by a responsive and responsible bidder, and further, that the amounts and the total on the Bid Form will be subject to verification by the Authority.
2. By investigation at the site of the work and otherwise, it is satisfied as to the nature and location of the work and is fully informed as to all conditions and matters, which can in any way affect the work or the cost thereof.
3. Bidder fully understands the scope of the work/specifications and has checked carefully all words and figures inserted in said Invitation For Bids (IFB) and further understands that the Authority will in no way be responsible for any errors or omissions in the preparation of this bid. Bidder further asserts that it is capable of performing quality work to meet Authority's requirements.
4. Bidder will execute the Agreement and furnish the required Performance and Payment Bonds, Guaranty and proof of insurance coverage within ten (10) calendar days after notice of acceptance of bid by the Authority; and further, that this bid may not be withdrawn for a period of one hundred twenty (120) calendar days after the date set for the opening thereof, unless otherwise required by law. If any bidder shall withdraw its bid within said period, the bidder shall be liable under the provisions of the Bid Security, or the bidder and the surety shall be liable under the Bid Bond, as the case may be.
5. Bidder hereby certifies that this bid is genuine and not a sham or collusive or made in the interest or on behalf of any person not herein named, and the undersigned has not directly or indirectly induced or solicited any other bidder to put in a sham bid, or any other person, firm, or corporation to refrain from bidding; the undersigned has not in any manner sought by collusion to secure for himself an advantage over any other bidder.
6. In conformance with current statutory requirements of Section 1860, et. seq., of the Labor Code of the State of California, the Bidder shall execute the document included in this IFB entitled "Bidder's Certificate of Compliance Regarding Workers' Compensation Insurance."
7. Bidder hereby further certifies that each, and every representation made in this bid are true and correct and made under penalty of perjury.

BID FORM, PAGE 3

8. Bidder shall permit the authorized representative of the Authority to inspect and audit all data and records of bidder relating to this bid, and if awarded a contract resulting from this bid, shall permit such inspection and audit of all data and records of bidder related to bidder's performance of such contract.
9. Bidder does not employ anyone who is now, or for one (1) year immediately prior to the date of this offer was, a director, officer, member, or employee of the Orange County Transportation Authority. The undersigned has not agreed to pay a fee contingent upon the award of a contract resulting from this bid to anyone who is now, or for one (1) year immediately prior to the date of this bid was, a director, officer, member, or employee of the Orange County Transportation Authority. No member of or delegate to the Congress of the United States shall be admitted to any share of the contract or to any benefit arising therefrom.
10. If awarded a contract resulting from this bid, bidder shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, age or national origin. The bidder shall take affirmative action to ensure that applicants are employed, and that employees are treated during their employment, without regard to their race, religion, color, sex, age or national origin. Such actions shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
11. If awarded a contract resulting from this bid, Bidder will cooperate with the Authority in meeting commitments and goals with regard to the maximum utilization of DBE firms and will use its best efforts to ensure that DBE firms shall have the maximum practicable opportunity to compete for subcontract work under such contract.
12. Bid will be in effect for 120 calendar days after the bid closing date.

BID FORM, PAGE 4

Now: In compliance with the **Invitation For Bids 7-2018, "CONSTRUCTION OF THE LAGUNA NIGUEL TO SAN JUAN CAPISTRANO PASSING SIDING PROJECT "**, the undersigned, with full cognizance thereof, hereby proposes to perform the entire work in strict compliance with all of the said requirements and provisions for the prices set forth herein upon which award of contract is made. The undersigned affirms that the information provided herein is true and accurate and that any misrepresentations are made under penalty of perjury.

Dated _____, 201__

Bidder _____

The above bid includes

Signature _____

Addenda Nos. _____

Name _____

Title _____

Bidder's Authorized Representative _____

Title _____

Telephone # _____

Fax # _____

Email Address _____

Bidders post office address _____

Corporation organized under the laws of the State of _____

Contractor's License No. _____

Expiration Date of License _____

Surety or sureties _____

(CORPORATE SEAL)

BID SECURITY FORM
BID BOND

KNOW ALL MEN BY THESE PRESENTS:

That, _____ as principal and Bidder and _____ as Surety, are held and firmly bound unto the Orange County Transportation Authority, of State of California, hereinafter referred to as "Authority," in the sum of _____ Dollars (\$ _____), to be paid to the Authority, its successors, and assigns; for which payment, well and truly to be made, bind themselves, their heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents, this amount being ten percent (10%) of the total amount of the Bid.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the certain bid of the above named bounden principal _____

for _____ at the Orange County _____ Transportation Authority's _____ as specifically set forth in documents entitled IFB 7-2018, "CONSTRUCTION OF THE LAGUNA NIGUEL TO SAN JUAN CAPISTRANO PASSING SIDING PROJECT", shall not be withdrawn within a period of 120 calendar days after the date set for the opening of bids, (unless otherwise required by law, and notwithstanding the award of the contract to another Bidder), and that if said bid is accepted by the Authority through action of its legally constituted contracting authorities and if the above bounden _____ its heirs, executors, administrators, successors and assigns, shall execute a contract for such construction and deliver the required Performance and Payment Bonds, "Guaranty," and proof of insurance coverage within ten (10) calendar days after notification of contract award from the Authority, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

IN WITNESS WHEREOF, we hereunto set our hands and seals this _____ day of _____, 201__.

NOTE: The standard printed bond form of any bonding company acceptable to the Authority may be used in lieu of the foregoing approved sample bond form provided the security stipulations protecting the Authority are not in any way reduced by use of the security company's printed standard form.

BID SECURITY FORM
CHECK TO ACCOMPANY BID

(NOTE: The following form shall be used in case check accompanies bid)

Accompanying this bid is a Certified or Cashiers check (circle the appropriate one) payable to the order of Orange County Transportation Authority, hereinafter referred to As "Authority" for _____ dollars (\$_____), this amount being ten percent (10%) of the total amount of the Bid submitted in response to IFB 7-2018, "CONSTRUCTION OF THE LAGUNA NIGUEL TO SAN JUAN CAPISTRANO PASSING SIDING PROJECT ". The proceeds of this check shall become the property of Authority provided this bid shall be accepted by Authority through action of its legally constituted contracting authorities and the undersigned shall fail to execute a contract and furnish the required Guaranty Form, Performance and Payment Bonds and proof of insurance coverage within ten (10) calendar days after date of notification of contract award from the Authority. The proceeds of this check shall also become the property of the Authority if the undersigned bidder withdraws the bid within the period of 120 days after the date set for the opening thereof, unless otherwise required by law, and notwithstanding the award of the contract to another bidder. Otherwise, the check shall be returned to the undersigned.

Bidder: _____

Signature: _____

Date: _____

NOTE: If the bidder desires to use a bond instead of check, the Bid Bond form shall be executed and the sum of this bond shall be ten percent [10%] of the total amount of the bid.

INFORMATION REQUIRED OF BIDDER

The bidder is required to supply the following information. Additional sheets may be attached if necessary.

1. Name of Bidder: _____
2. Business Address: _____
3. Telephone () _____ Fax () _____ E-Mail _____
4. Type of Firm - Individual, Partnership or Corporation: _____
5. Corporation organized under the laws of state of: _____
6. Contractor's License No.: _____ Class: _____ Years of Experience: _____
7. Expiration Date of License: _____
8. Is your firm a certified small business in California? Yes _____ No _____
9. List the names and addresses of all owners of the firm or names and titles of all officers of the corporation:

INFORMATION REQUIRED OF BIDDER, PAGE 2

10. Please list the following: a) All prior and current license numbers that the current owner(s) or officers possess or have possessed in the last five years and the current status of those license; b) any prior company names that the owner(s) had in operation during the previous five years.

Current Officers or Owners Name	Prior Company Names (During the last 5 years)	Prior and Current License Numbers	Status of License

Note: If additional space is required to detail the information requested, please attach another page. All information requested must be included. Failure to identify all of the information may result in your bid being found non-responsive and your bid being rejected.

11. List all construction projects (public and private) for which Bidder has provided general contractor services for the past three years:

Contract Type (Public or Private)	Project Description	Dates of Service	Total Cost	Name and Address of Owner	Contact Name and Phone Number

Note: If additional space is required to detail the information requested, please attach another page. All information requested must be included. Failure to identify all of the information, may result in your bid being found non-responsive and your bid being rejected.

12. List the name, address and phone number of Superintendent for this project:

13. List all construction projects (public and private) for which Superintendent has provided services as a Superintendent for the past three years.

Contract Type (Public or Private)	Project Description	Dates of Service	Total Cost	Name and Address of Owner	Contact Name and Phone Number

Bidder hereby certifies that it:

_____ is a certified Disadvantaged Business Enterprise as defined herein.

_____ is not a Disadvantaged Business Enterprise as defined herein.

NOTE: If requested by the Authority, bidder shall furnish a certified financial statement, financial data, or other information and references sufficiently comprehensive to permit an appraisal of its current financial condition.

I hereby certify the above is true and correct to the best of my belief.

Signature

Name

Title

Company Name

Telephone Number

Fax Number

Email Address

**NOTICE OF REQUIREMENT FOR AFFIRMATIVE ACTION TO ENSURE
EQUAL EMPLOYMENT OPPORTUNITY (EXECUTIVE ORDER 11246)**

1. The Bidders' attention is called to the "Equal Opportunity Clause" and the "Standard Federal Equal Employment Opportunity Construction Contract Specifications" set forth herein.
2. The goals and timetables for minority and female participation, expressed in percentage terms for the Contractor's aggregate work force in each trade on all construction work in the covered area, are as follows:

Timetable Goals for Minority Participation for Each Trade (11.9)

Goals for Female Participation in Each Trade (6.9)

These goals are applicable to all the Contractor's construction work (whether or not it is federal or federally assisted) performed in the covered area.

The Contractor's compliance with the Executive Order and the regulations in 41 C.F.R. Part 60-4 shall be based on its implementation of the Equal Opportunity Clause, specific affirmative action obligations required by the specifications set forth in 41 C.F.R. 60-4.3 (a), and its efforts to meet the goals established for the geographical area where the contract resulting from this solicitation is to be performed. The hours of minority and female employment and training must be uniform throughout the length of the contract, and in each trade, and the Contractor shall make a good faith effort to employ minorities and women evenly on each of its projects. The transfer of minority or female employees or trainees from contractor to contractor or from project to project for the sole purpose of meeting the contractor's goals shall be a violation of the contract, the Executive Order and the regulations in 41 C.F.R. Part 60-4. Compliance with the goals will be measured against the total work hours performed.

3. The Contractor shall provide written notification to the Director of the Office of Federal Contract Compliance Programs within ten (10) working days of award of any construction subcontract in excess of \$10,000 at any tier for construction work under the contract resulting from this solicitation. The notification shall list the name, address and telephone number of the subcontractor; employer identification number; estimated dollar amount of the subcontract; estimated starting and completion dates of the subcontract; and the geographical area in which the contract is to be performed.
4. As used in this Notice, and in the contract resulting from this solicitation, the "covered area" includes the County of Orange, California.

BIDDER'S CERTIFICATE OF COMPLIANCE
REGARDING
WORKERS' COMPENSATION INSURANCE

In conformance with current statutory requirements of Section 1860, et. seq., of the Labor Code of the State of California, the undersigned confirms the following certification:

"I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for Workers' 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."

Name of Bidder/Contractor: _____

Signature: _____

Title: _____

Date: _____

BIDDER'S CERTIFICATE OF COMPLIANCE
REGARDING
STATE OF CALIFORNIA
BUSINESS AND PROFESSIONS CODE SECTION 7028.15

Contractor License Number: _____

Expiration Date of Contractor's License: _____

Each, every and all of the representations made by Bidder in the attached bid are true and correct.

Name of Bidder/Contractor: _____

Signed: _____

Title: _____

Subscribed to and sworn before me, a Notary Public in and for the State of California, on _____, 201__.

Notary Public

My commission expires on:

_____, 201__
(NOTARY SEAL)

LIST OF SUBCONTRACTORS (EXHIBIT D)

List only the subcontractors, which will perform work or labor or render services to the bidder in excess of one-half of one percent (1/2 of 1%) of the bidder's total bid amount. Do not list alternative subcontractors for the same work. (Use additional sheets if necessary.)

Name & Address Under Which Subcontractor is Licensed	License Number	DIR Registration No.	Specific Description of Work to be Rendered	Small Business Y/N	Type*	Dollar Amount
						\$
						\$
						\$
						\$
						\$
						\$
TOTAL VALUE OF SUBCONTRACTED WORK						\$

Bidder's Name _____

STATUS OF PAST AND PRESENT CONTRACTS FORM

On the form provided below, Bidder shall list the status of past and present contracts where the firm has either provided services as a prime vendor or a subcontractor during the past five (5) years in which the contract has been the subject of or may be involved in litigation with the contracting authority. This includes, but is not limited to, claims, settlement agreements, arbitrations, administrative proceedings, and investigations arising out of the contract.

A separate form must be completed for each contract. Bidder shall provide an accurate contact name and telephone number for each contract and indicate the term of the contract and the original contract value. Bidder shall also provide a brief summary and the current status of the litigation, claims, settlement agreements, arbitrations, administrative proceedings, or investigations. If the contract was terminated, list the reason for termination.

Bidder shall have an ongoing obligation to update the Authority with any changes to the identified contracts and any new litigation, claims, settlement agreements, arbitrations, administrative proceedings, or investigations that arise subsequent to the submission of the bid. Each form must be signed by an officer of the Bidder confirming that the information provided is true and accurate.

Project city/agency/other:	
Contact Name:	Phone:
Project Award Date:	Original Contract Value:
Term of Contract:	
(1) Litigation, claims, settlements, arbitrations, or investigations associated with contract:	
(2) Summary and Status of contract:	
(3) Summary and Status of action identified in (1):	
(4) Reason for termination, if applicable:	

By signing this Form entitled "Status of Past and Present Contracts," I am affirming that all of the information provided is true and accurate.

Name

Signature

Title

Date

**Non-Collusion Declaration to be
Executed by Bidder and Submitted with Bid**

To the Orange County Transportation Authority
The undersigned declares:

I am the _____ of _____, the party making the foregoing bid. In accordance with Title 23 United States Code Section 112 and Public Contract Code Section, 7106 the bidder declares that the bid is not made in the interest of, or on the behalf of, any undisclosed person, partnership, company, association, organization or corporation. The bid is genuine and not collusive or sham. The bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, or that anyone shall refrain from bidding. 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 bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract. All statements contained in the bid are true. 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, and has not paid, and will not pay, any person or entity for such purpose.

Any person executing this declaration on behalf of a bidder that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that he or she has full power to execute, and does execute, this declaration on behalf of the bidder.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on _____ (date), at _____ (city), _____ (state).

Name of Bidder: _____

Signature: _____

Date: _____



DBE Participation Commitment(s) Form

NOTE: Please refer to instructions on the reverse side of this form.

Bidder to Complete this Section

1. IFB No.: _____
2. Project Name/Description: _____
3. Prime Bidder Name: _____
4. Contract DBE Goal %: _____

DBE Commitment Information

5. Bidded DBE Firm (Name and Address)	6. DBE Certification Number	7. Description of Scope of Services/Work to be Provided	8. Dollar Value (\$) and/or Percentage (%) Of Contract	9. Percentage (%) of Work to be Performed by DBE Firm(s)

Note: The bidder shall also submit, for each DBE to perform under this contract a written confirmation from the DBE acknowledging that it is participating in the contract for a specified value, including the corresponding scope of work (a subcontract bid can serve in lieu of the written confirmation).

<p>10. Total Value Claimed (\$) \$ _____</p>	<p>11. Total DBE (%) Claimed towards Goal: _____ %</p>
--	--

Bidder Assurance: The information on this form is complete and accurate and the bidder certifies that all DBE certifications and written confirmation documentation have been submitted to support the bidded DBE Commitment.

