

PAPICH
CONSTRUCTION, INC.
 GENERAL ENGINEERING CONTRACTOR
 CAL. LIC. 6767055
 P.O. BOX 2210, PISMO BEACH, CA 93448
 (805) 473-3016 OFFICE • (805) 481-5966 FAX

November 12, 2014

Department of Transportation
 Division of Engineering Services
 Office Engineer, MS43
 172730th Street
 P.O. Box 168041
 Sacramento, CA 95816-8041

Attention: John McMillan, Deputy Division Chief

RE: 06-0Q2504, Cold in Place recycling on State Route 198, In and Near Lemoore
 Bid opening October 29, 2014

Dear Mr. McMillan,

Please consider this letter a formal protest of the above referenced bid submitted by Granite Construction Company (GCC) on October 29, 2014. The bid submitted by GCC is nonresponsive and must be rejected based on the Departments practices and California Public Contracting Code.

GCC listed Pavement Recycling Systems for "Cold In Place Recycling" at the time of bid. On GCC's 24-hour subcontractor listing they added Bid Item 81 -Mobilization to the work being performed by Pavement Recycling Systems. (Attachment 1/ Attachment 2)

GCC listed Safety Striping Service for "Pavement Delineation" at the time of bid. On the 24-hour listing, GCC added Bid Item 1 -- Lead Compliance Plan and Bid Item 3 -- Traffic Control to their scope of work. (Attachment 1/ Attachment 2)

There are inconsistencies with GCC listing of Safety Striping Service for Bid Item 1 -- Lead Compliance Plan. When GCC added the additional scope of work to Safety Striping Service, they listed them for 75% of Bid Item 1. The total price for this bid item was \$2,000.00, meaning Safety Striping would be performing \$1,750 worth of the item. GCC also listed Adanta Inc on their DBE listing for \$1,250.00. This would mean the total would be \$3,000.00 for this bid item not \$2,000.00.

GCC listed St. Francis Electric for "Electrical" at the time of bid. On the 24-hour listing, GCC added Bid Item 81 -- Mobilization to their scope of work. (Attachment 1/ Attachment 2)

The Subcontractor list form states in part "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."

The Department has set precedence on other projects such as 03-4M5804 (Attachment 3) and 06-360214 (Attachment 4), where contractors have added scope after the bid on the 24-hour Subcontractor Listing form, resulting in the bids being deemed non responsive. This is a clear cut example of such a case.

GCC moreover failed to properly list the subcontractors that are doing less than 100% of the work on the Subcontractor List form at the time of bid.

At the time of bid GCC listed Pavement Recycling Systems for "Cold in Place Recycling" (Attachment 1/ Attachment 2). On GCC's 24-hour listing they listed Pavement Recycling Systems for 47.8% of bid item 30. By changing the listing from full commitment to partial is a material change to the Subcontractor Listing form.

Also GCC at the time of bid listed KRC Safety for "Traffic Control" (Attachment 1/ Attachment 2) On GCC's 24-hour listing, they listed KRC Safety for 60.1% of this work. GCC was afforded the opportunity to manipulate the dollars used with this subcontractor. Since KRC Safety is a DBE subcontractor, GCC gained an advantage by changing the percentage used to meet the projects DBE goal and not over commit.

The commitment manipulation is evident in GCC's DBE submittal (Attachment 5). GCC met the goal for this project with a commitment of 7.8%. If GCC would have used the subcontractors for 100% of the item work, GCC's commitment would have been much larger.

Caltrans recently set precedence on contract 04-1SS024 (Attachment 6), The Contractor listed a subcontractor for "partial" at the time of bid. On their 24-hour listing the Contractor listed the same Subcontractor as performing 100% of the item. Since the Contractor expanded the scope of work, it constituted an improper change to the Subcontractor List form. In this case, the opposite is true. GCC listed the Subcontractor for the item at the time of bid and in their 24-hour submission they changed the item work to only being a percentage of the item. This is an improper change to the Subcontractor List form.

For these reasons, GCC has made impermissible and material changes to their bid, rendering their bid non responsive. The project must be awarded to the next lowest responsible and responsive bidder, which is Papich Construction Co. Inc.

