

**DEPARTMENT OF TRANSPORTATION**  
DIVISION OF ENGINEERING SERVICES  
OFFICE ENGINEER, MS 43  
1727 30<sup>th</sup> STREET  
P. O. BOX 168041  
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!*

November 19, 2013

Facsimile: (510) 724-2391

Steve Gladden, President  
WABO Landscape & Construction, Inc.  
726 Alfred Noble Drive  
Hercules, CA 94547

06-0Q5504  
06-Fre-168, 180-VAR  
B.O. 10/15/2013

Dear Mr. Gladden:

The Department of Transportation (Caltrans) received the attached letter dated October 29, 2013, from WABO Landscape & Construction, Inc. (WABO) protesting bid documents submitted by Taber Construction, Inc. (Taber). The protest alleges that Taber's Subcontractor List and Disadvantaged Business Enterprise (DBE) Commitment forms contain inconsistencies related to bid items 35 and 36. WABO requests that Caltrans obtain clarification in the form of statements from Taber, Catco, and ACE that clearly state whether Taber or ACE is purchasing and providing the electrical equipment for bid items 35 and 36, who Catco is selling equipment to, and what electrical equipment Catco is selling.

Caltrans received a response letter dated November 12, 2013, from McInerney & Dillon on behalf of Taber. The response addresses WABO's concerns and clearly identifies Catco as a third tier to ACE and is listed to provide electrical supplies in the amount of \$382,000. Taber also intends to purchase an additional \$200,000 in electrical equipment/supplies for work to be self performed.

Caltrans received a second protest from WABO on November 15, 2013, alleging that Catco's work codes are not construction supplier codes and therefore their participation in this contract should not count towards Taber's DBE goal.

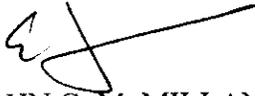
The Office of Business and Economic Opportunity, Contract Evaluation Unit (CEU) conducted a review of this protest as well as the DBE Commitment form submitted by Taber and concluded that Catco has the appropriate work codes required and that Taber is allowed to claim that portion towards the stated DBE goal.

Based on the determination above, Caltrans finds that both protests submitted by WABO lack merit and Caltrans will proceed to award this contract to Taber.

Mr. S. Gladden  
November 19, 2013  
Page 2

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

**WABO**

**Landscape & Construction, Inc.**

726 ALFRED NOBEL DR. HERCULES, CA 94547 LIC. 962263 A, B, & C27

(510) 741-9226 FAX (510) 724-2391 bids@wabo.com

October 29, 2013

John McMillan  
Deputy Division Chief  
Division of Engineering Services  
Office Engineer, MS 43  
1727 30<sup>th</sup> Street  
Sacramento, CA 95816  
Phone: (916) 227-6280  
Fax: (916) 227-6282

Re: Contract 06-0Q5504; Bid Opening Date: 10/15/2013

Dear Mr. McMillan:

WABO Landscape & Construction, Inc. (WABO) hereby protests the bid submitted by Taber Construction, Inc. (Taber), the apparent low bidder for Contract 06-0Q5504. WABO submitted a bid for the project and therefore has standing to file this protest. We protest Taber's bid on the grounds that there is an apparent inconsistency between the information provided with Taber's DBE Commitment form and the information on their Subcontractor List which calls into question the accuracy of the Subcontractor List information.

Taber's Subcontractor List shows A-C Electric of Fresno (ACE) performing 100% of items 35 and 36 (Electrical Systems (Route 168) and Electrical Systems (Route 180) respectively). Taber's DBE Commitment Form lists Catco Services (Catco), of Oakland as providing "Electrical Equipment" for bid items 12, 35, and 36.

If the Electrical Materials for items 35 and 36 are being purchased by Taber, as the currently available evidence suggests, then Taber's bid should be found non-responsive for failure to properly complete the Subcontractor's List form. Specifically, if Taber is responsible for purchasing and providing the Electrical Equipment for bid items 35 and 36, Taber's listing of ACE to perform 100% of bid items 35 and 36 is inaccurate.

There is no indication on the DBE Commitment form that the supplier Catco is a second tier supplier. The written confirmation of Catco's participation is a letter from its owner, Carolyn Taylor, saying that Catco will furnish \$582,000 worth of Electrical Equipment and Materials for this contract. As the letter is addressed to Brett Taber and no other company is mentioned, the implication is that Taber is the purchasing agent. As no portion described, Catco is assumed to be providing 100% of the Electrical Equipment for these bid items.

