

**CALTRANS**

**STATE OF CALIFORNIA**

**DEPARTMENT OF TRANSPORTATION**

**BID**

FOR CONSTRUCTION ON STATE HIGHWAY IN  
SANTA CLARA COUNTY IN SAN JOSE FROM ROUTE 280/680/101  
SEPARATION TO 0.2 MILE WEST OF BIRD AVENUE OVERCROSSING  
In District 04 On Route 280

**UNDER**

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*Notice to Bidders and Special Provisions* dated November 20, 2023

*Project plans* approved June 28, 2023

*Standard Specifications* dated 2023

*Standard Plans* dated 2023

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Identified by

Contract No. 04-1Q4604

04-SC1-280-R0.0/R2.7

Project ID 0418000279

Federal - Aid Project

ACIM-2801(992)E

**Electronic Bidding Contract**

Bids open Thursday, March 14, 2024

Dated November 20, 2023

**STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
BID TO THE DEPARTMENT OF TRANSPORTATION  
DES-OE-0102.1 (REV 1/13/2017)**

NAME OF BIDDER DeSilva Gates Construction LLC

BUSINESS STREET ADDRESS 11555 Dublin Boulevard

CITY, STATE, ZIP Dublin, CA, 94568

TELEPHONE NO. with AREA CODE 925-829-9220

FAX NO. with AREA CODE 925-803-4263

CONTRACTOR LICENSE NO. 1078219

PUBLIC WORKS CONTRACTOR REGISTRATION NO. 1000809185

1. Bidder agrees, if this bid is accepted, to enter into a contract with the Department, in the form included in the Standard Specifications, to perform the work provided in the Contract under the terms of the Contract for the price or prices bid.

For a lump sum or unit price based bid, Bidder additionally agrees to perform the work within the number of working days shown on the Notice to Bidders.

For a cost plus time based bid on a contract without a plant establishment or permanent erosion control establishment period, Bidder additionally agrees to perform the work within the number of working days bid.

For a cost plus time based bid on a contract with a plant establishment or permanent erosion control establishment period, Bidder additionally agrees to perform the non-establishment work within the number of working days bid for non-establishment work.

2. For a lump sum based bid, Bidder submits this bid with a total price in the total bid space provided on the Bid Item List. For a unit price or cost plus time based bid, Bidder submits this bid with a unit price and the item total (the product of the unit price and the quantity) for each item and a total price (the sum of the item totals) in the spaces provided on the attached Bid Item List. For a unit price with additive item based bid, Bidder submits this bid with a unit price and an item total for each item and a total base bid (the sum of the item totals) and the additive items in the spaces provided on the attached Bid Item List. Additionally, for a cost plus time based bid, Bidder submits this bid with working days bid for non-establishment work, total bid for time, and total bid for bid comparison in the spaces provided on the Bid Item List.

Bidder agrees:

2.1 If a discrepancy between the unit price and the item total exists, the unit price prevails except:

2.1.1 If the unit price is omitted, or the same as the item total, the item total prevails and the unit price is the quotient of the item total and the quantity.

2.1.2 If a decimal error is apparent in the product of the unit price and the quantity, the Department will use either the unit price or item total based on the closest by percentage to the unit price or item total in the Department's Final Estimate.

2.2 If the unit price and the item total are omitted, the bid may be determined nonresponsive. If a lump sum total price is omitted, the bid may be determined nonresponsive.

2.3 Bids on lump sum items are item totals. If a unit price for a lump sum item is entered and it differs from the the item total, the item total prevails.

2.4 Entries are to be expressed in dollars or decimal fractions of a dollar. Symbols such as commas and dollar signs are ignored and have no significance in establishing unit price or item total.

2.5 Unit prices and item totals are interpreted by the number of digits and decimal placement. Do not round item totals or the total bid.

2.6 For a lump sum based bid, the item total is the bid amount the Department uses for bid comparison.

For a unit price based bid, the sum of the item totals is the bid amount the Department uses for bid comparison.

For a cost plus time based bid, the sum of the item totals and the total bid for time is the bid amount the Department uses for bid comparison.

2.7 The Department's decision on the bid amount is final.

3. Bidder has and acknowledges the following addenda: 4

4. Bidder submits this bid with one of the following forms of bidder's security equal to at least 10 percent of the bid, including any additive items:

Bidder's Bond

5. Bidder's signature is an affirmation of the included certifications. Bidder is cautioned that making a false certification may result in one or more of the following:

5.1 Criminal prosecution

5.2 Rejection of the bid

5.3 Rescission of the award

### 5.4 Termination of the Contract

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BY (Authorized Signature) ;                      DATE SIGNED (Do not type)

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PRINTED NAME AND TITLE OF PERSON SIGNING

