



October 21, 2013

Department of Transportation
Division of Engineering Services
Office Engineer
1727 30th Street MS-43
Sacramento, CA 95816-8041
Phone (916)-227-6299
Fax (916)-227-6282

Attention: Mr. McMillan
Deputy Division Chief

Subject: Bid Protest for Contract # 04-4S1604

CCFG would like to protest the award of the above mentioned contract.

CCFG was the apparent low bidder at the bid opening for this project on 07/30/2013, with a bid amount of \$482,300.00. After the results were posted, CCFG's bid was changed by Caltrans to \$520,415.00 for an apparent unit item error of item # 5 temporary traffic stripe. This item was changed by Caltrans from the intended unit price of \$3.50 per LF to \$350.00 per LF. (See attached bid items from Caltrans bid book.)

On 8/21/2013, Caltrans responded to a previous bid protest by CCFG (see attached DOT response letter) to project 05-463814. In this response letter Caltrans officials "reconciled" the low bidder bid due to a subcontractor quote to the "proper amount."

Attached is a quote from Chrisp Co., the listed subcontractor for item #5 in CCFG's bid on project 04-4S1604. It shows a unit item # of \$3.00 per LF and a total of \$330.00. CCFG added costs to this item and submitted a price of \$3.50 LF. This unit item # "reconciles" the total bid of \$482,300.00 when added to all other bid items.

CCFG requests that Caltrans give the same liberty to CCFG's bid for project 04-4S1604 as it did in project 05-463814 and "reconcile" bid item #5 to its "proper amount", the obvious unit number for this type of bid item.

Also attached is CCFG's DBE submittal tracking information, showing that all certifications and DBE subcontractor quotes used to meet the DBE goal were submitted to Caltrans within the required amount of time specified by the project specs.

Sincerely,

Michael Niven
Vice President, RMO
Central Coast Financial Group Inc.
DBA: CCFG Construction

BID ITEM LIST

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
1	070030	LEAD COMPLIANCE PLAN	LS	LUMP SUM	LUMP SUM	8172.39
2	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	3976.16
3	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	21565.31
4	120149	TEMPORARY PAVEMENT MARKING (PAINT)	SQFT	22	23.55	513.70
5	120159	TEMPORARY TRAFFIC STRIPE (PAINT)	LF	110	350	796.28
		38,500.00				
6	120165	CHANNELIZER (SURFACE MOUNTED)	EA	17	46.84	796.28
7	128601	TEMPORARY SIGNAL SYSTEM	LS	LUMP SUM	LUMP SUM	120,290
8	128652	PORTABLE CHANGEABLE MESSAGE SIGN (LS)	LS	LUMP SUM	LUMP SUM	10010.09
9	129000	TEMPORARY RAILING (TYPE K)	LF	280	101.09	28305.20
10	025360	TEMPORARY ALTERNATIVE CRASH CUSHION	EA	2	5249.16	10,498.32
11	130100	JOB SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	6679.00
12	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	LUMP SUM	2406.77
13	130650	TEMPORARY GRAVEL BAG BERM	LF	340	6.32	2148.80
14	130680	TEMPORARY SILT FENCE	LF	140	3.50	490
15	130710	TEMPORARY CONSTRUCTION ENTRANCE	EA	1	2771.90	2771.90
16	130730	STREET SWEEPING	LS	LUMP SUM	LUMP SUM	7660.32
17	130900	TEMPORARY CONCRETE WASHOUT	LS	LUMP SUM	LUMP SUM	1086.27
18	141103	REMOVE YELLOW THERMOPLASTIC TRAFFIC STRIPE (HAZARDOUS WASTE)	LF	870	11.56	10057.20
19	150711	REMOVE PAINTED TRAFFIC STRIPE	LF	110	2.53	278.30
20	150712	REMOVE PAINTED PAVEMENT MARKING	SQFT	22	12.67	278.74

