

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
OFFICE ENGINEER, MS 43
1727 30th STREET
P. O. BOX 168041
SACRAMENTO, CA 95816-8041
PHONE (916) 227-6280
FAX (916) 227-6282
TTY 711



*Flex your power!
Be energy efficient!*

July 3, 2013

Facsimile: (760) 489-4304

Ray C. Samuelson, President
Western Rim Contractors
912 S. Anderson Drive, Suite 108
Escondido, CA 92029

11-290304
11-SD-75, 805-9.0, 20.2
B.O. 06/13/2013

Dear Mr. Samuelson:

The Department of Transportation (Caltrans) received a fax on June 25, 2013, from Western Rim Contractors (Western Rim) responding to a nonresponsive letter sent by Caltrans on June 24, 2013. The fax states that Western Rim submitted the required Subcontractor List within 24 hours with columns 2 and 3 completed on June 14, 2013. In addition, the fax shows that on June 14, 2013, 9 pages were faxed containing the Subcontractor List and DBE quotes.

The letter Caltrans sent to Western Rim on June 25, 2013, was notifying Western Rim that its bid is nonresponsive because Western Rim did not comply with Contract Special Provision, Section 2-1.12B (2) DISADVANTAGED BUSINESS ENTERPRISES, which states in part:

"... Submit written confirmation from each DBE shown on the form stating that it will be participating in the Contract. Include information with the DBE commitment form. A copy of a DBE's quote will serve as written confirmation that the DBE will be participating in the Contract."

Western Rim failed to submit the written confirmation from each DBE as required. The letter from Caltrans did not state that Western Rim was nonresponsive due to a Subcontractor List issue.

Furthermore, Section 2-1.12A of the 2006 Standard Specification (Amendments) states; "Complete forms in the Bid book. Except for the bid item number and the percentage of each item subcontracted, do not fax submittals." Caltrans does not accept faxed DBE quotes. DBE quotes must be mailed to our office at the address listed above.

Based on the above, Caltrans has not changed its position concerning finding your bid nonresponsive and will proceed to award this contract to the lowest responsible bidder provided all requirements are met.

Your attention is directed to Section 3-1.02 of the Amendments to the 2006 Standard Specifications. Caltrans is not obligated to offer an extension of the award period for a nonresponsive bid. Should you wish to extend your bid while resolving a nonresponsive finding, you must send your request to the Office Engineer no later than 4:00 pm, two business days prior to the expiration of your bid.

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

Sincerely,



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



To:		From:	
Co.	Cal Trans	Date:	June 25, 2013
Phone:		Pages:	12
Fax:	916-227-6282	Re:	11-290304

For Review
 Please Comment
 Please Reply
 Original in Mail

This is in response to the attached letter that was received in our office late yesterday regarding contract 11-290304. The required information was sent on 6/14/13 with our subcontractor percentages and bid item numbers. We just re-sent it to you, but it did not include a cover sheet or the fax confirmation page. We have met all of the bid requirements and we are a responsible bidder. Should you have any questions, please do not hesitate to contact us.

Thank you,

Western Rim Constructors, Inc.

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

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

Jul 3 2013 02:46pm

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
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STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN Jr., Governor

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