

**REVISED BID FORM AND PROPOSAL**

To: Governing Board of the Oxnard Union High School District ("District" or "Owner")

From: Byrom-Davey, Inc.

(Proper Name of Bidder)

The undersigned declares that Bidder has read and understands the Contract Documents, including, without limitation, the Notice to Bidders and the Instructions to Bidders, and agrees and proposes to furnish all necessary labor, materials, and equipment to perform and furnish all work in accordance with the terms and conditions of the Contract Documents, including, without limitation, the Drawings and Specifications of

Bid No. **635** ("Project" or "Contract") and will accept in full payment for that Work the following total lump sum amount, all taxes included:

**ADOLFO CAMARILLO HS & HUENEME HS Stadium Bleachers, Lighting & Sound System (ACHS "visitors" bleachers and HHS "home" bleachers):**

Six million, One hundred eighty five dollars \$ 6,185,027.<sup>00</sup>  
**BASE BID** thousand, twenty-Seven

***Bidder acknowledges and agrees that the Base Bid accounts for any and all costs.***

- A. The undersigned has reviewed the Work outlined in the Contract Documents and fully understands the scope of Work required in this Proposal, understands the construction and project management function(s) is described in the Contract Documents, and that each Bidder who is awarded a contract shall be in fact a prime contractor, not a subcontractor, to the District, and agrees that its Proposal, if accepted by the District, will be the basis for the Bidder to enter into a contract with the District in accordance with the intent of the Contract Documents.
- B. The undersigned has notified the District in writing of any discrepancies or omissions or of any doubt, questions, or ambiguities about the meaning of any of the Contract Documents, and has contacted the Construction Manager before bid date to verify the issuance of any clarifying Addenda.
- C. The undersigned agrees to commence work under this Contract on the date established in the Contract Documents and to complete all work within the time specified in the Contract Documents.
- D. The liquidated damages clause of the General Conditions and Agreement is hereby acknowledged.
- E. It is understood that the District reserves the right to reject this bid and that the bid shall remain open to acceptance and is irrevocable for a period of ninety (90) days.
- F. The following documents are attached hereto:

**BID NUMBER 635  
ACHS & HHS Stadium Bleachers,  
Lighting & Sound System**

**OXNARD UNION HIGH SCHOOL DISTRICT  
GENERAL CONDITIONS  
Revised 9-15-2020**

**ADDENDA ACKNOWLEDGEMENT FORM**  
**BID NO. 635**

**ADOLFO CAMARILLO HS & HUENEME HS STADIUM BLEACHERS, LIGHTING &  
SOUND SYSTEM**

To: Governing Board of the Oxnard Union High School District ("District" or "Owner")

From: Byrom-Davey, Inc.

(Proper Name of Bidder)

A. Receipt and acceptance of the following Addenda is hereby acknowledged:

**ACHS HS Bleachers – A#03-120480**

**ACHS HS Lighting – A#03-120336**

Addendum No. 1 <u>August 7, 2020</u>	Addendum No. 1 <u>August 7, 2020</u>
Addendum No. 2 <u>September 16, 2020</u>	Addendum No. 2 <u>September 16, 2020</u>
Addendum No. 3 <u>September 29, 2020</u>	Addendum No. 3 <u>September 29, 2020</u>
Addendum No. 4 <u>October 12, 2020</u>	Addendum No. 4 <u>October 12, 2020</u>

**HHS HS Bleachers – A#03-120507**

**HHS HS Lighting – A#03-120337**

Addendum No. 1 <u>August 7, 2020</u>	Addendum No. 1 <u>August 7, 2020</u>
Addendum No. 2 <u>September 16, 2020</u>	Addendum No. 2 <u>September 16, 2020</u>
Addendum No. 3 <u>September 29, 2020</u>	Addendum No. 3 <u>September 25, 2020</u>
Addendum No. 4 <u>October 12, 2020</u>	Addendum No. 4 <u>October 12, 2020</u>

Dated this 12th day of October 20 20

Name of Bidder: Byrom-Davey, Inc.

