R.J. BERRY JR., INC.

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BUS. (559) 896-1680 FAX (559) 896-1682
STATE LIC. #433753

April 15, 2013

State of Ca., Dept. of Transportation
Office of Engineer, Division of Engineering Services
1727 30th Street, MS 43
Sacramento, Ca. 95816

Attn: John McMillan, Deputy Division Chief

Subject: Contract No. 06-430704
Bid Protest and Subcontractor List

Dear Mr. McMillan;

With reference to Granite Construction Company's protest dated 4/4/13 and the response from Lee's Paving, Inc. dated 4/8/13 we believe in addition to the irregularities outlined in Lee's Paving, Inc.'s letter the following irregularities exist in Granite Construction Company's bid:

1. Section 2-1.02 of the Special Provisions states the contractor must list each 1st tier DVBE Subcontractor on their Subcontractor List regardless of the percentage of the total bid. The following 1st tier DVBE's were included on the DVBE summary, but not included on the Subcontractor List:

   - D&B Equipment and Supplies
   - Global Environmental Network, Inc.

If the Department were to find Lee's Paving, Inc.'s bid non-responsive for irregularities on their Subcontractor List we believe Granite Construction Company's bid should also be considered non-responsive.

Please consider this letter our protest of Granite Construction Company's bid and request to review the above items. Thank you for your attention to this matter.

Very Truly Yours,
R.J. Berry Jr. Inc.

Robert J. Berry Jr.
President

R. J. BERRY JR., INC.

GENERAL ENGINEERING CONTRACTOR
P. O. BOX 468 SELMA, CA. 93662
STATE LICENCE #433753
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TO: STATE OF CA., DEPT. OF TRANSPORTATION

DATE: 4/15/13

ATTN: JOHN MCMILLAN

FAX NUMBER: (916) 227-6282

FROM: MITCH DEFREITAS

SUBJECT: CONTRACT NO. 06-430704

SR 216 REALIGNMENT & WIDENING

BID PROTEST LETTER

NUMBER OF PAGE'S (INCLUDING THIS SHEET): 2

Please see the attached bid protest letter.

Contact me with any questions.

Thank You for Your Cooperation,
Mitch DeFreitas
R.J. Berry Jr., Inc.

AGC CALIFORNIA