



PETERSON-CHASE

GENERAL ENGINEERING CONSTRUCTION, INC
1792 KAISER AVE., IRVINE, CA 92614
PH# (949) 252-0441 FAX#: (949) 252-0266

TO: State of California Department of Transportation

FROM: Dick W. Vogels

DATE: June 22, 2015

EMAIL:

SUBJECT: Protest of Bid Submitted by Cal Valley Construction Inc., Contract 06-0S8204, Bid Date 5/20/15 RE: Cal Valley Letter Dated 6/16/15

ATTN: OFFICE ENGINEER

JOB#: **CONTRACT#:** 06-0S8204

PH#: **FAX#:** 227-6282

PH#: (949) 252-0441 **FAX#:** (949) 252-0266

Peterson Chase hereby disagrees with Cal Valley letter dated 6/16/15 (attached) for Contract 06-0S8204 for the following reasons:

Section 5-1.13 "Subcontracting" of the Caltrans Standard Specifications requires Cal Valley to perform at least 30% of the work with Cal Valley forces.

As per attached DBE Commitment form, Cal Valley is only performing 27.2% of the work, therefore in violation of Section 5-1.13.

Cal Valley did not list their subcontractors for less than 100% of the items for the work being performed. If Cal Valley intended to perform a portion of the item work, Cal Valley had an opportunity to list the subs for less than 100% when they listed the subcontractors on the contract bid form. This was not the case.

Cal Valley is attempting to change their subcontract percentage listings after the fact, and that cannot be acceptable.

Accordingly, Cal Valley Construction's bid for Contract 06-0S8204 should be declared as non-responsive, and the contract awarded to the next lowest bidder.

Please call if questions arise.

Sincerely,

Dick Vogels, P.E.
Vice President

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Jun. 16. 2015 4:09PM CALVALLEY CONST.

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No. 2442 P. 1

General Engineering • Commercial & Residential
Certified SB • UDRE • WBE



Heavy Equipment Rental • Grading & Paving
License #873800

June 16, 2015

Fax (916) 227-6299

Department of Transportation
Division of Engineering Services
Office Engineer
P.O. Box 168041, MS-43
Sacramento, CA 95816-8041

Re: 06-088204
06-Fro-41PMR25.4
B.O. 5/20/15
Nonresponsive - Bid

Attn: Melissa Smith
Contract Award Branch Chief

Dear Ms. Smith,

With regards to the letter we received June 15th from John C. McMillan (Deputy Division Chief), Cal Valley Construction hereby requests that the State give further review of Cal Valley's bid. The State has determined that Cal Valley was nonresponsive because Cal Valley was not performing at least 30% of the work.

Cal Valley believes that the State has made this determination based solely on the listed bid pricings of each item of work and did not give Cal Valley credit for the management and coordination of their subcontractors. The listing below is the accrual pricing (sub quotes) on each subcontract item along with the value of work (management) done by Cal Valley;

Bid Item	Subcontractor	Sub's Pricing		Cal Valley's Work		Bid Pricing
Item 2	State Wide	\$750.00	+	\$150.00	=	\$900.00
Item 12	MBI	\$404.00	+	80.80	=	\$484.80
Item 13	MBI	\$5,980.00	+	791.20	=	\$6,771.20
Item 31	MBI	\$3,488.00	+	480.00	=	\$3,968.00
Item 32	MBI	\$775.00	+	125.00	=	\$900.00
Item 33	MBI	\$20,225.00	+	2,775.00	=	\$23,000.00
Item 34	MBI	\$52,118.00	+	15,759.00	=	\$67,877.00
Item 35	High-Light Elec.	\$4,000.00	+	500.00	=	\$4,500.00
Item 36	High-Light Elec.	\$130,450.00	+	16,550.00	=	\$147,000.00
Item 37	State Wide	\$10,980.00	+	1,520.00	=	\$12,500.00
		\$229,170.00		\$38,731.00		\$267,901.00

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As you can see the total direct value of the subcontract work on this project = \$229,170.00. With a Total Bid Price for all work = \$373,615.40, the percentage of work performed by Cal Valley - 38.7%.

Of consideration of the State's review, Cal Valley will extend our bid pricing of this work for an additional 30 days.

If you need any additional information please don't hesitate to call me,

Sincerely,

Clay C. Harmon

Clay C. Harmon, P.E.
General Manager
Cal Valley Construction, Inc.

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
Contract No.: 06-0S8204 Project ID: 0614000254
Bidder Name: Cal Valley Construction
DES-OE-0102.2B (REV 5/2014)

Bidder ID: VC1300003023

Bidding Firm: Cal Valley Construction

List this sub? Yes

- 1) Business Name Midstate Barrier
Location City Stockton State CA
California Contractor License Number 529261
CA Department of Industrial Relations' Registration Number 100000538
Portion of Work Subcontracted:

Item #	Description
34 100	Concrete Barrier Type 60

List this sub? Yes

- 2) Business Name Midstate Barrier
Location City Stockton State CA
California Contractor License Number 529261
CA Department of Industrial Relations' Registration Number 100000538
Portion of Work Subcontracted:

Item #	Description
12 100	Treated Wood Waste
13 100	Remove Guard Rail
31 100	Midwest Guardrail System
32 100	End Anchor System
33 100	Alternative Crash Cushion System

List this sub? Yes

- 3) Business Name High Light Electric
Location City Riverside State CA
California Contractor License Number 806335
CA Department of Industrial Relations' Registration Number 1000002760
Portion of Work Subcontracted:

Item #	Description
35 100	Maintain existing Traffic Management System
36 100	Modify Ramp Metering System

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STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
Contract No.: 06-0S8204 Project ID: 0614000254
Bidder Name: Cal Valley Construction
DES-OE-0102.2B(REV 5/2014)

Bidder ID: VC1300003023

Bidding Firm: Cal Valley Construction

List this sub? Yes

4) Business Name Statewide Traffic Safety
Location City Fresno State CA
California Contractor License Number 975518
CA Department of Industrial Relations' Registration Number 1000001109
Portion of Work Subcontracted:

Item #	Description
20 100	Construction Area Signs
37 100	Traffic Control System