



**Hidden Valley Lake Community Services District
Special Meeting Agenda
October 6, 2020
5:00 PM**

DUE TO THE EVOLVING SITUATION WITH THE COVID-19 NOVEL CORONAVIRUS AND THE STATE OF CALIFORNIA STAY AT HOME ORDER, EXECUTIVE ORDER N-33-20, THIS MEETING SHALL ONLY BE AVAILABLE TO THE PUBLIC VIA TELECONFERENCE

To join this meeting go to the <https://www.hvlcsd.org> select the October 6, 2020 Board of Special Meeting and select Join Microsoft Teams Meeting, select Join on the web instead.

Members of the public may mail comments to: Hidden Valley Community Services District, 19400 Hartmann Road, Hidden Valley Lake, CA. 95467 or email to pcuadras@hvlcsd.org.

Submitted comments from the public will be acknowledged by the Board President as related to the agenda item.

DATE: October 6, 2020

TIME: 5:00 PM

PLACE: Hidden Valley Lake CSD
Administration Office, Boardroom
19400 Hartmann Road
Hidden Valley Lake, CA

- 1) CALL TO ORDER
- 2) PLEDGE OF ALLEGIANCE
- 3) ROLL CALL
- 4) APPROVAL OF AGENDA
- 5) DISCUSSION AND POSSIBLE ACTION: Consideration of Award of Contract to Smith Construction and General Engineering, Inc. in the amount of \$120,186 for the WWTP Access Road Improvements Project
- 6) PUBLIC COMMENT
- 7) BOARD MEMBER COMMENT
- 8) ADJOURN

Public records are available upon request. Board Packets are posted on our website at www.hvlcsd.org/meetings.

In compliance to the Americans with Disabilities Act, if you need special accommodations to participate in or attend the meeting please contact the District Office at 987-9201 at least 48 hours prior to the scheduled meeting.

Public shall be given the opportunity to comment on each agenda item before the Governing Board acts on that item, G.C. 54953.3. All other comments will be taken under Public Comment.

**ACTION OF
HIDDEN VALLEY LAKE COMMUNITY SERVICES DISTRICT**

DATE: October 6, 2020

AGENDA ITEM: Consideration of Award of Contract to Smith Construction and General Engineering, Inc. in the amount of \$120,186 for the WWTP Access Road Improvements Project.

RECOMMENDATIONS: Approve the attached resolution which takes the following actions regarding the WWTP Access Road Improvements Project:

1. Authorize the Board of Directors to approve a construction contract with Smith Construction and General Engineering, Inc. for the WWTP Access Road Improvements Project based on their submitted bid of \$120,186.
2. Approve the overall Estimated Construction Budget of \$154,205, which includes the construction cost, a 10% contingency and monies for construction management and inspection.
3. Determining the project to be exempt from the requirements of the California Environmental Quality Act.

FINANCIAL IMPACT: Based on the recommended award amount, staff is proposing the following overall budget:

Construction	\$120,186
Construction Contingency (10%)	\$ 12,019
<u>Estimated Construction Management & Inspection</u>	<u>\$ 22,000</u>
Total Estimated Project Construction Budget	\$154,205

Costs associated with this project will be paid from District capital reserve funds.

BACKGROUND: The WWTP Access Road Improvements Project consists of grading and double chip-sealing 2,040 feet of access road between Grange Road and the WWTP entrance gate. The existing road is in a rutted and poor condition. On June 16, 2020, the District authorized Coastland Engineering to prepare construction documents for the project.

In August, the project was advertised for bids in accordance with the requirements of the California Public Contract Code. On September 10, 2020, District staff conducted the bid opening, but no bids were received.

When no bids are received for a project that followed the advertisement and bidding requirements of the Public Contract Code, Section 22038(c) of the Code allows agencies to pursue obtaining bids from selected contractors and the agency no longer has to abide by the bidding and advertising procedures as set forth in the Code.

Accordingly, on September 17, District staff invited four local contractors to submit bids. The Board authorized the General Manager to award a construction contract if the cost estimated by a contractor came in at or less than the Engineer’s Estimate (\$76,234.) If a contract could not be negotiated for the Engineer’s estimate or less, the Board directed that the item be brought back to the Board for approval. Informal bids were requested from the contractors on September 23rd.

During the bidding period, two contractors advised staff that the lifespan of the proposed repair would be greatly improved by adding a 3-inch course of fresh aggregate base rock to the road surface prior to chip-sealing. The reasoning was that this new rock material would allow the chip-seal oil to penetrate much more deeply into the roadbed and therefore bind the material together better than the existing road bed material which contains a lot of fine graded rock and silt due to years of wear and tear. Staff concurred with this approach and Addendum #1 was issued which added a bid item for adding 3-inches of new base rock material over the existing roadway (once the existing road bed was graded, shaped and compacted.) Adding 3-inches of new base rock increased the Engineer's Estimate to \$116,344. The bid deadline was extended to September 25, 2020.

