

00 41 43 – BID FORMS

BID ACKNOWLEDGMENT

Bids will be received at the office of Public Works Located at 201 N E Street, 2nd Floor, San Bernardino, California 92401 until **3:00 p.m. on Thursday, June 27, 2024.**

Speicher Park Ballfields Improvements

NAME OF BIDDER: Bilbro Construction, INC.

To the **CITY OF SAN BERNARDINO** , with its principal place of business at Vanir Tower, 290 North D Street, San Bernardino, California 92401.

- A. In response to the Notice Inviting Bids dated **June 6, 2024**, and in accordance with the accompanying Instructions to Bidders, the undersigned hereby proposes to the City to furnish all labor, technical and professional services, supervision, materials and equipment, other than materials and equipment specified as furnished by the City, and to perform all operations necessary and required to construct the Project in accordance with the provisions of the Contract Documents and any addenda thereto, and at the prices stated opposite the respective items set forth in the Bid Schedule.
- B. This Bid constitutes a firm offer to the City which cannot be withdrawn for 90 days after the date set for opening of Bids, or until a Contract is executed by the City and a third party, whichever is earlier.
- C. The undersigned certifies that it has examined and is fully familiar with all of the provisions of the Contract Documents and any addenda thereto; that it has carefully checked all of the words and figures shown in its Bid Schedule; that it has carefully reviewed the accuracy of all statements in this Bid and attachments hereto; and that it understands and agrees that the City will not be responsible for any errors or omissions on the part of the undersigned in preparing this Bid.
- D. If awarded a Contract, the undersigned agrees to execute and deliver to the City within ten (10) days after date of receipt of Notice of Award, a signed Contract and the necessary Performance Bond, Payment Bond, and Certificates of Insurance and Endorsements.
- E. The following Bid Forms, which have been completed and executed by the undersigned Bidder, are incorporated by this reference and made a part of this Bid:
 - 1. Bid Schedule
 - 2. Bid Guarantee in the amount of not less than 10% of the Total Bid Price.
 - 3. Completed Designation of Subcontractors form.
 - 4. Fully executed Non collusion Declaration form.
 - 5. Completed Iran Contracting Act Certification form.

6. Completed Public Works Contractor DIR Registration Certification form.
7. Non-Lobbying Certification for Federal-Aid Contracts
8. Completed Contractor's Certificate Regarding Workers' Compensation form.
9. Completed Bidder Information and Experience Form.

F. The undersigned is hereby representing that it is and will be properly licensed both at the time that it submits a Bid as well as at the time the Contract is awarded, if the Contract is awarded to the undersigned.

1. Individual Contractor. Undersigned certifies that it is now licensed in accordance with the provisions of the Contractor's License Law of the State of California.

License number 824679

Expiration date 9/30/2025

License classification A, B, C-8

1. Joint Venture. Undersigned certifies that the individual members of the joint venture are now licensed in accordance with the provisions of the Contractor's License Law of the State of California.

Member No. 1

Name N/A

License number _____

Expiration date _____

License classification _____

Member No. 2

Name N/A

License number _____

Expiration date _____

License classification _____

(If there are more than two members of the joint venture, attach a page for the additional member(s) with the above information.)



City of San Bernardino

Contract Documents and Specifications for Speicher Park Ballfields Improvements

**Contract No. PR 23-006
RFQ F-24-4005**

Addendum No.1

To all prospective bidders, the following information has been changed for the contract documents and specifications for Speicher Park Ballfields Improvements:

City of San Bernardino response to bidder questions

Original Date: 6/20/2024

New Date: 6/27/2024

Bid Due Date

Original: Up to but not later than 3:00 p.m. on Thursday June 27, 2024,

New Date: Before 10:00 a.m. on Monday July 8, 2024.

Approved By: *Azzam Jabsheh*

Azzam Jabsheh, PE
Deputy Director of Public Works / City Engineer

Date Approved: 6/20/2024

The undersigned acknowledges receipt, understanding, and full consideration of the following addenda to the Contract Documents:

Addenda No. 1 dated 6/20/2024

[SIGNATURE ON FOLLOWING PAGE]



City of San Bernardino

Contract Documents and Specifications for Speicher Park Ballfields Improvements

**Contract No. PR 23-006
RFQ F-24-4005**

Addendum No.2

To all prospective bidders, the following information has been revised in response to the questions received during the project Q&A period.

Q&A Question Updates

Question 1.22

Bid Item Civil 2 Item 2 "Remove Existing Asphalt Pavement and Base" state that 13450 SF have to be removed, however the measurement using the Plan's Scale the total SF of the Asphalt Pavement and Base removal equals around 98731 SF. Which parameters shall be followed?

Original Response

Under review, to be provided in future update.

Revised Response

The following quantities are to be utilized for the Add Alternate #2 (South Parking Lot Improvements) bid items:

- Remove Existing Asphalt Pavement and Base (90,000 SF)
- Construct 4" Asphalt Concrete over 6" Aggregate Base (87,000 SF)
- Construct 4" Concrete Pavement (1,100SF)

Question 1.23

What do the red-crossed titled "Future Phase NIC" Areas in the Civil Drawings represent? Are they supposed to be included in the bid? Those same areas in red-crossed are not crossed in the Architectural drawings, which makes it even more confusing.

Original Response

The cross hatched "Future Phase NIC" areas are to be in the bid. This was necessary on the Civil drawings to denote which areas are in scope and which are for future phase.

Revised Response

The cross hatched "Future Phase NIC" areas are **NOT** to be included in the bid.

Question 1.27

Plumbing finish schedule P-002, L-1 & L-2 calls for wall hung Lavatory sink. The sink that is called out does not work with the existing wall type as it intended to be installed through the wall into a utility chase. Please provide an alternate suitable sink for bidding purposes.

Original Response

Question under review by design team. Response to be provided in future update.

Revised Response

- L-1 is by Kohler "Greenwich" wall mounted bathroom sink, Model #K-2032 with manual metered faucet, Chicago faucet 3400-ABCP
- L-2 is by Kohler "Greenwich" wall mounted bathroom sink, Model #K-2031 with infrared sensor, Chicago faucet E80-A11A-42ABCPT with optional 120V plug in.

Question 1.28

Plumbing finish schedule P-002 KS-1 calls for three compartment sink although there is no reference to this sink? Please provide manufacturer and model number of sink, faucets, and drain strainer for bidding purposes.

Original Response

Question under review by design team. Response to be provided in future update.

Revised Response

KS-1 Empura Stainless EHD31620LR18 Stainless Steel Heavy Duty Three Compartment Sink with Left and Right 18" Drainboards 25.5"D x 88"W x 44.25"H, fisher deck mount and draining waste valve.

