

DBE - COMMITMENT

OCR-0006 (REV 11/2020)

CONTRACT NO. 03-2J9104

BID AMOUNT \$2,671,969 **BID OPENING DATE**

03/28/2024 BIDDER'S NAME

Q&D Construction LLC DBE GOAL FROM CONTRACT %

21%

TOTAL NUMBER OF ALL SUBCONTRACTS TOTAL VALUE OF ALL SUBCONTRACTS DBE PRIME CONTRACTOR CERTIFICATION¹ (DBE & NON-DBE) (DBE & NON-DBE) 9 786,079.62

BID ITEM NO.	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED ²	NAICS AND/OR WORK CATEGORY CODES ³	NAME OF DBEs (Must be certified on the date bids are opened. Include Caltrans' certification no., DBE address, and phone number. Show 2nd and lower tier subcontractors.)	AMOUNT (\$)
3	Construction Area Signs	C1200	T and S DVBE Inc. Address:18981 Gravel Plant Rd, Redding, CA 96002	21,275.00
4 (P)	Traffic Control System (Partial)	C1201	Phone Number: (530) 639-9987 DBE #38721	112,050.0
10 (P)	Temporary Barrier System (Partial)	C1290	K R C Safety Co. Inc. Address: 7821 W Sunnyview Ave, Visalia, CA 93291	260,700.00
12	Alternative Temporary Crash Cushion TL-3	C8396	Phone Number: (559) 732-0393 DBE #447	31,500.00
21	Rolled Erosion Control Product (Netting)	C561730	Nitta Inc. Address: 3778 Del Mar Avenue	1,668.00
22	Fiber Rolls	C561730	Loomis, CA 95650 Phone Number: (916) 652-7459 DBE #217	1,956.00

Show all DBE firms being claimed for credit, regardless of tier. Attach written confirmation from each DBE shown stating that it will be participating in the contract to perform the specific work shown for the specific amount agreed to.

The names of the 1st tier DBE subcontractors and items of work must be consistent with the Subcontractor List (Pub Cont Code § 4100 et seq.).

Failure to submit a signed DBE Confirmation form and submit copies of the DBE quotes will result in disallowance of the DBE's participation.

1Each DBE prime contractor must enter its certification number and show all work to be performed by DBEs, including work performed by its own forces.

2If 100% of an item is not to be performed or furnished by the DBE, describe the exact portion of the item to be performed or furnished.

3 Use NAICS and/or Work Category Codes from the California Unified Certification Program

* NAICS: North American Industry Classification System.

\$ See Last Page Total Claimed **Participation** See Last Page

The bidder acknowledges that it is committed to use the DBEs shown on this form to meet the contract goal (49 CFR 26.53)

Signature of Bidder

03/28/2024

(775)786-2677 (Area Code) Tel. No.

Jeff Bean - VP Heavy/Civil

Person to Contact

Date

(Please Type or Print)

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DBE - COMMITMENT

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OCK-0006 (REV 11/202	20)						
CONTRACT NO.							
03-2J9104							
BID AMOUNT							
\$2,671,969							
BID OPENING DATE							
03/28/2024							
BIDDER'S NAME							
Q&D Construction L	LC						
DBE GOAL FROM CON	NTRACT %						
21%							
DBE PRIME CONTRA	CTOR CERTIFICATION	TOTAL NUMBER (DBE & NON-DB	R OF ALL SUBCONTRA E)	CTS	(DBE & NO	LUE OF ALL SUBCO ON-DBE) 86,079.62	NTRACTS
BID ITEM NO.	ITEM OF WORK AND DE SERVICES TO BE SUBC MATERIALS TO BE	ONTRACTED OR	NAICS AND/OR WORK CATEGORY CODES ³	opened.	Include Caltr dress, and p	F DBEs in the date bids are ans' certification no., hone number. Show subcontractors.)	AMOUNT (\$)
30 (P)	Provide (F) - Structural Concr	ete, Drainage Inlet	C0671			nways, INC park Dr., Redding,	31,194.21 (60%)
31 (P)	Provide 30" Corrugated Steel	Pipe (.138" Thick)	C6650		lumber: (53	0) 638-6145	3,716.68 (60%)
37 (P)	Provide (F) - Miscellaneo	us Iron and Steel	C0671	i			6,714.00 (60%)
41 (P)	Install Concrete Barrier (Typ	e 60M Modified)	C237310	LLC	•	ering Constructors ate Street Ontario	28,600.00
42 (P)	Install Concrete Barrier	r (Type 60MS)	C237310	CA 9176 Phone N DBE #43	Number: (62	6) 228-3670	58,560.00
43 (P)	Install Concrete Barri	er (Type 732)	C237310	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \			4,980.00
from each DBE shown	ing claimed for credit, regardl stating that it will be participa ecific amount agreed to.					laimed pation	\$ 562,913.89
	ier DBE subcontractors and it b Cont Code § 4100 et seq.).	ems of work must b	pe consistent with the				21.06 %
	ned DBE Confirmation form a of the DBE's participation.	nd submit copies of	f the DBE quotes will	The bidd DBEs sh CFR 26/	nown on th	ledges that it is con is form to meet the	contract goal (49
	ractor must enter its certificati ncluding work performed by it		ow all work to be	Signature	e of Bidder		
2If 100% of an item is a of the item to be perfo	not to be performed or furnish ormed or furnished.	ed by the DBE, des	scribe the exact portion				/775\700 0077
³ Use NAICS and/or Woodatabase.	ork Category Codes from the	California Unified C	Certification Program	Date	28/2024		(775)786-2677 (Area Code) Tel. No.
* NAICS: North Americ	can Industry Classification Sy	stem.		Jef	f Bean - V	P Heavy/Civil	
				Person to	o Contact	(Please	Type or Print)

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STATE OF CALIFORNIA · DEPARTMENT OF TRANSPORTATION **DBE CONFIRMATION** OCR-0007 (REV 11/2020) CONTRACT NO. 03-2J9104 NAME OF DBE BUSINESS T and S DVBE Inc. NAME OF DBE REPRESENTATIVE John Bailey DBE CERTIFICATION NUMBER 38721 NAME OF BIDDER Q&D Construction LLC NAME OF PRIME CONTRACTOR IF DIFFERENT FROM THE BIDDER NAME OF REPRESENTATIVE OF BIDDER OR CONTRACTOR Jeff Bean DATE 3/28/2024 Amount Bid item number Item of work and description of services to be subcontracted or materials to be provided 1 (\$) 3 21,275.00 Construction Area Signs 4(P) 112,050.00 Traffic Control System (Partial) ¹ If 100% of an item is not to be performed or furnished by the DBE, describe the exact portion of the item to be performed or furnished. 133,325.00 As an authorized representative of a certified disadvantaged business enterprise, I confirm that my business was contacted by the bidder or prime contractor shown above regarding the contract shown above. If the bidder is awarded the contract, my business will enter into a contractual agreement with the bidder or prime contractor to perform the type and dollar amount of work shown on the DBE Commitment form. I certify under penalty of perjury that the foregoing is true and correct. T-Me President Signature of DBE's Authorized Representative

> Taren Forde Printed Name of DBE's Authorized Representative

President
Title of DBE's Authorized Representative

3/29/24 Date

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DBE CONFIRMATION

OCR-0007 (REV 11/2020)

CONTRACT NO.			
03-2J9104			
NAME OF DBE BUSINESS			
KRC Safety Co. Inc.			
NAME OF DBE REPRESEN	TATIVE		
Michael Castro		and the second	
DBE CERTIFICATION NUM	BER		
447			
NAME OF BIDDER			
Q&D Construction LLC			
NAME OF PRIME CONTRA	CTOR IF DIFFERENT FROM THE BIDDER		
N/A			
NAME OF REPRESENTATI	VE OF BIDDER OR CONTRACTOR		
Jeff Bean			
DATE			
3/28/2024			
Bid item number	Item of work and description of services to be subcontract	ted or materials to be provided 1	Amount
— Bid item flamber	ROTT OF WORK diffe description of solutions to be appearance		(\$)
10	Temporary Barrier System		260,700.00
12	Alternative Temporary Crash Cushion TL-3		31,500.00
	,		
			-
			-
1 If 100% of an item is not t	to be performed or furnished by the DBE, describe the exact	Total	292,200.00
portion of the item to be pe	frormed or turnished.	As an authorized representative	
		business enterprise. I confirm th	at my business was contacted by
		the bidder or prime contractor st	hown above regarding the contract
		shown above. If the bidder is aw will enter into a contractual agre	varded the contract, my business
		contractor to perform the type a	nd dollar amount of work shown on
		the DBE Commitment form.	
		I certify under penalty of perjury t	hat the foregoing is true and correct.
		M 1 1 P	,
		/ Cichoel tost	- 4
		Signature of DBE's Authorized	Representative
		MICHAEL CAST	TRO
		Printed Name of DBE's Authori	
		ESTIMATOR	
		Title of DBE's Authorized Repre	esentative
		3-29-	24
		Date	
		· Carrier	

