

**BOOK 2**

**PROPOSAL AND CONTRACT  
for Construction of:**

**WEST BROADWAY URBAN VILLAGE  
INFRASTRUCTURE IMPROVEMENTS PROJECT**

City Project No. 2016-76

Federal Project No. ATPL-5316(007)



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Approved by: Rick Riedl, P.E.  
City Engineer

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Reviewed by: Richard Tanaka, PE  
Principal

**CITY OF SEASIDE  
Department of Public Works  
August, 2016**



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## **PROPOSAL FORMS**

Bids must be accompanied by the following completed forms:

1. Proposal Form
2. Bidder's Bond Statement of at least 10 percent of the total bid amount (total base bid amount)
3. Exhibit 12-B Bidder's List of Subcontractors (DBE and Non-DBE)
4. Equal Employment Opportunity Certification
5. Public Contract Code Section 10285.1 Statement
6. Public Contract Code Section 10162 Questionnaire
7. Public Contract Code 10232 Statement
8. Noncollusion Affidavit
9. Debarment and Suspension Certification
10. Nonlobbying Certification for Federal-Aid Contracts
11. Disclosure of Lobbying Activities
12. Bidder's Information Statement
13. Contractor's/Subcontractor's Certification Concerning State Labor Standards and Prevailing Wages
14. Sample Contract
15. Contractor's/Subcontractor's Certification Concerning State Labor Standards and Prevailing Wages

**Failure to complete, sign and notarize (where required) and return the above bid documents may render your bid non-responsive.**

**The following forms MAY be submitted with your bid. If they are not, and you are the apparent low bidder or the second or third low bidder, they must be submitted and received no later than 4 p.m. on the 4th business day after bid opening. Failure to submit the required DBE forms will be grounds for finding the bid nonresponsive**

1. Exhibit 15-G Local Agency Bidder DBE Commitment (Construction Contracts)
2. Exhibit 15-H DBE Information – Good Faith Efforts

# 1. PROPOSAL FORM

## CITY OF SEASIDE West Broadway Urban Village Infrastructure Improvements Project

The work to be done and referenced to herein is in the City of Seaside, State of California, and shall be constructed in accordance with the contract annexed hereto and also in accordance with the Special Provisions, the Project Plans, the Department of Transportation Standard Specifications, dated 2015, the Department of Transportation Standard Plans, the Labor Surcharge and Equipment Rental Rates in effect on the date the work is accomplished, the General Prevailing Wage Rates and Federal minimum wage rates.

Said work to be done is further shown upon plans entitled, "West Broadway Urban Village Infrastructure Improvements Project," which are included as a contract document.

The undersigned, as bidder, declares that the only person interested in this proposal as principals are those named herein, that this proposal is made without collusion with any other person, firm or corporation, and in submitting this proposal, the undersigned bidder agrees that if it is determined that he is the successful bidder, he will execute the non-collusion affidavit set forth in these specifications, that he has carefully examined the plans, special provisions and conditions therefore and is familiar with all proposal requirements, that he has examined the annexed form of contract and he hereby proposes and agrees if this proposal is accepted by the City to provide all necessary machinery, tools, apparatus and other means of construction, and to do all the work and furnish all the materials and services required to complete the said construction in accordance with the plans and special provisions in the time stated herein, for the unit prices and that the unit costs of all work stated in Base Bid shall be honored for 90 calendar days after the Notice To Proceed has been issued by the City as follows:

BASE BID						
ITEM NO.	BID ITEMS	PAY. REF.	UNIT	TOTAL QNTY	UNIT PRICE	*TOTAL COST
1	Mobilization, Bonds & Insurance	Vol 1	LS	1		
2	Project Funding Sign	12	LS	1		
3	Job Site Management	13	LS	1		
4	Prepare Storm Water Pollution Prevention Plan	13	LS	1		
5	Lead Compliance Plan (Stripe Removal)	7	LS	1		
6	Temporary Fence (Type CL-6)	16	LF	5,130		
7	Construction Area Signs	12	LS	1		
8	Traffic Control System	12	LS	1		
9	Temporary Traffic Stripe (Paint)	12	LF	7,790		
10	Temporary Pavement Marking (Paint)	12	SQFT	1,680		
11	Temporary Pavement Marker	12	EA	470		
12	Type III Barricade	12	EA	52		
13	Channelizer (Surface Mounted)	12	EA	530		
14	Portable Changeable Message Sign (EA)	12	EA	2		
15	Temporary Railing (Type K)	12	LF	850		
16	Temporary Crash Cushion Module	12	EA	20		
17	Temporary Drainage Inlet Protection	13	EA	28		
18	Temporary Construction Entrance	13	EA	6		

