

**PUBLIC WORKS CONTRACT (Informal Bid)**

**Monterey Sports Center Exterior Tile Removal Project**

THIS AGREEMENT, hereinafter referred to as the "Agreement", made and entered into this 8th day of May 2017, by and between the CITY OF MONTEREY, a municipal corporation, hereinafter referred to as the "City", and VICTOR CONCRETE hereinafter referred to as the "Contractor";

**WITNESSETH:**

WHEREAS, the City has awarded a contract to the Contractor for performing the work hereinafter described in accordance with the City's Specifications and Contractor's proposal;

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. **SCOPE OF WORK.** The Contractor shall perform all of the work and furnish all labor, materials, equipment and transportation necessary for **Monterey Sports Center Exterior Tile Removal Project**. Work is to be as set out in the Contractor's Proposal attached hereto, dated April 17, 2017, in an amount not to exceed **Sixty Five Thousand Dollars (\$65,000)** plus a sum of up to 10% for such contingencies as the City Manager, or his designee, deems appropriate.
2. **TIME OF PERFORMANCE.** The work under this contract shall commence within fourteen (14) calendar days from the effective date of the Notice to Proceed and shall be completed on or before June 1, 2017.
3. If any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions will continue in full force without being impaired or invalidated in any way.
4. Contractor agrees that in the performance of this Agreement, it will comply with all applicable state, federal and local laws, codes and regulations. This Agreement shall be governed by and construed in accordance with the laws of the State of California and the City of Monterey.
5. In accordance with the provisions of Sections 1725.5, 1771.1, 1771.3, and 1771.4 of the Labor Code, this project is subject to compliance monitoring and enforcement by the Department of Industrial Relations. 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 by that chapter of the Labor Code, unless currently registered and qualified to perform public work pursuant to Section 1725.5 of the Labor Code. It is not a violation of this section 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 1735.5 at the time the contract is awarded.
6. This Agreement shall consist of this Public Works Contract document and the following items, all of which are on file in the office of the City Clerk and are incorporated herein and made a part hereof by reference:
  - A. Project Description
  - B. Accepted Proposal
  - C. Performance Bond
  - D. Payment Bond (labor and materials)
  - E. Non-Collusion Declaration
  - F. Debarment and Suspension Certification

IN WITNESS WHEREOF, said Contractor and said City have hereunto set their hands, all on the day and year first above written.

CITY OF MONTEREY:

By: \_\_\_\_\_

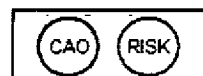
City Manager, or his designee

VICTOR CONCRETE:

By: \_\_\_\_\_

Victor Granillo, President

T00013-CA (v. 2.2 - 9/18/2015)





Lori Lynn Williamson &lt;lwilliamson@monterey.org&gt;

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**CW Sidewalk Repair Phase 3 - request for quote**

9 messages

Lori Lynn Williamson &lt;lwilliamson@monterey.org&gt;

Tue, Apr 18, 2017 at 2:00 PM

To: victorconcrete1@aol.com

Cc: Andrew Borquez &lt;victorconcrete1\_andrew@aol.com&gt;, Mary Gomez &lt;victorconcrete1\_maryg@aol.com&gt;, Robert Estrella &lt;estrella@monterey.org&gt;, victorconcrete1\_cheri@aol.com

Hi Victor,

We have another project in town that needs to be completed by May 20, 2017 and I would like to see if I could get a quote from you to perform the work under your current contract with the City.

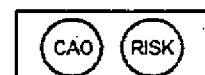
Attached please find some photos of the front of the Monterey Sports Center on Franklin. You can look it up on Google Earth. The front entry has colored concrete with tile bands. The tile is too slippery and we would like to replace it with colored concrete in Davis color "Spanish Gold".

