

QUALIFICATION AND CERTIFICATION FORM

Purpose

This exhibit shall serve as a requirement to enable the evaluation team to assess the qualifications of Contractors under consideration for final award.

The information may or may not be a determining factor in award.

Contract Number 040615 Colcord Road Paving Project

The Contractor submitting this Bid warrants the following:

1. Name, Address, and Telephone Number of Principal Contractor:

CACTUS Asphalt, A Division of CACTUS TRANSPORT, INC.
8211 W. Sherman St Tolleson AZ 85353
623-907-2800

2. Has Contractor (under its present or any previous name) ever failed to complete a contract? _____ Yes X No. If "Yes, give details, including the date, the contracting agency, and the reasons Contractor failed to perform, in the narrative part of this Contract.
3. Has Contractor (under its present or any previous name) ever been disbarred or prohibited from competing for a contract? _____ Yes X No. If "Yes", give details, including the date, the contracting agency, the reasons for the Contractors disqualification, and whether this disqualification remains in effect, in the narrative part of this Contract.
4. Has a contracting agency ever terminated a contract for cause with Contractor (under your firm's present or any previous name)? _____ Yes X No. If "Yes", give details including the date, the contracting agency, and the reasons Contractor was terminated, in the narrative part of this Contract.
5. Contractor must also provide at least the following information:
- A brief history of the Contractors Firm.
 - A Cost Bid shall be submitted on the Price Sheet, attached hereon and made a full part of this contract by this reference.

INVITATION FOR BIDS
BID NO. 040615

Qualification/Certification continued.....

- c. A list of previous and current customers, which are considered identical or similar to the Scope of Work described herein; shall be submitted on the Reference List, attached hereon and made a full part of this contract by this reference.
- d. List the specific qualifications the Contractor has in supplying the specified services.
- e. List of any subcontractors (if applicable) to be used in performing the service must accompany the Bid. The subcontractors ROC, contact name and phone # must be included.
- f. Gila County reserves the right to request additional information.

6 **Contractor Experience Modifier (e-mod) Rating in Arizona:** 0.84
(If Applicable)

A method the National Council on Compensation Insurance (NCCI) uses to measure a business' computed loss ratio and determine a factor, which when multiplied by premium, can reward policyholders with lower losses. E-mod rate may be a determining factor in bid award.

7. **Current Arizona Contractor License Number:** 194430
(If Applicable)

Bryan Glazer
Signature of Authorized Representative

BRYAN GLAZER
Printed Name

VICE President.
Title

REFERENCE LIST

These references are required to enable the evaluation team to assess the qualifications of the Contractor under consideration for final award. The information may be a determining factor in award.

References

Please list a minimum of four (4) references for projects of similar size and scope to the as this Invitation for Bids during the past twelve (12) months, in or as close to Gila County as possible.

1. **Company:** Town of Marana Dept. of Public Works
Contact: Ryan Benavides
Phone: 520-382-2505
Address: 17555 W. CIVIC CENTER DRIVE Marana AZ 85653

2. **Company:** City of Prescott
Contact: Henry Hash
Phone: 928-777-1140
Address: P.O. Box 2059 Prescott AZ 86302

3. **Company:** City of Glendale
Contact: Frank Henderson
Phone: 623-930-2600
Address: 6210 W. Myrtle Ave. Glendale AZ 85301

4. **Company:** Town of Carefree
Contact: Greg Crossman
Phone: 480-488-3686
Address: P.O. Box 740 Carefree, AZ 85377

CACTUS ASPHALT, A DIVISION OF CACTUS TRANSPORT, INC.
Name of Business

Bryan Glazer
Signature of Authorized Representative Bryan Glazer

Vice President

Title

INVITATION FOR BIDS
BID NO. 040615

PRICE SHEET

Complete and return this form for the total price proposed on this form. Attach any pertinent cost breakdowns, sub-totals of component cost, etc. to this Bid-pricing page.

