



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Julia H. Cooper

SUBJECT: SEE BELOW

DATE: January 3, 2022

Approved

Date

1/4/2022

SUBJECT: ACTIONS RELATED TO THE PURCHASE ORDERS FOR TRUCKING AND DEBRIS AND ASPHALT HAULING SERVICES

RECOMMENDATION

Adopt a resolution authorizing the City Manager to:

- (a) Execute purchase orders with One Stop, Inc. dba San José Transport (Gilroy, CA), 101 Trucking, Inc, (Gilroy, CA), and Alviso Rock, Inc (Alviso, CA) for trucking and debris and asphalt hauling services for an initial twelve-month period, starting on or about January 26, 2022 and ending on or about January 25, 2023, for a total cumulative compensation not-to exceed amount of \$593,000; and
- (b) Exercise up to four (4) additional one-year options to extend the initial term of the purchase orders with the last option year ending on or about January 25, 2027, subject to the annual appropriation of funds

OUTCOME

To ensure the City has contractors to transport water, asphalt, debris and materials to keep debris from accumulating and to maintain City facilities and ensure they are operating in optimal condition.

BACKGROUND

The Department of Transportation (DOT) and the Environmental Services Department (ESD) require the use of trucking and debris hauling services.

DOT's Heavy Equipment team oversees the dumping of debris, which includes trash, dirt, concrete, asphalt, rubble, mattresses and recycled material for many City departments and

stakeholders, such as ESD, Parks, Recreation and Neighborhood Services (PRNS), Beautify San José Project, the Conservation Corps, special district contractors, and many others. These departments and stakeholders use contract haulers to haul away debris from job sites and bring back the materials to the DOT's transfer stations. DOT's Heavy equipment team consolidates and schedules the hauling and disposal of debris to the Newby Island landfill in Milpitas.

ESD's San José-Santa Clara Regional Wastewater Facility (RWF) requires various trucking and hauling services as part of the normal upkeep and maintenance of the Residual Solids Management (RSM) area of the facility. This area is composed of lagoons, drying beds, levees, and dirt roads occupying roughly 650 acres. Trucking services are used for everything from moving water, materials, and equipment as part of rehabilitation activities to provide dust control on dirt roads. Dust control is especially important during the annual biosolids hauling activities. These services are primarily used by RWF heavy equipment operators but are sometimes used by RWF facility maintenance staff as well.

ANALYSIS

In September 2021, the Finance Department conducted a competitive Request for Bid (RFB) for trucking and asphalt and debris hauling services. The RFB was structured to allow for multiple awards. Four (4) responsive bids were submitted by the bid deadline and the City issued a notice of intent to award to all four (4) bidders as follows: One Stop, Inc. (dba San José Transport), 101 Trucking, Inc., Alviso Rock, Inc. and Marco Polo Enterprises, LLC.

The City received two (2) protests by the protest deadline – one from One Stop, Inc. dba San José Transport and the other from Alviso Rock, Inc. Both protestors contended Marco Polo did not meet the requirements of the RFB and was not qualified to provide the services. Marco Polo subsequently withdrew their bid which was accepted by the City, rendering the protests moot. The protestors were notified of the conclusion of the bid protests.

One Stop, Inc. dba San José Transport's protest letter and the Chief Purchasing Officer's response are attached to this memorandum as Attachment A and Attachment B, respectively. Alviso Rock's protest letter and the Chief Purchasing Officer's response are attached to this memorandum as Attachment C and Attachment D, respectively.

The three (3) remaining bidders requested and qualified for the City's local and small business enterprise preferences. The preferences granted did not affect award.

Staff recommends award to all three (3) remaining responsive, responsible bidders pursuant to the San José Municipal Code for formal bidding, Section 4.12.310(B).

CONCLUSION

Approval of this recommendation will ensure the DOT and ESD have trucking and hauling services contractors in place to transport water, asphalt, debris, materials and equipment to keep debris from accumulating and help ensure City facilities are maintained in optimal condition.

EVALUATION AND FOLLOW-UP

This memorandum will not require any follow-up from staff.

CLIMATE SMART SAN JOSE

The recommendation in this memo has no effect on Climate Smart San José energy, water, or mobility goals.

PUBLIC OUTREACH

This memorandum will be posted on the City’s Council Agenda website for the January 25, 2022 Council Meeting.

COORDINATION

This memorandum has been coordinated with the Departments of Transportation, Environmental Services, City Attorney’s Office and City Manager’s Budget Office.

