

DEPARTMENT OF TRANSPORTATION

DIVISION OF ENGINEERING SERVICES

OFFICE ENGINEER

P.O. BOX 168041, MS-43

SACRAMENTO, CA 95816-8041

PHONE (916) 227-6299

FAX (916) 227-6282

TTY 711

www.dot.ca.gov

*Serious drought.
Help save water!*

June 11, 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 dated March 27, April 24 and May 18, 2015 from Kevin Hannifan of Feldman & Associates, Inc. representing Liberty Maintenance, Inc. dba Ohio Liberty Maintenance, Inc (Ohio Liberty) protesting the bids submitted by American Civil Constructors West Coast bid (American Civil) and FD Thomas, Inc. (FD Thomas). The protest alleges that American Civil is not performing work equaling at least 30 percent of the value of the total bid with employees and equipment they own or rent, with or without operators. Ohio Liberty also alleges that 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. Ohio Liberty further alleges that Certified Coatings Company (Certified Coatings) did not submit their DBE Commitment and/or Good Faith Efforts documents within the submittal time period. Ohio Liberty requests Caltrans find American Civil, FD Thomas, and Certified Coatings nonresponsive.

As this protest relates to American Civil, Caltrans did not conduct a review of the protest since, the bid submitted by American Civil was found nonresponsive.

As this protest relates to the bid submitted by FD Thomas, Caltrans conducted a secondary review of both the Subcontractors List form and the DBE Commitment form documents and is satisfied that S.T. Rhoades Construction's (S.T. Rhoades) performance on this contract is for rental of an attenuator truck for Bid Item 5, Traffic Control System and Temporary Railing -Type K. Because S.T. Rhoades is not performing any labor with respect to these items; FD Thomas was not required to list this subcontractor on their Subcontractors List form.

In addition, S.T. Rhoades listed Bentancourt Bros. Construction and Peterson Industrial Scaffolding as 2nd Tier subcontractors; therefore these subcontractors were not required to be listed on the Subcontractors List Form.

Mr. Emanouel Frangos
June 11, 2015
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Based on the above, Caltrans will proceed to award this contract to the lowest responsible bidder, provided that all requirements have been met.

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

Kevin Hamman / Feldman & Assoc, Inc
(310) 312-5409

TRANSMISSION VERIFICATION REPORT

TIME : 06/12/2015 16:14
NAME : OE AWARDS
FAX : 9162276320
TEL : 9162276299
SER. # : BROM3J484361

DATE, TIME	06/12 16:14
FAX NO./NAME	913103125409
DURATION	00:00:23
PAGE(S)	02
RESULT	OK
MODE	STANDARD ECM

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN, Jr., Governor

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TRANSMISSION VERIFICATION REPORT

TIME : 06/12/2015 16:24
NAME : DE AWARDS
FAX : 9162276320
TEL : 9162276299
SER. # : BROM3J484361

DATE, TIME	06/12 16:24
FAX NO./NAME	913307551847
DURATION	00:00:40
PAGE(S)	02
RESULT	OK
MODE	STANDARD ECM

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EDMUND G. BROWN Jr., Governor

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