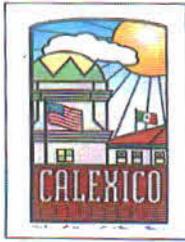


**AGENDA
ITEM**

7



AGENDA STAFF REPORT

DATE: June 3, 2020

TO: Mayor and City Council

APPROVED BY: David B. Dale, City Manager *DD*

PREPARED BY: Lilliana Falomir, Public Works Manager – Administrative *LF*

SUBJECT: Authorize City Manager to Sign Change Order No. 8 with Pyramid Construction and Aggregate, Inc. in the amount of \$99,449.90 for Cesar Chavez Blvd. Improvements Federal-Aid Project No. HPLUL-5168(017).

=====

Recommendation:

Authorize City Manager to Sign Change Order No. 8 with Pyramid Construction and Aggregate, Inc. in the amount of \$99,449.90 for Cesar Chavez Blvd. Improvements Federal-Aid Project No. HPLUL-5168(017).

Background:

The City of Calexico Public Works Department has received a grant from the Department of Transportation for construction in the amount of \$7,104,240.00 (Federal \$5,500,000.00 and Local Match \$1,604,240.00) for Federal Project No. HPLUL-5168(017) Cesar Chavez Blvd./Calexico-West Port of Entry between HWY 98 and Second Street HPLUL-5168(017) Cesar Chavez Blvd./Calexico-West Point of Entry between HWY 98 and Second Street.

On August 1, 2018 the City Council of the City of Calexico awarded a construction contract to Pyramid Construction and Aggregate, Inc. for the above-mentioned project in the amount of \$6,022,219.00.

Discussion & Analysis:

On October 1, 2019, Cesar Chavez Blvd. Improvement Project was suspended because Union Pacific Railroad (UPRR) need to remove existing crossing surface and replace with 80' RDX panels including ties and rails at Grant Street and Cesar Chavez Blvd. Originally, UPRR had informed Public Works staff that their construction would begin early 2020 but due to several delays on

AGENDA
ITEM
7

their part construction on Grant Street and Cesar Chavez Blvd. will begin the week of June 8th. Due to the delay of UPRR and additional items requested by the California Public Utilities Commission (CPUC), Public Works staff is requesting that the City Council of the City of Calexico authorize the City Manager to sign Change Order No. 8 with Pyramid Construction and Aggregates, Inc. in the amount of \$99,449.90. Change Order No. 8 includes the following work:

| | |
|--|--------------|
| Striping | \$ 7,507.50 |
| Concrete | \$ 17,325.00 |
| Railroad Entrance Permit Renewal | \$ 1,178.75 |
| Survey cost for median. L.S. | \$ 2,000.00 |
| Geotech Testing (Concrete, Asphalt and Base) L.S. | \$ 4,000.00 |
| Install Removable Bollards | \$ 3,045.00 |
| Striping along 2nd street-Cesar to Imp. | \$ 14,293.65 |
| Micro Grinding along 2nd street- Cesar To Imp. L.S. | \$ 9,800.00 |
| Crack fill along 2nd Street - Cesar to Imp. L.S. | \$ 3,900.00 |
| Broom before slurry along 2nd Street - Cesar to Imp. L.S. | \$ 1,500.00 |
| Type I Slurry along 2nd Street - Cesar to Imp. L.S. | \$ 13,650.00 |
| Traffic Control for railroad closure and bollards installation. L.S. | \$ 8,000.00 |
| Traffic Control along 2nd Street for slurry and striping | \$ 6,300.00 |
| Demo, and Grade for truncated domes and bollards. L.S. | \$ 5,000.00 |
| Bond 2% | \$ 1,950.00 |
| Total | \$ 99,449.90 |

With Change Order No. 8 the new contract amount will be \$7,495,150.61.

Fiscal Impact:

Measure "D" \$99,449.90

Coordinated With:

The Holt Group, Inc.
Public Works Department.
Finance Department.

Attachment(s):

1. Change Order No. 8



**CITY OF CALEXICO
PUBLIC WORKS DEPARTMENT
CHANGE ORDER NO. 8**

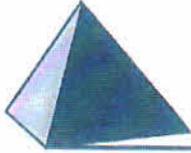
Name of Project: Cesar Chavez Blvd. Improvements
Federal-Aid Project No. HPLUL-5168(017)
Name of Contractor: Pyramid Construction and Aggregate, Inc.
Date: 06/03/2020

| # | Description | Price Increase | Price Decrease | Time Extension |
|----|--|----------------|----------------|----------------|
| 1 | Striping | \$ 7,507.50 | | |
| 2 | Concrete | \$ 17,325.00 | | |
| 3 | Railroad Entrance Permit Renewal | \$ 1,178.75 | | |
| 4 | Survey cost for median. L.S. | \$ 2,000.00 | | |
| 5 | Geotech Testing (Concrete, Asphalt and Base) L.S. | \$ 4,000.00 | | |
| 6 | Install Removable Bollards | \$ 3,045.00 | | |
| 7 | Striping along 2nd street-Cesar to Imp. | \$ 14,293.65 | | |
| 8 | Micro Grinding along 2nd street- Cesar To Imp. L.S. | \$ 9,800.00 | | |
| 9 | Crack fill along 2nd Street - Cesar to Imp. L.S. | \$ 3,900.00 | | |
| 10 | Broom before slurry along 2nd Street - Cesar to Imp. L.S. | \$ 1,500.00 | | |
| 11 | Type I Slurry along 2nd Street - Cesar to Imp. L.S. | \$ 13,650.00 | | |
| 12 | Traffic Control for railroad closure and bollards installation. L.S. | \$ 8,000.00 | | |
| 13 | Traffic Control along 2nd Street for slurry and striping | \$ 6,300.00 | | |
| 14 | Demo, and Grade for truncated domes and bollards. L.S. | \$ 5,000.00 | | |
| 15 | Bond 2% | \$ 1,950.00 | | |
| | Sub-Total | \$ 99,449.90 | | |
| | Total | \$ | 99,449.90 | |
| | Contract Amount | \$ | 7,395,700.71 | |
| | Total Contract Amount (Contract + Change Order No. 8) | \$ | 7,495,150.61 | |

David Dale, City Manager
City of Calexico, 608 Heber Avenue, Calexico, California

Sameer Patel, Project Engineer
The Holt Group, Inc., 1601 N. Imperial Avenue, El Centro, California

Archie Abeyta, Project Manager
Pyramid Construction and Aggregate, Inc., 839 Dogwood Road, Heber, California



**PYRAMID
CONSTRUCTION
AND AGGREGATES, INC.**

General Engineering Contractor
State Contractor Lic. No. 866533

839 Dogwood Road, Heber, CA 92249
Office (760) 337-5839 Fax (760) 337-5993
archie@pyramidca.com

REQUEST FOR INFORMATION (RFI) NO. #50 Date 5/20/2020

TO: Sameer Project: Cesar Chavez Blvd
Contract No.:
Contractor: Pyramid

ITEM DESCRIPTION AND/OR APPARENT DISCREPANCY Line Item

Revise traffic signs , striping, center median, grinding, slurry, concrete infrastructure and traffic control.

| | | |
|---|----|-----------|
| Striping-SUB - \$7,150.00 + Markup 5% | \$ | 7,507.50 |
| Concrete-SUB- \$16,500.00 + Markup 5% | \$ | 17,325.00 |
| Railroad Entrance Permit Renewal 05-20 - \$1025 + Markup 15% | \$ | 1,178.75 |
| Survey cost for median. L.S. | \$ | 2,000.00 |
| Geotech Testing (Concrete, Asphalt and Base) L.S. | \$ | 4,000.00 |
| Install Removable Bollards-SUB - \$2,900 + Markup 5% | \$ | 3,045.00 |
| Striping along 2nd street-Cesar to Imp.-SUB - \$13,613.00 + Markup 5% | \$ | 14,293.65 |
| Micro Grinding along 2nd street- Cesar To Imp. L.S. | \$ | 9,800.00 |
| Crack fill along 2nd Street - Cesar to Imp. L.S. | \$ | 3,900.00 |
| Broom before slurry along 2nd Street - Cesar to Imp. L.S. | \$ | 1,500.00 |
| Type I Slurry along 2nd Street - Cesar to Imp. L.S. | \$ | 13,650.00 |
| Traffic Control for railroad closure and bollards installation. L.S. | \$ | 8,000.00 |
| Traffic Control along 2nd Street for slurry and striping | \$ | 6,300.00 |
| Demo, and Grade for truncated domes and bollards. L.S. | \$ | 5,000.00 |
| Bond 2% | \$ | 1,950.00 |

Total \$ 99,449.90

Possible Change(s) To:

Contract Price:

Contract Time: X

CC:

Archie Abeyta -Project Manager



Payco Specialties, Inc.

