BID FORM

NAME OF BIDDER: Al Fitos Corporation

The undersigned, hereby declare that we have carefully examined the location of the proposed Work, and have read and examined the Contract Documents, including all plans, specifications, and all addenda, if any, for the following Project:

Bid # 124-22 Exterior Painting at Various Sites

A. BID SCHEDULE

We hereby propose to furnish all labor, materials, equipment, tools, transportation, and services, and to discharge all duties and obligations necessary and required to perform and complete the Project for the following TOTAL BID PRICE:

<table>
<thead>
<tr>
<th>BASE BID</th>
<th>BID PRICE (IN WRITTEN FORM)</th>
<th>BID PRICE (IN NUMBERS)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>TOTAL BID PRICE INCLUDING ALLOWANCE</strong></td>
<td>Eight hundred Forty One Thousand Four Hundred Dollars</td>
<td>881,400.</td>
</tr>
</tbody>
</table>

In case of discrepancy between the written price and the numerical price, the written price shall prevail.

BID SCHEDULE

<table>
<thead>
<tr>
<th>NO.</th>
<th>Site</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>BESST Center</td>
<td>33,000.</td>
</tr>
<tr>
<td>2.</td>
<td>Ensign Intermediate</td>
<td>324,800.</td>
</tr>
<tr>
<td>5.</td>
<td>Whittier Elementary</td>
<td>134,400.</td>
</tr>
</tbody>
</table>

If the Contract Documents specify alternate bid items, the following Alternate Bid amounts shall be added to the Total Bid Price entered above, at the District's sole option. If the Alternate Bid is selected by the District, the resulting amount shall be added to the Total Bid Price for the Project. The District can award/select Alternate Bid items at any time(s).
<table>
<thead>
<tr>
<th>ALTERNATE BIDS</th>
<th>ADDITIONAL COST (IN WRITTEN FORM)</th>
<th>ADDITIONAL COST (IN NUMBERS)</th>
</tr>
</thead>
<tbody>
<tr>
<td>ALTERNATE #1 Portables Paularino Elementary School</td>
<td>Twenty Six Thousand Nine Hundred</td>
<td>26,400</td>
</tr>
<tr>
<td>ALTERNATE #2 Exterior of all lockers at Ensign Intermediate.</td>
<td>Thirty Six Thousand Dollars</td>
<td>36,000</td>
</tr>
</tbody>
</table>

The successful bidder hereby agrees to sign the contract and furnish the necessary bonds and certificates of insurance within ten (10) working days after the District provides the successful bidder with the Notice of Award.

Upon receipt of the signed contract and other required documents, the contract will be executed by the District, after which the District will prepare a letter giving Contractor Notice to Proceed. The official starting date shall be the date of the Notice to Proceed, unless otherwise specified. The undersigned agrees to begin the Work within ten (10) working days of the date of the Notice to Proceed, unless otherwise specified.

The undersigned has examined the location of the proposed work and is familiar with the Drawings and Specifications and the local conditions at the place where work is to be done.

If awarded the contract, the undersigned agrees that there shall be paid by the undersigned and by all subcontractors to all laborers, workers and mechanics employed in the execution of such contract no less than the prevailing wage rate within Orange County for each craft, classification, or type of worker needed to complete the Work contemplated by this contract as established by the Director of the Department of Industrial Relations. A copy of the prevailing rate of per diem wages are on file at the District's Administration Office and shall be made available to interested parties upon request.

Enclosed find cash, bidder's bond, or cashier's or certified check No. ______ from the ______ Bank in the amount of $5,000.00, which is not less than ten percent (10%) of this bid, payable to Newport-Mesa Unified School District as bid security and which is given as a guarantee that the undersigned will enter into a contract and provide the necessary bonds and certificates of insurance if awarded the Work.

The bidder furthermore agrees that in case of bidder's default in executing said contract and furnishing required bonds and certificates of insurance, the cash, bidder's bond, or cashier's or certified check accompanying this proposal and the money payable thereon shall become and shall remain the property of the Newport-Mesa Unified School District.

Bidder is an individual _____, or corporation X ____, or partnership _____, organized under the laws of the State of California.

Bidder confirms license(s) required by California State Contractor's License Law for the performance of the subject project are in full effect and proper order. The following are the Bidder's applicable license number(s), with their expiration date(s) and class of license(s):
If the Bidder is a joint venture, each member of the joint venture must include the required licensing information.

Sureties that will furnish the Faithful Performance Bond and the Labor and Material Payment Bond, in the form specified herein, in an amount equal to one hundred percent (100%) of the contract price within ten (10) working days from the date the District provides the successful bidder the Notice of Award. Sureties must meet all of the State of California bonding requirements, as defined in California Code of Civil Procedure Section 995.120 and must be authorized by the State of California.