Question 1.29

"Plumbing finish schedule P-002 HS-1 calls for a drop in sink and faucet (see sheets HS-1 Per Finish schedule) Sink called out dose not match the Architectural plan A-203 note 2.3 and detail A-406/7 note #3.25. Please recommend suitable replacement for bidding purposes."

Original Response:

Question under review by design team. Response to be provided in future update.

Revised Response

HS-1 in Plumbing schedule P-002 will be replaced by Eagle Group, Model #HSAP-14-ADA-FW, fisher deck mount faucet and draining waste valve.

List of Additional Plans and Specifications Uploaded Since 6/17/2024

- Speicher Park Landscape Bid Set Update
- 32 84 00 – Irrigation Systems
- 32 93 00 – Plants
- Trash Enclosure Details
- P-002 – Addendum
- P-202 – Addendum

Approved By: Azzam Jabsheh

Azzam Jabsheh, PE
Deputy Director of Public Works / City Engineer

Date Approved: 7/2/2024

The undersigned acknowledges receipt, understanding, and full consideration of the following addenda to the Contract Documents:

Addenda No. 2 7/2/2024

[SIGNATURE ON FOLLOWING PAGE]

I hereby certify under penalty of perjury under the laws of the State of California that all of the information submitted in connection with this Bid and all of the representations made herein are true and correct.

BIDDER:

Bilbro Construction, INC.
(Company Name)

By Maryory Contreras
(Signature)
Maryory Contreras
(Type or print name)
President & CEO
(Title)

Escondido, CA
(Where signed) (City, State)

Dated: July 8, 20²⁴
State of Incorporation: California

Bidder's Business Address:

876 N Broadway, Escondido, CA 92025

Andrea Armstrong
Andrea Armstrong
Secretary

(corporate seal)

(If the Prime Contractor is a corporation, two signatures of corporate officers are required.)

Names and addresses of all partners or joint venturers:

Maryory Contreras - President & CEO- Solana Beach, CA. 92075

Andrea Armstrong- Secretary- San Marcos, CA. 92069

Statement of the authority of signatory to bind Bidder:

I Maryory Contreras, holding the position of President & CEO at Bilbro Construction, hereby
affirm that I possess the full authority to bind Bilbro Construction in matters relating to the bid for
project Speicher Park Ballfields Improvements- Contract NO. PR-23-006

BID SCHEDULE

BASE BID SCOPE (HUCHABAA FIELD)

BASE BID SCOPE (HUCHABAA FIELD)					
BID ITEM	DESCRIPTION (REFER TO PLANS & SPECIFICATIONS FOR FURTHER INFORMATION)	QTY	UNIT	Contractor Bid	
				UNIT PRICE	AMOUNT
#1 - General Conditions					
1	Mobilization, Insurance, Demobilization	1	LS	\$66,756.93	\$66,756.93
2	Construction Safety, Traffic Control, Daily Cleanup, & Construction Best Management Practices	1	LS	\$36,756.93	\$36,756.93
3	Construction Staking, Survey, Lines & Grade	1	LS	\$28,756.93	\$28,756.93
#2 - Civil					
1	Remove Existing Concrete Pavement	2,950	SF	\$15.31	\$45,176.93
2	Remove Existing Asphalt Pavement and Base	13,450	SF	\$5.41	\$72,796.93
3	Remove Existing Earth/Turf in Preparation for Site Improvements	360	SF	\$51.77	\$18,636.93
4	Remove Existing Infield Mix	28,630	SF	\$1.12	\$32,196.93
5	Remove Existing Turf in Preparation for Regrading	86,795	SF	\$0.70	\$60,356.93
6	Remove Existing Concrete Curb	65	LF	\$307.95	\$20,016.93
7	Remove Existing Drinking Fountain and Concrete Pad	2	EA	\$9,068.46	\$18,136.93
8	Remove existing Swing Gate	1	EA	\$17,101.93	\$17,101.93
9	Remove existing Bollard and Footing	6	EA	\$2,907.82	\$17,446.93
10	Remove Existing Concrete Ramp	1	EA	\$18,136.93	\$18,136.93
11	Construct 4" Asphalt Concrete over 6" Aggregate Base	5,880	SF	\$7.70	\$45,256.93
12	Construct 4" Concrete Pavement	9,510	SF	\$11.98	\$113,976.93
13	Construct Type A Concrete Curb	80	LF	\$323.59	\$25,886.93
14	Construct Concrete Curb Ramp	310	SF	\$75.41	\$23,376.93
15	Furnish & Install Cast-In-Place Detectable Warning Surface, Color Yellow	2	EA	\$2,666.73	\$5,333.46

16	Construct Type B1-6 Mountable Curb	55	LF	\$152.97	\$8,413.46
17	Construct Accessible Concrete Ramp	215	SF	\$51.23	\$11,013.46
18	Construct Accessible Concrete Ramp	6	EA	\$523.91	\$3,143.46
19	Paint 4" Wide White Stripe	70	LF	\$44.91	\$3,143.46
20	Paint Accessible Striping and Markings	6	EA	\$4,459.49	\$26,756.93
21	Install Standard Accessible Parking Sign, Post, and Footing	3	EA	\$6,885.64	\$20,656.93
22	Furnish & Install Van Accessible Parking Sign, Post, and Footing	3	EA	\$6,885.64	\$20,656.93
23	Furnish & Install 12" Square NDS Catch Basin or Approved Equal	2	EA	\$8,750.96	\$17,501.93
24	Furnish & Install 6" PVC SCH 40 Pipe with Trenching and Backfill	95	LF	\$263.25	\$25,008.93
25	Core Cut Hole and Form Minimum Opening of 8". Securely Fasten 6" x 1' stub into Hole with Cement Mortar	1	EA	\$18,446.93	\$18,446.93
26	Earthwork/Grading: Perform Grade Cut	768	CY	\$42.56	\$32,686.93
27	Earthwork/Grading: Perform Grade Fill	234	CY	\$175.99	\$41,181.93
28	Earthwork/Grading: Perform Net Export	534	CY	\$200.01	\$106,806.93
#3 - Landscape					
1	Furnish & Install Below-Grade Gopher Barrier Mesh	97,433	SF	\$1.79	\$174,421.93
2	Furnish & Install Synthetic Turf 'Green' & Synthetic Turf 'Brown'	97,780 78,344 ✓	SF	\$6.56	\$641,100.33
3	Furnish & Install New Natural Turf Seed	17,344	SF	\$2.62	\$45,484.93
4	Furnish & Install New Irrigation/Synthetic Turf Cooling System	95,688	SF	\$0.56	\$53,891.93
5	Furnish & Install Irrigation Controller at Huchabaa Electrical Power Connection	1	EA	\$18,946.93	\$18,946.93
6	Furnish & Install Irrigation Controller at Huchabaa Electrical Power Connection	1	EA	\$18,946.93	\$18,946.93
7	Remove & Replace Drinking Fountains; Connect to Existing Piping	2	EA	\$17,568.46	\$35,136.93
8	Furnish & Install Trash Receptacles	4	EA	\$5,475.48	\$21,901.93
#4 - Electrical					
1	Furnish & Install Underground Conduit and Wire to Scoreboard for Huchabaa Field, including Trenching & Backfill	650	LF	\$40.93	\$26,606.93

