TRUSTEES OF THE CALIFORNIA STATE UNIVERSITY
FEE PROPOSAL FORM

Oppenheimer Upper Equestrian Pavilion -- MAJ 16-MJ0067
California Polytechnic State University
San Luis Obispo, CA 93407

To the Trustees of The California State University, on behalf of the State of California (hereinafter called the Trustees):

The undersigned Proposer hereby offers, in the amount stated below to provide the following:

- Estimating, value engineering, and Construction Document coordination during the design phase;
- Packaging the Construction Documents and obtaining Trade Contractor bids that in aggregate are less than the Construction Budget, and
- Furnishing all labor, materials, and equipment, and to perform all work necessary to construct and complete in a good worker-like and substantial manner and to the satisfaction of the Trustees,

The Oppenheimer Upper Equestrian Pavilion MAJ 16-MJ0067 Project, at California Polytechnic State University, San Luis Obispo, in accordance with all the requirements of the Request for Proposal, and hereby agrees to enter into contract for MAJ 16-MJ0067 if this offer is accepted by the Trustees. The construction budget for this project is $5,396,000.00.

TOTAL FEE PERCENTAGE: 9.53%

TOTAL FEE IN DOLLARS: $ 514,475.00 (Lump Sum)

Proposers shall complete the information in the following table Fee Proposal Form. (Refer to Table A, Section 13, for a description of construction phase costs in each category of fees listed below.)

<table>
<thead>
<tr>
<th>Fees</th>
<th>Fee in Dollars (Fee % multiplied by Direct Construction Cost Budget)</th>
<th>Fee Percentage (Fee as % of Direct Construction Cost Budget)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preconstruction Services - This will be the amount of the preconstruction services agreement.</td>
<td>$70,500</td>
<td>1.31%</td>
</tr>
<tr>
<td>Construction Phase - CM’s Site Management Fee</td>
<td>$174,175</td>
<td>3.23%</td>
</tr>
<tr>
<td>CM’s contingency for the construction phase is 2%</td>
<td>$107,920</td>
<td>2%</td>
</tr>
<tr>
<td>Construction Phase CM’s Overhead &amp; Profit</td>
<td>$161,880</td>
<td>3.00%</td>
</tr>
<tr>
<td><strong>Total CM Fees</strong></td>
<td><strong>$514,475</strong></td>
<td><strong>9.53%</strong></td>
</tr>
</tbody>
</table>

The CM will include a line item budget showing dollar cost of each line item such that in total will reconcile to the Construction Phase – CM’s Site Management Fee. Trustees will maintain the option to procure individual site management line items to reduce project costs. The Trustees will have the option to request fully purchased site management materials be left with the University upon completion of the project.

In the event of an inconsistency in the math on the Fee Proposal form, the individual fee percentages shall govern over the fee in dollars, and the fee in dollars shall be recalculated.

The amounts above are to be stated in figures only and is the total amount proposed for the entire contract work including all applicable taxes. Any alteration, erasure, or change must be clearly indicated and initialed by the proposer. The proposer agrees that if there are any discrepancies or questions in the figures, the Trustees will use the lower figure despite the Proposer’s intent. The Proposer agrees that the above fees will be held firm and fixed for 60 calendar days in accordance with the proposed calendar contained in the Information for Proposers. The Trustees reserve the right to reject any and all proposals and to waive any irregularities.

ACKNOWLEDGE EACH ADDENDUM # RECEIVED 1

Oppenheimer Upper Equestrian Pavilion – MAJ 16-MJ0067
Strategic Business Services, Cal Poly, San Luis Obispo, CA 93407-0690 - PH 805/756-2232 FX 805/756.6500 10/21/2016
The proposal is subject to the provisions contained in the Contract General Conditions (note especially Article 2.00 et seq.), and the Proposer agrees that failure to comply with the conditions thereof shall be basis for rejection of this bid.

The Trustees require the successful proposer to achieve a minimum goal of 3% DVBE participation in contracting construction projects as established in the Contract General Conditions or to provide acceptable evidence of good faith efforts to do so. Once the selected Construction Manager at Risk begins the competitive bidding selection of the Trade Contractors, the selected Construction Manager at Risk shall contact the Trustees’ DVBE Coordinator at 805/756-2232.

The bid must be submitted on this Fee Proposal Form, completely filled out and in a sealed envelope provided by the Trustees, and delivered to Strategic Business Services, Building 1, Room 128, at California Polytechnic State University, before 3:00 p.m., November 18, 2016, or it will be disregarded. Only bids from shortlisted prequalified contractors with a current B – General Building license will be accepted.

No bidder’s security is required for this project. However, when awarded the construction services phase of the project, 100% Performance and Payment bonds will be required (see Article 3.02 of the Contract General Conditions).

The time period for completion of the Pre-Construction Phase shall be 150 calendar days and Construction Phase shall be 217 calendar days from the date of the start of construction as stated in the Notice to Proceed for the Construction Phase. Liquidated damages shall be $1,000.00 for each calendar day completion is delayed beyond the time prescribed for the Construction Phase.
This is to certify that I am the ____________________________ (Insert title such as Secretary or Assistant Secretary) of ____________________________ ; and that the attached resolution is a true and accurate copy, as the same appears in the Minutes of the Board of Directors of the Corporation; and that said resolution was duly adopted by the Board of Directors of the Corporation at its meeting on _______January 01, 2014_______.

Dated: ___________ November 17, 2016__________ (Insert date)

__________________________
Jeffery W. Martin Signature
Senior Vice President
Title of person making certification

IMPORTANT NOTE
(Be sure that a copy of the resolution authorizing a person to execute contract documents or to execute a bid submittal is attached to this certification. If more than one resolution is attached, the form must be modified to reflect that fact.)
Unanimous Written Consent of Directors
In Lieu of Meeting of The Board of Directors

Specialty Construction, Inc.

The undersigned, being the directors of the corporation, acting pursuant to the authority of Section 307 of the California General Corporations Law, hereby adopt the following recitals and resolutions, effective on the date set forth below.

WHEREAS, it is contemplated that the corporation will enter into contracts with third parties in conducting the business of the corporation, it is

RESOLVED, that Jeffery W. Martin, Senior Vice President, is hereby authorized to sign any and all Subcontracts, Subcontract Amendments, Contracts and Contract Changes for and on behalf of the corporation.

______________________________
Rudolph C. Bachmann
Director

Dated: January 1, 2014
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of San Luis Obispo

On January 24, 2014 before me, Sheri A. Shamblin, Notary Public

personally appeared Rudolph C. Bachmann

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, Sheri A. Shamblin

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Unanimous Written Consent of Directors In Lieu of Meeting of The Board of Directors

Document Date: 1/1/14

Signer(s) Other Than Named Above: N/A.

Number of Pages: 1

Capacity(ies) Claimed by Signer(s)

Signer's Name: Rudolph C. Bachmann

☑ Individual

☑ Corporate Officer — Title(s): Director

☑ Partner — Limited General

☑ Attorney In Fact

☑ Trustee

☑ Guardian or Conservator

☑ Other:

Signer Is Representing: Specialty Construction, Inc.

Signer's Name: N/A.

