



REVISED BID FORM NO. 1
Proposal and Bid Items

This form must be completed in ink and changes must be initialed.

Honorable Board of Directors
Santa Clara Valley Water District (District)

Pursuant to, and in compliance with, the Notice to Bidders and the Contract Documents, relating to the **LOWER CALERA CREEK FLOOD PROTECTION PROJECT**, the undersigned Bidder having become thoroughly familiar with the terms and conditions of the Contract Documents and with local conditions affecting the performance and costs of the Work and having fully inspected the Work site in all particulars, hereby proposes and agrees to fully perform the Work, including providing any and all labor and materials and performing all Work required to construct and complete said Work within the contract time stated and in accordance with the requirements of the Contract Documents, for the following sum of money.

The undersigned Bidder agrees to complete all the Work within **1,720** calendar days from the first chargeable day of the Contract, as stated in the Notice to Begin Work. The Bidder agrees to enter into a Contract with the District and provide the required bonds and insurance in accordance with the Instructions to Bidders, Contract Bonds, paragraph #22 and Execution of Contract, paragraph #23. If the Bidder fails to meet these requirements within the time specified in the Instruction to Bidders, Failure to Execute Contract, paragraph #24, the Bidder's security accompanying this Proposal may be forfeited and become the property of the District. No Contract exists until all Contract bonds and insurance documents have been accepted by the District.

TOTAL BID: \$ 19,505,450.00

Bidder acknowledges receipt of the following Addenda to the Bid Documents:
Addenda are posted online at <https://www.valleywater.org/construction>.

NO Addenda received

Addenda received as follows:

Addendum No. <u>1</u>	Date <u>2/2/21</u>	Addendum No. <u>2</u>	Date <u>2/22/21</u>
Addendum No. <u>3</u>	Date <u>2/26/21</u>	Addendum No. _____	Date _____

Failure to acknowledge receipt of an Addendum on the Bid Form is not, in itself, cause for withdrawal or rejection of Bid, if it can be established that Bidder did, in fact, receive such Addendum prior to Bid opening.



REVISED BID FORM NO. 1
Proposal and Bid Items

This form must be completed in ink and changes must be initialed.

SECTION A — BASE BID

ITEM NO.	DESCRIPTION OF ITEM	APPROXIMATE QUANTITY UNIT	UNIT PRICE	TOTAL
1	COMPLIANCE WITH NPDES GENERAL PERMIT	Lump Sum Lump Sum	\$270,000.00	\$270,000.00
2	POTHOLE	25 Pothole	\$1,250.00	\$31,250.00
3	MONITORING SURVEYS	Lump Sum Lump Sum	\$17,000.00	\$17,000.00
4	NOISE POLLUTION AND VIBRATION MONITORING	10 Monitoring Location	\$20,500.00	\$205,000.00
5	MIGRATORY BIRDS	Lump Sum Lump Sum	\$120,000.00	\$120,000.00
6	CONTRACTOR'S QUALITY CONTROL	Lump Sum Lump Sum	\$630,000.00	\$630,000.00
7	MOBILIZATION AND DEMOBILIZATION	Lump Sum Lump Sum	\$2,000,000.00	\$2,000,000.00
8	CLEARING AND GRUBBING	Lump Sum Lump Sum	\$15,800.00	\$15,800.00
9	DEMOLITION AND DISPOSAL	Lump Sum Lump Sum	\$215,000.00	\$215,000.00



REVISED BID FORM NO. 1
Proposal and Bid Items

This form must be completed in ink and changes must be initialed.

ITEM NO.	DESCRIPTION OF ITEM	APPROXIMATE QUANTITY UNIT	UNIT PRICE	TOTAL
10	CONTROL OF WATER	<u>Lump Sum</u> Lump Sum	\$440,000.00	\$440,000.00
11	CHANNEL EXCAVATION	<u>17,500</u> Cubic Yard	\$53.00 EJ \$62.00	\$927,500.00 EJ \$1,085,000.00
12	TOPSOIL	<u>2,300</u> Cubic Yard	\$36.00	\$82,800.00
13	CHANNEL EMBANKMENT	<u>8,300</u> Cubic Yard	\$52.00	\$431,600.00
14	ROCK PROTECTION	<u>Lump Sum</u> Lump Sum	\$226,000.00	\$226,000.00
15	SHORING	<u>Lump Sum</u> Lump Sum	\$2,800,000.00	\$2,800,000.00
16	EXTERIOR FLATWORK WITHIN CITY RIGHT OF WAY	<u>Lump Sum</u> Lump Sum	\$62,000.00	\$62,000.00
17	MAINTENANCE ROAD AND MAINTENANCE ACCESS	<u>Lump Sum</u> Lump Sum	\$680,000.00	\$680,000.00
18	SITE UTILITIES	<u>Lump Sum</u> Lump Sum	\$70,000.00	\$70,000.00
19	CHAIN LINK FENCE AND GATES	<u>Lump Sum</u> Lump Sum	\$190,000.00	\$190,000.00



REVISED BID FORM NO. 1
Proposal and Bid Items

This form must be completed in ink and changes must be initialed.

