

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
www.dot.ca.gov/hq/esc/oe



*Flex your power!
Be energy efficient!*

March 26, 2014

Facsimile: (805) 481-5966

David Cruce
Papich Construction, Inc.
P. O. Box 2210
Pismo Beach, CA 93448

05-1A4604
05-SB,SLO-166-R25.5/R34.9
B. O. 02/26/14

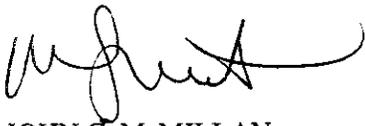
Dear Mr. Cruce:

The Department of Transportation (Caltrans) received the attached letter from Papich Construction Company, Inc. (Papich) on March 19, 2014, reaffirming its protest of the bid documents submitted by Granite Construction (Granite). The protest alleges that Granite failed to list partial on bid day, next to the subcontractors who were performing less than 100 percent work described as traffic control, lead compliance plan, and stripe removal, and striping & markers. In addition, the protest further alleges that Granite submitted a late 24 hour Subcontractor List form.

Caltrans reviewed the bid documents, as well as the protest and determined that Granite on bid day, according to the bidding instructions was required to list the subcontractor and a description of the work to be performed. In addition, with respect to the 24 Subcontractors List form, Caltrans received the submittal on February 27, 2014, at 1:13 pm. As such, Caltrans found the bid submitted by Granite responsive, and awarded the contract to Granite, on March 17, 2014.

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

Sincerely,

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

Attachment

PAPICH
CONSTRUCTION, INC.
GENERAL ENGINEERING CONTRACTOR
CAL. LIC. 8767055
P.O. BOX 2210, PISMO BEACH, CA 93448
(805) 473-3818 OFFICE • (805) 481-5966 FAX

March 19, 2014

Department of Transportation
Division of Engineering Services
Office Engineer, MS 43
1727 30th Street
P.O. Box 168041
Sacramento, CA 95816-8041

Phone (916) 227-8300
Fax (916) 227-6282

Attn: Mr. John C. McMillan, Deputy Division Chief

RE: 05-1A4604

Subject: Bid Protest 2

Dear Mr. McMillan,

Please accept this letter as a formal protest of the award of the above referenced project to Granite Construction (Granite). For the following reasons Papich Construction Co. Inc (PCI) has submitted what is the lowest responsible and responsive bid on this project.

On Granite's subcontractor listing form, they failed to list "partial" next to the subcontractors that are doing less than 100% of the work, as outlined in the Caltrans document "How to submit a responsive bid"(Attachment 1). Granite listed Safety Striping Service (SSS) on bid day for Traffic Control, Lead Compliance Plan, Stripe Removal, and Striping & Markers. (Attachment 2)

On the 24 hour submission they listed SSS for bid item 1 -- Lead Compliance Plan, they committed to using SSS for 95% of the work; they failed to list "partial" next to this bid item. Next, Granite listed SSS for the Traffic Control System bid item. On the 24 hour listing, they committed to using SSS for 20% of bid item 3; Granite failed to list "partial" for this item. Granite listed APCO for Place AC Dike at the time of bid. On the 24 hour listing, they listed the percentage of work subcontracted to APCO as 96%; Granite failed to list this work as "partial".

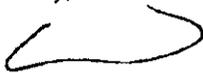
Granite also did not complete the 24 hour listing correctly. On multiple subcontracts they failed to list the percentage for each bid item and Granite listed one percentage for multiple bid items.

Lastly it appears that Granite's 24 hour subcontract listing was received after the 24 hour period had elapse. On the top of the page there is a time of 2:16p.m. on 2/27/2014. Also on the fax confirmation sheet (page 4 of 4) there is a date and time of 2/28 8:02 PM. Either way their 24 hour submission was sent in well after the rules allow. (Page 4 of Attachment 2)

PCI is pointing out the violations of the rules that are established by Caltrans. For these reasons Granite's bid should be deemed non responsive. The project should then be awarded to the next responsive and responsible bidder, which is Papich Construction Co. Inc.

Thank you for your consideration,

Respectfully,



David Cruce
Area Manager

559-344-8101
559-242-5050
dcruce@papichco.com

Attachment A

Public Contract Code 1104 requires listing of Tier 1 subcontractors with the bid performance at least 1 percent of the bid total or \$10,000, whichever is greater.

It is not necessary to list suppliers or trucker. The form must include subcontractor names, cities, percentages & items. For partial items, write "partial" and include work description.