WABO received a quote from ACE for this project (attached). The prices we received in our quote from ACE closely match Taber's bid prices for items 35 and 36. The quote we received from ACE gave no indication that ACE would be purchasing electrical equipment for the project from a DBE. As the use of a DBE supplier would have made ACE's bid more competitive, we find it unusual that they would not have included this information with their bid, and apparently only informed Taber of this.



# Landscape & Construction, Inc.

726 ALFRED NOBEL DR, HERCULES, CA 94547 LIC. 962263 A, B, & C27  
(510) 741-9226 FAX (510) 724-2391 bids@wabo.com

The available evidence all points towards a serious error in Taber's bid. But there is ambiguity where there should be transparency. It is not clear whether Catco is a first or second tier vendor, and what materials they are providing. We believe there is sufficient cause for the Department to request additional information in order to clarify the facts. WABO requests that the Department get clarification in the form of statements from Taber, Catco and ACE, clearly stating whether Taber or ACE is purchasing and providing the electrical equipment for bid items 35 and 36; who Catco is selling equipment to; and what electrical equipment Catco is selling.

If, upon clarification, our protest above is found to have no merit, we request that the Department pass the following information and concerns to the Contract Evaluation Unit (CEU). We question whether Catco meets the criteria of §26.55(e)(2)(ii) for being treated as a regular dealer in its participation on this contract.

We are concerned because Catco has work codes that are consistent with being a supplier of some forms of electrical equipment, and therefore might appear to have the correct work codes.

Furthermore, Catco's DBE certification page on the CalTrans website gives two addresses for Catco Services. One, 22 Moss Avenue, is an apartment building. The second, 360 Grand Avenue (#246) is a UPS store that provides a mail-box service. While running a business out of an apartment is certainly feasible, it is not likely that an apartment run business could be a regular dealer as defined by §26.55(e)(2)(ii):

*a firm that owns, operates, or maintains a store, warehouse, or other establishment in which the materials, supplies, articles or equipment of the general character described by the specifications and required under the contract are bought, kept in stock, and regularly sold or leased to the public in the usual course of business.*

While an Catco could have a warehouse, they would not need one to meet the qualifications for their work codes, D3690 Miscellaneous Electrical Equipment and F5060 Electrical Goods.

While no quote was provided by Catco, the "Electrical Materials" for bid items 12, 35 and 36 includes some 550 pull boxes (item 12); and approximately 2,278 more pull boxes for items 35 and 36. The work code for a supplier of these types of items would be most likely be C0686, which Catco does not list.

Please feel free to contact us with any questions regarding this matter.

Sincerely,

Steve Gladden  
President  
WABO Landscape & Construction, Inc.

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
SUBCONTRACTOR LIST  
DES-06-0102.2 (REV 3/2011)

Bidder Name: Taber Construction, Inc.

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 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.

Column 1: Business Name and Location	Column 2: Bid Item Nos.	Column 3: Percentage of Plan Item Subcontracted	Column 4: Description of Subcontracted Work
KRC Safety; Visalia	3	100%	Const. Area Signs
All Commercial Fence; Waterford	15,32,33	100%	Fence and Gates
A C Electric; Fresno	35,36	100%	Electrical

ADA Notice: For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-2910 or TDD (916) 654-3888 or the Planning and Form Management, 1130 El Street, MS-09, Sacramento, CA 95834.

Contract No. 00-0Q5504

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**CALTRANS BIDDER - DBE - COMMITMENT**  
 DCE-DC-0102 100 (REV 06/2012)

**Low Bidder**

This information may be submitted under a program of self-help. It is not, and you are the approved low bidder or the approved or final low bidder, it must be submitted and covered 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. **06-005504**  
 BID AMOUNT **\$1,430,650**  
 BID OPENED DATE **10/15/13**  
 BIDDER'S NAME **TABER CONSTRUCTION INC.**  
 DBE GOAL FROM CONTRACT, % **7**  
 DBE PRIME CONTRACTOR CERTIFICATION:

DBE ITEM NO.	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED	FOR CALTRANS USE ONLY	NAME OF DBE (Must be entered on the same line as approved - include Caltrans certification # DBE bid or award price number) (Include DBE and name for subcontractors)	DOLLAR AMOUNT DBE <sup>1</sup>
<b>3</b>	<b>CONST. AREA SIGNS</b>		<b>KRC SAFETY ①</b>	<b>36,000-</b>
<b>7</b>	<b>PREPARE WRAP ELECTRICAL EQUIPT.</b>		<b>TWIST CONSULTING ②</b>	<b>450-</b>
<b>12,35,36</b>			<b>TIG CABLE SERVICES ③</b>	<b>582,000</b>

REPORTING: Copies of DBE forms being entered for credit reports of all bidders of any DBE Bidder Subcontractors and their respective Reports of work done where used for completion. When applicable, with the names and dates of copies in the "Subcontractor List" submitted with your bid. Copies of the DBE orders are required.

1. DBE prime contractors must enter their certification number and date on all work to be performed by DBE in their work performance by any bidders.

2. If 100% of work is to be performed or furnished by DBE, describe exact portion of work to be performed or furnished.

3. See section 2.1.12 of the specifications to determine the credit values for DBE items.

Contract No. **06-005504**  
 OFFICE ENGINEER  
 DEPARTMENT OF TRANSPORTATION  
 1727 NORTH STREET  
 SACRAMENTO, CA 95811-1000

Total Bidder Participation **\$ 305,930**  
**7.1%**  
 Signature of Bidder **[Signature]**  
 Date **10/14/13** (Date Certify to DBE)  
**915-602-4133**  
 (Area Code) Tel. No.  
**BART TINDER**  
 Position or Contact (Print Name or Title)

ADA Notice: For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3882 or write: Access and Permit Management, 1727 North Street, MC-10, Sacramento, CA 95811



260 Grand Ave., Suite 246  
Oakland, CA 94610

October 15, 2013

TO: Taber Construction Inc.  
Attn: Bret Taber

PROJECT: Caltrans 06-0Q5504

Catco Services Lighting and Electrical Company is please to submit this confirmation to/will furnish Electrical Equipment and Materials for above project -

TOTAL PRICE \_\_\_\_\_ \$582,000.00

Questions I can be reach at 510-435-8453.

Reference available upon request.

Thank you kindly for your consideration.

Carolyn Taylor  
Owner  
Catco Services Lighting and Electrical Co.

- ① 510.655.4401
- ② 510.655.4401
- ③ info@calcoservices.com

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USE



**A-C Electric Company** — CALIFORNIA C-10 LICENSE 98849

**ENGINEERING-CONSTRUCTION-SERVICE**

FRESNO DIVISION  
Box 2425 (83746-2425)  
2560 S East Avenue  
Fresno, CA 93706  
Phone 539/233-7208  
Fax 539/233-4448  
www.a-c-electric.com

October 15, 2013

To: Bidding General Contractors  
Attention: Estimating  
Via FAX  
2 pages

Re: Construction on State Highway in Fresno County at Various Locations in District 06 on Routes 166 and 180, Caltrans 06-0Q5504

Subject: Electrical Proposal (A-C bid F-13-192)

A-C Electric Company is pleased to provide our proposal for the electrical portion of this project.

Our proposal is based on the following bid documents:

Drawings:  
The one hundred nineteen electrical drawings, sheets E-1 through E-119, (sheets 69 through 187 of 204).

Specifications:  
Caltrans 2010, Section 86, as amended by Special Provisions pages 20 through 38.

Addenda No. 1, dated 9-27-13, No. 2, dated 10/7/13, and No. 3, dated 10/8/13 are acknowledged.

<b>PRICING:</b>	
BI 34 Maintain Existing Traffic Management System Elements	\$ 10,000.00
BI 35 Electrical Systems (Route 166)	\$ 905,000.00
BI 36 Electrical Systems (Route 180)	\$ 978,000.00
BI 39 Mobilization	\$ 200,000.00

**Total Electrical Bid \$ 2,093,000.00**

The bid is based on our being awarded all of the bid items above. We reserve the right to adjust these prices if all are not awarded to A-C Electric Company.

