

Written materials relating to an item on this agenda that are distributed to the legislative bodies within 72 hours before the item is to be considered at its regularly scheduled meeting will be made available for public inspection at the Library, 251 South "A" Street and the City Clerk's Office, 305 West Third Street during customary business hours. The agenda reports are on the City of Oxnard web site at www.ci.oxnard.ca.us.



AGENDA
OXNARD CITY COUNCIL
OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY
***OXNARD FINANCING AUTHORITY**
***OXNARD HOUSING AUTHORITY**
Regular Meetings
City Council Chambers, 305 West Third Street, Oxnard
October 16, 2012
5:30 P.M.

A. ROLL CALL/POSTING OF AGENDA

*** The Oxnard Financing Authority and the Oxnard Housing Authority will not meet because there are no items requiring consideration on this date.**

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

At this time, a person may address the legislative body only on matters appearing on the closed session agenda. The presiding officer shall limit public comments to three minutes.

C. CLOSED SESSION - (Please see page 4 for a description of closed session items)

D. OPENING CEREMONIES – 7:00 P.M.

Pledge of allegiance to the flag of the United States.

E. CEREMONIAL CALENDAR

1. **SUBJECT:** Joint Proclamation Designating the Months of October, 2012 as "Breast Cancer Awareness Month" and November, 2012 as "End Domestic Violence Month".

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA (30 Minutes)

At this time, the legislative body will consider public comments for a maximum of thirty minutes. A person may address the legislative body only on matters not appearing on the agenda and within the subject matter jurisdiction of the legislative body. A person not able to address the legislative body at this time because the thirty minutes expires may do so just prior to adjournment of the meeting. The legislative body cannot enter into a detailed discussion or take any action on any items presented during public comments at this time. Such items may only be referred to the City Manager/Executive Director/Secretary for administrative action or scheduled on a subsequent agenda for discussion. Persons wishing to speak on public hearing items should do so at the time of the hearing. The presiding officer shall limit public comments to three minutes.

In compliance with the Americans with Disabilities Act, if you require special assistance to participate in a meeting, please contact the City Clerk's Office at 385-7803. Notice at least 72 hours prior to the meeting will enable the City to reasonably arrange for your accessibility to the meeting.

City of Oxnard internet address: www.ci.oxnard.ca.us.

G. REVIEW OF INFORMATION/CONSENT AGENDA

The members of the legislative body will consider whether to remove Information/Consent Agenda items for discussion later during the meeting.

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

At this time, a person may address the legislative body only on matters appearing on the information/consent agenda. The presiding officer shall limit public comments to three minutes.

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of the Oxnard City Council for September 25 and October 2 and 9, 2012; and Minutes of the Oxnard Community Development Commission Successor Agency for July 10, 17 and 24, September 11, 18 and 25, October 2 and 9, 2012; and Minutes of the Special Meeting of the Oxnard Community Development Commission Successor Agency for July 31, 2012. (001)

RECOMMENDATION: Approve.

Legislative Body: CC/SA

Contact: Daniel Martinez

Phone: 385-7803

City Manager Department

2. SUBJECT: Agreements for City Council Review. (033)

RECOMMENDATION: Pursuant to Ordinance 2835 and Resolution 13,932, approve and authorize the Interim City Manager, to execute the attached agreements/contracts and change orders/amendments in amounts more than \$25,000 but less than \$250,000.

Legislative Body: CC

Contact: Karen Burnham

Phone: 385-7430

Finance Department

3. **SUBJECT:** Payment to County of Ventura for Services Provided to Seabridge Community Facilities District No. 4. (035)

RECOMMENDATION: 1) Approve payment in the total amount of \$649,396 to the County of Ventura related to Harbor Patrol services provided to Seabridge Community Facilities District No. 4 pursuant to the Memorandum of Understanding (A-6663) dated September 10, 2002 by and between the City of Oxnard, the County of Ventura, and Oly Mandalay Bay General Partnership; and 2) Approve a special budget appropriation (SBA) in amount of \$116,731 from Seabridge Community Facilities District No. 4.

Legislative Body: CC

Contact: Mike More

Phone: 385-7480

Public Works Department

4. SUBJECT: Approval of Award of Contract for PW 06-93 Tierra Vista Neighborhood Street/Alley Resurfacing and Storm Drain Project. (041)

RECOMMENDATION: Approve and authorize the Mayor to execute Contract with Toro Enterprises Inc. (A-7529) in the amount of \$4,081,028 for Project Specification Number 06-93 for the reconstruction of streets, sidewalks, curbs and gutters, alleyways, replacing street name signs and the installation of storm drain lines in the Tierra Vista Neighborhood (Tierra Vista Neighborhood Project).

Legislative Body: CC

Contact: Lou Balderrama

Phone: 340-5358

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS – 7:15 P.M.

M. REPORT OF CITY MANAGER/EXECUTIVE DIRECTOR/SECRETARY

The City Manager/Executive Director/Secretary shall report on items of interest to the legislative body occurring since the last meeting. The legislative body cannot enter into detailed discussion or take action on any item presented during this report. Such items may only be referred to the City Manager/Executive Director/Secretary for administrative action or scheduled on a subsequent agenda for discussion.

N. CITY COUNCIL/HOUSING AUTHORITY/SUCCESSOR AGENCY/FINANCING AUTHORITY
BUSINESS/COMMITTEE REPORTS

1. SUBJECT: Verbal Report on Status of El Rodeo Community Center.

RECOMMENDATION: Receive and consider report.

Legislative Body: CC

Contact: Sue Martin

Phone: 385-8207

O. REPORTS

P. PUBLIC COMMENTS ON REPORTS

At this time, a person may address the legislative body only on matters appearing on the reports. The presiding officer shall permit a person to address the legislative body after the staff presentation on the report and before the consideration of the report by the legislative body. The presiding officer shall limit public comments to three minutes.

Q. APPOINTMENT ITEMS- 7:30 P.M.

1. SUBJECT: Presentation by Dr. Lowell Novy, Founder of the Valley Veterinary Clinic Charitable Non-Profit Corporation Regarding Spay and Neuter Clinics.

R. STUDY SESSION

At this time, a person may address the legislative body only on matters appearing on the study session agenda. The presiding officer shall permit a person to address the legislative body after the staff presentation on the item and before the consideration of the item by the legislative body. The presiding officer shall limit public comments to three minutes.

1. CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION.

The Interim City Manager and the City Attorney requested that this item be discussed in closed session under the Brown Act exception of Conference with Legal Counsel – Potential Litigation.

The Interim City Manager and the City Attorney requested that this item be discussed in closed session under the Brown Act exception of Conference with Legal Counsel – Anticipated Litigation.

The Interim City Manager and the City Attorney requested that this item be discussed in closed session under the Brown Act exception of Conference with Legal Counsel – Potential Litigation.

T. ADJOURNMENT

MINUTES

AGENDA ITEM NO.

I-1

OXNARD CITY COUNCIL

Regular Meeting
September 25, 2012

A. ROLL CALL/POSTING OF AGENDA

At 7:03 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers Irene G. Pinkard and Bryan A. MacDonald, Timothy B. Flynn and Carmen Ramirez were present. Mayor Thomas E. Holden was absent. The City Clerk stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Mayor Pro Tem Pinkard presided and called the meeting to order. Staff members present were: Daniel Martinez, City Clerk; Karen Burnham, Interim City Manager; Alan Holmberg, City Attorney; Jeri Williams, Police Chief; James Cameron, Chief Financial Officer; Curtis P. Cannon, Community Development Director; Mike O'Malia, Interim Fire Chief; William "Bill" Wilkins, Housing Director; Matthew Winegar, Development Services Director; Rob Roshanian, Interim Public Works Department; Grace Hoffman, Assistant City Manager; Michael Henderson, General Services Manager; Sue Martin, Planning and Environmental Services Manager; Steven Fischer, Assistant City Attorney; Martin Erickson, Special Counsel to City Manager; Marisue Eastlake, Recreation/Human Relations Coordinator; and Stephanie Diaz, Contract Planner.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

D. OPENING CEREMONIES

The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence.

E. CEREMONIAL CALENDAR

1. SUBJECT: Presentation to Mayor Thomas E. Holden from the Sister City Committee on behalf of the Mayor of Ocotlan
ACTION: Continue to October 2, 2012.
2. SUBJECT: Presentation by David Wilk and Lee Stanliland from the Brain Injury Center of Ventura County
DISCUSSION: David Wilk and Lee Stanliland, Brain Injury Center of Ventura County commented on the importance of community awareness regarding brain injury.
4. SUBJECT: Presentation of Employee of the Third Quarter 2012
DISCUSSION: Mayor Pro Tem Pinkard and Rob Roshanian, Interim Public Works Department, recognized Phillip Gregoire, Streets Manager, as the Employee of the Third Quarter.
3. SUBJECT: Presentation to City Council from the Oxnard Firefighters Association in Partnership with the Oxnard Fire Department of Pink T-Shirts in Honor of Breast Cancer Awareness Month, October 2012.
DISCUSSION: Jeff Bonabedian, Oxnard Firefighter Union President, explained the Pink T-Shirts campaign taking place during the month of October.

ITEMS REMOVED FROM AGENDA

The City Council concurred to remove L-1 and N-1 from the agenda and place both items on the October 2, 2012.

L. PUBLIC HEARINGSDevelopment Services Department

1. SUBJECT: Review of the Planning Commission's Approval of Special Use Permit No. 11-500-2 for the Reuse of a Vacant Commercial Retail Building and Alcohol Sales for Off-Site Consumption for a Vallarta Market Shopping Center, Located at 2600 N. Vineyard Avenue. (061)

RECOMMENDATION: Adopt a resolution upholding the Planning Commission's approval for reuse of a vacant building for a shopping center with alcohol sales for off-site consumption, located at 2600 N. Vineyard Avenue.

ACTION: Moved to continue this item to October 2, 2012 (Pinkard/Ramirez), unanimously

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

1. SUBJECT: East County Courthouse Funding. (129)

RECOMMENDATION: Approve \$30,000 funding request for FY 2012-13 from the general fund reserve to retain limited, part-time judicial services at East County Courthouse.

ACTION: Moved to continue this item to October 2, 2012.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individuals provided comments: Inez Tuttle; Francisco Romero; Donald Thibeault; Ed Ellis; Coach Chino; Jim Lavery; Larry Stein; Harold Ceja; Orlando Dozier; Patrick Barrios; Bert Perello; and Pat Brown.

G. REVIEW OF INFORMATION/CONSENT AGENDA

Comments were received from: Police Chief (I-1 (G)); Public Information Officer (I-1 (H)); Recreation/Human Relations Coordinator (I-2); and Development Services Director (I-4 & I-5).

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

The following comments were received from: Larry Stein (I-1); Orlando Dozier (I-1); and Pat Brown (I-5).

I. INFORMATION/CONSENT AGENDACity Manager Department

1. SUBJECT: Agreements for City Council Review. (001)

RECOMMENDATION: Approve and authorize the Interim City Manager, to execute the attached agreements/contracts and change orders/amendments in amounts more than \$25,000 but less than \$250,000.

2. **SUBJECT:** Acceptance of the Retired and Senior Volunteer Program (RSVP) Grant for Fiscal Year 2012/2013. (005)

RECOMMENDATION: 1) Recognize grant revenue in the amount of \$67,777 and appropriate matching funds for the Retired and Senior Volunteer Program grant; and 2) Authorize the City Manager or designee to execute grant agreements; the Finance Director or designee to submit financial reports and grant claims, and approve special budget appropriations for the use of grant funds.

City Treasurer Department

3. **SUBJECT:** Quarterly Investment Report for the Fourth Quarter F/Y 2011-2012. (009)

RECOMMENDATION: Accept the quarterly Investment Report for the Fourth Quarter F/Y 2011-2012.

Development Services Department

4. **SUBJECT:** Vacation of Excess Right-of-Way Along the South Side of Gonzales Road East of Williams Drive. (017)

RECOMMENDATION: Adopt **Resolution No. 14,274** summarily vacating a strip of excess right-of-way along the south side of Gonzales Road east of Williams Drive.

5. **SUBJECT:** Planning and Zoning Permit No. 12-660-01 (Street Vacation)

Vacation of a Four Foot Wide Strip Right-of-Way Along the East Side of I Street Southerly of Wooley Road, adjacent to Oralia's Bakery. (025)

RECOMMENDATION: Adopt **Resolution No. 14,275** summarily vacating a four foot wide strip (616 square feet) of excess right-of-way along the east side of I Street southerly of Wooley Road.

Fire Department

6. **SUBJECT:** Authorization to Accept an Award for Emergency Management Performance Grant in the Amount of \$45,588 and Adopt Resolution Authorizing Agents to Act on Behalf of the City. (031)

RECOMMENDATION: 1) Authorize the City Manager to accept a grant award in the amount of \$45,588; 2) Authorize the Chief Financial Officer to appropriate the funds and perform all other required financial actions; and 3) Adopt **Resolution No. 14,276** authorizing the City Manager, the Chief Financial Officer, and the Police Finance Manager to execute for and on behalf of the City, any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and sub granted through the State of California.

Police Department

7. **SUBJECT:** State of California AVOID the 14 DUI Enforcement Grant. (035)

RECOMMENDATION: Adopt **Resolution No. 14,277:** 1) Authorizing the City Manager to execute and submit an application for \$145,000 in grant funds to the State of California Office of Traffic Safety (OTS), to be used for the FY-2012/13 AVOID the 14 DUI Enforcement Program; 2) Authorizing the City Manager to execute a Memorandum of Understanding with the County of Ventura, the California State University at Channel Islands, The Ventura County Community

College District, and the cities of Camarillo, Fillmore, Moorpark, Ojai, Port Hueneme, San Buenaventura, Santa Paula, Simi Valley, and Thousand Oaks, designating the City of Oxnard as the lead agency and fiscal agent for the AVOID the 14 grant; 3) Authorizing the City Manager or designee to execute grant agreements and appropriate funds upon notification of grant award; 4) Authorizing the Chief Financial Officer or designee to submit financial reports and grant claims and approve special budget appropriations for the use of AVOID the 14 funds; and 5) Authorizing the Chief of Police or designee to submit all program related progress or status reports.

8. SUBJECT: State of California Grant for Selective Traffic Enforcement. (039)

RECOMMENDATION: Adopt **Resolution No. 14,278**: 1) Authorizing the City Manager to submit an application for \$150,000 to the State of California, Office of Traffic Safety (OTS); 2) Authorizing the City Manager or designee to execute grant agreements; 3) Authorizing the Chief Financial Officer or designee to submit financial reports and grants claims and approve Special Budget Appropriations for the use of grant funds; and 4) Authorizing the Chief of Police or designee to submit non-financial reports.

9. SUBJECT: Application for California Gang Reduction, Intervention, and Prevention Initiative Grant Funding 2012/14. (043)

RECOMMENDATION: Adopt **Resolution No. 14,279** authorizing the City Manager to submit an application for \$500,000 in Board of State and Community Corrections (BSCC) 2012/14 California Gang Reduction, Intervention and Prevention (Cal GRIP) funds to be used to reduce gang and youth violence through direct intervention, job training, and community engagement.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended, (Pinkard/Flynn), unanimously with Mayor Holden absent.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

Finance Department

1. SUBJECT: Monthly Budget Status Report for the Period Ending August 31, 2012. (045)

RECOMMENDATION: Receive Report.

DISCUSSION: The Chief Financial Officer stated 2012/13 budget approved a loan from Water non-operating funds to help the golf course and that the Community Development Successor Agency budget was not being stated in the report at this time due to waiting for review from State Finance Department.

Comments were received from: Bert Perello and Jim Lavery.

ACTION: Received and filed.

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

ACTION: Mayor Pro Tem Pinkard declared the public hearing open.

DISCUSSION: The City Clerk reported on posting, publication and two letters were received.

2. **SUBJECT:** Zone Text Amendment (PZ 10-580-01), Pertaining to Emergency Shelters, Transitional Housing, Supportive Housing and Farmworker Housing. (111)

RECOMMENDATION: Approve the first reading by title only and subsequent adoption of an ordinance amending Chapter 16 of the City of Oxnard Code pertaining to emergency shelters, transitional housing, supportive housing and farmworker housing pursuant to Senate Bill 2.

DISCUSSION: The Contract Planner reviewed the different types of permitted uses under SB 2 and restrictions of individuals with past criminal history. The Assistant City Attorney reviewed opposed restrictions of the housing regulations.

Comments were received from: Peggy Rivera; Eileen Tracy; John Saltee; Cassie Sorenson; Mark Smith; David Courtland; Ron Mulvihill; Bert Perello; Pat Brown and Greg Runyon.

The City Council expressed concern that more input was needed from interested individuals and agencies.

ACTION: Close the public hearing. (Ramirez/Flynn) Move to continue this item to a future date and provided comments to staff. (Pinkard/MacDonald), unanimously.

M. **REPORT OF CITY MANAGER**

The Interim City Manager provided information regarding the upcoming Spanish translation service.

O. **REPORTS**

Housing Department

2. **SUBJECT:** Terraza de Las Cortes, L.P. by the Housing Authority and Las Cortes, Inc. (173)

RECOMMENDATION: Approve a special budget appropriation in the amount of \$3.3 million to the Project.

DISCUSSION: The Housing Director reviewed the location of the proposed construction of housing within the Courts area of Colonia and options of the current residents.

The Council discussed: financing of 64 units; date of completion; other development of Courts replacement;

ACTION: Approved as recommended. (Pinkard/MacDonald). Ayes: MacDonald, Flynn, Ramirez and Pinkard. Absent: Holden.

HOUSING AUTHORITY

At 10:12 p.m. the concurrent meeting with the Housing Authority concluded.

City Treasurer Department

1. **SUBJECT:** Investment Policy and Annual Report of Investment Activity. (135)

RECOMMENDATION: 1) Approve the Investment Policy for the City of Oxnard; and 2) Adopt **Resolution No. 14,280** delegating investment authority to the City Treasurer.

DISCUSSION: The City Treasurer reviewed objectives of investment policy, types of acceptable investments instruments and bench marks.

Comments received from: Bert Perello.

ACTION: Approved as recommended. (Pinkard/MacDonald). Ayes: Flynn, Ramirez, Pinkard, and MacDonald. Absent: Holden.

Community Development Department

3. SUBJECT: Processing of Documentation in Order to Reflect Ownership of the Commission Properties and Other Assets by the Successor Agency. (177)

RECOMMENDATION: Adopt **Resolution No. 14,281** authorizing the processing of documentation reflecting ownership of the Commission properties and other assets by the Oxnard Community Development Commission Successor Agency ("Successor Agency").

DISCUSSION: The Community Development Director outlined the documentation regarding the properties and assets of the Successor Agency.

Todd Moody, Legal Counsel, stated that this action would reflect the action of the State and create a long range maintenance plan for the properties.

Comments received from Bert Perello.

ACTION: Approved as recommended. (MacDonald/Ramirez). Ayes: Ramirez, Pinkard, MacDonald, and Flynn. Absent: Holden.

COMMUNITY DEVELOPMENT SUCCESSOR AGENCY

At 10:44 p.m. the concurrent meeting with the Community Development Successor Agency concluded.

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

City Manager's Office

1. SUBJECT: Discuss Transition of Gold Coast Transit (GCT) from a Joint Powers Agency to a Transit District. (239)

RECOMMENDATION: Consider a report concerning the transition of GCT from a joint powers agency to a transit district.

DISCUSSION: The Special Counsel to City Manager commented on a proposed to establish a regional transit district, future legislature transit requirements and differences between joint powers agency to a regional transit district.

Steve Brown, General Manager of Gold Coast Transit, commented on the positive aspects of having a regional transportation system.

The Council discussed the importance of having a regional transit system.

ACTION: Received the information and provided comments.

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 11:02 p.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

DR. IRENE G. PINKARD
Mayor Pro Tem

MINUTES

OXNARD CITY COUNCIL

Regular Meeting

October 2, 2012

A. ROLL CALL/POSTING OF AGENDA

At 5:34 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers Irene G. Pinkard, Bryan A. MacDonald, Timothy B. Flynn and Carmen Ramirez were present. Mayor Thomas E. Holden was absent. The City Clerk stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Mayor Pro Tem Pinkard presided and called the meeting to order. Staff members present were: Daniel Martinez, City Clerk; Karen Burnham, Interim City Manager; Alan Holmberg, City Attorney; and Scott Herbert, Police Commander.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 5:36 p.m. the City Council recessed to a closed session, pursuant to Government Code section 54956.9(c) based on existing facts and circumstances, the City Council shall decide whether to initiate litigation in one potential case.

At 5:45 p.m., Mayor Holden was present and presided.

The city Council also recessed to a closed session, pursuant to Government Code section 54956.9(a), to confer with its attorneys. The title and case number of the litigation being discussed Reyes, Juan v. City of Oxnard, et al Ventura County Superior Court Case No. 56-2011-00405522-CU-PO-VTA

At 6:22 p.m. the City Council reconvened and recessed to the evening session. At 7:03 p.m., the City Attorney announced Council decision to direct the City Attorney initiate litigation against Southern California Gas Company and several other defendants concerning utility relocation issues with facts and particulars to be disclosed once it has been filed.

