

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

*Serious draught.
Help save water!*

April 3, 2015

Facsimile: (530) 233-4918

Matt Cruse, Treasurer
Eagle Peak Rock & Paving
Post Office Box 879
Alturas, CA 96101

02-4G3404
02-Mod-299-14.7/20.0
B.O. 02/26/15

Dear Mr. Cruse:

The Department of Transportation (Caltrans) received a bid submitted by Eagle Peak Rock & Paving (Eagle Peak) for Contract 02-4G3404 on February 26, 2015. Caltrans notifies Eagle Peak that its bid is nonresponsive.

Eagle Peak listed D&E Traffic Solutions (D&E) on its Certified Disabled Veterans Enterprise (DVBE) Summary form to perform work described as traffic control (Bid Item 3), which includes flagging and a pilot car. The claimed DVBE participation for this subcontractor is \$75,000.00.

The Office of Business and Economic Opportunity, Contract Evaluation Branch (CEB) reviewed both the Certified DVBE Summary and confirmed that the total participation of this subcontractor was \$75,000.00. After further review of the bid documents, specifically the Subcontractors List form, Eagle Peak did not list this subcontractor.

The 2010 Revised Standard Specifications, Section 2-1.10 states in part... *On the Subcontractor List form, list each subcontractor to perform work in an amount in excess of 1/2 of 1 percent of the total bid or \$10,000, whichever is greater (Pub Cont Code § 4100 et seq.).*

Furthermore, the description of the aforementioned bid item meets the requirements that define a contractor under the Business and Professions Code 7025 (et. seq.), and the total amount of work provided to Eagle Peak exceeds the requirements of Public Contract Code 4100 (et. seq.), and therefore, Caltrans finds that D&E must be listed as a subcontractor.

Based on the above, Caltrans will proceed to award the contract to the lowest responsible bidder, provided that all requirements are met.

Your attention is directed to Section 3-1.04 of the 2010 Standard Specifications. Caltrans is not obligated to offer an extension of the award period for a nonresponsive bid. Should you wish to extend your bid while resolving a nonresponsive finding, you must send your request to the Office Engineer no later than 4:00 p.m., two business days prior to the expiration of your bid.

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

Sincerely,

A handwritten signature in black ink, appearing to read "J. McMILLAN".

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

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

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

Apr 3 2015 03:08pm

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STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

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