

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!*

May 27, 2014

Facsimile: (909) 884-7106

Stephen M. Works, Senior Estimator
Cal Stripe, Inc.
2040 E. Steel Road
Colton, CA 92324

08-0R2104
08-Riv-60-RO.0/11.9
B.O. 05/08/2014

Dear Mr. Works:

The Department of Transportation (Caltrans) received the attached letter dated May 20, 2014, from Cal Stripe, Inc. (Cal Stripe), protesting the bid submitted by Sterndahl Enterprises' (Sterndahl) for contract number 08-0R2104. The protest alleges that Sterndahl identified Maneri Traffic Control (Maneri) as performing 86 percent of Bid Items 2 and 3 (Construction Area Signs and Traffic Control) for a total of \$23,564.00. The protest also alleges that Sterndahl's claimed Disadvantaged Business Enterprise (DBE) participation for Maneri is inconsistent with the dollar amounts listed on the Subcontractors List form. Cal Stripe requests Caltrans to find the bid submitted by Sterndahl nonresponsive and award the contract to lowest responsible bidder.

Caltrans reviewed the bid documents submitted by Sterndahl and finds that Column 3 on the Subcontractors List form is representative of the total amount of work to be performed by the subcontractor and the percentage listed is not applied to the bid item total, nor is it used to calculate the amount of claimed DBE participation, since the bid item total includes the bidders profit and overhead.

Based on the finding above, Caltrans finds that protest submitted by Cal Stripe has no bearing on the award of this contract.

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

CAL STRIPE, INC.

GENERAL ENGINEERING CONTRACTOR License #685387
2040 E. Steel Rd. Colton, CA 92324
(909) 884-7170 Office (909) 884-7106 Fax

MAY 20, 2014

Department of Transportation
Division of Engineering Services; Office Engineer, MS43
1727 30th Street
Sacramento, California 95816
Attn: John C. McMillan

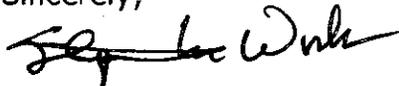
Re: Bid Protest of Apparent Low Bidder

Subject: Caltrans Contract #08-0R2104

Dear Mr. McMillan;

Cal Stripe, Inc. has reviewed the bid forms for the above referenced project as submitted by Sterndahl Enterprises. Sterndahl Enterprises' total bid for this project is \$267,620.00. The DBE goal for the project is 9%. Sterndahl's Subcontractors Form listed Maneri Traffic Control for 86% of Items 2 and 3. Item 2 (Const Area Signs) is charged at \$5,200.00 of which 86% would be \$4,472.00 listed to Maneri. Item 3 (Traffic Control) is charged at \$22,200.00 of which 86% would be \$19,092.00 listed to Maneri. The total of these two items listed to Maneri is \$23,564.00. The DBE goal is 9% of \$267,620.00, which equals \$24,085.80. According to their own Subcontractor List, Sterndahl has fallen just short of the 9% DBE Goal for the project. Sterndahl Enterprises submitted the required Caltrans Bidder-DBE-Commitment form in a timely manner; however the DBE Commitment form does not match the dollar amounts listed on the Subcontractors Form. The DBE Form Lists Maneri Traffic Control for Item 2 (Const Area Signs) \$4,490.00; and also Item 3 (Traffic Control) \$23,600.00 (\$1,400.00 higher than the bid item amount!) for a total of \$28,090.00. Cal Stripe contends that the figures on the Subcontractor List and the figures on the DBE Commitment Form should match exactly. Sterndahl Enterprises' bid should be deemed Non-Responsive and the contract should be awarded to the lowest responsible bidder.

Sincerely,



Stephen M. Works
Senior Estimator
Cal Stripe Inc.