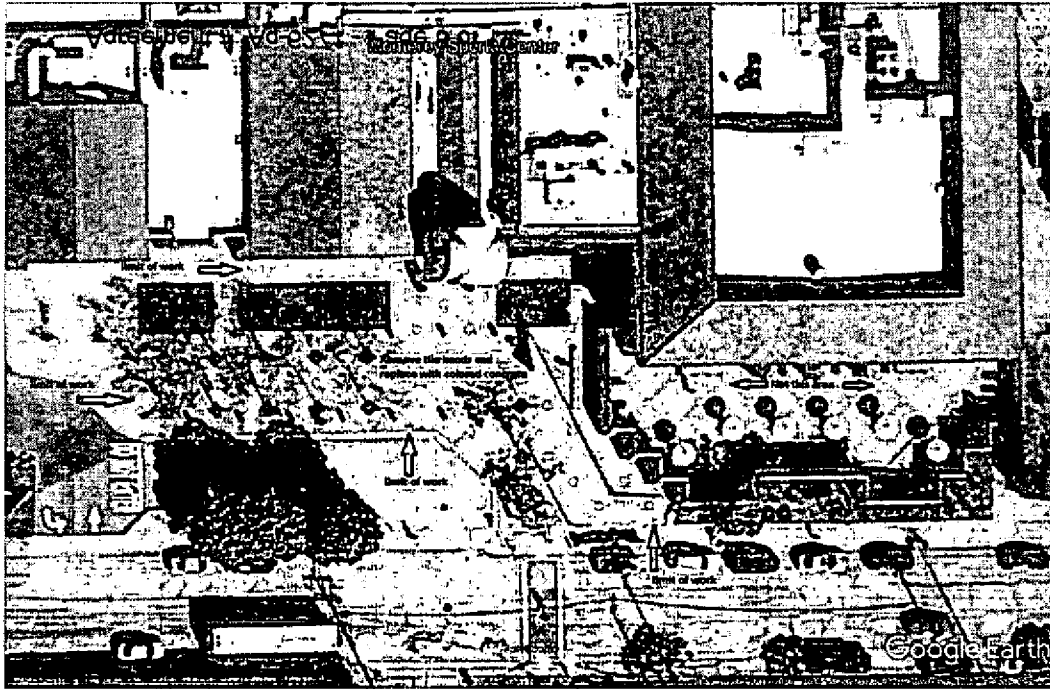
The project entails sawcutting through 6" of mortar and concrete, removing the tile, mortar bed and 4" concrete underslab and replacing with 6" of colored concrete. There is no forming or measuring.

The bands measure 11'-4" from center to center (white tile in pics) and they are 12" wide. Below are the approximate quantities:

6" sawcut - 3700 lf  
demolition - 935 cu ft  
place and finish concrete 6" - 1870 sq ft  
install #4 dowels - 540  
pump mix, probably 3/8" aggregate, probably 3 pours  
Some pedestrian traffic control required  
Some tree protection

Please call me if you have questions or need more information. I need this estimate ASAP.



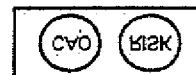


CITY OF MONTEREY - Public Works ~ Engineering  
Address: 601 Wave Street, Suite 100, Monterey CA 93940  
Desk: 831.242.8746 Email: lwilliamson@monterey.org

Mary G. <MaryG@victorconcreteinc.com>  
To: Lori Lynn Williamson <lwilliamson@monterey.org>  
Cc: "Victor Concrete, Inc." <victorconcrete1@aol.com>, Andrew Borquez <victorconcrete1\_andrew@aol.com>, Robert Estrella <estrella@monterey.org>, Cheri Romo <victorconcrete1\_cheri@aol.com>

Tue, Apr 18, 2017 at 2:37 PM

Good afternoon Lori Lynn,  
I will be communicating this additional work with Andrew and Victor.  
Hope you have a great rest of the day.



Respectfully,  
[Quoted text hidden]



SAFETY REQ IRES TEAM WORK- BE PART OF O R TEAM!  
Victor Concrete, Inc.  
Mary Gomez/Safety Compliance/CQMC  
951-275-6657 Cell  
951-686-4215 Office  
951-686-4020 Fax

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Mary G. <MaryG@victorconcreteinc.com> Tue, Apr 18, 2017 at 2:37 PM  
To: Lori Lynn Williamson <lwilliamson@monterey.org>  
Cc: "Victor Concrete, Inc." <victorconcrete1@aol.com>, Andrew Borquez <victorconcrete1\_andrew@aol.com>, Robert Estrella <estrella@monterey.org>, Cheri Romo <victorconcrete1\_cheri@aol.com>

Good afternoon Lori Lynn,  
I will be communicating this additional work with Andrew and Victor.  
Hope you have a great rest of the day.