☑ Individual

☑ Corporate Officer — Title(s):

☑ Partner — Limited General

☑ Attorney In Fact

☑ Trustee

☑ Guardian or Conservator

☑ Other:

Signer Is Representing:
NONCOLLUSION DECLARATION
TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID FOR:

Project No. MAJ 16-MJ0067   Project Name  Oppenheimer Upper Equestrian Pavilion

The undersigned declares:

I am the [Senior Vice President] of [Specialty Construction, Inc.], the party making the forgoing bid.

Title

Company

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 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 November 17, 2016 at [San Luis Obispo, California].

Jeffery W. Martin, Senior Vice President / Specialty Construction, Inc.

Printed Name

Signature

Construction Mgmt.
701.05  1/2012
CERTIFICATION OF APPROPRIATE LICENSE, 
DIR PUBLIC WORKS REGISTRATION, AND CALIFORNIA COMPANY 
(Public Contract Code, Chapter 6100 et seq.)

Project No. MAJ 16-MJ0067  Project Name Oppenheimer Upper Equestrian Pavilion

The undersigned bidder declares:

1) That the attached pocket license or certificate of licensure is the Contractor’s, is current and valid, and is in a classification appropriate to the work to be undertaken on the above-referenced project for which bidder is submitting a bid, per Public Contract Code Section 6100(b). Attach a copy of the pocket license issued from Contractor’s State License Board.

2) That the Contractor is currently registered to bid public works projects with the Department of Industrial Relations (DIR), and shall maintain this registration current through the duration of this project. Attach documentation of the registration number issued by the DIR.

3) The bidder qualifies as a “California Company” per Public Contract Code Section 6107. Check one of the following statements that applies to the bidder:

☑ Bidder has its principal place of business in California.

☐ Bidder has its principal place of business in a state in which there is no local contractor preference on construction contracts.

☐ Bidder has its principal place of business in a state in which there is a local contractor construction preference, and bidder has paid not less than five thousand dollars ($5,000) in sales or use taxes to California for construction related activity for each of the five years immediately preceding the submission of this bid.

If bidder does not qualify as a California company (and has not checked one of the statements under item 3 above), please complete the following information:

<table>
<thead>
<tr>
<th>N/A</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>State in which Bidder has its principal place of business</td>
<td>Amount of the local contractor construction preference offered</td>
</tr>
</tbody>
</table>

The undersigned declares under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on this 17th day of November, 2016, at San Luis Obispo, California.

Signature of Bidder or officer of Bidder authorized to execute contracts

Jeffery W Martin, Senior Vice President

Print or type name of person signing

Specialty Construction, Inc.

Print or type name of business entity

645 Clarion Court, San Luis Obispo, CA 93401

Address

Oppenheimer Upper Equestrian Pavilion – MAJ 16-MJ0067 Addendum #1 Item 1-1 10/21/2016
Strategic Business Services, Cal Poly, San Luis Obispo, CA 93407-0690 - PH 805/756-2232 FX 805.756.6500 Page 6 of 7

Construction Mgmt. 701.08 • 3/16
BID PROPOSAL FORM SIGNATURE PAGE

Date: November 17, 2016

The undersigned bidder hereby submits this bid pursuant to the contract documents:

A. If bidder is an individual proprietorship: N/A
   (Name of Firm)*
   (Postal Address of Firm)
   (Signature of Individual)**
   (Printed Name of Person Who Signs)
   (Phone Number)

B. If bidder is a partnership: N/A
   (Name of Firm)*
   (Postal Address of Firm)
   (Signatures)**
   (Printed Name of Person(s) Who Signs)
   (Phone Number)

C. If bidder is a corporation: Specialty Construction, Inc.
   645 Clarion Court, San Luis Obispo, CA 93401
   (Name of Corporation)*
   (Postal Address of Principal Office of Corporation)
   Jeffery W Martin
   (Signature of Person Who Signs for Corporation)***
   (Printed Name of Person Who Signs)
   Senior Vice President
   (Title of Person Who Signs Above)**
   California
   (State of Incorporation)
   805-543-1706
   (Phone Number)

D. If bidder is a joint venture: N/A
   (Name of Joint Venture)
   (License No., if known)****

** An Affidavit of Joint Venture form must be filed five days prior to bid opening and each member of the joint venture must be prequalified one day prior to bid opening as provided in Article 2.02 of the Contract General Conditions. Each member of the joint venture shall fill in the information below corresponding to the member’s type of business organization. If the joint venturer has more than one of the same types of business organizations, additional copies of this page containing the required information and signatures shall be added and attached to this proposal form. Any such attachments are a part of this proposal form.

<table>
<thead>
<tr>
<th>First Member of the Joint Venture</th>
<th>Second Member of the Joint Venture</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Name of Firm or Corporation)*</td>
<td>(Name of Firm or Corporation)*</td>
</tr>
<tr>
<td>(License No.)</td>
<td>(License No.)</td>
</tr>
<tr>
<td>(Postal Address of Principal Office of Corporation)</td>
<td>(State of Incorporation)</td>
</tr>
<tr>
<td>(Signature and Printed Name of Person Who Signs for Corporation)***</td>
<td>(Signature and Printed Name of Person Who Signs for Corporation)***</td>
</tr>
<tr>
<td>(Title of Person Who Signs Above)**</td>
<td>(Title of Person Who Signs Above)**</td>
</tr>
<tr>
<td>(Phone Number)</td>
<td>(Phone Number)</td>
</tr>
</tbody>
</table>

* Name must be same as appears on state contractor’s license and on prequalification.
** If signature is by an agent, other than an officer of a corporation or a member of a partnership, a power of attorney must be on file with the Trustees before bid opening or be submitted with this bid.
*** A certified copy of corporate board action authorizing execution of this contract must be submitted on Trustees-prescribed forms.
**** The Joint Venture must have the required license in place at time of award of contract, and if awarded the contract, must return with the contract a resolution authorizing someone to sign contracts, change orders, and other documents for the joint venture.
TRUSTEES OF THE CALIFORNIA STATE UNIVERSITY
FEE PROPOSAL FORM

Oppenheimer Upper Equestrian Pavilion -- MAJ 16-MJ0067
California Polytechnic State University
San Luis Obispo, CA 93407

To the Trustees of The California State University, on behalf of the State of California (hereinafter called the Trustees):

The undersigned Proposer hereby offers, in the amount stated below to provide the following:

- Estimating, value engineering, and Construction Document coordination during the design phase;
- Packaging the Construction Documents and obtaining Trade Contractor bids that in aggregate are less than the Construction Budget, and
- Furnishing all labor, materials, and equipment, and to perform all work necessary to construct and complete in a good worker-like and substantial manner and to the satisfaction of the Trustees,

The Oppenheimer Upper Equestrian Pavilion MAJ 16-MJ0067 Project, at California Polytechnic State University, San Luis Obispo, in accordance with all the requirements of the Request for Proposal, and hereby agrees to enter into contract for MAJ 16-MJ0067 if this offer is accepted by the Trustees. The construction budget for this project is $5,396,000.00.

TOTAL FEE PERCENTAGE: __11.18% (Includes 2% contingency)_________

TOTAL FEE IN DOLLARS: $495,184 (Excludes contingency) ____________ (Lump Sum)

Proposers shall complete the information in the following table Fee Proposal Form. (Refer to Table A, Section 13, for a description of construction phase costs in each category of fees listed below.).