Sincerely,

David Cruce
Area Manager
Papich Construction Co. Inc.
Cc: file, JP

Enclosures

The Department has set precedence on other projects such as 03-4M5804 (Attachment 3) and 06-360214 (Attachment 4), where contractors have added scope after the bid on the 24-hour Subcontractor Listing form, resulting in the bids being deemed non responsive. This is a clear cut example of such a case.

GCC moreover failed to properly list the subcontractors that are doing less than 100% of the work on the Subcontractor List form at the time of bid.

At the time of bid GCC listed Pavement Recycling Systems for "Cold in Place Recycling" (Attachment 1/ Attachment 2). On GCC's 24-hour listing they listed Pavement Recycling Systems for 47.8% of bid item 30. By changing the listing from full commitment to partial is a material change to the Subcontractor Listing form.

Also GCC at the time of bid listed KRC Safety for "Traffic Control" (Attachment 1/ Attachment 2) On GCC's 24-hour listing, they listed KRC Safety for 60.1% of this work. GCC was afforded the opportunity to manipulate the dollars used with this subcontractor. Since KRC Safety is a DBE subcontractor, GCC gained an advantage by changing the percentage used to meet the projects DBE goal and not over commit.

The commitment manipulation is evident in GCC's DBE submittal (Attachment 5). GCC met the goal for this project with a commitment of 7.8%. If GCC would have used the subcontractors for 100% of the item work, GCC's commitment would have been much larger.

Caltrans recently set precedence on contract 04-1SS024 (Attachment 6), The Contractor listed a subcontractor for "partial" at the time of bid. On their 24-hour listing the Contractor listed the same Subcontractor as performing 100% of the item. Since the Contractor expanded the scope of work, it constituted an improper change to the Subcontractor List form. In this case, the opposite is true. GCC listed the Subcontractor for the item at the time of bid and in their 24-hour submission they changed the item work to only being a percentage of the item. This is an improper change to the Subcontractor List form.

For these reasons, GCC has made impermissible and material changes to their bid, rendering their bid non responsive. The project must be awarded to the next lowest responsible and responsive bidder, which is Papich Construction Co. Inc.

Sincerely,

David Cruce
Area Manager
Papich Construction Co. Inc.
Cc: file, JP

Enclosures

Attachments

**Attachment 1 – Granite Constructions Bid
Time Sub List**

**Attachment 2 – Granite Construction's 24-
Hour Sub List**

**Attachment 3 – Department's Non-
Responsive Letter 03-4M5804**

**Attachment 4 – Department's Non-
Responsive Letter 06-360214**

**Attachment 5 – Granite Construction's DBE
Submittal**

**Attachment 6 – Department's Non-
Responsive Letter 04-1SS024**

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
Contract No.: 06-0Q2504 Project ID: 0619000048
Bidder Name: Granite Construction, Inc.
SUBCONTRACTOR LIST
DES-0E-0102.2B (REV 5/2014)

Bidder ID: VC0000000213

**Attachment 1
Bid Time Sub List**

Bidding Firm: Granite Construction, Inc.

Under Public Contract Code § 4100 et seq., the Bidder must set forth in the bid the name, the location of the place of business, the California contractor license number, and the portion of work of each subcontractor who will perform work or labor or render service to the prime contractor in or about the construction of the work or improvement, or a subcontractor licensed by the State of California who, under subcontract to the prime contractor, specially fabricates and installs a portion of the work or improvement according to detailed drawings contained in the plans and specifications, in an amount in excess of one-half of 1 percent of the prime contractor's total bid or ten thousand dollars (\$10,000), whichever is greater.

The Bidder must submit within 24 hours of the bid opening the bid item numbers with percentages of the portion of work subcontracted.

a Not required on contracts with Federal-Aid.

List this sub? Yes

1) Business Name: Midstate Barrier, Inc.
Location: City: Stockton State: CA
California Contractor License Number (a): 529261
Description of Portion of Work
Midwest Guardrailing, Concrete Barrier
Bid Item Numbers

Percentage of Bid Item Subcontracted

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 06-0Q2504 Project ID: 0613000048

Bidder Name: Granite Construction, Inc.

