BID FORM

NAME OF BIDDER: Nakae & Associates, 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 # 131-22 Field Irrigation Renovation

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 + ALLOWANCE</td>
<td>Four Hundred Six Thousand Four Hundred Dollars and 00/100</td>
<td>$406,400.00</td>
</tr>
</tbody>
</table>

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

If the Contract Documents specify alternate bid items, the following Alternate Bid amounts shall be added to or deducted from the Total Bid Price entered above (please check the appropriate box), at the District’s sole option. The District can choose to include one or more of the Alternate Bids in the Project. If any of the Alternate Bids are selected by the District, the resulting amount shall be added to or deducted from 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>BID PRICE (IN WRITTEN FORM)</th>
<th>BID PRICE (IN NUMBERS)</th>
</tr>
</thead>
<tbody>
<tr>
<td>ALTERNATE #1 Per Special conditions Article 3 Add ☒ Deduct ☐</td>
<td>One Hundred Twenty Three Thousand Eight Hundred Forty and 00/100</td>
<td>$123,840.00</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 $__________, 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 ___ , 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):

575728 / Expires 8/31/2023 / C27 A

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

BID SCHEDULE
- 12 -
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. 1
Addenda No. 
Addenda No.

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.

BID SCHEDULE
- 13 -
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  Nakae & Associates, Inc.

Signature

Name and Title  Kevin P. Kirchner, Vice President

Dated  5/25/22
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  Nakae & Associates, Inc.

Signature

Name and Title  Kevin P. Kirchner, Vice President

Dated  5/6/02

CONTRACTOR'S CERTIFICATE REGARDING WORKERS' COMPENSATION
- 15 -
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: Kevin P. Kirchner

Title: Vice President

Firm Name: Nakae & Associates, Inc.

Date: 5/5/22

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: Nakae & Associates, Inc.

DIR Registration Number: 1000010742

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 _______ Nakae & Associates, Inc.______

Signature

Name and Title _______ Kevin P. Kirchner, Vice President______

Dated ___________
BID BOND

The makers of this bond are, Nakae & Associates, Inc., as Principal, and The Ohio Casualty 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 __05/25____, 2022, for Bid # 131-22 Field Irrigation Renovation.

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 __17th__ day of __May__ __20__, 2022, the name and corporate seal of each corporation.

(Corporate Seal)

Nakae & Associates, Inc.

Contractor/Principal

By: ____________________________

Title: Kevin P. Kirchner, Vice President

The Ohio Casualty Insurance Company

Surety

By: ____________________________

Title: Jodie Lee Doner, Attorney-in-fact

(Corporate Seal)

(Attach Attorney-in-Fact Certificate)

The rate of premium on this bond is __15.84/9.57__ per thousand.
The total amount of premium charges, __$____ Incl.______________
(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
- 18 -
(Name and Address of Surety)

The Ohio Casualty Insurance Company
790 The City Drive S, STE 200 Orange, CA, 92868

(Name and Address of Agent or
Representative for service of
process in California, if different
from above)

(Telephone number of Surety and
Agent or Representative for service
of process in California)

858-255-3988
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.

**please see attached acknowledgment.**

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

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 Contractor/Principal.

BID BOND
- 20 -
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. * Please see attached acknowledgment

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

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.

<table>
<thead>
<tr>
<th>CAPACITY CLAIMED BY SIGNER</th>
<th>DESCRIPTION OF ATTACHED DOCUMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ Individual</td>
<td>□ Title or Type of Document</td>
</tr>
<tr>
<td>□ Corporate Officer</td>
<td>□ Number of Pages</td>
</tr>
<tr>
<td>□ Partner(s)</td>
<td>□ Date of Document</td>
</tr>
<tr>
<td>□ Limited</td>
<td></td>
</tr>
<tr>
<td>□ General</td>
<td></td>
</tr>
<tr>
<td>□ Attorney-In-Fact</td>
<td></td>
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<tr>
<td>□ Trustee(s)</td>
<td></td>
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<tr>
<td>□ Guardian/Conservator</td>
<td></td>
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<tr>
<td>□ Other:</td>
<td></td>
</tr>
<tr>
<td>Signer is representing:</td>
<td></td>
</tr>
<tr>
<td>Name Of Person(s) Or Entity(ies)</td>
<td></td>
</tr>
</tbody>
</table>