The insurance company or companies to provide the insurance required in the contract documents must have a Financial Strength Rating of not less than "A-" and a Financial Size Category of not less than "Class VII" according to the latest Best Key Rating Guide. At the sole discretion of the District, the District may waive the Financial Strength Rating and the Financial Size Category classifications for Workers' Compensation insurance.

The undersigned acknowledges receipt, understanding and full consideration of the following addenda to the Contract Documents.

Addenda No. __________________________

Addenda No. __________________________

Addenda No. __________________________

Attached is the required bid security in the amount of not less than 10% of the Total Bid Price.

Attached is the completed Contractor's Certificate Regarding Workers' Compensation form.

Attached is the completed Iran Contracting Act Certificate form.

Attached is the completed Public Works Contractor Registration Certification form.

Attached is the completed Designation of Subcontractors form.

Attached is the completed Information Required of Bidders form.

Attached is the Asbestos-Free Material Certification.

Attached is the Recycled Content Certification.

Attached is the Contractor & Subcontractor Fingerprinting Requirements form.

Attached is the Drug-Free Workplace Certificate.

Attached is the Contractor's Certificate Regarding Alcoholic Beverage and Tobacco-Free Campus Policy.
Attached is the fully executed Non-Collusion Declaration form.

I hereby certify under penalty of perjury under the laws of the State of California, that all of the information submitted in connection with this Bid and all of the representations made herein are true and correct.

Name of Bidder: AJ FITES CORPORATION

Signature: [Signature]

Name and Title: ANASTASIOS FITES

Dated: 5.5.22
CONTRACTOR'S CERTIFICATE REGARDING
WORKERS' COMPENSATION

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

Name of Bidder: AJ FISTES CORPORATION

Signature: 

Name and Title: ANASTASIOS FISTES - PRESIDENT

Dated: 05.05.2022
IRAN CONTRACTING ACT CERTIFICATION
(Public Contract Code section 2200 et seq.)

As required by California Public Contract Code Section 2204, the Contractor certifies subject to penalty for perjury that the option checked below relating to the Contractor's status in regard to the Iran Contracting Act of 2010 (Public Contract Code Section 2200 et seq.) is true and correct:

☐ The Contractor is not:

(1) identified on the current list of person and entities engaged in investment activities in Iran prepared by the California Department of General Services in accordance with subdivision (b) of Public Contract Code Section 2203; or

(2) a financial instruction that extends, for 45 days or more, credit in the amount of $20,000,000 or more to any other person or entity identified on the current list of persons and entities engaging in investment activities in Iran prepared by the California Department of General Services in accordance with subdivision (b) of Public Contract Code Section 2203, if that person or entity uses or will use the credit to provide goods or services in the energy sector in Iran.

☐ The District has exempted the Contractor from the requirements of the Iran Contracting Act of 2010 after making a public finding that, absent the exemption, the District will be unable to obtain the goods and/or services to be provided pursuant to the Contract.

☐ The amount of the Contract payable to the Contractor for the Project does not exceed $1,000,000.

Signature: [Signature]

Printed Name: ANASTASIOS FISTES

Title: PRESIDENT

Firm Name: AJ FISTES CORPORATION

Date: 05.05.2022

Note: In accordance with Public Contract Code Section 2205, false certification of this form shall be reported to the California Attorney General and may result in civil penalties equal to the greater of $250,000 or twice the Contract amount, termination of the Contract and/or ineligibility to bid on contracts for three years.
PUBLIC WORKS CONTRACTOR REGISTRATION CERTIFICATION

If this bid is due on or after March 1, 2015, then pursuant to Labor Code sections 1725.5 and 1771.1, all contractors and subcontractors that wish to bid on, be listed in a bid proposal, or enter into a contract to perform public work must be registered with the Department of Industrial Relations. See http://www.dir.ca.gov/Public-Works/PublicWorks.html for additional information.

No bid will be accepted, nor any contract entered into without proof of the contractor’s and subcontractors’ current registration with the Department of Industrial Relations to perform public work.

Bidder hereby certifies that it is aware of the registration requirements set forth in Labor Code sections 1725.5 and 1771.1 and is currently registered as a contractor with the Department of Industrial Relations.

Name of Bidder: AJ FISTES CORPORATION

DIR Registration Number: 1000004394

Bidder further acknowledges:

1. Bidder shall maintain a current DIR registration for the duration of the project.

2. Bidder shall include the requirements of Labor Code sections 1725.5 and 1771.1 in its contract with subcontractors and ensure that all subcontractors are registered at the time of bid opening and maintain registration status for the duration of the project.