12. Preparer's Name (Print) _____

13. Preparer's Signature _____

14. Preparer's Title _____

15. Date _____

16. (Area Code) Tel. No. _____

17. Email Address _____

INSTRUCTIONS - DBE Participation Commitment(s) Form

Bidder Section

The Bidder shall:

1. **IFB No.** - Enter the IFB Number.
2. **Project Name/Description** - Enter the name and/or description of the project.
3. **Prime Bidder Name** - Enter the contractor's firm name.
4. **Contract DBE Goal %** - Enter the contract DBE goal percentage.
5. **Proposed DBE Firm** - Enter name and address of the bidded DBE Firm.
6. **DBE Certification Number** - Enter the DBEs Certification Identification Number. All DBEs must be certified on the date proposals are opened. (DBE subcontracted contractors should notify the prime contractor in writing with the date of the decertification if their status should change during the course of the contract).
7. **Description of Scope of Services/Work to be Provided** - Enter the scope of services/work that the bidded DBE Firm will be performing for this project and is eligible to perform the scope of services/work.
8. **Dollar Value (\$) and/or Percentage of Contract**- Enter the bidded dollar value and/or percentage of commitment each listed DBE firm.
9. **Percentage (%) of Work to be Performed by DBE Firm(s)** - Percent of participation listed under column 8 of work to be performed or services to be provided by DBE firms. This percentage should include work to be self-performed by the listed DBE as well as work that will be performed by lower-tier sub contractors to the listed DBE. DBE credit will only be credited for work performed by DBE firms, non-DBE sub contractors should not be reflected in the percentage (%).
10. **Total Value Claimed (\$)**-Enter the total dollar value of DBE credit claimed.
11. **Total DBE % Claimed towards Goal** - Enter the total participation claimed. If the Total % Claimed is less than item "4. Contract DBE Goal", a Good Faith Effort (GFE) is required.
12. **Preparer's Name (Print)** - Clearly enter the name of the authorized person signing the form for the contractor.
13. **Preparer's Signature** -The person completing this section of the form for the contractor's firm must sign their name.
14. **Preparer's Title** - Enter the position/title of the authorized person signing the form for the contractor.
15. **Date** - Enter the date the form is signed by the contractor.
16. **(Area Code) Telephone Number** - Enter the area code and telephone number of the authorized person signing the form for the contractor.
17. **Email Address**- Enter the email address of the authorized person signing the form for the contractor.

PLEASE NOTE: A firm is only eligible to count towards DBE participation in the NAICS codes contained within its California Unified Certification Program (CUCP) DBE Profile. Bidders are to verify that listed subcontractor contain DBE certification in the NAICS codes that they are being listed to perform.



BIDDERS LIST

IFB No.: _____

The Department of Transportation requires the AUTHORITY to create and maintain a "Bidders List" containing information about all firms (DBE and Non-DBE) that bid, propose or quote on the Authority's DOT-assisted contracts, in accordance with 49 CFR Part 26.11. The "Bidders List" is intended to be a count of all firms that are participating, or attempting to participate, on DOT-assisted contracts, whether successful or unsuccessful in their attempt to obtain a contract.

The Bidder is to complete all requested information for every firm who submitted a bid, proposal or quote, including the primary Bidder, and submit this information at the time of bid submission, or as otherwise specified in the solicitation. The AUTHORITY will utilize this information to assist in the AUTHORITY's overall DBE goal-setting process.

a. Prime Bidder Information:	
Name of Prime's Firm:	b. Phone: ()
c. Firm Address:	d. Fax: ()
	E-mail:
	Type of work/services/materials provided:
Number of years in business:	
Contact Person:	Title:
Is the firm currently certified as a DBE under 49 CFR Part 26? Yes <input type="checkbox"/> No <input type="checkbox"/>	Check the box below for your firm's annual gross receipts last year:
DBE Certification Eligibility (place an "X"): ___ African American ___ Asian Pacific American ___ Native American ___ Woman ___ Hispanic American ___ Subcontinent Asian American ___ Other	<input type="checkbox"/> Less than \$1 million
	<input type="checkbox"/> Less than \$5 million
	<input type="checkbox"/> Less than \$10 million
	<input type="checkbox"/> Less than \$15 million
	<input type="checkbox"/> More than \$15 million

**IFB 7-2018
EXHIBIT E-2**

e. Provide the following information for every firm (DBE and non-DBE) that submitted bid or quote on this DOT-assisted project, whether successful or unsuccessful in their attempt to obtain a contract:

Firm Name:	f. Phone: ()
g. Firm Address:	h. Fax: ()
	E-mail:
	Type of work/services/materials provided:
Number of years in business:	
Contact Person:	Title:
Is the firm currently certified as a DBE under 49 CFR Part 26? Yes <input type="checkbox"/> No <input type="checkbox"/>	Check the box below for your firm's annual gross receipts last year:
DBE Certification Eligibility (place an "X"):	<input type="checkbox"/> Less than \$1 million
<input type="checkbox"/> African American <input type="checkbox"/> Asian Pacific American	<input type="checkbox"/> Less than \$5 million
<input type="checkbox"/> Native American <input type="checkbox"/> Woman	<input type="checkbox"/> Less than \$10 million
<input type="checkbox"/> Hispanic American <input type="checkbox"/> Subcontinent Asian American	<input type="checkbox"/> Less than \$15 million
<input type="checkbox"/> Other	<input type="checkbox"/> More than \$15 million

Firm Name:	i. Phone: ()
j. Firm Address:	k. Fax: ()
	E-mail:
	Type of work/services/materials provided:
Number of years in business:	
Contact Person:	Title:
Is the firm currently certified as a DBE under 49 CFR Part 26? Yes <input type="checkbox"/> No <input type="checkbox"/>	Check the box below for your firm's annual gross receipts last year:
DBE Certification Eligibility (place an "X"):	<input type="checkbox"/> Less than \$1 million
<input type="checkbox"/> African American <input type="checkbox"/> Asian Pacific American	<input type="checkbox"/> Less than \$5 million
<input type="checkbox"/> Native American <input type="checkbox"/> Woman	<input type="checkbox"/> Less than \$10 million
<input type="checkbox"/> Hispanic American <input type="checkbox"/> Subcontinent Asian American	<input type="checkbox"/> Less than \$15 million
<input type="checkbox"/> Other	<input type="checkbox"/> More than \$15 million

If necessary, this "Bidders List" form can be duplicated to include all firms (DBE and non-DBE) that have submitted a bid, bid or quote on this DOT-assisted project, whether successful or unsuccessful in their attempt to obtain a contract.
Failure of the Bidder to submit the required "Bidders List" form may deem the Bidder non-responsive.

IFB No: _____ Bid Opening Date _____

- A. Items of work the Bidder made available to DBE Firms; a description of work and approximate dollar amount, as a percentage of total work made available to DBEs by the Bidder, a breakdown of contract work provided (including those items normally performed by the Bidder with its own forces) into economically feasible units to facilitate DBE participation sufficient to meet the DBE contract goal. It is the Bidder's responsibility to demonstrate that sufficient work was made available to facilitate DBE participation as follows (please provide documents that sufficiently evidence the effort):

[illegible]

**IFB 7-2018
EXHIBIT E-3**

- B. Solicitation Effort Documentation; the names and dates of written notices sent to certified DBEs soliciting bids for this project and the dates and methods used to following up initial solicitations to determine with certainty whether the DBEs were interested (please attach all copies of solicitation, telephone records, fax confirmations, etc.), amount of DBEs to repond, the DBE firms were provided information about the contract (location of project, contract number, bid date, items of work made available and contact information) in the Invitation to bid from the Bidder, the Bidder solicited through all reasonable means (e.g. attendance at pre-bid meetings, advertising and/or written notices) the interest of all certified DBEs who have the capability to perform the work of the contract, Bidder to provide proof of aforementioned items, and DBE's in the market area for the work identified in 'Item A' as follows:

Names of DBEs Solicited Methods and Dates	Date of Initial Solicitation	Follow Up

- C. Rejected DBE Bid Documentation; the names, addresses, phone numbers, and amount of rejected DBE firms, the reasons for the Bidder's rejection of the DBE firms, the firms selected and accepted for that work (please attach all copies of quotes from the firms involved) and the price difference for each DBE if the selected firms is not a DBE, include an explanation of quote(s) rejected.

Names, addresses and phone numbers of rejected DBEs and the reasons for the Bidder's rejection of the DBEs as follows:

Names, addresses and phone numbers of firms selected for the work

**IFB 7-2018
EXHIBIT E-3**

- D. Publication Efforts Made to Advertise the Projects to Solicit DBE Participation; names and dates of each publication in which a request for DBE participation for this project was placed by the Bidder (please attach copies of advertisements or proof of publications). (Please note: If IFB due date is extended, Bidder is to re-advertise new bid due date.)

Publications	Dates of Advertisement

- E. Agencies, Organizations, or Groups contacted to provide assistance in Contracting, Recruiting, and Using DBEs; the names of agencies, organizations or groups contacted to provide assistance in contacting, recruiting and using DBE firms (please attach copies of requests to agencies and any responses received), as follows:

- F. Efforts to Provide Information About the Plans, Specifications, and Contract Requirements; efforts made to assist interested DBEs in obtaining necessary materials, or related assistance or services, Bidder to provide evidence of effort.

- G. Assistance with Lines of Credit, Insurance, and/or other Services; efforts made to assist interested DBEs in obtaining bonding, lines of credit or insurance, and any technical assistance or information related to the plans, specifications and requirements for the work which was provided to DBEs, Bidder to provide a list of any assistance provided to prospective and bided DBEs:

H. Additional Data to Support a Demonstration of Good Faith Efforts; (for additional data please use additional sheets as necessary):

NOTE: USE ADDITIONAL SHEETS OF PAPER IF NECESSARY.

DRAFT

IRAN CONTRACTING ACT CERTIFICATION

(California Public Contract Code Sections 2200, *et seq.*)

The Iran Contracting Act of 2010 (PCC Sections 2200-2208), prohibits bidders who are engaged in investment activities in the energy sector of Iran from bidding on, submitting proposals for, or entering into or renewing contracts with public entities for goods or services of one million dollars (\$1,000,000) or more. At the time of submitting a bid, each bidder must certify that the bidder is not identified on the Department of General Services list of ineligible persons pursuant to PCC Section 2203(b). Each bidder is also required to certify that the bidder is not engaged in investment activities in violation of the Iran Contracting Act of 2010.

A bidder who is engaged in investment activities in the energy sector of Iran is defined as:

1. A person providing goods or services of twenty million dollars (\$20,000,000) or more in the energy sector of Iran, including a person that provides oil or liquefied natural gas tankers, or products used to construct or maintain pipelines used to transport oil or liquefied natural gas, for the energy sector of Iran; or
2. A person that is a financial institution that extends twenty million dollars (\$20,000,000) or more in credit to another person, for 45 days or more, if that person will use the credit to provide goods or services in the energy sector in Iran and is identified on a list created pursuant to PCC Section 2203(b).

A bidder is not required to certify that it is engaged in investment activities in the energy sector of Iran if the bidder is exempt from the certification under PCC Section 2203(c) or (d). If the bidder is exempt from the certification requirement, the bidder will be required to provide documentation demonstrating the exemption.

To comply with the Iran Contracting Act of 2010, the bidder shall complete **one** of the options below. Please note: under PCC Section 2205, false certification of this form may result in civil penalties of \$250,000 or twice the amount of the contract for which false certification was made, termination of the contract, and/or ineligibility to bid on contracts for a period of three years.

Option #1: Certification

I, the official named below, certify I am duly authorized to execute this certification on behalf of the vendor/financial institution identified below, and the vendor/financial institution identified below, and any subcontractor who will perform work or labor or render services to the vendor identified below, is not on the current Department of General Services list identifying persons engaged in investment activities in the energy sector of Iran, and is not a financial institution extending twenty million dollars (\$20,000,000) or more in credit to another person/vendor, for 45 days or more, if that other person/vendor will use the credit to provide goods or services in the energy sector in Iran and is identified on the current Department of General Services list identifying persons engaged in investment activities in the energy sector of Iran.

Vendor/Financial Institution: _____

Signature: _____

Name and Title: _____

Date: _____

Option #2: Exemption

Pursuant to PCC Section 2203(c) and (d), a public entity may permit a bidder or financial institution engaged in investment activities in Iran, on a case-by-case basis, to be eligible for, or to bid on, submit proposals for, or enter into or renew a contract with a public entity for goods or services of one million dollars (\$1,000,000) or more. If the bidder, financial institution, or any subcontractor who will perform work or labor or render services to the bidder has obtained an exemption from the certification requirement, please complete and sign below and attach the documentation demonstrating the exemption approval.

Vendor/Financial Institution: _____

Signature: _____

Name and Title: _____

Date: _____

Option #3: Non-Applicability

Pursuant to PCC Section 2203(b), a bidder or financial institution engaged in investment activities in Iran may not be eligible for, or to bid on, submit proposals for, or enter into or renew a contract with a public entity for goods or services of one million dollars (\$1,000,000) or more. If the contract is not for goods or services of one million dollars (\$1,000,000) or more, please sign below indicating that the contract is not for goods or services of one million dollars (\$1,000,000) or more and thus bidder is not required to certify and does not meet the exemption.

Vendor/Financial Institution: _____

Signature: _____

Name and Title: _____

Date: _____

BIDDER'S CERTIFICATE
REGARDING
"BUY AMERICA" REQUIREMENTS
FOR
STEEL, IRON, OR MANUFACTURED PRODUCTS

In order to demonstrate compliance with the Buy America Requirements (see Book 1, Section II, of this IFB for further explanation), if the bid is for a contract greater than one hundred and fifty thousand dollars (\$150,000), Bidder shall complete only one of the two statements below:

The	
	Firm name/principal
hereby certifies that it will comply with the requirements of 49 U.S.C. Section 5323(j), and the applicable regulations in 49 CFR Part 661.	
	Signature
	Name
	Title
	Date

Or:

The	
	Firm name/principal
hereby certifies that it cannot comply with the requirements of 49 U.S.C. Section 5323(j), but may qualify for an exception to the requirement pursuant to 49 U.S.C. Section 5323(j)(2), as amended, and the applicable regulations in 49 CFR Part 661.7.	
	Signature
	Name
	Title
	Date

Rev Date: 3/16/17

CERTIFICATION
LIMITATION ON PAYMENTS TO INFLUENCE CERTAIN
FEDERAL TRANSACTIONS

A. DEFINITIONS

1. Authority, as used in this clause, means the Orange County Transportation Authority.
2. Covered Federal action, as used in this clause, means any of the following Federal actions:
 - a. The awarding of any Federal contract.
 - b. The making of any Federal grant.
 - c. The making of any Federal loan.
 - d. The entering into of any cooperative agreement.
 - e. The extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
 - f. Indian tribe and tribal organization, as used in this clause, have the meaning provided in Section 450b of the Indian self-determination and Education Assistance Act (25 U.S.C. 450) and include Alaskan Natives.
3. Influencing or attempting to influence, as used in this clause, means making, with the intent to influence, any communication to or appearance before 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 any covered Federal action.
4. Local government, as used in this clause, means a unit of government in a State and, if chartered, established, or other were recognized by a State for the performance of a governmental duty, including a local public authority, a special district, an intrastate district, a council of governments, a sponsor group representative organization, and any other instrumentality of a local government.
5. Officer or employee of an agency, as used in this clause, includes the following individuals who are employed by an agency:
 - a. An individual who is appointed to a position in the Government under title 5, United States code, including a position under a temporary appointment.

- b. A member of the uniformed services, as defined in the subsection 101(3), Title 37, United States Code.
 - c. A special Government employee, as defined in Section 202, Title 18, United States Code.
 - d. An individual who is a member of a Federal advisory committee, as defined by the Federal Advisory Committee Act, Title 5, United States Code, Appendix Section 3.
6. Person, as used in this clause, means an individual, corporation, company, association, authority, firm, partnership, society, State, and local government, regardless of whether such entity is operated for profit, or not for profit. This term excludes an Indian tribe, tribal organization or any other Indian organization with respect to expenditures specifically permitted by other Federal law.
 7. Reasonable compensation, as used in this clause, means with respect to a regularly employed officer or employee of any person, compensation that is consistent with the normal compensation for such officer or employee for work that is not furnished to, not funded by, or not furnished in cooperation with the Federal Government.
 8. Reasonable payment, as used in this clause means, with respect to professional and other technical services, a payment in an amount that is consistent with the amount normally paid for such services in the private sector.
 9. Recipient, as used in this clause, includes the Contractor and all subcontractors. This term excludes an Indian tribe, tribal organization, or any other Indian organization with respect to expenditures specifically permitted by other Federal law.
 10. Regularly employed, as used in this clause, means, with respect to an officer or employee of a person requesting or receiving by such person for at least 130 working days within one year immediately preceding the date of the submission that initiates agency consideration of such person for receipt of such contract. An officer or employee who is employed by such person for less than 130 working days within one year immediately preceding the date of the submission that initiates agency consideration of such person shall be considered to be regularly employed as soon as he or she is employed by such person for 130 working days.
 11. State, as used in this clause, means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, a territory or possession of the United States, an agency or instrumentality of a State, and a multi-State regional or interstate entity having governmental duties and powers.

