

**Main Office**

P.O. BOX 620 / 6413 32nd Street / North Highlands / CA 95660
(916) 334-1221 Estimating / Engineering FAX (916) 334-0562
Accounting FAX (916) 334-8355

Southern California Regional Office

P.O. BOX 867 / 19010 Slover Ave. / Bloomington / CA 92316
(909) 875-0533 Engineering / Accounting FAX (909) 875-2243

Via Facsimile (916) 227-6282

February 19, 2016

State Of California
Department Of Transportation
1727 30th Street, Bidder Exchange, MS 43
Sacramento CA 95816-8041

Attn: John C. McMillan, Deputy Division Chief, Office Engineer

Re: Contract No. 08-0N5504
Route 40, Watson Wash Bridge Replacement, Near Fenner
BID PROTEST

Gentlemen:

Please consider this letter to be a formal protest of the bid submitted by Ortiz Enterprises, Inc, the apparent low bidder in connection with Contract No. 08-0N5504. MCM Construction, Inc. is the second lowest bidder.

ORTIZ'S DBE COMMITMENT FORM IS NOT CONSISTENT WITH SUBCONTRACTOR LIST

The instructions on the DBE Commitment form state *"The names of the 1st tier DBE subcontractors and items of work must be consistent with the Subcontractor List"*.

On bid day, Ortiz listed DBE subcontractor Super Seal & Stripe for Items 4, 6, 8, and 12 among other items on their Subcontractor List. Ortiz identified Super Seal & Stripe on the DBE Commitment form for several items but not including Items 4, 6, 8, and 12. Accordingly, the DBE Commitment form is not consistent with their Subcontractor Listing and, as such, Ortiz's bid must be found nonresponsive. Caltrans has found numerous bids nonresponsive when the DBE Commitment form is not consistent with the Subcontractor List, including MCM Construction's bid on Contract 04-4A5104 by the attached letter dated January 9, 2014.

ORTIZ'S DESCRIPTION OF SUBCONTRACTED WORK IS NONRESPONSIVE

Ortiz listed Super Seal & Stripe for Items 4, 8, and 12 for a percentage less than 100 percent. The bid form and specifications require a description of work for partial items listed to be subcontracted. Ortiz's descriptions are unrelated to the item of work in these cases and, therefore, Ortiz failed to provide descriptions of the portions of the items subcontracted.

Ortiz's description of the subcontracted portion of Item 4, Traffic Control, is "lead compliance" which is unrelated to traffic control. Ortiz's description of the subcontracted portion of Item 8, Traffic Plastic Drum, is "striping/traffic" which is not part of plastic drum work. Ortiz's description of the subcontracted

Page 2

John McMillan, Deputy Division Chief
State Of California, Department Of Transportation
February 19, 2016

Re: 08-0N5504 Bid Protest

portion of Item 12, Temporary Crash Cushion Module, is "striping/traffic" which is not part of crash cushion module work.

Since Ortiz did not provide valid work descriptions of the portions of Items 4, 8, and 12 listed to be subcontracted, Ortiz's bid should be found nonresponsive.

ORTIZ DID NOT ACHIEVE THE DBE PARTICIPATION GOAL DESPITE THEIR CLAIM

A. K & G Concrete DBE Participation Is Misstated

Ortiz's DBE Commitment form identified K & G Concrete for work described as "Concrete Pump Rental, Furnish Concrete" for a total value of \$530,600. Per the attachment to the form, the \$560,600 consists of \$70,200 for pump rental and travel plus \$460,400 for furnish concrete. Please note that K & G Concrete also quoted a price for placing concrete, which Ortiz did not utilize. Doing so would have made K & G a subcontractor eligible to furnish their own concrete but also a subcontractor that needed to be listed, given the dollar value of furnishing, pumping, and placing concrete. K & G was not listed as a subcontractor by Ortiz. So, instead, in K & G's stated capacity as a pumper and supplier, the State must acknowledge that K & G is not a regular dealer of concrete in accordance with 49 CFR 26.55(e)(2)(ii). K & G does not own a ready-mix plant, and, as such, will purchase concrete from a commercial ready-mix company that will produce and deliver the concrete to the jobsite. A regular dealer in bulk materials does not need to own the plant but must then at least own and operate distribution equipment for the product, which K & G does not own. Additionally, Caltrans should make the determination that K & G, as a supplier of ready-mix concrete, does not perform a commercially useful function in accordance with 49 CFR 26.5(c)(2) because K & G's role in the purchase of the concrete from a commercial plant is that of an extra participant in the transaction.

Since K & G Concrete does not perform a commercially useful function, Ortiz cannot claim any DBE participation for the supply of concrete. If Caltrans deems K & G's role in supplying concrete as commercially useful, then, credit for supplying concrete must be evaluated in accordance with Standard Specification Section 2-1.12B(1) which states, "*Credit for material and supplies you purchase from DBEs will be evaluated on a contract by contract basis and counts toward the goal in the following manner:*

1. 100 percent if the materials or supplies are obtained from a DBE manufacturer
2. 60 percent if the materials or supplies are obtained from a DBE regular dealer
3. Only fees, commissions, and charges for assistance in the procurement and delivery of materials or supplies, if they are obtained from a DBE that is neither a manufacturer nor regular dealer. 49 CFR 26.55 defines "manufacturer" and "regular dealer".

Again, since K & G is clearly not a regular dealer of concrete, Ortiz could only claim participation for the fees, commissions, and charges for assistance in the procurement and delivery of concrete. K & G Concrete quoted \$200/CY for furnishing Class 1 concrete. Their quote does not distinguish the amount of

Page 3

John McMillan, Deputy Division Chief
State Of California, Department Of Transportation
February 19, 2016

Re: 08-0N5504 Bid Protest

their fee from the supplier's price. With reference to the attached bid day quotation from commercial supplier CEMEX, the value of Class 1 concrete delivered is approximately \$163/CY. Accordingly, K & G's fee is approximately $\$200/\text{CY} - \$163/\text{CY} = \$37/\text{CY}$. Based on Ortiz's stated concrete quantity, K & G's fee is approximately $2302 \text{ CY} \times \$37/\text{CY} = \$85,174$.

Either Ortiz is credited \$0 for the supply of concrete since their supplier is not commercially useful or, at most, Ortiz is credited for paying K & G a fee of \$85,000 for the use of their DBE certificate to supply concrete from another supplier.

B. RJ LaLonde, Inc. Equipment Rental DBE Participation Is Misstated

Ortiz claimed DBE participation for equipment rental from RJ LaLonde for equipment not included on RJ LaLonde's quotation. RJ LaLonde did not provide a quotation for the rental of the following claimed equipment rental: Cat 824, Cat 39" Dual Drum, Cat 47" Dual Drum, Cat D-8, Cat 446B-Hoe, Cat 613C, and Cat 416 Backhoe. When these pieces of equipment and associated operator hours are removed from Ortiz's tabulation, the total participation on behalf of RJ LaLonde is \$39,482 instead of the claimed participation of \$109,397.

C. Triumph Geo-Synthetics DBE Participation Is Misstated

Ortiz claimed \$10,789 of DBE participation for the purchase of piping and erosion control materials from Triumph Geo-Synthetics which is the full amount of Triumph's quotation. In accordance with Section 2-1.12B(1), credit for purchases from a regular dealer are limited to 60 percent of the purchase price, which, in this case, is $0.6 \times \$10,789 = \$6,473$.