ITEM NO.	DESCRIPTION OF ITEM	APPROXIMATE QUANTITY UNIT	UNIT PRICE	TOTAL
20	PASSIVE FLOOD GATE	Lump Sum Lump Sum	\$ 135,000.00	\$ 135,000.00
21	FLOOD WALLS	Lump Sum Lump Sum	\$ 8,055,000.00	\$ 8,055,000.00
22	ARCHITECTURAL TREATMENT	Lump Sum Lump Sum	\$ 850,000.00	\$ 850,000.00
23	WETLAND BROADCAST SEEDING AND PLANTING	Lump Sum Lump Sum	\$ 104,000.00	\$ 104,000.00
24	ESTABLISHMENT MAINTENANCE	Lump Sum Lump Sum	\$ 300,000.00	\$ 300,000.00
25	LOWER BERRYESSA CREEK TRAIL	Lump Sum Lump Sum	\$ 235,000.00	\$ 235,000.00
26	CITY STORM DRAIN OUTFALL MODIFICATIONS	Lump Sum Lump Sum	\$ 95,000.00	\$ 95,000.00
Section A Subtotal				\$ 19,345,450.00



REVISED BID FORM NO. 1
Proposal and Bid Items

This form must be completed in ink and changes must be initialed.

SECTION B — SUPPLEMENTAL BID ITEMS These Bid items may or may not be required. They may be deleted entirely or in part, by deductive change order(s), at the sole discretion of the District.				
ITEM NO.	DESCRIPTION OF ITEM	APPROXIMATE QUANTITY UNIT	UNIT PRICE	TOTAL
1	ADDITIONAL TOPSOIL	1,000 CY	\$ 30.00	\$ 30,000.00
2	CONTINGENCY IRRIGATION	20 Irrigation Event	\$ 6,500.00	\$ 130,000.00
Section B Subtotal				\$ 160,000.00
TOTAL BID (Section A Subtotal + Section B Subtotal)				\$ 1,950,450.00



**REVISED BID FORM NO. 1
Proposal and Bid Items**


This form must be completed in ink and changes must be initialed.

The specifications state that for Bid Item No.11 Channel Excavation, the Contractor shall dispose of surplus materials at a certified landfill and for Bid Item No.13 Channel Embankment, the Contractor shall import from a quarry. Bidder shall specify the following information used in determining the bid price for Bid Item Nos.11 and 13. Failure to indicate the source of the landfill and quarry on this Bid Form no. 1 may be considered non-responsive.

For Bid Item No. 11, Name(s) of Landfill for Disposal of Surplus Materials LMD Inc. Tracy, CA

For Bid Item No. 13, Name(s) of Quarry for Import of Channel Embankment Soil Stevens Creek Quarry and SBS Concrete, Aggregate, and Supplies

The undersigned Bidder has read and, understands, and will comply with, each and all of the requirements specified in these Bid Documents. This Proposal must be signed by an authorized representative of the Bidder with the authority to bind the Bidder.

BIDDER'S COMPANY INFORMATION	
NAME: Sukut Construction, LLC	ADDRESS: 4010 W. Chandler Avenue Santa Ana, CA 9270
CONTRACTOR'S CALIFORNIA LICENSE NUMBER: 985106	
DATE OF EXPIRATION: 7/31/2021	
LICENSE CLASSIFICATION(S): A, B, HAZ	
PHONE NO.: (714) 540.5351	FAX NO.: (714) 545.2003
EMAIL ADDRESS:	
SIGNATURE BLOCK (Signature Block must be completed in ink and changes must be initialed.)	
Bidder's Signature: 	Date: 3/1/2021
Bidder's Name and Title (Print): Eddie Juarez, Vice President	




BID FORM NO. 2
Designation of Subcontractors

This form must be completed in ink and changes must be initialed.

- A. This Designation of Subcontractors form must be completed in compliance with the State of California Subletting and Subcontracting Fair Practices Act, Public Contract Code §4100 et seq., and any amendment thereof. Bidder must complete the form below for each Subcontract that exceeds one-half of one percent (½%) of the Bidder's total Bid. A Subcontractor is one who: (1) performs Work or labor; or (2) provides a service to the Bidder; or (3) specially Fabricates and Installs a portion of the work according to the Contract Documents. Bidders failure to list a Subcontractor for any portion of the work in excess of ½% of Bidder's total Bid signifies Bidder will self perform that portion of the Work with its own forces. (Note: If more than one Subcontractor is designated for the same kind of Work, state the portion that each will perform.) After the opening of the Bids, no changes or substitutions will be allowed except as otherwise provided by law. The listing of more than one subcontractor for each item of work to be performed with the words "and/or" will not be permitted. Failure to comply with this requirement may render the Bid nonresponsive and may cause its rejection.
- B. Failure by a subcontractor to be registered to perform public work as required by the California Labor Code Section 1771.1 (a) shall be grounds under Section 4107 of the Public Contract Code for the Contractor, with the consent of the awarding authority, to substitute a subcontractor who is registered to perform public work pursuant to Section 1725.5 in place of the unregistered subcontractor.

