PROPOSAL PACKAGE INFORMATION SHEET

SPECIFICATION NO. 1385
I-215 FWY & PLACENTIA AVE INTERCHANGE WATER AND SEWER RELOCATION PROJECT

NOTICE TO BIDDERS: The attached Proposal Package, when completed by you and returned to this District, constitutes your Bid on this specification. Please do not submit the bound copy of the specifications or addenda with your Bid.

The envelope enclosing the proposal MUST be sealed and addressed as follows:

<table>
<thead>
<tr>
<th>Regular or Express Mail</th>
<th>FedEx or Hand-Deliver</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Manager, EMWD</td>
<td>General Manager, EMWD</td>
</tr>
<tr>
<td>Attention: Field Engineering Department</td>
<td>Attention: Field Engineering Department</td>
</tr>
<tr>
<td>P.O. Box 8300 / Perris, CA 92572-8300</td>
<td>2270 Trumble Rd / Perris, CA 92570</td>
</tr>
</tbody>
</table>

The envelope MUST be plainly marked in the upper left hand corner with the name and address of the bidder, and bear the words:

Proposal For:
(Specification No.)
(Name of Project)
(Date and Hour)

SIGN, COMPLETE, AND SUBMIT THE FOLLOWING:

- Proposal Sheet (C3) Signature required!
- Bidding Sheets & Total Bid Price - Unit Price Written In Words, Equipment/Materials List (BS)
- Bidder’s Reference (C4)
- Subcontractors List (C5)
- Public Works Contractor Registration Extracts (C22) Attach extracts of Bidder & Subs listed on C-5 Designation of Subcontractors form. Go to: https://efiling.dir.ca.gov/PWCR/Search
- Contractor’s Licensing Statement (C6)
- Non-Collusion Declaration (C7)
- Iran Contracting Act Certification (C13) (required if bid is over $1 million)
- Cal Osha Form 300A (C16)
- Contractor’s Cal Osha Compliance History and SIC Code (C17)
- Contractor’s Sample Certificate of Insurance
- Original Bid Bond (BB)
  Bid Bond to be signed By You And Your Surety Company–Surety Seal required.
  Notary Acknowledgement required for Surety and Contractor

PLEASE COMPLETE & SIGN ALL REQUIRED AREAS. SUBMIT AND ATTACH ANY ADDITIONAL DOCUMENTATION WHICH CONSTITUTES YOUR BID

FAILURE TO COMPLETE THIS PROPOSAL PACKAGE MAY RENDER YOUR BID "NON-RESPONSIVE"

*Please Remove This Information Sheet Prior to Submitting Your Bid*
PROPOSAL

The undersigned hereby declares, as Bidder, that the only persons or parties interested in this proposal as principals are those named herein; that no director or any other officer or employee of the Eastern Municipal Water District is in any manner interested directly or indirectly in this proposal or in the profits to be derived from the contract proposed to be taken; that this bid is made without any connection with any person or persons making a bid for the same purpose; that the bid is in all respects fair and without collusion or fraud; that he has read the Notice Inviting Bids (or Bidding Information), Insurance Requirements and the Instructions to Bidders and agrees to all the stipulations contained herein; that he proposes and agrees that if his bid as submitted in the attached sheets, be accepted he will contract in the form so approved and furnish all items called for in accordance with the provisions of said approved form of Agreement, Insurance Requirements and the Specifications and to deliver the same within the time stipulated therein; and that he will accept in full payment therefore the prices named in said Bid Sheet.

The Bidder further agrees, that upon receipt of written notice of the acceptance of this proposal within 60 days after the day of opening bids (unless otherwise specified in the Notice Inviting Bids or Bidding Information) he will execute and return the Contract in accordance with the proposal as accepted and furnish the required bond(s) within SEVEN (7) days from the date of mailing the Notice of Acceptance of Proposal to him at his address given below, or within such time as allowed by the Engineer; and that upon his failure or refusal to do so within the said time, then the certified or cashier's check or bond accompanying this bid shall become the property of and be retained by the Eastern Municipal Water District as liquidated damages for such failure or refusal, and shall be deposited with the Treasurer of said Eastern Municipal Water District as monies belonging to the Eastern Municipal Water District; provided, that if said Bidder shall execute the Contract and furnish the required bond within the time aforesaid, his check or bond shall be returned to him thereafter.

The Bidder further declares that the surety or sureties named in the attached sheet have agreed to furnish bond in form and amount set forth in the accompanying Notice Inviting Bids (or Bidding Information) and paragraph B-6 of the Instructions to Bidders, in the event contract is awarded on basis of this proposal.

Company: DOWNING CONSTRUCTION, INC.

Address: 32194 OUTER HIGHWAY 10 SOUTH, REDLANDS, CA 92373  Date: 2/5/20

By: MICHELLE LAVANWAY, AUTHORIZED SIGNER  (Signature of Owner or Officer required)
   (Print Name) (Name should appear below)

<table>
<thead>
<tr>
<th>Name(s) and Title of Member of Firm or Office of Corporation authorized to enter into a binding Contract:</th>
<th>Address (if different from above)</th>
</tr>
</thead>
<tbody>
<tr>
<td>RANDY DOWNING  PRESIDENT</td>
<td>520 TETRAULT RD, KALISPELL, MT 59901</td>
</tr>
<tr>
<td>MICHELLE LAVANWAY  AUTHORIZED SIGNER</td>
<td>13041 ORCHID ST, YUCAIPA, CA 92399</td>
</tr>
</tbody>
</table>

For further details on this proposal, please contact:

Name: KEVIN ELLIS  Address: 32194 OUTER HWY 10 S, REDLANDS, CA 92373

Email Address: KEVIN@DOWNINGCONSTRUCTIONINC.COM  Telephone: 909-797-7444
DOWNING CONSTRUCTION, INC.

DIRECTOR ACTION BY UNANIMOUS WRITTEN CONSENT

The sole Director of Downing Construction, Inc. adopts the following resolution(s) by unanimous written consent pursuant to Corporations Code §307(b):

RESOLVED, Michelle LaVanWay is authorized to sign bids and related documents on behalf of Downing Construction, Inc.

Dated: April 27, 2015

Randy Downing, Director
EASTERN MUNICIPAL WATER DISTRICT
SPECIFICATION NO. 1385
I-215 FWY AND PLACENTIA AVE INTERCHANGE
WATER AND SEWER RELOCATION PROJECT

BIDDING SHEETS

The Contractor shall construct the project under these Specifications all in conformance with the Contract Drawings listed in Section P and these Specifications.

The District reserves the right to:

A. Accept or reject any or all bids on this specification;
B. Award Contract to the lowest qualified bidder, based on the total bid price;
C. Waive any defects and informalities.

The District shall be the final authority with regard to whether a bid is responsive to the call for bids and to whether a bidder is a responsible bidder under the conditions of his bid, or for any reason.