D. OPENING CEREMONIES

At 7:03 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers. The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence. Mayor Holden presided. Additional staff members present were: James Cameron, Chief Financial Officer; Grace Magistrale Hoffman, Deputy City Manager; Michael Henderson, General Services Manager; Sue Martin, Planning and Environmental Services Manager; Rob Roshanian, Interim Public Works Director; Martin Erickson, Special Assistant to the City Manager; and Jason M. Samonte, Traffic Engineer.

E. CEREMONIAL CALENDAR

1. **SUBJECT:** Presentation to Mayor Thomas E. Holden From the Sister City Committee on Behalf of the Mayor of Ocotlan, Mexico.
DISCUSSION: Debra Cordes, Sister City Committee, provided gifts to Mayor Holden from Mayor of Ocotlan, Mexico and the Ocotlan Sister City Committee.
2. **SUBJECT:** Presentation of Commendation to Lic. Rogelio Alejandro Flores-Mejia, Mexican Consul for His Service to the Community.
DISCUSSION: Mayor Holden provided Mexican Consulate Flores-Mejia who thanked the City Council for the recognition and his joy of living in the community.
3. **SUBJECT:** Presentation to City of Oxnard for its Employee Participation in the United Way Campaign.
DISCUSSION: Linda Roman thanked the City of Oxnard employees for support of the United Way program.
4. **SUBJECT:** Presentation of Proclamation Designating October 2012 as "Multicultural Month"
DISCUSSION: Community Relations Commissioner Tiffany Lopez, Community Relations Commissioner Ernest Stein and Martha Guillen, Office Assistant, invited the community to the Multicultural event being held October 6, 2012 in Plaza Park.
5. **SUBJECT:** Presentation of Proclamation Designating October 2012 as "Community Planning Month"
DISCUSSION: Mayor Holden presented a proclamation to Planning Commissioner Anthony Murguia, Planning Commissioner Stephen Huber and the Planning and Environmental Services Manager in recognition of "planning work" provided to the City.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individuals provided comments: Ed Ellis; Martin Jones; Steve Nash; Larry Stein; William "Bill" Terry; Armando Vazquez; Donald Thibeault; Joshua Singletary; Francisco Jimenez; Robert Jefferson; and Ruben Flores.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

1. **SUBJECT:** East County Courthouse Funding. (081)
RECOMMENDATION: Approve \$30,000 funding request for FY 2012-13 from the general fund reserve to retain limited, part-time judicial services at East County Courthouse.
DISCUSSION: The Special Assistant to the City Manager reviewed the impact of the closure of the East County Courthouse and use of General Fund reserves to support this service.

Judge Manuel J. Covarrubias; Judge Vince O'Neil; Dien Le, President Bar Association; and Allen Ball, Ventura County Trial Lawyers, provided reasons for the needed support of the East County Courthouse.

The following individuals provided comments: Pat Brown; Bert Perello and Larry Stein.

ACTION: Approve as recommended. (Holden/Pinkard) Ayes: Pinkard, MacDonald, Flynn, Ramirez, and Holden.

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

The following individuals provided comments: Steve Nash (I-3); Pat Brown (I-3); Bert Perello (I-3); and Larry Stein (I-4).

At 8:42 p.m., Mayor Holden left the meeting and Mayor Pro Tem Pinkard presided. At 8:44 p.m., Mayor Holden returned to the meeting and presided.

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Adjourned Meeting of the City Council for July 31, 2012; and Minutes of the Special Meeting of the City Council for July 31, 2012. (001)
RECOMMENDATION: Approve.

City Manager Department

2. SUBJECT: Agreements for City Council Review. (011)
RECOMMENDATION: Approve and authorize the Interim City Manager, to execute the attached agreements/contracts and change orders/amendments in amounts more than \$25,000 but less than \$250,000.

Development Services Department

3. SUBJECT: Change Order No. 2 for Sully-Miller Contracting Co. for Project Specification No. DS12-01 for the Intelligent Transportation System (ITS) Construction Integration Project. (013)
RECOMMENDATION: Approve and authorize the Mayor to execute Change Order No. 2 for Project Specification No. DS12-01 with Sully-Miller Contracting Co. (A-7475) to increase the amount by \$291,125.90 (a total of \$3,120,072.38) for the ITS Construction Integration Project.

Public Works Department

4. SUBJECT: Agreement to Install Service Turnout, Easement Agreement and Easement Deed with South Shore Land Company LLC. (017)
RECOMMENDATION: Approve the Agreements and Deed for the South Shore Land Company, LLC with regard to property identified as follows: 1) Approve and authorize the Mayor to execute the Agreement to Install Service Turnout with South Shore Land Company, LLC (A-7521), identified by the County Assessor as APN 233-0-030-250, located at the north

side of Hueneme Road and east of Edison Drive; 2) Approve and authorize the Mayor to execute an Easement Agreement with South Shore Land Company, LLC (A-7522), identified by the County Assessor as APN-233-0-030-300, located at the north side of Hueneme Road and east of Edison Drive; and 3) Approve and authorize the Mayor to execute the Certificate of Acceptance for an Easement Deed with South Shore Land Company, LLC, identified by the County Assessor as APN-223-0-030-300, located at the north side of Hueneme Road and east of Edison Drive.

INFORMATION/CONSENT AGENDA ACTION: Moved to removed I-3 from the agenda (Ramirez/Flynn) Ayes: Flynn and Ramirez. Noes. MacDonald, Holden and Pinkard. Approved as recommended. (Holden/Pinkard) Ayes: Holden, Pinkard, MacDonald, Flynn, and Ramirez. Noes: Flynn and Ramirez only for I-4.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

Mayor Holden opened the public hearing. The City Clerk reported on publication and that there were one written communications received in favor of the development.

Development Services Department

1. SUBJECT: Review of the Planning Commission's Approval of Special Use Permit No. 11-500-2 for the Reuse of a Vacant Commercial Retail Building and Alcohol Sales for Off-Site Consumption for a Vallarta Market Shopping Center, Located at 2600 N. Vineyard Avenue. (031) RECOMMENDATION: Adopt **Resolution No. 14,282** upholding the Planning Commission's approval for reuse of a vacant building for a shopping center with alcohol sales for off-site consumption (beer and wine only), located at 2600 N. Vineyard Avenue. DISCUSSION: The Planning and Environmental Services Manager outlined the proposed development of Vallarta Shopping Center including parking, landscape, sale of alcohol, site location next to former school, and notices to businesses/residents.

Tom Layman, Vallarta Market, reviewed the proposed development of the property and opportunities for locations of other retail businesses. Cesar Gonzalez outlined the view of creating an opportunities of jobs, use of vacate site and benefits to employees/community. Miguel Gonzalez reviewed some of the unique services provided to the community.

The following individuals provided comments: Larry Stein; Touni Asaad; Yousef Asaad; Martel Fraser; Orlando Dozier; Eliana Asaad; Isacc Castillo; Soledad Trevino; Bert Perello; and Patricia Gutierrez.

ACTION: Close the public hearing. (Holden/Ramirez), unanimously.

Police Officer Waer reviewed the alcohol licenses in the area, possible site restrictions and location of former school site.

Miguel Gonzalez, Vallarta Market, stated the difficulty of selling only beer and wine at the location.

ACTION: Move to remove all sales of alcohol from the proposed store (Ramirez/Pinkard) this motion was removed from consideration. Approved of recommendation with store only having a beer and wine sales license. (Holden/Flynn) Ayes: Flynn, Ramirez, Holden Pinkard, and MacDonald.

M. REPORT OF CITY MANAGER

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

2. SUBJECT: California Cities Gang Prevention Network Meeting in Santa Rosa.

RECOMMENDATION: Accept a verbal report on the California Cities Gang Prevention Network Meeting.

DISCUSSION: The Deputy City Manager commented on the network meeting and 13 City member benefits of the program. Mayor Holden stated that prevention was the main goal of the organization.

Comments were received from: Inez Tuttle, Gloria Roman and Greg Runyon.

ACTION: The Council received the report and provided comments.

O. REPORTS

Finance Department

1. SUBJECT: Fiscal Year 2011-12 Preliminary Year-End Financial Update. (089)

RECOMMENDATION: Receive a preliminary year-end update for Fiscal Year (FY) 2011-12

DISCUSSION: The Chief Financial Officer reviewing sales taxes, change of revenues, expenditures (fuel costs) and fund balance changes. He focused on the following accounts General Fund, Street and Traffic Funds, Enterprise Utility Fund; PACC and Golf Funds.

Reviewed comments from: Bert Perello and Larry Stein.

ACTION: The City Council provided comments and directions to staff.

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

At 11:09 p.m., Mayor Holden left the meeting and Mayor Pro Tem Pinkard presided.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individuals provided comments: Inez Tuttle; Gloria Roman; and Pat Brown.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The Council discussed placing the past \$300 Post Retirement benefit and the past City Manager contract as a future closed session issue. Mayor Pro Tem Pinkard also discussed the need to review the City Code regarding the protocol of Council review of the agenda process.

T. ADJOURNMENT

At 11:18 p.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

DR. THOMAS E. HOLDEN
Mayor

DR. IRENE G. PINKARD
Mayor Pro Tem

MINUTES

OXNARD CITY COUNCIL

Regular Meeting

October 9, 2012

A. ROLL CALL/POSTING OF AGENDA

At 6:01 p.m., the regular meeting of the Oxnard City Council convened in the Council Chambers. Councilmembers Thomas E. Holden, Irene G. Pinkard, Bryan A. MacDonald, Timothy B. Flynn and Carmen Ramirez were present. The City Clerk stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Mayor Holden presided and called the meeting to order. Staff members present were: Daniel Martinez, City Clerk; Karen Burnham, Interim City Manager; Alan Holmberg, City Attorney; and James Cameron, Chief Financial Officer.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Public comments were received from: Bert Perello. The City Attorney reviewed the Brown Act requirements during Closed Session.

C. CLOSED SESSION

At 6:05 p.m. the City Council recessed to a closed session, pursuant to Government Code section 54956.9(c), based on existing facts and circumstances, the City Council shall decide whether to initiate litigation in two potential cases.

At 7:03 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 7:12 p.m., the regular meeting of the Oxnard City Council reconvened in the Council Chambers. The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence. Mayor Holden presided. Additional staff members present were: Jeri Williams, Police Chief; Michael O'Malia, Interim Fire Chief; Rob Roshanian, Interim Public Works Director; Michael Henderson, General Services Manager; Martin Erickson, Special Assistant to the City Manager; and Grace Magistrale Hoffman, Deputy City Manager.

E. CEREMONIAL CALENDAR

ITEMS REMOVED FROM AGENDA

The City Council concurred to remove Library Board Bylaws (I-4) and move Operation of Mobile Food Facilities, Citywide (L-1) to January 8, 2013.

L. PUBLIC HEARINGS

Development Services Department

1. SUBJECT: Planning and Zoning Permit No. 12-580-01 (Zone Code Text Amendment), Regulations Concerning Operation of Mobile Food Facilities, Citywide. (083)

RECOMMENDATION: Continue to January 8, 2012.

ACTION: Moved to continue this item to January 8, 2012 (Holden/Pinkard), unanimously.

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individuals provided comments: William Bill Terry; Ed Ellis; Eileen Tracy; Jim Hensley; Jace Martin; Martin Jones; Donald Thibeault; Jim Lavery; Jeff Maulhardt; Inez Tuttle; Pedro Brito; Pat Brown; Abel Magana; and Morey Navarro.

G. REVIEW OF INFORMATION/CONSENT AGENDA

The City Clerk explained that minutes were action minutes and full meetings were available to be viewed online (I-1); the General Services Manager reviewed the renovation of Durley Park; the Finance Chief Officer (I-3).

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

The following individuals provided comments: Orlando Dozier (I-2); Pat Brown (I-3); Larry Stein (I-3); Jim Lavery (I-3); Pat Brown (I-3); and Bert Perello (I-3).

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meetings of the City Council for September 11 and 18, 2012. (001)
RECOMMENDATION: Approve with changes to September 11, 2012.

City Manager Department

2. SUBJECT: Agreements for City Council Review. (013)
RECOMMENDATION: Pursuant to Ordinance 2835 and Resolution 13,932, approve and authorize the Interim City Manager, to execute the attached agreements/contracts and change orders/amendments in amounts more than \$25,000 but less than \$250,000.
3. SUBJECT: Project Specification No. GS12-04-Durley Park Renovation. (015)
RECOMMENDATION: Approve Project Specification No. GS12-04 for Durley Park renovation, and authorize staff to solicit bids for the project.

Library Department

4. SUBJECT: Library Board Bylaws, Terms of Office, and Powers and Duties. (019)
RECOMMENDATION: Continue to future date.

Public Works Department

5. SUBJECT: Lessee Consent Agreement, Easement Agreement and Easement Deed with Ito Farms, Inc. (035)

RECOMMENDATION: 1) Approve and authorize the Mayor to execute the Lessee Consent Agreement with George Ito for the property identified by the County Assessor as APN 223-0-030-310, located at the north side of Hueneme Road and east of Edison Drive, (A-7523); 2) Approve and authorize the Mayor to execute an Easement Agreement with Ito Farms, Inc., for the property identified by the County Assessor as APN 223-0-030-310, located at the north side of Hueneme Road and east of Edison Drive, (A-7524); and 3) Approve and authorize the Mayor to execute the Certificate of Acceptance for an Easement Deed with Ito Farms, Inc., for the property identified by the County Assessor as APN 223-0-030-310, located at the north side of Hueneme Road and east of Edison Drive.*

6. SUBJECT: Lessee Consent Agreement with Hiji Bros., Easement Agreement and Easement Deed with Ito Family Trust and Sachiko Ito Trust. (053)

RECOMMENDATION: 1) Approve and authorize the Mayor to execute the Lessee Consent Agreement with Hiji Bros., Inc. for the property identified by the County Assessor as APN 223-0-030-295, located at the north side of Hueneme Road and east of Edison Drive, (A-7525); 2) Approve and authorize the Mayor to execute an Easement Agreement with Ito Family Trust and Sachiko Ito Trust, for the property identified by the County Assessor as APN 223-0-030-295, located at the north side of Hueneme Road and east of Edison Drive, (A-7526); and 3) Approve and authorize the Mayor to execute the Certificate of Acceptance for an Easement Deed with Ito Family Trust and Sachiko Ito Trust, for the property identified by the County Assessor as APN 223-0-030-295, located at the north side of Hueneme Road and east of Edison Drive.*

7. SUBJECT: Easement Agreement and Easement Deed with Plum Vista L.P. (071)

RECOMMENDATION: 1) Approve and authorize the Mayor to execute an Easement Agreement with Plum Vista L.P., for the property identified by the County Assessor as APN 223-0-030-320, located at the north side of Hueneme Road and east of Edison Drive, (A-7532); and 2) Approve and authorize the Mayor to execute the Certificate of Acceptance for an Easement Deed with Plum Vista L.P., for the property identified by the County Assessor as APN 223-0-030-320, located at the north side of Hueneme Road and east of Edison Drive.*

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended with changes to September 11, 2012 minutes. (Pinkard/Holden) Ayes: Holden, Pinkard, MacDonald, Flynn, and Ramirez. Noes: Flynn only 5, 6, 7.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

M. REPORT OF CITY MANAGER

The City Manager commented on new hires of Police Department.

N. CITY COUNCIL BUSINESS/COMMITTEE REPORTS

The City Council discussed several items including the development of the Collections Shopping Center; filling of street pot holes by street staff; and success of the Multicultural Festival.

O. REPORTS**P. PUBLIC COMMENTS ON REPORTS****Q. APPOINTMENT ITEMS****Finance Department**

1. **SUBJECT:** Measure “O” Half-Cent Sales Tax Review, Project Discussion, and Consideration of Additional Appropriations. (115)

RECOMMENDATION: 1) Approve Measure O funding for \$2,090,000 for projects identified in the staff report and authorize the City Manager to make the required budget appropriations; and 2) Discuss and provide direction for new Measure O project funding options and authorize the City Manager to establish appropriate budgets for the approved projects and programs.

DISCUSSION: The Special Assistant to the City Manager reviewed possible use of Measure “O” funds including Durley Park renovations, Lemonwood Park environmental work; SW Community Park parking; replacement of Fire ladder truck; WiFi service at Library and Spanish language interpretation of Council meetings. The Interim Fire Chief commented on the reasons for a new Fire ladder truck. The Interim Public Works stated the needs of infrastructure of roads and alleyways.

The Council commented on possible projects including a swimming program; expansion of Lemonwood park; replacement of Fire ladder truck; and infrastructure needs.

At 8:54 p.m., Mayor Holden left the meeting and Mayor Pro Tem Pinkard presided. At 9:07 p.m., Mayor Holden returned and presided.

The following individuals provided comments: Eileen Tracy; Inez Tuttle; David Courtland; Bert Perello; Pat Brown; Larry Stein; Harold Ceja; Jim Lavery; and Steve Nash.

ACTION: Approve as recommended (Pinkard/Holden) Ayes: Flynn, Ramirez, Holden, Pinkard, and Holden.

R. STUDY SESSION**City Manager Department**

1. **SUBJECT:** Review of Joint Use Agreement between the City of Oxnard and the Rio School District. (121)

RECOMMENDATION: Receive the report and provide direction to staff regarding the joint use agreement.

DISCUSSION: The General Services Manager reviewed the history of the park site, current agreement to use of park site by school, and proposed future agreement.

The following individuals provided comments: Joshua Singletary; Steve Nash; Bert Perello; Larry Stein.

ACTION: The City Council provided comments and directions to staff.

S. PUBLIC COMMENTS ON STUDY SESSIONF. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

The following individuals provided comments: Larry Stein and Alejandro Rivera.

T. ADJOURNMENT

At 10:52 p.m. the City Council concurred to adjourn the meeting.

DANIEL MARTINEZ
City Clerk

DR. THOMAS E. HOLDEN
Mayor

DR. IRENE G. PINKARD
Mayor Pro Tem

MINUTES

OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY

Regular Meeting

July 10, 2012

A. ROLL CALL/POSTING OF AGENDA

At 7:16 p.m., the regular meeting of the Oxnard Community Development Commission Successor Agency convened in the Council Chambers concurrently with the City Council. Commissioners Thomas E. Holden, Irene G. Pinkard, Bryan A. MacDonald, Timothy B. Flynn, and Carmen Ramirez were present. The Secretary Designate stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Chairperson Holden presided and called the meeting to order.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

D. OPENING CEREMONIES

The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence. Staff members present were: Daniel Martinez, Secretary Designate; Karen Burnham, Interim Executive Director; Alan Holmberg, General Counsel; Curtis Cannon, Community Development Director; and Grace Magistrale Hoffman, Deputy Executive Secretary.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

City Clerk Department

1. SUBJECT: Minutes of the Regular Meeting of the Oxnard Community Development Commission Successor Agency for June 5, 12, 19 and 26, 2012. (003)

RECOMMENDATION: Approve.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended. (Pinkard/Holden)
Ayes: Flynn, Ramirez, Holden, Pinkard, and MacDonald.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

N. COMMUNITY DEVELOPMENT COMMISSION BUSINESS/COMMITTEE REPORTS**M. REPORT OF SECRETARY**

1. **SUBJECT:** Verbal Report on Oxnard Community Development Commission Successor Agency and Status of Redevelopment Activities in the City of Oxnard, including report on effect of AB 1484, State Budget Trailer Bill; summary of delinquencies with respect to Successor Agency and City owned assets possibly subject to ABx1 26; and summary of the Downtown Assistance Plan described in Agreement No. A-5965 (Fourth Amendment to Owner Participation Agreement between the former Community Development Commission and certain Riverpark Developers).
RECOMMENDATION: Receive and consider report.
ACTION: Continue

CITY COUNCIL

At 10:33 p.m. the joint meetings with the City Council concluded.

O. REPORTS**P. PUBLIC COMMENTS ON REPORTS****Q. APPOINTMENT ITEMS****R. STUDY SESSION****S. PUBLIC COMMENTS ON STUDY SESSION****T. ADJOURNMENT**

At 10:33 p.m., the Community Development Commission Successor Authority concurred to adjourn the meeting.

DANIEL MARTINEZ
Secretary Designate

DR. THOMAS E. HOLDEN
Chairman

MINUTES

OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY
Regular Meeting
July 17, 2012

Because there were no items requiring consideration on this date, there was no regular meeting.

DANIEL MARTINEZ
Secretary Designate

DR. IRENE G. PINKARD
Vice-Chairman

MINUTES

OXNARD FINANCING AUTHORITY
Regular Meeting
July 24, 2012

The regular scheduled meeting was canceled by the City Council on June 26, 2012.

