

BID FORMNAME OF BIDDER: BEN'S ASPHALT, INC.

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

Bid # 127-25 Asphalt Maintenance at Various Sites**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:

	BID PRICE FROM BID SCHEDULE + \$170,000.00 ALLOWANCE. (IN WRITTEN FORM)	BID PRICE FROM BID SCHEDULE + \$170,000.00 ALLOWANCE (IN NUMBERS)
TOTAL BID PRICE	Six Hundred ten thousand nine hundred ninety five dollars	\$610,995 ⁰⁰

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

BID FORM

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BID SCHEDULE

#	Sites	Lump Sum Cost Per Site
1	Costa Mesa HS	\$ 165,000 ⁰⁰
2	California ES	\$ 39,000 ⁰⁰
3	Early College HS	\$ 43,000 ⁰⁰
4	Harbor View ES	\$ 51,500 ⁰⁰
5	Lindbergh ES	\$ 20,495 ⁰⁰
6	Pomona ES	\$ 33,000 ⁰⁰
7	Sonora ES	\$ 45,500 ⁰⁰
8	TeWinkle MS	\$ 43,500 ⁰⁰
Grand Total Cost for All Sites		\$ 440,995 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The undersigned agrees that this Bid Form constitutes a firm offer to the District which cannot be withdrawn for the number of calendar days indicated in the Notice Inviting Bids from and after the bid opening, or until a Contract for the Work is fully executed by the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.

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 10%, which is not

BID FORM

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less than ten percent (10%) of this bid, payable to Newport-Mesa Unified School District as bid security and which is given as a guarantee that the undersigned will enter into a contract and provide the necessary bonds and certificates of insurance if awarded the Work.

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

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

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):

668417, 3/31/27, A,C12

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

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

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

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

Addenda No. 1, 2, 3, 4

Addenda No. _____

Addenda No. _____

1. Attached is the required bid security in the amount of not less than 10% of the Total Bid Price.

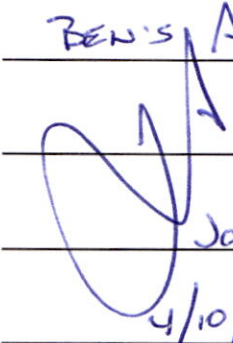
BID FORM

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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.

Name of Bidder BEN'S ASPHALT, INC.

Signature 

Name and Title JOHN STEFFINGTON C.F.O.

Dated 4/10/25

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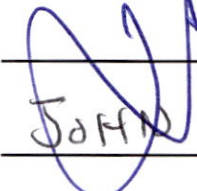
Asphalt Project Unit Cost Workbook

Note: The table below is for reference only. It is to be used at the District's discretion for any additional potential work.			
Item No:	Description	Unit	Unit Price
1	2" AC Mill, Removal of Petromat, and Overlay, 1/2" Class III C3 PG64-10, 15% RAP Max	100 S/F	\$ 275 SF
2	Placement of two coats of Gaurdtop Ultra with 2% latex seal coat, 50 Gallons for every 1000 SF	100 S/F	\$.20 SF
3	2" Depth Crack Fill Repair and Striping	100 L/F	\$ 5.00 LF
4	Stripe Parking lots and Play Areas	100 L/F	\$.50 LF
5	Red Curb Paint for Fire Department	100 L/F	\$ 1.00 LF
6	Remove and Reinstall Wheel Stops (4' Wide)	1 Wheel Stop	\$ 60.00
7	1 USA Map	1 USA Map	\$ 3,000.00

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

I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this Contract.

Name of Bidder BEN'S ASPHALT, INC

Signature 

Name and Title JOHN SKEFFINGTON CFO

Dated 4/9/25

**CONTRACTOR'S CERTIFICATE REGARDING
WORKERS COMPENSATION**

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

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

☒ The Contractor is not:

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

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

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

Signature: _____

Printed Name: JOHN SKIFFINGTON

Title: CFO

Firm Name: BEN'S ASPHALT, INC

Date: 4/9/25

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

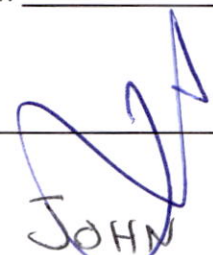
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FLEET COMPLIANCE CERTIFICATION

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: BEN'S ASPHALT, INC.