Respectfully,

On Tue, Apr 18, 2017 at 2:00 PM, Lori Lynn Williamson <lwilliamson@monterey.org> wrote:  
[Quoted text hidden]



SAFETY REQ IRES TEAM WORK- BE PART OF O R TEAM!  
Victor Concrete, Inc.  
Mary Gomez/Safety Compliance/CQMC  
951-275-6657 Cell  
951-686-4215 Office  
951-686-4020 Fax

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Andrew B. <AndrewB@victorconcreteinc.com> Wed, Apr 19, 2017 at 12:53 PM  
To: Lori Lynn Williamson <lwilliamson@monterey.org>  
Cc: Robert Estrella <estrella@monterey.org>, "Mary G." <MaryG@victorconcreteinc.com>, Cheri Romo <cherir@victorconcreteinc.com>, "Victor Concrete, Inc." <vci@victorconcreteinc.com>

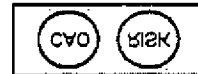
Good afternoon Lori Lynn,

Please see attached proposal for the additional work at the Monterey Sports Center on Franklin. If you have any questions please feel free to contact me.

Thank you & have a great afternoon!

[Quoted text hidden]

Andrew Borquez  
VICTOR CONCRETE INC.  
951.686.4215



 PROPOSAL FOR SPORTS CENTER ON FRANKLIN 2017.pdf  
387K

Lori Lynn Williamson <lwilliamson@monterey.org>

Wed, Apr 19, 2017 at 1:07 PM

To: "Andrew B." <AndrewB@victorconcreteinc.com>

Cc: Robert Estrella <estrella@monterey.org>, "Mary G." <MaryG@victorconcreteinc.com>, Cheri Romo <cheriR@victorconcreteinc.com>, "Victor Concrete, Inc." <vci@victorconcreteinc.com>

Thank you for your quick response. I'll get back to you as soon as I can.

CITY OF MONTEREY - Public Works ~ Engineering  
Address: 601 Wave Street, Suite 100, Monterey CA 93940  
Desk: 831.242.8746 Email: lwilliamson@monterey.org

[Quoted text hidden]

Andrew B. <AndrewB@victorconcreteinc.com>

Wed, Apr 19, 2017 at 2:03 PM

To: Lori Lynn Williamson <lwilliamson@monterey.org>

Cc: Robert Estrella <estrella@monterey.org>, Mary Gomez <MaryG@victorconcreteinc.com>, Cheri Romo <CheriR@victorconcreteinc.com>, "Victor Concrete, Inc." <VCI@victorconcreteinc.com>

Your welcome.

[Quoted text hidden]

Lori Lynn Williamson <lwilliamson@monterey.org>

Mon, May 1, 2017 at 10:33 AM

To: victorconcrete1@aol.com

Cc: Andrew Borquez <victorconcrete1\_andrew@aol.com>, Mary Gomez <victorconcrete1\_maryg@aol.com>, Robert Estrella <estrella@monterey.org>, victorconcrete1\_cheri@aol.com

Hi Victor,

We have received three quotes for this work and Victor Concrete is the low bidder. I would like to issue Victor Concrete a new contract for this work that is not a part of the CW Sidewalk Repair Project. This will mean that the cost for the work will not be deducted from our project contingency.

The timeline on this project is urgent and I would like to see your crews begin demolition this week, if possible. Robert Estrella is the PW Inspector on this project and can assist with answering questions and helping you get started. Our anticipated deadline for completion of the work is May 20, 2017.

The contract is being prepared by staff; however, we are in a transition between our administration staff and it may be a couple of days before we can get you the contract documents and requests for bonding/insurance. I will be working to see that this is completed as soon as possible.

Let me know if you have any further questions.

CITY OF MONTEREY - Public Works ~ Engineering  
 Address: 601 Wave Street, Suite 100, Monterey CA 93940  
 Desk: 831.242.8746 Email: lwilliamson@monterey.org



On Tue, Apr 18, 2017 at 2:00 PM, Lori Lynn Williamson <lwilliamson@monterey.org> wrote:  
 [Quoted text hidden]

Mary G. <MaryG@victorconcreteinc.com>  
 To: Lori Lynn Williamson <lwilliamson@monterey.org>

Mon, May 1, 2017 at 3:43 PM

Hello Lori Lynn,  
 HAPPY MONDAY!!!

