

07-27-15A10:09 RCVD

Contractor's License # 704182

Phone: (530) 896-1800  
Fax: (530) 896-1814

792 Durham Dayton Highway  
Durham, California 95938

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July 24, 2015

John C. McMillan, Deputy Division Chief  
Department of Transportation  
Division of Engineering Services  
Office Engineer  
P.O. Box 168041, MS-43  
Sacramento, CA 95816-8041

Dear Mr. McMillan,

We are writing to request an extension of our bid submitted for Contract number 02-OH2904 in order to resolve the nonresponsive finding.

The error in Linear Options, Inc. bid was the lack of response on sending the required DBE Commitment form, written confirmation, and Good Faith efforts documentation by 4:00 PM on the 4<sup>th</sup> business day after bid opening.

While the instructions state that a bid that is electronic only will have that statement on the original advertisement page in red, this bid did not. Only after opening the Bid Book link was the statement made. This differs from the instructions provided.

After downloading and reading the California Department of Transportation instructions on electronic bidding, entitled "How to Complete an Electronic Bid File" dated 11/7/14, our bid was completed and submitted using the bid book that was downloaded using the proper software. In the electronic bid book, on the menu noting all folders to be submitted for this contract, there is neither a DBE Commitment nor Good Faith Efforts documentation page.

In speaking with Mulissa Smith, Contract Award Branch Chief after notification of the nonresponsive finding, she detailed that there are differences between an electronic bid for a Federal Aid contract and a State funded contract. In the 11/7/14 instructions provided, there are details on how to include addenda into the original bid, but no other forms. This contract, being a Federal Aid contract, was different from the instructions in that the DBE forms must be downloaded separately and submitted on paper. On the advertisement page there is no notice of this. It was further stated by Mulissa that on the Electronic Bidding page of the site, at the bottom are instructions of where to find the DBE forms.

Again, the instructions "How to Complete an Electronic Bid File" dated 11/7/14 made no mention of this.

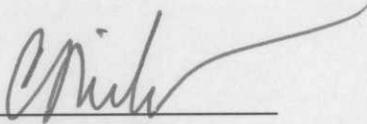
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This is the first electronic Federal Aid contract Linear Options, Inc. has bid. The error that occurred was due to a lack of clarity in the bid documents and unfamiliarity with differences in Federal Aid electronic bidding requirements. Linear Options, Inc. gained no unfair advantage by inadvertently failing to submit the DBE forms. Attached find the DBE forms that would have been properly included in our original bid. Linear Options, Inc. meets the DBE goal and you will find consistency between the list of subcontractors submitted with the original bid and the attached DBE commitment.

Linear Options, Inc. looks to California Department of Transportation to consider all of the above and award the project to Linear Options, Inc.

Thank you,

Linear Options, Inc.



Charles T. Wilson  
President

Atts: 2 pages

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION  
**DBE - COMMITMENT**  
 DES-OE-0102.10D (REV 12/2014)

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CONTRACT NO:  
 02-0H2904  
 BID AMOUNT:  
 \$ 546,054.00  
 BID OPENING DATE:  
 07/15/15  
 BIDDER'S NAME:  
 Linear Options, Inc.  
 DBE GOAL FROM CONTRACT %:  
 3.1

DBE PRIME CONTRACTOR CERTIFICATION<sup>1</sup>:  
 TOTAL NUMBER OF ALL SUBCONTRACTS (DBE & NON-DBE): 1  
 TOTAL VALUE OF ALL SUBCONTRACTS (DBE & NON-DBE): \$17,627.00

BID ITEM NO.	ITEM OF WORK AND DESCRIPTION OF SERVICES TO BE SUBCONTRACTED OR MATERIALS TO BE PROVIDED <sup>2</sup>	WORK CATEGORY CODES <sup>3</sup>	NAME OF DBEs (Must be certified on the date bids are opened. Include Caltrans' certification no., DBE address, and phone number. Show 2nd and lower tier subcontractors)	AMOUNT (\$)
2	Construction Area Signs	120090	KRC Safety, Inc. DBE # 000447	7937.00
3	Traffic Control (Partial) 6 shifts flagging for rumble	130200	7821 W. Sunnyview Ave Visalia, CA 93291	9690.00

Show all DBE firms being claimed for credit, regardless of tier. Attach written confirmation from each DBE shown stating that it will be participating in the contract to perform the specific work shown for the specific amount agreed to.

The names of the 1st tier DBE subcontractors and items of work must be consistent with the Subcontractor List (Pub Cont Code § 4100 et seq.).

<sup>1</sup>Each DBE prime contractor must enter its certification number and show all work to be performed by DBEs, including work performed by its own forces.

<sup>2</sup>If 100% of an item is not to be performed or furnished by the DBE, describe the exact portion of the item to be performed or furnished.

<sup>3</sup>Use Work Category Codes from the California Unified Certification Program database.

Total Claimed Participation  
 \$ 17,627.00  
 3.25 %

The bidder acknowledges that it is committed to use the DBEs shown on this form to meet the contract goal (49 CFR 26.53).

*Amil*  
 Signature of Bidder

7/24/15  
 Date

(530)896-1800  
 (Area Code) Tel. No.

Charles T. Wilson  
 Person to Contact (Please Type or Print)

ADA Notice

For individuals with sensory disabilities, this document is available in alternate formats. For information, call (916) 445-1233, TTY 711, or write to Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