NAME	LICENSE NO.	DIR REGISTRATION NO.	TYPE OF WORK	% of TOTAL CONTRACT
LOCATION (City & State)	EXPIRATION DATE	EXPIRATION DATE		
Garrison Demolition San Ramon, CA	1647936 12/31/2027	1000063040 6/30/2023	Demo	0.8%
Hardy and Harper Lake Forest, CA	215952 12/31/2021	1000000076 6/30/2021		
AAA Fencing Co. Inc. Santa Clara, CA	522762 1/31/2022	1000002526 6/30/2022	Chain link Fence and Gates	0.8%
KCI Environmental San Louis Obispo, CA	83894 10/31/2022	1000010403 6/30/2021		
Ze Fire Corp Upland, CA	905699 10/31/2021	1000007256 6/30/2021	Shoring	7.9%
CMC Rebar Tracy, CA	778010 4/30/2022	1000000248 6/30/2022		
			Rebar	5.0%

SIGNATURE BLOCK (Signature Block must be completed in ink and changes must be initialed.)

Bidder's Signature: 	Date: 3/1/2021
Bidder's Name and Title (Print): Eddie Juarez, Vice President	



This form must be completed in ink and changes must be initialed.


In accordance with Public Contract Code Section 7106, Eddie Juarez
(Bidder's full name)

declares that he or she is Vice President
(Bidder's title)

of Sukut Construction, LLC
(Company's name)

the party making the foregoing Bid that the Bid is not made in the interest of, or on behalf of, any disclosed 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 the 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.

I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

SIGNATURE BLOCK (Signature Block must be completed in ink and changes must be initialed.)	
Bidder's Signature: 	Date: 3/1/2021
Bidder's Name and Title (Print): Eddie Juarez, Vice President	



This form must be completed in **ink** and changes must be **initialed**.

BE IT KNOWN BY THESE PRESENTS,

That we, Sukut Construction, LLC, as PRINCIPAL,
and Liberty Mutual Insurance Company, as SURETY,

are held and firmly bound unto the Santa Clara Valley Water District, hereinafter called the District, in the penal sum of TEN PERCENT (10%) OF THE TOTAL AMOUNT OF THE PROPOSAL of the Principal above named, submitted by said Principal to the Santa Clara Valley Water District, for the work described below, for the payment of which sum is lawful money of the United States, well and truly to be made, we bind ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly by these presents. In no case shall the liability of the surety hereunder exceed the sum of \$Ten Percent (10%) of the total amount bid.

THE CONDITION OF THIS OBLIGATION IS SUCH,

That whereas the Principal has submitted the above mentioned Proposal to the District, for certain construction specifically described as follows, for which Proposals are to be opened at San Jose, California, on Mar. 3, 2021, (or such other date as specified per Addendum) for Lower Calera Creek Flood Protection Project, Project No. 40174005, Contract No. C0666

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

In the event 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.

IN WITNESS WHEREOF, we have hereunto set our hands and seal on the 22nd day of February, 2021

PRINCIPAL: Sukut Construction, LLC

SURETY: Liberty Mutual Insurance Company

Signature

Signature

Eddie Juarez

Kim Luu

Name

Name

(Seal)

Vice President

Attorney-in-Fact

Title

Title

4010 West Chandler Avenue
Santa Ana, CA 92704

790 The City Drive South, Suite 200
Orange, CA 92868

Address

Address

- NOTE: 1. Original Bidder's Bond documents are required; copies are unacceptable.
2. Signature of those executing for Surety must be properly acknowledged.

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 Orange)
On FEB 22 2021 before me, Heather Rose Saltarelli, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Kim Luu
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 Heather Rose Saltarelli
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: _____

Signer's Name: _____

- Corporate Officer — Title(s): _____
- Partner — Limited General
- Individual Attorney in Fact
- Trustee Guardian or Conservator
- Other: _____

Signer Is Representing: _____

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 Orange)

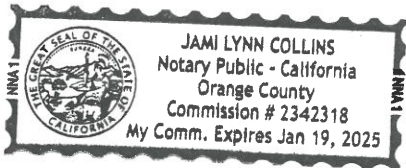
On March 1, 2021 before me, Jami Lynn Collins,
Date Here Insert Name and Title of the Officer

personally appeared Eddie Juarez
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 Jami Lynn Collins
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: _____

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____



This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No: 8201964-977460

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Rhonda C. Abel; Jeri Apodaca; Reece Joel Diaz; Maria Guise; Kim Luu; Michael D. Parizino; Rachelle Rheault; Heather Saitarelli; James A. Schaller

all of the city of Newport Beach state of California each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 23rd day of August, 2019.



Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By: David M. Carey, Assistant Secretary

State of PENNSYLVANIA
County of MONTGOMERY ss

On this 23rd day of August, 2019 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Upper Merion Twp., Montgomery County
My Commission Expires March 28, 2021
Member, Pennsylvania Association of Notaries

By: Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS: Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this FEB 22 2021 day of



By: Renee C. Llewellyn, Assistant Secretary

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

currency rate, interest rate or residual value guarantees.



BID FORM NO. 6
Iran Contracting Act Bid Certification

Page 1 of 2

This form must be completed in ink and changes must be initialed.

Iran Contracting Act Bid Certification
(Public Contract Code Sections 2202–2208)
Must be Completed for any Proposal of \$1,000,000 or more

Public Contract Code (PCC) Sections 2200–2208 are known as the Iran Contracting Act of 2010 and prohibit public entities from contracting with companies that have specified business activities in Iran’s petroleum sector. Companies seeking to bid on state or local government contracts are required to certify that they are not engaged in developing Iran’s petroleum resources.

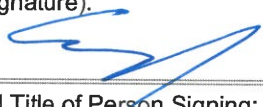
Prior to bidding on, submitting a proposal or executing a contract or renewal for a Santa Clara Valley Water District contract for goods or services of one million dollars (\$1,000,000 or more), a person (vendor, firm, corporation, etc.) must either: a) certify it is **not** on the current list of persons engaged in investment activities in Iran created by the California Department of General Services (“DGS”) pursuant to Public Contract Code Section 2203(b) and is not a financial institution extending twenty million dollars (\$20,000,000) or more in credit to another person, for 45 days or more, if that other person will use the credit to provide goods or services in the energy sector in Iran and is identified on the current list of persons engaged in investment activities in Iran created by DGS; or b) demonstrate it has been exempted from the certification requirement for that solicitation or contract pursuant to Public Contract Code Section 2203(c) or (d). The DGS list is posted online at: www.dgs.ca.gov, search “Iran Contracting Act List”).

To comply with this requirement, please complete **one** of the options below. Please note: California law establishes penalties for providing false certifications, including civil penalties equal to the greater of \$250,000 or twice the amount of the contract for which the false certification was made; contract termination; and three-year ineligibility to bid on contracts. (Public Contract Code Section 2205.)

Please complete one of the options below (see prior page for additional explanation).

OPTION NO.1—CERTIFICATION

I, the official named below, certify I am duly authorized to execute this certification on behalf of the person/financial institution identified below, and the person/financial institution identified below is **not** on the current list of persons engaged in investment activities in Iran created by DGS and is not a financial institution extending twenty million dollars (\$20,000,000) or more in credit to another person/vendor, for 45 days or more, if that other person/vendor will use the credit to provide goods or services in the energy sector in Iran and is identified on the current list of persons engaged in investment activities in Iran created by DGS.

Name of Person (Vendor, Firm, Corporation, etc.)/Financial Institution (Printed): Sukut Construction, LLC		Federal ID No. (or n/a): 37-1702665
By (Authorized Signature): 		
Printed Name and Title of Person Signing: Eddie Juarez, Vice President		
Date Executed: 3/1/2021	Executed in (City & State): Santa Ana, California	

OPTION NO. 2—EXEMPTION

Pursuant to Public Contract Code Sections 2203(c) and (d), a public entity may permit a person/financial institution engaged in investment activities in Iran, on a case-by-case basis, to be eligible for, or to bid on, submit a proposal for, or enter into or renew, a contract for goods and services.

If you have obtained an exemption from the certification requirement under the Iran Contracting Act, please fill out the information below, and attach documentation demonstrating the exemption approval.

Name of Person (Vendor, Firm, Corporation, etc.)/Financial Institution (Printed):		Federal ID No. (or n/a):
By (Authorized Signature):		
Printed Name and Title of Person Signing:		
Date Executed:	Executed in (City & State):	



ATTACHMENT 1
 BID FORM NO. 7 (REV 1)
Bidder's General Information

Page 1 of 3

This form must be completed in ink and changes must be initialed.

Timely submission of these Forms is considered **material** by the District.

All Bidders must complete and submit this Bidder's General Information, Bid Form 7, including the required attachments. The Bidder may be considered not responsible based on information provided on this Form. Additional sheets may be attached as required.