B. PROHIBITIONS

1. Section 1352 of Title 31, United States Code, among other things, prohibits a recipient of a Federal contract, grant, loan or cooperative agreement from using appropriated funds to pay any person 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 any of the following covered Federal actions: 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; or, the modification of any Federal contract, grant, loan, or cooperative agreement.
2. The Act also requires Contractor to furnish a disclosure if any funds other than Federal appropriated funds (including profit or fee received under a covered Federal transaction) have been paid, or will be paid, to any person 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 Federal contract, grant, loan or cooperative agreement.
3. The prohibitions of the Act do not apply under the following conditions:
 - a. Agency and legislative liaison by own employees.
 - (1) The prohibition on the use of appropriated funds, in subparagraph C.1. of this clause, does not apply in the case of payment of reasonable compensation made to an officer or employee of a person requesting or receiving a covered Federal action if the payment is for agency and legislative liaison activities not directly related to a covered Federal action.
 - (2) For purposes of paragraph C.3.a.(1) of this clause, providing any information specifically requested by an agency or Congress is permitted at any time.
 - (3) The following agency and legislative liaison activities are permitted any time where they are not related to a specific solicitation for any covered Federal action:
 - i. Discussing with an agency (including individual demonstrations) the qualities and characteristics of the person's products or services, conditions or terms of sale, and service capabilities.
 - ii. Technical discussions and other activities regarding the application of adaptation of the person's products or services for an agency's use.

- (4) The following agency and legislative liaison activities are permitted where they are prior to formal solicitation of any covered Federal action:
 - i. Providing any information not specifically requested but necessary for an agency to make an informed decision about initiation of a covered Federal action;
- b. Technical discussions regarding the preparation of an unsolicited proposal prior to its official submission; and,
 - (1) Capability presentations by persons seeking awards from an agency pursuant to the provisions of the Small Business Act, as amended by Public Law 95-507, and subsequent amendments.
 - (2) Only those services expressly authorized by paragraph C.3.a.(1) of this clause are permitted under this clause.
- c. Professional and technical services
 - (1) The prohibition on the use of appropriated funds, in subparagraph C.1. of this clause, does not apply in the case of:
 - i. A payment of reasonable compensation made to an officer or employee of a person requesting or receiving a covered Federal action or an extension, continuation, renewal, amendment, or modification of covered Federal action, if payment is for professional or technical services rendered directly in the preparation, submission, or negotiation of any bid, proposal, or application for that Federal action or for meeting requirements imposed by or pursuant to law as condition for receiving that Federal action.
 - ii. Any reasonable payment to a person, other than an officer or employee of a person requesting or receiving a covered Federal action or an extension, continuation, renewal, amendment, or modification of a covered Federal action if the payment is for professional or technical services rendered directly in the preparation, submission or negotiation of any bid, proposal, or application or that Federal action or for meeting requirements imposed by or pursuant to law as a condition for receiving that Federal action. Persons other than officers or employees of a person requesting or receiving a covered Federal action include contractors and trade associations.
 - iii. For purposes of paragraph C.3.a.(1) of this clause, professional and technical services shall be limited to advise and analysis directly applying any professional or technical

discipline. For example, drafting of a legal document accompanying a bid or proposal is allowable. Similarly, technical advice provided by an engineer on the performance or operational capability of a piece of equipment rendered directly in the negotiation of a contract is allowable. However, communications with the intent to influence made by a professional (such as a licensed lawyer) or a technical person (such as a licensed accountant) are not allowable under this section unless they provide advice and analysis directly applying their professional or technical expertise and unless the advice or analysis is rendered directly and solely in the preparation, submission, or negotiation of a covered Federal action. Thus, for example, communications with the intent to influence made by a lawyer that do not provide legal advice or analysis directly and solely related to the legal aspects of his or her client's proposal, but generally advocate one proposal over another are not allowable under this section because the lawyer is not providing professional legal services. Similarly, communications with the intent to influence made by an engineer providing an engineering analysis prior to the preparation or submission of a bid or proposal are not allowable under this section since the engineer is providing technical services but not directly in the preparation, submission, or negotiation of a covered Federal action.

- iv. Requirements imposed by or pursuant to law as a condition for receiving a covered Federal award include those required by law or regulation and any other requirements in the actual award documents.
- v. Only those services expressly authorized by paragraph C.3.a.(1) and (2) of this clause are permitted under this clause.
- vi. The reporting requirements of FAR 3.803(a) shall not apply with respect to payments of reasonable compensation made to regularly employed officers or employees of a person.

d. Disclosure

- (1) The Contractor who requests or receives from an agency a Federal contract shall file with that agency a disclosure form OMB standard form LLL, Disclosure of Lobbying Activities, (Attachment to the bid package) if such person has made or had agreed to made any payment using non appropriated funds (to include profits from any covered Federal action), which would be prohibited under subparagraph B.1. of this clause, if paid for with appropriated funds.

- (2) The Contractor shall file a disclosure form at the end of each calendar quarter in which there occurs any event that materially affects the accuracy of the information contained in any disclosure form previously filed by such person under subparagraph II.A. of this clause. An event that materially affects the accuracy of the information reported includes:
 - i. A cumulative increase of \$25,000 or more in the amount paid or expected to be paid for influencing or attempting to influence a covered Federal action; or
 - ii. A change in the person(s) or individual(s) influencing or attempting to influence a covered Federal action; or
 - iii. A change in the officer(s), employee(s), or Member(s) contacted to influence or attempt to influence a covered Federal action.
- (3) The Contractor shall require the submittal of a certification, and if required, a disclosure form by any person who requests or receives any subcontract exceeding \$100,000 under the Federal contract.
- (4) All subcontractor disclosure forms (but not certifications) shall be forwarded from tier to tier until received by the prime Contractor. The Contractor shall submit all disclosures to the District at the end of the calendar quarter in which the disclosure form is submitted by the subcontractor. Each subcontractor certification shall be retained in the subcontract file of the awarding contractor.

e. Agreement

- (1) The Contractor agrees not to make any payment prohibited by this clause.

f. Penalties

- (1) Any person who makes an expenditure prohibited under paragraph a) of this clause or who fails to file or amend the disclosure form to be filed or amended by paragraph d) of this clause shall be subject to civil penalties as provided for by 31 U.S.C. 1352. An imposition of a civil penalty does not prevent the Government from seeking any other remedy that may be applicable.
- (2) Contractor may relay without liability on the representation made by its subcontractors in the certification and disclosure forms.

g. Cost Allowability:

- (1) Nothing in this clause is to be interpreted to make allowable or reasonable any costs, which will otherwise be unallowable or unreasonable. Conversely, costs made specifically unallowable by the requirements in this clause will not be made allowable under any other provisions.

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**CERTIFICATION OF
RESTRICTIONS ON LOBBYING**

I, _____, hereby certify on behalf (name of offeror) of
_____ that:
(Firm name)

- A. No federal appropriated funds have been paid, by or on behalf of the undersigned, to any person 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 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.
1. If any funds, other than Federal appropriated funds, have been paid or will be paid to any person for making lobbying contracts to 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 this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit the attached Standard Form-LLL, "Disclosure of Lobbying Activities", in accordance with its instructions.
 2. The undersigned shall require that the language of this certification be included in all subcontracts, and that all subcontractors shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance is 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 civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The Bidder, _____, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Bidder understands and agrees that the provisions of 31 U.S.C. 3801, et seq. apply to this certification and disclosure, if any.

Executed this _____ day of _____, 201__

By _____
(Signature of authorized official)

(Title of authorized official)

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

Approved by
OMB
003480045

1. Type of Federal Action: <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	2. Status of Federal Action: <input type="checkbox"/> a. bid/offer application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material changes For Material Change Only: year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: Congressional District, if known: _____		5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime: Congressional District, if known: _____
6. Federal Department/Agency: _____		7. Federal Program Name/Description: CFDA number, if applicable: _____
8. Federal Action Number, if known: _____		9. Award Amount, if known: \$ _____
10. a. Name and Address of Lobbying Entity (if individual, last name, first name, MI) _____ (attach Continuation Sheet(s) SF-LLL-A if necessary)		b. Individuals Performing Services (including address if different from No 10a) (last name, first name, MI): _____
11. Amount of Payment (check all that apply): \$ _____ <input type="checkbox"/> actual <input type="checkbox"/> planned	13. Type of Payment (check all that apply): <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. Forum of Payment (check all that apply): <input type="checkbox"/> a. cash <input type="checkbox"/> 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) contracted for Payment indicated in Item, 11: _____ (attach Continuation Sheet(s) SF-LLL-A if necessary)		
15. Continuation Sheet(s) SF-LLL-A attached: <input type="checkbox"/> Yes <input type="checkbox"/> No		
16. Information requested through this form is authorized by Code 31 U.S.C. Section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually 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 \$10,000.00 and not more than \$100,000.00 for each such failure.		Signature: _____ Print name: _____ Title: _____ Telephone No: _____ Date: _____
Federal Use Only		Authorized for Local Reproduction Standard Form - LLL

Approved by
OMB
003480045

INSTRUCTIONS FOR COMPLETION OF SF-LLL DISCLOSURE OF LOBBYING ACTIVITIES

This DISCLOSURE FORMS SHALL BE COMPLETED BY the reporting entity, whether Subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Use the SF-LLL-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.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency, name if known. For example, Department of Transportation, United State Coast Guard.
7. Enter the Federal program name for 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 identified in item 1 (e.g. Request for Proposal (RFP) number, Invitation for Bid (IFB) number, grant announcement number, the contract, grant, or loan award number, the application/ proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment 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 influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a.). Enter Last Name, First Name, and Middle Initial (MI).
11. 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 official(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 SF-LLL-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 the burden, to the Office of Management and Budget Paperwork Reduction Project (0348-0446), Washington, D.C. 20503.

DISCLOSURE OF LOBBYING ACTIVITIES CONTINUATION SHEET

Approved by OMB 003480045

Reporting Entity: _____ Page _____ of _____

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SECTION III: ADDITIONAL CONTRACTUAL EXHIBITS

SECTION III. ADDITIONAL CONTRACTUAL EXHIBITS

The following Exhibits will be attached to and incorporated into the signed Agreement resulting from this IFB.

A. PERFORMANCE BOND

The successful bidder shall furnish at its own expense a Performance Bond (Exhibit E) satisfactory to the Authority in the amount of one hundred percent (100%) of the full amount of the contract as a guarantee of good faith on behalf of the Contractor that the terms of the contract, including all warranty provisions, shall be complied with in every particular. The bond shall be issued by a corporation surety (not an individual surety) required in the state of California and registered to do business in the county of Orange. The bond shall not be issued from a corporation surety that requires a funds control, funds disbursement, or funds administration company for the issuance of the performance bond.

The bond shall specifically provide that if the Contractor, or its subcontractor, fails to fully perform that the surety or sureties will pay for the same in an amount not exceeding the amount specified in the bond and in case suit is brought against the Authority, that the surety will undertake the defense of same.

B. PAYMENT BOND

The successful bidder shall furnish a Payment Bond (Exhibit F) satisfactory to the Authority in the amount of one hundred percent (100%) of the full amount of the contract. Such bonds shall be in effect during the entire term of the contract and warranty and shall be issued directly by a corporate surety (not an individual surety) registered in the state of California and registered to do business in the county of Orange. The bond shall not be issued from a corporation surety that requires a funds control, funds disbursement, or funds administration company for the issuance of the performance bond.

The bond shall specifically provide that if the Contractor fails to pay for amounts due under the Employment Insurance Act that the surety or sureties will pay for the same in an amount not exceeding the amount specified in the bond and in case suit is brought against the Authority, that the surety will undertake the defense of same.

Pursuant to California Civil Code Sections 9550 through 9554, in conjunction with the Bond and Undertaking Law (Code of Civil Procedure Sections 995.010, et. seq.), Bidders must provide the following information as part of their payment bond; a certificate of Authority from the Orange County Clerks Office indicating that the insurer has not been surrendered, revoked, canceled, annulled, or suspended or, in the event that it has, that renewed Authority has been granted.

C. GUARANTY

The successful bidder shall also submit to the Authority the executed and notarized Guaranty form (Exhibit G) in this IFB.

All forms must be completed and submitted to the Contract Administrator responsible for this procurement within ten (10) calendar days of award notice by the Authority. Failure to submit the completed and signed forms will result in cancellation of the award.

D. CONTRACT CHANGE ORDER

The Authority's Contract Change Order form (Exhibit I) be attached to and incorporated into the signed Agreement resulting from this IFB.

PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS:

That we, _____
hereinafter referred to as "Contractor", as principal, and _____
as surety, are held and firmly bound unto the Orange County Transportation Authority,
State of California, in the sum _____
Dollars, (\$ _____), lawful money of the United States of America,
for the payment of which sum, well and truly to be made, we bind ourselves, jointly and
severally, firmly by these presents.

The condition of the foregoing obligation is such that,

WHEREAS, said Contractor has been awarded and is about to enter into the annexed
Agreement with the Orange County Transportation Authority for the IFB 7-2018,
**"CONSTRUCTION OF THE LAGUNA NIGUEL TO SAN JUAN CAPISTRANO
PASSING SIDING PROJECT ,"** as specified in said Agreement, which is incorporated
herein to this bond by reference, and is required under the terms of said Agreement to
give this bond in connection with the execution thereof;

NOW THEREFORE, if the said Contractor shall well and truly do and perform all of the
covenants and obligations of said Agreement on his part to be done and performed at the
times and in the manner specified herein, then this obligation shall be null and void,
otherwise it shall be and remain in full force and effect; and in the event said Contractor
fails to fully perform all requirements in accordance with the terms and conditions of said
Agreement, then surety shall enforce performance by the Contractor or shall pay the
Orange County Transportation Authority for the same in an amount not exceeding the
amount specified in this bond; and, further, if in the event suit is brought upon this bond
then said surety shall pay the Orange County Transportation Authority for reasonable
attorneys' fees to be fixed by the court;

PROVIDED, that any changes in the work to be done, or the material to be furnished,
whether or not made pursuant to the terms of said contract, shall not in any way release
either the Contractor or the surety there under, nor shall any extensions of time granted
under the provisions of said contract release either the Contractor or the surety, and
notice of such changes or extensions of the contract is hereby waived by the surety.

WITNESS our hands this _____ day of _____, 201_.

(SEAL)

(Contractor)
By _____

Approved:

(Title)

(SEAL)

(Surety)
By _____

PAYMENT BOND

KNOW ALL MEN BY THESE PRESENTS:

That we, _____
hereinafter referred to as "Contractor", as principal, and _____
as surety, are held and firmly bound unto the Orange County Transportation Authority,
State of California, in the sum _____
Dollars, (\$ _____), lawful money of the United States of America, for
the payment of which sum, well and truly to be made, we bind ourselves, jointly and
severally, firmly by these presents.