The total contract price shall include all work, materials and equipment needed to complete the project as defined in the General Conditions, Section F. The bidder shall include costs for such other items in the most appropriate category (bid item).
<table>
<thead>
<tr>
<th>Bid Item</th>
<th>Qty</th>
<th>Unit</th>
<th>Description</th>
<th>Unit Price (Figures)</th>
<th>Total Amount (Figures)</th>
</tr>
</thead>
<tbody>
<tr>
<td>PHASE 1 (Water &amp; Sewer)</td>
<td></td>
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</tr>
<tr>
<td>1</td>
<td>1</td>
<td>LS</td>
<td>Mobilization/Demobilize and Approved: Bonds, Insurance, Schedule of Values (see Section 01026) and Preliminary Project Schedule (PPS) (see section 01310)</td>
<td>Eighty Nine Thousand Dollars</td>
<td>$ 89,000</td>
</tr>
<tr>
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<td></td>
<td>PRESET</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>1</td>
<td>LS</td>
<td>West Frontage Road Full Street Closure: Furnish and install all necessary advanced signage, complete k-rail barrier at Placentia Ave, and k-rail barrier with an access gate for all construction traffic access to West Frontage Road, per SC-31.</td>
<td>Thirty Thousand Dollars</td>
<td>$ 30,000.00</td>
</tr>
<tr>
<td></td>
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<td></td>
<td>LUMP SUM</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>1</td>
<td>LS</td>
<td>8-inch Potable Water Facilities: Furnish and install all necessary material and equipment for the construction of the proposed potable water pipeline including but not limited to bends, valves, pipe, asphalt concrete; all related work as required; all in accordance with the Contract Drawings and Specifications, complete and in place.</td>
<td>Twenty-Four Thousand Dollars</td>
<td>$ 24,000.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>LUMP SUM</td>
<td></td>
</tr>
<tr>
<td>Bid Item</td>
<td>Qty</td>
<td>Unit</td>
<td>Description (Unit Price Written in Words)</td>
<td>Unit Price (Figures)</td>
<td>Total Amount (Figures)</td>
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<tr>
<td>4</td>
<td>1</td>
<td>LS</td>
<td>24-inch Potable Water Facilities: Furnish and install all necessary material and equipment for the construction of the proposed potable water pipeline including but not limited to bends, valves, pipe, asphalt concrete; all related work as required; all in accordance with the Contract Drawings and Specifications, complete and in place.</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Forty-Nine Thousand Dollars</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>$ ___________________</td>
<td>Lump Sum $ 49,000.00</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>1</td>
<td>LS</td>
<td>Gravity Sewer Pipeline Facilities: Furnish and install all necessary material and equipment for the construction of the proposed gravity sewer pipeline facilities including but not limited to manholes, pipe, asphalt concrete, constructing fencing; all related work as required; all in accordance with the Contract Drawings and Specifications, complete and in place.</td>
<td></td>
<td></td>
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<tr>
<td></td>
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<td></td>
<td>One Million, Four Hundred Eighty-Five Thousand, Eighty-Six Dollars</td>
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<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>$ ___________________</td>
<td>Lump Sum $ 1,485,886.00</td>
<td></td>
</tr>
<tr>
<td>Bid Item</td>
<td>Qty</td>
<td>Unit</td>
<td>Description</td>
<td>Unit Price (Figures)</td>
<td>Total Amount (Figures)</td>
</tr>
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<td>------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>6</td>
<td>1</td>
<td>LS</td>
<td>Abandonment of Existing Facilities: Furnish and install all necessary material and equipment for the abandonment of sewer facilities including but not limited to removal of manholes, appurtenances, filling of pipe, core drill holes, and other demolition; all related work as required; all in accordance with the Contract Drawings and Specifications, complete and in place.</td>
<td>thirty-five thousand dollars</td>
<td>lump sum $35,000.00</td>
</tr>
<tr>
<td>7</td>
<td>1</td>
<td>LS</td>
<td>Remobilize/Demobilize:</td>
<td>eight thousand five hundred dollars</td>
<td>lump sum $8,500.00</td>
</tr>
<tr>
<td>Item</td>
<td>Qty</td>
<td>Unit</td>
<td>Description</td>
<td>Unit Price (Unit Price Written in Words)</td>
<td>Total Amount (Figures)</td>
</tr>
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</tr>
<tr>
<td>8</td>
<td>1</td>
<td>LS</td>
<td>Potable Water Facilities: Furnish and install all necessary material and equipment for the construction of the proposed potable water pipeline including but not limited to valves, pipe, asphalt concrete; all related work as required; demolition and abandon all in accordance with the Contract Drawings and Specifications, complete and in place.</td>
<td>One Hundred Eighty - One Thousand Two Hundred Fifty-Four Dollars</td>
<td>Lump Sum $181,254.00</td>
</tr>
<tr>
<td>9</td>
<td>1</td>
<td>LS</td>
<td>Remobilize/Demobilize:</td>
<td>Eight Thousand, Five Hundred Dollars</td>
<td>Lump Sum $8,500.00</td>
</tr>
<tr>
<td>10</td>
<td>1</td>
<td>LS</td>
<td>Potable Water Facilities: Furnish and install all necessary material and equipment for the construction of the proposed potable water pipeline including but not limited to valves, pipe, asphalt concrete; all related work as required; all in accordance with the Contract Drawings and Specifications, complete and in place.</td>
<td>Sixty-Six Thousand, Two Hundred Twelve Dollars</td>
<td>Lump Sum $66,212.00</td>
</tr>
<tr>
<td>Bid Item</td>
<td>Qty</td>
<td>Unit</td>
<td>Description (Unit Price Written in Words)</td>
<td>Unit Price (Figures)</td>
<td>Total Amount (Figures)</td>
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</tr>
<tr>
<td>11</td>
<td>1</td>
<td>LS</td>
<td>ADDITION OR DEDUCTION</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><em>p</em></td>
<td>Addition (+)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Four Thousand Dollars (words)</td>
<td>Deduction (-) $4000.00</td>
<td></td>
</tr>
</tbody>
</table>

TOTAL BID (Basis of award) $1,973,352.00
**ADDITION OR DEDUCTION:** Provision is made here for the bidder to include an addtion/deduction in their bid, *if desired,* to reflect any last minute adjustments in prices. The addition/deduction, if made, will be proportionately applied to item(s) 2 (fill in) and reflected in the unit prices for payment purposes. If the addition/deduction affects more than one bid item, the proportionate application of the addition/deduction shall be mutually agreed upon by the Contractor and the District at the prejob.

<table>
<thead>
<tr>
<th>Addenda and/or Letter of Clarification</th>
</tr>
</thead>
<tbody>
<tr>
<td>By submitting a bid, Bidder certifies that any addenda and letters of clarification issued to these specifications, whether acknowledged or not below, shall be made a part of the contract. Bidder further agrees to perform all labor and services and furnish all materials, tools and appliances necessary for completing the work called out in the addenda or letter of clarification.</td>
</tr>
<tr>
<td>Addenda received:</td>
</tr>
<tr>
<td>Letter of Clarification received:</td>
</tr>
</tbody>
</table>

Person who inspected site of the proposed work as an employee of your firm: *(Representative must have inspected the jobsite and be an employee on the company’s payroll to be considered a responsive bidder)*

CORRIE PETTIT
(Name)

01/14/20
(Date of Inspection)
EQUIPMENT AND MATERIAL

No substitution will be permitted without written justification and the approval of the District prior to the bid opening.

PRODUCTS OF MANUFACTURERS LISTED AS EQUALS TO THOSE SPECIFIED IN THE CONTRACT DOCUMENTS MUST BE SUBMITTED FOR REVIEW AND APPROVAL BY THE DISTRICT NO LATER THAN THE TENTH (10TH) DAY PRECEDING THE DATE SET FOR RECEIPT OF BIDS.
Contractor to complete this form to list five (5) most recent projects similar to that covered in the Proposal

**PLEASE DO NOT ATTACH CONTRACTOR'S EXPERIENCE SUMMARY FORMS — COMPLETE THIS FORM ONLY!**

<table>
<thead>
<tr>
<th>YEAR</th>
<th>TYPE/DESCRIPTION OF WORK</th>
<th>VALUE OF WORK PERFORMED</th>
<th>LOCATION OF WORK (CITY)</th>
<th>ENGINEER / CONTACT PERSON Address &amp; phone #</th>
<th>OWNER / (CONTACT PERSON Address &amp; phone #)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019</td>
<td>Quail Valley Subarea 9 Phase 1 Sewer</td>
<td>$8,232,039.82</td>
<td>Menifee, CA</td>
<td>Armstrong &amp; Brooks Consulting Engineers</td>
<td>Eastern Municipal Water District</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1350 E Chase Dr Corona, CA 92881</td>
<td>2270 Trumble Road Perris, CA 92570</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Erik T Howard, 951-372-8400</td>
<td>Anthony Valenzuela, 951-928-3777 x 4451</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>951-769-5115 (Cell) <a href="mailto:Avalezuela@emwd.org">Avalezuela@emwd.org</a></td>
</tr>
<tr>
<td>2019</td>
<td>Schedule 2 - Westside Sewer Interceptor</td>
<td>$3,004,818.09</td>
<td>Kalispell, MT</td>
<td>Robert Peccia &amp; Assoc</td>
<td>City of Kalispell</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>102 Cooperative Way #300 Kalispell, MT 59901</td>
<td>201 1st Avenue East Kalispell, MT 59901</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Ian Wargo, 406-752-5025</td>
<td>Ryan Mitchell, 406-752-5025</td>
</tr>
<tr>
<td>2017</td>
<td>Phase I Sewer System Rehabilitation</td>
<td>$2,211,848.03</td>
<td>Ridgecrest, CA</td>
<td>Wildan Engineering</td>
<td>City of Ridgecrest</td>
</tr>
<tr>
<td></td>
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<td></td>
<td></td>
<td>2401 E Katella Ave, Ste 300 Anaheim, CA 92806</td>
<td>100 W California Ave Ridgecrest, CA 93555</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>714-978-8200</td>
<td>Ray Wellington, 909-963-0592</td>
</tr>
<tr>
<td>2017</td>
<td>Avenue 57 Trunk Sewer &amp; Abandonment of</td>
<td>$1,578,300.16</td>
<td>Thermal, CA</td>
<td>Coachella Valley Water District</td>
<td>Coachella Valley Water District</td>
</tr>
<tr>
<td></td>
<td>Lift Station 55-14</td>
<td></td>
<td></td>
<td>P.O. Box 1058</td>
<td>P.O. Box 1058</td>
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<tr>
<td></td>
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<td></td>
<td></td>
<td>Coachella, CA 92236</td>
<td>Coachella, CA 92236</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Mike Dietrick, 760-398-2651</td>
<td>Mike Dietrick, 760-398-2651</td>
</tr>
<tr>
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<td></td>
<td><a href="mailto:mdietrick@cvwd.org">mdietrick@cvwd.org</a></td>
<td><a href="mailto:mdietrick@cvwd.org">mdietrick@cvwd.org</a></td>
</tr>
<tr>
<td>2016</td>
<td>Pyrite Creek Trunk Sewer Phases 2B</td>
<td>$4,091,611.32</td>
<td>Jurupa Valley, CA</td>
<td>Jurupa Community Services District</td>
<td>Jurupa Community Services District</td>
</tr>
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<td></td>
<td>11201 Harrel Street Jurupa Valley, CA 91752</td>
<td>11201 Harrel Street Jurupa Valley, CA 91752</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Keith Backus, 951-685-7434</td>
<td>Keith Backus, 951-685-7434</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td><a href="mailto:kbackus@jcsd.us">kbackus@jcsd.us</a></td>
<td><a href="mailto:kbackus@jcsd.us">kbackus@jcsd.us</a></td>
</tr>
</tbody>
</table>
**LIST OF DESIGNATED SUBCONTRACTORS**

<table>
<thead>
<tr>
<th>SPEC #</th>
<th>1385</th>
</tr>
</thead>
<tbody>
<tr>
<td>PROJECT TITLE:</td>
<td>I-215 Fwy and Placentia Ave Interchange Water and Sewer Relocation</td>
</tr>
<tr>
<td>NAME OF CONTRACTOR:</td>
<td>Downing Construction, Inc.</td>
</tr>
</tbody>
</table>

In compliance with the provisions of Sec. 4100-4111, inclusive, of the Public Contract Code of the State of California, and any amendments thereof, each bidder shall set forth: the name, location of the place of business, license number, portion of the work which will be done by each subcontractor who will perform work or labor or render service to the Contractor in or about the construction of the work or improvement in an amount in excess of one-half of one percent (1/2 of 1%) of the Contractor's total bid. Each portion of Subcontracted work noted in the below table must be specific and contain all major activities associated with completion of the project, outside of the services provided by the bidding Contractor. Ambiguous and/or incomplete Subcontracted work information may deem the bid non-responsive. Each subcontractor shall possess, both at the time the bid is submitted and at all times when work is performed, a valid contractor's license for the appropriate classification necessary to perform the work for which that subcontractor is listed.

