

**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!*

August 14, 2014

Facsimile: (714) 769-7031

John Korb, Treasurer  
Autobahn Construction, Inc.  
P.O. Box 11238  
Santa Ana, CA 95816

08-0J9304  
08-SBd-15-147.6  
B.O. 07/17/2014

Dear Mr. Korb:

The Department of Transportation (Caltrans) received the attached letter dated July 23, 2014, from Autobahn Construction, Inc. (Autobahn), protesting the Disadvantaged Business Enterprise (DBE) Commitment form submitted by Beador Construction Company, Inc. (Beador). The protest alleges that Beador listed Sam's Equipment and Supplies (Sam's) for bar reinforcing steel and claimed 100% DBE participation for this item, instead of the allotted 60% for material suppliers. As such, Beador would not meet the stated goal of 8%.

Caltrans did not conduct a review of this protest, as the low bidder Beador did not meet the DBE goal for this contract.

Caltrans will proceed to award this contract to the lowest responsible and responsive bidder, provided that all requirements have been met.

If you have any questions, please contact Mulissa Smith, Contract Awards Branch Manager, at (916) 227-6228.

Sincerely,

A handwritten signature in black ink, appearing to read "John C. McMILLAN".

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

Attachment



July 23, 2014

Department of Transportation  
Division of Engineering Services  
Office Engineer, MS 43  
1727 30<sup>th</sup> Street  
Sacramento, CA 95816-8041

Attention: Mr. John McMillan  
Deputy Division Chief  
Fax 916 227-6282

RE: Contract No. 08-0J9304  
Bid Date: July 17, 2014

Dear Mr. McMillan:

We are protesting the apparent low bidder Beador Construction Company Inc. on the above referenced project due to the following discrepancies:

First: Beador bid item #1 Lead Compliance Plan for the LS amount of \$1,000.00 However Appian was listed on the DBE Commitment form in the amount of \$1,900.00 This amount is more than the total bid item #1.

Second: Sam's Equipment & Supply was listed for "supply only" of the bar reinforcing steel. Sam's Equipment & Supply is not a "manufacturer of rebar" only a supplier or regular dealer and the 60% credit would apply not the 100% which was used.

Third: The hand written calculations of \$9,971.00 for the services provided by The Sanberg Group, Inc. has nothing to do with the lump sum prices that was quoted by Sanberg for the Pre-Construction Survey, Monitoring of fence installation & removal and Monitoring of Construction Activities for a Lump Sum Amount = \$30,450. .

We are requesting that Beador's bid be deemed as non-responsive based on the above mentioned facts because he does not meet the 8% goal. If you have any questions, please do not hesitate to contact me.

Sincerely,

John Korb  
Treasurer

Attachments

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
CALTRANS BIDDER - DBE - COMMITMENT  
DEB-OE-0102.10C (NEW 06/2012)

07-22-14A10:43 RCYD

# Low Bidder

This information may be submitted with your bid proposal. If it is not, and you are the apparent low bidder or the second or third low bidder, it must be submitted and received as specified in section 2 of the specifications. Failure to submit the required DBE information will be grounds for finding the bid nonresponsive.

CONTRACT NO: 08-0J9304

BID AMOUNT: \$ 445,700.00

BID OPENING DATE: 7/17/14

BIDDER'S NAME: Beador Construction Company Inc

DBE GOAL FROM CONTRACT, %: 8%

DBE PRIME CONTRACTOR CERTIFICATION:

SUPPLY ONLY  
NOT A  
MANUFACTURED  
ITEM NO

BID ITEM NO	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED <sup>2</sup>	FOR CALTRANS USE ONLY	NAME OF DBE <sup>1</sup> (Must be certified on the date bids are opened - include Caltrans certification #, DBE address and phone number) (Include 2nd and lower tier subcontractors)	DOLLAR AMOUNT DBE <sup>3</sup>
21(F)	Bar Reinforcing Steel "Supply only"		Sarn's Equipment Supplier	\$12,938.40 <sup>77</sup>
1	Prepare Lead Compliance Plan		Apptan	\$1,900.00 <sup>100</sup>
7	Prepare water pollution control program		Apptan	\$700.00
10	Contractor Specialized Biologist		Mr. Sanberg Group	\$9,971.00 <sup>?</sup>
10	"Supply" minor Hot mix Asphalt		Logans Marketing	\$15,405.00 = \$9279.30

DOES NOT MATCH QUOTE IN ANY WAY

IMPORTANT: Identify all DBE firms being claimed for credit, regardless of tier. 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 in the "Subcontractor List" submitted with your bid. Copies of the DBE quotes are required.