A WOMAN OWNED BUSINESS

Highway - Airport - Parking Lot - Signage - Striping - Marking & Removals

SBE #18502 -DBE / WBE #102 - LABORERS LOCAL UNION #1184 - LICENSE #298637 C-32
 SLBE#11PS0238 CA DIR REGISTRATION #1000003515

BID PROPOSAL

| Project Description: Cesar Chavez Boulevard Improvements Project - Change Order | | | | Bid Date: 2/18/2020 | | | |
|---|---|-----------------------------|-----------------|---------------------|-------------|---------------------|--|
| Contract Time Limit: NA | | W.D. Liquidated Damages: NA | | per C.D. | | Addendums Noted: NA | |
| Item No | Item Description | Estimated Quantity | Unit of Measure | Unit Price | Item Total | | |
| | Changes at Grant and Cesar Chavez Blvd. Intersection | | | | \$ - | | |
| 1 | Mobilization | 1.00 | EA | \$ 2,500.00 | \$ 2,500.00 | | |
| 2 | Striping, Curb Painting, and 5-48" Flexible Delineators Per Exhibit # 1 | 1.00 | LS | \$ 2,150.00 | \$ 2,150.00 | | |
| 3 | Install New Roadside Signs, And Relocate Roadside Signs Per Exhibit 3 | 1.00 | LS | \$ 2,500.00 | \$ 2,500.00 | | |
| | <i>Exclusions:</i> | | | | \$ - | | |
| | * Removal, installation and furnishing of mast arm signs | | | | \$ - | | |
| | * Truncated Domes | | | | \$ - | | |
| | * Removals of existing / Conflicting Striping and Pavement Markings | | | | \$ - | | |
| | * Custom Sign Poles | | | | \$ - | | |
| | * Railroad Safety Training and Certificates if Needed | | | | \$ - | | |
| | <i>Inclusions:</i> | | | | \$ - | | |
| | * Traffic Control for Payco's Work Only | | | | \$ - | | |
| | | | | | \$ - | | |
| | | | | | \$ - | | |
| | | | | | \$ - | | |
| | | | | | \$ - | | |
| | | | | | \$ - | | |
| | | | | | \$ - | | |
| | | | | | \$ - | | |
| | | | | | \$ - | | |

STIPULATIONS: RECIPIENT IS RESPONSIBLE FOR ALL STIPULATIONS NOTED HEREON AND BELOW
 *ANY badging, security checks, railroad classes, project required safety training will be billed at T&M to contractor
 *A signed Purchase Order or Subcontract is required prior to any work associated with this Proposal.
 *This Proposal is based on an 8 hour shift per workday, any overtime (premium time) will be paid by the Prime Contractor.
 *If accepted, this Proposal will be incorporated as an Exhibit to the Contract or Purchase Order.
 *A minimum of 20 working days schedule notice is required AFTER ALL PAPERWORK IS COMPLETED.
 *Bond cost to be paid by Prime Contractor.
 *Cancellation charge for any shift of work called off within 12 hours of showup time is \$2,500
 *Industry standard insurance available up to \$5,000,000.00 LIMIT. Railroad insurance EXCLUDED
 *A Mobilization / Move-In is any work accomplished through consecutive shifts. Unavailable work and all extra-work will be charged additional mobilizations upon completion.
 *Payments are net 30 days. Retention is to be paid 30 days from Payco's completion of work.

EXCLUSIONS:
 BONDS, PLANS, ENGINEERING, TRAFFIC CONTROL PLANS AND PERMITS, SURFACE REPAIR, REMOVALS, THERMOPLASTIC, LOT'S

of Working Days to Complete our Work: 1 # of Move-In's Allotted: 1 Add'l Move-In's: \$ 2,500.00

BID AMOUNT: \$ 7,150.00 ESTIMATOR: JEREMY GRIFFIN

120 North Second Avenue, Chula Vista, CA 91910-1127
 Phone (619) 422-9204 / Fax (619) 427-1620



81857 Villa Reale Drive, Indio, CA 92203

February 6, 2020,

Pyramid Construction

Attention: Archie Abeyta
Reference: Cesar Chavez Blvd at Grant Intersection Improvements
Calexico, Ca

Universal Concrete Construction Proposes all Labor, Material and Equipment for the following, as noted:

| <u>DESCRIPTION</u> | <u>QTY</u> | <u>UNIT</u> | <u>PRICE</u> | <u>EXTENSION</u> |
|--|------------|-------------|--------------|------------------|
| Construct Median (Per Diagram) | 1 | EA | \$9,000.00 | \$9,000.00 |
| Install Truncated Domes at 4ea Locations | 4 | EA | \$1,875.00 | \$7,500.00 |
| TOTAL: | | | | \$16,500.00 |

Specific Exclusions:

Demo of any existing Facilities
Signs/Delineators
Curb Painting

Thank you for the opportunity to quote. Should you have any questions or concerns, please feel free to contact us.

Respectfully Submitted,

Joe Ular
Estimator/Project Manager
Universal Concrete Construction
(760)984-9262
joe@universalconcrete.org



81857 Villa Reale Drive, Indio, CA 92203

January 7, 2020,

Pyramid Construction

Attention: Archie Abeyta
Reference: Cesar Chavez, Phase II
C/O Add 2ea removable Bollards

Universal Concrete Construction Proposes all Labor, Material and Equipment for the following, as noted:

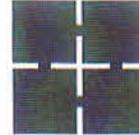
| <u>DESCRIPTION</u> | <u>QTY</u> | <u>UNIT</u> | <u>PRICE</u> | <u>EXTENSION</u> |
|---|------------|-------------|--------------|------------------|
| Add 2ea 6" removable Bollards per attached Drwg | 2 | EA | \$1450.00 | \$2900.00 |

Thank you for the opportunity to quote. Should you have any questions or concerns, please feel free to contact us.

Respectfully Submitted,

Joe Ular
Estimator/Project Manager
Universal Concrete Construction
(760)984-9262
joe@universalconcrete.org

The Holt Group, Inc.
Engineering Department



Municipal Design ■ Infrastructure Engineering ■ Construction Management ■ Land Surveying

February 05, 2020

Archie Abeyta
Pyramid Construction & Aggregates, Inc.
839 Dogwood Rd,
Heber, CA 92249

RE: **City of Calexico – Cesar Chavez Boulevard Improvements Project**
THG Project Number 176.013E
Federal Aid Project Number HPLUL-5168(017)
THG Project No. 176.013E
REQUEST FOR PROPOSAL – CHANGES AT GRANT AND CESAR CHAVEZ BLVD. INTERSECTION

Archie,

Please provide a cost proposal for the following items including additional signage to be installed at the intersection of Cesar Chavez Blvd. (Cesar) and Grant Street per the review comments from California Public Utilities Commission (CPUC):

- 1) INSTALL MEDAIN CURB INCLUDING SIDEWALK WITHIN MEDIAN, DELINEATORS AND PAINTING PER THE ATTACHED **EXHIBIT – 1 (PAGE 1, 2 AND 3)**. TO INCLUDE SURVEY STAKING, STRIPING AND MISCELLAENOUS CHARGES.

