



**STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION**

**PROPOSAL
AND
CONTRACT**

**FOR BUILDING CONSTRUCTION IN
SAN LUIS OBISPO COUNTY NEAR TEMPLETON AT THE TEMPLETON MAINTENANCE STATION**

Contract No. 05-0L6204

05-SLO-5710

Bids Open: January 9, 2008

BIDDERS PLEASE NOTE

Bid Summaries available at:

<http://www.dot.ca.gov/hq/esc/oe/>

(BECAUSE SOME COLORED INKS WILL NOT REPRODUCE IN COPY
MACHINES, PLEASE USE BLACK INK TO COMPLETE THIS PROPOSAL.)

(DO NOT DETACH)

PROPOSAL TO THE DEPARTMENT OF TRANSPORTATION

CONTRACT NO. 05-0L6204

NAME OF BIDDER _____

BUSINESS P.O. BOX _____

CITY, STATE, ZIP _____

BUSINESS STREET ADDRESS _____

(Please include even if P.O. Box used)

CITY, STATE, ZIP _____

TELEPHONE NO: **AREA CODE ()** _____

FAX NO: **AREA CODE ()** _____

CONTRACTOR LICENSE NO. _____

The work for which this proposal is submitted is for building construction in conformance with the special provisions (including the payment of not less than the State general prevailing wage rates), the project plans described below, including any addenda thereto, the contract annexed hereto, and also in conformance with the Instructions to Bidders and General Conditions for Building Construction dated October, 2007.

The special provisions for the work to be done are dated November 26, 2007 and are entitled:

**STATE OF CALIFORNIA; DEPARTMENT OF TRANSPORTATION; NOTICE TO CONTRACTORS;
INSTRUCTIONS TO BIDDERS; GENERAL CONDITIONS AND SPECIAL PROVISIONS FOR BUILDING
CONSTRUCTION IN SAN LUIS OBISPO COUNTY NEAR TEMPLETON AT THE TEMPLETON
MAINTENANCE STATION**

The project plans for the work to be done were approved, October 15, 2007 and are entitled:

**STATE OF CALIFORNIA; DEPARTMENT OF TRANSPORTATION; PROJECT PLANS FOR BUILDING
CONSTRUCTION IN SAN LUIS OBISPO COUNTY NEAR TEMPLETON AT THE TEMPLETON
MAINTENANCE STATION**

The undersigned, as bidder, declares that the only persons or parties interested in this proposal as principals are those named herein; that this proposal is made without collusion with any other person, firm, or corporation; that he has carefully examined the location of the proposed work, the annexed proposed form of contract, and the plans therein referred to; and he proposes, and agrees if this proposal is accepted, that he will contract with the State of California, in the form of the copy of the contract annexed hereto, to provide all necessary machinery, tools, apparatus and other means of construction, and to do all the work and furnish all the materials specified in the contract, in the manner and time therein prescribed, and according to the requirements of the Engineer as therein set forth, and that he will take in full payment therefor the following lump sum price:

--

Total Bid

(Figures Only)

Symbols such as commas and dollar signs will be ignored and have no mathematical significance in establishing the lump sum price. The written lump sum price will be interpreted according to the number of digits and, if applicable, decimal placement. Cents symbols also have no significance in establishing the lump sum total since all the figures are assumed to be expressed in dollars and/or decimal fractions of a dollar.

The foregoing provisions for the resolution of specific irregularities cannot be so comprehensive as to cover every omission, inconsistency, error or other irregularity which may occur in a bid. Any situation not specifically provided for will be determined in the discretion of the Department, and the discretion will be exercised in the manner deemed by the Department to best protect the public interest in the prompt and economical completion of the work. The decision of the Department respecting the amount of a bid, or the existence or treatment of an irregularity in a bid, shall be final.

The undersigned certifies that in preparation of this proposal, no bid was received by the bidder from a bid depository, which depository (as to any portion of the work) prohibits or imposes sanctions for the obtaining by bidder, or the submission to bidder by any subcontractor or vendor or supplier of goods and services, of a bid outside the bid depository.

The certification shall constitute a warranty, the falsity of which shall entitle the State to pursue any remedy authorized by law, and shall include the right, at the option of the State, of declaring any contract made as a result thereof to be void.