The Condition of the foregoing obligation is such that,

WHEREAS, said Contractor has been awarded and is about to enter into the annexed Agreement with the ORANGE COUNTY TRANSPORTATION AUTHORITY for the IFB 7-2018, "CONSTRUCTION OF THE LAGUNA NIGUEL TO SAN JUAN CAPISTRANO PASSING SIDING PROJECT ," as specified in said Agreement, which is incorporated herein to this bond by reference, and is required under the terms of said Agreement to give this bond in connection with the execution thereof;

NOW, THEREFORE, if said Contractor or a subcontractor fails to pay any of the persons named in Section 9100 of the Civil Code of the State of California, or amounts due under the Unemployment Insurance Code with respect to work or labor performed under the contract, or for any amounts required to be deducted, withheld and paid over to the Employment Development Department from the wages of employees of said Contractor and subcontractors pursuant to Section 13020 of the Unemployment Insurance Code with respect to such work and labor, then said surety will pay for the same, in an amount not exceeding the sum specified in this bond, and also, in case suit is brought upon this bond, a reasonable attorney's fee, to be fixed by the court. This bond shall inure to the benefit of all persons named in Section 9100 of the Civil Code of the State of California so as to give a right of action to such persons or their assigns in any suit brought upon this bond. This bond shall be subject to and include all of the provisions of Title 3 of Part 64 of Division 4 of the Civil Code of California relating to Payment Bond for Public Works, including but not confined to, Civil Code Sections 8150 – 8154, inclusive and Sections 9550 - 9566, inclusive.

PROVIDED, that any changes in the work to be done or the material to be furnished, whether or not made pursuant to the terms of said contract, shall not in any way release either the Contractor or the surety thereunder, nor shall any extensions of time granted under the provisions of said contract release either the Contractor or the surety, and notice of such alterations or extensions of the contract is hereby waived by the surety.

PAYMENT BOND, PAGE 2

WITNESS our hands this _____ day of _____, 201_.

(SEAL)

(Contractor)

By _____

(Title)

Approved:

(Surety)

(SEAL)

By _____

GUARANTY

The undersigned, as "Contractor," guarantees to the Orange County Transportation Authority that the materials furnished and the completed installation work, and the related work performed by the Contractor pursuant to Agreement No. **C-7-2018, "CONSTRUCTION OF THE LAGUNA NIGUEL TO SAN JUAN CAPISTRANO PASSING SIDING PROJECT"**.

- A. For a period of one (1) year from the date of completion, as evidenced by the date of final acceptance of the work by the Authority, the Contractor warrants to the Authority that work performed and materials furnished under this Contract conforms to the Contract requirements and shall be free from any defect in design, material or workmanship performed by the Contractor or its subcontractors or suppliers. Notwithstanding the foregoing, Contractor shall not be liable for any defects of design, material or equipment provided by Authority.
- B. Under this guaranty, the Contractor shall remedy at its own expense any such failure to conform or any such defect.
- C. Nothing in the above intends or implies that this warranty shall apply to work, which has been abused or neglected by the Authority.
- D. This guaranty shall be in addition to the other guarantees and warranties specified in the Agreement and shall be enforceable concurrently with, or in lieu of, said other guarantees.

Should any of the materials or equipment prove defective or should the work as a whole prove defective, due to faulty workmanship, material furnished or methods of installation, or should the work or any part thereof fail to operate properly as originally intended and in accordance with the plans and specifications, due to any of the above causes, all within twelve (12) months after the date on which the work is accepted by the Authority, the undersigned agrees to reimburse the Authority, upon demand, for its expenses incurred in restoring any such equipment or materials replaced and the cost of removing and replacing any other work without cost to the Authority so that said work will function correctly as originally contemplated.

The Authority shall have the unqualified option to make any needed replacements or repairs itself or to have such replacements or repairs done by the undersigned. In the event the Authority elects to have said work performed by the undersigned, the undersigned agrees that the repairs shall be made and such materials as are necessary shall be furnished and installed within a reasonable time after the receipt of demand from the Authority. If the undersigned shall fail or refuse to comply with its obligations under this guaranty, the Authority shall be entitled to all costs and expenses, including attorneys' fees, reasonably incurred by reasons of the said failure or refusal.

GUARANTY, PAGE 2

Subscribed and sworn to before me

Name

this ____ day of _____, 201__

Title

Seal of Notary

Signature

Notary Public

Date

DRAFT

SECTION IV: DISADVANTAGED BUSINESS ENTERPRISES

DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION**1.0 DBE Goal**

To assist Bidders in ascertaining DBE availability based on the specific items of work associated with this procurement, the Authority has determined that DBEs could reasonably be expected to compete for subcontracting opportunities on this project based on their likely availability for work. The DBE Goal for this contract is **13%**.

2.0 DBE Policy and Applicability

In accordance with federal financial assistance agreements with the U.S. Department of Transportation (U.S. DOT), the Orange County Transportation Authority (Authority) has adopted a Disadvantaged Business Enterprise (DBE) Policy and Program, in conformance with Title 49 CFR part 26, "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs." The contract is subject to the following stipulated regulations. Pursuant to the intent of these Regulations, it is the policy of the Authority to:

- 2.1 Implement strategies that promote the spirit and intent of the Federal DBE Program regulations published under U.S. DOT Title 49 CFR part 26, by ensuring that DBEs have equitable access and opportunities to participate in all of Authority's DOT-assisted contracting opportunities.
- 2.2 Ensure non-discrimination in the award and administration of Authority's DOT-assisted contracts.
- 2.3 Create a level playing field on which DBEs can compete fairly for DOT-assisted contracts.
- 2.4 Ensure that only firms that meet 49 CFR part 26 eligibility standards are permitted to participate as DBEs.
- 2.5 Help remove barriers to the participation of DBEs in DOT-assisted contracts.
- 2.6 Provide training and other assistance through our resource partners to address capital, bonding and insurance needs.
- 2.7 Assist in the development of firms that can compete successfully in the marketplace outside the DBE Program.

Bidders shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of subcontracts.

Any terms used in this section that are defined in 49 CFR part 26, or elsewhere in the Regulations, shall have the meaning set forth in the Regulations. In the event of any conflicts or inconsistencies between the Regulations and the Authority's DBE Program with respect to DOT-assisted contracts, the Regulations shall prevail.

Race-Neutral/Race-Conscious DBE Program Measures

The Authority will utilize both Race-Neutral and Race-Conscious means to meet its overall DBE Program goals.

Race-Neutral measures will include but are not limited to conducting outreach, training, providing other resource assistance and assessing bid delivery schedules to ensure that DBEs interested in bidding for DOT-assisted solicitations are provided accurate and adequate information about the plans, specifications, and requirements of the solicitation in a timely manner to assist them in responding to the bid. Additional Authority Race-Neutral measures include ensuring that DBEs and other small business are afforded ample opportunity to participate in the Authority's DOT-assisted solicitations by unbundling large contracts to make them more accessible to small businesses and requiring or encouraging Prime Contractor to subcontract portions of work that they might, otherwise, perform with their own forces. Race-Neutral participation also includes any time a DBE obtains a Prime Contract through customary competitive procurement procedures or is awarded a subcontract on a Prime Contract that does not carry a DBE goal.

In conjunction with the Race-Neutral measures listed above the Authority will implement Race-Conscious measures through the reinstatement of contract goals and good faith efforts. The Authority reinstates the use of meeting the contract-specific goal by committing to utilize DBEs or documenting a bona fide good faith effort to do so, as a condition of award. Contract-specific goals are specifically targeted at DBEs (*DBEs owned and controlled by Black Americans, Hispanic Americans, Asian-Pacific Americans, Native Americans, Asian-Pacific Americans, Sub-Continent Asian Americans, and Women*). In the event of a substitution, a DBE must be substituted with another DBE or documented adequate good faith efforts to do so must be made, in order to meet the contract goal and DBE contract requirements.

3.0 Definitions

The following definitions apply to the terms as used in these provisions:

- 3.1 ***"Disadvantaged Business Enterprise (DBE)"*** means a small business concern: (a) which is at least 51 percent owned by one or more socially and economically disadvantaged individuals or, in the case of any publicly-owned business, at least 51 percent of the stock of which is owned by one or more socially and economically disadvantaged individuals; and (b) whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.
- 3.2 ***"Small Business Concern"*** means a small business as defined pursuant to Section 3 of the Small Business Act and relevant regulations promulgated pursuant thereto, except that a small business concern shall not include any concern or group of concerns controlled by the same socially and economically disadvantaged individual or individuals which has annual average gross receipts in excess of \$19.57 million over the previous three fiscal years.
- 3.3 ***"Socially and Economically Disadvantaged Individuals"*** means those individuals who are citizens of the United States (or lawfully admitted permanent residents) and who are Black Americans, Hispanic Americans, Native Americans, Asian-Pacific Americans, or Asian-Indian Americans, women and any other minorities or individuals found to be disadvantaged by the Small Business Administration pursuant to Section 8(a) of the Small Business Act, or by the Authority pursuant to 49 CFR part 26.65. Members of the following groups are presumed to be socially and economically disadvantaged:
- 3.3.1 "Black Americans," which includes persons having origins in any of the Black racial groups of Africa;
 - 3.3.2 "Hispanic Americans," which includes persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese culture or origin, regardless of race;
 - 3.3.3 "Native Americans," which includes persons who are American Indians, Eskimos, Aleuts, or Native Hawaiians;
 - 3.3.4 "Asian-Pacific Americans," which includes persons whose origins are from Japan, China, Taiwan, Korea, Vietnam, Laos, Cambodia, the Philippines, Samoa, Guam, the U.S. Trust Territories of the Pacific, and the Northern Marianas;

3.3.5 "Asian-Indian Americans," which includes persons whose origins are from India, Pakistan, and Bangladesh; and

3.3.6 Women, regardless of ethnicity or race.

3.4 **"Owned and Controlled"** means a business: (a) which is at least 51 percent owned by one or more "Socially and Economically Disadvantaged Individuals" or, in the case of a publicly-owned business, at least 51 percent of the stock of which is owned by one or more "Socially and Economically Disadvantaged Individuals"; and (b) whose management and daily business operations are controlled by one or more such individuals.

3.5 **"Manufacturer"** means a firm that operates or maintains a factory or establishment that produces on the premises the materials or supplies obtained by the contractor.

3.6 **"Regular Dealer"** means a firm that owns, operates or maintains a store, warehouse, or other establishment in which the materials or supplies required for the performance of the contract are bought, kept in stock, and regularly sold to the public in the usual course of business. The firm must engage in, as its principal business, and in its own name, the purchase and sale of the product in question. A regular dealer in such bulk items as steel, cement, gravel, stone and petroleum products need not keep such products in stock if it owns or operates distribution equipment.

3.7 **"Fraud"** includes a firm that does not meet the eligibility criteria of being a certified DBE and that attempts to participate in a DOT-assisted program as a DBE on the basis of false, fraudulent, or deceitful statements or representations or under circumstances indicating a serious lack of business integrity or honesty. The Authority may take enforcement action under 49 CFR part 31, Program Fraud and Civil Remedies, against any participant in the DBE program whose conduct is subject to such action under 49 CFR part 31. The Authority may refer cases of identified fraud to the Department of Justice, for prosecution under 18 U.S.C. 1001 or other applicable provisions of law, any person who makes a false or fraudulent statement in connection with participation of a DBE in any DOT-assisted program or otherwise violates applicable Federal statutes.

3.8 **"Other Socially and Economically Disadvantaged Individuals"** means those individuals who are citizens of the United States (or lawfully admitted permanent residents) and who, on a case-by-case basis, are determined by Small Business Administration or the Authority to meet the social and economic disadvantage criteria described below.

3.8.1 Social Disadvantage

- 3.8.1.1 The individual's social disadvantage must stem from his/her color, national origin, gender, physical handicap, long-term residence in an environment isolated from the mainstream of American society, or other similar cause beyond the individual's control.
- 3.8.1.2 The individual must demonstrate that he/she has personally suffered social disadvantage.
- 3.8.1.3 The individual's social disadvantage must be rooted in treatment, which he/she has experienced in American society, not in other countries.
- 3.8.1.4 The individual's social disadvantage must be chronic, longstanding and substantial, not fleeting or insignificant.
- 3.8.1.5 The individual's social disadvantage must have negatively affected his/her entry into and/or advancement in the business world.
- 3.8.1.6 A determination of social disadvantage must be made before proceeding to make a determination of economic disadvantage.

3.8.2 Economic Disadvantage

- 3.8.2.1 The individual's ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities, as compared to others in the same line of business and competitive market area that are not socially disadvantaged.
- 3.8.2.2 The following criteria will be considered when determining the degree of diminished credit and capital opportunities of a person claiming social and economic disadvantage:

With respect to the individual:

- availability of financing
- bonding capability
- availability of outside equity capital
- available markets

With respect to the individual and the business concern:

- personal and business assets
- personal and business net worth
- personal and business income and profits

4.0 DBE Bid Submission Requirements

Bidder shall complete and submit the following DBE Exhibits (forms) at the times specified with their Bid:

- “DBE Participation Commitment(s) Form” (Exhibit E-1)
- “Bidders List” (Exhibit E-2)
- “DBE Information - Good Faith Efforts” (Exhibit E-3)

4.1 “DBE Participation Commitment(s) Form” (Exhibit E-1) required at time of Bid. The Bidder is to provide the following information for each DBE that will participate in the contract:

- 4.1.1 The complete name and address of each DBE who will participate in the contract;
- 4.1.2 A description of the work that each DBE will perform or provide;
- 4.1.3 The dollar amount of the work to be performed or provided by the DBE;
- 4.1.4 Valid DBE Certification eligibility status, in conformance with 49 CFR part 26;
- 4.1.5 The Bidder shall also submit, for each DBE to perform under this contract, a written confirmation from the DBE acknowledging that it is participating in the contract for a specified value, including the corresponding scope of work (a subcontract bid can serve in lieu of the written confirmation).

4.2 “Bidders List” (Exhibit E-2)

The Authority is required by Regulations to create and maintain a “Bidders List” of all firms bidding or quoting on the Authority’s DOT-assisted contracts for use in calculating the Authority’s overall DBE goal. Bidders are required to complete and submit the requested information listed on the “Bidders List Form” for all firms (DBE[s] and Non-DBE[s]) who submitted a bid, quote and/or bid, including firms who were contracted by the Prime Bidder.

The “Bidders List” must be included with the bid submission.

4.3 “DBE Information - Good Faith Efforts” (Exhibit E-3)

A Bidder must, in order to be a responsible and/or responsive bidder, make good faith efforts to meet the goal. The Bidder can meet this requirement in either of two ways. First, the Bidder can meet the goal, documenting commitments for participation by DBE firms sufficient for this purpose. Second, even if it doesn't meet that the establish DBE goal, the bidder took all necessary and reasonable steps to achieve the DBE goal or other requirement of this part which, by their scope, intensity, and appropriateness to the objective, could reasonably be expected to obtain sufficient DBE participation, even if they were not fully successful.

If the Bidder did not meet or obtain enough DBE participation to meet the DBE goal, the Bidder must complete and submit the “DBE Information – Good Faith Efforts form demonstrating that the Bidder made adequate good faith efforts to meet the goal.

If the Bidder has met the DBE goal based on the Bided participation of DBEs listed on the Bidder's “DBE Participation Commitment(s) Form”, it is at the Bidder's discretion (not mandatory) whether or not to submit “DBE Information – Good Faith Efforts” form. However, the submission of Good Faith Efforts documentation can protect the Bidder's eligibility for award of the contract if the Authority determines that the Bidder failed to meet the goal for various reasons, e.g., a DBE firm was not certified at bid submission or the Bidder made a mathematical error. Submittal of only the “DBE Participation Commitment(s) Form” form may not provide sufficient documentation to demonstrate that adequate good faith efforts were made.

Good Faith Efforts documentation must be submitted with the bid.

Good Faith Efforts documentation must include the following information and supporting documents, as necessary:

- 4.3.1 Items of work you have made available to DBE firms. Identify those items of work you might otherwise perform with your own forces and those items that have been broken down into economically feasible units to facilitate DBE participation. For each item listed, show the dollar value and percentage of the total contract. It is your responsibility to demonstrate that sufficient work to meet the goal was made available to DBE firms.
- 4.3.2 Names of certified DBEs and dates on which they were solicited to bid on the project. Include the items of work offered. Describe the methods used for following up initial solicitations to determine with certainty if the DBEs were interested, and the dates of the follow-up.

Attach supporting documents such as copies of letters, memos, facsimiles sent, telephone logs, telephone billing statements, and other evidence of solicitation. You are reminded to solicit DBEs through all reasonable and available means and provide sufficient time to allow DBEs to respond.

