

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!*

March 18, 2015

Facsimile: (619) 677-5648

Alicia M. Gervasi, CFO
IO Environmental & Infrastructure, Inc.
2840 Adams Avenue, Suite 301
San Diego, CA 92116

01-262054
01-Men-101-45.0/50.
B.O. 3/12/2015

Dear Ms. Gervasi:

The Department of Transportation (Caltrans) received the attached letter dated March 17, 2015, from Hanford Applied Restoration & Conservation (Hanford ARC), protesting IO Environmental & Infrastructure, Inc.'s (IO Environmental) bid. The protest alleges that IO Environmental's bid is nonresponsive because it failed to properly complete the Subcontractor list form.

Please provide your response to Hanford ARC's protest no later than March 20, 2015.

If you have any questions, please contact Mulissa Smith, Contract Awards Branch Chief, 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



HANFORD
— A.R.C. —
LANDSCAPE · ENGINEERING

March 17, 2015

State of California, Department of Transportation
 Division of Engineering Services
 Office Engineer, MS 43
 1727 30th Street
 Sacramento, CA 95816-8041
 Attn: John McMillan, Deputy Division Chief

RE: Contract No. 01-262054,
 Bid Opening Date: 2015-03-12
 Bid Protest of IO ENVIRONMENTAL & INFRASTRUCTURE, INC.

Dear Mr. McMillan:

Hanford Applied Restoration & Conservation (Hanford ARC) hereby protests the award of the above-referenced project to IO Environmental & Infrastructure, Inc. (IO Environmental) for failing to properly complete their bid documents.

Incorrect Percentage of Bid Item Subcontracted:

Review of IO Environmental's bid package shows that they incorrectly filled out their Subcontractor List. In particular, you can see that Percentage of Bid Item Subcontracted has percentages based on the total contract amount, rather than the percent of each item subcontracted. Section 2-1.33 states in part, "...The Subcontractor List must show the name, address, and work portions to be performed by each subcontractor listed. Show work portions by bid item number, description, and percentage of each bid item subcontracted." For reference please refer to Attachment A.

LIC NO 481167

23195 Maffei Road
 Sonoma, CA 95476
 Tel: 707 996 6633
 Fax: 707 996 6641
 www.hanfordarc.com

Precedence:

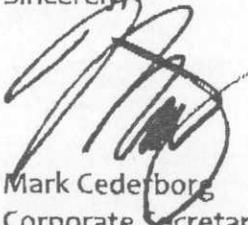
In two recent similar instances, Caltrans ruled the apparent low bidder non-responsive due to the same error.

- 1) USS Cal Builder's July 24th, 2014 bid for Contract 08-3401U4 was ruled non-responsive "because it failed to properly complete the Subcontractor List form." For reference, please see Attachment B.
- 2) Martinez Landscape Company Inc.'s August 14, 2014 bid was ruled non-responsive because it was "unable to determine the amount of work to be subcontracted for Statewide Traffic Safety & Signs." For reference, please see Attachment C.

Summary:

Based on this error, Hanford ARC requests that Caltrans rule IO Environmental's bid non-responsive, and award the contract to the next responsive, responsible bidder.

Sincerely,



Mark Cederborg
Corporate Secretary
Hanford ARC

ATTACHMENT A

IO Environmental & Infrastructure, Inc.

Subcontractor List

STATE OF CALIFORNIA

B I D S U M M A R Y

DEPARTMENT OF TRANSPORTATION

BID211

BID OPENING DATE 03/12/15
CONTRACT NUMBER 01-262054
LOCATION 01-MEN-101-45.0/50.8

IN MENDOCINO COUNTY IN AND NEAR
IN MENDOCINO COUNTY IN AND NEAR
WILLITS FROM HAEHL CREEK OVERHEAD
TO REYNOLDS HIGHWAY

PAGE 1
03/13/15
CONTRACT CODE 'C'
45 CONTRACT ITEMS

WILLITS MITIGATION

FEDERAL AID NHP-Q101-Q(263)E

DB GOALS: DISADVANTAGED BUSINESS ENTERPRISE - 9.0%
PROPOSALS ISSUED 18 FUND TOTAL 0 TOTAL NUMBER OF WORKING DAYS 1250
NUMBER OF BIDDERS 5 ENGINEERS EST 12,071,065.00 AMOUNT UNDER 2,606,061.00 PERCENT UNDER EST 21.59