ITEM NUMBER	ITEM CODE	QUANTITY	UNIT OF MEASURE	UNIT PRICE	ITEM TOTAL
BID ITEM LIST 1					
BID ITEM LIST					
0001	070030	1.000	LS	\$2,000.00	\$2,000.00
	LEAD COMPLIANCE PLAN				
0002	080060	1.000	LS	\$1,000.00	\$1,000.00
	LEVEL 2 CRITICAL PATH METHOD SCHEDULE				
0003	090105	1.000	LS	\$1,000,000.00	\$1,000,000.00
	TIME-RELATED OVERHEAD (LS)				
0004	090205	7.000	EA	\$6,000.00	\$42,000.00
	DISPUTE RESOLUTION BOARD ON-SITE MEETING				
0005	090210	20.000	HR	\$200.00	\$4,000.00
	HOURLY OFF-SITE DISPUTE-RESOLUTION-BOARD-RELATED TASKS				
0006	120090	1.000	LS	\$55,000.00	\$55,000.00
	CONSTRUCTION AREA SIGNS				
0007	120100	1.000	LS	\$1,640,000.00	\$1,640,000.00
	TRAFFIC CONTROL SYSTEM				
0008	120165	420.000	EA	\$50.00	\$21,000.00
	CHANNELIZER (SURFACE MOUNTED)				
0009	120204	150.000	EA	\$100.00	\$15,000.00
	PORTABLE RADAR SPEED FEEDBACK SIGN SYSTEM DAY				
0010	120320	14200.000	LF	\$12.00	\$170,400.00
	TEMPORARY BARRIER SYSTEM				
0011	128651	12.000	EA	\$10,000.00	\$120,000.00
	PORTABLE CHANGEABLE MESSAGE SIGN (EA)				
0012	000001	1.000	LS	\$0.00	\$0.00
	ITEM DELETED PER ADDENDUM				
0013	000002	1.000	LS	\$0.00	\$0.00
	ITEM DELETED PER ADDENDUM				
0014	000003	1.000	LS	\$0.00	\$0.00
	ITEM DELETED PER ADDENDUM				
0015	000004	1.000	LS	\$0.00	\$0.00
	ITEM DELETED PER ADDENDUM				
0016	014105	27.000	EA	\$5,000.00	\$135,000.00
	ALTERNATIVE TEMPORARY CRASH CUSHION TL-3				
0017	130100	1.000	LS	\$15,000.00	\$15,000.00
	JOB SITE MANAGEMENT				
0018	130301	1.000	LS	\$3,000.00	\$3,000.00
	STORMWATER POLLUTION PREVENTION PLAN				
0019	130320	16.000	EA	\$450.00	\$7,200.00
	STORM WATER SAMPLING AND ANALYSIS DAY				
0020	130330	1.000	EA	\$2,000.00	\$2,000.00
	STORM WATER ANNUAL REPORT				
0021	130620	110.000	EA	\$250.00	\$27,500.00
	TEMPORARY DRAINAGE INLET PROTECTION				
0022	130640	11600.000	LF	\$5.00	\$58,000.00
	TEMPORARY FIBER ROLL				
0023	130730	1.000	LS	\$100,000.00	\$100,000.00

## STREET SWEEPING

0024	130900	1.000 LS	\$10,000.00	\$10,000.00
		TEMPORARY CONCRETE WASHOUT		
0025	140003	1.000 LS	\$2,000.00	\$2,000.00
		ASBESTOS COMPLIANCE PLAN		
0026	141001	1.000 LS	\$3,000.00	\$3,000.00
		HEALTH AND SAFETY PLAN		
0027	141103	10900.000 LF	\$2.00	\$21,800.00
		REMOVE YELLOW THERMOPLASTIC TRAFFIC STRIPE (HAZARDOUS WASTE)		
0028	141120	90400.000 LB	\$0.20	\$18,080.00
		TREATED WOOD WASTE		
0029	149001	1.000 LS	\$1,000.00	\$1,000.00
		DUST CONTROL PLAN (NATURALLY OCCURRING ASBESTOS)		
0030	170103	1.000 LS	\$19,449.00	\$19,449.00
		CLEARING AND GRUBBING (LS)		
0031	190101	83.000 CY	\$600.00	\$49,800.00
		ROADWAY EXCAVATION		
0032	190109	49.000 CY	\$600.00	\$29,400.00
		ROADWAY EXCAVATION (NATURALLY OCCURRING ASBESTOS)		
0033	038519	43400.000 LB	\$3.50	\$151,900.00
		SOIL DENSIFICATION (HIGH DENSITY POLYURETHANE)		
0034	205035	12.000 CY	\$100.00	\$1,200.00
		WOOD MULCH		
0035	210010	16.000 EA	\$900.00	\$14,400.00
		MOVE-IN/MOVE-OUT (EROSION CONTROL)		
0036	210252	67700.000 SQFT	\$0.10	\$6,770.00
		BONDED FIBER MATRIX (SQFT)		
0037	210350	12300.000 LF	\$3.50	\$43,050.00
		FIBER ROLLS		
0038	210430	67700.000 SQFT	\$0.20	\$13,540.00
		HYDROSEED		
0039	210610	170.000 CY	\$100.00	\$17,000.00
		COMPOST (CY)		
0040	210630	9200.000 SQFT	\$0.30	\$2,760.00
		INCORPORATE MATERIALS		
0041	250401	140.000 CY	\$170.00	\$23,800.00
		CLASS 4 AGGREGATE SUBBASE		
0042	260203	230.000 CY	\$275.00	\$63,250.00
		CLASS 2 AGGREGATE BASE (CY)		
0043	390095	230.000 CY	\$800.00	\$184,000.00
		REPLACE ASPHALT CONCRETE SURFACING		
0044	390132	540.000 TON	\$225.00	\$121,500.00
		HOT MIX ASPHALT (TYPE A)		
0045	390137	31900.000 TON	\$162.00	\$5,167,800.00
		RUBBERIZED HOT MIX ASPHALT (GAP GRADED)		
0046	394074	1000.000 LF	\$3.00	\$3,000.00
		PLACE HOT MIX ASPHALT DIKE (TYPE C)		
0047	394076	4150.000 LF	\$3.00	\$12,450.00
		PLACE HOT MIX ASPHALT DIKE (TYPE E)		
0048	394077	4780.000 LF	\$3.00	\$14,340.00

