BID FORMS

BID ACKNOWLEDGEMENT

NAME OF BIDDER: Newbuild Construction and Restoration, Inc.

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

MO2024-0001 Rea Elementary School Kitchen Ceiling Replacement

To the Newport-Mesa Unified School District, with its principal place of business at 2985 Bear Street, Costa Mesa, California 92626:

In response to the Notice Inviting Bids dated 4/1/2024 and in accordance with the accompanying Instructions to Bidders, the undersigned hereby proposes to the District to furnish all labor, technical and professional services, supervision, materials and equipment, other than materials and equipment specified as furnished by the District, and to perform all operations necessary and required to construct the Project in accordance with the provisions of the Contract Documents, including all plans, specifications, and all addenda, and at the prices stated opposite the respective items set forth in the Bid Schedule.

This Bid constitutes a firm offer to the District which cannot be withdrawn for 90 days after the date set for opening of Bids, or until a Contract is executed by the District and a third party, whichever is earlier.

The undersigned certifies that it has examined and is fully familiar with all of the provisions of the Contract Documents and any addenda thereto; that it has carefully checked all of figures shown in its Bid Schedule; that it has carefully reviewed the accuracy of all statements in this Bid and attachments hereto; and that it understands and agrees that the District will not be responsible for any errors or omissions on the part of the undersigned in preparing this Bid.

If awarded a Contract, the undersigned agrees to execute and deliver to the District within ten (10) calendar days after date of receipt of Notice of Award, a signed Contract and the necessary Performance Bond, Payment Bond, and Certificates of Insurance and Endorsements.

The following Bid Forms, which have been completed and executed by the undersigned Bidder, are incorporated by this reference and made a part of this Bid:

1. Completed Bid Schedule form.
2. Bid Guarantee in the amount of not less than 10% of the Total Bid Price.
3. Completed Designation of Subcontractors form.
4. Completed Bidder Information and Experience form.
5. Fully executed Noncollusion Declaration form.

6. Completed Public Works Contractor DIR Registration Certification form.

Bidder certifies that it is now licensed in accordance with the provisions of the Contractor's License Law of the State of California:

License number 1010827

Expiration date 2/28/2026

License classification A, B, C17, C33

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

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

Addenda No. 1

[SIGNATURES NEXT PAGE]

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.

BIDDER:

Newbuild Construction and Restoration, Inc
(Company Name)

Bidder's Business Address:

625 W. Katella Ave, Ste 27
Orange, CA 92867

By _____
(Signature)

Maher Kutkut
(Type or print name)

CEO
(Title)

Orange, California
(Where signed) (District, State)

(corporate seal)

Dated: April 23rd, 2024
State of Incorporation: California

(If the Contractor is a corporation, two signatures of corporate officers are required.)

Names and addresses of all partners or joint venturers:

N / A

Statement of the authority of signatory to bind Bidder:

I, Maher Kutkut, hereby represent and warant that I am duly authorized to sign this bid on behalf of Newbuild Construction and Restoration, Inc. I have the full power and authority to bind it to all of the terms and conditions of this bid.

BID SCHEDULE

TOTAL BID PRICE + $8,000.00 ALLOWANCE

$ 103,000.00 + $8,000.00 = $111,000.00

Total Base Bid + Allowance in Numbers

The undersigned agrees that this Bid Schedule 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.

Name of Bidder Newbuild Construction and Restoration, Inc.

Signature

Name and Title Maher Kutkut

Dated 4/23/2024

Bond# 72639270

BID GUARANTEE

BID BOND

[Note: Not required when other form of Bidder's Security, e.g., cash, certified check or cashier's check, accompanies Bid.]

The makers of this bond are, Newbuild Construction and Restoration, Inc as Principal, and WESTERN SURETY COMPANY, as Surety and are held and firmly bound unto the District, 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 April 24th, 20 24, for MO2024-0001 Rea Elementary School Kitchen ceiling Replacement.

If the Principal does not withdraw its Bid within the time specified in the Contract; and if the Principal is awarded the Contract and provides all documents to the District as required by the Contract; 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 shall 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 24th day of April, 20 24, the name and corporate seal of each corporation.

(Corporate Seal)

NEWBUILD CONSTRUCTION AND RESTORATION, INC.
Contractor/ Principal

By _____

Title CEO

WESTERN SURETY COMPANY
Surety

By _____
Attorney-in-Fact

Title Andrew Joseph Sysyn, Attorney-In-Fact

(Corporate Seal)

(Attach Attorney-in-Fact Certificate)

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 orange

On April 24, 2024, before me, Lena Nahhas, Notary Public, personally appeared Maher Kutkut, 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.

Name(s) of Signer(s)

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

LENA NAHHAS
Notary Public - California
Orange County
Commission # 2480569
My Comm. Expires Jan 30, 2028

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.

CAPADISTRICT 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.

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 Orange

On April 24, 2024 before me, Maria Sysyn, Notary Public, personally appeared Andrew Joseph Sysyn, Attorney-In-Fact, 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.

MARIA SYSYN
Notary Public - California
Orange County
Commission # 2468022
My Comm. Expires Nov 7, 2027

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.