Vendor Name: CACTUS ASPHALT, A DIVISION OF Phone No.: 623-902-2800
CACTUS TRANSPORT, INC.

COLCORD ROAD PAVING PROJECT
Bid 040615

| Quantity | Unit | Description | Unit Price | Extension |
|----------|------|--------------------|---------------------------|----------------------|
| 2,833 | Tons | Asphaltic Concrete | \$ <u>99⁴⁹</u> | \$ <u>281,855.17</u> |

TOTAL BID IN WORDS \$ Two hundred eighty one thousand
eight hundred fifty five dollars and seventeen cents.

*Price to include all applicable taxes and required fees.

No tax shall be levied against labor. Payment will be made based on actual quantities.

Bryon Olazo

Signature of Authorized Representative

BRYAN OLAZO

Printed Name

Vice President

Title

CERTIFICATION: INTENTIONS CONCERNING SUBCONTRACTING

At the time of the submission of bids on **BID NO. 040615 COLCORD ROAD PAVING PROJECT**, my intention concerning subcontracting a portion of the work is as indicated below.

In indicating that it is my intention to subcontract a portion of the work, this will acknowledge that such subcontractors will be identified and approved by the County prior to award of contract; and that documentation, such as copies of letters, requests for quotation, etc., substantiating the actions taken and the responses to such actions is on file and available for review. A list of any subcontractors (if applicable) to be used in performing the service must accompany the Bid. The list must include the subcontractors name, address, and phone number. List must be provided in a sealed envelope marked "List of Subcontractors".

- YES**, it is my intention to subcontract a portion of the work.
- NO**, it is not my intention to subcontract a portion of the work.



Signature of Authorized Representative

BRYAN GLAZER
Printed Name

VICE PRESIDENT
Title

LEGAL ARIZONA WORKERS ACT COMPLIANCE

Firm hereby warrants that it will at all times during the term of this Contract comply with all federal immigration laws applicable to Firm's employment of its employees, and with the requirements of A.R.S. § 23-214 (A) (together the "State and Federal Immigration Laws"). Firm shall further ensure that each subcontractor who performs any work for Firm under this contract likewise complies with the State and Federal Immigration Laws.

County shall have the right at any time to inspect the books and records of Firm and any subcontractor in order to verify such party's compliance with the State and Federal Immigration Laws.

Any breach of Firm's or any subcontractor's warranty of compliance with the State and Federal Immigration Laws, or of any other provision of this section, shall be deemed to be a material breach of this Contract subjecting Firm to penalties up to and including suspension or termination of this Contract. If the breach is by a subcontractor, and the subcontract is suspended or terminated as a result, Firm shall be required to take such steps as may be necessary to either self-perform the services that would have been provided under the subcontract or retain a replacement subcontractor, as soon as possible so as not to delay delivery of services.

Firm shall advise each subcontractor of County's rights, and the subcontractor's obligations, under this Article by including a provision in each subcontract substantially in the following form: "Subcontractor hereby warrants that it will at all times during the term of this contract comply with all federal immigration laws applicable to Subcontractor's employees, and with the requirements of A.R.S. § 23-214 (A). Subcontractor further agrees that County may inspect the Subcontractor's books and records to insure that Subcontractor is in compliance with these requirements. Any breach of this paragraph by Subcontractor will be deemed to be a material breach of this contract subjecting Subcontractor to penalties up to and including suspension or termination of this contract."

Any additional costs attributable directly or indirectly to remedial action under this Article shall be the responsibility of Firm.



Signature of Authorized Representative

Bryan Glazer

Printed Name

Vice President.

