Dreambuilder
1361 E. Garten Dr, Placentia, Ca 92870
Ph (714) 646-3697, **fax** (714) 646-3698

Civil Engineering Construction

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

Date: 4/3/2014

Sub: Bid protest for Caltrans Contract # 04-3S8304
Bid open on 3/25/2014 @ 2:00PM in Sacramento, Ca
Reference: Caltrans bid proposal for Contract # 04-3S8304

Dear Mr. John,
We are submitting formal bid protest for Contract # 04-3S8304.
We are 2nd lowest bidder on this project and 1st lowest bidder is Water Rock Construction Corp.
We have following comments for their submitted Subcontractor list as well as DBE Summary Form with bid as follows:

1. On Subcontractor list percentage listed for listed DBE subcontractor are not consistence with amount claimed on DBE summary calculation for following subcontractor, which will reduce claimed amount and is resulting less than 12% DBE goal for this contract and not meeting goal :–

a. Superior Hydroseeding –	Work provided only –	0.035% - $467.99
b. APPIAN UDBE –	Work provided only –	0.0006% - $1.59
c. A.C.Dike Co -	Work provided only –	0.016% - $110.73
d. Bradly Tank Inc.	Work provided only –	0.027% - $337.50

2. For item # 17,18and 26 they listed DVBE trucking with no % in column 3 on subcontractor List, this cause to declare non responsive bid, same time they are claiming for these items on DBE Summary form to use All City Trucking, hence claimed amount for All City Trucking need to removed from DBE Summary Form, Which will reduce DBE % claimed.
3. On DBE Summary Form, they claimed Sam Equipment Inc and Water Component as supplier and they claimed for full amount, but they will credit only for 60% for material supplied by DBE firm.

Our Revised calculation for DBE goal for Water Rock Construction Corp is attached for your review and their new goal amount is only 6.5% & they are not meeting DBE goal for this contract.
Hence their bid need to be declaired non responsive due to following reason:

1. Listed DBE Subcontractor % is not consistence with claimed DBE amount on DBE Summary Form.
2. DBE goal is not meeting for this contract.

Therefore Dreambuilder is requesting to declare Water Rock Construction bid Non Responsive and award to Dreambuilder
Thank you.
Sincerely,

Alex Singh
Project Coordinator.

Apr. 3. 2014 12:59PM Received
Apr 3 2014 02:03pm No. 6029 P. 2

DBE GOAL CALCULATION FOR CONTRACT # 04-3S8304 FOR WATER ROCK CONSTRUCTION CORP.

BID ON 3/25/2014

ITEMS Listed	LISTED SUBCONTRACTOR OR SUPPLIER ON SUBCONTRACTOR LIST BY WATER ROCK CONSTRUCTION CORP TO MEET DBE GOAL FOR CONTRACT	Amount Claimed on DBE Summary Form	% of Work subcontracted on Subcontractor List	Credit % for DBE Supplier & Trucking	Amount Credit towards DBE goal according to Subcontractor List & Suppliers
7,21,22,23 &24	Superier Hydroseed	$ 13,371.00	0.035		$ 467.99
27,28 & 29	A C DIKE CO	$ 6,920.40	0.016		$ 110.73
19	BRADLEY TANKS INC	$ 12,500.00	0.027		$ 337.50
					$ -
4	CMC TRAFFIC CONTROL	$ 2,500.00		100%	$ 2,500.00
					$ -
1,6	APPIAN UDBE	$ 2,650.00	0.0006		$ 1.59
					$ -
17,18,20,26,27,28 &30	ALL CITY TRUCKING	$ 13,900.00		100%	$ 13,900.00
					$ -
8,9,11,12 & 43	SAM'S EQUIPMENT & SUPPLY	$ 4,240.75		60%	$ 2,544.45
					$ -
33,34,35,36 & 38	WATER COMPONENTS	$ 7,222.00		60%	$ 4,333.20
		$ 63,304.15			$ 24,195.45

BID AMOUNT FOR WATER $ 369,562.00

NEW DBE GOAL ACHIVED FOR WATER ROCK CONSTRUCTION CORP 6.5%

Project DBE goal is 12%, hence Water Rock Construction Corp is not meeting DBE Goal for this project and they are non- responsive

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
SUBCONTRACTOR LIST
DES-OE-0102.2 (REV 3/2011)

Bidder Name: WATER ROCK CONSTRUCTION CORP

The bidder must identify each subcontractor performing work in an amount in excess of 1/2 of 1 percent of the total bid or $10,000, whichever is greater (Pub Cont Code § 4100 et seq.). Complete columns 1 and 4 and submit with the bid. Complete columns 2 and 3 and submit with the bid or fax to (916) 227-6282 within 24 hours after the bid opening. Failure to provide complete information in columns 1 through 4 within the time specified will result in a nonresponsive bid.