<table>
<thead>
<tr>
<th>Fees</th>
<th>Fee in Dollars (Fee % multiplied by Direct Construction Cost Budget)</th>
<th>Fee Percentage (Fee as % of Direct Construction Cost Budget)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preconstruction Services - This will be the amount of the preconstruction services agreement.</td>
<td>$78,132.00</td>
<td>1.45%</td>
</tr>
<tr>
<td>Construction Phase - CM’s Site Management Fee</td>
<td>$152,144.00</td>
<td>2.82%</td>
</tr>
<tr>
<td>CM’s contingency for the construction phase is 2%</td>
<td></td>
<td>2%</td>
</tr>
<tr>
<td>Construction Phase CM’s Overhead &amp; Profit</td>
<td>$264,908.00</td>
<td>4.91%</td>
</tr>
<tr>
<td>Total CM Fees</td>
<td>$495,184.00</td>
<td>11.18%</td>
</tr>
</tbody>
</table>

The CM will include a line item budget showing dollar cost of each line item such that in total will reconcile to the Construction Phase – CM’s Site Management Fee. Trustees will maintain the option to procure individual site management line items to reduce project costs. The Trustees will have the option to request fully purchased site management materials be left with the University upon completion of the project.

In the event of an inconsistency in the math on the Fee Proposal form, the individual fee percentages shall govern over the fee in dollars, and the fee in dollars shall be recalculated.

The amounts above are to be stated in figures only and is the total amount proposed for the entire contract work including all applicable taxes. Any alteration, erasure, or change must be clearly indicated and initialed by the proposer. The proposer agrees that if there are any discrepancies or questions in the figures, the Trustees will use the lower figure despite the Proposer’s intent. The Proposer agrees that the above fees will be held firm and fixed for 60 calendar days in accordance with the proposed calendar contained in the Information for Proposers. The Trustees reserve the right to reject any and all proposals and to waive any irregularities.

ACKNOWLEDGE EACH ADDENDUM # RECEIVED __#1,#2___
CERTIFICATION

This is to certify that I am the __________________________ (Insert title such as Secretary or Assistant Secretary)
of _______________ Diani Building Corp. __________________________; and that the attached
(Insert name of corporation)
resolution is a true and accurate copy, as the same appears in the Minutes of the Board of Directors of
the Corporation; and that said resolution was duly adopted by the Board of Directors of the Corporation
at its meeting on __February 10, 2016______________.

Dated: __November 10, 2016______________
(Insert date)

_________________________________
Signature

______________________________
Secretary
Title of person making certification

IMPORTANT NOTE
(Be sure that a copy of the resolution authorizing a person to execute contract documents or to execute a bid
submittal is attached to this certification. If more than one resolution is attached, the form must be modified to
reflect that fact.)
The following Resolutions are a true and accurate copy, as the same appears in the Minutes of the Board of Directors meeting of Diani Building Corp. held on February 10, 2016.

The Chairman declared that the initial item of business was the election of Officers of the Corporation. Michael J. Diani presented the following slate of Officers in a motion, seconded Donald L. Ward, and they were thereupon unanimously elected to the office as indicated.

Michael J. Diani  President, Chairman of the Board
Jason M. Diani  Secretary, Vice President-Administration
Lowell Ledgerwood  Treasurer, Controller
Jeffrey K. Neal  Senior Vice President
Peter A. Hemesath  Vice President
Nicholas J. Diani  Vice President

Upon a motion duly made by Michael J. Diani, seconded by James A. Diani, the following resolutions were unanimously carried and adopted.

RESOLVED, that all acts of the Officers and Directors of the Corporation, in the name and for and on behalf of the Corporation, from the date of the last annual meeting to the date of this meeting, are hereby approved and confirmed and ratified and adopted as the acts of the Corporation.

RESOLVED, that Michael J. Diani, President and Chairman of the Board is authorized to execute documents for and on behalf of the Corporation and that the Corporation, in their absence, appoints the following Officers to execute documents and/or perform the necessary services to conduct business on behalf of the Corporation: Jason M. Diani, Jeffrey K. Neal, Peter A. Hemesath, Nicholas J. Diani, Lowell R. Ledgerwood, James A. Diani, and Donald L. Ward.

ATTESTED BY:

[Signature]

Jason M. Diani, Secretary
NONCOLLUSION DECLARATION
TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID FOR:

Project No. MAJ 16-MJ0067  Project Name  Oppenheimer Upper Equestrian Pavilion

The undersigned declares:

I am the President of Diani Building Corp., the party making the forgoing bid.

Title

Company

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 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 Nov 15, 2014

at Santa Maria, California

City  State

Signature

Michael J. Diani
Printed Name

Construciton Mgmt.
701.05 • 1/2012
CERTIFICATION OF APPROPRIATE LICENSE, DIR PUBLIC WORKS REGISTRATION, AND CALIFORNIA COMPANY
(Public Contract Code, Chapter 6100 et seq.)

Project No. MAJ 16-MJ0067 Project Name Oppenheimer Upper Equestrian Pavilion

The undersigned bidder declares:

1) That the attached pocket license or certificate of licensure is the Contractor’s, is current and valid, and is in a classification appropriate to the work to be undertaken on the above-referenced project for which bidder is submitting a bid, per Public Contract Code Section 6100(b). Attach a copy of the pocket license issued from Contractor’s State License Board.

2) That the Contractor is currently registered to bid public works projects with the Department of Industrial Relations (DIR), and shall maintain this registration current through the duration of this project. Attach documentation of the registration number issued by the DIR.

3) The bidder qualifies as a “California Company” per Public Contract Code Section 6107. Check one of the following statements that applies to the bidder:
   • Bidder has its principal place of business in California.
   • Bidder has its principal place of business in a state in which there is no local contractor preference on construction contracts.
   • Bidder has its principal place of business in a state in which there is a local contractor construction preference, and bidder has paid not less than five thousand dollars ($5,000) in sales or use taxes to California for construction related activity for each of the five years immediately preceding the submission of this bid.

If bidder does not qualify as a California company (and has not checked one of the statements under item 3 above), please complete the following information:

State in which Bidder has its principal place of business

Amount of the local contractor construction preference offered

The undersigned declares under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on this 15 day of NOV., 2016, at Santa Maria, California.

Signature of Bidder or officer of bidder authorized to execute contracts

Michael J. Diani

Print or type name of person signing

Diani Building Corp.

Print or type name of business entity

351 N. Blosser Road, Santa Maria, CA 93458

Address

Construction Mgmt.