Title

INVITATION FOR BIDS
BID NO. 040615

SURETY (BID) BOND

(Penalty of this Bond must not be less than 10% of the bid amount)

KNOW ALL MEN BY THESE PRESENTS,

Cactus Asphalt, a division of
that we, the undersigned Cactus Transport, Inc., as Principal, hereinafter called the Principal, and Great American Insurance Company a corporation duly organized under the laws of the State of Ohio, as Surety, hereinafter called the Surety, holding a certificate of authority to transact surety business in this State issued by the Director of the Department of Insurance, are held and firmly bound unto the Gila County as Obligee, hereinafter called the Obligee, in the sum of ten percent (10%) of the amount bid, submitted by Principal to Gila County for the Work described below, for the payment of which sum well and truly to be made, the said Principal and the said Surety bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal is herewith submitting its Bid for:

**COLCORD ROAD PAVING PROJECT
GILA COUNTY, ARIZONA, BID CALL NO. 040615**

NOW THEREFORE, if the Obligee, acting by and through its County Engineer, accepts the Bid of the Principal and the Principal shall enter into contract with the Obligee in accordance with the terms of such Bid, and give such bonds and certificates of insurance as may be specified in the contract documents with good and sufficient surety for the faithful performance of such contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter into such contract and give such bonds and certificates of insurance, if the Principal shall pay to the Obligee the difference not to exceed the penalty of the bond between the amount specified in the Bid and such larger amount for which the Obligee may in good faith contract with another party to perform the work covered by the Bid then this obligation is void. Otherwise, it remains in full force and effect provided, however, that this bond is executed pursuant to the provisions of A.R.S. §34-201, and all liabilities on this bond shall be determined in accordance with the provisions of the section to the extent as if it were copied at length herein.

IN WITNESS WHEREOF, we hereunto set our hands and seals: Bid Date: June 12, 2015

Cactus Asphalt, a division of

Cactus Transport, Inc.

Principal

By



Bryan Glazer

Title

Vice President

Great American Insurance Company

Surety

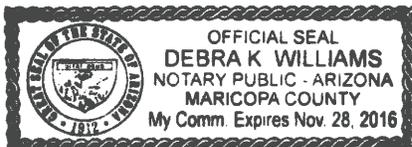
By Attorney-in-Fact

Stephanie L. Bucholz

Address, Attorney-in-Fact

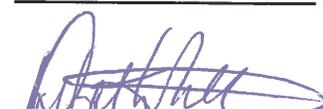
Subscribed and sworn to before me

This 13th day of May, 2015



My commission expires: November 28, 2016

Notary Public


Debra K. Williams

GREAT AMERICAN INSURANCE COMPANY®

Administrative Office: 301 E 4TH STREET • CINCINNATI, OHIO 45202 • 513-369-5000 • FAX 513-723-2740

The number of persons authorized by this power of attorney is not more than **EIGHT**

No. 0 14782

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the GREAT AMERICAN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below, each individually if more than one is named, its true and lawful attorney-in-fact, for it and in its name, place and stead to execute on behalf of the said Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below.

| Name | Address | Limit of Power |
|---------------------|----------------------|------------------|
| BARRY R. FARR | SUSAN A. TOOMEY | ALL |
| ANDY FARR | PATRICK R. HEDGES | \$100,000,000.00 |
| DEBRA K. WILLIAMS | DAVID J. MCKEE | |
| GREGORY P. GRIFFITH | STEPHANIE L. BUCHOLZ | |

This Power of Attorney revokes all previous powers issued on behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this **8TH** day of **JANUARY**, 2015

Attest

GREAT AMERICAN INSURANCE COMPANY



Atty L C B
Assistant Secretary

David C. Kitchin
Divisional Senior Vice President

STATE OF OHIO, COUNTY OF HAMILTON - ss:

DAVID C. KITCHIN (877-377-2405)

On this **8TH** day of **JANUARY**, 2015, before me personally appeared **DAVID C. KITCHIN**, to me known, being duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is a Divisional Senior Vice President of the Bond Division of Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.



Shelle Clortz
Notary Public, State of Ohio
My Commission Expires 08-09-2015

Shelle Clortz

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of Great American Insurance Company by unanimous written consent dated June 9, 2008.

RESOLVED: That the Divisional President, the several Divisional Senior Vice Presidents, Divisional Vice Presidents and Divisional Assistant Vice Presidents, or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment at any time.