**BASE BID**

<b>ITEM NO.</b>	<b>BID ITEMS</b>	<b>PAY. REF.</b>	<b>UNIT</b>	<b>TOTAL QNTY</b>	<b>UNIT PRICE</b>	<b>*TOTAL COST</b>
19	Temporary Concrete Washout (Portable)	13	LS	1		
20	Remove Tree	20	EA	42		
21	Remove Tree Well	39	EA	7		
22	Remove Yellow Thermoplastic Traffic Stripe (Hazardous Waste)	14	LF	480		
23	Remove Traffic Stripe (Paint)	84	LF	910		
24	Remove Painted Pavement Marking	84	SQFT	240		
25	Remove Pavement Marker	81	EA	1,380		
26	Remove Inlet	71	EA	3		
27	Remove Roadside Sign	82	EA	46		
28	Remove Sign Panel	82	EA	1		
29	Remove Bollard	20	EA	2		
30	Remove Trash Receptacle	20	EA	7		
31	Remove Bench	20	EA	2		
32	Remove Concrete Curb and Gutter	73	LF	2,920		
33	Remove Concrete (Valley Gutter)	73	LF	130		
34	Remove Concrete Sidewalk	73	SQYD	3,230		
35	Remove Culvert	71	EA	240		
36	Abandon Culvert	71	EA	51		
37	Clearing and Grubbing	17	LS	1		
38	Cap Storm Drain Manhole	71	EA	1		
39	Relocate Roadside Sign	82	EA	4		
40	Asphaltic Emulsion (Fog Seal Coat)	37	TON	1		
41	Roadway Excavation	19	CY	3,900		
42	Finishing Roadway	22	LS	1		
43	Class 2 Aggregate Base	26	CY	810		
44	Hot Mix Asphalt (Type A)	39	TON	3,500		
45	Furnish Single Sheet Aluminum Sign (0.063"-Unframed)	82	SQFT	500		
46	Roadside Sign (One Post)	82	EA	70		
47	Install Sign (Strap and Saddle Bracket Method)	82	EA	100		
48	Bench	20	EA	40		
49	Litter/Recycling Receptacle	20	EA	40		
50	Bike Rack	20	EA	110		

**BASE BID**

<b>ITEM NO.</b>	<b>BID ITEMS</b>	<b>PAY. REF.</b>	<b>UNIT</b>	<b>TOTAL QNTY</b>	<b>UNIT PRICE</b>	<b>*TOTAL COST</b>
51	Fence (2' Height)	20	LF	390		
52	Concrete Backfill (Pipe Trench)	61	CY	100		
53	4" Polyvinyl Chloride Pipe	64	LF	580		
54	6" Polyvinyl Chloride Pipe (Overflow)	64	EA	7		
55	12" High Density Polyethylene Pipe	64	LF	1,090		
56	Type G0 Inlet	51	EA	18		
57	Type G3 (Mod) Inlet	51	EA	3		
58	Expanded Type G4 Inlet	51	EA	1		
59	Storm Drain Manhole	51	EA	13		
60	Hydrodynamic Separator	62	EA	4		
61	Storm Drain Water Retention Structure	62	CY	1,160		
62	Concrete Gutter Depression (Integrally Colored)	73	SF	330		
63	15" Polyvinyl Chloride Pipe (SDR 26)	77	LF	1,180		
64	Sanitary Sewer Manhole	77	EA	5		
65	Concrete Curb Ramps (Integrally Colored)	73	EA	29		
66	Driveway Apron	73	SF	190		
67	Curb (Type A Mod, Integrally Colored)	73	LF	1,180		
68	Curb (Type A1 Mod, Integrally Colored)	73	LF	270		
69	Curb (Type B Mod, Integrally Colored)	73	LF	1,130		
70	Valley Gutter	73	LF	1,100		
71	Concrete Paving (4" Thick)	73	SQFT	35,660		
72	Concrete Paving (6" Thick)	73	SQFT	440		
73	Concrete Pavement (10" Thick)	40	SQFT	4,370		
74	4" Thermoplastic Traffic Stripe	84	LF	910		
75	6" Thermoplastic Traffic Stripe	84	LF	5,630		
76	6" Thermoplastic Traffic Stripe (Broken 8'-4')	84	LF	1,190		
77	Paint Pavement Marking (2-Coat)	84	SQFT	3,660		
78	Thermoplastic Pavement Marking	84	SQFT	1,140		
79	Bike Lane (Green) Thermoplastic Pavement Marking	84	SQFT	5,260		
80	Paint Curb (2-Coat)	78	LF	1,090		
81	Pavement Marker (Retroreflective)	81	EA	430		
82	Pavement Marker (Non-reflective)	81	EA	2,110		

BASE BID						
ITEM NO.	BID ITEMS	PAY. REF.	UNIT	TOTAL QNTY	UNIT PRICE	*TOTAL COST
83	Object Marker	82	EA	4		
84	Survey Monument	78	EA	5		
85	Import Topsoil	20	CY	350		
86	Washed Sand at Palms	20	CY	200		
87	Bioretention Media	20	CY	150		
88	Soil Amendments	20	LS	1		
89	Trees (48" Box)	20	EA	81		
90	Palm Trees, 25' Tall	20	EA	27		
91	1 Gallon Plant	20	EA	2,680		
92	5 Gallon Plant	20	EA	770		
93	Decomposed Granite Mulch, 3"	20	SQFT	3,200		
94	Compost Mulch, 3"	20	SQFT	2,000		
95	Plant Establishment Work (90 Days)	20	LS	1		
96	Landscape Irrigation System	20	LS	1		
97	Check and Test Existing Irrigation	20	LS	1		
98	Central Control Controller	20	EA	1		
99	Remove Ornamental Street Light	87	EA	35		
100	Pedestrian Lighting	20	EA	65		
101	LED Tree-Mounted Palm Accent Light Assembly	20	EA	27		
102	Modify Signal and Lighting (Location 1: Del Monte/Broadway)	87	LS	1		
103	Signal and Lighting (Location 2: Broadway/Alhambra)	87	LS	1		
104	Modify Signal and Lighting (Location 3: Broadway/Fremont)	87	LS	1		
105	Modify Signal and Lighting (Broadway Avenue Signal Interconnect Plan)	87	LS	1		
106	Temporary Signal System	87	LS	1		

**BASE BID TOTAL AMOUNT IN FIGURES:**

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\*NOTE: In case of error in extension of price into the total price column, the unit price will govern.

