

DEPARTMENT OF TRANSPORTATION

DIVISION OF ENGINEERING SERVICES

OFFICE ENGINEER

P.O. BOX 168041, MS-43

SACRAMENTO, CA 95816-8041

PHONE (916) 227-6299

FAX (916) 227-6282

TTY 711

www.dot.ca.gov

*Serious drought.
Help save water!*

August 1, 2014

Facsimile: (714) 935-0999

Joe Fuentes, Estimator
Marina Landscape, Inc.
1900 S. Lewis Street
Anaheim, CA 92805

12-0J61U4
12-Ora-5,405-19.2/22.2,0.0/1.2
B.O. 7/17/2014

Dear Mr.Fuentes:

The Department of Transportation (Caltrans) received a bid from Marina Landscape, Inc. (Marina) for Contract 12-0J61U4 on July 17, 2014.

Marina claimed an error occurred while preparing the bid documents for irrigation activities. The error was in a factor which ultimately costs out items such as, materials, fittings, and equipment. The factor was reduced from 100 percent to 63 percent and was linked to the various pipe items in the irrigation phase of the bid. This error resulted in an underbid of \$359,908.27. The intended amount of the bid was \$4,366,586.77. On July 22, Marina requested that its bid be withdrawn from consideration.

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

If you have any questions, please contact Mulissa Smith, Contract Awards Branch Manager, 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.)

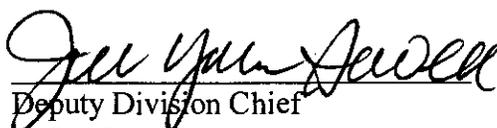
Contract No. 12-0J61U4

Bidder Name: MARINA LANDSCAPE INC.

Bid Opening Date: 07/17/2014 License No. 00492862

- ✓ 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

7/25/14
Date

Recommended for Approval by: Mai Nguyen

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION

RELIEF OF BID REQUEST

DES-OE-0141 (REV 01/2010)

Contract No. 12-0J61U4

Bidder's Name: Marina Landscape, Inc.

Bid Opening Date: Jul 17, 2014

License No. 492862

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:

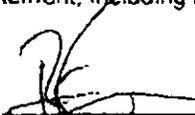
Attach a statement and supporting documentation that describes the following in detail:

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: Jul 22, 2014



Signature of Bidder

Robert B. Cowan - President
Title



July 22, 2014

State of California

Department of Transportation

1727 30th Street., MS-43

Sacramento, CA95816-8041

Attention: Office Engineer

Re: Caltrans Contract #12-OJ51U4 - Irvine, CA - Bid Date (July 17, 2014)

Subject: Request for Bid Relief

To Whom It May Concern:

Marina Landscape, Inc. formally requests bid relief for the above-referenced project.

During the preparation of our bid, multiple errors were discovered in our spreadsheet which caused our bid to be materially different from the intended prices to the submitted values. This was not an error in judgment or interpretation of the bid documents.

The errors occurred during the preparation of the Irrigation pipe activities in our spreadsheet. Our format provides a factor which multiplies the input quantity and in turn calculates materials, fittings, equipment, labor and any associated subcontracts for each pipe activity. In this case, our factor was reduced from 100% to 63%, and linked to the various pipe items in the Irrigation phase of the bid, thereby reducing our actual takeoff quantities. The cells were not formatted and in appearance read as a factor of (1) when in reality was only a portion.

The impact of this mistake on our submitted price would increase from \$4,006,678.50 to \$4,366,586.77 a difference of \$359,908.27. At this point, we cannot move forward with an award as it would prove to be a financial loss to the company.

We respectfully request that the bid submitted on July 17, 2014 by Marina Landscape, Inc. be withdrawn from consideration at this time.

We sincerely apologize for any inconvenience and would appreciate your understanding in the matter.

Please feel free to contact me at your convenience should you have any questions.

Cordially,

A handwritten signature in black ink, appearing to read "Joe Fuentes", is written over a white background.

Joe Fuentes

Estimator

MARINA LANDSCAPE, INC.



FACSIMILE TRANSMITTAL SHEET

TO: California Dept. of Transportation	FROM: Joe Fuentes
COMPANY:	DATE: JULY 22, 2014
PHONE NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER: 3
FAX NUMBER: (916) 227-6282	PHONE NUMBER: 714.704.0467
RE: Request for Bid Relief	FAX NUMBER: 714.935.0999

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PER YOUR REQUEST

NOTES/COMMENTS:

Request for Bid Relief:

Contract #12-OJ61U4

Please see attached request for bid relief, contact me at your convenience should you have any questions in the matter.

Thank you.

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

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

Aug 1 2014 05:44pm

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

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION

DIVISION OF ENGINEERING SERVICES

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

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