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Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
21	150714	REMOVE THERMOPLASTIC TRAFFIC STRIPE	LF	440	2.53	1113.20
22	150722	REMOVE PAVEMENT MARKER	EA	37	12.67	468.79
23	150834	REMOVE RETAINING WALL (WOOD)	LF	49	76.55	3750.95
24	160102	CLEARING AND GRUBBING (LS)	LS	LUMP SUM	LUMP SUM	2783.77
25	190101	ROADWAY EXCAVATION	CY	80	26.76	2140.80
26 (F)	192049	STRUCTURE EXCAVATION (SOLDIER PILE WALL)	CY	33	64.88	2141.04
27 (F)	193116	CONCRETE BACKFILL (SOLDIER PILE WALL)	CY	29	231.91	6733.79
28 (F)	193119	LEAN CONCRETE BACKFILL	CY	21	248.03	5208.63
29	025377	IMPORTED BORROW (LIGHTWEIGHT AGGREGATE)	CY	43	81.44	3523.42
30	200002	ROADSIDE CLEARING	LS	LUMP SUM	LUMP SUM	2783.77
31	202011	MULCH	CY	3	192.24	576.72
32	202035	FERTILIZER (PACKET)	EA	87	2.92	254.04
33	204035	PLANT (GROUP A)	EA	87	42.73	3717.51
34	204099	PLANT ESTABLISHMENT WORK	LS	LUMP SUM	LUMP SUM	16438.00
35	260303	CLASS 3 AGGREGATE BASE (CY)	CY	96	40.20	3859.20
36	390132	HOT MIX ASPHALT (TYPE A)	TON	36	232.28	8362.08
37	044201	STEEL SOLDIER PILE (W 14 X 68)	LF	480	66.21	31795.20
38	044202	24" DIAMETER DRILLED HOLE	LF	432	57.21	24714.72
39 (F)	510060	STRUCTURAL CONCRETE, RETAINING WALL	CY	14	879.94	12319.16
40 (F)	520103	BAR REINFORCING STEEL (RETAINING WALL)	LB	3,420	3.34	11,422.80

Handwritten signature or initials.

B-2

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
41 (F)	575004	TIMBER LAGGING	MFBM	4	3088.42	12353.92
42	590120	CLEAN AND PAINT STEEL SOLDIER PILING	LS	LUMP SUM	LUMP SUM	23660.75
43	680902	6" PERFORATED PLASTIC PIPE UNDERDRAIN	LF	110	20.31	2234.10
44 (F)	682049	CLASS 3 PERMEABLE MATERIAL (BLANKET)	CY	11	145.96	1605.96
45	832003	METAL BEAM GUARD RAILING (WOOD POST)	LF	13	126.67	1646.71
46	025361	VEGETATION CONTROL (ASPHALT COMPOSITE)	SQYD	38	399.40	15177.20
47 (F)	839521	CABLE RAILING	LF	95	76	7220.00
48	025362	TERMINAL SYSTEM (TYPE X-TENSION)	EA	2	11581.00	23116.20
49	840504	4" THERMOPLASTIC TRAFFIC STRIPE	LF	1,300	2.53	3289
50	850111	PAVEMENT MARKER (RETROREFLECTIVE)	EA	37	12.67	468.79
51	999990	MOBILIZATION	LS	LUMP SUM	LUMP SUM	9730.43

TOTAL BID:

\$482,300.00

520,415.00 ←
OK
-K67

Handwritten signature

STATE OF CALIFORNIA - CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
OFFICE ENGINEER, MS 43
1727 30th STREET
P. O. BOX 168041
SACRAMENTO, CA 95816-8041
PHONE (916) 227-6299
FAX (916) 227-6282
TTY 711



*Flex your power!
Be energy efficient!*

October 21, 2013

Facsimile: (209) 396-2681

Michael Niven, Vice President, RMO
CCFG Construction
14535 Lake Vista Dr.
Sonora, CA 95370

05-463814
05-SB-101-83.2/83.8
B.O. 9/25/2013

Dear Mr. Niven,

The Department of Transportation (Caltrans) received the attached letter dated October 5, 2013, from CCFG Construction (CCFG), protesting the Disabled Veteran Business Enterprise (DVBE) Commitment form submitted by Empire Landscaping, Inc. (Empire). The protest states that Empire made an error in calculating its total claimed DVBE participation; and that the correct amount should be \$24,670.47 or 4.97%. Thus, Empire failed to meet the 5% DVBE goal for this project. CCFG requests Caltrans find Empire's bid nonresponsive and award the contract to CCFG.

