

BID FORM**NAME OF BIDDER:** Eberhard, A Tecta America Company, LLC

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 # 110-24 Roof Replacement at Wilson Elementary**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 + ALLOWANCE:

BASE BID	BID PRICE (IN WRITTEN FORM)	BID PRICE (IN NUMBERS)
TOTAL BID PRICE + ALLOWANCE	Two Million Two Hundred Ninety Two Thousand Two Hundred Ninety Eight	\$2,292,298.00

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

If the Contract Documents specify alternate bid items, the following Alternate Bid amounts shall be added to or deducted from the Total Bid Price entered above (please check the appropriate box), at the District's sole option. The District can choose to include one or more of the Alternate Bids in the Project. If any of the Alternate Bids are selected by the District, the resulting amount shall be added to or deducted from Total Bid Price for the Project. The District can award/select Alternate Bid items at any time(s).

ALTERNATE BIDS	BID PRICE (IN WRITTEN FORM)	BID PRICE (IN NUMBERS)
ALTERNATE #1 ☒ Add ☐ Deduct	One Hundred Twenty One Thousand Five Hundred Seventy Four	\$121,574.00

The undersigned agrees that this Bid Form constitutes a firm offer to the District which cannot be withdrawn for the number of calendar days indicated in the Notice Inviting Bids from and after the bid opening, or until a Contract for the Work is fully executed by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

BID SCHEDULE

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 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 _____ Bank in the amount of _____, 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 X, 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):

1114949
B C39 C43 C20
Expires 1/31/26

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

BID SCHEDULE

- 14 -

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. 2

Addenda No. _____

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
13. Attached is the fully executed Fleet Compliance Certification.

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.

BID SCHEDULE

- 15 -

Name of Bidder Eberhard, A Tecta America Company, LLC

Signature

Name and Title Dave Stefko, President

Dated March 14, 2024

BID SCHEDULE
- 16 -

**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 Eberhard, A Tecta America Company, LLC

Signature 

Name and Title Dave Steko, President

Dated March 14, 2024

**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: Dave Stefko

Title: President

Firm Name: Eberhard, A Tecta America Company, LLC

Date: March 14, 2024

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.

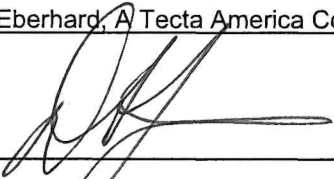
IRAN CONTRACTING ACT CERTIFICATION

FLEET COMPLIANCE CERTIFICATION

Bidder hereby acknowledges that they have reviewed the California Air Resources Board's policies, rules and regulations and are familiar with the requirements of Title 13, California Code of Regulations, Division 3, Chapter 9, effective on January 1, 2024 (the "Regulation"). Bidder hereby certifies, subject to penalty for perjury, that the option checked below relating to the Bidder's fleet, and/or that of their subcontractor(s) ("Fleet") is true and correct:

- ☐ The Fleet is subject to the requirements of the Regulation, and the appropriate Certificate(s) of Reported Compliance have been attached hereto.
- ☐ The Fleet is exempt from the Regulation under section 2449.1(f)(2), and a signed description of the subject vehicles, and reasoning for exemption has been attached hereto.
- ☐ Bidder and/or their subcontractor is unable to procure R99 or R100 renewable diesel fuel as defined in the Regulation pursuant to section 2449.1(f)(3). Bidder shall keep detailed records describing the normal refueling methods, their attempts to procure renewable diesel fuel and proof that shows they were not able to procure renewable diesel (i.e., third party correspondence or vendor bids).
- ☐ The Fleet is exempt from the requirements of the Regulation pursuant to section 2449(i)(4) because this Project has been deemed an Emergency, as defined under section 2449(c)(18). Bidder shall only operate the exempted vehicles in the emergency situation and records of the exempted vehicles must be maintained, pursuant to section 2449(i)(4).
- ☐ The Fleet does not fall under the Regulation or are otherwise exempted, and a detailed reasoning is attached hereto.

Name of Bidder: Eberhard, A Tecta America Company, LLC

Signature: 

Name: Dave Stefko

Title: President

Date: March 14, 2024

FLEET COMPLIANCE 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.