Signed by:  Steve Davey

END OF DOCUMENT

**BID NUMBER 635**  
**ACHS & HHS Stadium Bleachers,**  
**Lighting & Sound System**

**OXNARD UNION HIGH SCHOOL**  
**DISTRICT**  
**GENERAL CONDITIONS**

- Bid Bond on the District's form or other security
- Designated Subcontractors List
- Site Visit Certification
- Non-Collusion Declaration
- Iran Contracting Act Certification (for bids of \$1 million or more)

G. Receipt and acceptance of the following Addenda is hereby acknowledged for **ACHS**:

No. <u>1</u> , Dated <u>August 7, 2020</u>	No. <u>4</u> , Dated <u>10/12/2020</u>
No. <u>2</u> , Dated <u>September 16, 2020</u>	No. _____, Dated _____
No. <u>3</u> , Dated <u>9/29/2020</u>	No. _____, Dated _____

H. Receipt and acceptance of the following Addenda is hereby acknowledged for **HHS**:

No. <u>1</u> , Dated <u>August 7, 2020</u>	No. <u>4</u> , Dated <u>10/12/2020</u>
No. <u>2</u> , Dated <u>September 16, 2020</u>	No. _____, Dated _____
No. <u>3</u> , Dated <u>September 25, 2020</u>	No. <u>3</u> , Dated <u>September 29, 2020</u>

- I. Bidder acknowledges that the license required for performance of the Work is: A or B
- J. Bidder hereby certifies that Bidder is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed on the Work.
- K. Bidder specifically acknowledges and understands that if it is awarded the Contract, that it shall perform the Work of the Project while complying with all requirements of the Department of Industrial Relations.
- L. Bidder hereby certifies that its bid includes sufficient funds to permit Bidder to comply with all local or state labor laws or regulations during the Project, including payment of prevailing wage, and that Bidder will comply with the provisions of Labor Code section 2810(d) if awarded the Contract
- M. Bidder agrees to comply with all requirements of the Project Labor Agreement.
- N. Bidder represents that it is competent, knowledgeable, and has special skills with respect to the nature, extent, and inherent conditions of the Work to be performed. Bidder further acknowledges that there are certain peculiar and inherent conditions



existent in the construction of the Work that may create, during the Work, unusual or peculiar unsafe conditions hazardous to persons and property.

- O. Bidder expressly acknowledges that it is aware of such peculiar risks and that it has the skill and experience to foresee and to adopt protective measures to adequately and safely perform the Work with respect to such hazards.
- P. Bidder expressly acknowledges that it is aware that if a false claim is knowingly submitted (as the terms "claim" and "knowingly" are defined in the California False Claims Act, Gov. Code, § 12650 et seq.), the District will be entitled to civil remedies set forth in the California False Claim Act. It may also be considered fraud and the Contractor may be subject to criminal prosecution.
- Q. The undersigned Bidder certifies that it is, at the time of bidding, and shall be throughout the period of the Contract, licensed by the State of California to do the type of work required under the terms of the Contract Documents and registered as a public works contractor with the Department of Industrial Relations. Bidder further certifies that it is regularly engaged in the general class and type of work called for in the Contract Documents.

Furthermore, Bidder hereby certifies to the District that all representations, certifications, and statements made by Bidder, as set forth in this bid form, are true and correct and are made under penalty of perjury.

Dated this 12th day of October 20 20

Name of Bidder: Byrom-Davey, Inc.

