

2013-05-02 13:14

GMO-CONADMIN

209 523 4313 &gt;&gt;

916 227 6282 P 2

MODESTO OFFICE  
P.O. BOX 4760, MODESTO, CA 95352  
TELEPHONE: (209) 523-0734  
ESTIMATING FAX: (209) 523-4927  
ACCOUNTING FAX: (209) 523-4313



OFFICE AND YARD:  
140 EMPIRE AVENUE  
MODESTO, CALIFORNIA 95354  
1-877-823-2305  
WWW.GEORGEREED.COM

State Contractor's License No. 211337-A



May 2, 2013

VIA FACSIMILE (916) 227-6282 AND U.S. MAIL

John McMillan  
Deputy Chief  
State of California  
Department of Transportation  
Division of Engineering Services,  
Office of Engineer, MS 43  
1727 30<sup>th</sup> Street  
Sacramento, CA 95816-8041

Re: Contract No. 10-0V9204  
10-SJ-26-1.1/4.6, 6.0/20.36  
Bids Opened: March 27, 2013  
Response to Protest by Teichert Construction

Dear Mr. McMillan:

This letter is a response to the bid protest letter sent to Caltrans by Teichert Construction (Teichert) dated April 19, 2013 for the above referenced project.

In the protest Teichert states that George Reed, Inc. (George Reed) failed to comply with Caltrans' mandatory requirements for subcontractor listing and DBE commitment submittal. George Reed's has met all requirements for subcontractor listing and DBE commitment on this project and, therefore, this protest must be rejected and George Reed must be awarded this project as the low responsive, responsible bidder.

In Teichert's protest they claim that George Reed failed to comply in at least two ways with regards to KRC Safety Co. Inc. (KRC) and Janice Simas Inc. dba Spirit Road Oil (Spirit Road Oil).

In section 2-1.53C of the 2010 standard specifications it is stated that the *Subcontractor List must show the name, address, and work portions to be performed by each subcontractor listed. Show work portions by bid item number, description, and percentage of each bid item subcontracted.* There is nowhere in this section that states the percentage of each bid item subcontracted must correspond to the dollar amount bid for that item. It only states that it is a percentage of each bid item. There is no requirement that the percentage and dollar amounts be connected and as an example of where Caltrans has previously concluded on the matter, on contract 04-012M4, MCM Construction, Inc. (MCM) protested Flatiron West, Inc. (Flatiron) for several reasons but, among those reasons, MCM claimed that Flatiron's bid failed to comply with the subcontractor listing requirements because the percentages it identified through its 24-hour submission were inconsistent with subcontractor quotes provided to all bidders for the Contract. On April 5, 2012 Caltrans concluded that that "There are no requirements for bid item price to correspond to the percentage of subcontracted work and thus cannot be a reason to find a bidder non-responsive". This project was awarded to Flatiron.

With regard to the DBE commitment, Teichert's claim that there is an inconsistency between the Subcontractor List and the DBE Commitment form. In stating this Teichert presumes that there is a link between the amount listed on the DBE commitment form and the Subcontractor List. Form DES-OE-0102.10C states that the DBE Subcontractor and their respective item(s) of work listed must be consistent, where applicable, with the names and items of work in the "Subcontractor List". There is no mention on this form or in the Caltrans 2010 Standard Specifications that tie the monetary values together in any way, shape or form. Only names and items of work must be consistent. In

2 | Page

Re: Contract No. 10-0V9204  
10-SJ-26-1.1/4.6, 6.0/20.36  
Bids Opened: March 27, 2013  
Response to Protest by Teichert Construction

making this argument Teichert is attempting to expand on the actual language to make it appear that George Reed improperly filled out this form by skewing the real language to match their current agenda and attempting to plant the "seed of doubt" where there is no doubt.

George Reed submitted the DBE commitment form per the requirements of the bid documents. Both KRC and Spirit Road Oil were and are properly listed in both the Subcontractor Listing form and the DBE Commitment Form as required by the bid documents.

To further address Teichert's protest please find the following examples of contractor's bidding the Tack Oil at \$1.00 per ton. The practice of bidding the tack oil at \$1.00 is an industry and Caltrans accepted practice that has been occurring and accepted for many years. The examples attached are for projects 10-0V9704 (Teichert), 06-0P9304 (Teichert), 10-0X9004 (Granite and Teichert), 10-0V9404 (Teichert) and 04-3E6304 (Granite). In each case the contractor bid the Tack Coat item at \$1.00 per ton. In the cases of 10-0V9704 and 10-0X9004 the projects were awarded to Teichert and Granite respectively.

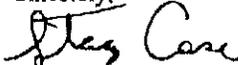
Teichert's contention that George Reed had an unfair competitive advantage is unfounded as George Reed followed the requirements of the bid documents and at no time did anything contrary to the intent of the public bidding process. KRC was listed for a traffic control as partial on bid day and the 24-hour Subcontractor Listing was consistent with the bid day subcontractor listing. To insinuate that George Reed attempted to bid shop is both false and reckless.

George Reed followed both the requirements and the intent of the bid documents in submitting our proposal, 24-hour Subcontractor Listing and DBE commitment form. There is no requirement that the bid item price correspond to the percentage of subcontracted work and, therefore, Teichert's arguments are not valid for that very reason. Teichert's attempt to "throw everything against the wall and see what sticks" approach to the bid protest procedure is what is undermining the integrity of the public bidding process and taking away from legitimate bid protests.

George Reed, Inc. respectfully requests that Caltrans examine the above and determine that Teichert's protest has no merit and award the project to George Reed, Inc., the low responsive, responsible bidder.

Thank you for your attention to this matter and please feel free to contact me if you have any questions.

Sincerely,



Stacy Case  
Chief Estimator

Enclosure

2013-05-02 13:14

GMO-CONADMIN

209 523 4313 &gt;&gt;

916 227 6282 P 4

~~STATE OF CALIFORNIA - BUSINESS, TRANSPORTATION AND HOUSING AGENCY~~

EDMUND G. BROWN Jr., Governor

**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  
PHONE (916) 227-6280  
FAX (916) 227-6282  
TTY 711



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April 29, 2013

Facsimile: (209) 523-4927

Ed Berlier, Vice President  
George Reed, Inc.  
P.O. Box 4760  
Modesto, CA 95352

10-0V9204  
10-SJ-26.1/4.6,6.0/20.3  
B.O. 03/27/13

Dear Mr. Berlier:

The Department of Transportation (Caltrans) received the attached letter dated April 19, 2013, from Teichert Construction (Teichert) protesting the Disadvantaged business Enterprise (DBE) Commitment form submitted by George Reed, Inc. Teichert alleges that George Reed commitment form fail to comply with the mandatory requirements for subcontractor and DBE listing. As such, Teichert requests that Caltrans find George Reed nonresponsive and award the contract to Teichert.

Please provide your response to Teichert's protest no later than May 2, 2013.

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

Sincerely,

A handwritten signature in black ink, appearing to read "John C. McMILLAN".

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

Attachment



# TEICHERT CONSTRUCTION

California 1987

Stockton District  
265 Val Dervin Parkway  
Stockton, CA 95206-4001  
P.O. Box 1118  
Stockton, CA 95201-1118  
(209) 983-2300 - FAX (209) 983-2375

April 19, 2013

VIA FACSIMILE (916) 227-6282 AND U.S. MAIL

John C. McMillan  
Deputy Division Chief  
Office Engineer  
Division of Engineering Service  
State of California  
Department of Transportation (Caltrans)  
1727 30<sup>th</sup>, Bidder Exchange, MS 43  
Sacramento, CA 95816-8041

Subject: Contract No. 10-OV9204  
10-SJ-26-1.1/4.6, 6 0/20.3  
Bids Opened: March 27, 2013  
Bid Protest of Teichert Construction to Award of Contract to George Reed Inc.

Dear Mr. McMillan:

Teichert Construction ("Teichert"), the second lowest monetary bidder for the above referenced project, hereby protests the bid of the lowest monetary bidder, George Reed Inc. ("GRI"). As explained in more detail below, GRI's bid fails to comply with Caltrans' mandatory requirements for subcontractor listing, and DBE commitment submittal. These serious defects in GRI's bid are not the sort of minor irregularity that may be waived by Caltrans. Therefore, GRI's bid must be rejected as nonresponsive, and Teichert is the lowest responsive and responsible bidder eligible for award.

The Subcontractor List form states in part... "Complete columns 1 and 4 and submit with the bid. Complete columns 2 and 3 and submit with the bid or fax to (916) 227-6282 within 24 hours after the bid opening. Failure to provide complete information in columns 1 through 4 within the time specified will result in a nonresponsive bid." (Emphasis added.)