D. Ortiz's Actual DBE Participation Commitment

Given the above information concerning the DBE participation of K & G Concrete, RJ LaLonde, Inc, and Triumph Geo-Synthetics, Ortiz's actual DBE participation commitment is as follows:

K & G Concrete \$0 (Furnish Concrete)
K & G Concrete \$70,200 (Concrete Pumping Only)
Triumph Geo-Synthetics \$6,473
Sam's Equipment And Supplies \$62,000
Maneri Traffic Control \$41,000
Super Seal & Stripe \$74,078
RJ LaLonde, Inc. \$39,482

TOTAL \$293,233 or 3.9% of the total bid.

ORTIZ DID NOT MAKE A GOOD FAITH EFFORT FOR DBE PARTICIPATION

Revised Standard Specification Section 2-1.12B(3), GOOD FAITH EFFORTS SUBMITTAL, states "*The Department considers DBE commitments of other bidders in determining whether the low bidder made good faith efforts to meet the DBE goal.*"

Page 4

John McMillan, Deputy Division Chief
State Of California, Department Of Transportation
February 19, 2016

Re: 08-0N5504 Bid Protest

The claimed participation by other bidders as ranked by bid amount are as follows:

2. MCM Construction, 8.6%
3. Security Paving 8.56%
4. Granite Construction 8.27%

Considering that Ortiz's claimed participation is not accurate, that their actual participation is less than the 8% goal, and the fact that the next three bidders made the goal, it can only be objectively concluded that Ortiz had the same opportunity to make the goal as the other bidders and that, accordingly, Ortiz did not make a good faith effort to achieve the DBE goal. Consequently, Ortiz's bid does not meet the requirements for contract award.

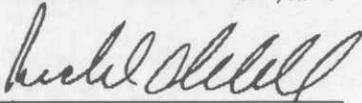
CONCLUSION

Given all the above, Caltrans should find the bid of Ortiz Enterprises, Inc. nonresponsive and award Contract 08-0N5504 to MCM Construction, Inc, the lowest responsive and responsible bidder.

Please contact the undersigned, should you have any questions or comments.

Sincerely,

MCM CONSTRUCTION, INC.



RICHARD McCALL
Vice President

/rm

Enclosures

Cc: JAC, HDM, JRC, RDB, Bid File

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 08-0N5504 Project ID: 0800020102

Bidder Name: Ortiz Enterprises, Inc.

Bidder ID: VC0000022161

ADDITIONAL SUBCONTRACTOR LIST 1

DES-OE-0102.2C (REV 03/2015)

Bidding Firm: Ortiz Enterprises, Inc.

List this sub? Yes

16) Business Name SUPER SEAL AND STRIPE

Location City FILLMORE State CA

California Contractor License Number 396627

Public Works Contractor Registration Number 1000000752

Portion of Work Subcontracted:

Item #	Description
1 20	Lead Plan
4 10	Lead Compliance
7 100	Channelizer (surface mounted)
23 100	Remove Yellow Thermoplastic Traffic Stripe
27 100	Remove Painted Traffic Stripe

List this sub? Yes

17) Business Name SUPER SEAL AND STRIPE - CONTINUED

Location City FILLMORE State CA

California Contractor License Number 396627

Public Works Contractor Registration Number 1000000752

Portion of Work Subcontracted:

Item #	Description
28 100	Remove Thermoplastic Traffic Stripe
29 100	Remove Pavement Marker
76 100	Thermoplastic Traffic Stripe (Sprayea)
77 100	Paint Pavement Marking (2 Coat)
78 100	Pavement Marker (Non-Retroreflective)

List this sub? Yes

18) Business Name SUPER SEAL AND STRIPE - CONTINUED

Location City FILLMORE State CA

California Contractor License Number 396627

Public Works Contractor Registration Number 1000000752

Portion of Work Subcontracted:

Item #	Description
79 100	Pavement Marker (Retroreflective)
6 100	STRIPING / TRAFFIC
8 60	STRIPING / TRAFFIC
12 40	STRIPING / TRAFFIC
68 100	STRIPING / TRAFFIC

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
DBE - COMMITMENT
 DED-06-9102.100 (REV 12/2014)

CONTRACT NO:
08-0N5504

BID AMOUNT:
 \$ **1,524,445.00**

BID OPENING DATE:
 02/19/16

BIDDER'S NAME:
ORTIZ ENTERPRISES INCORPORATED

DBE GOAL FROM CONTRACT %:
 7%

DBE PRIME CONTRACTOR CERTIFICATION: TOTAL NUMBER OF ALL SUBCONTRACTS (DBE & NON-DBE) TOTAL VALUE OF ALL SUBCONTRACTS (DBE & NON-DBE)

BID ITEM NO.	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED ²	WORK CATEGORY CODES ³	NAME OF DBE: <small>(Must be certified on the state bids, see cover) Include Caltrans' certification no., DBE address, and phone number. Show 2nd and lower tier subcontractors)</small>	AMOUNT: <small>(%)</small>
17,33,27-29	Pavement Marking	C8405	Supern Seal - Stripes	74,077.50
C849,76-79			PO Box 755	
FO (P)			Fillmore, Ca. 95016	
			805-524-7345	
			# 2003	

Show all DBE firms being claimed for credit, regardless of tier. Attach written confirmation from each DBE showing stating that it will be participating in the contract to perform the specific work shown for the specific amount agreed to.

The names of the 1st tier DBE subcontractors and items of work must be consistent with the Subcontractor List (Pub Cont Code § 4100 et seq.)

¹Each DBE prime contractor must enter its certification number and show all work to be performed by DBEs, including work performed by its own forces.

²If 100% of an item is not to be performed or furnished by the DBE, describe the exact portion of the item to be performed or furnished.

³Use Work Category Codes from the California Unified Certification Program database.

Total Claimed Participation: **5** %

The bidder acknowledges that it is committed to use the DBEs shown on this form to meet the contract goal (48 CFR 26.53).

Signature of Bidder

Date: **949 753-1414**
 (Area Code) Tel. No

JOHN D. SCHAAR, VICE PRESIDENT
 Person to Contact (Please Type or Print)

ADA Notice

For individuals with sensory disabilities, this document is available in alternate formats. For information, call (916) 416-1203, TTY 711, or write to Records and Forms Management, 1120 N Street, 415-B, Sacramento, CA 95814.

STATE OF CALIFORNIA—CALIFORNIA TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
OFFICE ENGINEER
1727 30th STREET, MS 43
SACRAMENTO, CA 95816-8041
PHONE (916) 227-6299
FAX (916) 227-6282
www.dot.ca.gov/hq/esc/oe



*Flex your power!
Be energy efficient!*

January 9, 2014

Facsimile: (916) 334-0562

Edmundo A. Puchi, Treasurer
M.C.M. Construction, Inc.
P.O. Box 620
North Highlands, CA 95660

04-4A5104
04-SF-280-R5.2/R6.0
B.O. 12/04/2013

Dear Mr. Puchi:

The Department of Transportation (Caltrans) received a bid submitted by M.C.M. Construction, Inc. (MCM) for Contract No. 04-4A5104 on December 4, 2013. By this letter Caltrans notifies MCM that its bid is nonresponsive because of an inconsistent Disadvantaged Business Enterprise (DBE) Commitment form and Subcontractor List form.

The Caltrans Bidder-DBE-Commitment form states in part, "...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."

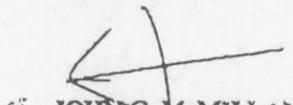
On the DBE Commitment Form submitted by MCM, CMC Traffic Control Specialists (CMC) was listed to perform bid item 5, Lane Closures. However, MCM failed to list CMC on the Subcontractor List form submitted with its bid. The inclusion of CMC and bid item 5 on the DBE Commitment Form changes the scope of work to be performed by the subcontractor.