If this proposal shall be accepted and the undersigned shall fail to execute the contract and return it, together with the contract bonds, to the Department of Transportation so that it is received within 15 days after the bidder has received the contract for execution, the Department of Transportation may, at its option, determine that the bidder has abandoned the contract, and thereupon this proposal and the acceptance thereof shall be null and void and the forfeiture of the security accompanying this proposal shall operate and the same shall be the property of the State of California.

The Bidder shall list the name and address of each subcontractor to whom the Bidder proposes to subcontract portions of the work, as required by the provisions in Section 1-1.05, "Required Listing of Proposed Subcontractors," of the Instruction to Bidders and Division 0.2, "Proposal Requirements And Conditions," of the special provisions.

LIST OF SUBCONTRACTORS

Name and Address	Description of Portion of Work Subcontracted
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**REQUEST FOR SMALL BUSINESS PREFERENCE OR NON-SMALL BUSINESS
SUBCONTRACTOR PREFERENCE**

Small Business Preference:

The undersigned hereby requests small business preference and certifies, under penalty of perjury, that the firm meets the requirements of Section 1896(1), Title 2, of the California Code of Regulations, and is certified as a "Small Business" at the time and day of bid opening or has applied for certification and is subsequently certified by the Department of General Services. To further verify its Small Business status, the undersigned attaches a copy of its small business certification letter.

Date: _____

Federal Tax
Identification Number _____

Signature of Bidder

In the event Bidder has received assistance in obtaining bonding for this project, Bidder shall set forth the name and the nature of firm providing such assistance. Should the firm be listed as a Subcontractor, Bidder shall set forth the percentage of contract to be performed by the Subcontractor.

FIRM: _____

Subcontractor: Yes _____ No _____ Percentage _____

NOTE:

- Bidder must also fill in and sign the signature page of the proposal.

Non-Small Business Subcontractor Preference:

The undersigned hereby requests non-small business subcontractor preference and notifies the Department that it commits to subcontract at least 25 percent of its bid amount with one or more firms that meet the requirements of Section 1896(1), Title 2, of the California Code of Regulations, and such firms are certified as "Small Business" at the time and day of bid opening or have applied for certification and are subsequently certified by the Department of General Services.

Date: _____

Federal Tax
Identification Number _____

Signature of Bidder

In the event Bidder has received assistance in obtaining bonding for this project, Bidder shall set forth the name and the nature of firm providing such assistance. Should the firm be listed as a Subcontractor, Bidder shall set forth the percentage of contract to be performed by the Subcontractor.

NOTE:

- Bidder must also fill in and sign the signature page of the proposal.

IMPORTANT

CALIFORNIA COMPANY PREFERENCE

TO BE FILLED IN AND SIGNED BY ALL BIDDERS.

FAILURE TO FILL OUT AND SIGN THIS FORM MAY BE CAUSE FOR REJECTION OF
YOUR BID.

The undersigned hereby states that he or she is or is not as designated below a "California company" in conformance with the provisions in the section entitled "California Company Preference" of the special provisions and Section 6107 of the Public Contract Code. (Check the appropriate box.)

I am a "California company".

☐

If "I am a 'California company' " was checked and you qualify as such by virtue of having your principal place of business in a state in which there is no local contractor preference on construction contracts indicate which state:

State of

If "I am a 'California company' " was checked and you qualify as such by virtue of having your principal place of business in a state in which there is a local contractor construction preference and you have paid not less than \$5,000 in sales and use taxes to California for construction related activity for each of the five years immediately preceding the submission of the bid indicate your sales and use tax number:

California Sales and Use Tax No.

I am not a "California company".

☐

If "I am not a 'California company' " was checked, indicate your state of residence, and the amount of preference given to local contractors in your state of residency on its public entity construction contracts.

State of

percent, with a maximum of

Please explain if neither percent or dollars is used to determine amount of preference.

dollars.

Provide a disclosure of any and all bid preferences provided to your company by the state or country in which your company has its principal place of business. (Attach additional sheets as necessary.)

Bid Preference Disclosure:

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

Date: _____

Signature of Bidder

Note:

- Bidder must also fill in and sign the signature page of the Proposal.