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
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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

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

State of California
County of Orange

On 05/18/2022 before me, Courtney Masamitsu, Notary Public,

Date

personally appeared Kevin P. Kirchner

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Signature of Notary Public

--- OPTIONAL ---

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document
Title or Type of Document: Bid Bond
Document Date: 05/17/2022

Number of Pages: 2

Signer(s) Other Than Named Above: Jodie Lee Doner

Capacity(ies) Claimed by Signer(s)
Signer’s Name: Kevin P. Kirchner

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


Signer’s Name:

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

Signer Is Representing:
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

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

State of California
County of Ventura

On 03/12/2022 before me, Andrea Fisher, Notary Public
personally appeared Jodie Lee Doner

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

Place Notary Seal and/or Stamp Above

Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

<table>
<thead>
<tr>
<th>Description of Attached Document</th>
</tr>
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| Signer(s) Other Than Named Above: |

<table>
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<tr>
<th>Capacity(ies) Claimed by Signer(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Signer’s Name:</td>
</tr>
<tr>
<td>□ Corporate Officer – Title(s):</td>
</tr>
<tr>
<td>□ Partner – □ Limited □ General</td>
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<td>□ Trustee □ Guardian of Conservator</td>
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<tr>
<td>□ Other:</td>
</tr>
<tr>
<td>Signer is Representing:</td>
</tr>
</tbody>
</table>

| Signer’s Name:                     |
| □ Corporate Officer – Title(s):    |
| □ Partner – □ Limited □ General    |
| □ Individual □ Attorney in Fact    |
| □ Trustee □ Guardian of Conservator |
| □ Other:                           |
| Signer is Representing:            |

©2017 National Notary Association
This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company
Certificate No: 8200702-972032

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the “Companies”), pursuant to and by authority herein set forth, does hereby name, constitute and appoint Michael Cresswell, Jodie Lee Doner, Megan B. Gaines, Tim McClain

all of the city of Westlake Village state of California each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by he secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this ___ 8th ___ day of ___ March ___ , 2019 ___.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company
By:

David M. Carey, Assistant Secretary

State of PENNSYLVANIA
County of MONTGOMERY

On this ___ 8th ___ day of ___ March ___ , 2019 ___ before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes herein contained by signing on behalf of the corporations as a duly authorized officer.

IN WITNESS WHEREOF, I have heretounto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.

Notarial Seal
Teresa Pastella, Notary Public
Upper Merion Twp., Montgomery County
My Commission Expires March 28, 2021

COMMONWEALTH OF PENNSYLVANIA

By:

Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:


Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.


Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation – The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization – By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have heretounto set my hand and affixed the seals of said Companies this ___ 17th ___ day of ___ May ___ , 2022 ___.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company
By:

Renee C. Llewellyn, Assistant Secretary

Not valid for mortgage, note, bond, letter of credit, currency rate, interest rate or residual value guarantees.
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>
</tr>
</thead>
<tbody>
<tr>
<td>Labor</td>
<td>Ecological Restoration Solutions, Inc.</td>
<td>3943 Irvine Blvd., #165 Irvine, CA. 92602</td>
<td>823874</td>
<td>1000010749</td>
</tr>
</tbody>
</table>

DESIGNATION OF SUBCONTRACTORS

- 22 -
<table>
<thead>
<tr>
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<th>Location of Business</th>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Name of Bidder: Nakae & Associates, Inc.