- DBE prime contractors must enter their certification number and indicate all work to be performed by DBEs including work performed by its own forces.
- If 100% of item is not to be performed or furnished by DBE, describe exact portion of item to be performed or furnished.
- See section 2-1.12 of the specifications to determine the credit allowed for DBE firms.

Total Claimed Participation

Date of Bid

7/16/14

Date

David Beador

Person to Contact

9516747352

(Area Code) Tel. No.

(Please Type or Print)

Submit to

M2C43  
OFFICE ENGINEER  
DEPARTMENT OF TRANSPORTATION  
1527 30TH STREET  
SACRAMENTO, CA 95816-7005

ADA Notice: For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 854-8410 or TDD (916) 854-8410 or write: Records and Forms Management, 1120 H Street, M.S.-88, Sacramento, CA 95814

# Sam's Equipment & Supplies

P.O. Box 7797  
Fresno, California 93747-7797  
Phone (559) 252-0354  
Fax (559) 261-1119  
S.B./D.V.B.E./D.B.E./J.D.B.E./S.M.B.E./S.D.V.O.S.B.C.



Quotation: 2014394

To: ESTIMATING DEPT.

Date Submitted: July 17, 2014  
Project: BAKER, 06-0J9304

Phone:  
Fax:

Bid Date: JULY 17, 2014

Item	Quantity	Description	Unit	Total
21	8,684 LB	5/8" #6 REINFORCING STEEL	\$0.48	\$4,600.32
		FABRICATED	1.26/lb	
		Quantity not know for fabrication		

TAX IS NOT CALCULATED IN THIS QUOTE  
 QUOTE IS FOR SUPPLY ONLY  
 THE ABOVE QUANTITY IS ESTIMATED ONLY  
 UNLOADING IS BY OTHERS  
 INSTALLATION IS BY OTHERS  
 ADDITIONAL FREIGHT CHARGES WILL APPLY ON  
 PARTIAL SHIPMENTS AND SUPPLEMENTAL ORDERS

QUOTE PRICES GOOD TILL 7-26-14

Handwritten calculation in a circle:  
 $1.25 \times 9584 = 11980$   
 $+ tax = 12938$   
 $60\% = \$7762.80$

Terms: Net 10th Prox.

Conditions: This is not a contract. Prices quoted are current prices subject to applicable sales tax, prior sales and change without notice. Prices quoted expire 08/05/2014. All agreements are contingent upon strikes, accidents and other conditions beyond our control. Quantities are approximate-unit price prevails. See attached terms and conditions.

Accepted by:

Company \_\_\_\_\_

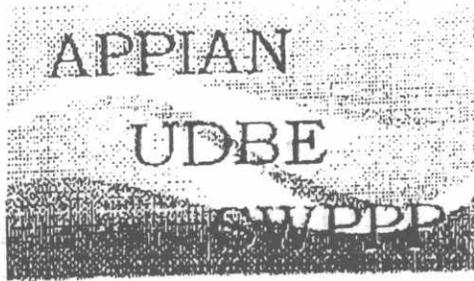
Date \_\_\_\_\_

By \_\_\_\_\_

Purchase Order No. \_\_\_\_\_



"SUPPLY ONLY"  
NOT A MANUFACTURE



APPIAN UDBE SWPPP

Storm Water Pollution Prevention Plans  
Water Pollution Control Programs  
Lead Compliance Plans

Certified DBE (UDBE, WBE & MBE):  
BART No. 38334 exp: 04-20-2015

Business License Number 024765

5780 Olinda Road  
El Sobrante, CA 94803

Phone: (510) 854-9402  
Fax: (510) 256-0103

Friday, July 11, 2014

ATTN: Estimator

RE: Contract : **Caltrans - 08-0J9304**  
**Bridge Rehabilitation.**

Bid Date: **July 16, 2014**

Please find below the APPIAN SWPPP quote for the referenced project. Price includes three draft copies of the plan, additional copies of the approved plan if required by the Special Provisions, amendments and corrections. Plan preparation is in compliance with State, Regional and Local Storm Water Discharge Regulations and as required by the Special Provisions.

Item #	Item Code	Items bid individually	Bid Price
1	070030	Prepare Lead Compliance Plan (LCP)	\$1,900.00
8	130200	Prepare Water Pollution Control Program (WPCP)	\$700.00

Good luck.