Bidder ID: VC0000000213

List this sub? Yes

2) Business Name Pavement Recycling Systems
Location City Jurupa Valley State CA
California Contractor License Number (a) 569352
Description of Portion of Work
Cold In-Place Recycling
Bid Item Numbers

Percentage of Bid Item Subcontracted

List this sub? Yes

3) Business Name Safety Striping Service
Location City Goshen State CA
California Contractor License Number (a) 308669
Description of Portion of Work
Pavement Delineation
Bid Item Numbers

Percentage of Bid Item Subcontracted

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 06-0Q2504 Project ID: 0613000048

Bidder Name: Granite Construction, Inc.

Bidder ID: VC0000000213

List this sub? Yes

4) Business Name St. Francis Electric
Location City San Leandro State CA
California Contractor License Number (a) 335324
Description of Portion of Work

Electrical

Bid Item Numbers

Percentage of Bid Item Subcontracted

List this sub? Yes

5) Business Name Austin Enterprise
Location City Bakersfield State CA
California Contractor License Number (a) 764893
Description of Portion of Work

Crack Treatment

Bid Item Numbers

Percentage of Bid Item Subcontracted

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 06-0Q2504 Project ID: 0613000048

Bidder Name: Granite Construction, Inc.

Bidder ID: VC0000000213

List this sub? Yes

6) Business Name Pavement Recycling Systems
Location City Jurupa Valley State CA
California Contractor License Number (a) 569352
Description of Portion of Work

Rumble Strip
Bid Item Numbers

Percentage of Bid Item Subcontracted

List this sub? Yes

7) Business Name APCO
Location City Goshen State CA
California Contractor License Number (a) 283095
Description of Portion of Work

AC Dike
Bid Item Numbers

Percentage of Bid Item Subcontracted

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 06-0Q2504 Project ID: 0613000048

Bidder Name: Granite Construction, Inc.

Bidder ID: VC0000000213

List this sub? Yes

8) Business Name KRC Safety Co., Inc.
Location City Visalia State CA
California Contractor License Number (a) 507950
Description of Portion of Work
Traffic Control, Signs, Construction Area Signs
Bid Item Numbers

Percentage of Bid Item Subcontracted

List this sub? Yes

11) Business Name J&M Land Restoration
Location City Bakersfield State CA
California Contractor License Number (a) 508089
Description of Portion of Work

Erosion Control
Bid Item Numbers

Percentage of Bid Item Subcontracted



OCT. 30. 2014 1:18PM

Received

Granite Construction

OCT 30 2014 01:17PM

NO. 8299 P. 1

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 06-QQ2504 Project ID: 0613000048

Bidder Name: Granite Construction, Inc.

Bidder ID: VC0000000213

SUBCONTRACTOR LIST

DES-02-0102.2B (REV 5/2014)

Attachment 2

24-Hour Sub List

Bidding Firm: Granite Construction, Inc.

Under Public Contract Code 5 4100 at seq., the Bidder must set forth in the bid the name, the location of the place of business, the California contractor license number, and the portion of work of each subcontractor who will perform work or labor or render service to the prime contractor in or about the construction of the work or improvement, or a subcontractor licensed by the State of California who, under subcontract to the prime contractor, specially fabricates and installs a portion of the work or improvement according to detailed drawings contained in the plans and specifications, in an amount in excess of one-half of 1 percent of the prime contractor's total bid or ten thousand dollars (\$10,000), whichever is greater.

The Bidder must submit within 24 hours of the bid opening the bid item numbers with percentages of the portion of work subcontracted.

a Not required on contracts with Federal-Aid.

List this sub? Yes

- 1) Business Name: Midstate Barrier, Inc.
- Location: City: Stockton State: CA
- California Contractor License Number (a) 529261
- Description of Portion of Work
- Midwest Guardrailing, Concrete Barrier
- Bid Item Numbers
- 9, 10, 65, 66, 67, 68
- Percentage of Bid Item Subcontracted
- 93, 100, 100, 100, 100, 100
- Bid Item Numbers
- 69, 70
- Percentage of Bid Item Subcontracted
- 100, 100
- Bid Item Numbers
- Percentage of Bid Item Subcontracted
- Bid Item Numbers
- Percentage of Bid Item Subcontracted
- Bid Item Numbers
- Percentage of Bid Item Subcontracted

OCT. 30. 2014 1:18PM Received Granite Construction

Oct 30 2014 01:18PM

NO. 8299 P. 2

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
Contract No.: 06-0Q2504 Project ID: 0613000048
Bidder Name: Granite Construction, Inc.

