



April 10, 2015

VIA FACSIMILE (916) 227-6282

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

Re: F.D. Thomas, Inc. Bid Protest of Peterson-Chase General Engineering Construction, Inc.
Contract No. 05-1C9404
05-Mon-1-11.7/43.1
Project ID 0513000015
CONSTRUCTION ON STATE HIGHWAY IN MONTEREY COUNTY AT
VARIOUS LOCATIONS FROM WILLOW CREEK TO CASTRO CANYON
In District 05 On Route 103-Sac-160-L7.0

Dear Mr. McMillan:

The apparent low bidder on this project is Peterson-Chase General Engineering Construction, Inc. (Peterson-Chase). F.D. Thomas, Inc. (F.D. Thomas) is the apparent second-low bidder. F.D. Thomas hereby protests the award of the contract to Peterson-Chase on the grounds that Peterson-Chase is a non-responsive bidder for the following reason:

Peterson-Chase listed Mallard construction for 13% of bid item 3 for traffic control system. Based on Mallards' quote (submitted by Peterson-Chase), the Traffic Control for Mallards' portion of work is \$8,000 which is approximately 13% of \$65,000. Peterson-Chase has no other Traffic Control Subcontractor listed for the remaining 87% of the bid item total.

According to Special Provisions Section 2-1.10 Subcontractor List, Peterson-Chase must either list a subcontractor for this work or self-perform. Peterson-Chase does not appear to have the required licensing (C-31 Construction Zone Traffic Control Contractor) to perform its own Traffic Control.

The quote from Murphy Industrial Coatings (submitted by Peterson-Chase) states that the Traffic Control for Paint and Scaffolding work will be provided by the General contractor.

Since Peterson-Chase is self-performing many of the scope items, who is providing Traffic Control for the remainder of scopes? (i.e. Scaffolding, Painting, Roadwork, Bridge Deck Work, Deck Treatment and Expansion Joint Work, etc.).

Based on this, F.D. Thomas believes that Peterson-Chase is non-responsive and respectfully requests that Caltrans reject Peterson-Chase' bid, and award the contract to F.D. Thomas as the lowest responsible, responsive bidder.

If you have any questions, please contact me as I would be happy to respond or clarify further.

Respectfully,

A handwritten signature in black ink, appearing to read "Mike Kostenko", is written over a horizontal line.

Mike Kostenko
F.D. Thomas, Inc.
P: 541.664.3010
F: 541.664.1105
E: MikeK@fdthomas.com

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
 Contract No.: 05-1C9404 Project ID: 0513000015
 Bidder Name: Peterson-Chase General Engineering ConstBidder ID: VC0000007931
 DES-OE-0102.2B (REV 5/2014)

Bidding Firm: ~~Peterson-Chase~~ General Engineering Construction, Inc.

List this sub? Yes

- 1) Business Name Mallard Construction, Inc.
 Location City Orange State CA
 California Contractor License Number 826607
 CA Department of Industrial Relations' Registration Number 1000007027
 Portion of Work Subcontracted:

Item #	Description
3 13	Traffic Control
7 100	Remove Yellow Thermo Traffic Stripe
9 100	Remove Thermo Traffic Stripe
10 100	Remove Pavement Marker
23 100	Thermo Traffic Stripe

List this sub? Yes

- 2) Business Name Mallard Construction, Inc.
 Location City Orange State CA
 California Contractor License Number 826607
 CA Department of Industrial Relations' Registration Number 1000007027
 Portion of Work Subcontracted:

Item #	Description
24 100	Thermo Traffic Stripe
25 100	Pavement Marker

List this sub? Yes

- 3) Business Name Murphy Industrial Coatings
 Location City Signal Hill State CA
 California Contractor License Number 310594
 CA Department of Industrial Relations' Registration Number 1000005885
 Portion of Work Subcontracted:

Item #	Description
8 100	Work Area Monitoring
19 100	Clean Structural Steel
20 100	Paint Structural Steel
21 100	Spot Blast Clean and Paint Undercoat
22 100	Prepare and Paint Timber Railing

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 05-1C9404 Project ID: 0513000015

