

**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

07-15-15 11:03 RCVD



*Serious Drought.  
Serious drought.  
Help save water!*

July 14, 2015

Facsimile: (760) 772-9407

Doug Wall  
Doug Wall Construction  
78450 Avenue 41  
Bermuda Dunes, CA 92203

02-0E3604  
02-Teh-5-10.5  
B.O. 06/24/2015

Dear Mr. Wall:

**CONSTRUCTION ON STATE HIGHWAY IN TEHAMA COUNTY NEAR CORNING AT CORNING  
SAFETY ROADSIDE REST AREAS RECONSTRUCT AND REHABILITATE BUILDINGS,  
LANDSCAPE AND PARKING LOT.**

On July 3, 2015, you were notified that bids for this contract were rejected due in part to an error that occurred during the creation of the bid documents, specifically the electronic bid book. As a result, the bids submitted did not include the following required certifications:

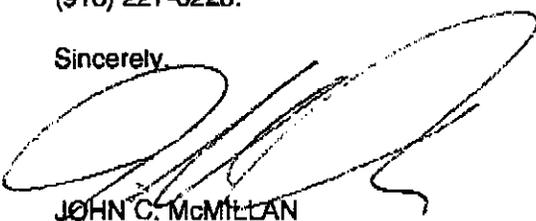
- Certification of "Small Business"
- Federal-Aid Projects Disclosure of Lobbying Activities
- Disclosure of Lobbying Activities Pursuant to 31 U.S.C.1352 (form)
- Equal Employment Opportunity Regulation
- Title 49, Code of Federal Regulations, Part 29, Debarment and Suspension

While the California Department of Transportation (Caltrans) considers the aforementioned certifications to be material, Caltrans has reconsidered its position regarding bid rejection for failure to include said certifications due to the fact that the error occurred during the creation of the electronic bid book and was not based on bidder error. Caltrans is rescinding the rejection of all bids and agrees to consider the bid submittals, provided that the bidder submits the certifications mentioned above and attached hereto.

Bidders must acknowledge and return the certifications to Caltrans by 4:00 pm on July 20, 2015. Failure to do so will render the bid nonresponsive.

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

Attachments

Doug Wall Construction  
Contract No. 02-0E3604  
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cc: Randy Hill  
Randy Hill Construction  
5237 Mallard Estates Road  
Chico, CA 95973

Justin Zabel  
Mercer Fraser Company  
P.O. Box 1006  
Eureka, CA 95502

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION  
Contract No.:02-0E 3604 Project ID: 0200000030  
Bidder Name: DOUG WALL CONSTRUCTION, INC.  
SMALL BUSINESS STATUS  
DES-OE-0102.4(REV 3/2008)

Bidder ID:VC1300000202

02-10-15411.03 RCTD

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Are you certified as a "Small Business" by the Office of Small Business and DVBE Services of the Department of General Services of the State of California?:

YES  NO: Certification number? :

Note: This small business questionnaire is included for statistical reporting only.

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION  
Contract No.: 02-0E 0604 Project ID: 0200000030  
Bidder Name: DOUG WALL CONSTRUCTION, INC.

07-16-13A11:03 RCVD  
Bidder ID: VC 130000202

**CERTIFICATIONS**

**FEDERAL-AID PROJECTS DISCLOSURE OF LOBBYING ACTIVITIES CERTIFICATION**

Bidder certifies, to the best of his or her knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities," in conformance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 USC 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Bidder also agrees by submitting a bid that it must require the language of this certification be included in subcontracts over \$100,000 and these subcontractors shall certify and disclose.

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence, the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last, previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State, and zip code of the reporting entity. Include Congressional District if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number, the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitments for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.  
(b) Enter the full names of the individual(s) performing services and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name title, and telephone number.

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION  
Contract No.: 02-0E 3604 Project ID: 0200000030  
Bidder Name: DOUG WALL CONSTRUCTION, INC.

07-15-15A11:03 RCVD  
Bidder ID: VC1300000202

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

1. Type of Federal Action: NONE
2. Status of Federal Action: NONE
3. Report Type: ORIGINAL  
For Material Change Only:  
Year  
Quarter  
Date of last report
4. Name and Address of Reporting Entity: DOUG WALL CONSTRUCTION, INC.  
Tier ,if known PRIME  
Congressional District, if known: 36TH
5. If Reporting Entity in No. 4 is Subawardee Enter Name and Address of Prime:  
N/A  
Congressional District, if known: N/A
6. Federal Department/Agency: N/A
7. Federal Program Name/Description: N/A  
CFDA Number, if applicable
8. Federal Action Number, if known: N/A
9. Award amount, if known (\$): N/A
10. a. Name and Address of Lobby Registrant (if individual, last name, first name, MI): N/A  
b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI): N/A
11. Information requested through this form is authorized by Title 31 U.S.C. Section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature: \_\_\_\_\_

Print Name: DOUGLAS WALL  
Title: PRESIDENT  
Telephone No.: (760) 772-8446  
DATE: 7-15-2015

Authorized for Local Reproduction  
Standard Form - LLL(Rev. 7-97)

Federal Use Only:

EQUAL EMPLOYMENT OPPORTUNITY REGULATION CERTIFICATION

Bidder , proposed subcontractor , certifies that he participated in a previous contract or subcontract subject to the equal opportunity clauses, as required by Executive Orders 10925, 11114, or 11246, and that, if required, he has filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the filing requirements.

Notes:

The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7(b) (1)), and must be submitted by bidders and proposed subcontractors only in connection with contracts and subcontracts which are subject to the equal opportunity clause. Contracts and subcontracts which are exempt from the equal opportunity clause are set forth in 41 CFR 60-1.5. (Generally only contracts or subcontracts of \$10,000 or under are exempt.)

Currently, Standard Form 100 (EEO-1) is the only report required by the Executive Orders or their implementing regulations.

Prime contractors and subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note 41 CFR 60-1.7(b)(1) prevents the award of contracts and subcontracts unless the Contractor submits a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor.

TITLE 49, CODE OF FEDERAL REGULATIONS, PART 29, DEBARMENT AND  
SUSPENSION CERTIFICATION

Bidder, under penalty of perjury, certifies that, except as noted below, it or any other person associated therewith in the capacity of owner, partner, director, officer, manager:

is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;

has not been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past 3 years;

does not have a proposed debarment pending; and

has not been indicted, convicted, or had a civil judgement rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

If there are any exceptions to this certification, insert the exceptions in the following space.

Exceptions will not necessarily result in denial of award, but will be considered in determining bidder responsibility. For any exception noted above, indicate below to whom it applies, initiating agency, and dates of action.

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UNDOCUMENTED ALIENS EMPLOYMENT

Under Pub Cont Code § 6101, the Bidder certifies compliance with state and federal law respecting the employment of undocumented aliens.