



GENERAL ENGINEERING CONTRACTOR License #720394
2231 La Mirada Drive
Vista, CA 92081
(760) 727-8700 Phone (760) 727-8701 Fax
Email: mainoffice@pave-tech.com

July 10, 2015

Department of Transportation
Division of Engineering Services
Office Engineer, MS 43
1727 30th Street
P.O. Box 168041
Sacramento, CA 95816-8041
Fax: 916-227-6282

Attention: John C. McMillan

Re: 11-2M7804 Bid Date: 6/24/15

Subject: Protest of Granite Construction Bid

Dear Mr. McMillan,

Pave-Tech Inc. is protesting Granite Construction Companies bid on Cal Trans Contract 11-2M7804 which bid on 6/24/15:

In Granite's bid book for item (9) cold Plane Asphalt Concrete Pavement Granite's unit price is \$1.95 per square yard for 182,000 s.y. totaling \$354,900.00. On their listed subcontractor form they listed Cindy Trump Inc. dba Lindy's Cold Planing to do 83% of Item 9 and described their work as Cold Plane AC, Haul and Sweep. The total dollar value of the work equaling \$294,567.00. On Granite's DBE Commitment form Granite lists Cindy Trump Inc. dba Lindy's Cold Planing for \$100,100, on Cindy Trump Inc.'s quote they show the work that Cindy Trump Inc. will do as Item 9 as 182,000 s.y. @ .25 in depth cut only \$.55 s.y. (182,000 s.y. x .55 s.y.) \$100,100 and on Cindy Trump Inc. DBE Confirmation for Cindy Trump confirms (signed) that they will be performing \$100,100.00 worth of work for Granite if Granite is awarded the contract. The DBE confirmation form clearly states that "As an authorized representative of a certified disadvantaged business enterprise I confirm that my business was contacted by the bidder or prime contractor shown above regarding the contract shown above. If the bidder is awarded the contract, my business will enter into a contractual agreement with the bidder or prime contractor to perform the type and dollar amount of work shown on the DBE Commitment Form. I certify under penalty of perjury that the foregoing is true and correct".

Pave-Tech Inc. contends that on bid day Granite overstated the percentage, dollar value and description of work that their listed subcontractor Lindy's Cold Planing would be performing. They support the fact that they overstated with the documents they submitted for their DBE Commitment which indicates Lindy's will only Cold Plane the Asphalt Concrete Pavement (which is equal to the cut only referenced on Lindy's quote for

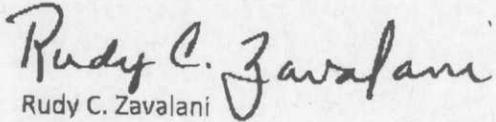
\$100,000.00). They do not indicate Lindy's will haul and sweep in their description and dollar value. Again Lindy's quote supports this and Lindy's signed DBE confirmation form supports this.

The requirements in the amended standard specifications page 6 of 341 of the Special Provisions 2-1.10 Subcontractor List 4.2 (percentage of subcontracted work for each bid item listed) and 4.3 Description of the subcontracted work if the bid item is less than 100% have clearly been misstated as supported by the documents Granite turned in for their DBE.

Lindy's will only cut (Cold Plant Asphalt Concrete Pavement) they will not Haul and Sweep and the dollar value of that work is \$100,100.00 not \$294,567.00 and they will only do 28.21% of bid item (9) not 83%.

For this Granite's bid should be considered non responsive and the project should be awarded to the lowest responsible bidder Pave-Tech Inc.

Sincerely,


Rudy C. Zavalani
President

Low Bidder

06-29-15A11:24 RCVD

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
DBE - COMMITMENT
DBE-CE-0102.10D (REV.12/2014)

CONTRACT NO:	11-2M7804
BID AMOUNT:	\$4,808,605.00
BID OPENING DATE:	June 24, 2015
BIDDER'S NAME:	Granite Construction Company
DBE GOAL FROM CONTRACT %:	8%
DBE PRIME CONTRACTOR CERTIFICATION ¹ :	N/A
TOTAL NUMBER OF ALL SUBCONTRACTS (DBE & NON-DBE)	Five (5)
TOTAL VALUE OF ALL SUBCONTRACTS (DBE & NON-DBE)	\$1,485,557.00

BID ITEM NO.	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED ²	WORK CATEGORY CODES ³	NAME OF DBE (Must be certified in the state bids are entered, include California's certification no., DBE address, and phone number. Show 2nd and 3rd tier subcontractors)	AMOUNT (\$)
9 (P)	Gold Plane Asphalt Concrete Pavement	C1531, C1901, C2201, C2401, C3901, C3910, C3990, C4201, C9903, C9905	Cindy Trump, Inc dba Lindy's Cold Planing Cert # 40089 625 S. Mountain View La Habra, CA 90831 (562) 897-2286	\$100,100.00
18 (P)	Supply Liquid AC Oil	C0624, C9804, C8605, C9870, C9774, C8908	LMS Transport Cert # 38327 2761 Avalon Street Jurupa Valley, CA 92509 (851) 616-3928	\$275,310.00

Show all DBE firms being claimed for credit, regardless of tier. Attach written confirmation from each DBE shown certifying that it will be participating in the contract to perform the specific work shown for the specific amount agreed to.

