

BID PROPOSAL

Labor Commission Project Identifying Number: CL-2016-204

DATE: 7/20/16

TO: City of Mesquite

FROM: Aggregate Industries-SWR Inc.

Dear Sir:

Having carefully examined the plans and specifications entitled "**2016 Mesquite Phase I Street Reconstruction Project**" dated "**May 23, 2016**" prepared by the City of Mesquite Public Works and having visited the site to become familiar with all conditions affecting the cost of the work, the undersigned hereby proposes to furnish all fees, labor, materials, equipment and incidentals and perform all work in a manner called for in the said documents for the total sum listed below and as shown on the bid schedule:

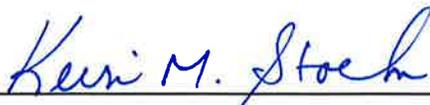
Total Bid Amount: \$ 794,605.00

The undersigned further agrees to execute the attached agreement between owner and contractor within 10 days after receiving a written notice of award and agrees to furnish within the 10 day period, all bonds and insurance required.

If awarded the contract, the undersigned further agrees to commence actual physical work to begin within 10 calendar days from the notification to proceed and that all work will be completed within **forty five (45)** calendar days from that date unless the time for completion is extended otherwise by the contract documents.

In case of failure on the part of the Contractor to complete the Work within the time fixed in the contract, the Contractor shall pay the Owner as fixed and liquidated damages the amount specified in Section 3.b of the Contract.

Respectfully Submitted,



Authorized Agent Signature required

Bidder acknowledges the receipt of the following addendum:

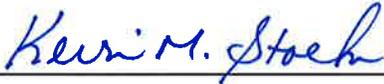
No.	Dated
<u>1</u>	<u>6/21/16</u>
_____	_____
_____	_____

Nevada Contractor's License No.: 10639A

Classification: AB

Limit: unlimited

Performance & Payment Bond Rating: A

By: Kevin M. Stoehr 

Title: Vice President

Legal Address: 3101 E. Craig Road, North Las Vegas, NV 89030

BID SCHEDULES

"BID SCHEDULE 1"

Los Altos Cir., Casa Grande Cir., East Sierra Vista Cir., West Sierra Vista Cir., Palos Verdes Cir., Las Palmas Cir. and Rancho Cir.

NOTE TO BIDDERS:

The estimated quantities shown in the bid items are from measurements made from the plans.

If upon inspection prior to bidding or beginning work, the quantity amounts on the plans are found to vary substantially from the estimated quantities, the Contractor shall notify the (City of Mesquite).

Bid Item	Description	Estimated Quantity	Unit Price	Total Amount
1	Mobilization and Demobilization	1	Lump Sum 18,856.00	18,856.00
2	Material Testing	1	Lump Sum 5,850.00	5,850.00
3	Removal and Disposal of Existing Asphalt and Compacting Subgrade	144,680	sf 0.45	65,106.00
4	Raise/Lower existing H20 valves to grade with concrete collar	15	ea 815.00	12,225.00
5	Raise/Lower existing manholes to grade with concrete collar	10	ea 1,130.00	11,300.00
6	Pavement Striping, Pavement Markings, Fire Hydrant Markers and Signs	1	Lump Sum 1,110.00	1,110.00
7	Furnish traffic control signs, barricades and flagging services	1	Lump Sum 12,290.00	12,290.00
8	Furnish and Install 2" Bituminous Plantmix Pavement (AC-30) with Fog Seal	144,680	sf 1.10	159,148.00
Bid Schedule 1 Total				285,885.00

BID SCHEDULES

"BID SCHEDULE 2" Mesa Boulevard

NOTE TO BIDDERS:

The estimated quantities shown in the bid items are from measurements made from the plans.

If upon inspection prior to bidding or beginning work, the quantity amounts on the plans are found to vary substantially from the estimated quantities, the Contractor shall notify the (City of Mesquite).

1	Mobilization and Demobilization	1	Lump Sum	12,648.00	12,648.00
2	Material Testing	1	Lump Sum	5,850.00	5,850.00
3	Removal and Disposal of Existing Asphalt and Compacting Subgrade	221,000	sf	0.45	99,450.00
4	Raise/Lower existing H20 valves to grade with concrete collar	29	ea	815.00	23,635.00
5	Raise/Lower existing manholes to grade with concrete collar	15	ea	1,130.00	16,950.00
6	Pavement Striping, Pavement markings, Fire Hydrant markers and Signs	1	Lump Sum	9,000.00	9,000.00
7	Furnish traffic control signs, barricades and flagging services	1	Lump Sum	22,115.00	22,115.00
9	Furnish and install 3" Bituminous Plantmix Pavement (PG76-22) with Fog Seal	74,400	sf	1.53	113,832.00
10	Furnish and install 3" Bituminous Plantmix Pavement (AC-30) with Fog Seal	146,600	sf	1.40	205,240.00
Bid Schedule 2 Total					508,720.00

TOTAL BID (Bid Schedule 1 + Bid Schedule 2) = 794,605.00

LIST OF SUBCONTRACTORS / MATERIAL SUPPLIERS PROVIDING 5%

“2016 Phase I Street Reconstruction Project”

Following is an excerpt from NRS, all Subcontractors and Material Suppliers shall be listed which exceed Five (5) Percent of Bid Amount or Greater.

- **Pursuant to NRS 338.141 paragraph (b) of subsection 1 - Bid shall include information concerning subcontractors as follows:**
 If the public body does not provide a list of the labor or portions of the public work which are estimated by the public body to exceed 3 percent of the estimated cost of the public work, the name of each first tier subcontractor who will provide labor or a portion of the work on the public work to the prime contractor for which the first tier subcontractor will be paid an amount exceeding 5 percent of the prime contractor's total bid. If the bid is submitted pursuant to this paragraph, within 2 hours after the completion for the opening of the bids, the contractors who submitted the three lowest bids must submit a list containing the name of each first tier subcontractor who will provide labor or a portion of the work on the public work to the prime contractor for which the first tier subcontractor will be paid an amount exceeding 1 percent of the prime contractor's total bid or \$50,000, whichever is greater, and the number of the license issued to the first tier subcontractor pursuant to chapter 624 of NRS.
- **If the general contractor fails to submit such a list within the required time, his bid shall be deemed not responsive.**
- **The bidder shall provide descriptions of the portion of work or improvement which each subcontractor and material supplier named in the bid will complete.**
- **The bidder shall list in his bid the name of a subcontractor for each portion of the project that will be completed by a subcontractor or material supplier.**

Note: List must be turned in with Bid – Five (5) Percent of Bid Amount or Greater is required. If bidder is one of the three lowest bids, a list containing the names of all subcontractors and material suppliers which exceed one (1) percent of Bid amount shall be provided within 2 hours of Bid opening. (Attach additional sheets if necessary)

	Name, Address, Nevada License Number & Class	Trade or Material Supplied
1	Aggregate Industries-SWR Inc 3101 E. Craig Road N. Las Vegas, NV 89030 10639A AB	All work exceeding 5% not listed
2	Coughlin Company Inc. #28544-A 809 E. Commerce DR St. George UT 84790	milling of Asphalt
3		
4		
5		
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7		
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10		

LIST OF SUBCONTRACTORS / MATERIAL SUPPLIERS PROVIDING 1%

“2016 Phase I Street Reconstruction Project”

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4		
5		
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CITY OF MESQUITE

AFFIDAVIT OF COMPLIANCE WITH ASSEMBLY BILL 144

(Contractor submitting for Preferential Bidder Status shall include this Affidavit)

State of Nevada)

)ss.

County of Clark

I, Kevin M. Stoehr (Name of party signing this affidavit and the Bid Form),

Vice President (title), under penalty of perjury, being duly sworn, depose and say:

That Aggregate Industries-SWR Inc. (name of person, firm, association, or corporation) is

in compliance with 2011 Assembly Bill 144, enacted into NRS, Chapter 338, effective April 27, 2011.

Bidder shall review enacted Bill 144 and NRS Chapter, 338.

Kevin M. Stoehr
Signature

Vice President
Title

3101 E. Craig Road

North Las Vegas, NV

89030
Address

Subscribed and sworn to before me this

29 Day of July 2016

Michelle S. Miller
Notary

My commission expires 9/6/17

702-649-6250

Telephone



BID BOND

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned,

Aggregate Industries SWR Inc

as Principal, and Western Surety Company
as Surety, are hereby held and firmly bound unto City of Mesquite Public Works
as OWNER in the penal sum of Five Percent of Total Amount Bid (5% T.A.B.)
for the payment of which, well and truly to be made, we hereby jointly and severally bind
ourselves, successors and assigns.

Signed, this 22nd day of June, 2016.

The Condition of the above obligation is such that whereas the Principal has submitted to
City of Mesquite Public Works

A certain BID attached hereto and hereby made a part hereof to enter into a contract in writing
for the 2016 Mesquite Phase I Street Reconstruction Project

NOW, THEREFORE,

- a) If said BID shall be rejected, or
- b) If said BID shall be accepted and the Principal shall execute and deliver a contract in the Form of Contract attached here (properly completed in accordance with said BID) and shall furnish a BOND for his faithful performance of said contract, and for the payment of all persons performing labor or furnishing materials in connection therewith, and shall in all other respects perform the agreement created by the acceptance of said BID; then this obligation shall be void, otherwise the same shall remain in force and effect. It being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event, exceed the penal amount of this obligation as herein stated.

The Surety, for value received, hereby stipulates and agrees that the obligations of said Surety and its BOND shall be in no way impaired or affected by any extension of the time within which the OWNER may accept such BID; and said Surety does hereby waive notice of any such extension.

IN WITNESS WHEREOF, the Principal and the Surety have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be hereto affixed and these presents to be signed by their proper officers, the day and year first set forth above.

Aggregate Industries SWR Inc, (L.S.)
Principal

Kevin M. Stehr Vice President
Authorized Representative and Title

By: Kevin M. Stehr

Surety: Western Surety Company

84835
(State of Nevada, License Number)

By: Michael J. Herrod
Michael J. Herrod
(Agent Name)
Michael J. Herrod, Attorney-in-Fact

Address: 5555 San Felipe Street Suite 1500, Houston, TX 77056

Telephone: (832)476-6000

IMPORTANT: Surety companies executing BONDS must appear on the Treasury Department's most current list (Circular 570 as amended) and be authorized to transact business in the state where the project is located.

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Lupe Tyler, Lisa Ward, Wendy W Stuckey, Michael J Herrod, Margaret Buboltz, Nancy A Thomas, Roger Smiddy, Donna Williams, Jennifer Copeland, Anoop Chawla Adlakha, Individually

of Houston, TX, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

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

This Power of Attorney is made and executed pursuant to and by authority of the By-Law printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 8th day of June, 2015.



WESTERN SURETY COMPANY

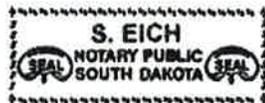
Paul T. Bruflat
Paul T. Bruflat, Vice President

State of South Dakota }
County of Minnehaha } ss

On this 8th day of June, 2015, before me personally came Paul T. Bruflat, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is the Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

February 12, 2021



S. Eich
S. Eich, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 22nd day of June, 2016.



WESTERN SURETY COMPANY

L. Nelson
L. Nelson, Assistant Secretary

Authorizing By-Law

ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

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

CERTIFICATE OF ACKNOWLEDGEMENT OF SURETY

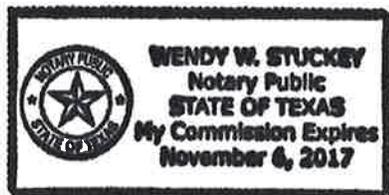
State of Texas §

County of Harris §

Before me, the undersigned authority, on this day personally appeared, Michael J. Herrod, known to me to be the person whose name is subscribed to the foregoing instrument as Attorney-in-Fact of Western Surety Company, and acknowledged to me that he/she executed the same for purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 22nd day of June, 2016.

SEAL



Wendy W. Stuckey
Wendy W. Stuckey, Notary Public in and for
The State of TEXAS

My Commission expires: 11/06/2017



NEVADA STATE CONTRACTORS BOARD

9670 GATEWAY DRIVE, SUITE 100, RENO, NEVADA, 89521 (775) 688-1141 FAX (775) 688-1271, INVESTIGATIONS (775) 688-1150
2310 CORPORATE CIRCLE, SUITE 200, HENDERSON, NEVADA, 89074, (702) 486-1100 FAX (702) 486-1190, INVESTIGATIONS (702) 486-1110

CERTIFICATE OF ELIGIBILITY PER NRS 338.147 and NRS 338.1389

CERTIFICATE NUMBER: BPC-00-01-11-0001

AGGREGATE INDUSTRIES – SWR INC. (HEREIN THE “GENERAL CONTRACTOR”) NEVADA STATE CONTRACTORS’ LICENSE NUMBER 0010639A ORIGINAL ISSUE DATE: 05/15/91 BUSINESS TYPE: CORPORATION CLASSIFICATION: AB-GENERAL ENGINEERING & BUILDING MONETARY LICENSE LIMIT: UNLIMITED STATUS: ACTIVE, IS HEREBY ISSUED THIS CERTIFICATE BY THE NEVADA STATE CONTRACTORS’ BOARD, BASED UPON THE INFORMATION CONTAINED IN THE STATEMENT OF COMPLIANCE WITH NEVADA REVISED STATUTES (NRS) 338.147 AND NRS 338.1389 AND THE AFFIDAVIT OF CERTIFIED PUBLIC ACCOUNTANT SUBMITTED TO THE NEVADA STATE CONTRACTORS BOARD AS PROOF OF CONTRACTOR’S COMPLIANCE WITH THE PROVISIONS OF NRS 338.147 AND NRS 338.1389, ATTACHED HERETO. IN ACCORDANCE WITH THE PROVISIONS OF NRS 338.147(3), THE ABOVE-NAMED GENERAL CONTRACTOR AND A CERTIFIED PUBLIC ACCOUNTANT HAVE SUBMITTED FULLY EXECUTED AND NOTARIZED SWORN AFFIDAVITS AS PROOF OF PREFERENTIAL BIDDER STATUS, UNDER PENALTY OF PERJURY, CERTIFYING THAT THE GENERAL CONTRACTOR IS QUALIFIED TO RECEIVE A PREFERENCE IN BIDDING AS SET FORTH IN NRS 338.147 AND NRS 338.1389 AND OTHER MATTERS RELATING THERETO.

THIS CERTIFICATE OF ELIGIBILITY IS ISSUED ON JUNE 1, 2016 AND EXPIRES ON MAY 31, 2017, UNLESS SOONER REVOKED OR SUSPENDED BY THE NEVADA STATE CONTRACTORS BOARD.





NANCY MATHIAS, LICENSING ADMINISTRATOR
FOR MARGI GREIN, EXECUTIVE OFFICER

4/27/2016
DATE

The Nevada State Contractors Board assumes no liability or responsibility for the accuracy or validity of the information contained in the Contractors Statement of Compliance with NRS 338.147 or the Affidavit of Certified Public Accountant as Proof of Contractors Compliance with the Provisions of NRS 338.147. The above-named General Contractor shall bear the responsibility to ascertain the accuracy and validity of the affidavits provided to support the issuance of this certificate.