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State Contractor's License No. 211337-A



July 15, 2014

California Department of Transportation
 Division of Engineering Services
 Office Engineer, MS-43
 1727 30th Street
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Attention: John McMillan, Deputy Division Chief

Regarding: Contract 10-0V6804
 10-Sta-120-6.1/11.3
 Bid Opened June 4, 2014
 Comments to Teichert's Bid Protest Response

Dear Mr. McMillan:

After reviewing Teichert's response letter to George Reed, Inc.'s (GRI) bid protest, GRI has several comments.

Teichert says in their response that the reasons for rejecting portions of quotes were "inadvertently" not stated. Inadvertent or not, they were not stated. Contractors have been considered non-responsive for "inadvertently" making a mistake on a form required by Caltrans. No contractor would intentionally make a mistake that would make their bid non-responsive or inadequate. This is merely an excuse where there is no real explanation.

Teichert also states that the traffic control and shoulder backing would not have been significant enough to meet the DBE goal. With this argument they are essentially saying that if they can't make the goal then why really try. The second and third place contractors both added money to their bids to make the goal. By not using these subcontractors, even though they gave proposals for work that Teichert made available for subcontracting, Teichert was able to not add money to their bid. Teichert is looking for the best of both worlds by not adding money to the bid and relying strictly on their so called good faith effort. If Caltrans were to allow a good faith effort like this to be accepted then meeting the goal will become secondary rather than primary in the eye of the contractor.

Comments to Teichert's Response to Bid Protest
Contract 10-0V6804
10-Sta-120-6.1/11.3
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Teichert states that they did not include the additional cost to use a 2nd tier asphalt oil supplier for DBE participation. The quote from Dragon Material Transport was addressed directly to Teichert Construction and, therefore, is not a second tier asphalt oil supplier. Dragon Material Transport, at the very least, should have been listed on the DBE paperwork in the rejected log. At the most this quote was available at bid time and would have allowed Teichert to meet the 10% DBE goal.

The oil supply along with the traffic control and shoulder backing represent more than enough dollars to have met the DBE goal and, by not acknowledging the quotes or portions of the quote, Teichert appears to have made an effort to misrepresent the true availability of DBE subs and suppliers on this project.

As far as costing tax payer more money and calling it an unnecessary expense, Caltrans has in the past chosen to uphold the integrity of the bidding process over awarding to someone whose bid documents were not up to standard.

Based on the above and our previous letter dated June 24, 2014, Teichert's bid is non-responsive. GRI continues to request that Caltrans deem Teichert's bid non-responsive and award the project to the George Reed, Inc., the lowest responsive bidder, as outlined in the specifications.

Respectfully,



Stacy Case
Chief Estimator
George Reed Inc.
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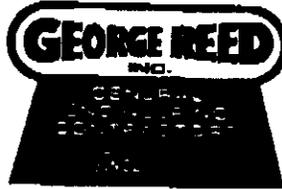
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FAX TRANSMITTAL

Date: July 15, 2014

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Pages Faxed: 3

Project Name: 10-0V6804

Comments: Comments on Teichert Construction's Bid Protest Response

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Thanks, Stacy Case