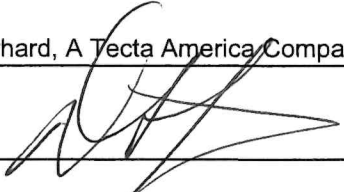
Name of Bidder: Eberhard, A Tecta America Company, LLC

DIR Registration Number: 1001137828

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 Eberhard, A Tecta America Company, LLC

Signature 

Name and Title Dave Stefko, President

Dated March 14, 2024

**PUBLIC WORKS CONTRACTOR
REGISTRATION CERTIFICATION**

- 20 -

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
Painting	Piana Construction and Painting	Granada Hills, CA	731555	1000002822

DESIGNATION OF SUBCONTRACTORS

- 25 -

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

DESIGNATION OF SUBCONTRACTORS
- 26 -

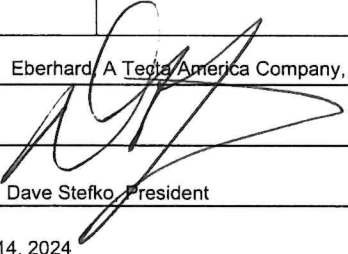
Work to be done by Subcontractor	Name of Subcontractor	Location of Business	CSLB Contractor License Number	DIR Registration Number

DESIGNATION OF SUBCONTRACTORS

- 27 -

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

Name of Bidder Eberhard, A Tetra America Company, LLC

Signature 

Name and Title Dave Stefko, President

Dated March 14, 2024

DESIGNATION OF SUBCONTRACTORS

- 28 -

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: Eberhard, A Tecta America Company, LLC
- 2.0 Type, if Entity: Corporation
- 3.0 Bidder Address: 15220 Raymer Street
Van Nuys, CA 91405
- Facsimile Number 818-782-5099 Telephone Number 818-782-4604
- 4.0 How many years has Bidder's organization been in business as a Contractor?
79
- 5.0 How many years has Bidder's organization been in business under its present name?
2 months
- 5.1 Under what other or former names has Bidder's organization operated?
Eberhard
- 6.0 If Bidder's organization is a corporation, answer the following:
- 6.1 Date of Incorporation: 1/23/2024
- 6.2 State of Incorporation: California
- 6.3 President's Name: Dave Stefko
- 6.4 Vice-President's Name(s): Russell Olinger, Sr. Vice President
Hector Amparo, Vice President
- 6.5 Secretary's Name: Dave Stefko
- 6.6 Treasurer's Name: Brian Mowatt, CEO
- 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. _____

- 10.0 What type of work does the Bidder normally perform with its own forces? _____
roofing, waterproofing, sheet metal, HVAC

- 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: See Attached Trade/Supplier References

- 14.0 List Bank References (Bank and Branch Address): _____
Wells Fargo Bank
10 S. Wacker Drive, Floor 32
Chicago, IL 60606

- 15.0 Name of Bonding Company and Name and Address of Agent: _____
Everest Reinsurance (Bonding Company)
Alliant Insurance Services, Inc. (Agent)
333 Earle Ovington Blvd., Suite 700
Uniondale, NY 11553

INFORMATION REQUIRED OF BIDDERS

B. LIST OF CURRENT PROJECTS (BACKLOG)

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

Project	Description of Bidder's Work	Completion Date	Cost of Bidder's Work
Birmingham High School	Replace Roofing	1/12/25	\$7,416,323.00
Bell High School	Replace Roofing	1/30/25	\$6,048,323.00
Fullerton College	Roofing, Sheet Metal	12/31/24	\$1,285,566.00
Sierra Linda School	Roofing	8/31/24	\$1,489,000.00
Surf & Sand Resort Renovation	Sheet Metal and Roofing	10/31/24	\$1,012,545.00
Stages & Studio Ops at Ranch Lot Studios	Roofing, Waterproofing and Sheet Metal	12/31/25	\$11,677,171.00
Sitework at Ranch Lot Studios	Roofing and Sheet Metal	12/31/25	\$392,545.00
Creative Office Bldg. at Ranch Lot Studios	Roofing and Sheet Metal	12/31/25	\$1,985,701.00
Mulholland Middle School	Replace Roofing	6/26/24	\$4,950,323.00

INFORMATION REQUIRED OF BIDDERS

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.

Project Client	Description of Bidder's Work	Period of Performance	Cost of Bidder's Work
	SEE ATTACHED COMPLETED PROJECTS		

D. EXPERIENCE AND TECHNICAL QUALIFICATIONS QUESTIONNAIRE

Personnel: SEE ATTACHED RESUMES

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:

2. Summarize each person's specialized education:_____

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

4. Summarize such experience:

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:

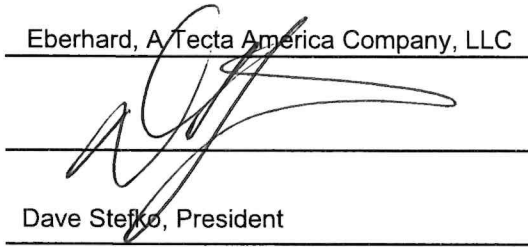
E. VERIFICATION AND EXECUTION

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 Eberhard, A Tecta America Company, LLC

Signature



Name and Title Dave Steflo, President

Dated March 14, 2024

INFORMATION REQUIRED OF BIDDERS

- 34 -

ASBESTOS-FREE MATERIALS CERTIFICATION

The undersigned declares that he or she is the person who executed the bid for the Wilson Elementary (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").

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.

