



150 Executive Park Blvd., Suite 4100
San Francisco, CA 94134
www.synergypm.com

May 17th, 2013

Department of Transportation
Division of Engineering Services
Office Engineer, MS 43
1727 30th Street
P.O. BOX 168041
Sacramento, CA 95816-8041
Phone (916) 227-8300
Fax (916) 227-6282

**Attn: Mr. John McMillan
Deputy Division Chief**

**Subject: 01-491214 State Highway in Lake County Near Lower Lake From Coyote Creek Bridge
to 1.2 Miles South of route 53**

**Re: Response to Formal Protest Submitted by Chester Bros Construction Company dated
5/9/13**

Dear Deputy Division Chief,

This letter constitutes Synergy Project Management, Inc.'s written response to protest submitted by Chester Bros Construction Company dated May 9th, 2013. The protest addresses three concerns related to our bid submitted on April 17, 2013 for project 01-491214. We take exception to the three claims against Synergy Project Management, Inc. as detailed in the protest and request the State find our bid as the lowest responsive bidder. Please see clarifications below.

1. Subcontractor List Items #1 and # 3 for Chrisp Company:

On bid day and subsequently for the 24 hour submittal, Synergy submitted correct "Subcontract List" forms. Chrisp Company was indeed listed on bid day to perform partially Striping and Related scope of work. As you can see from the attached quotation submitted by Chrisp Company on bid day all items quoted and listed are all related to "Striping".

Item #1 (Lead Compliance Plan) is clearly related to the subcontractors striping work and as detailed on the attached Page 3 of their quote which reads the following... "Lead Compliance Plan is included for stripe and marking removal ONLY". This statement on their quote clearly demonstrates that Item # 1, as it pertains to Chrisp Company, is definitely "related" to the "striping" scope of work as listed on the Subcontractor List on bid day. As you can see from the 24 Subcontractor List, Item # 1 was partially listed at 75%.

Item #3 (Traffic Control System) is also clearly related to Chrisp Company's "Striping" work. On page 1 of the attached quote submitted by Chrisp Company on bid day it clearly states on Item No. 03...



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"Traffic Control, Chrisp Co Only". The attached quote clearly demonstrates that the traffic control portion of the work listed is indeed "related" to the Striping scope of work. As you can see from the 24 Subcontractor List, Item # 3 was partially listed at 17%.

2. Partial Listing:

Chester Bros is protesting the fact that Chrisp Company was listed as partial for the Striping and Related work and then modifications to the "Subcontractor List" were made by listing Chrisp Company bid items at 100%. On bid day, Synergy submitted and listed the required information as stated on the "Subcontractor List" which states... "Complete columns 1 and 4 and submit with the bid." Synergy complied fully with the instructions and listed Chrisp Company from Woodland, CA satisfying Column 1. Synergy also completed the Column 4 requirement by listing the "Description of Subcontracted Work" as Striping and Related (Partial). Clearly we never intended Chrisp Company to perform all of the bid items related to striping, hence requiring Synergy to list the work as partial. Synergy then completed the remaining columns 2 and 3 per the instructions. Although some of Chrisp's bid items will be completed 100% entirely by Chrisp, NOT ALL. As long as one item was to be completed by the subcontractor for less than 100%, then our statement on bid day of the work being "partially" completed is accurate. As you can see from the attached listing, Chrisp Company is not performing ALL of the work related to Striping at 100%, such as items # 01, 03, 21, 22, and 23.

3. Striping:

Item # 7 "Remove Thermoplastic Traffic Stripe" is clearly related to "Striping" hence the word "Stripe" in the description of the bid item. Similarly Item # 8 "Remove Thermoplastic Pavement Marking" relates to the striping scope of work as it is part of the striping system. Synergy takes exception to Chester Bros claim that they are unrelated to the striping work.

As stated above we object to all three claims made by Chester Bros and believe Synergy Project Management, Inc. submitted the lowest responsive bid. We request that Chester Bros protest letter as it relates to Synergy be found without merit and that Synergy Project Management, Inc. be found as the lowest responsive bidder and awarded contract 01-491214.

Sincerely,

A handwritten signature in black ink, appearing to read "Manuel Arce", is written over a circular stamp or seal.