Caltrans Bidder - DBE - Commitment form DES-OE-0102.10C states in part... "First Tier DBE Subcontractors ... must be consistent, where applicable, ... with the names and items of work in the "Subcontractor List" submitted with your bid." (Emphasis added.)

GRI's Subcontractor List, and DBE - Commitment forms fail to comply with the above requirements in at least two ways:

John C. McMillan  
Deputy Division Chief  
April 19, 2013  
Page 2 of 3

Impermissible changes to value of subcontractor work identified with respect to KRC Safety Co. Inc.

GRI's Subcontractor List and DBE commitment form with respect to KRC Safety Co. Inc. ("KRC") are materially inconsistent. In its Subcontractor List, GRI identified KRC to perform 86.60% of bid item no. 3 – Traffic Control System. GRI's bid price for bid item no. 3 is \$585,505. Thus, GRI identified the value of the work subcontracted to KRC for Traffic Control is \$507,407.33. In contrast, in its DBE commitment form (and related paperwork) GRI changed the value of work subcontracted to KRC (for bid item no. 3) to \$111,765.00 or 19.09%.

In short, GRI (1) impermissibly changed KRC's percentage of work to be subcontracted in bid item no. 3 by submitting a DBE form inconsistent with its Subcontractor List; (2) impermissibly failed to provide complete information in columns 1 through 4 within the time specified when it changed its Col. 3 percentage for KRC from 86.60% to 19.09% with its DBE listing for bid item no. 3.

Impermissible dollar amount listed in DBE commitment form with respect to Janice Simas Paving Inc. dba Spirit Road Oils.

GRI's Bid Item List and DBE commitment form with respect to Janice Simas Paving Inc. dba Spirit Road Oils ("Spirit") are materially inconsistent. On bid day, GRI submitted a bid price for bid item no. 20 – Tack Coat of \$160.

In its DBE Commitment form GRI identified the value of Spirit's participation in this contract to be \$53,913.60. GRI only lists Spirit to perform work in bid item No. 20, work description: Tack Coat.

If GRI's bid price for bid item no. 20 is only \$160, GRI is overstating the DBE value of work for bid item no. 20 by \$53,753.60.

Once the \$53,753.60 is disallowed for item no. 20, GRI's DBE commitment falls below the 7% DBE goal to 5.70%. It is understood that GRI would then need to show adequate Good Faith Efforts. Both the 2<sup>nd</sup> and 3<sup>rd</sup> bidders met the goal, and GRI rejected DBEs listed by the 2<sup>nd</sup> and 3<sup>rd</sup> bidders.

**Summary**

GRI's failure to properly complete the Subcontractor List and Caltrans Bidder – DBE – Commitment forms, both undermines the integrity of the public bidding process, and gave GRI a competitive advantage. Not properly completing the Subcontractor List gave GRI the opportunity to engage in the precise activity the subcontractor listing law was enacted to prevent. In addition, GRI had an unfair competitive advantage, in that by electing to change and identify a different percentage of work for KRC in its DBE form from what it listed on bid day, GRI had additional time to prepare its bid and obtain the most favorable subcontractor pricing that other bidders did not have.

2013-05-02 13:15

GMO-CONADMIN

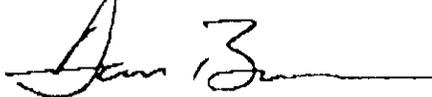
209 523 4313 &gt;&gt;

916 227 6282 P 7/36

John C. McMillan  
Deputy Division Chief  
April 19, 2013  
Page 3 of 3

For the reasons stated above, Teichert respectfully requests that Caltrans deem GRI's bid non-responsive and award the contract to Teichert as the lowest responsive and responsible bidder.

Sincerely,



Dan Brown  
Estimating Manager of Teichert Construction

eb  
Attachment

cc:

G. Johns, T. Corvello – Teichert Construction

**SECTION 2****BIDDING****2-1.31-2-1.32 RESERVED****2-1.33 BID DOCUMENT COMPLETION****2-1.33A General**

Complete forms in the *Bid* book. Submit the forms with your bid.

On the *Subcontractor List* you may either submit the percentage of each bid item subcontracted with your bid or fax the percentage to (916) 227-6282 within 24 hours after bid opening.

Except for the percentage of each bid item subcontracted, do not fax submittals.

**2-1.33B Bid Item List and Bid Comparison**

Submit a bid based on the bid item quantities the Department shows on the Bid Item List.

For a lump sum based bid, the Department compares bids based on the total price.

For a unit price based bid, the Department compares bids based on the sum of the item totals.

For a cost plus time based bid, the Department compares bids based on the sum of the item totals and the total bid for time.

**2-1.33C Subcontractor List**

On the *Subcontractor List*, list each subcontractor to perform work in an amount in excess of 1/2 of 1 percent of the total bid or \$10,000, whichever is greater (Pub Cont Code § 4100 et seq.).

The *Subcontractor List* must show the name, address, and work portions to be performed by each subcontractor listed. Show work portions by bid item number, description, and percentage of each bid item subcontracted.

**2-1.33D Opt Out of Payment Adjustments for Price Index Fluctuations**

You may opt out of the payment adjustments for price index fluctuations specified in section 9-1.07. To opt out, submit a completed *Opt Out of Payment Adjustments for Price Index Fluctuations* form with your bid.

**2-1.33E Reserved****2-1.34 BIDDER'S SECURITY**

Submit your bid with one of the following forms of bidder's security equal to at least 10 percent of the bid:

1. Cash
2. Cashier's check
3. Certified check
4. Bidder's bond signed by a surety insurer who is licensed in California

If using a bidder's bond, you may use the form in the *Bid* book. If you do not use the form in the *Bid* book, use a form containing the same information.

**2-1.35 SSPC QP CERTIFICATION PREAWARD QUALIFICATION**

Submit the SSPC QP certification required under section 59-2.01D(1) with your bid. Failure to submit the certification results in a nonresponsive bid.

**2-1.36 RESERVED****2-1.37 BID SUBMITTAL**

Submit your bid:

1. Under sealed cover
2. Marked as a bid
3. Identifying the contract number and the bid opening date

If an agent other than the authorized corporation officer or a partnership member signs the bid, file a Power of Attorney with the Department either before opening bids or with the bid. Otherwise, the bid may be nonresponsive.

**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

PHONE (916) 227-6300

FAX (916) 227-6282

TTY 711



*Flex your power!  
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April 5, 2012

Facsimile: (916) 334-0562

Edmundo A. Puchi, Treasurer and General Counsel  
MCM Construction, Inc.  
P.O. Box 620  
North Highlands, CA 95660

04-0120M4  
04-A1a-80-1.6/2.7  
B.O. 3/21/12

Dear Mr. Puchi:

In reply to your protests of March 30, and April 3, 2012 the Department finds the following.

1. Each bid is evaluated on the individual merits of the contract and not on the past history of the bidder. The bidder is required to submit the subcontractor information per the Subcontractor List form in the bid book and the contract requirements. We find that Flatiron West Inc. (Flatiron) did in fact submit the Subcontractor List form in accordance with instructions on the form and the contract Standard Specifications as amended (Section 2-1.12C).
2. Flatiron's bid listed a subcontractor to perform a portion of the work for the Minor Concrete in Column 4: Description of Subcontracted Work on the Subcontractor List form as required by the contract Standard Specifications as amended (Section 2-1.12C) at the time the bid was submitted. The subsequent submittal of the Subcontractor List from Flatiron did correctly list the portions of the work in Column 3: Percentage of the Bid Item Subcontracted as required by the instructions on the form.
3. While the quote from Central Striping for Item No. 188 Paint Pavement Marking (2-Coat) does not correspond with the description for that item number in the Department's Bid Item List, Flatiron interpreted that item as the correct Item Description [Parking Bumper(Precast Concrete)] for that Item Number. Since this quote was submitted to support the Non-Small Business Preference a \$3000 disallowance would not affect the outcome of the award as MCM Construction Inc. (MCM) did not seek this preference in the bid that was submitted. Additionally, Central Striping holds a C32 contractor's license and is properly licensed to perform this work under the C32 classification.

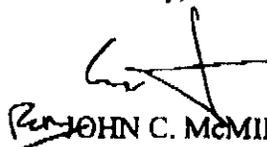
Mr. Puchi  
April 5, 2012  
Page 2

4. There are no requirements for bid item price to correspond to the percentage of subcontracted work and thus cannot be a reason to find a bidder non-responsive. 

After carefully considering the information provided by MCM, the Department has determined that this contract was properly awarded to Flatiron West Inc. on March 29, 2012.

