

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.
Help save water!*

May 14, 2015

Facsimile: (714) 528-2225

Moumtaz Kabany, President
Unique Performance Construction, Inc.
1321 N. Jefferson Street
Anaheim, CA 92807

08-1E3204
08-SBd-15-41.4
B.O. 04/23/2015

Dear Mr. Kabany:

The Department of Transportation (Caltrans) received a letter dated May 1, 2015, from Unique Performance Construction, Inc. (Unique), protesting the Certified Disabled Veteran Business Enterprise (DVBE) Summary submitted by Smart Tech Group, Inc. (Smart Tech) for Contract No. 08-1E3204 on April 23, 2015. The protest alleges Smart Tech failed to supply an accurate percentage for the items of work that will be performed by the DVBE subcontractor. Additionally, Smart Tech listed Bid item 6 (Portable Changeable Message Sign) on its DVBE Summary which does not reflect what is claimed by Smart Tech on the bid item list. Lastly, Smart Tech failed to sign the Certified DVBE Summary. Unique requests that Caltrans find Smart Tech nonresponsive and award the contract to Unique.

Caltrans conducted a review of the Certified DVBE Summary submitted by Smart Tech and Caltrans has determined the following;

Item 1: The Certified DVBE Summary does not require a bidder to identify the percentage of work the DVBE Contractor will be performing. Caltrans finds no material error on the Certified DVBE Summary submitted by Smart Tech.

Item 2: The dollar amount listed on the Bid Item list may include the bidders profit and overhead. This does not necessarily reflect the exact dollar amount a subcontractor will quote the bidder. Caltrans finds no material error in the dollar amounts listed for bid item 6 by Smart Tech.

Item 3: Smart Tech electronically submitted its Certified DVBE Summary at time of bid. The bidders Digital ID number is accepted by Caltrans as the bidder's signature. Your authorized digital signature is your confirmation of, and agreement to all certifications and statements contained in the *Bid* book.

Caltrans finds Unique's protest does not have merit and will proceed to award the contract to the lowest responsible bidder.

Mr. Kabany
May 14, 2015
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If you have any questions, please contact Mulissa Smith, Contract Awards Branch Manager,
at (916) 227-6228.

Sincerely,



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

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

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

May 14 2015 03:53pm

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STATE OF CALIFORNIA - CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

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