



# RSB Group, Inc.

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3/24/16

VIA FACSIMILE & U.S. MAIL ONLY

State of California Dept. of Transportation  
Division of Engineering Services  
Office Engineer  
1727 30th St. Sacramento, CA 95816

Reference: Bid Protest on Contract number 08-0R4404 Vegetation Control

To Whom it May Concern:

This correspondence is provided as a formal bid protest to the bid submitted by Highland Construction, Inc.

The bid by Highland fails to meet the 24% DBE participation requirement of this contract. Furthermore, per their DBE commitment and good faith effort documents it clearly shows that they intentionally chose not to use numerous qualified DBE subcontractors and suppliers for various items of work. The following are few examples of the subcontractors / Suppliers they could have used but did not without any reason of any merit:

1. Maneri Traffic Control provided a competitive quotation on 3/14 /16 for Area Construction Sign, Traffic Control, and various rental equipment. Highland chose not to use their services while not meeting the minimum 24% DBE participation requirements. As an example, Maneri's price for item #2 Area Construction sign was only \$4,785.00 while Highland's bid for the same item was \$9,750.00 . Highland did not identify any subcontractor for this item or any other items for Traffic Control work and consequently missed the opportunity to meet the required DBE utilization.
2. E-Nor Innovations, Inc. also provided a quotation as a supplier as well as subcontractor but was not used in Highland Bid.
3. Full Traffic Maintenance, Inc. also provided competitive rental quote and subcontract quote but was not used in Highland bid.

4. Quality Traffic Control also provided a quote for various items of work but was not used in Highland bid.
5. A-cone Zone, Inc. also provided a quotation for various Traffic Control items and was not used in highland bid.

Per "Attachment F" that was submitted by Highland, there are more DBE companies that provided quotations for various items on this contract. Per their submitted DBE documents, "Attachment F" Highland could have used any combination of these quotes to maximize and complied with the DBE participation requirements for this Contract.

We appreciate your time in reviewing the bid reference herein and this correspondence in protest of the above reference contract. Please confirm your decision in considering Highland's bid non-responsive.

Regards,  
Ramak "Simon" Sepehri  
President