BID RANK	BID TOTAL	BIDDER ID	BIDDER INFORMATION (NAME/ADDRESS/LOCATION)
1	9,465,004.00	5	IO ENVIRONMENTAL & INFRASTRUCTURE, INC. 2840 ADAMS AVENUE, SUITE 301 SAN DIEGO CA 92116 619 280-3278 00957419 FAX 619 677-5648
2	12,631,386.78	4	HANFORD APPLIED RESTORATION & CONSERVATION 23195 MAFFEI RD. SONOMA CA 95476 707 996-6633 00461167 FAX 707 996-6641
3	12,644,543.00	1	BESILVA GATES CONSTRUCTION 11555 DUBLIN BLVD DUBLIN CA 94568 925 829-9220 00704195 FAX 925 803-4263
4	12,653,029.15	3	NATURES IMAGE, INC. 20361 HERMANA CIRCLE LAKE FOREST CA 92630 949 680-4400 00720513 FAX 949 680-4450
5	16,745,035.50	2	MERCER-FRASER COMPANY P.O. BOX 1006 EUREKA CA 95502 707 443-6371 00105709 FAX 707 443-0277

03/17/2015 10:53 FAX Received
707 996 6641

HANFORD ARC

Mar 17 2015 11:57am

005/018

01-262054
01-MEN-101
03/12/15

BID211
PAGE 2
03/13/15

LIST OF SUBCONTRACTORS

BIDDER ID	NAME AND ADDRESS	LICENSE NUMBER	DESCRIPTION OF PORTION OF WORK SUBCONTRACTED
05	AHTNA DESIGN-BUILD, INC. IRVINE CA	972449	ITEMS 12-14 (1.515%)
	AHTNA DESIGN-BUILD, INC. IRVINE CA	972449	ITEMS 16-17 (.561%)
	AHTNA DESIGN-BUILD, INC. IRVINE CA	972449	ITEMS 20, 36, 40 (4.376%)
	AHTNA DESIGN-BUILD, INC. IRVINE CA	972449	ITEMS 5-7 (1.702%)
	AHTNA DESIGN-BUILD, INC. IRVINE CA	972449	ITEMS 8-9 (.792%)
	AHTNA DESIGN-BUILD, INC. IRVINE CA	972449	PREPARE SWPPP/RAIN EVENT ACTION PLAN/STORMWATER SAMPLING&AN
	AHTNA DESIGN-BUILD, INC. IRVINE CA	972449	ROADSIDE CLEARING/ROCK SLOPE PROTECTION(FACING, METHOD B)/T
	AHTNA DESIGN-BUILD, INC. IRVINE CA	972449	STORMWATER ANNUAL REPORT/MOVE-IN/MOVE-OUT (TEMP. EROSION CO
	AHTNA DESIGN-BUILD, INC. IRVINE CA	972449	TEMP. FENCE (ESA)/TEMP MARKER (ESA)
	AHTNA DESIGN-BUILD, INC. IRVINE CA	972449	TEMP. FIBER ROLL/TEMP. SILT FENCE/TEMP. CONSTRUCTION ENTRAN
MTGL, INC. SAN DIEGO CA	N/A	ITEM 4 (.00187%)	

