

DEPARTMENT OF TRANSPORTATION

DIVISION OF ENGINEERING SERVICES

OFFICE ENGINEER

P.O. BOX 168041, MS-43

SACRAMENTO, CA 95816-8041

PHONE (916) 227-6299

FAX (916) 227-6282

TTY 711

www.dot.ca.gov



*Serious drought.
Help save water!*

August 4, 2015

Facsimile: (707) 459-0644

Bret W. McPhaul, Estimator/Project Manager
Mendocino Construction Services, Inc.
P.O. Box 1517
Willits, CA 95490

01-4939U4
01-Men-20, 162-7-14/29.18, 5.28/22/45
B.O. 7/21/2015

Dear Mr. McPhaul:

The Department of Transportation (Caltrans) received a bid from Mendocino Construction Services, Inc. (Mendocino) for Contract 01-4939U4 on July 21, 2015.

Mendocino claimed a clerical error occurred while preparing the bid documents which resulted in a materially different bid than what was intended. During the bidding process, Apply-A-Line was listed as a subcontractor, but their bid was not entered into the proposal submitted by Mendocino. The error resulted in an understated cost for work in the amount \$50,392.00, plus an additional \$16,000.00 in traffic control that they would require. The bid submitted by Mendocino was \$959,284.50, an underbid of \$66,392.00. The intended bid amount was \$1,025,676.50. On July 23, 2015, Mendocino requested that its bid be withdrawn from consideration.

In accordance with Mendocino's request, Caltrans finds that Mendocino has met the elements of Public Contract Code Sections 5101 and 5103. Therefore, is hereby relieved of its bid without forfeiture of its bid bond.

If you have any questions, please contact Mulissa Smith, Contract Awards Branch Manager, at (916) 227-6228.

Sincerely,

A handwritten signature in black ink, appearing to read "J. McMILLAN", written over a large, stylized flourish.

JOHN C. McMILLAN
Deputy Division Chief
Office Engineer
Division of Engineering Services

Attachment

Relief of Bid Determination Report

(Ref. Public Contract Code 5100 et Seq.)

Contract No. 01-4939U4

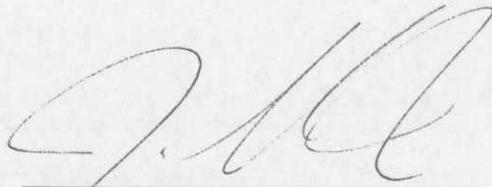
Bidder Name: Mendocino Construction Services

Bid Opening Date: 7/21/2015

License No. 443396

- ✓ I have reviewed the attached relief of bid request and documentation and find that the bidder has met the elements of Public Contract Code Sections 5101 and 5103. The bidder is hereby relieved of their bid without forfeiture of the bid bond.

I have reviewed the attached relief of bid request and documentation and find that the bidder failed to meet the elements of Public Contract Code Sections 5101 and 5103, The request for relief of bid is denied.

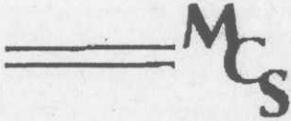


Deputy Division Chief
Office Engineer
Division of Engineering Services

8-3-2015

Date

Recommended for Approval by: April Perez- Hollins



MENDOCINO CONSTRUCTION SERVICES, INC.
P.O. Box 1517, Willits, California 95490
Con. Lic. #443396 (707) 459-2377

July 23, 2015

Department of Transportation
Mr. John McMillan
Office Engineer, MS 43
1727 30th Street
Sacramento, CA 95816-7005

RE: Contract 01-4939U4
Bid Relief

Mr. McMillan:

Mendocino Construction Services, Inc. requests relief from its bid proposal due to a mistake in the bid. During the initial bid item setup subcontractor plug numbers were used to establish a budget estimate. When subcontractor's bids are received, these plug numbers are replaced with actual subcontractor bids. During the bidding process, Apply-A-Line was listed as a subcontractor but their bid (attached for your review) was not inserted into our proposal. The result was a mistake that represents understated costs for this work in the amount of \$50,392.00 plus an additional \$16,000.00 in traffic control that they would require. The bid mistake that occurred represents a materially different bid that what was originally intended to be submitted.

Please let us know if you have any questions or require any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bret W. McPhaul', is written over a light blue horizontal line.

Bret W. McPhaul
Estimator/Project Manager
Mendocino Construction Services, Inc.

Encl: DES-OE-0141
Apply-A-Line

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
RELIEF OF BID REQUEST
DES-OE-0141 (REV 01/2010)

Contract No. 01-493904
Bid Opening Date: July 21, 2015

Bidder's Name: Mendocino Construction
License No. 443396

Requirements:

To be relieved of your bid you must demonstrate all of the following to the Department. You are not relieved of your bid until notified by the Department in writing.

- A mistake was made in your bid.
- You submitted written notice of the mistake to the Department within 5 business days of bid opening, specifying in detail how the mistake occurred.
- The mistake made the bid materially different than what you intended.
- The mistake was made in filling out the bid and not due to an error in judgement or to carelessness in inspecting the site of work or in reading the plans or specifications.

Instructions:

Attach a statement and supporting documentation that describes the following in detail:

1. The mistake in your bid and how it was made.
2. How the mistake made the bid materially different than intended.
3. How the mistake was made in filling out the bid.
4. Sign the certification below.
5. Fax this completed form, the statement and supporting documentation to (916) 227-8282. Attention: Office Engineer.

Certification:

By my signature on this form, I certify, under penalty of perjury that the attached statement, including any supporting documents, are true and correct.

Date: July 23, 2015


Signature of Bidder

Estimator/Project Manager
Title