## PLACE HOT MIX ASPHALT DIKE (TYPE F)

0049	397005	110.000 TON	\$1,400.00	\$154,000.00
		TACK COAT		
0050	398100	9090.000 LF	\$4.00	\$36,360.00
		REMOVE ASPHALT CONCRETE DIKE		
0051	398200	237000.000 SQYD	\$5.00	\$1,185,000.00
		COLD PLANE ASPHALT CONCRETE PAVEMENT		
0052	510081	140.000 CY	\$600.00	\$84,000.00
		AGGREGATE BASE (APPROACH SLAB)		
0053	510087	1396.000 CY	\$2,210.00	\$3,085,160.00
		STRUCTURAL CONCRETE, APPROACH SLAB (TYPE R)		
0054	510094	53.000 CY	\$2,500.00	\$132,500.00
		(F) - STRUCTURAL CONCRETE, DRAINAGE INLET		
0055	510501	163.000 CY	\$450.00	\$73,350.00
		(F) - MINOR CONCRETE		
0056	510800	689.000 CF	\$650.00	\$447,850.00
		PAVING NOTCH EXTENSION		
0057	511118	132.000 LF	\$50.00	\$6,600.00
		CLEAN EXPANSION JOINT		
0058	519088	1049.000 LF	\$125.00	\$131,125.00
		JOINT SEAL (MR 1")		
0059	610108	2990.000 LF	\$200.00	\$598,000.00
		18" ALTERNATIVE PIPE CULVERT		
0060	610300	534.000 CY	\$375.00	\$200,250.00
		(F) - CONCRETE BACKFILL (PIPE TRENCH)		
0061	013753	1.000 EA	\$10,000.00	\$10,000.00
		TRASH NET (DOWNDRAIN)		
0062	665711	110.000 LF	\$500.00	\$55,000.00
		12" SLOTTED CORRUGATED STEEL PIPE (.064" THICK)		
0063	709522	23.000 EA	\$1,700.00	\$39,100.00
		INLET DEPRESSION		
0064	014606	1.000 EA	\$1,500.00	\$1,500.00
		REMOVE TEE		
0065	710196	2.000 EA	\$3,000.00	\$6,000.00
		ADJUST INLET		
0066	710262	1.000 EA	\$4,000.00	\$4,000.00
		CAP INLET		
0067	730070	290.000 SQFT	\$30.00	\$8,700.00
		DETECTABLE WARNING SURFACE		
0068	731627	140.000 CY	\$1,200.00	\$168,000.00
		MINOR CONCRETE (CURB, SIDEWALK AND CURB RAMP)		
0069	731760	540.000 SQYD	\$200.00	\$108,000.00
		REMOVE CONCRETE CURB AND SIDEWALK (SQYD)		
0070	733000	16.000 EA	\$1,200.00	\$19,200.00
		PRE/POST CONSTRUCTION SURVEYS		
0071	750001	7498.000 LB	\$5.00	\$37,490.00
		(F) - MISCELLANEOUS IRON AND STEEL		
0072	810120	1210.000 EA	\$5.00	\$6,050.00
		REMOVE PAVEMENT MARKER		
0073	810170	150.000 EA	\$50.00	\$7,500.00

## DELINEATOR (CLASS 1)

0074	810190	350.000 EA	\$30.00	\$10,500.00
		GUARD RAILING DELINEATOR		
0075	810230	5640.000 EA	\$10.00	\$56,400.00
		PAVEMENT MARKER (RETROREFLECTIVE)		
0076	820113	5.000 EA	\$100.00	\$500.00
		TREATMENT BEST MANAGEMENT PRACTICE MARKER		
0077	820250	17.000 EA	\$125.00	\$2,125.00
		REMOVE ROADSIDE SIGN		
0078	820300	36.000 EA	\$75.00	\$2,700.00
		REMOVE ROADSIDE SIGN (STRAP AND SADDLE BRACKET METHOD)		
0079	820360	38.000 EA	\$150.00	\$5,700.00
		REMOVE SIGN PANEL		
0080	820750	960.000 SQFT	\$20.00	\$19,200.00
		FURNISH SINGLE SHEET ALUMINUM SIGN (0.063"-UNFRAMED)		
0081	820760	820.000 SQFT	\$20.00	\$16,400.00
		FURNISH SINGLE SHEET ALUMINUM SIGN (0.080"-UNFRAMED)		
0082	820780	170.000 SQFT	\$40.00	\$6,800.00
		FURNISH SINGLE SHEET ALUMINUM SIGN (0.063"-FRAMED)		
0083	820790	540.000 SQFT	\$30.00	\$16,200.00
		FURNISH SINGLE SHEET ALUMINUM SIGN (0.080"-FRAMED)		
0084	820840	64.000 EA	\$350.00	\$22,400.00
		ROADSIDE SIGN - ONE POST		
0085	820850	12.000 EA	\$700.00	\$8,400.00
		ROADSIDE SIGN - TWO POST		
0086	820860	44.000 EA	\$150.00	\$6,600.00
		INSTALL SIGN (STRAP AND SADDLE BRACKET METHOD)		
0087	820890	170.000 SQFT	\$100.00	\$17,000.00
		INSTALL SIGN PANEL ON EXISTING FRAME		
0088	820900	32.000 EA	\$125.00	\$4,000.00
		INSTALL ROADSIDE SIGN PANEL ON EXISTING POST		
0089	832007	7760.000 LF	\$43.00	\$333,680.00
		MIDWEST GUARDRAIL SYSTEM (WOOD POST)		
0090	832070	4600.000 SQYD	\$110.00	\$506,000.00
		VEGETATION CONTROL (MINOR CONCRETE)		
0091	839543	16.000 EA	\$6,000.00	\$96,000.00
		TRANSITION RAILING (TYPE WB-31)		
0092	839576	8.000 EA	\$1,000.00	\$8,000.00
		END CAP (TYPE A)		
0093	839580	13.000 EA	\$2,000.00	\$26,000.00
		END ANCHOR ASSEMBLY (TYPE SFT-M)		
0094	015299	21.000 EA	\$5,000.00	\$105,000.00
		ALTERNATIVE IN-LINE TERMINAL TL-3		
0095	015019	2.000 EA	\$50,000.00	\$100,000.00
		ALTERNATIVE CRASH CUSHION TL-3		
0096	015295	3.000 EA	\$60,000.00	\$180,000.00
		ALTERNATIVE CRASH CUSHION WIDE TL-3		
0097	839745	458.000 LF	\$1,000.00	\$458,000.00
		(F) - CONCRETE BARRIER TRANSITION		
0098	015477	30.000 LF	\$500.00	\$15,000.00



