

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
OFFICE ENGINEER
1727 30th STREET, MS-43
P.O. BOX 168041
SACRAMENTO, CA 95816-8041
PHONE (916) 227-6299
FAX (916) 227-6282
TTY 711
www.dot.ca.gov



*Serious Drought.
Serious drought.
Help save water!*

June 17, 2015

Facsimile: (951) 274-0319

Barry Dalke
Dalke & Sons Construction, Inc.
4585 Allstate Drive
Riverside, CA 92501

08-0R9604
08-SBd-5724
B.O. 05/20/2015

Dear Mr. Dalke:

The Department of Transportation (Caltrans) received a letter submitted by Kellam Law Corporation, representing Dalke & Sons Construction, Inc. (Dalke & Sons) for Contract 08-0R9604 dated June 8, 2015. Caltrans previously sent a letter to Dalke & Sons dated June 4, 2015, finding Dalke & Sons bid "non-responsive".

Dalke & Sons believes Caltrans should reconsider its decision to award to the next lowest bidder for two reasons. Dalke & Sons alleges that Public Agencies are authorized to waive irregularities in subcontractor lists so long as they contain the information required by State law and it's in the best interest of the public to do so; and Dalke & Sons bid is over \$80,000.00 lower than the second bidder.

Caltrans has reviewed your protest and has determined that the bid documents submitted by Dalke & Sons did not contain a minor irregularity. It is a requirement for all contractors bidding on Caltrans contracts to read and understand the Notice to Bidders and 2010 Standard Specifications before submitting a bid.

Based on the above, Caltrans has not changed its position concerning the finding of your bid being nonresponsive and will proceed to award this contract to the lowest responsible bidder, provided that all requirements are met.

If you have any questions, please contact Mulissa Smith, Contract Awards Branch Chief, 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

TRANSMISSION VERIFICATION REPORT

TIME : 06/17/2015 11:11
NAME : DE AWARDS
FAX : 9162276320
TEL : 9162276299
SER.# : BROM3J484361

DATE, TIME	06/17 11:11
FAX NO./NAME	919512740319
DURATION	00:00:28
PAGE(S)	01
RESULT	OK
MODE	STANDARD ECM

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

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