Bidder Name: Peterson-Chase General Engineering ConstBidder ID: VC0000007931

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
1	070030	LEAD COMPLIANCE PLAN	LUMP SUM LS	LUMP SUM	7,500.00
2	120090	CONSTRUCTION AREA SIGNS	LUMP SUM LS	LUMP SUM	5,100.00
3	120100	TRAFFIC CONTROL SYSTEM	LUMP SUM LS	LUMP SUM	65,000.00
4	128652	PORTABLE CHANGEABLE MESSAGE SIGN (LS)	LUMP SUM LS	LUMP SUM	3,060.00
5	130100	JOB SITE MANAGEMENT	LUMP SUM LS	LUMP SUM	2,600.00
6	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LUMP SUM LS	LUMP SUM	630.00
7	141103	REMOVE YELLOW THERMOPLASTIC TRAFFIC STRIPE (HAZARDOUS WASTE)	4,040.0 LF	2.00	8,080.00
8	141110	WORK AREA MONITORING (BRIDGE)	LUMP SUM LS	LUMP SUM	11,500.00
9	150714	REMOVE THERMOPLASTIC TRAFFIC STRIPE	3,750.0 LF	1.15	4,312.50
10	150722	REMOVE PAVEMENT MARKER	200.0 EA	2.30	460.00
11	153225	PREPARE CONCRETE BRIDGE DECK SURFACE	53,282.0 SQFT	0.16	8,525.12
12	153227	FURNISH POLYESTER CONCRETE OVERLAY	57.0 CF	206.00	11,742.00

If rock cores are available, you may view them by sending a request to Coreroom@dot.ca.gov.

If other supplemental project information is available for inspection, you may view it by phoning in a request.

Make your request at least 7 days before viewing. Include in your request:

1. District-County-Route
2. Contract number
3. Viewing date
4. Contact information, including telephone number

For rock cores, also include the bridge number in your request.

If bridge as-built drawings are available:

1. For a project in District 1 through 6 or 10, you may request them from the Office of Structure Maintenance and Investigations, fax (916) 227-8357
2. For a project in District 7, 8, 9, 11, or 12, you may request them from the Office of Structure Maintenance and Investigations, fax (916) 227-8357, and they are available at the Office of Structure Maintenance and Investigations, Los Angeles, CA, telephone (213) 897-0877

As-built drawings may not show existing dimensions and conditions. Where new construction dimensions are dependent on existing bridge dimensions, verify the field dimensions and adjust dimensions of the work to fit existing conditions.

2-1.06C-2-1.06D Reserved

2-1.07 JOB SITE AND DOCUMENT EXAMINATION

Examine the job site and bid documents. Notify the Department of apparent errors and patent ambiguities in the plans, specifications, and Bid Item List. Failure to do so may result in rejection of a bid or rescission of an award.

Bid submission is your acknowledgment that you have examined the job site and bid documents and are satisfied with:

1. General and local conditions to be encountered
2. Character, quality, and scope of work to be performed
3. Quantities of materials to be furnished
4. Character, quality, and quantity of surface and subsurface materials or obstacles
5. Requirements of the contract

02-21-14

2-1.08 RESERVED

2-1.09 BID ITEM LIST

Submit a bid based on the bid item quantities the Department shows on the Bid Item List.

2-1.10 SUBCONTRACTOR LIST

On the Subcontractor List form, list each subcontractor to perform 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.).

For each subcontractor listed, the Subcontractor List form must show:

1. Business name and the location of its place of business.
2. For a non-federal-aid contract, its California contractor license number.
3. Portion of work it will perform. Show the portion of the work by:
 - 3.1. Description of portion of subcontracted work
 - 3.2. Bid item numbers for the work involved in the portion of work listed
 - 3.3. Percentage of the portion of work in each bid item listed

[Home](#) | [About Us](#) | [Library](#) | [Licensing Classifications](#) | **C-31 - Construction Zone Traffic Control**

C-31 - Construction Zone Traffic Control Contractor

California Code of Regulations Title 16, Division 8, Article 3. Classifications

A construction zone traffic control contractor prepares or removes lane closures, flagging, or traffic diversions, utilizing portable devices, such as cones, delineators, barricades, sign stands, flashing beacons, flashing arrow trailers, and changeable message signs, on roadways, including, but not limited to, public streets, highways, or any public conveyance.

Authority cited: Sections 7008 and 7059; Reference: Sections 7058 and 7059 (Business and Professions Code)

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CSLB's Headquarters

Contractor's License Detail for License # 615876

DISCLAIMER: A license status check provides information taken from the CSLB license database. Before relying on this information, you should be aware of the following limitations.

CSLB complaint disclosure is restricted by law (B&P 7124.6) If this entity is subject to public complaint disclosure, a link for complaint disclosure will appear below. Click on the link or button to obtain complaint and/or legal action information

Per B&P 7071.17, only construction related civil judgments reported to the CSLB are disclosed.