701 08 3/16
The undersigned bidder hereby submits this bid pursuant to the contract documents:

A. If bidder is an individual proprietorship:

   (Name of Firm)*
   (License No.)
   (Postal Address of Firm)

   (Signature of Individual)**
   (Printed Name of Person Who Signs)
   (Phone Number)

B. If bidder is a partnership:

   (Name of Firm)*
   (License No.)
   (Postal Address of Firm)

   (Signatures)**
   (Printed Name of Person(s) Who Signs)
   (Phone Number)

C. If bidder is a corporation:  

   Diani Building Corp.
   (Name of Corporation)*
   (License No.)
   351 N. Blosser Road, Santa Maria, CA 93458
   (Postal Address of Principal Office of Corporation)

   Michael J. Diani
   (Printed Name of Person Who Signs)
   (State of Incorporation)
   805-925-9533
   (Phone Number)

D. If bidder is a joint venture:

   (Name of Joint Venture)
   (License No., if known)****

   First Member of the Joint Venture

   (Name of Firm or Corporation)*
   (License No.)
   (Postal Address of Principal Office of Corporation)
   (State of Incorporation)
   (Signature and Printed Name of Person Who Signs for Corporation)***
   (Phone Number)

   Second Member of the Joint Venture

   (Name of Firm or Corporation)*
   (License No.)
   (Postal Address of Principal Office of Corporation)
   (State of Incorporation)
   (Signature and Printed Name of Person Who Signs for Corporation)***
   (Phone Number)

* Name must be same as appears on state contractor's license and on prequalification.
** If signature is by an agent, other than an officer of a corporation or a member of a partnership, a power of attorney must be on file with the Trustees before bid opening or be submitted with this bid.
*** A certified copy of corporate board action authorizing execution of this contract must be submitted on Trustees-prescribed forms.
**** The Joint Venture must have the required license in place at time of award of contract, and if awarded the contract, must return with the contract a resolution authorizing someone to sign contracts, change orders, and other documents for the joint venture.
# Preconstruction Phase Staffing Table

<table>
<thead>
<tr>
<th>NAME</th>
<th>TITLE</th>
<th>Employment Status</th>
<th>Hours</th>
<th>Rate</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jeff Neal</td>
<td>Vice President</td>
<td>Existing Employee</td>
<td>80</td>
<td>$115.00</td>
<td>$9,200</td>
</tr>
<tr>
<td>Pete Hemesath</td>
<td>Project Manager</td>
<td>Existing Employee</td>
<td>840</td>
<td>$88.53</td>
<td>$74,365.20</td>
</tr>
<tr>
<td>Donnie Miller</td>
<td>Preconstruction Project Manager</td>
<td>Existing Employee</td>
<td>460</td>
<td>$102.00</td>
<td>$47,400</td>
</tr>
<tr>
<td>Rick Montoya</td>
<td>Superintendent/QAQC</td>
<td>Existing Employee</td>
<td>80</td>
<td>$79.00</td>
<td>$6,320</td>
</tr>
<tr>
<td>Estimator</td>
<td>Senior Estimator</td>
<td>Existing Employee</td>
<td>280</td>
<td>$79.00</td>
<td>$22,120</td>
</tr>
<tr>
<td>Justin Ward</td>
<td>Safety Manager</td>
<td>Existing Employee</td>
<td>40</td>
<td>$77.00</td>
<td>$3,080</td>
</tr>
</tbody>
</table>

# Construction Phase Staffing Table

<table>
<thead>
<tr>
<th>NAME</th>
<th>TITLE</th>
<th>Employment Status</th>
<th>Hours</th>
<th>Rate</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jeff Neal</td>
<td>Vice President</td>
<td>Existing Employee</td>
<td>160</td>
<td>$115.00</td>
<td>$18,400</td>
</tr>
<tr>
<td>Pete Hemesath</td>
<td>Project Manager</td>
<td>Existing Employee</td>
<td>1240</td>
<td>$88.53</td>
<td>$109,777.20</td>
</tr>
<tr>
<td>Donnie Miller</td>
<td>Preconstruction Project Manager</td>
<td>Existing Employee</td>
<td>192</td>
<td>$102.00</td>
<td>$19,440</td>
</tr>
<tr>
<td>Rick Montoya</td>
<td>Superintendent/QAQC</td>
<td>Existing Employee</td>
<td>310</td>
<td>$83.98</td>
<td>$26,338.80</td>
</tr>
<tr>
<td>Estimator</td>
<td>Senior Estimator</td>
<td>Existing Employee</td>
<td>AS REQUIRED</td>
<td>$79.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>Justin Ward</td>
<td>Safety Manager</td>
<td>Existing Employee</td>
<td>124</td>
<td>$77.00</td>
<td>$9,548.00</td>
</tr>
</tbody>
</table>
TRUSTEES OF THE CALIFORNIA STATE UNIVERSITY
FEE PROPOSAL FORM

Oppenheimer Upper Equestrian Pavilion -- MAJ 16-MJ0067
California Polytechnic State University
San Luis Obispo, CA 93407

To the Trustees of The California State University, on behalf of the State of California (hereinafter called the Trustees):

The undersigned Proposer hereby offers, in the amount stated below to provide the following:

- Estimating, value engineering, and Construction Document coordination during the design phase;
- Packaging the Construction Documents and obtaining Trade Contractor bids that in aggregate are less than the Construction Budget, and
- Furnishing all labor, materials, and equipment, and to perform all work necessary to construct and complete in a good worker-like and substantial manner and to the satisfaction of the Trustees,

The Oppenheimer Upper Equestrian Pavilion MAJ 16-MJ0067 Project, at California Polytechnic State University, San Luis Obispo, in accordance with all the requirements of the Request for Proposal, and hereby agrees to enter into contract for MAJ 16-MJ0067 if this offer is accepted by the Trustees. The construction budget for this project is $5,396,000.00.

TOTAL FEE PERCENTAGE: 15.30%

TOTAL FEE IN DOLLARS: $825,588.00 (Lump Sum)

Proposers shall complete the information in the following table Fee Proposal Form. (Refer to Table A, Section 13, for a description of construction phase costs in each category of fees listed below).

<table>
<thead>
<tr>
<th>Fees</th>
<th>Fee in Dollars (Fee % multiplied by Direct Construction Cost Budget)</th>
<th>Fee Percentage (Fee as % of Direct Construction Cost Budget)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preconstruction Services - This will be the amount of the preconstruction services agreement.</td>
<td>$53,960.00</td>
<td>1.00%</td>
</tr>
<tr>
<td>Construction Phase - CM’s Site Management Fee</td>
<td>$323,760.00</td>
<td>6.00%</td>
</tr>
<tr>
<td>CM’s contingency for the construction phase is 2%</td>
<td>$107,920.00</td>
<td>2%</td>
</tr>
<tr>
<td>Construction Phase CM’s Overhead &amp; Profit</td>
<td>$339,948.00</td>
<td>6.30%</td>
</tr>
<tr>
<td>Total CM Fees</td>
<td>$825,588.00</td>
<td>15.30%</td>
</tr>
</tbody>
</table>

The CM will include a line item budget showing dollar cost of each line item such that in total will reconcile to the Construction Phase – CM’s Site Management Fee. Trustees will maintain the option to procure individual site management line items to reduce project costs. The Trustees will have the option to request fully purchased site management materials be left with the University upon completion of the project.

In the event of an inconsistency in the math on the Fee Proposal form, the individual fee percentages shall govern over the fee in dollars, and the fee in dollars shall be recalculated.

The amounts above are to be stated in figures only and is the total amount proposed for the entire contract work including all applicable taxes. Any alteration, erasure, or change must be clearly indicated and initialed by the proposer. The proposer agrees that if there are any discrepancies or questions in the figures, the Trustees will use the lower figure despite the Proposer’s intent. The Proposer agrees that the above fees will be held firm and fixed for 60 calendar days in accordance with the proposed calendar contained in the Information for Proposers. The Trustees reserve the right to reject any and all proposals and to waive any irregularities.