On September 25, 2020, District staff conducted the bid opening and one bid was received from Smith Construction and General Engineering, Inc. for the amount of \$120,186.00, which was slightly in excess of the Engineer's Estimate of \$116,344.

The District Engineer reviewed Smith Construction and General Engineering, Inc's bid documents and found them to be responsive and complete.

The award of the contract is to be based on the lowest responsive and responsible bid received. Based on information received, staff is recommending that the District award the contract to Smith Construction and General Engineering, Inc. for \$120,186 and approve the overall budget for the project.

If approved, the work is estimated to start in October and be completed by October 31, 2020.

APPROVED AS RECOMMENDED OTHER (SEE BELOW)

Modification to recommendation and/or other actions: Give direction to staff.

I do hereby certify that the foregoing action was regularly introduced, passed, and adopted by said Board of Directors at a regular board meeting thereof held on October 6, 2020.

- Ayes:
 - Noes:
 - Abstain:
 - Absent:
-

RESOLUTION NO. 2020-14



A RESOLUTION AUTHORIZING THE PRESIDENT OF THE BOARD TO SIGN A CONTRACT WITH SMITH CONSTRUCTION AND GENERAL ENGINEERING, INC. FOR THE WWTP ACCESS ROAD IMPROVEMENT PROJECT AND ESTABLISH AN OVERALL BUDGET

HIDDEN VALLEY LAKE COMMUNITY SERVICES DISTRICT

WHEREAS, the WWTP access road between Grange Road and the entry gate to the WWTP is in poor condition; and

WHEREAS, contract bid documents were prepared for the repair of this road and the project was advertised for public bidding in accordance with the regulations of the California Public Contract Code; and

WHEREAS, bids for the project were publicly opened on September 10, 2020, in accordance with Section 4104.5 of the California Public Contract Code and other applicable laws; and

WHEREAS, no bids were received; and

WHEREAS, due to the fact that no bids were received, in accordance with Section 22038(c) of the Public Contract Code, local contractors known to have the capabilities of performing the work were contacted and invited to submit bids for the project; and

WHEREAS, the second bid opening for the project was conducted on September 25, 2020; and

WHEREAS, one bid was received for \$120,186.00 from Smith Construction and General Engineering Inc.; and

WHEREAS, staff has determined that the bid from Smith Construction and General Engineering, Inc. is responsive and satisfies the bidding requirements for the Project; and

WHEREAS, staff has verified that Smith Construction and General Engineering, Inc. possesses a valid California Contractor's License under the requested Class A, number 731325 (expires 3/31/22) as required to qualify to perform the Project; and

WHEREAS, the Project has been found to be exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301(b) as it consists of repair of existing facilities of both investor and publicly-owned utilities used to provide electric power, natural gas, sewerage, or other public utility services.

NOW THEREFORE BE IT RESOLVED by the Board of Directors of the Hidden Valley Lake Community Services District, Lake County, California, as follows:

1. The above recitals are true and correct and are hereby incorporated into this Resolution as findings of the Board of Directors of the Hidden Valley Community Services District.

2. In accordance with the California Public Contract Code Section 20160 *et seq.*, and other applicable laws, the Board of Directors of the Hidden Valley Lake Community Services District hereby finds the bid of Smith Construction and General Engineering, Inc. for the WWTP Access Road Improvements Project to be the lowest responsive bid and waives any irregularities in such bid in accordance with applicable law.
3. The contract for the WWTP Access Road Improvements Project is hereby awarded to Smith Construction and General Engineering, Inc. in the amount of \$120,186.00 conditioned on Smith Construction and General Engineering, Inc's timely executing the Project contract and submitting all required documents, including, but not limited to, executed bonds/surety, certificates of insurance, and endorsements, in accordance with the Project bid documents.
4. The President of the Board is hereby authorized and directed to execute upon submission by Smith Construction and General Engineering, Inc. all documents required pursuant to the Project bid documents for performance of the Project.
5. The overall construction budget for the Project be established at \$154,205.00.
6. District staff are hereby directed to issue a Notice of Award to Smith Construction and General Engineering, Inc for the project.
7. This Resolution shall become effective immediately.
8. All portions of this resolution are severable. Should any individual component of this Resolution be adjudged to be invalid and unenforceable by a body of competent jurisdiction, then the remaining resolution portions shall be and continue in full force and effect, except as to those resolution portions that have been adjudged invalid. The Board of Directors of the Hidden Valley Lake Community Services District hereby declares that it would have adopted this Resolution and each section, subsection, clause, sentence, phrase and other portion thereof, irrespective of the fact that one or more section subsection, clause sentence, phrase or other portion may be held invalid or unconstitutional.