If you have any questions, please contact Earl Seaberg, Chief, Office of Contract Awards & Services at 916-227-6280.

Sincerely,



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

Cc: Malcolm Dougherty, Acting Director

Robert Pieplow, Acting Deputy Director  
Project Delivery

James E. Davis, Acting Chief  
Division of Engineering Services

## \*\* Transmit Conf Report \*\*

P. 1

Apr 5 2012 02:58pm

CAL/TRANS CONTR AWARDS Fax 916-227-6282

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STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION AND HOUSING AGENCY

EDUARDO A. PUCHI, Governor

## DEPARTMENT OF TRANSPORTATION

DIVISION OF ENGINEERING SERVICES

OFFICE ENGINEER, MS 45

1727 36<sup>TH</sup> STREET

P. O. BOX 168041

SACRAMENTO, CA 95816-8041

PHONE (916) 227-6300

FAX (916) 227-6282

TTY 711



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April 5, 2012

Facsimile: (916) 334-0562

Edmundo A. Puchi, Treasurer and General Counsel  
MCM Construction, Inc.  
P.O. Box 620  
North Highlands, CA 95660

04-0120M4  
04-A1a-80-1.6/2.7  
B.O. 3/21/12

Dear Mr. Puchi:

In reply to your protests of March 30, and April 3, 2012 the Department finds the following.

- Each bid is evaluated on the individual merits of the contract and not on the past history of the bidder. The bidder is required to submit the subcontractor information per the Subcontractor List form in the bid book and the contract requirements. We find that Flatiron West Inc. (Flatiron) did in fact submit the Subcontractor List form in accordance with instructions on the form and the contract Standard Specifications as amended (Section 2-1.12C).
- Flatiron's bid listed a subcontractor to perform a portion of the work for the Minor Concrete in Column 4: Description of Subcontracted Work on the Subcontractor List form as required by the contract Standard Specifications as amended (Section 2-1.12C) at the time the bid was submitted. The subsequent submital of the Subcontractor List from Flatiron did correctly list the portions of the work in Column 3: Percentage of the Bid Item Subcontracted as required by the instructions on the form.
- While the quote from Central Striping for Item No. 188 Paint Pavement Marking (2-Coat) does not correspond with the description for that item number in the Department's Bid Item List, Flatiron interpreted that item as the correct Item Description (Parking Buffer (Precast Concrete)) for that Item Number. Since this quote was submitted to support the Non-Small Business Preference a \$3000 disallowance would not affect the outcome of the award as MCM Construction Inc. (MCM) did not seek this preference in the bid that was submitted. Additionally, Central Striping holds a C32 contractor's license and is properly licensed to perform this work under the C32 classification.

**Main Office**

P.O. BOX 820 / 6413 32nd Street / North Highlands / CA 95660

(916) 334-1221

Estimating / Engineering FAX (916) 334-0562

Accounting FAX (916) 334-8355

**Southern California Regional Office**

P.O. BOX 867 / 19010 Slover Ave. / Bloomington / CA 92316

(909) 875-0533

Engineering / Accounting FAX (909) 875-2243

April 3, 2012

**FAXED (916) 227-6282 AND U.S. Mail**

Department of Transportation, MS 43  
 Attn: John McMillan, Deputy Division Chief  
 1727 30<sup>th</sup> Street  
 Sacramento, CA 95816

Project: Caltrans Contract No. 04-0120M4  
 Bid Opening: March 21, 2012  
 Rc: Protest of Flatiron West Inc.'s Bid

Gentlemen:

By letter dated March 30, 2012, MCM Construction, Inc. ("MCM") protested the intended award of Caltrans Contract No. 04-0120M4 (the "Contract") to Flatiron West, Inc. ("Flatiron") on the grounds that the bid of Flatiron West, Inc. ("Flatiron") is clearly nonresponsive. Flatiron's bid failed to comply with the bid specifications for the following reasons:

1. Flatiron's bid states in its Subcontractor List that every listed subcontractor will perform all of the work of the scope described in Column 4 of the Subcontractor List form. Yet, Flatiron indicates, in its Subcontractor List submitted the day after the bid opening that the listed subcontractor will only be performing part of the subcontracted Bid Item as shown by noting less than 100% of the bid. Historically Flatiron has repeatedly used to phrase "partial and related" to describe that the listed subcontractor would only be performing a portion of the work. They did not do so on this bid.
2. Flatiron's bid states in its Subcontractor List in Column No 4 that the subcontractor listed to perform the Minor Concrete would perform all of that work. However, in its Subcontractor List submitted the day after the bid opening the listed subcontractor will only be performing two of the three items of work of Minor Concrete.
3. Flatiron's bid states in its Subcontractor Listing that Central Striping will be performing the striping work on the Contract, yet in its Subcontractor List submitted the day after the bid opening the listed subcontractor is listed to perform work that is not related to striping and it was an item of work that Central Striping did not even bid.

Department of Transportation, MS 43

Project: Caltrans Contract No. 04-0120M4

Bid Opening: March 21, 2012

Re: Protest of Flatiron West Inc.'s Bid

April 3, 2012

Page 2

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4. In Flatiron's Subcontractor List submitted the day after the bid opening the percentages of the Bid Item work to be performed by each listed subcontractor is not consistent with the Column 4 Description of Subcontracted work. While the percentages for the Bid Items listed appear to be the ratio of the subcontractor's bid price compared to the prime bidder's bid price, the percentages listed are not consistent with that reasoning.

As stated in MCM's letter of March 30, 2012, Caltrans has repeatedly found that bids are non-responsive if a bidder fails to submit the completed information in Columns No. 1 through 4. Caltrans's directions in this regard are clear and direct on their face; all information must be provided as sought in Columns No. 1 through 4, or the bid will be deemed non-responsive. Caltrans notified all bidders of its requirements prior to the bid opening.

Much to MCM's surprise we discovered that Caltrans had indicated on its website that the Contract had been awarded to Flatiron on March 29, 2012. Such a prompt award in only 8 days from the bid opening date is unheard of. The bid documents are not posted on the Caltrans Office Engineer Post Bid site until March 27, 2012. Bidder's no longer have any other access to bid documents to allow a review to determine whether there is impropriety in the competitor's bids.

This Contract was previously bid on January 18, 2012. A protest of the apparent low bidder's bid was filed on January 31, 2012. The thirty day period to award the Contract passed and no award decision was made and Caltrans ultimately decided to reject all bids and rebid the project.

Now, knowing full well that there were irregularities in the bid of Flatiron, particularly the Subcontractor List of the low bidder, and knowing that MCM as second low bidder intended to file a protest regarding those irregularities, Caltrans somehow moves to award the Contract in 8 days from bid opening and ignore the significant irregularities in the low bid and refuses to consider a protest that is supported by the bid specifications, Caltrans' prior decisions regarding these specifications and the laws of the State of California

Department of Transportation, MS 43

Project: Caltrans Contract No. 04-0120M4

Bid Opening: March 21, 2012

Re: Protest of Flatiron West Inc.'s Bid

April 3, 2012

Page 3

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MCM Construction, Inc. respectfully requests that the award and approval of this Contract be set aside until there is a proper and thorough review of the protest submitted by MCM on this project.

Very truly yours,

MCM CONSTRUCTION, INC.



EDMUNDO A. PUCHI  
Treasurer and General Counsel

cc: Malcolm Dougherty, Director  
Rick Land, Chief Deputy Director  
Earl Seaberg,  
Tony Anziano, Toll Bridge Project Manager  
M. Schoenfeld, Murphy Austin Adams Schoenfeld LLP  
J. Carter  
H.D. McGovern

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**BID TO THE DEPARTMENT OF TRANSPORTATION**  
 DES-OE-0102.1 (REV. 3/2011)

B8

CONTRACT NO. 10 - 0V9704

NAME OF BIDDER A. Teichert & Son, Inc. dba Teichert Construction

BUSINESS P.O. BOX P.O. Box 1118

CITY, STATE, ZIP Stockton, CA 95201

BUSINESS STREET ADDRESS 265 Val Dervin Parkway

*(include even if P.O. Box used)*

CITY, STATE, ZIP Stockton, CA 95206

TELEPHONE NO: AREA CODE (209) 983-2300

FAX NO: AREA CODE (209) 983-2375

CONTRACTOR LICENSE NO. 8

1. Bidder agrees, if this bid is accepted, to enter into a contract with the Department, in the form included in the Standard Specifications, to perform the work provided in the Contract under the terms of the Contract for the price or prices bid.

For a lump sum or unit price based bid, Bidder additionally agrees to perform the work within the number of working days shown on the Notice to Bidders.

