



TEICHERT CONSTRUCTION

Established 1887

May 28, 2014

VIA FACSIMILE (916) 227-6282 AND U.S. MAIL

John C. McMillan
Deputy Division Chief
Office Engineer
Division of Engineering Services
State of California
Department of Transportation (Caltrans)
1727 30th, Bidder Exchange, MS 43
Sacramento, CA 95816-8041

Subject: Contract No. 03-4M8204
03-Sac-5, 99-29.5/30.5, 32.1/36.9
Bids Opened: May 14, 2014
**Bid Protest of DeSilva Gates Construction to award contract to Teichert Construction,
the lowest responsive and responsible bidder.**

Dear Mr. McMillan:

Teichert Construction ("Teichert") is the lowest responsive and responsible bidder on Caltrans' Contract No. 03-4M8204. Teichert has reviewed a copy of DeSilva Gates Construction's ("DeSilva") letter of May 22, 2014, protesting the low bid submitted by Teichert on Contract No. 03-4M8204

The first paragraph of the electronic Subcontractor List form states, "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 business name, location and description of subcontracted work and submit with bid. Complete bid item numbers and percentages of bid items subcontracted and submit with bid or fax to (916) 227-6782 within 24 hours after bid opening. Failure to provide complete information within the time specified will result in a nonresponsive bid."

DeSilva asserts that Teichert is nonresponsive because "revisions" were made to the subcontractor listing form on the 24 hour submittal. However, Subcontractor Listings and associated Bid Items for each Subcontractor listed on both forms are identical with the required percentages indicated. In addition, all bid items and descriptions are consistent and absent of any revisions on the two forms submitted. Teichert provided bid item numbers as descriptions of work on bid day and followed up with corresponding bid item descriptions, without any revisions, on the 24 hour submittal. Teichert provided complete information within the time specified and is the lowest responsive and responsible bidder.

John C. McMillan
Deputy Division Chief
December 2, 2013
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Should you need any additional information, I can be reached at 916-645-4855.

Sincerely,



Eric Stannard
Director of Public Procurement

Received

TEICHERT WOODLAND

May 28 2014 10:51am

Fax 5304068576

May 28 2014 09:51am P003/003



TEICHERT CONSTRUCTION

Woodland District
24207 County Road 100A
Davis, CA 95616-9410
P.O. Box 1890
Davis, CA 95617-1890
530-406-4227
Fax: (530) 406-4299

FAX COVER SHEET

To: Office Engineer

COMPANY: State of California-Dept. of Transportation

FAX NUMBER: 916-227-6282

FROM: Eric Stannard
Director of Public Procurement

DATE: May 28, 2014

PAGES: 3 including Cover Sheet

RE: Contract No. 03-4M8204
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