3. Failure to submit this form or comply with any of the above requirements may result in a finding that the bid is non-responsive.

Name of Bidder: AJ FISTES CORPORATION

Signature: 

Name and Title: ANASTASIOS FISTES

Dated: 05.05.2022

PUBLIC WORKS CONTRACTOR REGISTRATION CERTIFICATION
DESIGNATION OF SUBCONTRACTORS

In compliance with the Subletting and Subcontracting Fair Practices Act of the Public Contract Code of the State of California, each bidder shall set forth below: (a) the name and the location of the place of business, (b) CSLB contractor license number, (c) DIR registration number, and (d) the 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 in an amount in excess of one-half of one percent (1/2%) of the Contractor's Total Bid Price. Notwithstanding the foregoing, if the work involves the construction of streets and highways, then the Contractor shall list each subcontractor who will perform work or labor or render service to Contractor in or about the work in an amount in excess of one-half of one percent (1/2%) of the Contractor's Total Bid Price. No additional time shall be granted to provide the below requested information.

If no subcontractor is specified, for a portion of the work, or if more than one subcontractor is specified for the same portion of Work, to be performed under the Contract in excess of one-half of one percent (1/2%) of the Contractor's Total Bid Price or $10,000, whichever is greater if the work involves streets or highways, then the Contractor shall be deemed to have agreed that it is fully qualified to perform that Work, and that it shall perform that portion itself.

<table>
<thead>
<tr>
<th>Work to be done by Subcontractor</th>
<th>Name of Subcontractor</th>
<th>Location of Business</th>
<th>CSLB Contractor License Number</th>
<th>DIR Registration Number</th>
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<tbody>
<tr>
<td>N/A</td>
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DESIGNATION OF SUBCONTRACTORS
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<th>Work to be done by Subcontractor</th>
<th>Name of Subcontractor</th>
<th>Location of Business</th>
<th>CSLB Contractor License Number</th>
<th>DIR Registration Number</th>
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<tr>
<td>Work to be done by Subcontractor</td>
<td>Name of Subcontractor</td>
<td>Location of Business</td>
<td>CSLB Contractor License Number</td>
<td>DIR Registration Number</td>
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</tbody>
</table>

Name of Bidder: **AJ FISTES CORPORATION**

Signature: 

Name and Title: **ANASTASIOS FISTES - PRESIDENT**

Dated: **05.05.2022**
INFORMATION REQUIRED OF BIDDERS

A. INFORMATION ABOUT BIDDER

[**Indicate not applicable ("N/A") where appropriate.**]

NOTE: Where Bidder is a joint venture, pages shall be duplicated, and information provided for all parties to the joint venture.

1.0 Name of Bidder: AJ FISTES CORPORATION

2.0 Type, if Entity: CORPORATION

3.0 Bidder Address: 1244 N GAFFNEY, ST. SAN PEDRO CA 90731

<table>
<thead>
<tr>
<th>Facsimile Number</th>
<th>Telephone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>424.536.3145</td>
<td>424.536.3142</td>
</tr>
</tbody>
</table>

4.0 How many years has Bidder’s organization been in business as a Contractor? 25

5.0 How many years has Bidder’s organization been in business under its present name? 25

5.1 Under what other or former names has Bidder’s organization operated?

CA

6.0 If Bidder’s organization is a corporation, answer the following:

6.1 Date of Incorporation: NOV. 6 1996

6.2 State of Incorporation: CA

6.3 President’s Name: ANASTASIOS FISTES

6.4 Vice-President’s Name(s): JACOB FISTES

6.5 Secretary’s Name: NIKI FISTES

6.6 Treasurer’s Name: NIKI FISTES

7.0 If an individual or a partnership, answer the following:

7.1 Date of Organization:

7.2 Name and address of all partners (state whether general or limited partnership):

INFORMATION REQUIRED OF BIDDERS

- 27 -

61730.0000133136164.1
8.0 If other than a corporation or partnership, describe organization and name principals:


9.0 List other states in which Bidder's organization is legally qualified to do business.

N/A

10.0 What type of work does the Bidder normally perform with its own forces?

PAINT, DRYWALL, FRAMING, WALLCOVERING, SPECIALTIES, CARPENTRY

11.0 Has Bidder ever failed to complete any work awarded to it? If so, note when, where, and why:

NO

12.0 Within the last five years, has any officer or partner of Bidder's organization ever been an officer or partner of another organization when it failed to complete a contract? If so, attach a separate sheet of explanation:

NO

13.0 List Trade References:

VISTA PAINT - RICHARD GARCIA 310.487.2382
DUNN EDWARDS - JOHN TRIPP 310.729.9214
PPG PAINTS - DONALD MENDOES 323.376.7044

