

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



*Flex your power!
Be energy efficient!*

September 5, 2013

Facsimile: (714) 935-1199

Robert B. Cowan, President
Marina Landscape, Inc.
1900 South Lewis Street
Anaheim, CA 92805

12-0G3314
12-ORA-91-9.2/15.9
B.O. 08/22/2013

Dear Mr. Cowan:

The Department of Transportation (Caltrans) received the attached letter dated August 30, 2013, from Marina Landscape, Inc. (Marina) protesting the bid submitted by Pacific Restoration Group, Inc. (PRG). The protest alleges that PRG submitted an incomplete bid bond that was not properly notarized and did not include an all-purpose acknowledgement form for the person signing the bid bond. Marina requests that Caltrans find PRG's bid nonresponsive.

Caltrans conducted a review of the bid documents and protest and found that PRG submitted a complete bid bond with the required notary and acknowledgements. Therefore, Caltrans finds that PRG's bid is responsive.

Based on the above, Caltrans finds that Marina's protest lacks merit and will proceed to award the contract to the lowest responsible bidder provided that all requirements are met.

If you have any questions please contact Renee Smith, Contract Awards Analyst, at (916) 227-6296.

Sincerely,

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

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



1000 S. Lewis Street
Anaheim, CA 92805
714.938.6600
www.marinaco.com

August 30, 2013

Department of Transportation
Division of Engineering Services
Office Engineer, MS43
1727 30th Street
P.O. Box 168041
Sacramento, CA 95816-8041

Ms. Mulissa Smith – Contract Awards Branch Chief

Regarding: **Contract #12-0G3314 – Bid Protest Letter**

Dear Madam,

This letter is in response to the bid opening conducted on August 22, 2013 for the subject project.

On August 29, 2013, we received a complete copy of the bid documents submitted by Pacific Restoration Group, Inc. the apparent low bidder for the subject project.

Upon review of the documents submitted by Pacific Restoration Group, Inc. it appears that they have submitted an incomplete bid bond subsequent to the Departments guidelines for submitting a bid bond. *(See attached Caltrans Guidelines for Responsive Bids)*

The bid bond, in order to be valid must be notarized or include an all- purpose acknowledgement form for the person signing the bid bond, this is not included and for this reason, the bid submitted by Pacific Restoration Group, Inc. should be deemed non-responsive.

In closing and as the apparent low and responsive bidder, we request that the Agency post-pone any meditated recommendation for award to Pacific Restoration Group, Inc. for failure to comply with the contract documents as required by this proposal and request that Marina Landscape, Inc. be recommended for award of the subject contract.

Please contact me at your convenience, should you have any questions in the matter.

Sincerely,
MARINA LANDSCAPE, INC



Joe Fuentes
Estimator

MARINA LANDSCAPE, INC.

1900 S. Lewis Street • Anaheim, CA 92805 • 714.938.6600 • 714.935.1199 • www.marinaco.com • License #492862, A, B, C27, C36

Estimating Direct Line: 714.704.0484

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

P.1

Sep 6 2013 08:17am

CALTRANS CONTR AWARDS Fax 916-227-6282

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STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

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