

**DEPARTMENT OF TRANSPORTATION**

DIVISION OF ENGINEERING SERVICES

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Making Conservation  
a California Way of Life.

September 18, 2024

Email: brian@ghilotti.com

Brian Ongaro, President  
Ghilotti Construction Company, Inc.  
246 Ghilotti Avenue  
Santa Rosa, CA 95407

01-0F7104  
01-Men-1-6.4/9.5  
B.O. 9/12/2024

Dear Mr. Ongaro:

The Department of Transportation (Caltrans) received a bid from Ghilotti Construction Company, Inc. (Ghilotti), on September 12, 2024, for the above Federal-Aid contract. Caltrans reviewed Ghilotti's Subcontractor List form and found both Apex Fence Co. (Apex), and MCW Traffic Control (MCW), are listed to perform bid item 23, Treated Wood Waste. Apex is listed to perform 100 percent and MCW is listed to perform 26 percent for a total of 126 percent.

Caltrans refers Ghilotti to Public Contract Code Section 4106 which states in part:

"If a prime contractor fails to specify a subcontractor or if a prime contractor specifies more than one subcontractor for the same portion of work to be performed under the contract in excess of one-half of 1 percent of the prime contractor's total bid, the prime contractor agrees that he or she is fully qualified to perform that portion himself or herself, and that the prime contractor shall perform that portion himself or herself."

As such, if awarded contract 01-0F7104, Ghilotti must perform bid item 23 with its own forces, as it failed to adequately specify a subcontractor for these bid items in its bid.

**The Resident Engineer will receive a copy of this letter for contract administration and compliance.**

If you have any questions, please contact Juan Loera, Contract Awards Branch Chief at (916) 227-5964.

Sincerely,

*April Perez-Hollins*

April Perez-Hollins  
Office Chief  
Construction Contract Awards  
Program/Project Management, Office Engineer  
Division of Engineering Services






# 01-0F7104 Ghilotti Construction Company Self Perform

Final Audit Report

2024-09-18

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