

**DEPARTMENT OF TRANSPORTATION**

DIVISION OF ENGINEERING SERVICES

OFFICE ENGINEER

P.O. BOX 168041, MS-43

SACRAMENTO, CA 95816-8041

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www.dot.ca.gov

*Serious drought.  
Help save water!*

May 15, 2015

Facsimile: (310) 312-5409

Emanouel Frangos, President  
Liberty Maintenance, Inc. dba  
Ohio Liberty Maintenance, Inc.  
777 N. Meridian Road  
Youngstown, OH 44509

03-3F3404  
03-Sac-160-L7.0  
B.O. 03/17/2015

Dear Mr. Frangos:

The Department of Transportation (Caltrans) received a letter from Feldman & Associates, Inc. representing Liberty Maintenance, Inc. dba Ohio Liberty Maintenance, Inc (Ohio Liberty) protesting American Civil Constructors West Coast bid (American Civil). Ohio Liberty alleges that American Civil is not performing work equaling at least 30 percent of the value of the original total bid with employees and equipment they own or rent, with or without operators. Ohio Liberty also alleges that FD Thomas, Inc. (FD Thomas) did not list Gallaway Enterprises, Inc. (Gallaway) for performing Bid Items 18 and 19 (Contractor Supplied Biologist (Day), Species Protection) and S.T. Rhoades for performing Bid Items 5, 10, 11, 12, and 22 (Traffic Control System, Temporary Signal System, Portable Changeable Message Sign, Temporary Railing (Type K), Clean and Pain Structural Steel (Existing Bridge)) on their Subcontractors List Form. In addition, Ohio Liberty alleges that Certified Coatings Company (Certified Coatings) did not submit their DBE Commitment and/or Good Faith Efforts documentation within the submittal time period. Ohio Liberty requests Caltrans find American Civil, FD Thomas, and Certified Coatings nonresponsive.

Caltrans did not conduct a review of the protest as it relates to American Civil, since the bid submitted by American Civil was found nonresponsive. As it relates to the bid submitted by FD Thomas, Caltrans did conduct a review of the protest and found FD Thomas nonresponsive.

As the protest pertains to Certified Coatings, because the first three bidders were determined to be nonresponsive, Caltrans requested Good Faith Efforts documentation on April 24, 2015, they were received on April 28, 2015, prior to the April 30, 2015 deadline.

Based on the above, Caltrans will proceed to award this contract to the lowest responsible bidder, provided that all requirements have been met.

Mr. Emanouel Frangos  
May 15, 2015  
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If you have any questions, please contact Mulissa Smith, Contract Awards Branch Chief, at (916) 227-6228.

Sincerely,



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

TRANSMISSION VERIFICATION REPORT

TIME : 05/15/2015 15:12  
NAME : DE AWARDS  
FAX : 9162276320  
TEL : 9162276299  
SER.# : BROM3J484361

DATE, TIME	05/15 15:12
FAX NO./NAME	913103125409
DURATION	00:00:24
PAGE(S)	02
RESULT	OK
MODE	STANDARD ECM

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN, Jr., Governor

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