COMMISSION RECOMMENDATION/INPUT

The Treatment Plant Advisory Committee is scheduled to consider this item on January 13, 2022. A supplemental memo with TPAC’s recommendation will be included in the amended January 25, 2022 City Council meeting agenda.

FISCAL/POLICY ALIGNMENT

This Council item is consistent with Council approved Budget Strategy to have functional public infrastructure, facilities, and equipment.

COST SUMMARY/IMPLICATIONS

The following outlines the elements if the purchase order:

1. AMOUNT OF RECOMMENDATION/COST OF PROJECT: \$593,000

2. COST ELEMENTS OF AGREEMENT/CONTRACT:

DOT One Year Not-To-Exceed Amount	\$468,000
ESD One Year Not-To-Exceed Amount	125,000
TOTAL	\$593,000

3. SOURCE OF FUNDING:

DOT: Staff will issue unencumbered open purchase orders (OPs) for DOT. DOT will charge departments and stakeholder and encumber funds at the time of payment to contractors.

ESD: Fund 513

4. FISCAL IMPACT: N/A

BUDGET REFERENCE

DOT will be responsible for facilitating all trucking services to haul debris to its sites, processing invoices, and charging departments and stakeholders directly after the work is completed.

Fund #	Appn #	Appn. Name	Total Appn.	Amt. for Recommendation	2021-2022 Adopted Budget Page*	Last Budget Action (Date, Ord. No)
513	0762	NP/EQUIP-ENVIRONMENTAL SVCS	\$35,387,669	\$125,000	1014	10/19/2021 30682

HONORABLE MAYOR AND CITY COUNCIL

January 3, 2022

Subject: Actions Related to the Purchase orders for Trucking and Asphalt and Debris Hauling Services

Page 5

CEQA

Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment

/s/

JULIA H. COOPER

Director of Finance

For questions, please contact Jennifer Cheng, Deputy Director, at jennifer.cheng@sanjoseca.gov.



October 26, 2021

City Of San Jose
200 E. Santa Clara St.
13th Floor
San Jose, Ca 95113

Attn: Purchasing Officer

RE: Protest of RFB 2021.09.10110

To Whom It May Concern:

I would like to make this my official protest on the above mentioned RFB. The apparent low bidder Marco Polo Enterprises, LLC is not qualified to bid, based on the following;

1. Marco Polo Enterprises, LLC., does not have a valid Motor Carrier Permit (MCP), therefore he does have the authority to operate as a carrier in the state of California.

"Operating as a motor carrier without a permit is misdemeanor and is punishable by a fine of up to \$2,500.00 or by imprisonment in the county jail for not more than three month or both."
2. Due to the fact that he doesn't have a valid MCP and does not own trucks they are not able to provide CARB compliance verification. By Marco Polo Enterprises, LLC. not having a Motor Carrier Permit, CARB compliance or a Construction Trucking California Broker Bond, puts them at a pricing advantage because they don't have those additional expenses that make you a bonafide trucking firm.
3. Marco Polo Enterprises, LLC does not hold a valid Construction Trucking California Broker Bond As per vehicle code 34510.5 part of California law (AB145)

A "motor carrier of property in dump truck equipment" means a motor carrier of property permitted by the Department of Motor Vehicles (DMV) that hauls any type of construction commodity or material in dump truck equipment. The law does not apply to certain construction materials production facilities or companies who do not accept a fee for arranging transporting their products. Basically, if you are a broker of construction material and handle other truckers' money regardless of whether or not you own or lease your own trucks and or trailers, you will be required to obtain this bond.

A federal broker bond will not cover Intra state related claims, he is a freight hauler NOT CONSTRUCTION TRUCKING.

Attachment A

His bid should not be considered since at bid time he was not qualified to bid the job and should not be allowed time to provide permits & bond after the fact. A responsive and responsible bidder would have all proper permits, license and bonds in place prior to bid time.

Please feel free to call me if you have any questions @ 408-640-4291. Thank you in advance for your consideration.

Respectfully,


James Vergara

Attachment B



Finance Department
PURCHASING DIVISION

November 16, 2021

Mr. George A. Maciel
Alviso Rock
PO Box 550
Alviso, CA 95002-0050

Subject: Request for Bid (RFB) PUR-RFB2021.09.10110 for Asphalt Trucking/Debris
Hauling Services
Reference: Protest letter from Mr. George A. Maciel of Alviso Rock, dated October 20, 2021

Dear Mr. Maciel:

Marco Polo Enterprises, LLC has withdrawn their bid, and the City of San Jose has accepted their bid withdrawal. Therefore, the City will not move forward with an award of contract to Marco Polo. Marco Polo's bid will be excluded from Staff's recommendation of award to City Council.