14.0 List Bank References (Bank and Branch Address):

CHASE BANK - 27319 Hawthorne Blvd Rolling Hills Estates, CA 90274
Cell: 310 400-9029 E-Fax: (310) 300-5508 email: marques.swayne@chase.com

15.0 Name of Bonding Company and Name and Address of Agent:

RS Bonding: Matt Dobyns 1633 E 4th St. #228, Santa Ana Ca, 92701
(714) 541-4700
B. LIST OF CURRENT PROJECTS (BACKLOG)

[**Duplicate Page if needed for listing additional current projects.**]

<table>
<thead>
<tr>
<th>Project</th>
<th>Description of Bidder’s Work</th>
<th>Completion Date</th>
<th>Cost of Bidder’s Work</th>
</tr>
</thead>
<tbody>
<tr>
<td>VISTA VIEWS</td>
<td>PAINTING</td>
<td>09.2022</td>
<td>320,456</td>
</tr>
<tr>
<td>FORO 6S</td>
<td>PAINTING</td>
<td>06.2022</td>
<td>103,343.758</td>
</tr>
<tr>
<td>PARKVIEW 6S</td>
<td>PAINTING</td>
<td>08.2022</td>
<td>182,600</td>
</tr>
</tbody>
</table>
C. LIST OF COMPLETED PROJECTS - LAST THREE YEARS

[**Duplicate Page if needed for listing additional completed projects.**]

Please include only those projects which are similar enough to demonstrate Bidder's ability to perform the required Work.

<table>
<thead>
<tr>
<th>Project Client</th>
<th>Description of Bidder's Work</th>
<th>Period of Performance</th>
<th>Cost of Bidder's Work</th>
</tr>
</thead>
<tbody>
<tr>
<td>UCLA HEDRICK HALL</td>
<td>GENERAL PAINTING</td>
<td>06.19 - 08.19</td>
<td>2947,367</td>
</tr>
<tr>
<td>NORTH/SOUTH AUXILIARY</td>
<td>PAINTING</td>
<td>02.18 - 04.19</td>
<td>1,337,100</td>
</tr>
<tr>
<td>LAKE FOREST CIVIC CENTER</td>
<td>PAINTING</td>
<td>01.19 - 03.20</td>
<td>466,000</td>
</tr>
<tr>
<td>WESTPARK SPRINGBROOKS</td>
<td>PAINTING</td>
<td>01.19 - 03.20</td>
<td>407,900</td>
</tr>
<tr>
<td>JOHN MUIR K-8</td>
<td>PAINTING</td>
<td>09.20 - 10.21</td>
<td>860,180</td>
</tr>
<tr>
<td>MOJAVE HS</td>
<td>PAINTING</td>
<td>05.19 - 06.19</td>
<td>1,137,700</td>
</tr>
<tr>
<td>CERRITOS PERFORMANCE ARTS CENTER</td>
<td>PAINTING</td>
<td>06.18 - 06.22</td>
<td>4,141,849</td>
</tr>
<tr>
<td>UCLA LAKEFRITZ BOTANY</td>
<td>PAINTING</td>
<td>03.20 - 06.21</td>
<td>476,245</td>
</tr>
</tbody>
</table>
D. EXPERIENCE AND TECHNICAL QUALIFICATIONS QUESTIONNAIRE

Personnel:

The Bidder shall identify the key personnel to be assigned to this project in a management, construction supervision or engineering capacity.

1. List each person’s job title, name, and percent of time to be allocated to this project:
   
   JACOB FISTES PM - 100%
   
   DONELLY DUBON SUPERVISOR 100%
   
2. Summarize each person’s specialized education:
   
   JACOB - BUSINESS DEGREE, OSHA CERTIFICATION
   
   DONELLY - OSHA CERTIFIED, LEAD CERTIFIED
   
3. List each person’s years of construction experience relevant to the project:
   
   JACOB - 20 YEARS
   
   DONELLY - 35 YEARS
   
4. Summarize such experience:
   
   JACOB HAS BEEN SUPERVISING AND RUNNING PROJECTS FOR 20 YEARS
   
   DONELLY HAS BEEN SUPERVISING AND RUNNING PROJECTS FOR 35 YEARS

Bidder agrees that personnel named in this Bid will remain on this Project until completion of all relevant Work, unless substituted by personnel of equivalent experience and qualifications approved in advance by the District.

Changes Occurring Since Prequalification

If the District conducted a prequalification and if any substantive changes have occurred since Bidder submitted its prequalification package for this Project, Bidder shall list them below. If none are listed, Bidder certifies that no substantive changes have occurred.