1. Number of years as a contractor in construction work of this type: 51 years

2. Names and titles of all officers of Bidder's firm:
Steve Yurosek, President & CEO; Michael Greenlee, Vice President/Chief Estimator; Felipe Olivar,
Vice President; Eddie Juarez, Vice President; Eric Mauldin, Vice President; Mike Zanaboni, Vice
President; Paul Kuliev, CFO and Company Secretary

3. Name of person(s) who inspected site of proposed work for your firm:
 Name: Rick Welsheimer Date of Inspection: 2/11/2021

4. Name, address, and telephone number of surety company and agent who will provide the required bonds for this Contract:

<u>Liberty Mutual Surety</u>	<u>Agent: Alliant Insurance Services</u>
<u>333 City Blvd., West, Ste. 300</u>	<u>1301 Dove St., Ste. 200</u>
<u>Orange, CA 92868</u>	<u>Newport Beach, CA 92660</u>

5. **Résumé of Designated Authorized Representative: Attach the résumé of the person who will be designated as authorized representative. The Contractor's authorized representative must have requisite background and experience to administer and oversee the Work on behalf of the Contractor. The representative must have complete authority to represent and act for the Contractor as stated in Standard Provisions, Contractor Staffing, Article 3.03.**

6. **Prior Construction Contracts: Bidder must provide at least two (2) construction contracts similar in scope and complexity to this Project that your organization has performed during the last 5 years. Use the PRIOR CONSTRUCTION CONTRACTS form (page 3 of this Bid Form 7) for each project.**

7. **Claims and lawsuits: if the answer to any of the questions below is "yes" explain the circumstances on an attached sheet.**
 - 7.1 Has your organization ever failed to complete an awarded contract?

Yes No



BID FORM NO. 7 (REV 1) Bidder's General Information

This form must be completed in ink and changes must be initialed.

7.2 Are there any judgments, claims, alternate dispute resolution proceedings or suits pending or outstanding against your organization or its officers?

Yes No

7.3 Has your organization filed any lawsuits or requested an alternate dispute resolution with regard to construction contracts within the last 5 years?

Yes No

8. The Bidder hereby declares that the Bidder has not been convicted, within the preceding 3 years, of 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 work contract with any public entity. The term "Bidder" includes any partner, member, officer, director, responsible managing officer, or responsible managing employee thereof.

9. 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:

Three horizontal lines for providing an explanation.

10. The Bidder signing for Contractor certifies that neither Bidder nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

District reserves the right to verify the above information.

I STATE UNDER PENALTY OF PERJURY THAT EACH AND ALL OF THE STATEMENTS I HAVE MADE IN RESPONSE TO PARAGRAPHS 8, 9 & 10 ABOVE ARE TRUE AND CORRECT.

SIGNATURE BLOCK (Signature Block must be completed in ink and changes must be initialed.) Bidder's Signature: [Signature] Date: 3/1/2021 Bidder's Name and Title (Print): Eddie Juarez, Vice President

SUKUT CONSTRUCTION, LLC

SPECIAL MEETING OF THE BOARD OF DIRECTORS ELECTION OF OFFICERS

A telephonic meeting of the Board of Directors of Sukut Construction, LLC (the "Company") was held at 4010 West Chandler Avenue, in the City of Santa Ana, State of California, on June 4, 2020 at 11:00 a.m.


Present at the meeting were Dave Grattan, Don Barnes, Mike Crawford, Mike Ortiz, Mike Zanaboni, Steve Yurosek, and Paul Kuliev, constituting the full membership of the Board. Mike Crawford acted as the Chairperson and Paul Kuliev acted as the Secretary of the meeting.

The Board approved the ability of the below officers to sign contracts on the Company's behalf. This approval is effective immediately and their individual ability to bind the Company to such contracts shall remain in effect until such time as respective successors are chosen by the Board.

Mike Crawford	Chairman
Mike Greenlee	Vice President
Eddie Juarez	Vice President
Paul Kuliev	Chief Financial Officer and Company Secretary
Eric Mauldin	Vice President
Felipe Olivar	Vice President
Steve Yurosek	CEO & President
Mike Zanaboni	Vice President

Votes being duly cast by all directors, the Chairman announced that the aforementioned individuals had been unanimously elected to the office indicated next to their names to assume the duties and responsibilities as established in the By-Laws.