Signature: 

Name: JOHN SKEFFINGTON

Title: CFO

Date: 4/9/25

FLEET COMPLIANCE CERTIFICATION

California Environmental Protection Agency
Air Resources Board

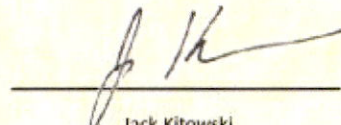
January 1, 2025

**CERTIFICATE OF REPORTED COMPLIANCE
OFF-ROAD DIESEL VEHICLE REGULATION**

is issued to

TCK EQUIPMENT LEASING

This certificate indicates that the fleet listed above has reported off-road diesel vehicles to the California Air Resources Board and has certified they are in compliance with title 13 CCR, section 2449. All applicable vehicles owned by the individual, company, or agency must be reported and labeled, as specified in Section 2449, with all possible completeness, else this certificate is null and void. **Certificate expires 2/28/2026**



Jack Kitowski
Chief, Mobile Source Control Division
California Air Resources Board

Off-road Diesel Fleet Identification

2299

To verify the authenticity of this certificate, enter this number at
http://www.arb.ca.gov/doors/compliance_cert1.html

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: BEN'S ASPHALT INC

DIR Registration Number: 1000001749

Bidder further acknowledges:

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

Name of Bidder BEN'S ASPHALT, INC.

Signature _____

Name and Title JOHN SHEFFINGTON CFU

Dated 4/9/25

**PUBLIC WORKS CONTRACTOR
REGISTRATION CERTIFICATION**

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BID BOND

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

THE CONDITION OF THIS OBLIGATION IS SUCH that whereas the Principal has
submitted the accompanying bid dated April 10th, 20 25, for **Bid # 127-25 Asphalt
Maintenance at Various Sites**.

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.

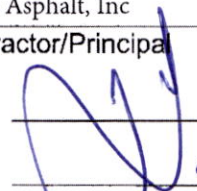
In the event a lawsuit is brought upon this bond by the District and judgment is
recovered, the Surety shall pay all litigation expenses incurred by the District in such suit, including
reasonable attorneys' fees, court costs, expert witness fees and expenses.

IN WITNESS WHEREOF, the above-bound parties have executed this instrument
under their several seals this 8th day of April, 20 25, the name and
corporate seal of each corporation.

(Corporate Seal)

Ben's Asphalt, Inc

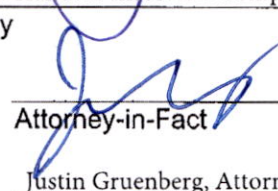
Contractor/Principal

By: 

Title: C.F.O.

The Hanover Insurance Company

Surety

By: 

Attorney-in-Fact

Title: Justin Gruenberg, Attorney-in-Fact

(Corporate Seal)

(Attach Attorney-in-Fact Certificate)

The rate of premium on this bond is \$0.00 per thousand.

The total amount of premium charges, \$ 0.00.

(The above must be filled in by corporate attorney)

THIS IS A REQUIRED FORM

Any claims under this bond may be addressed to:

(Name and Address of Surety)

The Hanover Insurance Group

BID BOND

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

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

Attn: Bond Claims Dept.

440 Lincoln St

Worcester, MA 01653

Orion Risk Management, an Alera Group Company

18575 Jamboree Rd, Suite 500

Irvine, CA 92612

Surety: (800) 343-6044

Agent: (949) 396-0043

BID BOND

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

POWER OF ATTORNEY

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

KNOW ALL PERSONS BY THESE PRESENTS:

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

Trisha Cabuto, Jazmin Chavez, Braden Cluck, Kelly Wright, and/or Justin Gruenberg

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

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

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

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

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

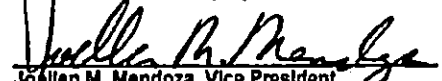
IN WITNESS WHEREOF, THE HANOVER INSURANCE COMPANY, MASSACHUSETTS BAY INSURANCE COMPANY and CITIZENS INSURANCE COMPANY OF AMERICA have caused these presents to be sealed with their respective corporate seals, duly attested by two Vice Presidents, this 18th day of March 2024