PUBLIC CONTRACT CODE SECTION 6101 STATEMENT

In conformance with Public Contract Code Section 6101, the bidder certifies compliance with state and federal law with respect to the employment of undocumented aliens by signing this proposal on the signature portion thereof.

TO THE STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION.

NONCOLLUSION AFFIDAVIT

(Public Contract Code Section 7106)

In conformance with Public Contract Code 7106 the bidder declares that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that 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, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

Notes:

- The above Noncollusion Affidavit is part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Noncollusion Affidavit.
- Bidders are cautioned that making a false certification may subject the certifier to criminal prosecution.

PUBLIC CONTRACT CODE SECTION 7110 STATEMENTS

In conformance with Public Contract Code Section 7110, the Contractor hereby acknowledges the following policy of the State:

It is the policy of this state that anyone who enters into a contract with a state agency shall recognize the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with Section 5200) of Part 5 of Division 9 of the Family Code.

In conformance with Public Contract Code Section 7110, the Contractor hereby acknowledges that, to the best of its knowledge, it is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the Employment Development Department.

Note:

- The above Statements are a part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute acknowledgment of these Statements. Bidders are cautioned that making a false certification may subject the certifier to criminal prosecution.

PUBLIC CONTRACT CODE SECTION 10162 QUESTIONNAIRE

In conformance with Public Contract Code Section 10162, the Bidder shall complete, under penalty of perjury, the following questionnaire:

Has the bidder, any officer of the bidder, or any employee of the bidder who has a proprietary interest in the bidder, ever been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of a violation of law or a safety regulation?

Yes _____ No _____

If the answer is yes, explain the circumstances in the following space.

PUBLIC CONTRACT CODE SECTION 10232 STATEMENT

In conformance with Public Contract Code Section 10232, the Contractor, hereby states under penalty of perjury, that no more than one final unappealable finding of contempt of court by a federal court has been issued against the Contractor within the immediately preceding two year period because of the Contractor's failure to comply with an order of a federal court which orders the Contractor to comply with an order of the National Labor Relations Board.

Notes:

- The above Statement and Questionnaire are part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Statement and Questionnaire.
- Bidders are cautioned that making a false certification may subject the certifier to criminal prosecution.
- Bidders are cautioned that the state may rescind this contract if the bidder has falsely certified to the truthfulness of the above statement.

PUBLIC CONTRACT CODE SECTION 10285.1 STATEMENT

In conformance with Public Contract Code Section 10285.1 (Chapter 376, Stats. 1985), the bidder hereby declares under penalty of perjury under the laws of the State of California that the bidder has _____, has not _____ been convicted within the preceding three years of any offenses referred to in that section, including any charge of fraud, bribery, collusion, conspiracy, or any other act in violation of any state or Federal antitrust law in connection with the bidding upon, award of, or performance of, any public works contract, as defined in Public Contract Code Section 1101, with any public entity, as defined in Public Contract Code Section 1100, including the Regents of the University of California or the Trustees of the California State University. The term "bidder" is understood to include any partner, member, officer, director, responsible managing officer, or responsible managing employee thereof, as referred to in Section 10285.1.

Notes:

- The bidder must place a check mark after "has" or "has not" in one of the blank spaces provided above.
- If the bidder has responded that it has been convicted of such an offense within the past 3 years, provide the specific information about the violation, date and ultimate resolution of each conviction in the space provided below.
- The above Statement is part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Statement.
- Bidders are cautioned that making a false certification may subject the certifier to criminal prosecution.

BIDDER RESPONSIBILITY QUESTIONNAIRE

Failure to truthfully answer the following questions will result in a finding that the bid is nonresponsive. The Bidder must complete, under penalty of perjury, the following questionnaire:

1. Within the past ten years, has the Bidder been found to be a nonresponsive bidder by any public entity (including Federal, State, Local or Regional entities)?

Yes _____ No _____

2. Within the past ten years, have any of the Bidder's officers or employees with a proprietary interest in the Bidder, been determined to be a nonresponsive bidder by a public entity (including Federal, State Local or Regional entities)?

