

DEPARTMENT OF TRANSPORTATION

DIVISION OF ENGINEERING SERVICES

OFFICE ENGINEER, MS 43

1727 30th STREET

P. O. BOX 168041

SACRAMENTO, CA 95816-8041

PHONE (916) 227-6299

FAX (916) 227-6282

www.dot.ca.gov/hq/esc/oe

*Flex your power!
Be energy efficient!*

March 20, 2014

Facsimile: (619) 698-7701

Robert C. Samuel
RSM2 Contractors, Inc.
8191 Center Street
La Mesa, CA 9194211-076704
11-Imp-5708
B.O. 03/13/14

Dear Mr. Samuel:

The Department of Transportation (Caltrans) received a bid from RSM2 Contractors, Inc. (RSM2) on contract 11-076704 on March 13, 2014. RSM2 asserts that an error was made in filling out the bid for the above referenced project which made the bid materially different and that it failed to input a bid price for line item 40, Building Work. The intended cost of the item was \$1,036,050.00, for an overall total bid of \$9,158,076.35.

On March 14, 2014, RSM2 requested a relief of bid due to inadvertent clerical error.

In accordance with RSM2's request, the Department finds that RSM2 has met the elements of Public Contract Code Sections 5101 and 5103. Therefore, RSM2 is hereby relieved of their bid without forfeiture of its bid bond.

If you have any questions, please contact Mulissa Smith, Contract Awards Branch Chief, 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

Attachment

Relief of Bid Determination Report

(Ref. Public Contract Code 5100 et Seq.)

Contract No. 11-07670404

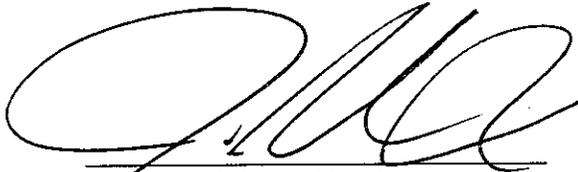
Bidder Name: RSM2 CONTRACTORS, Inc.

Bid Opening Date: 3/13/13

License No. 819649

- ✓ I have reviewed the attached relief of bid request and documentation and find that the bidder has met the elements of Public Contract Code Sections 5101 and 5103. The bidder is hereby relieved of their bid without forfeiture of the bid bond.

I have reviewed the attached relief of bid request and documentation and find that the bidder failed to meet the elements of Public Contract Code Sections 5101 and 5103, The request for relief of bid is denied.



Deputy Division Chief
Office Engineer
Division of Engineering Services

3-18-2014
Date

Recommended for Approval by: Cuong Nguyen

STATE OF CALIFORNIA · DEPARTMENT OF TRANSPORTATION
RELIEF OF BID REQUEST
DES-OE-0141 (REV 01/2010)

Contract No. 11-076704

Bidder's Name: RSM2 Contractors, Inc

Bid Opening Date: Mar 13, 2014

License No. 819649

Requirements:

To be relieved of your bid you must demonstrate all of the following to the Department. You are not relieved of your bid until notified by the Department in writing.

- A mistake was made in your bid.
- You submitted written notice of the mistake to the Department within 5 business days of bid opening, specifying in detail how the mistake occurred.
- The mistake made the bid materially different than what you intended.
- The mistake was made in filling out the bid and not due to an error in judgement or to carelessness in inspecting the site of work or in reading the plans or specifications.

Instructions:

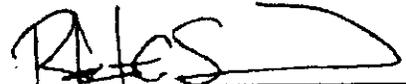
Attach a statement and supporting documentation that describes the following in detail:

1. The mistake in your bid and how it was made.
2. How the mistake made the bid materially different than intended.
3. How the mistake was made in filling out the bid.
4. Sign the certification below.
5. Fax this completed form, the statement and supporting documentation to (916) 227-6282. Attention: Office Engineer.

Certification:

By my signature on this form, I certify, under penalty of perjury that the attached statement, including any supporting documents, are true and correct.

Date: Mar 14, 2014



Signature of Bidder

President
Title



**** Via Fax 916.227.6282 ****

14 March 2014

**OFFICE ENGINEER
CALIFORNIA DEPARTMENT OF TRANSPORTATION**

Reference; Notice of Mistake and Withdrawal of Bid
Project: Building Construction in Imperial County
At the El Centro Maintenance Facility
Project Number: 11-076704
Owner: California State Department of Transportation
Bidder: RSM2 Contractors, Inc.