That is great that Victor Concrete Inc., was the lowest bidder.

We have taken note that the timeline on this project is urgent and that you would like to see our crews begin demolition this week. We have also taken note that you would like for the project to be completed by May 20, 2017.

As business practices go, we would require you to have the contract prior to starting any work on this project. Due to bonding & insurance purposes, we would need to submit the contract specifics for the purpose of requesting the bonding and COI.

Therefore, as soon as we can get the contract over to Victor Concrete Inc. the sooner we can request and gain all documents needed.

As we receive and return the Contract, we can discuss and determine a start date. How many days will Victor Concrete Inc., have to complete this project?

Please feel free to contact me as needed.

BTW - Would you be able to send me a copy of the Bidders list for this project?

Respectfully,

[Quoted text hidden]



SAFETY REQ IRES TEAM WORK- BE PART OF O R TEAM!

Victor Concrete, Inc.

Mary Gomez/Safety Compliance/CQMC

951-275-6657 Cell

951-686-4215 Office

951-686-4020 Fax

Lori Lynn Williamson <lwilliamson@monterey.org>  
 To: "Mary G." <MaryG@victorconcreteinc.com>

Mon, May 1, 2017 at 3:49 PM

Bidders on the project were as follows:

Don Chapin Company, Inc	\$ 68,939.00
Victor Concrete	\$ 65,000.00
Monterey Peninsula Engineering	\$ 148,000.00

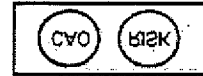
I am trying to get you that contract ASAP

CITY OF MONTEREY - Public Works ~ Engineering

5/1/2017

City of Monterey Mail - CW Sidewalk Repair Phase 3 - request for quote

Address: 601 Wave Street, Suite 100, Monterey CA 93940  
Desk: 831.242.8746 Email: twilliamson@monterey.org



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# VICTOR CONCRETE INC.

## PROPOSAL FOR MONTEREY SPORTS CENTER ON FRANKLIN

1 OF 2

6135 BARCELONA AVE. RIVERSIDE, CA 92509 (951)686-4215 FAX(951)686-4020 CA LIC # 1004077

17-Apr-17

PROPOSAL SUBMITTED TO:

STREET,CITY,STATE,ZIP:

ATTENTION:

JOB NAME:

JOB LOCATION:

JOB PHONE:

CITY OF MONTEREY

P.O. BOX 520, PLEASANTON, CA 94566

LORI LYNN WILLIAMSON

MONTEREY SPORTS CENTER ON FRANKLIN

301 E. FRANKLIN ST., MONTEREY, CA 93940

1-831-242-8746

STARTING DATE:

COMPLETION DATE:

ARCHITECT:

DATE OF PLANS

JOB# ISSUED:

N/A

N/A

N/A

N/A

N/A

NAME

MONTEREY SPORTS CENTER

SAW CUT 6" OF MORTAR AND CONCRETE:

REMOVE TILE, MORTAR,BED AND 4" CONCRETE,UNDERSLAB

REPLACE WITH 6" COLORED CONCRETE APPROX. 1870.SF.

COLORED CONCRETE TO BE DAVIS' COLOR "SPANISH GOLD"

CONCRETE TO BE:PUMP MIX 3/8 AGGREGATE

6" SAWCUTTING APPROX. 3700 LF

DEMO OF TILE,MORTAR AND CONCRETE APPROX. 935 CU:FT

PEDESTRIAN TRAFFIC CONTROL

PROTECT EXISTING TREES

**PREVAILING WAGES DO APPLY TO THIS PROJECT**

Price Each

Price Total

1 LUMP

65000.00

\$ 65,000.00

**SUB TOTAL:**

**\$ 65,000.00**

**TOTAL PRICE:**

**\$ 65,000.00**

**\* ANYTHING NOT LISTED ABOVE IS EXCLUDED FROM PROPOSAL\***

Contractors are required by law to be licensed and regulated by the Contractors' State License Board.

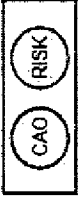
Any questions concerning a contractor may be referred to the registrar of the board whose address is:

Contractors' State License Board - P.O. Box 26000, Sacramento, CA 95826.