NOTE - THE MEDAIN CURB IS TO BE INSTALLED AFTER THE FINAL 2.25" ASPHALT LIFT HAS BEEN INSTALLED AT THE INTERSECTION OF CESAR AND GRANT.

- 2) INSTALL NEW ADA DETECTABLE WARNING SURFACE AT ALL THE FOUR SIDES OF THE CESAR CHAVEZ AND GRANT STREET RAIL CROSSING PER ATTACHED **EXHIBIT 2**. THE ADA DETECTABLE WARNING SURFACE SHALL BE NO CLOSURE THAN 12 FEET FROM THE CENTERLINE OF THE NEAREST TRACK. IN AREA WITHIN APPROXIMATELY 2 FEET OF THE CONCRETE PANELS, AC SHOULD BE TYPICALLY USED.
- 3) INSTALL THE FOLLOWING ADDITIONAL SIGNS AT THE INTERSECTION OF CESAR AND GRANT PER ATTACHED **EXHIBIT 3 (PAGES 1 AND 2) AND OVERSIZED "TRUCK" SIGN DETAIL:**
 - a) INSTALL MODIFIED R3-8 SIGN ON THE TRAFFIC SIGNAL MAST ARM FACING EASTBOUND TRAFFIC ALONG GRANT STREET. MOUNTING SHALL BE PER CALTRANS STD. PLAN ES-7N, DETAIL U.

- b) INSTALL A TURNING VEHICLES YIELD TO PEDESTRIAN (R10-15) SIGN WITH NEW POST ON THE NORTHWEST CORNER OF GRANT AND CESAR
 - c) INSTALL A TURNING VEHICLES YIELD TO PEDESTRIAN (R10-15) SIGN WITH NEW POST ON THE NORTHEAST CORNER OF GRANT AND CESAR
 - d) REMOVE EXISTING “TRUCK” SIGN AND INSTALL OVERSIZED “TRUCK” SIGN (36” width X 18” height) ON THE SOUTHBOUND TRAFFIC ALONG CESAR PER ATTACHED TRUCK SIGN DETAIL. MOUNTING SHALL BE PER CALTRANS STD. PLAN ES-7N, DETAIL U. REMOVE EXISTING SIGNS ON THE MAST. THE SIGN IS TO BE MOUNTED FOR THE PROHIBITION OF LEFT TURNS TOWARDS THE TRACKS.
 - e) RELOCATE THE PEDESTRIAN PROHIBITION AND TRUCK PROHIBITION SIGN ON THE SOUTHEAST CORNER OF CESAR AND GRANT. RELOCATE THE SIGN POST FURTHER FROM THE TRACKS TO IMPROVE THE VISIBILITY ALONG THE SIDEWALK CLOSE TO TRACKS.
 - f) RELOCATE THE R8-8 SIGN AT THE SOUTHEAST CORNER TO THE EAST SIDE OF TRACKS SO THAT THE PEDESTRIAN PROHIBITION SIGN CAN BE RELOCATED.
- 4) COMPLETE THE FOLLOWING STRIPING AND MARKINGS AT THE INTERSECTION AS UNDER:
- a) EXISTING MARKINGS WILL NEED TO BE RESTRIPEDED FOLLOWING THE INSTALLATION OF NEW CONCRETE PANELS AT THE TRACKS
 - b) CENTERLINE AND EDGELINE MARKINGS WILL NEED TO BE REINSTALLED AT/NEAR THE TRACKS
 - c) PAINT SOLID LANE LINE EXTENSION THROUGH INTERSECTION. REFER TO CA MUTCD SECTION 3B.08 AND FIGURE 3A-112 (CA), DETAIL 40 AND 40A FOR LANE LINE EXTENSIONS.

Please contact me if you have questions or for further coordination.

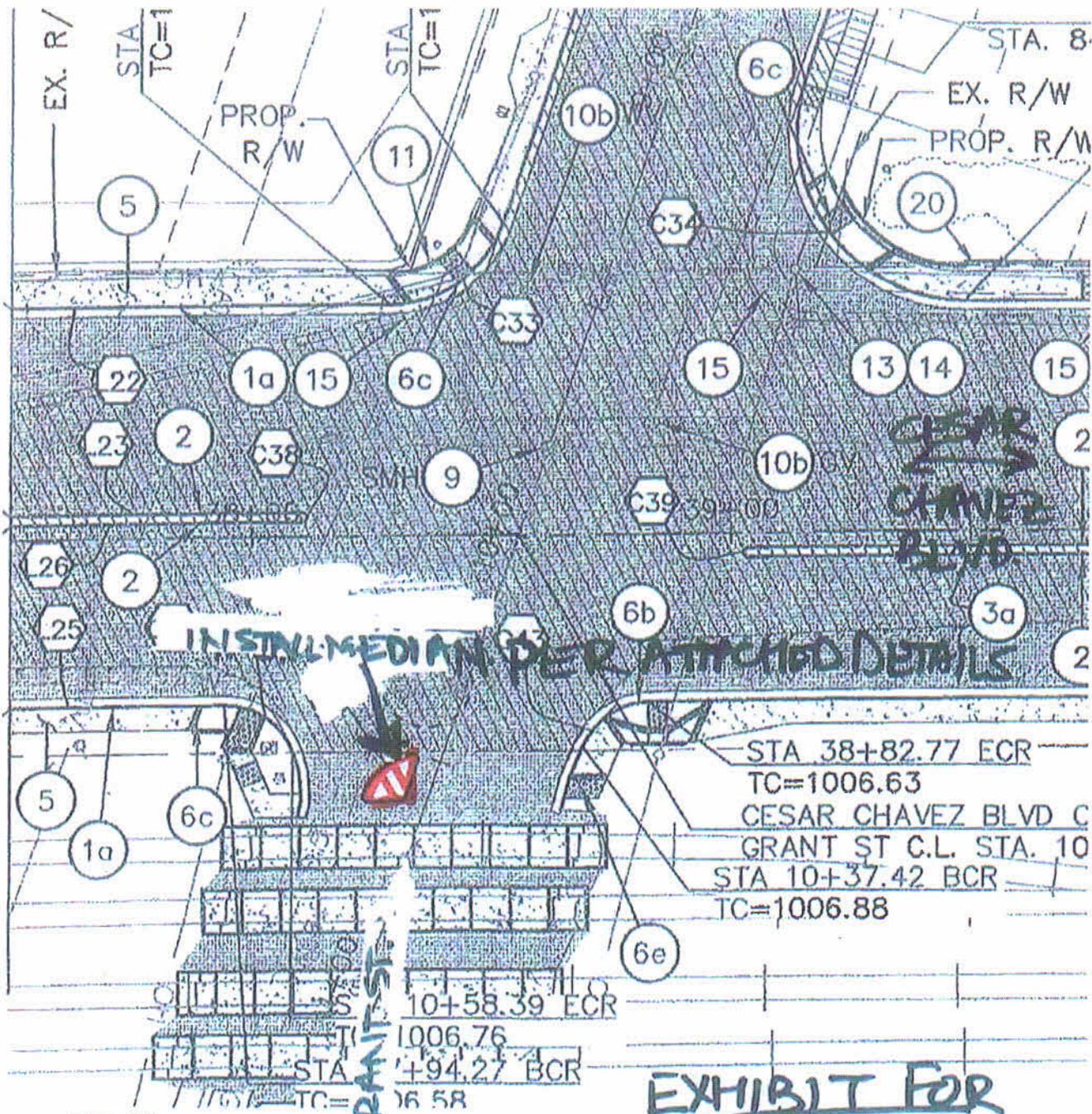
Respectfully,

Sameer Patel

Sameer Patel, P.E.