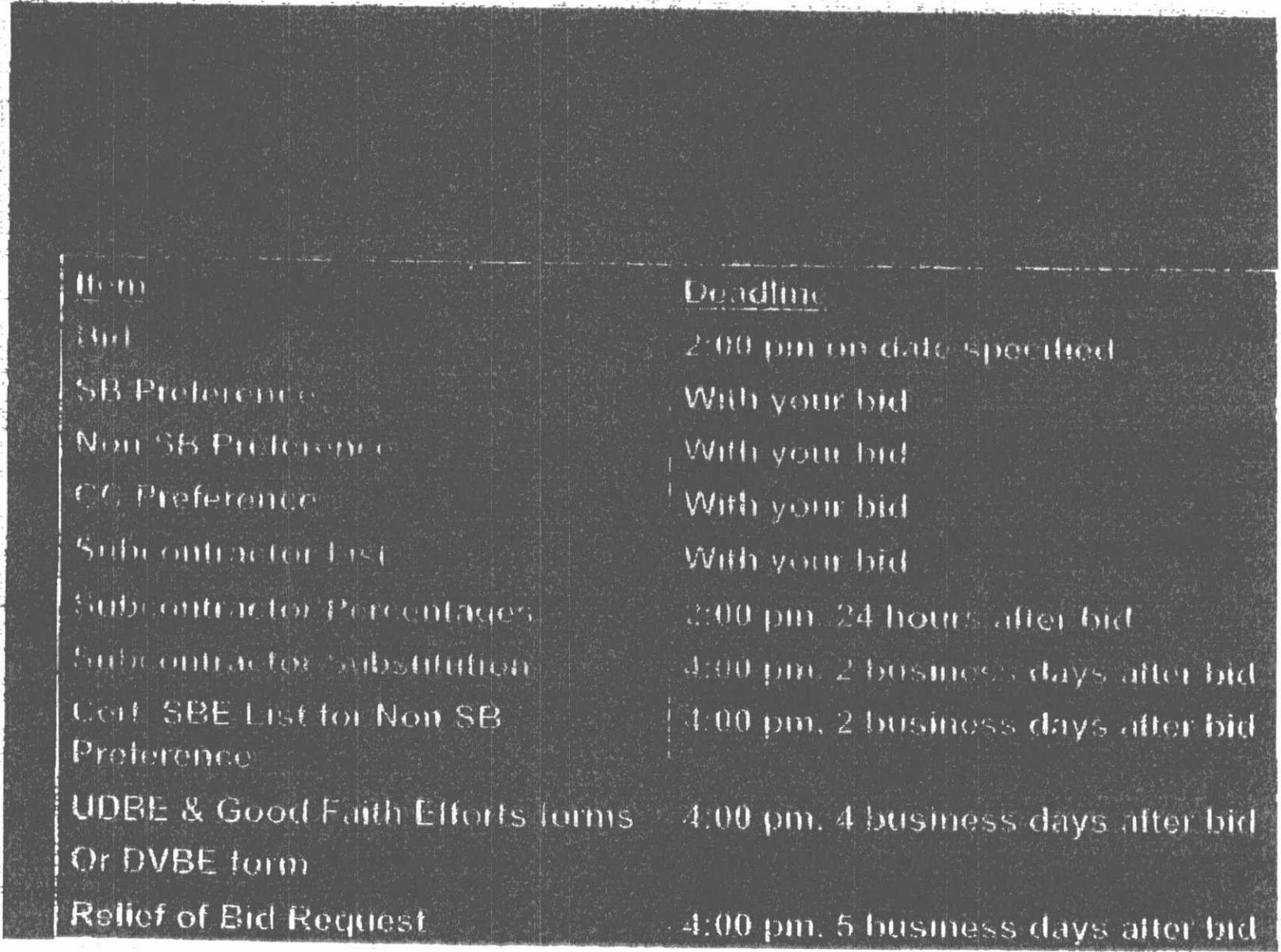
Group items by firm

Public Contract Code 1104

Form 100

Subcontractor List

Item Description	Percentage	City	Item Description
Excavation/Backfill	1	LA	Excavation/Backfill
Foundation	1	LA	Foundation
Structural Steel	1	LA	Structural Steel
Concrete	1	LA	Concrete
Formwork	1	LA	Formwork
Reinforcing Steel	1	LA	Reinforcing Steel
Brickwork	1	LA	Brickwork
Plumbing	1	LA	Plumbing
Electrical	1	LA	Electrical
Mechanical	1	LA	Mechanical
Painting	1	LA	Painting
Roofing	1	LA	Roofing
Landscaping	1	LA	Landscaping
Site Preparation	1	LA	Site Preparation
Demolition	1	LA	Demolition
Foundation	1	LA	Foundation
Structural Steel	1	LA	Structural Steel
Concrete	1	LA	Concrete
Formwork	1	LA	Formwork
Reinforcing Steel	1	LA	Reinforcing Steel
Brickwork	1	LA	Brickwork
Plumbing	1	LA	Plumbing
Electrical	1	LA	Electrical
Mechanical	1	LA	Mechanical
Painting	1	LA	Painting
Roofing	1	LA	Roofing
Landscaping	1	LA	Landscaping
Site Preparation	1	LA	Site Preparation
Demolition	1	LA	Demolition



<u>Item</u>	<u>Deadline</u>
Bid	2:00 pm on date specified
SB Preference	With your bid
Non SB Preference	With your bid
CC Preference	With your bid
Subcontractor List	With your bid
Subcontractor Percentages	3:00 pm, 24 hours after bid
Subcontractor Substitution	4:00 pm, 2 business days after bid
Cert. SBE List for Non SB Preference	4:00 pm, 2 business days after bid
UDBE & Good Faith Efforts forms Or DVBE form	4:00 pm, 4 business days after bid
Relief of Bid Request	4:00 pm, 5 business days after bid