REMOVE CONCRETE END BLOCK					
0099	839752	6410.000 LF		\$10.00	\$64,100.00
		REMOVE GUARDRAIL			
0100	839780	764.000 LF		\$200.00	\$152,800.00
		REMOVE BARRIER RAILING			
0101	839783	3.000 EA		\$1,000.00	\$3,000.00
		REMOVE CRASH CUSHION (SAND FILLED)			
0102	840516	8070.000 SQFT		\$22.00	\$177,540.00
		THERMOPLASTIC PAVEMENT MARKING (ENHANCED WET NIGHT VISIBILITY)			
0103	846007	63200.000 LF		\$3.00	\$189,600.00
		6" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY)			
0104	846013	7210.000 LF		\$5.00	\$36,050.00
		12" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY)			
0105	846030	56200.000 LF		\$1.00	\$56,200.00
		REMOVE THERMOPLASTIC TRAFFIC STRIPE			
0106	846035	1710.000 SQFT		\$5.00	\$8,550.00
		REMOVE THERMOPLASTIC PAVEMENT MARKING			
0107	037283	7870.000 LF		\$6.00	\$47,220.00
		8" TRAFFIC STRIPE TAPE (WARRANTY) (BROKEN 12-3)			
0108	847077	3600.000 LF		\$5.00	\$18,000.00
		8" TRAFFIC STRIPE TAPE WITH CONTRAST (WARRANTY) (BROKEN 12-3)			
0109	847105	4040.000 LF		\$12.00	\$48,480.00
		12" TRAFFIC STRIPE TAPE WITH CONTRAST (WARRANTY)			
0110	847211	64500.000 LF		\$4.00	\$258,000.00
		6" TRAFFIC STRIPE TAPE (WARRANTY) (BROKEN 18-12)			
0111	847213	4530.000 LF		\$4.00	\$18,120.00
		6" TRAFFIC STRIPE TAPE (WARRANTY) (BROKEN 17-7)			
0112	847216	3410.000 LF		\$6.00	\$20,460.00
		8" TRAFFIC STRIPE TAPE (WARRANTY)			
0113	847218	21200.000 LF		\$8.00	\$169,600.00
		6" TRAFFIC STRIPE TAPE WITH CONTRAST (WARRANTY)			
0114	847219	31900.000 LF		\$6.00	\$191,400.00
		6" TRAFFIC STRIPE TAPE WITH CONTRAST (WARRANTY) (BROKEN 18-12)			
0115	847221	1040.000 LF		\$6.00	\$6,240.00
		6" TRAFFIC STRIPE TAPE WITH CONTRAST (WARRANTY) (BROKEN 17-7)			
0116	847224	530.000 LF		\$10.00	\$5,300.00
		8" TRAFFIC STRIPE TAPE WITH CONTRAST (WARRANTY)			
0117	870009	1.000 LS		\$2,500.00	\$2,500.00
		MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION			
0118	872134	1.000 LS		\$175,000.00	\$175,000.00
		MODIFYING RAMP METERING SYSTEMS			
0119	999990	1.000 LS		\$2,187,654.00	\$2,187,654.00
		MOBILIZATION			
Section 1 Total					\$21,876,543.00
Item Total					\$21,876,543.00

	<b>COST PER DAY</b>	<b>WORKING DAYS BID</b>	<b>TOTAL BID FOR TIME</b>
1	13200.00	250	\$3,300,000.00
WORKING DAYS BID (Do not bid less than 250 days and not more than 320 days)			
Site Total			\$3,300,000.00

Item Total: \$21,876,543.00

Total Bid for time: \$3,300,000.00

Total Bid: \$25,176,543.00

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
SUBCONTRACTOR LIST
DES-OE-0102.2C (REV. 3/2015)

Enter Bid Item Number. (Item)

Enter percent of Bid Item subcontracted. (%)

If the percentage of the bid item work is less than 100 percent, list the description of the portion of the work to be subcontracted. Enter the description of the percentage of work to be performed by subcontractor. (Description)

DO NOT USE SEMICOLONS (;) IN YOUR INPUT.

Sample Data Entry:

Table with 3 columns: Item, %, Description. Rows include: 6 75 striping, 42 15 reinforcement, 54 100

1) List this subcontractor? YES NO
Business Name Vanguard Construction Location City Livermore State Ca
California Contractor License Number 833032 Public Works Contractor Registration
Number 1000008493
Portion of Work Subcontracted
Item % Description
53 100 Bid Items 53,56,
52 100

2) List this subcontractor? YES NO
Business Name Vanguard Construction Location City Livermore State Ca
California Contractor License Number 833032 Public Works Contractor Registration
Number 1000008493
Portion of Work Subcontracted
Item % Description
97 100

3) List this subcontractor? YES NO
Business Name Farwest Safety, Inc. Location City Lodi State Ca
California Contractor License Number 523187 Public Works Contractor Registration
Number 1000001371
Portion of Work Subcontracted
Item % Description
6 100 Bid Items 6,8,73,74

4) List this subcontractor? YES NO
Business Name Dekay Demolition and Clearing Inc Location City Oakland State CA
California Contractor License Number 902267 Public Works Contractor Registration
Number 1000004429

Portion of Work Subcontracted			Description
Item	%		
30	100	Bid Items 30,100	

5) List this subcontractor?  YES  NO  
 Business Name Vanguard Construction Location City Livermore State Ca  
 California Contractor License Number 833032 Public Works Contractor Registration  
 Number 1000008493

Portion of Work Subcontracted			Description
Item	%		
67	100	Bid Items 67,68,69	
42	75	Class II AB Under Flatwork	
31	80	Roadway Excavation for Minor Concrete	

