

BID FORM

NAME OF BIDDER: Ben's Asphalt, Inc.

The undersigned, hereby declare that we have carefully examined the location of the proposed Work, and have read and examined the Contract Documents, including all plans, specifications, and all addenda, if any, for the following Project:

Bid # 115-23 Asphalt Replacement Adams and Lincoln Elementary Schools

A. BID SCHEDULE

We hereby propose to furnish all labor, materials, equipment, tools, transportation, and services, and to discharge all duties and obligations necessary and required to perform and complete the Project for the following TOTAL BID PRICE:

BASE BID	BID PRICE (IN WRITTEN FORM)	BID PRICE (IN NUMBERS)
TOTAL	One million four hundred forty-eight thousand four hundred eighty	\$ 1,448,480 ⁰⁰
BID PRICE + ALLOWANCE	One million four hundred ninety-eight thousand four hundred eighty	\$ 1,498,480 ⁰⁰

In case of discrepancy between the written price and the numerical price, the written price shall prevail.

The undersigned agrees that this Bid Form constitutes a firm offer to the District which cannot be withdrawn for the number of calendar days indicated in the Notice Inviting Bids from and after the bid opening, or until a Contract for the Work is fully executed by the District and a third

The successful bidder hereby agrees to sign the contract and furnish the necessary bonds and certificates of insurance within ten (10) working days after the District provides the successful bidder with the Notice of Award.

Upon receipt of the signed contract and other required documents, the contract will be executed by the District, after which the District will prepare a letter giving Contractor Notice to Proceed. The official starting date shall be the date of the Notice to Proceed, unless otherwise specified. The undersigned agrees to begin the Work within ten (10) working days of the date of the Notice to Proceed, unless otherwise specified.

The undersigned has examined the location of the proposed work and is familiar with the Drawings and Specifications and the local conditions at the place where work is to be done.

If awarded the contract, the undersigned agrees that there shall be paid by the undersigned and by all subcontractors to all laborers, workers and mechanics employed in the execution of such contract no less than the prevailing wage rate within Orange County for each craft, classification, or type of worker needed to complete the Work contemplated by this contract as

BID SCHEDULE

established by the Director of the Department of Industrial Relations. A copy of the prevailing rate of per diem wages are on file at the District's Administration Office and shall be made available to interested parties upon request.

Enclosed find cash, bidder's bond, or cashier's or certified check No. _____ from the Honor Insurance Co Bank in the amount of \$149,848, which is not less than ten percent (10%) of this bid, payable to Newport-Mesa Unified School District as bid security and which is given as a guarantee that the undersigned will enter into a contract and provide the necessary bonds and certificates of insurance if awarded the Work.

The bidder furthermore agrees that in case of bidder's default in executing said contract and furnishing required bonds and certificates of insurance, the cash, bidder's bond, or cashier's or certified check accompanying this proposal and the money payable thereon shall become and shall remain the property of the Newport-Mesa Unified School District.

Bidder is an individual _____, or corporation ✓, or partnership _____, organized under the laws of the State of _____.

Bidder confirms license(s) required by California State Contractor's License Law for the performance of the subject project are in full effect and proper order. The following are the Bidder's applicable license number(s), with their expiration date(s) and class of license(s):

A.C. 668417 3/31/2025

If the Bidder is a joint venture, each member of the joint venture must include the required licensing information.

Sureties that will furnish the Faithful Performance Bond and the Labor and Material Payment Bond, in the form specified herein, in an amount equal to one hundred percent (100%) of the contract price within ten (10) working days from the date the District provides the successful bidder the Notice of Award. Sureties must meet all of the State of California bonding requirements, as defined in California Code of Civil Procedure Section 995.120 and must be authorized by the State of California.

The insurance company or companies to provide the insurance required in the contract documents must have a Financial Strength Rating of not less than "A-" and a Financial Size Category of not less than "Class VII" according to the latest Best Key Rating Guide. At the sole discretion of the District, the District may waive the Financial Strength Rating and the Financial Size Category classifications for Workers' Compensation insurance.

The undersigned acknowledges receipt, understanding and full consideration of the following addenda to the Contract Documents.

Addenda No. 1

Addenda No. _____

Addenda No. _____

BID SCHEDULE

- 13 -

1. Attached is the required bid security in the amount of not less than 10% of the Total Bid Price.
2. Attached is the completed Contractor's Certificate Regarding Workers' Compensation form.
3. Attached is the completed Iran Contracting Act Certificate form.
4. Attached is the completed Public Works Contractor Registration Certification form.
5. Attached is the completed Designation of Subcontractors form.
6. Attached is the completed Information Required of Bidders form.
7. Attached is the Asbestos-Free Material Certification.
8. Attached is the Recycled Content Certification.
9. Attached is the Contractor & Subcontractor Fingerprinting Requirements form.
10. Attached is the Drug-Free Workplace Certificate.
11. Attached is the Contractor's Certificate Regarding Alcoholic Beverage and Tobacco-Free Campus Policy.
12. Attached is the fully executed Non-Collusion Declaration form.

I hereby certify under penalty of perjury under the laws of the State of California, that all of the information submitted in connection with this Bid and all of the representations made herein are true and correct.

Name of Bidder Beris Asphalt, Inc.

Signature _____

Name and Title John Steffington, CFO

Dated 5/11/23

**CONTRACTOR'S CERTIFICATE REGARDING
WORKERS' COMPENSATION**

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 Ben's Asphalt, Inc.

Signature _____

Name and Title John Skeffington, CFO

Dated 5/11/23

**CONTRACTOR'S CERTIFICATE REGARDING
WORKERS COMPENSATION**

IRAN CONTRACTING ACT CERTIFICATION
(Public Contract Code section 2200 et seq.)

As required by California Public Contract Code Section 2204, the Contractor certifies subject to penalty for perjury that the option checked below relating to the Contractor's status in regard to the Iran Contracting Act of 2010 (Public Contract Code Section 2200 *et seq.*) is true and correct:

☒ The Contractor is not:

(1) identified on the current list of person and entities engaged in investment activities in Iran prepared by the California Department of General Services in accordance with subdivision (b) of Public Contract Code Section 2203; or

(2) a financial instruction that extends, for 45 days or more, credit in the amount of \$20,000,000 or more to any other person or entity identified on the current list of persons and entities engaging in investment activities in Iran prepared by the California Department of General Services in accordance with subdivision (b) of Public Contract Code Section 2203, if that person or entity uses or will use the credit to provide goods or services in the energy sector in Iran.

☐ The District has exempted the Contractor from the requirements of the Iran Contracting Act of 2010 after making a public finding that, absent the exemption, the District will be unable to obtain the goods and/or services to be provided pursuant to the Contract.

☐ The amount of the Contract payable to the Contractor for the Project does not exceed \$1,000,000.

Signature: _____

Printed Name: John Steffington

Title: CFD

Firm Name: Ben's Asphalt, Inc.

Date: 5/11/23

Note: In accordance with Public Contract Code Section 2205, false certification of this form shall be reported to the California Attorney General and may result in civil penalties equal to the greater of \$250,000 or twice the Contract amount, termination of the Contract and/or ineligibility to bid on contracts for three years.

IRAN CONTRACTING ACT CERTIFICATION

PUBLIC WORKS CONTRACTOR REGISTRATION CERTIFICATION

If this bid is due on or after March 1, 2015, then pursuant to Labor Code sections 1725.5 and 1771.1, all contractors and subcontractors that wish to bid on, be listed in a bid proposal, or enter into a contract to perform public work must be registered with the Department of Industrial Relations. See <http://www.dir.ca.gov/Public-Works/PublicWorks.html> for additional information.

No bid will be accepted, nor any contract entered into without proof of the contractor's and subcontractors' current registration with the Department of Industrial Relations to perform public work.