CAPADISTRICT CLAIMED BY SIGNER

- Individual
- Corporate Officer

Title(s)

- Partner(s) Limited / General
- XXAttorney-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

Western Surety Company

POWER OF ATTORNEY - CERTIFIED COPY

Bond No. 72639270

Know All Men By These Presents, that WESTERN SURETY COMPANY, a corporation duly organized and existing under the laws of the State of South Dakota, and having its principal office in Sioux Falls, South Dakota (the "Company"), does by these presents make, constitute and appoint Andrew Joseph Sysyn

its true and lawful attorney(s)-in-fact, with full power and authority hereby conferred, to execute, acknowledge and deliver for and on its behalf as Surety, bonds for:

Principal: Newbuild Construction and Restoration, Inc.

Obligee: Newport-Mesa Unified School District

Amount: $1,000,000.00

and to bind the Company thereby as fully and to the same extent as if such bonds were signed by the Vice President, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said attorney(s)-in-fact may do within the above stated limitations. Said appointment is made under and by authority of the following bylaw of Western Surety Company which remains in full force and effect.

"Section 7. All bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile."

This Power of Attorney may be signed by digital signature and sealed by a digital or otherwise electronic-formatted corporate seal under and by the authority of the following Resolution adopted by the Board of Directors of the Company by unanimous written consent dated the 27th day of April, 2022:

"RESOLVED: That it is in the best interest of the Company to periodically ratify and confirm any corporate documents signed by digital signatures and to ratify and confirm the use of a digital or otherwise electronic-formatted corporate seal, each to be considered the act and deed of the Company."

If Bond No. 72639270 is not issued on or before midnight of July 24th, 2024, all authority conferred in this Power of Attorney shall expire and terminate.

In Witness Whereof, Western Surety Company has caused these presents to be signed by its Vice President, Larry Kasten, and its corporate seal to be affixed this 24th day of April, 2024.

WESTERN SURETY COMPANY

Larry Kasten, Vice President

STATE OF SOUTH DAKOTA)
) ss
COUNTY OF MINNEHAHA)

On this 24th day of April, in the year 2024, before me, a notary public, personally appeared Larry Kasten, who being to me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of WESTERN SURETY COMPANY and acknowledged said instrument to be the voluntary act and deed of said corporation.

S. GREEN
NOTARY PUBLIC
SOUTH DAKOTA
SEAL SEAL

Notary Public - South Dakota

My Commission Expires February 13, 2027

I the undersigned officer of Western Surety Company, a stock corporation of the State of South Dakota, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable, and furthermore, that Section 7 of the bylaws of the Company as set forth in the Power of Attorney is now in force.

In testimony whereof, I have hereunto set my hand and seal of Western Surety Company this 24th day of April, 2024.

WESTERN SURETY COMPANY

Larry Kasten, Vice President

To validate bond authenticity, go to www.cnasurety.com > Owner/Obligee Services > Validate Bond Coverage.

Form F5306-5-2023

DESIGNATION OF SUBCONTRACTORS

The subcontractor listed below will perform work or labor or render service to the successful Bidder in or about the construction of the work or improvement, or are subcontractors licensed by the State of California who will, under subcontract to the successful Bidder, specially fabricate and install a portion of the work or improvement according to detailed drawings contained in the Contract Documents, in an amount in excess of one-half of one percent (1/2 of 1%) of the Bidder's total bid. Notwithstanding the foregoing, if the work involves the construction of streets and highways, then the Bidder shall list each subcontractor who will perform work or labor or render service to the Bidder in or about the work in an amount in excess of one-half of one percent (0.5%) of the Bidder's Total Bid Price or $10,000, whichever is greater. No additional time shall be granted to provide the below requested information.

In compliance with the Subletting and Subcontracting Fair Practices Act Chapter 4 (commencing at Section 4100), Part 1, Division 2 of the California Public Contract Code, the Bidder shall set forth below:

(a) The portion of the work to be done by the subcontractor.

(b) The name and the location of the place of business.

(c) The California contractor license number; and

(d) The DIR public works contractor registration number.

If a Bidder fails to specify a subcontractor or if a Bidder specifies more than one subcontractor for the same portion of work, then the Bidder shall be deemed to have agreed that it is fully qualified to perform that portion of work and that it shall perform that portion itself.

Portion of Work to be done by Subcontractor	Name of Subcontractor	Location of Business	CSLB Contractor License No.	DIR Registration Number
N / A				

Portion of Work to be done by Subcontractor	Name of Subcontractor	Location of Business	CSLB Contractor License No.	DIR Registration Number

BIDDER INFORMATION AND EXPERIENCE FORM

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: Newbuild Construction and Restoration, Inc.

