

**DEPARTMENT OF TRANSPORTATION**  
DIVISION OF ENGINEERING SERVICES  
OFFICE ENGINEER  
1727 30th STREET, MS-43  
P.O. BOX 168041  
SACRAMENTO, CA 95816-8041  
PHONE (916) 227-6299  
FAX (916) 227-6282  
TTY 711  
www.dot.ca.gov



*Serious drought.  
Help save water!*

February 24, 2016

Facsimile: (530) 233-4918

Matt Cruse, General Manager  
Eagle Peak Rock & Paving  
P.O. Box 879  
Alturas, CA 97070

02-4G2204  
02-Mod-299-52.2/54.7  
B.O. 1/14/2016

Dear Mr. Cruse:

The Department of Transportation received a letter dated January 21, 2016, from Eagle Peak Rock & Paving (Eagle Peak), protesting the bid submitted by Hat Creek Construction & Materials, Inc. (Hat Creek) for the above referenced contract. The protest alleges that Hat Creek claimed the Non-Small Business Preference (NSBP) and failed to submit the Certified Small Business Listing for the Non-Small Business Preference form to show the subcontracting of at least 25 percent of the contract.

As you are aware, Section 2-1.18C in the Notice to Bidders and Special Provisions provides guidance to a contractor for claiming the NSBP. The Certified Small Business Listing for the Non-Small Business Preference form is not a requirement. The NSBP is a reduction for bid comparison in the total bid submitted by the non-small business contractor requesting the preference by the lesser of the following amounts: 5 percent of the verified total bid of the low bidder or \$50,000. Since Hat Creek did not submit the NSBP documentation, no preference is given.

Based on the above, Caltrans will proceed to award this contract to Hat Creek, as they were the low bidder on this project.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff DeFevere".

JEFF DEFEVERE  
Office Chief  
Office Engineer, Construction Contract Awards  
Division of Engineering Services

**\*\* Transmit Conf. Report \*\***

P. 1  
CAL/TRANS PLANS COUNTER

Feb 24 2016 02:04pm

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
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STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

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Office Chief

Office Engineer, Construction Contract Awards

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