Caltrans reconciled the DVBE Summary form submitted by Empire, and found that CCFG considered the amount for job site management as \$1.85, but the proper amount is \$185.00. In addition, the Office of Business and Economic Opportunity, Contract Evaluation Unit conducted an evaluation of the DVBE Commitment form and determined that the correct DVBE total for Empire is \$24,853.62. Therefore, Empire did meet the 5% DVBE goal for this project.

Based on the above, Caltrans finds CCFG's protest lacks merit and will proceed to award the contract to Empire Landscaping.

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

Sincerely,


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

Attachment

Chrisp Company

Woodland Office
1805 East Beamer Rd.
Woodland CA 95776
Phone: (530) 406-2220 Fax: (530) 406-2221

Contractors License No. 374600
A General Engineering
C-13 Fence, Wire, wood
C-32 Highway Improvement

Union Contractor / No minority Status

Quotation

TO: For the intended use of the General Contractor

Current Date: 7/30/2013
BidDate: 7/30/2013
JobName: 04-SON-1-21.7
Location: JENNER Bid#: 20239 0
Contract#: 04-4S1604 Job#:
Working Days:

Phone: () - Fax: () -

Contact:

email:

Liquidated Damages

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL
01	LEAD COMPLIANCE PLAN, STRIPING REMOVAL	1	LS	5000.000	\$5,000.00
03	TRAFFIC CONTROL, CHRISPCO ONLY	1	LS	4000.000	\$4,000.00
04	TEMPORARY PAVEMENT MARKING (PAINT)	22	SF	10.000	\$220.00
05	TEMPORARY TRAFFIC STRIPE (PAINT)	110	LF	3.000	\$330.00
18	REMOVE YELLOW THERMOPLASTIC TRAFFIC STRIPE (HAZARDOUS WASTE)	870	LF	10.000	\$8,700.00
19	REMOVE PAINTED TRAFFIC STRIPE	110	LF	2.000	\$220.00
20	REMOVE PAINTED PAVEMENT MARKING	22	SF	5.000	\$110.00
21	REMOVE THERMOPLASTIC TRAFFIC STRIPE	440	LF	2.000	\$880.00
22	REMOVE PAVEMENT MARKER	37	EA	10.000	\$370.00
49	4" THERMOPLASTIC TRAFFIC STRIPE	1300	LF	2.000	\$2,600.00
50	PAVEMENT MARKER (RETROREFLECTIVE)	37	EA	10.000	\$370.00
51	MOBILIZATION	1	LS	3750.000	\$3,750.00
Subtotal					\$26,550.00
TOTAL					\$26,550.00

Notes

1. ONE MOVE IN FOR STAGE WORK
2. ONE MOVE INF FOR PERMANENT WORK

Written Authorization is Required Prior to Proceeding With Work

ACCEPTED BY: _____ P.O. Number _____
 TITLE: _____ Job _____
 Number _____

Bond Rate Addendum 1
1.5%

This quote includes all stipulations found on page 2

QUOTE PREPARED BY Brandon Chafey
(510) 719-6452
bchafey@chrispco.com
CHRISP COMPANY

Chrisp Company

Woodland Office
1805 East Beamer Rd.
Woodland CA 95776
Phone: (530) 406-2220 Fax: (530) 406-2221

Contractors License No. 374600
A General Engineering
C-13 Fence, Wire, wood
C-32 Highway Improvement

Union Contractor / No minority Status

Quotation

COMMENTS, EXCLUSIONS, AND STIPULATIONS

The following stipulations are hereby incorporated into and made part of the quotation from Chrisp co. dated July 30, 2013 for the following project