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STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION DBE CONFIRMATION

OCR-0007 (REV 11/2020)

CONTRACT NO.			
03-2J9104 NAME OF DBE BUSINESS			
	ring Constructors LLC		
NAME OF DBE REPRESE			
Todd Wingo			
DBE CERTIFICATION NUM	MBER		
43430			
NAME OF BIDDER	A		
Q&D Construction LL	.C		
NAME OF PRIME CONTRA	ACTOR IF DIFFERENT FROM THE BIDDER		
N/A			
	IVE OF BIDDER OR CONTRACTOR		
Jeff Bean DATE			
3/28/2024			
Bid item number	Item of work and description of services to be subcontra-	cted or materials to be provided 1	Amount (\$)
41 (P)	Concrete Barrier (Type 60M Modified) - Insta	I	28,600.00
42 (P)	Concrete Barrier (Type 60MS) - Install		58,560.00
43 (P)	Concrete Barrier (Type 732) - Install		4,980.00
,			
•			
'If 100% of an item is not t portion of the item to be pe	o be performed or furnished by the DBE, describe the exact rformed or furnished.	Total	92,140.00
		As an authorized representative o business enterprise, I confirm that the bidder or prime contractor sho shown above. If the bidder is awar will enter into a contractual agreer contractor to perform the type and the DBE Commitment form.	my business was contacted by wn above regarding the contract ded the contract, my business nent with the bidder or prime
3		I certify under penalty of perjury that	
		Todd Wingo	N 03011fattise
		Printed Name of DBE's Authorize Estimator	d Representative
		Title of DBE's Authorized Represe	entative
		3-29-24	
		Date	

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DBE CONFIRMATION

OCD 0007	(DE)/44/2020\	
UCR-0007	(REV 11/2020)	

CONTRACT NO.				
03-2J9104				
NAME OF DBE BUSINESS				
Nitta Inc.				
NAME OF DBE REPRESENT	TATIVE			
Scott Nitta				
DBE CERTIFICATION NUMB	BER			
217				
NAME OF BIDDER				
Q&D Construction LLC				
	CTOR IF DIFFERENT FROM THE BIDDER			
N/A				
	/E OF BIDDER OR CONTRACTOR			
Jeff Bean				
DATE				
3/28/2024				
-			to be excluded 1	Amount
Bid item number	Item of work and description of services to be subcontract	ted or materials	to be provided	(\$)
21	Rolled Erosion Control Product (Netting)			1,668.00
	20 (14.59%) (14.59 (14			
22	Fiber Rolls			1,956.00
1 If 100% of an item is not to	be performed or furnished by the DBE, describe the exact		Fetal	0.004.00
portion of the item to be per	formed or furnished.		Total	3,624.00
		As an authoriz	zed representative of	of a certified disadvantaged t my business was contacted by
		the bidder or t	orime contractor sho	own above regarding the contract
		shown above.	If the bidder is awa	rded the contract, my business
		will enter into	a contractual agree perform the type and	ment with the bidder or prime d dollar amount of work shown on
		the DBE Com		
		I certify under	penalty of periury the	at the foregoing is true and correct.
			tNitta	
		Signature of	DBE's Authorized R	epresentative
		Scott N	itta	
		Printed Name	of DBE's Authorize	ed Representative
		Preside	ent	
			Authorized Repres	sentative
			3/29/2	
			Date	

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OCR-0008 (REV 10/2022)

DBE GOOD FAITH EFFORTS DOCUMENTATION



Page 1 of 3

 List items of work the Bidder made available to Disadvantaged Business Enterprise (DBE) firms. Identify items of work the Bidder might otherwise perform
with its own forces, items that have been broken down into economically feasible units to facilitate DBE participation, and items for which the Bidder has
established flexible time frames for performance and delivery schedules in a manner that encourages and facilitates DBE participation. For each item listed, show the dollar value and percentage of the total contract. The Bidder must demonstrate that sufficient work to meet the goal was made available to DBE firms.