INFORMATION REQUIRED OF BIDDERS

- 31 -
Additional Bidder's Statements:

If the Bidder feels that there is additional information which has not been included in the questionnaire above, and which would contribute to the qualification review, it may add that information in a statement here or on an attached sheet, appropriately marked:

E. VERIFICATION AND EXECUTION

These Bid Forms shall be executed only by a duly authorized official of the Bidder:

I declare under penalty of perjury under the laws of the State of California that the foregoing information is true and correct:

Name of Bidder AJ FISTES CORPORATION

Signature

Name and Title ANASTASIOS FISTES - PRESIDENT

Dated 05.05.2022
ASBESTOS-FREE MATERIALS CERTIFICATION

The undersigned declares that he or she is the person who executed the bid for the (hereinafter referred to as the "Project"), and submitted it to the NEWPORT-MESA UNIFIED SCHOOL DISTRICT (hereinafter referred to as the "District") on behalf of AJ FISTES CORP. (hereinafter referred to as the "Contractor").

To the best of my knowledge, information, and belief, in completing the Contractor's Work for the Project, no material furnished, installed, or incorporated into the Project will contain, or in itself be composed of, any materials listed by the federal or state EPA or federal or state health agencies as a hazardous material.

Any disputes involving the question of whether or not material installed with asbestos-containing equipment is settled by electron microscopy; the cost of any such tests shall be paid by the Contractor.

All work or materials installed by the Contractor which is found to contain asbestos, or work or material installed with asbestos-containing equipment, will be immediately rejected and this work shall be removed and replaced by the Contractor at no additional cost to the District.

Decontamination and removal of work found to contain asbestos, or work installed with asbestos-containing equipment shall be done only under supervision of a qualified consultant, knowledgeable in the field of asbestos abatement and accredited by the Environmental Protection Agency.

The ASBESTOS REMOVAL CONTRACTOR shall be an EPA accredited contractor qualified in the removal of asbestos and shall be chosen and approved by the Asbestos Consultant who shall have sole discretion and final determination in this matter.

The asbestos consultant shall be chosen and approved by the Architect or the District who shall have sole discretion and final determination in this matter. The work will be not accepted until asbestos contamination is reduced to levels deemed acceptable by the Asbestos Consultant.

I declare under penalty of perjury under the laws of the State of Califonia that the foregoing is true and correct.

Executed on this 5 day of MAY 2022 at SAN PEDRO CA.

Name of Bidder AJ FISTES CORPORATION

Signature

Name and Title ANASTASIOS FISTES

Dated 05.05.2022
Notary 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 Los Angeles

On May 5, 2022, before me, Tammie Anzevino, Notary Public, personally appeared Anastacio Silva, 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.

OPTIONAL

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

CAPACITY CLAIMED BY SIGNER

- Individual
- Corporate Officer

Title(s)

- Partner(s)
  - Limited
  - General

Attorney-In-Fact
Trustee(s)
Guardian/Conservator
Other:
Signer is representing:
Name Of Person(s) Or Entity(ies)

DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document

Number of Pages

Date of Document

Signer(s) Other Than Named Above
RECYCLED CONTENT CERTIFICATION

The undersigned declares that he or she is the person who executed the bid for the AJ FISTES CORPORATION (hereinafter referred to as the "Project"), and submitted it to the NEWPORT-MESA UNIFIED SCHOOL DISTRICT (hereinafter referred to as the "District") on behalf of hereinafter referred to as the "Contractor").

Pursuant to Public Contract Code Section 10308.5, all contractors are required to certify in writing under penalty of perjury the minimum (if not exact) percentage of recycled content in materials, goods, or supplies offered or products used in the performance of their contract, regardless of whether the product meets the required recycled product percentage as defined in Sections 12161 and 12200. The recycled content shall include both post-consumer material and secondary material as defined in Public Contract Code Sections 12161 and 12200 shall apply.

I declare under penalty of perjury under the laws of the State of California that the following percentages of Post-consumer Material and Secondary Material is in the materials, goods or supplies offered for, or products used in, the performance of the Contract for the Project:

____________________ % Post consumer Material ____________________ % Secondary Material.

Executed on this ___ day of ___ MAY ____________, 22 at ___ SAN PEDRO CA

______________________________

Name of Bidder AJ FISTES CORPORATION

______________________________

Signature

______________________________

Name and Title ANASTASIOS FISTES

Dated 05.05.2022

RECYCLED CONTENT CERTIFICATION
- 35 -
STATE OF CALIFORNIA
COUNTY OF Los Angeles

On May 5, 2022, before me, Tammie Anezino, Notary Public, personally appeared Anedison Parks, 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.