Arbitrations are not listed unless the contractor fails to comply with the terms of the arbitration.

Due to workload, there may be relevant information that has not yet been entered onto the Board's license database.

Business Information

PETERSON-CHASE GENERAL ENGINEERING CONSTRUCTION INC
1792 KAISER AVENUE
IRVINE, CA 92614
Business Phone Number:(949) 252-0441

Entity Corporation

Issue Date 03/23/1991

Expire Date 03/31/2017

License Status

This license is current and active.

All information below should be reviewed.

Classifications

A - GENERAL ENGINEERING CONTRACTOR
C13 - FENCING
C32 - PARKING AND HIGHWAY IMPROVEMENT

Bonding Information

Contractor's Bond

This license filed a Contractor's Bond with GREAT AMERICAN INSURANCE COMPANY.

Bond Number: 372593

Bond Amount: \$12,500

Effective Date: 01/01/2007

Contractor's Bond History

Bond of Qualifying Individual

The Responsible Managing Officer (RMO) CHASE GREGORY JAMES certified that he/she owns 10 percent or more of the voting stock/equity of the corporation. A bond of qualifying individual is not required.

Effective Date: 12/11/1996

BQI's Bond History

Workers' Compensation

This license has workers compensation insurance with the TRAVELERS PROPERTY CASUALTY COMPANY OF AMERICA

Policy Number: DTJUB6C609163

Effective Date: 01/01/2014

Expire Date: 01/01/2016

Workers' Compensation History

MURPHY INDUSTRIAL COATINGS, INC.

Corporate Office
2704 Gandy Avenue
Signal Hill, California 90755-1811
(562) 427-7720 Fax (562) 426-6754
www.murphyinc.com

Northern CA Office
125 Gandy Dancer Drive, Suite 110
Tracy, California 95377
(209) 832-7940 Fax (209) 832-7829

Southwestern Office
50-B West Hoover Avenue
Mesa, Arizona 85210
(480) 981-0185 Fax (480) 981-1507

an employee owned company
Safety Pride Integrity

March 16, 2015

Contractor: General Contractors

Attention: Estimating

Reference: Caltrans 05-1C9404

Subject: Sandblast and Paint Bid Letter

The following scope of work and pricing is for sandblasting and coating the Castro Canyon and Mill Creek Bridges per plans and specifications:

<u>Bid Item 4 Lead Compliance Plan:</u>	<u>\$ 5,000.00</u>
<u>Bid Item 8 Work Area Monitoring:</u>	<u>\$ 10,000.00</u>
<u>Bid Item 19 Clean Structural Steel Existing Bridge:</u>	<u>\$ 160,000.00</u>
<u>Bid Item 20 Paint Structural Steel Existing Bridge:</u>	<u>\$ 195,000.00</u>
<u>Bid Item 21 Spot Blast Clean And Paint Undercoat (Per SF \$ 17.50 for 2,780 SF):</u>	<u>\$ 48,650.00</u>
<u>Bid Item 22 Prepare and Paint Timber Railing:</u>	<u>\$ 30,000.00</u>
<u>Bid Item 26 Mobilization:</u>	<u>\$ 49,000.00</u>
Total:	<u>\$ 497,650.00</u>

CONFIDENTIAL

Notes:

1. Addenda noted 1-2
2. Bid Inquires noted 1-7
3. Scaffolding and containment (by subcontractor) is included in this bid.

Provided By General Contractor:

1. Traffic control including lane closures, signal system and signage
2. Supply and disposal of water for washing of the bridges
3. Lay down yard

Contractors Listed Information:

California License No. 310694, Type C-33 (Exp. 10/31/15)
DIR Number 1000005885 (exp. 8-30-15)
Labor: Union.
Bondable.
California SBE No. 1008397.



American Subcontractors Association



Fax

217 Bateman Drive Central Point, OR 97502
 PO Box 4663 Medford, OR 97501
 (541) 664-3010 FAX (541) 664-1105

To: Cal Trans	From: Mike Kostenko
Fax: 916-227-6282	Pages: 9 including cover sheet
Phone:	Date: 4/10/2015
Re: Contract #- 05-1C9404	CC:
Email:	Attn: John C. McMillan

Urgent
 For Review
 Please Comment
 Please Reply

Please call with any questions or comments that you may have.

Respectfully,

Mike Kostenko
 F.D. Thomas, Inc.
 (541) 664-3010 Office