Bidder ID: VC0000000213

List this sub? Yes

2) Business Name Pavement Recycling Systems
Location City Jurupa Valley State CA
California Contractor License Number (a) 569352

Description of Portion of Work

Cold In-Place Recycling

Bid Item Numbers

30, 31, 32, 33, 81

Percentage of Bid Item Subcontracted

47.8, 100, 100, 100, 13.3

Bid Item Numbers

Percentage of Bid Item Subcontracted

List this sub? Yes

3) Business Name Safety Striping Service
Location City Goshen State CA
California Contractor License Number (a) 308669

Description of Portion of Work

Pavement Delineation

Bid Item Numbers

1, 3, 11, 12, 13, 71

Percentage of Bid Item Subcontracted

75, 12.2, 100, 100, 100, 100

Bid Item Numbers

72, 73, 74, 75, 76, 77

Percentage of Bid Item Subcontracted

100, 100, 100, 100, 100, 100

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

OCT. 30. 2014 1:18PM Granite Construction

Oct 30 2014 01:18pm

NO. 8299 P. 3

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 06-DQ2504 Project ID: 0613000048

Bidder Name: Granite Construction, Inc.

Bidder ID: VC0000000213

List this sub? Yes

4) Business Name: St. Francis Electric
Location City: San Leandro State: CA
California Contractor License Number (a) 335324

Description of Portion of Work

Electrical

Bid Item Numbers

78, 79, 80, 81

Percentage of Bid Item Subcontracted

100, 100, 100, 2.5

Bid Item Numbers

Percentage of Bid Item Subcontracted

List this sub? Yes

5) Business Name: Austin Enterprise
Location City: Bakersfield State: CA
California Contractor License Number (a) 764893

Description of Portion of Work

Crack Treatment

Bid Item Numbers

36

Percentage of Bid Item Subcontracted

100

Bid Item Numbers

Percentage of Bid Item Subcontracted

OCT. 30. 2014 1:18PM Received Granite Construction

Oct 30 2014 01:18pm

NO. 8299 P. 4

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 06-0Q2504 Project ID: 0613000048

Bidder Name: Granite Construction, Inc.

Bidder ID: VC0000000213

List this sub? Yes

6) Business Name Pavement Recycling Systems
Location City Jurupa Valley State CA
California Contractor License Number (a) 569352
Description of Portion of Work

Rumble Strip

Bid Item Numbers

43

Percentage of Bid Item Subcontracted

100

Bid Item Numbers

Percentage of Bid Item Subcontracted

List this sub? Yes

7) Business Name APCO
Location City Goshen State CA
California Contractor License Number (a) 283095
Description of Portion of Work

AC Dike

Bid Item Numbers

45, 46

Percentage of Bid Item Subcontracted

100, 100

Bid Item Numbers

Percentage of Bid Item Subcontracted

OCT. 30. 2014 1:18PM Received Granite Construction

Oct 30 2014 01:18PM

NO. 8299 P. 5

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
Contract No.: 06-0Q2504 Project ID: 0613000048
Bidder Name: Granite Construction, Inc.

Bidder ID: VC0000000213

List this sub? Yes

B) Business Name: KRC Safety Co., Inc.
Location City: Visalia State: CA
California Contractor License Number (a) 507950
Description of Portion of Work

Traffic Control, Signs, Construction Area Signs

Bid Item Numbers

2, 3, 14, 17, 51, 52

Percentage of Bid Item Subcontracted

100, 60.1, 100, 100, 100, 100

Bid Item Numbers

53, 54, 55, 56

Percentage of Bid Item Subcontracted

100, 100, 100, 100

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

List this sub? Yes

11) Business Name: JCM Land Restoration
Location City: Bakersfield State: CA
California Contractor License Number (a) 508089
Description of Portion of Work