Project Engineer

cc: David Dale, City Manager, City of Calexico
Lilliana Falomir, Public Works Manager, City of Calexico
Jony Marmolejo, P.E., Resident Engineer, The Holt Group



~~CESAR CHAVEZ BLVD~~

INSTALL MEDIAN PER ATTACHED DETAILS

STA 38+82.77 ECR
 TC=1006.63
 CESAR CHAVEZ BLVD C
 GRANT ST C.L. STA. 10
 STA 10+37.42 BCR
 TC=1006.88

INSTALL STIFF WALL PER ATTACHED DETAILS

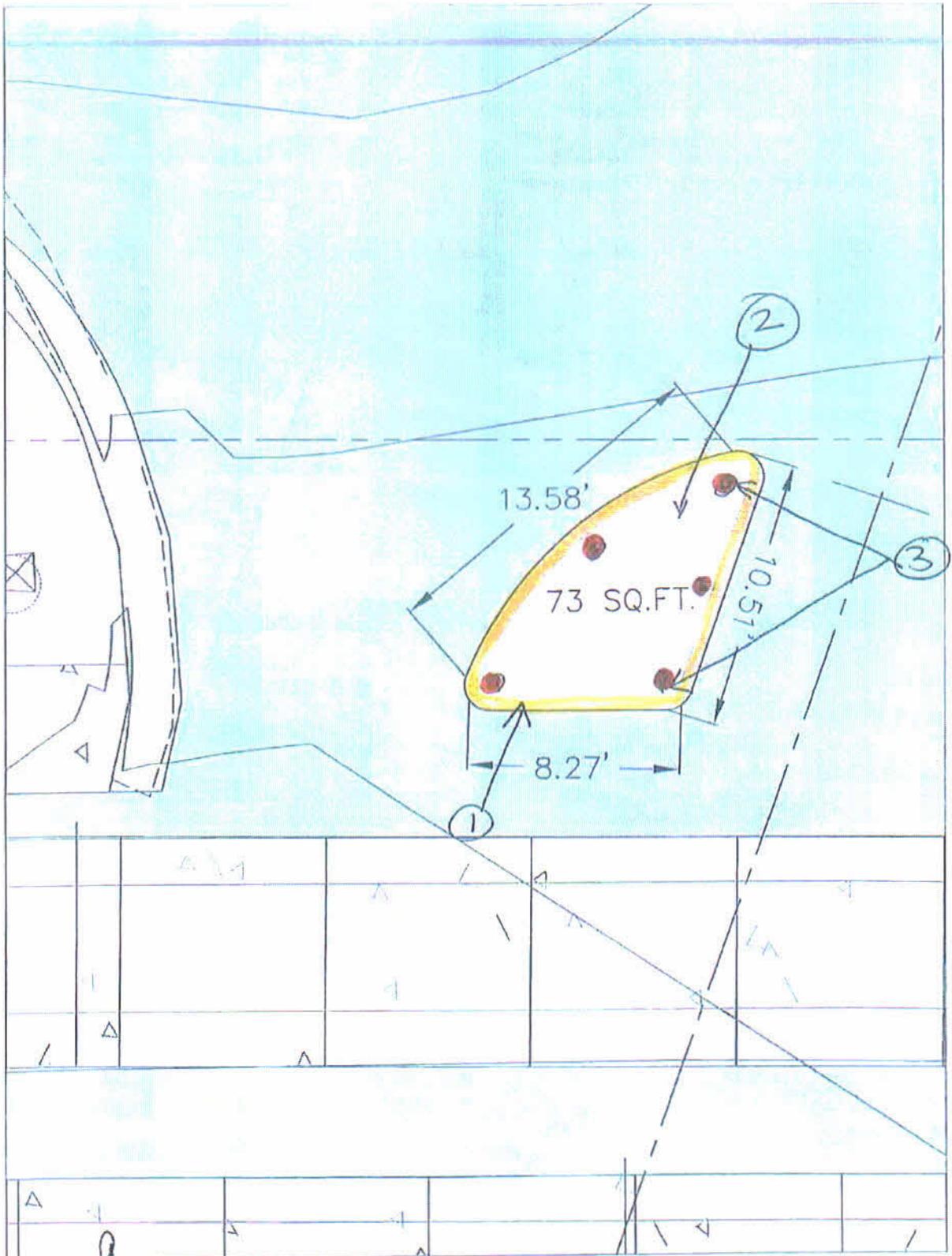
10+58.39 ECR
 1006.76
 STA +94.27 BCR
 TC=1006.58

NTS

Sommerfeld,
The Holt Group


 01-06-2020

**EXHIBIT FOR
 MEDIAN ALONG
 WEST SIDE OF RAIL-
 ROAD TRACKS.**



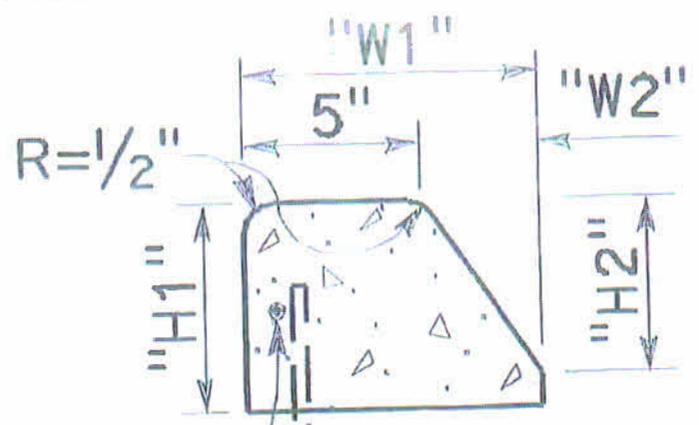
01-06-2020

MEDIAN CURB EXHIBIT

2 OF 3

TABLE A

| CURB TYPE | DIMENSIONS | | | |
|-----------|------------|------|--------|--------|
| | "H1" | "H2" | "W1" | "W2" |
| B3-6 | 6" | 5" | 8 1/2" | 3 1/2" |



#4 Longitudinal bar

#4 Dowel spaced Min length 8"

TYPE B3 CURBS

- PER CALTRANS STANDARD PLAN RSP 187A

Superimposed on existing pavement
See Table A

- ① PAINT THE CURB YELLOW AT THE MEDIAN.
- ② CONSTRUCT 6" P.C.C. SIDEWALK WITHIN THE MEDIAN CURB ISLAND.
- ③ INSTALL 5 FLEXIBLE DELINEATOR POST WITH BARR - 48", YELLOW - RAISED CURB CHANNELIZING SYSTEMS
01-067070 MEDIAN CURB EXHIBIT 3 OF 3

