AFSAR LAW GROUP

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October 29, 2014

Total Number of Pages 2 (Including This Cover Letter)

Please deliver the attached pages to:

Company: State of California Department of Transportation/Caltrans Office Engineer
Recipient's Fax No.: (916) 227-6282

From: Afsar Law Group, A.P.C.
Transmitted From: (760) 345-3220

Re: Contract Number 06-0P8104

Please see the attached correspondence.

If you have any additional questions, please don't hesitate to contact this office.

Thank you

I am refaxing the letter b/c I inadvertantly sent an unsigned copy. Please accept this signed copy.
Thank you, Justina

Original Sent By U.S. Mail: [X] Yes [ ] No

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October 29, 2014

VIA FACSIMILE & U.S. MAIL ONLY
State of California Department of Transportation/Caltrans
Division of Engineering Services
Office Engineer
1727 30th Street
Sacramento, CA 95816

Re: Bid Protest – Contract No. 06-0P8104
Response to Formal Response to Protest Letter

To Whom It May Concern:

As you may recall, this office represents the legal interests of Desert Concepts Construction, Inc. with regard to the above referenced contract number. Please accept this correspondence in response to the responsive letter provided by Griffith dated October 27, 2014.

We appreciate Griffith's response while disputing its conclusion that there is "no material change" with regard to bid Items 18 and 19.

More importantly, however, Griffith's response addresses Bid Items 3 and 11 yet completely fails to address item 37. A thorough review of Griffith's Bid List will show line item 37 included at 100% subcontracted. However, upon reviewing the DBE Commitment Form it shows only a portion of work ($6,830 of $22,000) being subcontracted. The discrepancy between the submitted bid and DBE-Commitment form render the bid nonresponsive and the contract should be awarded to the next lowest bidder.

If we can provide any further assistance with regard to this bid protest, please contact this office or Desert Concepts Construction, Inc. at your earliest opportunity.

Very truly yours,

AFSAR LAW GROUP, A.P.C.

Amir H. Afsar

cc: Client
AHA/jbl
L102014.BidProtest.doc