

**BID #2021-075-002  
 ASPHALT REPLACEMENT  
 AT PROSPECT AVENUE SCHOOL**

**BID FORM**

To be returned with bid documents:

**NAME OF BIDDER:** Kirk Paving, Inc.

**Business Name:** Kirk Paving, Inc.

**Contact Name:** Jon A. Kirk

**Business Address:** 8722 Winter Gardens Blvd.  
Lakeside, CA 92040

**Phone Number:** ( 619 ) 938-9958

**FAX:** ( 619 ) 938-0767

**E-Mail Address:** info@kirkpaving.us

**Company Website:** KIRKPAVING.US

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:

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 BASE PRICE PLUS ALTERNATES:

**PLEASE GO TO NEXT PAGE:**

	<b>BID PRICE (IN WRITTEN FORM)</b> Said Sum includes all applicable taxes and costs	<b>BID PRICE (IN NUMBERS)</b> Said Sum includes all applicable taxes and costs

<b>BASE BID: REMOVE ALL EXISTING ASPHALT, INCLUDING PETROMAT, AND REPLACE WITH NEW MATERIALS PER SPECIAL CONDITIONS</b>	FOUR HUNDRED SIXTEEN THOUSAND EIGHTY DOLLARS	\$ <u>416,080.00</u>
<b>ADDITIVE ALTERNATE #1: ADD 3" OVER NATIVE</b>	TEN THOUSAND DOLLARS	\$ <u>10,000.00</u>
<b>ADDITIVE ALTERNATE #2: ADD ADA RAMP</b>	THREE THOUSAND TWO HUNDRED DOLLARS	\$ <u>3,200.00</u>
<b>ADD ALLOWANCE</b>	FIFTY THOUSAND DOLLARS	\$ <u>50,000.00</u>
<b>TOTAL BID (INCLUDES ALTERNATES &amp; ALLOWANCE)</b>	FOUR HUNDRED SEVENTY NINE THOUSAND TWO HUNDRED EIGHTY DOLLARS	\$ <u>479,280.00</u>

The lowest bid shall be the lowest total base price plus alternates. The bid will be awarded to only one bidder.

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

The undersigned agrees that this Bid Form constitutes a firm offer to the District which cannot be withdrawn for the number of calendar days indicated in the Notice Inviting Informal Bids from and after the bid opening, or until a Contract for the Work is fully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

The Contract duration shall commence on the date stated in the District's Notice to Proceed, and shall be completed by the Contractor in the time specified in the Contract Documents. In no case shall the Contractor commence construction prior to the date stated in the District's Notice to Proceed.

Bidder certifies that it is licensed in accordance with the law providing for the registration of Contractors,

License No. 749206, Expiration Date 5/31/2022, class of license A. If the bidder is a joint venture, each member of the joint venture must include the above information.

List all other classifications for this license number: C12

Bidder's DIR # 1000002341

Bidder is to indicate if they are a Certified DVBE Contractor (Attached is a copy of DVBE Certification Letter issued by OSBCR)

Yes  No

Bidder is to indicate if a Good Faith Effort was made to include DVBE Subcontractors and suppliers in the Bid:

Yes  No

The undersigned acknowledges receipt, understanding and full consideration of the following addenda to the Contract Documents.

Addenda No. 1

1. The required bid security is attached hereto or bidder's bid will be rejected as nonresponsive.
2. The required Designation of Subcontractors is attached hereto or bidder's bid will be rejected as nonresponsive.
3. The required Designation of DVBE Subcontractors is attached hereto.
4. The required Contractors Statement Regarding Maintaining a Drug Free Workplace is attached hereto or bidder's bid will be rejected as nonresponsive.
5. The required NOTARIZED Non-Collusion Affidavit is attached hereto or bidder's bid will be rejected as nonresponsive.
6. The required Worker's Compensation Certificate is attached hereto or bidder's bid will be rejected as nonresponsive.
7. The required NOTARIZED Fingerprint Requirement Application is attached hereto or bidder's bid will be rejected as nonresponsive.
8. The required bid security in the amount of not less than 10% of the Total Bid Price is attached hereto or bidder's bid will be rejected as nonresponsive.
9. The required NOTARIZED Asbestos-Free Materials Certification is attached hereto or bidder's bid will be rejected as nonresponsive.
10. The required Information of Bidders (List of Current Projects & List of Completed Projects) is attached hereto.

