

Seaberg Jr, Earl R@DOT

From: gideon@dybanagconstruction.com
Sent: Wednesday, November 26, 2014 9:54 AM
To: Seaberg Jr, Earl R@DOT
Subject: Contract Award of Project # 07-274804, Replace Bridge Deck, Bid Opening: 10-30-2014
Attachments: 20141120_Letter to OE_CADOT 1a.pdf

Hi Earl,

I work with you on few Bridge Site Data Submittals when I was in Division of Design, District 08, under Patti Romo, and also sat down with you on high profile project meetings on the I-215 Bridges. I now retired in Caltrans and joined a construction company.

We are the low-bidder on Project 07-274804, Replace Bridge Deck, Bid Opening date: 10-30-2014. We also met our DBE Goal at the time of bid-submittal, but for some reason, we were not able to submit copies of the DBE quotes on the 4th business day because we are new and just gotten our Vendor ID. In circumstances such as this, the Office Engineer has the authority to waive this minor irregularity in the bidding process. We already complied with the DBE Commitment requirements as of this date.

MCM Construction (2nd Low Bidder) filed a frivolous Bid Protest for the: 1) above DBE Submittal and 2) SSPC-QP1 Requirement on Item 54 Column Casing. No Painting Subcontractor submitted a quote for field painting at the time of the bid, so this will work will be done with our own forces with SSPC-QP1 qualifications. Such certificates will be submitted at the time of submittals as required in the Special Provisions.

We felt that MCM Construction is attempting to steal our Low-Bidder position by gaining unfair advantage in the Procurement Process.

We just want to ask, that your staff treat us fairly in the evaluation process.

Any assistance you can help us seeking fair treatment as a small business company(SBE#41228-Pending) is very much appreciated.

Sincerely and regards,

Gideon Agra, P.E.
Project Manager
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Attachment: