

# Contract Documents

## Maintenance Dredging–Woodley Island Marina Humboldt Bay, California

**Including:**

**Notice to Contractors,  
Proposal and Agreement,  
General and Special Provisions**

**Bid Opening:**

2:00 p.m., July 14, 2020  
Humboldt Bay Harbor, Recreation & Conservation District  
601 Startare Drive Eureka, CA 95501

**Pre-Bid Meeting (Optional):**

2:00 p.m., June 15, 2020  
Humboldt Bay Harbor, Recreation & Conservation District  
601 Startare Drive  
Eureka, CA 95501

Approved:



---

Larry Oetker  
Executive Director

Humboldt Bay Harbor, Recreation and Conservation District  
601 Startare Drive  
Eureka, CA 95501

June 3, 2020



Submitted by:  
The Dutra Group  
2350 Kerner Blvd., Ste 200  
San Rafael, CA 94901

Bid Date/Time: July 14, 2020 @ 2 PM

**(BID PROPOSAL)**

**BIDDER'S SECURITY**

(Attach to this page)



Liberty Mutual Surety
Attention: LMS Claims
P.O. Box 34526
Seattle, WA 98124
Phone: 206-473-6210
Fax: 866-548-6837
Email: HOSCL@libertymutual.com
www.LibertyMutualSuretyClaims.com

Liberty Mutual Insurance Company
BID OR PROPOSAL BOND

KNOW ALL MEN BY THESE PRESENTS, That we, The Dutra Group

of 2350 Kerner Blvd., Suite 200, San Rafael, CA 94901

(hereinafter called the Principal) as Principal, and Liberty Mutual Insurance Company, with its principal office in the City of Boston, Massachusetts (hereinafter called the Surety), as Surety, are held and firmly bound unto Humboldt Bay Harbor, Recreation & Conservation District

of 601 Startare Drive, Eureka, CA 95501

(hereinafter called the Oblige) in the penal sum of Ten Percent of Bid Amount

Dollars 10% of Bid lawful money of

the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns.

THE CONDITION OF THIS OBLIGATION IS SUCH, that whereas, the Principal has submitted the accompanying bid dated July 14, 2020 for 2020 Maintenance Dredging - Woodley Island Marina

NOW, THEREFORE, if the Obligee shall make any award according to the terms of said bid and the Principal shall enter into a contract with said Obligee in accordance with the terms of said bid and give bond for the faithful performance thereof within the time specified; or if no time is specified within thirty days after the date of said award; or if the Principal shall, in the case of failure so to do, indemnify the Obligee against any loss the Obligee may suffer directly arising by reason of such failure, not exceeding the penalty of this bond, then this obligation shall be null and void; otherwise to remain in full force and virtue.

Signed, sealed and dated: July 7, 2020

The Dutra Group

Principal

By:

Harry K. Stewart, C.O.O.

Liberty Mutual Insurance Company

By:

Dona Lisa Buschmann

(Attorney-in-fact)



**CALIFORNIA 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.

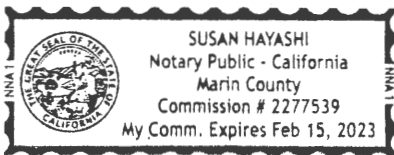
State of California }  
County of Marin }

On July 7, 2020 before me, Susan Hayashi, Notary Public  
Date Here Insert Name and Title of the Officer  
personally appeared Harry K. Stewart  
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: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

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

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

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

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

Corporate Officer -- Title(s): \_\_\_\_\_

Corporate Officer -- Title(s): \_\_\_\_\_

Partner --  Limited  General

Partner --  Limited  General

Individual  Attorney in Fact

Individual  Attorney in Fact

Trustee  Guardian or Conservator

Trustee  Guardian or Conservator

Other: \_\_\_\_\_

Other: \_\_\_\_\_

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

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

## ACKNOWLEDGMENT

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

State of California  
County of PLACER )

On JULY 7, 2020 before me, JANA B. PILGARD, NOTARY PUBLIC  
(insert name and title of the officer)

personally appeared DONA LISA BUSCHMANN,  
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.

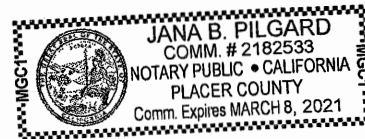
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(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: 8200942-977442

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, Julie A. Shiroma, Stephen D. Bender, Dona Lisa Buschmann, J. Buschmann, Edward D. Johnson, Robert D. Laux, Jana B. Pilgard, Kathy Rangel

all of the city of Sacramento state of California 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 18th day of April, 2019.



Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By: David M. Carey, Assistant Secretary

State of PENNSYLVANIA ss
County of MONTGOMERY

On this 18th day of April, 2019 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
Notarial Seal
Tereaa Pastella, Notary Public
Upper Merion Twp., Montgomery County
My Commission Expires March 28, 2021
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 7th day of July, 2020.



By: Renee C. Llewellyn, Assistant Secretary

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

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

**(BID PROPOSAL)**

**DESIGNATION OF SUBCONTRACTORS**

The Contractor must list all subcontractors doing work in excess of 0.50% of total bid amount. The undersigned certifies that he has used the sub-bids of the following listed subcontractors in making up his bid and that the subcontractors listed will be used for the work for which they bid, subject to the approval of the District, and in accordance with applicable provisions of these Specifications and Plans.

<u>Bid Item No.</u>	<u>Subcontractor</u>	<u>Address &amp; Tel. No.</u>	<u>State License No.</u>
<u>1</u>	<u>ETRAC, INC.</u>	<u>637 LINDARO ST. #100</u>	<u>N/A (SURVEYING)</u>
		<u>SAN RAFAEL, CA</u>	<u>DIR# 1000017700</u>
		<u>94901</u>	

July 7, 2020

Date

2350 Kerner Blvd., Ste 200

Address

San Rafael, CA 94901

415-258-6876

Telephone Number

The Dutra Group

Bidder's Name

Authorized Signature  
Harry K. Stewart, COO

Corporation, Incorporated in California

Type of Organization  
(Individual, Partnership or Corporation)

CA 295128 (Exp:12/31/2021)

State Contractor's Lic. No. & Exp. Date

**(BID PROPOSAL)**

**MATERIAL RECYCLING INFORMATION FORM**

**2020 Maintenance Dredging – Woodley Island Marina**

(Note: Recycling information requested and listed on this page is being collected for internal audit use only. It will not be used in any way related to the award of the project.)

Bid Item No.	Description of item to be recycled	Estimated tonnage of item to be recycled	Name & address of recycling facility
NO MATERIALS APPLICABLE			

July 7, 2020

Date

2350 Kerner Blvd., Ste 200

Address

San Rafael, CA 94901

415-258-6876

Telephone Number

The Dutra Group

Bidder's Name

Authorized Signature  
Harry K. Stewart, COO

Corporation, Incorporated in California

Type of Organization

(Individual, Partnership or Corporation)

CA 295128 (Exp:12/31/2021)

State Contractor's Lic. No. & Exp. Date



**(BID PROPOSAL)**

**NONCOLLUSION DECLARATION TO BE EXECUTED BY BIDDER**  
**AND SUBMITTED WITH BID**

**2020 Maintenance Dredging – Woodley Island Marina**

The undersigned declares:

I am the Chief Operating Officer of The Dutra Group, the party making the foregoing bid. The bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation. The bid is genuine and not collusive or sham. The bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid. The bidder has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or to refrain from bidding. The bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder. All statements contained in the bid are true. The bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof, to effectuate a collusive or sham bid, and has not paid, and will not pay, any person or entity for such purpose. Any person executing this declaration on behalf of a bidder that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that he or she has full power to execute, and does execute, this declaration on behalf of the bidder.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on July 7, 2020 (DATE),  
at Marin County (DISTRICT), California (STATE).

The Dutra Group  
Bidder's Name  
2350 Kerner Blvd., Ste 200  
San Rafael, CA 94901  
Address 1  
Address 2

  
Authorized Signature  
Harry K. Stewart, COO  
Corporation, Incorporated in California  
Type of Organization  
(Individual, Partnership or Corporation)  
CA 295128 (Exp:12/31/2021)  
State Contractor's Lic. No. & Exp. Date

**(BID PROPOSAL)**

PROPOSAL TO THE BOARD OF COMMISSIONERS  
OF THE HUMBOLDT BAY HARBOR, RECREATION & CONSERVATION DISTRICT

FOR

**2020 Maintenance Dredging – Woodley Island Marina**

To the Board of Commissioners of the Humboldt Bay Harbor, Recreation and Conservation District:

The undersigned, as Bidder, declares that the only persons or parties interested in this proposal as principals are those named herein; that this proposal is made without collusion with any other person, firm, or corporation; that he has carefully examined the location(s) of the proposed work and the proposed form of the contract and the plans and specifications; and he agrees if this proposal is accepted, that he will contract with the Humboldt Bay Harbor, Recreation and Conservation District, in the form of the contract annexed hereto, to provide all necessary machinery, tools, apparatus, and other means of construction and to do all the work and furnish all the materials specified in the contract in the manner and time prescribed and according to the requirements of the Engineer; that he will provide the bonds as required herein at the time he executes the contract; that he will provide proof of insurance as provided herein; that he will begin the work on the project within TEN (10) CALENDAR DAYS after receiving notice from the District to proceed and diligently prosecute the same to completion before the expiration of July 15-October 15 (unless extension is granted) from the date of commencement of the work; and that as provided for in the General Provisions, the liquidated damage shall be in the sum of **Two Hundred Fifty (\$250.00)** per day for each and every calendar day delay in finishing the work beyond the time described herein; and that he will take in full payment therefore the following unit or lump sum prices, as the case may be, to wit:

**SEE BID SCHEDULE ON FOLLOWING PAGE**

**(BID PROPOSAL)**

Bid Schedule Humboldt Bay Harbor, Recreation, and Conservation District 2020 Maintenance Dredging-Woodley Island Marina			
Bid Item No.	Quantity	Bid Item Description with Total Price Written in Words	Total Item Price
1.	N/A	<b>Pre- and Post-Dredging Hydrographic Surveys (Base Bid)</b> Hydrographic surveys fixed at <u>THIRTY TWO THOUSAND</u> Dollars.	\$ <u>32,000.<sup>00</sup></u>
2.	N/A	<b>Mobilization and Demobilization (Base Bid)</b> Mobilization and Demobilization fixed at <u>SIX HUNDRED SIXTY THOUSAND</u> Dollars.	\$ <u>660,000.<sup>00</sup></u>
3.	7,192 Cubic Yards	<b>Dredging and Disposal (Base Bid)</b> Dredging and disposal of 7,192 cubic yards fixed at <u>ONE HUNDRED SEVENTY NINE THOUSAND EIGHT HUNDRED</u> Dollars.	\$ <u>179,800.<sup>00</sup></u>
Total Base Bid Amount in Words: <u>EIGHT HUNDRED SEVENTY ONE THOUSAND EIGHT HUNDRED</u>			Total Base Bid \$ <u>871,800.<sup>00</sup></u>
Stand-by time at \$ <u>2,500.00</u> per hour.			

4.	Up to 4,308 Cubic Yards	<b>Dredging and Disposal (Option Bid)</b> Dredging and disposal at <u>ONE HUNDRED SEVEN THOUSAND SEVEN HUNDRED</u> Dollars per cubic yard.	\$ <u>107,700.<sup>00</sup></u> for 4,308 cubic yards
Total Option Bid Amount in Words: <u>ONE HUNDRED SEVEN THOUSAND SEVEN HUNDRED</u>			
Stand-by time at \$ <u>2,500.00</u> per hour.			

- ❖ A contract for the Base Bid will be awarded to the Bidder with the Lowest Base Bid. At the District's discretion, the Option Bid or a portion of the Option Bid may also be awarded to the Bidder that is awarded the Base Bid.

It is further understood and agreed that:

- A. In case of a discrepancy between words and figures, the words shall prevail, and in case of a discrepancy between unit prices and totals, the unit price shall prevail.
- B. The District reserves the right to eliminate any section of this proposal from the contract without claim of the Contractor for profits lost.
- C. No verbal agreement or conversation with any officer, agent, or employee of the District, either before or after the execution of the Agreement, shall affect or modify any of the terms or obligations of this proposal.
- D. The District will not be responsible for any errors or omissions on the part of the undersigned in making up his bid, nor will the bidder be released on account of errors.
- E. The undersigned bidder is properly licensed in accordance with the State of California Contractors' State License Law providing for the registration of Contractors.
- F. If the proposal is accepted and the undersigned shall fail to contract as aforesaid and to give the two bonds in the sums to be determined as aforesaid, with surety satisfactory to the Board of Commissioners, within EIGHT (8) CALENDAR DAYS (not including Sundays) after the bidder has received the Notice of Award, the District may, at its option, determine that the bidder has abandoned the contract, and thereafter this proposal and the acceptance thereof shall be null and void.
- G. The undersigned bidder certifies that he has confirmed that the proposed form of contract and the Plans and Specifications are complete.

July 7, 2020

Date

2350 Kerner Blvd., Ste 200 San Rafael, CA 94901

Address

Bill T. Dutra, CEO, President, Chairman

Harry K. Stewart, COO

Kevin W. Mohr, CFO

Molly F. Jacobson, CAO, Secretary

415-258-6876

Telephone Number

The Dutra Group

Bidder's Name

Authorized Signature  
Harry K. Stewart, COO

Corporation, Incorporated in California

Type of Organization

(Individual, Partnership or Corporation)

CA 295128 (Exp:12/31/2021)

State Contractor's Lic. No. & Exp. Date

THE ABOVE SIGNED ACKNOWLEDGES THAT THESE REPRESENTATIONS ARE MADE UNDER PENALTY OF PERJURY.

Purchase Order # 1318