DANIEL MARTINEZ
Secretary Designate

DR. THOMAS E. HOLDEN
Chairperson

MINUTES

OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY

Special Meeting

July 31, 2012

A. ROLL CALL/POSTING OF AGENDA

At 5:32 p.m., the special meeting of the Oxnard Community Development Commission Successor Agency convened in the Council Chambers, concurrently with the City Council and Housing Authority. Commissioners Thomas E. Holden, Irene G. Pinkard, Bryan A. MacDonald, Timothy B. Flynn, and Carmen Ramirez were present. The Secretary Designate stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Chairman Holden presided and called the meeting to order. Staff members present were: Daniel Martinez, Secretary Designate; Karen Burnham, Interim Executive Director; Alan Holmberg, General Counsel; and Grace Magistrale Hoffman, Deputy Executive Secretary.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 5:33 p.m. the Successor Agency recessed to a closed session, pursuant to Government Code section 54956.9(b)(3)(C). Based on existing facts and circumstances, this is significant exposure to litigation with is available for inspection at the City Clerk's Office.

The Successor Agency also recessed to a closed session, pursuant to Government Code section 54956.9(c), based on existing facts and circumstances, the City Council shall decide whether to initiate litigation in three potential cases.

At 6:59 p.m. the Successor Agency reconvened and recessed to the evening session. The General Counsel announced instructions to move forward with litigation and details to be announced at a later date.

D. OPENING CEREMONIES

At 7:08 p.m., the regular meeting of the Community Development Commission Successor Agency reconvened in the Council Chambers, concurrently with the Oxnard City Council, Housing Authority and Financing Authority. The meeting opened with the pledge of allegiance to the flag of the United States by 3211 Cub Scouts, followed by a moment of silence for Susan Gonzalez, wife of Salvador Gonzalez former Housing Director. Mayor Holden presided. Additional staff members present were: Jeri Williams, Police Chief; William "Bill" Wilkins, Housing Director; James Cameron, Chief Financial Officer; Rob Roshanian, Interim Public Works Director; Curtis P. Cannon, Community Development Director; Michael Henderson, General Services Manager; Anthony Emmert, Water Resources Manager; Martin Erickson, Special Assistant to the City Manager; Michelle Johnson, Interim Environmental Resources Manager; Brad Windsor, Acting Fire Chief; Grant Dunne, Environmental Resources Management Analyst; and Kymberly Horner, Redevelopment Project Manager.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

The following individual presented comments Larry Stein. The Community Development Director reviewed reasons for "Amending the Enforceable Obligation Payment Schedule" item to be on the agenda and outlined several contracts.

I. INFORMATION/CONSENT AGENDA

Community Development Department

4. SUBJECT: Authorization to Disburse Former Historic Enhancement and Revitalization of Oxnard (HERO) Housing Set-Aside Funds for the Homebuyer Down Payment Assistance Program Approved by the Former Oxnard Community Development Commission. (029)

RECOMMENDATION: Authorize the Community Development Director to disburse a total of not to exceed \$500,000 in home buyer down payment assistance and to approve up to 156 contracts with individual home buyers in the RiverPark Vista Urbana development located at the southeast corner of RiverPark Boulevard and American River Court. *

5. SUBJECT: Property Management Contract for the Premises Located at 327 North Fifth Street Commonly Known as the Social Security Building, 318 West Fifth Street and 321 West Sixth Street. (033)

RECOMMENDATION: Approve and authorize the Chairperson to execute a one-year property management contract with Alert Management Company.

INFORMATION/CONSENT AGENDA ACTION: Approved as recommended. (Holden/ Ramirez) Ayes: Holden, Pinkard, MacDonald, Flynn and Ramirez. Noes: Flynn only on item four.

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

M. REPORT OF SECRETARY

N. COMMUNITY DEVELOPMENT COMMISSION BUSINESS/COMMITTEE REPORTS

HOUSING AUTHORITY/FINANCING AUTHORITY

At 11:19 p.m. the joint meetings with the Housing Authority and Financing Authority concluded.

O. REPORTS

Community Development Department

3. SUBJECT: Adoption of the Recognized Obligation Payment Schedule ("ROPS") for the Period January 1, 2013 – June 30, 2013. (439)

RECOMMENDATION: Adopt **Resolution No. 8** approving the Third Recognized Obligation Payment Schedule (ROPS III) covering the period of January 1, 2013 to June 30, 2013.

DISCUSSION: The Community Development Director reviewed changes and housing set-a-side issues. The City Attorney reviewed changes to the proposed resolutions and use of format.

Comments received from Larry Stein.

ACTION: Approved as recommended. (Holden/MacDonald). Ayes: Flynn, Ramirez, Holden, Pinkard, and MacDonald.

4. SUBJECT: Successor Agency Administrative Budget for the Period of January 1, 2013 – June 30, 2013. (457)

RECOMMENDATION: Adopt **Resolution No. 9** approving an administrative budget for the period January 1, 2013 – June 30, 2013.

ACTION: Approved as recommended. (MacDonald/Holden). Ayes: Ramirez, Holden, Pinkard, MacDonald, and Flynn.

CITY COUNCIL

At 12:06 a.m. the joint meeting with the City Council concluded.

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 12:06 a.m., the Community Development Commission Successor Authority concurred to adjourn the meeting.

DANIEL MARTINEZ
Secretary Designate

DR. THOMAS E. HOLDEN
Chairman

MINUTES

OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY

Regular Meeting
September 11, 2012

Because there were no items requiring consideration on this date, there was no regular meeting.

DANIEL MARTINEZ
Secretary Designate

DR. THOMAS E. HOLDEN
Chairman

DRAFT

MINUTES

OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY

Regular Meeting
September 18, 2012

A. ROLL CALL/POSTING OF AGENDA

At 5:31 p.m., the regular meeting of the Oxnard Community Development Commission Successor Agency convened in the Council Chambers concurrently with the City Council. Commissioners Thomas E. Holden, Irene G. Pinkard, Bryan A. MacDonald, Timothy B. Flynn, and Carmen Ramirez were present. The Secretary Designate stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Chairperson Holden presided and called the meeting to order. Staff members present were: Daniel Martinez, Secretary Designate; Karen Burnham, Interim Executive Director; Alan Holmberg, General Counsel; Curtis Cannon, Community Development Director; and Grace Magistrale Hoffman, Deputy Executive Secretary.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

At 5:32 p.m. the City Council and Successor Agency recessed to a closed session, pursuant to Government Code section 54956.9(c) based on existing facts and circumstances, the City Council shall decide Whether to initiate litigation in two potential cases, and discuss litigation which the City has decided to file in the Superior Court of the State of California in Sacramento, City of Bellflower, et al. v. Ana Matasantos, et al., case not yet filed.

At 6:59 p.m. the City Council reconvened and recessed to the evening session.

D. OPENING CEREMONIES

At 7:05 p.m., the regular meeting of the Community Development Commission Successor Agency reconvened in the Council Chambers concurrently with the City Council. The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

M. REPORT OF SECRETARYN. COMMUNITY DEVELOPMENT COMMISSION BUSINESS/COMMITTEE REPORTSCITY COUNCIL/HOUSING AUTHORITY

At 9:47 p.m. the joint meetings with the City Council and Housing Authority concluded.

O. REPORTSP. PUBLIC COMMENTS ON REPORTSQ. APPOINTMENT ITEMSR. STUDY SESSIONS. PUBLIC COMMENTS ON STUDY SESSIONT. ADJOURNMENT

At 9:47 p.m., the Community Development Commission Successor Authority concurred to adjourn the meeting.

DANIEL MARTINEZ
Secretary Designate

DR. THOMAS E. HOLDEN
Chairman

MINUTES

OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY

Regular Meeting
September 25, 2012

A. ROLL CALL/POSTING OF AGENDA

At 7:03 p.m., the regular meeting of the Oxnard Community Development Commission Successor Agency convened in the Council Chambers concurrently with the City Council and Housing Authority. Commissioners Irene G. Pinkard, Bryan A. MacDonald, Timothy B. Flynn, and Carmen Ramirez were present. Chairperson Thomas E. Holden was absent. The Secretary Designate stated that the agenda was posted on Thursday in the Library and City Clerk's Office. Vice-Chairperson Pinkard presided and called the meeting to order. Staff members present were: Daniel Martinez, Secretary Designate; Karen Burnham, Interim Executive Director; Alan Holmberg, General Counsel; Curtis Cannon, Community Development Director; and Grace Magistrale Hoffman, Deputy Executive Secretary.

B. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

C. CLOSED SESSION

D. OPENING CEREMONIES

The meeting opened with the pledge of allegiance to the flag of the United States, followed by a moment of silence.

E. CEREMONIAL CALENDAR

F. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

G. REVIEW OF INFORMATION/CONSENT AGENDA

H. PUBLIC COMMENTS ON INFORMATION/CONSENT AGENDA

I. INFORMATION/CONSENT AGENDA

J. TRANSMITTAL OF INFORMATION ONLY ITEMS

K. INFORMATION/CONSENT PUBLIC HEARINGS

L. PUBLIC HEARINGS

M. REPORT OF SECRETARY

N. COMMUNITY DEVELOPMENT COMMISSION BUSINESS/COMMITTEE REPORTS

HOUSING AUTHORITY

At 10:12 p.m. the joint meeting with the Housing Authority concluded.

O. REPORTS

Community Development Department

3. SUBJECT: Processing of Documentation in Order to Reflect Ownership of the Commission Properties and Other Assets by the Successor Agency. (177)
RECOMMENDATION: Adopt **Resolution No. 9** authorizing the processing of documentation confirming its ownership of the Commission properties and other assets.
DISCUSSION: The Community Development Director outlined the documentation

Todd Moody, Legal Counsel, stated this action would reflect the State action and long range maintenance plan of properties.

Comments received from Bert Perello.

ACTION: Approved as recommended. (MacDonald/Ramirez). Ayes: Ramirez, Pinkard, MacDonald, and Flynn. Absent: Holden.

P. PUBLIC COMMENTS ON REPORTS

Q. APPOINTMENT ITEMS

CITY COUNCIL

At 10:44 p.m. the joint meeting with the City Council concluded.

R. STUDY SESSION

S. PUBLIC COMMENTS ON STUDY SESSION

T. ADJOURNMENT

At 10:44 p.m., the Community Development Commission Successor Authority concurred to adjourn the meeting.

 DANIEL MARTINEZ
 Secretary Designate

 DR. THOMAS E. HOLDEN
 Chairman

MINUTES

OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY

Regular Meeting

October 2, 2012

Because there were no items requiring consideration on this date, there was no regular meeting.

DANIEL MARTINEZ
Secretary Designate

DR. THOMAS E. HOLDEN
Chairman

MINUTES

OXNARD COMMUNITY DEVELOPMENT COMMISSION SUCCESSOR AGENCY

Regular Meeting

October 9, 2012

Because there were no items requiring consideration on this date, there was no regular meeting.

DANIEL MARTINEZ
Secretary Designate

DR. THOMAS E. HOLDEN
Chairman

DRAFT

ACTION	TYPE OF ITEM
☐ Approved Recommendation	☒ Info/Consent
☐ Ord. No(s). _____	☐ Report
☐ Res. No(s). _____	☐ Public Hearing (Info/consent)
☐ Other _____	☐ Other _____

Prepared By: Karen R. Burnham, Interim City ManagerAgenda Item No. I-2Reviewed By: City Manager [Signature]City Attorney [Signature]Finance [Signature]

Other (Specify) _____

DATE: October 2, 2012**TO:** City Council**FROM:** Karen R. Burnham, Interim City Manager
City Manager's Office**SUBJECT:** Agreements for City Council Review**RECOMMENDATION**

That City Council, pursuant to Ordinance 2835, and Resolution No. 13,932, approve and authorize the City Manager, to execute the agreements/contracts and change orders/amendments in amounts more than \$25,000 but no more than \$250,000, which are described on the attached list.

DISCUSSION

On November 16, 2010, the City Council approved changes to the City's Purchasing Procedures reducing the threshold for City agreements/contracts and change orders/amendments requiring City Council approval to \$25,000. The agreements/contract and change orders/amendments described on the attached list involve amounts above \$25,000 and up to \$250,000.

FINANCIAL IMPACT

Funding information is included on the attached list.

Attachment - #1 – List of Agreements/Contracts and/or Change Orders/Amendments

NOTE: Copies of the agreement/contracts and change orders/amendments on the list are available in the City Clerk's Office after 10:00 a.m. on Thursday prior to the Council meeting.



Meeting Date: 10/16/2012

ACTION	TYPE OF ITEM
☐ Approved Recommendation	☒ Info/Consent
☐ Ord. No(s). _____	☐ Report
☐ Res. No(s). _____	☐ Public Hearing (Info/consent)
☐ Other _____	☐ Other _____

Prepared By: Michael More *MM*Agenda Item No. I-3Reviewed By: City Manager *JLB*City Attorney *SMF*Finance *AC*

Other (Specify) _____

DATE: October 4, 2012**TO:** City Council**FROM:** Michael More, Financial Services Manager
Finance Department *Michael More***SUBJECT:** Payment to County of Ventura for Harbor Patrol Services Provided to Seabridge Community Facilities District No. 4**RECOMMENDATION**

That City Council:

1. Approve payment in the total amount of \$649,396 to the County of Ventura related to Harbor Patrol services provided to Seabridge Community Facilities District No. 4 pursuant to the Memorandum of Understanding (A-6663) dated September 10, 2002 by and between the City of Oxnard, the County of Ventura, and Oly Mandalay Bay General Partnership.
2. Approve a special budget appropriation (SBA) in amount of \$116,731 from Seabridge Community Facilities District No. 4.

DISCUSSION

On September 10, 2002, the City of Oxnard ("City"), County of Ventura ("County"), and Oly Mandalay Bay General Partnership ("Developer") entered into a Memorandum of Understanding ("MOU") (A-6663) concerning various issues related to the Seabridge development.

Section 1.(d) of the MOU provides that Community Facilities District No. 4 ("CFD") (administered by the City) "...will provide County with all funds reasonably needed for County to hire and continuously employ three Harbor Patrol Officers (Level II, top range) and one Sergeant, Harbor Patrol Officer III, and to provide the County with funds sufficient to purchase, maintain, repair, and replace every five years, if reasonably needed (or, sooner, if beyond repair), the following items: a suitable motor vehicle, two Harbor patrol boats, a boat trailer, the size of and equipment for each of which is specified in Exhibit B, and the other items specified in Exhibit B hereto". The County has submitted an invoice in the amount of \$549,396 for charges relative to funding to this Section 1.(d) of the MOU for Fiscal Year 2012-13.

In addition to the above, Section 5.(a)(1) of the MOU provides that the CFD special tax shall be set at a

rate sufficient to raise funds to pay "One Hundred Thousand Dollars (\$100,000) per year from and after the year of formation of the CFD, but no later than four (4) years after the date of final City approval of the Tentative Map for Tract No. 5266, which sum shall be paid annually from the CFD to County in consideration of the added value to the Seabridge Project that the Channel Islands Harbor and related facilities provide...". The County has submitted an invoice in the amount of \$100,000 for charges relative to funding pursuant to this Section 5.(a)(1) for Fiscal Year 2012-13.

As a contract (A-6663) with a payment request in excess of \$25,000, these invoices are being presented for City Council approval pursuant to City Resolution No. 13,932 establishing purchasing procedures.

FINANCIAL IMPACT

Funding for the \$649,396 payment to the County is provided by the Community Facilities District No. 4 (Seabridge) Fund. The FY 2012-12 budget includes \$532,665 (Acct No. 173-2102-802-8209) for this purpose. The attached SBA provides the additional \$116,731 required for this payment.

MJM

Attachment #1 - Invoices from County of Ventura
Attachment #2 - Special Budget Appropriation



COUNTY OF VENTURA
Channel Islands Harbor

3900 Pelican Way
Oxnard, CA 93035

Invoice No. 2012-SB812

September 14, 2012

INVOICE

Seabridge Service Contract
July 1, 2012 through June 30, 2013

<u>Item Description</u>	<u>Unit</u>	<u>FY 12/13</u>
Salaries & Employee Benefits		
Harbor Patrol Officer II	3.00	359,769
Harbor Patrol Officer III	1.00	132,119
		<u>491,888</u>
Debit/(Credit) FY 11-12 Invoice vs. Actual Expense		6,843
Total SEB Costs		<u><u>\$ 498,731</u></u>
Operating/Maintenance Costs		
Patrol Boat Maintenance	2.00	5,500
Miscellaneous Patrol Boat Equip. & Supplies	2.00	2,500
Patrol Boat Fuel Charges	2.00	12,000
Vehicle Maintenance	1.00	700
Vehicle Fuel Charges	1.00	250
		<u>20,950</u>
Debit/(Credit) FY 11-12 Invoice vs. Actual Expense		25,952
Total Operating/Maintenance Costs		<u><u>\$ 46,902</u></u>
Miscellaneous		
County Counsel fees		1,000
Office Supplies		1,000
Telecommunication Provider Fees (Telephone/Fax/Mobile Service)		3,200
		<u>5,200</u>
Debit/(Credit) FY 11-12 Invoice vs. Actual Expense		(1,437)
Total Miscellaneous Costs		<u><u>\$ 3,763</u></u>
Total FY 2012-13		<u><u>\$ 518,038</u></u>
Total Debit/(Credit) FY 11-12 Invoice vs. Actual Expense		31,358
Total Amount Due		<u><u>\$ 549,396</u></u>

Due upon receipt

For questions, please call (805)382-3001



COUNTY OF VENTURA
Channel Islands Harbor

3900 Pelican Way
Oxnard, CA 93035

Invoice No. 2012-CFD081

September 14, 2012

INVOICE

Bill To: City of Oxnard
300 W. Third Street, Third Floor
Oxnard, CA 93030
Attn: Jim Cameron, Chief Financial Officer

Annual charge pursuant to section (5)(a)(1) of the MOU between City of Oxnard, County and OLY Mandalay Bay General Partnership for the added value to the Seabridge Project, from the period of July 1, 2012 through June 30, 2013. \$100,000.00

Due upon receipt

For questions, please call (805)382-3001

REQUEST FOR SPECIAL BUDGET APPROPRIATION

Department: Finance
Project/Program _____
Manager: Mike More

Date: October 16, 2012
Phone: 7480

Reason for Appropriation:

Provide sufficient funding to cover FY13 Contract with County of Ventura for services provided to Seabridge Community Facilities District No. 4

Accounts and Descriptions

AMOUNT

Fund: **CFD #4-SEABRIDGE MAINT.FD (Fund 173)**

Expenditures/Transfers Out

173-2102-802.82-09	CONTRACTS AND SERVICES / SVCS-OTHER PROF/CONTRA	<u>116,731</u>
	Sub-total Expenditures	<u>116,731</u>

Net Change to Fund Balance	<u>(116,731)</u>
Net Appropriation Change	<u>116,731</u>

Approvals

Department Director _____

Chief Financial Officer _____

City Manager _____

ATTACHMENT NO. 2
PAGE 1 OF 1



Meeting Date: 10/16/12

ACTION	TYPE OF ITEM
☐ Approved Recommendation	☒ Info/Consent
☐ Ord. No(s). _____	☐ Report
☐ Res. No(s). _____	☐ Public Hearing (Info/consent)
☐ Other _____	☐ Other _____

Prepared By: Lou Balderrama, City EngineerAgenda Item No. I-4Reviewed By: City Manager [Signature]City Attorney [Signature]Finance [Signature]Public Works [Signature]

DATE: October 3, 2012

TO: City Council

FROM: Rob Roshanian, Interim Public Works Director
Public Works [Signature]SUBJECT: Approval of Award of Contract No. A-7529 for PW 06-93 Tierra Vista
Neighborhood Street/Alley Resurfacing and Storm Drain Project**RECOMMENDATION**

That City Council approve and authorize the Mayor to execute Contract No. A-7529 with Toro Enterprises Inc. in the amount of \$4,081,028 for Project Specification Number 06-93 for the reconstruction of streets, sidewalks, curbs and gutters, alleyways, replacing street name signs and the installation of storm drain lines in the Tierra Vista Neighborhood (Tierra Vista Neighborhood Project).

DISCUSSION

On June 5, 2012, the City Council approved Project Specification Number 06-93 for the Tierra Vista Neighborhood Project. A pre-bid meeting was conducted on May 2, 2012 and was well attended by contractors. The bid opening was held on August 1, 2012, and six bids were received. The lowest responsible bidder was Toro Enterprises, Inc. of Oxnard for \$4,081,028.

The Tierra Vista Neighborhood Project is bounded eastward to Olds Road, westward to Lincoln Court, northward to Etting Road, and southward to Sanford Street as shown in Attachment No. 2. The specific work includes the furnishing of all materials, tools, equipment, and labor required to improve the streets from curb to curb, traffic markings, and installation of new street name signs, and minor work to sidewalks, curbs, gutters, alleyways and other concrete structures. The Project plans and specifications are designed to provide a useful life cycle of approximately 20 years to the streets, and over 20 years to curbs, gutters and sidewalks in the Tierra Vista Neighborhood. The project specifications are in compliance with the Americans with Disabilities Act.