The Hanover Insurance Company
Massachusetts Bay Insurance Company
Citizens Insurance Company of America

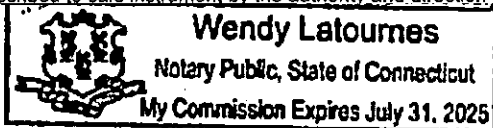

James H. Kawiecki, Vice President

The Hanover Insurance Company
Massachusetts Bay Insurance Company
Citizens Insurance Company of America


Joellen M. Mendoza, Vice President

STATE OF CONNECTICUT)
COUNTY OF HARTFORD) ss.

On this 18th day of March 2024 before me came the above named Executive Vice President and Vice President of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, to me personally known to be the individuals and officers described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, respectively, and that the said corporate seals and their signatures as officers were duly affixed and subscribed to said instrument by the authority and direction of said Corporations.

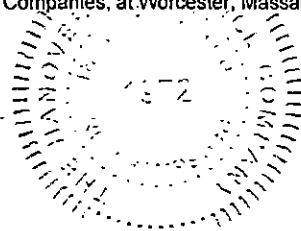



Wendy Latournes, Notary Public
My commission expires July 31, 2025

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

GIVEN under my hand and the seals of said Companies, at Worcester, Massachusetts, this 8th day of April 2025.

CERTIFIED COPY



The Hanover Insurance Company
Massachusetts Bay Insurance Company
Citizens Insurance Company of America


John Rowedder, Vice President

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.

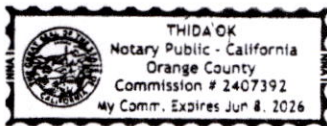
STATE OF CALIFORNIA

COUNTY OF Orange

On April 9th, 2025, before me, Thida OK, Notary Public, personally appeared John Skaffington, 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.



Signature of Notary Public

WITNESS my hand and official seal.

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
Chief Financial officer
Title(s)

Bid Bond
Title or Type of Document

☐ Partner(s)
☐ Limited
☐ General

3
Number of Pages

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

04/08/2025
Date of Document

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

Beris Asphalt, Inc.

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 _____

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

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

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

WITNESS my hand and official seal.

Signature of Notary Public

OPTIONAL

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

CAPACITY CLAIMED BY SIGNER

- .. Individual
- .. Corporate Officer

Title(s)

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

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

DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document

Number of Pages

Date of Document

Signer(s) Other Than Named Above

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

END OF BID BOND

BID BOND
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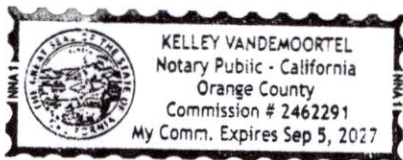
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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

State of California)
 County of Orange)
 On 04/08/2025 before me, Kelley Vandemoortel, Notary Public
Date Here Insert Name and Title of the Officer
 Personally appeared Justin Gruenberg
Name(s) of Signer(s)

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



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

WITNESS my hand and official seal.

Signature Kelley Vandemoortel
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document

Title or Type of Document Bid Bond Document Date 04/08/2025
 Number of Pages 3 Signer(s) Other Than Named Above _____

Capacity(ies) Claimed by Signer(s)

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

Signer Is Representing Hanover Insurance Co. Signer Is Representing _____

DESIGNATION OF SUBCONTRACTORS

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

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

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

DESIGNATION OF SUBCONTRACTORS

- 24 -

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

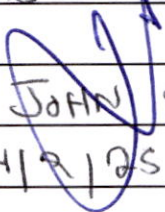
DESIGNATION OF SUBCONTRACTORS
- 25 -

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

Name of Bidder BEN'S ASPHALT, INC.