2	Remove Pavement Surfaces Associated with Electrical Trenching. Replace in Kind After Trenching & Backfill is Complete	100	LF	\$205.17	\$20,516.93
#5 - Architectural & Structural					
1	Renovation of Existing Concessions/Restroom Building, Complete including Architectural, Structural, Mechanical Electrical, & Plumbing	1	LS	\$301,608.46	\$301,608.46
2	Demolish (E) Scorebooth Pad	225	SF	\$80.21	\$18,046.93
3	Install 15'x15' Accessible Concrete Pad w/ Ramp & Hand/Guard Rails	225	SF	\$121.05	\$27,236.93
4	Demolish (E) Fence Including Footings	1,579	LF	\$23.76	\$37,516.93
5	Furnish & Install New Wrought Iron Fence w/ (1) Gate Complete w/ Footings	1,579	LF	\$114.23	\$180,370.46
6	Furnish & Install (1) Batter's Eyes - Jaypro Sports #BE-24 (Or Equal) Complete w/ Footings	1	EA	\$45,243.46	\$45,243.46
7	Furnish & Install (1) Wireless Scoreboard with (2) 14'- 6" Poles and Footings	1	LS	\$27,316.93	\$27,316.93
8	Remove (15) Existing Bleachers	3	EA	\$6,275.64	\$18,826.93
9	Furnish & Install (2) New Concrete Pads for Bleachers - 21'-0" x 14'-7 1/2" Ea.	630	SF	\$40.28	\$25,376.93
10	Furnish & Install (2) New 5-row 21'-0" Long ADA Bleachers - Builtrite Bleachers #BRB-0521AADA (Or Equal)	2	EA	\$28,566.73	\$57,133.46
11	Furnish & Install (2) New 5-row 21'-0" ADA Bleachers	1	ls	\$26,046.93	\$26,046.93
12	Demo and Remove Backstop Chainlink & Netting	240	SF	\$8.10	\$1,943.46
13	Furnish & Install New heavy gauge chainlink at (1) backstop	240	SF	\$63.60	\$15,263.46
14	Furnish & Install New topper w/ corrugated plastic tubing at existing fences for (5) fields - Beacon Athletics (Or Equal)	1,579	LF	\$10.23	\$16,154.46
15	Furnish & Install (2) Shade Covers at each Dugout - Gill Athletics Cantilever Dugout #340812, 12'-2" x 11'8" (Or Equal) Complete Including Footings & Pads	2	EA	\$17,013.46	\$34,026.93
#6 - Other Items					
1	Provide All Other Work Not Listed Above But Required by Plans & Specifications	1	LS	\$24,506.93	\$24,506.93
TOTAL BASE BID:				\$2,915,099.65	
ADD-ALTERNATE #1 (HUCHABAA FIELD LIGHTING)					
BID ITEM	DESCRIPTION	QTY	UNIT	Contractor Bid	

				UNIT PRICE	AMOUNT
#1 - General Conditions					
1	Mobilization, Insurance, Demobilization	1	LS	\$15,000.00	\$15,000.00
2	Construction Safety, Traffic Control, Daily Cleanup, & Construction Best Management Practices	1	LS	\$10,000.00	\$10,000.00
3	Construction Staking, Survey, Lines & Grade	1	LS	\$5,000.00	\$5,000.00
#2 - Electrical					
1	Complete Musco Equipment and Installation Package, Including But Not Limited To: Controls, Warranty, Security & Lights / Pole Installation / Pole Fixtures / New Sports Pole Concrete Footings and Installation / New Sports Pole and Lights including Installation / NEMA 3R Cabinet for Musco Control Exterior Location and Insallation / Concrete Pad for Exterior Lighting Control Cabinet / Salvage (E) Skylogix Contgrol and Installation of New Cabinet / Wire Termination at Poles / New Pull Box including Instalation / New Underground Conduit / New Underground Wire / Trenching and Backfill	1	LS	\$240,000.00	\$240,000.00
2	Disconnection & Demolition of Existing Electrical Service	1	LS	\$5,000.00	\$5,000.00
3	Furnish & Install New 800 Amp Panel Board - Located Outside of Remodeled BLDG 3	1	LS	\$25,000.00	\$25,000.00
4	Demolition of Existing Sports Poles	1	EA	\$5,000.00	\$5,000.00
5	Furnish & Install Primary Utility Conduit and Pole Riser	100	LF	\$80.00	\$8,000.00
6	Furnish & Install New Utility Transformer Concrete Pad	1	EA	\$1,000.00	\$1,000.00
7	Furnish & Install Secondary Utility Conduit to New Electrical Switchboard	300	LF	\$40.00	\$12,000.00
8	Furnish & Install Utility Pull Box	1	EA	\$1,000.00	\$1,000.00
9	Remove Pavement Surfaces Associated with Electrical Trenching. Replace in Kind After Trenching & Backfill is Complete	400	LF	\$10.00	\$4,000.00
10	Provide Temporary Electrical Service to Maintain Sustainability of Park	1	LS	\$10,000.00	\$10,000.00
#3 - Other Items					
1	Provide All Other Work Not Listed Above But Required by Plans & Specifications	1	LS	\$10,000.00	\$10,000.00
TOTAL ADD-ALT #1 BID:				\$351,000.00	
ADD-ALTERNATE #2 (SOUTH PARKING LOT IMPROVEMENTS)					
BID ITEM	DESCRIPTION	QTY	UNIT	Contractor bid	