Gentlemen,

With reference to Public Contract Code section 5103, this is RSM2 Contractors, Inc.'s notice to the California Department Of Transportation that it made a mistake in filling out its bid for the above-referenced project which made the bid materially different than intended. The mistake was made in filling out the bid and not due to error in judgment or carelessness in inspecting the site of the work, or in reading the plans or specifications. Therefore, RSM2 hereby withdraws its bid.

RSM2 uses an Excel spreadsheet as part of its estimating process. The costs for each separate line item are compiled on separate Excel worksheets. The total cost for each line item is calculated by using a formula within the spreadsheet. Here, the individual compiling the total cost for line item 40 of this bid, titled "Building Work" inadvertently input \$0.00 instead of the bid price received from a subcontractor for the Install of Section 12-5.04 Pre Engineered Cold Formed Steel Trusses, Furnish and Install of Section 12-5.05 Cold Formed Steel Framing and Furnish and Install of Section 12-9.01 Gypsum Wallboard.

In order to clearly illustrate these facts we have enclosed: (1) a copy of the Excel spreadsheet with the clerical error highlighted; (2) a copy of the subcontractor bid that was inadvertently left out of the spreadsheet; and (3) Caltrans' Relief of Bid Request form with the required certification under penalty of perjury.

As a result of this clerical error, RSM2's bid was \$1,036,050.00 lower than anticipated, which is a significant percentage of our budgeted price, making our bid materially different than what we intended. Consequently, RSM2 withdraws its bid for the project. If you have any questions or need additional information, please contact us. Thank you for your consideration.

Very truly yours,
RSM2 CONTRACTORS, INC.



Robert C. Samuel
President

Attachments: Bid Spreadsheet, Subcontractor Quote & Relief of Bid Request

Name: CALTRANS MAINTENANCE
 Project Location: El Centro
 Bid Date:
 Bid Time:
 Est #:

3/13/2014
 2:00 PM

Section	Description	Price	Sub
100	General Conditions	\$ 262,288	
1000	DIVISION 01 GENERAL REQUIREMENTS FINAL CLEAN PROTECTION Inspection	\$ 35,000	
2000	DIVISION 02 SITE CONSTRUCTION		
	Earthwork for Building	\$ 365,000	
	CIDH piles	\$ -	In div 3
	Bike Rack	\$ 500	plug
	RV Dump Station	\$ -	in 15
	Wash Rack/ Septic Clarifier	\$ -	in rand
	Guard Posts	\$ -	fob steel
	Pavement Markings	\$ 2,500	plug
	Water Dist. System	\$ 185,040	Rand
	Sewage Dist. System	\$ 48,044	Rand
	Fire Water Dist.	^	
	Storm Drain Dist.	\$ -	n/a
3000	DIVISION 03 CONCRETE		
	CAST-IN-PLACE CONCRETE- Building Concrete	\$ 672,946	bravo
	reinforcing	\$ 82,673	quality
	anchor bolts	\$ 12,500	plug
	aera light footings (approx 20)	\$ -	in div 16
4000	Masonry @ Transformer Pad Fence Pilasters	\$ 28,550	haxton
5000	DIVISION 05 METALS		
	STRUCTURAL STEEL FOR BUILDINGS	\$ 224,133	
	Open Web Steel Joists	^	
	Metal Deck	\$ 62,000	Infinity
	Pre-engineered Cold formed steel trusses	\$ 104,999	Gecko
	Cold formed metal framing		in brady
	Cable Railing @ Wash Rack	\$ 10,240	In Line
	Building Misc Metal		
6000	DIVISION 06 WOOD AND PLASTICS		
	Finish Carpentry	\$ 34,635	Spooners
	Cabinets	^	
	Plywood Wainscot	^	
	Wall Sheathing	\$ 81,000	
	Roof Sheathing		
	Misc Lumber	\$ 2,000	plug
7000	DIVISION 07 THERMAL AND MOISTURE PROTECTION		
	Batt & Blanket Insulation	\$ 30,985	Spring Valley