RESOLVED FURTHER: That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract of suretyship, or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

CERTIFICATION

I, **STEPHEN C. BERAHA**, Assistant Secretary of Great American Insurance Company, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of June 9, 2008 have not been revoked and are now in full force and effect.

Signed and sealed this **13th** day of **May**, 2015.



Atty L C B
Assistant Secretary

BIDDER CHECKLIST & ADDENDA ACKNOWLEDGMENT

NOTICE IS HEREBY GIVEN that all Bid Documents shall be completed and/or executed and submitted with this IFB. If Firm fails to complete and/or execute any portion of the Bid documents, all with original signatures, the IFB may be determined to be "non-responsive" and rejected.

CHECKLIST:

| <u>REQUIRED DOCUMENT</u> | <u>COMPLETED / EXECUTED</u> |
|--------------------------------------|-----------------------------|
| QUALIFICATION & CERTIFICATION FORM | ✓ |
| REFERENCE LIST | ✓ |
| PRICE SHEET | ✓ |
| NO COLLUSION IN BIDDING | ✓ |
| INTENTIONS IN SUBCONTRACTING | ✓ |
| LEGAL ARIZONA WORKERS ACT COMPLIANCE | ✓ |
| ANTI-TERRORISM WARRANTY | ✓ |
| SURETY "BID" BOND | ✓ |
| CHECKLIST & ADDENDA ACKNOWLEDGMENT | ✓ |
| OFFER PAGE | ✓ |

ACKNOWLEDGMENT OF RECEIPT OF ADDENDA:

| | #1 | #2 | #3 | #4 | #5 |
|----------|---------------|---------------|-------|-------|-------|
| Initials | <u>BG</u> | <u>BG</u> | _____ | _____ | _____ |
| Date | <u>6/4/15</u> | <u>6/9/15</u> | _____ | _____ | _____ |

Signed and dated this 12 day of June, 2015

CACTUS ASPHALT, A DIVISION OF CACTUS TRANSPORT, INC.
Firm:
BG
By: Bryan Glazer - VICE PRESIDENT

Each Bid shall be sealed in an envelope addressed to the Gila County Finance Department and bearing the following statement on the outside of the envelope: **Request for Sealed Bids: Bid No. 040615 Colcord Road Paving Project.** All Bids shall be filed with the Gila County Finance Department in the Guerrero Building at 1400 E. Ash St., Globe, AZ on or before **June 12, 2015, by 1100 AM.**

OFFER PAGE

TO GILA COUNTY:

The undersigned hereby offers and agrees to furnish the material or service in compliance with all terms and conditions, instruction, specifications, and any amendments contained in this Invitation for Bids document.

Signature also certifies the Firms bid Bid is genuine, and is not in any way collusive or a sham; that the bid Bid is not made with the intent to restrict or prohibit competition; that the Firm submitting the Bid has not revealed the contents of the Bid to, or in any way colluded with, any other Firm which may compete for the contract; and that no other Firm which may compete for the contract has revealed the contents of a Bid to, or in any way colluded with, the Firm submitting this Bid.

CONTRACT NUMBER: 040615 Colcord Road Paving Project

Firm Submitting Bid:

For clarification of this offer, contact:

CACTUS Asphalt, A DIVISION of CACTUS TRANSPORT, INC Name: Bryan Glazer
Company Name

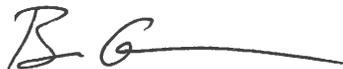
8211 W Sherman St
Address

Phone No.: 623-907-2800

Tolleson AZ 85353
City State Zip

Fax 623-907-2900

Email: bg@cactusAsphalt.com



Signature of Authorized Person to Sign

Bryan Glazer
Printed Name

VICE PRESIDENT
Title

Bid must be signed by a duly authorized officer(s) eligible to sign contract documents for the Firm.



