BID FORM

NAME OF BIDDER: Newbuild Construction and Restoration, Inc.

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 # 119-22 Window Replacement at Harper Assessment Center

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>TOTAL BID PRICE</td>
<td>One Hundred Thirty Two Thousand Three Hundred Dollars &amp; 0 Cents</td>
<td>132,300.00</td>
</tr>
</tbody>
</table>

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

The undersigned agrees that this Bid Form constitutes a firm offer to the District which cannot be withdrawn for the number of calendar days indicated in the Notice Inviting Bids from and after the bid opening, or until a Contract for the Work is fully executed by the District and a third party, whichever is earlier.

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. N/A from the Bid Bond Bank in the amount of 10%, 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):

- License Number: 1010827
- Expiration Date: 2/29/2024
- Class of License: A, B, C17, C33

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. 0

Addenda No.

Addenda No. 

**BID SCHEDULE**

- 12 -
1. Attached is the required bid security in the amount of not less than 10% of the Total Bid Price.

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

3. Attached is the completed Iran Contracting Act Certificate form.

4. Attached is the completed Public Works Contractor Registration Certification form.

5. Attached is the completed Designation of Subcontractors form.

6. Attached is the completed Information Required of Bidders form.

7. Attached is the Asbestos-Free Material Certification.

8. Attached is the Recycled Content Certification.

9. Attached is the Contractor & Subcontractor Fingerprinting Requirements form.

10. Attached is the Drug-Free Workplace Certificate.

11. Attached is the Contractor's Certificate Regarding Alcoholic Beverage and Tobacco-Free Campus Policy.

12. 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 ____________________________

Name and Title ____________________________

Dated ____________________________
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  Newbuild Construction and Restoration, Inc.
Signature

Name and Title  Maher Kutkut, CEO

Dated  3/24/2022
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: ________________________________

Printed Name: Maher Kutkut

Title: CEO

Firm Name: Newbuild Construction and Restoration, Inc.

Date: 3/24/2022

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: Newbuild Construction and Restoration, Inc.

DIR Registration Number: 1000043210

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: Newbuild Construction and Restoration, Inc.

Signature: ________________________________

Name and Title: Maher Kutkut, CEO

Dated: 3/24/2022
BID BOND

The makers of this bond are, Newbuild Construction and Restoration, Inc., as Principal, and

WESTERN SURETY 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 March 24, 2022, for Bid # 119-22 Window Replacement Harper Assessment Center.

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 24th day of March, 2022, the name and corporate seal of each corporation.

(Corporate Seal)

Newbuild Construction and Restoration, Inc.
Contractor/Principal

By: [Signature]
Title: CEO

(Corporate Seal)

WESTERN SURETY COMPANY
Surety

By: [Signature]
Title: Attorney-in-Fact

(Attach: Attorney-in-Fact Certificate)

The rate of premium on this bond is $0.00 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
- 17 -

61730.0000133136164.1
WESTERN SURETY COMPANY
151 N. Franklin, 17th Floor
Chicago, IL  60606

ANDREW JOSEPH SYSYN
30101 HILLSIDE TERRACE
SAN JUAN CAPISTANO CA 92675

605-336-0850
949-515-4194

BID BOND
- 18 -
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 March 24th, 2022, before me, F. Gina Awkal, Notary Public, personally appeared Maher Kutkut, 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

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

Partner(s)

Title(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

NOTE: This acknowledgment is to be completed for Contractor/Principal.
STATE OF CALIFORNIA  
COUNTY OF ORANGE

On ______ March 24 ______, 2022, before me, Maria Sysyn ________________________, Notary Public, personally appeared ______ Andrew Joseph Sysyn ________________________, 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

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

☐ 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

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
- 20 -
POWER OF ATTORNEY - CERTIFIED COPY

Know All Men By These Presents, that WESTERN SURETY COMPANY, a corporation duly organized and existing under the laws of the State of South Dakota, and having its principal office in Sioux Falls, South Dakota (the "Company"), does by these presents make, constitute and appoint ANDREW JOSEPH SYSYN

its true and lawful attorney(s)-in-fact, with full power and authority hereby conferred, to execute, acknowledge and deliver for and on its behalf as Surety, bonds for:

Principal: Newbuild Construction and Restoration, Inc.

Obligee: Newport Mesa Unified School District

Amount: $1,000,000.00

and to bind the Company thereby as fully and to the same extent as if such bonds were signed by the Vice President, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said attorney(s)-in-fact may do within the above stated limitations. Said appointment is made under and by authority of the following bylaw of Western Surety Company which remains in full force and effect.

"Section 7. All bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile."

If Bond No. 72443700 is not issued on or before midnight of June 24, 2022, all authority conferred in this Power of Attorney shall expire and terminate.