Signature 

Name and Title JOHN SKEFFINGTON

Dated 4/2/25

DESIGNATION OF SUBCONTRACTORS
- 27 -

INFORMATION REQUIRED OF BIDDERS

A. INFORMATION ABOUT BIDDER

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

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

- 1.0 Name of Bidder: BEN'S ASPHALT, INC
- 2.0 Type, if Entity: CORP.
- 3.0 Bidder Address: 2200 SOUTH YALE ST.
SANTA ANA, CA 92704
- (714) 540-1709 (714) 540-1700
Facsimile Number Telephone Number
- 4.0 How many years has Bidder's organization been in business as a Contractor?
64
- 5.0 How many years has Bidder's organization been in business under its present name?
64
- 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: 1992 - 12/10/92
- 6.2 State of Incorporation: CA
- 6.3 President's Name: WILLIAM SKEFFINGTON
- 6.4 Vice-President's Name(s): JOHN SKEFFINGTON
- 6.5 Secretary's Name: JOHN SKEFFINGTON
- 6.6 Treasurer's Name: JOHN SKEFFINGTON
- 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? ASPHALT, CONCRETE, SEAL COAT, STRIPING

11.0 Has Bidder ever failed to complete any work awarded to it? If so, note when, where, and why: NO

12.0 Within the last five years, has any officer or partner of Bidder's organization ever been an officer or partner of another organization when it failed to complete a contract? If so, attach a separate sheet of explanation: NO

13.0 List Trade References: _____
Garden Grove USD - Jeff Thrift (714) 663-6442
Anaheim Union High School District - Jennifer Reyes (714) 990-2380
Cape Unified School District
City of Mission Viejo - Jamie Orozco - (949) 624-3590

14.0 List Bank References (Bank and Branch Address): _____
SMB
301 Dove St. Suite 100
Newport Beach CA 92660
Suzanne Santos

15.0 Name of Bonding Company and Name and Address of Agent: _____
ORION RISK MANAGEMENT
1800 ORILL ST.
NEWPORT BEACH, CA

INFORMATION REQUIRED OF BIDDERS

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

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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		

Ben's Asphalt Completed Jobs

Contact	Job Name	City	Contract Total	Scope
Capo USD Alex Malfavon (949) 234-5921	DANA HILLS H.S	DANA POINT	\$ 58,050.00	AC, STRIPE
	MOULTON ELEMENTARY SCHOOL	LAGUNA NIGUEL	\$ 20,750.00	AC
	DANA HILLS HIGH SCHOOL	DANA POINT	\$ 14,400.00	AC
	LADERA RANCH ELEMENTARY SCHOOL	LADERA RANCH	\$ 6,250.00	AC, STRIPING
	CHAPARELL ES	LADERA RANCH	\$ 19,570.00	AC
	OSO GRANDE ES	LADERA RANCH	\$ 24,581.00	AC
	LADERA RANCH ES & MS	LADERA RANCH	\$ 33,610.00	AC
	CAPISTRANO UNION HIGH SCHOOL	SAN JUAN CAPISTRANO	\$ 35,905.00	
	CAPO USD - DON JUAN AVILA - ALISO VIEJO	ALISO VIEJO	\$ 138,149.00	AC, S&S
	DANA HILLS HIGH SCHOOL	DANA POINT	\$ 6,480.00	
	CAPO - SAN JUAN ELEMENTARY SCHOOL	SAN JUAN CAPISTRANO	\$ 18,681.25	
	TESORO HIGH SCHOOL	RSM	\$ 11,347.50	AC
	AMBUEHL E.S	SAN JUAN CAPISTRANO	\$ 10,866.00	SEAL COAT
	SHORECLIFFS M.S	SAN CLEMENTE	\$ 13,141.50	SEAL COAT
	DON JUAN AVILAS E.S & M.S	ALISO VIEJO	\$ 15,113.75	SEAL COAT
	VISTA DEL MAR	SAN CLEMENTE	\$ 14,117.50	SEAL COAT
	CONCORDIA E.S	SAN CLEMENTE	\$ 98,550.00	AC
	VIEJO E.S	LAGUNA NIGUEL	\$ 87,687.50	AC
	LOBO E.S	SAN CLEMENTE	\$ 13,565.00	PCC
	DANA HILLS H.S	DANA POINT	\$ 13,975.00	PCC
	NEWHART M.S	MISSION VIEJO	\$ 23,625.00	PCC
	DON JUAN AVILAS E.S & M.S	ALISO VIEJO	\$ 9,320.00	PCC
	ALISO NIGUEL HS	ALISO VIEJO	\$ 2,000.00	AC
	CASTILLE E.S	MISSION VIEJO	\$ 2,000.00	AC
	ANHS	ALISO VIEJO	\$ 334,425.00	AC, STRIPING
	NEWHART MS	MISSION VIEJO	\$ 243,115.00	AC, STRIPING
	TIJERAS CREEK ES	RANCHO SANTA MARGARITA	\$ 137,375.00	AC, STRIPING
	AMBRUEHL ES	SAN JUAN CAPISTRANO	\$ 85,835.00	AC, STRIPING