- 4.3.3 Name of selected firm and its status as a DBE for each item of work made available. Include name, address, and telephone number of each DBE that provided a quote and their price quote. If the firm selected for the item is not a DBE, provide the reasons for the selection and rejection of the DBE.
- 4.3.4 Name and date of each publication in which you solicited DBE participation for the project. Attach copies of the published advertisements (In the event the IFB submission due date is extended, bidders are to re-advertise the new bid due date).
- 4.3.5 Names of agencies and organizations, and dates on which they were contacted to provide assistance in contacting, recruiting, and using DBE firms. Bidder to provide copies of supporting documents of this effort.
- 4.3.6 List of efforts made to provide interested DBEs with adequate information about the plans, specifications, and requirements of the contract to assist them in responding to a solicitation. If you have provided information, identify the name of the DBE assisted, the nature of the information provided, and date of contact. Provide copies of supporting documents, as appropriate.
- 4.3.7 List of efforts made to assist interested DBEs in obtaining bonding, lines of credit, insurance, and other technical assistance afforded. If such assistance is provided by you, identify the name of the DBE assisted, nature of the assistance offered, and date. Provide copies of supporting documents, as appropriate.
- 4.3.8 Any additional data to support demonstration of good faith efforts undertaken prior to bid submission shall be provided.

For further guidance, refer to the United States Department of Transportation's (U.S. DOT) DBE Program, Appendix A of Title 49 CFR part 26- "Guidance Concerning Good Faith Efforts."

SECTION V: CALIFORNIA UNIFIED CERTIFICATION PROGRAM

CALIFORNIA UNIFIED CERTIFICATION PROGRAM (CUCP)



Dear Business Owner:

Thank you for your interest in participating in the Unified Certification Program (UCP) of California for Disadvantaged Business Enterprises (DBEs). As mandated by the United States Department of Transportation (U.S. DOT) in the DBE Program, Final Rule 49 Code of Federal Regulations (CFR), part 26, all U.S. DOT recipients of federal financial assistance must participate in a statewide UCP by March 2002. The UCP is a "One-Stop Shopping" certification procedure that will eliminate the need for DBE firms to obtain certifications from multiple agencies within the State.

The UCP of California is charged with the responsibility of certifying firms and compiling and maintaining the Database of certified DBEs for U.S. DOT grantees in California, pursuant to 49 CFR part 26. The Database is intended to expand the use of DBE firms by maintaining complete and current information on those businesses and the products and services they can provide to all grantees of California.

Please complete the attached application and supplemental questionnaire if you wish to be considered for DBE certification and your business meets the following general guidelines:

1. The firm must be at least 51% owned by one or more socially and economically disadvantaged individuals.
2. The firm must be an independent business, and one or more of the socially and economically disadvantaged owners must control its management and daily operations.
3. Only existing for-profit "Small Business Concerns," as defined by the Small Business Act and Small Business Administration (SBA) regulations may be certified. DBE applicants are first subject to the applicable small business size standards of the SBA. Second, the average annual gross receipts for the firm (including its affiliates) over the previous three fiscal years must not exceed U.S. DOT's cap of \$17.42 million.

For firm applying for airport concession DBE certification: The average annual gross receipts for the firm (including its affiliates) over the previous three fiscal years must not exceed \$30 million.

4. The Personal Net Worth (PNW) of each socially and economically disadvantaged owner must not exceed \$750,000. The PNW excludes the individual's ownership interest in the applicant firm and the equity in his/her primary residence.

For firm applying for airport concession DBE certification: A PNW is not required at this time.

Socially and economically disadvantaged individual means any individual who is a citizen of the United States (or lawfully admitted permanent resident) and who is a member of the following groups: Black American, Hispanic American, Native American, Asian-Pacific American, Subcontinent Asian American, or Women,

or

Any individual found to be socially and economically disadvantaged on a case-by-case basis by a certifying agency pursuant to the standards of the U.S. DOT 49 CFR part 26.

In order to avoid unnecessary delays, please complete all portions of the application and supplemental questionnaire, placing "N/A" next to items that are not applicable. Include all copies of documents requested on the application, and have the Affidavit of Certification, Affidavit of Social and Economic Disadvantage and Personal Net Worth Statement notarized. Additional documentation may be requested if it is considered necessary to make a certification determination. Incomplete applications/supplemental questionnaires or applications/supplemental questionnaires without all the required documents will not be evaluated until such documents are submitted. We recommend keeping a copy of all submitted documents for your records.

REMEMBER: It is no longer necessary to apply at more than one agency. If your firm meets the criteria for certification, it will be entered into the Database of DBEs for all U.S. DOT grantees in California. Only firms currently certified as eligible DBEs may participate in the DBE programs of U.S. DOT grantees of California.

The California UCP has established four Regional DBE Certification Clusters throughout the State to effectively facilitate statewide DBE certification activities. Please forward your completed certification packet to one of the agencies serving the county where your firm has its principal place of business. (See enclosed Roster of Certifying Agencies.)

For Out-of-State Firms: The California UCP will not process a new application for DBE certification from a firm having its principal place of business in another state unless the firm has already been certified in that state. If your firm is located outside of California and is certified as a DBE at its home state, please forward your completed certification packet, along with a copy of your DBE certificate, to the California Department of Transportation. (See page 3 of the enclosed Roster of Certifying Agencies.)

CALIFORNIA UNIFIED
CERTIFICATION PROGRAM

CALIFORNIA UNIFIED CERTIFICATION PROGRAM (CUCP)



DEFINITIONS OF TERMS USED IN UNIFORM CERTIFICATION APPLICATION

Alaska Native Corporation (ANC) – Any Regional Corporation, Village Corporation, Urban Corporation, or Group Corporation organized under the laws of the State of Alaska in accordance with the Alaska Native Claims Settlement Act, as amended.

Concession – A grant of property made by a government or other controlling authority in return for stipulated services or a promise that the property will be used for a specific purpose.

Corporate Tax Returns – Federal Tax Return Form 1120 or 1120S, including Schedules E or C.

Indian Tribe – Any Indian tribe, band, nation, or other organized group or community of Indians, including any ANC, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians, or is recognized as such by the State in which the tribe, band, nation, group, or community resides. See definition of Tribally-Owned Concern.

Key Person Insurance – Life insurance and long-term disability income insurance on major employees, with benefits payable to the business.

Native Hawaiian – Any individual whose ancestors were natives, prior to 1778, of the area, which now comprises the State of Hawaii.

Native Hawaiian Organization – Any community service organization serving Native Hawaiians in the State of Hawaii which is a not-for-profit organization chartered by the State of Hawaii, is controlled by Native Hawaiians and whose business activities will principally benefit such Native Hawaiians.

Partnership Tax Returns – Federal Tax Return Form 1065, including Schedules K and K-1.

Personal Net Worth – The net value of the assets of an individual remaining after total liabilities are deducted. An individual's personal net worth does not include: The individual's ownership interest in an applicant or participating DBE firm; or the individual's equity in his or her primary place of residence. An individual's personal net worth includes only his or her own share of assets held jointly or as community property with the individual's spouse.

Personal Tax Returns – Federal Tax Return Form 1040, including Schedules B and C.

Regular Dealer – A firm that owns, operates, or maintains a store, warehouse, or other establishment in which the materials, supplies, articles or equipment are bought, kept in

stock, and regularly sold or leased to the public in the usual course of business. Packagers, brokers, manufacturers' representatives, or other persons who arrange or expedite transactions are not regular dealers.

Socially and Economically Disadvantaged Individual – Any individual who is a citizen (or lawfully admitted permanent resident) of the United States and who is –

1. Any individual who a recipient finds to be a socially and economically disadvantaged individual on a case-by-case basis.
2. Any individual in the following groups, members of which are rebuttably presumed to be socially and economically disadvantaged:
 - “African Americans” or “Black Americans,” which includes persons having origins in any of the Black racial groups of Africa.
 - “Hispanic Americans,” which includes persons of Mexican, Puerto Rican, Cuban, Dominican, Central or South American, or other Spanish or Portuguese culture or origin, regardless of race.
 - “Native Americans,” which includes persons who are American Indians, Eskimos, Aleuts, or Native Hawaiians.
 - “Asian-Pacific Americans,” which includes persons whose origins are from Japan, China, Taiwan, Korea, Burma (Myanmar), Vietnam, Laos, Cambodia (Kampuchea), Thailand, Malaysia, Indonesia, the Philippines, Brunei, Samoa, Guam, the U.S. Trust Territories of the Pacific Islands (Republic of Palau), the Commonwealth of the Northern Mariana Islands, Macao, Fiji, Tonga, Kiribati, Juvalu, Nauru, Federated States of Micronesia, or Hong Kong.
 - “Asian Indian Americans” or “Subcontinent Asian Americans,” which includes persons whose origins are from India, Pakistan, Bangladesh, Bhutan, the Maldives Islands, Nepal or Sri Lanka.
 - Women.
 - Any additional groups whose members are designated as socially and economically disadvantaged by the SBA, at such time as the SBA designation becomes effective.

Tribally-Owned Concerns – Any concern at least 51 percent owned by an Indian tribe.

DISADVANTAGED BUSINESS ENTERPRISE PROGRAM
49 CFR PART 26

UNIFORM CERTIFICATION APPLICATION

Under Sec. 26.107 of 49 CFR Part 26, dated February 2, 1999, if at any time, the Department or a recipient has reason to believe that any person or firm has willfully and knowingly provided incorrect information or made false statements, the Department may initiate suspension or debarment proceedings against the person or firm under 2 CFR Parts 180 and 1200, take enforcement action under 49 CFR Part 31, Program Fraud and Civil Remedies, and/or refer the matter to the Department of Justice under 18 U.S.C. 1001.

ROADMAP FOR APPLICANTS

← Should I apply?

Your firm must meet the following requirements to qualify as a DBE under the United States Department of Transportation (DOT) DBE program:

- ☐ Disadvantaged owners are U.S. citizens or legal permanent residents.
- ☐ Firm's annual gross income does NOT exceed \$23.98 million (averaged over 3 years).
- ☐ Firm is at least 51% owned and controlled by socially and economically disadvantaged individuals.
- ☐ Firm meets SBA small business size in the primary industry group (13 CFR Part 121).
- ☐ Firm owned by ANCs, Indian Tribes, and Native Hawaiian Organizations meet the small business size requirements and are controlled by socially and economically disadvantaged individuals.
- ☐ Firm and owners meet the requirements of part 26 concerning licenses and credentials.
- ☐ Firm must be for-profit.

Note: Firm must undergo an on-site review.

↑ Is there an easier way to apply?

If you are currently certified as an 8(a), or SDB firm, you may be eligible for a streamlined certification application process pursuant to a Memorandum of Understanding (MOU) between DOT and the SBA. Under the MOU, the certifying agency to which you are applying will accept your current SBA application package in lieu of requiring you to submit an entirely new application. You must still meet the requirements for the DBE program.

→ What documents must I submit with this application?

The following documents must be attached to your application. Missing documents or incomplete information will delay the processing of your application.

All Applicants

- ☐ Work experience resumes that include places of ownership/employment and corresponding dates.
- ☐ Personal Net Worth statement or statement from CPA.
- ☐ Social & economic disadvantage statement.
- ☐ Entire copy of personal tax returns for the last 3 years, if applicable.
- ☐ Documented proof of contributions used to acquire ownership for each owner (e.g. both sides of cancelled checks).
- ☐ Signed loan agreement and security agreements.
- ☐ Description of real estate and proof of ownership listed.
- ☐ List of equipment leased and signed lease agreements.
- ☐ List of construction equipment and/or vehicles owned and titles/proof of ownership.
- ☐ Signed leases for office/storage space.
- ☐ End of Year Balance Sheets and Income Statements for the past 3 years (or life of firm if less than 3 years). A new business must provide a current Balance Sheet.
- ☐ Copies of relevant licenses.
- ☐ DBE/MBE/WBE, SBA 8(a) or SDB certifications or denials and decertifications.
- ☐ Bank Authorizations and Signatory cards.
- ☐ Schedule of salaries paid to all officers, managers, owners or directors of the firm (W-2s).

Sole Proprietorship

- ☐ Assumed name, fictitious name or other registration

certificate from appropriate governmental agency.

Partnership or Joint Venture

- ☐ Original and any amended Partnership or Joint Venture Agreements.
- ☐ Assumed name, fictitious name, or other registration Certificate from appropriate governmental agency, if applicable.
- ☐ Partnership tax returns for last 3 years.

Corporation or LLC

- ☐ Official Articles of Incorporation (signed by the state official).
- ☐ Both sides of all Corporate Stock Certificates and Stock.
- ☐ Transfer Ledger.
- ☐ Entire copy of corporate tax returns for the last 3 years.
- ☐ Shareholders' Agreement.
- ☐ Minutes of all Stockholders' and Board of Directors' meetings.
- ☐ Corporate By-laws and any amendments.

NOTE: The specific state or recipient to which you are applying may have additional requirements.

↓ Where can I find more information?

U.S. DOT – <http://osdbuweb.dot.gov/business/dbe/index.html>

SECTION 1: CERTIFICATION INFORMATION**1. Prior/Other Certifications.**

(a) Is your firm currently certified for any of the following programs? (If Yes, attach a copy of your certification(s)).	<input type="checkbox"/> DBE	Name of certifying agency:
		Has this firm's home state conducted an on-site visit? <input type="checkbox"/> Yes, on ____/____/____ <input type="checkbox"/> No
	<input type="checkbox"/> 8(a) <input type="checkbox"/> SDB	Stop! You may not have to complete this application. Ask about the streamlined application process under the SBA/DOT MOU.
(b) Has your firm applied for certification for any program listed in 1(a) in the past? <input type="checkbox"/> Yes, on ____/____/____ <input type="checkbox"/> No If Yes, identify: Other names your company has used: Identification and certification numbers:		
(c) Has this firm or any of its owners, Board of Directors, officers or management personnel been denied certification or decertified before by any agency in any state, local or Federal entity? <input type="checkbox"/> Yes, on ____/____/____ <input type="checkbox"/> No If Yes, identify State and name of agency:		

SECTION 2: GENERAL INFORMATION**2. Contact Information.**

Contact Person:		Legal name of firm:	
Phone #:	Cell #:	Fax #:	
E-Mail:		Web Site (if firm has one):	
Street address of firm: (No P.O. box no.)			
Mailing address of firm:			
City:	County/Parish:	State:	Zip:

3. Business Profile.

Primary nature of business/NAICS code:		Federal tax ID:	
Federal identification number or Applicant's Social Security number:			
This firm was established on ____/____/____		I(we) have owned this firm since: ____/____/____	
Did the business exist under a different type of ownership prior to the date indicated above? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Explain.			
Method of acquisition (check all that apply): <input type="checkbox"/> Started new business <input type="checkbox"/> Bought existing business <input type="checkbox"/> Inherited business <input type="checkbox"/> Secured concession <input type="checkbox"/> Merger or consolidation <input type="checkbox"/> Other (explain)			
Has this firm operated under a different name during the past five years? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain.			
Has this firm applied for reorganization under Chapter 11 and/or liquidation under Chapter 7, within the last 3 years? (If Yes, provide court papers) <input type="checkbox"/> Yes <input type="checkbox"/> No			
Type of firm (Check all applicable): <input type="checkbox"/> Sole proprietorship (provide a copy of the assumed name certificate) <input type="checkbox"/> Partnership (provide copies of all partnership agreements and the assumed named certificate) <input type="checkbox"/> Corporation (provide Articles of Incorporation, copies of the stock certificates (both sides), Stock Transfer Ledger, Shareholders' Agreement, all minutes of the shareholders' meetings and Board of Directors' meetings, the Corporate Bylaws and Bylaws Amendments (if applicable), the Corporate Bank Resolution and Bank Signature Cards) <input type="checkbox"/> Limited Liability Partnership <input type="checkbox"/> Joint Venture <input type="checkbox"/> Other			
Number of employees:	Permanent Full-time ____ Permanent Part-time ____	Temporary Full-time ____ Temporary Part-time ____	Seasonal Full-time ____ Seasonal Part-time ____
Where do you obtain seasonal employees?			
Does your firm directly pay, in its own name, all its employees? <input type="checkbox"/> Yes <input type="checkbox"/> No If No, explain.			
Specify the gross receipts of the firm for the last 3 years: (Attach copies of full transactions for each year)		Year ending ____ Total receipts: \$ ____ Year ending ____ Total receipts: \$ ____ Year ending ____ Total receipts: \$ ____	

SECTION 3: OWNERSHIP

4. Identify all individuals or holding companies with any ownership interest. List their cash, equipment and/or real estate and/or other investment in the firm; and attach the documentation of the source of these investments. (Attach work experience resumes of each person; If more than two owners, attach a separate sheet.)