EXHIBIT-2

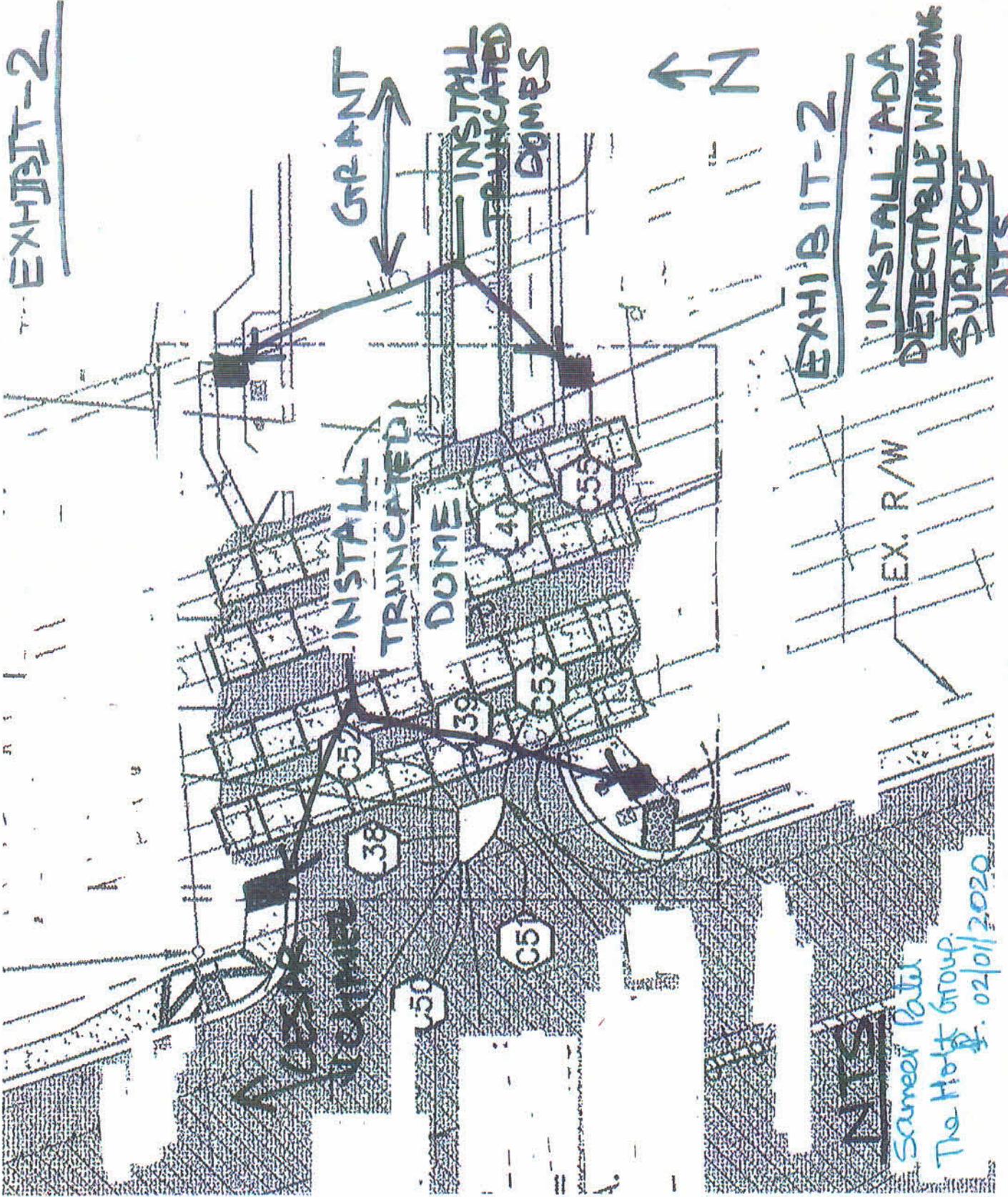


EXHIBIT-2

INSTALL ADA
DETECTABLE WARNING
SURFACE
N.T.S.

EX. R/W

N.T.S.

Sameer Patel
The Holt Group
#. 02/01/2020

EXHIBIT -3 PAGE 2

1. INSTALL MODIFIED R3-8 SIGN ON THE TRAFFIC SIGNAL MAST ARM FACING EASTBOUND TRAFFIC ALONG GRANT STREET. MOUNTING SHALL BE PER CALTRANS STD. PLAN ES-7N, DETAIL U.
2. INSTALL A TURNING VEHICLES YIELD TO PEDESTRIAN (R10-15) SIGN WITH NEW POST ON THE NORTHWEST CORNER OF GRANT AND CESAR.
3. INSTALL A TURNING VEHICLES YIELD TO PEDESTRIAN (R10-15) SIGN WITH NEW POST ON THE NORTHEAST CORNER OF GRANT AND CESAR.
4. REMOVE THE EXISTING "TRUCK" SIGN AND INSTALL OVERSIZED "TRUCK" SIGN (36" X 18") ON THE SOUTHBOUND TRAFFIC ALONG CESAR PER ATTACHED SIGN DETAIL. MOUNTING SHALL BE PER CALTRANS STD. PLAN ES-7N, DETAIL U. REMOVE EXISTING SIGNS ON THE MAST. THE SIGN IS TO BE MOUNTED FOR THE PROHIBITION OF LEFT TURNS TOWARDS THE TRACKS.
5. RELOCATE THE PEDESTRIAN PROHIBITION AND TRUCK PROHIBITION SIGN ON THE SOUTHEAST CORNER OF CESAR AND GRANT. RELOCATE THE SIGN POST FURTHER FROM THE TRACKS TO IMPROVE THE VISIBILITY ALONG THE SIDEWALK CLOSE TO TRACKS.
6. RELOCATE THE R8-8 SIGN AT THE SOUTHEAST CORNER TO THE EAST SIDE OF TRACKS SO THAT THE PEDESTRIAN PROHIBITION SIGN CAN BE RELOCATED.



← 36" →

18"

OVERSIZED



BUILDING AMERICA[®]

April 16, 2020

Jennifer Fortin
Pyramid Construction and Aggregate, Inc.
839 Dogwood Rd.
Heber, CA 92249

UPRR Folder No. 2252-65

Dear Contractor:

Reference is made to that certain Contractor's Right of Entry Agreement dated Oct. 3, 2018, between UNION PACIFIC RAILROAD COMPANY ("Licensor") and PYRAMID CONSTRUCTION & AGGREGATES, INC. ("Licensee"), or their predecessors in interest covering a Right of Entry for the purposes described in Article 2 of the Right of Entry on Railroad Company's property at or near Calexico, California, at or near Mile Post 708.09 on the Railroad's Calexico Subdivision. Said License Agreement is identified in the Railroad Company's records as Audit No. 0225265 (hereinafter "Basic Agreement"), which has or will expire(d) by its own terms.

Effective as of April 1, 2020, it is agreed by and between the parties as follows:

Subject to the termination provisions contained herein or in the Basic Agreement, the term of the Basic Agreement is hereby renewed and/or extended commencing as of April 1, 2020, and continuing through April 2, 2021, and that all the terms and conditions of the Basic Agreement, as heretofore or herein supplemented and/or amended (if applicable), shall remain in full force and effect during the extended term.

The Licensee shall pay to the Licensor a one-time fee of Two Thousand Dollars (\$1025.00), in advance.

The Basic Agreement may be terminated by either party on thirty (30) days' written notice to the other party.

Fiber optic cable systems may be buried on the Licensor's property. Protection of the fiber optic cable systems is of extreme importance since any break could disrupt service to users resulting in business interruption and loss of revenue and profits. Licensee shall telephone the Licensor at 1-800-336-9193 (a 24-hour number) to determine if fiber optic cable is buried anywhere on the Licensor's premises to be used by the Licensee. If it is, Licensee will telephone the telecommunications company(ies) involved, arrange for a cable locator, and make arrangements for relocation or other protection of the fiber optic cable prior to beginning any work on the Licensor's premises.

