

SECTION 00 30 00**AMERICAN RIVER SOUTH LEVEE PIPE REMOVAL MAINTENANCE PROJECT****BID FORM**

Specification No. ARSL-2020-001

To: Honorable Board of Directors
American River Flood Control District
State of California
hereinafter called "Owner"

1. BID

The following bid is submitted by the undersigned to complete the work in accordance with the approved Drawings and Specifications for the above-referenced project. The undersigned hereby proposes and agrees to furnish all labor, material, equipment, transportation, tools, testing and incidentals necessary for the work described in the Drawings and Specifications, for the Total Bid Price of \$ 187,783.50.

2. ADDENDA

The undersigned acknowledges receipt and incorporation of addendum, number N/A through N/A into this bid.

3. EXAMINATION OF WORK

In submitting this bid, we acknowledge that we have examined the work, the site of the work, the Bid Documents, and any other material to ensure that we are fully informed of the nature and location of the work, the quantities of the work, and the conditions to be encountered in performing the work, including but not limited to the character, quality, and quantity of surface and subsurface materials; the availability of labor, water, electricity and roads; the uncertainties of weather and similar natural phenomena; and conditions bearing upon the transportation, handling, storage, and disposing of materials. The work and payment provisions are clear. No verbal agreement or conversation with any officer, or employee or representative of Owner either before or after the execution of the contract will affect or modify any of the conditions or obligations. Any exceptions to the above-stated conditions are clearly called out in our bid.

4. BID GUARANTY

Enclosed with this bid is bid security in the amount of not less than ten percent (10%) of the aggregate sum of the bid. Bids secured by personal checks or personal guarantees will be rejected.

5. **BID ATTACHMENTS**

Subcontractor Listing

In accordance with the California Public Contract Code, Division 2, Part 1, Chapter 4, Section 4100 and following, the subcontractors listed on Attachment A to this Bid Form will perform the indicated work of improvement on this project. Attachment A is hereby incorporated into and made a part of this bid.

Noncollusion Declaration

In accordance with the California Public Contract Code, Division 2, Part 1, Chapter 7, Section 7106, every bid on every public works contract of a public entity shall include a declaration under penalty of perjury under the laws of the State of California. The noncollusion declaration in Attachment B is hereby incorporated into and made a part of this bid.

Bidder Experience Questionnaire

Each Bidder shall submit Attachment C - Bidder's Experience Questionnaire with their bid. Attachment C is hereby incorporated into and made a part of this bid. To be judged responsive, the bidder must demonstrate, to the satisfaction of the Owner that the bidder has successfully completed similar projects as set forth in Attachment C. By submission of the bid, the Bidder certifies under the penalty of perjury that each and all of the statements made are true to the best of the bidder's knowledge.

Schedule for Construction

Each bidder shall submit a schedule with their bid, indicating the sequence of work and the time required for major work components. This schedule may be in bar chart form.

6. TYPE OF BUSINESS (CHECK ONE)

- CORPORATION
STATE OF INCORPORATION: California
- PARTNERSHIP
- JOINT VENTURE
- PRIVATE INDIVIDUAL
- INDIVIDUAL DOING BUSINESS UNDER A FIRM NAME

7. FIRM

Firm Name: Diamond D General Engineering, Inc.

Mailing Address: PO Box 8608
Woodland, CA 95776

Physical Address: 32500 State Highway 16
Woodland, CA 95776

Telephone: (530) 662-2042

Fax: (530) 662-6770

Contractor's License Number: 654051

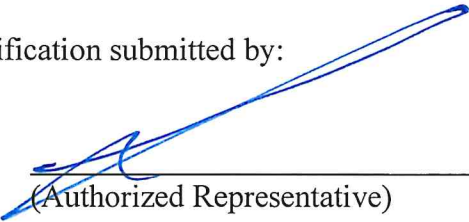
Contractor's License Expiration Date: 4/30/2021

Contractor's License Classification: A

Department of Industrial Relations
Labor Code section 1725.5 Registration Number: 1000029828

I hereby certify under penalty of perjury that the above statements are true.