First Person				
Name:		Title:		Home Phone#:
Home Address (street and number):				
City:		State:	Zip	
Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female		Ethnic Group (attach proof of status):		
U.S. Citizen: <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> African American <input type="checkbox"/> Hispanic <input type="checkbox"/> Native American		
Legal permanent resident: <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Caucasian <input type="checkbox"/> Asian Pacific <input type="checkbox"/> Asian Indian		
		<input type="checkbox"/> Other Ethnic Group (explain) _____		
Number of years owned:		Initial investment to acquire ownership interest in firm:	Type	Dollar Value
Percentage owned:			Cash	\$
Familial relationship to other owners:			Real Estate	\$
			Equipment	\$
			Other	\$
Shares of Stock: <u>Number</u> <u>Percentage</u> <u>Class</u> <u>Date Acquired</u> <u>Method Acquired</u>				
Additional contributions made by anyone since the business was started/acquired:				

Second Person				
Name:		Title:		Home Phone#:
Home Address (street and number):				
City:		State:	Zip:	
Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female		Ethnic Group (Attach proof of status):		
U.S. Citizen: <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> African American <input type="checkbox"/> Hispanic <input type="checkbox"/> Native American		
Legal permanent resident: <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Caucasian <input type="checkbox"/> Asian Pacific <input type="checkbox"/> Asian Indian		
		<input type="checkbox"/> Other Ethnic Group (explain) _____		
Number of years owned:		Initial investment to acquire ownership interest in firm:	Type	Dollar Value
Percentage owned:			Cash	\$
Familial relationship to other owners:			Real Estate	\$
			Equipment	\$
			Other	\$
Shares of Stock: <u>Number</u> <u>Percentage</u> <u>Class</u> <u>Date Acquired</u> <u>Method Acquired</u>				
Additional contributions made by anyone since the business was started/acquired:				

SECTION 4: CONTROL

5. Identify Officers & Board of Directors. (Attach work experience resumes of each person; If additional space is required, attach a separate sheet.)

	Name	Title/Date Appointed	Ethnicity	Gender
Company Officers	1.			
	2.			
	3.			
	4.			
	5.			
Board of Directors	1.			
	2.			
	3.			
	4.			
	5.			

6. Identify management personnel who control the firm in the following areas. (Attach work experience resumes, including dates of employment at each company for each person; if more than two persons, attach a separate sheet)

	Name	Title	Ethnicity	Gender
Financial Decision (<i>responsibility for check signing, acquisition of lines of credit, surety bonding, supplies, etc.</i>)	1. 2.			
Estimating, bidding and negotiating (<i>cost estimates, bid preparation and submission, negotiation or contract execution</i>)	1. 2.			
Hiring/firing of management personnel	1. 2.			
Field/Production Operations Supervisor (<i>site supervision/scheduling, project management services</i>)	1. 2.			
List all field supervisors	1. 2.			
Office management	1. 2.			
Marketing/Sales	1. 2.			
Purchasing of major equipment	1. 2.			

7. Identify persons or firms who provide the following services.

	Name of firm	Name of person	Address	Phone No.
External management or technical/Computer service				
Accountant				
Attorney				
Principal Suppliers	1. Materials or equipment supplied 2. Materials or equipment supplied			

8. Identify those union(s), business(es), or professional association(s) in which the owner(s) or management personnel have membership.

Name of union, business or professional association	Address	Phone No.
1.		
2.		
3.		

9. Attach a list of equipment and/or vehicles within your firm's possession or under your control (indicate separately), office space (owned or leased) and storage space (owned or leased), including signed leasing agreements.

10. Financial Information.

(a) Banking Information	
Name of bank: _____	Phone No. () _____
Name of officer: _____	
Address of bank: _____	City: _____ State: _____ Zip: _____
(b) Bonding Information: If you have bonding capacity, identify:	
Name of agent or broker: _____	Phone No. () _____
Address of agent/broker: _____	City: _____ State: _____ Zip: _____
Bonding limit: Aggregate limit \$ _____ Project limit \$ _____	
(c) Attach copies of year end balance sheet and profit and loss (income) statements for the last 3 years, or if business has been in operation for less than one year, provide a current balance sheet, a projected profit and loss statement for the next 12 month period and a projected balance sheet for the end of that period.	

11. Identify all sources, amount and purposes of money loaned to the firm, including name of person or firm securing the loan, if other than owner(s). (Attach copies of all loan agreements.)

Name of Source	Address of Source	Amount
1.		
2.		
3.		

12. List current licenses (e.g. contractor, engineer, architect, ICC, etc.): (Attach copies of licenses.)

Name of Individual or Firm	Name of License	Expiration Date	License Number
1.			
2.			
3.			

13. Does your firm have key person insurance? ☐ Yes ☐ No
(If Yes, attach a list of the persons named and the value.)

14. List the 3 largest contracts completed by this firm in the past 3 years.

Name of owner/contractor	Name/location of project	Type of work performed
1.		
2.		
3.		

15. List all active jobs this firm is currently working on. (If additional space is required, attach a separate sheet.)

Name of prime contractor and project number	Location of project	Type of work	Date project began	Anticipated completion date
1.				
2.				
3.				

SECTION 5: AFFILIATION**16. Affiliation with other businesses.**

(a) Affiliate companies:	
(b) Do any of the people listed in question 4, 5, or 6 perform a management or supervisory function for any other business? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, identify: Person: _____ Title: _____ Business: _____ Function: _____	
(c) Do any of the people listed in questions 4, 5, or 6 own or work for other firms that have a business relationship with yours? (e.g., ownership interest, shared office space, financial investments, equipment leases or personnel sharing)? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, identify: Firm: _____ Person: _____ Business Relationship: _____	
(d) Whether affiliated or not, is the applicant firm co-located at any of its business locations, or does it share a telephone number, P.O. Box, office space, yard, warehouse, facilities, equipment, or office staff, with any other business, organization, or entity? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, identify: Firm's name: _____ Tax ID number: _____ Explain nature of shared facilities: _____	
(e) At present or in the past 5 years: If you answered Yes to any of these questions, identify on a separate piece of paper any relevant names, addresses, dates and explanations.	Has this firm been a subsidiary of any other firm? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Has this firm consisted of a partnership in which one or more of the partners are other firms? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Has any other firm owned 5% or more of this firm? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Has this firm had any subsidiaries? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Has this firm owned 5% or more of any other firm? <input type="checkbox"/> Yes <input type="checkbox"/> No

SECTION 6: OTHER**17. Are you a trucking firm?** ☐ Yes ☐ No*(If Yes, attach proof of ownership of a fully operational truck and trailer. Documentation should include insurance and titles.)***18. Are you a regular dealer?** ☐ Yes ☐ No*(If Yes, attach proof of warehouse, product lines carried, and distribution equipment.)*

AFFIDAVIT OF CERTIFICATION

A MATERIAL OR FALSE STATEMENT OR OMISSION MADE IN CONNECTION WITH THIS APPLICATION IS SUFFICIENT CAUSE FOR DENIAL OF CERTIFICATION, REVOCATION OF A PRIOR APPROVAL, INITIATION OF SUSPENSION OR DEBARMENT PROCEEDINGS, AND MAY SUBJECT THE PERSON AND/OR ENTITY MAKING THE FALSE STATEMENT TO ANY AND ALL CIVIL AND CRIMINAL PENALTIES AVAILABLE PURSUANT TO APPLICABLE FEDERAL AND STATE LAW.

I _____ (full name), swear or affirm under penalty of law that I am _____ (title) of applicant firm _____ (firm name) and that I have read and understood all of the questions in this application and that all of the foregoing information and statements submitted in this application and its attachments and supporting documents are true and correct to the best of my knowledge, and that all responses to the questions are full and complete, omitting no material information. The responses include all material information necessary to fully and accurately identify and explain the operations, capabilities and pertinent history of the named firm, as well as the ownership, control, and affiliations thereof.

I recognize that the information submitted in this application is for the purpose of inducing certification approval by a government agency. I understand that a government agency may, by means it deems appropriate, determine the accuracy and truth of the statements in the application, and I authorize such agency to contact any entity named in the application, and the named firm's bonding companies, banking institutions, credit agencies, contractors, clients, and other certifying agencies for the purpose of verifying the information supplied and determining the named firm's eligibility.

I agree to submit to government audit, examination and review of books, records, documents and files, in whatever form they exist, of the named firm and its affiliates, inspection of its place(s) of business and equipment, and to permit interviews of its principals, agents, and employees. I understand that refusal to permit such inquiries shall be grounds for denial of certification.

If awarded a contract or subcontract, I agree to promptly and directly provide the prime contractor, if any, and the Department, recipient agency, or federal funding agency on an ongoing basis, current, complete and accurate information regarding (1) work performed on the project; (2) payments; and (3) proposed changes, if any, to the foregoing arrangements.

I agree to provide written notice to the recipient agency or Unified Certification Program (UCP) of any material change in the information contained in the original application within 30 calendar days of such change (e.g., ownership, address, telephone number, etc.).

I acknowledge and agree that any misrepresentations in this application or in records pertaining to a contract or subcontract will be grounds for terminating any contract or subcontract which may be awarded; denial or revocation of certification; suspension and debarment; and for initiating action under federal and/or state law concerning false statement, fraud or other applicable offenses.

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

Signature of owner, officer or partner _____ Date (mm/dd/yy) _____

I declare under penalty of perjury that the information provided in this application and supporting documents relating to my disadvantaged status and me is true and correct.

Print Name: _____ Signature: _____ Date: _____

Print Name: _____ Signature: _____ Date: _____

Print Name: _____ Signature: _____ Date: _____

Print Name: _____ Signature: _____ Date: _____

Print Name: _____ Signature: _____ Date: _____

NOTARY CERTIFICATION

STATE OF _____	}SS:
COUNTY OF _____	
Subscribed and sworn to before me this _____ day of _____, 20____	
Signature of Notary Public _____	
Printed/typed name of Notary Public _____	
County of residence _____ Date commission expires _____	

DRAFT

AFFIDAVIT OF SOCIAL AND ECONOMIC DISADVANTAGE

This form must be signed and notarized for each owner upon which disadvantaged status is relied.

SOCIAL DISADVANTAGE

I hereby certify under penalty of perjury that I am a member of one of the following groups:

- ☐ African American ☐ Hispanic ☐ Native American ☐ Caucasian ☐ Asian Pacific
☐ Asian Indian ☐ Other Ethnic Group (explain) _____

And that I have held myself out as a member of that group and have acted as a member of that group.

I further certify that I am an owner of the company seeking DBE certification and that I have experienced social disadvantage due to the effect of discrimination based upon my (check all that apply)

- ☐ race ☐ ethnicity ☐ gender ☐ other (explain) _____

Print Name: _____ Signature: _____ Date: _____

PERSONAL FINANCIAL STATEMENT

I hereby certify under penalty of perjury that my personal net worth does not exceed \$1,320,000.

Print Name: _____ Signature: _____ Date: _____

This statement is supported by (check one)

- ☐ A signed, notarized statement of personal net worth, with appropriate supporting documentation.
☐ A signed, notarized statement from a certified public accountant (CPA) attesting that he/she has examined my personal net worth and determined, consistent with the provisions of 49 CFR Section 26.67(a)(2) and generally accepted accounting standards, that my personal net worth does not exceed \$1,320,000.

NOTARY CERTIFICATION	
STATE OF _____	
COUNTY OF _____	}SS:
Subscribed and sworn to before me this _____ day of _____, 20____	
Signature of Notary Public _____	
Printed/typed name of Notary Public _____	
County of residence _____ Date commission expires _____	

PERSONAL NET WORTH STATEMENT
(49 CFR PART 26)

As of _____

For firm applying for airport concession DBE certification: A PNW is not required at this time.

Each individual owner of a DBE firm whose ownership or control is relied upon for DBE certification is required to provide Personal Net Worth (PNW) information and include it in the notarized DBE Certification Application package. For a firm with more than one owner relied upon for DBE certification, please make additional copies of this Statement. The Unified Certification Program of California reserves the right to request additional information as necessary and may conduct an on-site visit to verify the information contained in this Statement.

I understand that all personal financial information I submit will remain confidential unless I give my written consent to release this information to a third party. I also understand that the only exception to this confidentiality provision is if I decide to appeal a decision by the Unified Certification Program of California.

Name _____ Phone _____
 Business Address _____
 City, State, & Zip Code _____
 Business Name _____

Assets¹	Liabilities
Cash on Hand & in Banks.....\$ _____	Accounts Payable.....\$ _____
Savings Accounts.....\$ _____	Notes Payable to Banks and Others.....\$ _____
IRA or Other Retirement Accounts.....\$ _____	Installment Accounts (Auto).....\$ _____
Accounts/Notes Receivable.....\$ _____	(Mo. Payments \$ _____)
Life Insurance/Cash Surrender Value.....\$ _____	Other Installment Accounts.....\$ _____
Stocks and Bonds.....\$ _____	(Mo. Payments \$ _____)
Real Estate ²\$ _____	Loans on Life Insurance.....\$ _____
Automobile – Present Value.....\$ _____	Mortgages on Real Estate ²\$ _____
Other Personal Property.....\$ _____	Unpaid Taxes.....\$ _____
Other Assets.....\$ _____	Other Liabilities.....\$ _____
Total Assets.....\$ _____	Total Liabilities.....\$ _____
	NET WORTH \$ _____

Sources of Income	Contingent Liabilities
Salary.....\$ _____	As Endorse or Co-Maker.....\$ _____
Net Investment Income.....\$ _____	Legal Claims and Judgment.....\$ _____
Real Estate Income.....\$ _____	Provision for Federal Income Tax.....\$ _____
Other Income ³\$ _____	Other Special Debt.....\$ _____

Is any portion of the equity in the individual's primary residence attributable to withdrawal(s) from the firm applying for DBE certification? _____ If yes, how much? \$ _____

The undersigned does hereby swear that the foregoing statements are true, accurate, and complete.

Signature _____ Date _____

- Exclude an individual's ownership interest in the firm applying for DBE certification.
 For individuals claiming to be Alaska Native, exclude any of the following which the individual receives from any Alaska Native Corporation ("ANC"): Cash (including cash dividends on stock received from an ANC) to the extent that it does not, in the aggregate, exceed \$2,000 per individual per year; a partnership interest; land, or an interest in land (including land or an interest in land received from an ANC as a dividend or distribution on stock); and an interest in a settlement trust.
- Do not include the individual's primary residence.
- Alimony or child support payments need not be disclosed in "Other Income" unless it is desired to have such payments counted toward total income.

PERSONAL NET WORTH STATEMENT
NOTARY ACKNOWLEDGEMENT

STATE OF _____

COUNTY OF _____

On this ____ day of _____, _____ before me, the undersigned Notary Public, personally appeared _____ personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within Affidavit, and acknowledged that he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their signature on the instrument, the person(s) executed the instrument.

WITNESS my hand and Official Seal.

Signature: _____

Name: _____
(Typed or Printed)

CALIFORNIA UNIFIED CERTIFICATION PROGRAM (CUCP)



SUPPLEMENTAL QUESTIONNAIRE

For firm applying for airport concession DBE certification: A Supplemental Questionnaire is not required at this time.

Firm Name: _____

1. Is the firm's principal place of business in California? Yes _____ No

If no, please include a copy of the firm's DBE certificate issued in its home state. (The California UCP will not process a new application for DBE certification from a firm having its principal place of business in another state unless the firm has already been certified in that state.)

2. Is the firm authorized to do business in the State of California? Yes _____ No

3. List all office locations in California: _____

4. Has the firm ever done business with any U.S. DOT Grantees of California? Yes _____ No

If yes, please indicate the agency name(s) and latest year(s):

Agency	Latest Year	Agency	Latest Year

5. Is there an upcoming project in which the firm is interested and therefore, would need to be certified prior to a specific date in order to be counted toward DBE participation? Yes _____ No

If yes, please answer the following:

Agency letting contract: _____

Contract number and name: _____

Bid opening date (If Request for Proposal, submission due date): _____

6. Indicate areas where you prefer to do your work. You may select Statewide (SW) to indicate you are willing to work anywhere in the State.