CONTINUED ON NEXT PAGE

03/17/2015 10:53 FAX
Received
707 998 6641

HANFORD ARC

Mar 17 2015 11:57am

006/016

01-262054
01-MEN-101
03/12/15

BID211
PAGE 3
03/13/15

LIST OF SUBCONTRACTORS

BIDDER ID	NAME AND ADDRESS	LICENSE NUMBER	DESCRIPTION OF PORTION OF WORK SUBCONTRACTED
05	MTGL, INC. SAN DIEGO CA	N/A	JOB SITE MANAGEMENT
	SELBY'S SOIL EROSION CONTROL CO., INC. NEWCASTLE CA	797658	DISKING (EARTHWORK)
	SELBY'S SOIL EROSION CONTROL CO., INC. NEWCASTLE CA	797658	ITEM 35 (.521%)
	SELBY'S SOIL EROSION CONTROL CO., INC. NEWCASTLE CA	797658	ITEMS 29-31 (.793%)
	SELBY'S SOIL EROSION CONTROL CO., INC. NEWCASTLE CA	797658	ITEMS 32-34 (3.909%)
	SELBY'S SOIL EROSION CONTROL CO., INC. NEWCASTLE CA	797658	ITEMS 9-10 (.1955%)
	SELBY'S SOIL EROSION CONTROL CO., INC. NEWCASTLE CA	797658	MOVE-IN/OUT (TEMP. EROSION CONTROL)/TEMPORARY TACKED STRAW
	SELBY'S SOIL EROSION CONTROL CO., INC. NEWCASTLE CA	797658	MOVE-IN/OUT (EROSION CONTROL)/EROSION CONTROL DRY SEED/EROSI
	SELBY'S SOIL EROSION CONTROL CO., INC. NEWCASTLE CA	797658	STRAW (NATIVE GRASS)/INCORPORATE MATERIALS/RIPPING (EARTHWORK
	SHN ENGINEERS & GEOLOGISTS WILLITS CA	N/A	CONTRACTOR SUPPLIED BIOLOGIST (LS)
	SHN ENGINEERS & GEOLOGISTS WILLITS CA	N/A	ITEM 18 (7.364%)

03/17/2015 10:53 FAX
Received
707 998 6841

HANFORD ARC

Mar 17 2015 11:57am

007/016

ATTACHMENT B

Caltrans Decision on USS Cal Builders

Bid for Contract 08-3401U4

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

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 5, 2014

Facsimile: (714) 503-6805

Eric Othman, Secretary
USS Cal Builders, Inc.
8051 Main Street
Stanton, CA 90680

08-3401U4
08-SBd-2, 138-6.2/6.4,2.3/R15.2
B.O. 07/24/2014

Dear Mr. Othman:

The Department of Transportation (Caltrans) received a bid submitted by USS Cal Builders, Inc. (Cal Builders) for Contract 08-3401U4 on July 24, 2014. By this letter, Caltrans notifies Cal Builders that its bid is nonresponsive because it failed to properly complete the Subcontractor List form.

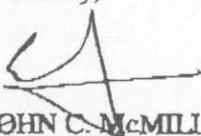
Caltrans 2010 revised Standard Specifications, Section 2-1.33C states in part, "...*The Subcontractor List must show the name, address, and work portions to be performed by each subcontractor listed. Show work portions by bid item number, description, and percentage of each bid item subcontracted*". On the Subcontractors List form under Percentages of Bid Items Subcontracted, Cal Builders listed percentages that are representative of the total contract bid, rather than the percent of work to be performed.

Based on the above, Caltrans will proceed to award the contract to the lowest responsible bidder, provided that all requirements are met.

Your attention is directed to Section 3-1.04 of the 2010 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 p.m., 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

Attachment

Received

Jul 25 2014 10:23am

10:26:06 a.m. 07-25-2014

2/4

7745036805

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
SUBCONTRACTOR LIST
 003-0901022 (REV 3/2011)

Bidder Name: USS Cal Builders, Inc.

The bidder must identify each subcontractor performing work in accordance with 102 of 11 percent of the total bid or \$10,000, whichever is greater (Public Code § 94004.1(a)). Complete columns 1 and 4 and submit with the bid. Complete columns 2 and 3 and submit with the bid. Complete column 5 with the bid. Failure to provide complete information in columns 1 through 4 will result in a non-responsive bid.

Column 1 - Business Name and Location	Column 2 - Bid Item No.	Column 3 - Percentage of Bid Item Subcontracted	Column 4 - Description of Subcontracted Work
① CEO Constr Company 300 E. Cedar St #14 Ontario, CA 91761 Lic # 537200	73	12%	Clearing (Partial)
② OMC Repair 12451 Arroyo Pk Beverly Hills, CA 90230 Lic # 75010	108, 118, 119, 127-130	3.5%	Repair (Partial)
③ American Civil Constructors 3701 Redwood Dr Beverly Hills, CA 94510 Lic # 520319	65-67, 224(P)	0.1%	Deck Overlay (Partial)
④ Anon Construction 47375 Fremont Blvd Fremont, CA 94538 Lic # 9012815	107, 131	0.7%	Tiebacks (Partial)

ADA Notice: For information only, please contact the contractor for information regarding the contractor's ADA compliance. For information call (770) 864-4710 or (770) 864-3880 or visit Public and Parks Management, 1120 N. 20th St, Raleigh, NC 27604.