**WE PROPOSE** to perform the above work in accordance with the drawings and specifications submitted and completed in a workmanlike manner according to standard practices

For sum of: **SIXTY-FIVE THOUSAND DOLLARS & 0/100 (\$65,000.00)**

**With payments to be made as follows: UPON PROGRESS OF JOB; BALANCE DUE UPON COMPLETION OF WORK STATED ABOVE**





**VICTOR CONCRETE INC.**

2 OF 2

Any Alterations or Deviations from the above specifications involving extra costs will be made only upon written agreement, and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents or delays beyond our control. You are to carry fire, tornado and other necessary insurance upon the above work.

Our workers are fully covered by Workmen's Compensation and Public Liability Insurance.

Overdue accounts will be charged interest at the rate of 10% per month, In the event it becomes necessary to enforce this agreement by litigation, the prevailing party shall be entitled to court costs, attorney and collection fees. This proposal may be withdrawn by us at any time before acceptance.

**Authorized Signature** \_\_\_\_\_

**ACCEPTANCE OF PROPOSAL:** The above prices, specifications and conditions are satisfactory and are hereby accepted.

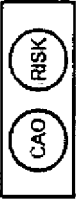
You are authorized to do the work as specified. Payment will be made as outlined above.

Payment will be made as outlined above. It is understood and agreed that this is work not provided for in any other agreement and no contractual rights arise until this proposal is accepted in writing. **UPON ACCEPTANCE CONTRACT WILL FOLLOW.**

Accepted \_\_\_\_\_ Signature \_\_\_\_\_

Date \_\_\_\_\_ Signature \_\_\_\_\_

VC 08/2005





American Contractors Indemnity Company  
601 S. Figueroa Street, Suite 1600, Los Angeles, California 90017  
main 310 649 0990 fax 310 649 0416

Bond No. 1000934734  
Premium: \$ 1300

**Public Works – Performance**

**KNOW ALL MEN BY THESE PRESENTS**, That we, Victor Concrete, Inc.  
Victor Concrete, Inc., as Principal, and  
**AMERICAN CONTRACTORS INDEMNITY COMPANY**, a corporation organized and existing under  
the laws of the State of California, and authorized to transact a general surety business in the State of \_\_\_\_\_,  
as Surety, are held and firmly bound unto The City of Monterey  
\_\_\_\_\_, as Obligee, in the sum of Sixty Five Thousand  
\_\_\_\_\_  
Dollars (\$ 65,000.00 \_\_\_\_\_), lawful money of  
the United States of America, for the payment whereof, well and truly to be made, we hereby bind ourselves,  
our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

**THE CONDITION OF THIS OBLIGATION IS SUCH**, that

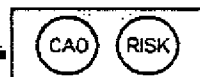
**WHEREAS**, the above-bounden Principal has entered into a contract dated May 8th, 2017  
with said Obligee to do and perform the following work, to wit:

**NOW, THEREFORE**, if the above-bounden Principal shall well and truly perform or cause to be performed,  
“the works under the contract,” then this bond shall be null and void; otherwise it shall remain in full force and  
effect.

Signed, sealed and dated this 11th day of May, 2017

Victor Concrete, Inc.  
Principal  
By *Victor Granillo*  
Victor Granillo President

**AMERICAN CONTRACTORS INDEMNITY COMPANY**  
*Jose L. Gurrola*  
Jose L. Gurrola Attorney-in-Fact



**POWER OF ATTORNEY**

**AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY  
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY**

KNOW ALL MEN BY THESE PRESENTS: That American Contractors Indemnity Company, a California corporation, Texas Bonding Company, an assumed name of American Contractors Indemnity Company, United States Surety Company, a Maryland corporation and U.S. Specialty Insurance Company, a Texas corporation (collectively, the "Companies"), do by these presents make, constitute and appoint:

**Catherine Denise Huckabay, Karin Zeich Thorp, Robert B. Gates  
or Jose L. Gurrola of Santa Ana, California**

its true and lawful Attorney(s)-in-fact, each in their separate capacity if more than one is named above, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include riders, amendments, and consents of surety, providing the bond penalty does not exceed \*\*\*\*\*Three Million\*\*\*\*\* Dollars (\$ \*\*\$3,000,000.00\*\* ).