- | | | | | |
|---------------------------------------|--|---------------------------------------|--|---|
| <input type="checkbox"/> SW Statewide | <input type="checkbox"/> 10 Fresno | <input type="checkbox"/> 20 Madera | <input type="checkbox"/> 30 Orange | <input type="checkbox"/> 40 San Luis Obispo |
| | <input type="checkbox"/> 50 Stanislaus | | | |
| <input type="checkbox"/> 01 Alameda | <input type="checkbox"/> 11 Glenn | <input type="checkbox"/> 21 Marin | <input type="checkbox"/> 31 Placer | <input type="checkbox"/> 41 San Mateo |
| | <input type="checkbox"/> 51 Sutter | | | |
| <input type="checkbox"/> 02 Alpine | <input type="checkbox"/> 12 Humboldt | <input type="checkbox"/> 22 Mariposa | <input type="checkbox"/> 32 Plumas | <input type="checkbox"/> 42 Santa Barbara |
| | <input type="checkbox"/> 52 Tehama | | | |
| <input type="checkbox"/> 03 Amador | <input type="checkbox"/> 13 Imperial | <input type="checkbox"/> 23 Mendocino | <input type="checkbox"/> 33 Riverside | <input type="checkbox"/> 43 Santa Clara |
| | <input type="checkbox"/> 53 Trinity | | | |
| <input type="checkbox"/> 04 Butte | <input type="checkbox"/> 14 Inyo | <input type="checkbox"/> 24 Merced | <input type="checkbox"/> 34 Sacramento | <input type="checkbox"/> 44 Santa Cruz |
| | <input type="checkbox"/> 54 Tulare | | | |

CALIFORNIA UNIFIED CERTIFICATION PROGRAM (CUCP)



<input type="checkbox"/> 05 Calaveras	<input type="checkbox"/> 15 Kern	<input type="checkbox"/> 25 Modoc	<input type="checkbox"/> 35 San Benito	<input type="checkbox"/> 45 Shasta
<input type="checkbox"/> 06 Colusa	<input type="checkbox"/> 55 Tuolumne	<input type="checkbox"/> 26 Mono	<input type="checkbox"/> 36 San Bernardino	<input type="checkbox"/> 46 Sierra
<input type="checkbox"/> 07 Contra Costa	<input type="checkbox"/> 16 Kings	<input type="checkbox"/> 27 Monterey	<input type="checkbox"/> 37 San Diego	<input type="checkbox"/> 47 Siskiyou
<input type="checkbox"/> 08 Del Norte	<input type="checkbox"/> 56 Ventura	<input type="checkbox"/> 28 Napa	<input type="checkbox"/> 38 San Francisco	<input type="checkbox"/> 48 Solano
<input type="checkbox"/> 09 El Dorado	<input type="checkbox"/> 17 Lake	<input type="checkbox"/> 29 Nevada	<input type="checkbox"/> 39 San Joaquin	<input type="checkbox"/> 49 Sonoma
	<input type="checkbox"/> 57 Yolo			
	<input type="checkbox"/> 18 Lassen			
	<input type="checkbox"/> 58 Yuba			
	<input type="checkbox"/> 19 Los Angeles			

CALIFORNIA UNIFIED CERTIFICATION PROGRAM (CUCP)



WORK CATEGORY CODES

Please review the enclosed Work Category Codes list and indicate below areas of expertise that you prefer to perform in order of importance. DBE applicants are first subject to the applicable small business size standards of the Small Business Administration (SBA). Second, the average annual gross receipts for the firm (including its affiliates) over the previous three fiscal years must not exceed the U.S. Department of Transportation's cap of \$17.42 million. Please note that size standards are subject to change at any time by the SBA. To determine if the firm meets SBA's and U.S. DOT's size standards, please contact one of the certifying agencies on the enclosed roster.

For firm applying for airport concession DBE certification: The average annual gross receipts for the firm (including its affiliates) over the previous three fiscal years must not exceed \$30 million.

<u>Work Code</u>	<u>Title (Description of Work/Service)</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

CALIFORNIA UNIFIED CERTIFICATION PROGRAM (CUCP)



AGRICULTURE, FORESTRY, AND FISHING

A0110	CASH GRAINS
A0130	FIELD CROPS, EXCEPT CASH GRAINS
A0160	VEGETABLES & MELONS
A0170	FRUITS & TREE NUTS
A0180	HORTICULTURAL SPECIALTIES
A0190	GENERAL FARMS, PRIMARILY CROP
A0210	LIVESTOCK, EXCEPT DAIRY AND POULTRY
A0240	DAIRY FARMS
A0250	POULTRY & EGGS
A0270	ANIMAL SPECIALTIES
A0290	GENERAL FARMS, PRIMARILY ANIMAL
A0710	SOIL PREPARATION SERVICES
A0720	CROP SERVICES
A0740	VETERINARY SERVICES
A0750	ANIMAL SERVICES, EXCEPT VETERINARY
A0760	FARM LABOR & MANAGEMENT SERVICES
A0780	LANDSCAPE & HORTICULTURAL SERVICES
A0810	TIMBER TRACTS
A0830	FOREST PRODUCTS
A0850	FORESTRY SERVICES
A0910	COMMERCIAL FISHING
A0920	FISH HATCHERIES & PRESERVES
A0970	HUNTING, TRAPPING, GAME PROPAGATION

MINING

B1010	IRON ORES
B1020	COPPER ORES
B1030	LEAD & ZINC ORES
B1040	GOLD & SILVER ORES
B1060	FERROALLOY ORES, EXCEPT VANADIUM
B1080	METAL MINING SERVICES
B1090	MISC METAL ORES
B1220	BITUMINOUS COAL & LIGNITE MINING
B1230	ANTHRACITE MINING
B1240	COAL MINING SERVICES
B1310	CRUDE PETROLEUM & NATURAL GAS
B1320	NATURAL GAS LIQUIDS
B1380	OIL & GAS FIELD SERVICES
B1410	DIMENSION STONE
B1420	CRUSHED & BROKEN STONE
B1440	SAND & GRAVEL
B1450	CLAY, CERAMIC, & REFRACTORY MINERALS
B1470	CHEMICAL & FERTILIZER MINERALS
B1480	NONMETALLIC MINERALS SERVICES
B1490	MISC NONMETALLIC MINERALS

CONSTRUCTION

C0600	MISC SUPPLIERS
C0612	SAFETY
C0620	LANDSCAPING & NURSERY
C0624	PETROLEUM, OIL, LUBRICANTS
C0625	SAND & GRAVEL
C0626	GRANITE & MARBLE
C0639	ASPHALT
C0649	PILINGS
C0651	CONCRETE & CEMENT
C0652	REINFORCING BAR SECTION
C0655	STEEL
C0656	DOORS & FRAMES
C0657	LUMBER
C0658	PAPER
C0659	PAINT
C0670	PIPE
C0680	FENCING
C0683	GUARD RAILINGS & BARRIERS
C0685	PAVEMENT MARKERS
C0686	ELECTRICAL & SIGNALS
C0687	GLASS & GLASS BLOCK
C0698	BUILDING MATERIAL
C0699	TOOLS
C0700	CONSTRUCTION STAKING
C1200	CONSTRUCTION AREA SIGNS
C1201	TRAFFIC CONTROL SYSTEM
C1522	RESET, ADJUST ROADWAY ITEMS
C1531	PLANE ASPHALT CONCRETE
C1575	REMOVE BRIDGE ITEM
C1580	MODIFY BRIDGE ITEM
C1601	CLEARING & GRUBBING
C1701	DEVELOP WATER SUPPLY
C1801	DUST PALLIATIVE
C1901	ROADWAY EXCAVATION
C1910	GRADING
C1920	STRUCTURE EXCAVATION
C1925	SHAPED BEDDING
C1930	STRUCTURE BACKFILL
C1940	DITCHES EXCAVATION
C1970	EMBANKMENT CONSTRUCTION
C1980	IMPORTED BORROW
C2000	HIGHWAY PLANTING
C2020	SOIL AMENDMENTS
C2021	HYDROSEEDING

CALIFORNIA UNIFIED CERTIFICATION PROGRAM (CUCP)



CONSTRUCTION (CONTINUED)

C2030	EROSION CONTROL	C6301	CAST-IN-PLACE CONCRETE PIPE
C2065	IRRIGATION SYSTEM	C6401	ASBESTOS-CEMENT PIPE
C2201	FINISHING ROADWAY	C6500	REINFORCED CONCRETE PIPE
C2401	LIME TREATMENT	C6552	JACKED REINFORCED CONCRETE PIPE
C2501	AGGREGATE SUBBASE	C6591	NON-REINFORCED CONCRETE PIPE
C2602	AGGREGATE BASE	C6650	CORRUGATED METAL PIPE (CSP)
C2700	CEMENT TREATED BASE	C6680	JACKED CORRUGATED STEEL PIPE)
C2800	CONCRETE BASE	C6700	STRUCTURAL STEEL PLATE PIPE, ARCH & PIPE ARCH
C3600	PENETRATION TREATMENT & PRIME COAT	C6800	SUBSURFACE DRAIN
C3701	SEAL COAT	C6811	EDGE DRAIN
C3901	ASPHALT CONCRETE	C6815	HORIZONTAL DRAIN
C3910	PAVING ASPHALT (ASPHALT CONCRETE)	C6819	FILTER FABRIC
C3930	PAVEMENT REINFORCING FABRIC	C6820	PERMEABLE MATERIAL
C3940	PLACE ASPHALT CONCRETE DIKE & MISC	C6900	DOWNDRAIN
C3990	RECYCLE, RECLAIM ASPHALT CONCRETE	C7000	PLASTIC PIPE
C4010	PORTLAND CEMENT & CONCRETE PAVEMENT	C7006	CORRUGATED STEEL PIPE INLET & RISER
C4040	CLEAN & SEAL PAVEMENT JOINTS - ROUT & SEAL CRACKS	C7026	CORRUGATED STEEL PIPE ENERGY DISSIPATOR
C4101	PAVEMENT SUBSEALING & JACKING	C7035	WELDED STEEL PIPE
C4201	GROOVE & GRIND PAVEMENT	C7041	JACKED WELDED STEEL PIPE
C4901	FURNISH & DRIVE PILING	C7065	DEBRIS RACK-DRAINAGE GATE
C4906	CAST-IN-DRILLED-HOLE CONCRETE PILING	C7112	REINFORCED CONCRETE SEWER PIPE
C5000	PRESTRESSING CONCRETE CAST-IN-PLACE	C7140	CLAY SEWER PIPE
C5100	CONCRETE STRUCTURE	C7160	ASBESTOS-CEMENT SEWER PIPE
C5105	MINOR CONCRETE STRUCTURE	C7180	CAST IRON SEWER PIPE
C5110	CONCRETE SURFACE FINISH	C7191	SEWER MANHOLE
C5111	CONCRETE OVERLAY - DRILL & BOND	C7194	JUNCTION CHAMBER
C5120	FURNISH PRECAST CONCRETE DECK UNIT	C7200	ROCK SLOPE PROTECTION
C5124	ERECT PRECAST CONCRETE	C7215	CONCRETED-ROCK SLOPE PROTECTION
C5135	CONCRETE BLOCK & MASONRY RETAINING WALL	C7218	AIR-BLOWN MORTAR (SLOPE PAVING)
C5136	REINFORCED CONCRETE CRIB WALL	C7250	SACKED CONCRETE
C5150	CORE CONCRETE - REPAIR BRIDGE DECK	C7301	CONCRETE CURB & SIDEWALK - MISC
C5180	SOUND WALL (MASONRY BLOCK - CONCRETE)	C7405	DRAINAGE PUMPING EQUIPMENT
C5190	JOINT SEAL - WATER STOP	C7410	PUMPING PLANT ELECTRICAL EQUIPMENT
C5201	REINFORCING STEEL	C7415	ENGINE GENERATOR SET
C5301	AIR-BLOWN MORTAR	C7500	MISC IRON & STEEL FRAME, COVER & GRATE
C5310	PIPE LINING (CEMENT MORTAR)	C7505	MISC BRIDGE METAL PUMPING PLANT METAL
C5401	WATERPROOFING	C7600	DEVELOP, TEST, DRILL, MAINTAIN WELLS
C5501	STEEL STRUCTURES	C8000	FENCING
C5570	STEEL CRIB WALL	C8101	SURVEY OR HISTORICAL MONUMENT
C5601	SIGN STRUCTURE	C8201	OBJECT MARKER
C5620	ROADSIDE SIGN	C8320	METAL BEAM GUARD RAILING
C5701	LUMBER & TIMBER	C8330	METAL RAILING
C5900	CLEAN & PAINT STEEL	C8331	CONCRETE BARRIER
C6101	RAILROAD WORK	C8391	METAL BEAM BARRIER
C6200	ALTERNATIVE PIPE CULVERT	C8405	THERMOPLASTIC TRAFFIC STRIPE & MARKING
		C8406	PAINTED TRAFFIC STRIPE & MARKING
		C8501	PAVEMENT MARKING

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CONSTRUCTION (CONTINUED)

C8602	SIGNAL & LIGHTING	C9774	TRUCKER
C8603	SIGNAL	C9801	BUILDING CONSTRUCTION
C8604	LIGHTING	C9810	SMALL STRUCTURES
C8605	MESSAGE SIGNS, LIGHTING & SIGN ILLUMINATION	C9822	CARPENTRY
C8608	DETECTOR	C9826	LAND SURVEYING
C8609	TRAFFIC COUNT STATION	C9827	DRYWALL CONSTRUCTION
C8610	SPEED MONITORING STATION	C9828	CRANE WORK
C8611	RAMP METERING SYSTEM	C9829	RETAINER WALLS
C8700	CONSULTANT	C9830	WALL COVERING
C8701	BUSINESS ADMINISTRATION	C9834	CABINETS
C8702	MANAGEMENT INFORMATION SYSTEMS	C9835	LATHING
C8703	TRAFFIC ENGINEER	C9836	PLASTERING
C8704	ARCHITECTURAL	C9837	ROOFING
C8705	DESIGN	C9838	CERAMIC TILE
C8706	DESIGN BRIDGES	C9839	CARPET & DRAPES
C8707	FEASIBILITY STUDIES	C9840	FLOOR COVERING
C8710	ENGINEERING	C9842	MASONRY
C8711	COMPUTER	C9846	ADDITIONS, ALTERATIONS OR REPAIRS
C8712	PUBLIC RELATIONS	C9850	PLUMBING
C8716	ARCHITECTURAL ENGINEER	C9852	EXTERMINATORS
C8720	CIVIL ENGINEERING	C9854	PAINTING STRUCTURES
C8721	RIGHT OF WAY ENGINEER	C9858	RESIDENTIAL ELECTRICAL
C8722	ENVIRONMENTAL ENGINEER	C9860	WATER METER & TEMP FACILITIES
C8730	SAFETY STUDIES	C9862	RESIDENTIAL AIR CONDITIONING & SHEET METAL
C8740	ELECTRICAL ENGINEERS	C9864	SHOWER DOORS & MIRROR INSTALLATION
C8742	MECHANICAL ENGINEERS	C9866	HEATING & AIR CONDITIONING
C8744	LANDSCAPE ARCHITECTS	C9868	INSULATION
C8750	REAL ESTATE	C9869	ASBESTOS REMOVAL/ABATEMENT
C8760	SURVEYOR	C9872	SEWER CONNECTION
C8761	GEOPHYSICS	C9874	HARDWARE (ROUGH)
C8765	DRAFTING	C9876	HARDWARE (FINISH)
C8770	CONSTRUCTION MANAGEMENT	C9878	SIDING, STUCCO, VENEER
C8900	RAIL CAR SERVICES	C9901	MISC SERVICES – CALTRANS FACILITIES
C8901	AIR CONDITIONING/SHEET METAL	C9902	FUEL SYSTEMS
C8902	HEATING	C9903	CONSTRUCTION CLEAN UP
C8903	ELECTRICAL	C9904	CORING
C8904	GLASS INSTALLATION	C9905	CUTTING
C8905	SEATS	C9906	SANDBLASTING
C8906	AUTO SERVICE	C9907	CONSTRUCTION EQUIPMENT RENTAL
C8907	MACHINING	C9908	HEAVY EQUIPMENT RENTAL
C8908	PERSONNEL TRANSPORTATION	C9947	ELEVATOR
C9602	BOTTOM DUMP TRUCKING	C9980	DEMOLITION
C9605	FLAT BED TRUCKING	C9981	BUILDING MOVER
C9632	HAZARDOUS WASTE TRUCKING	C9988	MOVING & STORAGE
C9670	TRUCK RENTAL	C9999	BROKER (FOR FEE ONLY)
C9771	TRUCK BROKER		