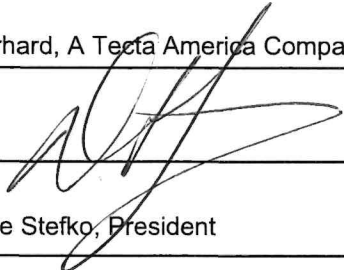
The ASBESTOS REMOVAL CONTRACTOR shall be an EPA accredited contractor qualified in the removal of asbestos and shall be chosen and approved by the Asbestos Consultant who shall have sole discretion and final determination in this matter.

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 14th day of March, 2024 at Van Nuys, CA.

Name of Bidder Eberhard, A Tecta America Company, LLC

Signature 

Name and Title Dave Stefko, President

Dated March 14, 2024

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.

SEE ATTACHED

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

DESCRIPTION OF ATTACHED DOCUMENT

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

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

Title or Type of Document

Number of Pages

Date of Document

Signer(s) Other Than Named Above

ASBESTOS-FREE MATERIALS CERTIFICATION

- 36 -

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.

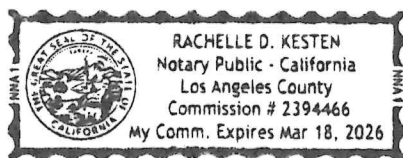
State of California)

County of Los Angeles)On 3/14/2024 before me, Rachelle D. Kesten, Notary Public,
Date Here Insert Name and Title of the Officerpersonally appeared Dave Stefko
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 Rachelle D. Kesten
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: _____ Document Date: _____

Number of Pages: _____ 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 Is Representing: _____

Signer's Name: _____

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

Signer Is Representing: _____

RECYCLED CONTENT CERTIFICATION

The undersigned declares that he or she is the person who executed the bid for the
Wilson Elementary (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:

0 % Post consumer Material 0 % Secondary Material.

Executed on this 14th day of March, 20²⁴ at Van Nuys, CA

Name of Bidder Eberhard, A Tecta America Company, LLC

Signature

Name and Title Dave Stefko, President

Dated March 14, 2024

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.

SEE ATTACHED

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

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☐ Corporate Officer

DESCRIPTION OF ATTACHED DOCUMENT

Title(s)
☐ Partner(s) ☐ Limited
☐ General

Title or Type of Document

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

Number of Pages

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

Date of Document

Signer(s) Other Than Named Above

RECYCLED CONTENT CERTIFICATION

- 38 -

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 Los Angeles)On 3/14/2024 before me, Rachelle D. Kesten, Notary Public,
Date Here Insert Name and Title of the Officerpersonally appeared Dave Stefko
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 Rachelle D. Kesten
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: _____ Document Date: _____

Number of Pages: _____ 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 Is Representing: _____

Signer's Name: _____

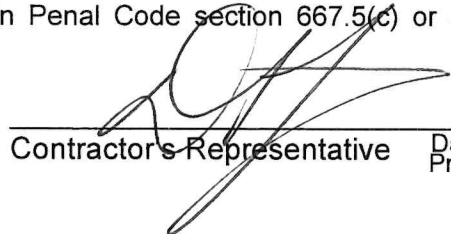
☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____

CONTRACTOR & SUBCONTRACTOR FINGERPRINTING REQUIREMENTS

CONTRACTOR CERTIFICATION

With respect to the Contract dated _____ 20__ by and between NEWPORT-MESA UNIFIED SCHOOL DISTRICT ("District") and Eberhard, A Tecta America Company, LLC ("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

Dave Stefko
President

March 14, 2024

Date

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 Eberhard, A Tecta America Company, LLC ("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 Eberhard, A Tecta America Company, LLC

(hereinafter referred to as the "Contractor") for the Wilson Elementary 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 abide by Government Code Section 8355 when performing the Contract for the Project by:

DRUG FREE WORKPLACE CERTIFICATION

- 41 -

- 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 14th day of March, 2024 at Van Nuys, CA.

Name of Bidder Eberhard, A Tecta America Company, LLC

Signature

Name and Title Dave Sterko, President

Dated March, 14, 2024

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.

SEE ATTACHED

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

DRUG FREE WORKPLACE CERTIFICATION

- 43 -

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)

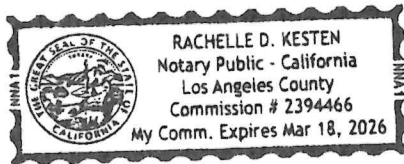
County of Los Angeles)On March 14, 2024 before me, Rachelle D. Kesten, Notary Public,
Date Here Insert Name and Title of the Officerpersonally appeared Dave Stefko

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 Rachelle D. Kesten
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: _____ Document Date: _____

Number of Pages: _____ 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 Is Representing: _____