				UNIT PRICE	AMOUNT
#1 - General Conditions					
1	Mobilization, Insurance, Demobilization	1	LS	\$30,000.00	\$30,000.00
2	Construction Safety, Traffic Control, Daily Cleanup, & Construction Best Management Practices	1	LS	\$10,000.00	\$10,000.00
3	Construction Staking, Survey, Lines & Grade	1	LS	\$10,000.00	\$10,000.00
#2 - Civil					
1	Remove Existing Concrete Pavement	2,950	SF	\$6.00	\$17,700.00
2	Remove Existing Asphalt Pavement and Base	90,000 ✓	SF	\$3.00	\$270,000.00
3	Remove Existing Earth/Turf in Preparation for Site Improvements	360	SF	\$10.00	\$3,600.00
4	Remove Existing CMU Wall and Footing	35	LF	\$100.00	\$3,500.00
5	Remove Existing Wood Guardrail	200	LF	\$50.00	\$10,000.00
6	Remove Existing Concrete Swale	200	LF	\$10.00	\$2,000.00
7	Remove Existing Sign and Protect Existing Post	2	EA	\$500.00	\$1,000.00
8	Construct 4" Asphalt Concrete over 6" Aggregate Base	87,000 ✓ 5880	SF	\$8.00	\$696,000.00
9	Construct 4" Concrete Pavement	9,510 1,100	SF	\$10.00	\$95,100.00
10	Construct Type A Concrete Curb	80	LF	\$7.00	\$560.00
11	Construct Concrete Curb Ramp	310	SF	\$12.00	\$3,720.00
12	Construct Concrete V-Gutter	56	LF	\$20.00	\$1,120.00
13	Paint 4" Wide White Stripe	70	LF	\$6.00	\$420.00
14	Paint Accessible Striping and Markings	6	EA	\$200.00	\$1,200.00
15	Paint Type I Arrow	26	EA	\$15.00	\$390.00
16	Furnish & Install Accessible Parking Sign on existing Post	2	EA	\$100.00	\$200.00
17	Paint White Work Marking	1	LS	\$300.00	\$300.00
18	Earthwork/Grading: Perform Grade Cut	768	CY	\$12.00	\$9,216.00
19	Earthwork/Grading: Perform Grade Fill	234	CY	\$25.00	\$5,850.00

20	Earthwork/Grading: Perform Net Export	534	CY	\$6.00	\$3,204.00
#3 - Other Items					
1	Provide All Other Work Not Listed Above But Required by Plans & Specifications	1	LS	\$10,000.00	\$10,000.00
TOTAL ADD-ALT #2 BID:				\$1,185,080.00	
TOTAL BASE BID + ADD-ALT #1 & #2 BIDS:				\$1,536,080.00	

The basis for award of contract shall be the Contractor's Base Bid only.

TOTAL BID PRICE BASED ON BID SCHEDULE	
\$	2,915,100
Total Base Bid in Numbers	

The costs for any Work shown or required in the Contract Documents, but not specifically identified as a line item are to be included in the related line items and no additional compensation shall be due to Contractor for the performance of the Work.

All blank spaces appearing above must be filled in. Failure to fill in any blank spaces may render the bid non-responsive. In case of discrepancy between the Unit Price and Item Cost set forth for a unit basis item, the Unit Price shall prevail and be utilized as the basis for determining the lowest responsive, responsible Bidder. However, if the amount set forth as a Unit Price is ambiguous, unintelligible or uncertain for any cause, or is omitted, or is the same amount as the entry in the Item Cost column, then the amount set forth in the Item Cost column for the item shall prevail and shall be divided by the estimated quantity for the item and the price thus obtained shall be the Unit Price.

For purposes of evaluating Bids, the City will correct any apparent errors in the extension of unit prices and any apparent errors in the addition of lump sum and extended prices.

The estimated quantities for Unit Price items are for purposes of comparing Bids only and the City makes no representation that the actual quantities of work performed will not vary from the

estimates. Final payment shall be determined by the Engineer from measured quantities of work performed based upon the Unit Price.

The undersigned agrees that this Bid Schedule constitutes a firm offer to the City which cannot be withdrawn for the number of calendar days indicated in the Notice Inviting Bids from and after the Bid opening, or until a Contract for the Work is fully executed by the City and a third party, whichever is earlier.

If the Contract Documents specify Alternate Bid items, the City can choose to include any, all, or none of the Alternate Bid items in the Work. If the City selects any of the Alternate Bid items, the corresponding Alternate Bid prices shall be added to or deducted from Base Bid Price for the Work. The City can award/select Alternate Bid items at any time(s).

Name of Bidder Bilbro Construction, INC.

Signature 

Name and Title Maryory Contreras - President & CEO

Dated 07/08/2024

BID GUARANTEE

BID BOND

[Note: Not required when other form of Bidder's Security, e.g. cash, certified check or cashier's check, accompanies Bid.]

The makers of this bond are, Bilbro Construction Company, Inc., as Principal, and Endurance Assurance Corporation, as Surety and are held and firmly bound unto the CITY OF SAN BERNARDINO, with its principal place of business at Vanir Tower, 290 North D Street, San Bernardino, California 92401, hereinafter called the City, in the penal sum of TEN PERCENT (10%) OF THE TOTAL BID PRICE of the Principal submitted to the City for the work described below, for the payment of which sum in lawful money of the United States, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH that whereas the Principal has submitted the accompanying bid dated July 8, 2024, for Speicher Park Ballfields Improvements.

If the Principal does not withdraw its Bid within the time specified in the Contract Documents; and if the Principal is awarded the Contract and provides all documents to the City as required by the Contract Documents; then this obligation shall be null and void. Otherwise, this bond will remain in full force and effect.

Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Contract Documents shall affect its obligation under this bond, and Surety does hereby waive notice of any such changes.

In the event a lawsuit is brought upon this bond by the City and judgment is recovered, the Surety shall pay all litigation expenses incurred by the City in such suit, including reasonable attorneys' fees, court costs, expert witness fees and expenses.

IN WITNESS WHEREOF, the above-bound parties have executed this instrument under their several seals this 2nd day of July, 2024, the name and corporate seal of each corporation.

(Corporate Seal)

Bilbro Construction Company, Inc.

Contractor/ Principal

By 

Title President & CEO

(Corporate Seal)

Endurance Assurance Corporation

Surety

By 

Attorney-in-Fact Lawrence F. McMahon

(Attach Attorney-in-Fact Certificate)

Title Attorney-in-Fact

Notary 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 _____, 20____, before me, _____, Notary Public, personally
appeared _____, who proved to me on the basis of satisfactory

Name(s) of Signer(s)

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

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

WITNESS my hand and official seal.

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

CAPACITY CLAIMED BY SIGNER

DESCRIPTION OF ATTACHED DOCUMENT

- ☐ Individual
☐ Corporate Officer

Title(s)		Title or Type of Document
<input type="checkbox"/> Partner(s)	<input type="checkbox"/> Limited <input type="checkbox"/> General	_____
<input type="checkbox"/> Attorney-In-Fact		Number of Pages
<input type="checkbox"/> Trustee(s)		_____
<input type="checkbox"/> Guardian/Conservator		Date of Document
<input type="checkbox"/> Other:		_____

Signer is representing:
Name Of Person(s) Or Entity(ies)

Signer(s) Other Than Named Above

NOTE: This acknowledgment is to be completed for Contractor/Principal.

Notary 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 _____, 20____, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory

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

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

WITNESS my hand and official seal.