In witness whereof, Western Surety Company has caused these presents to be signed by its Vice President, Paul T. Bruflat, and its corporate seal to be affixed this 24th day of March, 2022.

WESTERN SURETY COMPANY

[Signature]
Paul T. Bruflat, Vice President

STATE OF SOUTH DAKOTA
COUNTY OF MINnehaha

On this 24th day of March, 2022, before me, a notary public, personally appeared Paul T. Bruflat, who being to me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of WESTERN SURETY COMPANY and acknowledged said instrument to be the voluntary act and deed of said corporation.

[Signature]
M. Bent
Notary Public - South Dakota

My Commission Expires March 2, 2026

I the undersigned officer of Western Surety Company, a stock corporation of the State of South Dakota, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable, and furthermore, that Section 7 of the bylaws of the Company as set forth in the Power of Attorney is now in force.

In testimony whereof, I have hereunto set my hand and seal of Western Surety Company this 24th day of March, 2022.

WESTERN SURETY COMPANY

[Signature]
Paul T. Bruflat, Vice President

To validate bond authenticity, go to www.cnasurety.com > Owner/Obligee Services > Validate Bond Coverage.
### DESIGNATION OF SUBCONTRACTORS

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

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.

Required information:
- (a) The Contractor shall list each subcontractor who will perform work or labor or render services to Contractor in or about the work in an amount in excess of one-half of one percent (1/2%) of Contractor's Total Bid Price.
- (b) The portion of the work which will be done by each subcontractor who will perform work or labor or render services to Contractor in or about the work in an amount in excess of one-half of one percent (1/2%) of Contractor's Total Bid Price shall be specified in the Subcontracting Agreement.

In compliance with the Subletting and Subcontracting Fair Practices Act of the Public Contract Code of the State of California, each bidder shall forthwith deliver to the Contractor the name and the location of the place of business (a) CSLB Contractor License Number.

DESIGNATION OF SUBCONTRACTORS
<p>| DIR Registration Number | License Number | CSLB Contractor | Location of Business | Name of Subcontractor | Work to be done by |</p>
<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>
</table>

DESIGNATION OF SUBCONTRACTORS

- 25 -
Name of Bidder: Newbuild Construction and Restoration, Inc.

Signature:

Name and Title: Maher Kutkut, CEO

Dated: 3/24/2022
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: Newbuild Construction and Restoration, Inc.

2.0 Type, if Entity: S Corporation

3.0 Bidder Address: 625 W. Katella Ave, Ste. 27
                   Orange, CA 92867
                   N / A (714) 912-4836
                   Facsimile Number Telephone Number

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

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

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

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

6.1 Date of Incorporation: 4/15/2015

6.2 State of Incorporation: California

6.3 President’s Name: Maher Kutkut

6.4 Vice-President’s Name(s): Maher Kutkut

6.5 Secretary’s Name: Same as Above

6.6 Treasurer’s Name: Same as Above

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

7.1 Date of Organization: N / A

7.2 Name and address of all partners (state whether general or limited partnership):
N / A
8.0 If other than a corporation or partnership, describe organization and name principals:

N/A

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?

General Construction, Framing, Carpentry, Remodeling, Paint, Waterproofing, Glazing, Iron Work, Siding, Plumbing, structural Work

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:

Ganahl Lumber, 1220 E Ball St. Anaheim CA 92805 Phone # (714) 513-2631
HD Supply, 1044 E 4Th St, Santa Ana CA 92701 Phone # (714) 324-5632
Elegant Kitchens and Bath, 1408 E Katella Ave, Orange CA 92867 Phone # (714) 997-3365
Cabinets R Us, 1240 Fee St. Anaheim CA 92807 Phone # (562) 483-6886
SAK Enterprises, 1911 E. Ball Rd. Anaheim CA 92805 Phone # (714) 635-1482

14.0 List Bank References (Bank and Branch Address):

Bank of America
941 N Tustin St, Orange, CA 92867
Phone # (714) 778-7255

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

Western Surety Company
Artisan Bonding & Ins. Services, LLC / Andrew Sysyn
3101 Hillside Terrace
San Juan Capistrano CA 92675