In addition to the street improvements, the project specifications include the construction of a new storm drain system consisting of drain pipes and catch basins along Sanford Street, Olds Road, Reeder Avenue, Syracuse Drive, Tulsa Drive, Webster Drive, Alexander Drive, Peoria Place, Reading Drive, and other streets where no drainage system currently exists.

**Approval of Award of Contract No. A-7529 for PW 06-93 Tierra Vista Neighborhood
Street/Alley and Storm Drain Project
October 3, 2012
Page 2 of 2**

The new storm drain system is a subsection of the Rice Road Storm Drainage System, which conveys storm water to the ocean from a 5.34 square mile watershed area. This drainage system, when constructed, will mitigate chronic flooding problems within the project area especially at the street intersections. The lack of a proper drain system has caused the street pavement to deteriorate at a faster rate than streets with proper drainage. Street resurfacing of the Tierra Vista Neighborhood can begin once the construction of the storm drain system is completed.

On May 15, 2012, the City Council approved Measure O funding for street resurfacing of the Tierra Vista Neighborhood in conjunction with storm drain improvements funded by the Storm Drain Facilities Fees Fund. Additional funding needed for street resurfacing is available from the State Gas Tax. Measure O funding available in FY 2011-12 for ongoing maintenance and repair of alleyways is designated for 2,450 square feet of alleyway along Olds Road and Reeder Avenue and 950 square feet along Sanford Street. The subject alleyways are the only alleyways within the project area of the Tierra Vista Neighborhood.

FINANCIAL IMPACT

There are sufficient funds available from the Measure "O" Half-Cent Sales Tax in the amount of \$2,000,000, State Gas Tax in the amount of \$266,244, and Storm Drain Facilities Fees in the amount of \$1,814,784 for the Tierra Vista Neighborhood Improvement Project No. 043111.

Attachment #1 - Contract No. A-7529
#2 - Project Site Map Tierra Vista Neighborhood Project

**CITY OF OXNARD
PUBLIC WORK CONTRACT**

DATE OF CONTRACT: October 23, 2012
SPECIFICATION NUMBER: PW06-93
NAME OF CONTRACTOR: Toro Enterprises, Inc.
ADDRESS: 2101 E. Ventura Blvd./ P.O. Box 6285
Oxnard, CA 93036 / 93031
Phone: 805-483-4515 Fax: 805-483-2001

PROJECT DESCRIPTION: Tierra Vista Neighborhood/Alley Resurfacing & Storm Drain –The project consists of the street resurfacing; reconstruction of alley to concrete pavement; and installation of storm drain line.

This is a contract for Public Work, as defined in Chapter 1 of Part 7 of Division 2 of the Labor Code, to which Labor Code Section 1771 applies. In providing services under this Contract, Contractor shall comply with all applicable laws, ordinances and regulations, including the laws contained in Sections 1720 through 1861 of the California Labor Code. Contractor shall pay prevailing wages to all workers employed to provide services under this Contract.

This contract is made at Oxnard, California, as of this 23rd day of October, 2012, between the City of Oxnard, called herein the "City", and the above-named Contractor for the construction of the Capital Improvement Project described herein. The parties hereto agree as follows:

1. CONTRACT PRICE

Contractor shall perform the work described and the City shall pay the Contractor, in full payment for said work, the following sums for the following items:

See attached proposal bid schedule, which is made a part of this contract.

Total: \$4,081,028.86

The above sums include all taxes and the costs of any required bonds.

2. PAYMENT SCHEDULE

The City will pay the Contractor the contract price in accordance with Section 9.3 of the Standard Specifications for Public Works Construction or in accordance with the following schedule if specified.

The Contractor may replace any payments retained by the City with securities in the same amount and the Contractor shall be the beneficial owner of said securities and interest earned (See Public Contract Code, Section 22300).

**CITY OF OXNARD
PUBLIC WORK CONTRACT**

City shall make the final payment to Contractor by releasing amounts retained from progress payments made to Contractor. Such payment need not be made earlier than 35 days, and will be made no later than 60 days, after the project completion date indicated on the Notice of Completion for the Project. City shall withhold from such payment 125% of amounts claimed in stop notices filed in connection with the Project and 150% of amounts in dispute between City and Contractor.

3. THE WORK

Contractor shall furnish all tools, equipment, apparatus, facilities, labor and materials necessary to, and shall perform and complete in a good, safe and workmanlike manner, the work generally described as follows:

The scope of work consists of milling of asphalt pavement, placement and compaction of asphalt concrete and asphalt rubber aggregate membrane (ARAM), Type II slurry seal, stabilization of subgrade (digouts), concrete repairs, tree root removal, reconstruction of alley to concrete pavement, installation of storm drain lines, temporary striping and marking, adjusting utility covers to finish grade, traffic striping, installation of pavement markers, replacement of street signs, water pollution control, traffic control and detours.

4. CONTRACT DOCUMENTS

The complete contract consists of all the following which are specifically incorporated herein by reference:

- (A) The Notice Inviting Bids
- (B) This Contract - Number A-7529
- (C) Addenda - Numbers Two (2)
- (D) Specification Number PW06-93
- (E) Plans or Drawing Number 08-13A
- (F) Contractor's Bid Proposal and List of Subcontractors
- (G) Performance and Payment Bonds as required by the specifications and applicable law. Unless otherwise specified, each such bond shall be 100 percent (100%) of the contract price.
- (H) Insurance as required by the specifications and applicable law
- (I) All applicable wage determinations, safety and health regulations, non-discrimination provisions and labor standards, including, but not limited to, such items enumerated in the specifications and addenda thereto. If this Contract is federally assisted, attached HUD Form 4010 shall apply.

The Contractor by signing hereunder acknowledges he has reviewed all the foregoing documents and agrees with the requirements, conditions and covenants contained therein.

**CITY OF OXNARD
PUBLIC WORK CONTRACT**

5. NOTICE OF THIRD PARTY CLAIM

Within five days of the date that the Contractor receives any third-party claim relating to this contract, the Contractor shall provide written notice thereof and a copy of the claim to the City's Public Works Director.

6. TIME OF COMPLETION

The time limit for the completion of the work is 180 calendar days beginning 7 days after the Notice to Proceed is mailed or otherwise given to the Contractor.

CITY OF OXNARD

CONTRACTOR: TORO ENTERPRISES, INC.

DR. THOMAS E. HOLDEN, MAYOR

SEAN CASTILLO, PRESIDENT

ATTEST

APPROVED AS TO AMOUNT

DANIEL MARTINEZ, CITY CLERK

KAREN R. BURNHAM
INTERIM CITY MANAGER

APPROVED AS TO FORM:

APPROVED AS TO INSURANCE:

ALAN HOLMBERG
CITY ATTORNEY

JAMES CAMERON
RISK MANAGER

DEPARTMENTAL APPROVAL AS TO CONTENT AND AMOUNT:

LOU BALDERRAMA, PW CITY ENGINEER

ROB ROSHANIAN,
INTERIM PUBLIC WORKS DIRECTOR

CITY OF OXNARD
SPECIFICATION NUMBER PW06-93

CERTIFICATE OF COMPLIANCE
STATE AND LOCAL REQUIREMENTS

The following certifications are required by city ordinance or state law and must be filed with the City **prior to final execution of the contract**. The contractor shall submit original signed copies of certifications for the contractor and all covered sub-contractors.

1. **CERTIFICATION OF NON-SEGREGATED FACILITIES – (REQUIRED FOR ALL CONTRACTS EXCEEDING \$10,000 AND FOR ALL FEDERALLY-FINANCED PROJECTS).**

I certify that I do not and will not maintain or provide for my employees any segregated facilities at any of my establishments, and that I do not and will not permit my employees to perform their services at any location, under my control, where segregated facilities are maintained. I agree that a breach of this certification is a violation of the equal opportunity clause of this contract. As used in this certification, the term "segregated facilities" means any waiting rooms, work area, rest rooms and wash rooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, creed, color, or national origin, because of habit, local custom, or otherwise. I agree that (except where I have obtained identical certifications from proposed contractors for specific time periods) I will obtain identical certifications from proposed subcontractors prior to the award of subcontracts exceeding \$10,000 which are not exempt from provisions of the equal opportunity clause, and that I will retain a copy of these certifications in my files.

2. **CERTIFICATION REGARDING WORKERS'S COMPENSATION**

I am aware of the provisions of Section 3700 of the Labor Code which requires every employer to be insured against liability for worker's 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.

Toro Enterprises, Inc.
FIRM/COMPANY NAME


SIGNATURE OF
AUTHORIZED REPRESENTATIVE

Sean Castillo
NAME AND TITLE OF
AUTHORIZED REPRESENTATIVE

9-20-12
DATE OF EXECUTION

**CITY OF OXNARD
SPECIFICATION NUMBER PW06-93**

**PAYMENT BOND
ONE HUNDRED PERCENT (100%) OF CONTRACT PRICE**

The City of Oxnard, on October 23, 2012 awarded to TORO ENTERPRISES, INC.
("Principal"), the contract of which a copy is attached hereto and made a part hereof for the work
described as follows: PW06-93 - Tierra Vista Neighborhood / Alley Resurfacing & Storm Drain
Contract No. A-7529

Now, therefore, Principal and TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA
("Surety") agree to be bound to the City of Oxnard in the sum of Four Million Eighty One Thousand Twenty Eight and 86/100
Dollars (\$4,081,028.86), or such greater sum as the contract may be amended to provide as payment to
Principal, for the payment of which Principal and Surety bind themselves, their heirs, executors,
administrators, successors and assigns, jointly and severally.

This payment bond ("bond") is such that if Principal or its subcontractors shall fail to pay any of the
persons named in Section 3181 of the Civil Code, or amounts due under the Unemployment Insurance
Code with respect to work or labor performed by any such claimant under the contract, or for any amount
required to be deducted, withheld, and paid over to the Employment Development Department from the
wages of employees of Principal or its subcontractors pursuant to Section 13020 of the Unemployment
Insurance Code, with respect to such work and labor, then Surety will pay for the same, in or to an
amount not exceeding the amount hereinabove set forth, and also will pay to the City of Oxnard, in case
suit is brought against the City of Oxnard upon this bond or upon Principal's failure to pay such amounts,
costs of suit and such reasonable attorneys' fees, if any, as are fixed by the court.

Further, this bond inures to the benefit of any persons named in Section 3181 of the Civil Code so as to
give a right of action to such persons or their assigns in any suit brought upon this bond.

Further, Surety, for value received, hereby stipulates and agrees that no change, extension of time,
alteration or addition to the terms of the contract, the amount to be paid to Principal, the work to be
performed thereunder, or to the plans or specifications accompanying the same shall in any wise affect
Surety's obligations on this bond, and Surety does hereby waive notice of any such change, extension of
time, alteration or addition.

**CITY OF OXNARD
SPECIFICATION NUMBER PW06-93**

**PAYMENT BOND
ONE HUNDRED PERCENT (100%) OF CONTRACT PRICE**

Further, the final payment pursuant to the contract between the City of Oxnard and Principal shall not abridge the right of any beneficiary hereunder whose claim may be unsatisfied.

Further, this bond shall remain in full force and effect for six months following the applicable period for filing stop notices as set forth in Section 3184 of the Civil Code.

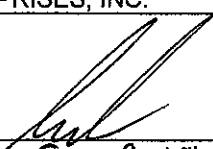
In witness whereof, principal and surety have executed this document this 19th day of September, 2012.

TORO ENTERPRISES, INC.

PRINCIPAL

BY

(SEAL)

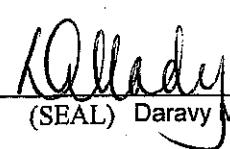

Sean Castillo, President

TRAVELERS CASUALTY AND SURETY
COMPANY OF AMERICA

SURETY

BY

(SEAL)


Daravy Mady, Attorney-In-Fact

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

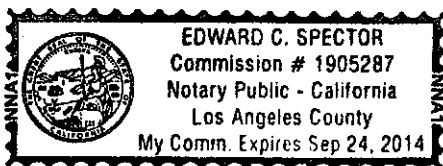
State of California

County of Los Angeles

On SEP 19 2012 before me, Edward C. Spector, Notary Public, personally appeared Daravy Mady 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 
Edward C. Spector, Notary Public

(Seal)



POWER OF ATTORNEY

Farmington Casualty Company
 Fidelity and Guaranty Insurance Company
 Fidelity and Guaranty Insurance Underwriters, Inc.
 St. Paul Fire and Marine Insurance Company
 St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
 Travelers Casualty and Surety Company
 Travelers Casualty and Surety Company of America
 United States Fidelity and Guaranty Company

Attorney-In Fact No. 225449

Certificate No. 004995521

KNOW ALL MEN BY THESE PRESENTS: That St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Tracy Aston, Kristine Mendez, KD Conrad, Simone Gerhard, Edward C. Spector, Paul Rodriguez, Lisa K. Crail, B. Aleman, Daravy Mady, and James Ross

of the City of Los Angeles, State of California, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 10th day of August, 2012.

Farmington Casualty Company
 Fidelity and Guaranty Insurance Company
 Fidelity and Guaranty Insurance Underwriters, Inc.
 St. Paul Fire and Marine Insurance Company
 St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
 Travelers Casualty and Surety Company
 Travelers Casualty and Surety Company of America
 United States Fidelity and Guaranty Company



State of Connecticut
 City of Hartford ss.

By: George W. Thompson
 George W. Thompson, Senior Vice President

On this 10th day of August, 2012, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed 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 hereunto set my hand and official seal.
 My Commission expires the 30th day of June, 2016.



Marie C. Tetreault
 Marie C. Tetreault, Notary Public

58440-6-11 Printed in U.S.A.

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kevin E. Hughes, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United-States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which 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 SEP 19 2012 day of 20.

Kevin E. Hughes
Kevin E. Hughes, Assistant Secretary



To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF AKNOWLEDGMENT

State of: California

County of: Ventura

On September 20, 2012, before me, Renee Cruz, Notary Public
(name and title of the officer)

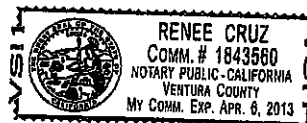
personally appeared Sean Castillo

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

Renee Cruz
Signature of Notary Public



(Notary Seal)

OPTIONAL INFORMATION

Information below is NOT required by law however may deter fraudulent removal of this form.

Description of Attached Document	Right Thumbprint of Signer	Capacity Claimed by Signer(s)	Right Thumbprint of
Number of Pages <u>2</u> Document Date: <u>9-19-12</u> <u>Payment Bond #105773785 for Spec No.</u> Title or type of document <u>PW06-93</u> Additional information		☐ Individual(s) ☒ Corporate Officer <u>President</u> ☐ Partner ☐ Attorney-in-Fact ☐ Trustee(s) ☐ Other	

**CITY OF OXNARD
SPECIFICATION NUMBER PW06-93**

**PERFORMANCE BOND
ONE HUNDRED PERCENT (100%) OF CONTRACT PRICE**

TORO ENTERPRISES, INC. ("Contractor"), as Principal,
and TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA ("Surety") hereby agree to be bound to the City
of Oxnard ("City"), in the sum of Four Million Eighty One Thousand
Twenty Eight and 88/100 Dollars (\$4,081,028.88), or such
greater sum as the attached contract may be amended to provide as payment to
Contractor, for the payment of which Contractor and Surety bind themselves, their heirs,
executors, administrators, successors and assigns, jointly and severally.

This performance bond ("bond") is required because Contractor has been
awarded and is about to enter into the attached contract with City for the
construction of: PW06-93 - Tierra Vista Neighborhood / Alley Resurfacing &
Storm Drain - Contract No. A-7529

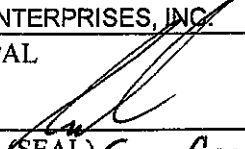
and is required by City to give this bond in connection with the execution of the
contract.

If Contractor satisfactorily performs all the covenants and obligations of
the contract on Contractor's part to be done and performed at the times and in the
manner specified therein, then this bond shall be null and void one year after
final acceptance of the Contractor's performance by City; otherwise this bond
shall be and remain in full force and effect.

Further, no extension of time, change or addition to the terms of the
contract, alteration in the work to be done, the amount to be paid to Contractor or
the materials to be furnished, or change to the plans and specifications
accompanying the contract, shall in any way release or change the obligations of
either Contractor or Surety on this bond, and notice of such alterations, changes,
additions or extensions is hereby waived by Surety.

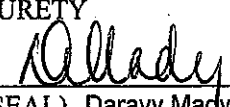
In witness whereof, Contractor and Surety have executed this document
this 19th day of September, 2012.

TORO ENTERPRISES, INC.
PRINCIPAL

BY 
(SEAL) Sean Castillo, President

TRAVELERS CASUALTY AND
SURETY COMPANY OF AMERICA

SURETY

BY 
(SEAL) Daravy Macy, Attorney-In-Fact

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

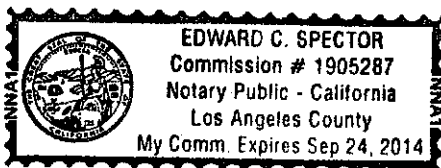
State of California

County of Los Angeles

On SEP 19 2012 before me, Edward C. Spector, Notary Public, personally appeared Daravy Mady 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 
Edward C. Spector, Notary Public

(Seal)

TRAVELERS**POWER OF ATTORNEY**

Farmington Casualty Company
 Fidelity and Guaranty Insurance Company
 Fidelity and Guaranty Insurance Underwriters, Inc.
 St. Paul Fire and Marine Insurance Company
 St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
 Travelers Casualty and Surety Company
 Travelers Casualty and Surety Company of America
 United States Fidelity and Guaranty Company

Attorney-In Fact No. 225449

Certificate No. 004995520

KNOW ALL MEN BY THESE PRESENTS: That St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Tracy Aston, Kristine Mendez, KD Conrad, Simone Gerhard, Edward C. Spector, Paul Rodriguez, Lisa K. Crail, B. Aleman, Daravy Mady, and James Ross

of the City of Los Angeles, State of California, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 10th day of August, 2012.

Farmington Casualty Company
 Fidelity and Guaranty Insurance Company
 Fidelity and Guaranty Insurance Underwriters, Inc.
 St. Paul Fire and Marine Insurance Company
 St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
 Travelers Casualty and Surety Company
 Travelers Casualty and Surety Company of America
 United States Fidelity and Guaranty Company



State of Connecticut
 City of Hartford ss.

By: _____

George W. Thompson, Senior Vice President

On this the 10th day of August, 2012, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed 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 hereunto set my hand and official seal.
 My Commission expires the 30th day of June, 2016.



Marie C. Tetreault
 Marie C. Tetreault, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

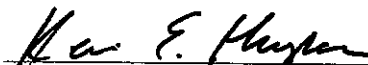
FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kevin E. Hughes, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies; which 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 _____ day of SEP 19 2012, 20 ____.


Kevin E. Hughes, Assistant Secretary



To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the Attorney-in-Fact number, the above-named individuals and the details of the bond to which the power is attached.

CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of: California

County of: Ventura

On September 20, 2012, before me, Renee Cruz, Notary Public
(name and title of the officer)

personally appeared Sean Castillo

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

Renee Cruz
Signature of Notary Public



(Notary Seal)

OPTIONAL INFORMATION

Information below is NOT required by law however may deter fraudulent removal of this form.

Description of Attached Document	Right Thumbprint of Signer	Capacity Claimed by Signer(s)	Right Thumbprint of
Number of Pages <u>1</u> Document Date: <u>9-19-12</u> Performance Bond #105773785 for Spec No. Title or type of document PW06-93 Additional information		☐ Individual(s) ☒ Corporate Officer <u>President</u> ☐ Partner ☐ Attorney-in-Fact ☐ Trustee(s) ☐ Other	

NOTICE TO BIDDERS

The Oxnard City Council has authorized the invitation to bid on Project Specification Number PW06-93 for the Tierra Vista Neighborhood/Alley Resurfacing & Storm Drain Project. The work will consist of street resurfacing; reconstruction of alley to concrete pavement; and installation of storm drain line. The work designated in this specification will require the Contractor to possess a State of California General Engineering Contractor's License, Class A to be considered as a prime contractor qualified for award of this project. The City of Oxnard policy does not allow for an engineer's construction estimate to be provided.

Plans and Specifications will ONLY be available to review or for purchase directly from the City's online Plan Room, CyberCopyUSA - www.cybercopyusa.com, or phone (805) 642-3292; fax (805) 715-1535 for a non-refundable fee of \$75.00 plus \$25.00 shipping and handling on MONDAY, JULY 23, 2012. The Plans and Specifications may also be obtained in CD format for \$35.00 including shipping & handling. For information you may contact General Services Contract Procurement Office, Phone (805) 385-7821.

A non-mandatory Pre-Bid Conference will be held in the City Council Chambers, Civic Center, 305 W. Third St., Oxnard at 9:30 A.M. on WEDNESDAY, AUGUST 1, 2012. All prospective bidders are urged to attend.