Dated: June 4, 2020


Paul Kuliev
Company Secretary

SUKUT CONSTRUCTION, LLC

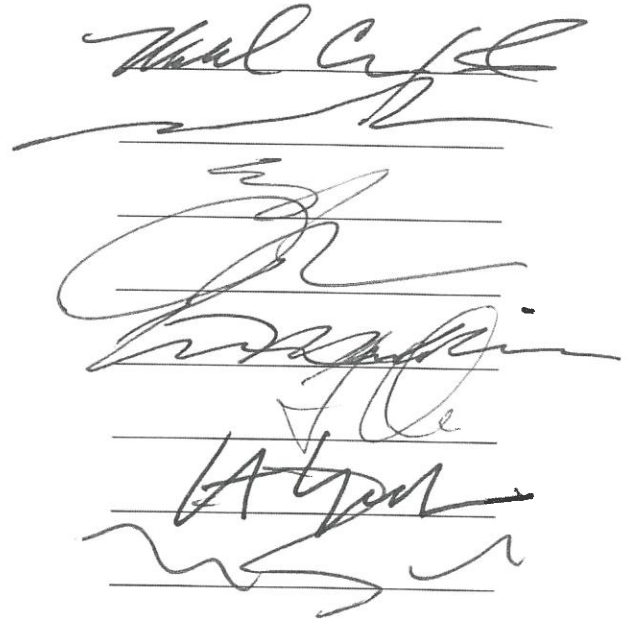
DIRECTORS RESOLUTION AUTHORIZING OFFICERS AS SIGNATORIES TO CONSTRUCTION CONTRACTS

RESOLVED, that the individuals listed below are authorized and empowered to enter into construction contracts for and on behalf of this Company.


RESOLVED FURTHER, that all contracts for the performance of work shall be valid and binding on the Company only when signed by the individuals listed below.

RESOLVED FURTHER, that the individuals listed below are elected, qualified and acting officers of the Company, holding on the date set forth herein the title indicated next to their name.

Mike Crawford	Chairman
Mike Greenlee	Vice President
Eddie Juarez	Vice President
Paul Kuliev	CFO & Company Secretary
Eric Mauldin	Vice President
Felipe Olivar	Vice President
Steve Yurosek	CEO & President
Mike Zanaboni	Vice President



Dated: June 4, 2020



Paul Kuliev
Company Secretary



This form must be completed in ink and changes must be initialed.


PRIOR CONSTRUCTION CONTRACTS

The Bidder may make as many copies of this page as necessary. Bidder may provide the required information on an alternative document. Bidder must submit a signed original of this page 3 of Bid Form 7.

Respond to each item, indicating "none" where appropriate.

- A. Name, address, and telephone number of owner: San Bernardino County Dept. of Public Works
825 E. 3rd St., San Bernardino, CA 92415, 909.387.7910
- B. Name of project: West Fontana Channel - Flood Control Channel
- C. Location of project: Fontana, CA
- D. Brief description of the work involved: The project scope included the construction of a new 3 mile long, 25' wide flood control channel, including cast in place rectangular channel, trapezoidal channel and reinforced concrete box, as well as pre-cast reinforced concrete box
- E. Contract amount: \$59,979,864.00
- F. Claims amount: None
- G. Liquidated damages assessed: None
- H. Date of completion of contract: 12/29/2020
- I. Name, address, and telephone number of design firm's architect or engineer:
San Bernardino County Flood Control, 825 E. 3rd St., San Bernardino, CA 92415, David Drake, 909.387.7966
- J. Name of owner's project manager: Joseph Schweitzer, 909.387.7936
- K. Declaration of Default (Yes or No): No
- L. Litigation on questions of project performance: None
- M. Determination of failure to pay prevailing wages or other state and/or federally required taxes or contributions: None
- N. Citations by federal OSHA or CAL OSHA: 1. General Citation for \$225. Violation of 1509(a). Issued on 5/6/2020.

District reserves the right to verify the above information.

SIGNATURE BLOCK (Signature Block must be completed in ink and changes must be initialed.)	
Bidder's Signature: 	Date: <u>3/1/2021</u>
Bidder's Name and Title (Print): <u>Eddie Juarez, Vice President</u>	



BID FORM NO. 7 (REV 1)
Bidder's General Information

Page 3 of 3

This form must be completed in ink and changes must be initialed.


PRIOR CONSTRUCTION CONTRACTS

The Bidder may make as many copies of this page as necessary. Bidder may provide the required information on an alternative document. Bidder must submit a signed original of this page 3 of Bid Form 7.

Respond to each item, indicating "none" where appropriate.

- A. Name, address, and telephone number of owner: Riverside County Flood Control & Water Conservation District, 1995 Market St., Riverside, CA 92501, 951.315.0730
- B. Name of project: Heacock Channel Stages 3 & 4
- C. Location of project: Moreno Valley, CA
- D. Brief description of the work involved: This project scope included the construction of a new 10,000 LF long, 20 foot wide flood control channel, including a cast-in-place rectangular channel, trapezoidal channel, and reinforced box culvert within an active flood control channel.
- E. Contract amount: \$13,237,813
- F. Claims amount: None
- G. Liquidated damages assessed: None
- H. Date of completion of contract: 9/10/2019
- I. Name, address, and telephone number of design firm's architect or engineer:
Albert A. Webb Associates, 3788 McCray St., Riverside, CA 92506, Joseph Caldwell, 951.320.6029
- J. Name of owner's project manager: David Garcia, 951.315.0730
- K. Declaration of Default (Yes or No): None
- L. Litigation on questions of project performance: None
- M. Determination of failure to pay prevailing wages or other state and/or federally required taxes or contributions: None
- N. Citations by federal OSHA or CAL OSHA: None

District reserves the right to verify the above information.