Yes _____ No _____

3. Is there any officer or employee of the Bidder who now has or has had, any proprietary interest in another company that bid(s) on public works projects which company has been determined to be a nonresponsive bidder by any public entity (including Federal, State, Local or Regional entities)?

Yes _____ No _____

4. If the answer is to any of the three preceding questions is yes, please disclose all pertinent details of the determination of nonresponsibility including:

- 4.1. The date of each nonresponsibility determination
- 4.2. The name of each public agency issuing the nonresponsibility determination and a contact person at that agency who would have information about the determination.
- 4.3. The contract number for each nonresponsibility determination

Accompanying this proposal is _____
(NOTICE: INSERT THE WORDS "CASH(\$ _____)," "CASHIER'S CHECK," "CERTIFIED CHECK," OR "BIDDER'S BOND," AS THE CASE MAY BE.)
in amount equal to at least ten percent of the total of the bid.

The names of all persons interested in the foregoing proposal as principals are as follows:

IMPORTANT NOTICE

If bidder or other interested person is a corporation, state legal name of corporation, also names of the president, secretary, treasurer, and manager thereof; if a copartnership, state true name of firm, also names of all individual copartners composing firm; if bidder or other interested person is an individual, state first and last names in full.

Licensed in conformance with an act providing for the registration of Contractors,

License No. _____ Classification(s) _____

ADDENDA - This Proposal is submitted with respect to the changes to the contract included in addenda number/s

(Fill in addenda numbers if addenda have been received and insert, in this Proposal, any Engineer's Estimate sheets that were received as part of the addenda.)

By my signature on this proposal I certify, under penalty of perjury under the laws of the State of California, that the foregoing questionnaire and statements of Public Contract Code Sections 6101, 7110, 10162, 10232 and 10285.1 are true and correct and that the bidder has complied with the requirements of Section 8103 of the Fair Employment and Housing Commission Regulations (Chapter 5, Title 2 of the California Administrative Code). By my signature on this proposal I further certify, under penalty of perjury under the laws of the State of California, that the Noncollusion Affidavit required by Public Contract Code Section 7106 and the Bidder Responsibility Questionnaire are true and correct.

Date: _____



Signature and Title of Bidder

Business Address _____

Place of Business _____

Place of Residence _____

**STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
BIDDER'S BOND**

We, _____ as Principal, and

as Surety are bound unto the State of California, Department of Transportation, hereafter referred to as "Obligee," in the penal sum of ten percent (10%) of the total amount of the bid of the Principal submitted to the Obligee for the work described below, for the payment of which sum we bind ourselves, jointly and severally,

THE CONDITION OF THIS OBLIGATION IS SUCH, THAT:

WHEREAS, the Principal is submitted to the Obligee, for _____
(Copy here the exact description of work, including location, as it appears on the Proposal)

for which bids are to be opened at _____ on _____
(Insert place where bids will be opened) (Insert date of bid opening)

NOW, THEREFORE, if the Principal is awarded the contract and, within the time and manner required under the specifications, after the prescribed forms are presented to him for signature, enters into a written contract, in the prescribed form, in conformance with the bid, and files two bonds with the Obligee, one to guarantee faithful performance of the contract and the other to guarantee payment for labor and materials as provided by law, then this obligation shall be null and void; otherwise, it shall remain in full force.

In the event suit is brought upon this bond by the Obligee and judgement is recovered, the Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorney's fee to be fixed by the court.

Dated: _____.

Principal

Surety
By _____
Attorney-in-fact

CERTIFICATE OF ACKNOWLEDGEMENT

State of California
County of _____ SS

On this _____ day of _____ in the year _____ before me
_____, personally appeared _____,
Attorney-in-fact

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to this instrument as the attorney-in-fact of _____, and acknowledged to me that he (she) subscribed the name of the said company thereto as surety, and his (her) own name as attorney-in-fact.

(SEAL)

Notary Public

CALTRANS BIDDER - DVBE - INFORMATION

This information may be submitted with your bid proposal. If it is not and you are the apparent low bidder or the second or third low bidder, see Division 0.222, "Submission of DVBE Information."