Signature: [Signature]

Name and Title: Kevin P. Kirchner, Vice President

Dated: 5/6/69

DESIGNATION OF SUBCONTRACTORS
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: Nakae & Associates, Inc.

2.0 Type, if Entity: Corporation

3.0 Bidder Address: 11159 Jeffrey Rd.
Irvine, CA 92602

949-786-2585 949-786-0405
Facsimile Number Telephone Number

4.0 How many years has Bidder’s organization been in business as a Contractor? 38 years

5.0 How many years has Bidder’s organization been in business under its present name? 38 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: 04/29/1989

6.2 State of Incorporation: California

6.3 President’s Name: Russell Nakae

6.4 Vice-President’s Name(s): Kevin P. Kirchner

6.5 Secretary’s Name: Patricia Nakae

6.6 Treasurer’s Name: Patricia Nakae

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

INFORMATION REQUIRED OF BIDDERS
- 26 -
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?_________
Landscape and irrigation installation and maintenance.

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:
Imperial Sprinkler Supply / Mr. Wally Goan / 949-456-0028
S&S Seeds / Ms. Jody Miller / 805-684-0436
Tree of Life Nursery / Mr. Mike Evans / 949-728-0685

14.0 List Bank References (Bank and Branch Address):________________________
Pacific Western Bank
101 S. Chestnut St.
Ventura, CA 93001
Mr. Mike Blanda / 805-322-9383

15.0 Name of Bonding Company and Name and Address of Agent:
Liberty Mutual Surety / Arthur J. Gallagher & Co. Insurance Brokers
21820 Burbank Blvd., Suite 175
Woodland Hills, CA 91367
Ms. Jodie Doner / 805-367-3338

INFORMATION REQUIRED OF BIDDERS
- 27 -
**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>Five Point Communities</td>
<td>Irvine - Wildlife Corridor</td>
<td>2025</td>
<td>$3,100,057.00</td>
</tr>
<tr>
<td>Puente Hills Habitat Preservation Authority</td>
<td>Native habitat restoration sites</td>
<td>2025</td>
<td>$ 658,773.00</td>
</tr>
<tr>
<td>Rancho Mission Viejo Company</td>
<td>Multiple native habitat restoration projects</td>
<td>2024</td>
<td>$1,482,529.00</td>
</tr>
<tr>
<td>Forest Lawn Memorial Parks</td>
<td>Multiple native habitat projects</td>
<td>2024</td>
<td>$ 380,850.00</td>
</tr>
<tr>
<td>Irvine Community Development Co.</td>
<td>Native habitat restoration - PA6</td>
<td>2024</td>
<td>$ 193,318.00</td>
</tr>
<tr>
<td>Shea Homes</td>
<td>Native habitat restoration - 2 sites</td>
<td>2024</td>
<td>$ 166,714.00</td>
</tr>
<tr>
<td>Glenn Lukos Associates, Inc.</td>
<td>Multiple native habitat restoration sites</td>
<td>2022</td>
<td>$ 89,820.00</td>
</tr>
<tr>
<td>The Nature Conservancy</td>
<td>Native habitat restoration</td>
<td>2022</td>
<td>$ 965,349.00</td>
</tr>
<tr>
<td>Waste Management</td>
<td>El Sobrante Landfill Habitat Restoration</td>
<td>on-going</td>
<td>$ 60,214.00</td>
</tr>
<tr>
<td>LSA Associates, Inc.</td>
<td>Monterey - native habitat restoration</td>
<td>2024</td>
<td>$ 435,774.00</td>
</tr>
<tr>
<td>Natural Communities Coalition</td>
<td>Multiple native habitat restoration sites</td>
<td>2023</td>
<td>$ 258,658.00</td>
</tr>
<tr>
<td>City of Lake Elsinore</td>
<td>Native habitat restoration</td>
<td>2024</td>
<td>$ 196,633.00</td>
</tr>
<tr>
<td>Five Point Communities</td>
<td>Agua Chion Corridor Mitigation</td>
<td>2023</td>
<td>$ 148,597.00</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>Irvine Community Development Company</td>
<td>Installation of irrigation systems and planting</td>
<td>2018 - 2019</td>
<td>$606,878.00</td>
</tr>
<tr>
<td>Five Point Communities</td>
<td>Installation of irrigation systems, seeding, &amp; planting</td>
<td>2019 - 2021</td>
<td>$3,929,968.00</td>
</tr>
<tr>
<td>Applied Medical</td>
<td>Irrigation system retrofit</td>
<td>2019 - 2020</td>
<td>$36,225.00</td>
</tr>
<tr>
<td>DBaC, Inc.</td>
<td>Irrigation retrofit and landscape installation</td>
<td>2021</td>
<td>$60,110.00</td>
</tr>
<tr>
<td>Shea Homes, Inc.</td>
<td>Irrigation and landscaping</td>
<td>2019 - 2020</td>
<td>$40,000.00</td>
</tr>
<tr>
<td>UCI</td>
<td>Irrigation repair and replacement</td>
<td>2021</td>
<td>$39,200.00</td>
</tr>
</tbody>
</table>