**Award of this contract will be based upon the Total of the Base Bid amount.**

(THE BIDDER'S EXECUTION ON THE SIGNATURE PORTION OF THIS PROPOSAL SHALL ALSO CONSTITUTE AN ENDORSEMENT AND EXECUTION OF THOSE CERTIFICATIONS WHICH ARE A PART OF THIS PROPOSAL)

Bidder's Company Name, Address, and Telephone:

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Contractor's License No. \_\_\_\_\_

Signature

Printed Name

Title

***Addenda received and incorporated into this proposal:***

Addenda number(s): none 1 2 3 4 5 \_\_\_\_\_  
(Circle all that apply)

## 2. BIDDER'S BOND STATEMENT

Accompanying this proposal is \_\_\_\_\_ (Insert the words "cash (\$ )," "cashier's check," "certified check," or "bidder's bond") in an amount equal to at least ten percent (10%) of the bid total.

The undersigned agrees that in case of default in executing the required contract together with the necessary bonds within the period of time provided by the proposal requirements, the proceeds of the security accompanying this proposal shall become the acceptance of the City of Seaside, and this proposal and the acceptance thereof may be considered null and void.

Licensed in accordance with an act providing for the registration of Contractors.

License No. \_\_\_\_\_

License Certification \_\_\_\_\_

Notice: If bidder or other interested person is a corporation, state legal name of corporation, names of the president, secretary, treasurer, and manager thereof. If a co-partnership, state true name of firm, names of all individual co-partners composing firm. If bidder or other interested person is an individual, state firm name and individual's full name.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Company Name and Business Address

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name Title Date

### 3. EXHIBIT 12-B BIDDER'S LIST OF SUBCONTRACTORS (DBE AND NON-DBE)

#### PART I

The bidder shall list all subcontractors (both DBE and non-DBE) in accordance with Title 49, Section 26.11 of the Code of Federal Regulations. This listing is required in addition to listing DBE Subcontractors elsewhere in the proposal. **Photocopy this form for additional firms, or use the fillable pdf form found here:** <http://www.dot.ca.gov/hq/LocalPrograms/lam/forms/lapmforms.htm>

Firm Name/ Address/ City, State, ZIP	Phone/ Fax	Annual Gross Receipts	Description of Portion of Work to be Performed	Local Agency Use Only (Certified DBE?)
<i>Name</i>	<i>Phone</i>	<input type="checkbox"/> < \$1 million		<input type="checkbox"/> YES
		<input type="checkbox"/> < \$5 million		<input type="checkbox"/> NO
<i>Address</i>	<i>Fax</i>	<input type="checkbox"/> < \$10 million		<i>If YES list DBE #:</i>
		<input type="checkbox"/> < \$15 million		<i>Age of Firm (Yrs.)</i>
<i>City State ZIP</i>		<input type="checkbox"/> > \$15 million		
<i>Name</i>	<i>Phone</i>	<input type="checkbox"/> < \$1 million		<input type="checkbox"/> YES
		<input type="checkbox"/> < \$5 million		<input type="checkbox"/> NO
<i>Address</i>	<i>Fax</i>	<input type="checkbox"/> < \$10 million		<i>If YES list DBE #:</i>
		<input type="checkbox"/> < \$15 million		<i>Age of Firm (Yrs.)</i>
<i>City State ZIP</i>		<input type="checkbox"/> > \$15 million		
<i>Name</i>	<i>Phone</i>	<input type="checkbox"/> < \$1 million		<input type="checkbox"/> YES
		<input type="checkbox"/> < \$5 million		<input type="checkbox"/> NO
<i>Address</i>	<i>Fax</i>	<input type="checkbox"/> < \$10 million		<i>If YES list DBE #:</i>
		<input type="checkbox"/> < \$15 million		<i>Age of Firm (Yrs.)</i>
<i>City State ZIP</i>		<input type="checkbox"/> > \$15 million		
<i>Name</i>	<i>Phone</i>	<input type="checkbox"/> < \$1 million		<input type="checkbox"/> YES
		<input type="checkbox"/> < \$5 million		<input type="checkbox"/> NO
<i>Address</i>	<i>Fax</i>	<input type="checkbox"/> < \$10 million		<i>If YES list DBE #:</i>
		<input type="checkbox"/> < \$15 million		<i>Age of Firm (Yrs.)</i>
<i>City State ZIP</i>		<input type="checkbox"/> > \$15 million		

**Distribution:** 1) Original - Local Agency File

#### 4. EQUAL EMPLOYMENT OPPORTUNITY CERTIFICATION

The bidder \_\_\_\_\_, proposed subcontractor \_\_\_\_\_, hereby certifies that he has \_\_\_\_\_, has not \_\_\_\_\_, participated in a previous contract or subcontract subject to the equal opportunity clauses, as required by executive Orders 10925, 11114, or 11246, and that, where required, he has filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former president's Committee on Equal Employment opportunity, all reports due under the applicable filing requirements.

Note: The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7(b)(1)), and must be submitted by bidders and proposed subcontractors only in connection with contracts and subcontracts which are subject to the equal opportunity clause. Contracts and subcontracts which are exempt from the equal opportunity clause are set forth in 41 CFR 60-1.5. (Generally only contracts or subcontracts of \$10,000 or under are exempt.)

Currently, Standard Form 100 (EEO-1) is the only report required by the Executive Orders or their implementing regulations.

Proposed prime contractors and subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note that 41 CFR 60-1.7 (b) (1) prevents the award of contracts and subcontracts unless such contractor submits a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor.

## 5. 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.

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 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.

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## 6. 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.

## 7. PUBLIC CONTRACT CODE 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.

Note: 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.