**BIDDER SHALL PROVIDE THE FOLLOWING INFORMATION:**
- Company Name, Business Address, Email Address, License No., Contractor Registration No., Subcontract Work, and % Of Total Bid

*PLEASE WRITE LEGIBLY*

<table>
<thead>
<tr>
<th>LICENSED SUBCONTRACTOR'S NAME, BUSINESS ADDRESS, &amp; EMAIL ADDRESS</th>
<th>LICENSE #</th>
<th>CONTRACTOR REGISTRATION #</th>
<th>SUBCONTRACT WORK (Be Specific)</th>
<th>% OF TOTAL BID</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Company Name:</strong> Golden State Boring &amp; Pipe Jacking, Inc.</td>
<td>License #: 678500</td>
<td>DIR Registration #: 1000005788</td>
<td>Jack &amp; Bore</td>
<td>6.13%</td>
</tr>
<tr>
<td><strong>Address:</strong> 7000 Merrill Ave Box 40</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chino, CA 91710</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Email Address:</strong> <a href="mailto:jeff@goldenstateboring.com">jeff@goldenstateboring.com</a></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Company Name:</strong> Manhole Builders, Inc.</td>
<td>License #: 831892</td>
<td>DIR Registration #: 1000012259</td>
<td>Manholes</td>
<td>2.30%</td>
</tr>
<tr>
<td><strong>Address:</strong> 5021 Stone Avenue</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Riverside, CA 831892</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Email Address:</strong> <a href="mailto:estimating@mhbbuilders.net">estimating@mhbbuilders.net</a></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>COMPANY NAME</td>
<td>LICENSE #</td>
<td>SUBCONTRACT WORK</td>
<td>% OF TOTAL BID</td>
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<td>----------------------------------</td>
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<td></td>
</tr>
<tr>
<td>Cell-Crete Corporation</td>
<td>License #: 243404</td>
<td>Pipe Abandonment</td>
<td>.72%</td>
<td></td>
</tr>
<tr>
<td>135 East Railroad Avenue</td>
<td>DIR Registration #:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Monrovia, CA 91016</td>
<td>License #: 1000000262</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><a href="mailto:obasilio@cell-crete.com">obasilio@cell-crete.com</a></td>
<td></td>
<td>Grind &amp; Cap</td>
<td>3.70%</td>
<td></td>
</tr>
<tr>
<td>All American Asphalt</td>
<td>License #: 267073</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PO Box 2229</td>
<td>DIR Registration #:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Corona, CA 92878</td>
<td>License #: 1000001051</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><a href="mailto:bloth@allamericanasphalt.com">bloth@allamericanasphalt.com</a></td>
<td></td>
<td>Manhole Lining</td>
<td>2.76%</td>
<td></td>
</tr>
<tr>
<td>Ayala Engineering</td>
<td>License #: 959385</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8482 E. Meadowridge St.</td>
<td>DIR Registration #:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Anaheim, CA 92808</td>
<td>License #: 1000005012</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><a href="mailto:ricardo@ayalaengineering.com">ricardo@ayalaengineering.com</a></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(Do not list alternative subcontractors for the same work) (Use additional pages if needed)
PUBLIC WORKS CONTRACTOR REGISTRATION

(Pursuant to SB 854)

This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations.

Pursuant to Section 1771.1 of the Labor Code, no contractor or subcontractor shall be qualified to bid on, be listed in a bid proposal pursuant to Section 4104 of the Public Contract Code, or engage in the performance of any contract for public work unless currently registered to perform public work pursuant to Section 1725.5 of the Labor Code. It shall not be 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 Sections 10164 or 20103.5 of the Public Contract Code, provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract is awarded.

BIDDERS AND THEIR SUBCONTRACTORS (listed on the Designation of Subcontractors List C-05) are to provide an extract (pdf or excel) at time of bid showing active registration from the Public Works Contractor Registration online registration at https://cadir.secure.force.com/ContractorSearch

******************************************************************************************************************************************

SUBMIT BIDDER & SUBCONTRACTORS CONTRACTOR REGISTRATION EXTRACTS WITH BID PROPOSAL (Either pdf or Excel Format)

******************************************************************************************************************************************
Contractor Information

<table>
<thead>
<tr>
<th>Legal Entity Name</th>
<th>DOWNING CONSTRUCTION INC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal Entity Type</td>
<td>Corporation</td>
</tr>
<tr>
<td>Status</td>
<td>Active</td>
</tr>
<tr>
<td>Registration Number</td>
<td>1000003519</td>
</tr>
<tr>
<td>Registration effective date</td>
<td>7/1/2019</td>
</tr>
<tr>
<td>Registration expiration date</td>
<td>6/30/2022</td>
</tr>
<tr>
<td>Mailing Address</td>
<td>32194 OUTER HIGHWAY 10 REDLANDS 92373 CA ...</td>
</tr>
<tr>
<td>Physical Address</td>
<td>32194 OUTER HIGHWAY 10 REDLANDS 92373 CA ...</td>
</tr>
<tr>
<td>Email Address</td>
<td></td>
</tr>
<tr>
<td>Trade Name/DBA</td>
<td></td>
</tr>
<tr>
<td>License Number(s)</td>
<td>CSLB:842048</td>
</tr>
</tbody>
</table>

Registration History

<table>
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<tr>
<th>Effective Date</th>
<th>Expiration Date</th>
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<tbody>
<tr>
<td>6/13/2018</td>
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<tr>
<td>7/1/2019</td>
<td>6/30/2022</td>
</tr>
</tbody>
</table>

Legal Entity Information

| Corporation Number:  | C3276714               |
| Federal Employment Identification Number: |                          |
| President Name:      | RANDALL WILLIAM DOWNING |
| Vice President Name: | RANDALL WILLIAM DOWNING |
| Treasurer Name:      | RANDALL WILLIAM DOWNING |
| Secretary Name:      | RANDALL WILLIAM DOWNING |
| CEO Name:            | RANDALL WILLIAM DOWNING |

Agent of Service Name:
RANDALL WILLIAM DOWNING
Agent of Service Mailing Address:
32194 OUTER HIGHWAY 10 REDLANDS 92373 CA United States of America

Workers Compensation

Do you lease employees      No
through Professional
Employer Organization (PEO)?:
Please provide your current workers compensation insurance information below:

<table>
<thead>
<tr>
<th>PEO</th>
<th>PEO</th>
<th>PEO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>Phone</td>
<td>Email</td>
</tr>
</tbody>
</table>

Insured by Carrier
Policy Holder Name: DOWNING CONSTRUCTION INCI
Insurance Carrier: OLD REPUBLIC GENERAL INS CORP
Policy Number: A-1CW-126117-00
Inception date: 8/31/2017
Expiration Date: 8/31/2019
Contractor Information

Legal Entity Name
GOLDEN STATE BORING & PIPE JACKING, INC.
Legal Entity Type
Corporation
Status
Active
Registration Number
1000005788
Registration effective date
7/1/2019
Registration expiration date
6/30/2022
Mailing Address
7000 MERRILL AVE BOX 40 CHINO 91710 CA U...
Physical Address
9119 SCHAEFER AVE. ONTARIO 91761 CA Unite...
Email Address
Trade Name/DBA
License Number(s)
CSLB:678500

Registration History

<table>
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<td>7/1/2019</td>
<td>6/30/2022</td>
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</tbody>
</table>

Legal Entity Information

Corporation Number:
1725759
Federal Employment Identification Number:
President Name:
JEFFREY JOHNSON
Vice President Name:
RICK ANDERSON
Treasurer Name:
JEFFREY JOHNSON
Secretary Name:
JEFFREY JOHNSON
CEO Name:

Agent of Service Name:
RICK ANDERSON
Agent of Service Mailing Address:
9119 SCHAEFER AVE. ONTARIO 91761 CA United States of America

Workers Compensation

Do you lease employees  No
through Professional Employer Organization (PEO)?:
Please provide your current workers compensation insurance information below:

<table>
<thead>
<tr>
<th>PEO</th>
<th>PEO</th>
<th>PEO</th>
</tr>
</thead>
<tbody>
<tr>
<td>PEO Information Name</td>
<td>Phone</td>
<td>Email</td>
</tr>
</tbody>
</table>

Insured by Carrier
Policy Holder Name: GOLDEN STATE BORING & PIPE JACKING, INC.
Insurance Carrier: ZURICH AMERICAN INSURANCE COMPANY
Policy Number: WC 0175962-04
Inception date: 7/17/2016
Expiration Date: 7/17/2019
Contractor Information

Legal Entity Name
MANHOLE BUILDERS INC
Legal Entity Type
Corporation
Status
Active
Registration Number
1000012259
Registration effective date
7/1/2019
Registration expiration date
5/30/2021
Mailing Address
11762 De Palma C-1 PMB 234 Corona 92883 CA ...
Physical Address
25050 Maitri Rd. CORONA 92883 CA United Stat...
Email Address
Trade Name/DBA
MANHOLE BUILDERS
License Number(s)
CSLB:831892

Legal Entity Information

Corporation Number:
Federal Employment Identification Number:
President Name:
EDWARD JAUREGUI
Vice President Name:
ERIC HUNDLEY
Treasurer Name:
Secretary Name:
CEO Name:

Agent of Service Name:
ERIC HUNDLEY
Agent of Service Mailing Address:
36979 COTTONWOOD ST WINCHESTER 92596 CA United States of America

Workers Compensation

Do you lease employees  No
through Professional
Employer Organization (PEO)?
Please provide your current workers compensation insurance information below:

<table>
<thead>
<tr>
<th>PEO</th>
<th>PEO</th>
<th>PEO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Information</td>
<td>Name</td>
<td>Phone</td>
</tr>
</tbody>
</table>

Insured by Carrier
Policy Holder Name: MANHOLE BUILDERS INC
Insurance Carrier: REDWOOD FIRE & CASUALTY
Policy Number: MAWC024734
Inception date: 5/31/2019
Expiration Date: 5/31/2020
Contractor Information

Legal Entity Name
CELL-CRETE CORPORATION, INC.

