



Granite Construction Company
1900 Glendale Avenue
Box 2087
Sparks, NV 89431

T 775.358.8792
F 775.358.0372

graniteconstruction.com

February 5, 2013

Department of Transportation
Attn: John McMillian
1727 30th Street MS-43
Sacramento, CA 95816

VIA U.S. MAIL & FAX

RE: Caltrans Contract #03-1A7324
Subject: Don Garcia Excavating and Paving, Inc. Letter Dated 1-31-2013

Dear Mr. McMillian,

Granite Construction Company (Granite) has received a copy of the above subject letter, dated January 31, 2013, from Don Garcia Excavating and Paving, Inc. (Garcia) to Caltrans (copy attached). Garcia has requested a delay in the award of Contract #03-1A7324, alleging confusion as to Caltrans' January 28 and 30, 2013 letters in regards to the award to Granite.

As evidenced by Caltrans' January 30, 2013 letter, Caltrans' previous letter of January 28, 2013 never should have been published. There is no confusion as to this issue. As Caltrans noted in their letter to Granite of January 30, 2013, they had in fact received Granite's concurrence with the bid extension timely on January 2, 2013 as required. There was no foul, harm or confusion, Granite had in fact complied with the contractual time constraints. This is again evidenced in the January 30, 2013, Caltrans letter where in it stated "Caltrans accepts this proof and will rescind the ineligible bid notification letter of January 28, 2013."

Garcia's request in their letter of January 31, 2013, is without merit. Based on Caltrans previous findings and intentions to award the referenced contract to Granite there is no basis for, nor does the contract allow for a "bid protest". That time has come and gone long ago.

If you have any questions or require additional information please contact me at your convenience.

Sincerely,

Rod Cooper
Vice President / Regional Manager
Granite Construction Company - Nevada Region
Direct 775.352.1080 | Cell 775.813.1747 | Fax 775.358.0372

Enclosed: Garcia letter dated January 31, 2013

01/31/2013 12:50

Received
5305770221

Jan 31 2013 11:05am

PAGE 02/02

DON GARCIA EXCAVATING & PAVING, INC.
P.O. Box 7176, So. Lake Tahoe, CA 96158
(530) 577-0558 / (530) 577-0221 Fax
CA 305618 DBE #000425 / NV 0056442 DBE#00125

January 31, 2013

Department of Transportation
Attn: John McMillian
1727 30th Street MS43
Sacramento, CA 95816

Re: Caltrans Contract #03-1A7324
SUBJECT: BID PROTEST

Dear Mr. McMillian;

Due to the confusion of the Caltrans letter dated January 28, 2013 to Granite Construction Company, which eliminates Granite for award of the contract and the Caltrans letter dated January 30, 2013 to Granite which reinstates Granite as low bidder, I am requesting a delay of award to Granite so that my legal council may have time to prepare a bid protest, and a deadline date for filing such bid protest.

Sincerely,



Michael Garcia
President

Transmission Report

Date/Time
Local ID 1

02-06-2013 14:37:39
775-358-0372

Transmit Header Text
Local Name 1

Granite Constructin 775-358-03
Sparks Main Fax

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Document size : 8.5"x11"

GRANITE	
FAX TRANSMITTAL SHEET	
❖ ATTENTION:	<u>JOHN Mc MILLAN</u>
❖ COMPANY:	<u>CALTRANS, 1727 30TH ST, MS-43</u> <u>SACRAMENTO, CA 95816</u>
❖ FAX:	<u>916-227-6282</u>
❖ DATE:	<u>2/6/2013</u>
NUMBER OF PAGES: <u>3</u> (INCLUDING TRANSMITTAL)	
❖ FROM:	<u>CHRIS BURKE</u> GRANITE CONSTRUCTION COMPANY 1900 GLENDALE AVE/P.O. BOX 2087 SPARKS, NV 89432 PHONE (775)358-8792 FAX (775)358-0372
RE:	<u>CALTRANS CONTRACT # 03-1A7324</u>
MESSAGE:	<u>PLEASE FIND THE ATTACHED BCO PROTEST</u> <u>LETTER FOR CONTRACT 03-1A7324</u>

Total Pages Scanned : 3

Total Pages Confirmed : 0

No.	Job	Remote Station	Start Time	Duration	Pages	Line	Mode	Job Type	Results
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Abbreviations:

HS: Host send
HR: Host receive
WS: Waiting send

PL: Polled local
PR: Polled remote
MS: Mailbox save

MP: Mailbox print
RP: Report
FF: Fax Forward

CP: Completed
FA: Fail
TU: Terminated by user

TS: Terminated by system
G3: Group 3
EC: Error Correct

GRANITE™**FAX TRANSMITTAL SHEET**❖ ATTENTION: JOHN McMILLAN❖ COMPANY: CALTRANS, 1727 30TH ST, MS-43
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PHONE (775)358-8792
FAX (775)358-0372RE: CALTRANS CONTRACT # 03-1A7324MESSAGE: PLEASE FIND THE ATTACHED BID PROTESTLETTER FOR CONTRACT 03-1A7324