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 Kirk Paving, Inc.

Signature 

Name and Title Jon A. Kirk, President

Dated 4/15/2021



# CONTRACTOR'S CERTIFICATE REGARDING WORKERS' COMPENSATION

BID #2021-075-002  
ASPHALT REPLACEMENT  
AT PROSPECT AVENUE SCHOOL

To be returned with bid documents:

Labor Code section 3700 in relevant part provides:

Every employer except the State shall secure the payment of compensation in one or more of the following ways:

- (a) By being insured against liability to pay compensation in one or more insurers duly authorized to write compensation insurance in this State.
- (b) By securing from the Director of Industrial Relations a certificate of consent to self-insure, which may be given upon furnishing proof satisfactory to the Director of Industrial Relations of ability to self-insure and to pay any compensation that may become due to his employees.

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.

  
\_\_\_\_\_  
Signature

JON A. KIRK  
\_\_\_\_\_  
Printed Name

PRESIDENT  
\_\_\_\_\_  
Title

KIRK PAVING INC.  
\_\_\_\_\_  
Company

(In accordance with article 5 (commencing at section 1860), chapter 1, part 7, division 2 of the Labor Code, the above certificate must be signed and filed with the awarding body prior to performing any work under this contract.)

Dated 4/15/2021



## BID BOND

To be returned with bid documents:

The makers of this bond are, \_\_\_\_\_  
Kirk Paving, Inc. \_\_\_\_\_, as Principal, and \_\_\_\_\_  
The Ohio Casualty Insurance Company \_\_\_\_\_, as Surety and are held and firmly bound unto the 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 April 15, 2021, for

**BID #2021-075-002  
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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 23rd day of March, 2021, the name and corporate seal of each corporation.

(Corporate Seal)

Kirk Paving, Inc.  
Principal

By \_\_\_\_\_  
Title PRESIDENT

(Corporate Seal)

The Ohio Casualty Insurance Company  
Surety  
By \_\_\_\_\_  
Attorney-in-Fact  
Maria R. Lucero

(Attach Attorney-in-Fact Certificate)  
 STATE OF CALIFORNIA)

Title  Maria R. Lucero, Attorney-in-Fact

DISTRICT OF \_\_\_\_\_ ) ss.  
 )

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year 20\_\_\_, before me,  
 \_\_\_\_\_, a Notary Public in and for said state, personally appeared  
 \_\_\_\_\_, known to me to be the person whose name is subscribed to  
 the within instrument as the Attorney-In-Fact of the (Surety) acknowledged to me that he subscribed the  
 name of the \_\_\_\_\_ (Surety) thereto and his own name as Attorney-In-Fact.

\_\_\_\_\_  
 Notary Public in and for said State

{SEAL}

Commission expires: \_\_\_\_\_

NOTE: A copy of the Power-of-Attorney to local representatives of the bonding company must be attached hereto.

**For District Informational Purpose:**

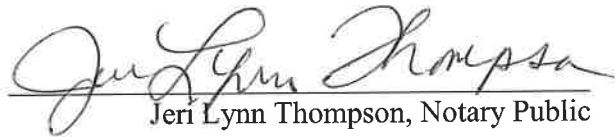
Surety Company Name \_\_\_\_\_ Contact \_\_\_\_\_  
 Address \_\_\_\_\_ Phone \_\_\_\_\_  
 City, State, Zip \_\_\_\_\_ Date \_\_\_\_\_



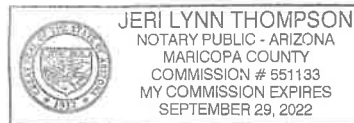
**ACKNOWLEDGMENT OF SURETY**

STATE OF ARIZONA )  
COUNTY OF MARICOPA )

On this 23rd day of March, 2021, before me personally came Maria R. Lucero, to me known to be the person described in and, who, being by me, did depose and say that she resides in Phoenix, Arizona; that she is the Attorney-in-Fact of The Ohio Casualty Insurance Company, the corporation described in and which executed the attached instrument; that she knows corporate seal of the said corporation; that the seal affixed to the said instrument is such corporate seal; and that it was so affixed by order of the Board of Directors of the said corporation; and that she signed her name there by like order.

