

DEPARTMENT OF TRANSPORTATION

DIVISION OF ENGINEERING SERVICES

OFFICE ENGINEER

P.O. BOX 168041, MS-43

SACRAMENTO, CA 95816-8041

PHONE (916) 227-6299

FAX (916) 227-6282

TTY 711

www.dot.ca.gov



*Serious drought.
Help save water!*

June 2, 2015

Facsimile: (925) 245-1007

Dominic Sposeto, CEO
FBD Vanguard Construction
651 Enterprise Court
Livermore, CA 94550

06-0S8204
06-Fre-41-R25.4
B.O. 5/20/15

Dear Mr. Sposeto:

The Department of Transportation (Caltrans) received a bid submitted by FBD Vanguard Construction (FBD) for Contract No. 06-0S8204 on May 20, 2015. By this letter, Caltrans notifies FBD that its bid is nonresponsive because of an inconsistency found in the Subcontractor List and the Disadvantaged Business Enterprise (DBE) Commitment form.

The DBE Commitment form states in part, "...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 on the Subcontractor List form submitted with your bid."

On the Subcontractor List form, FBD has identified KRC Safety Co., Inc. as performing the following Bid Items:

- | | |
|---|--|
| 2 - Construction Area Signs | 23 - Roadside Sign – One Post |
| 3 - Channelizer (Surface Mounted) | 24 - Furnish Single Sheet Aluminum Sign for Retroreflective Sheeting |
| 5 - Temporary Railing (Type K) | 25 - Retroreflective Sheeting |
| 6 - Temporary Crash Cushion Module | 33 - Alternative Crash Cushion System |
| 14 - Remove Roadside Sign Panel | 37 - Traffic Control System |
| 22 - Furnish Single Sheet Aluminum Sign | |

However, on the DBE Commitment form, FBD only listed KRC to perform bid items 5, Temporary Railing (Type K), 33, Alternative Crash Cushion System, and 37, Traffic Control System. The difference of these items is a deviation of the scope of work to be performed by the subcontractor, and constitutes a change, and is in violation of the subcontractor listing laws, as well as the Subcontractor List and DBE Commitment form instructions.

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

Mr. Sposeto
June 2, 2015
Page 2

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 Mulissa Smith, Contract Awards Manager, at (916) 227-6228.

Sincerely,



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

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

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

Jun 3 2015 03:11pm

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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