Since Marco Polo withdrew their bid, your protest regarding the City's recommendation to award to Marco Polo is moot. This brings your protest to a conclusion. If you have any additional questions or concerns, please contact Bernie Reyes at bernie.reyes@sanjoseca.gov.

Sincerely,



DN: cn=Jennifer Cheng, o=City
of San Jose, ou,
email=jennifer.cheng@sanjosec
a.gov, c=US
Date: 2021.11.16 17:38:45
-08'00'
Adobe Acrobat version:
2021.007.20099

Jennifer Cheng
Deputy Director, Finance

Attachment C



PO BOX 550
Alviso, CA. 95002-0550
Phone: 510-226-9244 Fax: 510-226-9527
admin@alvisorock.com

October 20, 2021

ATTN: PURCHASING OFFICER
CITY OF SAN JOSE
200 EAST SANTA CLARA STREET
13TH FLOOR
SAN JOSE, CA 95113

Re: Protest of Solicitation Number: PUR-RFB2021.09.10110

To Whom It May Concern:

In regards to the above-mentioned solicitation number, I am submitting a protest pertaining to Marco Polo Enterprises, LLC based on the criterion listed below:

1. Per City of San Jose Solicitation Information, Solicitation Name: ASPHALT TRUCKING/DEBRIS HAULING SERVICES, line 1 of the solicitation overview states, *"The City of San Jose is soliciting responses from qualified vendors for Asphalt Trucking/Hauling Services."* (Please see attachment 1)

*Please note that Marco Polo Enterprises is not an asphalt trucker, hauler, or contractor. According to their own company description, Marco Polo Enterprises LLC is a freight brokerage company that arranges the transportation of freight. We offer expertise in freight transportation services across the United States." (Please see attachment 2)

*Secretary of State Statement of Information (Limited Liability Corporation) Dated July 08, 2021, item #7 also lists Marco Polo Enterprises, LLC as a Freight Brokerage. (Please see attachment 3)

2. Upon further investigation, (Please see attachment 4) Marco Polo Enterprises, LLC states that 8 companies are located at 4950 Cherry Avenue, San Jose, CA 95118*. In addition, "Marco Polo Enterprises is estimated to generate \$33,851.00 in annual revenues, and employs approximately 1 "people" at this single location."

Based on the information alone provided in item number 2, it is evident that 1 "people" generating \$33,851.00 in annual revenue is nowhere competent, capable, or qualified to accomplish this project.

*Note, 4950 Cherry Avenue, San Jose, CA 95118 is an apartment complex.

Attachment C

3. Marco Polo Enterprises, LLC has a recorded registration date through the California Department of Industrial Relations effective 10/14/21 (Please see attachment 5). Please revisit (Attachment 1), as the bid closing date was 10/11/21. As of the bid closing date, Marco Polo Enterprises, LLC did not possess a State of California Department of Industrial Relations Registration.

In addition, according to California Department of Industrial Relations (Please see attachment 6).

“First-time registration: A penalty of \$2,000.00 applies when a contractor is registering for the first time and did any of the following in the past 12 months: “a. bid or was awarded a public works project”

MARCO POLO ENTERPRISES, LLC SUBMITTED A BID TO THE CITY OF SAN JOSE WHILE UNREGISTERED!

4. Again, Marco Polo Enterprises, LLC is a freight brokerage hence operating without a Motor Carrier Permit. In order to secure a Motor Carrier Permit one must own a vehicle currently registered through DMV capable of providing transportation for the above-mentioned bid solicitation. Any responsible entity operating within the state of California providing “Asphalt Trucking/Debris Hauling Services” must maintain a Motor Carrier Permit.

(Please see attachment 7) Per DMV.CA.GOV

“Operating as a motor carrier of property without an MCP is a misdemeanor and is punishable by a fine of up to \$2,500, or by imprisonment in the county jail for not more than three months, or both. CHP may also confiscate and impound your vehicles. Penalties may also be assessed when applying for an MCP (RTC 7236).”