6) List this subcontractor?  YES  NO  
 Business Name TDW CONSTRUCTION, INC. Location City Livermore State CA  
 California Contractor License Number 474414 Public Works Contractor Registration  
 Number 1000005600

Portion of Work Subcontracted			Description
Item	%		
54	100	Bid Items 54,63,65,66,71	

7) List this subcontractor?  YES  NO  
 Business Name ST. FRANCIS ELECTRIC Location City San Leandro State CA  
 California Contractor License Number 1003811 Public Works Contractor Registration  
 Number 1000022208

Portion of Work Subcontracted			Description
Item	%		
117	100	Bid Items 117,118	

8) List this subcontractor?  YES  NO  
 Business Name Arctos Erosion Control, Inc. Location City Elk Grove State CA  
 California Contractor License Number 1056119 Public Works Contractor Registration  
 Number 1000460390

Portion of Work Subcontracted			Description
Item	%		
34	100	Bid Items 34-40	

9) List this subcontractor?  YES  NO  
 Business Name Arctos Erosion Control, Inc. Location City Elk Grove State CA  
 California Contractor License Number 1056119 Public Works Contractor Registration  
 Number 1000460390

Portion of Work Subcontracted			Description
Item	%		
21	100		
22	100		

10) List this subcontractor?  YES  NO

Business Name Dirt & Aggregate Interchange, Inc. Location City Fairview State OR  
 California Contractor License Number 507828 Public Works Contractor Registration  
 Number 1000010905  
 Portion of Work Subcontracted  
 Item % Description  
 28 99 Treated Wood Waste for Guardrail Work Only  
 89 100 Bid items 89,91-99

11) List this subcontractor?  YES  NO  
 Business Name Case Pacific Company Location City Livermore State CA  
 California Contractor License Number 259827 Public Works Contractor Registration  
 Number 1000006311  
 Portion of Work Subcontracted  
 Item % Description  
 33 100

12) List this subcontractor?  YES  NO  
 Business Name Farwest Safety, Inc. Location City Lodi State Ca  
 California Contractor License Number 523187 Public Works Contractor Registration  
 Number 1000001371  
 Portion of Work Subcontracted  
 Item % Description  
 28 1 Treated Wood Waste for Roadside Sign Work Only  
 76 100 Bid Items 76-88

13) List this subcontractor?  YES  NO  
 Business Name Central Striping Service, Inc. Location City Rancho Cordova State Ca  
 California Contractor License Number 403896 Public Works Contractor Registration  
 Number 1000006499  
 Portion of Work Subcontracted  
 Item % Description  
 1 100  
 27 100 Bid Items 27,72,75,102-116

14) List this subcontractor?  YES  NO  
 Business Name TDW Construction, Inc. Location City Livermore State CA  
 California Contractor License Number 474414 Public Works Contractor Registration  
 Number 1000005600  
 Portion of Work Subcontracted  
 Item % Description  
 55 100 Bid Items 55,59,60-62,64  
 41 100  
 44 50 Underground HMA Patching

15) List this subcontractor?  YES  NO  
 Business Name M. F. MAHER, INC. Location City Vallejo State CA  
 California Contractor License Number 269039 Public Works Contractor Registration  
 Number 1000002544  
 Portion of Work Subcontracted  
 Item % Description  
 90 100

16) List this subcontractor?  YES  NO  
 Business Name Western Traffic Supply, Inc. Location City Pleasanton State CA  
 California Contractor License Number 974188 Public Works Contractor Registration  
 Number 1000003313  
 Portion of Work Subcontracted  
 Item % Description  
 7 55 Lane Closure Traffic Control

17) List this subcontractor?  YES  NO  
 Business Name Vanguard Construction, Inc. Location City Livermore State CA  
 California Contractor License Number 833032 Public Works Contractor Registration  
 Number 1000008493  
 Portion of Work Subcontracted  
 Item % Description  
 57 100  
 58 100

18) List this subcontractor?  YES  NO  
 Business Name ABSL Construction Location City Hayward State CA  
 California Contractor License Number 621781 Public Works Contractor Registration  
 Number 1000002818  
 Portion of Work Subcontracted  
 Item % Description  
 51 50 Cold Plane Rental (Only)

19) List this subcontractor?  YES  NO  
 Business Name Location City State  
 California Contractor License Number Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item % Description

20) List this subcontractor?  YES  NO  
 Business Name Location City State  
 California Contractor License Number Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item % Description

21) List this subcontractor?  YES  NO  
 Business Name Location City State  
 California Contractor License Number Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item % Description

22) List this subcontractor?  YES  NO  
 Business Name    Location City    State  
 California Contractor License Number                      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

23) List this subcontractor?  YES  NO  
 Business Name    Location City    State  
 California Contractor License Number                      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

24) List this subcontractor?  YES  NO  
 Business Name    Location City    State  
 California Contractor License Number                      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

25) List this subcontractor?  YES  NO  
 Business Name    Location City    State  
 California Contractor License Number                      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

26) List this subcontractor?  YES  NO  
 Business Name    Location City    State  
 California Contractor License Number                      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

27) List this subcontractor?  YES  NO  
 Business Name    Location City    State  
 California Contractor License Number                      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

28) List this subcontractor?  YES  NO

Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

29) List this subcontractor?     YES     NO

Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

30) List this subcontractor?     YES     NO

Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

31) List this subcontractor?     YES     NO

Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

32) List this subcontractor?     YES     NO

Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

33) List this subcontractor?     YES     NO

Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

34) List this subcontractor?     YES     NO

Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted



Item % Description

35) List this subcontractor?  YES  NO  
 Business Name Location City State  
 California Contractor License Number Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item % Description

36) List this subcontractor?  YES  NO  
 Business Name Location City State  
 California Contractor License Number Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item % Description