Bid and certification submitted by:

Signature: 
(Authorized Representative)

Title: President

ATTACHMENT B

NONCOLLUSION DECLARATION (MUST BE EXECUTED BY BIDDER AND SUBMITTED WITH BID)

The undersigned declares:

I am the President (title) of

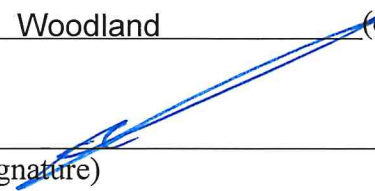
Diamond D General Engineering, Inc. (name of entity), the party making the foregoing bid.

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 April 20, 2020 (date), at

Woodland (city), CA (state).



(signature)

ATTACHMENT C

BIDDER'S EXPERIENCE QUESTIONNAIRE

List three (3) projects constructed by the Bidder, each of which included work similar to this project, for a contract amount comparable to, or in excess of the bid amount for this project. Supplemental sheets may be included as required to provide information.

1. Owner: Yolo County Flood Control & Water Conservation District

Project Name: West Adams Canal

Year Completed: 2017

Construction Cost: \$245,251.86

Owner Contact and Phone Number: Kristin Sicke (530) 662-0265 ext. 112

Briefly describe project: Cache Creek ended into West Adams Canal levee with the Capay Dam and needed to be repaired due to levee failure.

Describe details of project: Diamond D designed and built the concrete wall, imported soils to repair failed levee, placed and compacted the soils, and built concrete barrier wall.

2. Owner: American River Flood Control
 Project Name: Levee Repair
 Year Completed: 2010
 Construction Cost: \$27,860.00
 Owner Contact and Phone Number: Tim Kerr (916) 929-4006
 Briefly describe project: Bypass levee failure

Describe details of project: The bypass levee located west of Housley Road on the south side failed. Diamond D excavated out levee repair, imported soils, placed and compacted soils, and built levee.

3. Owner: Reclamation District #1600
 Project Name: Rd 117 Levee Repair
 Year Completed: 2017
 Construction Cost: \$148,848.84
 Owner Contact and Phone Number: Kyle Lang (530) 662-7367
 Briefly describe project: The discharge pipe failed in levee at the pump lift station and RD1600.

Describe details of project: Diamond D excavated out a section of the levee, placed and compacted soils, rebuilt portion of levee, and constructed a rock slope to protect levee at failure point.

BID BOND

CONTRACTOR:

(Name, legal status and address)
 Diamond D General Engineering, Inc.
 32500 State Highway 16
 Woodland, CA 95695

SURETY:

North American Specialty Insurance Company
 1450 American Lane, Suite 1100
 Schaumburg, IL 60173

OWNER:

(Name, legal status and address)
 American River Flood Control District
 185 Commerce Circle
 Sacramento, CA 95815

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

BOND AMOUNT: Ten Percent of Bid Amount

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

PROJECT:

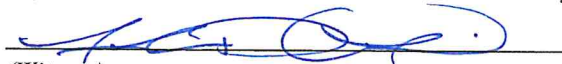
(Name, location or address, and Project number, if any)
 American River South Levee Pipe Removal Maintenance Project
 Specification Number: ARSL-2020-01
 Sacramento, CA

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 14th day of April, 2020

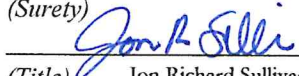

 (Witness)

Diamond D General Engineering, Inc.
 (Principal) (Seal)


 (Title) *Spencer Defty, President*


 (Witness)

North American Specialty Insurance Company
 (Surety) (Seal)


 (Title) *Jon Richard Sullivan, Attorney-in-Fact*

ACKNOWLEDGMENT

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

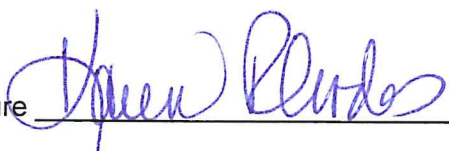
State of California
County of Marin)

