

# DIABLO CONTRACTORS, INC.

GENERAL ENGINEERING CONTRACTORS, LICENSE NO. 732283

7 Crow Canyon Court, Suite 100  
San Ramon, California 94583

Tel (925) 552-8250  
Fax (925) 552-8254

Department of Transportation  
Division of Engineering Services  
Office Engineer, MS 43  
1727 30<sup>th</sup> Street  
P.O. Box 168041  
Sacramento, Ca. 95816-8041  
Fax (916) 227-6282

May 17, 2013

Attention: John C. McMillan

Subject: Contract 03-1A8444

Gentlemen,

Diablo Contractors, Inc. protests the bid of Granite Construction Company (GCC) on Contract 03-1A8444 and encourages the Department to follow the contract procedures that mandate their bid being declared nonresponsive.

On May 7, 2013 at 2:00 P.M. the Department bid contract 03-1A8444 at which time GCC was the low bidder. Attached you will find documentation that GCC failed to submit the required completed Subcontractor List within the 24 hours as mandated by page 10 of the bidding documents. This action makes the GCC bid nonresponsive as stated on page 10.

We encourage the Department to award Contract 01-1A8444 to Diablo Contractors, Inc. as the low and responsive bidder.

If you have any questions regarding this matter or need additional information, please do not hesitate to contact me at 925-552-8250.

Sincerely



Arthur Brandt,  
President

GCC 775-358-0372

# GRANITE



## FAX TRANSMITTAL SHEET

❖ ATTENTION: TO WHOM IT MAY CONCERN

❖ COMPANY: STATE OF CALIFORNIA-DEPT. OF TRANSPORTATION

❖ FAX: (916) 227-6288

❖ DATE: 05/09/2013

NUMBER OF PAGES: 4  
(INCLUDING TRANSMITTAL)

❖ FROM: Chris Burke  
GRANITE CONSTRUCTION COMPANY  
1900 GLENDALE AVE/P.O. BOX 2087  
SPARKS, NV 89432  
PHONE (775)358-8792  
FAX (775)358-0372

RE: Caltrans 03-1A8444 PROJECT

MESSAGE

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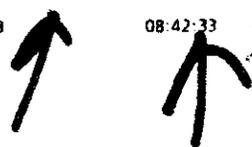
STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION  
**SUBCONTRACTOR LIST**  
DES-OE-0102.2 (REV 3/2011)

Bidder Name: Granite Construction Company

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
- AURAK CONSTRUCTION SACRAMENTO, CA	# 45 # 71	49% 4.9%	COLD MILL
<del>GRHAM CONTRACTORS INC SAN JOSE, CA</del>			<del>CRACK SEALING</del>
- GREEN VISTA LANDSCAPE ROCKLIN, CA	#12 #13 #14 #15 #18 #20 #26 #58 #59 #60 #61 #62 #63 #64 #65 #66	100% 100% 89% 80% 100% 100% 100% 100% 100% 100% 65% 100% 100% 91% 100% 100%	TEMP. EROSION CONTROL BLANKET TEMP. EROSION CONTROL MOVE IN/MOVE OUT HYDRAULIC MULCH SOIL BINDER FIBER ROLL SILT FENCE TEMP. ESA FENCE PLANT (GROUP W) EROSION CONTROL MOVE IN/MOVE OUT ROLLED E.C. PRODUCT (WETTING) HYDROMULCH FIBER ROLL STRAW HYDROSEED COMPOST INCORPORATE MATERIALS