  
Jeri Lynn Thompson, Notary Public

My commission expires: September 29, 2022



(Notary Seal)



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: 8204900 - 985602

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, Debbie R. Thomas; Heather J. Perrin; Jeri Lynn Thompson; Katie Love; Lisa M. Hankal; Margie Wager; Maria R. Lucero; Michael J. Mesenbrink

all of the city of Scottsdale state of AZ 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 the 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 23rd day of February, 2021.



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 ss

On this 23rd day of February, 2021 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 therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

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



Commonwealth of Pennsylvania - Notary Seal
Teresa Pastella, Notary Public
Montgomery County
My commission expires March 28, 2025
Commission number 1126044
Member, Pennsylvania Association of Notaries

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:

ARTICLE IV - OFFICERS: Section 12. Power of Attorney.

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.

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

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 hereunto set my hand and affixed the seals of said Companies this 23rd day of March, 2021.



By: Renee C. Llewellyn, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

For bond and/or Power of Attorney (POA) verification inquiries, please call 610-832-8240 or email HOSUR@libertymutual.com.

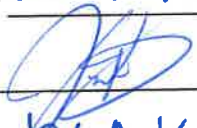
DESIGNATION OF SUBCONTRACTORS

**BID #2021-075-002  
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To be returned with bid documents:

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 and (b) 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 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.

Name of Bidder KIRK PAVING, INC.  
 Signature   
 Name and Title JON A. KIRK, PRESIDENT  
 Dated 4/15/2021

Portion of Work	Division of Work or Trade, License, Type	Name of Firm or Subcontractor	Complete Address, including Zip Code	Phone number with area code	Contractor's License Number & DIR Number
Striping	C32 PARKING & HIGHWAY IMP.	Precision STRIPING, INC.	545 W. BRADLEY AVE. ELCAJON, CA 92020	619-536-8988	1026547 1000051515
GRADING	A-GENERAL ENGINEERING	Antons SERVICE, INC.	P.O. BOX 455 LAKESIDE, CA 92040	619-579-9000	861069 1000002533
OVERSE Supplier	Supplier	CLW Services	10035 Woodside Ave Sanitar Ca 92071	619 335522	N/A

Portion of Work	Division of Work or Trade, License, Type	Name of Firm or Subcontractor	Complete Address, including Zip Code	Phone number with area code	Contractor's License Number & DIR Number

## DESIGNATION OF DVBE SUBCONTRACTORS

To be returned with bid documents:

Contractor shall identify each subcontractor that is a certified Disabled Veteran Business Enterprise (DVBE). Contractor shall provide the DVBE Reference Number assigned by the Office of Small Business Certification and Resources for each DVBE subcontractor, and shall attach a copy of the subcontractor's certification letter.

Subcontractor Name/License #	DVBE Reference Number
CHN SERVICES LLC	2007272

Cal eProcure has been updated for a better user experience. For more information on the new look and feel, click here (https://www.dgs.ca.gov/PD/News/Page-Content/Procurement-Division-News-List-Folder/Cal-eProcure-Update)

California is responding to the spread of a respiratory illness caused by a coronavirus (COVID-19), as such Fiscal Service Center analysts are working remotely. You can still reach us directly (Toll Free 8am-5pm PST) 1-855-431-4355 or email vendor@fiscal.ca.gov (mailto:vendor@fiscal.ca.gov). Please review our Contact (https://caleprocure.ca.gov/pages/contact.aspx) page for all contact options.

# Certification Profile

State of California Certification



Certification ID: 2007272

<b>Legal Business Name</b>	<b>Address</b>
CLN SERVICES LLC	10435 WOODROSE AVE
<b>Doing Business As (DBA) Name 1</b>	SANTEE
	CA 92071
<b>Doing Business As (DBA) Name 2</b>	<b>Email</b>
	cln_services_llc@gmail.com (mailto:cln_services_llc@gmail.com)
<b>Office Phone Number</b>	<b>Total Number of Employees</b>
619/239-4226	
<b>Business Fax Number</b>	<b>Business Type</b>
	Non-Manufacturer, Service
<b>Business Web Address</b>	
cln_services_llc@gmail.com ()	