Type of Organization: Corporation

Signed by: Steve Davey

Title of Signer: President & Secretary

Address of Bidder: 13220 Evening Creek Drive South, Suite 103, San Diego, Ca 92128

Taxpayer Identification No. of Bidder: 33-0990504

Telephone Number: 858-513-7199

E-mail: steved@byrom-davey.com / christineb@byrom-davey.com

Contractor's License No(s): No.: 803447 Class: A; B; C8; C12; C61/D12 Expiration Date: 01/31/2022

No.: \_\_\_\_\_ Class: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

No.: \_\_\_\_\_ Class: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Public Works Contractor Registration No.: 1000000392

END OF DOCUMENT

**BID NUMBER 635**  
**ACHS & HHS Stadium Bleachers,**  
**Lighting & Sound System**

**OXNARD UNION HIGH SCHOOL DISTRICT**  
**GENERAL CONDITIONS**  
**Revised 9-15-2020**

**BID BOND**

**(Note: If Bidder is providing a bid bond as its bid security, Bidder must use this form, NOT a surety company form.)**

KNOW ALL PERSONS BY THESE PRESENTS:

That the undersigned, Byrom-Davey, Inc., as Principal ("Principal"),  
and Nationwide Mutual Insurance Company, as  
Surety ("Surety"), a corporation organized and existing under and by virtue of the laws of  
the State of California and authorized to do business as a surety in the State of California,  
are held and firmly bound unto the Oxnard Union High School District ("District") of Ventura  
County, State of California, as Obligee, in an amount equal to ten percent (10%) of the  
Base Bid plus alternates, in the sum of

Ten Percent (10%) of the total amount of the Principal's Bid Dollars (\$ 10%)

lawful money of the United States of America, for the payment of which sum well and truly  
to be made, we, and each of us, 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 a  
bid to the District for all Work specifically described in the accompanying bid.

NOW, THEREFORE, if the Principal is awarded the Contract and, within the time and manner  
required under the Contract Documents, after the prescribed forms are presented to  
Principal for signature, enters into a written contract, in the prescribed form in accordance  
with the bid, and files two bonds, one guaranteeing faithful performance and the other  
guaranteeing payment for labor and materials as required by law, and meets all other  
conditions to the Contract between the Principal and the Obligee becoming effective, or if  
the Principal shall fully reimburse and save harmless the Obligee from any damage  
sustained by the Obligee through failure of the Principal to enter into the written contract  
and to file the required performance and labor and material bonds, and to meet all other  
conditions to the Contract between the Principal and the Obligee becoming effective, then  
this obligation shall be null and void; otherwise, it shall be and remain in full force and  
effect. The full payment of the sum stated above shall be due immediately if Principal fails  
to execute the Contract within ten (10) days of the date of the District's Notice of Award to  
Principal.

Surety, for value received, hereby stipulates and agrees that no change, extension of time,  
alteration or addition to the terms of the Contract or the call for bids, or to the work to be  
performed thereunder, or the specifications accompanying the same, shall in any way affect  
its obligation under this bond, and it does hereby waive notice of any such change,  
extension of time, alteration or addition to the terms of the Contract or the call for bids, or  
to the work, or to the specifications.

In the event suit is brought upon this bond by the Obligee and judgment is recovered, the Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorneys' fee to be fixed by the Court.

If the District awards the bid, the security of unsuccessful bidder(s) shall be returned within sixty (60) days from the time the award is made. Unless otherwise required by law, no bidder may withdraw its bid for ninety (90) days after the date of the bid opening.

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on the 17th day of September, 2020

Byrom-Davey, Inc.

Principal

By Steve Davey: President & Secretary

Nationwide Mutual Insurance Company

Surety



By Lawrence F. McMahon, Attorney-In-Fact

Alliant Insurance Services, Inc.