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## 8. NONCOLLUSION AFFIDAVIT

(Title 23 United States Code Section 112 and  
Public Contract Code Section 7106)

To the CITY / COUNTY of \_\_\_\_\_  
*DEPARTMENT OF PUBLIC WORKS.*

In conformance with Title 23 United States Code Section 112 and 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.

Note: 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.

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## 9. DEBARMENT AND SUSPENSION CERTIFICATION

TITLE 49, CODE OF FEDERAL REGULATIONS, PART 29

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

- is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any Federal agency;
- has not been suspended, debarred, voluntarily excluded or determined ineligible by any Federal agency within the past 3 years;
- does not have a proposed debarment pending; and
- has not been indicted, convicted, or had a civil judgement 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.

Notes: Providing false information may result in criminal prosecution or administrative sanctions. The above certification is part of the Proposal. Signing this Proposal on the signature portion thereof shall also constitute signature of this Certification.

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## 10. NONLOBBYING CERTIFICATION FOR FEDERAL-AID CONTRACTS

The prospective participant certifies, by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in conformance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The prospective participant also agrees by submitting his or her bid or proposal that he or she shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such subrecipients shall certify and disclose accordingly.

# 11. DISCLOSURE OF LOBBYING ACTIVITIES

COMPLETE THIS FORM TO DISCLOSE LOBBYING ACTIVITIES PURSUANT TO 31 U.S.C. 1352

<p><b>1. Type of Federal Action:</b></p> <p><input type="checkbox"/> a. contract  <input type="checkbox"/> b. grant  <input type="checkbox"/> c. cooperative agreement  <input type="checkbox"/> d. loan  <input type="checkbox"/> e. loan guarantee  <input type="checkbox"/> f. loan insurance</p>	<p><b>2. Status of Federal Action:</b></p> <p><input type="checkbox"/> a. bid/offer/application  <input type="checkbox"/> b. initial award  <input type="checkbox"/> c. post-award</p>	<p><b>3. Report Type:</b></p> <p><input type="checkbox"/> a. initial  <input type="checkbox"/> b. material change</p> <p style="text-align: right;"><b>For Material Change Only:</b>  year _____ quarter _____  date of last report _____</p>
<p><b>4. Name and Address of Reporting Entity</b></p> <p><input type="checkbox"/> Prime                      <input type="checkbox"/> Subawardee  Tier _____, if known</p> <p style="text-align: center;">Congressional District, if known</p>	<p><b>5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:</b></p> <p style="text-align: center;">Congressional District, if known</p>	
<p><b>6. Federal Department/Agency:</b></p>	<p><b>7. Federal Program Name/Description:</b></p> <p style="text-align: center;">CFDA Number, if applicable _____</p>	
<p><b>8. Federal Action Number, if known:</b></p>	<p><b>9. Award Amount, if known:</b></p>	
<p><b>10. Name and Address of Lobby Entity</b>  (If individual, last name, first name, MI)</p> <p style="text-align: center;">(attach Continuation Sheet(s) if necessary)</p>	<p><b>11. Individuals Performing Services</b> (including address if different from No. 10a)  (last name, first name, MI)</p>	
<p><b>12. Amount of Payment (check all that apply)</b></p> <p>\$ _____ <input type="checkbox"/> actual    <input type="checkbox"/> planned</p>	<p><b>14. Type of Payment (check all that apply)</b></p> <p><input type="checkbox"/> a. retainer  <input type="checkbox"/> b. one-time fee  <input type="checkbox"/> c. commission  <input type="checkbox"/> d. contingent fee  <input type="checkbox"/> e. deferred  <input type="checkbox"/> f. other, specify _____</p>	
<p><b>13. Form of Payment (check all that apply):</b></p> <p><input type="checkbox"/> a. cash  <input type="checkbox"/> b. in-kind; specify: nature _____  Value _____</p>		
<p><b>15. Brief Description of Services Performed or to be performed and Date(s) of Service, including officer(s), employee(s), or member(s) contacted, for Payment Indicated in Item 11:</b></p> <p style="text-align: center;">(attach Continuation Sheet(s) if necessary)</p>		
<p><b>16. Continuation Sheet(s) attached:</b>      Yes <input type="checkbox"/>      No <input type="checkbox"/></p>		
<p><b>17. Information requested through this form is authorized by Title 31 U.S.C. Section 1352. This disclosure of lobbying reliance was placed by the tier above when his transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to Congress semiannually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.</b></p>		
		<p>Signature: _____  Print Name: _____  Title: _____  Telephone No.: _____ Date: _____</p>
		<p>Authorized for Local Reproduction  Standard Form - LLL</p>
<p><b>Federal Use Only:</b></p>		