Items Included in bid:

1. Work includes directional boring, excavation and backfill for our work as applicable with on-site dispersal of excess soil.
2. Work includes furnishing and installing conduits, conductors, traffic rated concrete pull boxes and extensions, galvanized steel lids for traffic boxes with pent head bolts, concrete collars at concrete pull boxes, custom lockable lids for existing pull boxes, video surveillance standards and equipment, anchor bolts, and service pedestals.
3. Disposal of removed concrete pull boxes and lids.
4. Prevailing wages.

Items not included in bid:

1. Traffic control such as lane, ramp, and shoulder closures.  
For Bid Item 35, we will need 27 Freeway Shoulder Closures, 36 Freeway Ramp Closures, 13 City Street Lane Closures, and 6 City Street Shoulder Closures.

Replace Electrical Routes 168 and 180 CT 06-005504  
A-C Electric Company  
Electrical Proposal  
October 15, 2013  
Page 2 of 2

For Bid Item 36, we will need 1 Night Freeway Lane Closure, 35 Freeway Ramp Closures, 78 Freeway Shoulder Closures, 8 City Street Lane Closures, and 5 City Street Shoulder Closures.

- 2. Utility company charges.
- 3. Permits and bonds (our bond rate is approximately 0.53%).
- 4. Liquidated damages for events beyond our control.
- 5. Surveying and staking.
- 6. Overtime and shift work.
- 7. Changeable message signs.
- 8. Temporary signals and street lighting.
- 9. Removal and replacement of concrete and asphalt.
- 10. Repair or replacement of landscape damaged due to our work.

Our bid is conditioned on:

- 1) A mutually acceptable form of purchase order or contract document.

Some clauses of importance to us are realistic payment clauses which protect both parties, guarantee us that we get paid promptly for our work and eliminate unnecessary paperwork; indemnification clauses which equitably allocate risk to the parties, insuring that you are indemnified for the negligent acts of A-C Electric Company, without A-C indemnifying or defending you for your negligence; scheduling clauses which give us adequate time to perform our work efficiently and safely, compensates us for acceleration required for reasons outside our control, and limits any requirement for us to accelerate without compensation to our failure to perform in meeting a reasonable schedule.

In the event that we are unable to reach a mutually acceptable contract utilizing Contractor's proposed document, this bid is conditioned on the use of Consensus DOCS 750 or 751, documents drafted and agreed to by the various construction trade associations with the intent to be fair to the contractor, subcontractor and owner.

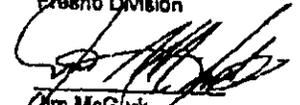
- 2) As an interim measure, while we are working on a mutually acceptable contract document, we will perform work and supply material upon receipt of a written authorization to do so with the assurances that we will be paid timely for the work done.
- 3) If you are one of the more than 60 Contractors with which we have worked out a mutually acceptable contract, or an addendum to your standard contract, our bid is conditioned to it.

Legal venue of this project will fall under the jurisdiction of the state and county in which the work is performed.

A-C Electric Company is signatory to collective bargaining agreements with the International Brotherhood of Electrical Workers. This bid is based on doing the work of our bid items with our own forces who are signatory to the IBEW or selected subcontractors. We will cooperate with you in resolving labor problems involving our work and the IBEW resulting from claims or grievances made by labor unions to which you are signatory. We will provide representation and bear our own costs for doing so. We will not indemnify nor reimburse you for costs you incur resulting from such claims or grievances.

If you should have any questions or comments, please feel free to contact me, or the estimator, Dan Irvin, at 661-410-0308.

A-C ELECTRIC COMPANY  
Fresno Division



Jim McGurk  
Division Manager

www.a-celectric.com



**A-C Electric Company** — CALIFORNIA C-10 LICENSE 99949

**ENGINEERING - CONSTRUCTION - SERVICE**

**PRECONSTRUCTION SERVICES**  
 Box 81077  
 2021 Hanger Way (93308)  
 Bakersfield, CA 93300-1877  
 Phone 801/410-0000  
 Fax 801/410-0482  
 www.a-c-electric.com

**FACSIMILE TRANSMITTAL**

<b>To:</b> WABO Landscape & Construction	<b>Attn:</b> Estimating @ WABO Landscape & Construction
<b>Fax Number:</b> 15107242391	<b>No. of Pages (Including Cover):</b> 3
<b>From:</b> Daniel E. Irvin	<b>Date:</b> 10/15/2013 1:30:56 PM
<b>Job No. / PO No.:</b>	
<p><b>Comments:</b> (661) 410-0308</p>	