Bidder hereby certifies that it is aware of the registration requirements set forth in Labor Code sections 1725.5 and 1771.1 and is currently registered as a contractor with the Department of Industrial Relations.

Name of Bidder: Beris Asphalt, Inc.

DIR Registration Number: 1000001749

Bidder further acknowledges:

1. Bidder shall maintain a current DIR registration for the duration of the project.
2. Bidder shall include the requirements of Labor Code sections 1725.5 and 1771.1 in its contract with subcontractors and ensure that all subcontractors are registered at the time of bid opening and maintain registration status for the duration of the project.
3. Failure to submit this form or comply with any of the above requirements may result in a finding that the bid is non-responsive.

Name of Bidder Beris Asphalt, Inc.

Signature 

Name and Title John Speffington, CFO

Dated 5/11/23

**PUBLIC WORKS CONTRACTOR
REGISTRATION CERTIFICATION**

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BID BOND

The makers of this bond are, Ben's Asphalt, Inc
Company, as Principal, and The Hanover Insurance
Company, as Surety and are held and firmly bound unto the
NEWPORT-MESA UNIFIED SCHOOL DISTRICT, hereinafter called the District, in the penal
sum of TEN PERCENT (10%) OF THE TOTAL BID PRICE of the Principal submitted to District
for the work described below, for the payment of which sum in lawful money of the United
States, well and truly to be made, we bind ourselves, our heirs, executors, administrators,
successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH that whereas the Principal
has submitted the accompanying bid dated May 11th, 2023, for Bid # 115-23 Asphalt
Replacement at Adams and Lincoln Elementary Schools.

If the Principal does not withdraw its bid within the time specified in the Contract
Documents; and if the Principal is awarded the Contract and provides all documents to the
District as required by the Contract Documents; then this obligation shall be null and void.
Otherwise, this bond will remain in full force and effect.

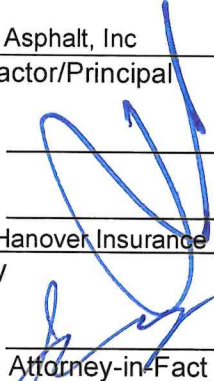
Surety, for value received, hereby stipulates, and agrees that no change,
extension of time, alteration, or addition to the terms of the Contract Documents shall in affect
its obligation under this bond, and Surety does hereby waive notice of any such changes.

In the event a lawsuit is brought upon this bond by the District and judgment is
recovered, the Surety shall pay all litigation expenses incurred by the District in such suit,
including reasonable attorneys' fees, court costs, expert witness fees and expenses.

IN WITNESS WHEREOF, the above-bound parties have executed this
instrument under their several seals this 9th day of May, 2023, the
name and corporate seal of each corporation.

(Corporate Seal)

Ben's Asphalt, Inc
Contractor/Principal

By: 

Title: CFO.

(Corporate Seal)

The Hanover Insurance Company
Surety

By: 

Attorney-in-Fact

(Attach Attorney-in-Fact Certificate)

Title: Justin Gruenberg / Attorney-in-Fact

The rate of premium on this bond is N/A per thousand.

The total amount of premium charges, \$ N/A; no charge for bid bonds.

(The above must be filled in by corporate attorney)

THIS IS A REQUIRED FORM

Any claims under this bond may be addressed to:

BID BOND

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(Name and Address of Surety)

The Hanover Insurance Company
440 Lincoln St
Worcester, MA 01653

(Name and Address of Agent or Representative for service of process in California, if different from above)

Orion Risk Management, an Alera Group Company
1800 Quail St, Suite 110
Newport Beach, CA 92660

(Telephone number of Surety and Agent or Representative for service of process in California)

Surety: (800) 343-6044
Agent: (949) 396-0043

Notary Acknowledgment

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

STATE OF CALIFORNIA
COUNTY OF _____

On _____, 20____, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory

Name(s) of Signer(s)

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

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

WITNESS my hand and official seal.

Signature of Notary Public

OPTIONAL

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

CAPACITY CLAIMED BY SIGNER

- ☐ Individual
☐ Corporate Officer

Title(s)

- ☐ Partner(s) ☐ Limited
☐ General
☐ Attorney-In-Fact
☐ Trustee(s)
☐ Guardian/Conservator
☐ Other:

Signer is representing:
Name Of Person(s) Or Entity(ies)

DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document

Number of Pages

Date of Document

Signer(s) Other Than Named Above

NOTE: This acknowledgment is to be completed for Contractor/Principal.

ACKNOWLEDGMENT

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

State of California
County of Orange)

On 5/11/2023 before me, Gladys Casillas, Notary Public
(insert name and title of the officer)

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

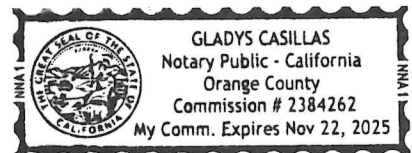
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Gladys Casillas

(Seal)



Notary Acknowledgment

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

STATE OF CALIFORNIA

COUNTY OF _____

On _____, 20____, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory

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

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

WITNESS my hand and official seal.

Signature of Notary Public

OPTIONAL

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

CAPACITY CLAIMED BY SIGNER

- ☐ Individual
☐ Corporate Officer

Title(s)

- ☐ Partner(s) ☐ Limited
☐ General
☐ Attorney-In-Fact
☐ Trustee(s)
☐ Guardian/Conservator
☐ Other:

Signer is representing:
Name Of Person(s) Or Entity(ies)

DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document

Number of Pages

Date of Document

Signer(s) Other Than Named Above

NOTE: This acknowledgment is to be completed for the Attorney-in-Fact. The Power-of-Attorney to local representatives of the bonding company must also be attached.

END OF BID BOND

BID BOND
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THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA

POWER OF ATTORNEY

THIS Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

KNOW ALL PERSONS BY THESE PRESENTS:

That THE HANOVER INSURANCE COMPANY and MASSACHUSETTS BAY INSURANCE COMPANY, both being corporations organized and existing under the laws of the State of New Hampshire, and CITIZENS INSURANCE COMPANY OF AMERICA, a corporation organized and existing under the laws of the State of Michigan, (hereinafter individually and collectively the "Company") does hereby constitute and appoint,

Trisha Engelhart, Braden Cluck, Anne Erickson and/or Justin Gruenberg

Of **Orion Risk Management Insurance Services, Inc. of Newport Beach, CA** each individually, if there be more than one named, as its true and lawful attorney(s)-in-fact to sign, execute, seal, acknowledge and deliver for, and on its behalf, and as its act and deed any place within the United States, any and all surety bonds, recognizances, undertakings, or other surety obligations. The execution of such surety bonds, recognizances, undertakings or surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company, in their own proper persons. Provided however, that this power of attorney limits the acts of those named herein; and they have no authority to bind the Company except in the manner stated and to the extent of any limitation stated below:

Any such obligations in the United States, not to exceed Fifty Million and No/100 (\$50,000,000) in any single instance

That this power is made and executed pursuant to the authority of the following Resolutions passed by the Board of Directors of said Company, and said Resolutions remain in full force and effect:

RESOLVED: That the President or any Vice President, in conjunction with any Vice President, be and they hereby are authorized and empowered to appoint Attorneys-in-fact of the Company, in its name and as it acts, to execute and acknowledge for and on its behalf as surety, any and all bonds, recognizances, contracts of indemnity, waivers of citation and all other writings obligatory in the nature thereof, with power to attach thereto the seal of the Company. Any such writings so executed by such Attorneys-in-fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company in their own proper persons.

