

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!*

October 8, 2014

Facsimile: (415) 454-8376

Mr. Thomas G. Bar, Vice President of Estimating
Ghilotti Bros. Contractors
525 Jacoby Street
San Rafael, CA 94901

04-0G2224
04-SM-1, 35, 82, 84, 109, 280 -Var
B.O. 09/10/2014

Dear Mr. Bar:

The Department of Transportation (Caltrans) received a letter dated October 1, 2014, from Ghilotti Bros. Contractors (Ghilotti) protesting the bid submitted by Granite Rock Company (Granite Rock), for Contract Number 04-0G2224. The protest alleges that Granite Rock identified Super Seal and Stripe (SSS) to perform work described as bid items #14 (Remove Thermoplastic Pavement Marking), #32 (Paint Curb (2-coat)), and #44 (Temporary Fence (Type CL-6, Slatted)). However, is not properly licensed to perform the work. Ghilotti further alleges that Granite Rock excluded the Percentage of Bid Item Subcontracted for SSS on bid day and did not follow its own listing procedure on the second submittal of its Subcontractor List form and modified the percentage from 100 percent to partial for bid item 44. Ghilotti requests Caltrans to find GRC nonresponsive and award the contract to Ghilotti.

After review a bid documents Caltrans determined that the licensing requirement of the subcontractor is not a condition of contract award, since the bidder meets the licensing requirement for bid submittal. Should this contract be awarded to Granite Rock, the licensing issue will be addressed by Contract Administration/Construction.

As this protest pertains to the Subcontractors List form, the bidding instruction does not require the contractor to provide the percentage of the bid item subcontracted on bid day, rather it is a requirement by 2:00pm, 1 business day following bid day.

Based on the above, Caltrans finds Ghilotti's protest lacks merit and will proceed to award this contract to the lowest responsive 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,

A handwritten signature in black ink, appearing to read "John C. McMILLAN".

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

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

P. 1
CALTRANS CONTR AWARDS Fax 916-227-6282

Oct 9 2014 10:16am

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,

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