For a cost plus time based bid on a contract without a plant establishment period, Bidder additionally agrees to perform the work within the number of working days bid.

For a cost plus time based bid on a contract with a plant establishment period, Bidder additionally agrees to perform the non-plant establishment work within the number of working days bid for non-plant establishment work.

2. For a lump sum based bid, Bidder submits this bid with a total price in the total bid space provided on the Bid Item List. For a unit price or cost plus time based bid, Bidder submits this bid with a unit price and the item total (the product of the unit price and the quantity) for each item and a total price (the sum of the item totals) in the spaces provided on the attached Bid Item List. For a unit price with additive item based bid, Bidder submits this bid with a unit price and an item total for each item and a total base bid (the sum of the item totals) and the additive items in the spaces provided on the attached Bid Item List. Additionally, for a cost plus time based bid, Bidder submits this bid with working days bid for non-plant establishment work, total bid for time, and total bid for bid comparison in the spaces provided on the Bid Item List. Bidder agrees:
  - 2.1. If a discrepancy between the unit price and the item total exists, the unit price prevails except:
    - 2.1.1. If the unit price is illegible, omitted, or the same as the item total, item total prevails and the unit price is the quotient of the item total and the quantity.
    - 2.1.2. If a decimal error is apparent in the product of the unit price and the quantity, the Department will use either the unit price or item total based on the closest by percentage to the unit price or item total in the Department's Final Estimate.
  - 2.2. If the unit price and the item total are illegible or are omitted, the bid may be determined nonresponsive. If a lump sum total price is illegible or is omitted, the bid may be determined nonresponsive.
  - 2.3. Bids on lump sum items are item totals. If a unit price for a lump sum item is entered and it differs from the item total, the item total prevails.
  - 2.4. Entries are to be expressed in dollars or decimal fractions of a dollar. Symbols such as commas and dollar signs are ignored and have no significance in establishing unit price or item total.
  - 2.5. Unit prices and item totals are interpreted by the number of digits and decimal placement. Do not round item totals or the total bid.

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**BID TO THE DEPARTMENT OF TRANSPORTATION**  
DES-DE-0102.1 (REV. 3/2011)

- 2.6. For a lump sum based bid, the Item total is the bid amount the Department uses for bid comparison.  
For a unit price based bid, the sum of the Item totals is the bid amount the Department uses for bid comparison.  
For a cost plus time based bid, the sum of the item totals and the total bid for time is the bid amount the Department uses for bid comparison.
- 2.7. The Department's decision on the bid amount is final.

3. Bidder has and acknowledges the following addenda:

1, 2

4. Bidder submits this bid with one of the following forms of bidder's security equal to at least 10 percent of the bid:

Cash \$ \_\_\_\_\_, Cashiers Check, Certified Check, Bidder's Bond ~~XXX~~

5. Bidder's signature is an affirmation of the included certifications. Bidder is cautioned that making a false certification may result in one or more of the following:

- 5.1. Criminal prosecution
- 5.2. Rejection of the bid
- 5.3. Rescission of the award
- 5.4. Termination of the Contract

BY (Authorized Signature)



DATE SIGNED (Do not type)

05/20/13

PRINTED NAME AND TITLE OF PERSON SIGNING

Daniel E. Brown, Estimating Manager

**ADA Notice** For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 854-6410 or TDD (916) 854-3880 or write Records and Forms Management, 1120 N Street, MS-69, Sacramento, CA 95814.

## BID ITEM LIST

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
1	070030	LEAD COMPLIANCE PLAN	LS	LUMP SUM	LUMP SUM	2500-
2	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	15000-
3	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	20000-
4	128652	PORTABLE CHANGEABLE MESSAGE SIGN (LS)	LS	LUMP SUM	LUMP SUM	5000-
5	130100	JOB SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	5000-
6	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	LUMP SUM	2000-
7	141103	REMOVE YELLOW THERMOPLASTIC TRAFFIC STRIPE (HAZARDOUS WASTE)	LF	26,800	040	10720-
8	141104	REMOVE YELLOW THERMOPLASTIC PAVEMENT MARKING (HAZARDOUS WASTE)	SQFT	220	360	792-
9	150714	REMOVE THERMOPLASTIC TRAFFIC STRIPE	LF	8,790	030	2637-
10	150715	REMOVE THERMOPLASTIC PAVEMENT MARKING	SQFT	4,770	275	1311750
11	152438	ADJUST FRAME AND COVER TO GRADE	EA	70	475-	33250-
12	153103	COLD PLANE ASPHALT CONCRETE PAVEMENT	SQYD	20,900	310	64790-
13	190185	SHOULDER BACKING	TON	800	38-	30400-
14	390132	HOT MIX ASPHALT (TYPE A)	TON	1,250	120-	150000-
15	390137	RUBBERIZED HOT MIX ASPHALT (GAP GRADED)	TON	14,500	8650	1254250-
16	394060	DATA CORE	LS	LUMP SUM	LUMP SUM	3000-
17	397005	TACK COAT	TON	96	1-	96-
18	840515	THERMOPLASTIC PAVEMENT MARKING	SQFT	8,250	375	3093750
19	840560	THERMOPLASTIC TRAFFIC STRIPE (SPRAYABLE)	LF	159,000	030	47700-
20	850111	PAVEMENT MARKER (RETROREFLECTIVE)	EA	3,240	275	8910-

\*

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
21	860090	MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION	LS	LUMP SUM	LUMP SUM	2100-
22	880807	INDUCTIVE LOOP DETECTOR (LS)	LS	LUMP SUM	LUMP SUM	38000-

B8

TOTAL BID:

\$ 1947200-

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STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**BID TO THE DEPARTMENT OF TRANSPORTATION**  
 DES-OE-0102.1 (REV. 3/2011)

A. TEICHERT & SON INC. dba  
 TEICHERT CONSTRUCTION

CONTRACT NO. 06 - 0P9304

NAME OF BIDDER A. Teichert & Son Inc. dba Teichert Construction

BUSINESS P.O. BOX 520

CITY, STATE, ZIP Fowler, CA 93625

BUSINESS STREET ADDRESS 4533 E. Citron Ave.

CITY, STATE, ZIP Fresno, CA 93725

(Include even if P.O. Box used)

TELEPHONE NO: AREA CODE (559) 813-3100

FAX NO: AREA CODE (559) 813-3099

CONTRACTOR LICENSE NO. 8

1. Bidder agrees, if this bid is accepted, to enter into a contract with the Department, in the form included in the Standard Specifications, to perform the work provided in the Contract under the terms of the Contract for the price or prices bid.

For a lump sum or unit price based bid, Bidder additionally agrees to perform the work within the number of working days shown on the Notice to Bidders.

For a cost plus time based bid on a contract without a plant establishment period, Bidder additionally agrees to perform the work within the number of working days bid.

For a cost plus time based bid on a contract with a plant establishment period, Bidder additionally agrees to perform the non-plant establishment work within the number of working days bid for non-plant establishment work.

2. For a lump sum based bid, Bidder submits this bid with a total price in the total bid space provided on the Bid Item List. For a unit price or cost plus time based bid, Bidder submits this bid with a unit price and the item total (the product of the unit price and the quantity) for each item and a total price (the sum of the item totals) in the spaces provided on the attached Bid Item List. For a unit price with additive item based bid, Bidder submits this bid with a unit price and an item total for each item and a total base bid (the sum of the item totals) and the additive items in the spaces provided on the attached Bid Item List. Additionally, for a cost plus time based bid, Bidder submits this bid with working days bid for non-plant establishment work, total bid for time, and total bid for bid comparison in the spaces provided on the Bid Item List. Bidder agrees:

- 2.1. If a discrepancy between the unit price and the item total exists, the unit price prevails except:

2.1.1. If the unit price is illegible, omitted, or the same as the item total, item total prevails and the unit price is the quotient of the item total and the quantity.

2.1.2. If a decimal error is apparent in the product of the unit price and the quantity, the Department will use either the unit price or item total based on the closest by percentage to the unit price or item total in the Department's Final Estimate.

- 2.2. If the unit price and the item total are illegible or are omitted, the bid may be determined nonresponsive. If a lump sum total price is illegible or is omitted, the bid may be determined nonresponsive.

- 2.3. Bids on lump sum items are item totals. If a unit price for a lump sum item is entered and it differs from the item total, the item total prevails.

- 2.4. Entries are to be expressed in dollars or decimal fractions of a dollar. Symbols such as commas and dollar signs are ignored and have no significance in establishing unit price or item total.

- 2.5. Unit prices and item totals are interpreted by the number of digits and decimal placement. Do not round item totals or the total bid.