Item of Work Offered, Services Offered, or Materials Supplied	Bidder Norn Performs It Yes/No	tem	Item Broker Facilitate Pa Yes/	rticipation	Established Timeframes for and Delivery Yes/	Performance Schedules	Amount (\$)	Percentage of Total Bid
DBE Goal was	☐YES [Пио	YES	Пио	YES	Пио		
exceeded	☐YES [□ NO	YES	Пио	YES	Пио		
	YES	□ NO	YES	NO	YES	Пио		
	☐YES	Пио	YES	NO	YES	Пио		
	YES	□ NO	YES	NO	YES	Пио		
	☐ YES	□ NO	YES	NO	YES	□NO		
	☐ YES	□ NO	YES	NO	YES	Пио		
	YES	Пио	YES	NO	YES	Пио		
	YES	Пио	YES	NO	YES	Пио		
	YES	Пио	YES	NO	YES	□NO		
	YES	Пио	YES	NO	YES	□NO		
	YES	□ NO	YES	NO	YES	□NO		
	YES	Пио	YES	NO	YES	NO		
	YES	Пио	YES	NO	YES	□NO		
	YES	Пио	YES	NO	YES	□ NO		
	YES	Пио	YES	NO	YES	NO		
	YES	Пио	YES	NO	YES	□ NO		
	YES	□ NO	YES	NO	YES	□ NO		
	YES	□ NO	YES	NO	YES	□ NO		
	YES	Пио	YES	Пио	YES	□ NO		

OCR-0008 (REV 10/2022)

DBE GOOD FAITH EFFORTS DOCUMENTATION

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UQU	Const	ructioi	LLL	L

Bidder's Name: Q&D Co Contract No.: 03-2J9104

Page 2 of 3

Hame of DE	BE Solicited	Date of Initia	l Solicitation		Items of Wo	ork Offered		Follow Up Me	ethods and Dates
DBE Go	al was								
exceeded									
3. For each item of	of work made ava	ilable, indicate w	hathar the Ri			77.D)			
firm and its stat Provide copies	of each DBE and	DBEs that provid Non-DBE quote	led quotes, th	e price quote fo	or each firm, ar	nd the price of	difference for each	h DBE if the select DBE for work on the	ted firm is not a DB he Contract.
firm and its state Provide copies Items of Work	of each DBE and Provide Specifications t	DBEs that provid	led quotes, th submitted to	e price quote fo	or each firm, ar	nd the price o	difference for each	h DBE if the select	ted firm is not a DB
Provide copies	of each DBE and Provide Specifications t	DBEs that provid Non-DBE quote ed Plans/ for Work Offered	led quotes, th submitted to	e price quote for the Bidder whe	or each firm, an never a Non-D DBE or	nd the price o	difference for each selected over a	h DBE if the select DBE for work on the Quote	ted firm is not a DB he Contract.
Items of Work DBE Goal Was	of each DBE and Provide Specifications t	DBEs that provid Non-DBE quote ad Plans/ for Work Offered s/No	led quotes, th submitted to	e price quote for the Bidder whe	or each firm, an never a Non-D DBE or	nd the price o	difference for each selected over a	h DBE if the select DBE for work on the Quote	ted firm is not a DB he Contract.
Items of Work DBE Goal Was	Provide Specifications 1 Ye:	DBEs that provid Non-DBE quote at Plans/ for Work Offered s/No	led quotes, th submitted to	e price quote for the Bidder whe	or each firm, an never a Non-D DBE or	nd the price o	difference for each selected over a	h DBE if the select DBE for work on the Quote	ted firm is not a DB he Contract.
Items of Work DBE Goal Was	Provide Specifications t Yes YES YES	DBEs that provid Non-DBE quote and Plans/ for Work Offered s/No	led quotes, th submitted to	e price quote for the Bidder whe	or each firm, an never a Non-D DBE or	nd the price o	difference for each selected over a	h DBE if the select DBE for work on the Quote	ted firm is not a DB he Contract.
Items of Work DBE Goal Was	Provide Specifications t Ye YES YES YES	DBEs that provid Non-DBE quote and Plans/ for Work Offered s/No NO NO NO	led quotes, th submitted to	e price quote for the Bidder whe	or each firm, an never a Non-D DBE or	nd the price o	difference for each selected over a	h DBE if the select DBE for work on the Quote	ted firm is not a DB he Contract.
Items of Work DBE Goal Was	of each DBE and Provide Specifications t Yes YES YES YES YES	DBEs that provid Non-DBE quote and Plans/ for Work Offered s/No NO	led quotes, th submitted to	e price quote for the Bidder whe	or each firm, an never a Non-D DBE or	nd the price o	difference for each selected over a	h DBE if the select DBE for work on the Quote	ted firm is not a DB he Contract.
Items of Work DBE Goal Was	of each DBE and Provide Specifications f Yes YES YES YES YES YES	DBEs that provid Non-DBE quote and Plans/ for Work Offered s/No NO NO NO NO NO NO NO NO	led quotes, th submitted to	e price quote for the Bidder whe	or each firm, an never a Non-D DBE or	nd the price o	difference for each selected over a	h DBE if the select DBE for work on the Quote	ted firm is not a DB he Contract.
Provide copies	of each DBE and Provide Specifications t Ye YES YES YES YES YES YES YES	DBEs that provid Non-DBE quote and Plans/ for Work Offered s/No NO NO NO NO NO NO NO NO	led quotes, th submitted to	e price quote for the Bidder whe	or each firm, an never a Non-D DBE or	nd the price o	difference for each selected over a	h DBE if the select DBE for work on the Quote	ted firm is not a DB he Contract.