In addition to other indemnity provisions in this Agreement, the Licensee shall indemnify and hold harmless the Licensor from and against all costs, liability and expense whatsoever (including, without limitation, attorneys' fees, court costs and expenses) arising out of any act or omission of the Licensee, its contractor, agents and/or employees, that causes or contributes to (1) any damage to or destruction of any

UNION PACIFIC RAILROAD COMPANY
1435 Douglas Street, STOP 1500
Omaha, Nebraska 68173

David C. LaPlante p: 402-644-8703
Real Estate Department f: 402-691-9849
Senior Manager - Real Estate e: dlaplante@up.com

telecommunications system on Licensor's property, and (2) any injury to or death of any person employed by or on behalf of any telecommunications company, and/or its contractor, agents and/or employees, on Licensor's property. Licensee shall not have or seek recourse against Licensor for any claim or cause of action for alleged loss of profits or revenue or loss of service or other consequential damage to a telecommunication company using Licensor's property or a customer or user of services of the fiber optic cable on Licensor's property.

This Letter Agreement is supplemental to the Basic Agreement, and nothing herein contained shall be construed as amending or modifying the same, except as herein specifically provided. Please execute this letter indicating your acceptance and return one copy to me.

Fees are due and payable upon your execution of the Letter Agreement. Please include your payment with the return of a fully executed copy. This Letter Agreement will not be considered effective by the Licensor until we receive both the fully executed duplicate original of this Letter Agreement and the fee payment. If you require formal billing, you may consider this Letter Agreement as a formal bill.

In compliance with the Internal Revenue Service's new policy regarding its Form 1099, this is to advise you that 94-6001323 is Union Pacific Railroad Company's correct Federal Taxpayer Identification Number and that Union Pacific Railroad Company is doing business as a corporation.

The foregoing Letter Agreement is accepted, approved and executed on this 4th day of May, 2020.

If you have any questions regarding this letter, please contact David C. LaPlante at (402) 544-8563.

UNION PACIFIC RAILROAD COMPANY

By: David C. LaPlante

DAVID C. LAPLANTE

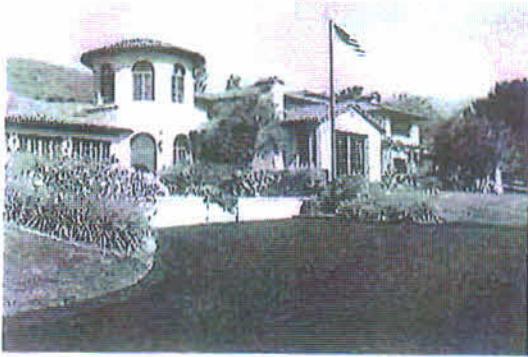
Manager-Special and Public Projects

**PYRAMID CONSTRUCTION AND
AGGREGATES, INC.**

By: LHC
Title: Project Manager



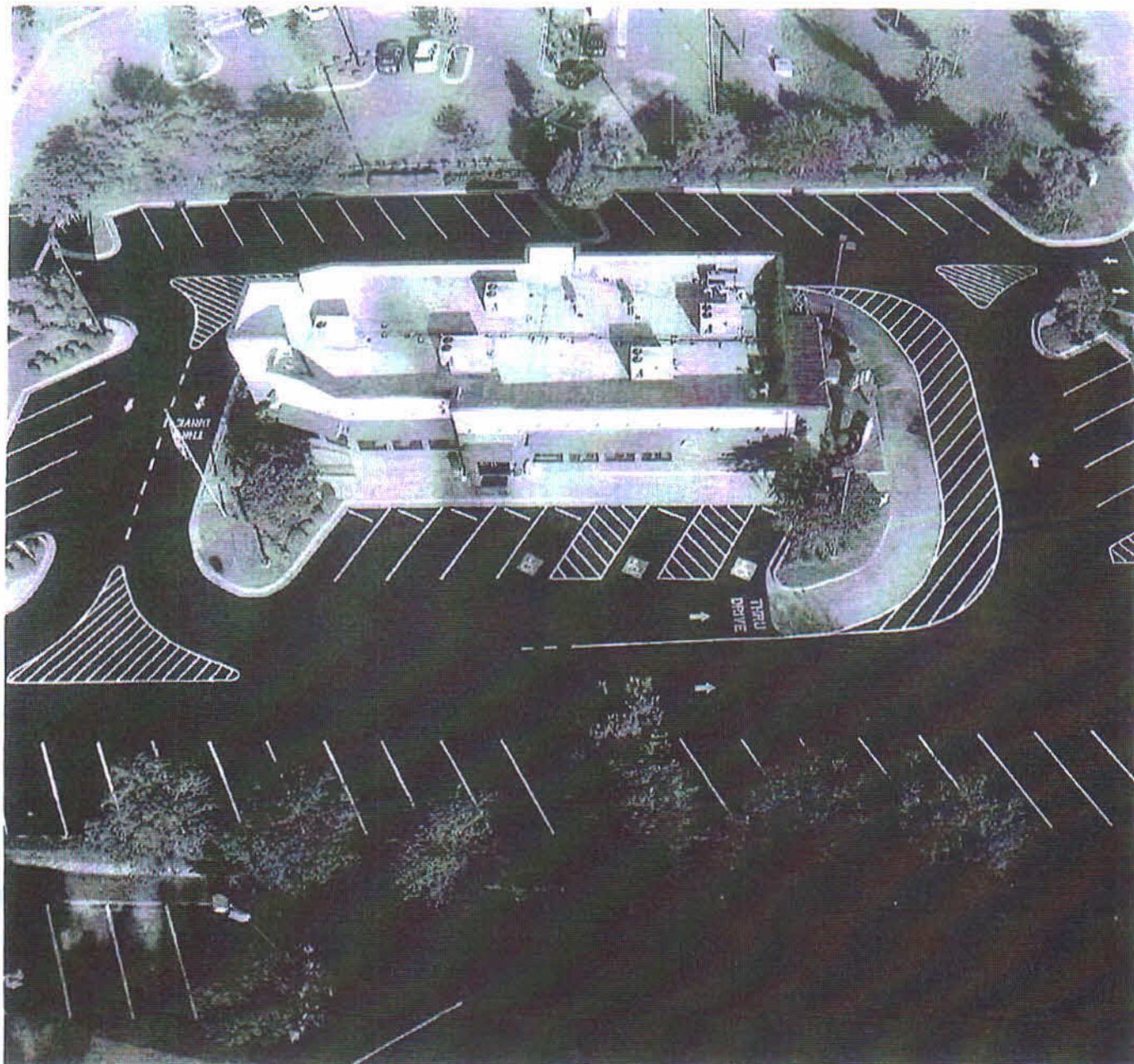
GuardTop
The Gold Standard In Asphalt Protection



**ADVANCED
SEALCOATING
PRODUCTS**

GUARDTOP SEALCOAT THERE'S NO EQUIVALENT

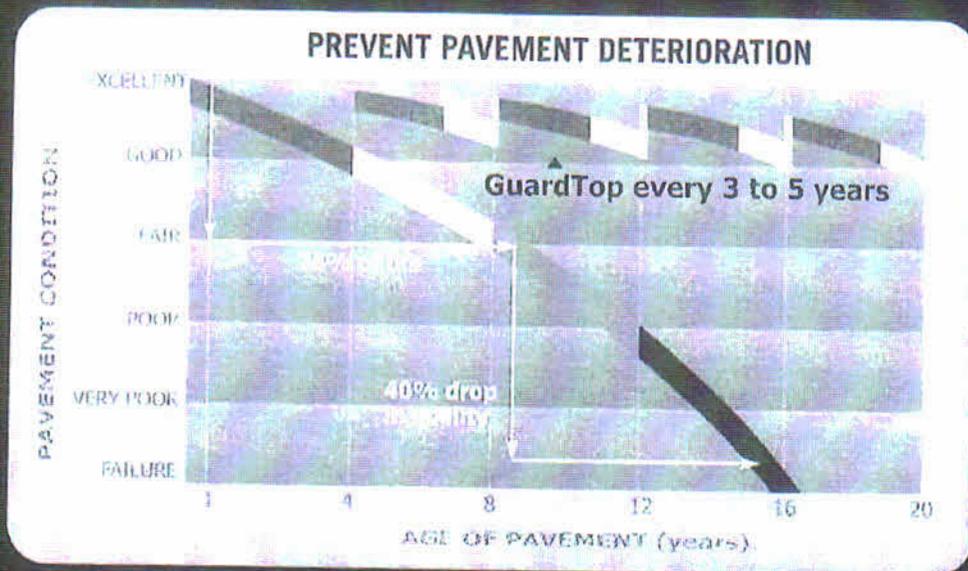
There is no other Guardtop Sealcoat product available in the United States. It is the only product that provides a permanent, long-lasting, protective sealcoat for your asphalt pavement. It is the only product that provides a permanent, long-lasting, protective sealcoat for your asphalt pavement. It is the only product that provides a permanent, long-lasting, protective sealcoat for your asphalt pavement.