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

CAPACITY CLAIMED BY SIGNER

DESCRIPTION OF ATTACHED DOCUMENT

- ☐ Individual
☐ Corporate Officer

	Title(s)	Title or Type of Document
<input type="checkbox"/> Partner(s)	<input type="checkbox"/> Limited	
	<input type="checkbox"/> General	Number of Pages
<input type="checkbox"/> Attorney-In-Fact		
<input type="checkbox"/> Trustee(s)		Date of Document
<input type="checkbox"/> Guardian/Conservator		
<input type="checkbox"/> Other:		
Signer is representing:		
Name Of Person(s) Or Entity(ies)		

Signer(s) Other Than Named Above

NOTE: This acknowledgment is to be completed for the Attorney-in-Fact. The Power-of-Attorney to local representatives of the bonding company must also be attached.

END OF BID BOND

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**CIVIL CODE § 1189**

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 San Diego)
On JUL 02 2024 before me, N. Kirk-Smith, Notary Public,
Date Here Insert Name and Title of the Officer
personally appeared Lawrence F. McMahon
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.



Signature N. Kirk-Smith
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☒ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: Surety Company

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

KNOW ALL BY THESE PRESENTS, that **Endurance Assurance Corporation**, a Delaware corporation, **Endurance American Insurance Company**, a Delaware corporation, and/or **Bond Safeguard Insurance Company**, a South Dakota corporation, each, a "Company" and collectively, "**Sompo International**," do hereby constitute and appoint: **Lawrence F. McMahon** as true and lawful Attorney(s)-in-Fact to make, execute, seal, and deliver for, and on its behalf as surety or co-surety; bonds and undertakings given for any and all purposes, also to execute and deliver on its behalf as aforesaid renewals, extensions, agreements, waivers, consents or stipulations relating to such bonds or undertakings provided, however, that no single bond or undertaking so made, executed and delivered shall obligate the Company for any portion of the penal sum thereof in excess of the sum of **ONE HUNDRED MILLION Dollars (\$100,000,000.00)**.

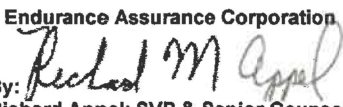
Such bonds and undertakings for said purposes, when duly executed by said attorney(s)-in-fact, shall be binding upon the Company as fully and to the same extent as if signed by the President of the Company under its corporate seal attested by its Corporate Secretary.

This appointment is made under and by authority of certain resolutions adopted by the sole shareholder of each Company by unanimous written consent effective the 15th day of June, 2019, a copy of which appears below under the heading entitled "Certificate".

This Power of Attorney is signed and sealed by facsimile under and by authority of the following resolution adopted by the sole shareholder of each Company by unanimous written consent effective the 15th day of June, 2019 and said resolution has not since been revoked, amended or repealed:

RESOLVED, that the signature of an individual named above and the seal of the Company may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signature or seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, each Company has caused this instrument to be signed by the following officers, and its corporate seal to be affixed this 15th day of June, 2019.

Endurance Assurance Corporation
 By: 
 Richard Appel, SVP & Senior Counsel



Endurance American Insurance Company
 By: 
 Richard Appel, SVP & Senior Counsel



Bond Safeguard Insurance Company
 By: 
 Richard Appel, SVP & Senior Counsel



ACKNOWLEDGEMENT

On this 15th day of June, 2019, before me, personally came the above signatories known to me, who being duly sworn, did depose and say that he/she is an officer of each of the Companies; and that he executed said instrument on behalf of each Company by authority of his office under the by-laws of each Company.

By: 
 Amy Taylor, Notary Public - My Commission Expires 5/9/23



CERTIFICATE

I, the undersigned Officer of each Company, DO HEREBY CERTIFY that:

1. That the original power of attorney of which the foregoing is a copy was duly executed on behalf of each Company and has not since been revoked, amended or modified; that the undersigned has compared the foregoing copy thereof with the original power of attorney, and that the same is a true and correct copy of the original power of attorney and of the whole thereof;
2. The following are resolutions which were adopted by the sole shareholder of each Company by unanimous written consent effective June 15, 2019 and said resolutions have not since been revoked, amended or modified:

"RESOLVED, that each of the individuals named below is authorized to make, execute, seal and deliver for and on behalf of the Company any and all bonds, undertakings or obligations in surety or co-surety with others: RICHARD M. APPEL, BRIAN J. BEGGS, CHRISTOPHER DONELAN, SHARON L. SIMS, CHRISTOPHER L. SPARRO, MARIANNE L. WILBERT

; and be it further

RESOLVED, that each of the individuals named above is authorized to appoint attorneys-in-fact for the purpose of making, executing, sealing and delivering bonds, undertakings or obligations in surety or co-surety for and on behalf of the Company."

3. The undersigned further certifies that the above resolutions are true and correct copies of the resolutions as so recorded and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal this 2nd day of July, 20 24.

By: 
 Daniel S. Lurie, Secretary

NOTICE: U. S. TREASURY DEPARTMENT'S OFFICE OF FOREIGN ASSETS CONTROL (OFAC)

No coverage is provided by this Notice nor can it be construed to replace any provisions of any surety bond or other surety coverage provided. This Notice provides information concerning possible impact on your surety coverage due to directives issued by OFAC. **Please read this Notice carefully.**

The Office of Foreign Assets Control (OFAC) administers and enforces sanctions policy, based on Presidential declarations of "national emergency". OFAC has identified and listed numerous foreign agents, front organizations, terrorists, terrorist organizations, and narcotics traffickers as "Specially Designated Nationals and Blocked Persons". This list can be located on the United States Treasury's website - <https://www.treasury.gov/resource-center/sanctions/SDN-List>.

In accordance with OFAC regulations, if it is determined that you or any other person or entity claiming the benefits of any coverage has violated U.S. sanctions law or is a Specially Designated National and Blocked Person, as identified by OFAC, any coverage will be considered a blocked or frozen contract and all provisions of any coverage provided are immediately subject to OFAC. When a surety bond or other form of surety coverage is considered to be such a blocked or frozen contract, no payments nor premium refunds may be made without authorization from OFAC. Other limitations on the premiums and payments may also apply.

Any reproductions are void.

Surety Claims Submission: LexonClaimAdministration@sompo-intl.com

Telephone: 615-553-9500 Mailing Address: Sompo International; 12890 Lebanon Road; Mount Juliet, TN 37122-2870

DESIGNATION OF SUBCONTRACTORS

The subcontractor listed below will perform work or labor or render service to the contractor in or about the construction of the work or improvement, or are subcontractors licensed by the State of California who will, under subcontract to the contractor, specially fabricate and install a portion of the work or improvement according to detailed drawings contained in the Contract Documents, in an amount in excess of one-half of one percent (1/2 of 1%) of the contractor's total bid. Notwithstanding the foregoing, if the work involves the construction of streets and highways, then the Bidder shall list each subcontractor who will perform work or labor or render service to the Bidder in or about the work in an amount in excess of one-half of one percent (0.5%) of the Bidder's Total Bid Price or \$10,000, whichever is greater. No additional time shall be granted to provide the below requested information.