Erosion Control

Bid Item Numbers

25, 26, 27, 28, 29

Percentage of Bid Item Subcontracted

100, 100, 100, 100, 100

Bid Item Numbers

Percentage of Bid Item Subcontracted

STATE OF CALIFORNIA—BUSINESS TRANSPORTATION AND HOUSING 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) 227-6280
 FAX (916) 227-6282
 TTY 711

Attachment 3

*Flux your power!
 Be energy efficient!*

March 26, 2014

Facsimile: (510) 526-0990

Greg Souder, Secretary
 O.C. Jones & Sons, Inc.
 1520 Fourth Street
 Berkeley, CA 94710

03-4M5804
 03-Sac, Yol-50, 99, 160-Var
 B.O. 03/12/14

Dear Mr. Souder:

The Department of Transportation (Caltrans) received a bid submitted by O.C. Jones & Sons, Inc. (O.C. Jones), for Contract No. 03-4M5804 on March 12, 2014. By this letter, Caltrans notifies O.C. Jones, that its bid is nonresponsive.

The Subcontractor List form states in part, "...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."

On bid day O.C. Jones, identified FBD Vanguard, to perform work described as aggregate approach slab. However, on its 24hr Subcontractors list form enlarged the scope of work to include bid item 3, Traffic Control.

Based on the above, Caltrans will proceed to award this contract to the lowest responsible bidder.

Your attention is directed to Section 3-1.04 of the Amendments to the 2010 Standard Specifications. Caltrans is not obligated to offer an extension of the award period for a nonresponsive bid. Should you wish to extend your bid while resolving a nonresponsive finding, you must send your request to the Office Engineer no later than 4:00 p.m., two business days prior to the expiration of your bid.

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

Sincerely,


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

Attachment

STATE OF CALIFORNIA - BUSINESS LICENSES AND REGISTRATION DIVISION

FRANCISCO G. BROWN, Jr., Governor

DEPARTMENT OF TRANSPORTATION

DIVISION OF ENGINEERING SERVICES

Attachment 4



Use your power
Be energy efficient!

OFFICE ENGINEER, MS 43
1727 30th STREET
P. O. BOX 168041
SACRAMENTO, CA 95816-8041
PHONE (916) 227-6289
FAX (916) 227-6282
TTY 711

October 9, 2012

Facsimile: (925) 803-4263

Michael A. Kloos, Vice President
DeSilva Gates Construction, LP.
PO Box 2909
Dublin, CA 94568

06-360214
06-Tul-09-R37.3/41.3
B.O. 9/14/12

Dear Mr. Kloos:

DeSilva Gates Construction, LP., (DeSilva Gates) submitted a bid for contract 06-360214 on September 14, 2012. By this letter, the Department of Transportation (Caltrans) notifies DeSilva Gates that its bid is nonresponsive because it failed to properly submit the Subcontractor List.

The Subcontractor List form states in part, "...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." No other revisions to the form are permitted.

Since DeSilva Gates originally decided to self perform Fences, Gates and Railing, but subcontracted those items to All Steel Fence, Inc. on the revised bid list received on September 14, 2012, Caltrans finds your bid is nonresponsive. Caltrans will proceed to award the contract to the lowest responsible bidder provided all requirements are met.

Your attention is directed to Section 3-1.02 of the Amendments to the 2006 Standard Specifications. Caltrans is not obligated to offer an extension of the award period for a nonresponsive bid. Should you wish to offer to extend your bid while resolving a nonresponsive finding you must send your request to the Office Engineer no later than 4:00 pm two business days prior to the expiration of your bid.

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

Sincerely,

John C. McMILLAN

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

Attachment

Attachment 5

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
CALTRANS BIDDER - DBE - COMMITMENT
DES-OE-0102.10C (NEW 06/2012)

11-01-14 A09:56 RCVD

Low Bidder

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 DBE information will be grounds for finding the bid unresponsive.