PERFORMANCE AND LONGEVITY



Prevent pavement deterioration with a low-cost application of GuardTop every three to five years. GuardTop will keep your asphalt surfaces looking consistently great for years to come, while preserving the integrity of the underlying asphalt and base course.



Stacked up against other leading brands, GuardTop has more solids and unique ingredients to make it tougher and longer lasting. Preserving pavement with GuardTop reduces your lifecycle cost!

GUARDTOP IS ENVIRONMENTALLY FRIENDLY AND NON-TOXIC

Asphalt surfaces are in a constant state of deterioration. Heat, cold, rain and the sun's ultraviolet rays break down the binders that hold the surface together.

GuardTop stays black longer, protects your asphalt from environmental exposure, and inexpensively prolongs a smooth, high-quality appearance that is easy to maintain.

Decades of performance, longevity and eco-friendliness have won the confidence and trust of school districts. Many school districts specify the use of GuardTop by name.



Higher technology, lower lifetime cost



Because each GuardTop application gives pavements longer-lasting protection, fewer treatments are required to keep your assets looking new over their lifetime. This translates to a lower maintenance lifecycle

cost and reduces inconvenience to the customer.

A full line of sealcoating products

GuardTop offers a range of quality products to help address distressed pavement conditions and offers the finishing touches to your sealcoat project. These include an oil scaler for oil-stained pavements, a crack filler to smooth cracks and protect the subgrade, as well as latex additives and striping paint. We also carry a full line of hand tools and ancillary products at all of our locations.

Top national brands choose GuardTop

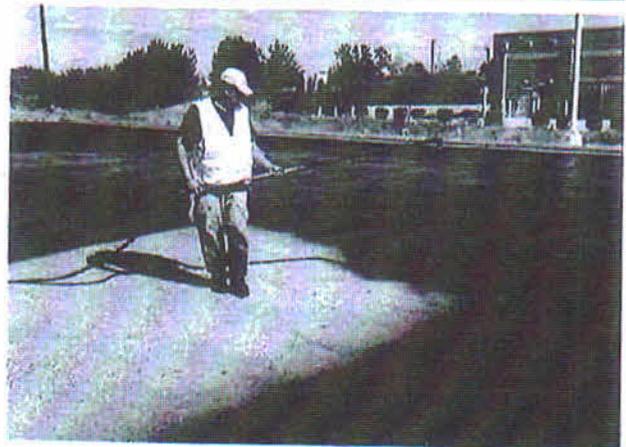
Our sealcoat products are chosen to protect the asphalt surfaces of shopping centers, homeowners associations, and commercial parking lots in many areas throughout the country. GuardTop enhances the aesthetics of your asphalt surface and will bring higher value to your existing buildings.

Partnering with contractors

GuardTop takes pride in working closely with experienced Asphalt and Sealcoat Contractors, who have applied GuardTop in some of the country's most well known communities, business parks, retail locations and visitor destinations.

Go greener with CoolSeal by GuardTop®

Our commitment to sustainability has guided the development of CoolSeal by GuardTop®, an ultra high performance asphalt-based sealcoat that achieves lower surface temperatures with its lighter colored surface and higher reflectivity. Perfect for school districts, parking lots and LEED-certified building projects.



GUARDTOP VERSUS COAL TAR SEALCOAT: THE SMART AND SAFE CHOICE FOR PAVEMENT PRESERVATION

Studies by the U.S. Geological Survey (USGS), and supported by the United States Environmental Protection Agency, have identified coal tar-based sealcoat as a major source of polycyclic aromatic hydrocarbon (PAH) contamination in urban areas for large parts of the Nation. Several PAHs are suspected human carcinogens and are toxic to aquatic life.



siteLAB
Petroleum Hydrocarbon Solutions
SiteLab Corporation
Vista, CA
USA: 978-363-2259

PAHs in Asphalt Based Sealcoat

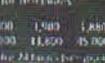
Manufactured by: **GuardTop, Inc.**
guardtop.com
877) 948-2728

Samples tested using SiteLab's fingerprinting method. Advanced forensic analysis performed on samples vs. most polystyrene.

GRA (HPLC) 

Total PAHs 

Target PAHs 

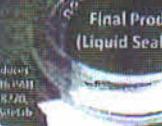
Heavy PAHs 

A sealcoat sample was scraped up from a parking lot in Georgia and sent to SiteLab for analysis. Samples of asphalt emulsion oil and the manufacturer's final product were also tested. Concentrations of polycyclic aromatic hydrocarbons in GuardTop's sealcoat are 60 to 70 times lower compared to toxic coal tar based sealcoats.

Sealcoat Scrapings from Parking Lot



Final Product (Liquid Sealcoat)



Asphalt Emulsion Oil Used to Make Sealcoat



Minimally detectable concentrations of polycyclic aromatic hydrocarbons (PAHs) compared to the EPA Method 8270. Based on an analysis performed by SiteLab.

| Method | Total PAHs | Target PAHs | Heavy PAHs |
|------------|------------|-------------|------------|
| Methanol | 2,000 | 500 | 600 |
| vs. Hexane | 10,000 | 10,000 | 10,000 |

Sample analyzed for 10 minutes.

| Method | Total PAHs | Target PAHs | Heavy PAHs |
|------------|------------|-------------|------------|
| Methanol | 5,000 | 1,000 | 1,800 |
| vs. Hexane | 10,000 | 11,000 | 15,000 |

Sample analyzed for 24 hours per EPA Method 8270.

Parking lot was treated with a coal tar based sealcoat.



Methanol Solvent Extract
Hexane Solvent Extract

This product behaves similarly to asphalt emulsion sealcoats and is highly porous. Because more porous PAHs concentrate in the binder, products have lower concentrations, and are more accurate compared to laboratory methods.