Signer's Name: _____

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

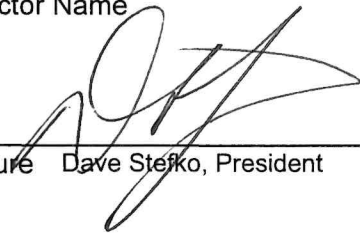
Signer Is Representing: _____

**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.

Eberhard, A Tecta America Company, LLC

Contractor Name



Signature Dave Stefko, President

March 14, 2024

Date

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

NON-COLLUSION DECLARATION

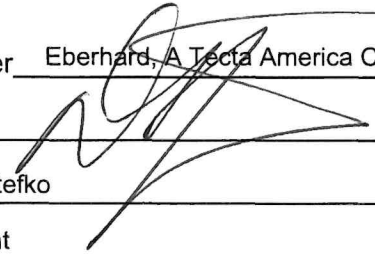
The undersigned declares:

I am the President of Eberhard, A Tecta America Company, LLC, 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 3/14/24 [date], at Van Nuys [city], CA [state].

Name of Bidder Eberhard, A Tecta America Company, LLC
Signature 
Name Dave Stefko
Title President

NON-COLLUSION DECLARATION

TRADE/SUPPLIER REFERENCES

Roofers Mart

358 Paseo Tesoro

Walnut, CA 91789

Greg Robles (909) 598-8408 / (909) 468-2255 (Fax)

grobles@roofers-mart.com

Allied, A Beacon Supply Company

15208 Raymer Street

Van Nuys, CA 91405

Jeremy Taff, Credit Manager (877) 251-3162 / (201) 636-9630 (Fax)

Jeremy.taff@becn.com

Sika Sarnafil

10701 Holder Street

Cypress, CA 90630

Jennifer Ventura

(781) 828-2654

Ventura.jennifer@us.sika.com

Lowry's, A Beacon Supply Company

8501 Telfair Avenue

Sun Valley, CA 91352

Misti Williams, District Manager (818) 768-4661 / (818) 768-4130 (Fax)

Jeremy Taff – Credit Manager / Jeremy.taff@becn.com

Smalley & Company

11672 Tuxford Street

Sun Valley, CA 91352

d.oliver@smalleyandcompany.com

EBERHARD COMPLETED PROJECTS (PRIVATE & PUBLIC)

PROJECT	GENERAL CONTRACTOR / OWNER	Contact Info	PROJECT VALUE / COMPLETION DATE	ADDRESS
La Paz Ranch Malibu	Matt Construction	Nathan Miller nmiller@matconstruction.com (562) 903-2277	\$6,623,339.00 4/1/2023	23465 Civic Center Way Malibu, CA 90265
Project Blue Sky Phase 2	Krismar Construction	Julio Arango julioa@krismarconstruction.com 310-633-0538	\$8,395,588.10 5/16/23	100 South California Street Burbank, CA 91505
Project Blue Sky Core & Shell Phase 1	Krismar Construction	Julio Arango julioa@krismarconstruction.com 310-633-0538	\$7,023,685.00 5/25/2022	100 South California Street Burbank, CA 91505
Vans Headquarters Building Expansion	Hathaway Dinwiddie Construction	Dhaval Panchal panchald@HDCCO.com 213-236-0500	\$1,201,806.00 11/10/2021	1600 & 1590 South Coast Drive Costa Mesa, CA 92626
Los Alamos National Lab 19-2	Technical Assurance	Dan La Fountain dlaefountain@technicalassurance.com (440) 953-3147, ext. 131	\$3,497,669.99 9/30/2021	30 Bikini Atoll Rd. Los Alamos, NM 87545
Skyblue Mesa ES	Saugus USD	Lori Rubenstein lrbenstein@saugusud.org (661) 294-5300, Ext. 5154	\$540,790.80 8/20/2020	28040 Hardesty Avenue Canyon Country, CA 91351
Cedercreek ES	Saugus USD	Lori Rubenstein lrbenstein@saugusud.org (661) 294-5300, Ext. 5154	\$586,968.80 8/20/2020	27792 Camp Plenty Rd. Santa Clarita, CA 91351
North Park ES	Saugus USD	Lori Rubenstein lrbenstein@saugusud.org (661) 294-5300, Ext. 5154	\$821,449.20 7/30/2020	23335 W. Sunset Hills Ave. Valencia, CA 91354
Plum Canyon ES	Saugus USD	Lori Rubenstein lrbenstein@saugusud.org (661) 294-5300, Ext. 5154	\$685,653.10 7/29/2020	28360 N. Alfred Way Saugus, CA 91350
James Foster ES	Saugus USD	Lori Rubenstein lrbenstein@saugusud.org (661) 294-5300, Ext. 5154	\$333,655.30 7/29/2020	22500 Pamplico Dr. Santa Clarita, CA 91350