Based on the above, Caltrans will proceed to award the contract to the lowest responsible bidder, provided that all requirements have been met.

Your attention is directed to Section 3-1.04 of 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 Branch Chief, at (916) 227-6228.

Sincerely,


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

Attachment

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
DBE - COMMITMENT
 DES-OE-0102.10D (REV 12/2014)

CONTRACT NO:
08-0N5504

BID AMOUNT:
\$ 7,524,935³²

BID OPENING DATE:
2/10/16

Low Bidder

BIDDER'S NAME:
ORTIZ ENTERPRISES INCORPORATED

DBE GOAL FROM CONTRACT %:
8%

DBE PRIME CONTRACTOR CERTIFICATION ¹ :	TOTAL NUMBER OF ALL SUBCONTRACTS (DBE & NON-DBE)	TOTAL VALUE OF ALL SUBCONTRACTS (DBE & NON-DBE)
---	--	---

BID ITEM NO.	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED ²	WORK CATEGORY CODES ²	NAME OF DBEs (Must be certified on the date bids are opened. Include California certification no., DBE address, and phone number. Show 2nd and lower tier for subcontractors)	AMOUNT (\$)
55, 56, 57	Concrete Pump Rental	00625	K-C Concrete, Inc.	530,600 -
75	Furniture Concrete (green concrete breakdown)	69907	1079 Summit Ave Suite B Pacerville, Ca 95661 916-539-6652 # 38962	

Show all DBE firms being claimed for credit, regardless of tier. Attach written confirmation from each DBE shown stating that it will be participating in the contract to perform the specific work shown for the specific amount agreed to.

The names of the 1st tier DBE subcontractors and items of work must be consistent with the Subcontractor List (Pub Cont Code § 4100 et seq.).

¹Each DBE prime contractor must enter its certification number and show all work to be performed by DBEs, including work performed by its own forces.

²If 100% of an item is not to be performed or furnished by the DBE, describe the exact portion of the item to be performed or furnished.

³Use Work Category Codes from the California Unified Certification Program database.

Total Claimed Participation
\$ 827,865 -

11 %

The bidder acknowledges that it is committed to use the DBEs shown on this form to meet the contract goal (49 CFR 28.53).

[Signature]
 Signature of Bidder

2/10/16
 Date

949 753-1414
 (Area Code) Tel. No.

JOHN D. SCHAAR, VICE PRESIDENT
 Person to Contact (Please Type or Print)

ADA Notice For individuals with sensory disabilities, this document is available in alternate formats. For information, call (916) 445-1233, TTY 711, or write to Records and Forms Management, 1120 N Street, MS-97, Sacramento, CA 95814.



CONCRETE INC.

1079 Sunrise Ave Ste B 353
ROSEVILLE, CA 95661

1300 Clay, Suite 600
OAKLAND, CA 94612

OFFICE PHONE: (916) 539.6652
FAX: (866) 878. 2769

Keaven@KandGconcrete.com
Gguillory@KandGconcrete.com

Today's Date: 02.09.2016

Bid Date:

Attention Estimator Ortiz Enterprise Inc

PROJECT: 08-0N5504

DBE QUOTE

Supply, Pump, Place, Finish, and Shotcrete

We propose to furnish all material, labor, equipment to complete the S, F.F.F, and Shotcrete portion of all concrete on this project. This proposal can be separated or used in its entirety with the exception of concrete pumping.

Caltrans Class 1 \$ 200.00 per yard

TERMS RATES CONDITIONS FOR SUPPLYING CONCRETE ALL LATE FEES WILL BE PAID BY CONTRACTOR

SALES TAX: Prices do not include any sales, excise or other applicable taxes now in effect or which may be imposed hereafter, and same is for the account of Buyer, when and where applicable.

PRICING: Unless stated, prices exclude admixtures, color or any other additions for temperature or set control.

Resubmittals required due to insufficient bidding. Fees will apply for all testing and Trial Batching.

PRICE INCREASE: September 1 2016 ADD \$ 3.50 per yard. ADD January 1, 2017 \$ 3.50 per yard

STAND BY TIME: \$ 3.50 per minute after 4 minute per yard

SHORT LOAD FEES: orders under 3 yds. \$ 250.00 per yard. 3.25 yds. to 6 yds. \$ 150.00 per yard. 6.25 yds. to 8.0 yds. \$ 100.00

HOURS OF OPERATION (7.00 am - 3.00 pm)

PUMP PRIMER LOADS \$ 500.00

PREMIUM TIME ADD \$ 8.00 per yard plus \$200.00 plant fee

SATURDAY ADD \$ 8.00 per yard

CARB FEE: ADD \$.00 per load

www.KandGconcrete.com

CSLB Lic # 982137 DBE Cert # 38962, EXP: 11/15/2018 ,, BART Cert # 4038 ,, PUC Cert # 11050070
SBE # 1752924 BUSINESS LICENSE # 1001644 DUNS# 96-734-5831 DIR # 1000004003

CEMENT AJUSTMENT \$ 7.50 (+ or -) per sack per cy

CONCRETE PUMPING RATES TERMS AND CONDITIONS ARE BASED ON PUMPING ALL CONCRETE ON THIS PROJECT

LP	\$200.00 per hour	\$5.00 per yard
28M 90' Boom	\$225.00 per hour	\$3.25 per yard
36M 118' Boom	\$225.00 per hour	\$3.25 per yard
42M 135' Boom	\$250.00 per hour	\$3.25 per yard
46M 140' Boom	\$300.00 per hour	\$3.25 per yard
Labor is included in pump rate		

- All pumps have a 5- 8 hour minimum. Billing Starts from leave yard to return at the machine rate.
- Cancellations must be 3 hours before scheduled arrival time or a three-hour cancellation charge will apply.
- Contractor is responsible for any cost that accrue because of un-pump able concrete or costs that are related to forging objects which come out of Concrete delivery trucks. Contractor will hold Concrete Delivery Company responsible for damages to pumping equipment from Concrete Delivery Companies.
- K & G Concrete Inc. will not accept back charges for any mechanical failures notwithstanding anything to the contrary in any contract between K & G Concrete, Inc., and Contractor.
- If assured performance is required, Stand-By Pumps are available at market rates.
- When a K&G Pump is unavailable a rental pump can be acquired at market rate.
- Additional Charges: \$100.00 road permit; 6 % fuel charge; Operator overtime \$ 45.00 per hour and double time \$ 90.00 per hour will be charged when applicable per Union agreement. \$200.00 for offsite wash outs; Washout Pool \$100.00 ea. (upon request) Hose Charge of \$ 1.00 per foot after 200 feet.
- Hose Jobs over 300 feet require a K&G Laborer to assist with hose at above stated rates.
- Contractor to provide SWPPPS approved prime off and washout area.
- K&G Concrete Inc. will not be liable for any cost associated with cleanup of concrete or gray water spilled on jobsite.
- A 6% monthly finance charge will be applied to account BALANCES over 30 days.

www.KandGconcrete.com

CSLB Lic # 982137 DBE Cert # 38962, EXP: 11/15/2018 ,, BART Cert # 4038 ,, PUC Cert # 11050070
SBE # 1752924 BUSINESS LICENSE # 1001644 DUNS# 96-734-5831 DIR # 1000004003

- Concrete Pumping rates will increase 5 % July 1st 2016. and another 5% every July 1st.
- Quote is valid 90 days from above price quote sent date.