Standard Form LLL Rev. 04-28-06

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## INSTRUCTIONS FOR COMPLETING EXHIBIT 10-Q DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime federal recipient at the initiation or receipt of covered federal action or a material change to previous filing pursuant to title 31 U.S.C. Section 1352. The filing of a form is required for such payment or agreement to make payment to lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress an officer or employee of Congress or an employee of a Member of Congress in connection with a covered federal action. Attach a continuation sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered federal action for which lobbying activity is or has been secured to influence, the outcome of a covered federal action.
2. Identify the status of the covered federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last, previously submitted report by this reporting entity for this covered federal action.
4. Enter the full name, address, city, state, and zip code of the reporting entity. Include Congressional District if known. Check the appropriate classification of the reporting entity that designates if it is or expects to be a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the first tier. Subawards include but are not limited to: subcontracts, subgrants, and contract awards under grants.
5. If the organization filing the report in Item 4 checks "Subawardee" then enter the full name, address, city, state, and zip code of the prime federal recipient. Include Congressional District, if known.
6. Enter the name of the federal agency making the award or loan commitment. Include at least one organization level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the federal program name or description for the covered federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans and loan commitments.
8. Enter the most appropriate federal identifying number available for the federal action identification in item 1 (e.g., Request for Proposal (RFP) number, Invitation for Bid (IFB) number, grant announcement number, the contract grant. or loan award number, the application/proposal control number assigned by the federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered federal action where there has been an award or loan commitment by the Federal agency, enter the federal amount of the award/loan commitments for the prime entity identified in item 4 or 5.
10. Enter the full name, address, city, state, and zip code of the lobbying entity engaged by the reporting entity identified in Item 4 to influence the covered federal action.
11. Enter the full names of the individual(s) performing services and include full address if different from 10 (a). Enter Last Name, First Name and Middle Initial (MI).
12. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (Item 4) to the lobbying entity (Item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.
13. Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.
14. Check all boxes that apply. If other, specify nature.
15. Provide a specific and detailed description of the services that the lobbyist has performed or will be expected to perform and the date(s) of any services rendered. Include all preparatory and related activity not just time spent in actual contact with federal officials. Identify the federal officer(s) or employee(s) contacted or the officer(s) employee(s) or Member(s) of Congress that were contacted.
16. Check whether or not a continuation sheet(s) is attached.
17. The certifying official shall sign and date the form, and print his/her name title and telephone number.

Public reporting burden for this collection of information is estimated to average 30-minutes per response, including time for reviewing instruction, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, D.C. 20503. SF-LLL-Instructions Rev. 06-04

## 12. BIDDER'S INFORMATION STATEMENT

1. Number of years the bidder has performed the type of construction work required by this project: \_\_\_\_\_

2. List the type of work normally performed by your own forces:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. Has your contractor's license been suspended or revoked during the last five years?     Yes  No
4. Has the bidder declared bankruptcy or been in receivership during the last five years?     Yes  No
5. Has the bidder ever defaulted on a contract forcing a surety to suffer a loss?     Yes  No
6. Has the bidder been unable to obtain a bond or been denied a bond?     Yes  No
7. Has the bidder ever failed to complete work awarded to it?     Yes  No
8. Has the bidder filed any lawsuits, requested arbitration or been involved in any litigation during the last five years?     Yes  No
9. Has the bidder failed to pay prevailing wages on any public project during the last 5 years?     Yes  No

If the answer is "yes" to any of questions 3 through 9 please explain the circumstances in the below space.  
The bidder may attach additional pages if necessary, to provide a detailed response.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

On Enclosures A-1 through A-3 list five construction contracts the bidder has had with public agencies over the last five years similar to the proposed project in type of construction and in total contract amount. These forms must be completed. Attaching a list of projects without the information requested on these enclosures is not satisfactory.

Name of your Surety Company: \_\_\_\_\_

Is your Surety Company California Admitted?     Yes  No

ENCLOSURE A-1

**Similar Construction Contract Bidder has completed over the last three years for a Public Agency**

Address each item, indicating "none" where appropriate.

1. Name and Location of Project: \_\_\_\_\_

2. Name of Bidder's Superintendent on the project: \_\_\_\_\_

3. Description of work including quantities of installed work: \_\_\_\_\_

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4. Name of Public Agency: \_\_\_\_\_

5. Name and telephone number of Public Agency's Project Engineer: \_\_\_\_\_

6. Original Contract Amount: \_\_\_\_\_

7. Total Amount of Approved Change Orders: \_\_\_\_\_

8. Final Contract Amount: \_\_\_\_\_

9. Date of Contract completion: \_\_\_\_\_

10. Were Liquidated Damages assessed? \_\_\_\_\_

11. Claims amount: \_\_\_\_\_

12. Citations by OSHA: \_\_\_\_\_

13. Failure to pay prevailing wages or other Federal/State required taxes or contributions? \_\_\_\_\_

**ENCLOSURE A-2**

**Similar Construction Contract Bidder has completed over the last three years for a Public Agency**

Address each item, indicating "none" where appropriate.

Name and Location of Project: \_\_\_\_\_

1. Name of Bidder's Superintendent on the project: \_\_\_\_\_

2. Description of work including quantities of installed work: \_\_\_\_\_

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3. Name of Public Agency: \_\_\_\_\_

4. Name and telephone number of Public Agency's Project Engineer: \_\_\_\_\_

5. Original Contract Amount: \_\_\_\_\_

6. Total Amount of Approved Change Orders: \_\_\_\_\_

7. Final Contract Amount: \_\_\_\_\_

8. Date of Contract completion: \_\_\_\_\_

9. Were Liquidated Damages assessed? \_\_\_\_\_

10. Claims amount: \_\_\_\_\_

11. Citations by OSHA: \_\_\_\_\_

12. Failure to pay prevailing wages or other Federal/State required taxes or contributions? \_\_\_\_\_

ENCLOSURE A-3

**Similar Construction Contract Bidder has completed over the last three years for a Public Agency**

Address each item, indicating "none" where appropriate.

1. Name and Location of Project: \_\_\_\_\_

2. Name of Bidder's Superintendent on the project: \_\_\_\_\_

3. Description of work including quantities of installed work: \_\_\_\_\_

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4. Name of Public Agency: \_\_\_\_\_

5. Name and telephone number of Public Agency's Project Engineer: \_\_\_\_\_

6. Original Contract Amount: \_\_\_\_\_

7. Total Amount of Approved Change Orders: \_\_\_\_\_

8. Final Contract Amount: \_\_\_\_\_

9. Date of Contract completion: \_\_\_\_\_

10. Were Liquidated Damages assessed? \_\_\_\_\_

11. Claims amount: \_\_\_\_\_

12. Citations by OSHA: \_\_\_\_\_

13. Failure to pay prevailing wages or other Federal/State required taxes or contributions? \_\_\_\_\_

### 13. COMPLETE SAMPLE CONTRACT

## CITY OF SEASIDE SAMPLE CONTRACT

This Agreement, made and concluded in duplicate this \_\_\_\_\_ day of \_\_\_\_\_, between the CITY OF SEASIDE, herein referred to as "City," and \_\_\_\_\_, herein referred to as "Contractor".