Santa Clarita ES	Saugus USD	Lori Rubenstein lrubenstein@saugusd.org (661) 294-5300, Ext. 5154	\$749,600.50 7/22/2020	27177 Seco Canyon Rd Santa Clarita, CA 91350
Nobel Middle School	LAUSD	Mark Fairhurst Mark.fairhurst@lausd.net (213) 763-3096	\$2,298,285.20 7/10/2020	9950 Tampa Avenue Northridge, CA 91324
Target T2479 Sunset 2020	Whiting-Turner Contracting	James Morschauer james.morschauer@whitingturner.com (949) 863-0800	\$2,019,119.00 7/7/2020	5500 W. Sunset Blvd. Los Angeles, CA 90028
Belmont HS	LAUSD	Mark Fairhurst Mark.fairhurst@lausd.net (213) 763-3096	\$5,072,807.73 1/9/2020	1575 W. 2nd Street Los Angeles, CA 90026
University HS	LAUSD	Mark Fairhurst Mark.fairhurst@lausd.net (213) 763-3096	\$1,306,323.00 3/10/2020	11800 Texas Avenue Los Angeles, CA 90025
Los Angeles High School	LAUSD	Mark Fairhurst Mark.fairhurst@lausd.net (213) 763-3096	\$3,369,323.00 3/10/2020	4650 West Olympic Blvd. Los Angeles, CA 90019
UCLA Margan Apartments	PCL Construction Services	Mark Schneider 818-246-3481 mschneider@pcl.com	\$982,868.00 9/13/2019	855 Levering Los Angeles, CA 90024
WEHO Edition Hotel & Residence	Charles Pankow Builders	Ed Paganini epaganini@pankow.com (626) 696-2758	\$3,742,783.96 9/13/2019	9040 Sunset Blvd. Los Angeles, CA 90096
Rosewood Miramar Hotel	Tutor Perini Corp.	Mike Nunn mike.nunn@tutorperini.com (702) 429-5901	\$1,906,394.00 2/11/2019	1555 South Jameson Lane Monticito, CA 93108
Luther Burbank MS	LAUSD	Mark Fairhurst mark.fairhurst@lausd.net (213) 763-3096	\$1,048,323.00 6/19/2019	6460 N. Figueroa St. Los Angeles, CA 90042
Widney Sp. Ed. HS	LAUSD	Mark Fairhurst mark.fairhurst@lausd.net (213) 763-3096	\$2,457,323.00 5/2/2019	2902 S. Gramercy Place Los Angeles, CA 90018
Marina Del Rey MS	LAUSD	Mark Fairhurst mark.fairhurst@lausd.net (213) 763-3096	\$3,505,201.54 2/17/2019	12500 Braddock Drive Los Angeles, CA 90066

RESUME - HECTOR AMPARO

POSITION: Sales Manager
Vice President

PERSONAL DATA: Date of Birth: 10/12/65
Marital Status: Married
Children: 3

EDUCATION: High School (Tuxpan, Nay,
Mexico) 1973

BUSINESS BACKGROUND: 2005 Project Manager
Eberhard

1997 Project Superintendent
Eberhard Roofing

1986 Roofer
Eberhard Roofing

1985 Driver
Nupla Corporation

1984 Painting helper for Paint
Specialist

RESUME – Antonio Garcia

POSITION: Operations Manager
Eberhard

PERSONAL DATA: Date of Birth: 1-31-65
Marital Status: Married
Children: 5

EDUCATION: Jefferson High School

BACKGROUND: Eberhard
2006 Project Superintendent
Eberhard
1996 Roofing Foreman
Eberhard Roofing
1984 Roofing Foreman
Bryant Roofing

ORGANIZATIONS: Roofing Contractors Association
of California

Roofers and Waterproofers Local 36

CERTIFICATIONS: OSHA 30
Fall Protection Authorized User
First Aid/C.P.R Trained

John Hunter
3951 Florae Ave.
Claremont, California 91711

Resume of Qualifications

Position: Project Manager

Personal Data:

Birth date: 4/1/1971
Marital Status: Married / 3 Children

Education:

Sheet Metal Union Apprenticeship, 1993 - 1998

Citrus College 1990 - 1992

Glendora High School Graduate, Glendora, California 1989

Employment History:

<u>Year</u>	<u>Position</u>	<u>Company</u>
2014-Present	Project Manager	Eberhard/Eberhard SMC 15228 Raymer St. Van Nuys CA, 91405
2002 – 2014	Superintendent	Eberhard SMC 15228 Raymer St. Van Nuys, California 91405
1998-2002	Foreman	Eberhard SMC 15228 Raymer St. Van Nuys, California 91405
1997 – 1998	Apprentice	Eberhard SMC 15228 Raymer St. Van Nuys, California 91405
1993-1997	Apprentice	Ciara Corporation

RESUME - ZEKE REYES

POSITION: Project Superintendent

PERSONAL DATA: Date of Birth: 5/9/62
Marital Status: Divorced
Children: 1

EDUCATION: High School -
Chihuahua, Mexico
Night School -
San Fernando High School

BUSINESS BACKGROUND: 1993 Project Superintendent
Eberhard Roofing
1983 Roofer
Eberhard Roofing
1979 Machinist
Whitman Concrete Pumps

ORGANIZATIONS: Roofing Contractors Association
of California

BID BOND

The makers of this bond are, Eberhard, a Tecta America Company, LLC
15220 Raymer Street, Van Nuys, CA 91405, as Principal, and Everest Reinsurance 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 March 14, 20 24, for Bid # 110-24 Roof
Replacement at Wilson Elementary.