All contractors will pay prevailing wages for each classification and type of worker under the California State Department of Industrial Wage Determinations. The HIGHER of the State or Federal Wage Rate-when required, shall be used. These determinations are included in the specifications. All pertinent wage determinations must be posted on the job site. A 10% Bid Bond is required for all bids submitted and the successful Bidder will be required to provide a Payment & Performance Bond equal to 100% of the contract price. Successful Bidder may request that the City enter into an Escrow Agreement for security deposits in lieu of retention.

Each bid shall be submitted on the bid documents (BLUE BID SHEETS) provided by the City of Oxnard and the bidder MUST be a PLAN HOLDER OF RECORD. All bids must be received at the Office of the City Clerk, Administration Building, 305 West Third Street (East Wing), Oxnard, CA 93030 before 2:00 P.M. on WEDNESDAY, AUGUST 22, 2012. Immediately thereafter all bids shall be publicly opened by the City Clerk and Purchasing Agent in the Council Chambers, 305 West Third Street, Oxnard, CA 93030.

FOR INFORMATION REGARDING THIS PROJECT PLEASE DIRECT ALL QUESTIONS TO GENERAL SERVICES – 805-385-7821.

Ad Dates 07/19/12
 07/26/12

PW06-93 Tierra Vista Neighborhood/Alley Resurfacing & Storm Drain

Owner: City of Oxnard

Bid Opening: 08/22/12

* marks an allowance

TORO ENTERPRISES, INC.

C.A. RASMUSSEN, INC.

GRANITE CONSTRUCTION

PO Box 6825
OXNARD, CA 93031
US
Bidder Status: Low Bid
Comment:

28548 Livingston Ave
Valencia, CA 93003
US
Bidder Status: #2
Comment:

5335 Debbie Lane
Santa Barbara, CA 93111
UY
Bidder Status: #3
Comment:

Base Bid					Bidder #1		#2		#3	
Item #	Item Code	Item Description	Quantity	Unit of Measure	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total
1	1000-22.2	MOBILIZATION/ DEMOBILIZATION	1	EA	\$94,000.00	\$94,000.00	\$160,000.00	\$160,000.00	\$220,000.00	\$220,000.00
2	1505-3	TRAFFIC CONTROL AND PUBLIC CONVENIENCE AND SAFETY	1	EA	\$54,000.00	\$54,000.00	\$30,000.00	\$30,000.00	\$64,643.00	\$64,643.00
3	1800-3	STORM WATER POLLUTION PREVENTION PLAN	1	EA	\$10,000.00	\$10,000.00	\$20,000.00	\$20,000.00	\$4,500.00	\$4,500.00
Street and Alley Improvements										
Item #	Item Code	Item Description	Quantity	Unit of Measure	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total
4	1150-10	AC LEVELING COURSE TYPE III (DGAC-D PG 64-10)	894	TN	\$89.00	\$79,566.00	\$120.00	\$107,280.00	\$105.00	\$93,870.00
5	1150-10	ASPHALT CONCRETE TYPE III (DGAC-B2 PG 64-10)	115	TN	\$170.00	\$19,550.00	\$190.00	\$21,850.00	\$150.00	\$17,250.00
6	1152-10	ASPHALT RUBBER HOT MIX (ARHM-GG-C PG 64-16)	12101	TN	\$94.50	\$1,143,544.50	\$104.00	\$1,258,504.00	\$115.00	\$1,391,615.00
7	1151-3	ASPHALT RUBBER AGGREGATE MEMBRANE (ARAM)	25693	SY	\$6.40	\$164,435.20	\$6.00	\$154,158.00	\$7.00	\$179,851.00
8	1160-5	SLURRY SEAL TYPE LL (RAP)	9642	SY	\$2.30	\$22,176.60	\$2.50	\$24,105.00	\$2.50	\$24,105.00
9	1160A-5	SLURRY SEAL TYPE LL (RAP) FOR CAPE SEAL	25693	SY	\$3.05	\$78,363.65	\$3.30	\$84,786.90	\$3.00	\$77,079.00
10	1110-3	COLD MILLING (2")	312220	SF	\$0.16	\$49,955.20	\$0.25	\$78,055.00	\$0.20	\$62,444.00
11	1120-4	UNCLASSIFIED EXCAVATION	3059	CY	\$25.00	\$76,475.00	\$30.00	\$91,770.00	\$34.00	\$104,006.00
12	1130-4	AGGREGATE BASE CLASS 2	2486	TN	\$22.00	\$54,692.00	\$25.00	\$62,150.00	\$23.00	\$57,178.00
13	1155-4	CRACK FILLING	1	LS	\$10,000.00	\$10,000.00	\$20,000.00	\$20,000.00	\$19,000.00	\$19,000.00
14	1174-6	INSTALL 8" THICK PCC PAVEMENT WITH NO REBAR	70164	EA	\$3.60	\$252,590.40	\$3.50	\$245,574.00	\$4.40	\$308,721.60
15	1174-6	INSTALL CURB RAMP CASE B, TYPE 2, DETAIL D	44	EA	\$2,000.00	\$88,000.00	\$2,000.00	\$88,000.00	\$2,500.00	\$110,000.00
16	1174-6	INSTALL CURB RAMP CASE A, TYPE 5, SECTION C-C, DETAIL D	1	EA	\$2,600.00	\$2,600.00	\$2,000.00	\$2,000.00	\$3,000.00	\$3,000.00
17	1174-6	REMOVE & REPLACE CONCRETE CURB AND GUTTER(A2-6)	3444	LF	\$33.00	\$113,652.00	\$28.00	\$96,432.00	\$34.00	\$117,096.00
18	1174-6	REMOVE & REPLACE CONCRETE CURB (A1-6)	265	LF	\$30.00	\$7,950.00	\$28.00	\$7,420.00	\$44.00	\$11,660.00
19	1174-6	CONCRETE CURB GAP CONSTRUCTION	1	LS	\$2,500.00	\$2,500.00	\$1,600.00	\$1,600.00	\$1,000.00	\$1,000.00
20	1174-6	REMOVE & REPLACE CONCRETE SIDEWALK	1930	EA	\$6.50	\$12,545.00	\$7.00	\$13,510.00	\$5.00	\$9,650.00
21	1174-6	REMOVE & REPLACE CONCRETE CROSS GUTTER AND SPANDREL	2303	EA	\$14.00	\$32,242.00	\$8.00	\$18,424.00	\$17.00	\$39,151.00
22	1185-3	ADJUST MANHOLE COVER TO GRADE	79	EA	\$225.00	\$17,775.00	\$650.00	\$51,350.00	\$320.00	\$25,280.00
23	1185-3	ADJUST WATER VALVE COVER TO FINISHED GRADE, INCLUDES RISER	119	EA	\$385.00	\$45,815.00	\$380.00	\$45,220.00	\$320.00	\$38,080.00
24	1185-3	ADJUST WATER METER COVER TO GRADE	3	EA	\$100.00	\$300.00	\$650.00	\$1,950.00	\$320.00	\$960.00
25	1515-3	ADJUST SURVEY MONUMENT COVER TO GRADE	13	EA	\$500.00	\$6,500.00	\$650.00	\$8,450.00	\$320.00	\$4,160.00
26	1515-3	ADJUST SEWER CLEANOUT COVER TO GRADE	4	EA	\$450.00	\$1,800.00	\$650.00	\$2,600.00	\$320.00	\$1,280.00

Street and Alley Improvements					TORO ENTERPRISES, INC.		CA Rasmussen Inc		Granite Construction	
Item #	Item Code	Item Description	Quantity	Unit of Measure	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total
27	1515-3	RELOCATE WATER METER BOX	1	EA	\$300.00	\$300.00	\$1,900.00	\$1,900.00	\$1,200.00	\$1,200.00
28	1515-3	RELOCATE WATER METER BOX	1325	LF	\$2.88	\$3,816.00	\$2.80	\$3,710.00	\$3.00	\$3,975.00
29	1515-3	12" YELLOW CROSSWALK LINE (THERMO)	1102	LF	\$2.88	\$3,173.76	\$2.80	\$3,085.60	\$3.00	\$3,306.00
30	1515-3	24" WHITE LADDER TYPE CROSSWALK (THERMO)	180	EA	\$2.88	\$518.40	\$2.80	\$504.00	\$3.00	\$540.00
31	1515-3	24" LADDER CROSSWALK (THERMO)	180	EA	\$2.88	\$518.40	\$2.80	\$504.00	\$3.00	\$540.00
32	1515-3	TYPE IV TURN ARROW (THERMO)	9	EA	\$190.00	\$1,710.00	\$190.00	\$1,710.00	\$200.00	\$1,800.00
33	1515-3	STRIPING DETAIL 2 (THERMO)	3798	SF	\$1.40	\$5,317.20	\$1.40	\$5,317.20	\$1.50	\$5,697.00
34	1515-3	STRIPING DETAIL 9 (THERMO)	390	LF	\$1.40	\$546.00	\$1.40	\$546.00	\$1.50	\$585.00
35	1515-3	STRIPING DETAIL 22 (THERMO)	397	LF	\$2.50	\$992.50	\$2.40	\$952.80	\$3.00	\$1,191.00
36	1515-3	STRIPING DETAIL 27B (THERMO)	4371	LF	\$1.25	\$5,463.75	\$1.70	\$7,430.70	\$2.00	\$8,742.00
37	1515-3	STRIPING DETAIL 29 (THERMO)	710	LF	\$2.50	\$1,775.00	\$2.40	\$1,704.00	\$2.50	\$1,775.00
38	1515-3	STRIPING DETAIL 32 (THERMO)	666	LF	\$2.50	\$1,665.00	\$2.40	\$1,598.40	\$2.50	\$1,665.00
39	1515-3	STRIPING DETAIL 38 (THERMO)	1180	LF	\$2.50	\$2,950.00	\$2.40	\$2,832.00	\$2.50	\$2,950.00
40	1515-3	*STOP* LEGEND (THERMO)	33	EA	\$305.00	\$10,065.00	\$300.00	\$9,900.00	\$300.00	\$9,900.00
41	1515-3	*SLOW SCHOOL XING* LEGEND (THERMO)	2	EA	\$400.00	\$800.00	\$390.00	\$780.00	\$400.00	\$800.00
42	1515-3	INSTALL BLUE RPM	91	EA	\$12.30	\$1,119.30	\$12.00	\$1,092.00	\$12.00	\$1,092.00
43	1530-4	REMOVE & REPLACE STREET NAME SIGN	76	EA	\$230.00	\$17,480.00	\$250.00	\$19,000.00	\$250.00	\$19,000.00
44	1530-4	REMOVE & REPLACE SIGN POST	20	EA	\$124.00	\$2,480.00	\$130.00	\$2,600.00	\$150.00	\$3,000.00
Storm Drain Installation										
Item #	Item Code	Item Description	Quantity	Unit of Measure	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total
45	1003-4.2	TRENCH STABILIZATION	60	TN	\$50.00	\$3,000.00	\$150.00	\$9,000.00	\$55.00	\$3,300.00
46	1003-4.2.1	TRENCH SAFETY	1	LS	\$29,000.00	\$29,000.00	\$15,000.00	\$15,000.00	\$10,000.00	\$10,000.00
47	1003-4.4	DEWATERING	1	LS	\$27,000.00	\$27,000.00	\$35,000.00	\$35,000.00	\$15,000.00	\$15,000.00
48	1003-4.7	MISCELLANEOUS WORK AND EXISTING FACILITIES	1	LS	\$2,300.00	\$2,300.00	\$15,000.00	\$15,000.00	\$1.00	\$1.00
49	1174-6	REMOVE & REPLACE SIDEWALK	400	SF	\$6.50	\$2,600.00	\$7.00	\$2,800.00	\$5.50	\$2,200.00
50	1174-6	REMOVE & REPLACE X-GUTTERS	1200	SF	\$14.00	\$16,800.00	\$8.00	\$9,600.00	\$23.00	\$27,600.00
51	1190-4	PRESERVE SURVEY MONUMENT	8	EA	\$800.00	\$6,400.00	\$330.00	\$2,640.00	\$550.00	\$4,400.00
52	1201-3	SEWER LATERAL RECONNECTION AND REMODELING	11	EA	\$900.00	\$9,900.00	\$1,500.00	\$16,500.00	\$2,100.00	\$23,100.00
53	1300-5	36" RCP, 2000D, LF=1.9; INSTALLED	42	LF	\$174.00	\$7,308.00	\$165.00	\$6,930.00	\$150.00	\$6,300.00
54	1300-5	36" RCP, 1500D, LF=1.9; INSTALLED	1733	LF	\$151.50	\$262,549.50	\$148.00	\$256,484.00	\$150.00	\$259,950.00
55	1300-5	36" RCP, 1350D, LF=1.9; INSTALLED	194	LF	\$152.00	\$29,488.00	\$147.00	\$28,518.00	\$150.00	\$29,100.00
56	1300-5	33" RCP, 1350D, LF=1.9; INSTALLED	88	LF	\$188.00	\$16,544.00	\$200.00	\$17,600.00	\$145.00	\$12,760.00
57	1300-5	30" RCP, 1500D, LF=1.9; INSTALLED	267	LF	\$131.00	\$34,977.00	\$142.00	\$37,914.00	\$130.00	\$34,710.00
58	1300-5	30" RCP, 1350D, LF=1.9; INSTALLED	303	LF	\$135.50	\$41,056.50	\$141.00	\$42,723.00	\$130.00	\$39,390.00
59	1300-5	27" RCP, 1500D, LF=1.9; INSTALLED	902	LF	\$159.50	\$143,869.00	\$180.00	\$162,360.00	\$125.00	\$112,750.00
60	1300-5	27" RCP, 1350D, LF=1.9; INSTALLED	691	LF	\$158.50	\$109,523.50	\$178.00	\$122,998.00	\$125.00	\$86,375.00
61	1300-5	24" RCP, 1500D, LF=1.9; INSTALLED	255	LF	\$107.50	\$27,412.50	\$145.00	\$36,975.00	\$115.00	\$29,325.00
62	1300-5	24" RCP, 1350D, LF=1.9; INSTALLED	306	LF	\$105.50	\$32,283.00	\$144.00	\$44,064.00	\$115.00	\$35,190.00
63	1300-5	18" RCP, 1500D, LF=1.9; INSTALLED	783	LF	\$94.00	\$73,602.00	\$140.00	\$109,620.00	\$90.00	\$70,470.00
64	1300-5	18" RCP, 1350D, LF=1.9; INSTALLED	688	LF	\$93.50	\$64,328.00	\$139.00	\$95,632.00	\$85.00	\$58,480.00
65	1300-5	MANHOLE NO. 1	20	EA	\$6,100.00	\$122,000.00	\$5,000.00	\$100,000.00	\$3,500.00	\$70,000.00

Storm Drain Installation					TORO ENTERPRISES, INC.		CA Rasmussen Inc		Granite Construction	
Item #	Item Code	Item Description	Quantity	Unit of Measure	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total
66	1301-3	CATCH BASIN, W=3.5INCH	2	EA	\$5,000.00	\$10,000.00	\$5,000.00	\$10,000.00	\$4,500.00	\$9,000.00
67	1301-3	CATCH BASIN, W=5INCH	2	EA	\$5,150.00	\$10,300.00	\$5,000.00	\$10,000.00	\$4,800.00	\$9,600.00
68	1301-3	CATCH BASIN, W=7INCH	6	EA	\$6,200.00	\$37,200.00	\$6,000.00	\$36,000.00	\$5,000.00	\$30,000.00
69	1301-3	CATCH BASIN, W=10INCH	18	EA	\$6,270.00	\$112,860.00	\$6,900.00	\$124,200.00	\$6,500.00	\$117,000.00
70	1301-3	CATCH BASIN, W=12INCH	1	EA	\$6,300.00	\$6,300.00	\$7,000.00	\$7,000.00	\$7,000.00	\$7,000.00
71	1301-3	OFFSET DRAIN INLET	2	EA	\$5,555.00	\$11,110.00	\$3,500.00	\$7,000.00	\$2,300.00	\$4,600.00
72	1301-3	GRATED CATCH BASIN, (DOUBLE)	1	EA	\$8,100.00	\$8,100.00	\$3,800.00	\$3,800.00	\$6,000.00	\$6,000.00
73	1301-3	JUNCTION STRUCTURE NO. 2	5	EA	\$2,700.00	\$13,500.00	\$2,800.00	\$14,000.00	\$4,500.00	\$22,500.00
74	1301-3	CONCRETE COLLAR	12	EA	\$1,800.00	\$21,600.00	\$500.00	\$6,000.00	\$300.00	\$3,600.00
75	1412-3	WATER SERVICE REPLACEMENT & CONNECTION	17	EA	\$2,100.00	\$35,700.00	\$1,700.00	\$28,900.00	\$1,900.00	\$32,300.00
76	1412-3	RELOCATE EXIST 12" A.C.P. PER STD PLATE 313	4	EA	\$13,800.00	\$55,200.00	\$18,000.00	\$72,000.00	\$16,000.00	\$64,000.00
77	1412-3	RELOCATE EXIST 8" A.C.P. PER STD PLATE 313	4	EA	\$12,100.00	\$48,400.00	\$13,000.00	\$52,000.00	\$14,000.00	\$56,000.00
78	1412-3	RELOCATE EXIST 6" A.C.P. PER STD PLATE 313	13	EA	\$11,300.00	\$146,900.00	\$10,000.00	\$130,000.00	\$13,000.00	\$169,000.00
GRAND TOTALS OF BIDS - VERIFIED						\$4,081,028.86		\$4,428,613.60		\$4,514,338.60
SUBCONTRACTORS					TORO ENTERPRISES, INC.		CA Rasmussen Inc		Granite Construction	
Listed Subs					Banner & Carpenter 506 E Main St Santa Paula, 93060		Cindy Trump, Inc. P O Box 385 La Habra, CA 90631		MANHOLE ADJUSTING INC 9500 Beverly Road Pico Rivera, CA 90660	
					MANHOLE ADJUSTING INC 9500 Beverly Road Pico Rivera, CA 90660		MANHOLE ADJUSTING INC 9500 Beverly Road Pico Rivera, CA 90660		Pavement Costings 10240 San Seavine Way Mira Loma, CA 91752	
					Pavement Coatings 10240 San Seavine Way Mira Loma, CA 91752		Pavement Coatings 10240 San Seavine Way Mira Loma, CA 91752		RUBBERIZED CRACK FILLER 800 E WALNUT AVE FULLERTON, CA 92831	
					Superior Pavement Marking 5312 Cypress St Cypress, CA 90630		R-Relp Co, Inc. 3255 Grande Vista Dr Newbury Park, CA 91320 Superior Pavement Marking 5312 Cypress St Cypress, CA 90630		South Mack Grinding PO Box 7600 Visalia, CA 93290	

					ALL AMERICAN ASPHALT		NYE & NELSON, INC.		HPS MECHANICAL, INC.	
					400 E 6th St Corona, CA 92878 US Bidder Status: #4 Comment:		1860 Eastman Ave Ste 108 Ventura, CA 93003 US Bidder Status: #5		3100 E Belle Terrace Bakersfield, CA 93307 US Bidder Status: #6 Comment:	
Item #	Item Code	Item Description	Quantity	Unit of Measure	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total
1	1000-22.2	MOBILIZATION/DEMOBILIZATION	1	EA	\$195,398.65	\$195,398.65	\$268,590.00	\$268,590.00	\$100,000.00	\$100,000.00
2	1505-3	TRAFFIC CONTROL AND PUBLIC CONVENIENCE AND SAFETY	1	EA	\$50,000.00	\$50,000.00	\$37,490.00	\$37,490.00	\$108,000.00	\$108,000.00
3	1800-3	STORM WATER POLLUTION PREVENTION PLAN	1	EA	\$20,000.00	\$20,000.00	\$18,400.00	\$18,400.00	\$50,000.00	\$50,000.00
Street and Alley Improvements										
Item #	Item Code	Item Description	Quantity	Unit of Measure	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total
4	1150-10	AC LEVELING COURSE TYPE III (DGAC-D PG 64-10)	894	TN	\$110.00	\$98,340.00	\$127.00	\$113,538.00	\$130.00	\$116,220.00
5	1150-10	ASPHALT CONCRETE TYPE III (DGAC- B2 PG 64-10)	115	TN	\$130.00	\$14,950.00	\$267.00	\$30,705.00	\$190.00	\$21,850.00
6	1152-10	ASPHALT RUBBER HOT MIX (ARHM- GG-C PG 64-16)	12101	TN	\$98.00	\$1,185,898.00	\$108.00	\$1,306,908.00	\$120.00	\$1,452,120.00
7	1151-3	ASPHALT RUBBER AGGREGATE MEMBRANE (ARAM)	25693	SY	\$6.00	\$154,158.00	\$6.25	\$160,581.25	\$8.00	\$205,544.00
8	1160-5	SLURRY SEAL TYPE LL (RAP)	9642	SY	\$2.20	\$21,212.40	\$2.35	\$22,658.70	\$4.20	\$40,496.40
9	1160A-5	SLURRY SEAL TYPE LL (RAP) FOR CAPE SEAL	25693	SY	\$2.20	\$56,524.60	\$3.10	\$79,648.30	\$4.20	\$107,910.60
10	1110-3	COLD MILLING (2")	312220	SF	\$0.21	\$65,566.20	\$0.22	\$68,688.40	\$0.25	\$78,055.00
11	1120-4	UNCLASSIFIED EXCAVATION	3059	CY	\$55.00	\$168,245.00	\$32.00	\$97,888.00	\$10.00	\$30,590.00
12	1130-4	AGGREGATE BASE CLASS 2	2486	TN	\$24.00	\$59,664.00	\$26.00	\$64,636.00	\$25.00	\$62,150.00
13	1155-4	CRACK FILLING	1	LS	\$20,000.00	\$20,000.00	\$24,491.00	\$24,491.00	\$10,100.00	\$10,100.00
14	1174-6	INSTALL 8" THICK PCC PAVEMENT WITH NO REBAR	70164	EA	\$4.10	\$287,672.40	\$6.50	\$456,066.00	\$10.00	\$701,640.00
15	1174-6	INSTALL CURB RAMP CASE B, TYPE 2, DETAIL D	44	EA	\$2,300.00	\$101,200.00	\$2,640.00	\$116,160.00	\$3,320.00	\$146,080.00
16	1174-6	INSTALL CURB RAMP CASE A, TYPE 5, SECTION C-C, DETAIL D	1	EA	\$2,300.00	\$2,300.00	\$2,310.00	\$2,310.00	\$2,860.00	\$2,860.00
17	1174-6	REMOVE & REPLACE CONCRETE CURB AND GUTTER(A2-6)	3444	LF	\$30.00	\$103,320.00	\$43.00	\$148,092.00	\$30.00	\$103,320.00
18	1174-6	REMOVE & REPLACE CONCRETE CURB (A1-6)	265	LF	\$26.00	\$6,890.00	\$39.00	\$10,335.00	\$14.00	\$3,710.00
19	1174-6	CONCRETE CURB GAP CONSTRUCTION	1	LS	\$4,000.00	\$4,000.00	\$1,100.00	\$1,100.00	\$63,600.00	\$63,600.00
20	1174-6	REMOVE & REPLACE CONCRETE SIDEWALK	1930	EA	\$4.00	\$7,720.00	\$7.60	\$14,668.00	\$9.00	\$17,370.00
21	1174-6	REMOVE & REPLACE CONCRETE CROSS GUTTER AND SPANDREL	2303	EA	\$11.00	\$25,333.00	\$20.00	\$46,060.00	\$40.00	\$92,120.00
22	1185-3	ADJUST MANHOLE COVER TO GRADE	79	EA	\$350.00	\$27,650.00	\$495.00	\$39,105.00	\$1,650.00	\$130,350.00
23	1185-3	ADJUST WATER VALVE COVER TO FINISHED GRADE, INCLUDES RISER	119	EA	\$150.00	\$17,850.00	\$550.00	\$65,450.00	\$1,120.00	\$133,280.00
24	1185-3	ADJUST WATER METER COVER TO GRADE	3	EA	\$600.00	\$1,800.00	\$550.00	\$1,650.00	\$400.00	\$1,200.00
25	1515-3	ADJUST SURVEY MONUMENT COVER TO GRADE	13	EA	\$350.00	\$4,550.00	\$550.00	\$7,150.00	\$280.00	\$3,640.00
26	1515-3	ADJUST SEWER CLEANOUT COVER TO GRADE	4	EA	\$400.00	\$1,600.00	\$495.00	\$1,980.00	\$1,120.00	\$4,480.00

Street and Alley Improvements					All American Asphalt		Nye & Nelson, Inc.		HPS Mechanical Inc	
Item #	Item Code	Item Description	Quantity	Unit of Measure	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total
27	1515-3	RELOCATE WATER METER BOX	1	EA	\$1,200.00	\$1,200.00	\$1,650.00	\$1,650.00	\$1,370.00	\$1,370.00
28	1515-3	RELOCATE WATER METER BOX	1325	LF	\$3.00	\$3,975.00	\$3.00	\$3,975.00	\$10.50	\$13,912.50
29	1515-3	12" YELLOW CROSSWALK LINE (THERMO)	1102	LF	\$3.00	\$3,306.00	\$3.00	\$3,306.00	\$10.50	\$11,571.00
30	1515-3	24" WHITE LADDER TYPE CROSSWALK (THERMO)	180	EA	\$3.00	\$540.00	\$3.00	\$540.00	\$10.50	\$1,890.00
31	1515-3	24" LADDER CROSSWALK (THERMO)	180	EA	\$3.00	\$540.00	\$3.00	\$540.00	\$21.00	\$3,780.00
32	1515-3	TYPE IV TURN ARROW (THERMO)	9	EA	\$200.00	\$1,800.00	\$200.00	\$1,800.00	\$244.00	\$2,196.00
33	1515-3	STRIPING DETAIL 2 (THERMO)	3798	SF	\$1.50	\$5,697.00	\$1.40	\$5,317.20	\$2.00	\$7,596.00
34	1515-3	STRIPING DETAIL 9 (THERMO)	390	LF	\$1.50	\$585.00	\$1.40	\$546.00	\$1.00	\$390.00
35	1515-3	STRIPING DETAIL 22 (THERMO)	397	LF	\$3.00	\$1,191.00	\$2.50	\$992.50	\$3.50	\$1,389.50
36	1515-3	STRIPING DETAIL 27B (THERMO)	4371	LF	\$1.25	\$5,463.75	\$1.70	\$7,430.70	\$1.50	\$6,556.50
37	1515-3	STRIPING DETAIL 29 (THERMO)	710	LF	\$2.50	\$1,775.00	\$2.50	\$1,775.00	\$6.85	\$4,863.50
38	1515-3	STRIPING DETAIL 32 (THERMO)	666	LF	\$2.50	\$1,665.00	\$2.50	\$1,665.00	\$7.00	\$4,662.00
39	1515-3	STRIPING DETAIL 38 (THERMO)	1180	LF	\$2.50	\$2,950.00	\$2.50	\$2,950.00	\$3.40	\$4,012.00
40	1515-3	*STOP* LEGEND (THERMO)	33	EA	\$310.00	\$10,230.00	\$312.00	\$10,296.00	\$358.00	\$11,814.00
41	1515-3	*SLOW SCHOOL XING* LEGEND (THERMO)	2	EA	\$425.00	\$850.00	\$406.00	\$812.00	\$1,060.00	\$2,120.00
42	1515-3	INSTALL BLUE RPM	91	EA	\$15.00	\$1,365.00	\$13.00	\$1,183.00	\$32.00	\$2,912.00
43	1530-4	REMOVE & REPLACE STREET NAME SIGN	76	EA	\$235.00	\$17,860.00	\$242.00	\$18,392.00	\$480.00	\$36,480.00
44	1530-4	REMOVE & REPLACE SIGN POST	20	EA	\$150.00	\$3,000.00	\$126.00	\$2,520.00	\$244.00	\$4,880.00
Storm Drain Installation										
Item #	Item Code	Item Description	Quantity	Unit of Measure	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total
45	1003-4.2	TRENCH STABILIZATION	60	TN	\$63.00	\$3,780.00	\$60.00	\$3,600.00	\$40.00	\$2,400.00
46	1003-4.2.1	TRENCH SAFETY	1	LS	\$11,000.00	\$11,000.00	\$11,274.00	\$11,274.00	\$20,000.00	\$20,000.00
47	1003-4.4	DEWATERING	1	LS	\$20,000.00	\$20,000.00	\$28,282.00	\$28,282.00	\$22,800.00	\$22,800.00
48	1003-4.7	MISCELLANEOUS WORK AND EXISTING FACILITIES	1	LS	\$20,000.00	\$20,000.00	\$28,195.00	\$28,195.00	\$11,500.00	\$11,500.00
49	1174-6	REMOVE & REPLACE SIDEWALK	400	SF	\$4.00	\$1,600.00	\$5.00	\$2,000.00	\$20.00	\$8,000.00
50	1174-6	REMOVE & REPLACE X-GUTTERS	1200	SF	\$11.00	\$13,200.00	\$11.00	\$13,200.00	\$40.00	\$48,000.00
51	1190-4	PRESERVE SURVEY MONUMENT	8	EA	\$1,000.00	\$8,000.00	\$175.00	\$1,400.00	\$300.00	\$2,400.00
52	1201-3	SEWER LATERAL RECONNECTION AND REMODELING	11	EA	\$1,100.00	\$12,100.00	\$1,066.00	\$11,726.00	\$1,300.00	\$14,300.00
53	1300-5	36" RCP, 2000D, LF=1.9; INSTALLED	42	LF	\$200.00	\$8,400.00	\$182.00	\$7,644.00	\$170.00	\$7,140.00
54	1300-5	36" RCP, 1500D, LF=1.9; INSTALLED	1733	LF	\$205.00	\$355,265.00	\$196.00	\$339,668.00	\$175.00	\$303,275.00
55	1300-5	36" RCP, 1350D, LF=1.9; INSTALLED	194	LF	\$180.00	\$34,920.00	\$173.00	\$33,562.00	\$175.00	\$33,950.00
56	1300-5	33" RCP, 1350D, LF=1.9; INSTALLED	88	LF	\$235.00	\$20,680.00	\$225.00	\$19,800.00	\$295.00	\$25,960.00
57	1300-5	30" RCP, 1500D, LF=1.9; INSTALLED	267	LF	\$165.00	\$44,055.00	\$156.00	\$41,652.00	\$135.00	\$36,045.00
58	1300-5	30" RCP, 1350D, LF=1.9; INSTALLED	303	LF	\$165.00	\$49,995.00	\$156.00	\$47,268.00	\$145.00	\$43,935.00
59	1300-5	27" RCP, 1500D, LF=1.9; INSTALLED	902	LF	\$200.00	\$180,400.00	\$189.00	\$170,478.00	\$220.00	\$198,440.00
60	1300-5	27" RCP, 1350D, LF=1.9; INSTALLED	691	LF	\$200.00	\$138,200.00	\$189.00	\$130,599.00	\$225.00	\$155,475.00
61	1300-5	24" RCP, 1500D, LF=1.9; INSTALLED	255	LF	\$140.00	\$35,700.00	\$134.00	\$34,170.00	\$110.00	\$28,050.00
62	1300-5	24" RCP, 1350D, LF=1.9; INSTALLED	306	LF	\$140.00	\$42,840.00	\$134.00	\$41,004.00	\$110.00	\$33,660.00
63	1300-5	18" RCP, 1500D, LF=1.9; INSTALLED	783	LF	\$130.00	\$101,790.00	\$125.00	\$97,875.00	\$80.00	\$62,640.00
64	1300-5	18" RCP, 1350D, LF=1.9; INSTALLED	688	LF	\$130.00	\$89,440.00	\$125.00	\$86,000.00	\$80.00	\$55,040.00
65	1300-5	MANHOLE NO. 1	20	EA	\$3,900.00	\$78,000.00	\$3,766.00	\$75,320.00	\$6,200.00	\$124,000.00

Storm Drain Installation					All American Asphalt		Nye & Nelson, Inc.		HPS Mechanical Inc	
Item #	Item Code	Item Description	Quantity	Unit of Measure	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total
66	1301-3	CATCH BASIN, W=3.5INCH	2	EA	\$3,700.00	\$7,400.00	\$3,550.00	\$7,100.00	\$5,700.00	\$11,400.00
67	1301-3	CATCH BASIN, W=5INCH	2	EA	\$5,700.00	\$11,400.00	\$5,458.00	\$10,916.00	\$5,600.00	\$11,200.00
68	1301-3	CATCH BASIN, W=7INCH	6	EA	\$6,100.00	\$36,600.00	\$5,876.00	\$35,256.00	\$6,000.00	\$36,000.00
69	1301-3	CATCH BASIN, W=10INCH	18	EA	\$6,500.00	\$117,000.00	\$6,291.00	\$113,238.00	\$7,500.00	\$135,000.00
70	1301-3	CATCH BASIN, W=12INCH	1	EA	\$7,900.00	\$7,900.00	\$7,580.00	\$7,580.00	\$8,100.00	\$8,100.00
71	1301-3	OFFSET DRAIN INLET	2	EA	\$3,800.00	\$7,600.00	\$3,681.00	\$7,362.00	\$9,800.00	\$19,600.00
72	1301-3	GRADED CATCH BASIN, (DOUBLE)	1	EA	\$7,200.00	\$7,200.00	\$6,890.00	\$6,890.00	\$5,100.00	\$5,100.00
73	1301-3	JUNCTION STRUCTURE NO. 2	5	EA	\$2,100.00	\$10,500.00	\$2,025.00	\$10,125.00	\$3,500.00	\$17,500.00
74	1301-3	CONCRETE COLLAR	12	EA	\$700.00	\$8,400.00	\$663.00	\$7,956.00	\$2,100.00	\$25,200.00
75	1412-3	WATER SERVICE REPLACEMENT & CONNECTION	17	EA	\$1,900.00	\$32,300.00	\$1,815.00	\$30,855.00	\$3,500.00	\$59,500.00
76	1412-3	RELOCATE EXIST 12" A.C.P. PER STD PLATE 313	4	EA	\$14,000.00	\$56,000.00	\$13,584.00	\$54,336.00	\$17,200.00	\$68,800.00
77	1412-3	RELOCATE EXIST 8" A.C.P. PER STD PLATE 313	4	EA	\$12,000.00	\$48,000.00	\$11,721.00	\$46,884.00	\$13,600.00	\$54,400.00
78	1412-3	RELOCATE EXIST 6" A.C.P. PER STD PLATE 313	13	EA	\$11,500.00	\$149,500.00	\$11,340.00	\$147,420.00	\$12,700.00	\$165,100.00
						\$4,535,000.00		\$4,980,674.05		\$5,762,991.00
					All American Asphalt		Nye & Nelson, Inc.		HPS Mechanical Inc	
					Blois Construction, Inc. 3201 Sturgis Road Oxnard, CA 93030		AA & P Contractors, Inc. PO Box 4153 Ventura, CA 930070153		BC Rincon 67 E La Loma Ave Somis, CA	
					MANHOLE ADJUSTING INC 9500 Beverly Road Pico Rivera, CA 90660		Blois Construction, Inc. 3201 Sturgis Road Oxnard, CA 93030		Central State Contractors Inc 5880 District Blvd suite 24 Bakersfield, CA 93313	
					RUBBERIZED CRACK FILLER 800 E WALNUT AVE FULLERTON, CA 92831		MANHOLE ADJUSTING INC 9500 Beverly Road Pico Rivera, CA 90660		J. Jireh Builders, Inc. 7211 Haven Ave Ste E 367 Alta Loma, CA 91701	
					Superior Pavement Marking 5312 Cypress St Cypress, CA 90630		Pavement Coatings 10240 San Sevaine Way Mira Loma, CA 91752		MANHOLE ADJUSTING INC 9500 Beverly Road Pico Rivera, CA 90660	
							Pavement Recycling Systems 10240 San Sevaine Way MiraLoma, CA 97512		Pavement Recycling Systems 10240 San Sevaine Way MiraLoma, CA 97512	
							Superior Pavement Marking 5312 Cypress St Cypress, CA 90630		Super Seal & Stripe P O Box 755 310 A Street Fillmore, CA 93016	

CITY OF OXNARD
SPECIFICATION NUMBER PW06-93

BID DOCUMENTS (BLUE SHEETS)
FOR

PROJECT TITLE: – Tierra Vista Neighborhood/Alley Resurfacing &
Storm Drain Project

BRIEF DESCRIPTION OF PROJECT: The work consists of Tierra Vista Neighborhood street resurfacing; reconstruction of alley to concrete pavement; and installation of storm drain line.

Specification Number PW06-93 includes 19 pages of bid documents. Drawing No. 08-13A includes 27 sheets of plans.

Work must begin within 7 calendar days after the Notice to Proceed is issued. Work is to be complete in 180 calendar days. Liquidated damages will be assessed at \$3,500.00 per calendar day.

Payment shall be in accordance with the provisions of Section 9-3 of the Standard Specifications for Public Works Construction.

CONTRACTOR'S FAILURE TO COMPLETE THIS SECTION
MAY CAUSE REJECTION OF THE BID

Name TORO ENTERPRISES, INC.
Physical Address 2101 E. VENTURA BLVD.
Mailing Address P.O. BOX 6285
City OXNARD State CA. Zip Code 93031
Telephone No. 805-483-4515 Fax No. 805-483-2001

Bidder's Failure to Complete
All Items Contained On This Page
May Cause Rejection of Your Bid

**CITY OF OXNARD
SPECIFICATION NUMBER PW06-93**

BIDDER'S AFFIDAVIT

PROJECT TIERIA VISTA NEIGHBORHOOD ALLEY RESURFACING, STORM

I depose and say that I am SEAN CASTILLO - PRESIDENT
(Print or type name and title)

of TORO ENTERPRISES INC.
(Name of Company)

2101 E. VENTURA BLVD. OXNARD CA. 93036
(Address) (City) (State) (Zip Code)

Contractor's Employer Identification Number: 412-7594-2

A VALID CURRENT CALIFORNIA STATE CONTRACTOR'S LICENSE REQUIRED TO BID:

Contractor's License No. 710580 FED TAX I.D. # 77-0396663

Classification: A, C8

Contractor's License Expiration Date: 8/31/2013

City of Oxnard Business License Number (Not Required to Bid): _____

Data Universal Numbering System (D-U-N-S #): 961950441

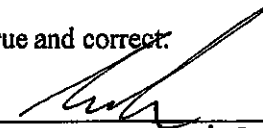
Whoever submits this bid to the City of Oxnard declares:

1. That the bidder has read these specifications, will abide by and agrees to the conditions herein, has carefully examined the project plans and does hereby agree to furnish all materials and do all the work required to complete the work in accordance with the plans and specifications for the unit prices or lump sums stated in the schedule of work and prices.
2. That this bid is genuine, and not sham or collusive, nor made in the interest or in behalf of any person not herein named, and that the bidder has not directly or indirectly induced or solicited any other bidder to put in a sham bid, or any other person, firm, or corporation to refrain from bidding, and that the bidder has not in any manner sought by collusion to secure an advantage over any other bidder.
3. That the addenda listed on Page B-4 of these bid documents are acknowledged and attached.
4. That the bidder, as principal, acknowledges being bound by the following bid bond when completed by the surety.

Dated 8/20/2012 at OXNARD, California.

I certify or declare under penalty of perjury that the foregoing is true and correct.

(CORPORATE SEAL)


SIGNATURE SEAN CASTILLO

**Bidder's Failure to Complete
All Items Contained On This Page
May Cause Rejection of Your Bid**

CITY OF OXNARD
SPECIFICATION NUMBER PW06-93

BID SCHEDULE OF WORK AND PRICES

BIDDER'S NAME TORO ENTERPRISES, INC.

ITEM NO.	DESCRIPTION	PAYMENT REF.	UNIT OF MEASURE	EVALUATION QTY*	UNIT COST	TOTAL
1	Mobilization/ Demobilization	1000-22.2	LS	1	94,000. ⁰⁰	\$ 94,000. ⁰⁰
2	Traffic Control and Public Convenience and Safety	1505-3	LS	1	54,000. ⁰⁰	54,000. ⁰⁰
3	Storm Water Pollution Prevention Plan	1800-3	LS	1	10,000. ⁰⁰	10,000. ⁰⁰
STREET & ALLEY IMPROVEMENTS						
4	AC Leveling Course Type III (DGAC-D PG 64-10)	1150-10	TON	894	89. ⁰⁰	79,566. ⁰⁰
5	Asphalt Concrete Type III (DGAC-B2 PG 64-10)	1150-10	TON	115	170. ⁰⁰	19,550. ⁰⁰
6	Asphalt Rubber Hot Mix (ARHM-GG-C PG 64-16)	1152-10	TON	12,101	94. ⁰⁰	1,143,544. ⁵⁰
7	Asphalt Rubber Aggregate Membrane (ARAM)	1151-3	SY	25,693	6. ⁴⁰	164,435. ²⁰
8	Slurry Seal Type II (RAP)	1160-5	SY	9,642	2. ³⁰	22,176. ⁶⁰
9	Slurry Seal Type II (RAP) For Cape Seal	1160A-5	SY	25,693	3. ⁶⁵	78,363. ⁶⁵
10	Cold Milling (2")	1110-3	SF	312,220	0. ¹⁶	49,955. ²⁰
11	Unclassified Excavation	1120-4	CY	3,059	25. ⁰⁰	76,475. ⁰⁰
12	Aggregate Base Class 2	1130-4	TN	2,486	22. ⁰⁰	54,692. ⁰⁰
13	Crack Filling	1155-4	LS	1	10,000. ⁰⁰	10,000. ⁰⁰
14	Install 8" thick PCC Pavement with No Rebar	1174-6	SF	70,164	3. ⁶⁰	252,590. ⁴⁰
15	Install Curb Ramp Case B, Type 2, Detail D	1174-6	EA	44	2,000. ⁰⁰	88,000. ⁰⁰
16	Install Curb Ramp Case A, Type 5, Section C-C, Detail D	1174-6	EA	1	2,600. ⁰⁰	2,600. ⁰⁰
17	Remove & Replace Concrete Curb and Gutter(A2-6)	1174-6	LF	3,444	33. ⁰⁰	113,652. ⁰⁰
18	Remove & Replace Concrete Curb (A1-6)	1174-6	LF	265	30. ⁰⁰	7,950. ⁰⁰
19	Concrete Curb Gap Construction	1174-6	LS	1	2,500. ⁰⁰	2,500. ⁰⁰
20	Remove & Replace Concrete Sidewalk	1174-6	SF	1,930	6. ⁵⁰	12,545. ⁰⁰
21	Remove & Replace Concrete Cross Gutter and Spandrel	1174-6	SF	2,303	14. ⁰⁰	32,242. ⁰⁰
22	Adjust Manhole Cover to Grade	1185-3	EA	79	225. ⁰⁰	17,775. ⁰⁰
23	Adjust Water Valve Cover To Finished Grade, Includes Riser	1185-3	EA	119	385. ⁰⁰	45,815. ⁰⁰
24	Adjust Water Meter Cover to Grade	1185-3	EA	3	100. ⁰⁰	300. ⁰⁰

158, C

**Bidder's Failure to Complete
All Items Contained On This Page
May Cause Rejection of Your Bid**

**CITY OF OXNARD
SPECIFICATION NUMBER PW06-93**

BID SCHEDULE OF WORK AND PRICES

BIDDER'S NAME TORO ENTERPRISES INC.

ITEM NO.	DESCRIPTION	PAYMENT REF.	UNIT OF MEASURE	EVALUATION. QTY*	UNIT COST	TOTAL
25	Adjust Survey Monument Cover to Grade	1185-3	EA	13	500. ⁰⁰	\$6,500. ⁰⁰
26	Adjust Sewer Cleanout Cover to Grade	1185-3	EA	4	450. ⁰⁰	1,800. ⁰⁰
27	Relocate Water Meter Box	1412-3	EA	1	300. ⁰⁰	300. ⁰⁰
28	12" White Limit/Crosswalk Line (Thermo)	1515-3	LF	1,325	2.88	3,816. ⁰⁰
29	12" Yellow Crosswalk Line (Thermo)	1515-3	LF	1,102	2.88	3,173.76
30	24" White Ladder Type Crosswalk (Thermo)	1515-3	SF	180	2.88	518.40
31	24" Ladder Crosswalk (Thermo)	1515-3	LF	180	2.88	518.40
32	Type IV Turn Arrow (Thermo)	1515-3	EA	9	190. ⁰⁰	1,710. ⁰⁰
33	Striping Detail 2 (Thermo)	1515-3	LF	3,798	1.40	5,317.20
34	Striping Detail 9 (Thermo)	1515-3	LF	390	1.40	546. ⁰⁰
35	Striping Detail 22 (Thermo)	1515-3	LF	397	2.50	992.50
36	Striping Detail 27B (Thermo)	1515-3	LF	4,371	1.25	5,463.75
37	Striping Detail 29 (Thermo)	1515-3	LF	710	2.50	1,775. ⁰⁰
38	Striping Detail 32 (Thermo)	1515-3	LF	666	2.50	1,665. ⁰⁰
39	Striping Detail 38 (Thermo)	1515-3	LF	1,180	2.50	2,950. ⁰⁰
40	"STOP" Legend (Thermo)	1515-3	EA	33	305. ⁰⁰	10,065. ⁰⁰
41	"SLOW SCHOOL XING" Legend (Thermo)	1515-3	EA	2	400. ⁰⁰	800. ⁰⁰
42	Install Blue RPM	1515-3	EA	91	12.30	1,119.30
43	Remove & Replace Street Name Sign	1530-4	EA	76	230. ⁰⁰	17,480. ⁰⁰
44	Remove & Replace Sign Post	1530-4	EA	20	124. ⁰⁰	2,480. ⁰⁰
STORM DRAIN INSTALLATION						
45	Trench Stabilization	1003-4.2	Tons	60	50. ⁰⁰	3,000. ⁰⁰
46	Trench Safety	1003-4.2.1	LS	1	29,000. ⁰⁰	29,000. ⁰⁰
47	Dewatering	1003-4.4	LS	1	27,000. ⁰⁰	27,000. ⁰⁰
48	Miscellaneous Work And Existing Facilities	1003-4.7	L.S.	1	2,300. ⁰⁰	2,300. ⁰⁰
49	Remove & Replace Sidewalk	1174-6	SF	400	6.50	2,600. ⁰⁰
50	Remove & Replace X-Gutters	1174-6	SF	1,200	14. ⁰⁰	16,800. ⁰⁰
51	Preserve Survey Monument	1190-4	EA	8	800. ⁰⁰	6,400. ⁰⁰
**52	Sewer Lateral Reconnection and Remodeling	1201-3	EA	20-11	900. ⁰⁰	18,000. ⁰⁰

*REVISED WITH ADDENDUM #1 (Duplicate Bid Line Items #45-#49-Removed)

**REVISED WITH ADDENDUM #2

Bidder's Failure to Complete
All Items Contained On This Page
May Cause Rejection of Your Bid

B-3A

CITY OF OXNARD
SPECIFICATION NUMBER PW06-93

BID SCHEDULE OF WORK AND PRICES

BIDDER'S NAME TORO ENTERPRISES INC.

ITEM NO.	DESCRIPTION	PAYMENT REF.	UNIT OF MEASURE	EVALUATION QTY*	UNIT COST	TOTAL
53	36" RCP, 2000D, LF=1.9; Installed	1300-5	LF	42	174. ⁰⁰	\$ 7,308. ⁰⁰
54	36" RCP, 1500D, LF=1.9; Installed	1300-5	LF	1,733	151. ⁵⁰	262,549. ⁵⁰
55	36" RCP, 1350D, LF=1.9; Installed	1300-5	LF	194	152. ⁰⁰	29,488. ⁰⁰
56	33" RCP, 1350D, LF=1.9; Installed	1300-5	LF	88	188. ⁰⁰	16,544. ⁰⁰
57	30" RCP, 1500D, LF=1.9; Installed	1300-5	LF	267	131. ⁰⁰	34,977. ⁰⁰
58	30" RCP, 1350D, LF=1.9; Installed	1300-5	LF	303	135. ⁵⁰	41,056. ⁵⁰
59	27" RCP, 1500D, LF=1.9; Installed	1300-5	LF	902	159. ⁵⁰	143,869. ⁰⁰
60	27" RCP, 1350D, LF=1.9; Installed	1300-5	LF	691	158. ⁵⁰	109,523. ⁵⁰
61	24" RCP, 1500D, LF=1.9; Installed	1300-5	LF	255	107. ⁵⁰	27,412. ⁵⁰
62	24" RCP, 1350D, LF=1.9; Installed	1300-5	LF	306	105. ⁵⁰	32,283. ⁰⁰
63	18" RCP, 1500D, LF=1.9; Installed	1300-5	LF	783	94. ⁰⁰	73,602. ⁰⁰
64	18" RCP, 1350D, LF=1.9; Installed	1300-5	LF	688	93. ⁵⁰	64,328. ⁰⁰
65	Manhole No. 1	1301-3	EA	20	6,100. ⁰⁰	122,000. ⁰⁰
66	Catch Basin, W=3.5'	1301-3	EA	2	5,000. ⁰⁰	10,000. ⁰⁰
67	Catch Basin, W=5'	1301-3	EA	2	5,150. ⁰⁰	10,300. ⁰⁰
68	Catch Basin, W=7'	1301-3	EA	6	6,200. ⁰⁰	37,200. ⁰⁰
69	Catch Basin, W=10'	1301-3	EA	18	6,270. ⁰⁰	112,860. ⁰⁰
70	Catch Basin, W=12'	1301-3	EA	1	6,500. ⁰⁰	6,500. ⁰⁰
71	Offset Drain Inlet	1301-3	EA	2	5,555. ⁰⁰	11,110. ⁰⁰
72	Grated Catch Basin, (Double)	1301-3	EA	1	8,100. ⁰⁰	8,100. ⁰⁰
73	Junction Structure No. 2	1301-3	EA	5	2,700. ⁰⁰	13,500. ⁰⁰
74	Concrete Collar	1301-3	EA	12	1,800. ⁰⁰	21,600. ⁰⁰
75	Water Service Replacement & Connection	1412-3	EA	17	2,100. ⁰⁰	35,700. ⁰⁰
76	Relocate Exist 12" A.C.P. Per Std Plate 313	1415-2	EA	4	13,800. ⁰⁰	55,200. ⁰⁰
77	Relocate Exist 8" A.C.P. Per Std Plate 313	1415-2	EA	4	12,100. ⁰⁰	48,400. ⁰⁰
78	Relocate Exist 6" A.C.P. Per Std Plate 313	1415-2	EA	13	11,300. ⁰⁰	146,900. ⁰⁰
GRAND TOTAL					\$ 4,081,028. ⁸⁰	

Bidder's Failure to Complete
All Items Contained On This Page
May Cause Rejection of Your Bid

B-3B

**CITY OF OXNARD
SPECIFICATION NUMBER PW06-93**

BID SCHEDULE OF WORK AND PRICES

GRAND TOTAL SUBMITTED - \$ 4,081,028.⁸⁰

The grand total submitted is subject to verification. Item total will be verified by multiplying the unit cost with the approximate quantity. If any discrepancy is found, the unit prices will be the basis of award.

Bidder must fill in number and date of *all* addenda or enter the word "*none*" if appropriate.

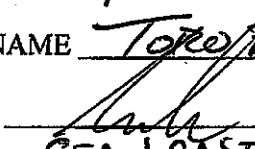
The following addenda are
acknowledged and attached:

NO.	DATED	NO.	DATED
1	8/1/2012		
2	8/14/2012		

I make the above bid and certify or declare under penalty of perjury that the statements made in this bid, and below my signature, are true and correct.

DATED 8/20/2012 AT OXNARD, CA.

COMPANY NAME TORO ENTERPRISES, INC.

SIGNATURE  TITLE PRESIDENT
SEAN CASTILLO (Sole Owner, Partner, Corporate Officer)*

*Person signing must be listed on records of Contractors State License Board.

**Bidder's Failure to Complete
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May Cause Rejection of Your Bid**

B-4

CITY OF OXNARD
SPECIFICATION NUMBER PW06-93

BIDDER'S QUESTIONNAIRE

All Bidders **MUST** complete this form and it **MUST** be submitted with the Bid. The answers to these questions will be used to determine whether the Bidder is responsible. "Related Company," as used in this questionnaire, is any organization of which the responsible managing officer of the Bidder has been a responsible managing officer (as the term responsible managing officer is used for State of California licensing purposes) within the past 5 years and/or in which any equity holder (e.g. shareholder, partner, member) of the bidder holds or has held more than a 10% interest within the past 5 years; or has had an active role in the management of projects performed by Company. "Contact Information" means the name, address and telephone number of a person or entity. For all Yes answers please provide complete explanations on extra-attached sheets and identify by number the question to which the information pertains

EVALUATION ELEMENTS			
Standard Bidder Questions (applies to all bidders)		Yes	No
1	Is Bidder currently licensed and does Bidder meet the licensing requirements stated on Page F-07?	✓	
2	Has Bidder or a Related Company within the past 5 years been assessed Liquidated Damages (LD's) on a public project of a government agency? If so, give project description, date of assessment, amount of assessment, name of entity, and contact information for each incident of LD assessment.		✓
3	Has the Bidder's insurance or a Related Company's insurance, within the past 5 years, been cancelled during a project? If so, give the dates of all cancellations and the contact information for all insurance companies that cancelled coverage. Insurance includes all insurance coverages of any kind, including commercial, general liability, fire and casualty, and workers' compensation.		✓
4	Has Bidder's surety or a Related Company's surety within the past 5 years paid any claims arising from any project performed by Bidder or a Related Company? If so, provide the contact information and state the date and amount of each claim paid.		✓
5	Has Bidder or a Related Company within the past 5 years been investigated by the Division of Labor Standards Enforcement (DLSE)? If so, provide the date(s) of investigations and the contact information for the DLSE.		✓
6	Has Bidder or a Related Company been found to have violated any prevailing wage requirement on any public agency project by any government agency or by any court of law? If so, describe each violation and provide the contact information for the agency and the jurisdiction, date and case number for each court case.		✓
7	Within the past 5 years, have stop notices been filed with any government agency on any project performed by Bidder or any Related Company? If so, please provide the following information for each stop notice: contact information for each claimant, amount of the claim, amount, if any, paid to settle the claim, date of the claim and the date of payment of the claim.		✓
8	Has Bidder or any Related Company within the past 5 years been named as a defendant in a lawsuit alleging non-payment of subcontractors, vendors or suppliers? If so, give the date, case name and case number of the suit(s), the amount of the claim, and the disposition of the case.		✓
9	Has Bidder or a Related Company ever filed a claim against a government agency that has resulted in a lawsuit? If so, describe the claim, circumstances and disposition of the lawsuit. Please provide the contact information for the agency.		✓
10	Has Bidder or any Related Company ever been debarred? If so, provide the date and name of each and explain the circumstances.		✓
11	Provide the name, date, contact information and approximate amount of contract and a description of work performed for each job performed by Bidder in the last 3 years involving work of the type for which this contract is being let.	✓	

Contractor Officer's Signature:

President
 Title **SEAN CASTILLO**

8/20/2012
 Date

Bidder's Failure to Complete All Items Contained On This Page May Cause Rejection of Your Bid

CITY OF OXNARD
SPECIFICATION NUMBER PW06-93

SUBCONTRACTORS INFORMATION

BIDDER'S NAME TORO ENTERPRISES, INC.

Pursuant to the Subletting and Subcontracting Fair Practices Act, Public Contract Code Sections 4104 et seq., each bidder submitting bids for the construction of any public work or improvement shall set forth:

- A. The name and location of the place of business of each subcontractor who will perform work or labor or render service to the prime contractor in or about the construction of the work or improvement, in an amount in excess of one-half of one percent (1/2 of 1%) of the prime contractor's total bid or, in the case of bids for the construction of streets or highways, including bridges, in excess of one-half of one percent (1/2 of 1%) of the prime contractor's total bid or ten thousand dollars (\$10,000), whichever is greater.
- B. The portion of the work which will be done by each such subcontractor. The prime contractor shall list only one subcontractor for each such portion as is defined by the prime contractor in his or her bid.

The information requested below must be filled out completely.			This information must be provided now or via fax (805 385-8360) within 24 hours of bid opening.	
NAME OF SUBCONTRACTOR	COMPLETE ADDRESS	DESCRIPTION OF WORK	STATE LICENSE	
			NUMBER	CLASS
1. Mahole Adjusting Inc.	9500 Beverley Rd Prco Rivera CA 90660	ARAM	398443	A, C-12
2. Superior Pavement Markings	5312 Cypress St Cypress CA 90630	Striping, Marking, Street name signs	776386	C-32, C-31
3. Benner ? Carpenter	506 E. Main St Santa Paula CA 93060	Survey & Staking monuments	7998	LS

**Bidder's Failure to Complete
All Items Contained On This Page
May Cause Rejection of Your Bid**

**CITY OF OXNARD
SPECIFICATION NUMBER PW06-93**

SUBCONTRACTORS INFORMATION

BIDDER'S NAME TORO ENTERPRISES INC.

<i>The information requested below must be filled out completely.</i>			<i>This information must be provided now or via fax (805 385-8360) within 24 hours of bid opening.</i>	
NAME OF SUBCONTRACTOR	COMPLETE ADDRESS	DESCRIPTION OF WORK	STATE LICENSE	
			NUMBER	CLASS
4. Pavement Coatings Co.	16240 San Serraine Way Jurupa Valley CA 91752	Type II Road Shurry	363609	A, C-32
5.				
6.				
7.				
8.				
9.				

**Bidder's Failure to Complete
All Items Contained On This Page
May Cause Rejection of Your Bid**

CITY OF OXNARD
SPECIFICATION NUMBER PW06-93
(BLUE BID SHEET)

THIS FORM MUST BE FULLY COMPLETED AND INCLUDED WITH THE BID DOCUMENTS OR THE BID WILL BE CONSIDERED NON-RESPONSIVE.

DESIGNATION/CERTIFICATION OF ASPHALT-RUBBER BINDER APPLICATOR(S)

BIDDER proposes to have Asphalt-Rubber **BINDER** for **ARAM** (application) applied by:

MANHOLE ADJUSTING INC. 9500 BEVERLY RD. FICO 2 VERACI
Name/Address 90660-213

This section shall be completed even if the bidder plans to apply Asphalt-Rubber binder with its own equipment and labor forces. Name above must be the actual company applying the Asphalt-Rubber binder on the roadway.

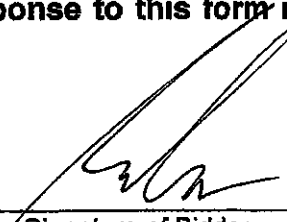
Bidder shall attach to this form copies of all required local air pollution control district or air quality management district final permit to operate (PTO) documents (not temporary, experimental, research, and/or authority to construct (ATC)) which allow the operation of the specific equipment to be used to control emissions during the application of Asphalt-Rubber binder on the roadway (the Application). The Application, in a manner conforming with these project specifications, has been indisputably determined to be in non-compliance with California air quality regulations limiting opacity of emissions, unless a **permitted emission control device** is used during the Application to directly remove emissions occurring during the Application. It is for that device, which may be described as an air filter, custom air pollution control system, portable air pollution control, opacity control unit, emission control unit consisting of collection hood and 3-stage oil mist filter system, or other similar description **for which a copy of a final PTO must be provided** from the local air pollution control district or air quality management district.

If the bidder fails to fully complete this portion of the bid and provide the foregoing documentation, the bid is non-responsive and shall be rejected.

CERTIFICATION UNDER PENALTY OF PERJURY

I certify under penalty of perjury under the laws of the State of California that I have read and understand the requirements contained in this form. I further certify that all information provided in response to this form is true and accurate to the best of my knowledge and belief.

SEAN CASTILLO
Print Name, Title


Signature of Bidder

8/21/2012
Date

THIS FORM MUST BE INCLUDED AND FULLY COMPLETED WITH THE BID OR THE BID SHALL BE CONSIDERED NON-RESPONSIVE.

DESIGNATION/CERTIFICATION OF ASPHALT-RUBBER AND AGGREGATE MEMBRANE CONTRACTOR AND/OR SUBCONTRACTOR(S)

Bidder proposes to have the ARAM installed by:

MANHOLE ADJUSTING, INC.

This section shall be completed even if the apparent low bidder plans to produce and install ARAM with its own forces. Name of Contractor and/or Subcontractor(s) shall be the actual company(ies) applying the binder and aggregate.-

For any bid to be considered responsive, performance criteria must be demonstrated on five separate projects performed by the same contractor or subcontractor(s) designated above, and with equivalent aggregate and binder proposed for the ARAM in this bid. Two years shall have elapsed since completion of the ARAM surface on each project, and the projects shall be located in Southern California inland of at least one coastal mountain range or be a minimum 25 miles from the nearest point on the Pacific Ocean coast. To be considered a valid representative project, bidder must submit the name of the project, owner agency, agency representative's name and phone number, and a list of streets with limits totaling at least 1 mile (based on full width) in length for each project and the date the project was actually performed. A project will be considered a valid representative project if an asphalt emulsion spray application was originally placed with or without an application of sand, within 15 calendar days of the application of ARAM. Any other cover coat or course on the ARAM will cause the ARAM to be considered invalid as a representative project. ARAM on all projects must show insignificant raveling (loss of rock) and insignificant flushing (binder migration to the surface) at time of inspection by the Agency. Bidder shall verify any proposed representative projects prior to listing a subcontractor with such projects, or the bid will be considered non-responsive. If the Bidder cannot list in the space provided five projects that meet the criteria specified herein that were performed by the proposed ARAM contractor or subcontractor(s), the bid shall be considered non-responsive.

CITY OF OXNARD
SPECIFICATION NUMBER PW06-93
(BLUE BID SHEET)

Representative ARAM Projects

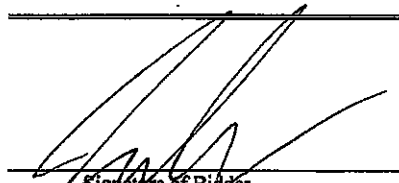
Name of Project No. 1 RTE 115, 11-287404 Date Completed March 2008
Agency Caltrans Agency Contact Shawn Rizzutto
Phone (760) 355-8666 Approx. Length of ARAM (Full width) 40.55 lane miles

Name of Project No. 2 RTE 8, 11-275904 Date Completed Sept. 2007
Agency Caltrans Agency Contact Shawn Rizzutto
Phone (760) 355-8666 Approx. Length of ARAM (Full width) 12 lane miles

Name of Project No. 3 RTE 79, 11-261004 Date Completed August 2006
Agency Caltrans Agency Contact Shawn Rizzutto
Phone (760) 355-8666 Approx. Length of ARAM (Full width) 10.2 Lane miles

Name of Project No. 4 FAR D8300405 Date Completed April 2006
Agency US Navy China Lake Agency Contact Dean Chase
Phone (760) 939-7769 Approx. Length of ARAM (Full width) 9.38 Lane Miles

Name of Project No. 5 RTE 79, 11-247304 Date Completed March 2004
Agency Caltrans Agency Contact Shawn Rizzutto
Phone (760) 355-8666 Approx. Length of ARAM (Full width) 22.44 Lane Miles


Signature of Bidder
SEAN CASTILLO


President
S.C.