Manuel Arce

Director of Construction

Chrisp Company

Woodland Office
 1805 East Beamer Rd.
 Woodland CA 95776
 Phone: (530) 406-2220 Fax: (530) 406-2221

WST

Contractors License No. 374600
 A General Engineering
 C-13 Fence, Wire, wood
 C-32 Highway Improvement

Quotation

Union Contractor / No minority Status

TO: _____
 for the intended use _____
 Phone: () - _____ Fax: () - _____
 Contact: _____
 email: _____

Current Date: 4/17/2013
 Bid Date: 4/17/2013
 Job Name: 01-LAK-29-11.9/19.1
 Location: LOWER LAKE Bid#: 18884 0
 Contract#: 01-491214 Job#
 Working Days:
 Liquidated Damages

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
01	LEAD COMPLIANCE PLAN	1	LS	1500.000	\$1,500.00
03	TRAFFIC CONTROL, CHRISP CO ONLY	1	LS	6500.000	\$6,500.00
07	REMOVE THERMOPLASTIC TRAFFIC STRIPE	850	LF	2.000	\$1,700.00
08	REMOVE THERMOPLASTIC PAVEMENT MARKING	690	SF	3.000	\$2,070.00
19	THERMOPLASTIC PAVEMENT MARKING	690	SF	5.500	\$3,795.00
20	4" THERMOPLASTIC TRAFFIC STRIPE (ENHANCES WET NIGHT VISIBILITY)	138400	LF	0.450	\$62,280.00
21	4" THERMOPLASTIC TRAFFIC STRIPE (ENHANCES WET NIGHT VISIBILITY)(BROKEN 12-3)	2270	LF	0.300	\$681.00
22	4" THERMOPLASTIC TRAFFIC STRIPE (ENHANCES WET NIGHT VISIBILITY)(BROKEN 36-12)	24130	LF	0.300	\$7,239.00
23	8" THERMOPLASTIC TRAFFIC STRIPE (ENHANCES WET NIGHT VISIBILITY)	420	LF	1.000	\$420.00
24	PAVEMENT MARKER (RETROREFLECTIVE)	1550	EA	3.000	\$4,650.00
25	PAVEMENT MARKER (RETROREFLECTIVE-RECESSED)	1320	EA	6.000	\$7,920.00

Subtotal

\$98,755.00

Crisp Company

Woodland Office
1805 East Beamer Rd.
Woodland CA 95776
Phone: (530) 406-2220 Fax: (530) 406-2221

Contractors License No. 374800
A General Engineering
C-13 Fence, Wire, wood
C-32 Highway Improvement

Quotation

Union Contractor / No minority Status

TOTAL \$98,756.00

Notes

- 1 Move-in for Removal of Striping Included
- 1 Move-in for Installation of Permanent Work Included
- OPTIONAL TEMP PAINT BEHIND SURFACING PRICING ----
- LUMP SUM FOR TEMPORARY PAINT MATERIAL - \$3350
- LABOR AND EQUIPMENT ONLY (8HR STRAIGHT TIME SHIFT 1 MAN W/ STRIPER) - \$1200
- LABOR AND EQUIPMENT ONLY (PER HOUR OVERTIME) - \$150

Written Authorization is Required Prior to Proceeding With Work

ACCEPTED BY: _____ P.O. Number _____
 TITLE: _____ Job Number _____

Bond Rate 1.5 Addendums 0

This quote includes all stipulations found on page 3

QUOTE PREPARED BY Brandon Chafey
(510) 719-6452
bchafey@chrispco.com
CHRISP COMPANY

Chrisp Company

Woodland Office
1805 East Beamer Rd.
Woodland CA 95776
Phone: (530) 406-2220 Fax: (530) 406-2221

Contractors License No. 374800
A General Engineering
C-13 Fence, Wire, Road
C-32 Highway Improvement
Union Contractor / No minority Status

Quotation

COMMENTS, EXCLUSIONS, AND STIPULATIONS

The following stipulations are hereby incorporated into and made part of the quotation from Chrisp co. dated April 17, 2013 for the following project