Thomas Koprek  
Estimator  
(510) 854-9402

## BID ITEM LIST

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
1	070030	LEAD COMPLIANCE PLAN	LS	LUMP SUM	LUMP SUM	1,000. <sup>00</sup>
2	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	2,700. <sup>00</sup>
3	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	69,627. <sup>00</sup>
4	120200	FLASHING BEACON (PORTABLE)	EA	1	525. <sup>00</sup>	525. <sup>00</sup>
5	128651	PORTABLE CHANGEABLE MESSAGE SIGN (EA)	EA	1	1,250. <sup>00</sup>	1,250. <sup>00</sup>
6	130100	JOB SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	5,500. <sup>00</sup>
7	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	LUMP SUM	1,000. <sup>00</sup>
8	130560	TEMPORARY SOIL BINDER	SOYD	4,000	1.30	5,200. <sup>00</sup>
9	130720	TEMPORARY CONSTRUCTION ROADWAY	SOYD	67	230. <sup>00</sup>	15,410. <sup>00</sup>
10	146002	CONTRACTOR-SUPPLIED BIOLOGIST (LS)	LS	LUMP SUM	LUMP SUM	13,000. <sup>00</sup>
11	153103	COLD PLANE ASPHALT CONCRETE PAVEMENT	SOYD	400	19. <sup>00</sup>	7,600. <sup>00</sup>
12	160102	CLEARING AND GRUBBING (LS)	LS	LUMP SUM	LUMP SUM	2,700. <sup>00</sup>
13	190101	ROADWAY EXCAVATION	CY	150	65. <sup>00</sup>	9,750. <sup>00</sup>
14 (F)	192003	STRUCTURE EXCAVATION (BRIDGE)	CY	642	25. <sup>00</sup>	16,050. <sup>00</sup>
15 (F)	193003	STRUCTURE BACKFILL (BRIDGE)	CY	580	50. <sup>00</sup>	29,000. <sup>00</sup>
16	390136	MINOR HOT MIX ASPHALT	TON	80	270. <sup>00</sup>	21,600. <sup>00</sup>
17	394053	SHOULDER RUMBLE STRIP (HMA, GROUND-IN INDENTATIONS)	STA	3	1,150. <sup>00</sup>	3,450. <sup>00</sup>
18 (F)	510051	STRUCTURAL CONCRETE, BRIDGE FOOTING	CY	55	800. <sup>00</sup>	44,000. <sup>00</sup>
19 (F)	510053	STRUCTURAL CONCRETE, BRIDGE	CY	6	3,750. <sup>00</sup>	22,500. <sup>00</sup>
20	511106	DRILL AND BOND DOWEL	LF	709	21. <sup>00</sup>	14,787. <sup>00</sup>

# The Sanberg Group, Inc.

ENVIRONMENTAL COMPLIANCE AND RESTORATION SERVICES  
Certified DBE / DVBE / WBE / SDVOSB / SBE / ISO 9001



Monitoring Report, Bi-Weekly Monitoring Reports and Final Monitoring Reports to be submitted following specs provided.

- Cost includes inspection/monitoring of desert tortoise fence. Monitoring report to be submitted after sweep with specs provided.
- Cost does not include incidents of regulated species not observed during construction sweeps.

The estimated cost for mobilization, monitoring and reporting is provided as follows (per specs):

Pre-Construction Survey (incl. Report)

\$4,432

• Monitoring of Desert Tortoise Fence Installation and Removal (no Report)

\$8,904

• Monitoring of Construction Activities (incl. Reports)

\$17,114

Lump Sum Amount\* = \$30,450

DOES NOT MATCH

11-13 per day  
2 days install  
1 day Removal

\*This cost proposal is a not to exceed amount (NTE). This cost proposal includes all related lodging and per diem, mileage, vehicle rental and incidentals necessary for this project. This proposal does not include separate incidents of Desert Tortoise or other regulated species not occurring during designated sweeps performed by Sanberg where a qualified biologist is required on site. Delays caused by CalTrans, its contractors and/or unknown site conditions may result in additional costs. Additional time at the site will be charged at a rate of \$100/hr for an Authorized field biologist and \$84/hr for a regular field biologist. However, no additional charges will be assessed without prior approval by the contractor. This quote is valid for 30 days from the date designated above.

\$2200 monitor Const Activities

Please feel free to contact the undersigned if you have any comments or questions. Thank you for the opportunity to provide this proposal.

The Sanberg Group, Inc.

Kyle Petersen, EIT  
Staff Environmental Engineer  
Project Manager / Estimator

total \$9971.00

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

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

Aug 14 2014 03:43pm

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
917147697031	Normal	14:03:42pm	0'59"	5	# O K	

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

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Deputy Division Chief  
Office Engineer  
Division of Engineering Services

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