8/21/2012
Date

END OF CONTRACTOR'S CERTIFICATION OF QUALIFICATION

CITY OF

OXNARD



General Services Contract Procurement
 Maint. Yard, 1060 Pacific Ave., Bldg. 2 - Oxnard, CA 93030
 Phone: (805) 385-7821 - Fax (805) 385-8360

August 1, 2012

ADDENDUM NO. 1**SPECIFICATION NO. PW06-93****Tierra Vista Neighborhood/Alley Resurfacing & Storm Drain Line****SCHEDULED BID OPENING DATE: AUGUST 22, 2012****TO ALL BIDDERS OF RECORD**

Acknowledge receipt of this addendum by enclosing one signed copy with your bid documents.
Failure to do so may subject bidder to disqualification. This addendum forms a part of the bid documents. It modifies them as follows:

A. The following changes/corrections/additions are made to the Instruction to Bidders and Bid Documents:

1. Bid Documents, B Section, Page B-3A-Bid Schedule of Work and Prices-Bid List Item(s) No. 45 - 49- Were entered on form in duplicate; Duplication removed - Sheet REVISED with this Addendum. Bidders File Copy and Blue Bid Sheet are included.

Addendum No. 1

Specification No. PW06-93

Tierra Vista Neighborhood/Alley Resurfacing & Storm Drain Line

The undersigned hereby acknowledges receipt of Addendum No. 1 consisting of the following:

1. One (1) page of text
 Bid Sheet -Page B-3A - Bidder's File Copy - 1 Page
 Blue Bid Sheet -B-3A - 1 Page

Addendum No. 1 Received: Date: 8/1/2012

TORO ENTERPRISES, INC
 Company

2101 E. VENTURA BLVD.
 Address of Company

[Signature]
 Authorized Signature

Oxnard CA. 93036
 City State Zip Code

SEAN CASTELLO - President
 Name and Title, Typed

805-483-4515
 Telephone Number, Including Area Code

Specification Number PW06-93
 Tierra Vista Neighborhood/Alley Resurfacing
 Addendum No. 2

Q-8. Where is the excavation and base placement for Bid Item #14 (Install 8" thick PCC Pavement with no rebar) paid for? Under Special Provision Section 1174 (Concrete Repairs) it indicated that all related activities shall be paid for under the corresponding item. Our take-off for Bid Item #11 (Unclassified Excavation) and Bid Item #12 (Aggregate Base C12) is significantly under running the owner's quantities. What is the intent of these items?

A-8. Excavation & Base are in Bid Item #11 (Unclassified Excavation) & Bid Item #12 (Aggregate Base C12); This is not concrete repair. This is alley reconstruction that is why these items are under Bid Items #11 & #12. The City estimates for Bid Items #11 & #12 are correct.

Q-9. During construction of the alley ways sections, what is the intent with parking during construction? Can these alley's be completely shut down until concrete alley's poured back?

A-9. The City will be looking for a scheduled phasing of all work for the project construction. An alley closure plan would be considered.

Addendum No. 2
 Specification No. PW06-93
 Tierra Vista Neighborhood/Alley Resurfacing & Storm Drain Line

The undersigned hereby acknowledges receipt of Addendum No. 2 consisting of the following:

1. Three (3) pages of text
2. Revised Bid Sheet B-3A -Bidders File Copy & Blue Bid Sheet -2 pages
3. Water & Sewer Lateral locations ~ 3 pages
4. Boring Test Results ~ 1 page

Addendum No. 2 Received: Date: 8/14/2012

Toro Enterprises, Inc.
 Company

2101 E. VENTURA BLVD.
 Address of Company

[Signature]
 Authorized Signature

OXNARD CA. 93036
 City State Zip Code

SEAN CASTILLO - President
 Name and Title, Typed

805-483-4515
 Telephone Number, Including Area Code

**INSURANCE REQUIREMENTS FOR CONSTRUCTION PROJECTS
(WITH BUILDER'S RISK REQUIREMENT)**

1. Contractor shall obtain and maintain during the performance of any services under this Contract the following insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of services hereunder by Contractor, its agents, representatives, employees or subcontractors.

a. Commercial General Liability Insurance, including a Contractual Liability Endorsement, in an amount not less than \$2,000,000 combined single limit for bodily injury and property damage for each claimant for general liability with coverage equivalent to Insurance Services Office Commercial General Liability Coverage (Occurrence Form CG0001ED, November 1988). If a general aggregate limit is used, that limit shall apply separately to the project location or shall be twice the occurrence amount;

b. Business Automobile Liability Insurance in an amount not less than \$1,000,000 combined single limit for bodily injury and property damage for each claimant for automobile liability with coverage equivalent to Insurance Services Office Automobile Liability Coverage (Occurrence Form CA000T, ED June 1992) covering Code No. 1, "any auto;"

c. If architectural, engineering, or electrical work will be performed under the Contract, Professional Liability/Errors and Omissions Insurance appropriate to the work being done in an amount not less than \$1,000,000, with neither Contractor nor listed subcontractors having less than \$500,000 individually. The Professional Liability/Errors and Omissions Insurance must be project specific with at least a one-year extended reporting period, or longer upon request.

d. Course of Construction Insurance providing coverage for "all risks" of loss in an amount not less than the completed value of the project, with City named as Owner and Insured.

e. Workers' Compensation Insurance in compliance with the laws of the State of California, and Employer's Liability Insurance in an amount not less than \$1,000,000 per claimant.

2. Contractor shall, prior to performance of any services, file with the Risk Manager certificates of insurance with original endorsements effecting coverage required by this Exhibit INS-E. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. The certificates and endorsements are to be on the attached forms or on other forms approved by the Risk Manager. All certificates and endorsements are to be received and approved by the Risk Manager before work commences. City reserves the right to require complete certified copies of all required insurance policies at any time. The certificates of insurance and endorsements shall be forwarded to the Risk Manager, addressed as follows:

City of Oxnard
Risk Manager
Reference No. A-7529
300 West Third Street, Suite 302
Oxnard, California 93030

3. Contractor agrees that all insurance coverages shall be provided by a California admitted insurance carrier with an A.M. Best rating of A:VII or better and shall be endorsed to state that coverage may not be suspended, voided, canceled by either party, or reduced in coverage or limits without 30 days' prior written notice to the Risk Manager. The Risk Manager shall not approve or accept any endorsement if the endorsement contains "best effort" modifiers or if the insurer is relieved from the responsibility to give such notice.

4. Contractor agrees that the Commercial General Liability and Business Automobile Liability Insurance policies shall be endorsed to name City, its City Council, officers, employees and volunteers as additional insureds as respects: liability arising out of activities performed by or on behalf of Contractor; products and completed operations of Contractor; premises owned, occupied or used by Contractor; or automobiles owned, leased, hired or borrowed by Contractor. The coverage shall contain no special limitations on the scope of protection afforded to City, its City Council, officers, employees and volunteers. **The General Liability Special Endorsement Form and Automobile Liability Special Endorsement Form attached to this Exhibit INS-E or substitute forms containing the same information and acceptable to the Risk Manager shall be used to provide the endorsements.**

5. The coverages provided to City shall be primary and not contributing to or in excess of any existing City insurance or self-insurance coverages. Additionally, the workers' compensation policy shall include a waiver of all rights of subrogation which the insurer may have against the City. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to City, its City Council, officers, employees and volunteers. The insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

6. Any deductibles or self-insured retentions must be declared to and approved by the Risk Manager. At the option of the Risk Manager, either the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects City, its City Council, officers, employees and volunteers, or the Contractor shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

7. All insurance standards applicable to Contractor shall also be applicable to Contractor's subcontractors. Contractor agrees to maintain appropriate agreements with subcontractors and to provide proper evidence of coverage upon receipt of a written request from the Risk Manager.

INSTRUCTION FOR SUBMITTING INSURANCE CERTIFICATES AND ENDORSEMENT FORMS

Certificates of Insurance

The sample accord form on the following page is provided to facilitate your preparation and submission of certificates of insurance. You may use this or any industry form that shows coverage as broad as that shown on the attached sample. **Please note the certificate holder address must be as shown on the attached sample accord form with the contract number and insurance exhibit identification information completed.** Improperly addressed certificates may delay the contract start-up date because the City's practice is to return unidentifiable insurance certificates to the insured for clarification as to the contract number.

Endorsement Forms

Original endorsements are required for general liability and automobile liability insurance policies and must be attached to the applicable certificate of insurance. City preference is that you use the endorsement forms which are attached. Substitute forms will be accepted, however, as long as they include provisions comparable to the sample accord form.

INS-E-2M Limit-Use.doc



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
09/28/2012

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Aon Risk Insurance Services West, Inc Los Angeles CA Office 707 Wilshire Boulevard, Suite 2600 Los Angeles CA 90017 USA		CONTACT NAME: PHONE (A/C No. Ext): (866) 283-7122 FAX (A/C No.): (847) 953-5390 E-MAIL: ADDRESS:	
INSURED Toro Enterprises, Inc. Attn: Renee Cruz P.O. Box 6285 Oxnard CA 93031 USA		INSURER(S) AFFORDING COVERAGE INSURER A: Old Republic General Ins. Corp. NAIC # 24139 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY ☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ \$5,000 Deductible GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PRO-JECT ☐ LOC		A1CG04331200	10/01/2012	10/01/2013	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COM/PROP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY ☒ ANY AUTO ☒ ALL OWNED AUTOS ☒ HIRED AUTOS ☐ SCHEDULED AUTOS ☒ NON-OWNED AUTOS		A1CA04331200	10/01/2012	10/01/2013	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB ☐ EXCESS LIAB DED RETENTION \$ ☐ OCCUR ☐ CLAIMS-MADE					EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICEMEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below Y/N Y N/A		A1CW04331200	10/01/2012	10/01/2013	☒ WC STATU-TORY LIMITS ☐ OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

RE: Toro Job # 5467 / PW06-93 Tierra Vista Neighborhood / Alley Resurfacing & Storm Drain (Reference No. A-7529).

City of Oxnard, its city council, officers, employees and volunteers are Additional Insured as required by written contract. Coverage is Primary and Non-Contributory. Waiver of Subrogation applies as respects to GL, AL and WC. See Attached Endorsements.

CERTIFICATE HOLDER

CANCELLATION

City of Oxnard Attn: Risk Manager / Reference # A-7529 300 West Third Street, Suite 302 Oxnard, CA 93030	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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ACORD 25 (2010/05)

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THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED – OWNERS, LESSEES OR
CONTRACTORS – SCHEDULED PERSON OR
ORGANIZATION**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s):	Location(s) Of Covered Operations
WHERE REQUIRED BY WRITTEN CONTRACT.	
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.	

A. Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by:

1. Your acts or omissions; or
2. The acts or omissions of those acting on your behalf;

in the performance of your ongoing operations for the additional insured(s) at the location(s) designated above.

B. With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:

This insurance does not apply to "bodily injury" or "property damage" occurring after:

1. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or
2. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – OWNERS, LESSEES OR CONTRACTORS – COMPLETED OPERATIONS

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s):	Location And Description Of Completed Operations
WHERE REQUIRED BY WRITTEN CONTRACT, BUT ONLY WHEN COVERAGE FOR COMPLETED OPERATIONS IS SPECIFICALLY REQUIRED BY THAT CONTRACT.	
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.	

Section II – Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury" or "property damage" caused, in whole or in part, by "your work" at the location designated and described in the schedule of this endorsement performed for that additional insured and included in the "products-completed operations hazard".

OLD REPUBLIC GENERAL INSURANCE CORPORATION

CHANGES ADDITIONAL INSURED PRIMARY WORDING SCHEDULE

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

THIS ENDORSEMENT MODIFIES INSURANCE PROVIDED UNDER THE FOLLOWING:

COMMERCIAL GENERAL LIABILITY COVERAGE FORM

Name of Additional Insured Person(s)
Or Organization(s):

Location(s) of Covered Operations

As required by written contract.

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

The insurance provided by this endorsement is primary insurance and we will not seek contribution from any other insurance of a like kind available to the person or organization shown in the schedule above unless the other insurance is provided by a contractor other than the person or organization shown in the schedule above for the same operation and job location. If so, we will share with that other insurance by the method described in paragraph 4.c. of Section IV -- Commercial General Liability Conditions.

All other terms and conditions remain unchanged.

Named Insured	Toro Enterprises, Inc.		
Policy Number	A1CG04331200	Endorsement No.	000
Policy Period	10/01/2012 to 10/01/2013	Endorsement Effective Date:	10/01/2012
Producer's Name:	OLD REPUBLIC CONSTRUCTION INSURANCE AGENCY, INC.		
Producer Number:	0000007000		

CG EN GN 0029 09 06

WAIVER OF TRANSFER OF RIGHTS OF RECOVERY AGAINST OTHERS TO US

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART
PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE PART

SCHEDULE

Name Of Person Or Organization:
WHERE REQUIRED BY WRITTEN CONTRACT.
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

The following is added to Paragraph 8. Transfer Of Rights Of Recovery Against Others To Us of Section IV – Conditions:

We waive any right of recovery we may have against the person or organization shown in the Schedule above because of payments we make for injury or damage arising out of your ongoing operations or "your work" done under a contract with that person or organization and included in the "products-completed operations hazard". This waiver applies only to the person or organization shown in the Schedule above.

OLD REPUBLIC GENERAL INSURANCE CORPORATION

ADDITIONAL INSURED WHERE REQUIRED UNDER CONTRACT OR AGREEMENT

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

THIS ENDORSEMENT MODIFIES INSURANCE PROVIDED UNDER THE FOLLOWING:

BUSINESS AUTO COVERAGE FORM

The following is added to Section II – Liability Coverage, A. – Coverage, 1. Who Is An Insured:

- d. Any person or organization to whom you become obligated to include as an additional insured under this policy, as a result of any contract or agreement you enter into which required you to furnish insurance to that person or organization of the type provided by this policy, but only with respect to liability arising out of your operations or premises owned by or rented to you. However, the insurance provided will not exceed the lesser of:
1. The coverage or limits of this policy, or
 2. The coverage or limits required by said contract or agreement.

Named Insured	Toro Enterprises, Inc.		
Policy Number	A1CA04331200	Endorsement No.	000
Policy Period	10/01/2012 to 10/01/2013	Endorsement Effective Date:	10/01/2012
Producer's Name:	OLD REPUBLIC CONSTRUCTION INSURANCE AGENCY, INC.		
Producer Number:	0000007000		

CA EN GN 0020 03 07

POLICY NUMBER: A1CA04331200

COMMERCIAL AUTO
CA 04 44 03 10

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**WAIVER OF TRANSFER OF RIGHTS OF RECOVERY
AGAINST OTHERS TO US (WAIVER OF SUBROGATION)**

This endorsement modifies insurance provided under the following:

BUSINESS AUTO COVERAGE FORM
BUSINESS AUTO PHYSICAL DAMAGE COVERAGE FORM
GARAGE COVERAGE FORM
MOTOR CARRIER COVERAGE FORM
TRUCKERS COVERAGE FORM

With respect to coverage provided by this endorsement, the provisions of the Coverage Form apply unless modified by the endorsement.

This endorsement changes the policy effective on the inception date of the policy unless another date is indicated below.

Named Insured: Toro Enterprises, Inc.

Endorsement Effective Date: 10/01/2012

SCHEDULE

Name(s) Of Person(s) Or Organization(s): WHERE REQUIRED BY WRITTEN CONTRACT.

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

The Transfer Of Rights Of Recovery Against Others To Us Condition does not apply to the person(s) or organization(s) shown in the Schedule, but only to the extent that subrogation is waived prior to the "accident" or the "loss" under a contract with that person or organization.

OLD REPUBLIC GENERAL INSURANCE CORPORATION

WAIVER OF OUR RIGHT TO RECOVER FROM OTHERS ENDORSEMENT

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

THIS ENDORSEMENT MODIFIES INSURANCE PROVIDED UNDER THE FOLLOWING:

WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY INSURANCE

We have the right to recover our payments from anyone liable for an injury covered by this policy. We will not enforce our right against the person or organization named in the Schedule. This agreement applies only to the extent that you perform work under a written contract that requires you to obtain this agreement from us.

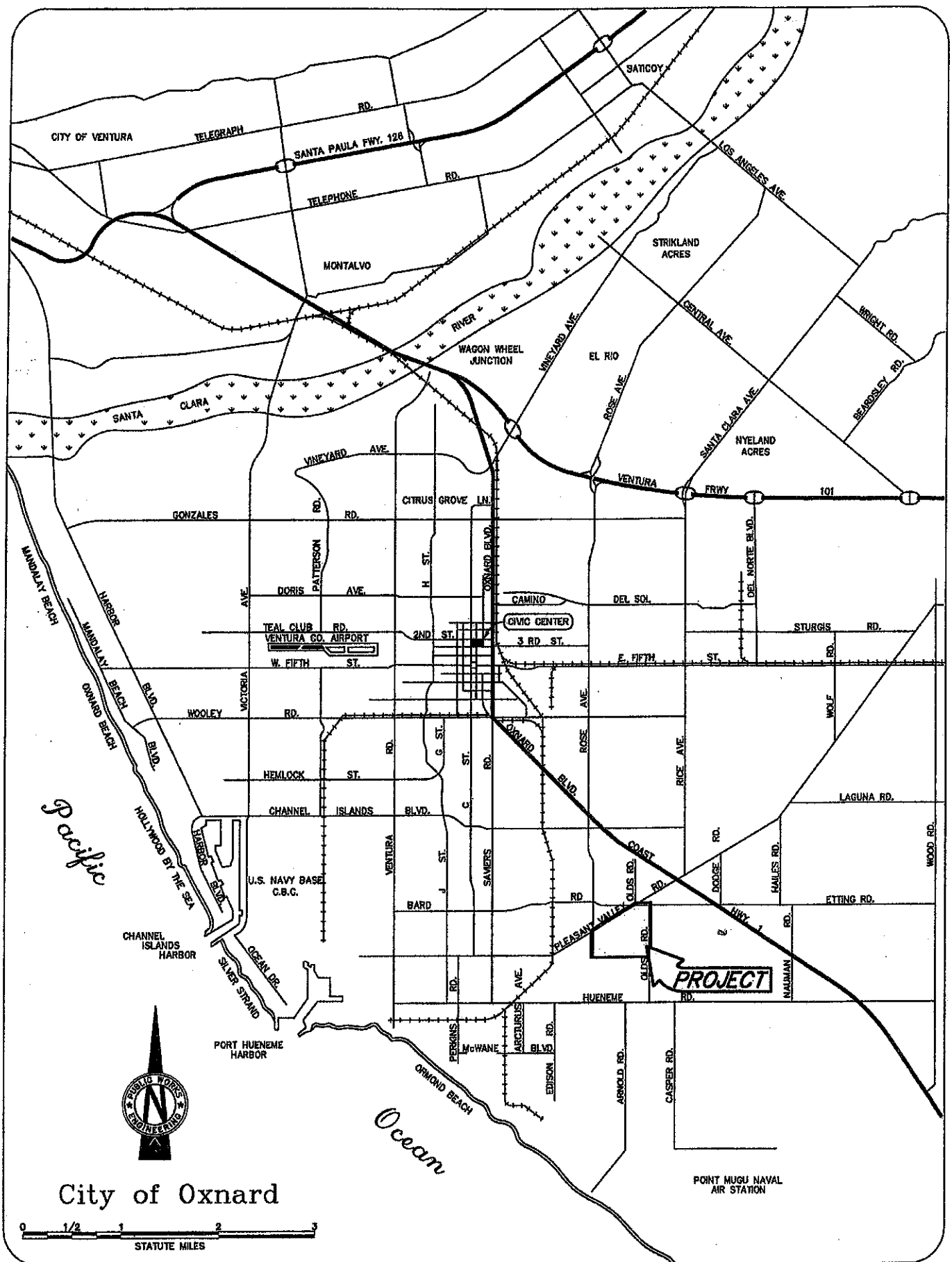
This agreement shall not operate directly or indirectly to benefit anyone not named in the Schedule.

Schedule

WHEN REQUIRED BY WRITTEN CONTRACT.

The premium charge for this endorsement is \$0.00

Named Insured	Toro Enterprises, Inc.		
Policy Number	A1CW04331200	Endorsement No.	000
Policy Period	10/01/2012 - 10/01/2013	Endorsement Effective Date:	10/01/2012
Producer's Name:	OLD REPUBLIC CONSTRUCTION INSURANCE AGENCY, INC.		
Producer Number:	0000007000		



TERRA VISTA NEIGHBORHOOD STORM DRAIN AND STREET RESURFACING PROJECT LOCATION MAP