Column 1: Business Name and Location	Column 2: Bid Item Nos.	Column 3: Percentage of Bid Item Subcontracted	Column 4: Description of Subcontracted Work
Superior Hydroseed 250 W. Riverside Dr. Watsonville, Ca. 95076	7, 21, 22, 23 24	.035	Landscaping
APPIAN UDBE SWPPP 5180 Olinda Rd El Sobrante, Ca. 94803	6, 1	.0006	Prepare Water Pollution Control Plan, Lead Compliance Plan
A.C. Dike Co. 2788 Venture Dr. Lincoln, Ca. 95648	27, 28, 29	.016	A.C Dike
Dube Trucking 1217 Dell Ave Campbell, Ca 95008	17, 18, 26 (Partial)		Trucking
El Camino Paving 924 San Rafael Ave Mt. View, Ca. 94043	26 (Partial)	.03	Paving
Chrisp Company 43650 Osgood Fremont, Ca 94539	46	.013	Striping
Ed Safety Services 1040 W. Kettleman Lodi, Ca. 95240	20 Partial 30	.026	Traffic Control
Bradley Tanks Inc. 402 Hartz Ave Danville, Ca. 94526	19 Partial	.027	Transport/Dispose ADL

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KG

03-28-14P12:05 RCVD

Caltrans
04-3s8304
Bid Amount $369,562.00
DBE Participation

Bid Item	Description	Subcontractor/Vendor	Amount	%
7	Mulch	Superior Hydroseed	$ 2,841.00	0.0077
21	Rolled Erosion	Superior Hydroseed	$ 4,734.00	0.0128
22	Hydromulch	Superior Hydroseed	$ 2,632.00	0.0071
23	Fiber Rolls	Superior Hydroseed	$ 458.00	0.0012
24	Hydroseed	Superior Hydroseed	$ 2,706.00	0.0073
27	Hot mix Dike (Type A)	A.C Dike	$ 1,066.50	0.0029
28	Hot Mix Dike (Type E)	A.C Dike	$ 4,858.50	0.0131
29	Hot Mix Dike (Type F)	A.C Dike	$ 995.40	0.0027
19	Aerially Deposited Lead	Bradley Tanks Inc. (BTI)	$ 12,500.00	0.0338
4	Portable Message Sign (rental)	CMC Traffic Control	$ 2,500.00	0.0068
1	Prepare Lead Compliance Plan	Appian UDBE/SWPPP	$ 1,900.00	0.0051
6	Prepare Water Popllution Plan	Appian UDBE/SWPPP	$ 750.00	0.0020
17	Clear Grub (Trucking)	All City Trucking Inc.	$ 2,500.00	0.0068
18	Roadway Ex. (Trucking)	All City Trucking Inc	$ 4,200.00	0.0114
20	Imported Topsoil (Trucking)	All City Trucking Inc	$ 2,500.00	0.0068
26	Hot Mix Ac (Trucking)	All City Trucking Inc	$ 3,500.00	0.0095
27	Asphalt Dike (Trucking)	All City Trucking Inc	$ 250.00	0.0007
28	Asphalt Dike (Trucking)	All City Trucking Inc	$ 800.00	0.0022
30	Asphalt Dike (Trucking)	All City Trucking Inc	$ 150.00	0.0004
8	Inlet Protection Bags	Sam's Equipment & Supplies	$ 315.00	0.0009
9	Temporary fiber Rolls	Sam's Equipment & Supplies	$ 822.00	0.0022
11	Temporary Concrete Washout	Sam's Equipment & Supplies	$ 288.75	0.0008
12	Temporary Fence	Sam's Equipment & Supplies	$ 2,160.00	0.0058
43	Rock Slope Fabric	Sam's Equipment & Supplies	$ 655.00	0.0018
33	12" Culvert	Water Componets	$ 110.00	0.0003
34	18" Culvert	Water Componets	$ 1,755.00	0.0047
35	12" Corr. Pipe & Anchor	Water Componets	$ 26.00	0.0001
35	Anchor	Water Componets	$ 2,550.00	0.0069
36	18" Down drain	Water Componets	$ 1,001.00	0.0027
38	36" Inlet	Water Componets	$ 1,780.00	0.0048
		Total Amount	**$ 63,304.15**	
		Total %		**17%**

Low Bidder

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
CALTRANS BIDDER - DBE - COMMITMENT
DBE-OE-0102.19C (NEW 08/2012)

03-23-14P12:05 RCVD

This information may be submitted with your bid proposal. If it is not, and you are the apparent low bidder or the second or third low bidder, it must be submitted and received as specified in section 2 of the specifications. Failure to submit the required bid information will be grounds for finding the bid nonresponsive.

CONTRACT NO: 04-358304

BID AMOUNT: $ $369,562.00

BID OPENING DATE: 3/25/14

BIDDER'S NAME: Water Rock Construction

DBE GOAL FROM CONTRACT, %: 12%

DBE PRIME CONTRACTOR CERTIFICATION[1]:

BID ITEM NO.	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED[2]	FOR CALTRANS USE ONLY	NAME OF DBE[3] (Must be certified on the date bids are opened - include Caltrans certification if DBE address and phone number) (Indicate 2nd and lower dot title owners)	DOLLAR AMOUNT DBE[4]
	See Attached Spreadsheet			

IMPORTANT: Identify all DBE firms being claimed for credit, regardless of tier. Names of the First Tier DBE Subcontractors and their respective items(s) of work listed above must be consistent, where applicable, with the names and items of work in the "Subcontractor List" submitted with your bid. Copies of the DBE quotes are required.

1. DBE prime contractors must enter their certification number and indicate all work to be performed by DBE's including work performed by its own forces.
2. If 100% of item is not to be performed or furnished by DBE, describe exact portion of item to be performed or furnished.
3. See section 2-1.12 of the specifications to determine the exact amount for DBE firms.

Total Claimed Participation: $63,304.00

17%

[signature]
Signature

3-20-14 Date

408 832 6544 (Area Code) Tel. No.

Steven Michelson
Position (Contract) (Please Type or Print)

Submit to:

MSO 42
OFFICE ENGINEER
DEPARTMENT OF TRANSPORTATION
1727 30TH STREET
SACRAMENTO, CA 95816-7005

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