Legal Entity Type
Corporation

Status
Active

Registration Number
1000000262

Registration effective date
7/1/2019

Registration expiration date
6/30/2020

Mailing Address
135 E RAILROAD AVENUE MONROVIA 91016 CA ...

Physical Address
135 E RAILROAD AVENUE MONROVIA 91016 CA ...

Email Address

Trade Name/DBA
CELL-CRETE CORPORATION, INC.

License Number(s)
CSLB:243404

Registration History

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Legal Entity Information

Corporation Number:

Federal Employment Identification Number:

President Name:
LOUIS FISHER

Vice President Name:
LOUIS FISHER

Treasurer Name:
PATRICK BARCLAY

Secretary Name:

CEO Name:

Agent of Service Name:
LOUIS FISHER

Agent of Service Mailing Address:
135 E RAILROAD AVENUE MONROVIA 91016 CA United States of America

Workers Compensation

Do you lease employees   No
through Professional

https://cadir.secure.force.com/ContractorSearch/PrintRegDetails
Employer Organization (PEO)?
Please provide your current workers compensation insurance information below:

<table>
<thead>
<tr>
<th>PEO</th>
<th>PEO</th>
<th>PEO</th>
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</thead>
<tbody>
<tr>
<td>InformationName</td>
<td>Phone</td>
<td>Email</td>
</tr>
</tbody>
</table>

Insured by Carrier
Policy Holder Name: CELL-CRETE CORPORATION, INC.
Insurance Carrier: OLD REPUBLIC GENERAL INSURANCE CORPORATION
Policy Number: ACW49061815
Inception date: 9/30/2018
Expiration Date: 9/30/2019
Contractor Information

Legal Entity Name
ALL AMERICAN ASPHALT

Legal Entity Type
Corporation

Status
Active

Registration Number
1000001051

Registration effective date
7/1/2019

Registration expiration date
6/30/2020

Mailing Address
PO BOX 2229 CORONA 92878 CA United States...

Physical Address
400 E SIXTH ST CORONA 92879 CA United States...

Email Address

Trade Name/DBA

License Number(s)
CSLB 267073

Registration History

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<td>6/30/2020</td>
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Legal Entity Information

Corporation Number:
057879

Federal Employment Identification Number:

President Name:
MARK LUED

Vice President Name:
EDWARD J CARLSON

Treasurer Name:
MICHAEL FARKAS

Secretary Name:
MICHAEL FARKAS

CEO Name:

Agent of Service Name:
MICHAEL FARKAS

Agent of Service Mailing Address:
400 E SIXTH ST CORONA 92879 CA United States of America

Workers Compensation

Do you lease employees through Professional Employer Organization (PEO)?
No

Please provide your current
Workers compensation insurance information below:

<table>
<thead>
<tr>
<th>PEO</th>
<th>PEO</th>
<th>PEO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>Phone</td>
<td>Email</td>
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</tbody>
</table>

Insured by Carrier

Policy Holder Name: ALL AMERICAN ASPHALT
Insurance Carrier: ZURICH AMERICAN INSURANCE COMPANY
Policy Number: WC593205701
Inception Date: 7/31/2018
Expiration Date: 8/30/2019
Contractor Information

Legal Entity Name
AYALA ENGINEERING

Legal Entity Type
Sole Proprietorship

Status
Active

Registration Number
1000005012

Registration effective date
7/1/2019

Registration expiration date
6/30/2020

Mailing Address
8482 E. MEADOWRIDGE ST. ANAHEIM 92808 CA ...

Physical Address
8482 E. MEADOWRIDGE ST. ANAHEIM 92808 CA ...

Email Address

Trade Name/DBA
CONSTRUCTION

License Number(s)
CSLB:959385

Registration History

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<td>6/30/2020</td>
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</table>

Legal Entity Information

Sole Proprietor Name:

Workers Compensation

Do you lease employees through Professional Employer Organization (PEO)?: No

Please provide your current workers compensation insurance information below:

<table>
<thead>
<tr>
<th>PEO</th>
<th>PEO</th>
<th>PEO</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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</table>

PEO Information
Policy Holder Name: AYALA ENGINEERING
Insurance Carrier: STATE COMPENSATION INSURANCE FUND
Policy Number: 9004955
Inception date: 2/7/2012
Expiration Date: 2/7/2020
CONTRACTOR'S LICENSING STATEMENT

The undersigned is licensed in accordance with the laws of the State of CALIFORNIA providing for the registration of contractors. The representations made herein and in the proposal documents are made under penalty of perjury. The undersigned is hereby representing that he is properly licensed both at the time that he submits a bid as well as at the time the contract is awarded, if the contract is awarded to the undersigned.

**CONTRACTOR'S CLASSIFICATION**  A - GENERAL ENGINEERING

**LICENSE NUMBER**  842048  **TYPE**  A  **EXPIRATION DATE**  04/30/20

### A. INDIVIDUAL CONTRACTOR

<table>
<thead>
<tr>
<th>NAME OF INDIVIDUAL CONTRACTOR:</th>
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</thead>
<tbody>
<tr>
<td>BUSINESS ADDRESS:</td>
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<tr>
<td>PHONE NUMBER:</td>
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<tr>
<td>SIGNATURE OF OWNER:</td>
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</table>

### B. FIRM OR PARTNERSHIP

<table>
<thead>
<tr>
<th>NAME OF FIRM OR PARTNERSHIP:</th>
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</tr>
</thead>
<tbody>
<tr>
<td>BUSINESS ADDRESS:</td>
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</tr>
<tr>
<td>PHONE NUMBER:</td>
<td>N/A</td>
</tr>
<tr>
<td>SIGNATURE(S) &amp; TITLE OF MEMBERS SIGNING ON BEHALF OF THE PARTNERSHIP:</td>
<td></td>
</tr>
<tr>
<td>SIGNATURE:</td>
<td>N/A</td>
</tr>
<tr>
<td>SIGNATURE:</td>
<td>N/A</td>
</tr>
<tr>
<td>SIGNATURE:</td>
<td>N/A</td>
</tr>
</tbody>
</table>

### C. CORPORATION

<table>
<thead>
<tr>
<th>NAME OF CORPORATION:</th>
<th>DOWNING CONSTRUCTION, INC.</th>
</tr>
</thead>
<tbody>
<tr>
<td>BUSINESS ADDRESS:</td>
<td>32194 OUTER HIGHWAY 10 SOUTH, REDLANDS, CA 92373</td>
</tr>
<tr>
<td>PHONE NUMBER:</td>
<td>909-797-7444</td>
</tr>
<tr>
<td>SIGNATURE OF AUTHORIZED OFFICER OF CORPORATION:</td>
<td></td>
</tr>
<tr>
<td>SIGNATURE:</td>
<td>[Signature]</td>
</tr>
</tbody>
</table>

C6-1  0030 Contractors Licensing Statement
All establishments covered by CCR Title 8 Section 14300 must complete this Annual Summary, even if no work-related injuries or illnesses occurred during the year. Remember to review the Log to verify that the entries are complete and accurate before completing this summary.

Using the Log, count the individual entries you made for each category. Then write the totals below, making sure you've added the entries from every page of the Log. If you had no cases, write "0."

Employees, former employees, and their representatives have the right to review the Cal/OSHA Form 300 in its entirety. They also have limited access to the Cal/OSHA Form 301 or its equivalent. See CCR Title 8 Section 14300.35, in Cal/OSHA’s recordkeeping rule, for further details on the access provisions for these forms.

### Facility Information

- **Establishment name**: DOWNING CONSTRUCTION, INC
- **Street**: 32194 OUTER HWY 10 SOUTH
- **City**: REDLANDS, State: CA, Zip: 92373
- **Industry description**: UNDERGROUND PIPELINES
- **Standard Industrial Classification (SIC)**: 1623

### Employment Information

- **Annual average number of employees**: 68
- **Total hours worked by all employees last year**: 108,341

### Sign here

Knowingingly falsifying this document may result in a fine.

I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.