* * * * *

I hereby certify that the foregoing resolution was duly and regularly adopted by the Board of Directors of the Hidden Valley Lake Community Services District, Lake County, California, at a meeting thereof held on the 6th day of October, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jim Lieberman
President of the Board

Dennis White
General Manager/Secretary to the Board



HIDDEN VALLEY LAKE COMMUNITY SERVICES DISTRICT
HIDDEN VALLEY LAKE, CALIFORNIA

NOTICE TO CONTRACTORS

SPECIAL PROVISIONS, PROPOSAL AND CONTRACT

FOR

**WWTP ACCESS ROAD
IMPROVEMENTS PROJECT**

FOR USE IN CONNECTION WITH SPECIFIED
STANDARD SPECIFICATIONS AND STANDARD PLANS DATED 2015
OF THE CALIFORNIA DEPARTMENT OF TRANSPORTATION

AND

CURRENT GENERAL PREVAILING WAGE RATES AND
LABOR SURCHARGE AND EQUIPMENT RENTAL RATES
OF THE CALIFORNIA DEPARTMENT OF TRANSPORTATION

BID OPENING DATE:

September 10, 2020 at 11 A.M.

HIDDEN VALLEY LAKE COMMUNITY SERVICES DISTRICT
19400 Hartmann Rd
Hidden Valley Lake, CA 95467

NOTICE INVITING BIDS

NOTICE IS HEREBY GIVEN that sealed bids will be received by the Hidden Lake Valley Community Services, 19400 Hartmann Road, Hidden Valley Lake, California until the hour of **September 10, 2020, at 11 a.m.** at which time they will be publicly opened and read aloud in the conference room of the District office, for:

WWTP ACCESS ROAD IMPROVEMENTS PROJECT

Complete bid packages, including project plans, technical specifications, bid forms and contract documents may be secured at the office of:

Coastland Civil Engineering
1400 Neotomas Ave.
Santa Rosa, California, 95405
Phone (707) 571-8005, fax (707) 571-8037

by emailing Ann Pomilia at pomilia@coastlandcivil.com. The bid documents are available electronically for free or by hard copy for the non-refundable cost of **\$30 per set**. **If mailing is desired an additional non-refundable cost of \$15.00 per set will be required.** Checks shall be made payable to "Coastland Civil Engineering". Any questions regarding the bid documents should be emailed to Jennifer Melman at Coastland Civil Engineering at melman@coastlandcivil.com.

In accordance with California Public Contract Code Section 3400, bidders may propose equals of products listed in the technical specifications or project plans by manufacturer name, brand or model number, unless the technical specifications or plans specify that the product is necessary to match others in use. Complete information for products proposed as equals must be submitted to the District for review at least 10 working days before the time specified for bid opening in accordance with the bidders instructions contained in the bid package.

In accordance with California Public Contract Code Section 20170, all bids must be presented under sealed cover and include one of the following forms of bidder's security: cash, cashier's check made payable to the District, certified check made payable to the District, or a bidder's bond. The amount of bidder's security provided must equal at least ten (10) percent of the total of the bid price for the base bid and the additive or deductive items listed in this notice. The successful bidder must submit to the District complete, executed copies of all required documents within ten (10) working days of receiving written notice of award of the project. Bidder's security of any successful bidder that fails to do so will be forfeited to the District. Such required documents include, but are not limited to, a payment or labor and materials bond in an amount of at least 100 percent of the amount payable by the terms of the project contract and that satisfies the requirements of California Civil Code Section 9554, and a performance bond in an amount of at least 100 percent of the amount payable by the terms of the contract. All project bonds must be executed by an admitted surety insurer in accordance with applicable law and acceptable to the District.

Pursuant to the provisions of Section 1770 et seq. of the California Labor Code the Director of Industrial Relations for the State of California has ascertained the current general prevailing rate of wages for

employer purposes, in Lake County, State of California. Not less than the general prevailing rate of per diem wages for work of a similar character in Lake County and not less than the general prevailing rate of per diem wages for holiday work fixed as provided in the California Labor Code shall be paid to all workers engaged in performing the project.

