

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
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*Serious drought.
Help save water!*

Revised

December 18, 2015

Facsimile: (209) 523-4927

Stacy Case, Chief Estimator
George Reed Inc.
140 Empire Avenue
Modesto, CA 95354

10-0Y9504
10-SJ-120-6.7/16.7
B.O. 11/19/15

Dear Mr. Case:

The Department of Transportation (Caltrans) received a letter dated December 14, 2015 from George Reed Inc. (George Reed) protesting the bid submitted by Bay Cities Paving and Grading Inc. (Bay Cities) for the above referenced contract. The protest alleges that Bay Cities submitted an incomplete Disadvantaged Business Enterprise (DBE) Commitment form that excluded information, specifically, the total number of all subcontracts (DBE & Non DBE), and the total value of all subcontracts (DBE & Non DBE).

Although the exclusion of these items may be characterized as a deviation in the bidding documents, Caltrans has determined that this is an immaterial deviation, as it does not affect the bid amount. It is therefore, within Caltrans' discretion to waive the immaterial deviation. As such, Caltrans finds that the protest by George Reed is without merit and Bay Cities bid is not non-responsive as alleged by George Reed.

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

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

Sincerely,

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

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