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STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**SUBCONTRACTOR LIST**  
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Column 1: Business Name and Location	Column 2: Bid Item Nos.	Column 3: Percentage of Bid Item Subcontracted	Column 4: Description of Subcontracted Work
- SOLTECH INC. dba SOLTECH ENVIRONMENTAL INC. LAS VEGAS, NV	#57	100%	ROCK STAIN
- SAK CONSTRUCTION OF CALIF ROCKLIN, CA	#48 #49 #46	100% 100% 100%	CURED -IN-PLACE PIPELINER VIDEO CLEAN SIGHT INSPECT PRIOR TO CIP
- FRANK MEDINA OROVILLE, CA	#27 #31	100% 100%	TREATED WOOD WASTE REM. MBGR
MIDSTATE BARRIER INC. STOCKTON, CA	#87 #117 #118 #119 #120 #121 #122	100% 100% 100% 100% 100% 100% 100%	STAIN GALVANIZED SURFACES MBGR (WOOD) MBGR 7' WOOD POST MBGR 8' POST END ANCHOR ASSEMBLY TYPE SFT ALT. IN LINE TERM. SYSTEM ALT. FLARED TERM. SYSTEM
- FRANK MEDINA OROVILLE, CA	#114 #115 #116 #32 #40 #85 #86	100% 100% 100% 100% 100% 100% 100%	DELINEATOR CLASS 2 HIGHWAY POST MARKER OBJECT MARKER TYPE L-1 REMOVE ROADSIDE SIGN RESET ROADSIDE SIGN ROADSIDE SIGN ONE POST ROADSIDE SIGN TWO POST

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STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**SUBCONTRACTOR LIST**  
DES-06-0102.2 (REV 3/2011)

Bidder Name: Granite Construction Company

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 Conl 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
- CONTRACTORS CHEMICAL INC. HAYWARD, CA	#68	100%	CRACK SEALING
- CENTRAL STRIPING SERVICES INC. RANCHO CORDOVA, CA	#123	100%	THERMOPLASTIC PAVEMENT MARKING (BB)
	#124	100%	4" THERMOPLASTIC TRAFFIC STRIPE (RECESSED) / BROWN 36
	#125	100%	4" THERMOPLASTIC TRAFFIC STRIPE (RECESSED) / BROWN 36
	#126	100%	4" THERMOPLASTIC TRAFFIC STRIPE (RECESSED)
	#127	100%	TWO-COMPONENT PAINT PAVEMENT MARKING
- SZEREMI SWEEPING SERVICE, THE ROCKLIN, CA	#22	100%	SWEEPING
- TURRELL RESOURCES, INC. REDDING, CA	#50	85%	TREE CUTTING

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STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN Jr., Governor

**DEPARTMENT OF TRANSPORTATION**  
**DIVISION OF ENGINEERING SERVICES**  
**OFFICE ENGINEER, MS 43**  
 1727 30<sup>th</sup> STREET  
 P. O. BOX 168041  
 SACRAMENTO, CA 95816-8041  
 PHONE (916) 227-6280  
 FAX (916) 227-6282  
 TTY 711



*Flex your power!  
 Be energy efficient!*

**EXAMPLE**

May 9, 2013

Facsimile: (415) 467-3001

Javad Mirsaidi, President  
 Synergy Project Management  
 150 Executive Park Boulevard, Suite 4100  
 San Francisco, CA 94134

04-3E6104  
 04-Son-12-38.9/41.2  
 B.O. 04/24/2013

Dear Mr. Mirsaidi:

The Department of Transportation (Caltrans) received a bid submitted by Synergy Project Management (Synergy) for Contract No. 04-3E6104 on April 24, 2013. By this letter, Caltrans notifies Synergy that its bid is nonresponsive because it failed to complete columns 2 and 3 on the Subcontractor List.

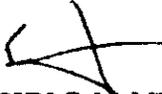
The Subcontractor List form states in part, "... Complete columns 1 and 4 and submit with the bid. Complete columns 2 and 3 and submit with the bid or fax to (916) 227-6282 within 24 hours after the bid opening. Failure to provide complete information in columns 1 through 4 within the time specified will result in a nonresponsive bid."

Based on the above action, Caltrans will proceed to award the contract to the lowest responsive bidder, provided that all requirements are met.

Your attention is directed to Section 3-1.04 of the Amendments to the 2010 Standard Specifications. Caltrans is not obligated to offer an extension of the award period for a nonresponsive bid. Should you wish to extend your bid while resolving a nonresponsive finding, you must send your request to the Office Engineer no later than 4:00 p.m., two business days prior to the expiration of your bid.

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

Sincerely,

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

Attachment