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MANUFACTURING

D2010	MEAT PRODUCTS	D2670	MISC CONVERTED PAPER PRODUCTS
D2020	DAIRY PRODUCTS	D2710	NEWSPAPERS
D2030	PRESERVED FRUITS & VEGETABLES	D2720	PERIODICALS
D2040	GRAIN MILL PRODUCTS	D2730	BOOKS
D2050	BAKERY PRODUCTS	D2740	MISC PUBLISHING
D2060	SUGAR & CONFECTIONERY PRODUCTS	D2750	COMMERCIAL PRINTING
D2070	FATS & OILS	D2760	MANIFOLD BUSINESS FORMS
D2080	BEVERAGES	D2770	GREETING CARDS
D2090	MISC FOOD & KINDRED PRODUCTS	D2780	BLANKBOOKS & BOOKBINDING
D2110	CIGARETTES	D2790	PRINTING TRADE SERVICES
D2120	CIGARS	D2810	INDUSTRIAL INORGANIC CHEMICALS
D2130	CHEWING & SMOKING TOBACCO	D2820	PLASTICS MATERIALS & SYNTHETICS
D2140	TOBACCO STEMMING & REDRYING	D2830	DRUGS
D2210	BROADWOVEN FABRIC MILLS, COTTON	D2840	SOAP, CLEANERS, & TOILET GOODS
D2220	BROADWOVEN FABRIC MILLS, MANMADE	D2850	PAINTS & ALLIED PRODUCTS
D2230	BROADWOVEN FABRIC MILLS, WOOL	D2860	INDUSTRIAL ORGANIC CHEMICALS
D2240	NARROW FABRIC MILLS	D2870	AGRICULTURAL CHEMICALS
D2250	KNITTING MILLS	D2890	MISC CHEMICAL PRODUCTS
D2260	TEXTILE FINISHING, EXCEPT WOOL	D2910	PETROLEUM REFINING
D2270	CARPETS & RUGS	D2950	ASPHALT PAVING & ROOFING MATERIALS
D2280	YARN & THREAD MILLS	D2990	MISC. PETROLEUM & COAL PRODUCTS
D2290	MISC TEXTILE GOODS	D3010	TIRES & INNER TUBES
D2310	MEN'S & BOYS' SUITS & COATS	D3020	RUBBER & PLASTICS FOOTWEAR
D2320	MEN'S & BOYS' FURNISHINGS	D3050	HOSE & BELTING & GASKETS & PACKING
D2330	WOMEN'S & MISSES' OUTERWEAR	D3060	FABRICATED RUBBER PRODUCTS, NEC
D2340	WOMEN'S & CHILDREN'S UNDERGARMENTS	D3080	MISC PLASTICS PRODUCTS, NEC
D2350	HATS, CAPS, & MILLINERY	D3110	LEATHER TANNING & FINISHING
D2360	GIRLS' & CHILDREN'S OUTERWEAR	D3130	FOOTWEAR CUT STOCK
D2370	FUR GOODS	D3140	FOOTWEAR, EXCEPT RUBBER
D2380	MISC APPAREL & ACCESSORIES	D3150	LEATHER GLOVES & MITTENS
D2390	MISC FABRICATED TEXTILE PRODUCTS	D3160	LUGGAGE
D2410	LOGGING	D3170	HANDBAGS & PERSONAL LEATHER GOODS
D2420	SAWMILLS & PLANING MILLS	D3190	LEATHER GOODS, NEC
D2430	MILLWORK, PLYWOOD & STRUCTURAL MEMBERS	D3210	FLAT GLASS
D2440	WOOD CONTAINERS	D3220	GLASS & GLASSWARE, PRESSED OR BLOWN
D2450	WOOD BUILDINGS & MOBILE HOMES	D3230	PRODUCTS OF PURCHASED GLASS
D2490	MISC WOOD PRODUCTS	D3240	CEMENT, HYDRAULIC
D2510	HOUSEHOLD FURNITURE	D3250	STRUCTURAL CLAY PRODUCTS
D2520	OFFICE FURNITURE	D3260	POTTERY & RELATED PRODUCTS
D2530	PUBLIC BUILDING & RELATED FURNITURE	D3270	CONCRETE, GYPSUM, & PLASTER PRODUCTS
D2540	PARTITIONS & FIXTURES	D3280	CUT STONE & STONE PRODUCTS
D2590	MISC FURNITURE & FIXTURES	D3290	MISC NONMETALLIC MINERAL PRODUCTS
D2610	PULP MILLS	D3310	BLAST FURNACE & BASIC STEEL PRODUCTS
D2620	PAPER MILLS	D3320	IRON & STEEL FOUNDRIES
D2630	PAPERBOARD MILLS	D3330	PRIMARY NONFERROUS METALS
D2650	PAPERBOARD CONTAINERS & BOXES	D3340	SECONDARY NONFERROUS METALS
		D3350	NONFERROUS ROLLING & DRAWING
		D3360	NONFERROUS FOUNDRIES (CASTINGS)

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MANUFACTURING (CONTINUED)

D3390 MISC PRIMARY METAL PRODUCTS
 D3410 METAL CANS & SHIPPING CONTAINERS
 D3420 CUTLERY, HANDTOOLS, & HARDWARE
 D3430 PLUMBING & HEATING, EXCEPT ELECTRIC
 D3440 FABRICATED STRUCTURAL METAL PRODUCTS
 D3450 SCREW MACHINE PRODUCTS, BOLTS, ETC.
 D3460 METAL FORGINGS & STAMPINGS
 D3470 METAL SERVICES, NEC
 D3480 ORDNANCE & ACCESSORIES, NEC
 D3490 MISC FABRICATED METAL PRODUCTS
 D3510 ENGINES & TURBINES
 D3520 FARM & GARDEN MACHINERY
 D3530 CONSTRUCTION & RELATED MACHINERY
 D3540 METALWORKING MACHINERY
 D3550 SPECIAL INDUSTRY MACHINERY
 D3560 GENERAL INDUSTRIAL MACHINERY
 D3570 COMPUTER & OFFICE EQUIPMENT
 D3580 REFRIGERATION & SERVICE MACHINERY
 D3590 INDUSTRIAL MACHINERY, NEC
 D3610 ELECTRIC DISTRIBUTION EQUIPMENT
 D3620 ELECTRICAL INDUSTRIAL APPARATUS
 D3630 HOUSEHOLD APPLIANCES
 D3640 ELECTRIC LIGHTING & WIRING EQUIPMENT
 D3650 HOUSEHOLD AUDIO & VIDEO EQUIPMENT
 D3660 COMMUNICATIONS EQUIPMENT
 D3670 ELECTRONIC COMPONENTS & ACCESSORIES
 D3690 MISC ELECTRICAL EQUIPMENT & SUPPLIES
 D3710 MOTOR VEHICLES & EQUIPMENT
 D3720 AIRCRAFT & PARTS
 D3730 SHIP & BOAT BUILDING & REPAIRING
 D3740 RAILROAD EQUIPMENT
 D3750 MOTORCYCLES, BICYCLES, & PARTS
 D3760 GUIDED MISSILES, SPACE VEHICLES, PARTS
 D3790 MISC TRANSPORTATION EQUIPMENT
 D3810 SEARCH & NAVIGATION EQUIPMENT
 D3820 MEASURING & CONTROLLING DEVICES
 D3840 MEDICAL INSTRUMENTS & SUPPLIES
 D3850 OPHTHALMIC GOODS
 D3860 PHOTOGRAPHIC EQUIPMENT & SUPPLIES
 D3870 WATCHES, CLOCKS, WATCHCASES & PARTS
 D3910 JEWELRY, SILVERWARE, & PLATED WARE
 D3930 MUSICAL INSTRUMENTS
 D3940 TOYS & SPORTING GOODS
 D3950 PENS, PENCILS, OFFICE, & ART SUPPLIES
 D3960 COSTUME JEWELRY & NOTIONS
 D3990 MISC MANUFACTURES

TRANSPORTATION & PUBLIC UTILITIES

E4010 RAILROADS
 E4110 LOCAL & SUBURBAN TRANSPORTATION
 E4120 TAXICABS
 E4130 INTERCITY & RURAL BUS TRANSPORTATION
 E4140 BUS CHARTER SERVICE
 E4150 SCHOOL BUSES
 E4170 BUS TERMINAL & SERVICE FACILITIES
 E4210 TRUCKING & COURIER SERVICES, EX. AIR
 E4220 PUBLIC WAREHOUSING & STORAGE
 E4230 TRUCKING TERMINAL FACILITIES
 E4310 U. S. POSTAL SERVICE
 E4410 DEEP SEA FOREIGN TRANS. OF FREIGHT
 E4420 DEEP SEA DOMESTIC TRANS. OF FREIGHT
 E4430 FREIGHT TRANS. ON THE GREAT LAKES
 E4440 WATER TRANSPORTATION OF FREIGHT, NEC.
 E4480 WATER TRANSPORTATION OF PASSENGERS
 E4490 WATER TRANSPORTATION SERVICES
 E4510 AIR TRANSPORTATION, SCHEDULED
 E4520 AIR TRANSPORTATION, NONSCHEDULED
 E4580 AIRPORTS, FLYING FIELDS, & SERVICES
 E4610 PIPELINES, EXCEPT NATURAL GAS
 E4720 PASSENGER TRANSPORTATION ARRANGEMENT
 E4724 TRAVEL SERVICE
 E4730 FREIGHT TRANSPORTATION ARRANGEMENT
 E4740 RENTAL OF RAILROAD CARS
 E4780 MISC TRANSPORTATION SERVICES
 E4810 TELEPHONE COMMUNICATIONS
 E4820 TELEGRAPH & OTHER COMMUNICATIONS
 E4830 RADIO & TELEVISION BROADCASTING
 E4840 CABLE & OTHER PAY TV SERVICES
 E4890 COMMUNICATIONS SERVICES, NEC
 E4910 ELECTRIC SERVICES
 E4920 GAS PRODUCTION & DISTRIBUTION
 E4930 COMBINATION UTILITY SERVICES
 E4940 WATER SUPPLY
 E4950 SANITARY SERVICES, NEC
 E4952 SEWERAGE SYSTEMS
 E4953 WASTE COLLECTION AND DISPOSAL
 E4954 HAZARDOUS WASTE COLLECTION AND DISPOSAL
 E4960 STEAM & AIR-CONDITIONING SUPPLY
 E4970 IRRIGATION SYSTEMS

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SUPPLIERS

(Construction suppliers listed in Construction section.)

F5030 LUMBER AND CONSTRUCTION MATERIAL
F5040 PROFESSIONAL & COMMERCIAL EQUIPMENT
F5044 OFFICE EQUIPMENT
F5045 COMPUTERS, PERIPHERALS & SOFTWARE
F5050 METALS & MINERALS, EXCEPT PETROLEUM
F5060 ELECTRICAL GOODS
F5070 HARDWARE, PLUMBING & HEATING EQUIPMENT
F5080 MACHINERY, EQUIPMENT, & SUPPLIES
F5085 COMPUTER EQUIPMENT & SUPPLIES
F5088 TRANSPORTATION EQUIPMENT & SUPPLIES
F5090 MISC DURABLE GOODS
F5110 PAPER & PAPER PRODUCTS
F5130 APPAREL, PIECE GOODS, & NOTIONS
F5140 GROCERIES & RELATED PRODUCTS
F5150 FARM-PRODUCT RAW MATERIALS
F5160 CHEMICALS & ALLIED PRODUCTS
F5170 PETROLEUM & PETROLEUM PRODUCTS
F5180 BEER, WINE, & DISTILLED BEVERAGES
F5190 MISC NONDURABLE GOODS
F5210 LUMBER & OTHER BUILDING MATERIALS
F5230 PAINT, GLASS, & WALLPAPER STORES
F5251 HARDWARE STORES
F5260 RETAIL NURSERIES & GARDEN STORES
F5270 MOBILE HOME DEALERS
F5310 DEPARTMENT STORES
F5330 VARIETY STORES
F5390 MISC GENERAL MERCHANDISE STORES
F5410 GROCERY STORES
F5420 MEAT & FISH MARKETS
F5430 FRUIT & VEGETABLE MARKETS
F5440 CANDY, NUT, & CONFECTIONERY STORES
F5450 DAIRY PRODUCTS STORES
F5460 RETAIL BAKERIES
F5490 MISC FOOD STORES
F5510 NEW & USED CAR DEALERS
F5520 USED CAR DEALERS
F5530 AUTO & HOME SUPPLY STORES
F5540 GASOLINE SERVICE STATIONS
F5550 BOAT DEALERS
F5560 RECREATIONAL VEHICLE DEALERS
F5570 MOTORCYCLE DEALERS
F5590 AUTOMOTIVE DEALERS, NEC
F5610 MEN'S & BOYS' CLOTHING STORES
F5620 WOMEN'S CLOTHING STORES
F5630 WOMEN'S ACCESSORY
F5640 CHILDREN'S & INFANTS' WEAR STORES

F5650 FAMILY CLOTHING STORES
F5660 SHOE STORES
F5690 MISC APPAREL & ACCESSORY STORES
F5710 FURNITURE & HOMEFURNISHINGS STORES
F5720 HOUSEHOLD APPLIANCE STORES
F5730 RADIO, TELEVISION, & COMPUTER STORES
F5810 EATING & DRINKING PLACES
F5820 CATERING
F5910 DRUG STORES & PROPRIETARY STORES
F5920 LIQUOR STORES
F5930 USED MERCHANDISE STORES
F5940 MISC SHOPPING GOODS STORES
F5960 NONSTORE RETAILERS
F5980 FUEL DEALERS
F5990 RETAIL STORES, NEC
F5992 FLORIST

FINANCE INSURANCE & REAL ESTATE

H6010 CENTRAL RESERVE DEPOSITORIES
H6020 COMMERCIAL BANKS
H6030 SAVINGS INSTITUTIONS
H6060 CREDIT UNIONS
H6080 FOREIGN BANK & BRANCHES & AGENCIES
H6090 FUNCTIONS CLOSELY RELATED TO BANKING
H6110 FEDERAL & FED.-SPONSORED CREDIT
H6140 PERSONAL CREDIT INSTITUTIONS
H6150 BUSINESS CREDIT INSTITUTIONS
H6160 MORTGAGE BANKERS & BROKERS
H6210 SECURITY BROKERS & DEALERS
H6220 COMMODITY CONTRACTS BROKERS, DEALERS
H6230 SECURITY & COMMODITY EXCHANGES
H6280 SECURITY & COMMODITY SERVICES
H6310 LIFE INSURANCE
H6320 MEDICAL SERVICE & HEALTH INSURANCE
H6330 FIRE, MARINE, & CASUALTY INSURANCE
H6350 SURETY INSURANCE
H6360 TITLE INSURANCE
H6370 PENSION, HEALTH, & WELFARE FUNDS
H6390 INSURANCE CARRIERS, NEC
H6410 INSURANCE AGENTS, BROKERS, & SERVICE
H6510 REAL ESTATE OPERATORS & LESSORS
H6530 REAL ESTATE AGENTS & MANAGERS
H6531 REAL ESTATE APPRAISERS & BROKERS
H6540 TITLE ABSTRACT OFFICES
H6550 SUBDIVIDERS & DEVELOPERS
H6710 HOLDING OFFICES
H6720 INVESTMENT OFFICES
H6730 TRUSTS
H6790 MISC INVESTING

SECTION IX: LIST OF DRAWINGS - EXHIBIT C

SECTION VIII: PROJECT SPECIFICATIONS - EXHIBIT B