04-SON-1-21.7

- NO RETENTION TO BE TAKEN
- 2 Move- In(s) included. Additional Move- Ins \$2,500.00
- Chrisp Company reserves the right to withdraw proposal if written acceptance is not received within 30 days of bid date
- EXCLUDE: Installation or removal of temporary delineation
- Clean, clear and unobstructed access required for Chrisp Co. work
- Final PAY QTYS presented by owner MUST be agreed by Chrisp Co.
- Changeable Message board if required to be provided by General Contractor for Chrisp Co. Use at no Charge to Chrisp Co.
- EXCLUDE: Traffic Control Plan
- EXCLUDE: Fire Lane Striping and Signage
- EXCLUDE: Seal Coat
- Lead Compliance Plan is included for stripe and marking removal ONLY.
- Contractor is to Provide Stockpile Location for Striping Removal Debris.
- EXCLUDE: Red-Lined As-Built Drawings
- Traffic Control INCLUDED for Chrisp Company work ONLY
- After receiving contract 10 working days written notice required prior to scheduling of work
- EXCLUDE: Special Insurance Requirements, (i.e. Railroad Insurance, _____)
- EXCLUDE: Construction Area Signs
- This quotation excludes Primary Liability Insurance greater than \$2,000,000.
- This quotation excludes all work associated with the project SWPP and WPCP.
- This quotation excludes installing permanent striping while other operations are in progress on jobsite.
- This quotation excludes performing removal work while other operations are in progress on jobsite.
- This quotation Excludes furnishing or placing ALL signage for advance posting of ramp closures / detours for our operations.
- EXCLUDE: Encroachment Permit (If required to be provided at No Cost to Chrisp Company)
- EXCLUDE: ALL Safety Training, Badging and Orientation (To be paid at time and material Cal-Trans rates)
- Mobilization & Traffic Control Items shall not be adjusted for decreases in the work.
- Mobilization & Traffic Control Items shall be adjusted for increases in the work
- Prime Contractor to provide Chrisp Company with a secure area for temporary storage of all Hazardous stripe removal debris on the jobsite.
- Access / and or Accessibility by 1 Ton Vehicle required for Chrisp Company work
- EXCLUDE: Maintenance of temporary delineation ie. temporary paint, temporary tape, channelizers, etc...
- ALL Bid items shall NOT be adjusted or removed without written / or verbal permission.

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YOUR LABEL NUMBER	SERVICE	STATUS OF YOUR ITEM	DATE & TIME	LOCATION	FEATURES
EI318378326US	Priority Mail Express 1-Day™	Delivered	August 5, 2013, 6:26 am	SACRAMENTO, CA 95616	Scheduled Delivery Day: August 5, 2013, 3:00 pm Money Back Guarantee \$100 Insurance included PO to Addressee Proof of Delivery
		Sorting Complete	August 5, 2013, 8:25 am	SACRAMENTO, CA 95616	
		Arrival at Post Office	August 5, 2013, 8:17 am	SACRAMENTO, CA 95616	
		Processed at USPS Origin Sort Facility	August 4, 2013, 12:23 am	WEST SACRAMENTO, CA 95799	
		Depart USPS Sort Facility	August 3, 2013	WEST SACRAMENTO, CA 95799	
		Processed at USPS Origin Sort Facility	August 3, 2013, 5:41 pm	WEST SACRAMENTO, CA 95799	
		Dispatched to Sort Facility	August 3, 2013, 3:04 pm	SONORA, CA 95370	
		Acceptance	August 3, 2013, 11:04 am	SONORA, CA 95370	

Check on Another Item

What's your label (or receipt) number?



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UDBE Certified, #CT-032785
CA SBE Certified, #28807

Quotation

TO: Estimator
Attn.:
JOB: Caltrans
JOB #: 04-4s1604

Fax:
Ph:
Revised 7-29-13

Bid Date: 7-30-13
Date: 7-26-13

Quantity	Details	Unit	Total
32640 lbs.	Steel soldier Pile: W14x68, ASTM A709, Gr. 50, 30'0" lengths required supplied as 8 pcs 60' from mill run, 8-18-13 includes frt. to R & B Coaters, Linden, CA	\$0.530	\$17,299.20
1 lot	Clean & Undercoat Soldier Pile	\$8,967.00	\$8,967.00
1 lot	Install holes for cap reinforcing (6 per beam)	\$2,268.00	\$2,268.00
1 lot	Provide & install 3/4 x 5 headed studs (18 total)	\$717.00	\$717.00
1 ea.	Estimated Frt. charge from Linden to job site. No field work or 3rd party inspection for above	\$1,500.00	\$1,500.00
4.03 mbf	Treated Timber Lagging: 6 x 12 - 6' mults, full sawn, 60 ACQ, DF #1 & better	\$1,325.00	\$5,339.75
224 ea.	HDPE shims: 1/2 x 5 1/2 x 12	\$3.95	\$884.80
1 bx	40d galv. spikes for timber lagging	\$95.00	\$95.00
1 bx	12d galv. Nails for HDPE shims	\$95.00	\$95.00

Contractor to verify field dimensions.
Material price subject to market conditions.

