

DEPARTMENT OF TRANSPORTATION
DIVISION OF ENGINEERING SERVICES
OFFICE ENGINEER, MS 43
1727 30th STREET
P. O. BOX 168041
SACRAMENTO, CA 95816-8041
PHONE (916) 227-6280
FAX (916) 227-6282
TTY 711



*Flex your power!
Be energy efficient!*

February 21, 2013

Facsimile: (541) 664-1105

Grover Lee, Vice President
F.D. Thomas, Inc.
P.O. Box 4663
Medford, OR 97501

02-2E2914
02-Sis-96-R0.0/77.3
B.O. 12/11/2012

Dear Mr. Lee:

The Department of Transportation (Caltrans) has received protest letters dated December 31, 2012 and January 22, 2013 from F.D. Thomas, Inc. (F.D. Thomas) protesting the bid submitted by Santa Margarita Construction Corporation' (Santa Margarita) on contract 02-2E2914. The protest alleges that Santa Margarita violated the Subcontractor Listing Law by listing two subcontractors for the same exact description of work, and did not perform a good faith effort towards subcontracting with Disadvantaged Business Enterprise (DBE) firms. The protest further states that Santa Margarita failed to submit the required Society for Protective Coatings (SSPC) QP 1 and 2 Certifications.

Caltrans conducted a review of the protests and determined that although Santa Margarita listed two subcontractors for the same Description of Subcontracted Work, the Percentage of Bid Item Subcontracted does not exceed 100 percent. In addition, Santa Margarita did submit the required SSPC Certifications within 24-hours of bid opening. Furthermore, the Office of Business and Economic Opportunity's Contract Evaluation Unit has evaluated Santa Margarita's DBE documentation and found that Santa Margarita has met the stated the goal on the contract.

After review of the protests and considering the explanations provided, Caltrans finds F.D. Thomas' protest lacks merit and will proceed to award this contract to the lowest responsive bidder.

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

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

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

Feb 22 2013 04:27pm

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STATE OF CALIFORNIA - BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN Jr., Governor

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