**RANDY DOWNING**

Company executive

**Title**

909-797-7444

01/30/20

Phone

Date

---

**Injury and Illness Types**

<table>
<thead>
<tr>
<th>Total number of...</th>
<th>(M)</th>
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</thead>
<tbody>
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<tr>
<td>(2) Skin disorders</td>
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</tr>
<tr>
<td>(3) Respiratory conditions</td>
<td>0</td>
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<tr>
<td>(4) Poisonings</td>
<td>0</td>
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<tr>
<td>(5) Hearing loss</td>
<td>0</td>
</tr>
<tr>
<td>(6) All other Illnesses</td>
<td></td>
</tr>
</tbody>
</table>

**Past this Annual Summary from February 1 to April 30 of the year following the year covered by the form.**
NON-COLLUSION DECLARATION

TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

The undersigned declares:

I am the ___ MICHELLE LAVANWAY ___ of ___ DOWNING CONSTRUCTION, 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 of 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 ___2/5/20___[date], at ___REDLANDS___[city], ___CALIFORNIA___[state]

Signed: ________________________________

Name: ___MICHELLE LAVANWAY AUTHORIZED SIGNER___

(Print Name Here)
IRAN CONTRACTING ACT CERTIFICATION

Pursuant to the Iran Contract Act of 2010 (Public Contract Code 2200-2208), Vendors/Bidders are ineligible to bid on or submit a proposal for any contract with a public entity for goods or services of one million dollars ($1,000,000) or more if the Vendor/Bidder engages in investment activities in Iran.

MUST BE SUBMITTED WITH BID PROPOSAL IF BID AMOUNT IS $1,000,000 OR MORE

Prior to bidding on, submitting a proposal, or executing a contract or renewal for a public entity contract for goods or services of $1,000,000 or more, a vendor must either: a) certify it is not on the current list of persons engaged in investment activities in Iran created by the California Department of General Services ("DGS") pursuant to Public Contract Code section 2203(b) and is not a financial institution extending $20,000,000 or more in credit to another person, for 45 days or more, if that other person will use the credit to provide goods or services in the energy sector in Iran and is identified on the current list of persons engaged in investment activities in Iran created by DGS; or b) demonstrate it has been exempted from the certification requirement for that solicitation or contract pursuant to Public Contract Code section 2203(c) or (d).

To comply with this requirement, please insert your vendor or financial institution name and Federal ID Number (if available) and complete one of the options below. Please note: California law establishes penalties for providing false certifications, including civil penalties equal to the greater of $250,000 or twice the amount of the contract for which the false certification was made, contract termination, and three-year ineligibility to bid on contracts. (Pub. Cont. Code § 2205.)

OPTION #1 - CERTIFICATION

I, the official named below, certify I am duly authorized to execute this certification on behalf of the vendor/financial institution identified below, and the vendor/financial institution identified below is not on the current list of persons engaged in investment activities in Iran created by DGS and is not a financial institution extending twenty million dollars ($20,000,000) or more in credit to another person/vendor, for 45 days or more, if that other person/vendor will use the credit to provide goods or services in the energy sector in Iran and is identified on the current list of persons engaged in investment activities in Iran created by DGS.

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

<table>
<thead>
<tr>
<th>Vendor Name/Financial Institution (Printed)</th>
<th>Federal ID Number (or n/a)</th>
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<tbody>
<tr>
<td>DOWNING CONSTRUCTION, INC.</td>
<td>32-0302148</td>
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<th>By (Authorized Signature)</th>
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<td>[Signature]</td>
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<tr>
<th>Printed Name and Title of Person Signing</th>
<th>Date Executed</th>
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<tr>
<td>MICHELLE LAVANWAY, AUTHORIZED SIGNER</td>
<td>2-5-20</td>
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</table>

C13-3 00046 Iran Contracting Act Certification
**OPTION #2 – EXEMPTION**

Pursuant to Public Contract Code sections 2203(c) and (d), a public entity may permit a vendor/financial institution engaged in investment activities in Iran, on a case-by-case basis, to be eligible for, or to bid on, submit a proposal for, or enters into or renews, a contract for goods and services.

If you have obtained an exemption from the certification requirement under the Iran Contracting Act, please fill out the information below, and attach documentation demonstrating the exemption approval.

<table>
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<tr>
<th>Vendor Name/Financial Institution (Printed)</th>
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C-17 Contractor’s Cal/OSHA Compliance History and SIC Code
THIS DOCUMENT IS TO BE SUBMITTED WITH THE PROPOSAL PACKAGE AT TIME OF BID

| Bid Date: | 02/05/20 | Contractor’s Standard Industry Code: | 1623 |
| Specification No. | 1385 | Project Name: | I-215 FWY AND PLACENTIA AVE INTERCHANGE WATER AND SEWER RELOCATION |
| Contractor name: | DOWNING CONSTRUCTION, INC. |
| Contractor Address: | 32194 OUTER HIGHWAY 10 SOUTH, REDLANDS, CA 92373 |
| Contractor License No. | 842048 | Phone No: | 909-797-7444 |
| Contact Person: | KEVIN ELLIS |

Please answer the following questions:

1. Has the Contractor been cited by Cal/OSHA or any regulatory agency for a violation related to safety or environmental issues within the past seven (7) years?  
   - No □ Yes [X]
   
   If yes, please attach all documentation specific to each violation and what actions have been taken to ensure that there is not a repeat violation.

2. Has the Contractor had a fatality or serious incident per Cal/OSHA on a jobsite within the past ten (10) years?  
   - No □ Yes [X]
   
   If yes, please attach all documentation specific to each violation and what actions have been taken to ensure that there is not a repeat violation.

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

Contractor’s Representative signature:  

MICHIELLE LAVANDAY, AUTHORIZED SIGNER  

Date: 2-5-20

Failure to fully divulge, complete and submit this form “may” deem your bid non-responsive

FOR EMWD USE ONLY:  

Field Engineering to forward to Risk Management for review

Approved:  

No □ Yes [ ]

Reviewed by Risk Management (signature required)  

Date:  

Return to (Field Eng.CAR)  

By:  

cc: Construction Administrator  
File: C-17 Contractor’s Compliance History
February 5, 2020

EMWD
PO Box 8300
Perris, CA 92572-8300

Re: Bid Proposal for Spec No. 1385, I-215 Fwy & Placentia Ave Interchange Water & Sewer Relocation Project - Response to C-17 Contractor's Cal/OSHA Compliance History & SIC Code - Ref OSHA Inspection #1447955

To Whom It May Concern:

Downing Construction, Inc. received a General Citation from OSHA on the above-referenced Inspection and a formal Appeal is being submitting.

Please let me know if you have questions.

Thank you,

Michelle LaVanWay
Authorized Signer
February 5, 2020

EMWD
PO Box 8300
Perris, CA 92572-8300


To Whom It May Concern:

Downing Construction, Inc. received two Citations from OSHA on this accident, submitted an Appeal and are scheduled for a dispute hearing.

Please let me know if you have questions.

Thank you,

[Signature]
Michelle LaVanWay
Authorized Signer
February 5, 2020

EMWD
PO Box 8300
Perris, CA 92572-8300


To Whom It May Concern:

The above-referenced OSHA Inspection was investigated and closed with no citation issued to Downing per the attached Notice. Please let me know if you have questions.

Thank you,

[Signature]
Michelle LaVanWay
Authorized Signer
NOTICE OF NO VIOLATION AFTER INSPECTION

Downing Construction Inc
32194 Outer Highway 10 South
Redlands, CA 92373

An investigation was conducted by Lex Eaton at a place of employment located at Intersection Jefferson Ave., and Avenue 38, Indio on 07/18/2019. This inspection was initiated by any or all of the following reasons: complaint, follow-up, referral, planned

Description of area(s) inspected:

Seen of accident where employee was injured (work task completed, excavation closed)

Review of employer’s IIPP, Heat Illness Plan, Internal accident investigation, and tailgate meetings

Interview of injured employee

Signature
Compliance Safety and Health Officer

Date of issuance: 09/10/2019

Signature
District Manager

Date inspection completed: 09/09/2019

Said inspection was completed on 09/09/2019. It has been determined that no violation of any standard, rule, order or regulation set forth in Title 8, California Code of Regulations and Division 5 of the California Labor Code has been found as a result of this inspection.

This notice relates solely and exclusively to the inspection on the above date, which was not necessarily a comprehensive inspection of the worksite. Due to the transitory nature of worksite conditions, violations can occur occasionally or routinely and may be undetected by any given inspection. This notice does not preclude the issuance of citations on any future inspection.

0950633
RID

10001
C010 ID

001-20
Optional Report Nr.

1416138
Inspection Nr.

Cal/OSHA 1AX (09/22/14)
February 5, 2020

EMWD
PO Box 8300
Perris, CA 92572-8300


To Whom It May Concern:

Downing Construction, Inc. experienced a fatality on one of our projects located in Fontana, CA that involved a City employed soils technician and Downing's loader. The technician attempted to take a soils compaction test immediately behind a working loader without notifying any of Downing's personnel nor the City inspector, who was also onsite at the time of the incident.

As of today, Downing received a Notice of Intent from Cal/OSHA, our attorney has filed a Formal Appeal and we are schedule for a dispute hearing.

Please let me know if you have questions.

Thank you,

Michelle LaVanWay
Authorized Signer
February 5, 2020

EMWD
PO Box 8300
Perris, CA 92572-8300


To Whom It May Concern:

Downing Construction, Inc. received two citations from Cal/OSHA after reviewing our Injury & Illness Prevention Program's Heat Illness Prevention section that was inadvertently not updated in a bincor at our office located in Redlands. The jobsite IIPP was updated and all procedures were being followed in the field (See the Inspector's Investigation Report, page 4 of 6, referencing that the High Heat Procedures were performed and in place). Please see the enclosed Cal/OSHA documents listed below.

1. Document Request Sheet from DIR, Division of Occupational Safety and Health.
4. Notice of Intent to classify citation as serious.
5. Contractor's response to Notice of Intent.
7. Settlement terms.

The citations were reclassified per the settlement terms and the fines were reduced. In addition, the binder in question was updated immediately to avoid any discrepancy in the future. Please note that the citations were regulatory, and/or general as stated by Cal/OSHA, and not directly related to a safety violation.