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

CAPACITY CLAIMED BY SIGNER

☐ Individual
☐ Corporate Officer

Title(s)

☐ Partner(s)
☐ Limited
☐ General

☐ Attorney-In-Fact
☐ Trustee(s)
☐ Guardian/Conservator
☐ Other:

Signer is representing:
Name Of Person(s) Or Entity(ies)

DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document

Number of Pages

Date of Document

Signer(s) Other Than Named Above
CONTRACTOR & SUBCONTRACTOR FINGERPRINTING REQUIREMENTS

CONTRACTOR CERTIFICATION

With respect to the Contract dated ______________ 20__ by and between NEWPORT-MESA UNIFIED SCHOOL DISTRICT ("District") and AJ FISTES CORPORATION ("Contractor"), Contractor hereby certifies to the District's governing board that it has completed the criminal background check requirements of Education Code Section 45125.1 and that none of its employees that may come in contact with District's pupils have been convicted of a violent felony listed in Penal Code section 667.5(c) or a serious felony listed in Penal Code section 1192.7(c).

_____________________________       05.05.2022
Contractor's Representative       Date

CONTRACTOR EXEMPTION

Pursuant to Education Code sections 45125.1 and 45125.2, the NEWPORT-MESA UNIFIED SCHOOL DISTRICT ("District") has determined that ___________________________________________ ("Contractor") is exempt from the criminal background check certification requirements for the Contract dated ______________, 20__ by and between the District and Contractor ("Contract") because:

- The Contractor's employees will have limited contact with District students during the course of the Contract.
- Emergency or exceptional circumstances exist; or
- With respect to contractors constructing, reconstructing, rehabilitating, or repairing a school facility, as provided in Section 45125.2, the Contractor has agreed to ensure the safety of pupils at the school facility by the following method(s) specified in Section 45125.2: ___________________________________________.

_____________________________       ______________________
School District Official       Date

CONTRACTOR & SUBCONTRACTOR FINGERPRINTING REQUIREMENTS

- 37 -
CONTRACTOR & SUBCONTRACTOR FINGERPRINTING REQUIREMENTS

SUBCONTRACTOR'S CERTIFICATION

The NEWPORT-MESA UNIFIED SCHOOL DISTRICT ("District") entered into a Contract for services with AJ FISTES CORPORATION ("Contractor") on or about ________________, 20__ ("Contract"). This certification is submitted by ________________________, a subcontractor to the Contractor for purposes of that Contract ("Subcontractor"). Subcontractor hereby certifies to the District’s governing board that it has completed the criminal background check requirements of Education Code section 45125.1 and that none of its employees that may come in contact with District pupils have been convicted of a violent felony listed in Penal Code section 667.5(c) or a serious felony listed in Penal Code section 1192.7(c).

__________________________  05.05.2022
Subcontractor's Representative  Date

SUBCONTRACTOR'S EXEMPTION

The NEWPORT-MESA UNIFIED SCHOOL DISTRICT ("District") entered into a Contract for services with ____________________________ ("Contractor") on or about ________________, 20__ ("Contract"). Pursuant to Education Code sections 45125.1 and 45125.2, the District has determined that ________________________, a subcontractor to the Contractor for purposes of that Contract ("Subcontractor"), is exempt from the criminal background check certification requirements for the Contract because:

The Subcontractor’s employees will have limited contact with District students during the course of the Contract.

Emergency or exceptional circumstances exist; or

With respect to contractors constructing, reconstructing, rehabilitating, or repairing a school facility, as provided in Section 45125.2, the Contractor and/or Subcontractor have agreed to ensure the safety of pupils at the school facility by the following method(s) specified in Section 45125.2:

__________________________  __________________
School District Official  Date
DRUG-FREE WORKPLACE CERTIFICATION

This Drug-Free Workplace Certification form is part of the Contract made by and between the NEWPORT-MESA UNIFIED SCHOOL DISTRICT (hereinafter referred to as the "District") and AJ FISTES CORPORATION (hereinafter referred to as the "Contractor") for the Project (hereinafter referred to as the "Project"). This form is required from all successful bidders pursuant to the Drug-Free Workplace Act of 1990 (Government Code Section 8350 et seq.) The Drug-Free Workplace Act of 1990 requires that every person or organization awarded a contract or grant for procurement of any property or service from any State agency must certify that it will provide a drug-free workplace by doing certain specified acts. In addition, the Act provides that each contract or grant awarded by a State agency may be subject to suspension of payments or termination, and the contractor or grantee may be subject to debarment from future contracting, if the contracting agency determines that specified acts have occurred.