02/27/2016 2:15PM FAX Received

Feb 27 2014 01:13pm

0001/0004

GRANITE

FAX

P.O. BOX 6794
SANTA BARBARA, CA 93180
Phone: 805-884-8851
Fax: 805-884-7881
BD FAX: 805-887-1431

To: Cabrera Kelly From: Diane

Company: _____ Date: 2/27/2014

Fax: 916 227 6782 Total Pages (including cover page): 1

Phone: _____ Sender's Reference Number: _____

RE: 05 1A4609 Your Reference Number: _____

- Report For Review Please Comment Confirm Receipt

Notes and Comments:

Please contact me 805 879 5308
to confirm receipt
2nd attempt, see
Fax Confirmation sheet

Diane
805 879 5308

02/27/2014 2:18PM FAX Received

Feb 27 2014 01:12pm

0002/0004

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
BID BOOK

Contract No.: 05-1A4604 Project ID: 0500020341
Bidder: VC0000000213 - Granite Construction Company

SUBCONTRACTOR LIST

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 9 4100 et seq.). Complete business name, location, and description of subcontracted work and submit with the bid. Complete bid item numbers and percentage of bid item subcontracted and submit with the bid, or fax to (916)227-6282 within 24 hours after the bid opening. Failure to provide complete information in all areas within the time specified will result in a nonresponsive bid.

List this sub? Yes

1) Business Name: ONE Fence, Inc
City: Arcadia State: CA

Description of Subcontracted Work:

Treated Wood Walls, Remove Guardrail, Guardrail Delineator, Guardrail, related work
Bid Item Numbers:

7

Percentages of Bid item Subcontracted:

100

Bid Item Numbers:

8

Percentages of Bid item Subcontracted:

100

Bid Item Numbers:

28 29 30 31 32 33 34

Percentages of Bid item Subcontracted:

100

Bid Item Numbers:

Missing bid item percentages

Percentages of Bid item Subcontracted:

Bid Item Numbers:

Percentages of Bid item Subcontracted:

List this sub? Yes

2) Business Name: Safety Striping Service, Inc.
City: Goshen State: CA

Description of Subcontracted Work:

Traffic Control, Lead Compliance Plan, Stripe Removal, Striping & Markers
Bid Item Numbers:

1

Percentages of Bid item Subcontracted:

85

Bid Item Numbers:

3

Percentages of Bid item Subcontracted:

20

Bid Item Numbers:

9 10

02/27/2014 2:18PM FAX

Received

Feb 27 2014 01:12am

0002/0004

Percentages of Bid item Subcontracted:

100

Bid Item Numbers:

35 16 37

Percentages of Bid item Subcontracted:

100

Bid Item Numbers:

Missing bid item percentages

Missing bid item percentages

Percentages of Bid item Subcontracted:

List this sub? Yes

3) Business Name: APCO

City: Gosham State: CA

Description of Subcontracted Work:

Place AC Dike

Bid Item Numbers:

22 23 24 25

Percentages of Bid item Subcontracted:

86

Bid Item Numbers:

Missing bid item percentages

Percentages of Bid item Subcontracted:

Bid Item Numbers:

Percentages of Bid item Subcontracted:

Bid Item Numbers:

Percentages of Bid item Subcontracted:

Bid Item Numbers:

Percentages of Bid item Subcontracted:

02/27/2014 2:18PM FAX Received

Feb 27 2014 01:14pm

0004/004

02/28/2014 6:03PM FAX

0001

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*****
** Send Results **
*****

Bidding is complete.

Job No.          1748
Address          2701E2270882
VIEW
Start Time      02/28 08:42 PM
Call Length     08'48"
Shots           2
Result          OK

```

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
BID NO. 05

Contract No.: 05-1A460e Project ID: 0500020341
Bidder: VC0800000213 - Granite Construction Company

SUBCONTRACTOR LIST

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 business name, location, and description of subcontracted work and submit with the bid. Complete bid item numbers and percentage of bid item subcontracted and submit with the bid, or Fax to (916)227-5282 within 24 hours after the bid opening. Failure to provide complete information in all areas within the time specified will result in a nonresponsive bid.

List this sub? Yes

1) Business Name: DRG Fences, Inc
City: Arcadia State: CA

Description of Subcontracted Work:

Treated Wood Posts, Concrete Guardrail, Guardrail Delinicator, Guardrail, related work

Bid Item Numbers:

7

Percentages of Bid item Subcontracted:

100

Bid Item Numbers:

8

Percentages of Bid item Subcontracted:

100

Bid Item Numbers:

28 29 30 31 32 33 34

Percentages of Bid item Subcontracted:

100

Bid Item Numbers:

Percentages of Bid item Subcontracted:

Bid Item Numbers:

Percentages of Bid item Subcontracted:

List this sub? Yes