5. Lastly, due to the fact that Marco Polo Enterprises, LLC does not own truck/trucks, they are incapable of CARB compliance verification.

(Please see attachment 8) Per WW2.ARB.CA.GOV

“Starting in 2020, the California Department of Motor Vehicles (DMV) begins compliance verification to ensure that vehicles subject to the California Air Resource Board’s (CARB) Truck and Bus Regulation meet the requirements prior to obtaining DMV registration.”

In summation, based on all the information provided we are protesting the City’s recommendation to award Marco Polo Enterprises, LLC this contract. To reiterate, Marco Polo Enterprises, LLC is not an asphalt trucker, debris hauler, nor trucking contractor. They do not own any vehicles or equipment capable of performing services for this bid solicitation. Without ownership of trucks, one cannot apply for or meet criterion for Motor Carrier Permitting or CARB compliance. Marco Polo Enterprises, LLC houses 8 companies from an apartment located at 4950 Cherry Avenue San Jose, CA 95118 while generating a dismal \$33,851.00 seeking to perform services for the City of San Jose in excess of one million dollars.

Attachment C

Lastly, Marco Polo Enterprises, LLC should have never been allowed to submit a bid, as they were unregistered through the California Department of Industrial Relations. Your prompt attention to this matter is greatly appreciated. Please reach out if you have any questions, comments, or concerns, 408-398-8146. Thank you for your time and consideration,

With respect,



George A. Maciel

cc: California Department of Industrial Relations

Enclosures: Attachments 1-8



Solicitation Information

Solicitation Number: PUR-RFB2021.09.10110

Solicitation Name: ASPHALT TRUCKING/DEBRIS HAULING SERVICES

Publish Date: 09/20/2021 PT

Closing Date: 10/11/2021 15:00:00 PT

Question Deadline: 09/30/2021 15:00:00 PT

Pre-Bid Meeting / Site Meeting:

The City of San José is soliciting responses from qualified vendors for Asphalt Trucking/Debris Hauling Services.

RESPONSE TIME REQUIREMENTS: Due to the critical response times required for the services described in this solicitation (within 24 hours), bidders must be located within 20 miles of Santa Clara County or must demonstrate how they will meet this response time requirement if they do not meet this location requirement.

SALES TAX: Do not include sales tax in your solicitation response. The City will work with the selected vendor to establish the applicable tax for contract award.

ESTIMATED QUANTITIES: Any quantities specified herein are the City's best estimate of the quantities that will be purchased; however, they are not guaranteed. Any variations from these estimated quantities shall not entitle the bidder to an adjustment in unit pricing or rates.

ELECTRONIC SUBMISSION:

All responses to this solicitation must be submitted online through Biddingo, including all required forms and documentation, if applicable. Any questions regarding how to register with Biddingo or how to submit a response to this solicitation should be directed to Biddingo at (800) 208-1290 or by email to info@biddingo.com.

BASIS OF AWARD is Price-Determinative: The award for this solicitation will be based on lowest responsive and responsible base bid that meets all specifications. The City may award by line item, lot, or overall lowest cost after application of local business and small business preferences, if applicable.

PUR-RFB2021.09.10110, ASPHALT TRUCKING/DEBRIS HAULING SERVICES

ATTACHMENT 2

Marco Polo Enterprises

(800) 882-4102
(415) 957-4102

www.marcopoloilc.com



Contact Information

Address: 4950 Cherry Avenue Apt. 46
San Jose, CA 95118
Hours: 8a-6p Mon- Fri
Local: (800) 882-4102
Toll Free: (800) 882-4102
Web: <http://www.marcopoloilc.com>



Company Information

Established in: 2019 **Federal MC Authority:** [1209549](#)
Member Since: Sep 2021
Company Desc: Marco Polo Enterprises LLC is a Freight Brokerage Company that arranges the transportation of freight. We offer expertise in freight transportation services across the United States. Our team manages our business with the goal to exceed the expectations of our customers.

Score: *0.0%
Received Ratings: 0
Member Since: Sep 2021

* Ratings score is based on ratings given by carriers on Central Dispatch. A high score typically indicates that this transporter has a good relationship with its carriers.