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 6th day of March, 20 24, the name and
corporate seal of each corporation.

(Corporate Seal)

Eberhard, a Tecta America Company, LLC
Contractor/Principal

By: DAVE STEFKO

PRESIDENT

Title:

(Corporate Seal)

Everest Reinsurance Company
Surety

By: Susan Lupski

Attorney-in-Fact Susan Lupski

(Attach Attorney-in-Fact Certificate)

Title: Attorney-In-Fact

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

The total amount of premium charges, \$ N/A.

(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

- 20 -

(Name and Address of Surety)

Everest Reinsurance Company

100 Everest Way, Warren Corporate Center

Warren, NJ 07059

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

Alliant Insurance Services, Inc.

333 South Hope Street, Suite 3750

Los Angeles, CA 90071

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

(213) 422-2440

BID BOND

- 21 -

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.

SEE ATTACHED

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

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



**POWER OF ATTORNEY
EVEREST REINSURANCE COMPANY**

KNOW ALL PERSONS BY THESE PRESENTS: That Everest Reinsurance Company, a corporation of the State of Delaware ("Company") having its principal office located at 100 Everest Way, Warren, New Jersey, 07059, do hereby nominate, constitute, and appoint:

***Desiree Cardlin, Colette R. Chisholm, Camille Maitland, George O. Brewster, Gerard S. Macholz, Nelly Renchiwich,
Thomas Bean, Robert T. Pearson, Susan Lupski, Dana Granice, Michelle Wannamaker, Katherine Acosta, Ian Williams***

its true and lawful Attorney(s)-in-fact to make, execute, attest, seal and deliver for and on its behalf, as surety, and as its act and deed, where required, any and all bonds and undertakings in the nature thereof, for the penal sum of no one of which is in any event to exceed UNLIMITED, reserving for itself the full power of substitution and revocation.

Such bonds and undertakings, when duly executed by the aforesaid Attorney(s)-in-fact shall be binding upon the Company as fully and to the same extent as if such bonds and undertakings were signed by the President and Secretary of the Company and sealed with its corporate seal.

This Power of Attorney is granted and is signed by facsimile under and by the authority of the following Resolutions adopted by the Board of Directors of Company ("Board") on April 21, 2016:

RESOLVED, that the President, any Executive Vice President, and any Senior Vice President are hereby appointed by the Board as authorized to make, execute, seal and deliver for and on behalf of the Company, any and all bonds, undertakings, contracts or obligations in surety or co-surety with others and that the Secretary or any Assistant Secretary of the Company be and that each of them hereby is authorized to attest to the execution of any such bonds, undertakings, contracts or obligations in surety or co-surety and attach thereto the corporate seal of the Company.

RESOLVED, FURTHER, that the President, any Executive Vice President, and any Senior Vice President are hereby authorized to execute powers of attorney qualifying the attorney named in the given power of attorney to execute, on behalf of the Company, bonds and undertakings in surety or co-surety with others, and that the Secretary or any Assistant Secretary of the Company be, and that each of them is hereby authorized to attest the execution of any such power of attorney, and to attach thereto the corporate seal of the Company.

RESOLVED, FURTHER, that the signature of such officers named in the preceding resolutions and the corporate seal of the Company may be affixed to such powers of attorney or to any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be thereafter valid and binding upon the Company with respect to any bond, undertaking, contract or obligation in surety or co-surety with others to which it is attached.

IN WITNESS WHEREOF, Everest Reinsurance Company has caused their corporate seals to be affixed hereto, and these presents to be signed by their duly authorized officers this 15th day of February 2023.



Everest Reinsurance Company

By: Anthony Romano, Senior Vice President

On this 15th day of February 2023, before me personally came Anthony Romano, known to me, who, being duly sworn, did execute the above instrument; that he knows the seal of said Company; that the seal affixed to the aforesaid instrument is such corporate seal and was affixed thereto; and that he executed said instrument by like order.

LINDA ROBINS
Notary Public, State of New York
No 01R06239736
Qualified in Queens County
Term Expires April 25, 2027

Linda Robins, Notary Public

I, Nicole Chase, Assistant Secretary of Everest Reinsurance Company do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Section of the bylaws and resolutions of said Corporation as set forth in said Power of Attorney, with the ORIGINALS ON FILE IN THE HOME OFFICE OF SAID CORPORATION, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company, this 6th day of March 2024.