This Power of Attorney shall expire without further action on December 20, 2017. This Power of Attorney is granted under and by authority of the following resolutions adopted by the Boards of Directors of the Companies:

*Be it Resolved*, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

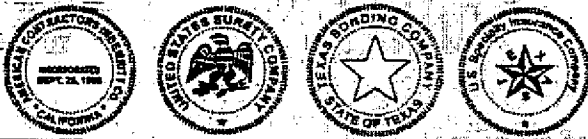
Attorney-in-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings, including any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts, and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

*Be it Resolved*, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, The Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 1st day of December, 2014.

**AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY  
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY**

Corporate Seals



By: [Signature]  
**Daniel P. Aguilar, Vice President**

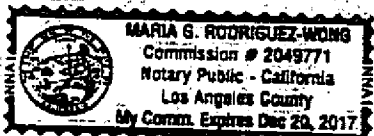
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Los Angeles SS:

On this 1st day of December, 2014, before me, Maria G. Rodriguez-Wong, a notary public, personally appeared Dan P. Aguilar, Vice President of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person 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.

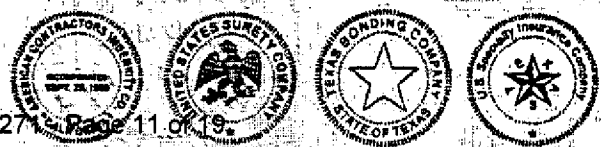
Signature [Signature] (Seal)



I, Kio Lo, Assistant Secretary of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect, furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Los Angeles, California this 11<sup>th</sup> day of May, 2017.

Corporate Seals



Bond No. 100934734  
Agency Agreement # Ag-627 Page 11 of 19

[Signature]  
Kio Lo, Assistant Secretary  
CAO RISK

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

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

State of California )  
County of Orange )

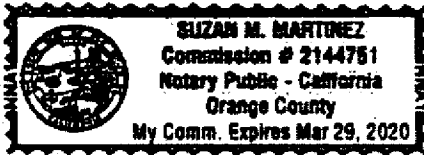
On May 11, 2017 before me, Suzan M. Martinez, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared Jose L. Gurrola  
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 Suzan M. Martinez  
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: \_\_\_\_\_  
Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_  
Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

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

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



**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

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State of California )  
County of Orange )

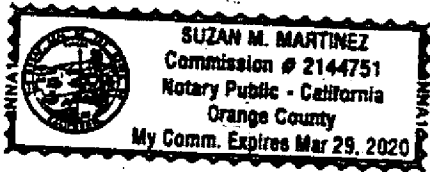
On May 11, 2017 before me, Suzan M. Martinez, Notary Public  
Date Here Insert Name and Title of the Officer

personally appeared Victor Granillo  
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 Suzan M. Martinez  
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.

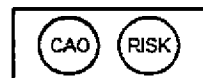
**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_ Document Date: \_\_\_\_\_  
Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

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

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





American Contractors Indemnity Company  
601 S. Figueroa Street, Suite 1900, Los Angeles, California 90017  
main 310 549 0990 fax 310 549 0416

Bond No. 1000934734  
Premium: \$ Included in Performance Bond

**Public Works - Payment**

KNOW ALL MEN BY THESE PRESENTS, That we, Victor Concrete, Inc., as Principal, and **AMERICAN CONTRACTORS INDEMNITY COMPANY**, a Corporation organized and existing under the laws of the State of California, and authorized to transact a general surety business in the State of California, as Surety, are held and firmly bound unto the City of Monterey, as Oblige, in the sum of Sixty Five Thousand Dollars (\$ 65,000.00), lawful money of the United States of America, for the payment whereof, well and truly to be made, we hereby 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 above-bounden Principal has entered into a contract dated May 8th, 2017 with said Oblige to do and perform the following work, to wit:

**NOW, THEREFORE**, if the above-bounden Principal shall faithfully pay all laborers, mechanics, subcontractors, materialmen and all persons who shall supply such person or persons, or subcontractors, with materials and supplies for the carrying on of such work, then this bond shall be null and void; otherwise it shall remain in full force and effect.