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ATTACHMENT 3

21-D44404

FILED

In the office of the Secretary of State
of the State of California

JUL 08, 2021

This Space For Office Use Only

	Secretary of State Statement of Information (Limited Liability Company)	LLC-12	
IMPORTANT — Read instructions before completing this form.			
Filing Fee – \$20.00 Copy Fees – First page \$1.00; each attachment page \$0.50; Certification Fee - \$5.00 plus copy fees			
1. Limited Liability Company Name (Enter the exact name of the LLC. If you registered in California using an alternate name, see instructions.)			
MARCO POLO ENTERPRISES LLC			
2. 12-Digit Secretary of State File Number 202118810757		3. State, Foreign Country or Place of Organization (only if formed outside of California) NEVADA	
4. Business Addresses			
a. Street Address of Principal Office - Do not list a P.O. Box 4950 Cherry Ave #46	City (no abbreviations) San Jose	State CA	Zip Code 95118
b. Mailing Address of LLC, if different than item 4a 4950 Cherry Ave #46	City (no abbreviations) San Jose	State CA	Zip Code 95118
c. Street Address of California Office, if Item 4a is not in California - Do not list a P.O. Box	City (no abbreviations)	State CA	Zip Code
If no managers have been appointed or elected, provide the name and address of each member. At least one name and address must be listed. If the manager/member is an individual, complete items 5a and 5c (leave item 5b blank). If the manager/member is an entity, complete items 5b and 5c (leave item 5a blank). Note: The LLC cannot serve as its own manager or member. If the LLC has additional managers/members, enter the name(s) and addresses on Form LLC-12A (see instructions).			
5. Manager(s) or Member(s)			
a. First Name, if an individual - Do not complete item 5b William	Middle Name	Last Name Ikon	Suffix
b. Entity Name - Do not complete item 5a			
c. Address 4950 Cherry Ave #46	City (no abbreviations) San Jose	State CA	Zip Code 95118
6. Service of Process (Must provide either Individual OR Corporation.)			
INDIVIDUAL – Complete items 6a and 6b only. Must include agent's full name and California street address.			
a. California Agent's First Name (if agent is not a corporation) Susan	Middle Name	Last Name Hogan	Suffix
b. Street Address (if agent is not a corporation) - Do not enter a P.O. Box 525 Chestnut Ave	City (no abbreviations) San Bruno	State CA	Zip Code 94066
CORPORATION – Complete item 6c only. Only include the name of the registered agent Corporation.			
c. California Registered Corporate Agent's Name (if agent is a corporation) – Do not complete item 6a or 6b			
7. Type of Business			
a. Describe the type of business or services of the Limited Liability Company Freight Brokerage			
8. Chief Executive Officer, if elected or appointed			
a. First Name William	Middle Name	Last Name Ikon	Suffix
b. Address 4950 Cherry Ave #46	City (no abbreviations) San Jose	State CA	Zip Code 95118
9. The information contained herein, including any attachments, is true and correct.			
07/08/2021	Cory Hunt	Manager	
Date	Type or Print Name of Person Completing the Form	Title	Signature
Return Address (Optional) (For communication from the Secretary of State related to this document, or if purchasing a copy of the filed document enter the name of a person or company and the mailing address. This information will become public when filed. SEE INSTRUCTIONS BEFORE COMPLETING.)			
Name: []			
Company:			
Address:			
City/State/Zip: []			

ATTACHMENT 4

Marco Polo Enterprises, LLC

Action

Business Contacts at Marco Polo Enterprises, LLC:

1 total Contacts

This information is available to paying subscribers. Click to learn about our subscription plans.



Book a getaway with Sonder. Make it a weekend to remember in spaces designed to inspire.

VISIT SITE

Contact Information

Marco Polo Enterprises, LLC
4950 Cherry Ave
San Jose, CA 95118

Contact: Cory Hunt
Title: Prin
Phone: (702) 389-3105
Website:

There are 8 Companies located at 4950 Cherry Ave, San Jose, CA 95118

Ads by Google

Send feedback

Business Description

Marco Polo Enterprises is located in San Jose, California. This organization primarily operates in the Business Activities At Non-Commercial Site business / industry within the Business Services sector. This organization has been operating for approximately 2 years. Marco Polo Enterprises is estimated to generate \$33,851 in annual revenues, and employs approximately 1 people at this single location.

