

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
OFFICE ENGINEER, MS 43
1727 30th STREET
P. O. BOX 168041
SACRAMENTO, CA 95816-8041
PHONE (916) 227-6299
FAX (916) 227-6282
www.dot.ca.gov/hq/esc/oe



*Flex your power!
Be energy efficient!*

April 1, 2014

Facsimile: (573)221-1892

Chester Bross, President
Chester Bross Construction Company
P.O. Box 430
Hannibal, MO, 63401

06-0Q8104
06-Ker-155, 204-R6.5/R11.0; R0.0/3.7
B.O. 3/26/14

Dear Mr. Bross:

The Department of Transportation (Caltrans) received the attached letter dated April 1, 2014, from Griffith Company (Griffith), protesting the bid submitted by Chester Bross Construction Company (CBCC). The protest alleges that CBCC's bid must be rejected as nonresponsive because CBCC's bid is materially unbalanced.

Please provide your response to Griffith's protest no later than April 7, 2014.

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

Sincerely,

A handwritten signature in black ink, appearing to read "John C. McMILLAN".

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

Attachments



March 31, 2014

CORPORATE OFFICE
3050 E. Birch Street
Brea, CA 92621
(714) 864-5500
Fax (714) 864-8794

VIA FACSIMILE (916) 227-6282 AND FEDEX

CENTRAL REGION
1120 Carrier Parkway Ave.
Bakersfield, CA 93308
(805) 882-8840
Fax (805) 883-8526

John C. McMillan
Deputy Division Chief
Office Engineer
Division of Engineering Services
State of California
Department of Transportation (Caltrans)
1727 30th Street, Bidder Exchange, MS 43
Sacramento, CA 95816-8041

SOUTHERN REGION
12200 Bloomfield Ave.
Santa Fe Springs, CA 90670
(562) 829-1128
Fax (562) 884-8870

Subject: Contact No. 06-0Q8104
06-KER-155,204-R5.6/R11.0;R0.0/3.7
Bids Opened March 26, 2014
**Bid Protest of Griffith Company to Award of Contract to Chester
Bross**

STRUCTURES DIVISION
3050 E. Birch Street
Brea, CA 92621
(714) 864-5500
Fax (714) 864-8227

UNDERGROUND DIVISION
3050 E. Birch Street
Brea, CA 92621
(714) 864-5500
Fax (714) 864-8228

Dear Mr. McMillan,
Griffith Company, the second lowest monetary bidder for this contract, hereby protests the bid of the lowest monetary bidder, Chester Bross Construction Company ("CBCC"). As explained in more detail below, CBCC's bid fails to comply with both State and Federal contract approval processes. Therefore, CBCC's bid must be deemed non-responsive and the contract awarded to the lowest responsive and responsible bidder, Griffith Company.

LANDSCAPE DIVISION
12200 Bloomfield Ave.
Santa Fe Springs, CA 90670
(562) 829-1128
Fax (562) 883-8488

CBCC bid Contract Item No.13 to provide 140 tons of Asphaltic Emulsion Membrane for a total cost of \$140(or \$1.00 per ton). The average total bid for this item from the 2nd and 3rd low bidder is \$106,050 (or \$757.50 per ton). This item is unbalanced by 75,650% from the average. Furthermore, from the 2012 Contract Cost Data published by Caltrans the average unit price for this item of work in 2012 was \$692.38 per ton. It is clear that CBCC materially unbalanced its bid to the detriment of Caltrans. The estimated quantity of membrane shown on the drawings is 5% (7 ton) less than shown on the bid schedule. If this is the quantity shown on the drawings is the true quantity then Caltrans will not benefit from the savings on the under run item and will end up paying more for the project due to the unbalanced bid.

CONCRETE DIVISION
12200 Bloomfield Ave.
Santa Fe Springs, CA 90670
(562) 829-1128
Fax (562) 884-8870

It is Caltrans duty to protect the integrity of the bidding process and protect the interests of the State. Therefore, Caltrans must deem CBCC's bid non-responsive and award the contract to Griffith Company.

www.griffithcompany.net

Contractors
License #88





**GRIFFITH
COMPANY**

CORPORATE OFFICE
3050 E. Birch Street
Brea, CA 92821
(714) 884-8800
Fax (714) 884-8764

Should you have any questions regarding this request please call me at (661)392-6640.

CENTRAL REGION
1126 Carrier Parkway Ave.
Bakersfield, CA 93308
(805) 392-8640
Fax (805) 393-8626

Respectfully,

SOUTHWEST REGION
12200 Bloomfield Ave.
Santa Fe Springs, CA 90670
(862) 826-1128
Fax (862) 864-8970

Lucas J. Walker

Regional Manager
Griffith Company

STRUCTURAL DIVISION
3050 E. Birch Street
Brea, CA 92821
(714) 884-5580
Fax (714) 884-0227

cc: Bid File

UNASSIGNED DIVISION
3050 E. Birch Street
Brea, CA 92821
(714) 884-8800
Fax (714) 884-0228

LANDSCAPE DIVISION
12200 Bloomfield Ave.
Santa Fe Springs, CA 90670
(862) 826-1128
Fax (862) 863-3488

CONCRETE DIVISION
12200 Bloomfield Ave.
Santa Fe Springs, CA 90670
(862) 826-1128
Fax (862) 864-8970

www.griffithcompany.net

Contractors
License #86



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

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

Apr 1 2014 03:35pm

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
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STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

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Deputy Division Chief
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Division of Engineering Services

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