LAS FLORES MS	RANCHO SANTA MARGARITA	\$	102,650.00	AC, STRIPING
OXFORD PREP	MISSION VIEJO	\$	145,535.00	AC, STRIPING
LAS PALMAS ES	SAN CLEMENTE	\$	57,575.00	AC, STRIPING
DANA HILLS HS	DANA POINT	\$	9,600.00	AC
NEWHART MS	MISSION VIEJO	\$	24,527.50	S&S
AVMS	ALISO VIEJO	\$	31,912.00	S&S
LAGUNA NIGUEL ES	LAGUNA NIGUEL	\$	9,951.00	S&S
LOBO E.S	SAN CLEMENTE	\$	10,147.35	S&S
MALCOM ES	LAGUNA NIGUEL	\$	21,514.00	S&S
CONCORDIA ES	SAN CLEMENTE	\$	7,386.00	S&S
MOULTON ES	LAGUNA NIGUEL	\$	56,600.00	AC, S&S
SAN CLEMENTE H.S	SAN CLEMENTE	\$	10,830.00	PCC
SAN JUAN E.S	SAN JUAN CAPISTRANO	\$	41,400.00	PCC
BATHGATE E.S	MISSION VIEJO	\$	10,314.00	SEAL COAT
AVMS -111 PARK AVE - ALISO VIEJO	ALISO VIEJO	\$	4,800.00	AC
CAPO USD - OXFORD PREP - MISSION VIEJO	MISSION VIEJO	\$	11,580.00	AC
VIEJO ELEMENTARY SCHOOL	MISSION VIEJO	\$	6,700.00	PCC

Garden Grove USD

John Swift

john.swift1225@gmail.com

BRYANT ELEMENTARY SCHOOL	GARDEN GROVE	\$	8,869.00	AC, STRIPING
PACIFICA HIGH SCHOOL	GARDEN GROVE	\$	5,925.00	AC
BRYANT ELEMENTARY SCHOOL	GARDEN GROVE	\$	6,063.00	AC
WALTON INTERMEDIATE SCHOOL	GARDEN GROVE	\$	7,717.37	AC, STRIPING
SKYLARK PRESCHOOL	GARDEN GROVE	\$	10,530.00	AC
RIVERDALE ELEMENTARY SCHOOL	GARDEN GROVE	\$	10,650.00	AC
SANTIAGO HIGH SCHOOL	GARDEN GROVE	\$	54,600.61	AC
LAWRENCE E.S	GARDEN GROVE			AC, S&S
HARE H.S	GARDEN GROVE	\$	73,199.27	AC, S&S
BELL INTERMEDIATE SCHOOL	GARDEN GROVE	\$	10,000.00	AC, STRIPING
AG COOK ELEMENTARY SCHOOL	GARDEN GROVE	\$	5,650.00	AC
RALSTON INTERMEDIATE SCHOOL	GARDEN GROVE	\$	5,550.00	AC
CLINTON E.S	GARDEN GROVE	\$	12,152.00	AC
EISENHOWER E.S	GARDEN GROVE	\$	107,608.00	AC, S&S

SANTIAGO H.S	GARDEN GROVE	\$	152,472.00	AC, S&S
SANTIAGO H.S	GARDEN GROVE	\$	29,570.50	S&S
CLINTON CORNER FAMILY CAMPUS	GARDEN GROVE	\$	6,400.00	AC

Newport Mesa USD

Leo Hernandez

(949) 903-8828

NEWPORT COAST ELEMENTARY	NEWPORT BEACH	\$	36,555.04	AC
BID #130-24 AC MAINTENANCE @ VARIOUS SITI NEWPORT MESA		\$	316,398.00	AC, S&S

Riverside USD

Juan Jiménez

(949-496-5881

BID#2023/24-22 AC REPLACEMENT	RIVERSIDE	\$	1,129,945.00	AC, S&S
BID#2023/24-25 AC, SEAL & STRIPE - RIVERSIDE RIVERSIDE		\$	299,995.00	AC, S&S

D. EXPERIENCE AND TECHNICAL QUALIFICATIONS QUESTIONNAIRE

Personnel:

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

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

JEREMY TAYLOR - PM
RANDY PEREZ - Superintendent
JASON WILMOTT - Seal & Stripe Superintendent

2. Summarize each person's specialized education:

PM - 20+ years of industry experience
Superintendent - 20+ years of industry experience
Seal & Stripe Superintendent - 15+ years of industry experience

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

Jeremy - years
Randy - 20+ years
Jason - 20+ years

4. Summarize such experience:

JEREMY - PROJECT MANAGEMENT, ESTIMATING
RANDY - ASPHALT
JASON - SEAL COAT + STRIPING

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:

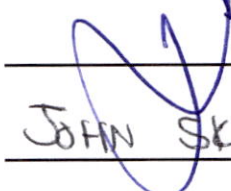
If the Bidder feels that there is additional information which has not been included in the questionnaire above, and which would contribute to the qualification review, it may add that information in a statement here or on an attached sheet, appropriately marked:

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 BEN'S ASPHALT, INC

Signature 

Name and Title JOHN SKEFFINGTON - CFO

Dated 4/9/25

ASBESTOS-FREE MATERIALS CERTIFICATION

The undersigned declares that he or she is the person who executed the **Bid # 127-25 Asphalt Maintenance at Various Sites** (hereinafter referred to as the "Project"), and submitted it to the **NEWPORT-MESA UNIFIED SCHOOL DISTRICT** (hereinafter referred to as the "District") on behalf of BEN'S ASPHALT, INC. (hereinafter referred to as the "Contractor").

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

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

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

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

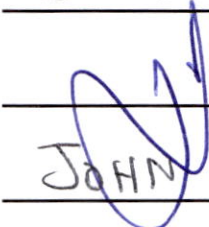
The ASBESTOS REMOVAL CONTRACTOR shall be an EPA accredited contractor qualified in the removal of asbestos and shall be chosen and approved by the Asbestos Consultant who shall have sole discretion and final determination in this matter.

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

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

Executed on this 9TH day of APRIL, 2025 at SANTA ANA.

Name of Bidder BEN'S ASPHALT, INC.

Signature 

Name and Title JOHN SKEFFINGTON

Dated 4/9/25

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 Orange

On April 9th, 2025, before me, Thida OK, Notary Public, personally appeared John Steffington, 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.



Signature of Notary Public

WITNESS my hand and official seal.

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

Chief Financial 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)

Bent's Asphalt, Inc.

DESCRIPTION OF ATTACHED DOCUMENT

Asbestos-Free Materials Certification
Title or Type of Document

1
Number of Pages

N/A
Date of Document

Signer(s) Other Than Named Above

ASBESTOS-FREE MATERIALS CERTIFICATION

RECYCLED CONTENT CERTIFICATION

The undersigned declares that he or she is the person who executed **Bid # 127-25 Asphalt Maintenance at Various Sites** (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:

_____ % Post consumer Material _____ % Secondary Material.

Executed on this 9TH day of APRIL, 2025 at SANTA ANA

Name of Bidder BEN'S ASPHALT, INC.

Signature _____

Name and Title JOHN STEFFINGTON CFO

Dated 4/9/25

RECYCLED CONTENT CERTIFICATION

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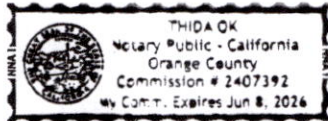
STATE OF CALIFORNIA

COUNTY OF Orange

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



Signature of Notary Public

WITNESS my hand and official seal.

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

Chief Financial 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)

Ben's Asphalt, Inc.