Pursuant to Government Code Section 8355, every person or organization awarded a contract or grant from a State agency shall certify that it will provide a drug-free workplace by doing all of the following:

A. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in their workplace and specifying actions which will be taken against employees for violations of the prohibition.

B. Establishing a drug-free awareness program to inform employees about all of the following:

1. The dangers of drug abuse in the workplace.

2. The person's or organization's policy of maintaining a drug-free workplace.

3. The availability of drug counseling, rehabilitation, and employee-assistance programs; and

4. The penalties that may be imposed upon employees for drug abuse violations.

C. Requiring that each employee engaged in the performance of the contract or grant be given a copy of the statement required by subdivision "A," and that, as a condition of employment on the contract or grant, the employee agrees to abide by the terms of the statement.

I, the undersigned, agree to fulfill the terms and requirements of the Drug-Free Workplace Act as it now exists or may hereinafter be amended. Particularly, I shall
abide by Government Code Section 8355 when performing the Contract for the Project by:

A. Publishing a statement notifying employees concerning the prohibition of controlled substance at my workplace.

B. Establishing a drug-free awareness program; and

C. Requiring that each employee engaged in the performance of the contract be given a copy of the statement required by Section 8355(a) and agree to abide by the terms of that statement.

I also understand that if the District determines that I have either: (a) made a false certification herein; or (b) violated this certification by failing to carry out the requirements of Section 8355, the Contract awarded herein is subject to termination, suspension of payments, or both. I further understand that if I violate the terms of the Drug-Free Workplace Act of 1990, I may be subject to debarment in accordance with the requirements of the Act.

I acknowledge that I am aware of the provisions of Government Code Section 8350 et seq., and hereby certify that I will adhere to the requirements of the Drug-Free Workplace Act of 1990.

Executed on this 5 2022 day of 5 MAY 2022 at 22 SAN PEDRO CA.

Name of Bidder AJ FISTES CORPORATION

Signature

Name and Title ANASTASIOS FISTES - PRESIDENT

Dated 05.05.22

DRUG FREE WORKPLACE CERTIFICATION
- 40 -
Notary 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 Los Angeles

On May 5, 2022, before me, Tammie Anezino, Notary Public, personally appeared Anastasia Pinto, 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.

OPTIONAL

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

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Title or Type of Document
Number of Pages
Date of Document

Signer(s) Other Than Named Above
CONTRACTOR’S CERTIFICATE REGARDING ALCOHOLIC BEVERAGE AND TOBACCO-FREE CAMPUS POLICY

The Contractor agrees that it will abide by and implement the District’s Alcoholic Beverage and Tobacco-Free Campus Policy, which prohibits the use of alcoholic beverages and tobacco products, of any kind and at any time, in District-owned or leased buildings, on DISTRICT property and in DISTRICT vehicles. The Contractor shall procure signs stating, “ALCOHOLIC BEVERAGE AND TOBACCO USE IS PROHIBITED” and shall ensure that these signs are prominently displayed in all entrances to school property at all times.

AJ FISTES CORPORATION
Contractor Name

Signature

05.05.2022
Date
NON-COLLUSION DECLARATION

The undersigned declares:

I am the __PRESIDENT_____ of __AJ FISTES CORPORATION_____, the party making the foregoing Bid.

The Bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation. The Bid is genuine and not collusive or sham. The Bidder has not directly or indirectly induced or solicited any other Bidder to put in a false or sham bid. The Bidder has not directly or indirectly colluded, conspired, connived, or agreed with any Bidder or anyone else to put in a sham bid, or to refrain from bidding. The Bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the Bid Price of the Bidder or any other Bidder, or to fix any overhead, profit, or cost element of the Bid Price, or of that of any other Bidder. All statements contained in the Bid are true. The Bidder has not, directly, or indirectly, submitted his or her Bid Price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid, and has not paid, and will not pay, any person or entity for such purpose.

Any person executing this declaration on behalf of a Bidder that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that he or she has full power to execute, and does execute, this declaration on behalf of the Bidder.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration is executed on __05.05.2022__ [date], at __SAN PEDRO__ [city], __CA__ [state].

Name of Bidder__AJ FISTES CORPORATION_____

Signature______________________________

Name__ANASTASIOS FISTES_________

Title__PRESIDENT_______________________

NON-COLLUSION DECLARATION

- 43 -
BID BOND

The makers of this bond are, A.J. Fistes Corporation, as Principal, and U.S. Specialty Insurance Company, as Surety and are held and firmly bound unto the NEWPORT-MESA UNIFIED SCHOOL DISTRICT, hereinafter called the District, in the penal sum of TEN PERCENT (10%) OF THE TOTAL BID PRICE of the Principal submitted to District for the work described below, for the payment of which sum in lawful money of the United States, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH that whereas the Principal has submitted the accompanying bid dated May 5th, 2022, for Bid # 124-22 Exterior Painting at Various Sites.