10/17/13

Unified Certification Program

[Back To Query Form](#)

**Search Returned 1 Records**

Thu Oct 17 11:02:39 PDT 2013

**Query Criteria**

Firm/DBA Name: catco services

Firm Type: DBE

3

Firm ID	37242
Firm/DBA Name	CATCO SERVICES
Address Line1	22 MOSS AVE., SUITE401
Address Line2	360 GRAND AVE #240
City	OAKLAND
State	CA
Zip Code1	94610
Zip Code2	
Mailing Address Line1	
Mailing Address Line2	
Mailing City	
Mailing State	
Mailing Zip Code1	
Mailing Zip Code2	
Certification Type	DBE
Email	Info@catcoservices.com
Contact Name	CAROLYN TAYLOR
Area Code	( 610 )
Phone Number	655-4401
Fax Area Code	( 510 )
Fax Phone Number	655-4401
Agency Name	BAY AREA RAPID TRANSIT DISTRICT (BART)
Counties	01; 07; 21; 28; 34; 38; 41; 43;
Districts	03; 04;
DBE NAICS	423610; 444100;

**ACDBE NAICS**

Work Codes	73699 MISCELLANEOUS ELECTRICAL EQUIPMENT & SUPPLIES; 59610 ELECTRICAL GOODS;
Licenses	
Trucks	
Gender	F
Ethnicity	BLACK
Firm Type	DBE

[Back To Query Form](#)

**WABO**

**Landscape & Construction, Inc.**

726 ALFRED NOBEL DR. HERCULES, CA 94547 LIC. 962263 A, B, & C27

(510) 741-9226 FAX (510) 724-2391 bids@wabo.com

October 29,2013

Attention: John McMillan

To: CalTrans

Phone: (916) 227-6280

Fax: (916) 227-6282

From: WABO Landscape & Construction, Inc.

Re: Bid Protest for Contract No. 06-DQ5504

Nine pages to follow.



Landscape & Construction, Inc.

726 ALFRED NOBEL DR. HERCULES, CA 94547 LIC. 962263 A, B, & C27  
(510) 741-9226 FAX (510) 724-2391 bids@wabo.com

November 15, 2013

John McMillan  
Deputy Division Chief  
Division of Engineering Services  
Office Engineer, MS 43  
1727 30<sup>th</sup> Street  
Sacramento, CA 95818  
Phone: (916) 227-6280  
Fax: (916) 227-6282

Re: Contract 06-0Q5504; Bid Opening Date: 10/15/2013

Dear Mr. McMillan:

WABO Landscape & Construction, Inc. (WABO) has read the letter from Mr. McInerney, Jr. of McInerney & Dillon, P.C. (the response) speaking for Taber Construction, Inc. (Taber). Mr. McInerney Jr. states that Taber engaged in pre-bid negotiations with A-C Electric, Inc. (ACE) and arranged for ACE to purchase \$382,000 of electrical equipment from Catco Services (Catco) for ACE's performance of the work. If this statement is true, and if the materials purchased from Catco represent 100% of the electrical equipment for bid items 35 and 36 (and 12)(which it must, since Taber does not "describe [an] exact portion of [the] item[s] to be performed or furnished" on the DBE Commitment form), we are willing to accept that no material inconsistency exists between Taber's DBE commitment form and their Subcontractor List information.

The response further asserts that Catco's work codes, D3690 and F5060 are "clearly appropriate for the materials identified for this project." On this point, WABO vehemently disagrees. The correct work code would be C0686, which, unlike Catco's work codes is a code for a "Construction Supplier." Catco's work codes are not construction supplier codes and therefore their participation in this contract should not count towards Taber's DBE goal.