Sector: Business Services
Category: Business Services, nec
Industry: Business Activities At Non-Commercial Site
SIC Code: 7389
NAICS Name: N/A
NAICS Code:

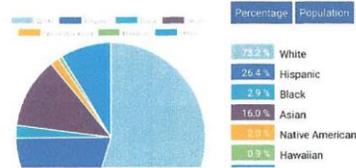
Name: Marco Polo Enterprises, LLC
Year Founded: 2019
Engaged In: Manufacturing, Importing, Exporting

Location Type: Single
Revenue: \$ 33,851
Employees Here: 1
Facility Size: N/A
* Revenue & Employees are estimates

Map



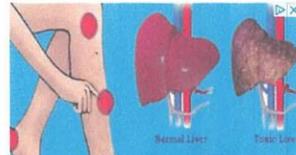
Demographics for Zipcode 95118



Discover High-Value Leads & Generate More Sales

- Find more high-value prospects than any other source
Get information on 17 million companies, 50 million contacts, 6 million buildings & 18,000 industries
Access complete list of businesses in any building
Close more deals in less time

START MY FREE TRIAL



DYING LIVER

DO NOT Ignore These Early Warning Signs (#2 is Scary!)

Ownership Information

- Women Owned
Veteran Owned

Attachment C

Questions & Answers

- Q** What is the phone number for Marco Polo Enterprises?
A The phone number for Marco Polo Enterprises is **(702) 389-3105**
- Q** Is there a key contact at Marco Polo Enterprises?
A **Cory Hunt** is the Prin at Marco Polo Enterprises. You can contact Cory at **(702) 389-3105**.
- Q** Is **Cory Hunt** the only contact you have for Marco Polo Enterprises, LLC?
A On Buzzfile's **Professional (subscription) Service** we have 2 contacts for Marco Polo Enterprises, LLC
- Q** How long has Marco Polo Enterprises been in business?
A Marco Polo Enterprises has been in business for approximately **2 years**.
- Q** Where is Marco Polo Enterprises located?
A Marco Polo Enterprises is located at **4950 Cherry Ave, San Jose, CA 95118**. This location is in Santa Clara County and the San Jose Sunnyvale Santa Clara, CA Metropolitan Area.
- Q** Are there other companies located at **4950 Cherry Ave, San Jose, CA**?
A There are **8 commercial tenants** at 4950 Cherry Ave, San Jose, CA.
- Q** What are the annual sales for Marco Polo Enterprises?
A Marco Polo Enterprises generates approximately **\$33,851** in annual sales.
- Q** How many people work at Marco Polo Enterprises?
A Marco Polo Enterprises has approximately **1 employees** at this location.
- Q** How big is Marco Polo Enterprises?
A Marco Polo Enterprises is estimated to generate **\$33,851** in annual revenues, employs approximately **1 people** at this location



Less

lendingtree Refinance Calculator

OCTOBER 20, 2021 RATES

1.75% Rate **2.01%** APR

If you own a home, it's your turn to save

Rates are at historic lows!

Loan amount: **\$300,000**

Loan term: **15-Year Fixed**

Credit score: **Excellent**

Calculate Payment



State of California
Department of Industrial Relations

Contractor Information

Registration History

Legal Entity Name
Marco Polo Enterprises LLC
Legal Entity Type
LLC
Status
Active
Registration Number
PW-LR-1000833144
Registration effective date
10/14/21
Registration expiration date
06/30/22
Mailing Address
4950 Cherry Avenue, San Jose, CA, USA, 46 San Jose 95118 ...
Physical Address
4950 Cherry Avenue, San Jose, CA, USA, 46 San Jose 95118 ...
Email Address
cory@marcopolollc.com
Trade Name/DBA
License Number (s)

Effective Date	Expiration Date
10/14/21	06/30/22

Back to DIR>> (<https://www.dir.ca.gov/>)

Legal Entity Information

Corporation Entity Number: 202118810757
Federal Employment Identification Number: 843133502

Member name(s):
Member Legal Name: William Ikon
Member Legal Entity Type: LLC



State of California

Department of Industrial Relations

Contractor Information

Registration History

Legal Entity Name
Marco Polo Enterprises LLC
Legal Entity Type
LLC
Status
Active

Effective Date	Expiration Date
10/14/21	06/30/22

Registration Number
PW-LR-1000833144
Registration effective date
10/14/21
Registration expiration date
06/30/22

[Back to DIR>> \(https://www.dir.ca.gov/\)](https://www.dir.ca.gov/)

Mailing Address
4950 Cherry Avenue, San Jose, CA, USA, 46 San Jose 95118 ...
Physical Address
4950 Cherry Avenue, San Jose, CA, USA, 46 San Jose 95118 ...
Email Address
cory@marcopolollc.com
Trade Name/DBA
License Number (s)

Legal Entity Information

Corporation Entity Number: 202118810757
Federal Employment Identification Number: 843133502

Member name(s):
Member Legal Name: William Ikon
Member Legal Entity Type: LLC

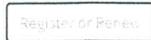


Contractor Registration

Who Is Eligible to Register?