2.0 Type, if Entity: Corporation

3.0 Bidder Address: 625 W. Katella Ave, Ste. 27

Orange, CA 92867

N / A (714) 912-4836

Facsimile Number Telephone Number

Newbuild27@gmail.com

Email Address

4.0 How many years has Bidder's organization been in business as a Contractor? 21 Years

5.0 How many years has Bidder's organization been in business under its present name? 8 Years

5.1 Under what other or former names has Bidder's organization operated? N / A

6.0 If Bidder's organization is a corporation, answer the following:

6.1 Date of Incorporation: 4/15/2015

6.2 State of Incorporation: California

6.3 President's Name: Maher Kutkut

6.4 Vice-President's Name(s): Maher Kutkut

6.5 Secretary's Name: Same as above

6.6 Treasurer's Name: Same as above

7.0 If an individual or a partnership, answer the following:

7.1 Date of Organization: N / A

7.2 Name and address of all partners (state whether general or limited partnership):

N / A

8.0 If other than a corporation or partnership, describe organization and name principals:

N / A

9.0 List other states in which Bidder's organization is legally qualified to do business.

N / A

10.0 What type of work does the Bidder normally perform with its own forces?

General Construction, Framing, Carpentry , Remodeling, Paint, Waterproofing

Glazing, Iron Work, Siding. Plumbing, structural Work ....

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:

Ganahl Lumber , 1220 E Ball St. Anaheim CA 92805 Phone # (714) 513-2631

HD Supply , 1044 E 4Th St, Santa Ana CA 92701 Phone # (714) 324- 5632

Elegant Kitchens and Bath 1408 E Katella Ave, Orange CA 92867 Phone # (714) 997-3365

SAK Enterprises 1911 E. Ball Rd. Anaheim CA 92805 Phone # (714) 635-1482

14.0 List Bank References (Bank and Branch Address):

Bank of America

941 N Tustin St, Orange, CA 92867

Phone # (714) 778-7255

15.0 Name of Bonding Company and Name and Address of Agent:

Western Surety Company

Artisan Bonding & Ins. Services, LLC / Andrew Sysyn

3101 Hillside Terrace, San Juan Capistrano

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

LIST OF CURRENT PROJECTS (BACKLOG)

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

Project	Client Reference (agency name/contact info)	Description of Bidder's Work	Completion Date	Cost of Bidder's Work
Arcadia Shade Structure Site Work	Arcadia Unified School District	Concrete Job.	June 2024	$112,300.00
New Elastomeric Wall Coating System	Rancho Santiago Community College District	Paint and Sealing	June 2024	$24,300.00
Harbor Department Acoustic Revisions	City of Newport Beach	Acoustical Sound and Store Front	May 2024	$38,700.00

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 Reference (agency name/contact info)	Description of Bidder's Work	Completion Date	Cost of Bidder's Work
Rea Elem. Shool Kitchen Renovation	Newport Mesa Unified School District	Disconnect Removal & Reinstall all The kitchen appliances	June 2023	$8,091.68
Anderson - Pit Infill	Newport Mesa Unified School District	Classroom Renovation	July 2022	$21,900.00
Perch Cafe Repairs at SCC.	Rancho Santiago Community College District	Cafe Renovation	August 2022	$55,900.00
Installation of Siding and Parking Lot Improvements	Newport Mesa Unified School Disctrict	Siding and Parking Lot Improvement	February 2022	$365,000.00
Loading Zone Repairs at SCC	Rancho Santiago Community College District	Concrete Work	January 2022	$65,000.00
Curb Ramp Removal	Rancho Santiago Community College District	Curb Ramp and Sidewalk Repairs	April 2022	$33,300.00
Concession Walkway Repais at SCC	Rancho Santiago Community College District	Concrete Work	August 2021	$51,500.00
Window Replacement at Harper Assesment Center	Newport Mesa unified Scholl District	Framing Glazing	November 2022	$132,000.00

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:

Maher Kutkut Field Manager 65%

William Osorio 100%

Jose Magana 100%

2. Summarize each person's specialized education:

Maher Kutkut College Graduate with 4 Construction Licenses

William Osorio Construction Trade School

Jose Magana Construction Trade School

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

Maher Kutkut 21 Years of Experience

William Osorio 10 Years of Experience

Jose Magana 15 Years of Experience

4. Summarize such experience:

Our Construction Staff is very experianced in the construction business and they are responsible for supervising the Workers and making sure that the Job is executed according to specification with attention to details , while maintaining a safe work environment

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.

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:

N / A

NON-COLLUSION DECLARATION

The undersigned declares:

I am the CEO of Newbuild Construction and Restoration 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 4/23/2024 [date], at Orange [District], California [state].

Name of Bidder Newbuild Construction and Restoration, Inc.

Signature _____

Name Maher Kutkut

Title CEO

PUBLIC WORKS CONTRACTOR DIR REGISTRATION CERTIFICATION

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.[1]

Name of Bidder: Newbuild Construction and Restoration, Inc.

DIR Registration Number: 1000043210

DIR Registration Expiration: 6/30/2024

Small Project Exemption: _____ Yes or X No

Unless Bidder is exempt pursuant to the small project exemption, 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 Newbuild Construction and Restoration, Inc.

Signature _____

Name and Title Maher Kutkut / CEO

Dated 4/23/2024

[1] If the Project is exempt from the contractor registration requirements pursuant to the small project exemption under Labor Code Sections 1725.5 and 1771.1, please mark "Yes" in response to "Small Project Exemption."