

J. MCLOUGHLIN ENGINEERING CO.

10641 Fulton Court
Rancho Cucamonga, Ca 91730
Phone: 909/944-1037 Fax: 909/944-3112

July 9, 2014

Department of Transportation
Division of Engineering Services
Office Engineer, MS 43
1727 30th Street
P.O. Box 168041
Sacramento, Ca. 95816-8041
Fax (916) 227-6282

Attention: John C. McMillan

Subject: Contract 07-285704 ~~285704~~ 295704

Gentlemen,

J. McLoughlin Engineering Co., Inc. protests the bid of Peterson Chase General Engineering Construction on Contract 07-295704, bid date June 26, 2014 as the apparent low bidder. We request the Department to follow the contract procedures on whether the findings below, mandate their bid being non-responsive.

The Subcontractor List form states in part, "... Complete columns 1 and 4 and submit with the bid. Complete columns 2 and 3 and submit with the bid or fax to (916) 227-6282 within 24 hours after the bid opening. Failure to provide complete information in columns 1 through 4 within the time specified will result in a nonresponsive bid." J. McLoughlin Engineering finds that Peterson Chase's bid is nonresponsive because the Subcontractors List form column 4 submitted at bid time is not consistent with their subcontractors form column 4 submitted 24 hours after bid opening.

On the Subcontractor List submitted at bid time, Peterson Chase General Engineering, listed Cal-Stripe, in column 1 and listed their work description in column 4 as, "Striping, Traffic Control (portion), and Stripe Removal". Then on their Subcontractors List submitted 24-Hours later they listed Cal-Stripe for "Striping, Traffic Control (portion), Stripe Removal and added LCP. The addition of item 1, Lead Compliance Plan, constitutes an improper change to the Subcontractor List form, thus rendering their bid non-responsive.

The bidder must identify each subcontractor performing work in an amount in excess of 1/2 of 1 percent of the total bid or \$10,000, whichever is greater (Pub Cont Code § 4100 et seq.). Complete columns 1 and 4 and submit with the bid. Complete columns 2 and 3 and submit with the bid or fax to (816) 227-6282 within 24 hours after the bid opening. Failure to provide complete information in columns 1 through 4 within the time specified will result in a nonresponsive bid.

Column 1: Business Name and Location	Column 2: Bid Item Nos.	Column 3: Percentage of Bid Item Subcontracted	Column 4: Description of Subcontracted Work
Miranda Logistics Enterprise LLC Los Angeles, CA			ADL Disposal
Crown Fence Santa Fe Springs, CA			MBGR
American Steel Placers Gerdau Steel San Diego, CA DWR San Bernardino, CA			Rebar
Diversified Landscape Winchester, CA DWR Diversified Landscape Winchester, CA			Rock blanket DWR Rock blanket
Cal-Stripe San Bernardino, CA			Striping, Traffic Control, (Portion) Stripe removal
California Land Surveying Three Rivers, CA			Survey
Traffic Loops Crackfilling Anaheim, CA			Loop, electrical

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Contract No. 07-295704
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PS

Peterson-Chase Subcontractor Form at Bid Time

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
SUBCONTRACTOR LIST
 DES-06-0102.2 (REV 3/2011)

Bidder Name: Peterson-Chase Gen. Eng. Const. Inc.

The bidder must identify each subcontractor performing work in an amount in excess of 1/2 or 1 percent of the total bid or \$10,000, whichever is greater (Pub Cont Code § 4100 et seq.). Complete columns 1 and 4 and submit with the bid. Complete columns 2 and 3 and submit with the bid or fax to (916) 227-6282 within 24 hours after the bid opening. Failure to provide complete information in columns 1 through 4 within the time specified will result in a nonresponsive bid.

Column 1: Business Name and Location	Column 2: Bid Item Nos.	Column 3: Percentage of Bid Item Subcontracted	Column 4: Description of Subcontracted Work
Miranda Logistics Enterprise LLC Los Angeles, CA	29	37	ADL Disposal
Crown Fence Santa Fe Springs, CA	14, 15, 66, 67, 69, 71-75, 93	100	MBGA
American Steel Placers, Inc. San Bernardino, CA	47 49 77	17 5 16	Rebar
Diversified Landscapa Co. Wildomar, CA	30	85	Rock Blanket
Cal-Stripe Colton, CA	1 5 16-18, 78-87	75 12 100	LCP Traffic Control Striping & Stripe Removal
California Land Surveyors Three Rivers, CA	65	100	Survey
Traffic Loops Crackfilling Anaheim, CA	00-91	100	Loops, Electrical
All American Asphalt Corona, CA	24, 35-39	100	Cold Mill, Pave
Harber Companies, Inc. San Bernardino, CA	45	92	Grinding Concrete Pavement

Contract 07-295704

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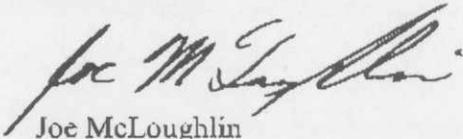
Peterson-Chase Subcontractor Form 24 hours after Bid Time

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

For your convenience we have attached one of many bid rejection letters from Caltrans, where Caltrans rejected an apparent low bidder for similar reasons i.e. changing the scope of work originally submitted.

If you have any questions, please contact the undersigned at (909)944-1037 or jineci@aol.com.

Thank You,



Joe McLoughlin
President
J. McLoughlin Engineering Co., Inc.