Attachments: 3

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	2,000.00
2	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	5,200.00
3	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	22,200.00
4	120200	FLASHING BEACON (PORTABLE)	EA	4	600.00	2,400.00
5	128651	PORTABLE CHANGEABLE MESSAGE SIGN (EA)	EA	6	800.00	4,800.00
6	130100	JOB SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	5,000.00
7	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	LUMP SUM	3,000.00
8	141103	REMOVE YELLOW THERMOPLASTIC TRAFFIC STRIPE (HAZARDOUS WASTE)	LF	226,000	.32	72,320.00
9	150714	REMOVE THERMOPLASTIC TRAFFIC STRIPE	LF	113,000	.30	33,900.00
10	150715	REMOVE THERMOPLASTIC PAVEMENT MARKING	SQFT	8,680	1.50	13,020.00
11	150722	REMOVE PAVEMENT MARKER	EA	10,200	.50	5,100.00
12	150742	REMOVE ROADSIDE SIGN	EA	12	100.00	1,200.00
13	150748	REMOVE ROADSIDE SIGN PANEL	EA	93	50.00	4,650.00
14	560248	FURNISH SINGLE SHEET ALUMINUM SIGN (0.063"-UNFRAMED)	SQFT	99	20.00	1,980.00
15	560249	FURNISH SINGLE SHEET ALUMINUM SIGN (0.080"-UNFRAMED)	SQFT	1,530	20.00	30,600.00
16	568007	INSTALL SIGN OVERLAY	SQFT	99	25.00	2,475.00
17	568017	INSTALL ROADSIDE SIGN PANEL ON EXISTING POST	EA	81	45.00	3,645.00
18	840515	THERMOPLASTIC PAVEMENT MARKING	SQFT	1,040	4.00	4,160.00
19	840560	THERMOPLASTIC TRAFFIC STRIPE (SPRAYABLE)	LF	123,000	.20	24,600.00
20	850101	PAVEMENT MARKER (NON-REFLECTIVE)	EA	15,400	1.25	19,250.00

86%
44,720.00
19,092.00

Items 2 & 3
Total
\$23,564.00

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

Bidder Name: STERNDAHL ENT. 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
MANERI TRAFFIC CONTROL TAMERLA, CA	2 & 3	86 <hr/> <hr/>	CONST. AREA SIGNS TRAFFIC CONTROL

ADA Notice For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

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2nd Bidder (1st Bid Bids)

05-21-14A10:42 RCVD

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

Second 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: 08-0R2104

BID AMOUNT: \$ 267,602.00

BID OPENING DATE: 5-8-14

BIDDER'S NAME: STEWART ENTERPRISES Inc.

DBE GOAL FROM CONTRACT, %: 9

DBE PRIME CONTRACTOR CERTIFICATION¹:

BID ITEM NO	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED ²	FOR CALTRANS USE ONLY	NAME OF DBEs (Must be certified on the date bids are opened - include Caltrans certification #, DBE address and phone number) (indicate 2nd and lower tier subcontractors)	DOLLAR AMOUNT DBE ³
2	CONST. AREA SIGNS		MARKER TRAFFIC CONTROL	4490.00
3	TRAFFIC CONTROL		47422 RAINBOW RD. TOMBALL, TX 951 685-5104 DBE # 38078 MARKER TRAFFIC CONTROL	23,602.00
			47423 RAINBOW RD. TOMBALL, TX 951 685-5104 DBE # 38078	

44,720.00

19,092.00

23,564.00

IMPORTANT: Identify all DBE firms being claimed for credit, regardless of tier. Names of the First Tier DBE Subcontractors and their respective items(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

\$ 28,090.00

10.5 %

D-R
Signature of Bidder

3-7-14
Date

951 685-8199
(Area Code) Tel. No.

Submit to

MSC 43
OFFICE ENGINEER
DEPARTMENT OF TRANSPORTATION
1727 30TH STREET
SACRAMENTO, CA 95816-7005

DENNIS R. STEWART
Person to Contact (Please Type or Print)

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under 9%0

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

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

May 27 2014 03:30pm

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
919098847106	Normal	27:03:24pm	6'04"	5	* O K	

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
OFFICE ENGINEER
P.O. BOX 168041, MS-43
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May 27, 2014

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Sincerely,


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

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