Name of California Agent of Surety

701 B Street, 6th Floor, San Diego, CA 92101

Address of California Agent of Surety

619-238-1828

Telephone Number of California Agent of Surety

**Bidder must attach Power of Attorney and Certificate of Authority for Surety and a Notarial Acknowledgment for all Surety's signatures. The California Department of Insurance must authorize the Surety to be an admitted Surety Insurer.**

END OF DOCUMENT



# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT Civil Code § 1189

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

STATE OF CALIFORNIA

County of San Diego

On SEP 17 2020

Date

before me, Lilia De Loera

Insert Name of Notary exactly as it appears on the official seal

, Notary Public,

personally appeared Lawrence F. McMahon

Name(s) of Signer(s)



Place Notary Seal Above

who proved to me on the basis of satisfactory evidence to be the person(~~ss~~) whose name(~~ss~~) is/~~is/~~ subscribed to the within instrument and acknowledged to me that he/~~she/it~~ executed the same in his/~~her/its~~ authorized capacity(~~ies~~), and that by his/~~her/its~~ signature(~~s~~) on the instrument the person(~~ss~~), or the entity upon behalf of which the person(~~ss~~) 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 Lilia De Loera

## 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 the form to another document.

### Description of Attached Document

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_

Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

### Capacity(ies) Claimed by Signer(s)

Signer's Name: \_\_\_\_\_

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

RIGHT THUMBPRINT  
OF SIGNER

Top of thumb here

Signer is Representing: \_\_\_\_\_

Surety Company

Signer's Name: \_\_\_\_\_

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

RIGHT THUMBPRINT  
OF SIGNER

Top of thumb here

Signer is Representing: \_\_\_\_\_

Power of Attorney

KNOW ALL MEN BY THESE PRESENTS THAT:

Nationwide Mutual Insurance Company, an Ohio corporation

hereinafter referred to severally as the "Company" and collectively as "the Companies" does hereby make, constitute and appoint:

**CHRISTOPHER CONTE, JANICE MARTIN, LAWRENCE F MCMAHON, MARIA GUISE, RYAN WARNOCK, SARAH MYERS**

each in their individual capacity, its true and lawful attorney-in-fact, with full power and authority to sign, seal, and execute on its behalf any and all bonds and undertakings, and other obligatory instruments of similar nature, in penalties not exceeding the sum of

**UNLIMITED**

and to bind the Company thereby, as fully and to the same extent as if such instruments were signed by the duly authorized officers of the Company; and all acts of said Attorney pursuant to the authority given are hereby ratified and confirmed.

This power of attorney is made and executed pursuant to and by authority of the following resolution duly adopted by the board of directors of the Company:

"RESOLVED, that the president, or any vice president be, and each hereby is, authorized and empowered to appoint attorneys-in-fact of the Company, and to authorize them to execute and deliver on behalf of the Company any and all bonds, forms, applications, memorandums, undertakings, recognizances, transfers, contracts of indemnity, policies, contracts guaranteeing the fidelity of persons holding positions of public or private trust, and other writings obligatory in nature that the business of the Company may require; and to modify or revoke, with or without cause, any such appointment or authority; provided, however, that the authority granted hereby shall in no way limit the authority of other duly authorized agents to sign and countersign any of said documents on behalf of the Company."

"RESOLVED FURTHER, that such attorneys-in-fact shall have full power and authority to execute and deliver any and all such documents and to bind the Company subject to the terms and limitations of the power of attorney issued to them, and to affix the seal of the Company thereto; provided, however, that said seal shall not be necessary for the validity of any such documents."

This power of attorney is signed and sealed under and by the following bylaws duly adopted by the board of directors of the Company.

Execution of Instruments. Any vice president, any assistant secretary or any assistant treasurer shall have the power and authority to sign or attest all approved documents, instruments, contracts, or other papers in connection with the operation of the business of the company in addition to the chairman of the board, the chief executive officer, president, treasurer or secretary; provided, however, the signature of any of them may be printed, engraved, or stamped on any approved document, contract, instrument, or other papers of the Company.

IN WITNESS WHEREOF, the Company has caused this instrument to be sealed and duly attested by the signature of its officer the 27<sup>th</sup> day of February, 2019.