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
OFFICE ENGINEER, MS 43
1727 30th STREET
P. O. BOX 168041
SACRAMENTO, CA 95816-8041
PHONE (916) 227-6280
FAX (916) 227-6282
TTY 711



*Flex your power!
Be energy efficient!*

December 14, 2012

Facsimile: (626) 960-3887

George Chumo, President
Chumo Construction, Inc.
14425 Joanbridge Street
Baldwin Park, CA 91706

12-0C5704
12-Ora-91-0.9/5.4
B.O. 11/29/12

Dear Mr. Chumo:

Chumo Construction, Inc., (Chumo Construction) submitted a bid for contract 12-0C5704 on November 29, 2012. By this letter, the Department of Transportation (Caltrans) notifies Chumo Construction that its bid is nonresponsive because it failed to properly submit the Subcontractor List.

The Subcontractor List form states in part, "...Complete columns 1 and 4 and submit with the bid. Complete columns 2 and 3 and submit with the bid or fax to (916) 227-6282 within 24 hours after the bid opening. Failure to provide complete information in columns 1 through 4 within the time specified will result in a nonresponsive bid." No other revisions to the form are permitted.

Since Ace Fence was originally subcontracted to perform Metal Beam Guard Railing, but Fence was added to the revised bid list received on November 30, 2012, Caltrans finds your bid is nonresponsive. Caltrans will proceed to award the contract to the lowest responsible bidder provided all requirements are met.

Your attention is directed to Section 3-1.04 of the Standard Specifications. The Department is not obligated to offer an extension of the award period for a non-responsive bid. Should you wish to offer to extend your bid while resolving a non-responsive finding, you must send your request to the Office Engineer no later than 4:00 pm two business days prior to the expiration of your bid.

If you have any questions, please contact David Neumann, Contract Awards Senior, at (916) 227-6285.

Sincerely,


JOHN C. McMILLAN

 Deputy Division Chief
Office Engineer
Division of Engineering Services

Attachment

Bidder Name: CHUMO CONSTRUCTION INC.

The bidder must identify each subcontractor performing work in an amount in excess of 1/2 of 1 percent of the total bid or \$10,000, whichever is greater (Pub Cont Code § 4100 et seq.). Complete columns 1 and 4 and submit with the bid. Complete columns 2 and 3 and submit with the bid or fax to (916) 227-6282 within 24 hours after the bid opening. Failure to provide complete information in columns 1 through 4 within the time specified will result in a nonresponsive bid.

Column 1: Business Name and Location	Column 2: Bid Item Nos.	Column 3: Percentage of Bid Item Subcontracted	Column 4: Description of Subcontracted Work
Confab Shafter, CA			Prestress Girder
Integrity Rebar Perris			Rebar
Utah Pacific Linden, utah			Structural Steel
Reycon Santa Paula			Soundwall
ACT Fence (La Puente)			MBGR
Penhall Anaheim			Bridge Demo
Industrial Coating Long Beach			Clean & Paint Sign Structure

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Contract No. 12-0C5704
18

1/11/13

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
SUBCONTRACTOR LIST
 DES-DE-01022 (REV 3/2011)

Bidder Name: CHUMO CONSTRUCTION INC.

The bidder must identify each subcontractor performing work in an amount in excess of 1/2 of 1 percent of the total bid or \$10,000, whichever is greater (Pub Cont Code § 4100 et seq.). Complete columns 1 and 4 and submit with the bid. Complete columns 2 and 3 and submit with the bid or fax to (916) 227-6262 within 24 hours after the bid opening. Failure to provide complete information in columns 1 through 4 within the time specified will result in a nonresponsive bid.

Column 1: Business Name and Location	Column 2: Bid Item Nos.	Column 3: Percentage of Bid Item Subcontracted	Column 4: Description of Subcontracted Work
ACE FENCE LA PUENTE	2, 35, 34, 229-234, 236, 237, 239, 240, 242, 243	100% 100% 100% 100% 100%	FENCE & M.B.G.R.
COL-STRIPE COLTON	19, 20, 22, 36-38, 251-262 291	100% 100% 100% 0.4%	STRIPING
MALCOLM DRILLING IRVINDALE	144 146 147 148 291	100% 71.2% 75.9% 49.5% 1.8%	CIDH PILING
CL INDUSTRIAL CONTRACT LONG BEACH	175 176 199	100% 11.17% 100%	CLEANUP & PAINT STRUCTURAL STEEL
CON FAB STAFFER	159-164	100%	PREPARED GROUERS

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Contract No. 12-0C5704

** Transmit Conf. Report **

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

Dec 14 2012 03:16pm

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
916269603887	Normal	14:03:15pm	0'46"	3	# O K	

STATE OF CALIFORNIA - BUSINESS TRANSPORTATION AND HOUSING AGENCY

BIDDING SYSTEM

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
OFFICE ENGINEER, MS 43
1727 30th STREET
P. O. BOX 168041
SACRAMENTO, CA 95816-8041
PHONE (916) 227-6280
FAX (916) 227-6282
TTY 711



*Put your power
to energy.*

December 14, 2012

Facsimile: (626) 960-3887

George Chumo, President
Chumo Construction, Inc.
14425 Joanbridge Street
Baldwin Park, CA 91706

12-OC5704
12-CWA-91-0.9/5.4
B.O. 11/29/12

Dear Mr. Chumo:

Chumo Construction, Inc., (Chumo Construction) submitted a bid for contract 12-OC5704 on November 29, 2012. By this letter, the Department of Transportation (Caltrans) notifies Chumo Construction that its bid is non-responsive because it failed to properly submit the Subcontractor List.

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If you have any questions, please contact David Neumann, Contract Awards Senior, at (916) 227-6285.

Sincerely,

John C. McMILLAN

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

Attachment

Caltrans improves mobility across California