**Service Areas**  
 Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Imperial, Inyo, Kern, Kings, Lake, Lassen, Los Angeles, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Mono, Monterey, Napa, Nevada, Orange, Placer, Plumas, Riverside, Sacramento, San Benito, San Bernardino, San Diego, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Shasta, Sierra, Stanislaus, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Ventura, Yolo, Yuba

[View Keywords](#) [View Classifications](#)

## Active Certifications

[More Help](#)

Certification Type	Status	From	To
DVBE	Approved	08/08/2015	06/31/2021
SUP (MVA)	Approved	08/08/2015	06/31/2021

## Certification History

[More Help](#)

Certification Type	Application Date	Status	Status Date/Time	From	To
DVBE	08/11/2017	Expired	08/28/19 8:42AM	08/11/2017	08/28/2019
SUP (MVA)	08/11/2017	Expired	08/28/19 7:40AM	08/11/2017	08/28/2019
DVBE	08/11/2017	Expired	08/28/19 11:44AM	08/11/2017	08/28/2019

[Return to Search](#) [Print this Page](#)



# A. LIST OF CURRENT PROJECTS (Backlog)

To be returned with bid documents: **SEE ATTACHED**

[\*\*Duplicate Page if needed for listing additional current projects.\*\*]

Project	Description of Bidder's Work	Anticipated Completion Date	Cost of Bidder's Work / Contract Amount	Contact Person / Phone Number



## Kirk Paving Current Projects:

**Project Name:** Annual Asphalt & Concrete Services (2021-03)  
**Location:** Various school sites within EUSD  
**Project Owner:** Escondido Union School District  
**General Contractor:** Kirk Paving, Inc.  
**Contract Amount:** \$500,000.00  
**Percent Complete:** 42% Complete  
**Scheduled Completion Date:** 9/30/2021  
**Contact Name:** Francis Spoonemore  
**Contact Phone:** (760) 432-2382  
**Contact Email:** FSPOONEMORE@EUSD.ORG

**Project Name:** Annual Unit Price Paving (CN-2156)  
**Location:** Various school sites within GUHSD  
**Project Owner:** Grossmont Union High School District  
**General Contractor:** Kirk Paving, Inc.  
**Contract Amount:** \$950,000.00  
**Percent Complete:** 58% Complete  
**Scheduled Completion Date:** 7/31/2021  
**Contact Name:** Rian Pinson  
**Contact Phone:** (619) 644-8051  
**Contact Email:** RPINSON@GUHSD.NET

**Project Name:** Annual Asphalt/Concrete Paving Services FY20-FY21 (1850)  
**Location:** Various sites within Otay Water District  
**Project Owner:** Otay Water District  
**General Contractor:** Kirk Paving, Inc.  
**Contract Amount:** \$200,000.00  
**Percent Complete:** 67% Complete  
**Scheduled Completion Date:** 6/30/2021  
**Contact Name:** Chad Thompson  
**Contact Phone:** (619) 203-1454  
**Contact Email:** CHADT@OTAYWATER.GOV

**Project Name:** Olympic Parkway Street Repair Project (1894)  
**Location:** Olympic Parkway 350' West of Otay Ranch High School, Chula Vista  
**Project Owner:** Otay Water District  
**General Contractor:** Kirk Paving, Inc.  
**Contract Amount:** \$141,980.00  
**Percent Complete:** 0% Complete  
**Scheduled Completion Date:** 5/31/2021  
**Contact Name:** Chad Thompson  
**Contact Phone:** (619) 203-1454  
**Contact Email:** CHADT@OTAYWATER.GOV



## B. LIST OF COMPLETED PROJECTS - LAST THREE YEARS

To be returned with bid documents:

**SEE ATTACHED**

[\*\*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.