37) List this subcontractor?  YES  NO  
 Business Name Location City State  
 California Contractor License Number Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item % Description

38) List this subcontractor?  YES  NO  
 Business Name Location City State  
 California Contractor License Number Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item % Description

39) List this subcontractor?  YES  NO  
 Business Name Location City State  
 California Contractor License Number Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item % Description

40) List this subcontractor?  YES  NO  
 Business Name Location City State  
 California Contractor License Number Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item % Description

41) List this subcontractor?  YES  NO  
 Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

42) List this subcontractor?  YES  NO  
 Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

43) List this subcontractor?  YES  NO  
 Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

44) List this subcontractor?  YES  NO  
 Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

45) List this subcontractor?  YES  NO  
 Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

46) List this subcontractor?  YES  NO  
 Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

47) List this subcontractor?  YES  NO  
 Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

48) List this subcontractor?  YES  NO  
 Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

49) List this subcontractor?  YES  NO  
 Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

50) List this subcontractor?  YES  NO  
 Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

51) List this subcontractor?  YES  NO  
 Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

52) List this subcontractor?  YES  NO  
 Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number  
 Portion of Work Subcontracted  
 Item                      %                      Description

53) List this subcontractor?  YES  NO  
 Business Name      Location City      State  
 California Contractor License Number      Public Works Contractor Registration Number



60) List this subcontractor?  YES  NO

Business Name      Location City      State

California Contractor License Number      Public Works Contractor Registration Number

Portion of Work Subcontracted

Item                      %                      Description

**STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
OPT OUT OF PAYMENT ADJUSTMENTS FOR PRICE INDEX FLUCTUATIONS  
DES-OE-01012.a (REV 8/2012)**

To opt out of payment adjustments for price index fluctuations as specified, complete this form.

I opt out of the payment adjustments for price index fluctuations.

Enter Date and Name to opt out of payment adjustments for price index fluctuations.

Date:

Bidder's Name:

\_\_\_\_\_

Signature of Bidder: \_\_\_\_\_

**STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
SMALL BUSINESS STATUS  
DES-OE-0102.4 (REV 3/2008)**

Are you certified as a "Small Business" by the Office of Small Business and DVBE Services of the Department of General Services of the State of California?:

YES       NO      Certification number?:

Note: This small business questionnaire is included for statistical reporting only.

**CERTIFICATIONS****FEDERAL-AID PROJECTS DISCLOSURE OF LOBBYING ACTIVITIES CERTIFICATION**

Bidder certifies, to the best of his or her knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities," in conformance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 USC section 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Bidder also agrees by submitting a bid that it must require the language of this certification be included in subcontracts over \$100,000 and these subcontractors shall certify and disclose.

**DISCLOSURE OF LOBBYING ACTIVITIES**

Approved by OMB 0348-0046

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352       YES       NO

1. Type of Federal Action:

2. Status of Federal Action:

3. Report Type:

For Material Change Only:

Year

Quarter

Date of last report

4. Name and Address of Reporting Entity:

Tier , if known

Congressional District, if known :



5. If Reporting Entity in No. 4 is Subawardee Enter Name and Address of Prime:

Congressional District, if known:

6. Federal Department/Agency:

7. Federal Program Name/Description:

CFDA Number, if applicable

8. Federal Action Number, if known:

9. Award amount, if known (\$):

10. a. Name and Address of Lobby Registrant (if individual, last name, first name, MI):

b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):

11. Information requested through this form is authorized by Title 31 U.S.C. Section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Print Name:

Title:

Telephone No.:

Date:

Signature\_\_\_\_\_

Federal Use Only:

Authorized for Local Reproduction  
Standard Form - LLL(Rev.7-97)

### **INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES**

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence, the outcome of a covered Federal action.

2. Identify the status of the covered Federal action.

3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last, previously submitted report by this reporting entity for this covered Federal action.

4. Enter the full name, address, city, State, and zip code of the reporting entity. Include Congressional District if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.

5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District if known.

6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.

7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans and loan commitments.

8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number;

Invitation for Bid (IFB) number; grant announcement number, the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."

9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitments for the prime entity identified in item 4 or 5.

10.(a)Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action. (b)Enter the full names of the individual(s) performing services and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).

11.The certifying official shall sign and date the form, print his/her name title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

**STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
CERTIFICATIONS****EQUAL EMPLOYMENT OPPORTUNITY REGULATION CERTIFICATION**

Bidder DeSilva Gates Construction LLC, proposed subcontractor ,certifies that he has participated in a previous contract or subcontract subject to the equal opportunity clauses, as required by Executive Orders 10925, 11114, or 11246, and that, if required, he has filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the filing requirements.

**Notes:**

The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7(b) (1)), and must be submitted by bidders and proposed subcontractors only in connection with contracts and subcontracts which are subject to the equal opportunity clause. Contracts and subcontracts which are exempt from the equal opportunity clause are set forth in 41 CFR 60-1.5. (Generally only contracts or subcontracts of \$10,000 or under are exempt.)

Currently, Standard Form 100 (EEO-1) is the only report required by the Executive Orders or their implementing regulations.

Prime contractors and subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note 41 CFR 60-1.7(b)(1) prevents the award of contracts and subcontracts unless the Contractor submits a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor.

**TITLE 49, CODE OF FEDERAL REGULATIONS, PART 29, DEBARMENT AND SUSPENSION  
CERTIFICATION**

Bidder, under penalty of perjury, certifies that, except as noted below, it or any other person associated therewith in the capacity of owner, partner, director, officer, manager:

is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;

has not been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past 3 years;

does not have a proposed debarment pending; and

has not been indicted, convicted, or had a civil judgement rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

If there are any exceptions to this certification, insert the exceptions in the following space.

Exceptions will not necessarily result in denial of award, but will be considered in determining bidder responsibility. For any exception noted above, indicate below to whom it applies, initiating agency, and dates of action.