ACKNOWLEDGE EACH ADDENDUM # RECEIVED

Addendum #1 10/21/2016
Addendum #2 11/8/2016

Oppenheimer Upper Equestrian Pavilion – MAJ 16-MJ0067
Strategic Business Services, Cal Poly, San Luis Obispo, CA 93407-0690 - PH 805/756-2232 FX 805.756.6500

10/21/2016
Page 1 of 7
The proposal is subject to the provisions contained in the Contract General Conditions (note especially Article 2.00 et seq.), and the Proposer agrees that failure to comply with the conditions thereof shall be basis for rejection of this bid.

The Trustees require the successful proposer to achieve a minimum goal of 3% DVBE participation in contracting construction projects as established in the Contract General Conditions or to provide acceptable evidence of good faith efforts to do so. Once the selected Construction Manager at Risk begins the competitive bidding selection of the Trade Contractors, the selected Construction Manager at Risk shall contact the Trustees’ DVBE Coordinator at 805/756-2232.

The bid must be submitted on this Fee Proposal Form, completely filled out and in a sealed envelope provided by the Trustees, and delivered to Strategic Business Services, Building 1, Room 128, at California Polytechnic State University, before 3:00 p.m., November 18, 2016, or it will be disregarded. Only bids from shortlisted prequalified contractors with a current B - General Building license will be accepted.

No bidder’s security is required for this project. However, when awarded the construction services phase of the project, 100% Performance and Payment bonds will be required (see Article 3.02 of the Contract General Conditions).

The time period for completion of the Pre-Construction Phase shall be **150 calendar days and Construction Phase shall be 217 calendar days** from the date of the start of construction as stated in the Notice to Proceed for the Construction Phase. Liquidated damages shall be **$1,000.00** for each calendar day completion is delayed beyond the time prescribed for the Construction Phase.
## Pre-Construction Phase Staffing

<table>
<thead>
<tr>
<th>Name</th>
<th>Description</th>
<th>Employment Status</th>
<th>Scheduled Hours</th>
<th>Percentage of available hours (assuming 21 weeks, 40 hours per week)</th>
<th>Hourly Rate</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Michael J Avila</td>
<td>Project Executive</td>
<td>Current Employee</td>
<td>80</td>
<td>10%</td>
<td>OH*</td>
<td>OH*</td>
</tr>
<tr>
<td>Matt Bouquet, PE</td>
<td>Project Manager</td>
<td>Current Employee</td>
<td>292</td>
<td>35%</td>
<td>$121.17</td>
<td>$35,091.52</td>
</tr>
<tr>
<td>Steven Stornetta</td>
<td>Project Superintendent</td>
<td>Current Employee</td>
<td>184</td>
<td>22%</td>
<td>$150.97</td>
<td>$18,578.46</td>
</tr>
</tbody>
</table>

Total Pre-Construction Hours: 555
Total Pre-Construction Cost: $53,960.00

*Note Project Exec is included in Overhead Mark-up*
# Construction Phase Staffing

<table>
<thead>
<tr>
<th>Name</th>
<th>Description</th>
<th>Employment Status</th>
<th>Scheduled Hours</th>
<th>Percentage of available hours (assuming 31 weeks, 40 hours per week)</th>
<th>Hourly Rate</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Michael J Avila</td>
<td>Project Executive</td>
<td>Current Employee</td>
<td>310</td>
<td>25% OH</td>
<td>$108.00</td>
<td>$66,960.00</td>
</tr>
<tr>
<td>Matt Bouquet, PE</td>
<td>Project Manager</td>
<td>Current Employee</td>
<td>620</td>
<td>30% OH</td>
<td>$108.00</td>
<td>$68,960.00</td>
</tr>
<tr>
<td>Steven Stornetta</td>
<td>Project Superintendent</td>
<td>Current Employee</td>
<td>1,240</td>
<td>100%</td>
<td>$90.00</td>
<td>$111,600.00</td>
</tr>
<tr>
<td>Mark Jones</td>
<td>Project Manager</td>
<td>Current Employee</td>
<td>1,240</td>
<td>100%</td>
<td>$90.00</td>
<td>$111,600.00</td>
</tr>
<tr>
<td>Michael Avila</td>
<td>Project Intern</td>
<td>Current Employee</td>
<td>150</td>
<td>15% OH</td>
<td>$90.00</td>
<td>$13,500.00</td>
</tr>
</tbody>
</table>

**Total Pre-Construction Hours**: 3,065  
**Total Construction Phase Staff**: $290,160.00

---

**Construction Phase Site Services**

<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
<th>Quantity</th>
<th>Units</th>
<th>$/Unit</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Project Jobsite Staff</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jobsite Staff</td>
<td>Construction Phase Staffing - See table above</td>
<td>1</td>
<td>LS</td>
<td></td>
<td>$280,160.00</td>
</tr>
<tr>
<td>Jobsite Staff - 22</td>
<td>Subsistence for Jobsite Staff</td>
<td>7.1</td>
<td>MO</td>
<td></td>
<td>$6,520.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td><strong>Job Site Temporary Facilities</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Temp Facilities - 1</td>
<td>Office Trailer</td>
<td>7.1</td>
<td>MO</td>
<td></td>
<td>$7,200.00</td>
</tr>
<tr>
<td>Temp Facilities - 2</td>
<td>Storage Trailer &amp; Tool Shed</td>
<td>7.1</td>
<td>MO</td>
<td></td>
<td>$5,125.00</td>
</tr>
<tr>
<td>Temp Facilities - 3</td>
<td>Office Furniture &amp; Equipment</td>
<td>1</td>
<td>LS</td>
<td></td>
<td>$500.00</td>
</tr>
<tr>
<td>Temp Facilities - 4</td>
<td>Copy Machine &amp; Printer</td>
<td>7.1</td>
<td>MO</td>
<td></td>
<td>$2,485.00</td>
</tr>
<tr>
<td>Temp Facilities - 5</td>
<td>Postage, UPS/FedEx</td>
<td>7.1</td>
<td>MO</td>
<td></td>
<td>$332.50</td>
</tr>
<tr>
<td>Temp Facilities - 6</td>
<td>Project Photographs - Pre-Construction Video</td>
<td>1</td>
<td>LS</td>
<td></td>
<td>$600.00</td>
</tr>
<tr>
<td>Temp Facilities - 7</td>
<td>Temporary Toilets &amp; Wash Stations</td>
<td>7.1</td>
<td>MO</td>
<td></td>
<td>$6,200.00</td>
</tr>
<tr>
<td>Temp Facilities - 8</td>
<td>Project Sign</td>
<td>1</td>
<td>LS</td>
<td></td>
<td>$500.00</td>
</tr>
<tr>
<td>Temp Facilities - 16</td>
<td>Drinking Water/Cooler/Cup</td>
<td>7.1</td>
<td>MO</td>
<td></td>
<td>$425.00</td>
</tr>
<tr>
<td>Temp Facilities - 17</td>
<td>Safety &amp; First Aid Supplies</td>
<td>1</td>
<td>LS</td>
<td></td>
<td>$250.00</td>
</tr>
<tr>
<td>Temp Facilities - 18</td>
<td>Fire Fighting Equipment</td>
<td>1</td>
<td>LS</td>
<td></td>
<td>$550.00</td>
</tr>
<tr>
<td>Temp Facilities - 19</td>
<td>Security Guards - Not Applicable</td>
<td>1</td>
<td>LS</td>
<td></td>
<td>$0.00</td>
</tr>
<tr>
<td>Temp Facilities - 20</td>
<td>Watchman Service - Not Applicable</td>
<td>1</td>
<td>LS</td>
<td></td>
<td>$0.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td><strong>General Requirements Temporary Utilities &amp; Cleaning</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gen Req - 8</td>
<td>Heating &amp; Cooling Costs - Not Applicable</td>
<td>1</td>
<td>LS</td>
<td></td>
<td>$0.00</td>
</tr>
<tr>
<td>Gen Req - 9</td>
<td>Light Bulbs &amp; Misc Supplies</td>
<td>1</td>
<td>LS</td>
<td></td>
<td>$770.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td><strong>Holding</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Holst - 14</td>
<td>Safety Inspections - Included in Site Superintendent</td>
<td>1</td>
<td>LS</td>
<td></td>
<td>$0.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0.00</td>
<td></td>
</tr>
<tr>
<td><strong>Indirect &amp; Miscellaneous Costs</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Misc - 10</td>
<td>Pending Plans and Specifications</td>
<td>1</td>
<td>LS</td>
<td></td>
<td>$2,500.00</td>
</tr>
<tr>
<td>Misc - 27</td>
<td>Other Fees, Assessments, Licenses</td>
<td>1</td>
<td>LS</td>
<td></td>
<td>$1,000.00</td>
</tr>
<tr>
<td>Misc</td>
<td>Vehicular Access &amp; Parking - Permits</td>
<td>1</td>
<td>LS</td>
<td></td>
<td>$750.00</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$0.00</td>
<td></td>
</tr>
</tbody>
</table>