Pursuant to the provisions of Section 1771.1 of the California Labor Code, a contractor or subcontractor shall not be qualified to bid on, be listed in a bid proposal, subject to the requirements of Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work, as defined in Chapter 1 of Part 7 of Division 2 of the California Labor Code, unless currently registered and qualified to perform public work pursuant to Civil Code Section 1725.5. ***Please note: It is not a violation of Section 1771.1 for an unregistered contractor to submit a bid that is authorized by Section 7029.1 of the Business and Professions Code or by Section 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded.*** Any bids submitted without proof that Bidder and any listed subcontractor(s) are currently registered and qualified to perform public work, pursuant to Labor Code Section 1725.5, shall not be accepted by the District.

In accordance with the California Labor Code Section 1773.2, copies of the applicable determinations are available at the District office and may be reviewed upon request.

In accordance with California Civil Code Section 1771.4, the project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

In accordance with California Public Contract Code Section 3300, a valid class A California contractor's license is required to bid on the project.

In accordance with California Public Contract Code Section 22300, except where prohibited by federal regulations or policies, the successful bidder may, on request and at its expense, substitute securities in lieu of amounts withheld by the District from progress payments to ensure performance under the contract in accordance with the contract documents.

The District reserves the right to postpone the date and time for the opening of proposals at any time prior to the date and time announced in the advertisement in accordance with applicable law.

The District reserves the right to reject any and all bids or to waive any defects or irregularity in bidding in accordance with applicable law. In accordance with California Public Contract Code Section 20103.8, if the District elects to award a contract for performance of the project, the contract will be awarded in accordance with California Public Contract Code Section 20162 and other applicable law to the responsible bidder submitting a responsive bid with the lowest total bid price for the total base bid without consideration of the bid price for any additive or deductive items. The lowest responsive bidder and any listed subcontractors will be checked to ensure that they are clear from the Federal Procurement and Non-Procurement Program List. All bids will remain valid for 90 days after the bid opening. Except as permitted by law and subject to all applicable remedies, including forfeiture of bidder's security, bidders may not withdraw their bid during the 90 day period after the bid opening.

By order of
The General Manager of the Hidden Valley Lake Community Services District
Lake County, California.

BIDDER'S CHECK LIST

Did You:

- Submit equal product proposals, if any, in accordance with the instructions to bidders included in the bid package at least 10 working days before the time specified for opening bids?
- Include with your bid properly completed, accurate copies of the following documents in the following order using the forms included in the bid package:
 - Bidder's check list?
 - Proposal and Schedule of Bid Prices that state the bid as intended?
 - If any, Copies of each addendum issued signed and dated on behalf of the bidder?
 - Executed bid bond?
 - Contractor license information?
 - Contractor DIR registration information?
 - List of subcontractors, including DIR registration information?
 - Workers compensation insurance certification?
 - Signed and notarized Non-Collusion Declaration?
 - Debarment certification?
 - Bidder's questionnaire, if any?
 - Executed bidder's signature page?
- Arrange to have the sealed bid delivered to the District offices at 19400 Hartmann Road, Hidden Valley Lake, CA 95467 on or before the time specified for bid opening in the notice inviting bids?

PROPOSAL

For: WWTP Access Road Improvements Project

For the Hidden Valley Lake Community Services District, Lake County, California.

TO THE BOARD OF DIRECTORS
OF THE HIDDEN VALLEY LAKE COMMUNITY SERVICES DISTRICT

The undersigned, as bidder, declares that it has carefully examined the work, the annexed proposed form of contract, and agrees that if this Proposal is accepted to contract with the Hidden Valley Lake Community Services District, under the form of contract annexed hereto, to provide all the necessary tools, apparatus, and other means of accomplishing the work as specified in the contract in the manner and time herein prescribed, and in accordance with the requirements of the District as therein set forth, and to take in full payment thereof the following prices of the work to be done completely performed to the satisfaction of the Hidden Valley Lake Community Services District, to-wit:

Contractor's Bid Proposal

Item No.	Item Description	Estimated Quantity	Unit of Measure	Unit Cost	Item Total
1	Traffic Control System	1	L.S.	\$ 8,382.00	\$ 8,382.00
2	Roadway Surface Preparation	4,704	S.Y.	\$ 6.27	\$ 29,494.08
3	Aggregate Base (3-inch Layer)	392	C.Y.	\$ 116.94	\$ 45,838.64
4	Chip-Seal (double chip seal)	4,704	S.Y.	\$ 7.02	\$ 33,022.08
5	Mobilization	1	L.S.	\$ 3,450.00	\$ 3,450.00

One hundred twenty thousand - one hundred eighty six dollars and 80/100's \$ 120,186.80

Written Amount

Dollars

The undersigned further agrees to deliver and to complete the work within **10 working days**, from the date of issuance, by the District, of instructions to proceed with the work, and within 10 days of the date of mailing of the notice of award, to enter into and execute and provide to the District the necessary contract with the necessary bonds and other required documents, and in case of default in executing the necessary contract within the time fixed by the Instructions to Bidders, the bidder's security accompanying this bid shall become the property of and be forfeited to the District.