If the Principal does not withdraw its bid within the time specified in the Contract Documents; and if the Principal is awarded the Contract and provides all documents to the District as required by the Contract Documents; then this obligation shall be null and void. Otherwise, this bond will remain in full force and effect.

Surety, for value received, hereby stipulates, and agrees that no change, extension of time, alteration, or addition to the terms of the Contract Documents shall in affect its obligation under this bond, and Surety does hereby waive notice of any such changes.

In the event a lawsuit is brought upon this bond by the District and judgment is recovered, the Surety shall pay all litigation expenses incurred by the District in such suit, including reasonable attorneys' fees, court costs, expert witness fees and expenses.

IN WITNESS WHEREOF, the above-bound parties have executed this instrument under their several seals this 13th day of April, 2022, the name and corporate seal of each corporation.

(Corporate Seal)

A.J. Fistes Corporation  
Contractor/Principal

By:  
Title: PRESIDENT

(Corporate Seal)

U.S. Specialty Insurance Company  
Surety

By:  
Title: Attorney-in-Fact

(Attach Attorney-in-Fact Certificate)

The rate of premium on this bond is N/A per thousand.  
The total amount of premium charges, $0.00.  
(The above must be filled in by corporate attorney)

THIS IS A REQUIRED FORM  
Any claims under this bond may be addressed to:

BID BOND  
- 19 -

61730.00001\33136164.1
(Name and Address of Surety)
U.S. Specialty Insurance Company
801 S. Figueroa St., #700
Los Angeles, CA 90017

(R.S Bonding & Insurance Agency, Inc.
1633 E. 4th Street, Suite 228
Santa Ana, CA 92701

Surety: 1(310) 957-3082
Agent: 1(714) 541-4700
Notary 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 ____________

On _________________, 20__, before me, __________________________________, Notary Public, personally appeared __________________________________, 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 of Notary Public

OPTIONAL

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</table>

Signer is representing:
Name Of Person(s) Or Entity(ies)

Title(s)                  | Title or Type of Document |
----------------------------|----------------------------|
Number of Pages             | Date of Document |

Signer(s) Other Than Named Above

NOTE: This acknowledgment is to be completed for Contractor/Principal.
Notary 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 April 13th, 2022, before me, Erika G. Morgan, Notary Public, personally appeared Matthew R. Dobyns, 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 of Notary Public]

OPTIONAL

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[Signature]

NOTE: This acknowledgment is to be completed for the Attorney-in-Fact. The Power-of-Attorney to local representatives of the bonding company must also be attached.

END OF BID BOND

BID BOND
- 22 -
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

Randy Spohn or Matthew R. Dobyns or Ashley M. Spohn of Santa Ana, California

its true and lawful Attorney(s)-in-fact, each in their separate capacity if more than one is named above, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include riders, amendments, and consents of surety, providing the bond penalty does not exceed $20,000,000.00. This Power of Attorney shall expire without further action on January 31st, 2024. 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 of 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 executed by the Corporate Secretary.

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

IN WITNESS WHEREOF, The Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 23rd day of September, 2021.

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 23rd day of September, 2021, before me, D. Littlefield, 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 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

(seal)

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

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Los Angeles, California this 13th day of April, 2022.

Corporate Seals
Bond No. AJFIS-1972
Agency No. 7721

Kio Lo, Assistant Secretary

visit tmhcc.com/surety for more information
NEWPORT-MESA UNIFIED SCHOOL DISTRICT

ADDENDUM NO. 1
Exterior Painting at Various Sites

BID No. 124.22

NEWPORT MESA UNIFIED SCHOOL DISTRICT
2985 BEAR ST., BLDG.-A
COSTA MESA, CALIFORNIA 92626

April 26, 2022

The following revisions and/or clarifications shall be made to the BID documents for the above-named work. All work described in the original BID documents and all applicable Sections of the original BID documents shall be included in the contract, except as herein modified:

Acknowledgement of this Addendum shall be made below and submitted with the BID submission. If acknowledgement is not made the proposal may be considered non-responsive.


    All other provisions of the BID remain unchanged.

BELOW, PLEASE ACKNOWLEDGE RECEIPT OF THIS ADDENDUM AND SUBMIT IT WITH YOUR PROPOSAL.

Name: [Signature: ____________________________________________________________________________________________]  
Firm Name: [Signature: ____________________________________________________________________________________________]
Address:  1244 N GAFNEY ST.
San Pedro CA 90731
Telephone #: 424.536.3142
Fax #: 424.536.3145

(END OF ADDENDUM NO.1)