In compliance with the Subletting and Subcontracting Fair Practices Act Chapter 4 (commencing at Section 4100), Part 1, Division 2 of the California Public Contract Code, the Bidder shall set forth below:

- (a) The portion of the work to be done by the subcontractor;
- (b) The name and the location of the place of business;
- (c) The California contractor license number; and
- (d) The DIR public works contractor registration number.

If a Bidder fails to specify a subcontractor or if a Bidder specifies more than one subcontractor for the same portion of work, then the Bidder shall be deemed to have agreed that it is fully qualified to perform that portion of work and that it shall perform that portion itself.

Portion of Work to be done by Subcontractor	Name of Subcontractor	Location of Business	CSLB Contractor License No.	DIR Registration Number
Fencing	TWC- Team West Corporation	2733 Vista Ave. Bloomington, CA. 92316	934352	1000768825
Striping	PCI	975 W. 1ST Azusa, CA. 91702	415490	1000813536

Portion of Work to be done by Subcontractor	Name of Subcontractor	Location of Business	CSLB Contractor License No.	DIR Registration Number
HVAC MECHANICAL	A/C Doctors.TV	470 Tishmal Ct Oceanside, CA. 92058	981124	1001153145
Aluminum Bleachers	Southern Bleacher Company	801 5th st Graham, Texas 76450	A-564497	1000001223

Portion of Work to be done by Subcontractor	Name of Subcontractor	Location of Business	CSLB Contractor License No.	DIR Registration Number

(Attach additional sheets if necessary)

Name of Bidder Bilbro Construction, INC.

Signature 

Name and Title Maryory Contreras - President & CEO

Dated 07/08/2024

BIDDER INFORMATION AND EXPERIENCE FORM

A. INFORMATION ABOUT BIDDER

(Indicate not applicable ("N/A") where appropriate.)

NOTE: Where Bidder is a joint venture, pages shall be duplicated and information provided for all parties to the joint venture.

- 1.0 Name of Bidder: Bilbro Construction, INC.
- 2.0 Type, if Entity: _____
- 3.0 Bidder Address: 876 N Broadway.
Escondido, CA 92025
760-737-8461 760-737-8440
Facsimile Number Telephone Number
estimating@bilbroconstruction.com
Email Address
- 4.0 How many years has Bidder's organization been in business as a Contractor?
33 years
- 5.0 How many years has Bidder's organization been in business under its present name? 33 years
- 5.1 Under what other or former names has Bidder's organization operated? Marcon Engineering, INC
- 6.0 If Bidder's organization is a corporation, answer the following:
- 6.1 Date of Incorporation: June 5, 2003
- 6.2 State of Incorporation: California
- 6.3 President's Name: Maryory Contreras
- 6.4 Vice-President's Name(s): N/A

- 6.5 Secretary's Name: Andrea Armstrong
- 6.6 Treasurer's Name: N/A

7.0 If an individual or a partnership, answer the following:

7.1 Date of Organization: N/A

7.2 Name and address of all partners (state whether general or limited partnership):

N/A

8.0 If other than a corporation or partnership, describe organization and name principals:

Corporation

9.0 List other states in which Bidder's organization is legally qualified to do business.

Arizona, Nevada, Louisiana

10.0 What type of work does the Bidder normally perform with its own forces?

Concrete & Grading

11.0 Has Bidder ever failed to complete any work awarded to it? If so, note when, where, and why:

No

12.0 Within the last five years, has any officer or partner of Bidder's organization ever been an officer or partner of another organization when it failed to complete a contract? If so, attach a separate sheet of explanation:

No

13.0 List Trade References:

Renas K. Shwany- Repair Firefighting Operations Building 322, MCLB - renas.shwany@navymil.com

Greg Lewis- Room 19-1828 Repair Mclean Lab, FAC 0010 & Optical Test Lab FAC 02471- gregory.a.lewis6@navymil.com

14.0 List Bank References (Bank and Branch Address):

Pacific Premier Bank- 800 W. Valley Parkway

Escondido, CA 92025

15.0 Name of Bonding Company and Name and Address of Agent:

Alliant Insurance Services

Christopher Conte- 619-849-3984 christopher.conte@Alliant.com

701 B st. Suite 6th Floor. San Diego, CA. 92107

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B. LIST OF CURRENT PROJECTS (BACKLOG)

[**Duplicate Page if needed for listing additional current projects.**]

Project	Client Reference (agency name/contact info)	Description of Bidder's Work	Completion Date	Cost of Bidder's Work
Cachuma Lake RV	Steven Manuel-County of Santa Barbara- smanuel@countyofsb.org	Renovates and reconfigures 450,000 RV park. Upgrade Sewer water electrical utilities. Comfort Station	August 2024	\$12,600,000.00
Village View Park	Robert Polley- County of San Diego. robert.polley@schneiderc m.net	Construction of an irrigation system for landscape and planting area.	May 2025	\$10,775,070.86
Salk Neighborhood Joint Use Development	Barry Leung- City of San Diego. bleung@sandiego.gov	Park improvements to include a comfort station, pedestrian access, retaining wall shade structure & landscaping.	September 2024	\$6,567,888.00
Hubbs Hall	William Pavlick- University of CA. wpavlick@ucsd.edu	Replace the plumbing storm/water systems. Slab stabilized removal	July 2024	\$2,142,526.00
Victoria Gate	Hiroko Wilson- The Rege nts of the University of CA hwilson@ucsd.edu	Provide overhead canopy Bus stop shelter. New guard shack with computer	June 2024	\$7,697,781.00
Barracks 262 Repair at Ft. Irwin	Derek Schwartz- Dept. of the Army. 760-256-4533	Repair the barracks, updating floor plan. New kitchen and bathroom.	October 2024	\$11,888,000.00
Ground Base Strategic Deterrent	Elizabeth Lovko- VAFB General Services eaelark@bechtel.com	Provide and maintain the job site facilities at Vanderberg Air Force Base	September 2024	\$646,547.00
Lyceum Theatre	Jerilyn Larson- Civic San Diego. jlarson@kleinfelder.com	renovation of a theatre hardware, flooring, dressing room, stage area. Concrete, demo.	August 2024	\$10,766,888.00

C. LIST OF COMPLETED PROJECTS – LAST THREE YEARS

[**Duplicate Page if needed for listing additional completed projects.**]

Please include only those projects which are similar enough to demonstrate Bidder's ability to perform the required Work.

Project	Client Reference (agency name/contact info)	Description of Bidder's Work	Completion Date	Cost of Bidder's Work
Lake Poway Upper Playground	City of Poway Jeff Beers 858-668-4624	Demo. concrete sidewalk handrails, ADA Parking	Dec. 2023	\$1,546,190.00
Miramar College Water Bottle Filling Stations	City of San Diego Ryan 858-682-6968	Replace all the water bottle filling stations throughout the college.	August 2023	\$185, 269.00
Balboa Park Aquatic Complex Improvements	City of San Diego Barry Leung 858-495-4754	swimming pool recirculation system, stairs, risers handrails.	January 2022	\$2,248,888.00
Santa Clara Playground	City of San Diego Leonel Garcia 619-929-1586	Demo the existing conditions new plumbing. Playground surfacing.	May 2023	\$1,380,888.00

D. EXPERIENCE AND TECHNICAL QUALIFICATIONS QUESTIONNAIRE

Personnel:

The Bidder shall identify the key personnel to be assigned to this project in a management, construction supervision or engineering capacity.

1. List each person's job title, name and percent of time to be allocated to this project:

Sr. PM: Larry Bouchard 40%

PM: Andrea Armstrong 60%

Superintendent: Juan Gonzalez (Jay) 100%

2. Summarize each person's specialized education:

Andrea Armstrong- Bachelor's of Science in Construction Management. Minor Business Administration

Juan Gonzalez- Jay - Construction Mangement Certification/ Csl State Bakersfield- Contractor's license C-21

Larry Bouchard- CA- Contractor's lic.B #509925 - AGC Certification Leadership in Construction.

3. List each person's years of construction experience relevant to the project:

Andrea Armstrong- 6 years experience as a Project Manager.

Juan Gonzalez- Jay - 20 years experience in superintendent work.

Larry Bouchard- 25 year+ In Coonstruction Managemet, including VP of operations.

4. Summarize such experience:

Andrea Armstrong- Controlling all contractual and technical docs. Scheduling, Budget, Phasing Coordination, Submittals.

Juan Gonzalez Jay- In charge of demolition sites, supervise new bridge structure, overseeing installation of new piping

Larry Bouchard - Coordinating all facets of post award, pre-award and construction to meet goals, including scheduling, budgeting

Bidder agrees that personnel named in this Bid will remain on this Project until completion of all relevant Work, unless substituted by personnel of equivalent experience and qualifications approved in advance by the City.

E. ADDITIONAL BIDDER'S STATEMENTS:

If the Bidder feels that there is additional information which has not been included in the questionnaire above, and which would contribute to the qualification review, it may add that information in a statement here or on an attached sheet, appropriately marked:

Our extensive experience spans across various construction disciplines, making us well-equipped to handle this job with precision and expertise. We have a robust background in concrete work, including pouring foundations, construction driveways, and creating custom concrete structures. Our demolition team is skilled in safely and efficiently tearing down building and structures, ensuring site readiness for new projects. With comprehensive grading experience, we ensure that all surfaces are properly leveled and prepared for subsequent construction phases. Our roofing projects showcase our ability to install, repair, and maintain a variety of roofing systems, guaranteeing durability and weather resistance. This diverse skill set underscores our capability to deliver high quality results across all faces of the job.

Name of Bidder Bilbro Construction, INC.

Signature



Name and Title Maryory Contreras - President & CEO

Dated 07/08/2024

NON-COLLUSION DECLARATION

The undersigned declares:

I am the President & CEO of Bilbro Construction, INC., the party making the foregoing Bid.

The Bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation. The Bid is genuine and not collusive or sham. The Bidder has not directly or indirectly induced or solicited any other Bidder to put in a false or sham bid. The Bidder has not directly or indirectly colluded, conspired, connived, or agreed with any Bidder or anyone else to put in a sham bid, or to refrain from bidding. 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. All statements contained in the Bid are true. 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, to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid, and has not paid, and will not pay, any person or entity for such purpose.

Any person executing this declaration on behalf of a Bidder that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that he or she has full power to execute, and does execute, this declaration on behalf of the Bidder.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on 07/08/2024 [date], at Escondido [city], California [state].

Name of Bidder Bilbro Construction, INC.

Signature



Name and Title Maryory Contreras - President & CEO

Dated 07/08/2024

IRAN CONTRACTING ACT CERTIFICATION.

(Public Contract Code section 2200 et seq.)

As required by California Public Contract Code Section 2204, the Contractor certifies subject to penalty for perjury that the option checked below relating to the Contractor's status in regard to the Iran Contracting Act of 2010 (Public Contract Code Section 2200 *et seq.*) is true and correct:

☒ The Contractor is not:

(1) identified on the current list of person and entities engaged in investment activities in Iran prepared by the California Department of General Services in accordance with subdivision (b) of Public Contract Code Section 2203; or

(2) a financial instruction that extends, for 45 days or more, credit in the amount of \$20,000,000 or more to any other person or entity identified on the current list of persons and entities engaging in investment activities in Iran prepared by the California Department of General Services in accordance with subdivision (b) of Public Contract Code Section 2203, if that person or entity uses or will use the credit to provide goods or services in the energy sector in Iran.

☐ The City has exempted the Contractor from the requirements of the Iran Contracting Act of 2010 after making a public finding that, absent the exemption, the City will be unable to obtain the goods and/or services to be provided pursuant to the Contract.

☐ The amount of the Contract payable to the Contractor for the Project does not exceed \$1,000,000.

Signature: 

Printed Name: Maryory Contreras

Title: President & CEO

Firm Name: Billbro Construction, INC.

Date: 07/08/2024

Note: In accordance with Public Contract Code Section 2205, false certification of this form shall be reported to the California Attorney General and may result in civil penalties equal to the greater of \$250,000 or twice the Contract amount, termination of the Contract and/or ineligibility to bid on contracts for three years.

PUBLIC WORKS CONTRACTOR REGISTRATION CERTIFICATION

Pursuant to Labor Code sections 1725.5 and 1771.1, all contractors and subcontractors that wish to bid on, be listed in a bid proposal, or enter into a contract to perform public work must be registered with the Department of Industrial Relations. See <http://www.dir.ca.gov/Public-Works/PublicWorks.html> for additional information.

No bid will be accepted nor any contract entered into without proof of the contractor's and subcontractors' current registration with the Department of Industrial Relations to perform public work.

Bidder hereby certifies that it is aware of the registration requirements set forth in Labor Code sections 1725.5 and 1771.1 and is currently registered as a contractor with the Department of Industrial Relations.¹

Name of Bidder: Bilbro Construction, INC.

DIR Registration Number: 1000051957

DIR Registration Expiration: 6/30/2027

Small Project Exemption: Yes or X No

Unless Bidder is exempt pursuant to the small project exemption, Bidder further acknowledges:

1. Bidder shall maintain a current DIR registration for the duration of the project.
2. Bidder shall include the requirements of Labor Code sections 1725.5 and 1771.1 in its contract with subcontractors and ensure that all subcontractors are registered at the time of bid opening and maintain registration status for the duration of the project.
3. Failure to submit this form or comply with any of the above requirements may result in a finding that the bid is non-responsive.