**Total Construction Phase Site Services**: $323,760.00

*Note: Project Executives is included in Overhead Mark-up*
This is to certify that I am the Chief Financial Officer and Secretary
of Avila Brothers, Inc. dba Avila Construction Company; and that the attached
resolution is a true and accurate copy, as the same appears in the Minutes of the Board of Directors of the Corporation; and that said resolution was duly adopted by the Board of Directors of the Corporation at its meeting on 5/30/1998.

Dated: 11/18/2016

Signature

Michael J. Avila
Chief Financial Officer and Secretary

IMPORTANT NOTE
(Be sure that a copy of the resolution authorizing a person to execute contract documents or to execute a bid
submittal is attached to this certification. If more than one resolution is attached, the form must be modified to
reflect that fact.)
APPENDIX I

RESTATED ARTICLES OF INCORPORATION

OF

STEVE AVILA CONSTRUCTION, INC.

ARTICLE I

The name of this corporation is: Avila Brothers, Inc..

ARTICLE II

The purpose of this corporation is to engage in any lawful act or activity for which a corporation may be organized under the General Corporation Law of California other than the banking business, the trust company business or the practice of a profession permitted to be incorporated by the California Corporation Code.

ARTICLE III

This corporation is authorized to issue one class of shares to be designated common stock. The total number of shares of common stock this corporation shall have authority to issue is 1,000,000, without par value.

ARTICLE IV

The liability of the directors of this corporation for monetary damages shall be eliminated to the fullest extent permissible under California law. Any repeal or modification of this Article IV, or the adoption of any provision of the articles of incorporation inconsistent with this Article IV, shall only be prospective and shall not adversely affect the rights under this Article IV in effect at the time of the alleged occurrence of any act or omission to act giving rise to liability.

ARTICLE V

This corporation is authorized to provide indemnification of agents (as defined in Section 317 of the California Corporation Code) through bylaw provisions, agreements with agents, vote of shareholders or disinterested directors, or otherwise, in excess of the indemnification otherwise permitted by Section 317 of the California Corporations Code, subject only to the applicable limits on indemnification set forth in Section 204 of the California Corporations Code with respect to actions for breach of duty to the corporation or its shareholders. Any repeal or modification of this Article V, or the adoption of any provision of the Articles of Incorporation inconsistent with this Article V shall only be prospective and shall not adversely affect the rights under this Article V in effect at the time of the alleged occurrence of any action or omission to act giving rise to indemnification.
ACTION BY UNANIMOUS WRITTEN CONSENT
OF THE DIRECTORS OF
STEVE AVILA CONSTRUCTION, INC.

The undersigned, constituting all of the members of the board of directors of (the "Board") of Steve Avila Construction, Inc., a California corporation (the "Corporation"), by their signature below, hereby adopt the following resolutions on behalf of the Corporation, pursuant to Section 307(b) of the California Corporations Code:

ISSUANCE OF SHARES

WHEREAS, the Board desires to compensate Michael Avila for services rendered by him to the Corporation;

NOW THEREFORE, BE IT RESOLVED, for services rendered by Michael Avila to the Corporation valued at $1000, the Board hereby sells and issues to Michael Avila 1,000 shares of common stock of the Corporation.

RESOLVED FURTHER, the officers of this Corporation are, and each acting alone is, hereby authorized and directed to issue to Michael Avila one or more share certificates of this Corporation representing the above described shares.

RESOLVED FURTHER, that the officers of this Corporation shall cause the Corporation to withhold from the compensation payable to Michael Avila all taxes required to be withheld by Federal, state or local laws as a result of the above issuance and sale of shares to him.

RESOLVED FURTHER, that it is contemplated that above issuance and sale of the Corporation's common stock shall be exempt from registration under the Securities Act of 1933, as amended, pursuant to Sections 4(2) and 3(a)(11) thereof, and from qualification under the California Corporate Securities Laws of 1968, as amended, pursuant to Section 25102(f) thereof, and each officer of this Corporation is hereby authorized and directed to take all steps necessary or desirable to comply with the applicable legal requirements of the above named exemptions, including the filing of a Notice of Transaction Pursuant to Section 25102(f) with the California Department of Corporations.

RESTATEMENT OF ARTICLES OF INCORPORATION

WHEREAS, the Board desires to change the name of the Corporation to reflect the change in ownership of the Corporation;

NOW, THEREFORE, BE IT RESOLVED, that the Restated Articles of Incorporation, attached hereto as Appendix I, are hereby approved and adopted, and the President and Secretary of the Corporation are authorized to certify the same and to file the same with the California Secretary of State.
ELECTION OF OFFICERS

WHEREAS, the Board believes it to be in the best interest of the Corporation to elect officers at this time in lieu of the holding of an annual meeting of the Board during the 1998 calendar year;

WHEREAS, Ursula V. Avila has tendered her resignation as Secretary of the Corporation effective as of June 1, 1998;

NOW, THEREFORE, BE IT RESOLVED, that the following persons are elected to the office(s) indicated next to their names to serve until their successor(s) shall be duly elected or appointed, unless they resign, are removed from office or are otherwise disqualified from serving as an officer of this Corporation, and to take their respective office(s) effective as of June 1, 1998:

<table>
<thead>
<tr>
<th>Office</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>President and Chief Executive Officer</td>
<td>Steve M. Avila</td>
</tr>
<tr>
<td>Chief Financial Officer and Secretary</td>
<td>Michael Avila</td>
</tr>
</tbody>
</table>

ACCEPTANCE OF RESIGNATION

WHEREAS, Ursula V. Avila desires to resign from the Board effective as of June 1, 1998;

RESOLVED, the resignation of Ursula V. Avila as a member of the Board is hereby accepted effective as of June 1, 1998.