Contractors must meet the following requirements to register:

- Have workers' compensation coverage for any employees and only use subcontractors who are registered public works contractors.
- Have Contractors State License Board license if applicable to trade.
- Not have any delinquent unpaid wage or penalty assessments owed to any employee or enforcement agency.
- Not be under federal or [state debarment](#).
- Not be in prior violation of this registration requirement once it becomes effective. However, for the first violation in a 12-month period, a contractor may still qualify for registration by paying an additional penalty.



Public works contractors can register or renew for one, two, or three fiscal years (July 1-June 30) for a fee of \$400, \$800 or \$1,200

If you have not created a new account since April 3, 2019, you must follow the steps below:

- Create a [log in account](#) on the contractor registration system.
- To link your account to a previous public works registration, click "Link Existing Registration" on My Dashboard.
- Search for your previous registration number at: [Public Works Contractor Registration Search](#)

Please note: credit card payments can be processed within 24 hours while other forms of payment may delay registration up to eight weeks. See below for consequences of failing to register.

Resources:

- [User's Guide to the Public Works Contractor Registration System](#)

* Consequences of Failing to Register

Contractors can be subject to a penalty in the following cases:

- **First-time registration:** A penalty of \$2,000 applies when a contractor is registering for the first time and did any of the following in the past 12 months:
 - a. bid or was awarded a public works project
 - b. worked on a public works project
- **Late renewal (between July 1 and September 30):** If a contractor bid on, was awarded, or worked on a public works project after their registration expired:
 - a. a penalty of \$400 applies when the lapse in registration is accidental
 - b. a penalty of \$2,000 applies when the lapse in registration is not accidental
- **Renewal after September 30 or reactivation:** A penalty of \$2,000 applies when a contractor did any of the following in the past 12 months while unregistered:

Attachment C

- a. bid or was awarded a public works project
- b. worked on a public works project
- **Repeat violations:** Contractors who are found to be in violation of the registration requirement twice in 12 months can be disqualified from working in public works for up to 12 months at a time.

To learn more about public works contractor registration, please go to the [frequently asked questions](#). For further help, please [contact us](#).

For more information and to find exact legal definitions and language please see the [Public Works Chapter](#) of the [California Labor Code](#).

April 2020

Attachment C

1:16 PM Thu Oct 21

ATTACHMENT 7

dmv.ca.gov

What happens if I operate as a motor carrier of property without an MCP?

Operating as a motor carrier of property without an MCP is a misdemeanor and is punishable by a fine of up to \$2,500, or by imprisonment in the county jail for not more than three months, or both. CHP may also confiscate and impound your vehicles. Penalties may also be assessed when applying for an MCP (RTC §7236).

Can DMV suspend an MCP?

DMV may suspend an MCP when any of the following actions/activities occur:

- Failure to pass BIT inspection by the CHP.
- Failure to comply with CSAT requirements of federal law as described in Subdivision (a) of CVC §34520.
- Failure to make copies of CSAT results and other records available to CHP as required by Subdivision (b) of CVC §34520.
- Knowingly leasing, operating, dispatching, or otherwise utilizing vehicles from a carrier whose motor carrier permit is suspended, when the suspension is based wholly or in part on the failure of the motor carrier to maintain any vehicle in safe operating condition.
- Failure to be enrolled in the EPN program.
- Suspension and/or revocation of an owner-operator's DL.
- Failure to maintain liability and/or worker's' compensation insurance.

Ask DMV

DMV Compliance Verification

Are you ready for 2020?

PRINT

DATE April 17, 2019

CONTACT

Diesel Hotline

Email 866DIESEL@arb.ca.gov

Phone (866) 634-3735 / 866 6-DIESEL

CATEGORIES

Topics Transportation Electrification, Enforcement

Programs Truck Loan Assistance Program, Diesel Vehicles, Truck and Bus Regulation

Starting in 2020, the California Department of Motor Vehicles (DMV) begins compliance verification to ensure that vehicles subject to the California Air Resources Board's (CARB) Truck and Bus Regulation meet the requirements prior to obtaining DMV registration.

What are the CARB requirements I must meet to ensure that DMV can register my vehicle in 2020?