Here we cite CalTrans' Work Code Template, which can be obtained by following the Work Code Template link on the following CalTrans web page:

[http://www.dot.ca.gov/hq/bep/find\\_certified.htm](http://www.dot.ca.gov/hq/bep/find_certified.htm)

The Work Code Template is an Excel workbook with tabs for the various categories of work codes. Again, Catco's work codes are not Construction Supplier codes (these are under the "Construction Supplier" tab). Catco's work codes only found under the tab for "All Industries." Catco's first work code, D3690 is found under the "All Industries" tab and then in the "D" category which is for "Manufacturing." D3690 MISC ELECTRICAL EQUIPMENT is described as:

*establishments primarily engaged in manufacturing electrical machinery, equipment, and supplies, not elsewhere classified, [emphasis added] including high energy particle*



# Landscape & Construction, Inc.

726 ALFRED NOBEL DR. HERCULES, CA 94547 LIC. 962263 A, B, & C27  
(510) 741-9226 FAX (510) 724-2391 bids@wabo.com

*acceleration systems and equipment, electronic simulators, appliance and extension cords, bells and chimes, and insect traps.*

We could establish that D3690 is not the correct work code for manufacturing the electrical equipment required by this contract. However, no one has suggested that Catco is manufacturing the equipment. Therefore, we see no reason to take up that discussion here. It should suffice to say that D3690, as a manufacturing work code, is not applicable to Catco's stated role in this contract. If, in response to this letter, the argument is put forth that Catco is manufacturing the materials, we will be happy to provide a detailed response.

Catco's other work code, F5060, is only located under the "All Industries" tab. Further, as an "F" work code, it is categorized as:

**SUPPLIERS (ALL OTHER EXCL. HIGHWAY CONSTRUCTION)**

This category clearly does not apply to suppliers of materials for highway construction projects.

The correct work code for a supplier of electrical materials for a highway construction project is C0686 Electrical & Signals Supplier. Locating C0686 under the "All Industries" tab, work code C0686 is categorized as:

**HIGHWAY & BUILDING CONSTRUCTION SUPPLIER  
(49 CFR 26.55 (e)(2)(i)(ii) (A) (B))**

This second reference, "49 CFR 26.55 (e)(2)(i)(ii) (A) (B)" is to the specific sections of the Federal Regulations describing the application of DBE credit to material suppliers. We do not see how it could be any clearer that this category *does* apply to suppliers of materials for highway construction projects. Code C0686 is described as:

*establishments primarily engaged in the merchant wholesale distribution of electrical construction materials; wiring supplies; electric light fixtures; light bulbs; and/or electrical power equipment for the generation, transmission, distribution, or control of electric energy.*

WABO believes that the validity of our arguments can be readily ascertained. CalTrans' policy has been to only apply DBE credit if the DBE has the correct work code for their role in the contract. In fact, this policy is required by §26.71(n)(1). To allow Taber DBE credit for Catco's role in this contract is inconsistent with CalTrans' policy and with federal regulations. If CalTrans is to follow policy, Catco's participation should not be allowed to count towards Taber's DBE goal. Since Taber did not submit Good Faith Effort documentation, their bid should therefore be found nonresponsive.

Thank you for taking the time to consider this matter.

Steve Gladden  
President

**WABO**

**Landscape & Construction, Inc.**

726 ALFRED NOBEL DR. HERCULES, CA 94547 LIC. 962263 A, B, & C27  
(510) 741-9226 FAX (510) 724-2391 bids@wabo.com

November 15, 2013

Attention: John McMillan

Two pages to follow.

To: CalTrans

Phone: (916) 227-6280  
Fax: (916) 227-6282

From: WABO Landscape & Construction, Inc.

Re: Bid Protest 2 for Contract No. 06-0Q5504

Thank you.

Mark Gomes  
WABO Landscape & Construction, Inc.  
Ph. (510) 741-9226 ext. 100  
[admin@wabo.com](mailto:admin@wabo.com)

**\*\* Transmit Conf. Report \*\***

P. 1  
CALTRANS CONTR AWARDS Fax 916-227-6282

Nov 19 2013 04:18pm

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
915107242391	Normal	19:04:16pm	2'16"	15	# 0 K	

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

**DEPARTMENT OF TRANSPORTATION**  
DIVISION OF ENGINEERING SERVICES  
OFFICE ENGINEER, MS 43  
1727 30<sup>th</sup> STREET  
P. O. BOX 168041  
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!*

November 19, 2013

Facsimile: (510) 724-2391

Steve Gladden, President  
WABO Landscape & Construction, Inc.  
726 Alfred Noble Drive  
Hercules, CA 94547

06-0Q5504  
06-Fre-168, 180-VAR  
B.O. 10/15/2013

Dear Mr. Gladden:

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Based on the determination above, Caltrans finds that both protests submitted by WABO lack merit and Caltrans will proceed to award this contract to Taber.