**GILA COUNTY:
COLCORD ROAD PAVING PROJECT
INVITATION FOR BID NO. 040615**

ADDENDUM #1:

DATE: 6/2/2015

CLARIFICATIONS: Below are answers to the questions raised at the jobsite pre-bid meeting on June 01, 2015 at 10:00 A.M.

1. The listing on the Gila County website incorrectly stated that the pre-bid meeting held yesterday morning at the jobsite was a "mandatory" meeting. The meeting was not a mandatory meeting. If you would like to perform a jobsite visit prior to submitting your bid, the directions are: Take Highway 260E to Milepost 277. There will be an ADOT sign that says Colcord Road. The project begins where the existing pavement ends on Colcord Road.
2. There was some confusion on where the jobsite meeting was to be held. The Notice of Invitation for Bid No. 040615 states that the Bid Opening and Submittal Location is the Gila County Guerrero Conference Room. The location for the pre-bid meeting was the jobsite. An email was sent out on May 12, 2015 to all of the plan holders, that the County was aware of, to clarify the location of the meeting.
3. **It shall be the Contractor's responsibility** to furnish and place the asphalt at the jobsite.
4. In September 2015, the County will perform the grading from end to end of the jobsite, prior to the Contractor commencing work. Gila County will also furnish and place ABC Course at that time. Tentative schedule is to pave by the first week of October, but definitely no later than the second week of October if inclement weather should arise.
5. Surveying and staking is not required from the Contractor. When the County prepares the subgrade, we will provide an edge line to run off of.
6. Gila County will provide traffic control and water for construction, compaction and dust control. Striping and signage is not a part of this Invitation for Bid.
7. Due to the time difference between the bid due date and the actual project commencement date, an oil index adjustment will be made, if necessary.
8. The required material testing sampling shall be pulled from materials on site. Contractor shall provide Gila County with the sample results.

9. The completed project shall result in two thirteen foot driving lanes with a one foot shoulder on each side.
10. The completed project shall result in a 2 1/2" compacted AC final product.
11. On Page 39 – Bidder Checklist and Addenda Acknowledgment, disregard the reference to "Anti-Terrorism Warranty". The State no longer requires that document.
12. Contractor shall base his bid on the quantity given on the revised Price Sheet. Contractor shall be paid only for actual quantities placed. Weigh tickets are to be turned into Gila County on a daily basis.

REVISIONS:

13. Replace Page 34, Price Sheet, with the revised Price Sheet attached to this Addendum.

ADDITIONAL INFORMATION ATTACHED:

14. Attached Sign-In Sheet from Pre-bid meeting is attached.

This concludes Addendum No. 1 to Invitation for Bids No. 040615. The Bid due date and time remain the same.

INVITATION FOR BIDS
BID NO. 040615

PRICE SHEET

Complete and return this form for the total price proposed on this form. Attach any pertinent cost breakdowns, sub-totals of component cost, etc. to this Bid-pricing page.

Vendor Name: _____ Phone No.: _____

| COLCORD ROAD PAVING PROJECT Bid 040615 | | | | |
|---|------|--------------------|------------|-----------|
| Quantity | Unit | Description | Unit Price | Extension |
| 2,833 | Tons | Asphaltic Concrete | \$ _____ | \$ _____ |
| TOTAL BID IN WORDS \$ _____ | | | | |
| *Price to include all applicable taxes and required fees. No tax shall be levied against labor. Payment will be made based on actual quantities. | | | | |

Signature of Authorized Representative

Printed Name

Title



**GILA COUNTY:
COLCORD ROAD PAVING PROJECT
INVITATION FOR BID NO. 040615**

ADDENDUM #2:

DATE: 6/9/2015

CLARIFICATIONS:

1. Disregard Item No. 4 of the Insurance Requirements-Builders Risk Insurance or Installation Floater, Page 28 of the Bid Packet. Bidders are not required to carry this insurance on this project. All other coverages and limits as specified under the Insurance Requirements are required.

This concludes Addendum No. 2 to Invitation for Bids No. 040615. The Bid due date and time remain the same.