WITNESSETH:

**Article I.** For and in consideration of the payments and agreements hereinafter mentioned to be made and performed by said City and hereunto annexed, the said Contractor agrees with the said City, 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 City, necessary to construct and complete in a good workmanlike and substantial manner and to the satisfaction of said City, in accordance with the provisions hereto annexed and also in accordance with the latest applicable wage rates hereto annexed and referenced.

The work to be done is specified in these special provisions and plans, approved by the City Engineer, which said special provisions and plans are made part of this contract.

**Article II.** The said City hereby promises and agrees with the said Contractor to employ, and does hereby employ, the said Contractor to provide the materials and do the work according to the terms and conditions herein contained and referred to, for the price 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 referenced and 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 accordance 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 said City 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:

**< Awarded Bid Schedule will be inserted here >**

**Article VI. - Assignment.** The Contractor shall not assign any of his duties, responsibilities or obligations without prior written consent from the City.

**Article VII. Indemnity.** To the fullest extent permitted by law, the Contractor agrees to indemnify, defend and hold harmless, City and any and all of City's boards, officers, employees, agents, assigns, and successors in interest through legal counsel reasonably acceptable to the City, from and against any and all claims losses, demand and expenses, including, but not limited to, attorney's fees and cost of litigation, on account of bodily injury, including death, or property damage arising out of or in any way connected to the work performed by Contractor under this agreement. Without affecting the rights of City under any provision of this agreement, Contractor shall not be required to indemnify and hold harmless City for liability attributable to the active negligence of City, provided such active negligence is determined by agreement between the parties or by the findings of a court of competent jurisdiction. In instances where City is shown to have been actively negligent and where City's active negligence accounts for only a percentage of the liability involved, the obligation of Contractor will be for that entire

portion or percentage of liability not attributable to the active negligence of City.

**Article VIII. Insurance.** Prior to the beginning of and throughout the duration of the work, Contractor will maintain insurance in conformance with the requirements set forth below. Contractor will use existing coverage to comply with these requirements. If that existing coverage does not meet the requirements set forth here, it will be amended to do so. Contractor acknowledges that the insurance coverage and policy limits set forth in this section constitute the minimum amount of coverage required. Any insurance proceeds available to City in excess of the limits and coverage required in this agreement and which is applicable to a given loss, will be available to City.

Contractor shall provide the following types and amounts of insurance:

1. Commercial General Liability Insurance using Insurance Services Office "Commercial General Liability" policy form CG 00 01 or the exact equivalent. Defense costs must be paid in addition to limits. There shall be no cross liability exclusion for claims or suits by one insured against another. Limits shall be no less than \$2,000,000 per occurrence for all covered losses and no less than \$4,000,000 general aggregate.

Contractor's policy shall contain no endorsements limiting coverage beyond the basic policy coverage grant for any of the following:

- Explosion, collapse or underground hazard (XCU)
- Products and completed operations
- Pollution liability
- Contractual liability

Coverage shall be applicable to City for injury to employees of contractors, subcontractors or others involved in the project. Policy shall be endorsed to provide a separate limit applicable to this project.

2. Workers Compensation on a state-approved policy form providing statutory benefits as required by law with employer's liability limits no less than \$1,000,000 per accident for all covered losses.
3. Business Auto Coverage on ISO Business Auto Coverage form CA 00 01 06 92 including symbol 1 (Any Auto) or the exact equivalent. Limits shall be no less than \$1,000,000 per accident, combined single limit. If Contractor owns no vehicles, this requirement may be satisfied by a non-owned auto endorsement to the general liability policy described above. If Contractor or Contractor's employees will use personal autos in any way on this project, Contractor shall provide evidence of personal auto liability coverage for each such person.
4. Excess or Umbrella Liability Insurance (Over Primary) if used to meet limit requirements, shall provide coverage at least as broad as specified for the underlying coverages. Any such coverage provided under an umbrella liability policy shall include a drop down provision providing primary coverage above a maximum \$25,000 self-insured retention for liability not covered by primary but covered by the umbrella. Coverage shall be provided on a "pay on behalf" basis, with defense costs payable in addition to policy limits. There shall be no cross liability exclusion precluding coverage for claims or suits by one insured against another. Coverage shall be applicable to City for injury to employees of Contractor, subcontractors or others involved in the Work. The scope of coverage provided is subject to approval of City following receipt of proof of insurance as required herein. Limits are subject to review but in no event less than \$1,000,000 per occurrence and aggregate.

**Article IX. - Legal Action.** Should either party to this agreement bring legal action against the other, the case shall be handled in Monterey County, California, and the party prevailing in such action shall be entitled to a reasonable attorney's fee which shall be fixed by the judge hearing the case and such fee shall be included in the judgement, together with all costs.

**Article X. - Notices.** All notices herein provided to be given, or which may be given by either party to the other, shall be deemed to have been fully given and fully received when made in writing and deposited in the United States mail, certified and postage prepaid, and addressed to the respective parties as follows:

CITY OF SEASIDE  
Rick Riedl, City Engineer  
440 Harcourt Avenue  
Seaside, CA 93955

Contractor's Name and Mailing Address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

IN WITNESS WHEREOF, the parties to these presents have hereunto set their hands the year and date first above written.