LABOR TO PLACE AND OR FINISH CONCRETE

→ NOT UTILIZED

2-man crew to place all concrete on this project..... \$250.00 per hour
 AOD steel Tial Finish \$25.00 per hour
 All labor has 4-8-hour minimum. Overtime will apply when applicable labor is estimated jump over rate.
 K&G will not be responsible for finish, grade or elevation unless K&G establishes grade per any contractual agreements. Labor
 Wages increase 5% June 1st every year.
 NAICS Code 238110 Formed Concrete Foundation and Structural Work Category Code CZ800 Concrete

SHOTCRETE WETMIX OPTION

CALL FOR PRICING

Certification ID: 1263080

Dry Season Cert # 12258

Wet Season Cert # 131814

Taylor, Ernest K

ACI SHOTCRETE NOZZLEMAN DRY MIX PROCESS, VERTICAL & OVERHEAD POSITIONS

Expires, February 9, 2018 Newcastle, CA 95658-0749

Taylor, Ernest K

ACI SHOTCRETE NOZZLEMAN WET MIX PROCESS, VERTICAL & OVERHEAD POSITIONS

Expires, August 1, 2018

Newcastle, CA 95658-0749

THIS PROPOSAL IS VALID FOR A PERIOD OF 90 DAYS. IF NOT ACCEPTED IN WRITING WITHIN 90 DAYS THIS PROPOSAL SHALL Lapse AND BE VOID. THIS QUOTATION IS SPECIFIC TO THE CONTRACTOR AND PROJECT REFERENCED ABOVE AND SHALL NOT BE BINDING ON K&G CONCRETE UNLESS IT IS ACCEPTED IN WRITING AND BUYER DEMONSTRATES FINANCIAL RESPONSIBILITY REASONABLY SATISFACTORY TO K&G CONCRETE. SHOULD K&G COMMENCE LITIGATION TO ENFORCE PAYMENT, THE PREVAILING PARTY SHALL BE ENTITLED TO REASONABLE ATTORNEY'S FEES AND COURT COST. CONTRACTOR WILL INDemnIFY, HOLD HARMLESS AND DEFEND K&G CONCRETE AGAINST ANY AND ALL LOSSES, DAMAGES, LIABILITIES AND CLAIMS OF ANY KIND WHATSOEVER, INCLUDING REASONABLE ATTORNEY'S FEES AND COURT COST, WHICH ARISE DIRECTLY OR INDIRECTLY OUT OF CONTRACTORS PURCHASE PURSUANT TO THIS PURCHASE AGREEMENT, INCLUDING BUT NOT LIMITED TO INJURY TO PROPERTY AND PERSONS, INCLUDING DEATH. THIS INDEMNITY APPLIES REGARDLESS OF ANY NEGLIGENCE ACT OR OMISSION OF K&G CONCRETE OR ITS AGENTS OR EMPLOYEES.

Your time and efforts are very much appreciated.

www.KandGconcrete.com

CSLB Lic # 982137 DBE Cert # 38962, EXP: 11/15/2018 ,, BART Cert # 4038 ,, PUC Cert # 11050070
 SBE # 1752924 BUSINESS LICENSE # 1001644 DUNS# 96-734-5831 DJR # 1000004003

Resource Utilization: Rented Construction Equipment

ORTIZ ENTERPRISES, INC.

Job Code: 16-002

Description: Caltrans 08 - Watson Wash Bridge

Code	Description	Rented Equipment Plug Rate/Hr	RE Rented Plug Rate/Hr	RE Oper. Plug Rate/Hr	Total Pay Hours	Awarded Rate/Hr	Tax Rate on RE Rented	Tax Amount on RE Rented	Total Cost	Fuel Type	Fuel Amount	Fuel Unit of Measure
RBC824	(B) Cat 824	122.00	0.00	0.00	48.00		0.00 %	0.00	5,856.00			
RBCDDV39	(B) Cat 39' Dual Drum	25.00	25.00	0.00	68.00		0.00 %	0.00	1,700.00			
RBCDDV47	(B) Cat 47' Dual Drum	25.00	25.00	0.00	77.40		0.00 %	0.00	1,935.04			
RBCSDV84	(B) Cat 84' Smooth Drum	65.00	0.00	0.00	42.00		0.00 %	0.00	2,730.00			
RBD6	(B) Cat D-6	84.00	0.00	0.00	8.00		0.00 %	0.00	672.00			
RBD8	(B) Cal D-8	148.00	0.00	0.00	48.00		0.00 %	0.00	7,104.00			
RBE	(B) Cat 446 B-Hoe	45.00	45.00	0.00	8.04		0.00 %	0.00	361.63			
RBE330	(B) Cat 330 Exc	111.00	0.00	0.00	155.68		0.00 %	0.00	17,280.95			
RBE345	(B) Cat 345 Exc	136.00	0.00	0.00	64.22		0.00 %	0.00	8,733.67			
RBE446	(B) Cat 446 B-Hoe	46.00	0.00	0.00	140.00		0.00 %	0.00	6,440.00			
RBG140	(B) Cat 140H	77.00	0.00	0.00	119.40		0.00 %	0.00	9,193.93			
RBLSKIP	(B) Skip Loader	40.00	40.00	0.00	81.04		0.00 %	0.00	3,241.48			
RBS613	(B) Cal 613C	76.00	0.00	0.00	64.70		0.00 %	0.00	4,852.56			
RELSKIP	Skiploader 4X4	108.00	108.00	0.00	20.43		0.00 %	0.00	2,205.92			
REX416	Cat 416 Backhoe-17'	110.00	110.00	0.00	32.00		0.00 %	0.00	3,520.00			
RHFB40	40' Flatbed	80.00	0.00	0.00	144.00		0.00 %	0.00	11,520.00			
RLCHYD45	45 TN Hydraulic Crane	235.00	235.00	0.00	72.00		0.00 %	0.00	16,920.00			
RLCRT22T	22 TN Rough Terrain Crane	53.13	53.13	0.00	219.04		0.00 %	0.00	11,636.75			
RLCTRK45	45 TN Truck Crane	235.00	235.00	0.00	75.90		0.00 %	0.00	17,835.90			
RLFORK	Forklift-Bare	40.00	40.00	0.00	120.00		0.00 %	0.00	4,800.00			
RLTBRK	Boom Truck	73.00	73.00	0.00	80.00		0.00 %	0.00	5,840.00			
RP190	Conc Pump 140' (D)	300.00	0.00	0.00	60.00		0.00 %	0.00	18,000.00			
RP75	Conc Pump 90' (O)	225.00	0.00	0.00	178.00		0.00 %	0.00	40,050.00			
RSBID	Bidwell Finisher	125.00	125.00	0.00	48.00		0.00 %	0.00	6,000.00			
RSEQUIP	Small Equipment	12.00	12.00	0.00	2,763.90		0.00 %	0.00	33,166.81			
RSMLIFT	Manlift	26.00	26.00	0.00	560.81		0.00 %	0.00	14,581.04			
RSTOOL	Small Tool	7.00	7.00	0.00	5,212.86		0.00 %	0.00	36,488.84			
RT10SPR	Super 10 Wheel Dump	92.00	0.00	0.00	223.76		0.00 %	0.00	20,585.60			
RT10WHL	10 Wheel Dump Truck	90.00	0.00	0.00	494.80		0.00 %	0.00	44,532.16			
RT7AXLE	7 Axle Transport	126.00	126.00	0.00	80.00		0.00 %	0.00	10,080.00			
RTSEMIFB	Semi-Flat Bed	92.00	0.00	0.00	1,084.74		0.00 %	0.00	99,796.15			
RTSWEEPR	Steel Sweeper-Operated	125.00	0.00	0.00	8.00		0.00 %	0.00	1,000.00			
RTWTR2M	Water Truck-2000 gal	59.00	59.00	0.00	20.43		0.00 %	0.00	1,205.09			
RTWTR4M	Water Truck-4000 Gal	70.00	0.00	0.00	526.28		0.00 %	0.00	36,838.50			
Grand Totals					12,949.21			0.00	506,703.83			