Received

Jul 25 2014 10:23am

10:26:17 a.m. 07-25-2014

3/4

7145036805

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
SUBCONTRACTOR LIST

Bidder Name: URS Cal Builders, Inc.

The bidder must identify each subcontractor performing work for an amount in excess of 1/2 of 1 percent of the total bid or \$10,000, whichever is greater (Per Civil Code 54410) in one of the complete columns 1 and 2 and comply with the bid. Complete columns 2 and 3 and comply with the bid or Civil Code 54410, within 24 hours after the bid opening. Failure to provide complete information in columns 1 through 4 will result in the subcontractor being ineligible for award.

Column 1: Bidder Name and Address
 Column 2: Bid Item No.
 Column 3: Percentage of Bid Cost to Subcontractor
 Column 4: Description of Subcontracted Work

Column 1: Bidder Name and Address	Column 2: Bid Item No.	Column 3: Percentage of Bid Cost to Subcontractor	Column 4: Description of Subcontracted Work
(5) Acacia Environmental Construction 604 S. San Marcos Rd. Santa Barbara, CA 93101 Lic #3132340	18, 38-95	2%	Landscaping (Partial)
(4) Pacific Coast Markings PO Box 29490 Phoenix, CA 92229 Lic #2883410	1, 29, 30, 37-41, 206, 210	0.95%	Striping (Partial)
(7) Ace Fence Co. 151 35 Salt Lake Ave Elmer Industries, CA 91344 Lic # 801094	20-31, 50-53, 57-58, 79-79, 155-186, 189-190, 192-196, 198	2.4%	Fencing (Partial)

ADA Notice: For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 664-8119 or TDD (916) 664-8119 or the Statewide Relay Program, (714) 938-7474, 15501 Main Street, CA 95754.

Received

Jul 25 2014 10:23am

7:45096805

10:26:28 a.m. 07-25-2014

4/4

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
SUBCONTRACTOR LIST
 023-05-0302A (REV. 2/07/11)

Bidder Name: UBS-Cal Builders, Inc.

The bidder must identify each subcontractor performing work in excess of 1% of the total bid or \$10,000, whichever is greater, (Per Code Title 99100, subchapter 1, section 99100.001) in the bid. Complete columns 2 and 3 and provide full name and address (City, State, Zip) of each subcontractor. Failure to provide complete information in columns 1 through 4 will, in the absence of proof, result in the contractor's bid being rejected.

Column 1 - Subcontractor Name and Location	Column 2 - Bid Line Item	Column 3 - Percentage of Bid Total to be Contracted	Column 4 - Description of Subcontracted Work
⑧ Echide & Wath Inc. PO Box 1928 El Cajon, CA 92022 Lic # 622534	76, 77, 234(P)	0.76%	Blasting (Partial)
⑨ Colmex Engineering 2700 S Vista Ave Pasadena, CA 91254 Lic # 10859194	98, 97, 99, 100, 101-106	33.46%	Paving (Partial)
⑩ High Light Electric PO Box 3334 Phoenix, CA 91753 Lic # 806335	71, 211-221, 222(P)	2.19%	Electrical (Partial)

ADDITIONAL: For information only, this document is available in alternate formats. For information call (916) 226-6410 or TDD (916) 226-6410 or visit the State of California, 1220 N Street, MS-100, Sacramento, CA 95834.

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

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

Aug 5 2014 04:52pm

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
917145036805	Normal	05:04:49pm	3'29"	4	# 0 K	

STATE OF CALIFORNIA - CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUNDO G. BROTTON, Governor

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



Save our drought.
Help save water!

August 5, 2014

Facsimile: (714) 503-6805

Eric Othman, Secretary
USS Cal Builders, Inc.
8051 Main Street
Stanton, CA 90680

06-3401U4
06-SBd-2. 138-6.2/6.4.2.3/R15.2
B.O. 07/24/2014

Dear Mr. Othman:

The Department of Transportation (Caltrans) received a bid submitted by USS Cal Builders, Inc. (Cal Builders) for Contract 06-3401U4 on July 24, 2014. By this letter, Caltrans notifies Cal Builders that its bid is nonresponsive because it failed to properly complete the Subcontractor List form.

Caltrans 2010 revised Standard Specifications, Section 2-1.33C states in part, "...The Subcontractor List must show the name, address, and work portions to be performed by each subcontractor listed. Show work portions by bid item number, description, and percentage of each bid item subcontracted". On the Subcontractor List form under Percentages of Bid Items Subcontracted, Cal Builders listed percentages that are representative of the total contract bid, rather than the percent of work to be performed.