A. TEICHERT & SON INC. dba  
TEICHERT CONSTRUCTION

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**BID TO THE DEPARTMENT OF TRANSPORTATION**  
DES-OE-0102.1 (REV. 3/2011)

- 2.6. For a lump sum based bid, the item total is the bid amount the Department uses for bid comparison.  
For a unit price based bid, the sum of the item totals is the bid amount the Department uses for bid comparison.  
For a cost plus time based bid, the sum of the item totals and the total bid for time is the bid amount the Department uses for bid comparison.
- 2.7. The Department's decision on the bid amount is final.

3. Bidder has and acknowledges the following addenda:

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4. Bidder submits this bid with one of the following forms of bidder's security equal to at least 10 percent of the bid:

Cash \$ \_\_\_\_\_, Cashiers Check, Certified Check, **Bidder's Bond**

5. Bidder's signature is an affirmation of the included certifications. Bidder is cautioned that making a false certification may result in one or more of the following:

- 5.1. Criminal prosecution
- 5.2. Rejection of the bid
- 5.3. Rescission of the award
- 5.4. Termination of the Contract

*Richard J. Spielman*  
(Bidder's Signature)

DATE SIGNED (Do not type)

4/16/13

PRINTED NAME AND TITLE OF PERSON SIGNING

Richard J. Spielman, Estimator

A. TEICHERT & SON INC. dba  
TEICHERT CONSTRUCTION

## BID ITEM LIST

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
1	070030	LEAD COMPLIANCE PLAN	LS	LUMP SUM	LUMP SUM	1,500.-
2	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	3,600.-
3	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	353,500.-
4	128652	PORTABLE CHANGEABLE MESSAGE SIGN (LS)	LS	LUMP SUM	LUMP SUM	14,000.-
5	130100	JOB SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	60,000.-
6	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	LUMP SUM	550.-
7	150714	REMOVE THERMOPLASTIC TRAFFIC STRIPE	LF	4,430	0.26	1,151.80
8	150715	REMOVE THERMOPLASTIC PAVEMENT MARKING	SQFT	830	2.50	2,075.-
9	025441	ADJUST METAL BEAM GUARD RAILING ELEMENT	LF	2,120	12.-	25,440.-
10	153103	COLD PLANE ASPHALT CONCRETE PAVEMENT	SQYD	30,700	4.-	122,800.-
11	190185	SHOULDER BACKING	TON	480	62.-	29,760.-
12	374207	CRACK TREATMENT	LNMI	57	3,000.-	171,000.-
13	390011	PREPAVING INERTIAL PROFILER	LS	LUMP SUM	LUMP SUM	5,300.-
14	390020	PREPAVING GRINDING DAY	EA	1	9,500.-	9,500.-
15	390131	HOT MIX ASPHALT	TON	38,600	88.-	3,396,800.-
16	394060	DATA CORE	LS	LUMP SUM	LUMP SUM	2,500.-
17	025442	CAP HOT MIX ASPHALT DIKE	LF	88,100	0.65	57,265.-
18	397005	TACK COAT	TON	440	1.-	440.-
19	840504	4" THERMOPLASTIC TRAFFIC STRIPE	LF	553,000	0.40	221,200.-
20	840506	8" THERMOPLASTIC TRAFFIC STRIPE	LF	2,220	0.80	1,776.-

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
21	840515	THERMDPLASTIC PAVEMENT MARKING	SQFT	830	4. -	3,320. -
22	840523	4" THERMOPLASTIC TRAFFIC STRIPE (BROKEN 12-3)	LF	2,510	0.20	502. -
23	840525	4" THERMOPLASTIC TRAFFIC STRIPE (BROKEN 36-12)	LF	80,100	0.20	12,020. -
24	850111	PAVEMENT MARKER (RETROREFLECTIVE)	EA	7,190	2.40	17,256. -
25	860090	MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION	LS	LUMP SUM	LUMP SUM	350. -

A. TEICHERT & SON INC. dba  
TEICHERT CONSTRUCTION

**TOTAL BID:**

\$ 4,459,605.80

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**BID TO THE DEPARTMENT OF TRANSPORTATION**  
 DES-OE-0102.1 (REV. 3/2011)

B/C

CONTRACT NO. 10-0X9004

NAME OF BIDDER Granite Construction Company  
 BUSINESS P.O. BOX 2716 Granite Court  
 CITY, STATE, ZIP Fresno, CA 93706  
 BUSINESS STREET ADDRESS 2716 Granite Court  
(Include even P.O. Box used)  
 CITY, STATE, ZIP Fresno, CA 93706  
 TELEPHONE NO: AREA CODE (559) 441-5700  
 FAX NO: AREA CODE (559) 441-5791  
 CONTRACTOR LICENSE NO. 89

1. Bidder agrees, if this bid is accepted, to enter into a contract with the Department, in the form included in the Standard Specifications, to perform the work provided in the Contract under the terms of the Contract for the price or prices bid.
 

For a lump sum or unit price based bid, Bidder additionally agrees to perform the work within the number of working days shown on the Notice to Bidders.

For a cost plus time based bid on a contract without a plant establishment period, Bidder additionally agrees to perform the work within the number of working days bid.

For a cost plus time based bid on a contract with a plant establishment period, Bidder additionally agrees to perform the non-plant establishment work within the number of working days bid for non-plant establishment work.
2. For a lump sum based bid, Bidder submits this bid with a total price in the total bid space provided on the Bid Item List. For a unit price or cost plus time based bid, Bidder submits this bid with a unit price and the item total (the product of the unit price and the quantity) for each item and a total price (the sum of the item totals) in the spaces provided on the attached Bid Item List. For a unit price with additive item based bid, Bidder submits this bid with a unit price and an item total for each item and a total base bid (the sum of the item totals) and the additive items in the spaces provided on the attached Bid Item List. Additionally, for a cost plus time based bid, Bidder submits this bid with working days bid for non-plant establishment work, total bid for time, and total bid for bid comparison in the spaces provided on the Bid Item List. Bidder agrees:
  - 2.1. If a discrepancy between the unit price and the item total exists, the unit price prevails except:
    - 2.1.1. If the unit price is illegible, omitted, or the same as the item total, item total prevails and the unit price is the quotient of the item total and the quantity.
    - 2.1.2. If a decimal error is apparent in the product of the unit price and the quantity, the Department will use either the unit price or item total based on the closest by percentage to the unit price or item total in the Department's Final Estimate.
  - 2.2. If the unit price and the item total are illegible or are omitted, the bid may be determined nonresponsive. If a lump sum total price is illegible or is omitted, the bid may be determined nonresponsive.
  - 2.3. Bids on lump sum items are item totals. If a unit price for a lump sum item is entered and it differs from the item total, the item total prevails.
  - 2.4. Entries are to be expressed in dollars or decimal fractions of a dollar. Symbols such as commas and dollar signs are ignored and have no significance in establishing unit price or item total.
  - 2.5. Unit prices and item totals are interpreted by the number of digits and decimal placement. Do not round item totals or the total bid.

Contract No. 10-0X9004

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**BID TO THE DEPARTMENT OF TRANSPORTATION**  
DES-OE-0102.1 (REV. 3/2011)

- 2.6. For a lump sum based bid, the item total is the bid amount the Department uses for bid comparison.  
For a unit price based bid, the sum of the item totals is the bid amount the Department uses for bid comparison.  
For a cost plus time based bid, the sum of the item totals and the total bid for time is the bid amount the Department uses for bid comparison.
- 2.7. The Department's decision on the bid amount is final.

3. Bidder has and acknowledges the following addends:

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4. Bidder submits this bid with one of the following forms of bidder's security equal to at least 10 percent of the bid:

Cash \$ \_\_\_\_\_, Cashiers Check, Certified Check, Bidder's Bond

5. Bidder's signature is an affirmation of the included certifications. Bidder is cautioned that making a false certification may result in one or more of the following.

- 5.1. Criminal prosecution
- 5.2. Rejection of the bid
- 5.3. Rescission of the award
- 5.4. Termination of the Contract

BY (Authorized Signature)

*Todd Hill*

DATE SIGNED (Month/Day/Year)

*4-30-13*

PRINTED NAME AND TITLE OF PERSON SIGNING

Todd Hill, Construction Manager

ADA Notice For individuals with sensory disabilities, this document is available in alternate format. For information call (916) 854-6410 or TDD (916) 854-3880 or write Records and Forms Management, 1120 N Street, MS-80, Sacramento, CA 95814.

