



OHL USA

1920 Main Street, Suite 310 – Irvine, CA 92614 | Phone: (949) 242-4432 | www.ohlusa.com

August 28th, 2013

**California Department of Transportation
Division of Engineering Services
Office Engineer, MS 43
1727 30th Street
P.O.Box 168041
Sacramento, CA 95816-8041**

Attn: John C. McMillan, Deputy Division Chief

Fax: (916) 227-6282

**Subject: Caltrans Project 12-OC5604
Reference: Award Protest**

Mr. McMillan,

OHL USA has submitted a 1% DVBE participation and the low bidder has submitted a 0% DVBE participation. Section 2-1.15C(2) of the 2010 Caltrans Standard Specifications states, "The Department grants a DVBE incentive to each bidder who achieves a DVBE participation of 1 percent or greater. Pursuant to Section 2-1.15C(3) of the 2010 Caltrans Standard Specifications, the amount of the incentive on this contract would be \$185,535 which represents the "percentage of DVBE achievement rounded to 2 decimal places of the verified total bid of the low bidder".

With the application of the DVBE incentive we believe the bid rankings change and OHL USA, Inc. would become the lowest responsible bidder. We would appreciate receiving confirmation as soon as possible.

Thank you,

**Ahmad Bagheri
Executive Vice President
California**



1920 Main Street, Suite 310
Irvine, CA 92614

CA Office: (949) 242-4432
CA Fax: (949) 231-1255



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Phone: 949-242-4432
Fax: 949-231-1255

Fax Transmittal Form

To: California Department of Transportation
Division of Engineering Services
Office Engineer, MS 43
Attn: John C. McMillan,
Deputy Division Chief

Phone:
Fax: (916) 227-6282
From: Ahmad Bagheri
Date: 8/29/2013
Pages: 2 (including cover)

Message:

Please find the attached letter regarding Caltrans Contract #12-0C5604