RESOLVED: That any and all Powers of Attorney and Certified Copies of such Powers of Attorney and certification in respect thereto, granted and executed by the President or Vice President in conjunction with any Vice President of the Company, shall be binding on the Company to the same extent as if all signatures therein were manually affixed, even though one or more of any such signatures thereon may be facsimile. (Adopted October 7, 1981 – The Hanover Insurance Company; Adopted April 14, 1982 – Massachusetts Bay Insurance Company; Adopted September 7, 2001 – Citizens Insurance Company of America and affirmed by each Company on March 24, 2014)

IN WITNESS WHEREOF, THE HANOVER INSURANCE COMPANY, MASSACHUSETTS BAY INSURANCE COMPANY and CITIZENS INSURANCE COMPANY OF AMERICA have caused these presents to be sealed with their respective corporate seals, duly attested by two Vice Presidents, this 11th day of March, 2022.

THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA

THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA

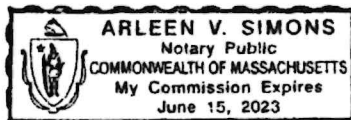

Bryan J. Salvatore, Executive Vice President


James H. Kawiecki, Vice President



THE COMMONWEALTH OF MASSACHUSETTS)
COUNTY OF WORCESTER) ss.

On this 11th day of March, 2022 before me came the above named Executive Vice President and Vice President of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, to me personally known to be the individuals and officers described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, respectively, and that the said corporate seals and their signatures as officers were duly affixed and subscribed to said instrument by the authority and direction of said Corporations.

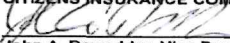



Arleen V. Simons, Notary Public
My Commission Expires June 15, 2023

I, the undersigned Vice President of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, hereby certify that the above and foregoing is a full, true and correct copy of the Original Power of Attorney issued by said Companies, and do hereby further certify that the said Powers of Attorney are still in force and effect.

GIVEN under my hand and the seals of said Companies, at Worcester, Massachusetts, this 9th day of May, 2023.

CERTIFIED COPY

THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA

John A. Rowedder, Vice President

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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

State of California)
 County of Orange)
 On 05/09/2023 before me, Trisha Engelhart, Notary Public
Date Here Insert Name and Title of the Officer
 Personally appeared Justin Gruenberg
Name(s) of Signer(s)

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

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

WITNESS my hand and official seal.



Signature Trisha Engelhart
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document Bid Bond Document Date 05/09/2023
 Number of Pages 5 Signer(s) Other Than Named Above _____

Capacity(ies) Claimed by Signer(s)

Signer's Name _____
☐ Corporate Officer—Title(s) _____
☐ Partner ☐ Limited ☐ General
☐ Individual ☒ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other _____

Signer's Name _____
☐ Corporate Officer—Title(s) _____
☐ Partner ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other _____

Signer Is Representing The Hanover

Signer Is Representing _____

DESIGNATION OF SUBCONTRACTORS

In compliance with the Subletting and Subcontracting Fair Practices Act of the Public Contract Code of the State of California, each bidder shall set forth below: (a) the name and the location of the place of business, (b) CSLB contractor license number, (c) DIR registration number, and (d) the portion of the work which will be done by each subcontractor who will perform work or labor or render service to the Contractor in or about the construction of the work in an amount in excess of one-half of one percent (1/2%) of the Contractor's Total Bid Price. Notwithstanding the foregoing, if the work involves the construction of streets and highways, then the Contractor shall list each subcontractor who will perform work or labor or render service to Contractor in or about the work in an amount in excess of one-half of one percent (1/2%) of the Contractor's Total Bid Price. No additional time shall be granted to provide the below requested information.

If no subcontractor is specified, for a portion of the work, or if more than one subcontractor is specified for the same portion of Work, to be performed under the Contract in excess of one-half of one percent (1/2%) of the Contractor's Total Bid Price or \$10,000, whichever is greater if the work involves streets or highways, then the Contractor shall be deemed to have agreed that it is fully qualified to perform that Work, and that it shall perform that portion itself.

Work to be done by Subcontractor	Name of Subcontractor	Location of Business	CSLB Contractor License Number	DIR Registration Number
Streets	Luckers Streets, Inc	2000 Emery Ave La Habra, CA 90631	922425	1000003791

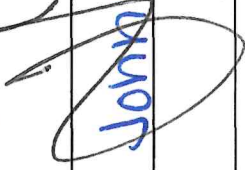
DESIGNATION OF SUBCONTRACTORS

Work to be done by Subcontractor	Name of Subcontractor	Location of Business	CSLB Contractor License Number	DIR Registration Number

Work to be done by Subcontractor	Name of Subcontractor	Location of Business	CSLB Contractor License Number	DIR Registration Number

Work to be done by Subcontractor	Name of Subcontractor	Location of Business	CSLB Contractor License Number	DIR Registration Number

Name of Bidder Ben's Asphalt, Inc.

Signature 

Name and Title John Sketfington, CFO

Dated 5/11/23

INFORMATION REQUIRED OF BIDDERS

A. INFORMATION ABOUT BIDDER

[**Indicate not applicable ("N/A") where appropriate.**]

NOTE: Where Bidder is a joint venture, pages shall be duplicated, and information provided for all parties to the joint venture.

- 1.0 Name of Bidder: Ben's Asphalt, Inc.
- 2.0 Type, if Entity: Corporation
- 3.0 Bidder Address: 2200 S. Yale St.
Santa Ana, CA 92704
- Facsimile Number (714) 540-1709 Telephone Number (714) 540-1700
- 4.0 How many years has Bidder's organization been in business as a Contractor?
+50 years
- 5.0 How many years has Bidder's organization been in business under its present name? +50 years
- 5.1 Under what other or former names has Bidder's organization operated?
None
- 6.0 If Bidder's organization is a corporation, answer the following:
- 6.1 Date of Incorporation: 1997
- 6.2 State of Incorporation: Corporation
- 6.3 President's Name: William Skeffington
- 6.4 Vice-President's Name(s): _____
- 6.5 Secretary's Name: John Skeffington
- 6.6 Treasurer's Name: _____
- 7.0 If an individual or a partnership, answer the following:
- 7.1 Date of Organization: _____
- 7.2 Name and address of all partners (state whether general or limited partnership): _____

INFORMATION REQUIRED OF BIDDERS

- 8.0 If other than a corporation or partnership, describe organization and name principals: _____
- 9.0 List other states in which Bidder's organization is legally qualified to do business: California
- 10.0 What type of work does the Bidder normally perform with its own forces? Concrete, Asphalt, Seal, Striping
- 11.0 Has Bidder ever failed to complete any work awarded to it? If so, note when, where, and why: NO
- 12.0 Within the last five years, has any officer or partner of Bidder's organization ever been an officer or partner of another organization when it failed to complete a contract? If so, attach a separate sheet of explanation: No
- 13.0 List Trade References: All American (951) 736-7100
Vulcan Materials (818) 553-8800
RJ Noble (714) 637-1550
- 14.0 List Bank References (Bank and Branch Address): Manufacturer's Bank
1361 Dove St, Ste. 100, Newport Beach, CA 92660
- 15.0 Name of Bonding Company and Name and Address of Agent: Orion Risk Management
Justin Gruenberg
1860 Quail St Ste. 110, Newport Beach, CA 92660

INFORMATION REQUIRED OF BIDDERS

B. LIST OF CURRENT PROJECTS (BACKLOG)

[**Duplicate Page if needed for listing additional current projects.**]

Please see attached.

[illegible]

INFORMATION REQUIRED OF BIDDERS

BEN'S ASPHALT, INC.