Code	Description	Rental Equipment Plug Rate/Hr	RE Rented Plug Rate/Hr	RE Oper. Plug Rate/Hr	Total Pry Hours	Awarded Rate/Hr	Tax Rate on RE Rented	Tax Amount on RE Rented	Total Goals	Fuel Type	Fuel Amount	Fuel Unit of Measure
------	-------------	-------------------------------------	------------------------------	-----------------------------	-----------------------	--------------------	-----------------------------	-------------------------------	-------------	-----------	----------------	-------------------------

Fuel Summary

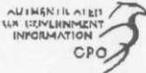
Fuel Type	Unit of Measure	Total Amount
-----------	-----------------	--------------

K:G

Pump Rental 58,050 =
 Travel Time 12,150 = (54 Hours @ 225 =)
 Fuel Consum 460,400 = (2302 cu. @ 200 =)

55 474 cu. Fuel oil
 56 1403 cu. 3hr. Conv.
 57 150 cu. app slab
 73 275 cu. 736 Harnier
2302 cu.

530,600



§26.55

as appropriate, for the subcontracts it lets. Recipients must maintain oversight of the master contractor's activities to ensure that they are conducted consistent with the requirements of this part.

(f)(1) You must require that a prime contractor not terminate for convenience a DBE subcontractor listed in response to paragraph (b)(2) of this section (or an approved substitute DBE firm) and then perform the work of the terminated subcontract with its own forces or those of an affiliate, without your prior written consent.

(2) When a DBE subcontractor is terminated, or fails to complete its work on the contract for any reason, you must require the prime contractor to make good faith efforts to find another DBE subcontractor to substitute for the original DBE. These good faith efforts shall be directed at finding another DBE to perform at least the same amount of work under the contract as the DBE that was terminated, to the extent needed to meet the contract goal you established for the procurement.

(3) You must include in each prime contract a provision for appropriate administrative remedies that you will invoke if the prime contractor fails to comply with the requirements of this section.

(g) You must apply the requirements of this section to DBE bidders/offers for prime contracts. In determining whether a DBE bidder/offers for a prime contract has met a contract goal, you count the work the DBE has committed to performing with its own forces as well as the work that it has committed to be performed by DBE subcontractors and DBE suppliers.

§26.55 How is DBE participation counted toward goals?

(a) When a DBE participates in a contract, you count only the value of the work actually performed by the DBE toward DBE goals.

(1) Count the entire amount of that portion of a construction contract (or other contract not covered by paragraph (a)(2) of this section) that is performed by the DBE's own forces. Include the cost of supplies and materials obtained by the DBE for the work of

49 CFR Subtitle A (10-1-09 Edition)

the contract, including supplies purchased or equipment leased by the DBE (except supplies and equipment the DBE subcontractor purchases or leases from the prime contractor or its affiliate).

(2) Count the entire amount of fees or commissions charged by a DBE firm for providing a bona fide service, such as professional, technical, consultant, or managerial services, or for providing bonds or insurance specifically required for the performance of a DOT-assisted contract, toward DBE goals, provided you determine the fee to be reasonable and not excessive as compared with fees customarily allowed for similar services.

(3) When a DBE subcontracts part of the work of its contract to another firm, the value of the subcontracted work may be counted toward DBE goals only if the DBE's subcontractor is itself a DBE. Work that a DBE subcontracts to a non-DBE firm does not count toward DBE goals.

(b) When a DBE performs as a participant in a joint venture, count a portion of the total dollar value of the contract equal to the distinct, clearly defined portion of the work of the contract that the DBE performs with its own forces toward DBE goals.

(c) Count expenditures to a DBE contractor toward DBE goals only if the DBE is performing a commercially useful function on that contract.

(1) A DBE performs a commercially useful function when it is responsible for execution of the work of the contract and is carrying out its responsibilities by actually performing, managing, and supervising the work involved. To perform a commercially useful function, the DBE must also be responsible, with respect to materials and supplies used on the contract, for negotiating price, determining quality and quantity, ordering the material, and installing (where applicable) and paying for the material itself. To determine whether a DBE is performing a commercially useful function, you must evaluate the amount of work subcontracted, industry practices, whether the amount the firm is to be paid under the contract is commensurate with the work it is actually performing and the

Office of the Secretary of Transportation

§26.55

DBE credit claimed for its performance of the work, and other relevant factors.

(2) A DBE does not perform a commercially useful function if its role is limited to that of an extra participant in a transaction, contract, or project through which funds are passed in order to obtain the appearance of DBE participation. In determining whether a DBE is such an extra participant, you must examine similar transactions, particularly those in which DBEs do not participate.

(3) If a DBE does not perform or exercise responsibility for at least 30 percent of the total cost of its contract with its own work force, or the DBE subcontracts a greater portion of the work of a contract than would be expected on the basis of normal industry practice for the type of work involved, you must presume that it is not performing a commercially useful function.

(4) When a DBE is presumed not to be performing a commercially useful function as provided in paragraph (c)(3) of this section, the DBE may present evidence to rebut this presumption. You may determine that the firm is performing a commercially useful function given the type of work involved and normal industry practices.

(5) Your decisions on commercially useful function matters are subject to review by the concerned operating administration, but are not administratively appealable to DOT.

(d) Use the following factors in determining whether a DBE trucking company is performing a commercially useful function:

(1) The DBE must be responsible for the management and supervision of the entire trucking operation for which it is responsible on a particular contract, and there cannot be a contrived arrangement for the purpose of meeting DBE goals.

(2) The DBE must itself own and operate at least one fully licensed, insured, and operational truck used on the contract.

(3) The DBE receives credit for the total value of the transportation services it provides on the contract using trucks it owns, insures, and operates using drivers it employs.

(4) The DBE may lease trucks from another DBE firm, including an owner-operator who is certified as a DBE. The DBE who leases trucks from another DBE receives credit for the total value of the transportation services the lessee DBE provides on the contract.

(5) The DBE may also lease trucks from a non-DBE firm, including from an owner-operator. The DBE who leases trucks from a non-DBE is entitled to credit for the total value of transportation services provided by non-DBE lessees not to exceed the value of transportation services provided by DBE-owned trucks on the contract. Additional participation by non-DBE lessees receives credit only for the fee or commission it receives as a result of the lease arrangement. If a recipient chooses this approach, it must obtain written consent from the appropriate Department Operating Administration.

Example to this paragraph (d)(5): DBE Firm X uses two of its own trucks on a contract. It leases two trucks from DBE Firm Y and six trucks from non-DBE Firm Z. DBE credit would be awarded for the total value of transportation services provided by Firm X and Firm Y, and may also be awarded for the total value of transportation services provided by four of the six trucks provided by Firm Z. In all, full credit would be allowed for the participation of eight trucks. With respect to the other two trucks provided by Firm Z, DBE credit could be awarded only for the fees or commissions pertaining to those trucks Firm X receives as a result of the lease with Firm Z.

(6) For purposes of this paragraph (d), a lease must indicate that the DBE has exclusive use of and control over the truck. This does not preclude the leased truck from working for others during the term of the lease with the consent of the DBE, so long as the lease gives the DBE absolute priority for use of the leased truck. Leased trucks must display the name and identification number of the DBE.