Note: We have completed over 20 different school/field renovations for the Saddleback Valley Unified School District, but they were completed between 10 to 17 years ago. We also have previously completed field renovations for Capistrano Unified School District back in the early 2000's.
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:
   - Kevin P. Kirchner, Vice President/General Manager - 20%
   - Robert K. Johnson, Superintendent - 75%
   - Eddie Rangel, Maintenance Superintendent - 25%

2. Summarize each person's specialized education:
   - Kevin P. Kirchner: C27 License, CLCA Certified, QAL License
   - Eddie Rangel: QAL License, CalOSHA 10 Hr.

3. List each person's years of construction experience relevant to the project:
   - Kevin P. Kirchner - 40 years
   - Robert K. Johnson - 43 years
   - Eddie Rangel - 41 years

4. Summarize such experience:
   - Kevin P. Kirchner: Nakae/28 yrs, Valley Crest Lndscp/1 yr, Bemus/1 yr, California Lndscp/10 yrs.
   - Robert K. Johnson: Nakae/28 yrs, Bemus/12 yrs, Valley Crest Lndscp/1 yr, California Lndscp 2 yrs.
   - Eddie Rangel: Nakae/15 yrs, Valley Crest Lndscp/24 yrs, Bemus/2 yrs.

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

- 30 -
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  Nakae & Associates, Inc.  

Signature  

Name and Title  Kevin P. Kirchner, Vice President  

Dated  

INFORMATION REQUIRED OF BIDDERS

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61730.00001\008736164.1
ASBESTOS-FREE MATERIALS CERTIFICATION

The undersigned declares that he or she is the person who executed the bid for the "Field Irrigation Renovation" (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 Nakae & Associates, Inc. (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 25th day of May, 2022 at Irvine, CA.

Name of Bidder Nakae & Associates, Inc.

Signature

Name and Title Kevin P. Kirchner, Vice President

Dated 3/5/22
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 May 25, 2022, before me, Courtney Masamitsu, Notary Public, personally appeared Kevin P. Kirchner, 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

[Signature]

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
☐ Vice President
☐ Partner(s)
☐ Limited
☐ General
☐ Attorney-In-Fact
☐ Trustee(s)
☐ Guardian/Conservator
☐ Other:
Signer is representing:
Name Of Person(s) Or Entity(ies)

Nakae & Associates, Inc.

DESCRIPTION OF ATTACHED DOCUMENT

Asbestos-Free Materials Certification
Title or Type of Document

Number of Pages

May 25, 2022
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 "Field Irrigation Renovation" (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 25th day of May, 2022 at Irvine, CA ____________________________

Name of Bidder  Nakae & Associates, Inc. ____________________________

Signature ____________________________

Name and Title  Kevin P. Kirchner, Vice President ____________________________

Dated ____________________________

61730.0000133136164.1
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 May 25, 2022, before me, Courtney Masamitsu, Notary Public, personally appeared Kevin P. Kirchner, 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

COURTNEY MASAMITSU
Notary Public - California
Orange County
Commission # 2247972
My Comm. Expires Jul 26, 2022

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
  - Vice President

- Partner(s)
- Limited
- General

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

Nakae & Associates, Inc.