INFORMATION REQUIRED OF BIDDERS
- 26 -
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>Greenhouse Gate Replacement at Santa Ana College</td>
<td>Replace steel Gates</td>
<td>March 2022</td>
<td>$33,100.00</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>Newport-Mesa District</td>
<td>Siding installation &amp; parking lot improvements</td>
<td>4 Month</td>
<td>$365</td>
</tr>
<tr>
<td>Santiago Community College District</td>
<td>Soft Repair and CDC Post Repairs</td>
<td>2 Month</td>
<td>$245K</td>
</tr>
<tr>
<td>City of Cerritos</td>
<td>Cerritos Senior Center Carpentry Maintenance</td>
<td>1 Month</td>
<td>$156K</td>
</tr>
<tr>
<td>Long Beach Unified School District</td>
<td>Fencing &amp; Site Improvement</td>
<td>2 Month</td>
<td>$346K</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:
   - Maher Kutkut Field Manager
   - Ahmad ELHalwani Supervisor
   - Jorge Mejia Foreman

2. Summarize each person’s specialized education:
   - Maher Kutkut College Graduate with 4 Construction Licenses
   - AHmand ELHalwani Constructin Trade School
   - Jorge Mejia Construction Trade School

3. List each person’s years of construction experience relevant to the project:
   - Maher Kutkut 20 Years of Experience
   - Ahmad ELHalwani 33 Years of Experience
   - Jorge Mejia 29 Years of Experience

4. Summarize such experience:
   - Our Construction Staff is very experienced in the construction business and they are responsible for supervising the Workers and making sure that the Job is executed according to specification with attention to details, while maintaining a safe work environment

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.

N/A

INFORMATION REQUIRED OF BIDDERS

- 29 -
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  Newbuild Construction and Restoration, Inc.

Signature  

Name and Title  Maher Kutkut / CEO

Dated  3/24/2022
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 Newbuild Construction (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 California that the foregoing is true and correct.

Executed on this 24th day of March, 2022 at Orange, California.

Name of Bidder Newbuild Construction and Restoration, Inc.

Signature

Name and Title Maher Kutkut / CEO

Dated 3/24/2022
Notary Acknowledgment

STATE OF CALIFORNIA
COUNTY OF Orange

On March 24th, 2022, before me, F. Gina Awkal, Notary Public, personally appeared Maher Kutkut, 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

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
- Partner(s)
  - Limited
  - General
- Attorney-In-Fact
- Trustee(s)
- Guardian/Conservator
- Other:
  Name Of Person(s) Or Entity(ies)

DESCRIPTION OF ATTACHED DOCUMENT

Title(s)

Title or Type of Document

Number of Pages

Date of Document

Signer(s) Other Than Named Above

ASBESTOS-FREE MATERIALS CERTIFICATION
The undersigned declares that he or she is the person who executed the bid for the Window Replacement Harper Assessment Center (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:

0 % Post consumer Material 0 % Secondary Material.

Executed on this 24th day of March 2022, 20 at Orange.

Name of Bidder Newbuild Construction and Restoration, Inc.

Signature

Name and Title Maher Kutkut / CEO

Dated 3/24/2022
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 Orange

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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

OPT optional

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CONTRACTOR & SUBCONTRACTOR FINGERPRINTING REQUIREMENTS

CONTRACTOR CERTIFICATION

With respect to the Contract dated March 24th, 2022 by and between NEWPORT-MESA UNIFIED SCHOOL DISTRICT ("District") and __________________________ ("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).

___________________________ 3/24/2022
Maher Kutkut
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
- 35 -
SUBCONTRACTOR'S CERTIFICATION

The NEWPORT-MESA UNIFIED SCHOOL DISTRICT ("District") entered into a Contract for services with ________________________________ ("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).

Subcontractor's Representative Date

SUBCONTRACTOR'S EXEMPTION

The NEWPORT-MESA UNIFIED SCHOOL DISTRICT ("District") entered into a Contract for services with N/A ________________________________ ("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

CONTRACTOR & SUBCONTRACTOR FINGERPRINTING REQUIREMENTS
- 36 -
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 Newbuild Construction and Restoration, Inc. (hereinafter referred to as the "Contractor") for the Harper Window Replacement 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:

DRUG FREE WORKPLACE CERTIFICATION

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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 24th day of March, 2022, at Orange, California.

Name of Bidder: Newbuild Construction and Restoration, Inc

Signature: [Signature]

Name and Title: Maher Kutkut

Dated: 3/24/2022
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 Orange

On March 24th, 2022, before me, F. Gina Awkal, Notary Public, personally appeared Maher Kutkut, 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

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

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Signer(s) Other Than Named Above

DRUG FREE WORKPLACE CERTIFICATION
- 39 -
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.

Newbuild Construction and Restoration, Inc.
Contractor Name

[Signature]

3/24/2022
Date
NON-COLLUSION DECLARATION

The undersigned declares:

I am the [CEO] of [Newbuild Construction], 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 [3/24/2022] [date], at [Orange] [city], [California] [state].

Name of Bidder, Newbuild Construction and Restoration, Inc.

Signature ____________________________

Name ________________________________

Title ________________________________

61730.00001\33136164.1