CITY OF SEASIDE

CONTRACTOR

by: \_\_\_\_\_  
Mayor

by: \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

Licensed in accordance with an act providing for the registration of Contractors. License No. \_\_\_\_\_

Approved:

\_\_\_\_\_  
/City Engineer

**FEDERAL MINIMUM  
WAGE RATES**

<Applicable minimum wage rates to be physically inserted in signed contract>

**14. CONTRACTOR'S/SUBCONTRACTOR'S CERTIFICATION CONCERNING STATE LABOR STANDARDS AND PREVAILING WAGES**

All contractors and subcontractors shall give the following certification to the City and forward this certification to the City within 10 days after the execution of any contract or subcontract.

- A. "I am aware of the provisions of Section 1720 et seq. of the California Labor Code which requires that the State prevailing wage rate shall be paid to employees where this rate exceeds the Federal wage rate."
- B. "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."
- C. "It is further agreed that, except as may be provided in Section 1815 of the California Labor Code, the maximum hours a worker is to be employed is limited to eight hours a day and 40 hours a week and the subcontractor shall forfeit, as a penalty, \$25 for each worker employed in the execution of the subcontract for each calendar day during which a worker is required or permitted to labor more than eight hours in any calendar day or more than 40 hours in any calendar week."
- D. A copy of FHWA Form 1273 is physically included in the aforesaid contract.

(Contractor/Subcontractor)

By \_\_\_\_\_ (Signature)                      \_\_\_\_\_ (Typed Name and Title)                      \_\_\_\_\_ (Date)

## **APPENDIX A – DBE FORMS 15-G AND 15-H**

**EXHIBIT 15-G CONSTRUCTION CONTRACT DBE COMMITMENT**

1. Local Agency: \_\_\_\_\_ 2. Contract DBE Goal: \_\_\_\_\_  
 3. Project Description: \_\_\_\_\_  
 4. Project Location: \_\_\_\_\_  
 5. Bidder's Name: \_\_\_\_\_ 6. Prime Certified DBE:  7. Bid Amount: \_\_\_\_\_  
 8. Total Dollar Amount for **ALL** Subcontractors: \_\_\_\_\_ 9. Total Number of **ALL** Subcontractors: \_\_\_\_\_

10. Bid Item Number	11. Description of Work, Service, or Materials Supplied	12. DBE Certification Number	13. DBE Contact Information (Must be certified on the date bids are opened)	14. DBE Dollar Amount
<b>Local Agency to Complete this Section</b>			<b>15. TOTAL CLAIMED DBE PARTICIPATION</b>	\$
21. Local Agency Contract Number: _____ 22. Federal-Aid Project Number: _____ 23. Bid Opening Date: _____ 24. Contract Award Date: _____  Local Agency certifies that all DBE certifications are valid and information on this form is complete and accurate.				%
25. Local Agency Representative's Signature _____ 26. Date _____ 27. Local Agency Representative's Name _____ 28. Phone _____ 29. Local Agency Representative's Title _____			IMPORTANT: Identify all DBE firms being claimed for credit, regardless of tier. Names of the First Tier DBE Subcontractors and their respective item(s) of work listed above must be consistent, where applicable with the names and items of the work in the "Subcontractor List" submitted with your bid. Written confirmation of each listed DBE is required.  16. Preparer's Signature _____ 17. Date _____ 18. Preparer's Name _____ 19. Phone _____ 20. Preparer's Title _____	

DISTRIBUTION: 1. Original – Local Agency  
 2. Copy – Caltrans District Local Assistance Engineer (DLAE). Failure to submit to DLAE within 30 days of contract execution may result in de-obligation of federal funds on contract. Include additional copy with award package.

**ADA Notice:** For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

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**INSTRUCTIONS – CONSTRUCTION CONTRACT DBE COMMITMENT**

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**CONTRACTOR SECTION**

- 1. Local Agency** - Enter the name of the local or regional agency that is funding the contract.
- 2. Contract DBE Goal** - Enter the contract DBE goal percentage as it appears on the project advertisement.
- 3. Project Location** - Enter the project location as it appears on the project advertisement.
- 4. Project Description** - Enter the project description as it appears on the project advertisement (Bridge Rehab, Seismic Rehab, Overlay, Widening, etc).
- 5. Bidder's Name** - Enter the contractor's firm name.
- 6. Prime Certified DBE** - Check box if prime contractor is a certified DBE.
- 7. Bid Amount** - Enter the total contract bid dollar amount for the prime contractor.
- 8. Total Dollar Amount for ALL Subcontractors** – Enter the total dollar amount for all subcontracted contractors. SUM = (DBEs + all Non-DBEs). Do not include the prime contractor information in this count.
- 9. Total number of ALL subcontractors** – Enter the total number of all subcontracted contractors. SUM = (DBEs + all Non-DBEs). Do not include the prime contractor information in this count.
- 10. Bid Item Number** - Enter bid item number for work, services, or materials supplied to be provided.
- 11. Description of Work, Services, or Materials Supplied** - Enter description of work, services, or materials to be provided. Indicate all work to be performed by DBEs including work performed by the prime contractor's own forces, if the prime is a DBE. If 100% of the item is not to be performed or furnished by the DBE, describe the exact portion to be performed or furnished by the DBE. See LAPM Chapter 9 to determine how to count the participation of DBE firms.
- 12. DBE Certification Number** - Enter the DBE's Certification Identification Number. All DBEs must be certified on the date bids are opened.
- 13. DBE Contact Information** - Enter the name, address, and phone number of all DBE subcontracted contractors. Also, enter the prime contractor's name and phone number, if the prime is a DBE.
- 14. DBE Dollar Amount** - Enter the subcontracted dollar amount of the work to be performed or service to be provided. Include the prime contractor if the prime is a DBE. See LAPM Chapter 9 for how to count full/partial participation.
- 15. Total Claimed DBE Participation** - \$: Enter the total dollar amounts entered in the "DBE Dollar Amount" column. %: Enter the total DBE participation claimed ("Total Claimed DBE Participation Dollars" divided by item "Bid Amount"). If the total % claimed is less than item "Contract DBE Goal," an adequately documented Good Faith Effort (GFE) is required (see Exhibit 15-H DBE Information - Good Faith Efforts of the LAPM).
- 16. Preparer's Signature** - The person completing the DBE commitment form on behalf of the contractor's firm must sign their name.
- 17. Date** - Enter the date the DBE commitment form is signed by the contractor's preparer.
- 18. Preparer's Name** - Enter the name of the person preparing and signing the contractor's DBE commitment form.
- 19. Phone** - Enter the area code and phone number of the person signing the contractor's DBE commitment form.
- 20. Preparer's Title** - Enter the position/title of the person signing the contractor's DBE commitment form.