## BID ITEM LIST

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
1	070030	LEAD COMPLIANCE PLAN	LS	LUMP SUM	LUMP SUM	785.00
2	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	1900.00
3	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	121,000.00
4	128632	PORTABLE CHANGEABLE MESSAGE SIGN (LS)	LS	LUMP SUM	LUMP SUM	3,000.00
5	130100	JOB SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	750.00
6	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	LUMP SUM	695.00
7	152423	ADJUST MONUMENT TO GRADE	EA	1	1,100.00	1,100.00
8	153103	COLD PLANE ASPHALT CONCRETE PAVEMENT	SQYD	3,350	3.30	11,715.00
9	190185	SHOULDER BACKING	TON	1,830	1.00	1,830.00
10	025310	SAND COVER	TON	92	1.00	92.00
11	025311	RECYCLING ADDITIVE (CEMENT)	TON	74	.50.00	3,700.00
12	025312	COLD IN-PLACE RECYCLING	SQYD	43,600	6.40	291,840.00
13	025313	EMULSIFIED RECYCLING AGENT	TON	358	475.00	166,250.00
14	374002	ASPHALTIC EMULSION (FOG SEAL COAT)	TON	14	<del>584.00</del> 556.00	<del>8,176.00</del> 7,784.00
15	390132	HOT MIX ASPHALT (TYPE A)	TON	5,460	88.00	480,480.00
16	394060	DATA CORE	LS	LUMP SUM	LUMP SUM	1,000.00
17	397005	TACK COAT	TON	23	1.00	23.00
18	840515	THERMOPLASTIC PAVEMENT MARKING	SQFT	730	3.00	2,190.00
19	840560	THERMOPLASTIC TRAFFIC STRIPE (SPRAYABLE)	LP	52,300	0.30	15,690.00
20	850111	PAVEMENT MARKER (RETROREFLECTIVE)	EA	850	<del>850.00</del> 4.20	3,570.00

TOTAL BID:

\$ 1,115,394.00

A. TEICHERT & SON INC. dba  
TEICHERT CONSTRUCTION

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**BID TO THE DEPARTMENT OF TRANSPORTATION**  
DES-OE-0102.1 (REV. 3/2011)

CONTRACT NO. 10 - 0X9004

NAME OF BIDDER A. Teichert & Son Inc. dba Teichert Construction

BUSINESS P.O. BOX 520

CITY, STATE, ZIP Fowler, CA 93625

BUSINESS STREET ADDRESS 4533 E. Citron Ave.

CITY, STATE, ZIP Fresno, CA 93725

(Include even if P.O. Box used)

TELEPHONE NO: AREA CODE (559) 813-3100

FAX NO: AREA CODE (559) 813-3099

CONTRACTOR LICENSE NO. 8

1. Bidder agrees, if this bid is accepted, to enter into a contract with the Department, in the form included in the Standard Specifications, to perform the work provided in the Contract under the terms of the Contract for the price or prices bid.

For a lump sum or unit price based bid, Bidder additionally agrees to perform the work within the number of working days shown on the *Notice to Bidders*.

For a cost plus time based bid on a contract without a plant establishment period, Bidder additionally agrees to perform the work within the number of working days bid.

For a cost plus time based bid on a contract with a plant establishment period, Bidder additionally agrees to perform the non-plant establishment work within the number of working days bid for non-plant establishment work.

2. For a lump sum based bid, Bidder submits this bid with a total price in the total bid space provided on the Bid Item List. For a unit price or cost plus time based bid, Bidder submits this bid with a unit price and the item total (the product of the unit price and the quantity) for each item and a total price (the sum of the item totals) in the spaces provided on the attached Bid Item List. For a unit price with additive item based bid, Bidder submits this bid with a unit price and an item total for each item and a total base bid (the sum of the item totals) and the additive items in the spaces provided on the attached Bid Item List. Additionally, for a cost plus time based bid, Bidder submits this bid with working days bid for non-plant establishment work, total bid for time, and total bid for bid comparison in the spaces provided on the Bid Item List. Bidder agrees:
  - 2.1. If a discrepancy between the unit price and the item total exists, the unit price prevails except:
    - 2.1.1. If the unit price is illegible, omitted, or the same as the item total, item total prevails and the unit price is the quotient of the item total and the quantity.
    - 2.1.2. If a decimal error is apparent in the product of the unit price and the quantity, the Department will use either the unit price or item total based on the closest by percentage to the unit price or item total in the Department's Final Estimate.
  - 2.2. If the unit price and the item total are illegible or are omitted, the bid may be determined nonresponsive. If a lump sum total price is illegible or is omitted, the bid may be determined nonresponsive.
  - 2.3. Bids on lump sum items are item totals. If a unit price for a lump sum item is entered and it differs from the item total, the item total prevails.
  - 2.4. Entries are to be expressed in dollars or decimal fractions of a dollar. Symbols such as commas and dollar signs are ignored and have no significance in establishing unit price or item total.
  - 2.5. Unit prices and item totals are interpreted by the number of digits and decimal placement. Do not round item totals or the total bid.

A. TEICHERT & SON INC. dba  
TEICHERT CONSTRUCTION

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**BID TO THE DEPARTMENT OF TRANSPORTATION**  
DES-OE-0102.1 (REV. 3/2011)

- 2.6. For a lump sum based bid, the item total is the bid amount the Department uses for bid comparison.  
For a unit price based bid, the sum of the item totals is the bid amount the Department uses for bid comparison.  
For a cost plus time based bid, the sum of the item totals and the total bid for time is the bid amount the Department uses for bid comparison.
- 2.7. The Department's decision on the bid amount is final.

3. Bidder has and acknowledges the following addenda:

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4. Bidder submits this bid with one of the following forms of bidder's security equal to at least 10 percent of the bid:

Cash \$ \_\_\_\_\_ Cashiers Check, Certified Check, **Bidder's Bond**

5. Bidder's signature is an affirmation of the included certifications. Bidder is cautioned that making a false certification may result in one or more of the following:

- 5.1. Criminal prosecution
- 5.2. Rejection of the bid
- 5.3. Rescission of the award
- 5.4. Termination of the Contract

BY (Authorized Signature)

DATE SIGNED (Do not type)

04/03/2013

PRINTED NAME AND TITLE OF PERSON SIGNING

Janez Beliskar, Estimating Manager

**ADA Notice** For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 664-0410 or TDD (916) 664-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

**A. TEICHERT & SON INC. dba  
TEICHERT CONSTRUCTION**
**BID ITEM LIST**

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
1	070030	LEAD COMPLIANCE PLAN	LS	LUMP SUM	LUMP SUM	1,200. <sup>00</sup>
2	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	2,500. <sup>00</sup>
3	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	142,000. <sup>00</sup>
4	128652	PORTABLE CHANGEABLE MESSAGE SIGN (LS)	LS	LUMP SUM	LUMP SUM	5,000. <sup>00</sup>
5	130100	JOB SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	2,500. <sup>00</sup>
6	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	LUMP SUM	600. <sup>00</sup>
7	152423	ADJUST MONUMENT TO GRADE	EA	1	1,500. <sup>00</sup>	1,500. <sup>00</sup>
8	153103	COLD PLANE ASPHALT CONCRETE PAVEMENT	SQYD	3,550	5. <sup>00</sup>	17,750. <sup>00</sup>
9	190185	SHOULDER BACKING	TON	1,830	10. <sup>00</sup>	18,300. <sup>00</sup>
10	025310	SAND COVER	TON	92	37. <sup>00</sup>	3,404. <sup>00</sup>
11	025311	RECYCLING ADDITIVE (CEMENT)	TON	74	108. <sup>00</sup>	7,992. <sup>00</sup>
12	025312	COLD IN-PLACE RECYCLING	SQYD	45,600	6. <sup>00</sup>	273,600. <sup>00</sup>
13	025313	EMULSIFIED RECYCLING AGENT	TON	350	590. <sup>00</sup>	206,500. <sup>00</sup>
14	374002	ASPHALTIC EMULSION (FOG SEAL COAT)	TON	14	590. <sup>00</sup>	8,260. <sup>00</sup>
15	390132	HOT MIX ASPHALT (TYPE A)	TON	5,460	80. <sup>00</sup>	436,800. <sup>00</sup>
16	394060	DATA CORE	LS	LUMP SUM	LUMP SUM	2,500. <sup>00</sup>
17	397005	TACK COAT	TON	23	1. <sup>00</sup>	23. <sup>00</sup>
18	840515	THERMOPLASTIC PAVEMENT MARKING	SQFT	730	3. <sup>50</sup>	2,555. <sup>00</sup>
19	840560	THERMOPLASTIC TRAFFIC STRIPE (SPRAYABLE)	LF	52,300	0. <sup>30</sup>	15,690. <sup>00</sup>
20	850111	PAVEMENT MARKER (RETROREFLECTIVE)	EA	850	2. <sup>60</sup>	2,210. <sup>00</sup>

**TOTAL BID:**
**\$ 1,150,864.<sup>00</sup>**

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**BID TO THE DEPARTMENT OF TRANSPORTATION**  
 DES-OE-0102.1 (REV. 3/2011)

D2

CONTRACT NO. 10 - 0V9404

NAME OF BIDDER A. Teichert & Son, Inc. dba Teichert Construction

BUSINESS P.O. BOX P.O. Box 1118

CITY, STATE, ZIP Stockton, CA 95206

BUSINESS STREET ADDRESS 265 Val Dervin Pkwy

(Include even if P.O. Box used)

CITY, STATE, ZIP Stockton, CA 95206

TELEPHONE NO: AREA CODE (209 ) 983-2300

FAX NO: AREA CODE (209 ) 983-2375

CONTRACTOR LICENSE NO. 8

1. Bidder agrees, if this bid is accepted, to enter into a contract with the Department, in the form included in the Standard Specifications, to perform the work provided in the Contract under the terms of the Contract for the price or prices bid.