DESCRIPTION OF ATTACHED DOCUMENT

Recycled Content Certification
Title or Type of Document

1

Number of Pages

N/A

Date of Document

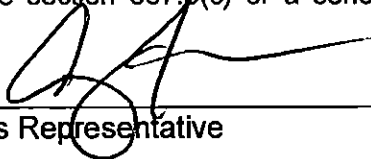
Signer(s) Other Than Named Above

RECYCLED CONTENT CERTIFICATION

CONTRACTOR & SUBCONTRACTOR FINGERPRINTING REQUIREMENTS

CONTRACTOR CERTIFICATION

With respect to the Contract dated April 9 2025 by and between NEWPORT-MESA UNIFIED SCHOOL DISTRICT ("District") and BEN'S ASPHALT INC ("Contractor"), Contractor hereby certifies to the District's governing board that it has completed the criminal background check requirements of Education Code Section 45125.1 and that none of its employees that may come in contact with District's pupils have been convicted of a violent felony listed in Penal Code section 667.5(c) or a serious felony listed in Penal Code section 1192.7(c).


Contractor's Representative

4/9/25
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 _____ ("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 BEN'S ASPHALT INC (hereinafter referred to as the "Contractor") for **Bid # 127-25 Asphalt Maintenance at Various Sites** 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:

- A. Publishing a statement notifying employees concerning the prohibition of controlled substance at my workplace.

DRUG FREE WORKPLACE CERTIFICATION

- 40 -

- 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.

20 25 Executed on this 9TH day of APRIL
at SANTA ANA

Name of Bidder BEN'S ASPHALT, INC.

Signature _____

Name and Title JOHN SHEFFINGTON

Dated 4/9/25

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.

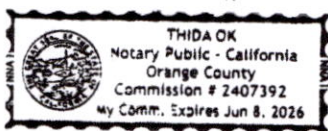
STATE OF CALIFORNIA

COUNTY OF Orange

On April 9th, 2025, before me, Thida OK, Notary Public, personally appeared John Steffington, 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.



Signature of Notary Public

WITNESS my hand and official seal.

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

Chief Financial Officer

Title(s)

Drug-Free Workplace Certification

Title or Type of Document

☐ Partner(s)

☐ Limited

☐ General

2
Number of Pages

☐ Attorney-In-Fact

☐ Trustee(s)

☐ Guardian/Conservator

☐ Other:

N/A
Date of Document

Signer is representing:

Name Of Person(s) Or Entity(ies)

Ben's Asphalt, Inc.

Signer(s) Other Than Named Above

DRUG FREE WORKPLACE CERTIFICATION

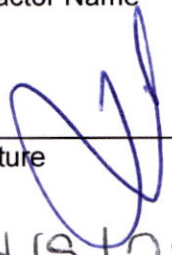
- 42 -

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

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

BEN'S ASPHALT INC.

Contractor Name


Signature

4/9/25
Date

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

NON-COLLUSION DECLARATION

The undersigned declares:

I am the CFO of BEN'S ASPHALT INC, the party making the foregoing Bid.

The Bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation. The Bid is genuine and not collusive or sham. The Bidder has not directly or indirectly induced or solicited any other Bidder to put in a false or sham bid. The Bidder has not directly or indirectly colluded, conspired, connived, or agreed with any Bidder or anyone else to put in a sham bid, or to refrain from bidding. The Bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the Bid Price of the Bidder or any other Bidder, or to fix any overhead, profit, or cost element of the Bid Price, or of that of any other Bidder. All statements contained in the Bid are true. The Bidder has not, directly or indirectly, submitted his or her Bid Price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid, and has not paid, and will not pay, any person or entity for such purpose.

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

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration is executed on APR 19, [date], at SANTA ANA [city], CALIFORNIA [state]. 2025

Name of Bidder BEN'S ASPHALT INC
Signature _____
Name JOHN STEFFINOTON
Title CFO

NON-COLLUSION DECLARATION

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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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

State of California

County of Orange

On 04/09/2025

Date

before me,

Thida Ok, Notary Public

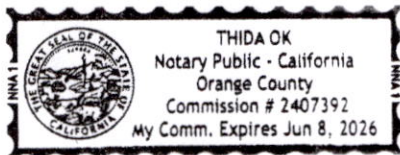
Here Insert Name and Title of the Officer

personally appeared

John Skeffington

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.



Place Notary Seal and/or Stamp Above

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

WITNESS my hand and official seal.

