

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!*

August 12, 2014

Facsimile: (510) 526-0990

Mr. Greg Souder, Secretary
O.C. Jones & Sons, Inc.
1520 Fourth Street
Berkeley, CA 94710

04-152724
04-CC-4/242-R8.0/25.2 & 0.0/3.4
B.O. 0708/14

Dear Mr. Souder:

The Department of Transportation (Caltrans) is in receipt of letters dated July 17 and 24, 2014 from O.C. Jones & Sons, Inc. (O.C. Jones) protesting the bid submitted by Bay Cities Paving & Grading, Inc. (Bay Cities) for Contract No. 04-152724 on July 8, 2014. The protest alleges the following;

1. Bay Cities 24 hour Subcontractors List form is materially deficient and that bid items numbers in Column 2 of the Subcontractors List form do not match the description of subcontracted work for Central Striping Service (CSS). Bay Cities claimed a clerical error when listing work to be performed by the CSS and inadvertently placed a hyphen between items 30 and 37.
2. Bay Cities listed MidState Barrier, Inc. (MBI) for work described as Midwest Guardrail System and related, but failed to list bid items 32, 34, 126 and 127 (Treated Wood Waste, Remove Guardrail, Alternative In-line Terminal System and Alternative Flared Terminal System).
3. Bay Cities failed to list bid item 155, Mobilization for \$20,000, while it was included in the quote for CSS.

Caltrans reviewed the bid documents submitted by Bay Cities and has made the following determination:

1. With respect to Central Striping, Bay Cities properly followed the bidding instructions on bid date by identifying the subcontractor and the description of work to be performed. On the 24 hour submittal, Bay Cities provided the same description of work and corresponding bid item numbers. Caltrans has determined that the hyphen between items 30 and 37 is a clerical error and that the description of work provided, did not include any work as described by bid items 31 through 36. As such, this error does not materially affect the bid and can therefore be waived by Caltrans.

Mr. Greg Souder
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2. With respect to MBI, Bay Cities properly followed the bidding instructions on bid date by identifying the subcontractor and the description of work. On the 24 hour submittal, provided the same information and the corresponding bid item numbers.
3. Although Bay Cities did not list bid item 155, Mobilization, Caltrans has determined that its omission is immaterial, since the bid work to be performed requires a reasonable portion of mobilization.

Based on the above, Caltrans will proceed to award this contract to the lowest responsible bidder.

If you have any questions, please contact Mulissa Smith, Contract Awards Branch Chief, at (916) 227-6228.

Sincerely,



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

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

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

Aug 12 2014 01:40pm

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STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

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