(e) Count expenditures with DBEs for materials or supplies toward DBE goals as provided in the following:

(1)(i) If the materials or supplies are obtained from a DBE manufacturer, count 100 percent of the cost of the materials or supplies toward DBE goals.

§26.61

(ii) For purposes of this paragraph (e)(1), a manufacturer is a firm that operates or maintains a factory or establishment that produces, on the premises, the materials, supplies, articles, or equipment required under the contract and of the general character described by the specifications.

(2)(i) If the materials or supplies are purchased from a DBE regular dealer, count 60 percent of the cost of the materials or supplies toward DBE goals.

(ii) For purposes of this section, a regular dealer is a firm that owns, operates, or maintains a store, warehouse, or other establishment in which the materials, supplies, articles or equipment of the general character described by the specifications and required under the contract are bought, kept in stock, and regularly sold or leased to the public in the usual course of business.

(A) To be a regular dealer, the firm must be an established, regular business that engages, as its principal business and under its own name, in the purchase and sale or lease of the products in question.

(B) A person may be a regular dealer in such bulk items as petroleum products, steel, cement, gravel, stone, or asphalt without owning, operating, or maintaining a place of business as provided in this paragraph (e)(2)(ii) if the person both owns and operates distribution equipment for the products. Any supplementing of regular dealers' own distribution equipment shall be by a long-term lease agreement and not on an ad hoc or contract-by-contract basis.

(C) Packagers, brokers, manufacturers' representatives, or other persons who arrange or expedite transactions are not regular dealers within the meaning of this paragraph (e)(2).

(3) With respect to materials or supplies purchased from a DBE which is neither a manufacturer nor a regular dealer, count the entire amount of fees or commissions charged for assistance in the procurement of the materials and supplies, or fees or transportation charges for the delivery of materials or supplies required on a job site, toward DBE goals, provided you determine the fees to be reasonable and not excessive as compared with fees customarily al-

49 CFR Subtitle A (10-1-09 Edition)

lowed for similar services. Do not count any portion of the cost of the materials and supplies themselves toward DBE goals, however.

(f) If a firm is not currently certified as a DBE in accordance with the standards of subpart D of this part at the time of the execution of the contract, do not count the firm's participation toward any DBE goals, except as provided for in §26.67(i).

(g) Do not count the dollar value of work performed under a contract with a firm after it has ceased to be certified toward your overall goal.

(h) Do not count the participation of a DBE subcontractor toward a contractor's final compliance with its DBE obligations on a contract until the amount being counted has actually been paid to the DBE.

(64 FR 5126, Feb. 2, 1999, as amended at 65 FR 68951, Nov. 15, 2000; 80 FR 35554, June 16, 2003)

Subpart D—Certification Standards**§26.61 How are burdens of proof allocated in the certification process?**

(a) In determining whether to certify a firm as eligible to participate as a DBE, you must apply the standards of this subpart.

(b) The firm seeking certification has the burden of demonstrating to you, by a preponderance of the evidence, that it meets the requirements of this subpart concerning group membership or individual disadvantage, business size, ownership, and control.

(c) You must rebuttably presume that members of the designated groups identified in §26.67(a) are socially and economically disadvantaged. This means they do not have the burden of proving to you that they are socially and economically disadvantaged. In order to obtain the benefit of the rebuttable presumption, individuals must submit a signed, notarized statement that they are a member of one of the groups in §26.67(a). Applicants do have the obligation to provide you information concerning their economic disadvantage (see §26.67).

(d) Individuals who are not presumed to be socially and economically disadvantaged, and individuals concerning whom the presumption of disadvantage has been rebutted, have the burden of



Quotation 0021066562

Prepared for:
MCM CONSTRUCTION INC

Available upon request at an additional charge call for pricing.

Euclid Fiberstrand 150-1/4
Tuf Strand SF
Stealth Fiber 3/4 Monofmt
Fibrillated 3/4 & 1-1/2

Miscellaneous:

Seller reserves the right to (i) increase prices on any quotes or accepted orders without notice to reflect any raw material cost increases or surcharges incurred by Seller and (ii) defer or cancel any quotes or accepted orders in the event Seller becomes delayed or prevented from performing due to shortages or allocations of raw materials. In the event of a delay or cancellation resulting from shortages or allocations of raw materials, Seller shall not be liable to Buyer for any damages incurred by Buyer as a result of any such delay or cancellation.

General:

Saturday Service \$3.50 per yard.

Prices quoted do not include Sunday or Holiday shipments, nor does it include any off-hour or overtime shipments. This quote applies to only our regular single-shift plant operating times which may vary. Additional plant opening charges will apply for deliveries or pick-ups outside of these stated times above.

Sales Tax:

Sales tax will be added to invoice if no tax exemption form received at the time of invoicing the material. Arizona Mining Tax will apply on all shipments crossing state lines.

Item	QTY	Material	Description	Price	Per UOM	Total
10	1.000 YD3	1586612	3000psi 0.60 W/C Ash #57	180.00	1 YD3	180.00
20	1.000 YD3	1389841	4000psi #57 28% FA STD	153.50	1 YD3	153.50
30	1.000 YD3	1332903	#57 4500psi ASH STD	157.00	1 YD3	157.00
40	1.000 YD3	1417337	STATE S 5000 #67 Fly Ash	183.00	1 YD3	183.00
50	1.000 YD3	1231310	LEAN CONCRETE BASE	110.00	1 YD3	110.00
60	1 PC	1202749	ENVIRONMENTAL FEE	15.00	1 PC	15.00
70	1 PC	1237343	LAB TESTING	3,000.00	1 PC	3,000.00
80	1 PC	1247618	FUEL SURCHARGE ADJ	8.00	1 PC	8.00
90	1.000 TON	1312681	WASHED SAND	15.50	1 TON	15.50
100	1.000 TON	1338011	1" BASE COURSE	8.75	1 TON	8.75

Quotation Total 3,790.75

SALES TAX NOT INCLUDED

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
DBE - COMMITMENT
 DES-DE-0102.10D (REV 12/2/14)

CONTRACT NO:
 08-0N5504

BID AMOUNT:

BID OPENING DATE:
 2/10/16

BIDDER'S NAME:
ORTIZ ENTERPRISES INCORPORATED

DBE GOAL FROM CONTRACT %:

DBE FIRM CONTRACTOR CERTIFICATION: TOTAL NUMBER OF ALL SUBCONTRACTS (DBE & NON-DBE) TOTAL VALUE OF ALL SUBCONTRACTS (DBE & NON-DBE)

BID ITEM NO.	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED ²	WORK CATEGORY CODES ²	NAME OF DBE ¹ (Must be certified on the date bids are opened. Include Contractor's certification no., DBE address, and phone number. Show 2nd and lower tier subcontractors)	AMOUNT (\$)
33,34,41,42	Equipment (Part 1)	235910	R. J. Leland, Inc.	107,397 ⁰⁰
43,44,45,46		C9907	2508 N. Palm Dr. #200	
47,48			Signal Hill Ca 90753	
			562-558-6655	
			#40402 H879	

Show all DBE firms being claimed for credit, regardless of tier. Attach written confirmation from each DBE shown stating that it will be participating in the contract to perform the specific work shown for the specific amount agreed to.

The names of the 1st tier DBE subcontractors and items of work must be consistent with the Subcontractor List (Proc Cont Code § 4100 et seq.).

¹Each DBE primary contractor must enter its certification number and show all work to be performed by DBEs, including work performed by its own forces.