Prime Contractor Smith Construction & General Engineering Inc

License # 731235 Expiration Date 03/31/2022

DIR Registration # PW-LR_1000667142 Expiration Date June 30, 2021

Contractor's License number and expiration date are herein stated under penalty of perjury.

By:  Title: President

Dated this 25 day of September, 2020

(Corporate Seal)

Corporate Signature

Address: 16900 Long Horn Lane Middletown CA 95461

Phone No.: 707 237-1293

President's signature 

Secretary's signature 

Corporation organized under the laws of the State of California

Partnership Name: _____

Address: _____

Names of Co-Partners and Addresses: _____

Names of Individuals and Addresses: _____

NOTE: Sign in proper space above.



COASTLAND

CIVIL ENGINEERING - CONSTRUCTION MANAGEMENT - BUILDING DEPARTMENT SERVICES

ADDENDUM NO. 1

to

PROJECT SPECIAL PROVISIONS FOR CONSTRUCTION OF

WWTP ACCESS ROAD IMPROVEMENT PROJECT

HIDDEN VALLEY LAKE, CALIFORNIA

DATE: September 22, 2020
TO: All Plan Holders
SUBJECT: Modified Bid Form
REVISED BID DUE DATE: **Friday, September 25, 2020, by 5:00 pm**

This Addendum consists of 5 pages including attachments and forms a part of the Bidding and Contract Documents:

THE FOLLOWING REVISIONS/CLARIFICATIONS SHALL BE MADE TO THE BIDDERS BOOK:

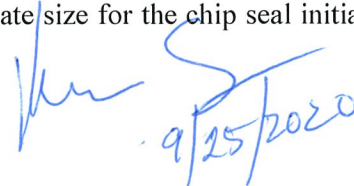
- **Replace the Bid Schedule pages BB-12 thru BB-13, with the attached revised Bid Schedule pages BB-12 thru BB-13.** Changes include the addition of a Bid Item for "Aggregate Base (3-inch Layer)". Changed information is shown with bold italic text.
- **Section 10-3 Roadway Surface Preparation, Replace Paragraph 10-3.01 with the following (All references to a tack coat have been removed.):**

10-3.01 Description: Roadway Surface Preparation will be used where shown on the plans and as directed by the Engineer and shall conform to the specifications. Roadway surface preparation shall consist of grinding/pulverizing of existing chip-seal where present on the roadway, as well as scarifying all remaining road base to a depth of 2-3 inches.

- **Section 10-4 Chip-Sealing, Replace Paragraph 10-4.01 with the following (All references to a tack coat have been removed):**

10-4.01 Description: The intent of this project is to provide a Double Chip-Seal over the entire length of the roadway as shown on the plans. As the chip seal will be applied over a 3-inch layer of compacted aggregate base, it will slightly vary from certain sections of Section 37-2 of the Standard Specifications (primarily roadway preparation). The Double Chip-Sealing shall consist of a double application of bituminous binder and cover of screenings to be applied in accordance with Section 37-2 of the Standard Specifications and these Special Provisions.

- **Section 10-4 Chip Sealing, Paragraph 10-4.03:** The aggregate size for the chip seal initial and surface (second course) shall both be 3/8-inch.
- **Add the attached Section 10-6 Aggregate Base.**


9/25/2020

Santa Rosa
1400 Neotomas Avenue
Santa Rosa, CA 95405
Tel: 707.571.8005

Auburn
11641 Blocker Drive, Ste. 170
Auburn, CA 95603
Tel: 530.888.9929

Pleasant Hill
3478 Buskirk Avenue, Ste. 1000
Pleasant Hill, CA 94523
Tel: 925.233.5333

Fairfield
324 Campus Lane, Ste. A
Fairfield, CA 94534
Tel: 707.702.1961

HIDDEN VALLEY LAKE COMMUNITY SERVICES DISTRICT

19400 Hartman Road
Hidden Valley Lake, California 95467

BID BOND

(NOTE: Bidders must use this form, use of any other bond form may render a bid non-responsive)

KNOW ALL MEN BY THESE PRESENTS:

That we, as PRINCIPAL, and The Ohio Casualty Insurance Company, a (sole proprietorship/corporation/partnership/joint venture) organized and existing under and by virtue of the laws of the State of New Hampshire and an admitted surety insurer authorized to do business in the State of California, as SURETY, are held and firmly bound unto the Hidden Valley Lake Community Services District, as OBLIGEE, in a penal sum equal to ten-percent (10%) the total bid price including the base bid and alternates specified in the proposal of the PRINCIPAL, to the OBLIGEE for the work described below, which penal sum is Ten Percent (10%) of the bid amount----- (\$ -----10%-----) lawful money of the United States of America, for the payment of which sum well and truly to be made, we, and each of us, 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 proposal dated September 25th, 2020 to the OBLIGEE, for the **WWTP Access Road Improvements Project** (designated as the "Project") which proposal is hereby made a part hereof;