By: Nicole Chase, Assistant Secretary

ACKNOWLEDGEMENT OF SURETY COMPANY

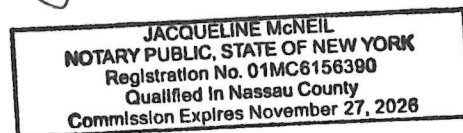
STATE OF NEW YORK
COUNTY OF NASSAU

On this March 6, 2024, before me personally came
Susan Lupski to me known, who, being by me duly sworn,
did depose and say; that he/she resides in Nassau County, State of New York that
he/she is the Attorney-In-Fact of the Everest Reinsurance Company

the corporation described in which executed the above instrument; that he/she knows the seal of said
corporation; that the seal affixed to said instrument is such corporate seal; that is was so affixed by the
Board of Directors of said corporation; and that he/she signed his/her name thereto by like order; and
the affiant did further depose and say that the Superintendent of Insurance of the State of New York,
has, pursuant to Section 1111 of the Insurance Law of the State of New York, issued to
Everest Reinsurance Company (Surety)
his/her certificate of qualification evidencing the qualification of said Company and its sufficiency under
any law of the State of New York as surety and guarantor, and the propriety of accepting and approving
it as such; and that such Certificate has not been revoked.



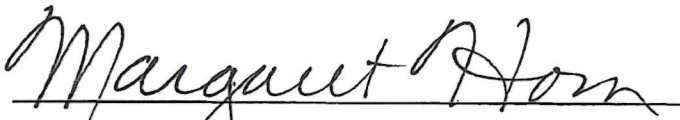
Notary Public



EVEREST REINSURANCE COMPANY
STATEMENTS OF FINANCIAL CONDITION

	December 31,	
	2022	2021
	Unaudited	Audited
ASSETS		
Bonds	\$ 13,425,435,159	\$ 11,664,412,364
Stocks	887,282,126	1,368,647,910
Short-term investments	148,664,819	26,439,276
Other invested assets	2,299,249,359	2,509,586,693
Cash and cash equivalents	530,084,045	627,782,003
Accounts receivable-premium balances	2,549,040,224	2,442,192,643
Reinsurance recoverable	821,045,215	882,161,271
Other assets	1,689,988,250	761,101,801
Total Assets	\$ 22,350,789,197	\$ 20,282,323,961
LIABILITIES		
Loss and loss adjustment expense reserve	\$ 11,330,580,413	\$ 9,492,475,362
Unearned premium reserve	2,723,033,746	2,564,863,197
Ceded reinsurance premium payable (net of ceding commission)	559,742,437	464,854,369
Reserve for commissions, taxes and other liabilities	2,184,544,900	2,043,017,415
Total Liabilities	\$ 16,797,901,496	\$ 14,565,210,343
SURPLUS AND OTHER FUNDS		
Common capital stock	\$ 10,000,000	\$ 10,000,000
Contributed Surplus	3,600,610,905	3,400,393,975
Unassigned surplus	1,942,276,796	2,306,719,643
Total capital and surplus	\$ 5,552,887,701	\$ 5,717,113,618
Total Liabilities and Surplus	\$ 22,350,789,197	\$ 20,282,323,961

Bonds and stocks are valued on a basis promulgated by the National Association of Insurance Commissioners



Signed by Margaret Horn, Vice President

March 30, 2023

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.

SEE ATTACHED

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)

- ☐ Partner(s) ☐ Limited
 ☐ General

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

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

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
- 23 -

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.

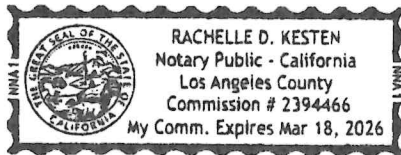
State of California)

County of Los Angeles)On 3/14/2024 before me, Rachelle D. Kesten, Notary Public,
Date Here Insert Name and Title of the Officerpersonally appeared Dave Stefko
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 Rachelle D. Kesten
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: _____ Document Date: _____

Number of Pages: _____ 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 Is Representing: _____

Signer's Name: _____

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

Signer Is Representing: _____



Newport-Mesa
Unified School District

NEWPORT-MESA UNIFIED SCHOOL DISTRICT

ADDENDUM NO. 1

Roof Replacement Wilson Elementary

BID No. 110-24

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

February 27, 2024

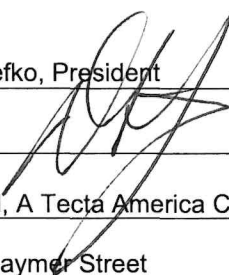
The following revisions and/or clarifications shall be made to the BID documents for the above-named work. All work described in the original BID documents and all applicable Sections of the original BID documents shall be included in the contract, except as herein modified:

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. **Replace:** Replace bid documents package with the attached modifying the bid form to add Alternate 1, revision Special Conditions Article 3 and adding Special Conditions Article 4.