The names of the 1st tier DBE subcontractors and items of work must be consistent with the Subcontractor List (Pub Cost Code § 4100 et seq.).

¹Each DBE prime contractor must enter its certification number and show all work to be performed by DBEs, including work performed by its own forces.

²If 100% of an item is not to be performed or furnished by the DBE, describe the exact portion of the item to be performed or furnished.

³Use Work Category Codes from the California Unified Certification Program database.

Total Claimed Participation	\$ 375,410.00
	8.15 %

The bidder acknowledges that it is committed to use the DBEs shown on this form to meet the contract goal (8% CFR 28.58).

Signature
Signature of Bidder Joseph P. Richardson, Chief Estimator
6/26/15 Date (760) 391-8247 (Area Code) Tel. No.
Joe Richardson Person to Contact (Please Type or Print)

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STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
 Contract No.: 11-2M7804 Project ID: 1114000092
 Bidder Name: Granite Construction Company

Bidder ID: VC0000000213

BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
1	070030 PLAN	LEAD COMPLIANCE	LUMP SUM LS	LUMP SUM	2,000.00
2	120090 AREA SIGNS	CONSTRUCTION	LUMP SUM LS	LUMP SUM	20,000.00
3	120100 SYSTEM	TRAFFIC CONTROL	LUMP SUM LS	LUMP SUM	235,000.00
4	128651 (EA)	PORTABLE CHANGEABLE MESSAGE SIGN	4.0 EA	2,500.00	10,000.00
5	130100 MANAGEMENT	JOB SITE	LUMP SUM LS	LUMP SUM	5,000.00
6	130200 PROGRAM	PREPARE WATER POLLUTION CONTROL	LUMP SUM LS	LUMP SUM	625.00
7	150714	REMOVE THERMOPLASTIC TRAFFIC STRIPE	4,060.0 LF	0.50	2,030.00
8	150715	REMOVE THERMOPLASTIC PAVEMENT MARKING	170.0 SQFT	5.00	850.00
9	153103	COLD PLANE ASPHALT CONCRETE PAVEMENT	182,000.0 SQYD	1.95	354,900.00
10	190185	SHOULDER BACKING	1,000.0 TON	30.00	30,000.00
11	370001 (SEAL)	SAND COVER	390.0 TON	125.00	48,750.00
12	370120 BINDER	ASPHALT-RUBBER	440.0 TON	884.00	388,960.00

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
 Contract No.: 11-2M7804 Project ID: 1114000092
 Bidder Name: Granite Construction Company Bidder ID: VC0000000213
 DES-OE-0102.2B (REV 5/2014)

Bidding Firm: Granite Construction Company

List this sub? Yes

4) Business Name Cindy Trump Inc dba Lindy's Cold Planing
 Location City La Habra State CA
 California Contractor License Number 754500
 CA Department of Industrial Relations' Registration Number 1000008423
 Portion of Work Subcontracted:

Item #	Description
9 83	Cold Plane AC, Haul, Sweep

List this sub? Yes

5) Business Name American Pavement Systems
 Location City Modesto State CA
 California Contractor License Number 943792
 CA Department of Industrial Relations' Registration Number 1000000207
 Portion of Work Subcontracted:

Item #	Description
3 28	Traffic control by Rubber Screenings sub for their operations
11 100	
12 100	
13 100	

List this sub? Yes

6) Business Name American Pavement Systems
 Location City Modesto State CA
 California Contractor License Number 943792
 CA Department of Industrial Relations' Registration Number 1000000207
 Portion of Work Subcontracted:

Item #	Description
14 100	
27 37	Portion of mobilization for Rubber Screenings work

CINDY TRUMP INC dba
LINDY'S COLD PLANING
DBE ~ WBE ~ SBE ~ UDBe ~ CERTIFIED File #40089
625 W. MOUNTAIN VIEW
LA HABRA, CA 90631
PHONE 562.697.2286 FAX 562.697.2039
LIC # A 754500
BID PROPOSAL
DIR # 1000008423

CONTRACTOR: Granite Construction
JOB NAME: 11-2M7804
BID DATE: 6/24/2015
CONTACT : Joe Richardson
PHONE :
FAX:

Item 9**182,000 SY @ .25 in depth****Cut Only \$0.55 SY****Sweeper \$ 0.26 SY****Haul \$ 0.71 SY****Detail \$.13 SY**

$(182,000 \text{ SY} \times 0.55/\text{SY}) =$
\$100,100

Based on 16 shifts w (2 large grinders and 2 sweepers) 5 hr max shift for all equipment.

All trucking is based on dumping at Granite Plant El Centro for free.

1 move in and out included

Extra moves \$850.00 ea piece of equipment

Rental of Milling Machines

Wirtgen 210 (6 ft or 7 ft)

Milling machine HP 715

4 hr min

\$2500.00 additional hours \$550.00 P/H

Move \$ 850.00 Ea

Mini Grinder