**LOCAL AGENCY SECTION**

- 21. Local Agency Contract Number** - Enter the Local Agency contract number or identifier.
- 22. Federal-Aid Project Number** - Enter the Federal-Aid Project Number.
- 23. Bid Opening Date** - Enter the date contract bids were opened.
- 24. Contract Award Date** - Enter the date the contract was executed.
- 25. Local Agency Representative's Signature** - The person completing this section of the form for the Local Agency must sign their name to certify that the information in this and the Contractor Section of this form is complete and accurate.
- 26. Date** - Enter the date the DBE commitment form is signed by the Local Agency Representative.
- 27. Local Agency Representative's Name** - Enter the name of the Local Agency Representative certifying the contractor's DBE commitment form.
- 28. Phone** - Enter the area code and phone number of the person signing the contractor's DBE commitment form.
- 29. Local Agency Representative Title** - Enter the position/title of the Local Agency Representative certifying the contractor's DBE commitment form.

**EXHIBIT 15-H DBE INFORMATION —GOOD FAITH EFFORTS**

**DBE INFORMATION - GOOD FAITH EFFORTS**

Federal-aid Project No. \_\_\_\_\_ Bid Opening Date \_\_\_\_\_

The \_\_\_\_\_ (City/County of) \_\_\_\_\_ established a Disadvantaged Business Enterprise (DBE) goal of \_\_\_\_\_% for this project. The information provided herein shows that a good faith effort was made.

Lowest, second lowest and third lowest bidders shall submit the following information to document adequate good faith efforts. Bidders should submit the following information even if the “Local Agency Bidder DBE Commitment” form indicates that the bidder has met the DBE goal. This will protect the bidder’s eligibility for award of the contract if the administering agency determines that the bidder failed to meet the goal for various reasons, e.g., a DBE firm was not certified at bid opening, or the bidder made a mathematical error.

Submittal of only the “Local Agency Bidder DBE Commitment” form may not provide sufficient documentation to demonstrate that adequate good faith efforts were made.

The following items are listed in the Section entitled “Submission of DBE Commitment” of the Special Provisions:

- A. The names and dates of each publication in which a request for DBE participation for this project was placed by the bidder (please attach copies of advertisements or proofs of publication):

<u>Publications</u>	<u>Dates of Advertisement</u>

- B. The names and dates of written notices sent to certified DBEs soliciting bids for this project and the dates and methods used for following up initial solicitations to determine with certainty whether the DBEs were interested (please attach copies of solicitations, telephone records, fax confirmations, etc.):

<u>Names of DBEs Solicited</u>	<u>Date of Initial Solicitation</u>	<u>Follow Up Methods and Dates</u>

Effort

- C. The items of work which the bidder made available to DBE firms including, where appropriate, any breaking down of the contract work items (including those items normally performed by the bidder with its own forces) into economically feasible units to facilitate DBE participation. It is the bidder's responsibility to demonstrate that sufficient work to facilitate DBE participation was made available to DBE firms.

Items of Work	Bidder Normally Performs Item (Y/N)	Breakdown of Items	Amount (\$)	Percentage Of Contract

- D. The names, addresses and phone numbers of rejected DBE firms, the reasons for the bidder's rejection of the DBEs, the firms selected for that work (please attach copies of quotes from the firms involved), and the price difference for each DBE if the selected firm is not a DBE:

Names, addresses and phone numbers of rejected DBEs and the reasons for the bidder's rejection of the DBEs:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Names, addresses and phone numbers of firms selected for the work above:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- E. Efforts made to assist interested DBEs in obtaining bonding, lines of credit or insurance, and any technical assistance or information related to the plans, specifications and requirements for the work which was provided to DBEs:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- F. Efforts made to assist interested DBEs in obtaining necessary equipment, supplies, materials or related assistance or services, excluding supplies and equipment the DBE subcontractor purchases or leases from the prime contractor or its affiliate:

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- G. The names of agencies, organizations or groups contacted to provide assistance in contacting, recruiting and using DBE firms (please attach copies of requests to agencies and any responses received, i.e., lists, Internet page download, etc.):

Name of Agency/Organization	Method/Date of Contact	Results

- H. Any additional data to support a demonstration of good faith efforts (use additional sheets if necessary):

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**NOTE:** USE ADDITIONAL SHEETS OF PAPER IF NECESSARY.