



GENERAL ENGINEERING CONTRACTOR License #720394
735 Laguna Dr.
Carlsbad, CA 92008
(760) 729-7592 Phone (760) 729-6158 Fax
Email: majoffice@pave-tech.com

December 05, 2014

John C. McMillan
Department of Transportation
Deputy Division Chief
Office Engineer
Division of Engineering Services

via Facsimile: 916-227-6282

RE: Cal Trans Bid No. 09-358804 - Date of Bid: November 20, 2014

Subject: Bid Protest of Qualcon Contractors Inc.'s Bid Proposal

Dear Mr. McMillan,

Pave-Tech Inc. is protesting Qualcon Contractors Inc. (Qualcon) on contract number 09-358804 which bid on 11/20/14.

On Qualcon's electronic bid proposal of 11/20/14 they included as a subcontractor KRC Safety of Visalia, CA (KRC) for items 02 and 03. They listed item 02 for 100% of the bid item and item 03 for 54.96%. Under the description of work Qualcon listed Construction Area Signs.

On Qualcon's DBE Commitment Form and on their electronic DBE information form they list the description of work for item 03. On the DBE commitment form Qualcon described item 03 as "Traffic Control-Lane Closure and Attenuator Truck" and on the electronic DBE form they described item 03 as "Traffic Control portion - (lane closure and Attenuator Truck)". Again, on bid day and in their bid proposal they listed for the description of work for item 02 & 03 as Construction Area Signs. They also list KRC as being subcontracted for 100% of bid item 02 for which they (KRC) are only performing 85.64%. This is all depicted on Qualcon's bid proposal for which they bid item 02 at \$7,000.00 and Qualcon's DBE form and electronic DBE form and KRC's quote which shows the amount to be utilized for item 02 to be \$5,995.00.

Qualcon did not provide the description of work on a major bid item (over \$10,000.00) on the date and time of bid. This is not consistent with DBE utilization requirements as described in the special provisions and on the DBE commitment form, therefore, Qualcom Contractors Inc.'s bid should be considered non responsive.

If you have any question please feel free to call me at (760) 729-7592.

Sincerely,

Rudy C. Zavalani

Rudy C. Zavalani
President

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 09-358804 Project ID: 0913000052

Bidder Name: Qualcon Contractors, Inc.

Bidder ID: VC0000016830

BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
1	070030	LEAD COMPLIANCE PLAN	LUMP SUM LS	LUMP SUM	2,000.00
2	120090	CONSTRUCTION AREA SIGNS	LUMP SUM LS	LUMP SUM	7,000.00 *
3	120100	TRAFFIC CONTROL SYSTEM	LUMP SUM LS	LUMP SUM	100,000.00 *
4	128652	PORTABLE CHANGRABLE MESSAGE SIGN (LS)	LUMP SUM LS	LUMP SUM	5,000.00
5	130100	JOB SITE MANAGEMENT	LUMP SUM LS	LUMP SUM	20,000.00
6	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LUMP SUM LS	LUMP SUM	1,500.00
7	130620	TEMPORARY DRAINAGE INLET PROTECTION	4.0 EA	200.00	800.00
8	130640	TEMPORARY FIBER ROLL	2,050.0 LF	4.00	8,200.00
9	130650	TEMPORARY GRAVEL BAG BERM	350.0 LF	5.00	1,750.00
10	150711	REMOVE PAINTED TRAFFIC STRIPE	4,460.0 LF	0.60	2,676.00
11	150712	REMOVE PAINTED PAVEMENT MARKING	3,720.0 SQFT	1.50	5,580.00
12	153103	COLD PLANE ASPHALT CONCRETE PAVEMENT	1,800.0 SQYD	15.00	27,000.00

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 09-358804 Project ID: 0913000052

Bidder Name: Qualcon Contractors, Inc.

Bidder ID: VC0000016830

List this sub? Yes

2) Business Name KRC Safety Co
Location City Visalia State CA
California Contractor License Number (a) 507950
Description of Portion of Work

Construction Area Signs

Bid Item Numbers

2

Percentage of Bid Item Subcontracted
100

Bid Item Numbers

3

Percentage of Bid Item Subcontracted
54.96

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

Bid Item Numbers

Percentage of Bid Item Subcontracted

List this sub? Yes

3) Business Name All American Asphalt Sealing
Location City Reno State NV
California Contractor License Number (a) 957272
Description of Portion of Work

Fog Seal

Bid Item Numbers

14

Percentage of Bid Item Subcontracted
100

Bid Item Numbers

Percentage of Bid Item Subcontracted

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 09-358804 Project ID: 0913000052

Bidder Name: Qualcon Contractors, Inc.