CONTRACT NO: 06-0Q2504

BID AMOUNT: \$ 4,544,846.00

BID OPENING DATE: October 29, 2014

BIDDER'S NAME: Granite Construction Company

DBE GOAL FROM CONTRACT, %:

7%

DBE PRIME CONTRACTOR CERTIFICATION¹:

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 DBEs (Must be certified on the date bids are opened - include Caltrans certification #, DBE address and phone number) (Indicate bid and lower tier subcontractors)	DOLLAR AMOUNT DBE ³
1	Lead Compliance Plan		Adanta, Inc. 828 School Street Napa, CA 94559 707-709-8894 #37357	1,250.00
6	Prepare Water Pollution Control Plan		Storm Water Consultants 140 W. Park Ave, #115 El Cajon, CA 92020 619-938-2420 #37409	500.00

IMPORTANT: Identify all DBE firms being claimed for credit, regardless of tier. Names of the First Tier DBE Subcontractors and their respective item(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.

Total Claimed Participation

\$ total on

page 4 of 4

1. DBE prime contractors must enter their certification number and indicate all work to be performed by DBEs 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 credit allowed for DBE firms.

Signature of Bidder

11/3/14
Date

559-441-5700
(Area Code) Tel. No.

Jeffrey W. Grimm
Person to Contact

(Please Type or Print)

Submit to:

MSC 43
OFFICE ENGINEER
DEPARTMENT OF TRANSPORTATION
1727 30TH STREET
SACRAMENTO, CA 95816-7005

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
CALTRANS BIDDER - DBE - COMMITMENT
 DES-OE-0102.10C (NEW 06/2012)

11-04-14 A09:58 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 DBE information will be grounds for finding the bid nonresponsive.

CONTRACT NO: 06-0Q2504

BID AMOUNT: \$ 4,544,846.00

BID OPENING DATE: October 29, 2014

BIDDER'S NAME: Granite Construction Company

DBE GOAL FROM CONTRACT, %: 7%

DBE PRIME CONTRACTOR CERTIFICATION¹: _____

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 #, DBE address and phone number) (indicate 2nd and lower tier subcontractors)	DOLLAR AMOUNT DBE ³
2	Construction Area Signs		K R C Safety Co., Inc.	3,960.00
3	Traffic Control		P.O. Box 6356	121,725.00
14, 17, 51-56	Signs		Visalia, CA 93290-6356 559-732-0393 #447	8,445.00
25 - 29	Erosion Control		J&M Land Restoration, Inc 1640 James Road Bakersfield, CA 93308 661-872-7039 #32481	31,342.00

IMPORTANT: Identify all DBE firms being claimed for credit, regardless of tier. Names of the First Tier DBE Subcontractors and their respective item(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.

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

Total Claimed Participation

\$ total on _____

page 4 of _____


 Signature of Bidder

11/3/14 559-441-5700
 Date (Area Code) Tel. No.

Jeffrey W. Grimm
 Person to Contact (Please Type or Print)

Submit to
 MSC 43
 OFFICE ENGINEER
 DEPARTMENT OF TRANSPORTATION
 1727 30TH STREET
 SACRAMENTO, CA 95816-7005

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
CALTRANS BIDDER - DBE - COMMITMENT
DES-OE-0102.1DC (NEW 06/2012)

11-04-14 A09:58 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 DBE information will be grounds for finding the bid nonresponsive.

CONTRACT NO: 06-0Q2504

BID AMOUNT: \$ 4,544,846.00

BID OPENING DATE: October 29, 2014

BIDDER'S NAME: Granite Construction Company

DBE GOAL FROM CONTRACT, %: 7%

DBE PRIME CONTRACTOR CERTIFICATION¹:

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 #, DBE address and phone number) (Indicate end and lower tier subcontractors)	DOLLAR AMOUNT DBE ³
36	Crack Treatment		Austin Enterprise P.O. Box 81926 Bakersfield, CA 93380 661-589-1001 #13602	13,752.00
40	Haul EMA (Bottom Dumps)		Dragon Material Transport P.O. Box 27800 Fresno, CA 93729-7800 559-351-8822 #37444	29,835.00
42	Haul RHMA (Bottom Dumps)			87,210.00

IMPORTANT: Identify all DBE firms being claimed for credit, regardless of tier. Names of the Final Tier DBE Subcontractors and their respective item(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 were required.

