

CHESTER BROSS CONSTRUCTION COMPANY



P.O. Box 430
Hannibal, MO 63401

Chester Bross, President
"Equal Opportunity Employer"

Ph: 573-221-5958
Fax: 573-221-1892

February 27, 2014

VIA FAX: 916-227-6282

John C. McMillan
California Department of Transportation
Deputy Division Chief - Office Engineer
Division of Engineering Services
1727 30th Street
P.O. Box 168041
Sacramento, CA 95816-8041

Re: **Contract Number: 04-3E4004**
District/County/Route/Post Mile: 04-Nap-128-19.1/34,3
Bid Opening Date: February 11, 2014

Dear Mr. McMillan:

Please accept this letter in response to your letter to us dated February 25, 2014 respecting the bid protest concerning this Project. For the reasons stated below, there is no basis for a bid protest for this project.

The protest suggests that there was something inappropriate about the fact that our bid listed FMG Grinding Company as a subcontractor without any "percentage" value for its scopes of work, and that we followed up the next day with a written statement of the "percentage" value. In fact, we strictly complied with Caltrans' requirements.

On bid day, we submitted our subcontractor list on Caltrans Form DES-OE-0102.2. The Caltrans form requires us to complete columns 1 and 4 with our bid, which we did. In column 1 we identified FMG Grinding Company as a subcontractor. In column 4 we identified that the description of its scope of work as grinding and related.

The Caltrans form states that we are to complete columns 2 and 3 and submit by fax within 24 hours after the bid opening. That is exactly what we did. We submitted our fax the next day identifying FMG Grinding's percentages in column 3, exactly as we are required to do.

The protest also challenges the bid bond. Caltrans Spec Book Par. 2-1.34 "Bidder's Security" provides that we are required to submit with our bid, bidder's security which may take the form of a "bidder's bond signed by a surety insurer who is licensed in California." We did that. There are no other requirements. We provided an enforceable bid bond as required.

Thank you for your consideration of the above. We look forward to another successful project for Caltrans.

Sincerely,

Mike Bross
Vice President



1854 Greenspring Drive
Suite 450
Timonium, MD 21093

Rosemary Quinn
Vice President and
Bond Counsel
Telephone: 410.453.4468
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Internet: www.cnaSurety.com

February 27, 2014

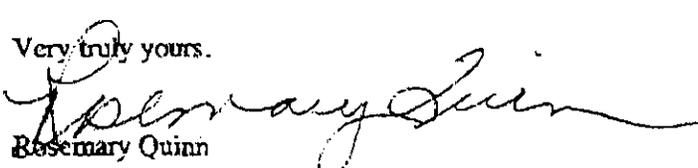
Re: Bidder's Bond of Chester Bross Construction Company and Western Surety Company:
Contract No. 04-3E4004

Dear Sir or Madam:

This letter serves to confirm the validity and enforceability of the above referenced Bidder's Bond executed by Western Surety Company at the request of Chester Bross Construction Company for your benefit concerning Construction on State Highway in Napa County near Napa from Knoxville Road to Solano County Line in District 04 on Route 128. This bond was at the time of its execution and continues to be a valid and binding obligation of Western Surety Company.

If should have any questions concerning this Bidder's Bond, please do not hesitate to contact me directly at the above e-mail or telephone.

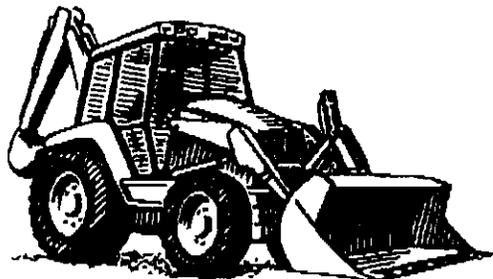
Very truly yours.


Rosemary Quinn

CHESTER BROSS CONSTRUCTION COMPANY

P. O. Box 430 • Hannibal, MO 63401

573-221-5958 – Phone • 573-221-1892 - Fax



Date: February 27, 2014

Number of pages including cover sheet: 3

FAX

From: Mike Bross

Time:

Phone:

Fax phone:

Company: Caltrans

To: John C. McMillan

Phone:

Fax phone: 916-227-6282

CC:

REMARKS: Urgent For your review Reply ASAP Please comment

If you do not wish to receive faxes from our company in the future – please call 800-833-7680.

RE: Contract Number – 04-3E4004

Attached is our letter in reference to the bid protest on this project.