All other provisions of the BID remain unchanged.

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

Name:	<u>Dave Stefko, President</u>
Signature:	<u></u>
Firm Name:	<u>Eberhard, A Tecta America Company, LLC</u>
Address:	<u>15220 Raymer Street</u>
	<u>Van Nuys, CA 91405</u>
Telephone #:	<u>818-782-4604</u>
Email:	<u>dstefko@eberhardco.com</u>

(END OF ADDENDUM NO.1)



Newport-Mesa
Unified School District

NEWPORT-MESA UNIFIED SCHOOL DISTRICT

ADDENDUM NO. 2

Roof Replacement Wilson Elementary

BID No. 110-24

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

March 1, 2024

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. **Replace:** Replace bid package Special Conditions Section with attached document.

All other provisions of the BID remain unchanged.

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

Name:	<u>Dave Stefko, President</u>
Signature:	<u></u>
Firm Name:	<u>Eberhard, A Tecta America Company, LLC</u>
Address:	<u>15220 Raymer Street</u>
	<u>Van Nuys, CA 91405</u>
Telephone #:	<u>(818) 782-4604</u>
Email:	<u>dstefko@eberhardco.com</u>

(END OF ADDENDUM NO.2)

SPECIAL CONDITIONS

ARTICLE 1 - GENERAL

This Section supplements and/or modifies certain provisions of the General Conditions and both General and Supplementary Conditions shall be deemed to be a part of every Specifications Section, as if wholly embodied and repeated in every Section. The CONTRACTOR and subcontractor shall be held to have read and thoroughly familiarized themselves with their content.

ARTICLE 2 - \$150,000 ALLOWANCE

Provide a \$150,000 allowance to be used at the discretion of the DISTRICT for unforeseen conditions. All work pertaining to the allowance must be approved by the DISTRICT. If work authorized is less than the allowance, a deductive change order will be issued. Work to be directed by the DISTRICT. The allowance shall be listed as a line item on the CONTRACTOR'S schedule of values.

ARTICLE 3 - CONTRACTOR UNIT PRICES:

Provide unit prices for the following conditions on the bid form. Assume quantities as described below and include cost in the base bid. Any unused quantities will be credited to the District as a deductive change order at the CONTRACTOR'S unit price. Any quantities above the assumed quantity outlined below will result in a change order to the CONTRACTOR at the CONTRACTOR'S unit price. All work must be inspected prior to replacement and approved in writing by the District.

- 1) Edge metal replace: Remove and replace edge metal, match existing profile. Refer to specifications for metal flashings, standard color to match, per owner discretion. Provide price per linear foot.
- 2) Diagonal long decking board: Remove and replace associated roofing and diagonal decking board per drawings. Provide unit price per board.
- 3) Tongue and groove deck replacement: Remove and replace associated roofing and tongue and groove decking board per drawing. Provide price per board.
- 4) Fascia replacement: Remove and replace wood fascia, up to 2"x12". Match existing dimension and profile. Prep, prime and paint to match existing. Joints shall be filled with an approved wood filler that is resistant to shrinking. District to provide paint and primer upon 48-hour notice.

ARTICLE 4 – ALLOWANCES INCLUDED IN BID PRICE

During construction it is anticipated that some rotted deck sheathing, T&G decking boards and fascia boards will be uncovered. Contractor shall provide a lump-sum allowance to be used towards deck and fascia replacement to the extent indicated below. Bid shall include removal of decking, roofing, blocking, fasteners (as necessary) & install new per details in plans, including miscellaneous patch, repair & paint as a result of workmanship. Entire length of single decking and fascia boards shall be replaced, cutting and replacement of partial lengths of boards is not

allowed. Installation and fastening as indicated on the drawings matches existing original construction. The contractor must also list an itemized unit cost pricing for the replacement & on its basis provide a credit to the District for a reduction in replacement scope from the extent indicated below due to acceptable existing conditions.

- 1) 2x WD Fascia, Painted (Buildings and Covered Walkways) **100% of existing to be replaced.**
- 2) 1"x6"/2"x6" Tongue and groove decking board, painted (building overhangs & covered walkways) **Approximately 10% existing to be replaced.**
- 3) ½" desk sheathing (Building Roofs) **Approximately 5% existing decking to be replaced.**

ARTICLE 3 UNIT PRICES – INCLUDE WITH BID SUBMISSION

NO.	ITEM DESCRIPTION	UNIT OF MEASURE	UNIT PRICE
1.	Edge Metal	LF	\$19.26
2.	Diagonal Decking Board	BD	\$120.00
3.	Tongue and Groove Deck	BD	\$115.00
4.	Fascia Replacement	LF	\$14.04