<table>
<thead>
<tr>
<th>CAPACITY CLAIMED BY SIGNER</th>
<th>DESCRIPTION OF ATTACHED DOCUMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corporate Officer</td>
<td>Recycled Content Certification</td>
</tr>
<tr>
<td>Vice President</td>
<td>Title Or Type of Document</td>
</tr>
<tr>
<td>Partner(s)</td>
<td>Limited</td>
</tr>
<tr>
<td>General</td>
<td></td>
</tr>
<tr>
<td>Attorney-In-Fact</td>
<td></td>
</tr>
<tr>
<td>Trustee(s)</td>
<td></td>
</tr>
<tr>
<td>Guardian/Conservator</td>
<td></td>
</tr>
<tr>
<td>Other:</td>
<td></td>
</tr>
<tr>
<td>Signer is representing:</td>
<td></td>
</tr>
<tr>
<td>Name Of Person(s) Or Entity(ies)</td>
<td></td>
</tr>
</tbody>
</table>

Recycled Content Certification

- Title Or Type of Document
- Number of Pages
- Date of Document
- Signer(s) Other Than Named Above

May 25, 2022

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 ________________ ("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).

______________________________  ______________________
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

61730.0000133136164.1
CONTRACTOR & SUBCONTRACTOR FINGERPRINTING REQUIREMENTS

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 _____________________ ("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 Nakae & Associates, Inc. (hereinafter referred to as the "Contractor") for the "Field Irrigation Renovation" 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

DRUG FREE WORKPLACE CERTIFICATION

- 38 -
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 ___________ day of __________, 2022 at __________, CA __________.

Name of Bidder  Nakae & Associates, Inc.

Signature  

Name and Title  Kevin P. Kirchner, Vice President

Dated  5/8/22

DRUG FREE WORKPLACE CERTIFICATION
STATE OF CALIFORNIA
COUNTY OF Orange

On May 25, 2022, before me, Courtney Masamitsu, Notary Public, personally appeared Kevin P. Kirchner, 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
  - Vice President
- Partner(s)
- Attorney-In-Fact
- Trustee(s)
- Guardian/Conservator
- Other:
  - Signer is representing:
    - Name Of Person(s) Or Entity(ies)

Nakae & Associates, Inc.

DESCRIPTION OF ATTACHED DOCUMENT

- Drug Free Workplace Certification
  - 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.

Nakae & Associates, Inc.
Contractor Name

Signature

Date

5/28/22
NON-COLLUSION DECLARATION

The undersigned declares:

I am the _____ Vice President _____ of _____ Nakae & Associates, Inc. ________, the party making the foregoing Bid.

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

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

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration is executed on 5/25/2022 [date], at _________ Irvine ________ [city], _________ California _________ [state].

Name of Bidder _____ Nakae & Associates, Inc. ______________

Signature ______________

Name _____ Kevin P. Kirchner ______________

Title _____ Vice President ______________
SPECIAL CONDITIONS

ARTICLE 1 - GENERAL

This Section supplements and/or modifies certain provisions of the General Conditions and both General and Supplementary Conditions shall be deemed to be a part of every Specifications Section, as if wholly embodied and repeated in every Section. The CONTRACTOR and subcontractor shall be held to have read and thoroughly familiarized themselves with their content.

ARTICLE 2 - $25,000 ALLOWANCE FOR UNFORSEEN CONDITIONS WITH UNIT PRICES

Provide a $25,000 allowance to be used at the discretion of the DISTRICT for unforeseen conditions. All work pertaining to the allowance must be approved by the DISTRICT. If work authorized is less than the allowance, a deductive change order will be issued. Work to be directed by the DISTRICT. The allowance shall be listed as a line item on the CONTRACTOR’S schedule of values.