Downing Construction Inc.'s employee suffered a heart attack at the end of a work shift, which was investigated and found to be of no fault of our safety procedures and no Cal/OSHA citation was issued. Please contact me if you have any questions.

Thank you,

Michelle LaVanWart
Authorized Signer

32194 OUTER HIGHWAY 10 S., REDLANDS, CA 92373
PHONE (909) 797-7444 FAX (909) 797-7755
DOCUMENT REQUEST SHEET

EMPLOYER: Downing Construction
EMPLOYER CONTACT: Randy Downing
DATE: 8/13/14  Postmark by DATE: 8/18/14  RECEIVED BY: Randy Downing

As discussed during the inspection on 8/13/14, it has been determined that copies of the following documents are required for review.

Please provide the Cal/OSHA inspector with the required copies by the "postmarked date" noted above. If the copies are not provided by that date, it will be interpreted as an admission that the documents do not exist and possible citations and Monetary Penalties could result.

☐ Licenses & Permits  ☐ Business License  ☐ State ER Tax ID No.  ☐ CSLB  ☐ Garment Reg.  ☐ Farm Labor Contractor
☐ Facility Layout (i.e., floorplan, equipment map, etc.)
☐ Log of Work-Related Injuries and Illnesses (Cal/OSHA 300) for current and the previous years.
☐ Injury and Illness Incident Report (Cal/OSHA 301)
☐ Employer's First Report of Injury (Form 5020)
☐ Doctor's First Report of Injury (Form 5021)
☐ Injury and Illness Prevention Program
☐ Code of Safe Practices
☐ Disciplinary Action Records (Safety & Health)
☐ Safety Inspection Records
☒ Palm Desert Country Club
☐ Employer’s Accident Investigation Report (including photos, witness statement, etc.)
☐ Employee Training Records  ☒ Heat Illness Prevention (Palm Desert Country Club)
☐ Operator Certification Records
☐ Safety Meeting/ Tailgate Meeting Records
☐ Heat Illness Prevention Plan
☐ First-Aid Kit Approval (Medical)
☐ Emergency Action Plan
☐ Fire Prevention Plan
☐ Hazard Communication Plan
☐ Material Safety Data Sheet (MSDS)
☐ Respiratory Protection Program
☐ Hearing Conservation Program (Noise)
☐ Exposure Control Plan (Bloodborne Pathogens)
☐ Workplace Exposure Records/Monitoring Results
☐ Permits/Variances
☐ Maintenance Records of Equipment
☐ Equipment Manuals (operation, use, maintenance, etc.)
☐ Hazardous Energy Control Procedure (Lock-Out/Tag-Out)
☒ Hazardous Energy Control Procedure Inspection Records
☐ Contract Agreement
☐ Contact Information (name, title, address, phone #, etc.) (Palm Desert Country Club)
☐ Sal employee

If you require an extension of time in order to satisfy this request, please contact the Cal/OSHA inspector identified with your inspection at the phone number above before the deadline.

INSPECTION NO.  SR/TH ID.  OPTIONAL REPORT NO.
August 22, 1024

Mr. Rubin Carr Jr.
State of California
Department of Industrial Relations
Division of Occupational Safety and Health
464 W. Fourth Street, Suite 332
San Bernardino, CA 92401-1429

Re: Document Request Sheet

Dear Rubin:

Downing Construction, Inc. is submitting the documents requested during the inspection on 8/13/14. Enclosed you will find the following:

- Copy of City of Palm Desert Business License
- Injury and Illness Prevention Program
- Safety Inspection Records: See Daily Foreman Reports from Mike Ray & Vince Davidson and note that job just started on 8/11/14.
- Employer’s Accident Investigation Report: See the American Claims Mgmt Work Comp Claim Forms
- Employee Training Records for Heat Illness Prevention
- Safety Meeting Records
- Heat Illness Prevention Plan
- Contract Agreement

Contact info for Palm Desert Country Club site employee is Michael Ray, Foreman, cell phone is (909) 534-6427 and the address is 77-200 California Drive Palm Desert, CA 92211. On the day of the incident, Vince Davidson, Foreman was the onsite contact and his cell is (909) 677-6645. Please contact our office if you have any questions or need further information.

Thank you,

Michelle LaVanway
Office Manager
Illness Prevention Evaluation Questionnaire (HPEQ) for Outdoor Illness Related Inspections
(Complete for all suspect outdoor heat incidents)

Inspection number: 317730372  Incident Date: 8/12/14  Opening date

CSHO: ______ Region: 3  District: 3

Name of establishment: Downing Construction Inc.
SIC/NAICS Code: 14271110

Type of establishment: Sewer and Pipeline Contractor
Total number of employees working at this site: 5

Regular hours worked by these employees: 6:00 AM to 4:30 PM

Are work hours different during heat season or hot months? How?

Work start and finish time on the day of the incident: 8am - 64:30pm
Number of hours worked: 8

Time of the event: 4:30 PM

Are employees paid piece rate? Y ☐ N ☐

Management / non-management employees: How many interviewed? 1 ☐ 5 ☐

Was heat victim interviewed? Y ☐ N ☐

Victim's age: 47  Gender: Male ☐ or female ☐

Victim's Race: White

Victim's primary language: English: ☐ Spanish: ☐ Other (list)

English Competency: (0-10): 10

Location:

Worksite address: Palm Desert Country Club 18th Hole

Was this located in a remote or rural site? Y ☐ N ☐

If yes, number of miles the worksite is from a major city (i.e. from closest hospital)?

Did foreman provide clear directions to worksite when interviewed? Y ☐ N ☐

Did employees provide clear directions to worksite when interviewed? Y ☐ N ☐

Weather/Environmental Conditions:

What were the environmental conditions (temperature, wind speed, % RH, clear skies) on the day of the accident/programmed inspection? 90°F - 100°F

What were these environmental conditions on the days prior to this accident/programmed inspection (daily average for 7 days prior)?
APPENDIX G

(Page 2 of 6)

Did incident occur during a heat wave?  Y □ N □
If yes, date heat wave began: ______________

Is the supervisor or other designated person tracking the weather?  Y □ N □
Was supervisor trained on how to conduct weather monitoring and respond to hot weather advisories?  Y □ N □

What source did the CSHO use (e.g., thermometer, www.noaa.gov, or other internet sites) to check the weather?  ______________

Type of Work and Working Conditions:
Describe the nature of the work and working conditions related to heat relevant to the employees' job task:
________
Was job task: light □ moderate □ strenuous □
Additional comments: ______________

Water Provisions:
Was there potable drinking water available?  Y □ N □
Was a random water sample collected for laboratory analysis of potability?  Y □ N □
How much water available (plumbed or: size and number of containers)  4—5 gallons
Did employees bring their own water to the worksite?  Y □ N □
Was sufficient quantity of water provided at the start of the shift?  Y □ N □
Did employer have effective replenishment procedures in place?  Y □ N □
Please describe replenishment procedures used (List person responsible of these procedures and how often was water level checked):  Foreman checked water hourly

How much water did the victim drink on the day of the incident (i.e., none observed; small sips, 1 or 2 bottles of water, or 3 or 4 paper cones?)  Don't know, employee is deceased. His co-workers: they were all drinking plenty of water including the deceased.

How close was the water to the workers (state distance or <2.5 min vs >2.5 min)?  ≤ 2 minutes.

Please describe any barriers present at the worksite that impede frequent access to drinking water (i.e., unsanitary conditions, location problems (not near their station), routine procedural issues (can't abandon their station, being rushed, protective suits, fear of need to urinate), foul smelling/tasting or other applicable circumstances):  None
APPENDIX G
(Page 3 of 6)

Was the water provided cool and fresh and was container kept clean? Y □ N □  (Specifically ask about water on day of incident.)

Were employees encouraged to drink water often? Y □ N □

How much water were they told they need to drink? (per day or per hour):

How were they encouraged? Foreman encouraged employee to drink.

Additional comments:

Shade Provisions:

Are job tasks conducted under the direct sunlight with no shade? Y □ N □

If no, what percentage of work time occurred under shade? □

Was access to shade provided (opened and placed near them) at all times? Y □ N □

Did the workers have access to shade during their breaks? Y □ N □

Did employer provide sufficient shade (i.e. enough for at least 25% of the crew)? Y □ N □

Describe type of shade provided: □

How close was shade structure to workers (<2 1/2 mins or >2 1/2 mins)? working in the shade

Did employees take any breaks before or after lunch? Y □ N □

Describe length and frequency of breaks, if taken: 10 min. morning and afternoon

Did employees feel they could take a five minute non-scheduled cool-down rest in the shade to protect them from overheating? Y □ N □

Did employer encourage workers to take a cool-down rest in the shade (at least 5 min)? Y □ N □

Did employees take a cool-down rest in the shade? Y □ N □

Did victim take a cool-down rest in the shade? Y □ N □

If providing access to shade was infeasible or unsafe, did employer document the reason along with alternative procedures provided? Y □ N □

Additional comments:

Acclimatization:

Did the employer have a written acclimatization policy or procedures? Y □ N □

Describe in detail the employer's policy or procedures for addressing acclimatization of heat exposed workers: □

Part of employer's written □
APPENDIX G

Did acclimatization procedures specifically limit the total work hours, or modify the work/break schedule? Y ☑ N ☐

Did the employees receive any training on the importance of acclimatization? Y ☑ N ☐

Did the employer provide training on how acclimatization is developed and how their procedures address the development of acclimatization? Y ☑ N ☐

How long had the victim worked for this employer? 10 + yrs.

If new employee, was he/she closely supervised for the first 14 days? Y ☑ N ☐ (specify how supervised).