Excludes field work and 3rd party inspection;

Actual quantities are the responsibility of the contractor.

Total: \$37,165.75

Sales Tax Not Included

Delivery:

F.O.B.: job site

Terms: Net 30 days
Valid for: 30 days

3941 Park Dr., Ste. 20-487, El Dorado Hills, CA 95762 - Yard: 865 Teal Dr., Benicia, CA 94510

925-229-5577 ph.

karen@rubertsupply.com

Sincerely, Karen Wonnemberg

KRC SAFETY CO., INC.

BARRICADE RENTAL - TRAFFIC CONTROL

P.O. Box 6356 Visalia, California 93290-6356

Phone (559) 732-0393 • Fax (559) 732-2684

Estimating Fax (559) 802-1749

WWW.KRCSAFETY.COM

To: Estimator

UN:401 / D:413

Job # 04-4S1604

04-Son-1

KRC BID #M13-719

Bid Date: 7-30-2013

UNION, LICENSE #507950 (A,C31), MBE(CERT. # 91S0014), DBE(CERT. #000447), SBE(CERT. #0006897)

ITEM	DESCRIPTION	UNIT	QTY	\$/UNIT	TOTAL
2 <i>4,000</i>	Construction Area Signs - Price above includes signs from CS-1 and TH-1 only; furnished, installed and removed. - All signs will be installed at once. Signs will be covered at installation if needed. Contractor will be responsible for uncovering and recovering signs if needed. - If your schedule does not allow us to install the primary construction area signs (CS-1) at the same time as the traffic handling signs (TH-1) please add \$1,500.00 to the above lump sum amount. - Signs specifically not included above are to be considered excluded from item 2. - KRC SAFETY will notify U.S.A for its work only at no extra charge to the prime contractor	Ls	Ls	Ls	\$4,650.00
3 <i>3</i>	Traffic Control System - See next page for traffic control rates				
6	Channelizer (surface mounted) - Contractor to maintain after initial placement	ea	17	\$35.00	\$595.00
8 <i>6,000</i>	Portable Changeable Message Sign (PCMS) - per each, rental only - \$150.00/day : \$400.00/week : \$1,400.00/month (month rate based on 30 calendar days) - \$450.00 delivery fee per pcms : \$450.00 pick up fee per pcms				
9 <i>25,000</i>	Temporary Railing (type k) - Traffic control not included for KRC work - Traffic control included for KRC work - If applicable add \$2.00 per foot to pin k-rail	Lf	280	\$70.00	\$19,600.00
		Lf	280	\$90.00	\$25,200.00
10 <i>5,800</i>	Temporary Alternative Crash Cushion - Per special provisions temporary alternative crash cushion systems replaced due to damage by public traffic will be measured and paid for as temporary alternative crash cushion. - See next page for bare rental option	ea	2	\$12,000.00	\$24,000.00
13	Temporary Gravel Bag Berm (Installation not included) - Includes (170) 16" x 26" 8 oz empty gravel bags, ties not included - Includes (170) 16" x 26" 8 oz filled gravel bags (with 3/8 pea gravel, approx. 35-40lbs), sewn shut	Lf	340	\$1.00	\$340.00
		Lf	340	\$2.17	\$737.80
14	Temporary Silt Fence (Installation not included) - Includes (2) 3' x 100' roll, stakes 10' on center	Lf	140	\$0.26	\$36.40
15	Temporary Construction Entrance - Fabric Only (Installation not included) - 15' x 300' roll (4500 sqft)	ea	1	\$804.65	\$804.65

Note: 1 addendum has been acknowledged.

Note: If items are not tied together within these notes items can be split without calling.

Note: Item 13, 14 and 15 are sale items only. Installation/removal not included. Applicable sales tax and shipping fees (to the jobsite) will be added. Free pick up from KRC SAFETY in Visalia.

Note: Item 6, 9 and 10 must bid together.

Note: **Prior to accepting this quote everything on Attachment A must be understood and accepted.**



FAX COVER SHEET

TO _____

COMPANY _____

FAX NUMBER 19162276282

FROM Mike Niven

DATE 2013-10-22 13:10:15 GMT

RE Bid Protest for Contract # 04-4S1604

COVER MESSAGE

Please review the attached bid protest for the above project.

- ?
Mike Niven
CCFG Construction
209-743-4911 cell
209-201-0986 office