DBE GOOD FAITH EFFORTS DOCUMENTATION

OCR-0008 (REV 10/2022)

Bidder's Name: Q&D Construction LLC

Contract No.: 03-2J9104

Page 3 of 3

	Dates	Location (if applicable)	Results
DBE Goal was			
exceeded			
 Describe the Bidder's efforts made assist them in responding to a soli supporting documents. 	to provide interested DBEs with adeq citation. Identify the DBEs assisted,	uate information about the plans, specifications the type of information provided, and the date	s, and requirements of the Contract to e of the contracts. Provide copies of
DBE Goal was exceed	ded		
		onding, lines of credit, or insurance. Identify the	DBEs assisted, the type of assistance
offered, and the dates. Provide copie	es of supporting documents.		
DBE Goal was excee			
The state of the s			
TO THE RESIDENCE OF THE PROPERTY OF THE PARTY OF THE PART			
7. Describe the Bidder's efforts made supplies and equipment the DBE pudates. Provide copies of supportine equipment, supplies, materials, or recommendations.	to assist interested DBEs in obtaining rchases or leases from the prime containing documents. List efforts made to a letted assistance or services, excluding	necessary equipment, supplies, materials, or rel ractor or its affiliate. Identify the DBEs assisted, assist interested DBEs in obtaining bonding, g supplies and equipment the DBE subcontract and the date. Provide copies of supporting docu	the type of assistance offered, and the lines of credit, insurance, necessar or purchases or leases from the prime
7. Describe the Bidder's efforts made supplies and equipment the DBE pudates. Provide copies of supportine equipment, supplies, materials, or recognitions.	to assist interested DBEs in obtaining rehases or leases from the prime contribution of documents. List efforts made to elated assistance or services, excluding DBE assisted, the assistance offered,	ractor or its affiliate. Identify the DBEs assisted, assist interested DBEs in obtaining bonding,	the type of assistance offered, and the lines of credit, insurance, necessar or purchases or leases from the prime
7. Describe the Bidder's efforts made supplies and equipment the DBE pudates. Provide copies of supportir equipment, supplies, materials, or recontractor or its affiliate. Identify the	to assist interested DBEs in obtaining rehases or leases from the prime contribution of documents. List efforts made to elated assistance or services, excluding DBE assisted, the assistance offered,	ractor or its affiliate. Identify the DBEs assisted, assist interested DBEs in obtaining bonding, g supplies and equipment the DBE subcontract	the type of assistance offered, and the lines of credit, insurance, necessar or purchases or leases from the prime
7. Describe the Bidder's efforts made supplies and equipment the DBE pudates. Provide copies of supportine equipment, supplies, materials, or recontractor or its affiliate. Identify the DBE Goal was excess. 8. List the names of agencies and the	to assist interested DBEs in obtaining rehases or leases from the prime control documents. List efforts made to elated assistance or services, excluding DBE assisted, the assistance offered, eded	ractor or its affiliate. Identify the DBEs assisted, assist interested DBEs in obtaining bonding, g supplies and equipment the DBE subcontract	the type of assistance offered, and the lines of credit, insurance, necessar or purchases or leases from the prim- ments.
7. Describe the Bidder's efforts made supplies and equipment the DBE pudates. Provide copies of supportine equipment, supplies, materials, or recontractor or its affiliate. Identify the DBE Goal was excelled.	o assist interested DBEs in obtaining rehases or leases from the prime control of documents. List efforts made to related assistance or services, excluding DBE assisted, the assistance offered, eded	ractor or its affiliate. Identify the DBEs assisted, assist interested DBEs in obtaining bonding, g supplies and equipment the DBE subcontract and the date. Provide copies of supporting docu	the type of assistance offered, and the lines of credit, insurance, necessar or purchases or leases from the prim- ments.
