

**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!*

March 10, 2016

Facsimile: (925) 803-4263

Michael A. Kloos, Vice President  
DeSilva Gates Construction, LP  
11555 Dublin Blvd.  
Dublin, CA 94568

03-1F4004  
03-Pla-80-35.1/38.3  
B.O. 11/18/2015

Dear Mr. Kloos:

The Department of Transportation (Caltrans) received a letter dated February 23, 2016, from DeSilva Gates Construction, LP. (DSG), protesting the bid submitted by Teichert Construction (Teichert) for the above referenced contract. The protest alleges that on its Subcontractor List, Teichert listed Coral Construction Company (Coral) for bid item 186 (mobilization) and indicated .4 percent as the percentage of subcontracted work, but failed to list the description of work. The protest further alleges that Teichert did not provide the required Disadvantaged Business Enterprises (DBE) Confirmation for Double M Trucking, Inc. (DMT) with its DBE submittal.

Caltrans has reviewed the bid documents, as well as this protest and related responses and concludes that Teichert was not required to list Coral for mobilization, since mobilization is a service and is not defined by the Business and Professional Code for that of a contractor, and this item of work is not considered an item of work subject to the Public Contract Code 4100.

As the protest relates to the DMT, the Office of Business and Economic Opportunity's Contract Evaluation Branch obtained the DBE Confirmation and approved its participation since quote was provided from Teichert. As such, Teichert met the contract goal.

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

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".

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

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

P.1  
CAL/TRANS PLANS COUNTER

Mar 10 2016 12:03pm

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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Sincerely,

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