Bidder ID: VC0000016830

CALTRANS BIDDER - DBE - COMMITMENT

DES-09-0102.100 (NEW 6/2012)

11-24-14A10:03 RCVD

Bid Item No. *

2

Item of work and description of services to be subcontracted or materials to be provided.

Construction Area Signs

FOR CALTRANS USE ONLY

Name of DBEs (Must be certified on the date bids are opened - include Caltrans certification #, DBE address and phone number) (Indicate 2nd and lower tier subcontractors)

KRC Safety Co.

P.O. Box 6356, Visalia, CA 93290

559-732-0393, Cert # 447

Dollar amount DBE 5,995.00

Bid Item No. *

3

Item of work and description of services to be subcontracted or materials to be provided.

Traffic Control portion - (lane closure & Attenuator Truck)- 54.963

FOR CALTRANS USE ONLY

Name of DBEs (Must be certified on the date bids are opened - include Caltrans certification #, DBE address and phone number) (Indicate 2nd and lower tier subcontractors)

KRC Safety Co

P.O. Box 6356, Visalia, CA 93290

559-732-0393 cert #447

Dollar amount DBE 54,960.00

Bid Item No.

1, 10, 11, 19, 20

Item of work and description of services to be subcontracted or materials to be provided.

Lead Compliance Plan. Stripe removal, Striping, & markings

FOR CALTRANS USE ONLY

Name of DBEs (Must be certified on the date bids are opened - include Caltrans certification #, DBE address and phone number) (Indicate 2nd and lower tier subcontractors)

Super Seal & Stripe

310 A Street, Fillmore, CA 93016

805-524-7345 Cert # 2003

Dollar amount DBE 59,312.00

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
CALTRANS BIDDER - DBE - COMMITMENT
DES-05-0102.10C (NEW 06/2012)

11-24-14A10:03 PM

Low Bidder

This information may be submitted with your bid proposal. If it is not, and you are the apparent low bidder or the second or third low bidder, it must be submitted and received as specified in section 2 of the specifications. Failure to submit the required DBE information will be grounds for finding the bid nonresponsive.

CONTRACT NO: 09-358804

BID AMOUNT: \$ 2,219,566.00

BID OPENING DATE: 11/20/14

BIDDER'S NAME: Qualcon Contractors Inc.

DBE GOAL FROM CONTRACT, %: 6

DBE PRIME CONTRACTOR CERTIFICATION:

BID ITEM NO	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED	FOR CALTRANS USE ONLY	NAME OF DBEs (Must be certified on the date bids are opened - include Caltrans certification #, DBE address and phone number) (Indicate 2nd and lower tier subcontractors)	DOLLAR AMOUNT DBE
<u>2</u>	<u>Construction Area Sign</u>		<u>KAC Safety Co.</u>	<u>5975.00</u>
<u>3</u>	<u>Traffic Control - Lane closure & Attacher truck</u>		<u>P.O. Box 6356 V. Calver Co 93250 559-732-0563, cert 447</u>	<u>54,960.00</u>
<u>1, 10, 11, 19, 20</u>	<u>Least Compliance Plan Stripe removal Stripe & markings</u>		<u>Super Seal & Stripe 310 A Street, Gilmore Ca 93016 205-524-7245, cert 2003</u>	<u>59,312.00</u>
<u>14</u>	<u>Fog Seal</u>		<u>All American Asphalt Coast 1564 Towner Hwy, Palo Alto, NV 8912 775-321-3003, cert 40963</u>	<u>25,600.00</u>

IMPORTANT: Identify all DBE firms being claimed for credit, regardless of tier. Names of the First Tier DBE Subcontractors and their respective item(s) of work listed above must be consistent, where applicable, with the names and items of work in the "Subcontractor List" submitted with your bid. Copies of the DBE quotes are required.

1. DBE prime contractors must enter their certification number and indicate all work to be performed by DBEs including work performed by its own forces.
2. If 100% of item is not to be performed or furnished by DBE, describe exact portion of item to be performed or furnished.
3. See section 2-1.12 of the specifications to determine the credit allowed for DBE firms.

Submit to:

MSC 43
OFFICE ENGINEER
DEPARTMENT OF TRANSPORTATION
1721 JOTH STREET
SACRAMENTO, CA 95816-7005

Total Claimed Participation

\$ 145,867.00

6.57 %

Signature of Bidder

11/20/14
Date

775-732-2006
(Area Code) Tel No

Gerald Jensen
Person to Contact

(Please Type or Print)

ADA Notice

For individuals with sensory disabilities, this document is available in alternate formats. For information call (316) 654-8110 or TDD (916) 654-3860 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814