7. Describe the Bidder's efforts made supplies and equipment the DBE pudates. Provide copies of supportine equipment, supplies, materials, or recontractor or its affiliate. Identify the DBE Goal was excess. B. List the names of agencies and the were contacted in writing, provide or the supplies of th	o assist interested DBEs in obtaining rehases or leases from the prime control of documents. List efforts made to related assistance or services, excluding DBE assisted, the assistance offered, eded	ractor or its affiliate. Identify the DBEs assisted, assist interested DBEs in obtaining bonding, g supplies and equipment the DBE subcontract and the date. Provide copies of supporting docu	the type of assistance offered, and the lines of credit, insurance, necessar or purchases or leases from the prim- ments.
DBE Goal was exceed supplies and equipment the DBE pudates. Provide copies of supportine equipment, supplies, materials, or recontractor or its affiliate. Identify the DBE Goal was exceed as the were contacted in writing, provide complete the public based on the were contacted in writing, provide complete the provided of the provide	to assist interested DBEs in obtaining processes or leases from the prime containing documents. List efforts made to a claded assistance or services, excluding DBE assisted, the assistance offered, eded	ractor or its affiliate. Identify the DBEs assisted, assist interested DBEs in obtaining bonding, g supplies and equipment the DBE subcontract and the date. Provide copies of supporting docu	the type of assistance offered, and the lines of credit, insurance, necessar or purchases or leases from the prim- ments.
DBE Goal was exceed supplies and equipment the DBE pudates. Provide copies of supportine equipment, supplies, materials, or recontractor or its affiliate. Identify the DBE Goal was exceed as the were contacted in writing, provide complete the public based on the were contacted in writing, provide complete the provided of the provide	ded o assist interested DBEs in obtaining processes or leases from the prime containing documents. List efforts made to a least as assistance or services, excluding DBE assistance offered, eded dates on which they were contacted to opies of supporting documents.	ractor or its affiliate. Identify the DBEs assisted, assist interested DBEs in obtaining bonding, g supplies and equipment the DBE subcontract and the date. Provide copies of supporting docu	the type of assistance offered, and the lines of credit, insurance, necessar or purchases or leases from the prim- ments.
7. Describe the Bidder's efforts made supplies and equipment the DBE pudates. Provide copies of supportin equipment, supplies, materials, or recontractor or its affiliate. Identify the DBE Goal was exceed. 8. List the names of agencies and the were contacted in writing, provide compact of the description of the were contacted in writing, provide compact of the description of the descriptio	ded o assist interested DBEs in obtaining processes or leases from the prime containing documents. List efforts made to a least as assistance or services, excluding DBE assistance offered, eded dates on which they were contacted to opies of supporting documents.	ractor or its affiliate. Identify the DBEs assisted, assist interested DBEs in obtaining bonding, g supplies and equipment the DBE subcontract and the date. Provide copies of supporting docu	the type of assistance offered, and the lines of credit, insurance, necessar or purchases or leases from the prim- ments.