Project Client	Description of Bidder's Work	Period of Performance	Cost of Bidder's Work / Contract Amount	Contact Name/ Phone Number

**SEE  
ATTACHED**

## Kirk Paving Major Projects Completed (Last 3 Years):

**Escondido Union School District**  
2310 Aldergrove Avenue  
Escondido, CA 92029

Contact: Francis Spoonemore  
Phone: (760) 432-2382  
Email: FSPONEMORE@EUSD.ORG

### Annual Asphalt & Concrete Services-As Needed

2020	\$250,000.00
2019	\$350,000.00
2018	\$800,000.00

**Fallbrook Public Utility District**  
990 East Mission Road  
Fallbrook, CA 92028

Contact: Debra Potter  
Phone: (760) 728-1125  
Email: DEBRA@FPUD.COM

### Annual Asphalt Paving

2020	\$422,000.00
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**Grossmont Union High School District**  
1100 Murray Drive  
El Cajon, CA 92020

Contact: Rian Pinson  
Phone: (619) 644-8051  
Email: RPINSON@GUHSD.NET

### Annual Unit Price Paving (CN-1785)

8/1/2019 - 8/1/2020	\$478,000.00
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**Asphalt Concrete Paving El Cajon Valley High School  
Event Center (Multi Prime) (CN-2129)**

2020	\$263,000.00
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**Asphalt Concrete Paving El Capitan High School  
Event Center (Multi Prime) (CN-1350)**

2019	\$119,000.00
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**Kirk Paving Major Projects Completed (Last 3 Years):**

**Otay Water District**  
2554 Sweetwater Springs Blvd.  
Spring Valley, CA 91978  
Contact: Chad Thompson  
Phone: (619) 203-1454  
Email: CHADT@OTAYWATER.GOV

**Annual Asphalt/Concrete Paving Services**

Fiscal Year 2020	\$200,000.00
Fiscal Year 2018 & 2019	\$356,365.06

**Paving Repair, Main Street in Chula Vista**

2020	\$51,655.89
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**T C Construction Company, Inc.**  
10540 Prospect Avenue  
Santee, CA 92071  
Contact: Chad Cameron  
Phone: (619) 448-4560  
Email: CCAMERON@TCINCSD.COM

**Navajo Pump Station (City of San Diego)**

2020	\$463,000.00
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# ASBESTOS-FREE MATERIALS CERTIFICATION

To be returned with bid documents:

The undersigned declares that he or she is the person who executed the bid for:

**BID #2021-075-002  
ASPHALT REPLACEMENT  
AT PROSPECT AVENUE SCHOOL**

(hereinafter referred to as the "Project"), and submitted it to the **SANTEE SCHOOL DISTRICT** (hereinafter referred to as the "District") on behalf of KIRK PAVING, 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 the District who shall have sole discretion and final determination in this matter.

The Asbestos Consultant shall be chosen and approved by 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 15<sup>th</sup> day of APRIL, 2021 at LAKESIDE, CA  
Name of Contractor (Print or Type)

By [Signature] JON A. KIRK  
Signature Print Name

PRESIDENT  
Title

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_  
\_\_\_\_\_  
Notary Public in and for the State of California

My Commission Expires: \_\_\_\_\_

SEE  
ATTACHED  
NOTARY  
ACKNOWLEDGEMENT

**FORM MUST BE NOTARIZED**

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 4/15/2021 before me, MICHELLE M. LEDIN-KIRK, NOTARY PUBLIC
Date Here Insert Name and Title of the Officer
personally appeared JAN A. KIRK
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.



Place Notary Seal and/or Stamp Above

Signature [Handwritten Signature]
Signature of Notary Public

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: ASBESTOS-FREE MATERIALS CERTIFICATION
Document Date: 4-15-2021 Number of Pages: ONE
Signer(s) Other Than Named Above: NONE - N/A

Capacity(ies) Claimed by Signer(s)

Signer's Name: JAN A. KIRK
[X] Corporate Officer - Title(s): PRESIDENT
[ ] Partner - [ ] Limited [ ] General
[ ] Individual [ ] Attorney in Fact
[ ] Trustee [ ] Guardian of Conservator
[ ] Other:
Signer is Representing: KIRK PAVING, INC.





# FINGERPRINTING REQUIREMENT APPLICATION

BID #2021-075-002  
ASPHALT REPLACEMENT  
AT PROSPECT AVENUE SCHOOL

To be returned with bid documents:

Pursuant to the provisions of Article 13 of the General Conditions - District Determination of Fingerprinting Requirement Application is as follows:

The District has considered the totality of the circumstances concerning the Project and has determined that the Contract and Contractor's employees are subject to the requirements of Education Code section 45125.2 and Paragraph (a) of Article 13 of the General Conditions.

In accordance with the Education Code the Contractor shall provide for the continual supervision and monitoring of all Contractor's employees by an employee of the Contractor who has received fingerprint clearance from the California Department of Justice.

I CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT PRIOR TO COMMENCEMENT OF WORK ALL SUPERVISORS ON THIS PROJECT WILL HAVE COMPLETED FINGERPRINT BACKGROUND CHECKS FROM THE CALIFORNIA DEPARTMENT OF JUSTICE THROUGH ANY LIVESCAN SERVICE AND WILL HAVE BEEN FOUND TO HAVE NOT COMMITTED A VIOLENT OR SERIOUS FELONY (PENAL CODE SECTIONS 667.5(C) AND 1192.7(C)); AND WILL PROVIDE CONTINUAL SUPERVISION AND MONITORING OF THE CONTRACTOR'S EMPLOYEES. IF BACKGROUND CHECKS ARE NOT COMPLETED PRIOR TO COMMENCEMENT OF THE PROJECT, CONTRACTOR WILL NOTIFY THE SANTEE SCHOOL DISTRICT AND A PER DIEM CHARGE WILL BE CHARGED FOR SUPERVISION BY DISTRICT EMPLOYEES.

Executed this 15<sup>th</sup> day of APRIL, 2021 at LAKESIDE  
California.

By: JON A. KIRK Title: PRESIDENT

Signature: 

Business Name: KIRK PAVING, INC.

**FORM MUST BE NOTARIZED**

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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State of California }
County of SAN DIEGO }

On 4/15/2021 before me, MICHELLE M. LEDIN-KIRK, NOTARY PUBLIC
Here Insert Name and Title of the Officer

personally appeared JAN A. KIRK
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.



Place Notary Seal and/or Stamp Above

Signature MICHELLE M. LEDIN-KIRK
Signature of Notary Public

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: FINGERPRINTING REQUIREMENT APP.
Document Date: 4-15-2021 Number of Pages: ONE
Signer(s) Other Than Named Above: NONE - N/A

Capacity(ies) Claimed by Signer(s)

Signer's Name: JAN A. KIRK
[ ] Corporate Officer - Title(s): PRESIDENT
[ ] Partner - [ ] Limited [ ] General
[ ] Individual [ ] Attorney in Fact
[ ] Trustee [ ] Guardian of Conservator
[ ] Other:
Signer is Representing: KIRK PAVING, INC.



# CONTRACTOR'S STATEMENT REGARDING MAINTAINING A DRUG FREE WORKPLACE

BID #2021-075-002  
ASPHALT REPLACEMENT  
AT PROSPECT AVENUE SCHOOL

To be returned with bid documents:

## DRUG-FREE WORKPLACE CERTIFICATION

This Drug-Free Workplace Certification form is part of the Contract made by and between the **Santee School District** (hereinafter referred to as the "District") and KIRK PAVING, INC. (hereinafter referred to as the "Contractor") for the above named project. This form is required from all successful bidders pursuant to the Drug-Free Workplace Act of 1990 (Government Code Section 8350 et seq.) The Drug-Free Workplace Act of 1990 requires that every person or organization awarded a contract or grant for procurement of any property or service from any State agency must certify that it will provide a drug-free workplace by doing certain specified acts. In addition, the Act provides that each contract or grant awarded by a State agency may be subject to suspension of payments or termination, and the contractor or grantee may be subject to debarment from future contracting, if the contracting agency determines that specified acts have occurred.

Pursuant to Government Code Section 8355, every person or organization awarded a contract or grant from a State agency shall certify that it will provide a drug-free workplace by doing all of the following:

- A. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in their workplace and specifying actions which will be taken against employees for violations of the prohibition;
- B. Establishing a drug-free awareness program to inform employees about all of the following:
  1. The dangers of drug abuse in the workplace;
  2. The person's or organization's policy of maintaining a drug-free workplace;
  3. The availability of drug counseling, rehabilitation and employee-assistance programs; and
  4. The penalties that may be imposed upon employees for drug abuse violations.
- C. Requiring that each employee engaged in the performance of the contract or grant be given a copy of the statement required by subdivision "A," and that, as a condition of employment on the contract or grant, the employee agrees to abide by the terms of the statement.

I, the undersigned, agree to fulfill the terms and requirements of the Drug-Free Workplace Act as it now exists or may hereinafter be amended. Particularly, I shall abide by Government Code Section 8355 when performing the Contract for the Project by:

- 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.