On April 14, 2020 before me, Karen Rhodes, Notary Public
(insert name and title of the officer)

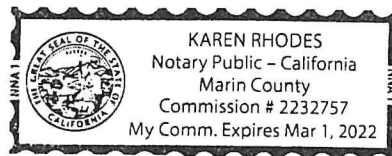
personally appeared Jon Richard Sullivan
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) 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 

(Seal)



SWISS RE CORPORATE SOLUTIONS

NORTH AMERICAN SPECIALTY INSURANCE COMPANY
WASHINGTON INTERNATIONAL INSURANCE COMPANY

GENERAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, THAT North American Specialty Insurance Company, a corporation duly organized and existing under laws of the State of New Hampshire, and having its principal office in the City of Overland Park, Kansas, and Washington International Insurance Company, a corporation organized and existing under the laws of the State of New Hampshire and having its principal office in the City of Overland Park, Kansas, each does hereby make, constitute and appoint:

MICHAEL B. MCGOWAN, SUSAN J. MCGOWAN, DEBBIE L. WELSH

JON RICHARD SULLIVAN, KAREN RHODES, and TRISHA CHANG

JOINTLY OR SEVERALLY

Its true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver, for and on its behalf and as its act and deed, bonds or other writings obligatory in the nature of a bond on behalf of each of said Companies, as surety, on contracts of suretyship as are or may be required or permitted by law, regulation, contract or otherwise, provided that no bond or undertaking or contract or suretyship executed under this authority shall exceed the amount of:

FIFTY MILLION (\$50,000,000.00) DOLLARS

This Power of Attorney is granted and is signed by facsimile under and by the authority of the following Resolutions adopted by the Boards of Directors of both North American Specialty Insurance Company and Washington International Insurance Company at meetings duly called and held on the 9th of May, 2012:

RESOLVED, that any two of the Presidents, any Managing Director, any Senior Vice President, any Vice President, any Assistant Vice President, the Secretary or any Assistant Secretary be, and each or any of them hereby is authorized to execute a Power of Attorney qualifying the attorney named in the given Power of Attorney to execute on behalf of the Company bonds, undertakings and all contracts of surety, and that each or any of them hereby is authorized to attest to the execution of any such Power of Attorney and to attach therein the seal of the Company; and it is

FURTHER RESOLVED, that the signature of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be binding upon the Company when so affixed and in the future with regard to any bond, undertaking or contract of surety to which it is attached."



By [Signature] Steven P. Anderson, Senior Vice President of Washington International Insurance Company & Senior Vice President of North American Specialty Insurance Company



By [Signature] Michael A. Ito, Senior Vice President of Washington International Insurance Company & Senior Vice President of North American Specialty Insurance Company

IN WITNESS WHEREOF, North American Specialty Insurance Company and Washington International Insurance Company have caused their official seals to be hereunto affixed, and these presents to be signed by their authorized officers this 17 day of JANUARY, 2018.

North American Specialty Insurance Company
Washington International Insurance Company

State of Illinois
County of Cook ss:

On this 17 day of JANUARY, 2018, before me, a Notary Public personally appeared Steven P. Anderson, Senior Vice President of Washington International Insurance Company and Senior Vice President of North American Specialty Insurance Company and Michael A. Ito, Senior Vice President of Washington International Insurance Company and Senior Vice President of North American Specialty Insurance Company, personally known to me, who being by me duly sworn, acknowledged that they signed the above Power of Attorney as officers of and acknowledged said instrument to be the voluntary act and deed of their respective companies.



[Signature] M. Kenny, Notary Public

I, Jeffrey Goldberg, the duly elected Assistant Secretary of North American Specialty Insurance Company and Washington International Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney given by said North American Specialty Insurance Company and Washington International Insurance Company, which is still in full force and effect.

IN WITNESS WHEREOF, I have set my hand and affixed the seals of the Companies this 14th day of April, 2020.

[Signature] Jeffrey Goldberg, Vice President & Assistant Secretary of Washington International Insurance Company & North American Specialty Insurance Company