

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 24, 2015

Facsimile: (925) 961-1925

Dan Schultz, Vice President, Estimating
RGW Construction Inc.
550 Greenville Road
Livermore, CA 94550

04-3G7104
04-Ala-238, 580, 680, 880-Various
B.O. 7/23/2015

Dear Mr. Schultz:

The Department of Transportation (Caltrans) received a letters dated August 3, and 13, 2015, from RGW Construction Inc. (RGW) protesting the bid submitted by Pacific Infrastructure Construction, LLC (PCI) for Contract 04-3G7104 on July 23, 2015. The protest alleges that PCI did not comply with the State Licensing Board and the Health and Safety requirements for Hazardous Substance Handling and Removal. The protest further alleges that PCI submitted its bid with a California State Licensing Board (CSLB) Contractor License number that belongs to another contractor, BACS Consulting Group, Inc. RGW requests that Caltrans find the bid submitted by PCI nonresponsive and award the contract to RGW.

As the protest relates to the failure of PCI to list a subcontractor for the excavation and handling portions of bid item numbers 21, 22 and 23, (all related to roadway excavation). It is Caltrans' determination that no HAZ-CERT is required for this work as the work being performed for excavation is not the type of work that requires a HAZ-CERT. As related to this project, the excavation work being performed for bid items 21, 22 and 23 is solely removal of material for a construction project, which does not require a HAZ-CERT. Therefore, since PCI did not list a subcontractor for the work, it is assumed that PCI will perform the work itself, which it is permitted to do without a HAZ-CERT. Therefore, Caltrans finds no cause to find PCI non-responsive on this issue.

As the protest relates to PCI's license number, Caltrans reviewed the bid documents submitted by PCI and confirms that PCI erred in listing its license number as 10044035, however; according to the CSLB, there is only one PCI in California, and the correct license number is 1004305. As such, the listing error is immaterial and does not change the bid nor does it provide a competitive advantage to PCI.

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

for 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 24 2015 12:27pm

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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