

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!*

June 11, 2014

Facsimile: (951) 352-4301

Brian M. Skajem, President
West Coast Structures Inc., dba
Western Structures
6005 Tyler Street
Riverside, CA 92503

08-1C8904
08-Riv-10-R110.4/R152.4
B.O. 05/15/2014

Dear Mr. Skajem:

The Department of Transportation (Caltrans) received the attached letter dated May 27, 2014, from Western Structures (Western Structures) protesting the bid submitted by Autobahn Construction Inc.'s (Autobahn) on Contract 08-1C8904. The protest alleges that Autobahn's Certified Disabled Veteran Enterprise (DVBE) Summary form is inconsistent with Eighth Avenue Enterprise's (Eighth Avenue) submitted quote because it includes pricing for 3,000 Type D Markers and Type D Markers are not used for this contract. Western Structures disputes the monetary value of \$2,844 (tax included) for the Type D Markers and claims it should not be included in the DVBE claimed participation for this project.

Caltrans has determined that although Type D markers are not used and the quote should have been for Type H, the cost of type H and type D markers is the same. Therefore, the error is simply a clerical error, does not materially affect the bid and can therefore be waived by Caltrans. Based on this, the error does not have an impact on the DVBE Claimed Participated. The Office of Business and Economic Opportunity's, Contract Evaluation Branch conducted a review of the DVBE submittal and determined that Autobahn has met the 3 percent goal for this project and Caltrans will proceed to award this contract to Autobahn.

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

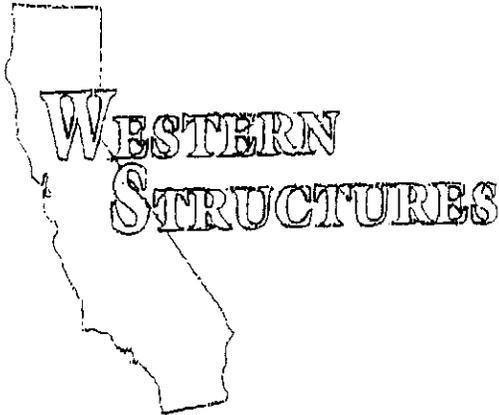
Sincerely,

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

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

Attachment

GENERAL ENGINEERING CONTRACTOR
DVBE/SBE #60085
Lic. #707211



State of California
Department of Transportation
Division of Engineering Services
Office Engineer, MS 43
1727 30th Street
P.O. Box 168041
Sacramento, Ca 95816-8041

05-27-14

Attn: John McMillan, Deputy Division Chief

Contract 08-1C8904
Blythe
Bid Protest of Low Bidder
Bid Opening: May 15, 2014

Dear Mr. McMillan,

Western Structures hereby protests the award of the above mentioned contract to Autobahn Construction Inc., due to the DVBE Goal of 3% not being met.

Form DES-OE-0102.5 DVBE Summary Items 31 and 32 material inconsistencies.

Autobahn Construction (Ex. A) DES-OE-0102.5 is inconsistent with (Ex. B) the written confirmation (quote) provided by Eighth Avenue Enterprise. Eighth Avenue Enterprise' submitted quote includes pricing for 3,000 Type D Markers. Sheet 6 of 16 PDQ-1 (Ex. C) Project pavement delineation quantities table lists a quantity of zero (0) Type D markers to be installed on this project.

Eighth Avenue Enterprises material quote of Type D markers to include a quantity of Bitumen/Marker Grip cannot be used as DVBE credit towards this project.

With the deduction of \$2,844.60 tax included for the Type D markers, Autobahn Construction DVBE Summary claimed participation is reduced to \$32,989.40 or 2.91% DVBE Participation.

With an undetermined deduction of Bitumen/Marker grip, Autobahn's DVBE claimed participation will fall well below the Department established 3% goal for this project.

Special Provision section 2-1.15B requires that all bidders completely fill out the Certified DVBE Summary Form, and states that all bidders must comply with Military and Veterans Code 999 et. seq. The purpose of the reporting requirements in the Certified DVBE Summary Form is to ensure that work or materials are being legitimately supplied by DVBE's. In this case a quote for materials not used in connection with items 31 and 32.