CONTRACTS IN PROGRESS

RUN DATE:

05/10/23

PERCENTAGE OF COMPLETION BASIS

Backlog

(Total

17

Approved Contract
Amounts
minus
Contract
Revenue
Earned)

P.M.	Contract Number (input)	Total Contract Price (input)	Amount Earned To Date	
Jobs in Progress				
AT	7845AT	31,771	-	31,771
AT	7886AT	131,942	81,661	50,281
AT	7940AT	81,766	73,428	8,338
AT	7996AT	81,742	63,999	17,743
AT	8081AT	268,210	262,010	6,200
AT	8345AT	97,884	97,884	-
AT	8445AT	9,450	3,178	6,272
AT	8467AT	379,723	365,652	14,071
BB	8315BB	6,076	-	6,076
BB	8744BB	13,000	-	13,000
BB	8763BB	132,965	130,277	2,688
BB	8980BB	11,505	2,322	9,183
DA	8707DA	90,258	14,832	75,426
DA	8937DA	66,412	12,496	53,916
DA	8955DA	75,024	54,388	20,636
DA	8969DA	12,583	8,711	3,872
DE	6887DE	55,473	25,871	29,602
DG	7834DG	93,536	56,812	36,724
JA	7415JA	43,275	1,471	41,804
JA	7921JA	5,600	4,216	1,384
JA	8149JA	344,884	324,496	20,388
JA	8279JA	5,000	-	5,000
JA	8339JA	534,148	392,701	141,447
JA	8363JA	828,020	819,605	8,415
JA	8512JA	300	69	231
JB	8759JB	13,406	-	13,406
JB	8760JB	715,488	701,118	14,370
JB	8829JB	80,067	-	80,067
JB	8846JB	56,793	56,793	-
JB	8853JB	274,803	-	274,803
JB	8860JB	125,543	-	125,543
JB	8864JB	63,275	31,707	31,568
JB	8865JB	76,062	135	75,927
JB	8870JB	464,413	304,486	159,927
JB	8871JB	28,550	-	28,550
JB	8872JB	163,387	125,814	37,573
JB	8873JB	69,575	35,772	33,803
JB	8874JB	38,597	-	38,597
JB	8885JB	123,450	92,556	30,894
JB	8886JB	85,220	-	85,220
JB	8898JB	38,224	-	38,224
JB	8901JB	60,155	3,004	57,151
JB	8905JB	85,364	-	85,364
JB	8920JB	18,717	-	18,717
JB	8922JB	227,270	-	227,270
JB	8939JB	202,387	62,678	139,709
JB	8945JB	7,431	3,662	3,769
JB	8947JB	10,975	6,727	4,248
JB	8948JB	4,591	2,180	2,411
JB	8949JB	21,576	9,934	11,642
JB	8958JB	26,703	-	26,703
JB	8959JB	96,000	-	96,000
JB	8960JB	71,262	556	70,706
JB	8979JB	118,751	21,116	97,635
JB	8986JB	24,247	-	24,247
JB	8988JB	45,410	-	45,410
JB	8989JB	11,647	3,064	8,583

See Accompanying Accountant's Compilation Report

BEN'S ASPHALT, INC.

CONTRACTS IN PROGRESS

RUN DATE:

05/10/23

PERCENTAGE OF COMPLETION BASIS

Backlog

(Total

17

Approved Contract
Amounts
minus
Contract
Revenue
Earned)

P.M.	Contract Number (input)	Total Contract Price (input)	Amount Earned To Date	
JB	9007JB	23,206	163	23,043
JB	9008JB	58,356	44,711	13,645
JB	9019JB	138,573	129,008	9,565
JB	9020JB	53,687	-	53,687
JB	9050JB	35,273	-	35,273
JB	9055JB	11,685	7,715	3,970
JC	7690JC	277,947	-	277,947
JD	8714JD	33,069	19,087	13,982
JD	8735JD	1,453,690	1,416,036	37,654
JD	8741JD	237,303	235,607	1,696
JD	8799JD	249,501	122,844	126,657
JD	8800JD	16,500	-	16,500
JD	8810JD	130,453	117,951	12,502
JD	8823JD	136,307	100,163	36,144
JD	8824JD	1,942,198	654,053	1,288,145
JD	8848JD	68,928	67,485	1,443
JD	8891JD	1,464,230	1,368,903	95,327
JD	8892JD	49,318	45,007	4,311
JD	8923JD	43,892	14,423	29,469
JD	8963JD	111,282	111,282	-
JD	8966JD	6,817	6,817	-
JD	8999JD	68,563	-	68,563
JD	9012JD	181,052	100,732	80,320
JD	9014JD	351,587	172,401	179,186
JD	9056JD	1,481	346	1,135
JR	7605JR	667,025	661,283	5,742
JR	7642JR	15,663	4,531	11,132
JR	7644JR	14,586	12,271	2,315
JR	7645JR	4,460	336	4,124
JR	8535JR	2,000	-	2,000
JR	8582JR	48,900	43,018	5,882
JR	8689JR	81,600	80,795	805
JR	8779JR	7,963	-	7,963
JR	8781JR	13,942	-	13,942
JR	8875JR	1,500	1,081	419
JR	8984JR	9,250	9,250	-
JR	9032JR	2,000	333	1,667
JT	8916JT	26,864	-	26,864
LW	7655LW	94,999	-	94,999
LW	7667LW	11,400	4,858	6,542
LW	7693LW	15,780	-	15,780
LW	8935LW	2,300	922	1,378
LW	8936LW	48,631	48,631	-
LW	8940LW	48,949	27,116	21,833
LW	8967LW	56,372	49,867	6,505
LW	8978LW	177,000	165,663	11,337
LW	8991LW	58,580	36,543	22,037
LW	9029LW	59,722	28,972	30,750
NB	8012NB	133,818	129,225	4,593
NB	8028NB	6,003	-	6,003
NB	8193NB	72,580	-	72,580
NB	8286NB	3,630	-	3,630
NB	8299NB	3,120	-	3,120
NB	8380NB	29,902	6,807	23,095
NB	8530NB	210,794	188,466	22,328
NB	8554NB	80,868	65,849	15,019
NB	8557NB	216,425	144,228	72,197
NB	8569NB	109,005	109,005	-

See Accompanying Accountant's Compilation Report

BEN'S ASPHALT, INC.

CONTRACTS IN PROGRESS

RUN DATE:

05/10/23

PERCENTAGE OF COMPLETION BASIS

PERCENTAGE OF COMPLETION BASIS			Backlog	
	<u>1</u>	<u>7</u>	(Total	
			Approved Contract	
	Contract	Total	Amounts	
	Number	Contract	minus	
P.M.	(input)	Price	Contract	
		(input)	Revenue	
			Earned)	
NB	8602NB	588,287	4,947	583,340
NB	8656NB	74,545	67,218	7,327
NB	8676NB	218,801	211,173	7,628
NB	8679NB	4,220	-	4,220
NB	8695NB	123,726	120,684	3,042
NB	8716NB	14,701	-	14,701
NB	8726NB	487,720	450,733	36,987
NB	8729NB	13,028	-	13,028
NB	8730NB	148,454	90,881	57,573
NB	8756NB	60,823	44,955	15,868
NB	8764NB	50,168	38,382	11,786
NB	8765NB	203,268	14,273	188,995
NB	8803NB	16,730	15,619	1,111
NB	8804NB	18,740	9,146	9,594
NB	8826NB	555,832	99,559	456,273
NB	8833NB	111,997	477	111,520
NB	8835NB	86,101	83,017	3,084
NB	8836NB	24,047	-	24,047
NB	8849NB	72,799	-	72,799
NB	8850NB	8,076	-	8,076
NB	8895NB	62,200	15,762	46,438
NB	8897NB	38,477	-	38,477
NB	8904NB	1,000	-	1,000
NB	8908NB	173,714	-	173,714
NB	8919NB	15,331	-	15,331
NB	8930NB	241,403	-	241,403
NB	8957NB	14,962	8,234	6,728
NB	8961NB	2,103	572	1,531
NB	8974NB	27,472	13,039	14,433
NB	8975NB	15,634	14,555	1,079
NB	8976NB	110,828	-	110,828
NB	8977NB	53,911	-	53,911
NB	8981NB	582,200	-	582,200
NB	8982NB	10,453	-	10,453
NB	8983NB	194,669	-	194,669
NB	8985NB	9,757	5,526	4,231
NB	8992NB	16,110	-	16,110
NB	9000NB	2,095,053	1,183,677	911,376
NB	9027NB	80,626	-	80,626
NB	9031NB	56,260	6,366	49,894
NS	6918NS	2,333,407	2,132,470	200,937
NS	7527NS	8,880	-	8,880
NS	7608NS	272,695	268,660	4,035
NS	7684NS	14,800	-	14,800

BEN'S ASPHALT, INC.

