



November 5, 2013

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

Attn: John McMillan, Deputy Division Chief

Re: Contract 08-449104 – Bid Opening 10/10/13

Subj: J. McLoughlin Correspondence Dated 10/30/13

Dear Mr. McMillan:

Granite Construction Company ("Granite") has reviewed the letter submitted by J. McLoughlin Engineering Company ("J. McLoughlin") on October 30<sup>th</sup> and offers the following response.

It is our position that Section 59-2.01C (2) does not apply to this Contract. As a result, J. McLoughlin's protest has no merit and the job should be awarded to Granite as the lowest responsive and responsible bidder. Our determination is based upon the following:

1. The first two digits of the Item Code correspond to the applicable Section number in the Standard Specifications. There are no bid items that start in "59", therefore no bid items are directly referenced to this Section.
2. Section 59-2 outlines the requirements for the painting of structural steel. It specifically states that "Section 59-2 includes specifications for preparing and painting structural steel and other metal, except galvanized or thermal spray coated surfaces." This project does not have any structural steel that is to be painted.
3. Per Section 1 of the Special Provisions, the applicable section for the bridge rail is Section 83. More specifically, Section 83-1.02D (2) states that "ferrous metal parts must be galvanized" and to "paint rail under Section 59-3", which is the Section that applies to painting galvanized surfaces. Within Section 59-3 there are no requirements for the submission of SSPC-QP certifications.



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To summarize, the requirements in Section 59-2 do not apply to this contract, therefore no SSPC-QC certification is required. We therefore request that you award the contract to Granite as the lowest responsive and responsible bidder.

If I can answer any questions or be of further assistance please contact me at (760) 391-6221

Sincerely,

GRANITE CONSTRUCTION COMPANY

A handwritten signature in black ink, appearing to read "Pat Kelly".

Pat Kelly  
Chief Estimator

Cc: Job File



Indio Area Office  
38000 Monroe Street  
Indio, CA 92203  
Phone: 760-775-7500  
Fax: 760-775-8229

**TO:** Caltrans

**DATE:** November 5, 2013

**COMPANY:** Caltrans

**FAX:** (916) 227-6282

**FROM:** Pat Kelly

**NUMBER OF PAGES (INCL. COVER SHEET):** 3

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**COMMENTS:**

**BID PROTEST RESPONSE – 08-449104**

Attached is our Bid Protest Response for the following project. If there are any issues please contact me at (760) 391-6221. Thank you.

Contract: 08-449104  
Contractor: Granite Construction Company  
Bid Date: 10/10/13  
Bid Time: 2:00 p.m.

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From Facsimile Number (760) 775-8229. If you have any problems with this transmission, please contact sender at (760) 391-6247.