Concentrations of PAHs Extracted in Methanol for 24 Hours

Concentrations of PAHs Extracted in Hexane for 24 Hours

GuardTop VS. COAL TAR

| | GuardTop | Coal Tar |
|---|----------|----------|
| Compatible with water and oil based paints | ✓ | |
| Dries Quickly: can typically apply 2 coats and stripe the same day | ✓ | ✓ |
| Longevity: Typically expect 3-6 yrs on 2 coat application | ✓ | ✓ |
| Application: Easy to apply, squeegee or spray | ✓ | ✓ |
| Will burn if exposed to skin during application process and pungent fumes | | ✓ |
| Banned or restricted in 15 states and numerous municipalities | | ✓ |
| Contains known Carcinogens, Harmful Byproducts and Very High PAH's | | ✓ |

Healthier for people and the planet

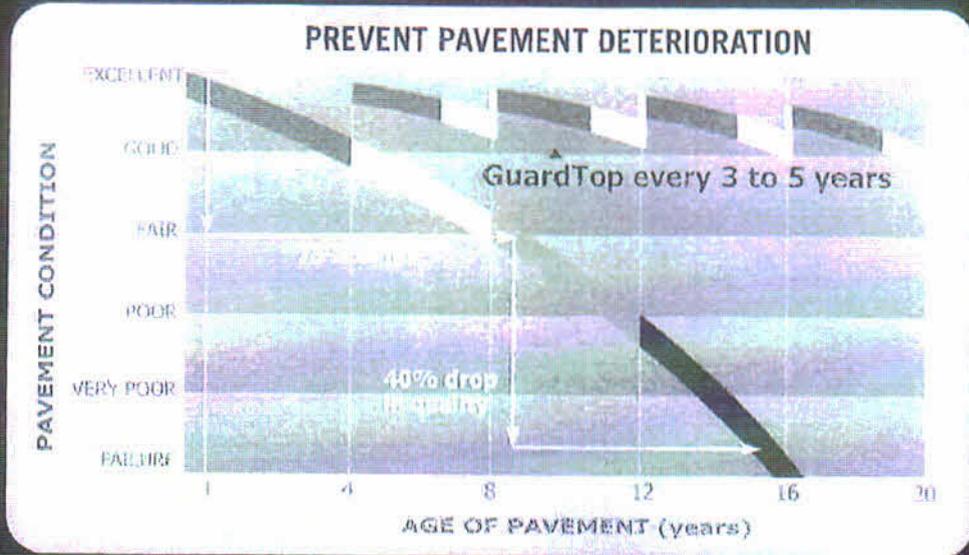
GuardTop is non-flammable and is made with 100 percent asphalt base emulsion. Our product has always been completely free of coal tar and is environmentally sustainable.



GUARDTOP VERSUS CONVENTIONAL SEALCOAT: PERFORMANCE AND LONGEVITY

Stacked up against other leading brands, GuardTop has more solids and unique ingredients to make it tougher and longer lasting. Preserving pavement with GuardTop reduces your lifecycle cost!

Prevent pavement deterioration with a low-cost application of GuardTop every three to five years. GuardTop will help you maintain a consistently superior asphalt surface while preserving the integrity of the underlying asphalt and base course.



Since GuardTop is designed to outlast other competing products, fewer applications are required. This means lower overall lifecycle costs and less inconvenience to your customers.



GO GREENER WITH COOLSEAL BY GUARDTOP®

Our commitment to sustainability has guided the development of CoolSeal by Guardtop, a high-performance asphalt-based sealcoat that is designed to achieve lower surface temperatures through its lighter color and reflectivity. CoolSeal is perfect for playgrounds, parks, parking lots, driveways, residential areas, schools and bike paths. Both GuardTop sealcoats and CoolSeal are LEED eligible.



877-948-2738



ADVANCED SEALCOATING PRODUCTS

Environmentally friendly...durable...long-lasting quality asphalt protection. Specially formulated from unique base stocks, GuardTop's difference can be seen immediately in its richer color, consistency and performance. There is no better ally in making your property look great and keeping it that way!

SOUTHEAST LOCATIONS

GuardTop® Atlanta
480 S Marble St.
Rockmart, GA 30153
(404) 821-2388

GuardTop® Express Atlanta
2400 Weaver Way, Suite J
Doraville, GA 30340
(678) 218-8915

SOUTHWEST LOCATIONS

GuardTop® Corporate Office
32834 Pacific Coast Hwy, Suite 210
Dana Point, CA 92629
(877) 9GUARDTOP (877) 948-2738

GuardTop® Fontana
14388 Santa Ana Avenue
Fontana, CA 92337
(909) 823-1811

GuardTop® Express Orange
719 W. Collins Avenue
Orange, CA 92867
(657) 224-9525

GuardTop® Tucson
3132 E 45th Street
Tucson, AZ 85713

GuardTop® Phoenix
1048 W. Maricopa Fwy.
Phoenix, AZ 85007

SOUTHWEST DISTRIBUTION LOCATIONS

California Commercial Asphalt
9229 Harris Plant Road
San Diego, CA 92145
(760) 822-9660

Vulcan Materials
11401 W. Tuxford St.
Sun Valley, CA 91352
(818) 983-0146

Western Oil Spreading Services
736 Mission Rock Road
Santa Paula, CA 93060
(805) 647-0693



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Fw: 2nd Street Improvements-111 to Cesar Chavez

Sameer Patel <spatel@theholtgroup.net>

Wed 5/20/2020 8:37 AM

To: Sameer Patel <spatel@theholtgroup.net>

 2 attachments (1 MB)

1531_001.pdf; Striping 2nd and Imperial Ave 08-08-19-Sheet.pdf;

From: Sameer Patel**Sent:** Monday, August 12, 2019 1:19 PM**To:** David Dale <ddale@calexico.ca.gov>; Liliana Falomir (falomirl@calexico.ca.gov) <falomirl@calexico.ca.gov>**Cc:** Juny Marmolejo <jmarmolejo@theholtgroup.net>; Robert Ortiz <rortiz@calexico.ca.gov>**Subject:** FW: 2nd Street Improvements-111 to Cesar Chavez

David and Lily,

Please see attached the cost proposal from Pyramid for completing the following items along 2nd Street from Imperial Avenue to Cesar Chavez per attached plan.

1. Removal of the K-rails with crash cushion installed along 2nd Street east of Cesar Chavez. The K-rails and crash cushion are to be stockpiled at the City Public Works Yard.
2. Micro Grinding along 2nd Street from Imperial Avenue to Cesar Chavez; excluding the railroad ROW area.
3. Crack seal of the existing asphalt.
4. Slurry seal.
5. Installing striping and signs.

Regards,

Sameer Patel

Project Engineer, P.E.

The Holt Group, Inc.

1601 N. Imperial Ave

El Centro, CA 92243

Phone: (760) 337-3883

Cell: (760) 222-7766

Fax: (760) 337-5997

<http://www.theholtgroup.net>

From: Archie Abeyta [mailto:archie@pyramidca.com]**Sent:** Monday, August 12, 2019 1:05 PM**To:** Sameer Patel; Juny Marmolejo

5/20/2020

Mail - Sameer Patel - Outlook

Cc: 'Ryan Dickerson'; 'Pyramid - Kayla Smail'; jennifer@pyramidca.com
Subject: 2nd Street Improvements-111 to Cesar Chavez

Archie Abeyta

Pyramid Construction and Aggregates, Inc
839 Dogwood Road
Heber, CA 92249

760.337.5839 Office
760.482.8379 Cell



From: pyramid@pyramidca.com <pyramid@pyramidca.com>
Sent: Monday, August 12, 2019 1:04 PM
To: Archie E-Mail <archie@pyramidca.com>
Subject: Attached Image

From: Sameer Patel
Sent: Friday, August 09, 2019 1:55 PM
To: archie@pyramidca.com
Cc: David Dale; Liliana Falomir (falomir@calexico.ca.gov); Juny Marmolejo
Subject: Striping on 2nd Street from Imperial Ave. to Cesar Chavez

Archie,

On behalf of City of Calexico, kindly submit a cost proposal for completing the following items along 2nd Street from Imperial Avenue to Cesar Chavez per attached plan.

6. Removal of the K-rails with crash cushion installed along 2nd Street east of Cesar Chavez. The K-rails and crash cushion are to be stockpiled at the City Public Works Yard.
7. Grinding of the existing striping.
8. Crack seal of the existing asphalt.
9. Slurry seal.
10. Installing striping and signs as noted in the attached plan.

Let me know if you have any questions or comments.

Regards,

Sameer Patel

5/20/2020

Mail - Sameer Patel - Outlook

Project Engineer, P.E.
The Holt Group, Inc.
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