CONTRACTS IN PROGRESS

PERCENTAGE OF COMPLETION BASIS

RUN DATE:

05/10/23

		<u>1</u>	<u>2</u>	Backlog (Total)
P.M.	Contract Number (input)	Total Contract Price (input)	Amount Earned To Date	Approved Contract Amounts minus Contract Revenue Earned)
NS	7952NS	518,796	442,113	76,683
NS	8021NS	461,703	461,703	-
NS	8106NS	21,825	-	21,825
NS	8131NS	328,366	324,571	3,795
NS	8160NS	54,658	50,837	3,821
NS	8516NS	95,448	-	95,448
NS	8543NS	40,465	292	40,173
NS	8606NS	113,325	15,760	97,565
NS	8622NS	13,880	309	13,571
NS	8628NS	18,108	48	18,060
NS	8633NS	1,166,510	1,146,804	19,706
NS	8647NS	15,000	-	15,000
NS	8686NS	1,238,605	1,203,040	35,565
NS	8712NS	639,473	210,554	428,919
NS	8739NS	489,634	374,021	115,613
NS	8740NS	131,166	8,761	122,405
NS	8847NS	32,748	30,267	2,481
NS	8869NS	76,545	36,516	40,029
NS	8882NS	24,328	774	23,554
NS	8902NS	169,636	-	169,636
NS	8903NS	1,000	-	1,000
NS	8910NS	363,542	-	363,542
NS	8931NS	7,100	5,639	1,461
NS	8934NS	96,899	-	96,899
NS	8941NS	59,300	19,000	40,300
NS	8942NS	56,538	398	56,140
NS	8943NS	56,750	401	56,349
NS	8944NS	59,300	19,809	39,491
NS	8946NS	54,200	11,327	42,873
NS	8950NS	59,300	31,675	27,625
NS	8952NS	59,300	14,408	44,892
NS	8953NS	37,200	12,540	24,660
NS	8954NS	1,000	1,000	-
NS	8962NS	278,993	23,549	255,444
NS	8964NS	45,266	34,856	10,410
NS	8965NS	3,850	2,381	1,469
NS	8987NS	750	-	750
NS	9039NS	230,246	133,591	96,655
NS	9049NS	25,834	24,856	978
RB	7729RB	585,898	363,150	222,748
Total Jobs in Progress:		33,376,908	20,716,040	12,660,868

C. LIST OF COMPLETED PROJECTS - LAST THREE YEARS

[**Duplicate Page if needed for listing additional completed projects.**]

Please include only those projects which are similar enough to demonstrate Bidder's ability to perform the required Work.

Please see attached.

Project Client	Description of Bidder's Work	Period of Performance	Cost of Bidder's Work

Contractors Name

Questions concerning recent construction projects completed:

1. Contractor shall provide information about its six most recently completed K-14 projects and its three largest completed private projects within the last five years. Names and references must be current and verifiable.

Project Name: ENDERS ELEMENTARY SCHOOL

Location: 12302 SPRINGDALE ST., GARDEN GROVE, CA 92845

Owner: LOU ELARDO

Owner Contact (name, current phone number, and email):

714-663-600

pm-lou@ggusd.us

Architect or Engineer: N/A

Architect or Engineer Contact (name, current phone number, and email):

N/A

Construction Manager or General Contractor (name, current phone number, and email):

N/A

N/A

Description of Project, Scope of Work Performed:

ASPHALT, SEAL COAT, STRIPING

Total Value of Construction (including change orders): \$127,500.00

Original Scheduled Completion Date: NOT PROV.

Time Extensions Granted (number of days): NOT PROV.

Actual Date of Completion: March 2023

*Subcontractors only need to provide one of the General Contractor/Owner/Construction Manager for the project.
We need at least one contact name, phone number, and email address*

Contractors Name

Questions concerning recent construction projects completed:

1. Contractor shall provide information about its six most recently completed K-14 projects and its three largest completed private projects within the last five years. Names and references must be current and verifiable.

Project Name: CHAPMAN

Location: 11700 CHAPMAN AVE, GARDEN GROVE, CA 92840

Owner: JERRY HILLS

Owner Contact (name, current phone number, and email):

714-663-600

jhills@ggusd.us

Architect or Engineer: N/A

Architect or Engineer Contact (name, current phone number, and email):

N/A

Construction Manager or General Contractor (name, current phone number, and email):

N/A

N/A

Description of Project, Scope of Work Performed:

ASPHALT, SEAL COAT, STRIPING

Total Value of Construction (including change orders): \$190,000.00

Original Scheduled Completion Date: NOT PROV.

Time Extensions Granted (number of days): NOT PROV.

Actual Date of Completion: March 2023

*Subcontractors only need to provide one of the General Contractor/Owner/Construction Manager for the project.
We need at least one contact name, phone number, and email address*

Contractors Name

Questions concerning recent construction projects completed:

1. Contractor shall provide information about its six most recently completed K-14 projects and its three largest completed private projects within the last five years. Names and references must be current and verifiable.

Project Name: DEL OBISPO ES PLAYGROUND AND STAFF LOT

Location: 25591 Camino Del Avion, San Juan Capistrano, CA 92675

Owner: BEN DEWEES

Owner Contact (name, current phone number, and email):

949-234-9527

BNDewees@capousd.org

Architect or Engineer: N/A

Architect or Engineer Contact (name, current phone number, and email):

N/A

Construction Manager or General Contractor (name, current phone number, and email):

N/A

N/A

Description of Project, Scope of Work Performed:

ASPHALT

Total Value of Construction (including change orders): \$114,436.00

Original Scheduled Completion Date: NOT PROV.

Time Extensions Granted (number of days): NOT PROV.

Actual Date of Completion: June 2022

*Subcontractors only need to provide one of the General Contractor/Owner/Construction Manager for the project.
We need at least one contact name, phone number, and email address*

Contractors Name

Questions concerning recent construction projects completed:

1. **Contractor shall provide information about its six most recently completed K-14 projects and its three largest completed private projects within the last five years. Names and references must be current and verifiable.**

Project Name: WOODBURY ELEMENTARY SCHOOL

Location: 11362 WOODBURY RD., GARDEN GROVE, CA 94843

Owner: JERRY FLORES

Owner Contact (name, current phone number, and email):

714-663-600

gflores2@ggusd.us

Architect or Engineer: N/A

Architect or Engineer Contact (name, current phone number, and email):

N/A

Construction Manager or General Contractor (name, current phone number, and email):

N/A

N/A

Description of Project, Scope of Work Performed:

ASPHALT, STRIPING

Total Value of Construction (including change orders): \$177,000.00

Original Scheduled Completion Date: NOT PROV.

Time Extensions Granted (number of days): NOT PROV.

Actual Date of Completion: February 2023

Subcontractors only need to provide one of the General Contractor/Owner/Construction Manager for the project. We need at least one contact name, phone number, and email address

Contractors Name

Questions concerning recent construction projects completed:

1. Contractor shall provide information about its six most recently completed K-14 projects and its three largest completed private projects within the last five years. Names and references must be current and verifiable.