RIGID ROOF INSULATION	\$	132,010	AOS Inc
Concrete Tile Roofing	^		
Membrane Roofing TPO	^		
EIFS	\$	237,800	Nurse
Metal Siding	\$	106,961	Cardnial
FLASHING & SHEET METAL	^		Cardnial
Roof Specialties			
Sealants	\$	25,000	plug
8000 DIVISION 08 DOORS AND WINDOWS			
Steel Doors & Frames	\$	71,942	
Flush Wood Doors			
Access Doors	\$	3,000	plug
Overhead Coiling Grille	\$	5,000	plug
Sectional Overhead Doors	\$	85,500	superior
Power Operated Roll Up Door			
Windows	\$	144,700	Loti
Door Hardware			
Glazing			
Accordian Partition	\$	6,822	L2 Specialties
9000 DIVISION 09 FINISHES			
GYPSUM BOARD	\$	-	
Ceramic Tile	\$	67,243	ASC
RESILIENT BASE	\$	23,850	CT Floor Coverings
VCT	^		
Carpeting	^		
PAINTING	\$	74,335	ASC
FRP	\$	3,500	plug
Acoustical Ceiling Tile	\$	4,505	brady
Detectible Warning Surface			
10000 DIVISION 10 SPECIALTIES			
Marker Boards	\$	800	plug
Metal Toilet Partitions	\$	8,480	plug
Toilet Room Accessories	^		
Louvers			
Flagpole	\$	4,500	plug
Signs	\$	7,775	Div 10
Signs incl/ entry monument	\$	13,750	Brandl
Wardrobe Lockers	\$	9,700	Engineered Storage
Wood Benches	^		in div 6
Fire Ex. & Cabinets	\$	2,000	plug
Steel Shelving	\$	2,500	plug
Aluminum Canopy	\$	81,751	Buxcon
11000 EQUIPMENT			
High Pressure Washer	\$	20,147	Air & Lube
Fuel Disp. Equipment	\$	134,436	Air & Lube
LPG Dispensing Eq.	\$	15,000	plug
Lube & Compressed Air Systems	\$	60,898	Air & Lube
Recycled oil storage tanks	^		
Clarifier Tank			in Div 2
Workbench	\$	15,631	Air & Lube
Vacuum System	\$	4,043	Air & Lube
Ice Machines	\$	3,000	plug
exhaust evac			n/a
12000 Horizontal Blinds	\$	3,375	A1
13000 Asphalt Emulsion Tank	\$	127,709	Air & Lube

15000 DIVISION 15 MECHANICAL
 Plumbing \$ 273,885 Sherwood
 HVAC \$ 120,840 [REDACTED]
 Fire Sprinklers \$ 87,040 AAFSI

16000 DIVISION 16 ELECTRICAL
 ELECTRICAL \$ 700,867 alpine
 Standby Generator ^
 Fire Alarm \$ 78,475 Jade
 Intrusion Alarm ^
 Access Control ^
 Water Booster Pump "
 Pot Water Pump "
 Water Treatment "
 Super & Data Acquisition
 Low Voltage Control Panel

12-18.15

Subtotal \$ 4,975,703
 Total Direct Cost \$ 4,975,703
 5% Markup \$ 248,785
 0.05 GL Insurance \$ 261,224
 0.01 Builders Risk (inc w/ insurance) \$ -
 GL Umbrella \$ 650

Bonds

5% markup for line items \$ 98,126

CUT/ADD

Base Bid \$ 5,584,488

ALTERNATE 1

Covered Trash/ Material Bins
 earthwork \$ 126,000 dafey
 concrete \$ 159,455 bravo
 steel \$ 134,328 CW Brown
 roofing/sheetmetal \$ 88,646 cardrial
 guard posts \$ 5,000
 concrete wall ^
 electrical \$ 17,000 Alpine
 paint \$ 6,975 asc

\$ 537,405
 7% \$ 37,618

\$ 575,023

March 13, 2014

RSM2 Contractors, Inc.
 8191 Center Street
 La Mesa, CA 91942



Brady SoCal, Inc.

Re: D.O.T - El Centro Maintenance Station - Imperial Valley

Mr. Robert Samuel,

We propose to provide all labor, material, tools, equipment, taxes, and insurance necessary to perform the Scope of Work outlined below in accordance with the Bid Documents, subject to and superseded by the terms and condition listed herein as follows:

<u>SCOPE OF WORK</u>	<u>BASE BID TOTAL</u>	<u>\$ 1,613,235.00</u>
<u>Break out for accounting purpose only:</u>		
Section 12-5.04 Pre-Engineered Cold-Formed Steel Trusses		
Section 12-5.05 Cold-Formed Steel Framing		
Section 12-9.01 Gypsum Wallboard		<u>\$ 1,036,050.00</u>
Section 12-7.04 EIFS		<u>\$ 427,250.00</u>
Section 12-9.08 Acoustical Ceiling Tile		<u>\$ 4,505.00</u>
Section 12-8.01 Steel Doors and Frames		
Section 12-8.02 Flush Wood Doors		
Section 12-8.07 Door Hardware		<u>\$ 99,120.00</u>
Section 12-9.07 FRP Panels		
Section 12-10.07 Metal Lockers		
Section 12-10.08 Locker Benches		
Section 12-10.01 Marker Boards		
Section 12-10.02 Toilet Partitions		
Section 12-10.13 Toilet Accessories		
Section 12-10.09 Fire Extinguisher Cabinets		<u>\$ 46,310.00</u>

ALTERNATES - VOLUNTARY

1. Bonds

Provide payment and performance bonds, if required, issued by Federal Insurance Company.
 Add 1.00%

2. Glass In Wood Doors

Glazing in wood doors ONLY is covered in the base bid. However if the storefront contractor is to pick up the glass in the wood doors your savings would be.
 Deduct (2,200.00)

3. Add Anchor Bolts

Anchor bolts per ST-4B. - Material Add \$ 9,700.00
 Anchor bolts per ST-4B. - Labor Add \$ 8,100.00

Brady SoCal, Inc.

8100 Center Street • Post Office Box 968 • La Mesa, CA 91944-0968 • 619 462-2600 • FAX: 619 465-3805

March 13, 2014
D.O.T - El Centro Maintenance Station -- Imperial Valley
Page 2 of 4

<u>BID DOCUMENTS</u>	As prepared by Anthony Manansala	
Drawings:	As listed on Drawing Index, sheet GP-1.1	Dated 21-Jan-2014
Specifications:	Partial -- Scope of Work sections listed above	Dated 10- February-2014
Addendum: 1		Dated 28-February-2014
Project Schedule		None Seen

CLARIFICATIONS

Doors, Frames and Hardware:

1. Allow 8 weeks for delivery of material after receipt of all approved submittals.
2. Hollow metal frames quoted as 16 gauge manufactured by Door Components.
3. Hollow metal doors quoted as 16 gauge manufactured by Door Components
4. Interior wood doors quoted as unfinished primed MDO (Field Finished By Others)
5. Locksets/latchsets quoted as Falcon.

Acoustic Ceilings:

1. Armstrong Fine Fissured #746 1'x1' glue up ceiling tile figured in Room 619 only.

LGMF/Drywall/Plaster:

1. This quote includes installation only of light gauge metal trusses; this does not include the purchase of trusses. Trusses are to be purchased and furnished by the GC from a mutually agreed vendor.
2. Scaffold will be set for plaster at high walls only; majority of load bearing framing will be installed off all terrain lifts. No scaffold is figured for perimeter fall protection.
3. Acoustical caulking is figured at base of wall only, no other sealants are figured at the interior walls.
4. EIFS caulking is figured for its own work only, EIFS caulking to exterior door frames is figured; EIFS caulking to exterior window frames are not included.
5. The only Access Panels figured are the 22x30 attic access shown on the reflective ceiling plans (supply and install). All other APs are to be supplied and installed by others.

INCLUSIONS

1. Doors, Frames and Hardware:
 - a. Furnishing and installation of doors, frames and hardware.
 - b. Two adjustments of installed hardware. Once for fire inspection and once after HVAC balancing. Additional trips requested by the general contractor will be charged based on time and material basis.
2. Specialties:
 - a. FRP as listed on finish schedule 2 janitor closets 4' h.
 - b. Metal lockers and benches in 2 rooms only. 31 frames & 2 benches total.

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March 13, 2014

D.O.T - El Centro Maintenance Station - Imperial Valley

Page 3 of 4

- c. Marker boards as shown on elevations, total of 2 @ 4' x 4' & 1 @ 4' x 6'.
- d. Toilet partitions to be headrail braced baked enamel with standard hardware.
- e. Toilet accessories as described in specs. And shown on plans in 4 restrooms.
- f. Fire extinguishers as shown on plans. Total of 7 cabinets and 18 extinguishers.