Based on the above, Caltrans will proceed to award the contract to the lowest responsible bidder, provided that all requirements are met.

Your attention is directed to Section 3-1.04 of the 2010 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 p.m., two business days prior to the expiration of your bid.

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

Sincerely,


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

Attachment:

ATTACHMENT C

Caltrans Decision on Martinez Landscape

Bid for Contract 07-183124

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN JR. Governor

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
OFFICE ENGINEER
 P. O. BOX 168041, MS-43
 SACRAMENTO, CA 95816-8041
 PHONE (916) 227-6280
 FAX (916) 227-6282
 TTY 711
 www.dot.ca.gov



*Serious drought.
 Help save water!*

August 25, 2014

Facsimile: (818) 364-9188

Salvador Martinez, President
 Martinez Landscape Company, Inc.
 12357 San Fernando Road
 Sylmar, CA 91342

07-183124
 07-LA-710-9.8/18.4
 B.O. 08/14/14

Dear Mr. Martinez:

The Department of Transportation (Caltrans) received a bid submitted by Martinez Landscape Company, Inc. (Martinez) for Contract No. 07-183124 on August 14, 2014. By this letter, Caltrans notifies Martinez that its bid is nonresponsive.

Section 2-1.33C, Subcontractor List, On the Subcontractor List, list each subcontractor to perform work in an amount in excess of 1/2 of 1 percent of the total bid or \$10,000, whichever is greater (Pub Cont Code Section 4100 et seq). The Subcontractor list must show the name, address, and work portions to be performed by each subcontractor listed. Show work portions by bid item number, description, and percentage of each bid item subcontracted.

Caltrans reviewed the bid documents from Martinez and was unable to determine the amount of work to be subcontracted for Statewide Traffic Safety & Signs.

Based on the above, Caltrans will proceed to award this contract to the lowest responsible bidder, provided that all requirements have been met.

Your attention is directed to Section 3-1.04 of the 2010 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 p.m., 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,

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

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

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

Aug 26 2014 08:48am

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
918183649958	Normal	26:08:47am	0'18"	1	# O K	

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

STANDARD BIDDING

DEPARTMENT OF TRANSPORTATION
 DIVISION OF ENGINEERING SERVICES
 OFFICE ENGINEER
 P. O. BOX 168041, MS-43
 SACRAMENTO, CA 95816-8041
 PHONE (916) 227-6280
 FAX (916) 227-6282
 TTY 711
 www.dot.ca.gov



Series through
Help page under!

August 25, 2014

Facsimile: (818) 364-9188

Salvador Martinez, President
 Martinez Landscape Company, Inc.
 12357 San Fernando Road
 Sylmar, CA 91342

07-183124
 07-LA-710-9.8/18.4
 B.O. 08/14/14

Dear Mr. Martinez:

The Department of Transportation (Caltrans) received a bid submitted by Martinez Landscape Company, Inc. (Martinez) for Contract No. 07-183124 on August 14, 2014. By this letter, Caltrans notifies Martinez that its bid is nonresponsive.

Section 2-1.33C, Subcontractor List, On the Subcontractor List, list each subcontractor to perform work in an amount in excess of 1/2 of 1 percent of the total bid or \$10,000, whichever is greater (Pub Cost Code Section 4100 et seq). The Subcontractor list must show the name, address, and work portions to be performed by each subcontractor listed. Show work portions by bid item number, description, and percentage of each bid item subcontracted.

Caltrans reviewed the bid documents from Martinez and was unable to determine the amount of work to be subcontracted for Statewide Traffic Safety & Signs.

Based on the above, Caltrans will proceed to award this contract to the lowest responsible bidder, provided that all requirements have been met.

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

Sincerely,

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

Hanford Applied Restoration & Conservation
23195 Maffei Road, Sonoma, CA 95476
707-996-6633 | 707-996-6641 | www.hanfordarc.com

Fax

TO:	Attn: John C. McMillan, Office Engineer	FROM:	Mark Cederborg
FAX:	916-227-6282	PAGES:	16 (Including cover)
PHONE:		DATE:	March 17, 2015
RE:	Contract No. 01-262054 , bid protest	CC:	

Comments:

Contract No. 01-262054

BID PROTEST