



HAT CREEK CONSTRUCTION & MATERIALS, INC.

"WE SPECIALIZE IN SATISFIED CUSTOMERS"

January 25th, 2016

Department of Transportation
Division of Engineering Services
Office Engineer
Attn: John C. McMillan
PO Box 168041, MS-43
Sacramento, CA95816-8041

RE: Caltrans Contract No. 02-0H9404 – Las-139-53.0/57.0
Response to Contract Award Disqualification

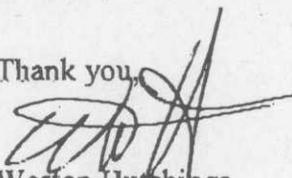
Dear Mr. McMillan,

Hat Creek has received your letter dated January 21st, 2016, in which the Department of Transportation (Caltrans) found Hat Creek Construction not eligible for contract award as a result of not meeting the DVBE participation contract goal.

Please find attached, a letter from T&S DVBE that refutes your claim that the work to be performed by T&S DVBE is not consistent with the normal daily business services and functions currently being performed by T&S DVBE.

Hat Creek Construction and T&S DVBE are formally requesting an opportunity to meet with the Caltrans Evaluation Branch for a reconsideration meeting to discuss this issue further and present more evidence substantiating our claim. We are looking forward to discussing this issue further with you.

Thank you,


Weston Hutchings
Operations Manager

T AND S DVBE Inc.

General Contractor CA. Lic # 983087 A-C31
Email - tandsvbe@yahoo.com
DVBE Supplier #1753009
DBE Firm#38721
DIR REC:# 1000007688

Phone 530-864-8105
Fax 530-466-2618
P.o. Box 270986
Susanville Ca, 96127

James,

We are in receipt of your letter from Caltrans dated 1-21-16 stating that contract 02-0H9404 will not be awarded. The letter states that we are not allowed to provide the asphalt oil because the work is "not consistent with the normal business service and functions currently being performed by T&S". We believe this statement is untrue. DGS Office of Small Business has approved us under classification 301216-Asphalts-Asphalt Paving Mixture and has been approved for several months. We are currently under contract to haul approximately 6,000 tons of liquid asphalt already this year.

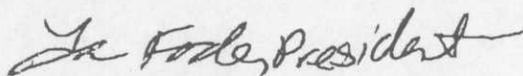
The Caltrans letter goes on to state that the "CEB finds no evidence to substantiate that T&S's possession of the required oil tankers necessary". As we stated in our previous letter we are in the process of purchasing six oil trailers at this time for our upcoming work. Attached is the registration for the trailer we have already purchased. We should be taking delivery of the second trailer we are purchasing next Wednesday the 27th.

At no point in our discussions with the Office of Small Business was it stated that we had to own said trailers prior to bidding the work. We were told that there would be no issues since we already owned the necessary trucks for this work. I have been unable to find anywhere it is written that said trailer needed to be in our possession prior to providing a quote per DVBE guidelines.

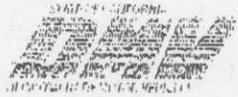
We are requesting that T and S DVBE be allowed an opportunity to meet with the CEU for a Reconsideration Meeting as it appears these have been allowed in other situations similar to this in the past. We are fully prepared to bring our trucks and oil trailers with us to the meeting if that would help.

Please advise what else we can do to remedy this unfortunate situation.

Sincerely



Taren Forde, President
(530)250-5878 Mobile



A Public Service Agency

THIS VALIDATED PERMANENT TRAILER IDENTIFICATION (PTI) CARD OR A FACSIMILE COPY IS TO BE KEPT WITH THE VEHICLE FOR WHICH IT IS ISSUED. THIS REQUIREMENT DOES NOT APPLY WHEN THE VEHICLE IS LEFT UNATTENDED. IT NEED NOT BE DISPLAYED. PRESENT IT TO ANY PEACE OFFICER UPON DEMAND. PTI IS VALID FOR FIVE (5) YEARS FROM THE DATE OF CONVERSION OR FIRST OPERATION. IF YOU DO NOT RECEIVE A RENEWAL NOTICE, USE A FACSIMILE COPY OF THIS FORM TO PAY YOUR RENEWAL FEES OR NOTIFY THE DEPARTMENT OF MOTOR VEHICLES OF THE NON-OPERATIONAL (PNO) STATUS OF A STORED VEHICLE.

IMMEDIATELY NOTIFY DMV IN PERSON OR BY MAIL ON THE PROPER DMV FORMS WHEN:

- * YOU CHANGE YOUR ADDRESS
- * YOU SELL YOUR TRAILER
- * YOU ARE INVOLVED IN AN ACCIDENT (WHETHER OR NOT IT WAS YOUR FAULT) WHEN THERE WAS OVER \$750 DAMAGE OR ANY BODILY INJURY OR DEATH.

WHEN WRITING TO DMV, ALWAYS GIVE YOUR FULL NAME, PRESENT ADDRESS, AND THE VEHICLE MAKE, LICENSE, AND IDENTIFICATION NUMBERS.

***** DO NOT DETACH - PTI OWNER INFORMATION *****



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PERMANENT TRAILER IDENTIFICATION CARD

MAKE	YR MODEL	YR 1ST SOLD	VEH CLASS	-YR	TYPE VEH	TYPE LIC	LICENSE NUMBER
POLAR	1990	0000	CJ	2016	47K	PA	4NJ2168
BODY TYPE MODEL	MP	MO	AX	WC	UNLADEN WT	VEHICLE ID NUMBER	
TANK		XM	2	T	18000	1PMA14224L1010483	
TYPE VEHICLE USE	DATE ISSUED		CC/ALCO	DT FEE RECVD	PTC	USE TAX	EXP DATE: PERM
TRAILER	01/22/16		18	01/22/16	3	750	
REGISTERED OWNER							AMOUNT PAID
T AND S DVBE INC							\$ 777.00
PO BX 270936							

SUSANVILLE CA 96127

LIENHOLDER



AMOUNT DUE \$ 777.00

AMOUNT RECVD

CASH :
CHCK :
CRDT : 777.00



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FACSIMILE TRANSMITTAL SHEET

TO: JOHN McMILLAN FROM: WESTON HUTCHINGS
COMPANY: CALTRANS DATE: 1/25/16
FAX NUMBER: 916-227-6282 TOTAL NO. OF PAGES INCLUDING COVER: 4
CC: MULLISSA SMITH

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY

NOTES/COMMENTS:

24339 HWY 89 NORTH, BURNEY, CA 96013
PHONE 888.335.5501 ~ 530.335.5501 ~ FAX 530.335.5510

476-250 WARD LAKE ROAD, LITCHFIELD, CA 96117
PHONE 530-257-4207 ~ FAX 530-254-6898