²If 100% of an item is not to be performed or furnished by the DBE, describe the exact portion of the item to be performed or furnished.

³Use Work Category Codes from the California Unified Certification Program database.

Total Claimed Participation \$

The bidder acknowledges that it is committed to use the DBEs shown on this form to meet the contract goal (40 CFR 26.53).

Signature of Bidder
 Date: 349 753-1414
 (Area Code) Tel No.

JOHN D. SCHAAR, VICE PRESIDENT
 Person to Contact (Please Type or Print)

ADA Notice For individuals with sensory disabilities, this document is available in alternate formats. For information, call (916) 445-1230, TTY 711, or write to Records and Forms Management, 1120 H Street, MS-89, Sacramento, CA 95814.

R. J. LaLonde, Inc.

EQUIPMENT RENTAL

DBE / WBE / SBE

DIR 1000002001

Ortiz Enterprises

Attn: Estimating

Re: Const St Hwy in San Bernardino County near Fenner

Watson Wash Bridge

Contract No. 08-0N5504

R.J. Lalonde, Inc proposes to furnish equipment for the above referenced project.

EXCAVATORS

	OPERATED	BARE		
	HOURLY	DAY	WEEK	MONTH
CAT 303 / JD380 MINI EX	\$165	\$300	\$1,200	\$3,600
CAT 308 / JD85 MINI EX	180	400	1,600	4,800
CAT 314 / DEERE 135	200	475	1,900	5,700
CAT 320C	220	600	2,400	7,200
CAT 321 - ZERO TAIL SWING	225	650	2,600	7,800
CAT 320 CL Long Reach	215	750	3,000	9,000
CAT M322D / DOOSAN 210 RUBBER TIRE EX	230	725	2,900	8,700
CAT 328 / KOM 308 - ZERO TAIL SWING	235	800	3,200	9,600
CAT 336 / CAT 330 / HIT 300	245	850	3,400	10,200
CAT 349 / HIT 470	265	1,050	4,200	12,600
DEERE 800 / HIT 850	380	n/a	7,500	22,500

EXCAVATOR ATTACHMENTS

	HOURLY	DAY	WEEK	MONTH
HYD. THUMB	35	195	780	2,340
COMPACTION WHEEL	55	150	600	1,800
MINI-EX BREAKER	55	300	1,200	3,600
4,500LB. BREAKER	105	475	1,900	5,700
6,500LB. / 7,500LB. BREAKER	135	750	3,000	9,000
10,000LB. BREAKER	165	950	3,800	11,400

WHEEL LOADERS

	HOURLY	DAY	WEEK	MONTH
SKIP	185	275	1,100	3,300
CAT 950H / DEERE 644 K	190	600	2,400	7,200
CAT 950H / DEERE 644K FORKS	200	675	2,700	8,100
CAT 950H / DEERE 644K / 4IN1 / SIDE DUMP	205	700	2,800	8,400
CAT 966H / 956G	205	775	3,100	9,300

CAT 980G	215	1,050	4,200	12,600
CAT 226B SKIDSTEER	150	250	1,000	3,000
SKIDSTEER BREAKER	50	225	900	2,700
BACKHOES	HOURLY	DAY	WEEK	MONTH
CASE 590	170	300	1,200	3,600
DEERE 710J / 710G / CAT 450E	185	450	1,800	5,400
BACKHOE ATTACHMENTS	HOURLY	DAY	WEEK	MONTH
COMPACTION WHEEL	50	125	500	1,500
SWIVEL	30	95	380	1,140
VIBE PLATE	65	300	1,200	3,600
BREAKER	75	325	1,300	3,900
TRACK LOADERS	HOURLY	DAY	WEEK	MONTH
CAT 938	180	500	2,000	6,000
CAT 963 B/C	225	900	3,600	10,800
DOZERS	HOURLY	DAY	WEEK	MONTH
DEERE 450J / 450H / DUAL SLOPEBOARDS	180	500	2,000	6,000
DEERE 850K DZR	205	725	2,900	8,700
D-6 / SLOPEBOARD	210	800	3,200	9,600
BLADES	HOURLY	DAY	WEEK	MONTH
CAT 140H	185	850	2,800	7,800
ROLLERS	HOURLY	DAY	WEEK	MONTH
CAT CS54 84" SMOOTH	180	450	1,800	5,400
CAT CP56 84" PADDED	185	475	1,900	5,700

R.J. Lalonde, Inc
 Janelle Fausch
 562-595-8855

DBE #4882 / WBE 11889

2508 N. Palm Dr. #200 Signal Hill, CA 90755

562-595-6655

562-595-8833

Resource Utilization: Rented Construction Equipment
 ORTIZ ENTERPRISES, INC.
 Job Code: 16-002
 Description: Caltrans 08 - Watson Wash Bridge

Code	Description	Rented Equipment Plug Rate/Hr	RE Rented Plug Rate/Hr	RE Oper. Plug Rate/Hr	Total Pay Hours	Assessed Rate/Hr	Tax Rate on RE Rented	Tax Amount on RE Rented	Total Costs	Fuel Type	Fuel Amount	Fuel Unit of Measure
RBC824	(B) Cat 824	122.00	0.00	0.00	48.00		0.00 %	0.00	5,856.00	Y		
RBCDDV39	(B) Cat 39" Dual Drum	25.00	25.00	0.00	58.00		0.00 %	0.00	1,700.00	X		
RBCDDV47	(B) Cat 47" Dual Drum	25.00	25.00	0.00	77.20		0.00 %	0.00	1,935.00	X		
RBCSDV84	(B) Cat 84" Smooth Drum	65.00	0.00	0.00	42.00		0.00 %	0.00	2,730.00	Y		
RBD6	(B) Cat D-6	84.00	0.00	0.00	9.00		0.00 %	0.00	672.00	Y		
RBC8	(B) Cat D-8	148.00	0.00	0.00	48.00		0.00 %	0.00	7,504.00	X		
RBE	(B) Cat 448 B-Hoe	45.00	45.00	0.00	8.04		0.00 %	0.00	362.25	X		
RBE330	(B) Cat 330 Exc	111.00	0.00	0.00	155.68		0.00 %	0.00	17,280.95			
RBE345	(B) Cat 345 Exc	130.00	0.00	0.00	64.22		0.00 %	0.00	8,733.67			
RBE446	(B) Cat 448 B-Hoe	48.00	0.00	0.00	140.00		0.00 %	0.00	6,840.00	X		
RBG140	(B) Cat 140H	77.00	0.00	0.00	119.40		0.00 %	0.00	9,193.80	X		
RBL5KLP	(B) Skip Loader	40.00	40.00	0.00	81.04		0.00 %	0.00	3,241.60	X		
RSS613	(B) Cat 613C	75.00	0.00	0.00	64.70		0.00 %	0.00	4,852.50	X		
RELSKLP	Skiploader 4X4	108.00	108.00	0.00	20.43		0.00 %	0.00	2,203.60	X		
REX416	Cat 416 Backhoe-17'	110.00	110.00	0.00	32.00		0.00 %	0.00	3,520.00	X		
RHFB40	40' Flatbed	80.00	0.00	0.00	144.00		0.00 %	0.00	11,520.00			
RLCHYD45	45 TN Hydraulic Crane	235.00	235.00	0.00	72.00		0.00 %	0.00	16,920.00			
RLCRT22T	22 TN Rough Terrain Crane	53.13	53.13	0.00	219.04		0.00 %	0.00	11,638.75			
RLCTRK45	45 TN Truck Crane	235.00	235.00	0.00	75.90		0.00 %	0.00	17,835.90			
RLFORK	Forklift-Bare	40.00	40.00	0.00	120.00		0.00 %	0.00	4,800.00			
RLTBTRK	Boom Truck	73.00	73.00	0.00	80.00		0.00 %	0.00	5,840.00			
RP190	Conc Pump 19' (O)	296.00	0.00	0.00	60.00		0.00 %	0.00	17,760.00			
RP75	Conc Pump 75' (O)	161.00	0.00	0.00	178.00		0.00 %	0.00	28,658.00			
RSBID	Bidwell Finishes	125.00	125.00	0.00	49.60		0.00 %	0.00	6,000.00			
RSEQUIP	Small Equipment	12.00	12.00	0.00	2,762.90		0.00 %	0.00	33,166.81			
RSMLIFT	Manlift	26.00	26.00	0.00	560.81		0.00 %	0.00	14,581.04			
RSTCOL	Small Tool	7.00	7.00	0.00	5,212.85		0.00 %	0.00	36,488.64			
RT1DSPR	Super 10 Wheel Dump	92.00	0.00	0.00	223.78		0.00 %	0.00	20,585.60			
RT10WHL	10 Wheel Dump Truck	90.00	0.00	0.00	494.80		0.00 %	0.00	44,532.16			
RT7AXLE	7 Axle Transport	128.00	128.00	0.00	80.00		0.00 %	0.00	10,380.00			
RTSEMIFB	Semi-Flat Bed	92.00	0.00	0.00	1,084.74		0.00 %	0.00	99,796.15			
RTSWEEP	Street Sweeper-Operated	125.00	0.00	0.00	8.00		0.00 %	0.00	1,000.00			
RTWTR2M	Water Truck-2000 Gal	58.00	59.00	0.00	20.43		0.00 %	0.00	1,205.00			
RTWTR4M	Water Truck-4000 Gal	70.00	0.00	0.00	526.26		0.00 %	0.00	36,838.50			