For a lump sum or unit price based bid, Bidder additionally agrees to perform the work within the number of working days shown on the *Notice to Bidders*.

For a cost plus time based bid on a contract without a plant establishment period, Bidder additionally agrees to perform the work within the number of working days bid.

For a cost plus time based bid on a contract with a plant establishment period, Bidder additionally agrees to perform the non-plant establishment work within the number of working days bid for non-plant establishment work.

2. For a lump sum based bid, Bidder submits this bid with a total price in the total bid space provided on the Bid Item List. For a unit price or cost plus time based bid, Bidder submits this bid with a unit price and the item total (the product of the unit price and the quantity) for each item and a total price (the sum of the item totals) in the spaces provided on the attached Bid Item List. For a unit price with additive item based bid, Bidder submits this bid with a unit price and an item total for each item and a total base bid (the sum of the item totals) and the additive items in the spaces provided on the attached Bid Item List. Additionally, for a cost plus time based bid, Bidder submits this bid with working days bid for non-plant establishment work, total bid for time, and total bid for bid comparison in the spaces provided on the Bid Item List. Bidder agrees:
  - 2.1. If a discrepancy between the unit price and the item total exists, the unit price prevails except:
    - 2.1.1. If the unit price is illegible, omitted, or the same as the item total, item total prevails and the unit price is the quotient of the item total and the quantity.
    - 2.1.2. If a decimal error is apparent in the product of the unit price and the quantity, the Department will use either the unit price or item total based on the closest by percentage to the unit price or item total in the Department's Final Estimate.
  - 2.2. If the unit price and the item total are illegible or are omitted, the bid may be determined nonresponsive. If a lump sum total price is illegible or is omitted, the bid may be determined nonresponsive.
  - 2.3. Bids on lump sum items are item totals. If a unit price for a lump sum item is entered and it differs from the item total, the item total prevails.
  - 2.4. Entries are to be expressed in dollars or decimal fractions of a dollar. Symbols such as commas and dollar signs are ignored and have no significance in establishing unit price or item total.
  - 2.5. Unit prices and item totals are interpreted by the number of digits and decimal placement. Do not round item totals or the total bid.

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**BID TO THE DEPARTMENT OF TRANSPORTATION**  
DES-OE-0102.1 (REV. 3/2011)

- 2.6. For a lump sum based bid, the item total is the bid amount the Department uses for bid comparison.  
For a unit price based bid, the sum of the item totals is the bid amount the Department uses for bid comparison.  
For a cost plus time based bid, the sum of the item totals and the total bid for time is the bid amount the Department uses for bid comparison.
- 2.7. The Department's decision on the bid amount is final.
- 3. Bidder has and acknowledges the following addenda:

---

- 4. Bidder submits this bid with one of the following forms of bidder's security equal to at least 10 percent of the bid:  
Cash \$ \_\_\_\_\_, Cashiers Check, Certified Check, Bidder's Bond
- 5. Bidder's signature is an affirmation of the included certifications. Bidder is cautioned that making a false certification may result in one or more of the following:
  - 5.1. Criminal prosecution
  - 5.2. Rejection of the bid
  - 5.3. Rescission of the award
  - 5.4. Termination of the Contract

BY (Authorized Signature) 

DATE SIGNED (Do not type) 3-20-2013

PRINTED NAME AND TITLE OF PERSON SIGNING  
Eric Stannard, Estimating Manager

**ADA Notice** For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 854-6410 or TDD (916) 854-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

## BID ITEM LIST

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
1	070030	LEAD COMPLIANCE PLAN	LS	LUMP SUM	LUMP SUM	5000-
2	120090	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	6500-
3	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	259000-
4	120165	CHANNELIZER (SURFACE MOUNTED)	EA	16	65-	1040-
5	128652	PORTABLE CHANGEABLE MESSAGE SIGN (LS)	LS	LUMP SUM	LUMP SUM	5000-
6	130100	JOB SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	2000-
7	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	LUMP SUM	1000-
8	141103	REMOVE YELLOW THERMOPLASTIC TRAFFIC STRIPE (HAZARDOUS WASTE)	LF	93,000	040	37200-
9	150714	REMOVE THERMOPLASTIC TRAFFIC STRIPE	LF	6,630	060	3978-
10	150715	REMOVE THERMOPLASTIC PAVEMENT MARKING	SQFT	1,640	225	3690-
11	150744	REMOVE ROADSIDE SIGN (WOOD POST)	EA	3	150-	450-
12	150771	REMOVE ASPHALT CONCRETE DIKE	LF	9,480	050	4740-
13	152320	RESET ROADSIDE SIGN	EA	3	150-	450-
14	152438	ADJUST FRAME AND COVER TO GRADE	EA	1	750-	750-
15	152439	ADJUST FRAME AND GRATE TO GRADE	EA	6	1500-	9000-
16	153103	COLD PLANE ASPHALT CONCRETE PAVEMENT	SQYD	20,500	5-	102500-
17	190185	SHOULDER BACKING	TON	2,910	30-	87300-
18	390132	HOT MIX ASPHALT (TYPE A)	TON	1,750	120-	210000-
19	390140	RUBBERIZED HOT MDX ASPHALT (GAP GRADED)	TON	16,100	90-	1577800-
20	394060	DATA CORE	LS	LUMP SUM	LUMP SUM	5500-

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
21	394076	PLACE HOT MIX ASPHALT DIKE (TYPE E)	LF	9,480	3.50	33180
22	397005	TACK COAT	TON	80	1	80
23	566011	ROADSIDE SIGN - ONE POST	EA	9	250	2250
24	840515	THERMOPLASTIC PAVEMENT MARKING	SQFT	3,710	3.25	12057.50
25	840560	THERMOPLASTIC TRAFFIC STRIPE (SPRAYABLE)	LF	224,000	0.30	67200
26	850111	PAVEMENT MARKER (RETROREFLECTIVE)	EA	5,410	2	10820
27	860090	MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION	LS	LUMP SUM	LUMP SUM	1800
28	861502	MODIFY SIGNAL	LS	LUMP SUM	LUMP SUM	18000

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TOTAL BID:

\$ 2468285.50

*AD*

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION  
**BID TO THE DEPARTMENT OF TRANSPORTATION**  
 DES-0E-0102.1 (REV. 3/2011)

**CONTRACT NO. 04 - 3E6304**

**NAME OF BIDDER** GRANITE CONSTRUCTION COMPANY  
**BUSINESS P.O. BOX** P.O. BOX 50085  
**CITY, STATE, ZIP** WATSONVILLE, CA 95077  
**BUSINESS STREET ADDRESS** 585 W. BEACH ST  
(Include name if P.O. Box used)  
**CITY, STATE, ZIP** WATSONVILLE, CA 95076  
**TELEPHONE NO:** AREA CODE (831 ) 724-1011  
**FAX NO:** AREA CODE (831 ) 768-4021  
**CONTRACTOR LICENSE NO.** 89

1. Bidder agrees, if this bid is accepted, to enter into a contract with the Department, in the form included in the Standard Specifications, to perform the work provided in the Contract under the terms of the Contract for the price or prices bid.
 

For a lump sum or unit price based bid, Bidder additionally agrees to perform the work within the number of working days shown on the Notice to Bidders.

For a cost plus time based bid on a contract without a plant establishment period, Bidder additionally agrees to perform the work within the number of working days bid.