Name of Bidder Bilbro Construction, INC.

Signature 

Name and Title Maryory Contreras - President & CEO

Dated 07/08/2024

¹ If the Project is exempt from the contractor registration requirements pursuant to the small project exemption under Labor Code Sections 1725.5 and 1771.1, please mark "Yes" in response to "Small Project Exemption."

NON-LOBBYING CERTIFICATION FOR FEDERAL-AID CONTRACTS

The CONTRACTOR certifies, by signing and submitting this contract, to the best of his or her knowledge and belief, that:

- (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 Section 1352, Title 31, U.S. Code. 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.

The CONTRACTOR also agrees by submitting his or her bid or proposal that he or she shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such subrecipients shall certify and disclose accordingly.

Business Name: Bilbro Construction, INC.


Date: 07/08/2024

By: Maryory Contreras - President & CEO
Name and Title of Authorized Representative


Signature of Authorized Representative

DISCLOSURE OF LOBBYING ACTIVITIES

COMPLETE THIS FORM TO DISCLOSE LOBBYING ACTIVITIES PURSUANT TO 31 U.S.C. 1352

1. Type of Federal Action: <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance <div style="text-align: right;">N/A</div>	2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award <div style="text-align: right;">N/A</div>	3. Report Type: <input type="checkbox"/> a. initial <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity <input checked="" type="checkbox"/> Prime <div style="text-align: right;">N/A</div> <input type="checkbox"/> Subawardee Tier _____, if known <div style="text-align: right;">N/A</div> Congressional District, if known: _____	5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime: <div style="text-align: right;">N/A</div> Congressional District, if known: _____	
6. Federal Department/Agency: <div style="text-align: right;">N/A</div>	7. Federal Program Name/Description: <div style="text-align: right;">N/A</div> CFDA Number, if applicable _____	
8. Federal Action Number, if known: <div style="text-align: right;">N/A</div>	9. Award Amount, if known: \$ <div style="text-align: right;">N/A</div>	
10.a. Name and Address of Lobby Registrant (If individual, last name, first name, MI) <div style="text-align: right;">N/A</div>	10.b. Individuals Performing Services (including address if different from No. 10) (last name, first name, MI) <div style="text-align: right;">N/A</div>	
(attach Continuation Sheet(s) if necessary)		
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 his 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.	Signature:  Print Name: Maryory Contreras Title: President & CEO <div style="text-align: center;">760-737-8440</div> Telephone No.: _____ Date: 07/08/2024	
Authorized for Local Reproduction Standard Form – LLL (Rev. 7-97)		

Federal Use Only:

INSTRUCTIONS FOR COMPLETING 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 covered federal action or a material change to previous filing pursuant to title 31 U.S.C. Section 1352. The filing of a form is required for such payment or agreement to make payment to 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. Attach a continuation sheet for additional information if the space on the form is inadequate. 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 follow-up 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 first 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 organization 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 identification 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.

CONTRACTOR'S CERTIFICATE REGARDING WORKERS' COMPENSATION.

I am aware of the provisions of section 3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this Contract.

Name of Bidder Bilbro Construction, INC.

Signature _____



Name and Title Maryory Contreras - President & CEO

Dated 07/08/2024

FLEET COMPLIANCE CERTIFICATION

Bidder hereby acknowledges that they have reviewed the California Air Resources Board's policies, rules and regulations and are familiar with the requirements of Title 13, California Code of Regulations, Division 3, Chapter 9, effective on January 1, 2024 (the "Regulation"). Bidder hereby certifies, subject to penalty for perjury, that the option checked below relating to the Bidder's fleet, and/or that of their subcontractor(s) ("Fleet") is true and correct:

- ☒ The Fleet is subject to the requirements of the Regulation, and the appropriate Certificate(s) of Reported Compliance have been attached hereto.
- ☐ The Fleet is exempt from the Regulation under section 2449.1(f)(2), and a signed description of the subject vehicles, and reasoning for exemption has been attached hereto.
- ☐ Bidder and/or their subcontractor is unable to procure R99 or R100 renewable diesel fuel as defined in the Regulation pursuant to section 2449.1(f)(3). Bidder shall keep detailed records describing the normal refueling methods, their attempts to procure renewable diesel fuel and proof that shows they were not able to procure renewable diesel (i.e. third party correspondence or vendor bids).
- ☐ The Fleet is exempt from the requirements of the Regulation pursuant to section 2449(i)(4) because this Project has been deemed an Emergency, as defined under section 2449(c)(18). Bidder shall only operate the exempted vehicles in the emergency situation and records of the exempted vehicles must be maintained, pursuant to section 2449(i)(4).
- ☐ The Fleet does not fall under the Regulation or are otherwise exempted and a detailed reasoning is attached hereto.

Name of Bidder: Bilbro Construction, INC.

Signature: 

Name: Maryory Contreras

Title: President & CEO

Date: 07/08/2024



876 N. Broadway
Escondido, CA 92025-1820

Direct: (760) 871-0477
Fax: (760) 737-8461

June 27, 2024

City Of San Bernardino
Public Works Department
Vanir Tower
290 North D. St.
Speicher Park Ballfields Improvements
Contract No. PR 23-006

Subject: CARB Certification

Dear Sir/Madam,

We would like to inform you that Bilbro Construction does not hold certification in CARB vehicles. However, our partner company, Marcon Engineering, which Bilbro Construction is a subsidiary of, does possess this certification.

Should there be a requirement to utilize vehicles that comply with CARB standards, we will ensure that such vehicles from Marcon Engineering's certified fleet are used. In the event that Marcon Engineering does not have the necessary vehicles, we will rent equipment that meets the required certifications.

Thank you for your understanding.

Respectfully,


Maryory Contreras
President & CEO
Bilbro Construction, INC

California Environmental Protection Agency
Air Resources Board

January 1, 2024

**CERTIFICATE OF REPORTED COMPLIANCE
OFF-ROAD DIESEL VEHICLE REGULATION**

is issued to

MARCON ENGINEERING, INC

This certificate indicates that the fleet listed above has reported off-road diesel vehicles to the California Air Resources Board and has certified they are in compliance with title 13 CCR, section 2449. All applicable vehicles owned by the individual, company, or agency must be reported and labeled, as specified in Section 2449, with all possible completeness, else this certificate is null and void. **Certificate expires 2/28/2025**


Jack Kitowski
Chief, Mobile Source Control Division
California Air Resources Board

Off-road Diesel Fleet Identification

241781

To verify the authenticity of this certificate, enter this number at
http://www.arb.ca.gov/doors/compliance_cert1.html