How long had victim worked under similar conditions (start, end or midst a heat wave, environmental, job task, work intensity, etc) prior to the accident/complaint inspection? 10 + yrs.

If employed with current employer less than 2 weeks, had employee been working under similar environmental conditions (weather, environmental conditions, etc) with a different employer? Y ☑ N ☐ If yes, please state length of prior job:

If no, please describe last job held by this employee (specifically list any period of unemployment):

High Heat Procedures:

If the temperature equaled or exceeded 95 degrees, did employer implement effective High Heat Procedures? Y ☑ N ☐

Did employer ensure that effective communication was maintained (via observation, voice or electronic means)? Y ☑ N ☐

Did the supervisor or designee observe employees for alertness and signs and symptoms of heat illness? Y ☑ N ☐

Were employees reminded throughout the shift to drink plenty of water? Y ☑ N ☐

Were new employees closely supervised by supervisor or designee, the first 14 days of employment? Y ☑ N ☐

If no, did new employees indicate that he/she had been doing similar work for at least 10 days of the past 30 days? Y ☑ N ☐

Emergency Response Provisions:

Did the employer have in writing, adequate emergency response procedures? Y ☑ N ☐

[Stating "Call 911" is not considered adequate emergency procedures]
APPENDIX G

(Page 6 of 6)

If yes, describe, in detail, the employer's procedures (in place) for addressing emergency medical response? If no, were any verbal instructions given for response during emergency situations?

Were the employees aware of these written procedures? Y ☑ N ☐ Verbal procedures? Y ☑ N ☐

Did employer designate a person to be available to ensure that emergency procedures are invoked when appropriate? Y ☑ N ☐ Identify that person: [Forename]

Day of Incident:

Did victim report potential heat related symptoms to employer? Y ☑ N ☒ To coworkers? Y ☑ N ☒

What action did employer take?

Did victim continue to work?

If no, what was disposition of employee? Home ☐ Clinic ☐ Emergency Room ☑ Morgue ☐

Time from reporting symptoms to definitive action by employer:

Time to medical care:

How was victim transported from worksite? ER ☒ Coworker ☐ Ambulance ☑ PV ☐

In the event of an accident, was an ambulance or other first responders called to the worksite? Y ☑ N ☑ List responder(s):

If ambulance called, what was the response time?

Did employees carry cellular phone or have other means of communication to contact emergency services? Y ☑ N ☐

Did foreman know the location of the closest hospital or emergency room? Y ☑ N ☒

Was foreman knowledgeable on the company procedures of how to contact emergency services and what to do in the event an employee develops heat related symptoms? Y ☑ N ☒

Additional comments:

Injury and Illness Prevention Program and Heat Illness Prevention Training Provisions:

Did employer have an effective Injury and Illness Prevention Program? Y ☑ N ☒

Did employer have a written Heat Illness Prevention Program or Procedures in place to address any potential heat related illness? Y ☑ N ☒

Did employees receive training on heat illness prevention? Y ☑ N ☒
APPENDIX G

Did supervisors/foreman receive training on heat illness prevention? Y ☑ N ☐
If yes, were all nine 3385(a) elements included in the training? Y ☑ N ☐
List all elements NOT included: High Heat Procedures

Please describe the type of training provided (video, tailgate meetings, classroom, pamphlet) and how often:

Was training provided in the employees' primary language? Y ☑ N ☐
Was it provided prior to or on the first day of outdoor work when it was reasonably anticipated to result in exposure to the risk of heat illness? Y ☑ N ☐
Was training documented (sign-in sheet, etc)? Y ☑ N ☐

Additional comments:

Did any employee (other than the victim) reported feeling ill? Y ☑ N ☐

Medical Conditions and Other Factors:
To be filled out by Medical Unit. Please complete 90M and contact DOSH Medical Unit within one week of initiating the investigation. Within one month forward all medical records, including emergency room and other hospital records and any available diagnostic or laboratory data. Additionally, please forward any emergency response records, including reports from ambulance/firefighters and records from the coroner's office when applicable. Also, please remember to forward all relevant investigation reports to MU so that a context is available for a medical opinion.
FACSIMILE COVER SHEET

TO: Michelle

FROM: Rubin Carr Cal/OSHA

DATE: 1/14/2015

SUBJECT: Form 48Y

☑ URGENT - Please deliver immediately!
☑ Please review and respond to the attached ASAP!
☑ Please review and respond to the attached.
☑ For your information.

Message: my cell 760 898-4197 in any questions.

We are transmitting 74 pages, including this cover sheet. If transmission is incomplete, please contact Rubin as soon as possible at the San Bernardino District Office, telephone number listed above.
NOTICE OF INTENT TO CLASSIFY CITATION AS SERIOUS

January 14, 2015

Downing Construction Inc
32194 Outer Highway 10 S.,
Redlands, Ca 92373

Dear Employer:

An inspection was opened by Rubin Carr at a place of employment located at 77200 California Dr, Palm Desert, CA 92261 on 8-13-2014. The purpose of this form is to inform you that the Division intends to cite as "serious" the following alleged violation:

Prior to during the course of the investigation, the Employer’s written Heat Illness Prevention Program did not contain the high-heat procedures.

This alleged violation may be cited as a violation of one or more of the following regulations of Title 8 of the California Code of Regulations, or any other applicable regulation:

TBCCR 3395(e)

The Division may also classify the violation as "willful serious" or "repeat serious".

You are encouraged to provide, in writing, any statements and supporting evidence showing that the Division should not classify the citation as "serious". Factors the Division may consider include the following:

1. Training for employees and supervisors relevant to preventing employee exposure to the hazard or to similar hazards
2. Procedures for discovering, controlling access to and correcting the hazard or similar hazards
3. Supervision of employees exposed or potentially exposed to the hazard
4. Procedures for communicating to employees about your health and safety rules and programs
5. Any additional information that you wish to provide such as:
   a. An explanation of the circumstances surrounding the alleged violative events
   b. Why you believe a serious violation does not exist
   c. Why you believe your actions related to the alleged violative events were reasonable and responsible

Use "Employer’s Signed Response to Notice of Intent to Classify Citation As Serious" form (attached). Additional statements and supporting evidence can be attached to the form. Use a separate form to respond to each "Notice of Intent to Classify Citation As Serious" received from the Division.

Please return the form, along with your additional statements and supporting evidence. Also, attach a copy of this notice. Information received by 1-22-2015 will be considered before the Division issues the citation. Information received after this date may not be considered before the Division issues the citation. If no information is received at all, the citation may still be issued.

If you have any questions, please contact me at the phone number or address in the letterhead.
Sincerely,

District Manager
Employer’s Signed Response to Notice of Intent to Classify Citation As Serious

(please attach additional information and evidence as necessary to support your response and a copy of the Division’s Notice of Intent to Classify Citation As Serious)

Mr. Carr,

Downing Construction, Inc. does have a High Heat Procedure in place (please see attached). We revised our IIPP in early 2010 updating this portion of the Plan, along with our Confined Space Procedures. During your investigation I believe we must have given you a copy of our IIPP that may not have had the updates included.

In addition, you might notice that our address has not been updated since we moved last July but I wanted you to know that we will be completing this update to all our company policies and documents. Please feel free to contact me with any questions.

Thank you,
Randy Downing

I have reviewed the foregoing statement and declare that it is true and correct to the best of my knowledge and that all submitted information, including supporting evidence, is accurate. I understand that pursuant to Labor Code section 6432, this statement and any additional statements and supporting evidence submitted by me can be used by the Division in support of any citation issued.

Employer: Downing Construction, Inc.
Signature: ___________________________ Date: Jan. 27, 2015
Name: Randy Downing
Title: President

OFFICE USE ONLY

The above statement and attached document has been received and considered prior to issuance or non-issuance of proposed serious citation.

Compliance Safety and Health Officer: ___________________________ Date: ___________________________
District Manager: ___________________________ Date: ___________________________
Comments: ___________________________

Please return form to address on the letterhead.
EMPLOYER'S SIGNED STATEMENT OF ABATEMENT OF REGULATORY AND/OR GENERAL VIOLATIONS

EMPLOYER: DOWNING CONSTRUCTION INC
ADDRESS: 32194 OUTER HWY 10 S
          REDLANDS, CA 92373

The law requires that violations observed during the inspection/investigation completed on 02/03/2015 of the place of employment located at 77200 CALIFORNIA DRIVE, PALM DESERT, CA be corrected within the time limit specified. Please notify the Division as soon as these conditions have been corrected by returning this completed form. Your response by signing and mailing this form to the issuing office on or before the compliance date may avoid a follow-up inspection of your facilities.

PLEASE COMPLETE AND MAIL BY 02-16-2015

************

LIST THE SPECIFIC MEASURES TAKEN TO CORRECT EACH OF THE UNSAFE CONDITIONS

All OSHA records have been inspected for
All required contents and updated as needed

This certifies that all unsafe conditions listed in the Division’s citation dated 02-03-2015 have now been corrected.

Signature: [Signature]
Date: 02/11/15

Name: [Name]
Title: [Title]

NOTE: This form does not serve as a request for a time extension. If there are serious problems beyond your control that prevent meeting a specified abatement date, contact the Division early, well within the 15-day limit allowed for an appeal.