#### UNDOCUMENTED ALIENS EMPLOYMENT

Under Pub Cont Code § 6101, the Bidder certifies compliance with state and federal law respecting the employment of undocumented aliens.

#### NONCOLLUSION

##### NONCOLLUSION AFFIDAVIT TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID

Under PCC 7106 and 23 USC 112, the bidder declares as follows:

State of CA County of Alameda

Name: Michael Gates ,  
being first duly sworn, deposes and says that he or she is Vice President of DeSilva Gates Construction  
the party making the foregoing bid that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

#### CHILD SUPPORT COMPLIANCE ACT

Under Pub Cont Code § 7110, the contractor acknowledges that:

1. The contractor recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders,

as provided in Chapter 8 (commencing with section 5200) of Part 5 of Division 9 of the Family Code; and

2. The contractor to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the Employment Development Department.



## NATIONAL LABOR RELATIONS BOARD

Under Pub Cont Code 10232, the contractor, swears under penalty of perjury, that no more than one final unappealable finding of contempt of court by a federal court has been issued against the contractor within the immediately preceding two year period because of the contractor's failure to comply with an order of a federal court which orders the contractor to comply with an order of the National Labor Relations Board.

## VIOLATION OF LAW OR A SAFETY REGULATION

Under Pub Cont Code 10162, the Bidder must complete, under penalty of perjury, the following questionnaire:

Has the Bidder, any officer of the Bidder, or any employee of the Bidder who has a proprietary interest in the Bidder, ever been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of a violation of law or a safety regulation?

YES  NO

If the answer is yes, explain the circumstances in the following space.

## ANTITRUST LAW

Under Pub Con Code § 10285.1, the Bidder declares under penalty of perjury under the laws of the State of California that the Bidder  has  has not been convicted within the preceding three years of any offenses referred to in that section, including any charge of fraud, bribery, collusion, conspiracy, or any other act in violation of any state or federal antitrust law in connection with the bidding upon, award of, or performance of, any public works contract, as defined in Pub Cont Code § 1101, with any public entity, as defined in Pub Cont Code § 1100, including the Regents of the University of California or the Trustees of the California State University. The term "Bidder" includes any partner, member, officer, director, responsible managing officer, or responsible managing employee thereof, as referred to in Section 10285.1.

If the Bidder has been convicted of an offense within the past 3 years, provide the conviction details including the date and ultimate resolution of each conviction in the space below.

## PERMITS, LICENSES, AGREEMENTS, CERTIFICATIONS, AND RAILROAD RELATIONS AND INSURANCE REQUIREMENTS

Bidder acknowledges that permits, licenses, agreements, certifications, and the requirements in the document titled "Railroad Relations and Insurance Requirements" are components of the Contract under section 5-1.02 of the Standard Specifications.

**BIDDER RESPONSIBILITY QUESTIONNAIRE**

Failure to truthfully answer the following questions will result in a finding that the bid is nonresponsive. The Bidder must complete, under penalty of perjury, the following questionnaire:

1. Within the past 10 years, has the Bidder been found to be a nonresponsible bidder by any public entity, including federal, State, local, or regional entities?

YES  NO

2. Within the past 10 years, have any of the Bidder's officers or employees with a proprietary interest in the Bidder been determined to be a nonresponsible bidder by a public entity, including federal, State, local or regional entities?

YES  NO

3. Is there any officer or employee of the Bidder who now has or has had any proprietary interest in another company that bid or bids on public works projects whose company has been determined to be a nonresponsible bidder by any public entity, including federal, State, local, or regional entities?

YES  NO

4. If the answer to any of the 3 preceding questions is yes, disclose all pertinent details of the determination of nonresponsibility, including:

4.1. Date of each nonresponsibility determination

4.2. Name of each public agency issuing the nonresponsibility determination and a contact person at that agency who would have information about the determination

4.3. Contract number for each nonresponsibility determination

**Executive Order N-6-22 - Russia Sanctions**

On March 4, 2022, Governor Gavin Newsom issued Executive Order N-6-22 (the EO) regarding Economic Sanctions against Russia and Russian entities and individuals. "Economic Sanctions" refers to sanctions imposed by the U.S. government in response to Russia's actions in Ukraine, as well as any sanctions imposed under state law unless the contract has been Federalized (i.e. there is federal participation in any phase). By submitting a bid or proposal, Contractor represents that it is not a target of Economic Sanctions. Should the State determine Contractor is a target of Economic Sanctions or is conducting prohibited transactions with sanctioned individuals or entities,

that shall be grounds for rejection of the Contractor's bid/proposal any time prior to contract execution, or, if determined after contract execution, shall be grounds for termination by the State.

END CERTIFICATIONS - FEDERAL

## Bidder's Bond

### DES-OE-0102.3 (REV 3/2008)

Bidder's Security: Electronic Bidder's Bond

If electronic Bid Bond data is not submitted with bid, submit Bidder's Security. Bidder's Security must be received by Office Engineer before bid opening date and time. Bid Bond forms can be downloaded from the Caltrans Electronic Bidding website at: [http://www.dot.ca.gov/hq/esc/oe/electronic\\_bidding/electronic\\_bidding.html](http://www.dot.ca.gov/hq/esc/oe/electronic_bidding/electronic_bidding.html). Bid Bond forms are also the last 2 pages of the printout of the electronic bid.