DISTRICT-CO.-RTE.-"P.M.": _____

DISTRICT-CONTRACT NO.: _____

BID AMOUNT: \$ _____

BID OPENING DATE: _____

BIDDER'S NAME: _____

DVBE GOAL FROM CONTRACT, %: _____

DVBE PRIME CONTRACTOR CERTIFICATION¹: _____

ITEM OF WORK AND DESCRIPTION OR SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED ²	FOR CALTRANS ONLY	NAME OF DVBEs (must be certified on the date bids are opened) (Indicate Second and Lower Tier Subcontractors)	DOLLAR AMOUNT DVBE
IMPORTANT: Names of First Tier DVBE Subcontractors and their respective item(s) of work listed above shall be consistent with the names and items of work in the "List of Subcontractors" submitted with bid pursuant to the Subcontractors Listing Law and Division 0.2, "Proposal Requirements and Conditions," of the Special Provisions. Identify Second and Lower Tier Subcontractors on this form.		Total Claimed Participation	\$ _____ _____%

1. DVBE prime contractors shall enter their DVBE reference number or their DBA name as listed with Department of General Services. DVBE prime contractors will have 100 percent DVBE participation and shall not complete the above table.

2. If 100% of an item is not performed or furnished by DVBEs, describe the exact portion, including the planned location of work to be performed, of item to be performed or furnished by DVBE.

Signature of Bidder	Date
---------------------	------

(Area Code) Telephone Number

Person to Contact (Please Type or Print)

DVBE CT Bidder Information (04-13-06)-

DVBE INFORMATION
GOOD FAITH EFFORTS

Low, second low and third low bidders shall submit the following information to demonstrate that a good faith effort to meet the DVBE goal has been made if their CALTRANS BIDDER - DVBE - INFORMATION form indicates that the DVBE goal will not be met.

Even if the bidder's CALTRANS BIDDER -DVBE - INFORMATION form indicates the DVBE goal will be met, bidders should submit the following information to protect their eligibility for award of the contract. This is important because the submittal of only the CALTRANS BIDDER - DVBE - INFORMATION form will not normally provide sufficient information to demonstrate that a good faith effort was made. A bidder may not meet the DVBE goal after the submittal is analyzed by Caltrans for various reasons, e.g., if the subcontractor submitted by the bidder was not certified on the date bids were opened, or if the bidder made a mathematical error.

The following items are listed in Division 0.026 of the Special Provisions:

- A. The Office of Small Business and Disabled Veteran Business Enterprise Services, Department of General Services was contacted to identify DVBES:

Contact

Dates of Contact

- B. The names and dates of advertisement in trade media and media focusing on DVBEs:

Media

Dates of Advertisement

C. The names of all potential DVBEs to whom invitations to bid were submitted:

Names of DVBEs

Dates of Submittals

D. The names of all available DVBEs who were considered for this project:

Names of DVBEs Considered

NOTE:

- USE ADDITIONAL SHEETS OF PAPER IF NECESSARY. APPROPRIATE DOCUMENTATION SUCH AS COPIES OF NEWSPAPER ADS, LETTERS SOLICITING BIDS, AND TELEPHONE LOGS SHOULD ACCOMPANY THIS FORM.

CALTRANS BIDDER - SMALL BUSINESS SUBCONTRACTOR - INFORMATION

If you are applying for the Non-Small Business Subcontractor Preference, this information may be submitted with your bid proposal. If it is not and you are the apparent low bidder or the second or third low bidder, see Division 0.222, "Submission of DVBE Information."

DISTRICT-CO.-RTE.-"P.M.": _____

DISTRICT-CONTRACT NO.: _____

BID AMOUNT: \$ _____

BID OPENING DATE: _____

BIDDER'S NAME: _____

ITEM OF WORK AND DESCRIPTION OR SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED ¹	FOR CALTRANS ONLY	NAME OF SMALL BUSINESS SUBCONTRACTORS (Indicate Second and Lower Tier Subcontractors)	DOLLAR AMOUNT
IMPORTANT: Names of First Tier Subcontractors and their respective item(s) of work listed above shall be consistent with the names and items of work in the "List of Subcontractors" submitted with bid pursuant to the Subcontractors Listing Law and Division 0.2, "Proposal Requirements and Conditions," of the Special Provisions. Identify Second and Lower Tier Subcontractors on this form.		Total Claimed Participation	\$ _____ _____%

1. If 100% of an item is not performed or furnished by Small Business subcontractors, describe the exact portion, including the planned location of work to be performed, of item to be performed or furnished by Small Business subcontractors.