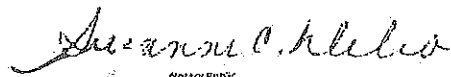
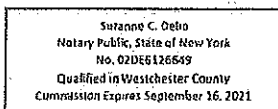
Antonio C. Albanese, Vice President of Nationwide Mutual Insurance Company



**ACKNOWLEDGMENT**

STATE OF NEW YORK, COUNTY OF NEW YORK: ss

On this 27<sup>th</sup> day of February, 2019, before me came the above-named officer for the Company aforesaid, to me personally known to be the officer described in and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn, deposes and says, that he is the officer of the Company aforesaid, that the seal affixed hereto is the corporate seal of said Company, and the said corporate seal and his signature were duly affixed and subscribed to said instrument by the authority and direction of said Company.

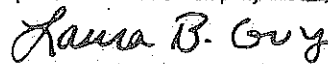


Notary Public  
My Commission Expires  
September 16, 2021

**CERTIFICATE**

I, Laura B. Guy, Assistant Secretary of the Company, do hereby certify that the foregoing is a full, true and correct copy of the original power of attorney issued by the Company; that the resolution included therein is a true and correct transcript from the minutes of the meetings of the boards of directors and the same has not been revoked or amended in any manner; that said Antonio C. Albanese was on the date of the execution of the foregoing power of attorney the duly elected officer of the Company, and the corporate seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority of said board of directors; and the foregoing power of attorney is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto subscribed my name as Assistant Secretary, and affixed the corporate seal of said Company this 17<sup>th</sup> day of September, 2020.



Assistant Secretary





## **SURETY BOND SEAL ADDENDUM**

### **Nationwide Mutual Insurance Company**

Due to logistical issues associated with the use of traditional seals during the COVID-19 pandemic, Nationwide Mutual Insurance Company has authorized its Attorneys-in-Fact to affix Nationwide's corporate seal to any bond executed on behalf of Nationwide Mutual Insurance Company by any such Attorney-in-Fact by attaching this Addendum to said bond.

To the extent this Addendum is attached to a bond that is executed on behalf of Nationwide Mutual by its Attorney-in-Fact, Nationwide hereby agrees that the seal below shall be deemed affixed to said bond to the same extent as if its raised corporate seal was physically affixed to the face of the bond.

Dated this 17th day of September 2020.

Nationwide Mutual Insurance Company



By   
Lawrence F. McMahon, Attorney-In-Fact

STATE OF CALIFORNIA  
**DEPARTMENT OF INSURANCE**  
SAN FRANCISCO

Amended  
**Certificate of Authority**

THIS IS TO CERTIFY *that, pursuant to the Insurance Code of the State of California,*

**Nationwide Mutual Insurance Company**

*of Ohio, organized under the laws of Ohio, subject to its Articles of Incorporation or other fundamental organizational documents, is hereby authorized to transact within this State, subject to all provisions of this Certificate, the following classes of insurance:*

**Fire, Marine, Surety, Disability, Plate Glass, Liability, Workers' Compensation,**

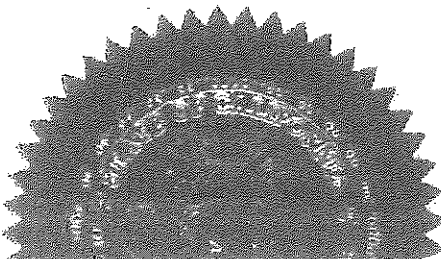
**Common Carrier Liability, Boiler and Machinery, Burglary, Sprinkler,**

**Team and Vehicle, Automobile, Aircraft, Legal, and Miscellaneous**

*as such classes are now or may hereafter be defined in the Insurance Laws of the State of California.*

*THIS CERTIFICATE is expressly conditioned upon the holder hereof now and hereafter being in full compliance with all, and not in violation of any, of the applicable laws and lawful requirements made under authority of the laws of the State of California as long as such laws or requirements are in effect and applicable, and as such laws and requirements now are, or may hereafter be changed or amended.*

IN WITNESS WHEREOF, effective as of the 22<sup>nd</sup> day of May, 2013,  
*I have hereunto set my hand and caused my official seal to be affixed  
this 22<sup>nd</sup> day of May, 2013.*



Dave Jones  
Insurance Commissioner

## ACKNOWLEDGMENT

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

State of California  
County of San Diego )

On September 23, 2020 before me, Kelley M. Parham, Notary Public  
(insert name and title of the officer)

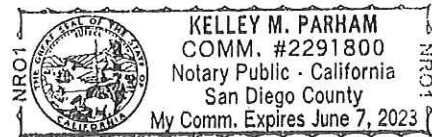
personally appeared Steve Davey,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s)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

(Seal)





**DESIGNATED SUBCONTRACTORS LIST**  
**(Public Contact Code Sections 4100-4114)**

Bidder acknowledges and agrees that it must clearly set forth below the name, location and California contractor license number of each subcontractor who will perform work or labor or render service to the Bidder in or about the construction of the Work or who will specially fabricate and install a portion of the Work according to detailed drawings contained in the plans and specifications in an amount in excess of one-half of one percent (0.5%) of Bidder's total Base Bid and the kind of Work that each will perform. Vendors or suppliers of materials only do not need to be listed.

Bidder acknowledges and agrees that, if Bidder fails to list as to any portion of Work, or if Bidder lists more than one subcontractor to perform the same portion of Work, Bidder must perform that portion itself or be subjected to penalty under applicable law. In case more than one subcontractor is named for the same kind of Work, state the portion of the kind of Work that each subcontractor will perform.

If alternate bid(s) is/are called for and Bidder intends to use subcontractors different from or in addition to those subcontractors listed for work under the Base Bid, Bidder must list subcontractors that will perform Work in an amount in excess of one half of one percent (0.5%) of Bidder's total Base Bid plus alternate(s).

If further space is required for the list of proposed subcontractors, attach additional copies of page 2 showing the required information, as indicated below.

**Subcontractor Name:** Above Grade Engineering

CA Cont. Lic. #: PE-58256

245 Higuera St.  
Location: San Luis Obispo, Ca 93401

Portion of Work: Surveying

**Subcontractor Name:** Vista Steel Company

CA Cont. Lic. #: 257955

6100 A Francis Botello Rd.  
Location: Groleta, Ca 93117

Portion of Work: Rebar

**Subcontractor Name:** Southern Bleacher Company, Inc.

CA Cont. Lic. #: 564497

P.O. Box one  
Location: Graham, Tx 76450

Portion of Work: Bleachers

**Subcontractor Name:** Terra Pave Inc.

CA Cont. Lic. #: 456836

12115 Rivera Rd.  
Location: Whittier, Ca 90606

Portion of Work: A.C./Paving

**Subcontractor Name:** Taft Electric Company

CA Cont. Lic. #: 772245

P.O. Box 3416  
Location: Ventura, Ca 93003

Portion of Work: Electric/Fire Alarm/AV System

**Subcontractor Name:** Red Hawk Services Inc. dba Red Hawk Fence

CA Cont. Lic. #: 1050794

262 E. 1st Street  
Location: Perris, Ca 92570

Portion of Work: Fencing

**Subcontractor Name:** \_\_\_\_\_

CA Cont. Lic. #: \_\_\_\_\_

Location: \_\_\_\_\_

Portion of Work: \_\_\_\_\_

**Subcontractor Name:** \_\_\_\_\_

CA Cont. Lic. #: \_\_\_\_\_

Location: \_\_\_\_\_

Portion of Work: \_\_\_\_\_

**Subcontractor Name:** \_\_\_\_\_

CA Cont. Lic. #: \_\_\_\_\_

Location: \_\_\_\_\_

Portion of Work: \_\_\_\_\_

**Subcontractor Name:** \_\_\_\_\_

CA Cont. Lic. #: \_\_\_\_\_

Location: \_\_\_\_\_

Portion of Work: \_\_\_\_\_

Date: October 12, 2020

Proper Name of Bidder: Byrom-Davey, Inc.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Steve Davey

President & Secretary

END OF DOCUMENT

**SITE VISIT CERTIFICATION**

Project/Contract between the Oxnard Union High School District ("District") and  
Byrom-Davey, Inc. ("Contractor" or "Bidder").

TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

Check option that applies:

       I certify that I visited the Site of the proposed Work, received the District website bid document information, and became fully acquainted with the conditions relating to construction and labor. I fully understand the facilities, difficulties, and restrictions attending the execution of the Work under contract.

X I certify that Mark Deferville (Bidder's representative) visited the Site of the proposed Work, received the bid document information on District website, and became fully acquainted with the conditions relating to construction and labor. The Bidder's representative fully understood the facilities, difficulties, and restrictions attending the execution of the Work under contract.

Bidder fully indemnifies the Oxnard Union High School District, its Architect, its Engineers, its Construction Manager, and all of their respective officers, agents, employees, and consultants from any damage, or omissions, related to conditions that could have been identified during my visit and/or the Bidder's representative's visit to the Site.

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

Date: October 12, 2020

Signature: 

Print Name: Steve Davey

Title: President & Secretary

END OF DOCUMENT



**NON-COLLUSION DECLARATION  
(Public Contract Code Section 7106)**

The undersigned declares:

I am the President & Secretary of  
[Title]  
Byrom-Davey, Inc., the party making the foregoing bid.  
[Name of Firm]

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 October 12, 2020,  
[Date]

at San Diego, 92128, California  
[City] [State]

Date: October 12, 2020

Signature:

Print Name:

Title:

Steve Davey

President & Secretary

END OF DOCUMENT

## ACKNOWLEDGMENT

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

State of California  
County of San Diego )

On October 12, 2020 before me, Kelley M. Parham, Notary Public  
(insert name and title of the officer)

personally appeared Steve Davey,  
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 Kelley M. Parham (Seal)



**IRAN CONTRACTING ACT CERTIFICATION**  
**(Public Contract Code Sections 2202-2208)**

Project/Contract between the Oxnard Union High School District ("District") and  
Byrom-Davey, Inc. ("Contractor" or "Bidder").

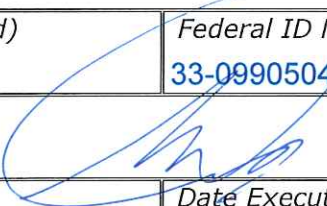
Prior to bidding on or submitting a proposal for a contract for goods or services of \$1,000,000 or more, the bidder/proposer must submit this certification pursuant to Public Contract Code section 2204.

The bidder/proposer must complete **ONLY ONE** of the following two options. To complete OPTION 1, check the corresponding box **and** complete the certification below. To complete OPTION 2, check the corresponding box, complete the certification below, and attach documentation demonstrating the exemption approval.

- ☒ **OPTION 1.** Bidder/Proposer is not on the current list of persons engaged in investment activities in Iran created by the California Department of General Services ("DGS") pursuant to Public Contract Code section 2203(b), and we are not a financial institution extending twenty million dollars (\$20,000,000) or more in credit to another person, for 45 days or more, if that other person will use the credit to provide goods or services in the energy sector in Iran and is identified on the current list of persons engaged in investment activities in Iran created by DGS.
- ☐ **OPTION 2.** Bidder/Proposer has received a written exemption from the certification requirement pursuant to Public Contract Code sections 2203(c) and (d). *A copy of the written documentation demonstrating the exemption approval is included with our bid/proposal.*

**CERTIFICATION:**

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY, that I am duly authorized to legally bind the bidder/proposer to the OPTION selected above. This certification is made under the laws of the State of California.

Vendor Name/Financial Institution (Printed) <u>Byrom-Davey, Inc.</u>	Federal ID Number (or n/a) <u>33-0990504</u>
By (Authorized Signature) 	
Printed Name and Title of Person Signing <u>Steve Davey</u>	Date Executed <u>October 12, 2020</u>

END OF DOCUMENT