Western Structures respectfully submits the bid of Autobahn Construction on the referenced contract be determined nonresponsive and Contract 08-1C8904 be awarded to the next lowest responsive and responsible bidder.

Feel free to contact me with any questions or for further clarification.

Respectfully,



Brian M. Skafem
President
West Coast Structures Inc
Dbas: Western Structures

Exp A

Low Bidder

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
CERTIFIED DVBE SUMMARY
 DEB-DE-0102.5 (REV 3/2008)

DISTRICT-COUNTY-ROUTE: 08-RIV-10-R110-4/R152.4
 CONTRACT NO.: 08-1C8904
 TOTAL BID: \$1,131,885.25
 BID OPENING DATE: May 15, 2014
 BIDDER'S NAME: Autobahn Construction, Inc.
 DVBE PRIME CONTRACTOR CERTIFICATION ¹ _____

Bid Item Number	Description of Work to Be Subcontracted to DVBE or Materials to Be Supplied by DVBE ²	For Caltrans Only	DVBE (Name, Telephone No., and Certification No.)	\$ Amount
31 & 32	Striping, Marker material		Eigh Avenue Ent. 10326 Alta Loma Dr. Alta Loma, CA 91799 909 635-8774 DVBE #1744672	\$35,834.40

Names of first tier DVBE subcontractors and their items of work listed must be consistent with the names and items of work in the Subcontractor List (Pub Cont Code § 4100.61 seq.) submitted with the bid. Identify second and lower tier subcontractors on this form.

Total Claimed Participation

\$ 35,834.40

3.17 %

- DVBE prime contractors must enter their DVBE reference number or their DBA name as listed with Department of General Services. (DVBE prime contractors are checked with 100 percent DVBE participation and need not complete the above table).
- If 100% of an item is not performed or supplied by the DVBE, describe the total part, including the planned location of work to be performed, of item to be performed or supplied by DVBE.

Signature of Bidder

5/15/14
Date

714-769-7025

(Area Code) Telephone Number

Submit to:

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

John Korb, Treasurer

Contact Person

(Type or Print)

ADA Notice For individuals with sensory disabilities, this document is available in alternate formats. For information, call (916) 864-4410 or TDD (916) 654-2866 or write Records and Forms Management, 1120 N Street, MS-69, Sacramento, CA 95814.

Ex B

Autobahn's Submitted
DVBE written confirmation.



Eighth Avenue Enterprise

Please accept this bid for the following items: **DB-1CR904** Rte. 10 Blythe, Ca

36000 EA Type A - Non Reflective Markers 0.50 \$18,000.00 808131

3000 EA Type G 0.88 \$2,640.00 806136

3000 EA Type D 0.88 ~~\$2,640.00~~ 806137 *not on project - \$2,844.60*

18000 LBS Bitumen/Marker Grip - Standard \$9,900.00

TOTAL \$33,180.00 Plus Tax \$2,854.40 = **\$35,834.40** Price delivered

Terms Net 25, after 45 Days add 5% after 90 Days add 10%

Karin L Hoyt

STRIPING MARKER MATERIAL FOR ITEMS 31 & 32

EIGHTH AVENUE ENTERPRISE

10326 Alta Loma Drive/ Alta Loma, Ca. 91737 /DUNS 895892563 SDVO/SB/ CAGE 54Y89SAM Registered
Tax ID 90 0785704 /CA STATE CERTIFIED DVBE 1744672 www.govbussolutions.com

909 635 8774 FAX 909 980 9309

$$\begin{array}{r} 35,834.40 \\ - 2,844.60 \\ \hline \$ 32,989.80 \end{array} \div \$ 1,131,885.25 = 2.9\%$$

Ex C

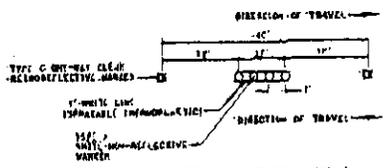
DATE	QUANTITY	PRICE	TOTAL
OF	16	1110.47	17767.52