Project Name: Vista Del Mar - San Clemente

Location: 1130 Avenida Talega, San Clemente, CA 92673

Owner: Ben Dewees

Owner Contact (name, current phone number, and email):

949-234-9527

BNDewees@capousd.org

Architect or Engineer: N/A

Architect or Engineer Contact (name, current phone number, and email):

N/A

Construction Manager or General Contractor (name, current phone number, and email):

N/A

Description of Project, Scope of Work Performed:

ASPHALT

Total Value of Construction (including change orders): \$112,985.00

Original Scheduled Completion Date: NOT PROV.

Time Extensions Granted (number of days): NOT PROV.

Actual Date of Completion: JUNE 2022

*Subcontractors only need to provide one of the General Contractor/Owner/Construction Manager for the project.
We need at least one contact name, phone number, and email address*

Contractors Name

Questions concerning recent construction projects completed:

1. Contractor shall provide information about its six most recently completed K-14 projects and its three largest completed private projects within the last five years. Names and references must be current and verifiable.

Project Name: CHINO PARCELS

Location: MERRILL AVE & FLIGHT AVE, CHINO, CA 91710

Owner: MILLIE AND SEVERSON

Owner Contact (name, current phone number, and email):

ED GORDON

562-493-3611

Architect or Engineer: N/A

Architect or Engineer Contact (name, current phone number, and email):

N/A

Construction Manager or General Contractor (name, current phone number, and email):

N/A

Description of Project, Scope of Work Performed:

ASPHALT, STRIPING

Total Value of Construction (including change orders): \$6,750,249.70

Original Scheduled Completion Date: NOT PROV.

Time Extensions Granted (number of days): NOT PROV.

Actual Date of Completion: FEBRUARY 2021

*Subcontractors only need to provide one of the General Contractor/Owner/Construction Manager for the project.
We need at least one contact name, phone number, and email address*

Contractors Name

Questions concerning recent construction projects completed:

1. Contractor shall provide information about its six most recently completed K-14 projects and its three largest completed private projects within the last five years. Names and references must be current and verifiable.

Project Name: SPECTRUM TERRACE

Location: LAGUNA CANYON RD & I-405, IRVINE, CA 92618

Owner: MILLIE AND SEVERSON

Owner Contact (name, current phone number, and email):

ERIK BRUNNE

949-225-3205

Architect or Engineer: N/A

Architect or Engineer Contact (name, current phone number, and email):

N/A

Construction Manager or General Contractor (name, current phone number, and email):

N/A

Description of Project, Scope of Work Performed:

ASPHALT, SEAL, STRIPING

Total Value of Construction (including change orders): \$1,404,356.00

Original Scheduled Completion Date: NOT PROV.

Time Extensions Granted (number of days): NOT PROV.

Actual Date of Completion: NOVEMBER 2022

Subcontractors only need to provide one of the General Contractor/Owner/Construction Manager for the project. We need at least one contact name, phone number, and email address

Contractors Name

Questions concerning recent construction projects completed:

1. Contractor shall provide information about its six most recently completed K-14 projects and its three largest completed private projects within the last five years. Names and references must be current and verifiable.

Project Name: SEEFRIED PROJECT ALTON

Location: 25 PARKER, IRVINE, CA 92618

Owner: MILLIE AND SEVERSON

Owner Contact (name, current phone number, and email):

MICHAEL LYNCH

562-493-3611

Architect or Engineer: N/A

Architect or Engineer Contact (name, current phone number, and email):

N/A

Construction Manager or General Contractor (name, current phone number, and email):

N/A

Description of Project, Scope of Work Performed:

ASPHALT, SEAL, STRIPING

Total Value of Construction (including change orders): \$2,055,598.35

Original Scheduled Completion Date: NOT PROV.

Time Extensions Granted (number of days): NOT PROV.

Actual Date of Completion: SEPTEMBER 2022

*Subcontractors only need to provide one of the General Contractor/Owner/Construction Manager for the project.
We need at least one contact name, phone number, and email address*

Contractors Name

Questions concerning recent construction projects completed:

1. Contractor shall provide information about its six most recently completed K-14 projects and its three largest completed private projects within the last five years. Names and references must be current and verifiable.

Project Name: ESTES BANNING TRUCK TERMINAL

Location: 2000 E Barbour St, Banning, CA 92220

Owner: BREMCO CONSTRUCTION

Owner Contact (name, current phone number, and email):

GREG DARLING

562-595-4687

Architect or Engineer: N/A

Architect or Engineer Contact (name, current phone number, and email):

N/A

Construction Manager or General Contractor (name, current phone number, and email):

N/A

Description of Project, Scope of Work Performed:

ASPHALT

Total Value of Construction (including change orders): \$3,346,230.60

Original Scheduled Completion Date: NOT PROV.

Time Extensions Granted (number of days): NOT PROV.

Actual Date of Completion: MARCH 2023

*Subcontractors only need to provide one of the General Contractor/Owner/Construction Manager for the project.
We need at least one contact name, phone number, and email address*

Contractors Name

Questions concerning recent construction projects completed:

1. Contractor shall provide information about its six most recently completed K-14 projects and its three largest completed private projects within the last five years. Names and references must be current and verifiable.

Project Name: TESLA

Location: 2796 TANGER WAY, BARSTOW, CA 92311

Owner: CRAIG REALTY GROUP

Owner Contact (name, current phone number, and email):

STEVE CRAIG

949-224-4100

Architect or Engineer: N/A

Architect or Engineer Contact (name, current phone number, and email):

N/A

Construction Manager or General Contractor (name, current phone number, and email):

N/A

Description of Project, Scope of Work Performed:

ASPHALT, SEAL, STRIPE

Total Value of Construction (including change orders): \$1,238,604.80

Original Scheduled Completion Date: NOT PROV.

Time Extensions Granted (number of days): NOT PROV.

Actual Date of Completion: MAY 2022

*Subcontractors only need to provide one of the General Contractor/Owner/Construction Manager for the project.
We need at least one contact name, phone number, and email address*

D. EXPERIENCE AND TECHNICAL QUALIFICATIONS QUESTIONNAIRE

Personnel:

The Bidder shall identify the key personnel to be assigned to this project in a management, construction supervision or engineering capacity.

1. List each person's job title, name, and percent of time to be allocated to this project:

Nelson Smith, VP of Sales / Project Manager

Randy Perez, Superintendent

Nate White, Field Superintendent

2. Summarize each person's specialized education:

On the job experience

3. List each person's years of construction experience relevant to the project:

Nelson Smith: 25 years

Randy Perez: 20 years

Nate White: 20 years

4. Summarize such experience:

Nelson, Randy, Nate have extensive on the job experience in a variety of asphalt projects in both New Construction and Maintenance

Bidder agrees that personnel named in this Bid will remain on this Project until completion of all relevant Work, unless substituted by personnel of equivalent experience and qualifications approved in advance by the District.

Changes Occurring Since Prequalification

If the District conducted a prequalification and if any substantive changes have occurred since Bidder submitted its prequalification package for this Project, Bidder shall list them below. If none are listed, Bidder certifies that no substantive changes have occurred.

INFORMATION REQUIRED OF BIDDERS

Additional Bidder's Statements:

If the Bidder feels that there is additional information which has not been included in the questionnaire above, and which would contribute to the qualification review, it may add that information in a statement here or on an attached sheet, appropriately marked:

E. VERIFICATION AND EXECUTION

These Bid Forms shall be executed only by a duly authorized official of the Bidder:

I declare under penalty of perjury under the laws of the State of California that the foregoing information is true and correct:

Name of Bidder Beris Asphalt, Inc.

Signature _____

Name and Title John Steffington, CFO

Dated 5/11/23

ASBESTOS-FREE MATERIALS CERTIFICATION

The undersigned declares that he or she is the person who executed the bid for the Asphalt Replacement Lincoln and Adams (hereinafter referred to as the "Project"), and submitted it to the **NEWPORT-MESA UNIFIED SCHOOL DISTRICT** (hereinafter referred to as the "District") on behalf of Ben's Asphalt, Inc. (hereinafter referred to as the "Contractor").