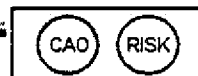
Signed, sealed and dated this 7th day of June, 2017

Victor Concrete, Inc.  
Principal

By [Signature]  
Victor Granillo President

**AMERICAN CONTRACTORS INDEMNITY COMPANY**

[Signature]  
Jose L. Gurrola Attorney-in-Fact



POWER OF ATTORNEY

AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS: That American Contractors Indemnity Company, a California corporation, Texas Bonding Company, an assumed name of American Contractors Indemnity Company, United States Surety Company, a Maryland corporation and U.S. Specialty Insurance Company, a Texas corporation (collectively, the "Companies"), do by these presents make, constitute and appoint:

Catherine Denise Huckabay, Karim Zeich Thorp, Robert B. Gates or Jose L. Gurrola of Santa Ana, California

its true and lawful Attorney(s)-in-fact, each in their separate capacity if more than one is named above, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include riders, amendments, and consents of surety, providing the bond penalty does not exceed \*\*\*\*\*Three Million\*\*\*\*\* Dollars (\$ \*\*\$3,000,000.00\*\*).

This Power of Attorney shall expire without further action on December 20, 2017. This Power of Attorney is granted under and by authority of the following resolutions adopted by the Boards of Directors of the Companies:

Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

Attorney-in-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings, including any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts, and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

Be it Resolved, that the signature of any authorized officer, and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, The Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 1st day of December, 2014.

AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY

Corporate Seals



By: [Signature] Daniel P. Aguilar, Vice President

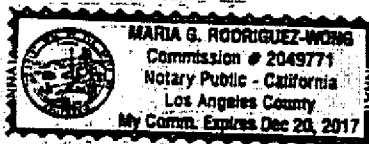
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Los Angeles SS:

On this 1st day of December, 2014, before me, Maria G. Rodriguez-Wong, a notary public, personally appeared Dan P. Aguilar, Vice President of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person 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 [Signature] (Seal)



I, Kio Lo, Assistant Secretary of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

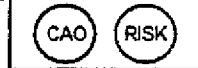
In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Los Angeles, California this 7th day of June, 2014.

Corporate Seals



Bond No. 1000734734
Agency No. 10113
Agreement #: Ag-6271 Page 15 of 19

Kio Lo, Assistant Secretary



**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

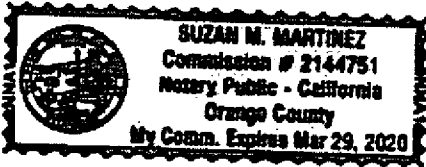
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of Orange )  
On June 7, 2017 before me, Suzan M. Martinez, Notary Public  
Date Here Insert Name and Title of the Officer  
personally appeared Jose L. Gurrola  
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 Suzan M. Martinez  
Signature of Notary Public

Place Notary Seal Above

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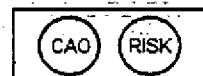
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**Capacity(ies) Claimed by Signer(s)**

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

Signer's Name: \_\_\_\_\_  
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**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

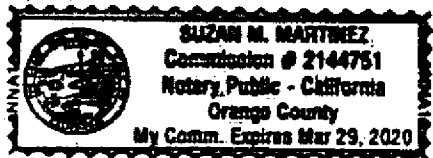
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of Orange )  
On June 7, 2017 before me, Suzan M. Martinez, Notary Public  
Date Here Insert Name and Title of the Officer  
personally appeared Victor Granillo  
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 Suzan M. Martinez  
Signature of Notary Public

Place Notary Seal Above

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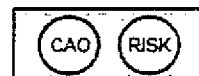
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 Partner —  Limited  General  
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 Trustee  Guardian or Conservator  
 Other: \_\_\_\_\_  
Signer Is Representing: \_\_\_\_\_

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

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**NONCOLLUSION DECLARATION**  
**TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID**


The undersigned declares:

I am the President of Victor Concrete 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 this 6th day of June, 2017 in Riverside [city], Riverside County, California.

  
Signature

Victor Granillo / President  
Printed Name and Title



**DEBARMENT AND SUSPENSION CERTIFICATION**

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, disqualification, or determination of ineligibility by any state, federal, or local agency;
- Has not been suspended, debarred, voluntarily excluded, disqualified or determined ineligible by any state, federal, or local agency within the past 3 years;
- Does not have a proposed debarment or disqualification pending; and
- Has not be 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.

Notes: Providing false information may result in criminal prosecution or administrative sanctions.

I declare under penalty of perjury that the foregoing is true and correct and that this certification is signed this 6th day of June, 2017 in Riverside [city], Riverside County, California.

  
Signature

Victor Granillo / President  
Printed Name and Title