OMNIBUS RESOLUTIONS.

RESOLVED FURTHER, that the officers of this Corporation be, and each individually is, hereby authorized to do and perform any and all such acts, including execution of any and all documents and certificates, as said officers shall deem necessary or advisable, to carry out the purposes of the foregoing resolutions.

This Action by Unanimous Written Consent shall be filed in the minute book of this Corporation and become a part of the records of this Corporation.

Dated: May 30, 1998

Steve M. Avila, Director

Ursula V. Avila, Director
NONCOLLUSION DECLARATION
TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID FOR:

Project No. MAJ 16-MJ0067
Project Name Oppenheimer Upper Equestrian Pavilion

The undersigned declares: Chief Financial Officer Avila Brothers, Inc. dba
Avila Construction Company
I am the and Secretary of ________________ the party making the forgoing
bid.

Title
Company

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 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 November 18, 2016
at Monterey, California.

Michael J. Avila
Printed Name

Signature

Construction Mgmt.
701.05 • 1/2012
SMALL BUSINESS PREFERENCE AND CERTIFICATION REQUEST

(Bidders requesting a 5% Small Business Preference must sign below and enclose this form with their bid/proposal.
If your firm is not claiming the small business preference, do not submit this form with your bid/proposal.)

Project No. ___________________________ Project Name ___________________________

The undersigned hereby requests the small business preference and further certifies under penalty of perjury, that the firm still meets the requirements of the California Code of Regulations, Title 2 section 1896 et seq.

NOTICE TO ALL BIDDERS: The California Government Code, section 14835 et seq. requires that a five percent preference be given to bidders who qualify as a small business. The rules and regulations of this law, including the definition of a small business for the delivery of service, are contained in California Code of Regulations, Title 2 section 1896, et seq. A copy of the regulations is available upon request.

If your firm is a Small Business and wishes to claim the small business preference, which may not exceed $50,000 for any bid, your firm must have its principal place of business located in California, have a complete application (including proof of annual receipts) on file with the Small Business & DVBE Services Branch, in the Procurement Division of the State of California Department of General Services, by 5:00 p.m. on the date bids are opened, and be verified by such office. Please indicate by checking the box below whether your firm is claiming the preference and is a Small Business.

☐ Small Business

OR

If your firm is a Non-Small Business and wishes to claim the small business preference, your firm must notify the Trustees by signing below, that your firm commits to subcontract at least 25% of its net bid price with one or more small businesses, submit a timely responsive bid, list the small business subcontractors and include name, address, phone number, portion of the work to be performed, and the dollar amount and percentage per subcontractor, and be determined a responsible bidder. Please indicate by checking the box below whether your firm is claiming the preference and is a Non-Small Business.

☐ Non-Small Business

Questions regarding the preference approval process should be directed to Small Business & DVBE Services, telephone (800) 559-5529 or (916) 375-4940, address: 707 Third Street, First Floor-Room 400, West Sacramento, CA 95605, or if by mail: P.O. Box 989052, West Sacramento, CA 95798-9052. You can also reach them via email (osdhelp@dgs.ca.gov) or on the Internet: www.dgs.ca.gov/smbus.

IMPORTANT NOTICE (Read before signing)

The “Small Business Preference and Certification Request” must be signed in the same name style in which the bidder is licensed by the Contractors State License Board. Bidders bidding jointly or as a combination of several business organizations are specially cautioned that such bidders must be jointly licensed and approved in the same form and style in which the bid is executed.

Legal Name Style of Bidder(s):

Signature of Bidder: ___________________________ Date ___________________________

In the event the bidder has received assistance in obtaining bonding for this project, it shall set forth below the name and nature of the firm providing such assistance. Should the firm be listed as a subcontractor, bidder shall set forth the percentage of the contract to be performed by the subcontractor.

Name of Firm: ___________________________ Is Firm a Listed Subcontractor? ☐ YES-Percentage_____ ☐ NO

Special attention is directed to California Code of Regulations, Title 2 section 1896.16 for penalties for furnishing incorrect supporting information in obtaining preference.
The California State University

CERTIFICATION OF APPROPRIATE LICENSE,
DIR PUBLIC WORKS REGISTRATION, AND CALIFORNIA COMPANY
(Public Contract Code, Chapter 6100 et seq.)

Project No. MAJ 16-MJ0067 Project Name Oppenheimer Upper Equestrian Pavilion

The undersigned bidder declares:

1) That the attached pocket license or certificate of licensure is the Contractor’s, is current and valid, and is in a classification appropriate to the work to be undertaken on the above-referenced project for which bidder is submitting a bid, per Public Contract Code Section 6100(b). Attach a copy of the pocket license issued from Contractor’s State License Board.

2) That the Contractor is currently registered to bid public works projects with the Department of Industrial Relations (DIR), and shall maintain this registration current through the duration of this project. Attach documentation of the registration number issued by the DIR.

3) The bidder qualifies as a “California Company” per Public Contract Code Section 6107. Check one of the following statements that applies to the bidder:
   ☑ Bidder has its principal place of business in California.
   ☐ Bidder has its principal place of business in a state in which there is no local contractor preference on construction contracts.
   ☐ Bidder has its principal place of business in a state in which there is a local contractor construction preference, and bidder has paid not less than five thousand dollars ($5,000) in sales or use taxes to California for construction related activity for each of the five years immediately preceding the submission of this bid.

If bidder does not qualify as a California company (and has not checked one of the statements under item 3 above), please complete the following information:

| State in which Bidder has its principal place of business | Amount of the local contractor construction preference offered |

The undersigned declares under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on this 18th day of November, 2016, at Monterey, California.

Signature of Bidder or officer of Bidder authorized to execute contracts

Avila Brothers, Inc., dba Avila Construction Company

Print or type name of business entity

Michael J. Avila, Chief Financial Officer and Secretary

Print or type name of person signing

12 Thomas Owens Way, Suite 200
Monterey, CA 93940

Address

Construction Mgmt.
701.08 • 3/16
BID PROPOSAL FORM SIGNATURE PAGE

Date: November 18, 2016
Project No. MAJ 16-MJ0067

The undersigned bidder hereby submits this bid pursuant to the contract documents:

A. If bidder is an individual proprietorship:
   (Name of Firm)*
   (License No.)
   (Postal Address of Firm)
   (Signature of Individual)**
   (Printed Name of Person Who Signs)
   (Phone Number)

B. If bidder is a partnership:
   (Name of Firm)*
   (License No.)
   (Postal Address of Firm)
   (Signatures)**
   (Printed Name of Person(s) Who Signs)
   (Phone Number)

C. If bidder is a corporation:
   Avila Brothers, Inc. dba Avila Construction Company 550380
   (Name of Corporation)*
   (License No.)
   12 Thomas Owens Way, Suite 200, Monterey, CA 93940
   (Postal Address of Principal Office of Corporation)
   Michael J. Avila
   (Signature of Person Who Signs for Corporation)***
   (Printed Name of Person Who Signs)
   Chief Financial Officer and Secretary California 831-372-5580
   (State of Incorporation)
   (Phone Number)

D. If bidder is a joint venture:
   (Name of Joint Venture)
   (License No., if known)****
   An Affidavit of Joint Venture form must be filed five days prior to bid opening and each member of the joint venture must be prequalified one day prior to bid opening as provided in Article 2.02 of the Contract General Conditions. Each member of the joint venture shall fill in the information below corresponding to the member’s type of business organization. If the joint venture has more than one of the same types of business organizations, additional copies of this page containing the required information and signatures shall be added and attached to this proposal form. Any such attachments are a part of this proposal form.