NOW THEREFORE, if the PRINCIPAL shall not withdraw said proposal within the ninety (90) day period following the opening of bids, and if the PRINCIPAL receives written notice that the Project is awarded to the PRINCIPAL and shall, within ten (10) calendar days of receiving such notice: enter into a written contract with the OBLIGEE in the form prescribed in the bid package issued by the OBLIGEE concerning the Project; and give insurance and bond with good and sufficient sureties guaranteeing the faithful performance and proper fulfillment of such contract and guaranteeing payment for labor and materials used for performance of the contract as required by law; and file with the OBLIGEE all required documents and do all other thing required in accordance with the bid package issued by the OBLIGEE concerning the Project for the contract between the PRINCIPAL and the OBLIGEE to become effective and for work to commence in accordance with the bid package issued by the OBLIGEE concerning the Project, or, in the event of withdrawal of the accompanying proposal within the ninety (90) day period following the opening of bids; or failure by the PRINCIPAL to enter into such contract with the OBLIGEE or to give the OBLIGEE such bonds or to file any other documents or to do any other things required in the bid package issued by the OBLIGEE for the Project, if the PRINCIPAL shall pay the OBLIGEE the difference between the total bid price in the accompanying proposal and the amount for which the OBLIGEE may procure the required performance, if the latter amount be in excess of the former, together with all costs incurred by the OBLIGEE in again attempting to let the Project, and if the said PRINCIPAL shall fully reimburse and save harmless the OBLIGEE from any damage sustained by the OBLIGEE through failure of the PRINCIPAL to enter into the written contract or to file the required performance or labor and material bonds, or to file any other required documents or to do any other things required for the contract between the PRINCIPAL and the OBLIGEE to become effective and the work to commence in accordance with the bid package issued by the OBLIGEE

concerning the Project, then this obligation shall be null and void; otherwise, it shall be and 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 bid or contract documents for the Project, or to the specifications included in the same, or to the work to be performed thereunder, or to the notice inviting bids, or to any other documents concerning the Project, shall in anywise affect SURETY's obligation under this bond, and SURETY hereby waives notice of any such change, extension of time, alteration or addition to such bid or contract documents.

In the event suit is brought upon this bond by the OBLIGEE and judgment 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.

IN WITNESS WHEREOF, the above-bound parties have executed this instrument under their several seals this 25th day of September, 2020, the name and corporate seals of each corporate party being hereto affixed and these presents duly signed by their undersigned representatives, pursuant to authority of their governing bodies.

(Corporate Seal) Smith Construction & General Engineering Inc.
PRINCIPAL [Signature]
By Kevin Smith

(Acknowledgement) Title _____
SURETY The Ohio Casualty Insurance Company
(Corporate Seal)

By [Signature]
(Attorney-in-fact) Robb Daer

(Acknowledgement) Title COO

(NOTE TO SURETY COMPANY: A certified copy of unrevoked resolution of authority for the attorney-in-fact must be submitted with and attached to the executed bid bond.)

CALIFORNIA ALL-PURPOSE 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 Sonoma }

On 9/25/20 before me, Melissa Nelson, Notary Public,
Date Insert Name of Notary exactly as it appears on the official seal

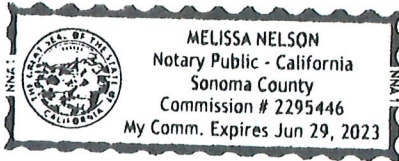
personally appeared Robb Daer
Name(s) of Signer(s)

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 Melissa Nelson
Signature of Notary Public



Place Notary Seal Above

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 the form to another document.

Description of Attached Document

Title or Type of Document: bid Bond

Document Date: 9/25/2020 Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Robb Daer

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

RIGHT THUMBPRINT
OF SIGNER

Top of thumb here

Signer is Representing:
The Ohio Casualty Insurance
Company

Signer's Name: _____

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

RIGHT THUMBPRINT
OF SIGNER

Top of thumb here

Signer is Representing:



bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No: 8202208-980252

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Robb Daer, Cheryl Griggs, Bruce G. Okrepkie, Jeff Okrepkie

all of the city of Santa Rosa state of California each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 25th day of September, 2019.



Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By: David M. Carey, Assistant Secretary

State of PENNSYLVANIA
County of MONTGOMERY ss

On this 25th day of September, 2019 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Upper Merion Twp., Montgomery County
My Commission Expires March 28, 2021
Member, Pennsylvania Association of Notaries

By: Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 25th day of September, 2020.



By: Renee C. Llewellyn, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-877-822-8210 between 9:00 am and 4:30 pm EST on any business day.

CONTRACTOR LICENSE INFORMATION

The bidder acknowledges that a license is required for performance of Hidden Valley Lake Community Services District **WWTP Access Road Improvements Project**.

The bidder holds the following California Contractors License(s):

- 1. License No. 731235, Class A, Expiration Date 3/31/2020
- 2. License No. _____, Class _____, Expiration Date _____
- 3. License No. _____, Class _____, Expiration Date _____
- 4. License No. _____, Class _____, Expiration Date _____
- 5. License No. _____, Class _____, Expiration Date _____
- 6. License No. _____, Class _____, Expiration Date _____
- 7. License No. _____, Class _____, Expiration Date _____
- 8. License No. _____, Class _____, Expiration Date _____
- 9. License No. _____, Class _____, Expiration Date _____
- 10. License No. _____, Class _____, Expiration Date _____

Bidder's Taxpayer Identification No. 81-1694237

LIST OF SUBCONTRACTORS

In accordance with the requirements of the Subletting and Subcontracting Fair Practices Act, California Public Contract Code Section 4100 and following, listed below are the name, business location, and the portion (type or trade) of the Project work to be subcontracted to each subcontractor that will perform a portion of the Project work (including special fabrication and installation of a portion of the work) valued in excess of one half of one percent of the total bid price. If the Project work includes construction of streets or highways, listed below are the name, business location, and the portion (type or trade) of the Project Work to be subcontracted to each subcontractor that will perform a portion of the Project work (including special fabrication and installation of a portion of the work) valued in excess of one half of one percent of the total Project bid price, or ten thousand dollars, whichever is greater. Also listed below are the proposed subcontract dollar amount and current California Contractor's License Number(s) for each proposed subcontractor. Bids that fail to include complete proposed subcontractor information in accordance with this form and Public Contract Code Section 4100 and following may be deemed non-responsive.

In accordance with California Public Contract Code Section 4106, for any portion of the Project work with a value of more than one half of one percent of the total bid price for which no subcontractor is listed, or for which more than one subcontractor is listed, the bidder certifies by submission of its bid that the bidder is qualified to perform that portion of the Project work and that the bidder will perform that portion of the Project work with its own forces. The penalties listed in California Public Contract Code Section 4111 will apply to any substitution of another subcontractor for a subcontractor listed below except as permitted by the District in accordance with Section 4107 and following of the California Public Contract Code.

Subcontractor Name Epidendio Construction Inc
Business Location 11325 Highway 29 Lower Lake Ca 95757
Trade Engineering Contractor - Paving
Subcontract Amount \$30,000.00
Current Contractor's License No.(s) 637395
Current DIR Registration No. 1000013388

2. Subcontractor Name _____
Business Location _____
Trade _____
Subcontract Amount _____
Current Contractor's License No.(s) _____
Current DIR Registration No. _____

3. Subcontractor Name _____
Business Location _____
Trade _____
Subcontract Amount _____
Current Contractor's License No.(s) _____
Current DIR Registration No. _____
4. Subcontractor Name _____
Business Location _____
Trade _____
Subcontract Amount _____
Current Contractor's License No.(s) _____
Current DIR Registration No. _____
5. Subcontractor Name _____
Business Location _____
Trade _____
Subcontract Amount _____
Current Contractor's License No.(s) _____
Current DIR Registration No. _____
6. Subcontractor Name _____
Business Location _____
Trade _____
Subcontract Amount _____
Current Contractor's License No.(s) _____
Current DIR Registration No. _____

WORKERS COMPENSATION INSURANCE CERTIFICATION

By submitting its bid the bidder certifies as follows:

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

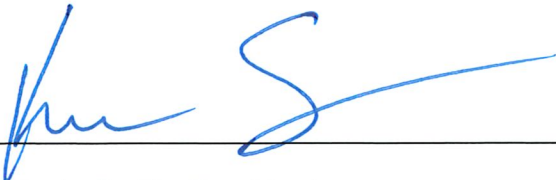
**NON-COLLUSION DECLARATION
TO BE EXECUTED BY BIDDER
AND SUBMITTED WITH BID**

The undersigned declares:

I am the President of Smith Construction & General Engineering 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 September 25, 2020 [date], at Middletown [city], California [state]."



Kevin Smith, President

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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

State of California)
County of Lake)
On Sept 25, 2020 before me, Robin Wallace, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Kevin Smith
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 [Handwritten Signature]
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: NON-Collusion Declaration to be executed by bidder.
Document Date: Sept. 25, 2020 Number of Pages: 1
Signer(s) Other Than Named Above: NONE

Capacity(ies) Claimed by Signer(s)

Signer's Name: Kevin Smith
 Corporate Officer — Title(s): President
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: Corporation

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

DEBARMENT CERTIFICATION

By submitting its bid, the bidder certifies in accordance with California Public Contract Code Section 6109 that neither the bidder nor any subcontractor included on the list of proposed subcontractors submitted with the bid is ineligible to perform work on public works projects pursuant to California Labor Code Sections 1777.1 or 1777.7. In accordance with California Public Contract Code Section 6109, Contractors and subcontractors who are ineligible to perform work on public works projects pursuant to California Labor Code Sections 1777.1 or 1777.7 may neither bid on, be awarded or perform as a subcontractor on public works projects.

TITLE 49, CODE OF FEDERAL REGULATIONS - PART 29
DEBARMENT AND SUSPENSION CERTIFICATION

The bidder, under penalty of perjury, certifies that, except as noted below, he/she or any person associated therewith in the capacity of District, partner, director, officer, manager:

1. Is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency; and
2. Has not been suspended, debarred, voluntarily excluded or determined ineligible by any Federal Agency within the past 3 years; and
3. Does not have a proposed debarment pending; and,
4. Has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

If there are any exceptions to this certification, insert the exceptions in the following space:

Exceptions will not necessarily result in denial of award, but will be considered in determining bidder responsibility. For any exception noted above, indicate below to whom it applies, initiating agency, and dates of action.

PUBLIC CONTRACT CODE SECTION 10285.1 STATEMENT

In accordance with Public Contract Code Section 10285.1 (Chapter 376, Stats, 1986), 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 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.

Note: The bidder must place a check mark after "has" or "has not" in one of the blank spaces provided.

The above Statement is part of the Proposal. Signing the Contractor's Proposal on the signature portion thereof shall also constitute signature of this Statement.

Bidders are cautioned that making false certification may subject the certifier to criminal prosecution.

PUBLIC CONTRACT CODE SECTION 10162 QUESTIONNAIRE

In accordance 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 X

If the answer is "Yes", explain the circumstances in the following space.

PUBLIC CONTRACT SECTION 10232 STATEMENT


In accordance 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.

BIDDER'S SIGNATURE PAGE

By signing this proposal the bidder certifies, under penalty of perjury under the laws of the State of California, that the information submitted with this proposal for the Hidden Valley Lake Community Services District **WWTP Access Road Improvements Project** ("Project"), which information includes, but is not limited to, the Bidder's Check List, Proposal and Schedule of Bid Prices, Bid Bond, Contractor License Information, List of Subcontractors, Workers Compensation Insurance Certification, Non-Collusion Declaration, Debarment Certification, Debarment and Suspension Certification, Public Contract Code Section 10285.1 Statement, Public Contract Code Section 10162 Questionnaire, Public Contract Code Section 10232 Statement and Bidder's Questionnaire, if any, is accurate, true and correct, and is submitted in accordance with the requirements of the bid package issued by the Hidden Valley Lake Community Services District concerning Project and applicable law. By signing this proposal the bidder representative specified below certifies that he or she is legally authorized to bind the bidder.

The bidder agrees to deliver and to complete the Project within **10 working days** from the date of issuance, by the District, of instructions to proceed with the Project, and within 10 days of the date of mailing of the notice of award, to enter into and execute and provide to the District the Project contract, bonds and all other documents specified in the Contract Check List included in the bid package, and in case of default in executing the Project contract within the time fixed by the Instructions to Bidders, the bidder's security accompanying this bid shall become the property of and be forfeited to the Hidden Valley Lake Community Services District.


Prime Contractor Smith Construction & General Engineering Inc

By:  Title: President

Dated this 25th day of September, 2020

(Corporate Seal)

Corporate signature



Address: 19600 Long Horn Lane Middletown CA 95461

Phone No.: 707 237-1293

President's signature 

Secretary's signature 

Corporation organized under the laws of the State of California

Partnership Name: _____

Address: _____

Names of Co-Partners and Addresses:

Names of Individuals and Addresses:

NOTE: Sign in proper space above.

Date: 9/25/2020

Kevin Smith

(Typed or printed name)



(Signature)

Smith Construction & General Engineering Inc

(Bidder)

Bidder business address (street, city, state and zip code)

19600 Long Horn Lane Middletown CA 95461

Bidder Business phone: () 707 237-1293

Bidder Business fax: () n/a