Each District consultant, contractor and vendor shall, moreover, advise the District whether they have a policy or procedure for maintaining a drug free workplace at the consultant's contractor's, or vendor's own place of business and if so, shall briefly describe it in writing to District officials.

In accordance with Board Policy 4020, following:

#### **Contractors and Vendors**

The Drug-Free Workplace Act of 1990 (Government Code Section 8350 et seq.) 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. 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.

Contractors with whom the District contracts for public works projects through the formal bid process or consultants with whom the District contracts must agree that vendors, employees or agents of the contractor or consultant shall not in any way be impaired due to being under the influence of alcohol or an illegal drug(s) while performing services for the District or while on District property.

No such person shall possess an open container of alcohol or consume alcohol, or possess, or be under the influence of an illegal drug, nor shall they sell, offer, or provide alcohol or an illegal drug(s) to another person while on District property.

All District consultants, contractors, and vendors shall inform their employees and agents that are performing service for the District of the District's objective of a safe, healthful, and productive

workplace and the prohibition of drug and alcohol use or impairment from same while performing such service for the District.

Each District consultant, contractor, and vendor shall, moreover, advise the District whether they have a policy or procedure for maintaining a drug free workplace at the consultant's, contractor's, or vendor's own place of business, and, if so, shall briefly describe it in writing to District officials.

---

**In accordance with the above, the following must be signed and filed with the awarding body as part of the bid package.**


---

Business name: KIRK PAVING, INC.

Does  Does not  Have a policy or procedure for maintaining a drug free workplace at their own place of business.

Attached is a copy of such policy or procedure or

Following is a brief description of such policy or procedure:

Signature:  Date: 4/15/2021  
Title: PRESIDENT

Legal Reference: the Drug Free Workplace Act of 1988 and Public Law 100-690 Section 5151-5160

# **ALCOHOL/DRUG/SMOKING POLICY**

We are absolutely committed to running a safe work environment. Substandard job performance arising out of alcohol/drug abuse or behavioral problems will result in corrective action. Using or being under the influence of alcohol/drugs on company property and/or the jobsite will result in immediately termination. The company reserves the right to request a drug or alcohol test prior to employment and/or at anytime from an employee if his or her actions give reasonable suspicion of alcohol/drug use while at work. Refusal to comply with a request for testing is grounds for immediate termination.

In compliance with state and local regulations, the office is a smoke-free environment. Smoking in company vehicles is prohibited.





# NON-COLLUSION AFFIDAVIT

BID #2021-075-002  
ASPHALT REPLACEMENT  
AT PROSPECT AVENUE SCHOOL

To be returned with bid documents:

I, JON A. KIRK, being first duly sworn, deposes and says that he is PRESIDENT of KIRK PAVING, INC. the party making the attached bid; that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that 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, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that 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, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

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

Name of Bidder KIRK PAVING, INC.

Signature [Signature]

Name JON A. KIRK

Title PRESIDENT

Dated 4/15/2021

**FORM MUST BE NOTARIZED**

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

**CIVIL CODE § 1189**

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State of California }  
County of SAN DIEGO }

On 4/15/2021 before me, MICHELLE M. LEDIN-KIRK, NOTARY PUBLIC  
Date Here Insert Name and Title of the Officer

personally appeared JON A. KIRK  
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.



Place Notary Seal and/or Stamp Above

Signature [Handwritten Signature]  
Signature of Notary Public

**OPTIONAL**

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**Description of Attached Document**

Title or Type of Document: NON-COLLUSION AFFIDAVIT  
Document Date: 4-15-2021 Number of Pages: ONE  
Signer(s) Other Than Named Above: NONE-N/A

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

Signer's Name: JON A. KIRK Signer's Name: \_\_\_\_\_  
 Corporate Officer – Title(s): PRESIDENT  Corporate Officer – Title(s): \_\_\_\_\_  
 Partner –  Limited  General  Partner –  Limited  General  
 Individual  Attorney in Fact  Individual  Attorney in Fact  
 Trustee  Guardian of Conservator  Trustee  Guardian of Conservator  
 Other: \_\_\_\_\_  Other: \_\_\_\_\_  
Signer is Representing: KIRK PAVING, INC Signer is Representing: \_\_\_\_\_