

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
OFFICE ENGINEER
1727 30th STREET, MS 43
SACRAMENTO, CA 95816-8041
PHONE (916) 227-6299
FAX (916) 227-6282
TTY 711
www.dot.ca.gov



*Flex your power!
Be energy efficient!*

April 11, 2014

Facsimile: ^{714 893-5122}
~~(510) 782-6500~~

Eric Rager, Project Manager
Innovative Construction.
4721 Tidewater Avenue
Oakland, CA 94601

01-497104
01-Men-5718
B.O. 03/13/14

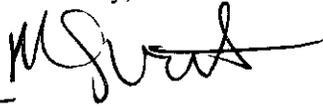
Dear Mr. Rager:

The Department of Transportation (Caltrans) received the attached letter dated March 13, 2014, from Water Rock Construction (Water Rock) protesting the bid submitted by Innovative Construction (Innovative) on March 13, 2014 for the above contract. The protest alleges that Innovative listed Remedy Engineering, Inc. to perform drilling, surveying, well logging, sampling and reporting. The protest further alleges that Innovative unbalanced its bid by under bidding bid item 6, Structure Excavation (Petroleum-Impacted Soil). Water Rock is requesting Caltrans find the bid nonresponsive and award the contract to Water Rock.

Please provide your response to Water Rocks protest no later than April 16, 2014.

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

Sincerely,

for 

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

Attachments



project office: 3314 Walsh Avenue, Santa Clara, California 95051
corporate office: 1600 Riviera Avenue, Suite 310, Walnut Creek, California 94596
408 832 6544

March 13, 2014

Melissa Smith
Contract Award, CalTrans
1927 30th Street
Sacramento, CA 95816

SENT VIA FAX: (916) 227-6282

BID PROTEST

RE: Contract No. 01-497104, 01-Men-5718, Project ID 0100000684
Construction at the Leggett Maintenance Station in District 01 on Route 5718

Dear Ms. Smith,

Water Rock Construction Corporation (WRC) hereby respectfully protests the bid submitted by Innovative Construction Solutions (ICS) for the subject project.

Statement of Basis for Protest

This Bid Protest is specifically focused on the subcontractor listed to provide drilling services and the unit price for Bid Item 6. We note the following:

- ICS lists Remedy Engineering Inc. to provide "DRILLING, SURVEYING, WELL LOGGING, SAMPLING, REPORTING". However, according to the California Contractors website, Remedy Engineering is not a licensed C-57 drilling contractor.
- ICS bid unit price for Item 6 is \$26/ton. This bid price is unbalanced because it is far too low to reasonably cover the costs to generate, stockpile, sample, analyze, profile, load, transport, and dispose soil from Leggett into a Class 2 landfill, where the nearest Class 2 landfill is in the greater San Francisco Bay area, a distance of over 150 miles.

Resolution of this Bid Protest

For these reasons, CalTrans should reject ICS's bid and identify WRC as the lowest responsible and responsive bidder. WRC looks forward to working with you on this project.

Sincerely,

Water Rock Construction

A handwritten signature in black ink, appearing to read "S. Michelson".

Steven Michelson
CEO

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

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

Apr 11 2014 04:54pm

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

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION

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