1. DBE prime contractors must enter their certification number and indicate all work to be performed by DBEs 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 credit allowed for DBE firms.

Submit to:

MSC 43
OFFICE ENGINEER
DEPARTMENT OF TRANSPORTATION
1727 30TH STREET
SACRAMENTO, CA 95816-7005

Total Claimed Participation

\$ total on page 4 %


Signature of Bidder

11/3/14 Date 559-441-5700 (Area Code) Tel. No.

Jeffrey W. Grimm
Person to Contact (Please Type or Print)

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
CALTRANS BIDDER - DBE - COMMITMENT
DES-OE-0102.10C (NEW 06/2012)

11-04-14 A09:58 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 DBE information will be grounds for finding the bid nonresponsive.

CONTRACT NO: 06-0Q2504

BID AMOUNT: \$ 4,544,846.00

BID OPENING DATE: October 29, 2014

BIDDER'S NAME: Granite Construction Company

DBE GOAL FROM CONTRACT, %: 7%

DBE PRIME CONTRACTOR CERTIFICATION¹: _____

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 DBEs (Must be certified on the date bids are opened - include Caltrans certification #, DBE address and phone number) (Indicate 2nd and lower tier subcontractors)	DOLLAR AMOUNT DBE ³
40	Haul HMA (Transfers)		Clay Miranda Trucking, Inc. 3220 W. Belmont Ave	27,742.00
42	Haul RHMS (Transfers)		Fresno, CA 93722 559-275-6250 #5560	27,402.50

IMPORTANT: Identify all DBE firms being claimed for credit, regardless of tier. Names of the First Tier DBE Subcontractor and their respective share(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.

Total Claimed Participation: \$ 353,163.50
7.8 %

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

Signature of Bidder: [Signature]

Date: 11/3/14 (Area Code) Tel. No. 559-441-5700

Person to Contact: Jeffrey W. Grimm (Pleaseur Type or Print)

Submit to:
MSC 43
OFFICE ENGINEER
DEPARTMENT OF TRANSPORTATION
1727 30TH STREET
SACRAMENTO, CA 95816-7005

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

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/csc/oc

Attachment 6



*Serious thoughts.
Help save water!!*

November 4, 2014

Facsimile: (925) 838-5915

Hal Stober, President
Gordon N. Ball, Inc.
333 Camille Avenue
Alamo, CA 94507

04-ISS024
04-Ala-13-8.3
B.O 10/21/2014

Dear Mr. Stober:

The Department of Transportation (Caltrans) received a bid submitted by Gordon N. Ball, Inc. (Gordon Ball) for Contract No. 04-ISS024 on October 21, 2014. By this letter, Caltrans notifies Gordon Ball that its bid is nonresponsive.

The Subcontractor List form states in part, "...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."

On the Subcontractor List form submitted with the bid, Gordon Ball identified RMT Landscape (RMT) to perform work listed as partial. However, on the 24-hour Subcontractor List form, Gordon Ball identified the percentage of work to be performed as 100 percent. The change from partial to 100 percent expands the scope of work to be performed by RTM, and constitutes an improper change to the Subcontractor's List form.

Based on the above, Caltrans will proceed to award the contract to the lowest responsible bidder.

Your attention is directed to Section 3-1.04 of the Amendments to the 2010 Standard Specifications. Caltrans is not obligated to offer an extension of the award period for a nonresponsive bid. Should you wish to extend your bid while resolving a nonresponsive finding, you must send your request to the Office Engineer no later than 4:00 p.m., two business days prior to the expiration of your bid.

If you have any questions, please contact Irene Beckham, Contract Award Analyst, at (916) 227-6284.

Sincerely,


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



CAL. LIC. #767055
 P.O. BOX 2210, PISMO BEACH, CA 93448
 (805) 473-3016 OFFICE • (805) 481-5966 FAX

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Caltrans	David Cruce
COMPANY:	DATE:
	11/12/14
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
916-227-6282	
RE:	YOUR REFERENCE NUMBER:
06-0Q2504	

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE READ

Please see the attached bid protest. Please contact us if you have any questions.

David Cruce