Dreambuilder
1324 E. Lawson Ln, Placentia, Ca 92870
Ph (714) 646-3697, **fax** (714) 646-3698

Civil Engineering Construction

Bid Protest Letter

Department of Transportation
Office Engineer MS 43
1727 30th Street, Sacramento, Ca 95816
Ph: 916-227-6280 Fax: 916-227-6282
Attn: Office Engineer

Date: 10/30/2015

Sub: Bid protest for Caltrans Contract # 04-2G4414
Bid open on 10/20/2015 @ 2:00PM bid on line
Reference: Caltrans bid proposal for Contract # 04-2G4414

Dear Sir / Madam,
We bid this project and we were 2th bidder on this project.
After reviewing subcontract listing submitted by Midstate Barrier, Inc., we have following formal bid protest:

1. The MIDSTATE BARRIER, INC. did revision in their Subcontractor listing after bid opening. They listed Quimu Contracting, Inc for contract item #46 for 80%, at the time of bid, but they got listed on DBE commitment submittal after bid for this item 99.93% to meet & increase DBE goal.
   MBI has changed subcontracting work for item # 46 from 80% to 99.92% after bid.

   As per quote from Quimu Construction Inc. for item # 46, bid amount is $125,910.00 (Which is 99.92% of Midstate Barrier, Inc bid amount for this item $126,000.00)

Subcontractor list states: No revisions are permited after bid opening in subcontract listing, otherwise bid will be considered as non responsive bid.

Therefore, Midstate Barrier, Inc.'s bid should be considered as non responsive bid due to changing in subcontractor listing and bid should be awarded to Dreambuilder.
Thank you for your consideration.

Yours truly,

Alex Singh
Project Coordinator.

Low Bidder

10-23-15A10:22 RCVD

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
DBE - COMMITMENT
DES-OE-0102.10D (REV 12/2014)

CONTRACT NO:
04-2G4414

BID AMOUNT:
$ 1,175,530.00

BID OPENING DATE:
October 20, 2015

BIDDER'S NAME:
Midstate Barrier, Inc.

DBE GOAL FROM CONTRACT %:
17%

DBE PRIME CONTRACTOR CERTIFICATION[1]:	TOTAL NUMBER OF ALL SUBCONTRACTS (DBE & NON-DBE)	TOTAL VALUE OF ALL SUBCONTRACTS (DBE & NON-DBE)
	7	$481,634.00

BID ITEM NO.	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED[2]	WORK CATEGORY CODES[3]	NAME OF DBEs (Must be certified on the date bids are opened. Include Caltrans' certification no., DBE address, and phone number. Show 2nd and lower tier subcontractors)	AMOUNT ($)
46	Setup & Pour Veg. Control	C2800	Quimu Contracting, Inc.	$125,910.00
53	Mobilization (Portion)		PO Box 1177	$4,500.00
			Dixon, CA 95620	
			(707) 693-0289	
			DBE # 33524	
38	Minor Hot Mix Aspalt	C3910	A.C. Dike Co.	$9,800.00
39	Place HMA Dike (Type C)	C3940	2788 Venture Dr.	$4,576.00
40	Place HMA Dike (Type F)	C3940	Lincoln, CA 95648	$4,533.00
			(916) 652-0159	
			DBE # 000219	

99.93% of Bid item #46

Show all DBE firms being claimed for credit, regardless of tier. Attach written confirmation from each DBE shown stating that it will be participating in the contract to perform the specific work shown for the specific amount agreed to.

The names of the 1st tier DBE subcontractors and items of work must be consistent with the Subcontractor List (Pub Cont Code § 4100 et seq.).

[1]Each DBE prime contractor must enter its certification number and show all work to be performed by DBEs, including work performed by its own forces.

[2]If 100% of an item is not to be performed or furnished by the DBE, describe the exact portion of the item to be performed or furnished.

[3]Use Work Category Codes from the California Unified Certification Program database.

Total Claimed Participation: $ see next page

%

The bidder acknowledges that it is committed to use the DBEs shown on this form to meet the contract goal (49 CFR 26.53).

Signature of Bidder

10/21/2015
Date

(209) 944-9565
(Area Code) Tel. No.

Stephen Gifford
Person to Contact (Please Type or Print)

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STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
Contract No.: 04-2G4414 Project ID: 0414000245
Bidder Name:Midstate Barrier, Inc. Bidder ID:VC0000013893

BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity	Unit of Measure	Unit Price	Item Total
37	210600	COMPOST	16,300.0	SQFT	1.00	16,300.00
38	390136	MINOR HOT MIX ASPHALT	7.0	TON	3,000.00	21,000.00
39	394074	PLACE HOT MIX ASPHALT DIKE (TYPE C)	320.0	LF	16.00	5,120.00
40	394077	PLACE HOT MIX ASPHALT DIKE (TYPE F)	310.0	LF	16.00	4,960.00
41	800051	FENCE (TYPE WM, METAL POST)	30.0	LF	50.00	1,500.00
42	820118	GUARD RAILING DELINEATOR	110.0	EA	15.00	1,650.00
43	820134	OBJECT MARKER (TYPE P)	37.0	EA	100.00	3,700.00
44	820151	OBJECT MARKER (TYPE L-1)	17.0	EA	55.00	935.00
45	832007	MIDWEST GUARDRAIL SYSTEM (WOOD POST)	1,050.0	LF	45.00	47,250.00
46	832070	VEGETATION CONTROL (MINOR CONCRETE)	1,800.0	SQYD	70.00	126,000.00
47	045061	CONCRETE BARRIER (TRANSITION)	120.0	LF	1,250.00	150,000.00
48	839543	TRANSITION RAILING (TYPE WB-31)	29.0	EA	3,900.00	113,100.00

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
Contract No.: 04-2G4414 Project ID: 0414000245
Bidder Name: Midstate Barrier, Inc. Bidder ID: VC0000013893
DES-OE-0102.2C (REV 03/2015)

Bidding Firm: Midstate Barrier, Inc.

List this sub? Yes

1) Business Name Quimu Contracting, Inc.
Location City Dixon State CA
California Contractor License Number 809085
Public Works Contractor Registration Number 1000013683
Portion of Work Subcontracted:

Item	%	Description
46	80	Setup and Pour Vegetation Control(Minor Concrete)
53	5	Mobilization (Portion)

List this sub? Yes

3) Business Name Bortolussi & Watkin, Inc.
Location City San Rafael State CA
California Contractor License Number 962905
Public Works Contractor Registration Number 1000000352
Portion of Work Subcontracted:

Item	%	Description
18	100	
23	100	
25	100	
26	100	
27	100	