Provide unit prices for the following conditions on the bid form; unit price shall be fully encumbered to include all labor, equipment, materials, general conditions, and contractor markup for listed work. Assume quantities as described below and include cost in the base bid. Work must be verified prior to performance and approved in writing by the District.

<table>
<thead>
<tr>
<th>Description</th>
<th>Unit Price</th>
<th>Unit</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) Remove and replace 3” asbestos (Transite) main line and install new 3” pipe per specifications.</td>
<td>$70.00</td>
<td>LF</td>
</tr>
<tr>
<td>2) Saw cut asphalt, trench, refill, compact and repair asphalt to expose and replace damaged irrigation main line.</td>
<td>$120.00</td>
<td>LF</td>
</tr>
<tr>
<td>3) Hydroseede per specifications.</td>
<td>$0.10</td>
<td>SF</td>
</tr>
<tr>
<td>4) Install sod thick cut Bermuda, Latitude 36.</td>
<td>$1.00</td>
<td>SF</td>
</tr>
</tbody>
</table>

ARTICLE 3 - ADD ALTERNATE REMOVAL AND REPLACEMENT OF 3” ASBESTOS (TRANSITE) MAIN LINE AT TEWINKLE INTERMEDIATE SCHOOL

Contractor to provide as an add alternate on the bid form all labor and materials for the removal and replacement of the 3” asbestos (Transite) main line per plan on TeWinkle Site Plan page Li-5. Work to include backfill, compaction of soil and asphalt repair.

ARTICLE 4 - UNDERGROUND UTILITY LOCATING

Contractor is responsible for underground utility location prior to mobilization. Contractor shall coordinate with underground utility location sub-contractor to verify location and depth of utilities in the contractor’s area of work. Contractor will be responsible for repairing any and all utilities damaged as a result of the contractor’s work.

END OF SPECIAL CONDITIONS

SPECIAL CONDITIONS

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NEWPORT-MESA UNIFIED SCHOOL DISTRICT

ADDENDUM NO. 1
Field Irrigation Renovation

BID No. 131-22

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

May 24, 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.

1. **Change: Change bid opening date to Thursday June 2, 2022 at 2:00 PM**

All other provisions of the BID remain unchanged.

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

Name: Kevin P. Kirchner
Signature:  
Firm Name: Nakae & Associates, Inc.
Address: 11159 Jeffrey Road
Irvine, CA 92602
Telephone #: (949) 786-0405
Fax #: (949) 786-2585

(END OF ADDENDUM NO.1)
CORPORATE RESOLUTION

I, Patricia Nakae, Secretary of Nakae & Associates, Inc. (the “Corporation”), hereby certify that the Corporation is organized and existing under and by virtue of the laws of the State of California as a corporation with its principal office at 11159 Jeffrey Road, Irvine, CA 92602, and is duly authorized to transact business in the State of California.

I further certify that at a meeting of the Directors of the Corporation, duly called and held on August 25, 2003, at which a quorum was present and voting, or by other authorized corporate action in lieu of a meeting, the following resolution was adopted.

Be it resolved, that Russell Nakae (President), Patricia Nakae (Secretary/Treasurer), Robert K. Johnson (Vice President) and Kevin P. Kirchner (Vice President), agents for this Corporation, are acting for and on behalf of the Corporation and as its act and deed be, are hereby authorized and empowered to sign any required documents on behalf of the Corporation.

I further certify that the agents named above are duly appointed by and for the Corporation, as the case may be, that the foregoing Resolution now stands of record on the books of the Corporation; and that the Resolution is in full force and effect and has not been modified or revoked in any manner whatsoever.

Dated: August 25, 2003

By: Patricia Nakae, Secretary/Treasurer