

**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.go



*Serious Drought.  
Help save water!*

February 10, 2016

Facsimile: (707) 747-0593

Andrew Keough, Estimator  
American Civil Constructors West Coast, Inc.  
2990 Bay Vista Court  
Benicia, CA 94510

03-0G0304  
03-ED, Pla-50, 80, 193, Var  
B.O. 10/29/2015

Dear Mr. Keough:

The Department of Transportation (Caltrans) received a protest on November 16, 2015, from American Civil Constructors West Coast, Inc. (ACC), protesting the bid submitted by Viking Construction Company (Viking) for the above referenced contract. The protest alleges that Viking's Subcontractor List form is inconsistent with the Disabled Business Enterprises (DBE) form submitted because Viking failed to list IRB Construction (IRB) for bid item 34 (Place Polyester Concrete Overlay) on the Subcontractor's List form, but indicated IRB on the Disabled Business Enterprise form. The protest also alleges that IRB was listed to furnish equipment and crew services involving the placement of Polyester Concrete. The protest further alleges that the quotation provided by IRB confirms that IRB is providing an operated equipment rental and crew services that fits the description of subcontracted work and is in violation with the Subcontractor's Listing Laws.

Caltrans has reviewed the bid documents, as well as this protest and related responses and concludes that Viking was not required to list IRB for Truck Rental Services. IRB is providing equipment and is providing labor to operate that equipment, however Viking is providing all required materials as well as all labor concerning loading the material into the equipment and the placement of the material.

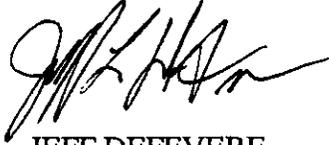
Based on the above, Caltrans finds ACC's protest lacks merit and will proceed to award the contract to the lowest responsive bidder, provided all requirements have been met.

**The Resident Engineer will receive a copy of this letter for  
Contract Compliance and Administration.**

Mr. A. Keough  
February 10, 2016  
Page 2

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff DeFevere', written in a cursive style.

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

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

P. 1  
CAL/TRANS PLANS COUNTER

Feb 10 2016 09:24am

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STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

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