For a cost plus time based bid on a contract with a plant establishment period, Bidder additionally agrees to perform the non-plant establishment work within the number of working days bid for non-plant establishment work.
2. For a lump sum based bid, Bidder submits this bid with a total price in the total bid space provided on the Bid Item List. For a unit price or cost plus time based bid, Bidder submits this bid with a unit price and the item total (the product of the unit price and the quantity) for each item and a total price (the sum of the item totals) in the spaces provided on the attached Bid Item List. For a unit price with additive item based bid, Bidder submits this bid with a unit price and an item total for each item and a total base bid (the sum of the item totals) and the additive items in the spaces provided on the attached Bid Item List. Additionally, for a cost plus time based bid, Bidder submits this bid with working days bid for non-plant establishment work, total bid for time, and total bid for bid comparison in the spaces provided on the Bid Item List. Bidder agrees:
  - 2.1. If a discrepancy between the unit price and the item total exists, the unit price prevails except:
    - 2.1.1. If the unit price is illegible, omitted, or the same as the item total, item total prevails and the unit price is the quotient of the item total and the quantity.
    - 2.1.2. If a decimal error is apparent in the product of the unit price and the quantity, the Department will use either the unit price or item total based on the closest by percentage to the unit price or item total in the Department's Final Estimate.
  - 2.2. If the unit price and the item total are illegible or are omitted, the bid may be determined nonresponsive. If a lump sum total price is illegible or is omitted, the bid may be determined nonresponsive.
  - 2.3. Bids on lump sum items are item totals. If a unit price for a lump sum item is entered and it differs from the item total, the item total prevails.
  - 2.4. Entries are to be expressed in dollars or decimal fractions of a dollar. Symbols such as commas and dollar signs are ignored and have no significance in establishing unit price or item total.
  - 2.5. Unit prices and item totals are interpreted by the number of digits and decimal placement. Do not round item totals or the total bid.

Contract No. 04-3E6304

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**BID TO THE DEPARTMENT OF TRANSPORTATION**  
DES-06-0102.1 (REV. 3/2011)

- 2.6. For a lump sum based bid, the item total is the bid amount the Department uses for bid comparison.  
For a unit price based bid, the sum of the item totals is the bid amount the Department uses for bid comparison.  
For a cost plus time based bid, the sum of the item totals and the total bid for time is the bid amount the Department uses for bid comparison.

2.7. The Department's decision on the bid amount is final.

3. Bidder has and acknowledges the following addenda:

*one (1)*

4. Bidder submits this bid with one of the following forms of bidder's security equal to at least 10 percent of the bid:

Cash \$ \_\_\_\_\_, Cashiers Check, Certified Check, Bidder's Bond

5. Bidder's signature is an affirmation of the included certifications. Bidder is cautioned that making a false certification may result in one or more of the following:

- 5.1. Criminal prosecution
- 5.2. Rejection of the bid
- 5.3. Rejection of the award
- 5.4. Termination of the Contract

BY (Authorized Signature)

*Steven C. Kaesler*

DATE SIGNED (By and for)

*4/3/13*

PRINTED NAME AND TITLE OF PERSON SIGNING

*Steven C. Kaesler, Area Manager*

**ADA Notice** For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 864-6416 or TDD (916) 864-3880 or visit Records and Forms Management, 1120 N Street, MS-06, Sacramento, CA 95814.

BID ITEM LIST

Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
1	070030	LEAD COMPLIANCE PLAN	LS	LUMP SUM	LUMP SUM	2,000.00
2	120080	CONSTRUCTION AREA SIGNS	LS	LUMP SUM	LUMP SUM	11,000.00
3	120100	TRAFFIC CONTROL SYSTEM	LS	LUMP SUM	LUMP SUM	76,200.00
4	128852	PORTABLE CHANGEABLE MESSAGE SIGN (LS)	LS	LUMP SUM	LUMP SUM	10,000.00
5	130100	JOB SITE MANAGEMENT	LS	LUMP SUM	LUMP SUM	1,000.00
6	130200	PREPARE WATER POLLUTION CONTROL PROGRAM	LS	LUMP SUM	LUMP SUM	1,000.00
7	130820	TEMPORARY DRAINAGE INLET PROTECTION	EA	80	100.00	6,000.00
8	130730	STREET SWEEPING	LS	LUMP SUM	LUMP SUM	15,000.00
9	150771	REMOVE ASPHALT CONCRETE DIKE	LF	4,380	1.00	4,380.00
10	153103	COLD PLANE ASPHALT CONCRETE PAVEMENT	SQYD	139,000	1.00	2,083,900.00
11	180102	CLEARING AND GRUBBING (LS)	LS	LUMP SUM	LUMP SUM	2,000.00
12	390132	HOT MIX ASPHALT (TYPE A)	TON	1,130	140.00	158,200.00
13	390134	HOT MIX ASPHALT (OPEN GRADED)	TON	9,090	98.00	810,820.00
14	394053	SHOULDER RUMBLE STRIP (HMA, GROUND-IN INDENTATIONS)	LF	8,770	0.50	4,385.00
15	394060	DATA CORE	LS	LUMP SUM	LUMP SUM	2,000.00
16	394073	PLACE HOT MIX ASPHALT DIKE (TYPE A)	LF	2,220	2.50	5,550.00
17	394074	PLACE HOT MIX ASPHALT DIKE (TYPE C)	LF	540	4.00	2,160.00
18	394076	PLACE HOT MIX ASPHALT DIKE (TYPE E)	LF	180	10.00	1,600.00
19	394077	PLACE HOT MIX ASPHALT DIKE (TYPE F)	LF	1,480	3.50	5,110.00
20	397005	TACK COAT	TON	80	1.00	60.00

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Item No.	Item Code	Item Description	Unit of Measure	Estimated Quantity	Unit Price	Item Total
21	840516	THERMOPLASTIC PAVEMENT MARKING (ENHANCED WET NIGHT VISIBILITY)	SQFT	1,550	4 <sup>00</sup>	6,200 <sup>00</sup>
22	846001	4" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY)	LF	28,900	0 <sup>30</sup>	14,460 <sup>00</sup>
23	846004	4" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY) (BROKEN 17-7)	LF	1,100	0 <sup>30</sup>	330 <sup>00</sup>
24	848009	6" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY)	LF	3,330	1 <sup>00</sup>	3,330 <sup>00</sup>
25	848010	8" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY) (BROKEN 12-3)	LF	2,890	1 <sup>00</sup>	2,890 <sup>00</sup>
26	025292	4" THERMOPLASTIC TRAFFIC STRIPE (ENHANCED WET NIGHT VISIBILITY) (BROKEN 34-14)	LF	53,000	0 <sup>30</sup>	15,900 <sup>00</sup>
27	850101	PAVEMENT MARKER (NON-REFLECTIVE)	EA	4,630	2 <sup>00</sup>	9,260 <sup>00</sup>
28	850111	PAVEMENT MARKER (RETROREFLECTIVE)	EA	1,870	3 <sup>00</sup>	5,610 <sup>00</sup>
29	880080	MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION	LS	LUMP SUM	LUMP SUM	1,000 <sup>00</sup>
30	025293	LOOP DETECTOR REPLACEMENT (TRAFFIC SIGNAL)	LS	LUMP SUM	LUMP SUM	35,000 <sup>00</sup>
31	025284	LOOP DETECTOR REPLACEMENT (TRAFFIC MONITORING STATION)	LS	LUMP SUM	LUMP SUM	13,000 <sup>00</sup>
32	999960	MOBILIZATION	LS	LUMP SUM	LUMP SUM	14,500 <sup>00</sup>

**TOTAL BID:**

**\$ 1,678,435<sup>00</sup>**

*OK*

MODESTO OFFICE  
P.O. BOX 4760, MODESTO, CA 95352  
TELEPHONE: (209) 523-0734  
ESTIMATING FAX: (209) 523-4927  
ACCOUNTING FAX: (209) 523-4313



OFFICE AND YARD:  
140 EMPIRE AVENUE  
MODESTO, CALIFORNIA 95354  
1-877-823-2305  
WWW.GEORGEREED.COM

State Contractor's License No. 211337-A



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## FAX TRANSMITTAL

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**Date:** May 2, 2013

**To:** John McMillan, Deputy Chief  
**Company:** State of California, Department of Transportation  
**Phone:**  
**Fax:** 916-227-6282

**From:** Stacy Case  
**Company:** George Reed, Inc. - Modesto  
**Phone:** (209) 523-0734  
**Fax:** (209) 523-4927

**Pages Faxed:** 36

**Project Name:** 10-0V9204

**Comments:** George Reed response to Bid Protest by Teichert Construction

Thanks, Stacy Case