   First Member of the Joint Venture
   (Name of Firm or Corporation)*
   (License No.)
   (Postal Address of Principal Office of Corporation)
   (State of Incorporation)
   (Signature and Printed Name of Person Who Signs for Corporation)***
   (Phone Number)

   Second Member of the Joint Venture
   (Name of Firm or Corporation)*
   (License No.)
   (Postal Address of Principal Office of Corporation)
   (State of Incorporation)
   (Signature and Printed Name of Person Who Signs for Corporation)***
   (Phone Number)

   * Name must be same as appears on state contractor’s license and on prequalification.
   ** If signature is by an agent, other than an officer of a corporation or a member of a partnership, a power of attorney must be on file with the Trustees before bid opening or be submitted with this bid.
   *** A certified copy of corporate board action authorizing execution of this contract must be submitted on Trustees-prescribed forms.
   ****The Joint Venture must have the required license in place at time of award of contract, and if awarded the contract, must return with the contract a resolution authorizing someone to sign contracts, change orders, and other documents for the joint venture.

Oppenheimer Upper Equestrian Pavilion – MAJ 16-MJ0067
Strategic Business Services, Cal Poly, San Luis Obispo, CA 93407-0690 - PH 805/756-2232 FX 805.756.6500
Addendum #1 Item 1-1 10/21/2016
APPENDIX I

RESTATED ARTICLES OF INCORPORATION

OF

STEVE AVILA CONSTRUCTION, INC.

ARTICLE I

The name of this corporation is: Avila Brothers, Inc..

ARTICLE II

The purpose of this corporation is to engage in any lawful act or activity for which a corporation may be organized under the General Corporation Law of California other than the banking business, the trust company business or the practice of a profession permitted to be incorporated by the California Corporation Code.

ARTICLE III

This corporation is authorized to issue one class of shares to be designated common stock. The total number of shares of common stock this corporation shall have authority to issue is 1,000,000, without par value.

ARTICLE IV

The liability of the directors of this corporation for monetary damages shall be eliminated to the fullest extent permissible under California law. Any repeal or modification of this Article IV, or the adoption of any provision of the articles of incorporation inconsistent with this Article IV, shall only be prospective and shall not adversely affect the rights under this Article IV in effect at the time of the alleged occurrence of any act or omission to act giving rise to liability.

ARTICLE V

This corporation is authorized to provide indemnification of agents (as defined in Section 317 of the California Corporation Code) through bylaw provisions, agreements with agents, vote of share holders or disinterested directors, or otherwise, in excess of the indemnification otherwise permitted by Section 317 of the California Corporations Code, subject only to the applicable limits on indemnification set forth in Section 204 of the California Corporations Code with respect to actions for breach of duty to the corporation or its shareholders. Any repeal or modification of this Article V, or the adoption of any provision of the Articles of Incorporation inconsistent with this Article V shall only be prospective and shall not adversely affect the rights under this Article V in effect at the time of the alleged occurrence of any action or omission to act giving rise to indemnification.
ACTION BY UNANIMOUS WRITTEN CONSENT
OF THE DIRECTORS OF
STEVE AVILA CONSTRUCTION, INC.

The undersigned, constituting all of the members of the board of directors of (the "Board") of Steve Avila Construction, Inc., a California corporation (the "Corporation"), by their signature below, hereby adopt the following resolutions on behalf of the Corporation, pursuant to Section 307(b) of the California Corporations Code:

ISSUANCE OF SHARES

WHEREAS, the Board desires to compensate Michael Avila for services rendered by him to the Corporation;

NOW THEREFORE, BE IT RESOLVED, for services rendered by Michael Avila to the Corporation valued at $1000, the Board hereby sells and issues to Michael Avila 1,000 shares of common stock of the Corporation.

RESOLVED FURTHER, the officers of this Corporation are, and each acting alone is, hereby authorized and directed to issue to Michael Avila one or more share certificates of this Corporation representing the above described shares.

RESOLVED FURTHER, that the officers of this Corporation shall cause the Corporation to withhold from the compensation payable to Michael Avila all taxes required to be withheld by Federal, state or local laws as a result of the above issuance and sale of shares to him.

RESOLVED FURTHER, that it is contemplated that above issuance and sale of the Corporation's common stock shall be exempt from registration under the Securities Act of 1933, as amended, pursuant to Sections 4(2) and 3(a)(11) thereof, and from qualification under the California Corporate Securities Laws of 1968, as amended, pursuant to Section 25102(f) thereof, and each officer of this Corporation is hereby authorized and directed to take all steps necessary or desirable to comply with the applicable legal requirements of the above named exemptions, including the filing of a Notice of Transaction Pursuant to Section 25102(f) with the California Department of Corporations.

RESTATEMENT OF ARTICLES OF INCORPORATION

WHEREAS, the Board desires to change the name of the Corporation to reflect the change in ownership of the Corporation;

NOW, THEREFORE, BE IT RESOLVED, that the Restated Articles of Incorporation, attached hereto as Appendix I, are hereby approved and adopted, and the President and Secretary of the Corporation are authorized to certify the same and to file the same with the California Secretary of State.
ELECTION OF OFFICERS

WHEREAS, the Board believes it to be in the best interest of the Corporation to elect officers at this time in lieu of the holding of an annual meeting of the Board during the 1998 calendar year;

WHEREAS, Ursula V. Avila has tendered her resignation as Secretary of the Corporation effective as of June 1, 1998;

NOW, THEREFORE, BE IT RESOLVED, that the following persons are elected to the office(s) indicated next to their names to serve until their successor(s) shall be duly elected or appointed, unless they resign, are removed from office or are otherwise disqualified from serving as an officer of this Corporation, and to take their respective office(s) effective as of June 1, 1998:

<table>
<thead>
<tr>
<th>Office</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>President and Chief Executive Officer</td>
<td>Steve M. Avila</td>
</tr>
<tr>
<td>Chief Financial Officer and Secretary</td>
<td>Michael Avila</td>
</tr>
</tbody>
</table>

ACCEPTANCE OF RESIGNATION

WHEREAS, Ursula V. Avila desires to resign from the Board effective as of June 1, 1998;

RESOLVED, the resignation of Ursula V. Avila as a member of the Board is hereby accepted effective as of June 1, 1998.

OMNIBUS RESOLUTIONS.

RESOLVED FURTHER, that the officers of this Corporation be, and each individually is, hereby authorized to do and perform any and all such acts, including execution of any and all documents and certificates, as said officers shall deem necessary or advisable, to carry out the purposes of the foregoing resolutions.

This Action by Unanimous Written Consent shall be filed in the minute book of this Corporation and become a part of the records of this Corporation.

Dated: May 30, 1998

Steve M. Avila, Director

Ursula V. Avila, Director