Grand Totals

12,649.21

0.00 495,071.83

18,043
 25,507
 107,397
 839,482

Hours ~~272~~ 272

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
DBE - COMMITMENT
DES-06-0102.100 (REV 12/2014)

CONTRACT NO:
08-0N5504

BID AMOUNT:
\$ 5,244,857.54

BID OPENING DATE:
2/19/16

BIDDER'S NAME:
ORTIZ ENTERPRISES INCORPORATED

DBE GOAL FROM CONTRACT %:
0%

DBE PRIME CONTRACTOR CERTIFICATION ¹	TOTAL NUMBER OF ALL SUBCONTRACTS (DBE & NON-DBE)	TOTAL VALUE OF ALL SUBCONTRACTS (DBE & NON-DBE)
---	--	---

BID ITEM NO.	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED ²	WORK CATEGORY CODES ³	NAME OF DBEs (Must be certified on the dbe bids are listed, include California's certification no., DBE address, and phone number. Show 2nd and 3rd party for subcontractors)	AMOUNT (\$)
186367	Juan Papi: Eavista	C0672	Triumph Bio Systems	10788
	Maintenals	C0671	1225 W. Grove St. Aachen, Ca 92806 888-775-7545 #9076	

Show all DBE firms being claimed for credit, regardless of tier. Attach written confirmation from each DBE stating that it will be participating in the contract to perform the specific work shown for the specific amount agreed to.

The names of the 101 DBE subcontractors and items of work must be consistent with the Subcontractor List (Pub Conf Code § 4100 et seq.).

¹Each DBE prime contractor must enter its certification number and show all work to be performed by DBEs, including work performed by its own forces.

²If 100% of an item is not to be performed or furnished by the DBE, describe the exact portion of the item to be performed or furnished.

³Use Work Category Codes from the California Unified Certification Program database.

Total Claimed Participation

\$

%

The bidder acknowledges that it is committed to use the DBEs shown on this form to meet the contract goal (49 CFR 26.53).

Signature of Bidder

949 753-1414
(Area Code) Tel. No.

Date

JOHN D. SCHAAR, VICE PRESIDENT
Person to Contact (Please Type or Print)

ADA Notice

For individuals with sensory disabilities, this document is available in alternate formats. For information, call (916) 445-1233, TTY 711, or write to Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

10786



TRIUMPH GEO-SYNTHETICS, INC.

1235 N. GROVE ST. ANAHEIM, CA 92805

PHONE (888) 775-7545 FAX (714) 237-1549

Certified DBE/WBE/SBE/UDBE Sales@TriumphGeo.com

QUOTATION/0786

Quote Number

82771

PLEASE REFERENCE THIS QUOTE #

**** FINAL MATERIAL QUANTITY IS SOLE RESPONSIBILITY OF CONTRACTOR ****

To: **John Schaar**

Ortiz Enterprises, Inc.
6 Cushing, Suite 200
Irvine, CA 92618-4221
949-753-1414

Bid/Project Date: Tuesday, 02/09/2016
Project Name: Watson Wash Bridge
Project Location: CA
Project Zip:
Bid/Project #: 08-0N5504

Fax: 949-753-1477

Email: jschaar@ortizent.com

FOR QUESTIONS ABOUT THIS QUOTE, PLEASE CALL TRIUMPH AT (888) 775-7545 OR EMAIL SALES@TRIUMPHGEO.COM

Bid Item #	Est Qty	Units	Part #	Description	Price	Units	
63	445	LF	24" CSP 16ga	24"x20" Corrugated Steel Pipe 16 gauge	\$15.040	LF	\$6,692.80
23		EA	24" CSP Band Coupler	24" Corrugated Steel Pipe Band Coupler	\$23.370	EA	\$537.51
				THERE IS A 7-13 DAY LEAD TIME ON CSP PIPE			
				Estimated Freight For CSP Pipe To Job site	\$700.000		\$700.00
				Note: Fuel surcharges may apply.			
78	1,500	LF	Fiber Roll 816-8725	Carltrans Fiber Roll, Biodegradable Net, 8"x26" BURLAP COVER	\$0.984	LF	\$1,476.00
					\$24.600	Roll	
8		Box	Wood Stakes 24"	1"x2"x24" Wood Stakes 50/bundle	\$14.400	Box	\$115.20
						Ea	
67	1,000	SY	99-180NC-15	Mireff 180NC Nonwoven Geotextile, 15' X 300', 600 SY/roll	\$0.942	SY	\$941.99
					\$470.895	roll	
				EROSION CONTROL & FABRIC USUALLY ALWAYS IN STOCK			
				Estimated Freight For Erosion Control & Fabric To Job site	\$325.000		\$325.00
				Note: Fuel surcharges may apply.			

WBE / DBE / SBE SUPPLY 60% credit or per project specs. Contractor to confirm product qualification at bid date. Price Quote Firm 30 Days from Bid Subject to escalation thereafter. Orders less than bid quantity subject to Unit Price Increase. Quotes are for standard roll sizes unless noted otherwise. Quantities based upon customer provided data or engineers estimate. Determination of all quantities required for completion of project is sole responsibility of contractor.

RETURNS: Returns within 30 days of sale subject to a 25% restocking charge plus freight in and out. Must be in original packing & in good condition. No returns accepted on nonstandard or custom fabrication. Materials manufactured for a specific project are NOT returnable. All returns must have a Return Authorization Number

Sales Tax NOT INCLUDED in prices.

FUEL SURCHARGES may apply due to volatile market conditions differing from time of quote

TERMS: Accounts due 30 days of Invoice Date. Finance Charge 1.5% per month Past 30 Days. Customer agrees to pay all legal interest and collection fees incurred by company in collection of payment. WILL CALL ITEMS not available at all locations