SIGNATURE BLOCK (Signature Block must be completed in ink and changes must be initialed.)	
Bidder's Signature: 	Date: 3/1/2021
Bidder's Name and Title (Print): Eddie Juarez, Vice President	



GABRIEL THOMPSON
Construction Manager

WORK EXPERIENCE

- 2011 – Present:** **Sukut Construction**
Santa Ana, California
- 2007 – 2011:** **Hos Bros. Construction, Inc.**
Woodinville, Washington
- 2003 – 2007:** **Granite Construction Company**
Watsonville, California

HIGHLIGHTED PROJECT EXPERIENCE

Caltrans Route 29 – Clearlake, CA (2019 – Present): Sukut is working on the Highway 29 realignment project in Lake County. The work on this three-mile-long stretch of road includes over 850,000 cubic yards of roadway and rock excavation, as well as blasting. Sukut's large equipment fleet including D11 dozers are well suited to rip through the hard volcanic rock that we are encountering. Projected contract value - \$19,240,000

Calaveras Dam Replacement Project - Sunol, CA (2011 – 2019): Joint venture between Dragados – USA, Inc., Flatiron West, Inc. and Sukut Construction, Inc. Construction of a zone fill earthen dam, downstream of the existing Calaveras Dam for the San Francisco Public Utilities Commission. Construction included excavation for the new dam, new outlet works, spillway, spillway bridge, buildings, vaults, tower and associated on-site and offsite roadway improvements. Drilling and blasting plans submitted for over 800,000 cubic yards of three-six-inch minus rock, Process, Haul and Place over 800,000 cubic yards of clay and 1.2 million cubic yards of Downstream shell material. Additionally, Sukut had imported 700,000 tons of drain material, which equaled to 40,000 loads. Total contract value - \$577,162,000

City of Seattle Maple Leaf Reservoir: Project consists of demolishing a 60-million-gallon open reservoir and replacing it with a 60-million-gallon enclosed concrete structure, as part of a federal program funded through Homeland Security contract administered through City of Seattle. Scope included 10,000 Tons contaminated concrete demo and export, 60,000 cubic yards export, 60,000 cubic yards cut to fill, grading, several thousand feet of utility installation including 54-inch steel welded pipe up to 40 feet deep.

Amazon Block 34: Project consists of excavation and export of 150,000 cubic yards of soil along with several thousand cubic yards of petroleum, lead and asbestos contaminated soil, storm, sewer and water tie ins and road improvements for a new high rise mixed use building in Seattle.

Nintendo of America: Expand and improve existing North American distribution center for Nintendo. 75,000 cubic yards cut to environmentally sensitive fill, 50,000 cubic yards dirt export, 10,000 Tons CSB and TC, 15,000 Tons asphalt paving, several ponds and new storm system.

Microsoft Corporation Redmond Campus: This group includes several projects for Microsoft at their Redmond campus including, Commons Buildings 94 and 95, Underground Parking Structure B98, NE 40th St improvements and Building 83. Scope included upwards of a million cubic yards of cut to export, several thousand feet of underground utilities, three large storm detention vaults, facing for shoring walls, and foundation excavation.

Microsoft Corporation Issaquah Highlands: Project consisted of 250,000 cubic yards cut to fill, several thousand feet of up to 36-inch DI pipe and several large storm structures, for HDPE lined storm detention pond.

City of Redmond Interim Storm Pond: Excavated and exported 60,000 cubic yards, imported 10 cubic yards pond liner material, install utilities and landscaping.



Fort Ord Development: Large scale scraper operation, cut to fill 500,000 cubic yards of material, installed storm detention vault, fine grading, and asphalt paving for a large commercial development.

Caltrans Highway 68 Improvements: Project consisted of several miles of highway reconstruction with improved lane width, sidewalks, storm, sewer, water, and electrical systems. 13,000 tons asphalt removal and replacement, several thousands of feet utility installation.

AKDOT Iliamna Alaska Road and Airport improvements: Worked with AKDOT on 13 miles of asphalt paving and paving of two 3500 linear feet runways, in the remote Alaskan outpost.

