

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
OFFICE ENGINEER, MS 43
1727 30th STREET
P. O. BOX 168041
SACRAMENTO, CA 95816-8041
PHONE (916) 227-6280
FAX (916) 227-6282
TTY 711



*Flex your power!
Be energy efficient!*

May 2, 2013

Facsimile: (951) 352-4301

Brian Skajem, President
Western Structures
6005 Tyler Street
Riverside, CA 92503

09-352904
09-Ker,Iny-58, 190, 395-Var
B.O. 04/10/2013

Dear Mr. Skajem:

The Department of Transportation (Caltrans) received the attached letter dated April 24, 2013 from Western Structures protesting Peterson Chase General Engineering Construction, Inc. (Peterson Chase) DVBE Summary form. The protest alleges that Peterson Chase listed E-Nor Innovations for 80% of bid item 3 and did not describe the exact part, or the planned location of the work to be performed by E-Nor Innovations.

Caltrans did not complete an evaluation of this protest since the bid submitted by Peterson Chase was not the low bid.

Based on the above action, Caltrans will proceed to award the contract to the lowest responsible bidder provided that all requirements are met.

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

Sincerely,


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

Attachment

GENERAL ENGINEERING CONTRACTOR
STORM DRAIN STRUCTURES

Lic. #707211



April 24, 2013

John McMillan, Deputy Division Chief
Mulissa Smith, Contract Branch Chief
Division of Engineering Services
Office Engineer, MS 43
1727 30th Street
P.O. Box 168041
Sacramento, CA 95816-8041

Attn: Small Business/DVBE
Reference: Contract No. 09-352904

Subject: Protest of Bid

Gentlemen,

Western Structures would like to submit a protest of the DVBE submittal from Peterson-Chase General Engineering Construction, Inc. for the above referenced Project.

The bid turned in by the Peterson-Chase General Engineering Construction, listed E-Nor Innovations for 80% of Bid Item No. 3. The DVBE submittal form DES-OE-0102.5 dated 04-10-2013 does not describe the exact part, or the planned location of the work to be performed by E-Nor Innovations, as required by note #2 of the DVBE Summary Form DES-DE-0102.5.

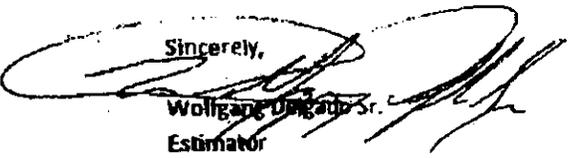
In addition, Peterson-Chase General Engineering Construction had also listed G.E.N.I. performing partial work for several items (1, 4 and 6) not distinguishing or itemizing the dollar amount for each item listed. The dollar amount listed was for a lump sum for \$7,945.00 dollars.

Again, column two's description leads you to note number 2, which state; "If 100% of an item is not performed or supplied by the DVBEs, describe the exact part, including the planned location of work to be performed, of item to be performed or supplied by DVBE."

Western Structures feels that Peterson-Chase General Engineering Construction did not comply with the DVBE Submittal Form listed above, and should be considered non-responsive.

Western Structures would appreciate your prompt consideration and attention to this matter.

Sincerely,


Wolfgang Ungar Sr.
Estimator

TRANSMISSION VERIFICATION REPORT

TIME : 05/02/2013 14:09
NAME : CONTRACT & AWARDS
FAX : 9162276282
TEL : 9162276282
SER. # : BROK4J974370

DATE, TIME	05/02 14:09
FAX NO./NAME	919513524301
DURATION	00:00:24
PAGE(S)	02
RESULT	OK
MODE	STANDARD ECM

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN Jr., Governor

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If you have any questions, please contact Mulissa Smith, Contract Awards Branch Manager,
(916) 227-6000