Bond ID: SCA0311415045

Bond Registry: Surety2000

Bond Percent: 10

**STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
BIDDER'S BOND  
DES-OE-0102.3 (REV 3/2008)**

Contract No. 04-1Q4604

Bond No. \_\_\_\_\_

We \_\_\_\_\_

\_\_\_\_\_ as Principal, and

\_\_\_\_\_ as Surety are bound unto the State of California, Department of Transportation, hereafter referred to as "Obligee", in the penal sum of ten percent (10%) of the total amount of the bid of the Principal submitted to the Obligee for the work described below, for the payment of which sum we bind ourselves, jointly and severally,

**THE CONDITION OF THIS OBLIGATION IS SUCH, THAT:**

WHEREAS, the Principal is submitting a bid to the Obligee, for CONSTRUCTION ON STATE HIGHWAY IN SANTA CLARA COUNTY IN SAN JOSE FROM ROUTE 280/680/101 SEPARATION TO 0.2 MILE WEST OF BIRD AVENUE OVERCROSSING In District 04 On Route 280 for which bids are to be opened at 1727 30th Street, Sacramento CA 95816 on Thursday, March 14, 2024

NOW, THEREFORE, if the Principal is awarded the contract, and, within the time and manner required under the specifications, after the prescribed forms are presented to him for signature, enters into a written contract, in the prescribed form, in accordance with the bid, and files two bonds with the Obligee, one to guarantee faithful performance (if specified in the contract) of the contract and the other to guarantee payment for labor and materials as provided by law, then this obligation shall be null and void; otherwise, it shall remain in full force.

In the event a suit is brought upon this bond by the Obligee and judgment is recovered, the Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorney's fee to be fixed by the court.

Dated \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Principal

\_\_\_\_\_  
Surety

\_\_\_\_\_  
Address of Surety (For correspondence or claims)

By \_\_\_\_\_

Attorney-in-Fact

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

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

\_\_\_\_\_  
State of California

County of \_\_\_\_\_

On this \_\_\_\_\_ before me, \_\_\_\_\_ ,  
Date Here Insert Name and Title of the Officer

personally appeared \_\_\_\_\_ ,  
Name(s) of Signer(s)

\_\_\_\_\_  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

(SEAL)


Signature \_\_\_\_\_  
Signature of Notary Public

# Bid Bond in Accordance with Contract Specifications

Be sure to refer to the actual bond documents referenced in the contract specifications for specific terms before completing this form.

<b>PRINCIPAL NAME</b> DeSilva Gates Construction LLC	<b>PRINCIPAL ADDRESS</b> 11555 Dublin Boulevard, Dublin, CA 94568
<b>SURETY NAME</b> Travelers Casualty and Surety Company of America	<b>SURETY ADDRESS</b> 1 Tower Square, Hartford, CT 06183
<b>OBLIGEE NAME</b> State of California, Department of Transportation	<b>OBLIGEE ADDRESS</b> 1727 30th Street, Bidders' Exchange, MS 26, Sacramento, CA 95816

## Bond Information

<b>BID DATE</b> 03/14/2024	<b>CONTRACT ID</b> 04-1Q4604	<b>CONTRACT VENDOR ID</b> VC0000003932
<b>PROJECT DESCRIPTION</b> Construction on State Highway in Santa Clara County in San Jose from Route 280/680/101 Separation to 0.2 Mile West of Bird Avenue Overcrossing, Contract No. 04-1Q4604, Federal Aid Project No. ACIM - 2801(992)E		
<b>AMOUNT OF BID SECURITY</b> 10%	<b>AMOUNT OF BID SECURITY-SPELLED OUT</b> Ten percent of amount bid	
<b>BOND ENTERED AND EXECUTED BY</b> Susan Lupski		<b>ATTORNEY-IN-FACT SIGNATURE</b> 

Know all men by these presents that Travelers Casualty and Surety Company of America, a Corporation duly organized under the laws of the State of Connecticut, are held and firmly bound unto the above owner/obligee by the transmission. The surety agrees to waive the statute of fraud defense and further agrees that the owner/obligee is a third party beneficiary of the waiver for the purposes of enforcing this bid bond.





**Travelers Casualty and Surety Company of America  
Travelers Casualty and Surety Company  
St. Paul Fire and Marine Insurance Company  
Farmington Casualty Company**

**POWER OF ATTORNEY**

**KNOW ALL MEN BY THESE PRESENTS:** That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, St. Paul Fire and Marine Insurance Company, and Farmington Casualty Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint **Susan Lupski** of **Uniondale**, **New York**, their true and lawful Attorney(s)-in-Fact to sign, execute, seal and acknowledge the following bond:

**Surety Bond No.:** SCA0311415045

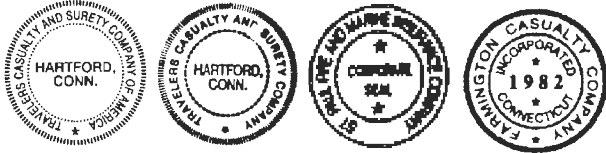
**Principal:** DeSilva Gates Construction LLC

OR

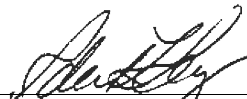
**Project Description:**

**Obligee:** State of California, Department of Transportation

**IN WITNESS WHEREOF**, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this **21st** day of **April, 2021**.



State of Connecticut

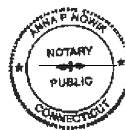
By:   
Robert L. Raney, Senior Vice President

City of Hartford ss.

On this the **21st** day of **April, 2021**, before me personally appeared **Robert L. Raney**, who acknowledged himself to be the Senior Vice President of each of the Companies, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of said Companies 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, 2026**



  
Anna P. Nowik, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of each of the Companies, 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

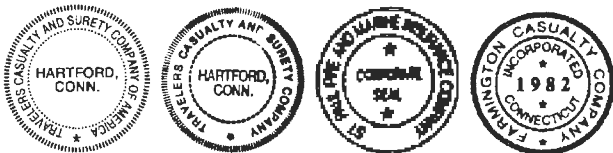
**FURTHER RESOLVED**, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is 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 each of the Companies, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this **03/11/2024**



  
Kevin E. Hughes, Assistant Secretary

To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.

Please refer to the above-named Attorney(s)-in-Fact and the details of the bond to which this Power of Attorney is attached.