The Truck and Bus Regulation is currently in effect, and your vehicle must meet the compliance deadlines. In 2020, DMV will begin checking compliance with the regulation in order to register your vehicle based on the following schedule:

Lighter Vehicles (14,001-26,000 lbs GVWR)

Vehicle Model Year	DMV Begins Compliance Verification*
2004 and older	January 1, 2020

Attachment C

2005 - 2007 January 1, 2021

2008 - 2010 January 1, 2023

Heavier Vehicles (>26,000 lbs GVWR)

Vehicle Model Year	DMV Begins Compliance Verification*
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2000 and older	January 1, 2020
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2001 - 2005	January 1, 2021
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2006 - 2007	January 1, 2022
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2008 - 2010	January 1, 2023
-------------	-----------------

*You may already be out of compliance and currently subject to DMV registration holds.

How does my vehicle comply?

You must replace your 2010 or older vehicle (2009 or older engine) based on the Truck & Bus Regulation schedule – OR – be using an allowable compliance option and reporting in the Truck Regulation Upload, Compliance and Reporting System (TRUCRS).

What if I am currently out of compliance with the Truck and Bus Regulation?

CARB can place a DMV registration hold on your vehicle now if it does not meet current regulatory requirements.

Which vehicles are subject to the Truck and Bus Regulation?

The Regulation applies to nearly all diesel-fueled trucks, buses, and school buses with a gross vehicle weight rating (GVWR) greater than 14,000 pounds.

If your vehicle is exempt from another heavy-duty diesel regulation (see below for examples), it is likely subject to the Truck and Bus Regulation.

- Solid waste collection vehicles
- Drayage trucks
- Cargo-handling equipment

If your vehicle is exempt from the Regulation, or has met the regulatory requirements, you will be able to register with the DMV. Reporting fleet and vehicle information to CARB, such as VIN numbers, may be needed to ensure that you are not mistakenly denied registration.

Are there any extensions available?

If your vehicle is not compliant, you must pay your DMV registration fee to receive a 90-day Temporary Operating Permit (TOP) that will become active on the day your current vehicle registration expires. If you pay your registration fee by mail, you will receive a receipt from the DMV stating that you are not compliant and must visit a DMV field office to receive the 90-day TOP. If you have not operated the vehicle after the registration expiration date, you may request a refund by completing and submitting an Application for Refund ADM 399. Refunds are not given over the counter at a field office; refunds will come in the mail.

The Truck and Bus Regulation is California law. CARB's staff, management, executive officers, and board members are all bound by the requirements of the regulation and do not have the authority to offer any additional extensions or exceptions not already provided for in the law.

Can I sell my non-compliant vehicle in California?

Attachment C

If you plan to sell a non-compliant vehicle subject to the regulation, you must provide a specific disclosure statement in writing to the buyer on the bill of sale, sales contract addendum, or invoice regarding the Truck & Bus Regulation. The rules do not cover selling a non-compliant vehicle out-of-state.

Where can I find more information?

Visit TruckStop for information on the Truck & Bus Regulation requirements, financial assistance and DMV compliance verification.

- [DMV Compliance Verification FAQ](#)
- [DMV Registration Renewal Notice FAQ](#)

(800) 242-4450 | helpline@arb.ca.gov
1001 I Street, Sacramento, CA 95814
P.O. Box 2815, Sacramento, CA 95812



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Attachment D



Finance Department
PURCHASING DIVISION

November 16, 2021

Mr. George A. Maciel
Alviso Rock
PO Box 550
Alviso, CA 95002-0050

Subject: Request for Bid (RFB) PUR-RFB2021.09.10110 for Asphalt Trucking/Debris Hauling Services
Reference: Protest letter from Mr. George A. Maciel of Alviso Rock, dated October 20, 2021

Dear Mr. Maciel:

Marco Polo Enterprises, LLC has withdrawn their bid, and the City of San Jose has accepted their bid withdrawal. Therefore, the City will not move forward with an award of contract to Marco Polo. Marco Polo's bid will be excluded from Staff's recommendation of award to City Council.

Since Marco Polo withdrew their bid, your protest regarding the City's recommendation to award to Marco Polo is moot. This brings your protest to a conclusion. If you have any additional questions or concerns, please contact Bernie Reyes at bernie.reyes@sanjoseca.gov.

Sincerely,

Jennifer Cheng
Deputy Director, Finance