EDUCATION

- Bachelor of Science, Construction Management
University of Washington, Seattle, WA

PROFESSIONAL CERTIFICATIONS

- Competent Person
- CPR
- Army Corps Construction Quality Management



GREG YARBROUGH
Superintendent

WORK EXPERIENCE

- 2020 – Present:** Sukut Construction
Santa Ana, California
- 2017-2020:** Goodfellow Bros Ca, LLC.
Folsom, California
- 1995-2017:** Teichert Construction
Stockton, California

HIGHLIGHTED PROJECT EXPERIENCE

Potrero Hills LF Module 18 Liner – Suisun City, CA (2020 - Present): Sukut has been contracted to complete mass excavation, clay layer installation, LCRS gravel, and LCRS piping for Waste Connections next cell at the Potrero Hills landfill. Projected contract amount - \$4,134,000

Folsom Ranch Development – Folsom, CA (2017-2020): Established sewer system/force main to handle 3,500 acres of future developed residential and commercial land, ran jack and bore under HWY 50 to supply the new development with sewer services. Built 1,000 lots per year in addition to developing two major backbone roads. Drilled and blasted over one million cubic yards of rock. Managed all underground, joint trench, electrical, and concrete subcontractors, while self-performing all grading and paving operations.

Ecco Wastewater Treatment Extension – Elk Grove, CA (2015-2017): Excavated new ponds, totaling two million cubic yards of off highway bottom dumps and scrapper dirt. Installed 10,000 linear feet of 48-inch RCP, 12,000 linear feet of 84-inch at Ave depth of 18 feet and formed and built all structures at ponds with slide gates.

Sonora Bypass – Sonora, CA (2011-2014): Constructed eight miles of new roadway on Hwy 108. Managed subcontractor during construction of two new bridges, drilled and blasted 260-foot deep cuts of hard granite, installed all drainage systems. Finished project one year ahead of schedule.

Wastewater Pump Lines – Atwater, CA (2010-2011): Constructed 56,000 linear feet of DIP and multiple 10X10-foot vaults. Installed a twin 16 DIP force main from the pump station to new sewer treatment plant, all in existing roadway.

Tank and Pump Station– Modesto, CA (2009-2010): Constructed 28,000 linear feet of 16-inch DIP, developed a four- million gallon tank and pump station. All piping went down the existing roadway – six jack and bore locations averaging 26 feet in depth.

Home and Commercial Development – Mt. House, CA (2000-2008): Broke ground for the development of the City of Mountain House. Built 1,000 lots per year in addition to commercial lots, producing over \$80,000,000 per year. Established backbone improvements including all grading, underground, concrete, and paving. Dewatered with up to 500 dewatering wells per year and over 20,000 linear feet of dewatering pipe. Created the first two phases of the water treatment plant.



PROFESSIONAL CERTIFICATIONS

- HAZWOPER Trained, Supervisor level
- Competent Person
- Confined Space
- CPR and First Aid Certified



DEPARTMENT OF THE ARMY
SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS
450 GOLDEN GATE AVENUE, 4TH FLOOR
SAN FRANCISCO, CALIFORNIA 94102-3406

ATTACHMENT 2

January 11, 2021

Regulatory Division

SUBJECT: File Number #2003-284400S

TIME EXTENSION

Ms. Sue Tippetts
Interim Chief Operating Officer
Valley Water
5750 Almaden Expressway
San Jose, CA 95118-3614
jmanitakos@valleywater.org

Dear Ms. Tippetts:

This letter is written in response to your request dated December 9, 2020 for a second time extension for the Lower Berryessa and Lower Calera Creek Flood Protection Project, Permit Number 2003-284400S, initially issued by this office on June 15, 2015. This permit authorized you to construct flood control improvements along 8,593 linear feet of Lower Berryessa Creek and to construct improvements along approximately 3,127 linear feet of Lower Calera Creek within the City of Milpitas, Santa Clara County, California. Project construction has been delayed due to a number of factors. A time extension was issued on February 15, 2018, and project construction for the Lower Berryessa Creek portion has been completed. However, project construction for the Lower Calera Creek portion will require additional time to complete.

You are hereby granted Department of the Army authorization to extend the completion date specified in General Condition No. 1 of Department of the Army Permit Number 2003-284400S to December 31, 2023. If the authorized work is not completed on or before December 31, 2023, this authorization, if not previously revoked or specifically extended, shall automatically expire. Except for General Condition No. 1, all conditions of the original permit remain in full force and effect.

-2-

Should you have any questions regarding this matter, please contact Keith Hess of our Regulatory Division by email at keith.d.hess@usace.army.mil or by phone at (707) 43-0855. Please address all correspondence to the Regulatory Division and refer to the File Number at the head of this letter. If you would like to provide comments on our permit review process, please complete the Customer Survey Form available online at <http://www.spn.usace.army.mil/Missions/Regulatory.aspx>.

Sincerely,

Katerina Galacatos, Ph.D.
South Branch Chief, Regulatory Division

Copies Furnished:

US EPA, San Francisco, CA (Attn. Luisa Valiela, valiela.luisa@epamail.epa.gov)
CA DFW, Napa, CA (Attn Tami Schane, Tami.Schane@wildlife.ca.gov)
CA RWQCB, Oakland, CA (Attn. Margarete Beth, mabeth@waterboards.ca.gov)