01-LAK-29-11.9/19.1

- NO RETENTION TO BE TAKEN
- 2 Move- In(s) included. Additional Move- Ins \$2,500.00
- Chrisp Company reserves the right to withdraw proposal if written acceptance is not received within 30 days of bid date
- EXCLUDE: Installation or removal of temporary delineation
- Clean, clear and unobstructed access required for Chrisp Co. work
- Final PAY QTYs presented by owner MUST be agreed by Chrisp Co.
- Changeable Message board if required to be provided by General Contractor for Chrisp Co. Use at no Charge to Chrisp Co.
- EXCLUDE: Traffic Control Plan
- EXCLUDE: Removal of Existing Pavement Markers
- EXCLUDE: Seal Coat
- Lead Compliance Plan is included for stripe and marking removal ONLY.
- EXCLUDE: Red-Lined As-Built Drawings
- Traffic Control INCLUDED for Chrisp Company work ONLY
- After receiving contract 10 working days written notice required prior to scheduling of work
- EXCLUDE: Special Insurance Requirements, (i.e. Railroad Insurance, _____)
- EXCLUDE: Construction Area Signs
- Chrisp Co. will remove contractors short term temporary markers (Floppys) placed for lanelines and centerlines only (no edgelines or shoulders). No Tape removal. Short Term Temporary markers are to be placed so that striping may be placed before removal of markers.
- This quotation excludes Primary Liability Insurance greater than \$2,000,000.
- This quotation excludes all work associated with the project SWPP and WPCP.
- This quotation excludes installing permanent striping while other operations are in progress on jobsite.
- This quotation excludes performing removal work while other operations are in progress on jobsite.
- This quotation excludes the removal & disposal of hazardous grindings & spoils from jobsite.
- This quotation Excludes furnishing or placing ALL signage for advance posting of ramp closures / detours for our operations.
- EXCLUDE: Concrete Coring For Survey Monuments
- EXCLUDE: Encroachment Permit (If required to be provided at No Cost to Chrisp Company)
- EXCLUDE: ALL Safety Training, Badging and Orientation (To be paid at time and material Cal-Trans rates)
- ALL Bid Items shall NOT be adjusted or removed without written / or verbal permission.

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
SUBCONTRACTOR LIST
 DES-OE-0102.2 (REV 3/2011)

Synergy Project Management
 150 Executive Park Blvd. #400
 San Francisco, CA 94134
 Bidder Name: Ph:415-467-3000 Fax:415-467-3000

The bidder must identify each subcontractor performing work in an amount in excess of 1/2 of 1 percent of the total bid or \$10,000, whichever is greater (Pub Cont Code § 4100 et seq.). Complete columns 1 and 4 and submit with the bid. Complete columns 2 and 3 and submit with the bid or fax to (916) 227-6282 within 24 hours after the bid opening. Failure to provide complete information in columns 1 through 4 within the time specified will result in a nonresponsive bid.

Column 1: Business Name and Location	Column 2: Bid Item Nos.	Column 3: Percentage of Bid Item Subcontracted	Column 4: Description of Subcontracted Work
DVBE TRK Campbell, CA			TRUCKING $\frac{1}{2}$ RELATED PARTIAL (AC, GRIND)
CHRISP COMPANY WOODLAND, CA			STRIPING $\frac{1}{2}$ RELATED PARTIAL
APADANA ENGINEERING SAN FRANCISCO, CA			AC PAVING ONLY RELATED $\frac{1}{2}$ PARTIAL
ABSX CO. SACRAMENTO, CA			Grinding PARTIAL $\frac{1}{2}$ RELATED

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MH

Received

Apr 18 2013 01:35pm

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
SUBCONTRACTOR LIST
 DES-CR-01022 (REV 3/2011)

Synergy Project Management
 150 Executive Park Blvd. #400
 San Francisco, CA 94134
 Bidder Name: Ph: (415) 467-3000 Fax: (415) 467-3001

The bidder must identify each subcontractor performing work in an amount in excess of 1/2 of 1 percent of the total bid or \$10,000, whichever is greater (Pub Cont Code 54100 et seq.). Complete columns 1 and 4 and submit with the bid. Complete columns 2 and 3 and submit with the bid or fax to (916) 227-8282 within 24 hours after the bid opening. Failure to provide complete information in columns 1 through 4 within the time specified will result in a nonresponsive bid.

Column 1: Business Name and Location	Column 2: Bid Item Nos.	Column 3: Percentage of Bid Item Subcontracted	Column 4: Description of Subcontracted Work
DNBE Trucking Campbell, CA	9	9%	Partial Trucking and Related (AC and Grind)
	12	10%	
	14	4%	
Abst Construction Sacramento, CA	9	67%	Grinding (Partial) and related
Apodans Engineering San Francisco, CA	14	37%	AC Paving : Related (partial)
CRISP Company Woodland, CA	01	75%	Striping : Related (partial)
	03	17%	
	07	100%	
	08	100%	
	19	100%	
	20	100%	
	21	30%	
	22	75%	
	23	44%	
	24	100%	
25	100%		

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