Signature

Signature of Notary Public

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: Non-Collusion Declaration

Document Date: N/A

Number of Pages: 1

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name: John Skeffington

☒ Corporate Officer – Title(s): CFO

☐ Partner – ☐ Limited ☐ General

☐ Individual

☐ Attorney in Fact

☐ Trustee

☐ Guardian of Conservator

☐ Other:

Signer is Representing: Ben's Asphalt, Inc.

Signer's Name:

☐ Corporate Officer – Title(s):

☐ Partner – ☐ Limited ☐ General

☐ Individual

☐ Attorney in Fact

☐ Trustee

☐ Guardian of Conservator

☐ Other:

Signer is Representing:



Newport-Mesa
Unified School District

NEWPORT-MESA UNIFIED SCHOOL DISTRICT

ADDENDUM NO. 1

Asphalt Maintenance at Various Sites

BID No. 127-25

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

March 13, 2025

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. **Change:** Add (A) license as allowable contractors license for this project.

All other provisions of the BID remain unchanged.

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

Name:

JOHN BLEFFINGTON

Signature:

BEN'S ASPHALT INC.

Firm Name:

Address:

200 SOUTH YALE ST.

SANTA

Telephone #:

(714) 540-1700

Email:

JEREMY.TAYLOR@BENSASPHALT.com

(END OF ADDENDUM NO.1)



Newport-Mesa
Unified School District

NEWPORT-MESA UNIFIED SCHOOL DISTRICT

ADDENDUM NO. 2

Asphalt Maintenance at Various Sites

BID No. 127-25

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

April 1, 2025

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 Form with revised Bid Form attached
2. **Replace:** Replace Special Conditions with Revised Special Conditions attached
3. **Replace:** Replace Pavement Maintenance Reports with revised versions attached
4. **Add:** Add Asphalt Repairs Unit Cost Workbook to Documents File

All other provisions of the BID remain unchanged.

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

Name:

JOHN SKEFFINGTON

Signature:

Firm Name:

BEN'S ASPHALT, INC.

Address:

2200 SOUTH YALE ST

SANTA ANA CA 92704

Telephone #:

714 540 1700

Email:

JEREMY.TAYLOR@BENSASPHALT.COM

(END OF ADDENDUM NO.2)



Newport-Mesa
Unified School District

NEWPORT-MESA UNIFIED SCHOOL DISTRICT

ADDENDUM NO. 3

Asphalt Maintenance at Various Sites

BID No. 127-25

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

April 2, 2025

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:

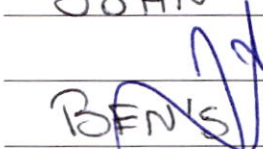
Acknowledgement of this Addendum shall be made below and submitted with the BID submission. If acknowledgement is not made the proposal may be considered non-responsive.

1. **Replace:** Replace Pavement Maintenance Reports with revised versions attached.
2. **Replace:** Replace Asphalt Repairs Unit Cost Workbook with revised version attached.

All other provisions of the BID remain unchanged.

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

Name: JOHN SKEFFINGTON

Signature: 

Firm Name: BENS ASPHALT, INC.

Address: 2200 SOUTH YALE ST
SANTA ANA CA 92704

Telephone #: 714 540 1700

Email: JEREMY.TAYLOR@BENSASPHALT.COM

(END OF ADDENDUM NO.3)



Newport-Mesa
Unified School District

NEWPORT-MESA UNIFIED SCHOOL DISTRICT

ADDENDUM NO. 4

Asphalt Maintenance at Various Sites

BID No. 127-25

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

April 5, 2025

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:** Bid Form with revised version attached.
2. **Replace:** Replace Asphalt Repairs Unit Cost Workbook with revised version attached.
3. **Remove:** Remove all work at Estancia High School from project scope

All other provisions of the BID remain unchanged.

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

Name:

JOHN SKIFFINGTON

Signature:

Firm Name:

BEN'S ASPHALT INC.

Address:

2200 SOUTH YALE ST
SANTA ANA, CA 92701

Telephone #:

(714) 540-1700

Email:

JEREMY.TAYLOR@BENSASPHALT.COM

(END OF ADDENDUM NO.4)