EXCLUSIONS

- 1. Personal Guarantee or cost of performance and payment bonds. See voluntary alternates.
- 2. Light Gauge Metal Truss Materials.
- 3. Plan changes made by Building Department or other governing agencies.
- 4. Special inspections, if required.
- 5. Hidden conditions and conditions that are not visible or indicated on plans.
- 6. All OSB, plywood or any other wood shown of any kind.
- 7. All or any stainless steel trims. EIFS trims figured vinyl or galvanized per manufactures recommendations.
- 8. Anchor Bolts. (See voluntary alternate above).
- 9. Patching and repair due to damage caused by others.
- 10. Miscellaneous metal 1/4" and heavier.
- 11. Wood members or framing of any type.
- 12. Acoustical, thermal and safin insulation.
- 13. Caulking and sealants, other than concealed acoustical.
- 14. Firestopping and fire sealants at mechanical, plumbing, sprinkler and electrical penetrations of rated assemblies.
- 15. Acoustic and fire-rated sealants, caulking and putty pads at MEP boxes.
- 16. Access doors and panels other than attic access.
- 17. Fall protection for other trades.
- 18. Acoustical Ceilings:
 - a. Separate installation of individual acoustic panels such as exit signs, smoke detectors, down lights, sprinkler heads, border cuts, and similar.
 - b. Supplemental support framing exceeding back-to-back 1-1/2" 16 gauge cold rolled channels unless specifically included.
 - c. Protection of furnishings and equipment installed ahead the ceiling installation.
 - d. Working over carpet.
 - e. Removal of trash and relocating the materials left by others.
 - f. Support and bracing of ceiling mounted items unless specifically included.
 - g. Unsatisfactory appearance caused by side lighting.
 - h. Seismic retrofit of the existing suspension to remain.
 - i. Reflected ceiling drawings.
 - j. Caulking and sealants except for clean room applications.
 - k. Acoustical and thermal insulation.
 - l. Plenum barriers.
 - m. Stripping to correct an irregular substrate.
 - n. Installation of the Acoustic panels before the building is enclosed and weather proofed; all wet work is in place and complete; work above ceiling is complete and areas free of construction dust and debris.

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March 13, 2014
D.O.T - El Centro Maintenance Station - Imperial Valley
Page 4 of 4

- o. 2x2 Glue up ceiling tile, Manufacturers do not make this.
- 19. Doors, Frames and Hardware:
 - a. Installation of any welded hollow metal frames if a door, frame and hardware only contact is issued.
 - b. Factory finish of wood doors.
 - c. Glass and glazing at vision lites, sidelites and borrowed lites(See Alternate 3)
 - d. Caulking of frames to dissimilar material.
 - e. Furnishing or installation of storefront doors, frames and hardware.
 - f. Furnishing or installation of door types O, P, R, S, T and U.
 - g. Card readers, wiring, conduit, junction boxes, power supplies, and all other access control components, if required.
 - h. Concrete blockouts, cutting, patching, and dry-pack for floor recessed hardware

GENERAL NOTES

1. This proposal is valid for thirty (30) days after bid date.
2. This proposal is contingent upon written acceptance of a mutually agreeable subcontract agreement and schedule including the use of all previously agreed contract modifications. The terms and conditions of the subcontract agreement shall be no less favorable than the terms and conditions between the Owner and General Contractor.
3. Brady SoCal, Inc. is not party to any labor union agreements.
4. This proposal is based upon a five (5) day, forty (40) hour work week. Overtime and additional days will require additional compensation to Brady SoCal.
5. Temporary facilities, such as light, power, heat, water and toilets, are to be provided at locations convenient to our work by the General Contractor at no cost to Brady SoCal.
6. Proposal and contract or subcontract are contingent upon review and written acceptance of Owner Controlled Insurance Program (OCIP), Contractor Controlled Insurance Program (CCIP), or any other third party provided insurance, if provided.

We wish to thank you for the opportunity to bid this project. Should you have any questions or wish to review this proposal please do not hesitate to contact us at 619-462-2600.

Sincerely,
Brady SoCal, Inc.



Rick Marshall
President

California Contractors' License No. 980003 (B; C2, C9, C28, C33, C35, D12, D16, D24, D28, D31, D34)

**** Transmit Conf. Report ****

P. 1
CALTRANS CONTR AWARDS Fax 916-227-6282

Mar 20 2014 03:40pm

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
916196987701	Normal	20:03:39pm	1'35"	12	# 0 K	

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION

DIVISION OF ENGINEERING SERVICES

OFFICE ENGINEER, MS 43

1727 30th STREET

P. O. BOX 168041

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Be energy efficient!*

March 20, 2014

Facsimile: (619) 698-7701

Robert C. Samuel
RSM2 Contractors, Inc.
8191 Center Street
La Mesa, CA 91942

11-076704
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Sincerely,

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

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