OFFICE USE ONLY

<table>
<thead>
<tr>
<th>Safety Engineer/Industrial Hygienist:</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>District Manager:</td>
<td>Date</td>
</tr>
</tbody>
</table>

[ ] Close / Comments

Region: [Region] District: [District] Inspection No: [Inspection No] Identification No: [Identification No] Fiscal Year: [Fiscal Year]
May 8, 2015

DOWNING CONSTRUCTION INC
32194 OUTER HWY 10 S
REDLANDS, CA  92373

Dear Employer:

This office has received a copy of a Final Order of the California Occupational Safety and Health Appeals Board which affirmed the Regulatory and/or General violation(s) issued by the Division of Occupational Safety and Health following an inspection at a place of employment maintained by you. The Division issued a Citation and Notification of Penalty alleging a Regulatory and/or General violation of Title 8 of the California Code of Regulations and requested that you complete the Cal/OSHA 160 [Employer’s Signed Statement of Abatement of Regulatory and/or General Violation(s)] verifying that the Regulatory and/or General violations were abated within the abatement period.

To date, we have not received the Cal/OSHA 160 describing the actions that you have taken to abate the violative condition(s). Please return the Cal/OSHA 160 by 05/22/15.

I am enclosing with this letter another Cal/OSHA 160 for you to complete and return to this Office. As stated on the Cal/OSHA 160, the Division may conduct a follow-up inspection of your place of employment if we do not receive verification from you that the violative condition(s) have been abated.

Your immediate attention to this matter is appreciated.

Sincerely,

Ayman Shibli
District Manager

AS/rg
enclosure
File: 317730372
Mr. Randy Downing,
You will find attached the terms of settlement. If you find them acceptable, please **REPLY TO ALL** and let Judge Jacqueline Jones and I know that you accept. Thanks.

Ayman Shiblak, District Manager
464 W. 4th Street, Suite 332
San Bernardino, CA 92401
(909) 383-4321

☐ Stipulate to Basic Facts in Downing Construction Inc.; Docket No. 15-R3D3-0832 through 0833.

☐ On February 03, 2015, the employer was issued the following general and serious violations of Title 8, California Code of Regulations (T8CCR):

   Citation No. 1, Item No. 1, alleged a general violation of T8CCR 1509(a) with an associated civil penalty of $275.

   Citation No. 2, Item No. 1, alleged a serious violation of T8CCR 3395 (e) with an associated civil penalty of $2,475.

☐ The employer filed a timely appeal for all citations and Items.

☐ Settlement for Citation No. 1, Item No. 1:
   No Change.

☐ Settlement for Citation No. 2, Item No. 1:
   The Division moves to reclassify to general due to lack of realistic possibility of serious injury. The Division moves to reduce the civil penalty to $275 from $2,475 by applying low extent and high likelihood, 15 % good faith credit, and 50 % abatement credit.

☐ The employer requests the inclusion of a non-admissions clause.
PROOF OF INSURANCE CERTIFICATE

The Contractor and his subcontractors shall take out and maintain insurance, with coverage acceptable to the District, at his sole cost and expense at all times during the life of the Contract, including the entire time of the Contractor’s guarantee.

Note: An Aggregate limit (cap), Professional Employer Organization (PEO), or Self Insurance Plan is not acceptable.

Contractor to insert sample Insurance Certificate showing proof of acceptable Insurance
CERTIFICATE OF LIABILITY INSURANCE

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERs NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Saint Moore Insurance Agency
1150 Brookside Avenue, Suite Q
Redlands CA 92373

CONTACT NAME: Jaime A Randolph
PHONE: (909) 793-2151
FAX: (909) 798-7068
EMAIL: jaime@stmooreinsurance.com

INSURED
(090) 797-7444
Downing Construction Inc.
32194 Outer Hwy 10 South
Redlands CA 92373

INSURER A: Financial Pacific Ins Co
NAIC# 31453
INSURER B: Western World Insurance Co
INSURER C: Old Republic General Ins Corp
INSURER D:
INSURER E:
INSURER F:

COVERAGEs
CERTIFICATE NUMBER: Cert ID 2288
REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

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<tr>
<th>RISK LTR</th>
<th>TYPE OF INSURANCE</th>
<th>ADDL SUB</th>
<th>POLICY NUMBER</th>
<th>POLICY EFF</th>
<th>POLICY EXP</th>
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<td>COMMERCIAL GENERAL LIABILITY</td>
<td></td>
<td>60480459</td>
<td>08/10/2019</td>
<td>08/10/2020</td>
<td>EACH OCCURRENCE $1,000,000</td>
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<td>MED EXP (any one person) $5,000</td>
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<td>PROPERTY DAMAGE (Per accident) $5</td>
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<td>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</td>
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<td>A-1CM-126117-02</td>
<td>09/01/2019</td>
<td>09/01/2020</td>
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<td>EL DISEASE - EA EMPLOYEE $1,000,000</td>
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<td>EL DISEASE - POLICY LIMIT $1,000,000</td>
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DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

EVIDENCE OF INSURANCE

CERTIFICATE HOLDER
DOWNING CONSTRUCTION, INC.
32194 OUTER HWY 10 SOUTH
REDLANDS CA 92373

CANCELLATION
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Jaime A Randolph

© 1988-2015 ACORD CORPORATION. All rights reserved.
KNOW ALL MEN BY THESE PRESENTS, that we

(Here insert full name and address or legal title of Contractor)

as Principal, hereinafter called the Principal, and

(Here insert full name and address or legal title of Surety)

a corporation duly organized under the laws of the State of ________________, as Surety, hereinafter called the Surety, are held and firmly bound unto Eastern Municipal Water District.

Obligee, hereinafter called the Obligee, in the sum of ________________ Dollars (________________), for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally firmly by these presents.

WHEREAS, the Principal has submitted a bid, dated ________________, 20____, for ________________

(Here insert full name, address and description of Project)

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding of Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee 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.

In the event suit is brought upon this Bond by Obligee and judgement is recovered, the Surety shall pay all costs incurred by Obligee in such suits to be fixed by the court.

Signed and sealed this ________________ day of ________________, ____________

CONTRACTOR AS PRINCIPAL

Company: __________________________

Signature: __________________________

Name: __________________________

Title: __________________________

SURETY

Company: __________________________ [Corporate Seal]

Signature: __________________________

Name: __________________________

Title: __________________________

Attorney-in-Fact

This Bid Bond (BB-1) form shall be submitted to be considered a responsive bid Notary Public Acknowledgment required for Surety and Contractor

SEE ATTACHED BID BOND AND NOTARIZATION

Rev:04/06/16

00040 Bid Bond
EASTERN MUNICIPAL WATER DISTRICT

BID BOND

Bid Bond No. N/A

KNOW ALL MEN BY THESE PRESENTS, that we

Downing Construction, Inc.

(Here insert full name and address or legal title of Contractor)

32194 Outer Hwy 10 South Redlands, CA 92373

as Principal, hereinafter called the Principal, and

U.S. Specialty Insurance Company, 13403 Northwest Freeway, Houston, TX 77040

(Here insert full name and address or legal title of Surety)

a corporation duly organized under the laws of the State of Texas

hereinafter called the Surety, are held and firmly bound unto Eastern Municipal Water District.

Obligee, hereinafter called the Obligee, in the sum of Ten Percent of Total Bid Amount Dollars (10.0% of Total Bid ____) for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally firmly by these presents.

WHEREAS, the Principal has submitted a bid, dated February 5 ____, 2020, for

1385 - I-215 Fwy and Placentia Ave Interchange Water and Sewer Relocation

(Here insert full name, address and description of Project)

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding of Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee 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.

In the event suit is brought upon this Bond by Obligee and judgement is recovered, the Surety shall pay all costs incurred by Obligee in such suits to be fixed by the court.

Signed and sealed this 9th day of January ____, 2020

CONTRACTOR AS PRINCIPAL

Company: Downing Construction, Inc.

Signature: [Signature]

Name: Michelle Lavner

Title: Authorized Signer

SURETY

Company: U.S. Specialty Insurance Company

(Corporate Seal)

Signature: [Signature]

Name: Kevin Cathcart

Title: Attorney-in-Fact

This Bid Bond (BB-1) form shall be submitted to be considered a responsive bid

Notary Public Acknowledgment required for Surety and Contractor
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

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

State of California
County of San Bernardino

On 02/05/20 before me, Elva Nelson, Notary Public

Date

personally appeared Michelle Lavanway, Authorized Signer

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

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

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 11/1/2020 before me, Natassia Kirk-Smith, Notary Public, personally appeared Kevin Cathcart

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: __________________________

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could present fraudulent and reattachment of this form to another document.

Description of Attached Document

Type or Title of Document: __________________________

Document Date: __________________________ Number of Pages: __________________________

Signer(s) Other Than Named Above: __________________________

Capacity(ies) Claimed by Signer(s) Signer’s Name: Kevin Cathcart

Capacity(ies) Claimed by Signer(s) Signer’s Name: __________________________

☐ Individual
☐ Corporate Officer – Title(s):
☐ Partner: ☐ Limited ☐ General
☑ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: __________________________

Signer Is Representing: __________________________

☐ Individual
☐ Corporate Officer – Title(s):
☐ Partner: ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: __________________________

Signer Is Representing: __________________________

Rev. 1-15
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:

Eric Lowey, Mark Richardson, Shawn Blume, Kevin Cathcart or
Vanessa Copeland of Costa Mesa, 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 Twenty Million Dollars (***$20,000,000.00***). This Power of Attorney shall expire without further action on April 23rd, 2022. 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 hereunto 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 June, 2018

State of California
County of Los Angeles

By: ____________________________

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

On this 1st day of June, 2018, before me, Sonia O. Carrejo, a notary public, personally appeared Daniel 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 he, 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 ____________________________

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 9th day of January, 2020.

Corporate Seals

Bond No. n/a

Agency No. 19599

Kio Lo, Assistant Secretary

visit tmhcc.com/surety for more information

HCCSMANPDA0062018