V. E. YAMASAKI
 REGISTERED CIVIL ENGINEER
 No. 10000
 State of California
 License No. 10000
 State of California

PAVEMENT DELINEATION QUANTITIES

ROUTE	PW	LOCATION BRIDGE NAME / BRIDGE NUMBER	DETAIL No. OR PAVEMENT MARKING	REMOVE PAVEMENT MARKERS			THERMOPLASTIC TRAFFIC STRIPE (SPRAYABLE)			PAVEMENT MARKER					
				EA	LF	LF	LF	LF	LF	NON-REFLECTIVE					
										TYPE					
10	R116.07	PILE DITCH BRIDGE No. 21-00001	DETAIL 21		780										
			DETAIL 22		75	697									
	R152.16	LUTHERAN BRIDGE No. 24-00001/A	DETAIL 21		76			827							
			DETAIL 22		85			635							
	R152.07	"BLVD" BRIDGE No. 24-00001/A	DETAIL 21		181			143			180				
			DETAIL 22		181			143			180				
	R110.27 R152.16	"MINERAL"	DETAIL 21		1397			142			142				
DETAIL 22				1397			142			142					
SUBTOTAL					2943	3271	2901	227	4177	0	2472	2272			
TOTAL					2943	3271	2901	227	4177	0	2472	2272			

NOTE:
 1. FROM ROUTE 10 TO PREVIOUS ROUTE 10, REMOVE EXISTING PAVEMENT MARKERS ON DETAIL 21 AND DETAIL 22 AND INSTALL NEW PAVEMENT MARKERS ON DETAIL 21 AND DETAIL 22.



DETAIL 17 MODIFIED (12/01)
 INSTALL TYPE 1 NON-REFLECTIVE MARKER WITH SPACING DETAIL 17
 INSTALL TYPE 2 MARKER BEFORE STRIPING TO 600' AND PAVEMENT MARKING

REPLACED PER ADDENDUM No. 1 DATED APRIL 26, 2014 PAVEMENT DELINEATION QUANTITIES PDQ-1

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
 TRAFFIC DESIGN
 F. C. YLSON

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
21	394053	SHOULDER RUMBLE STRIP (HMA,GROUND-IN INDENTATIONS)	STA	4	1,800.00	7,200.00
22	397005	TACK COAT	TON	6	250.00	1,500.00
23 (F)	510053	STRUCTURAL CONCRETE, BRIDGE	CY	5	500.00	2,500.00
24	511118	CLEAN EXPANSION JOINT	LF	88	25.00	2,200.00
25	519094	JOINT SEAL ASSEMBLY (MR 3 1/2")	LF	88	260.00	22,880.00
26 (F)	520102	BAR REINFORCING STEEL (BRIDGE)	LB	218	5.00	1,090.00
27	560251	FURNISH SINGLE SHEET ALUMINUM SIGN (0.063"-FRAMED)	SQFT	8	25.00	200.00
28	566011	ROADSIDE SIGN - ONE POST	EA	1	500.00	500.00
29	044612	CLEAN AND PAINT EXISTING BRIDGE DECK DRAINAGE SYSTEM	LF	243	100.00	24,300.00
30	840560	THERMOPLASTIC TRAFFIC STRIPE (SPRAYABLE)	LF	6,450	1.00	6,450.00
31	850101	PAVEMENT MARKER (NON-REFLECTIVE)	EA	37,000	1.00	37,000.00
32	850111	PAVEMENT MARKER (RETROREFLECTIVE)	EA	18,600	1.80	33,480.00
33	999990	MOBILIZATION	LS	LUMP SUM	LUMP SUM	100,000.00 120,000.00

H-1
S/C

TOTAL BID:

[Handwritten signature]

\$ 1,131,885.25
~~1,151,885.25~~

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

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

Jun 10 2014 11:18am

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
919513524301	Normal	10:11:16am	1'13"	7	# O K	

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

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DIVISION OF ENGINEERING SERVICES
OFFICE ENGINEER
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pc JOHN C. McMILLAN
Deputy Division Chief
Office Engineer
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