To the best of my knowledge, information, and belief, in completing the Contractor's Work for the Project, no material furnished, installed, or incorporated into the Project will contain, or in itself be composed of, any materials listed by the federal or state EPA or federal or state health agencies as a hazardous material.

Any disputes involving the question of whether or not material installed with asbestos-containing equipment is settled by electron microscopy; the cost of any such tests shall be paid by the Contractor.

All work or materials installed by the Contractor which is found to contain asbestos, or work or material installed with asbestos-containing equipment, will be immediately rejected and this work shall be removed and replaced by the Contractor at no additional cost to the District.

Decontamination and removal of work found to contain asbestos, or work installed with asbestos-containing equipment shall be done only under supervision of a qualified consultant, knowledgeable in the field of asbestos abatement and accredited by the Environmental Protection Agency.

The ASBESTOS REMOVAL CONTRACTOR shall be an EPA accredited contractor qualified in the removal of asbestos and shall be chosen and approved by the Asbestos Consultant who shall have sole discretion and final determination in this matter.

The asbestos consultant shall be chosen and approved by the Architect or the District who shall have sole discretion and final determination in this matter. The work will be not accepted until asbestos contamination is reduced to levels deemed acceptable by the Asbestos Consultant.

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

Executed on this 11TH day of May, 2023 at Santa Ana.

Name of Bidder Ben's Asphalt, Inc.

Signature _____

Name and Title John Skeffington, CFO

Dated 5/11/23

ASBESTOS-FREE MATERIALS CERTIFICATION

Notary Acknowledgment

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

STATE OF CALIFORNIA

COUNTY OF _____

On _____, 20____, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory

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

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

WITNESS my hand and official seal.

Signature of Notary Public

OPTIONAL

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

CAPACITY CLAIMED BY SIGNER

- ☐ Individual
☐ Corporate Officer

Title(s)

- ☐ Partner(s) ☐ Limited
☐ General

- ☐ Attorney-In-Fact
☐ Trustee(s)
☐ Guardian/Conservator
☐ Other:

Signer is representing:
Name Of Person(s) Or Entity(ies)

DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document

Number of Pages

Date of Document

Signer(s) Other Than Named Above

ASBESTOS-FREE MATERIALS CERTIFICATION

ACKNOWLEDGMENT

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

State of California
County of Orange

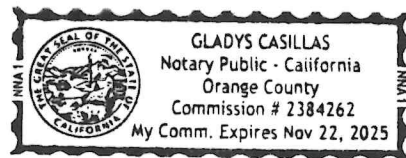
On 5/11/2023 before me, Gladys Casillas, Notary Public
(insert name and title of the officer)

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

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

WITNESS my hand and official seal.

Signature Gladys Casillas (Seal)



RECYCLED CONTENT CERTIFICATION

The undersigned declares that he or she is the person who executed the bid for the Asphalt Replaced Lincoln & Adams (hereinafter referred to as the "Project"), and submitted it to the **NEWPORT-MESA UNIFIED SCHOOL DISTRICT** (hereinafter referred to as the "District") on behalf of hereinafter referred to as the "Contractor").

Pursuant to Public Contract Code Section 10308.5, all contractors are required to certify in writing under penalty of perjury the minimum (if not exact) percentage of recycled content in materials, goods, or supplies offered or products used in the performance of their contract, regardless of whether the product meets the required recycled product percentage as defined in Sections 12161 and 12200. The recycled content shall include both post-consumer material and secondary material as defined in Public Contract Code Sections 12161 and 12200 shall apply.

I declare under penalty of perjury under the laws of the State of California that the following percentages of Post-consumer Material and Secondary Material is in the materials, goods or supplies offered for, or products used in, the performance of the Contract for the Project:

TRD % Post consumer Material TRD % Secondary Material.

Executed on this 11TH day of MAY, 20²³ at Santa Ana, Ca.

Name of Bidder Ben's Asphalt, Inc.

Signature 

Name and Title John Sketfington, CFO

Dated 5/11/23

RECYCLED CONTENT CERTIFICATION

Notary Acknowledgment

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

STATE OF CALIFORNIA
COUNTY OF _____

On _____, 20____, before me, _____, Notary Public, personally
appeared _____, who proved to me on the basis of satisfactory

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

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

WITNESS my hand and official seal.

Signature of Notary Public

OPTIONAL

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- ☐ Corporate Officer

Title(s)

- ☐ Partner(s)
 - ☐ Limited
 - ☐ General
- ☐ Attorney-In-Fact
- ☐ Trustee(s)
- ☐ Guardian/Conservator
- ☐ Other:

Signer is representing:
Name Of Person(s) Or Entity(ies)

DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document

Number of Pages

Date of Document

Signer(s) Other Than Named Above

RECYCLED CONTENT CERTIFICATION

- 35 -

ACKNOWLEDGMENT

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State of California
County of Orange)

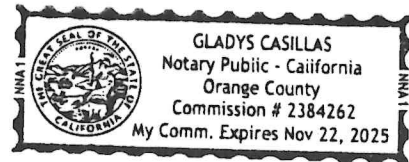
On 5/11/2023 before me, Gladys Casillas, Notary Public
(insert name and title of the officer)

personally appeared John Skeffington,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
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person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature Gladys Casillas (Seal)



CONTRACTOR & SUBCONTRACTOR FINGERPRINTING REQUIREMENTS

CONTRACTOR CERTIFICATION

With respect to the Contract dated May 11 2022 by and between
NEWPORT-MESA UNIFIED SCHOOL DISTRICT ("District") and
Ben's Asphalt, Inc. ("Contractor"), Contractor hereby certifies to the District's
governing board that it has completed the criminal background check requirements of Education
Code Section 45125.1 and that none of its employees that may come in contact with District's
pupils have been convicted of a violent felony listed in Penal Code section 667.5(c) or a serious
felony listed in Penal Code section 1192.7(c).

Contractor's Representative

Date

5/11/23

CONTRACTOR EXEMPTION

Pursuant to Education Code sections 45125.1 and 45125.2, the **NEWPORT-MESA UNIFIED SCHOOL DISTRICT** ("District") has determined that _____
("Contractor") is exempt from the criminal background check certification requirements for
the Contract dated _____, 20__ by and between the District and Contractor
("Contract") because:

- The Contractor's employees will have limited contact with District students during the course of the Contract.
- Emergency or exceptional circumstances exist; or
- With respect to contractors constructing, reconstructing, rehabilitating, or repairing a school facility, as provided in Section 45125.2, the Contractor has agreed to ensure the safety of pupils at the school facility by the following method(s) specified in Section 45125.2: _____.

School District Official

Date

CONTRACTOR & SUBCONTRACTOR FINGERPRINTING REQUIREMENTS

CONTRACTOR & SUBCONTRACTOR FINGERPRINTING REQUIREMENTS

SUBCONTRACTOR'S CERTIFICATION

The **NEWPORT-MESA UNIFIED SCHOOL DISTRICT** ("District") entered into a Contract for services with _____ ("Contractor") on or about _____, 20____ ("Contract"). This certification is submitted by _____, a subcontractor to the Contractor for purposes of that Contract ("Subcontractor"). Subcontractor hereby certifies to the District's governing board that it has completed the criminal background check requirements of Education Code section 45125.1 and that none of its employees that may come in contact with District pupils have been convicted of a violent felony listed in Penal Code section 667.5(c) or a serious felony listed in Penal Code section 1192.7(c).

Subcontractor's Representative

Date

SUBCONTRACTOR'S EXEMPTION

The **NEWPORT-MESA UNIFIED SCHOOL DISTRICT** ("District") entered into a Contract for services with _____ ("Contractor") on or about _____, 20____ ("Contract"). Pursuant to Education Code sections 45125.1 and 45125.2, the District has determined that _____, a subcontractor to the Contractor for purposes of that Contract ("Subcontractor"), is exempt from the criminal background check certification requirements for the Contract because:

The Subcontractor's employees will have limited contact with District students during the course of the Contract.

Emergency or exceptional circumstances exist; or

With respect to contractors constructing, reconstructing, rehabilitating, or repairing a school facility, as provided in Section 45125.2, the Contractor and/or Subcontractor have agreed to ensure the safety of pupils at the school facility by the following method(s) specified in Section 45125.2:

_____.

School District Official

Date

CONTRACTOR & SUBCONTRACTOR FINGERPRINTING REQUIREMENTS

DRUG-FREE WORKPLACE CERTIFICATION

This Drug-Free Workplace Certification form is part of the Contract made by and between the **NEWPORT-MESA UNIFIED SCHOOL DISTRICT** (hereinafter referred to as _____ the "District") and _____

_____ (hereinafter referred to as _____ the "Contractor") for the Asphalt Replacement at Adams and Lincoln Project (hereinafter referred to as the "Project"). This form is required from all successful bidders pursuant to the Drug-Free Workplace Act of 1990 (Government Code Section 8350 et seq.) The Drug-Free Workplace Act of 1990 requires that every person or organization awarded a contract or grant for procurement of any property or service from any State agency must certify that it will provide a drug-free workplace by doing certain specified acts. In addition, the Act provides that each contract or grant awarded by a State agency may be subject to suspension of payments or termination, and the contractor or grantee may be subject to debarment from future contracting, if the contracting agency determines that specified acts have occurred.

Pursuant to Government Code Section 8355, every person or organization awarded a contract or grant from a State agency shall certify that it will provide a drug-free workplace by doing all of the following:

- A. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in their workplace and specifying actions which will be taken against employees for violations of the prohibition.
- B. Establishing a drug-free awareness program to inform employees about all of the following:
 1. The dangers of drug abuse in the workplace.
 2. The person's or organization's policy of maintaining a drug-free workplace.
 3. The availability of drug counseling, rehabilitation, and employee-assistance programs; and
 4. The penalties that may be imposed upon employees for drug abuse violations.
- C. Requiring that each employee engaged in the performance of the contract or grant be given a copy of the statement required by subdivision "A," and that, as a condition of employment on the contract or grant, the employee agrees to abide by the terms of the statement.

I, the undersigned, agree to fulfill the terms and requirements of the Drug-Free Workplace Act as it now exists or may hereinafter be amended. Particularly, I shall

DRUG FREE WORKPLACE CERTIFICATION

abide by Government Code Section 8355 when performing the Contract for the Project by:

- A. Publishing a statement notifying employees concerning the prohibition of controlled substance at my workplace.
- B. Establishing a drug-free awareness program; and
- C. Requiring that each employee engaged in the performance of the contract be given a copy of the statement required by Section 8355(a) and agree to abide by the terms of that statement.

I also understand that if the District determines that I have either: (a) made a false certification herein; or (b) violated this certification by failing to carry out the requirements of Section 8355, the Contract awarded herein is subject to termination, suspension of payments, or both. I further understand that if I violate the terms of the Drug-Free Workplace Act of 1990, I may be subject to debarment in accordance with the requirements of the Act.

I acknowledge that I am aware of the provisions of Government Code Section 8350 et seq., and hereby certify that I will adhere to the requirements of the Drug-Free Workplace Act of 1990.

Executed on this 11TH day of May,
20 23 at Santa Ana, CA.

Name of Bidder Ben's Asphalt, Inc.

Signature _____

Name and Title John Sketfington, CFO

Dated 5/11/23

DRUG FREE WORKPLACE CERTIFICATION

Notary Acknowledgment

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

STATE OF CALIFORNIA
COUNTY OF _____

On _____, 20____, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature of Notary Public

OPTIONAL

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

CAPACITY CLAIMED BY SIGNER

DESCRIPTION OF ATTACHED DOCUMENT

- ☐ Individual
☐ Corporate Officer

Title(s)

Title or Type of Document

- ☐ Partner(s) ☐ Limited
☐ General

Number of Pages

- ☐ Attorney-In-Fact
☐ Trustee(s)
☐ Guardian/Conservator
☐ Other:

Date of Document

Signer is representing:
Name Of Person(s) Or Entity(ies)

Signer(s) Other Than Named Above

DRUG FREE WORKPLACE CERTIFICATION

- 40 -

ACKNOWLEDGMENT

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

State of California
County of Orange)

On 5/11/2023 before me, Gladys Casillas, Notary Public
(insert name and title of the officer)

personally appeared John Skeffington,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/~~she~~/they executed the same in
his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signature(s) on the instrument the
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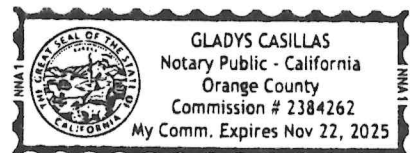
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Gladys Casillas

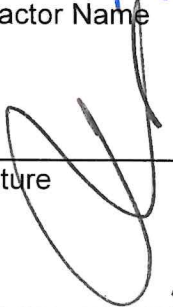
(Seal)



**CONTRACTOR'S CERTIFICATE REGARDING ALCOHOLIC BEVERAGE AND
TOBACCO-FREE CAMPUS POLICY**

The Contractor agrees that it will abide by and implement the District's Alcoholic Beverage and Tobacco-Free Campus Policy, which prohibits the use of alcoholic beverages and tobacco products, of any kind and at any time, in District-owned or leased buildings, on DISTRICT property and in DISTRICT vehicles. The Contractor shall procure signs stating, "ALCOHOLIC BEVERAGE AND TOBACCO USE IS PROHIBITED" and shall ensure that these signs are prominently displayed in all entrances to school property at all times.

Ben's Asphalt, Inc.
Contractor Name


Signature

5/11/23
Date

**CONTRACTOR'S CERTIFICATE REGARDING ALCOHOLIC BEVERAGE AND TOBACCO-
FREE CAMPUS POLICY**

NON-COLLUSION DECLARATION

The undersigned declares:

I am the CFO of Ben's Asphalt, Inc., the party making the foregoing Bid.

The Bid is not made in the interest of, or on 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. The Bidder has not directly or indirectly colluded, conspired, connived, or agreed with any Bidder or anyone else to put in a sham bid, or to 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 other Bidder. 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, 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 11th [date], at Santa Ana [city], Ca [state].

Name of Bidder Ben's Asphalt, Inc.

Signature _____

Name John Sketfington

Title CFO

NON-COLLUSION DECLARATION

NEWPORT-MESA UNIFIED SCHOOL DISTRICT

ADDENDUM NO. 1

Asphalt Replacement Lincoln and Adams

BID No. 115-23

NEWPORT MESA UNIFIED SCHOOL DISTRICT
2985 BEAR ST., BLDG.-A
COSTA MESA, CALIFORNIA 92626

April 29, 2023

The following revisions and/or clarifications shall be made to the BID documents for the above-named work. All work described in the original BID documents and all applicable Sections of the original BID documents shall be included in the contract, except as herein modified:
Acknowledgement of this Addendum shall be made below and submitted with the BID submission. If acknowledgement is not made the proposal may be considered non-responsive.

1) *Modify: Remove and replace the attached pages from the bid plan set*

All other provisions of the BID remain unchanged.

BELOW, PLEASE ACKNOWLEDGE RECEIPT OF THIS ADDENDUM AND SUBMIT IT WITH YOUR PROPOSAL.

Name:

John Skeffington

Signature:

Bear Asphalt, Inc

Firm Name:

Address:

2700 S. Yale St

Santa Ana, CA 92704

Telephone #:

714-540-1700

Fax #:

714-540-1705

(END OF ADDENDUM NO.1)