Signature of Bidder	Date
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(Area Code) Telephone Number

Person to Contact (Please Type or Print)

Small Bus Sub CT Bidder Information (04-10-06)-



STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

CONTRACT NO. 05-0L6204

THIS AGREEMENT, made and concluded, in duplicate, _____,
between the State of California, by the Department of Transportation thereof, party of the first part, and

Contractor, party of the second part.

ARTICLE I.--WITNESSETH,

That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the said party of the first part, and under the conditions expressed in the 2 bonds, bearing even date with these presents, and hereunto annexed, the said party of the second part agrees with the said party of the first part, at his own proper cost and expense, to do all the work and furnish all the materials, except such as are mentioned in the specifications to be furnished by said party of the first part, necessary to construct and complete in a good, workmanlike and substantial manner and to the satisfaction of the Department of Transportation, the work described in the special provisions and the project plans described below, and also in conformance with the Instructions to Bidders And General Conditions For Building Construction, dated October, 2007, which said special provisions, project plans, and Instructions to Bidders and General Conditions For Building Construction are hereby specially referred to and by such reference made a part hereof.

The special provisions for the work to be done are dated November 26, 2007 and are entitled:

**STATE OF CALIFORNIA; DEPARTMENT OF TRANSPORTATION; NOTICE TO CONTRACTORS;
INSTRUCTIONS TO BIDDERS; GENERAL CONDITIONS AND SPECIAL PROVISIONS FOR BUILDING
CONSTRUCTION IN SAN LUIS OBISPO COUNTY NEAR TEMPLETON AT THE TEMPLETON
MAINTENANCE STATION**

The project plans for the work to be done were approved, October 15, 2007 and are entitled:

**STATE OF CALIFORNIA; DEPARTMENT OF TRANSPORTATION; PROJECT PLANS FOR BUILDING
CONSTRUCTION IN SAN LUIS OBISPO COUNTY NEAR TEMPLETON AT THE TEMPLETON
MAINTENANCE STATION**

ARTICLE II.--

The said party of the first part hereby promises and agrees with the said Contractor to employ, and does hereby employ, the said Contractor to provide the materials and to do the work according to the terms and conditions herein contained and referred to, for the prices hereinafter set forth, and hereby contracts to pay the same at the time, in the manner and upon the conditions herein set forth; and the said parties for themselves, their heirs, executors, administrators, successors and assigns, do hereby agree to the full performance of the covenants herein contained.

ARTICLE III.--

The State general prevailing wage rates determined by the Director of Industrial Relations are hereby made a part of this contract. It is further expressly agreed by and between the parties hereto that should there be any conflict between the terms of this instrument and the bid or proposal of said Contractor, then this instrument shall control and nothing herein shall be considered as an acceptance of the said terms of said proposal conflicting herewith.

ARTICLE IV.--

By my signature hereunder, as Contractor, I certify that I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for worker's compensation or to undertake self insurance in conformance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

ARTICLE V.--

And the said Contractor agrees to receive and accept the following prices as full compensation for furnishing all materials and for doing all the work contemplated and embraced in this agreement; also for all loss or damage, arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work until its acceptance by the Department of Transportation, and for all risks of every description connected with the work; also for all expenses incurred by or in consequence of the suspension or discontinuance of work and for well and faithfully completing the work, and the whole thereof, in the manner and according to the plans and specifications, and the requirements of the Engineer under them, to wit:

NOT TO BE COMPLETED
WITH BID

IN WITNESS WHEREOF, The parties to these presents have here-unto set their hands the year and date first above written

**STATE OF CALIFORNIA,
DEPARTMENT OF TRANSPORTATION**

Director of Transportation

By _____

Contractor

By _____

Licensed in conformance with an act providing for the registration of contractors, License No.

Federal Employer Identification Number

Approved and certified as being in conformance with the requirements of the State Contract Act.

Attorney, Department of Transportation

Approved Effective _____